# David Brown

From:	David Brown <brown@knopf-brown.com></brown@knopf-brown.com>
Sent:	Monday, November 25, 2019 12:15 PM
To:	'Sigworth, Ryan'
Cc:	'Michele Albornoz'; 'Mike Grodin'
Subject:	RE: Submission of additional information on the Jesus House Preliminary Plan #
	120160040

Ryan,

Glad to have you at our DPS meeting. I will bring you copies of the following:

- 1. The materials filed in support of our failed motion for reconsideration before the Board in June 2017.
- 2. Written testimony of Michele Albornoz at the March 30, 2017 hearing, complete with attachments, which
  - somehow did not make it into the record.
- 3. Exhibits A through D to our original Circuit Court Rule 7-207 Memo.

These supplement the materials furnished to you as email attachments from me on November 4, 2019. You will also be hearing further from me soon regarding our analysis of the legislative history underlying Council Resolution No. 14-334.

Best regards, Dave Brown

From: Sigworth, Ryan [mailto:Ryan.Sigworth@montgomeryplanning.org] Sent: Monday, November 25, 2019 11:22 AM To: David Brown <brown@knopf-brown.com> Subject: RE: Submission of additional information on the Jesus House Preliminary Plan #120160040

David,

I don't have easy access to this. If you could send it to me I'd appreciate it. I will be at this afternoon's meeting so you could just bring a copy to the meeting as well.

Ryan Sigworth, AICP Senior Planner – Area 3 Maryland National Capital Parks and Planning Commission

Address: 8787 Georgia Avenue Silver Spring, MD 20910

Telephone: (301) 495-2112 Fax: (301) 495-1304 Email: <u>ryan sigworth@montgomeryplanning.org</u> Website: MontgomeryPlanning.org

ARK AND PLANNING

vid Brown <<u>brown@knopf-brown.com</u>> v, November 22, 2019 12:43 PM

# **APPROVED AND ADOPTED**

# CLOVERLY MASTER PLAN

An amendment to the Approved and Adopted Master Plan for Eastern Montgomery County Planning Area: Cloverly, Fairland, White Oak, 1981, as amended; the Functional Master Plan for the Patuxent River Watershed, 1993, as amended, the Functional Master Plan for the Preservation of Agriculture and Rural Open Space in Montgomery County, 1980, as amended; the Master Plan of Bikeways, 1978, as amended; the Master Plan for Historic Preservation, 1979, as amended; The General Plan (On Wedges and Corridors) for the Physical Development of the Maryland-Washington Regional District in Montgomery and Prince George's Counties, 1964, as amended; and the Master Plan of Highways within Montgomery County, as amended.

#### Prepared by

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION Montgomery County Department of Park and Planning 8787 Georgia Avenue Silver Spring, Maryland 20910

#### November 1996

#### Approved by

# THE MONTGOMERY COUNTY COUNCIL

#### July 8, 1997

#### Adopted by

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

July 16, 1997

Exhibit A CMP

# NOISE

Excessive noise is an environmental health problem. Noise from roadway traffic is the single most pervasive noise source in Cloverly. Transportation noise impacts usually occur on residential sites that are adjacent to heavily traveled roadways, such as arterial and major highways.

OBJECTIVE: Minimize noise impacts on existing and new development, to help provide a noise environment that is compatible with existing and proposed land uses.

# **RECOMMENDATIONS:**

- Incorporate abatement measures where possible for existing and projected noise impact areas as part of future road widening projects.
- Continue to require noise-compatible site design for new residential development within noise impact areas along roads.

# WATER AND SEWERAGE SERVICE

Community water and sewerage service in Cloverly is limited as a result of previous master plans and the *Comprehensive Water Supply and Sewerage Systems Plan* policies. The limited availability of water and sewerage service has been used in previous plans to control the density and timing of development in Cloverly. The recommendations in this Plan directly support the efforts to maintain rural character and watershed protection and they reflect changes in policies since the 1981 Plan. As a result some properties may be unable to develop to the maximum permitted in a given zone.

All of the Paint Branch watershed and all of the Northwest Branch watershed, with the exception of RE-2 zoned properties, were recommended by previous plans for water and sewerage service. The 1981 Plan specifically recommended against the provision of water and sewerage service in the Rural Cluster zone to protect the water quality of the Rocky Gorge Reservoir. The Cloverly Master Plan reconfirms the policies of the 1964 General Plan, the 1968 Fairland-Beltsville Plan, the 1980 Functional Master Plan for the Preservation of Agriculture and Rural Open Space, the 1981 Eastern Montgomery County Master Plan, and the 1993 Functional Master Plan for the Patuxent River Watershed in recommending that no new sewerage service or extensions occur in the Patuxent watershed. The only exception is for RE-1 zoned properties where sewer service can be provided from existing mains within the Northwest Branch or Paint Branch watersheds. In addition, community water service without sewer service within the Patuxent watershed can be considered on a case-by-case basis consistent with current policies in the Comprehensive Water Supply and Sewerage Systems Plan.

The Washington Suburban Sanitary Commission (WSSC) will construct an elevated water storage facility in the southwest quadrant of New Hampshire Avenue and Norbeck Road Extended on a portion of the Hampshire Greens property. The existing standpipe on Spencerville Road will be removed after the new facility is completed.

The RE-2 zoned area bordered by Norwood Road, Northwest Branch, Hampshire Greens, and New Hampshire Avenue is not recommended for sewer service. This recommendation is designed to maintain the rural character that results from low-density residential development that in turn relies on septic suitability of soils to determine the location and number of houses. This Plan recognizes that development on individual properties in the RC and RE-2 zones may be limited due to the lack of public sewerage service. The timing of necessary extensions of public water and sewer service should be determined by development activity and the need to correct existing health problems. Development in Cloverly in conformance with this Plan is relatively small and would not be the determining factor in the need for relief sewers downstream of Cloverly.

**OBJECTIVE:** Provide appropriate public sewer and water facilities with minimal impact on natural resources to reinforce land use management policies.

### **RECOMMENDATIONS:**

- Extend community water and sewerage service in an environmentally sensitive manner. When feasible, water and sewer lines should be located outside stream buffers, especially wooded stream buffers. Where extensions or major improvements would be too damaging, alternatives such as pump-over systems and force mains should be considered, along with their fiscal impact.
- Provide community water service to all areas in Cloverly with the following limitations:

Extend water service in the RC zone on a case-by-case basis to residential properties that meet the recommendations of this Plan and use the cluster option of development or to properties with insufficient acreage to use the cluster option. The *Comprehensive Water Supply and Sewerage Systems Plan* was amended in April, 1995 to include specific language regarding the provision of water to cluster subdivisions in the Rural Cluster (RC) zone. The Water and Sewer Plan states that "the decision to extend or restrict water service should focus on conformance with master plan land-use and development recommendations, rather than on generalized water service areas."

This Plan recognizes that development on individual properties in the RC Zone may be limited due to the lack of water service. This limitation on development supports efforts to maintain the low-density character of these areas.

- Extend water service to RE-2 zoned land on a case-by-case basis following the guidance of the *Comprehensive Water Supply and Sewerage Systems Plan.* Water service will improve fire protection and provide residents with the opportunity for individual hook-ups.
- Provide community sewerage service with the following limitations:
  - Provide sewerage service throughout Cloverly except in the RC and RE-2 zones to maintain a low-density, rural character. The extension of sewer service to residential, institutional, and special exception uses in the RC and RE-2 area (except to relieve public health problems or to address other specific *Comprehensive Water Supply and Sewerage Systems Plan* policies) is not consistent with this Plan because of potential impacts on the low- density character of both areas and conflict with the long standing recommendation not to provide sewer service in the Patuxent watershed in order to control water quality in the reservoir. The presence of public water service does not justify the extension of sewer service in the RE-2 and RC zones. An exception is a part of the Gum Springs neighborhood zoned RE-2. This area is included in the existing community sewer envelope. Sewer service was extended throughout the area prior to adoption of the 1981 Plan.

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<u>Resolution No. 14-333</u>, confirming the County Executive's appointments of the following persons to serve as members of the Facilities Implementation Group: Steven Mendelsohn; Jane Hunter; and Winsome Brown.

Councilmember Krahnke made the motion to adopt the consent calendar, which was adopted without objection.

# SUBJECT: Ten-Year Comprehensive Water Supply and Sewerage System Plan

The Council had before it memoranda from Mr. Levchenko, Legislative Analyst, dated October 29, 1999, and November 1, 1999, respectively.

President Leggett, Chair of the T&E Committee, suggested that the Council proceed on a consent calendar basis, removing any projects on which there are questions. Presenting the Committee report, Mr. Leggett stated that the Committee was in agreement with Planning Staff and the Executive Branch Staff with the exception of one project. He said that a number of requests were received from the Piney Branch Watershed, and the Committee is recommending disapproval of all of them. He said that the Committee plans to examine issues related to the Piney Branch Watershed later. Councilmember Leggett requested that application 99-CLO-02 be removed from the consent calendar for discussion, noting that the Committee recommended approval of the requested sewer category change from S-6 to S-1, which recommendation is not in accordance with the recommendation of the County Executive and the Planning Board.

With respect to plans of the Committee to review issues related to the Piney Branch Watershed, Councilmember Krahnke urged Councilmembers to continue to support the existing policy for the Watershed and not review the issues until the Potomac Subregion Master Plan has been completed. Ms. Krahnke pointed out that a lot of time and money has been invested in reviewing sewerage issues for upcoming master plans, and expressed the view that approving sewer category changes before the master plans are completed would be inappropriate.

President Leggett said that the Council has no Committee recommendation for the Piney Branch Watershed before it today. The Committee has agreed to review related issues later, which he views is the prerogative of the Committee.

> Exhibit C Council

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Councilmember Dacek agreed with Councilmember Leggett that the Committee may review any issues it desires to review, but since this is a special protection area with limited access to the sewer, she believes it is inappropriate for the Council to consider sewer category changes before it reviews the Potomac Subregion Master Plan.

Councilmember Dacek directed attention to page ©22-23, the Watts Branch Watershed Cases, noting her concern about sewer category changes being approved for RE-2 zoned land. She said that she is opposed to applications 98A-TRV-10 and 98A-TRV-01.

President Leggett, speaking in accordance with the information contained on pages 4-6 of the Council Staff memorandum discussed issues related to application 99A-CLO-02, and stated that the Committee recommended approving the change to the water (W-1 without restriction), and the sewer category change from S-6 to S-1, with the following conditions:

> The sewer main extension will be restricted for use by the Church and not be available for connection to other properties; a covenant (or similar legal arrangement) will be developed to ensure the long-term protection of the area that would have been used for the septic system; and the property owner will pay for the main extension as required in the Private Institutional Facilities policy.

Councilmember Subin stated that he supports the Committee's recommendation, including the conditions for approval of the sewer category change. Presenting his rationale for approving the sewer category change, Mr. Subin pointed out that the church facility will be built using a septic system if the sewer category change is not granted. He said that if the facility is built without the sewer category change, the County will lose almost seven acres of heavily forested land with some large stands of trees. He said in his opinion, the County has nothing to lose by granting the sewer category change, pointing out that no further building or density would be allowed on the property.

Councilmember Praisner requested that copies of the agreement with the property owner be made available to Councilmembers. Ms. Praisner said that she would like to understand whether the recommendation of the Committee alters the master plan language that specifically states that no sewer extensions will be permitted in this area, as the language relates to other properties within the master plan area.

Councilmember Praisner said that she understands and is sympathetic to the issues discussed by the Committee, but that the Council spent a lot of time on this area of the Cloverly Master Plan when it was approved by the Council. She said that she believes the language in the master plan is clear and that anyone who purchases land has the area master plan to review, including information on water/sewer category status. Ms. Praisner said that she agrees with members of the Cloverly Master Plan Advisory Committee who have communicated their opposition to this request and their concern that the requested change significantly alters the master plan. Ms Praisner expressed the hope that if the Committee approves this exception, it is clear to Executive Branch Staff, the Planning Board, and the Council Staff that this should not be viewed as a precedent.

President Leggett stated that he believes the Committee made it clear in its recommendation that this should not be viewed as a precedent. He said certainly the Committee respects the master plan language and the intent behind the master plan. However, the master plan serves as a guide and it is not absolute nor does it prevent something from being reviewed. He said that if this master plan had been followed precisely as written, the Intercounty Connector would have been built 15 years ago. Mr. Leggett said the Committee has looked at the master plan language and believes that if it is viewed as an exception it would not be easily duplicated. The Committee is recommending the sewer category change consistent with what the Committee perceives is a strong environmental need, the low density in the area, and that the sewer line can be extended for no cost to the taxpayer.

Councilmember Dacek stated that she believes Councilmember Praisner made it clear that one of the major issues is that the Executive Branch Staff, the Planning Board, and the Council Staff recommended denial. Ms. Dacek referred to the statement in the November 1, 1999 letter from Mr. O'Hara, Jr., Chair, Citizens Advisory Committee, Cloverly Master Plan, that indicates that "Mr. Groden is well aware of the rationale for including this language in the master plan because he served on the Cloverly Citizens Advisory Committee and was unable at that time to persuade a majority of its members to support his desire to obtain sewer for his RE-2 zoned property." Ms. Dacek stated that although the Council can say that this will not be a precedent for other properties in the area, there have been other cases that the Council has approved involving long sewer line extensions. Councilmember Dacek stated that she understands the need to preserve the environment, and although there are very large trees in this area, they represent mostly second-growth woods.

Following further discussion of the issues involving application 99-CLO-02, Planning Staff requested and received concurrence from the Council to include in the second condition that the covenant or similar legal arrangement will be implemented through the Preliminary Plan Review Process.

ACTION: Adopted Resolution 14-334, approving amendments to the Comprehensive Water Supply and Sewerage Systems Plan, for water and sewer category changes.

The motion was made by the T&E Committee:

YEAS: Andrews, Berlage, Ewing, Leggett, Subin, Silverman NAYS: Dacek, Praisner, Krahnke. Good afternoon. My name is Michele Albornoz and I have been a resident of Cloverly since 1977. I am 1 of 5 second-generation families that purchased their family homes to raise our children in the same environment we enjoyed as children.

I am here today because the Community is concerned that the Applicant has reported plans to only install a warming kitchen.

Generally, a "warming kitchen" is one in which food that has primarily been prepared elsewhere is assembled or heated up.[1]

According to Montgomery County Code [2][3], a "Commercial Kitchen" is one that satisfies requirements for the preparation of food that could be sold to the public.[3][4]

Additionally[4][5][6], a "Commercial kitchen" defines a place where

- food or drink is prepared for sale or service on the premises or elsewhere, or
- A place where food is served to or provided for the public with or without charge.

As far as the Community understands, there has not been sufficiently-detailed drawings submitted to indicate the type of kitchen that will eventually be installed[7][8]. Planning only has a revised letter[9] from the Raztec Associates dated 11/9/2016 stating "Church use with a warming kitchen".

The letter[10] from Linowes and Blocher LLP signed by Erin E Girard dated 12/12/2016 states in paragraph 2 that the "Applicant has assumed a school program that includes a kitchen". This letter does not specify the type of kitchen.

While not many specifics have been provided, it is general knowledge that the Applicant is planning a very large and high-intensity facility including large religious assemblies, a day school, a multi-purpose facility, etc. The applicant has also mentioned a banquet facility, serving the homeless, providing housing, consolidating operations from four locations at this facility and growing.

Attachment 1 -Church Executives.com Attachment 2 - Chapter 59, 59-3.5.14 D Attachment 3 - Chapter 59 Use Chart Attachment 4 - Chapter 15.1(f) Attachment 5-ZTA 14-07 dated July 14, 2014, 2 pages Attachment 6-Food and Facilities Licensing-Montgomery County, Page 1 & 2 Attachment 7-"Permitting Facts related to Places of Worship" revised 6/13/12 Attachment 8-Chapter 50.34(e) (1) Attachment 9-Raztec letter Attachment 10-Linowes and Blocher LLP letter These references indicate plans for food preparation on the premises and service of food beyond the membership of the church.

The community is concerned about what appears to be conflicting information. This seems like an area that needs further investigation. The Staff report indicates no additional work has been done on this since the Community concerns were presented to DEP and DPS late in January.

The county has told the Community that the Applicant would need a permit to transition from a warming kitchen to a commercial kitchen. All well and good, however, an accurate disclosure of the long-term plan is essential to the up-front calculations of how much of the existing forest area needs to be conserved. This also impacts the determination of how much acreage the Applicant can actually develop. So, there is sufficient motivation for the Applicant to have a phased kitchen plan and only disclose their initial plans. Equally, there is sufficient justification to insist on more investigation and "reasonableness-testing" on what has been submitted.

The community is very concerned about what appears to be a lack of rigor on the part of the county. We are also keenly aware that we will not have another opportunity to review and be heard on this application.

Because of the reasonable justification for doubt and the criticality of accurate longrange information on this point, the Community asserts that the Board should NOT approve the plan until more information is known about the Applicants current and planned food prep and service operations.

# Is a commercial kitchen right for your church? - Church Executive

Page 2 of 6

tachment



The Jarge commercial kitchen at the Oldahoma Assembly of God Camp in Sparks, OK, fuels a state-of-the art dining hall equipped to serve 1,000 people three meals a day. (Photo provided by

"A warming kitchen is one in which the food is primarily prepared elsewhere and assembled or heated up in the kitchen," explains Darrell Devore, senior project manager at Churches by Daniels Construction in Broken Arrow, OK.

In contrast, Heimsath Architects' Macinemey says three kinds of activities put a church kitchen on the health department's radar as a commercial operation: serving a day school, serving the homeless, or selling food. "These create a situation where there's public trust in the food, and the county enforces their

#### All the belts and whistles

Given that many churches will want to serve school and the homeless, or sell food to the public, a commercial kitchen becomes the logical choice. Once a church leader approaches an architect about this type of setup, the topic of vent hoods and exhaust systems will likely come up first. There's a reason for that: These elements are expensive --- and non-negotiable.

Generally speaking, the primary purpose of an exhaust hood over a commercial range is to remove the combustion gases of the more powerful burners, according to the experts at Comstock-Castle Stove Co., based in Quincy, IL, which was established in 1838.

Removing cooking smells, they say, is a secondary purpose.

"A properly sized commercial hood needs to be physically matched to the equipment underneath it, as well as for the BTU rating of that equipment," advises the company's website. "Local commercial building codes may vary, but generally the hood must extend a certain distance left to right and front to back

Additionally, the hood's fan motor must remove a certain amount of air (cubic feet per minute) in relation to the BTU rating, as determined by the local

Building God's Way founder Dan Cook says yearly fire suppression costs associated with a type-2 vent hoods (common in commercial kitchens) range from \$3,000 to \$4,000, including insurance and cleaning. Utilities add another \$3,000 to \$4,000, annually.

And, as Libby Shoop, marketing manager at indianapolis-based C&T Design and Equipment Co., Inc., price isn't the only consideration related to exhaust systems; aesthetics matter, too. "Beautiful church design doesn't lend itself to ugly exhaust systems, so the vapors that usually escape through the roof might need to be rerouted to go out the side of the building," she explains, "That can add cost."

Additionally, floor drains, hand sinks, mop sinks and three-compartment sinks are all standard in commercial kitchens. \*A commercial kitchen can have three times as many sinks and/or dishwashing systems as a warming kitchen," says Building God's Way's Cook. "All those sinks --- coupled with a walk-in cooler or freezer --- typically occupy 500 to 1,000 square feet of commercial kitchen space."

Moreover, Heimsath Architects' Macinemey points out that all kitchens (commercial and warming) are required to have an accessible sink and accessible counter. "We often do an accessible hand-sink to accommodate the sink requirement," he says.

CDH Partners' Biglow says most jurisdictions will dictate that plumbing drain lines in commercial kitchens be routed to a grease trap somewhere outside the building.

"Typically, these are a minimum of 1,500-gallon, in-ground tanks designed to trap grease in the water before it gets into municipal sewer lines," he explains. "Although the size of the required trap is based on the number of meals that are planned per week, this can be an expensive item."

Commercial kitchens also require impervious, easy-to-clean finishes on all surfaces. Plus, many feature warming cabinets, separate storage for dry goods (food pantries), walk-in coolers, and - last, but definitely not least - extensive electricity components. To this end, some design experts recommend planning commercial-grade electrical capacity into the kitchen from the beginning, even if a smaller-scale warming kitchen is on the menu at first.

http://churchexecutive.com/archives/is-a-commercial-kitchen-right-for-your-church

3/10/2017

Council Approved

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- It is a maximum of 560 square feet in area; however, a single equipment building in excess of 560 square feet, located at ground level, may be used if:
- (a) the overall maximum square footage is 1,500 square feet and the maximum height is 12 feet;
  - (b) the building is used for more than one telecommunication provider operating from the same monopole or tower; and
- (c) the building is reviewed by the Telecommunications Transmission Facility Coordinating Group under Chapter 2 (Section 2-58E).
  - it is a maximum of 12 feet in height if located on the ground or 14 feet in height for a rooftop structure, including the support structure for the equipment building.
- iii. If the equipment building or cabinet is at ground level in a Residential zone, or the nearest abutting property is in a Residential zone, the building or cabinet must be faced with brick or other compatible material on all sides and surrounded by landscaping providing a screen of at least 3 feet in height.
- d. When mounted on a rooftop or structure located on privately owned land, the antenna must meet the following standards:
- An antenna is prohibited:
- (a) on any detached house or duplex building type or an accessory structure associated with either building type; and
   (b) in any scenic setback indicated in a master plan.
- An antenna and a related unmanned equipment building or cabinet may be installed on a rooftop if a building is a minimum height of:
   (a) 50 feet in any Residential Detached zone; or
- (b) 30 feet in any Residential Multi-Unit, Commercial/Residential, Employment, or Industrial zone.
- An antenna may be mounted on the facade of a building at a minimum height of:

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(a) So feet in a Residential Detached zone; or

- (b) 30 feet in any Residential Multi-Unit, Commercial/Residential, Employment, and Industrial zone.
- iv. The antenna must not be attached to the support structure for:
   (a) an antenna that is part of an Amateur Radio Facility licensed by
  - the Federal Communications Commission; or (b) an antenna to receive television imaging in the home.

# D. Commercial Kitchen

1. Defined

Commercial Kitchen means a part of a building that is accessory to Religious Assembly (Section 3.4.10) or Public Use (Except Utilities) (Section 3.4.9) and satisfies the requirements of Chapter 15 for the preparation of food that could be sold to the public.

2. Use Standards

Where a Commercial Kitchen is allowed as a limited use, it must satisfy the following standards:

- The Commercial Kitchen must occupy less than 5% of the floor area of the building in which it is located.
- b. The Commercial Kitchen cannot be used as part of an on-site Eating and Drinking establishment (Section 3.5.3).
- A minimum of one parking space, on-site or off-site, per kitchen user is required.
- d. The Commercial Kitchen can be used for the preparation of food for public consumption off-site only between the hours of 6:00 a.m. to 9:00 p.m. weekdays and 8:00 a.m. to 9:00 p.m. weekends.
- E. Drive-Thru
- 1. Defined

Drive-Thru means a facility where the customer is served while sitting in a vehicle. Drive-Thru includes drive-thru restaurants, banks, and pharmacies, but does not include Filling Station (see Section 3.5.13.C, Filling Station).

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Chapter 59: Zoning Code Montgomery County, Marvland

3 — 10 March 5, 2014

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Attachment 4

Sec. 15-1. Definitions.

In this Chapter, the following words and phrases have the following meanings:

(a) Adulterated food: Any food or drink:

(1) Which has been produced, prepared, packed, or held under unsanitary conditions whereby it would reasonably be expected to have become contaminated; or

(2) Which violates the Maryland Food, Drug and Cosmetic Act.

(b) Department: The Department of Health and Human Services.

(c) Director: The Director of the Department of Health and Human Services or the Director's designee.

(d) Eating and drinking establishment: Any food service facility.

(e) Employee: Any person, including an owner or manager, who:

(1) Handles food or drink during preparation, storage, or serving; or

(2) Comes in contact with eating, drinking, or cooking utensils and dishware; or

(3) Is employed in a room in which food or drink is prepared or served.

(f) Food service facility: Any enterprise that prepares or sells food or drink for human consumption on or off the premises. Food service facility includes:

(1) Any restaurant, coffee shop, retail market, cafeteria, short-order cafe, luncheonette, tavern, sandwich stand, soda fountain; and

(2) Any food service facility in an industry, institution, hospital, club, school, church, catering kitchen, or camp.

(g) Food or drink: Substances for human consumption as defined in State law.

(h) Food service manager:

(1) The licensee;

(2) An employee assigned by the licensee to supervise or manage food-handling employees; or

(3) An employee who otherwise has the authority, either personally or through others, to immediately enforce food protection, handling, storage, and display practices and good personal hygiene.

(i) Itinerant food service facility:

(1) A food service facility operating for a temporary period at a fixed location, not exceeding 14 days, at a fair, carnival, public exhibition, construction project, recreational facility or similar gathering; or

(2) Any other food service facility which travels from place to place.

Each itinerant food service facility belongs to one of 4 classes:

Class I: A food service facility operating from a fixed location or a mobile unit which handles, serves, or sells only sealed and prewrapped or prepackaged food or drink in the original sealed container or wrapping, and which does not prepare, wrap, or package any food or drink on the premises or within the mobile unit.

Class II: A food service facility operating from a fixed location, which handles, serves, or sells any food or drink, other than in sealed containers or wrappings, or which prepares, packages, or wraps any food or drink on the premises.

Class III: A food service facility operating from a mobile unit which handles or sells any food or drink other than in sealed containers or wrappings, or which prepares, packages, or wraps any food or drink within the mobile unit.

Attachment-5

PHED Committee #4 July 14, 2014

# MEMORANDUM

# July 10, 2014

# TO:Planning, Housing, and Economic Development CommitteeFROM:Jeff Zyontz, Legislative Attorney

SUBJECT: Zoning Text Amendment 14-07, Accessory Commercial Kitchen - Standards

Zoning Text Amendment (ZTA) 14-07, sponsored by Councilmember Leventhal, was introduced on June 10, 2014. A public hearing on ZTA 14-05 is scheduled for July 15, 2014 at 1:30 p.m.

Councilmember Leventhal believes that accessory commercial kitchens that are 5 percent of the floor area of the tract in common ownership on which the commercial kitchen is located should be allowed. Currently, an accessory commercial kitchen is limited to 5 percent of the floor area in the building accommodating the kitchen.

The Council approved ZTA 11-08 on June 26, 2012 that allowed commercial kitchens as an accessory use in residential zones under certain circumstances.<sup>1</sup> A commercial kitchen is permitted only as an accessory to a service use that is permitted without a special exception; however, it is prohibited as an accessory use for home occupations, day care facilities, and adult foster care homes. Where a commercial kitchen is allowed, it must:

- (1) occupy less than 5% of the floor area of the building in which it is located;
- (2) not be used as part of an on-site eating and drinking establishment;
- (3) submit a parking plan acceptable to the Director of Permitting Services that provides adequate on-site or off-site parking for the users of the commercial kitchen during hours of operation in subsection (4); and
- (4) be used for the preparation of food for public consumption off site only between the hours of 6:00 AM and 9:00 PM weekdays; and 8:00 AM and 9:00 PM weekends.

ZTA 14-07 would only change item number (1) above. The single change would allow larger accessory commercial kitchens.

<sup>&</sup>lt;sup>1</sup> The PHED Committee (2-0-1; Councilmember Elrich, who would want to allow commercial kitchens as a special exception, abstained) recommended the approval of ZTA 11-08 with amendments. The entire memorandum to Council for the June 26, 2012 meeting is attached.

# Attachment 5

# **Background** information

# What is a commercial kitchen?

The term used to define places where food or drink is prepared for sale or service on the premises or elsewhere, or an operation where food is served to or provided for the public with or without charge is "food service facility".<sup>2</sup> Food service facility kitchens are required by the regulations to be equipped with commercially approved equipment that meets national standards. All plumbing and drains must comply with the requirements of WSSC. The materials used in the construction must satisfy County regulations.

A commercial kitchen is a new term in the County Code. ZTA 11-08 would define it as a facility that satisfies the requirements of Chapter 15 for the preparation of food served to the public. Chapter 15 uses the term "food service facility" instead of the term "commercial kitchen". (HHS has not objected to the use of the term "commercial kitchen".)

A food service facility must have a certified food service manager on site whenever food is being prepared.<sup>3</sup> A caterer must have a certified food service manager on site and access to a licensed food service facility (a base of operation) to prepare food for human consumption.

# How many licensed facilities are there, and how many rent their facilities to multiple users? Is there a shortage?

There are some 3,500 licensed food service facilities in the County. The vast majority of those are restaurants.<sup>4</sup> To the best of HHS's information, only 10 of the 3,500 licensed facilities rent space to

<sup>2</sup> Chapter 15 definition:

- Any restaurant, coffee shop, retail market, cafeteria, short-order cafe, luncheonette, tavern, sandwich stand, (1) soda fountain; and (2)
- Any food service facility in an industry, institution, hospital, club, school, church, catering kitchen, or camp.
- License: A document authorizing a food service facility or an itinerant food service facility to operate in the County. <sup>3</sup> Sec. 15-8. License required; exceptions; certified manager required. (a)
- A person must not operate a food service facility or an itinerant food service facility without a valid license from the director. A separate license is required for each food service facility or itinerant food service facility. **(b)** (1)
  - After January 15, 1989, a licensee must not operate a food service facility unless at least one employee is a certified food service manager, or is taking a course that will train the employee to be a certified food service manager.
    - After July 15, 1989, a licensee must not operate a food service facility unless the facility is under the (2) immediate control of a certified food service manager. (3)
      - This requirement does not apply to:
        - A food service facility where no unwrapped food is handled; or (A)
        - **(B)** A seasonal food service facility in which little or no potentially hazardous food is prepared, handled or served.
    - This requirement may be applied to an itinerant food service facility at the discretion of the director. (4) (5)
- The director may postpone or waive this requirement if in unusual circumstances its application to a particular licensee would result in undue hardship. <sup>4</sup> The number of caterers and restaurants is not available from this aggregate data.

Food service facility: Any enterprise that prepares or sells food or drink for human consumption on or off the premises. Food service facility includes:

HHS - Licensing - Food Service Facility

Attachment Page 1 of 8

Search

Food & Facilities Licensing

**Environmental Health** 

**Health Care Facilities** 

Licensing Services

Food & Facilities Licensing

**Environmental Health** 

**Health Care Facilities** 

**Licensing Services** 

# **Food and Facilities Licensing**

# Licensing Services - Food Service Facility

Food Allergen Awareness and Training | Application Process | New Facility/Fixed Location | Change of Ownership | Other Required Licenses | Certified Food Service Manager | Hazard Analysis Critical Control Point (HACCP) Plan

Who must submit a food service facility license application?

Any person planning to distribute, prepare, handle, or dispense food for public consumption with or without charge.

# What constitutes a food service facility?

"Food Service Facility" means restaurants, coffee shops, cafeterias, short order cafés, luncheonettes, taverns, sandwich stands, soda fountains, retail markets, and food operations in industries, institutions, hospitals, clubs, schools, camps, churches, catering kitchens, commissaries, or similar places in which food or drink is prepared for sale or for service on the premises or ririo - Licensing - Food Service Facility

Httachment Page 2 of 8

elsewhere, or any other operations where food is served or provided for the public with or without charge. Code of Maryland Regulations – 10.15.03 – Food Service Facilities and Montgomery County Code – Chapter 15 – Eating and Drinking Establishments. *Home kitchens will not be licensed!* 

# When must one apply for a food service license?

A license must be obtained prior to opening a business. Licenses expire on December 31st and must be renewed each year. (A Use and Occupancy Permit must be obtained through the Department of Permitting Services at 240-777-6200. Many businesses also are required to have a Trader's License. To determine if you need a Trader's License, contact the Montgomery County Circuit Court, Business Licenses Office at 240-777-9460.

# How does one obtain a license to sell food?

Licenses are issued by the Department of Health and Human Services, Licensure and Regulatory Services. *Licenses are not transferable*.

Food Allergen Awareness and Training

With approximately 15 million Americans affected by food allergies each year, Montgomery County is trying to create a safer dining out experience for an individual and families managing food allergies. Although most food allergies cause relatively mild to minor symptoms, some food allergies can cause severe reactions, and may even be life-threatening. While there is no cure for food allergies, strict avoidance of food allergens, early recognition and management of allergic reactions to food are important measures to prevent serious health consequences.

# Maryland Code Annotated, Health-General 21-330.2(A)

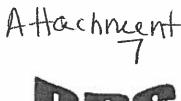
As of March 1, 2014, state law requires that "a food establishment shall display prominently in the staff area of the food establishment a poster related to food allergy awareness that includes information regarding the risk of an allergic reaction."

Allergy Awareness Poster (English) (Spanish)

# Montgomery County Bill 33-16

On November 1, 2016, the Montgomery County Council, sitting as the Board of Health, went a step further and enacted Bill 33-16, Eating and Drinking Establishments -Food Allergen Awareness Training.

Effective July 1, 2017, Bill 33-16 requires all "Eating and Drinking Establishments", which are required to be under the Immediate control of a certified food service manager, to have on the premises at all times when food is being prepared or served, an employee who has completed a food allergen awareness training course and passed a test as required by this Regulation to protect the health of County residents.





Department of Permitting Services Division of Customer Service 255 Rockville Pike, 2<sup>nd</sup> Floor Rockville, MD 20850-4166 Phone: 311 In Montgomery County or (240)777-0311 Fax: (240)777-6262 http://www.montgomerycountymd.gov/permittingservices



# Permitting Facts Related to Places of Worship

# A. Zoning -- Where are places of worship allowed to be constructed and operated?

Churches, temples, synagogues, mosques, chapels, meeting houses, memorial gardens, convents, monasteries and other places of worship are a permitted use in all residential zones.

Places of religious worship are a permitted use in commercial zones, CBD zones, all industrial zones except for I2 – Heavy Industrial.

# B. Typical Construction Projects for Places of Worship

- Building Permits: New construction, Additions, Interior Alterations
- Use and Occupancy Certificate; Change of Use from Single Family Dwelling to Commercial Building; Compliance with Parking Requirements
- Well and Septic Permits: New/Altered Well or Septic System

# C. Permitting Requirements

PERMIT TYPES	REVIEWS
Commercial Building Permit	Architectural
	Structural
	Zoning
	Park and Planning Commission (MNCPPC)
1	Washington Suburban Sanitary Commission (WSSC)
ti .	State Highway Administration (SHA)
	Life Safety
	Mechanical
Use and Occupancy	
	Zoning use and parking
Sediment Control	Sediment Control, Forest Conservation
Right of Way (Driveway)	Driveway, Traffic Control Plan
Sign Permit	Zoning - size, location
Well and Septic	Location and properly sized for number of users

#### D. Fees

#### Permit Fees

DPS permit fees are set by Executive Regulation and Council Resolutions. Building Permit fees for new construction are based on the cost of construction as determined by the International Code Council. Permit fees for repairs, alterations and accessory structures are based on the cost of construction as provided by the applicant. An automation enhancement fee of 10% of each permit fee is also charged.

#### Impact Taxes

Current impact tax rates range from \$.35 to \$.80 per square foot of gross floor area being constructed.

Page 1 of 4 Revised 6/13/2012

Attachmen

Sign Permit Fees

Fees for signs for places of worship that have a 501(C)(3) status may be eligible to have their sign permit fees reduced or waived based on their annual revenue.

<u>Annual Revenue</u> \$0.00 - \$50,000.00 \$50,000.01 - \$100,000.00 \$100,000.01 - \$200,000.00 \$200,000.01 and above

Fee \$0.00 33% of Current Fees 66% of Current Fees 100% of current Fees

# E. The Top 7 issues Encountered During the Permitting Process

lssue	Description	Resolution Tips
1. As-Built Drawings	When places of worship submit an application for building permits, they must have a set of as-built drawings for DPS to review the existing and the proposed structures. Many places of worship do not have a set of drawings of the existing church. The cost of getting an engineer to develop a set of as built drawings can be expensive, but it is necessary.	Build in the cost of the as-built drawings into the total cost of your project.
<ol> <li>Use of architects and engineers not familiar with Montgomery County Codes and processes</li> </ol>	Some places of worship use their members who are design professionals to submit building applications and to oversee the construction project. Sometimes these professionals are working in Montgomery County for the first time and are not familiar with County codes or processes, and this makes the review period and construction period a challenge.	Request DPS' case, or project, management services. The primary objective we are trying to achieve by assigning cases to Permit Technicians is to
<ol> <li>Single Family Homes Meeting Commercial Building Standards</li> </ol>	Commercial building standards are required because the space will be for public use. Sometimes it is difficult for places of worship in single family homes to meet commercial building standards. The question of what criteria does DPS use to determine that a SFD is considered a place of worship is often questioned.	inform applicants of the entire permitting process as it relates to their project; to assist applicants through the process by keeping them
	Federal Law – 28 CFR Part 36 Nondiscrimination on the Basis of disability by Public Accommodations and in Commercial Facilities 4.33.3 Placement of Wheelchair Locations. Wheelchair areas shall be an integral part of any fixed seating plan and shall be provided so as to provide people with physical disabilities a choice of admission prices and lines of sight comparable to those for members of the general public. They shall adjoin an accessible route that also serves as a means of egress in case of emergency. At least one companion fixed seat shall be provided next to each wheelchair seating area.	informed of their permit status and to resolve issues that impede the timely completion of the permitting process. Schedule a Pre- Design Consultation Meeting.
	When the seating capacity exceeds 300, wheelchair spaces shall be provided in more than one location. Readily removable seats may be installed in wheelchair spaces when the spaces are not required to	

Page 2 of 4 Revised 6/13/2012

Issue	Description	Resolution Tips
1	accommodate wheelchair users. (Implication – the sanctuary floor must be designed level to accommodate wheelchairs.)	
5. Multi- Uses	Places of worship have many varied programs and services for church members and individuals outside of the church. It is often difficult to identify if the use is considered "place of worship" or something else (wedding chapel for profit) for zoning, building code review, and impact tax assessments.	
6. Day Care Centers	Day Care Centers have requirements from the State of Maryland, Fire Marshal, DPS, and DHHS. Coordination and compliance with all of these requirements is often cumbersome.	Request DPS' case, or project, management services. The primary objective we
	building or structure which is used for religious purposes, nor to additions, alterations or enlargements of such existing buildings and structures, nor to new buildings on land now improved by a building in use for religious purposes, or land contiguous to such improved and, as of May 1, 1962; nor to any such building or structure for which a valid building permit has been ssued prior to such date.	are trying to achieve by assigning cases to Permit Technicians is to inform applicants of the entire permitting process as it relates to their project; to assist applicants through the process by keeping them informed of their permit status and to resolve issues that impede the timely completion of the permitting process. Schedule a Pre- Design Consultation Meeting.
t S P tt b	raveling to or from religious services conducted on their Sabbath and principal holidays shall only be required to provide <u>one space for each 8 persons</u> for whom seating a provided in the main auditorium; provided further, that he spaces thus required do not have to be provided on he building site if such place of worship is located within 00 feet of any public parking lot or any commercial arking lot where sufficient spaces are available during be time or services or other proposed use of the uilding to provide the spaces required.	
D be st	adequate parking. PS receives complaints about inadequate parking ecause church members are parking on neighborhood reets taking up spaces where homeowners usually ark.	

. .

Page 3 of 4 Revised 6/13/2012

A Hachment-

(6) Locations and names of adjacent subdivisions with lot, block, and record plat number of immediately adjoining subdivided land.

(7) Location, names, widths of rights-of-way and construction details for all roads and dedicated rights-of-way and easements.

(8) Location of existing and proposed utilities.

(9) Existing topography with contour intervals not greater than five (5) feet.

(10) Vicinity location map.

(11) Location of existing and proposed sidewalks.

(12) Graphic representation of property drawing of proposed subdivision, including:

a. Lot and block layout.

b. Roads and streets shall, in general, be laid out to preserve and encourage open spaces, tree cover, recreation areas, scenic vistas and outstanding natural topography. Road grades shall be shown indicating the percentage of tangent grades, the length of crest and sag vertical curves and elevations therefor, and in addition, elevations of all intersecting streets shall be indicated. Direction of flow shall also be indicated. The tentative plan shall be supported by a preliminary storm drain study prepared in accordance with the requirements of the Washington Suburban Sanitary Commission. In cases where the topography or other topographical conditions make difficult the ready determination of the adequacy of the street grades, the registered surveyor or registered engineer submitting such grades may be required to substantiate subdivision layout with plans, profiles or designs and certifications as may from time to time be required by the Board which would tend to prove the desirability and adequacy of the proposed development.

c. Sites for public uses and open spaces.

d. Rights-of-way and easements for slopes, paths, utilities, on and off site storm drainage and other required improvements.

e. On-site sidewalks and connections to existing off-site sidewalks.

(e) Sites for other than single-family dwellings.

(1) All sites proposed for uses such as churches, public utilities, shopping centers, multifamily dwellings, general commercial or industrial shall be indicated for such use on the preliminary plan, together with scaled dimensions and approximate area of each such site. The proposed use shall be in accordance with the uses for which the property is actually zoned or recommended for zoning on a duly adopted zoning plan. Nothing herein shall be construed to limit actual development to such proposed uses.

(2) When the property is included in more than one zoning classification, the lines showing the limits of each classification shall be clearly indicated.

(3) Interior road or street access, whether private or proposed to be dedicated, shall be shown.

(f) Wells and septic systems. Before submission to the Department of Permitting Services, all preliminary subdivision plans for lots in areas where individual wells, and septic systems would be installed must show, in addition to the usual data, the following items:

(1) The proposed location of water wells for each lot. Where there are existing wells on the property or on adjoining lots within one hundred (100) feet, they shall also be shown.

(2) A circular area with radius of one hundred (100) feet around each well to denote clear space in which no final sewage system is to be located.

(3) The "usable area" for sewage disposal, which shall be situated beyond the one hundredfoot radius and downgrade from the proposed house location and shall all be in virgin soil.

Attach ment!

# Attachment 9



**Civil Engineers** 

Land Planners

Date: June 25, 2014

Revised: November 9: 2016

Project: RCCG-Jesus House- Analysis of Hypothetical Septic System

Data:

1. Proposed Seats: 1,600 Seats

2. School: 350 Students, K-12

Regulations/Requirements:

1. 10,000 square feet of septic area for each 500 gallons of water flow per day.

2. Church Use with warming Kitchen: 5 Gallons Per Day (GPD)/Seat

3. Septic trenches are laid out based on topography. Therefore the amount of space required for a septic system is also dependent on topography.

4. Each additional 10,000 square feet of absorption area or portion must be established on 15,000-40,000 square feet or proportional area depending on percolation rates.

School Requirement: 15 GPD + 5 GPD (Kitchen) + 10 GPD (Showers) = 30 GPD

CALCULATIONS:

1. Determine the required gallons per day based on a 1,600 seat church with a warming kitchen;

5 GPD/seat x 1,600 seats = 8,000 GPD

Determine the area of septic required, based on 10,000 square feet of septic area for each 500 GPD of water flow.

8,000 GPD/500 = 16 x 10,000 = 160,000 Square Feet (3.67 Acres)

2. Determine the required gallons per day based on a 350 Students;

30 GPD/student x 350 students = 10,500 GPD

Determine the area of septic required, based on 10,000 square feet of septic area for each 500 GPD of water flow.

10,500 GPD/500 = 21 x 10,000 = 210,000 Square Feet (4.82 Acres)

Conclusion: Since the uses for the site are not simultaneous, then the highest daily use will be used. In this case that is for the school use. Therefore, 4.82 acres of existing forest area will be preserved to satisfy the existing sewer category change.

> 3280 Urbana Pike, Suite 101, Ijamsville, MD. 21754, Tel(301)775-4394 E mail: mike@raztecengineers.com

A-Hachment 1D

# LINOWES AND BLOCHER LLP

December 12, 2016

Erin E. Girard 301.961.5153 cgirard@linowes-law.com

Ryan Sigworth Area 3 Planning Maryland-National Capital Park and Planning Commission 8787 Georgia Avenue Silver Spring, MD 20910

Re: RCCG Jesus House; Preliminary Plan No. 120160040

Dear Mr. Sigworth:

On behalf of RCCG Jesus House, DC ("Applicant"), the applicant for the above-referenced Preliminary Plan ("Preliminary Plan"), the purpose of this letter is to respond to your correspondence of October 14, 2016 requesting additional information regarding wastewater calculations for the proposed Preliminary Plan. As explained more fully below, after reviewing past calculations and comparing to the current Church program, the project engineer has determined that to accommodate a conservative estimate of septic demand for the new Church and school building, an additional 1.15 acres should be added to the project's off-site forest conservation mitigation requirements.

Previous calculations including the Church facility anticipated septic for that use would take up 3.67 acres. Although a final program for the school has not yet been determined, to be conservative the Applicant has assumed a school program that includes a kitchen and shower facilities, which would generate a septic demand of 4.82 acres. Because the Church and school are not used simultaneously, the higher number of 4.82 is used.

As you are aware, as a result of significant changes made to the Preliminary Plan during the review process to maximize forest retention, the application now proposes 5.86 acres of on-site forest conservation. Deducting the 4.82 acres that would have been used for septic from this number results in a balance of 1.04 acres to be used to meet a portion of the project's forest conservation requirements (which total 4.68 acres). The balance of the project's forest conservation requirements have consistently been proposed to be met through off-site mitigation, in accordance with applicable rules and guidelines and, thus, the 1.15 acres previously contemplated to be met on site, but displaced by the anticipated school septic demand, would be added to the project's off-site mitigation requirement.

7200 Wisconsin Avenue | Suite 800 | Bethesda, MD 20814-4842 | 301.654.0504 | 301.654.2801 Fax | www.linowes-law.com

AND BLOCHER LLP

Ryan Sigworth December 12, 2016 Page 2 of 2

We hope the above information is helpful and responsive to your inquiry. The calculations supporting the above will be submitted via ePlans for your review as well. In the meantime, if you have any questions, or require any additional information, please feel free to contact me.

Sincerely,

LINOWES AND BLOCHER LLP

ricard Erin E. Girard

cc: Mike Razavi

# CERTIFICATE OF SERVICE

I HEREBY CERTIFY that this 12th day of October 2017, a true and correct copy of the foregoing Petitioners' 7-207 Memorandum was sent by first-class mail, postage prepaid, and via electronic mail, to:

> Matthew T. Mills, Esq. Senior Counsel MNCPPC Office of the General Counsel 8787 Georgia Avenue, Third Floor Silver Spring, MD 20910 Matthew.mills@ppd.mncppc.org

> > Erin Girard, Esq. Linowes & Blocher 7200 Wisconsin Ave Bethesda, MD 20814 egirard@linowes-law.com

1. 2000

David W. Brown

#### **MCP-Chair**

From: Sent: To: Cc: Subject: Attachments: Joy Johnson <joy@knopf-brown.com> Friday, June 02, 2017 3:32-PM MCP-Chait 'David W. Brown'; Wright, Gwen MCPB Resolution No. 17-019, RCCG Jesus House Petition for Reconsideration.pdf



Please find attached a petition to reconsider filed by David Brown on behalf of Concerned Citizens of Cloverly. Please confirm receipt of this email. A supplemental memorandum will follow.

Item #8

Sincerely yours,

Joy Noel Johnson Office Administrator

KNOPF & BROWN 401 E. Jefferson Street Suite 206 Rockville, MD 20850 Phone (301) 545-6100 Cell (240) 630-9800 Fax (301) 545-6103 <u>lawfirm@knopf-brown.com</u>

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LAW OFFICES OF

KNOPF & BROWN 401 EAST JEFFERSON STREET SUITE 206 ROCKVILLE, MARYLAND 20850 (301) 545-6100

DAVID W. BROWN SOLE PRACTITIONER (2017)

June 2, 2017

Via Email Mcp-chair@mncppc-mc.org

Planning Board Chair Casey Anderson Montgomery County Planning Board 8787 Georgia Avenue Silver Spring, MD 20910

# Re: MCPB Resolution No. 17-019, RCCG Jesus House Petition to Reconsider

Dear Chair Anderson:

I write pursuant to Board Procedural Rule 4.12.1 to file with you this Petition to Reconsider Resolution MCPB No. 17-019, Preliminary Plan No. 120160040, RCCG Jesus House, with a mailing date of May 23, 2017. I am filing on behalf of Concerned Citizens of Cloverly ("CCC"), which consists of a number of residents and property owners residing in Cloverly. Most of the members of CCC own and reside at property in close proximity to the Jesus House project ("Project"), including Michael Grodin, an abutting property owner, and others listed in the attached Exhibit A. All CCC members appeared before the Board in person or in writing in opposition to the Project.

Under Board Rule 4.12.1, I am obliged to specify any errors of fact or law in the Resolution and "state fully all grounds for reconsideration because of mistake, inadvertence, surprise, fraud, or other good cause." I have accordingly refrained from attempting to identify all deficiencies in the Resolution, and have excluded those that the Board might consider reargument of issues the Board has already considered and addressed in detail in the Resolution.

In summary, reconsideration should be granted to address the following points:

1. The Board failed in its obligation to obtain a definitive confirmation of the acreage necessary for an on-site septic system that will not be installed. That calculation was necessary to determine the proper set-aside of forested land, without which the sewer category change the applicant is relying upon would be invalid under County Council Resolution 14-334.

FAX: 1301) 545-6103

E-MAL BROWNOKNOPF-BROWN.COM

WRITER'S DIRECT DIAL (2011 545-6105 Montgomery County Planning Board June 2, 2017 Page 2

2. The Board's failure in this respect at this stage of the Project is not defensible. Proper assessment of the on-site septic system acreage that would in theory be required for the applicant's proposed uses is needed at the Preliminary Plan stage to determine the correct forest set aside in conjunction with both Preliminary Plan and Forest Conservation Act approvals.

3. The Board's failure was also almost certainly material, in that glaring, unresolved questions about the proposed uses, if properly resolved, would have significantly increased the required forest set-aside acreage. Vague representations about same-day school and church use of the property should have been definitively resolved. Similarly, ambiguity about the future use of a kitchen in the church needed resolution at this stage.

More detail is provided on each of these points in a Memorandum supplementing this Petition. The Memorandum will be submitted to you later today. Please ensure that the Petition and the Memorandum are circulated as necessary and that the matter is promptly scheduled for Board action in accordance with Board Rule 4.12.2. I would also appreciate if you would let me know if there is any party to this matter that I have inadvertently failed to serve. Thank you for your prompt attention to the Petition.

Sincerely yours,

N. Brown

David W. Brown

/enclosure

cc: Gwen Wright, Planning Director - gwen.wright a montgomervplanning.org

# Exhibit A Concerned Citizens of Cloverly

Quentin Remein 201 Buyouts Nursery Md Silver Spring MD 20905

Michael Grodin 15710 New Hampshire Avenue Silver Spring, MD 2005

Renee A. Chen 1108 Windmill Lane Silver Spring, MD 20905

Michele Albornoz 712 Snider Lane Silver Spring, MD 20905

Mitra Pedoeem 30 Bryants Nursery Road Silver Spring, MD 20905

#### **MCP-Chair**

From: Sent: To: Cc: Subject: Attachments:

Joy Johnson <joy@knopf-brown.com> Friday, June 02, 2017 9:13 PM MCP-Chair David W. Brown', Wright, Gwen; mike22201@gmail.com Resolution 17-019 - Petition to Reconsider - Supplemental Memorandum w Exhibits Memorandum Supplement - Petition to Reconsider.pdf; Exhibits to Memorandum Supplement.pdf

Attached as a supplement to the letter from David Brown requesting the Board reconsider in Resolution No. 17-019, please find a memorandum with six exhibits for filing in the permanent file and distribution as required. Please confirm receipt.

Sincerely yours,

Joy Noel Johnson Office Administrator

KNOPF & BROWN 401 E. Jefferson Street Suite 206 Rockville, MD 20850 Phone (301) 545-6100 Cell (240) 630-9800 Fax (301) 545-6103 lawfirm@knopf-brown.com

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#### LAW OFFICES OF

KNOPF & BROWN 401 EAST JEFFERSON STREET SUITE 206 ROCKVILLE, MARYLAND 20850 (301) 545-6100

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WRITER'S DIRECT DIAL

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DAVID W. BROWN SOLE PRACTITIONER (2017)

### MEMORANDUM

TO:	Chair Anderson and Members of the Board
	Montgomery County Planning Board
FROM:	David W. Brown Knopf & Brown
	Knopf & Brown
DATE:	June 2, 2017
RE:	Grounds for Reconsideration of MCPB Resolution No. 17-019, RCCG, Jesus House

This memorandum supplements my Petition to reconsider, filed with the Planning Board on June 2, 2017. My purpose is to provide the factual and legal basis for the Petition. Before discussing the three grounds for reconsideration set forth in Petition, I begin with the underlying facts, to include facts that were discovered by the Petitioners after the Board's public hearing on March 30, 2017.

# **Factual Background**

On November 2, 1999, the County Council adopted Resolution No. 14-344, approving a water and sewer category change for parcels P333 and P446, for 13.7 acres in the RE-2 zone in Cloverly. The change to W-1 was without restriction; the change to W-3 was restricted to private institutional use only, under three conditions, one of which was establishment of a "covenant preserving the forested area which would have been used for the on-site septic system." Staff Report, Att. 12, p.3. This change was obtained by the property owner in anticipation of development of the property with a 750-seat Seventh Day Adventist Church. The Adventists elected not to buy the property and it was sold in April 2001 to the Pentecostal Church of God Emanuel. The Pentecostals did not seek development of the property and it was sold to the current owner, Jesus House, in February 2011. Despite these changes in ownership and the passage of almost 18 years since the water and sewer category change, the review of the current project has proceeded on the assumption that Jesus House is entitled to all the benefits and burdens of the Council's 1999 actions regarding water and sewer for a private institutional facility ("PIF"). That assumption was accepted by the Board and, for purposes of this Petition, is not disputed by Petitioners. As part of the Preliminary Plan approval process, Jesus House retained Raztec Associates, Inc. to analyze the number of square feet of forested area that needed to be set aside under the County Council's conditional approval of the water and sewer category change. Raztec'c calculations were provided to County officials in an unsigned, uncertified and unattributed (to any Maryland licensed civil engineer) memorandum dated November 9, 2016. Staff Report, Att. 15. Raztec concluded that the on-site forest set-aside had to be at least 4.82 acres, based upon a 350-student private school and a 1,600 seat sanctuary. Id.

More specifically, Raztec concluded that:

1. A 1600-seat church with a "warming kitchen" would produce a gallons-per-day ("GPD") sewage requirement of 5 GPC per seat x 1600 = 8000 GPD

and

2. A 350-seat school would produce a GPD sewage requirement of 30 GPD per seat X 350 = 10,500 GPD

Claiming that these two uses were not "simultaneous," Raztec used the higher one (10,500 GPD). Applying a rate of 500 GPD for each 10,000 sq. ft. of septic area, Raztec concluded that 4.82 acres was needed:

10,500/500 = 21 and 21 x 10,000 sq. ft. = 210,000 sq. ft. = 4.82 acres

# <u>Id</u>.

In a March 2, 2017 Memorandum, DEP, through Alan Soukup, advised Board Staff that the DPS had determined that 4.82 acres was required for the forest set aside. Staff Report, Att. 13. Mr. Soukup explained his conclusion in the following terms:

The septic system capacity calculation is based on the weekday uses planned for the 350-student private school, which exceeds that required for the weekend uses planned for the 1600-seat sanctuary. DPS has also verified that the septic capacity calculation is consistent with the church's planned operations.

# <u>Id</u>.

The DPS verification referred to by Mr. Soukup was provided by Gene von Gunten, Manager, DPS Well & Septic Section. In a letter to Petitioner Pedoeem of April 24, 2017 (i.e., weeks after the Board hearing), Mr. von Genten advised that DPS received a site plan from MCDEP that contained a narrative description of the proposed facility and its operation. The DPS assessment was based upon the submitted information.

# Exhibit 1 at 3.

The only "narrative description of the proposed facility and its operation" in the record is in the Statement of Justification provided by the applicant's counsel, i.e., Attachment 1 to the Staff Report. In relevant part, it states as follows:

> The Application proposes the development of the Property with a 185,000-square-foot church and associated uses, including a 1600 seat sanctuary, administrative spaces, a multi-purpose center, classrooms and a gymnasium, 400 parking spaces, the majority of which will be below grade and a playing field (the Project"). At full build out, it is anticipated that a maximum of 350 students grades K-12 would attend school in the classrooms provided as part of the Project. While the school will be in use during the weekday hours, the sanctuary will primarily be used for two services on Sundays and the multi-purpose center on weekends and on weekdays after peak hours.

# <u>Id</u>. at 2.

As noted in MCPB No. 17-019, Project opponents claimed that

the 4.82 acre calculation significantly understates the area that would be required for the septic system and, thus, the area of forest that the Applicant should be required to protect in compliance with the conditions of approval of the sewer extension.

# Resolution at 10.

The Board did not resolve this understatement claim in the Resolution, one way or the other. The Board explained as follows:

In this case, the plan opponents ask the Board to make its own determination about the proposed developments' compliance with the County Council's conditional approval of the sewer extension and to look behind the MCDPS and MCDEP analyses that led DEP to conclude that it does. Not surprisingly, the law does not clearly answer the novel question of whether the Board has the authority to enforce a condition under these unique circumstances. But given the respective roles of MCDPS, MCDEP, and the Board, the Board is not convinced that it has the authority to do so.

# <u>Id</u>. at 11.

Subsequent to the Board hearing, Petitioner Pedoeem received Exhibit 1, Mr. von Gunten's April 24, 2017 responses to her post-hearing inquiry about what went into the DPS calculations in this case. Based on her investigation of the Applicant's existing church and related activities in Silver Spring and its plans for future activities upon relocating to Cloverly, she inquired about the septic needs of a substantially different plan for Applicant's use of the property, as follows:

Based on the programming for the church, they hold two services 30 mins apart on Sundays (3200 worshipers on Sundays). Church holds services on Wednesdays and Fridays which are concurrent use with school days. Church has administrative staff, provides hot lunches and showers for homeless and families during the week, they have corporate events, renting their gym and auditoriums for events and host ball games on their ballfield.

**Exhibit 1** at 2. Ms. Pedoeem then asked Mr. von Gunten to "[p]lease provide us with your explanation of how these concurrent church activities could be ignored and not added to the maximum daily flows for the school"? Id. Mr. von Gunten's response, quoted above, was a reference back to the "narrative" that had been provided by the Applicant. Id. at 3.

What Mr. von Gunten's letter did not disclose to Petitioner Redoeem was that there had been considerable in-house discussion between DEP and DPS about reliance on the Raztec "analysis" in two key respects. One was the prospect for concurrent church and school use of the property, which would require adding the two GPD figures rather than choosing the higher of them. As Alan Soukup of DEP said in an email to Jason Flemming of DPS prior to the Board hearing.<sup>1</sup>

Hi Jason –

At our meeting with the community concerning Jesus House, one of the issues raised concerned Jesus House's actual operations. I looked at the church's website and found that there are some afternoon and/or evening activities that occur during the week on school days. Once each month (not once each week), an evening service is held on Wednesday night in the sanctuary. There's no indication of attendance.

<sup>&</sup>lt;sup>1</sup> Petitioners obtained this and other agency communications pursuant to a Public Information Act request.

It seems that any school will run some evening activities; sports, concerts, parent meetings, etc. I'm guessing that these types of activities are assumed in your septic capacity calculations for a school. Please let me know whether or not I'm wrong about this.

For an activity that occurs (at least for now) once per month – even one that's not directly linked to the school itself – would the septic design capacity calculations need to take account for this kind of overlapping use of the facility?

At the time this issue was raised in our meeting, I felt reasonably sure that it was headed towards a demand that the church and school capacity calculations be added together, rather than considered and compared side-by-side.

I'd appreciate your thoughts on this, as it may come up in further discussions with the community.

# Exhibit 2.

The second unresolved issue related to the Raztec depiction of the church use as "church with a warmng kitchen." Staff Report, Att. 15. The Application is silent on the nature of the kitchen associated with the church use and the Staff Report does not resolve the ambiguity. Another Executive Branch email, this time from Mr. Flemming to Mr. Soukup, obtained after the Board hearing, but communicated prior to it, explain the quantitative significance of limiting traditional kitchen use to a "warming" function:

Although, I would personally agree that such a large church would use more than a 'warming kitchen', the fact is that the proposal is for that type of facility and the proper number was used for a place of worship with a warming kitchen (5 gpd/seat). The flow number of 5 gpd comes from the Well and Septic section's guidance for Commercial and Large System Design. If the church were to propose a commercial kitchen, then they would have to use Well and Septic sections guidance and assign 10 gpd/seat to the church. This would produce a design flow of 16,000 gpd which would then be the higher design flow between the church and the school and would be used to design the septic system. This would equate to a septic area of 7.346 acres required as a minimum.

Exhibit 3 at 1-2.

How this issue was "resolved" within DEP/DPS is revealed in an email exchange between Gene von Gunten at DPS to the head of DPS, Diane Schwartz-Jones. First, Director Jones made the following request to Mr. von Gunten on March 1, 2017:

I need clarification on how a PIF that is more than double the size of what had been initially contemplated would have nearly 50% less forest conservation offset for the septic system per the referenced sewer category change (7-8 acres v. 5). Thank you.

Exhibit 4 at 2. About an hour later, Mr. von Gunten responded as follows:

- 1. The project's engineer (RAZTEC) has described a Church with 1600 seats and a warming kitchen. This would result in a flow projection, on the day of the Church services, of 8,000 GPD.
- 2. RAZTEC goes further to describe a private school as an associated use with 350 students. Here the State calls for 15 gal/student; plus 5 gal/student for food and 10 gal/student for showers.
- 3. We have not seen any architectural renderings, but RAZTEC used 30 gal/student in their proposal so the flow projection on school days is  $350 \times 30 = 10,500$  gal/day.
- 4. RAZTEC stipulates that the school will NOT operate on the day of church services so the highest daily flow turns out to be the school @10,500 gpd.

The computed septic reserve area size for a septic system rated at 10,500 gal/day is 4.82 acres.

The opposition would have us disregard the Church's written intentions and assume there would be a commercial kitchen. This would make the sanctuary day the highest daily use and bring the FCE size to 7.3 acres.

Of course, we are not in a position to dispute the word of the Church. We can only offer that DPS will make every effort, through the building permit review process, to make sure that the kitchen that gets approved and constructed is in accordance with the limits set by the Council's action.

## ANALYSIS

## 1. The Board Failed in Its Obligation to Obtain a Definitive Confirmation of the Acreage Necessary for an On-Site Septic System That Will Not Be Installed

As explained above, this case presents the quite unusual requirement of having to make a septic acreage computation for a septic system that will never be installed: no application, no permit, no installation. But while the computation is thus properly characterizable as "hypothetical," it was nonetheless critical to proper disposition of the request for Preliminary Plan approval. The Board must find public facilities adequate under §50-35(k), including sewage and water service. It could not properly make that finding without determining if the Applicant had met the conditions attached by the Council to the sewer category change, since the applicant was relying on that category change for approval. The Board has plenary, unconditional authority under §50-35(k) to make the findings necessary to determine the adequacy of public facilities. There is no reason to think that this authority and responsibility does not extend to assessing compliance by the Applicant with the Council's sewer category change conditions.<sup>2</sup> The fact-finding associated with discharging this responsibility is, as with other situations involving disputed facts, the responsibility of the Board, not someone else, even an agency with expertise in the subject matter. Accordingly, the Board erred when it defaulted on its responsibility to ascertain the proper quantitative se-aside of acreage to warrant the sewer category change.

This error has been compounded by the Board's action in approving the Forest Conservation Plan. It is clear from the resolution that 5.86 acres of forest is proposed for retention, an amount that the Applicant proposes be met by adding 1.04 on-site acres of forest to the 4.82 acres of forest computed by the Applicant for category change set aside. MCPB No. 17-019 at 12-13. If that latter number proves to be too small upon proper reconsideration, it is likely to materially affect the Forest Conservation Plan's on-site forestation requirement. The determination of the amount of on-site forest, as well as its location, are, of course, within the unquestioned exclusive jurisdiction of the Board.

## 2. The Board's Failure To Properly Quantify The Sewer Category Change Set Aside Cannot Be Justified On The Basis Of Assumed Executive Branch Exclusive Authority

Even if the Board were legally correct in its extraordinary caution to resolve the critical issue of the set aside, its decision is simply not defensible. The Board has, at the very least, the inherent power to examine the controversy sufficiently to determine that a far more definitive assessment was needed from the Executive Branch, which was aware of the relevant issues

<sup>&</sup>lt;sup>2</sup> Whether the Board interprets §50-35(e) as giving DPS exclusive jurisdiction to approve/disapprove septic systems or not, §50-35(e) is simply not implicated here, as the Applicant has acknowledged. Staff Report, Att. 1 at 7. No one has been asked to evaluate an actual septic system.

affecting the determination even before the Board took up the case. The Board would have found that DPS's "resolution" was to ineffectually conclude "we are not in a position to dispute the word of the Church." **Exhibit 4** at 2. Whether or not DPS was in a "position" to resolve conflicting evidence, the Board certainly was, and had it done so it could have sought further, perhaps definitive, advice from DPS after resolving the obvious uncertainties about the intended future use of the property.<sup>3</sup> Instead, the Board defaulted on its responsibility, perhaps in tandem with DPS. The indefensible result is the unexamined, dubious and counterintuitive result succinctly expressed by DPS Director Schwartz-Jones:

[H]ow [does] a PIF that is more than double the size of what has been initially contemplated...have nearly 50% less forest conservation offset for the septic system per the referenced sewer category change (7-8 acres vs. 5)?

## Exhibit 4 at 2.

## 3. Properly Resolved Issues Concerning (a) Same Day School And Church Use and (b) The Church Kitchen Will Most Likely Lead To The Need For A Significantly Greater Forest Conservation Offset Than 4.82 Acres

a. <u>Same Day Use</u>. The notion that the church and school use will never occur on the same day is not even supported by the Applicant. Its Justification notes that the "multi-purpose center," to be built well after the 1600 seat sanctuary, will be used "on weekends and on weekdays after peak hours." Staff Report, Att. 1 at 2. If there is same day church and school use, then according to Mr. Soukup, **Exhibit 2**, the separate set-aside acreage requirements (according to Raztec, 3.67 acres for the church and 4.82 acres for the school) would be added together for a total of 8.49 acres.

Mr. Soukup noted some same-day church and school use by the Applicant at its current Silver Spring location, Exhibit 2, but did not advance the inquiry any further. Following the Board hearing, Petitioner Pedoeem did take the next step and download from the Applicant's website its monthly calendar of activities for April 2017, Exhibit 5, and May 2017, Exhibit 6. Both show same day church and school activities regularly throughout the month. These

<sup>&</sup>lt;sup>3</sup>Nor is it a sufficient response that, after the set-aside is determined, DPS will monitor construction through the building permit process to ensure that construction is "in accordance with the limits set by the Council's action." Ex. 4 at 2. By that time, the approved forest clearing may well be a *fait accompli*, and corrective action will come too late. The time to confirm, once and for all, the proper amount of forest clearing to be allowed is **now**, not in the course of some uncertain future DPS enforcement proceeding.

calendars were used by Mr. Pedoeem to formulate the question about the gallonage calculations sent to Mr. von Gunten at DPS – a question that he simply "ducked." **Exhibit 1** at 2-3.

b. <u>Warming Kitchen</u>. The term "warming kitchen" may be a term of art in the field of septic systems. If so, its definition is undisclosed and unexamined on this record, and must be explored by the Board to make sense of the Raztec claim that the church will have only a "warming kitchen." Petitioners are aware at least one somewhat dated (2014) contradictory representation by the Applicant's counsel, but the reality is that the question of what sort of kitchen will be serving the church, the other non-school rooms, centers and buildings is shrouded in vagueness and uncertainty. What the record does reveal is that if the Applicant does intend to go beyond merely heating up food brought from off the premises, as is its apparent current practice in Silver Spring, DPS would impose on the use an additional 5 GPD per seat per day for a total design flow of 16,000 GPD, that would "equate to a septic area of 7.346 acres required as a minimum." **Exhibit 3** at 1-2.

Plainly, further investigation to determine the proper set aside for the Applicant's concurrent church/school use and its true kitchen plans is needed, and it should be done or at least overseen by the Board.

## CONCLUSION

For the foregoing reasons and those stated in my Petition letter, the Petition to Reconsider should be granted.



### DEPARTMENT OF PERMITTING SERVICES

Diane R. Schwartz Jones Director

EXHIBIT 1

Mitra Pedocem 301-580-1309 630 Bryants Nursery Road Silver Spring MD 20905

April 24, 2017

Isiah Leggett

County Executive

Dear Ms. Pedoeem:

Your inquiry that was directed to Diane Jones, Director of MCDPS, has been reviewed by the staff of the Well & Septic Section; and our responses were discussed with Ms. Jones and other senior staff. Please see the responses below.

Sincerely

Gene von Gunten, R.S. Manager, MCDPS- Well & Septic Section

Dear Ms. Jones

The land that Jesus House will be built on is a restricted land intended to preserve the existing forest as established by 1999 Council Resolution 14-334. This resolution calls for a covenant to preserve the forested area which would have been removed for an on-site septic system if the category change was not approved. This forest is a 10.02-acre priority forest with an estimated of 219-hundred-year-old trees per acre in the head waters of the North-West Branch.

The current Applicant's engineer (Raztec), has submitted their engineering analysis to size a hypothetical septic system asserting that Forest save area equates to only 4.82 acres. Department of Permitting Services (DPS) is the agency on the record that has verified this number to be correct to Montgomery County Planning Board. This assertion will remove about 900 of these 100-year-old magnificent trees in this forest which is contrary to the intention of the above resolution.

The community believes that the analysis done by Raztec is based on inaccurate design requirements and does not support the following County and State regulations:

255 Rockville Pike, 2nd Floor • Rockville, Maryland 20850 • 240-777-6300 • 240-777-6256 TTV www.montgomerycountymd.gov

montgomerycountymd.gov/311



- Maryland Department of the Environment, Water Management Administration -Waste Water Permits Program;
- Title 26 Department of the Environment Subsection 04.02 Regulation of Water Supply, Sewage Disposal, and Solid waste;
- COMCOR 27A.00.01 on-site Water Systems and On-site Sewage Disposal Systems; and
- Montgomery County MD, Department of Permitting Services, Well and Septic Guidelines for Commercial and Large Septic System Design

Please provide a comprehensive reply to the following questions:

1. Does DPS require detailed sewer layout designs signed and sealed by a professional engineer knowledgeable in the design of on-site septic systems for a large commercial facility before DPS issues an on-site sewage disposal system permit?

Yes, that is required in each case when an application is received.

2. Does DPS require that on-site septic system designs be based on actual site evaluations such as general topography, geology, soil classification and hydrology, surface and subsurface water elevations, seasonal testing, percolation tests and other observations to be done under the observation of the approving authority?

Yes, all those elements are considered when an application is received.

3. Does DPS require the design of on-site septic systems to be based on a maximum daily flow generated by the institutions and/or the facilities shared on site based on the type of the facility and their schedule of operations?

Yes, when an application is received the DPS plan review staff evaluates the application and determines a maximum daily flow.

4. Does DPS allow shared uses of on-site septic systems for different buildings and operations on the same site? If the answer is yes, what are the approval processes and what design and operational issues need to be considered?

Yes, DPS has the discretion to allow different buildings on a single property to "share" a single sewage disposal system.

5. Regarding the Jesus House (JH) facilities, two different buildings for school and church will be concurrently using the same on-site septic system. Raztec, the applicant's engineer for JH, has shown the maximum daily flow for school to be 10,500 GPD for school — and 8,000 GPD for churchl. How did DPS determine that the maximum daily flow for both facilities on the same site is 10,500 GPD and for school only? How did DPS determine that the church and school are not used concurrently? Based on the programming for the church, they hold two services 30 mins apart on Sundays (3200 worshipers on Sundays). Church holds services on Wednesdays and Fridays which are concurrent use with school days. Church has administrative staff, provides hot lunches and showers for homeless and families during the week, they have corporate events, renting their gym and auditoriums for events and host ball games on their ballfield. The code requires the use of the highest daily water flow which should include all requirements for the day of the week with the most demand. Please provide us with your explanation of how these concurrent church activities could be ignored and not be added to the maximum daily flows for the school? For example, on Wednesdays the church's max daily flow of 8,000 GPD should be added to school's 10,500 GPD max daily flow which totals 18,500 GPD for max daily flow.

DPS received a site plan from MCDEP that contained a narrative description of the proposed facility and its operation. The DPS assessment was based upon the submitted information.

6. Please let us know how DPS plans to verify the use of a warming kitchen vs. a commercial kitchen for the JH. Has DPS received a written statement from the applicant stating its commitment to only use a warming kitchen? Has DPS investigated the type of the kitchen included in the building plans? What is DPS normal process in this regard? The type of the kitchen being used has a very significant impact on the amount of the max daily flow.

DPS understands that the use of a warming kitchen, in lieu of a commercial kitchen, will be a condition of the preliminary plan approval by while Percenture revision of the preliminary plan approval would need to originate with M-NCPPC.

7. Has DPS forwarded these calculations to the State? Any onsite large septic design with a maximum water flow of 5000 GPD or larger needs State approval. If the answer is no, why not?

No, the State would not be involved until/unless an application is received.

8. Code requires 10,000 sf of septic area for the first 500 GPD of water flow. Each additional 10,000 sf of absorption area or portion must be established on 15,000- 40,000 sf or proportional area depending on percolation rate. This basical'y is saying that there is a multiplier of 1.5 to 4.0 to determine the acreage required for the septic system factoring in topography, slopes, soil percolation tests (shallow or regular trenches), etc. Please refer to COMCAR 27.00.01.05 sections K and L. Tests done on the JH property in 1999, show that more than 1/3 of the site needs shallow trenches because the water table was less than 10 feet below the surface. (In some cases, it was only 4.5' below the surface.) This information was verified and is recorded by Mr. Von Gunten in 1997 for this site. Copies of this information are in the DPS files for this property. Based on this and in absence of any actual site evaluations, I have used a multiplier of 2.75 as a mid-point multiplier (between 1.5 & 4.0), which in my opinion is a conservative assumption. I also have used Raztec asserted highest daily water flow of 10,500 GPD for the school only for the case of this argument. Based on this code requirement, the onsite septic area for school only is calculated to be 12.86 acres (see following calculations).

10,500 GPD /500 GPD = 21 (increments of 500 GPD)

Septic area needed  $\approx$  (1 X 10,000sf) + (20 X 10,000sf X 2.75)  $\approx$  560,000sf or 12.86 acres and NOT 4.82 acres as DPS has verified to be accurate.

Why this code has not been applied by DPS?

That section of the County Executive regulation is not applicable in cases where advanced pre-treatment of the sewage is required. IF an application was received for a place of worship of this size, pre-treatment would be required.

1. The Code requires the initial installation to be designed and constructed for 150% of the peak daily flow, plus three times the initial area for backup and redundancy. How did DPS determine that these requirements are covered by Raztec calculations?

That is a design guideline published by MDE. It affects only the size of the initial drainfield and does not add to the size of the overall sewage disposal area. 2. The code requires additional areas for setbacks for property lines and other built and natural features on the site. How did you investigate the information that Raztec provided to ensure that enough acreage is being set aside to cover this code requirement?

We did not receive an application to construct a septic system, so these factors were not applicable.

Please provide responses to these questions no later than April 15, 2017 before the Planning Board issues its final resolution for this projects. Montgomery County Planning Board in its March 30, 2017 hearing deffered the accuracy of the 4.82 acres of preserved forest as required by the Council Resolution to DPS. After Mr. Jason Fleming confirmed the accuracy of Raztec calculation, the Planning Board recommended the approval of the JH preliminary plans. Based on questions raised above, the community believes the 4.82 acres is incorrect because it is based on hypothetical assumptions and incomplete calculations used by Raztec. To satisfy the Council Resolution, the Cloverly Community is asking DPS to request that JH provides the design for a permittable sewer layout for the on-site septic system that would serve this institutional facility based on actual site conditions and up-to-date percolation tests, including all the required reserved and setbacks. To ensure its accuracy, this layout must be sealed and signed by a professional engineer knowledgeable in the design of onsite septic systems for commercial facilities. Once a comprehensive report based on the actual plans and appropriate testing has been completed and signed-off on, it needs to be then approved by State. Once approved by State, then the septic area can be calculated correctly to set aside the appropriate acreage to comply with the Council Resolution.

Respetctfully

Mitra Pedoeem 301-580-1309 630 Bryants Nursery Road Silver Spring MD 20905 Gmail - FW: Jesus House - Please Open This Anyway

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From: Soukup, Alan Sent: Thursday, February 16, 2017 5:11 PM To: Flemming, Jason <Jason Flemming@montgomerycounlymd.gov> Subject: Jesus House - Please Open This Anyway

2/16/17

Hi Jason -

At our meeting with the community concerning Jesus House, one of the issues raised concerned Jesus House's actual operations. I looked at the church's website and found that there are some afternoon and/or evening activities that occur during the week on school days. Once each month (not once each week), an evening service is held on Wednesday night in the sanctuary. There's no indication of attendance.

It seems that any school will run some evening activities: sports, concerts, parent meetings, etc. I'm guessing that these types of activities are assumed in your septic capacity calculations for a school. Please let me know whether or not I'm wrong about this,

For an activity that occurs (at least for now) once per month—even one that's not directly linked to the school itself—would the septic design capacity calculations need to take account for this kind of overlapping use of the facility?

At the time this issue was raised in our meeting, I felt reasonably sure that it was headed towards a demand that the church and school capacity calculations be added together, rather than considered and compared side-by-side.

I'd appreciate your thoughts on this, as it may come up in further discussions with the community.

Thanks - Alan

Alan Soukup, Sr. Planner

Water & Wastewater Policy Group - Director's Office

Montgomery Co. Dept. of Environmental Protection

Suite 120, 255 Rockville Pike

**EXHIBIT 2** 

https://mail.google.com/mail/u/0/?ui=?&ik=d41faa6a5c&view=nt&search=inho

Gmail - FW: Jesus House- Community meeting 1/10/17/

# M Gmail

Mitra Pedoeem <mpedoeem@gmail.com>

## FW: Jesus House- Community meeting 1/10/17 1 message

Pedoeem, Mitra <Mitra.Pedoeem@montgomeryparks.org> To: Mitra G Mail <mpedoeem@gmail.com> Sun, May 14, 2017 at 5:53 AM

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From: Flemming, Jason Sent: Monday, April 10, 2017 7:57 AM To: Yoe, Marjorie <Marjorie. Yoe@montgomerycountymd.gov> Subject: FW: Jesus House- Community meeting 1/10/17

From: Flemming, Jason Sent: Tuesday, January 17, 2017 1:15 PM To: Soukup, Alan <Alan. Soukup@montgomerycountymd.gov> Cc: von Gunten, Gene <Gene.vonGunten@montgomerycountymd.gov>; Lake, Dave <Dave.Lake@montgomerycountymd.gov> Subject: RE: Jesus House- Community meeting 1/10/17

Alan,

I have yet to find the file with the site evaluation data in it, but I know it is getting closer to the meeting time so I will add the following points from my read of Ms. Pedoeem e-mail:

Although, I would personally agree that such a large church would use more than a 'warming kitchen', the fact is that the proposal is for that type of facility and the proper number was used for a place of worship with a warming kitchen (5 gpd/seat). The flow number of 5 gpd comes from the Well and Septic section's guidance for Commercial and Large System Design. If the church were to propose a commercial kitchen, then they would have to use Well and Septic section guidance and assign 10 gpd/seat to the church. This would produce a design flow of 16,000 gpd which would then be the higher design flow between the



https://mail.google.com/mail/u/0/?ui=2&ik=d41faa6a5c&view=nt&search=inhov

church and the school and would be used to design the septic system. This would equate to a septic area of 7.346 acres required as a minimum.

There is a misunderstanding that is applied to the argument that I will try and clear up. The flow numbers for the school are independent of the church flow numbers in that, the 'warming kitchen' is not related to the flow number for a school with food facilities. The flow guidance for the school comes from the 2011 Maryland Dept of the Environment Guidance on Wastewater Flows for Use in Designing On-Site System. In that guidance, a school using an onsite wastewater system assigns 15 gpd/student. If the school has food service, then 5 gpd/student is added to the 15 gpd. If showers will be at the school, then an additional 10 gpd/student must be added. This produces the 30 gpd/student for the school and does not have anything to do with the type of kitchen that is in the church.

Also, the 10,000 square feet per 500 gallons is a set requirement from the county septic regulations and is not dependent on the type of kitchen. The design flow is calculated from the guidance based on the type and size of a facility and then the 10,000/500 requirement is applied. The calculation was done correctly and it does not need to be doubled to 20,000/500.

Finally, the separation distance or what is referred to as the treatment zone is 4 feet in Maryland. This requirement is set in the state septic regulations. The distance from the bottom of a septic trench to a limiting layer/zone (ground water, fractured rock, bedrock), must be a minimum of 4 feet. Montgomery County does have its own septic regulations which can be stricter than the state regulations, however, the county uses the setback of 4 feet the state requires for the treatment zone.

I will see if I can find the site evaluation for this property to address the depth to water table concern.

Sincerely,

Jason Flemming

From: Soukup, Alan Sent: Tuesday, January 17, 2017 11:19 AM To: Flemming, Jason < Jason. Flemming@montgomerycountymd.gov> Cc: von Gunten, Gene <Gene.vonGunten@montgomerycountymd.gov>; Lake, Dave <Dave.Lake@montgomerycountymd.gov> Subject: RE: Jesus House- Community meeting 1/10/17



https://mail.google.com/mail/u/0/?ui=2&ik=d41faa6a5c&view=nt&search=inhox&th=15c 5/15/2017

Gmail - FW: Jesus House Church and School Project

Sent from my iPhone (please excuse typos as my thumb typing is a challenge. Thank you.)

On Mar 1, 2017, at 10:44 AM, von Gunten, Gene <Gene vonGunten@montgomerycountymd.gov> wrote:

Diane:

When the original developer (Michael Grodin) proposed the sale of the property to a Church; the matter of the sewer category change was taken up by the County Council.

The Council based the size of the FCE (forest conservation easement) on the approximate size the septic area would have encumbered- if public sewer was not provided.

Mr. Grodin, now an Interested neighbor, claims the computed size of the septic area was 8 acres. It seems the Council staff cannot find minutes to support that claim.

Never the lass, the method for computing the size of septic systems for Places of Worship was different from what is used today.

Allow me to explain:

- For many years the flow projection published by the State (MDE) was three (3) gallons per sanctuary seat. There was a note to "add for food service", but no particular number was included.
- Montgomery County, first as a part of MCHHS, and later the well and septic section of DPS, adopted a more-conservative flow figure of "5-7-10" gallons/seat. (5 for no kitchen, 7 for a warming kitchen, and 10 for a commercial kitchen).
- Subsequent to the Council's action, but prior to the application of the "Jesus House"- an internal decision was made that the flow figures being used were too high; and not supported by actual water use observations.
- A new DPS guideline was created, about 2010, that now used the flow projection (s) of 3-5-10.

So the way that septic reserve area sizes for places of worship has changed since the original council action- to a smaller size.

Secondly, there is controversy regarding the new proposal:

 The project's engineer (RAZTEC) has described a Church with 1600 seats and a warming kitchen. This would result in a flow projection, on the day of Church services, of 8,000GPD.

**EXHIBIT 4** 

https://mail.google.com/mail/u/0/?ui=2&ik=d41faa6a5c&view=nt&search=inhox

### Gmail - FW: Jesus House Church and School Project

- RAZTEC goes further to describe a private school as an associated use with 350 students. Here the State calls for 15 gal/student; plus 5 gal/student for food and 10 gal/student for showers.
- 3. We have not seen any architectural renderings, but RAZTEC used 30 gal/student in their proposal- so the flow projection on school days is 350 x 30 = 10,500 gal/day.
- 4. RAZTEC stipulates that the school will NOT operate on the day of church services- so the highest daily flow turns out to be the school @ 10,500gpd.

The computed septic reserve area size for a septic system rated at 10,500 gal/day is 4.82 acres.

The opposition would have us disregard the Church's written intentions and assume there would be a commercial kitchen. This would make the sanctuary day the highest daily useand bring the FCE size to 7.3 acres.

Of course, we are not in a position to dispute the word of the Church. We can only offer that DPS will make every effort, through the building permit review process, to make sure that the kitchen that gets approved and constructed is in accordance with the limits set by the Council's action.

Simple, right?

From: Jones, Diane Sent: Wednesday, March 01, 2017 9:40 AM To: von Gunten, Gene <Gene.vonGunten@montgomerycountymd.gov> Cc: Brush, Rick <Rick.Brush@montgomerycountymd.gov>; Etheridge, Mark <Mark,Etheridge@montgomerycountymd.gov> Subject: Fwd: Jesus House Church and School Project

Please review relative to DPS references. Do you agree? I need clarification on how a PIF that is more than double the size of what had been initially contemplated would have nearly 50% less forest conservation offset for the septic system per the referenced sewer category change (7-8 acres v. 5). Thank you.

Diane

Sent from my iPhone (please excuse typos as my thumb typing is a challenge. Thank you.)

Begin forwarded message:

https://mail.google.com/mail/u/0/?ui=2&ik=d41faa6a5c&view=nt&search=inbox&th=15c 5/15/2017

Page 4 of 6

#### Sat Apr 1, 2017

All day BIAZO

Sat Apr 1, 2017 - Mon May 1, 2017 Video call:

https://plus.googla.com/hangouts/\_/jesushousedc.org/mkokumo?hceid=bWtva3Vtb0BqZXN1o2hv

Where: The Main Sanctuary Calendar: mkokumo@jesushousedc.org Description: Annual Blazo Conference held in the month of April - Guest Speakers andother anointed men of God.

9am - 11am Joyful Mothers Where: Seminar Room #2 - 921 Bldg Upstairs Calendar: mkokumo@jesushousedc.org Description: Prayer meeting for pregnant women and women believing God for the fruitof the

womb - holds every Salurday.

10am - 3pm Community Event Video call:

https://plus.google.com/hangouts/\_/jesushousedc.org/mkokumo?hceid=bWtva3Vtb0BqZXN1c2hv

Where: Outside Location Calendar: mkokumo@jesushousedc.org Description: Blazo Community Focused event.

5pm - 7pm Levites

Where: Seminar Room #2 - 921 Bidg Upstairs Calendar: mkokumo@jesushousedc.org Description: Prayer meeting group holding every Saturday.

### Sun Apr 2, 2017

All day BIAZO

Sat Apr 1, 2017 - Mon May 1, 2017

Video call:

https://plus.google.com/hangouts/\_/jesushousedc.org/mkokumo?hceid=bWtva3Vtb0BqZXN1c2hv

Where: The Main Sanctuary Calendar: mkokumo@jesushousedc.org Description: Annual Blazo Conference held in the month of April - Guest Speakers andother anointed men of God.

All day Ministering-Dr. Jasmin Sculark

Sun Apr 2, 2017 - Mon Apr 3, 2017 Video cali: https://plus.google.com/hangouts/\_/jesushousedc.org/mkokumo?hceid=bWtva3Vtb0BqZXN1c2hv

EXHIBIT 5

Calendar: mkokumo@jesushousedc.org

6:30am - 7am Sunday School Class Whore: Main Santuary Calendar: mkokumo@jesushousedc.org Description: Sunday school classes hold at 9.00 am for every lst Sunday monthly.Sunday school classes hold at 7.30 am and 11.30 am respectively. ABible Study Interaction.



9am - 1pm 10am Joint Thanksgiving Service

Video call:

https://plus.google.com/hangouts/\_/jesushousedc.org/mkokumo?hceId=bWtva3Vtb0BqZXN1c2hv

Where: Main Sanctuary

Calendar: mkokumo@jesushousedc.org

Description: Biazo Celebration Thanksgiving Service with Guest Speaker: Dr. JasminSculark

Mon Apr 3, 2017

All day BIAZO

Sat Apr 1, 2017 - Mon May 1, 2017 Video call: https://plus.google.com/hangouts/\_/jesushousedc.org/mkokumo?hceid=bWtva3Vtb0BqZXN1c2hv Where: The Main Sanctuary

Calendar: mkokumo@jesushousedc.org Description: Annual Biazo Conference held in the month of April - Guest Speakers andother anointed men of God.

6pm - 7pm Children of Issachar

Where: Seminar Room #2 - 921 Bldg Upstairs Calendar: mkokumo@jesushousedc.org Description: Prayer Meeting group every Monday

6pm - 7:30pm DLI-Toastmasters Club

https://plus.google.com/hangouts/\_/jesushousedc.org/mkokumo?hceid=bWtva3Vtb0BqZXN1c2hv

Where: The Enoch Adeboye Hall Calendar: mkokumo@jesushousedc.org Description: Daniel Leadership Institute - Toastmasters Club Meeting held every2nd & 3rd Monday of the month.

Tue Apr 4, 2017

All day BIAZO

Video call:

Sat Apr 1, 2017 - Mon May 1, 2017 Video call: https://plus.google.com/hangouts/\_/jesushousedc.org/mkokumo?hceid=bWtva3Vtb0BqZXN1c2hv Where: The Main Sanctuary

Calendar: mkokumo@jesushousedc.org Description: Annual Biazo Conference held in the month of April - Guest Speakers andother anointed men of God.

6pm - 8pm Choir Rehearsal

Where: Main Sanctuary Calendar: mkokumo@jesushousedc.org Description: Choir rehearsal meeting for the JHMM.

6pm - 7pm Judah

Where: Seminar Room #2 - 921 Bldg Upstairs Calendar: mkokumo@jesushousedc.org Description: Prayer Meeting group every Tuesday

### Wed Apr 5, 2017

All day BIAZO

Sat Apr 1, 2017 - Mon May 1, 2017 Video call: https://plus.google.com/hangouts/\_/jesushousedc.org/mkokumo?hceid=bWtva3Vtb0BqZXN1c2hv Where: The Main Sanctuary

Calendar: mkokumo@jesushousedc.org Description: Annual Biazo Conference held in the month of April - Guest Speakers andother anointed men of God.

All day Ministering-Bishop Alfred Owens

Wed Apr 5, 2017 - Thu Apr 6, 2017 Video call; https://plus.google.com/hangouts/\_/jesushousedc.org/mkokumo?hceld=bWtva3Vtb0BqZXN1c2hv

Calendar: mkokumo@jesushousedc.org

7pm - 10pm Holy Communion Service Video call: https://plus.google.com/hangouts/\_/jesushousedc.org/mkokumo?hceid=bWtva3Vtb0BqZXN1c2hv Where: The Main Sanctuary Calendar: mkokumo@jesushousedc.org Description: Biazo Holy Communion Service with Guest Minister Dr. Alfred Owens.

#### Thu Apr 6, 2017

All day BIAZO

Sat Apr 1, 2017 - Mon May 1, 2017 Video call: https://plus.google.com/hangouts/\_/jesushousedc.org/mkokumo?hceid=bWtva3Vtb0BqZXN1c2hv

Where: The Main Sanctuary Calendar: mkokumo@jesushousedc.org Description: Annual Blazo Conference held in the month of April - Guest Speakers andother anointed men of God.

6pm - 7:30pm Armor Bearers

Where: The Annex Building Calendar: mkokumo@jesushousedc.org Description: Prayer meeting group holding every Thursday.

### Fri Apr 7, 2017

All day BIAZO

Sat Apr 1, 2017 - Mon May 1, 2017 Video call: https://plus.google.com/hangouts/\_/jesushousedc.org/mkokumo?hceid=bWtva3Vtb0BqZXN1c2hv Where: The Main Sanctuary Calendar: mkokumo@jesushousedc.org Description: Annual Biazo Conference held in the month of April - Guest Speakers andother anointed men of God.

6pm - 8pm Choir Rehearsal Where: Main Sanctuary Calendar: mkokumo@jesushousedc.org Description: Choir rehearsal meeting for JHMM.

6pm - 7:30pm Faith Clinic Where: The Annex Building Calendar: mkokumo@jesushousedc.org Description: Prayer meeting group holding every Friday.

7pm - 10pm Praise Concert

Video call:

https://plus.google.com/hangouts/\_/jesushousedc.org/mkokumo?hceld=bWtva3Vtb0BqZXN1c2hv

Where: The Main Sanctuary Calendar: mkokumo@jesushousedc.org Description: Blazo Praise Concert with JHMM & other Guest Artists.

#### Sat Apr 8, 2017

All day BIAZO

Sat Apr 1, 2017 - Mon May 1, 2017 Video call: https://plus.google.com/hangouts/\_/jesushousedc.org/mkokumo?hceid=bWtva3Vtb0BqZXN1c2hv

Where: The Main Sanctuary Calendar: mkokumo@jesushousedc.org Description: Annual Biazo Conference held in the month of April - Guest Speakers andother anointed men of God.

9am - 11am Joyful Mothers

Where: Seminar Room #2 - 921 Bldg Upstairs Calendar: mkokumo@jesushousedc.org Description: Prayer meeting for pregnant women and women believing God for the fruitof the womb - holds every Salurday.

5pm - 7pm Levites

Where: Seminar Room #2 - 921 Bidg Upstairs Calendar: mkokumo@jesushousedc.org Description: Prayer meeting group holding every Saturday.

7pm - 10pm Game Night

Video call:

https://plus.google.com/hangouts/\_/jesushousedc.org/mkokumo?hceid=bWtva3Vtb0BqZXN1c2hv

Where: Main Sanctuary Calendar: mkokumo@jesushousedc.org Description: Biazo Game Night

### Sun Apr 9, 2017

All day BIAZO

Sat Apr 1, 2017 - Mon May 1, 2017 Video call: https://plus.google.com/hangouts/\_/jesushousedc.org/mkokumo?hceid=bWtva3Vtb0BqZXN1c2hv

Where: The Main Sanctuary Calendar: mkokumo@jesushousedc.org Description: Annual Blazo Conference held in the month of April - Guest Speakers andother anointed men of God.

All day Ministering-Pastor Tola Odutola

Sun Apr 9, 2017 - Mon Apr 10, 2017 Video call:

https://plus.google.com/hangouts/\_/jesushousedc.org/mkokumo?hceid=bWlva3Vtb0BqZXN1c2hv

Calendar: mkokumo@jesushousedc.org

All day Palm Sunday

Sun Apr 9, 2017 - Mon Apr 10, 2017 Video call: https://plus.google.com/hangouts/\_/jesushousedc.org/mkokumo?hceid=bWtva3Vtb0BqZXN1c2hv

Calendar: mkokumo@jesushousedc.org

6:30am - 7am Sunday School Class Where: Main Santuary Calendar: mkokumo@jesushousedc.org Description:

Sunday school classes hold at 9.00 am for every ist Sunday monthly. Sunday school classes hold at 7.30 am and 11.30 am respectively. ABible Study Interaction.

10am - 2pm Joint Celebration Service

Video call:

https://plus.google.com/hangouts/\_/jesushousedc.org/mkokumo?hceid=bWtva3Vtb0BqZXN1c2hv

Where: The Main Sanctuary

Calendar: mkokumo@jesushousedc.org

Description: Biazo Joint Celebration Service with Guest Speaker: Pastor Tola Odutoia

### Mon Apr 10, 2017

All day BIAZO

Sat Apr 1, 2017 - Mon May 1, 2017 Video call:

https://plus.google.com/hangouts/\_/jesushousedc.org/mkokumo?hceid=bWtva3Vtb0BqZXN1c2hv

Where: The Main Sanctuary

Calendar: mkokumo@jesushousedc.org

Description:

Annual Blazo Conference held in the month of April - Guest Speakers andother anointed men of God.

6pm - 7pm Children of Issachar

Where: Seminar Room #2 - 921 Bldg Upstairs

Calendar: mkokumo@jesushousedc.org

Description: Prayer Meeting group every Monday

6pm - 7:30pm DLI-Toastmasters Club

Video call:

https://plus.google.com/hangouts/\_/jesushousedc.org/mkokumo?hceid=bWtva3Vtb0BqZXN1c2hv Where: The Enoch Adeboye Hall

Calendar: mkokumo@jesushousedc.org

Description:

Daniel Leadership Institute - Toastmasters Club Meeting held every2nd & 3rd Monday of the month.

### Tue Apr 11, 2017

All day BIAZO Sat Apr 1, 2017 - Mon May 1, 2017

Video call:

https://plus.google.com/hangouts/\_/jesushousedc.org/mkokumo?hceid=bWtva3Vtb0BqZXN1c2hv

Where: The Main Sanctuary

Calendar: mkokumo@jesushousedc.org

Description:

Annual Biazo Conference held in the month of April - Guest Speakers andother anointed men of God.

6pm - 8pm Choir Rehearsal

Where: Main Sanctuary Calendar: mkokumo@jesushousedc.org Description: Choir rehearsal meeting for the JHMM.

6pm - 7pm Judah

Where: Seminar Room #2'- 921 Bidg Upstairs Calendar: mkokumo@jesushousedc.org Description: Prayer Meeting group every Tuesday

7pm - 9:30pm Alpha Course - begins

Video call:

https://plus.google.com/hangouts/\_/jesushousedc.org/mkokumo?hceld=bWtva3Vtb0BqZXN1c2hv

Where: The Enoch Adeboye Hall Calendar: mkokumo@jesushousedc.org Description: Alpha Course - A community outreach to win a soul for Christ -non-Christian, friends, families and Coworkers are encouraged toattend. Dinner will be served.

## Wed Apr 12, 2017

All day BIAZO

Sat Apr 1, 2017 - Mon May 1, 2017 Video call: https://plus.google.com/hangouts/\_/jesushousedc.org/mkokumo?hceid=bWtva3Vtb0BqZXN1c2hv

Where: The Main Sanctuary Calendar: mkokumo@jesushousedc.org Description: Annual Blazo Conference held in the month of April - Guest Speakers andother anointed men of God.

All day Ministering-Dr. Derrick Samuels Wed Apr 12, 2017 - Thu Apr 13, 2017 Video call: https://plus.google.com/hangouts/\_/jesushousedc.org/mkokumo?hçeid=bWtva3Vtb0BqZXN1c2hv Calendar: mkokumo@jesushousedc.org

7pm - 10pm Midweek Service

https://plus.google.com/hangouts/\_/jesushousedc.org/mkokumo?hceid=bWtva3Vtb0BqZXN1c2hv Where: The Main Sanctuary Calendar: mkokumo@jesushousedc.org Description: Biazo Midweek Special Service with Dr. Derrick Samuels.

Thu Apr 13, 2017

All day BIAZO

Video call:

Sat Apr 1, 2017 - Mon May 1, 2017 Video call: https://plus.googie.com/hangouts/\_/jesushousedc.org/mkokumo?hceid=bWtva3Vtb0BqZXN1c2hv Where: The Main Sanctuary Calendar: mkokumo@jesushousedc.org Description: Annual Blazo Conference held in the month of April - Guest Speakers andother anointed men of God.

6pm - 7:30pm Armor Bearers

Where: The Annex Building

Calendar: mkokumo@jesushousedc.org

Description: Prayer meeting group holding every Thursday.

Fri Apr 14, 2017

All day BIAZO

Sat Apr 1, 2017 - Mon May 1, 2017

Video call:

https://plus.google.com/hangouts/\_/jesushousedc.org/mkokumo?hceid=bWtva3Vtb0BqZXN1c2hv

Where: The Main Sanctuary Calendar: mkokumo@jesushousedc.org Description: Annual Blazo Conference held in the month of April - Guest Speakers and other anointed men of God.

All day Good Friday

Fri Apr 14, 2017 - Sat Apr 15, 2017 Video call: https://plus.googie.com/hangouts/\_/jesushousedc.org/mkokumo?hceid=bWtva3Vtb0BqZXN1c2hv

Calendar: mkokumo@jesushousedc.org

6pm - 8pm Choir Rehearsal

Where: Main Sanctuary

Calendar: mkokumo@jesushousedc.org

Description: Choir rehearsal meeting for JHMM.

6pm - 7:30pm Faith Clinic Where: The Annex Building Calendar: mkokumo@jesushousedc.org Description: Prayer meeting group holding every Friday.

7pm - 10pm Jesus Women/Gideon Men Seminar Video call: https://plus.google.com/hangouts/\_/jesushousedc.org/mkokumo?hceid=bWtva3Vtb0BqZXN1c2hv Where: The Main Sanctuary Calendar: mkokumo@jesushousedc.org Description: Biazo Jesus Women & Gideon Men Ministries Seminar.

Sat Apr 15, 2017

All day BIAZO

Sat Apr 1, 2017 - Mon May 1, 2017 Video call: https://plus.google.com/hangouts/\_/jesushousedc.org/mkokumo?hceld=bWtva3Vtb0BqZXN1c2hv

Where: The Main Sanctuary Calendar: mkokumo@jesushousedc.org Description: Annual Biazo Conference held in the month of April - Guest Speakers andother anointed men of God.

9am - 11am Joyful Mothers

Where: Seminar Room #2 - 921 Bidg Upstairs Calendar: mkokumo@jesushousedc.org Description: Prayer meeting for pregnant women and women believing God for the fruitof the womb - holds every Saturday.

9am - 2pm YMP

| Video call: | https://plus.google.com/hangouts/\_/jesushousedc.org/mkokumo?hceid≃bWtva3Vtb0BqZXN1c2hv

Where: Annex Bidg. Calendar: mkokumo@jesushousedc.org Description: DLI-Young Professional Mentoring Program - Personal Mastering Workshop

10am - 5pm Soul Walk & Health Fair

Video call:

https://plus.google.com/hangouts/\_/jesushousedc.org/mkokumo?hceid=bWtva3Vtb0BqZXN1c2hv

Where: The Main Sanctuary Calendar: mkokumo@jesushousedc.org Description: Blazo Carnival Soul Walk & Health Fair.

5pm - 7pm Levites

Where: Seminar Room #2 - 921 Bldg Upstairs Calendar: mkokumo@jesushousedc.org Description: Prayer meeting group holding every Saturday.

#### Sun Apr 16, 2017

All day BIAZO

Sat Apr 1, 2017 - Mon May 1, 2017 Video call: https://plus.google.com/hangouts/\_/jesushousedc.org/mkokumo?hceid=bWtva3Vtb0BqZXN1c2hv

Where: The Main Sanctuary Calendar: mkokumo@jesushousedc.org Description: Annual Biazo Conference held in the month of April - Guest Speakers andother anointed men of God.

All day Easter Sunday

Sun Apr 16, 2017 - Mon Apr 17, 2017 Video cail: https://plus.gcogle.com/hangouts/\_/jesushousedc.org/mkokumo?hceld=bWtva3Vtb0BqZXN1c2hv

Calendar: mkokun70@jesushousedc.org

All day Ministering-Pastor Ghandi Olaoye Sun Apr 16, 2017 - Mon Apr 17, 2017 Video call: https://plus.google.com/hangouts/\_/jesushousedc.org/mkokumo?hceid=bWtva3Vtb0BqZXN1c2hv

Calendar: mkokumo@jesushousedc.or9

6:30am - 7am Sunday School Class Where: Main Santuary Calendar: mkokumo@jesushousedc.org Description: Sunday school classes hold at 9.00 am for every lst Sunday monthly.Sunday school classes hold at 7.30 am and 11.30 am respectively. ABible Study Interaction.

10am - 2pm Joint Celebration Service

Video call:

https://plus.google.com/hangouts/\_/jesushousedc.org/mkokumc?hceid=bWtva3Vtb0BqZXN1c2hy

Where: The Main Sanctuary Calendar: mkokumo@jesushousedc.org Description: Blazo Joint Celebration Service - Ministration by our very own - PastorGhandl Olaoye

#### Mon Apr 17, 2017

All day BIAZO

| Sat Apr 1, 2017 - Mon May 1, 2017 | Video call: | https://plus.google.com/hangouts/\_/jesushousedc.org/mkokumo?hceid=bWtva3Vtb0BqZXN1c2hv

Where: The Main Sanctuary Calendar: mkokumo@jesushousedc.org Description: Annual Biazo Conference held in the month of April - Guest Speakers andother anointed men of God.

All day Office Closed - Easter Monday Mon Apr 17, 2017 - Tue Apr 18, 2017

Video cali:

https://plus.google.com/hangouts/\_/jesushousedc.org/mkokumo?hceid=bWtva3Vtb0BqZXN1c2hv

Calendar: mkokumo@jesushousedc.org

6pm - 7pm Children of Issachar

Where: Seminar Room #2 - 921 Bldg Upstairs Calendar: mkokumo@jesushousedc.org Description: Prayer Meeting group every Monday

6pm - 7:30pm DLI-Toastmasters Club

https://plus.google.com/hangouts/\_/jesushousedc.org/mkokumo?hceid=bWtva3Vtb0BqZXN1c2hv

Where: The Enoch Adeboye Hali Calendar: mkokump@jesushousedc.org Description: Daniel Leadership Institute - Toasimasters Club Meeting held every2nd & 3rd Monday of the month.

### Tue Apr 18, 2017

All day BIAZO

Video call:

Sat Apr 1, 2017 - Mon May 1, 2017

Video call:

https://plus.google.com/hangouts/\_/jesushousedc.org/mkokumo?hceid=bWtva3Vtb0BqZXN1c2hv

Where: The Main Sanctuary

Calendar: mkokumo@jesushousedc.org

Description:

Annual Biazo Conference held in the month of April - Guest Speakers and other anointed men of God.

6pm - 8pm Choir Rehearsal

Where: Main Sanctuary

Calendar: mkokumo@jesushousedc.org

Description: Choir rehearsal meeting for the JHMM.

#### 6pm - 7pm Judah

Where: Seminar Room #2 - 921 Bldg Upstairs

Calendar: mkokumo@jesushousedc.org

Description: Prayer Meeting group every Tuesday

7pm - 9:30pm Alpha Course

Video call:

https://plus.google.com/hangouts/\_/jesushousedc.org/mkokumo?hceid=bWtva3Vtb0BqZXN1c2hv

Where: The Enoch Adeboye Hall

Calendar: mkokumo@jesushousedc.org

**Description:** 

Alpha Course - A community outreach to win a soul for Christ -non-Christian,

friends, families and Coworkers are encouraged toattend. Dinner will be served.

#### Wed Apr 19, 2017

All day BIAZO

Sat Apr 1, 2017 - Mon May 1, 2017 Video call:

https://plus.google.com/hangouts/\_/jesushousedc.org/mkokumo?hceld=bWtva3Vtb0BqZXN1c2hv

Where: The Main Sanctuary Calendar: mkokumo@jesushousedc.org Description: Annual Biazo Conference held in the month of April - Guest Speakers andother anointed men of God.

All day Ministering-Bishop George Bloomer

Wed Apr 19, 2017 - Thu Apr 20, 2017 Video call:

https://plus.google.com/hangouts/\_/jesushousedc.org/mkokumo?hceid=bWtva3Vtb0BqZXN1c2hv

Calendar: mkokumo@jesushousedc.org

7pm - 10pm Midweek Service

Video call:

https://plus.google.com/hangouts/\_/jesushousedc.org/mkokumo?hceld=bWtva3Vtb0BqZXN1c2hv

Where: The Main Sanctuary

Calendar: mkokumo@jesushouscdc.org

Description: Biazo Midweek Special Service with Bishop George Bloomer.

## Thu Apr 20, 2017

All day BIAZO

Sat Apr 1, 2017 - Mon May 1, 2017

Video call:

https://plus.google.com/hangouts/\_/jesushousedc.org/mkokumo?hceid=bWtva3Vtb0BqZXN1c2hv

Where: The Main Sanctuary

Calendar: mkokumo@jesushousedc.org

Description:

Annual Blazo Conference held in the month of April - Guest Speakers andother anointed men of God.

6pm - 7:30pm Armor Bearers

Where: The Annex Building

Calendar: mkokumo@jesushousedc.org

Description: Prayer meeting group holding every Thursday.

## Fri Apr 21, 2017

All day BIAZO

Sat Apr 1, 2017 - Mon May 1, 2017 Video call: https://plus.google.com/hangouts/\_/jesushousedc.org/mkokumo?hceid=bWtva3Vtb0BqZXN1c2hv

Where: The Main Sanctuary Calendar: mkokumo@jesushousedc.org Description: Annual Blazo Conference held in the month of Andla Cuest Sa

Annual Biazo Conference held in the month of April - Guest Speakers andother anointed men of God.

All day J-Gen Summa Claude Initiative Weekend Fri Apr 21, 2017 - Sun Apr 23, 2017 Video call:

https://plus.google.com/hangouts/\_/jesushousedc.org/mkokumo?hceid=bWtva3Vtb0BqZXN1c2hv

Where: The Annex Building Calendar: mkokumo@jesushousedc.org

6pm - 8pm Choir Rehearsal Where: Main Sanctuary Calendar: mkokumo@jesushousedc.org Description: Choir rehearsal meeting for JHMM.

8pm - 7:30pm Faith Clinic Where: The Annex Building Calendar: mkokumo@jesushousedc.org Description: Prayer meeting group holding every Friday.

7pm - 10pm One Flesh Ministry Seminar Video call: https://plus.google.com/hangouts/\_/jesushousedc.org/mkokumo?hceid=bWtva3Vtb0BqZXN1c2hv Where: The Main Sanctuary Calendar: mkokumo@jesushousedc.org

Description: Blazo One Flesh Ministry Seminar

Sat Apr 22, 2017

All day BIAZO

Sat Apr 1, 2017 - Mon May 1, 2017 Video call:

https://plus.google.com/hangouts/\_/jesushousedc.org/mkokumo?hceid=bWtva3Vtb0BqZXN1c2hv

Where: The Main Sanctuary

Calendar: mkokumo@jesushousedc.org

Description:

Annual Biazo Conference held in the month of April - Guest Speakers andother anointed men of God.

All day J-Gen Summa Claude Initiative Weekend

Fri Apr 21, 2017 - Sun Apr 23, 2017 Video call:

https://plus.google.com/hangouts/\_/jesushousedc.org/mkokumo?hceid=bWtva3Vtb0BqZXN1c2hv

Where: The Annex Building Calendar: mkokumo@jesushousedc.org

9am - 11am Joyful Mothers

Where: Seminar Room #2 - 921 Bidg Upstairs

Calendar: mkokumo@jesushousedc.org

Description:

Prayer meeting for pregnant women and women believing God for the fruitof the womb - holds every Saturday.

9am - 2pm TLC - Street Evangelism

Video call:

https://plus.google.com/hangouts/\_/jesushousedc.org/mkokumo?hceld=bWtva3Vtb0BqZXN1c2hv

Where: Outside Location

Calendar: mkokumo@jesushousedc.org

Description: TLC (True Love Cares) Street Evangelism holding at last Saturday of themonth.

10am - 2pm HBN/DLI Seminar

Video call:

https://plus.google.com/hangouts/\_/jesushousedc.org/mkokumo?hceid=bWtva3Vtb0BqZXN1c2hv

Where: The Main Sanctuary Calendar: mkokumo@jesushousedc.org Description: Haggal Business Network & Daniel Leadership Institute Seminar.

12pm - 6pm - 12noon Xpress Block Party

Video call;

https://plus.google.com/hangouts/\_/jesushousedc.org/mkokumo?hceid=bWtva3Vtb0BqZXN1c2hv

Where: The Main Sanctuary Calendar: mkokumo@jesushousedc.org Description: Biazo Xpress Block Party.

5pm - 7pm Levites

Where: Seminar Room #2 - 921 Bldg Upstairs Calendar: mkokumo@jesushousedc.org Description: Prayer meeting group holding every Saturday.

Sun Apr 23, 2017

All day BIAZO

Sat Apr 1, 2017 - Mon May 1, 2017 Video call:

https://plus.google.com/hangouts/\_/jesushousedc.org/mkokumo?hceld=bWtva3Vtb0BqZXN1c2hv

Where: The Main Sanctuary

Calendar: mkokumo@jesushousedc.org

Description:

Annual Blazo Conference held in the month of April - Guest Speakers andother anointed men of God.

All day Ministering-Dr. Mensa Otabil Sun Apr 23, 2017 - Mon Apr 24, 2017

Video call:

https://plus.google.com/hangouts/\_/jesushousedc.org/mkokumo?hceid=bWtva3Vtb0BqZXN1c2hv

Calendar: mkokumo@jesushousedc.org

6:30am - 7am Sunday School Class

Where: Main Santuary

Calendar: mkokumo@jesushousedc.org

Description:

Sunday school classes hold at 9.00 am for every ist Sunday monthly.Sunday

school classes hold at 7.30 am and 11.30 am respectively. ABible Study interaction.

10am - 2pm Joint Celebration Service-Intl.Day Video call: https://plus.google.com/hangouts/\_/jesushousedc.org/mkokumo?hceid=bWtva3Vtb0BqZXN1c2hv Where: The Main Sanctuary Catendar: mkokumo@jesushousedc.org Description: Biazo Celebration Service (International Day) with Guest Speaker Dr.Mensa Otabil

Mon Apr 24, 2017

All day BIAZO

Sat Apr 1, 2017 - Mon May 1, 2017 Video call: https://plus.google.com/hangouts/\_/jesushousedc.org/mkokumo?hceid=bWtvs3Vtb0BqZXN1c2hv

Where: The Main Sanctuary Calendar: mkokumo@jesushousedc.org Description: Annual Biazo Conference held in the month of April - Guest Speakers andother anointed men of God.

All day Ministering-Dr. Mense Otabil Mon Apr 24, 2017 - Tue Apr 25, 2017 Video call: https://plus.google.com/hangouts/\_/jesushousedc.org/mkokumo?hceld=bWtvs3Vtb0BqZXN1c2hv

Calendar: mkokumo@jesushousedc.org

6pm - 7pm Children of Issachar Where: Seminar Room #2 - 921 Bidg Upstairs Calendar: mkokumo@jesushousedc.org Description: Prayer Meeting group every Monday

6pm - 7:30pm DLI-Toastmasters Club

Video call:

https://plus.google.com/hangouts/\_/jesushousedc.org/mkokumo?hceid=bWtva3Vtb0BqZXN1c2hv

Where: The Enoch Adeboye Hall Calendar: mkokumo@jesushousedc.org Description: Daniel Leadership Institute - Toastmasters Club Meeting held every2nd & 3rd Monday of the month.

7pm - 10pm Special Empowerment Service

Video call:

https://plus.google.com/hangouts/\_/jesushousedc.org/mkokumo?hceid=bWtva3Vtb0BqZXN1c2hv

Where: The Main Sanctuary

Calendar: mkokumo@jesushousedc.org

Description: Biazo Special Empowerment Service with Dr. Mensa Otabil.

### Tue Apr 25, 2017

All day BIAZO Sat Apr 1, 2017 - Mon May 1, 2017 Video call: https://plus.google.com/hangouts/\_/jesushousedc.org/mkokumo?hceid=bWtva3Vtb0BqZXN1c2hv

Where: The Main Sanctuary Calendar: mkokumo@jesushousedc.org **Description:** Annual Blazo Conference held in the month of April - Guest Speakers andother anointed men of God.

All day Ministering-Dr. Mensa Otabil

Tue Apr 25, 2017 - Wed Apr 26, 2017 Video call: https://plus.googie.com/hangouts/\_/jesushousedc.org/mkokumo?hceid=bWtva3Vtb0BqZXN1c2hv

Calendar: mkokumo@jesushousedc.org

6pm - 8pm Choir Rehearsal Where: Main Sanctuary Calendar: mkokumo@jesushousedc.org Description: Choir rehearsal meeting for the JHMM.

6pm - 7pm Judah

Where: Seminar Room #2 - 921 Bldg Upstairs Calendar: mkokumo@jesushousedc.org Description: Prayer Meeting group every Tuesday

7pm - 10pm Special Empowerment Service Video call: https://plus.google.com/hangouts/\_/jesushousedc.org/mkokumo?hceid≈bWtva3Vtb0BqZXN1c2hv Where: The Main Sanctuary

Calendar: mkokumo@jesushousedc.org

Description: Blazo Special Empowerment Service with Dr. Mensa Otabil.

### Wed Apr 26, 2017

All day BIAZO Sat Apr 1, 2017 - Mon May 1, 2017 Video call: https://plus.google.com/hangouts/\_/jesushousedc.org/mkckumo?hceld=bWtva3Vtb0BqZXN1c2hv Where: The Main Sanctuary Calendar: mkokumo@jesushousedc.org **Description:** Annual Biazo Conference held in the month of April - Guest Speakers andother

anointed men of God.

6am - 7:30am Lighthouse Fellowship Video call: https://plus.google.com/hangouts/\_/jesushousedc.org/mkokumo?hceid≈bWtva3Vtb0BqZXN1c2hv Where: Lighthouse Centers Calendar: mkokumo@jesushousedc.org **Description:** This holds at Lighthouse Centers from 7pm. It holds on the 2nd, 3rd,4th, and 5th (as the case may be) Wednesday of the month.

#### Thu Apr 27, 2017

All day BIAZO

Set Apr 1, 2017 - Mon May 1, 2017 Video call: https://pius.google.com/hangouts/\_/jesushousedc.org/mkokumo?hceid=bWtva3Vtb0BqZXN1c2hv

Where: The Main Sanctuary Calendar: mkokumo@jesushousedc.org **Description:** Annual Blazo Conference held in the month of April - Guest Speakers andother anointed men of God.

All day Ministering-Rev.George Adegboye

Thu Apr 27, 2017 - Fri Apr 28, 2017 Video call:

https://plus.google.com/hangouts/\_/jesushousedc.org/mkokumo?hceid=bWtva3Vtb0BqZXN1c2hv

Calendar: mkokumo@jesushousedc.org

6pm - 7:30pm Armor Bearers

Where: The Annex Building Calendar: mkokumo@jesushousedc.org Description: Prayer meeting group holding every Thursday.

7pm - 10pm Special Empowerment Service

Video call:

https://plus.google.com/hangouts/\_/jesushousedc.org/mkokumo?hceid=bWtva3Vtb0BqZXN1c2hv

Where: The Main Sanctuary Calendar: mkokumo@jesushousedc.org Description: Biazo Special Empowerment Service with Guest Minister Rev. GeorgeAdegboye.

#### Fri Apr 28, 2017

All day BIAZO

Sat Apr 1, 2017 - Mon May 1, 2017 Video call:

https://plus.googie.com/hangouts/\_/jesushousedc.org/mkokumo?hceid=bWlva3Vtb0BqZXN1c2hv

Where: The Main Sanctuary

Calendar: mkokumo@jesushousedc.org

**Description:** 

Annual Blazo Conference held in the month of April - Guest Speakers andother anointed men of God.

6pm - 8pm Choir Rehearsal Where: Main Sanctuary Calendar: mkokumo@jesushousedc.org Description: Choir rehearsal meeting for JHMM.

6pm - 7:30pm Faith Clinic Where: The Annex Building Calendar: mkokumo@jesushousedc.org Description: Prayer meeting group holding every Friday.

7pm - 10pm Faces Drama Presentation Video call: https://plus.google.com/hangouts/\_/jesushousedc.org/mkokumo?hceid=bWtva3Vtb0BqZXN1c2hv Where: The Main Sanctuary Calendar: mkokumo@locushausedc.org

Calendar: mkokumo@jesushousedc.org Description: Biazo Faces Drama Presentation.

Sat Apr 29, 2017

All day BIAZO

Sat Apr 1, 2017 - Mon May 1, 2017 Video call: https://plus.google.com/hangouts/\_/jesushousedc.org/mkokumo?hceid=bWtva3Vtb0BqZXN1c2hv

Where: The Main Sanctuary Calendar: mkokumo@jesushousedc.org Description: Annual Blazo Conference held in the month of April - Guest Speakers andother anointed men of God.

9am - 11am Joyful Mothers

Where: Seminar Room #2 - 921 Bidg Upstairs Calendar: mkokumo@jesushousedc.org Description: Prayer meeting for pregnant women and women believing God for the fruitof the womb - holds every Saturday.

10am - 3pm TLC Street Evangelism

Video call:

https://pius.google.com/hangouts/\_/jesushousedc.org/mkokumo?hceld=bWtva3Vtb0BgZXN1c2hv

Where: Outside Location

Calendar: mkokumo@jesushousedc.org

Description: TLC (True Love Cares) Street Evangelism holding last Saturday of themonth.

5pm - 7pm Levites

Where: Seminar Room #2 - 921 Bldg Upstairs Calendar: mkokumo@jesushousedc.org Description: Prayer meeting group holding every Saturday.

7pm - 11pm Biazo Ball

Video call:

https://plus.google.com/hangouts/\_/jesushousedc.org/mkokumo?hceid=bWtva3Vtb0BqZXN1c2hv

Where: Outside Location

Calendar: mkokumo@jesushousedc.org

Description: Biazo Ball - a black tie & formal event.

#### Sun Apr 30, 2017

All day BIAZO

Sat Apr 1, 2017 - Mon May 1, 2017

Video call:

https://plus.google.com/hangouts/\_/jesushousedc.org/mkokumo?hceid=bWtva3Vtb0BqZXN1c2hv

Where: The Main Sanctuary

Calendar: mkokumo@jesushousedc.org Description:

Annual Biazo Conference held in the month of April - Guest Speakers andother anointed men of God.

All day Ministering-Rev. George Adegboye

Sun Apr 30, 2017 - Mon May 1, 2017

Video call:

https://plus.google.com/hangouts/\_/jesushousedc.org/mkokumo?hceId=bWtva3Vtb0BqZXN1c2hv

Calendar: mkokumo@jesushousedc.org

6:30am - 7am Sunday School Class Where: Main Santuary Calandar: mkokumo@jesushousedc.org

Description:

Sunday school classes hold at 9.00 am for every 1st Sunday monthly Sunday

school classes hold at 7.30 am and 11.30 am respectively. ABible Study interaction.

## 10am - 2pm Joint Celebration Service

Video call:

https://plus.google.com/hangouts/\_/jesushousedc.org/mkokumo?hceid=bWtva3Vtb0BqZXN1c2hv

Where: The Main Sanctuary

Calendar: mkokumo@jesushousedc.org

Description: Biazo Joint Celebration Service with Guest Speaker - Rev. GeorgeAdegboye

#### Mon May 1, 2017

6pm - 7pm Children of Issachar

Where: Seminar Room #2 - 921 Bldg Upstairs Calendar: mkokumo@jesushousedc.org Description: Prayer Meeting group every Monday

6pm - 7:30pm DLI-Toastmasters Club Video call: https://plus.google.com/hangouts/\_/jesushousedc.org/mkokumo?hceld=bWtva3Vtb0BqZXN1c2hv Where: The Enoch Adeboye Hall Calender: mkokumo@jesushousedc.org Description: Daniel Leadership Institute - Toastmasters Club Meeting held every2nd & 3rd Monday of the month.

### Tue May 2, 2017

6pm - 8pm Choir Rehearsat

Where: Main Sanctuary

- Calendar: mkokumo@jesushousedc.org
- Description: Choir rehearsal meeting for the JHMM.

8pm - 7pm Judah

Where: Seminar Room #2 - 921 Bldg Upstairs Calendar: mkokumo@jesushousedc.org Description: Prayer Meeting group every Tuesday

7pm - 9:30pm Alpha Course Video call: https://plus.google.com/hangouts/\_/jesushousedc.org/mkokumo?hceid=bWtva3Vtb0BqZXN1c2hv Where: The Enoch Adeboye Hall Calendar: mkokumo@jesushousedc.org Description: Alpha Course - A community outreach to win a soul for Christ -non-Christian, friends, families and Coworkers are encouraged toattend. Dinner will be served.

### Wed May 3, 2017

All day Ministering: Vine Song

Wed May 3, 2017 - Thu May 4, 2017 Video call: https://plus.google.com/hangouts/\_/jesushousedc.org/mkokumo?hceid=bWtva3VtbDBqZXN1c2hv

Calendar: mkokumo@jesushousedc.org

6pm - 8:30pm Holy Communion Service Video call:

https://plus.google.com/hangouts/\_/jesushousedc.org/mkokumo?hceid=bWtva3Vtb0BqZXN1c2hv

Where: The Main Sanctuary

Calendar: mkokumo@jesushousedc.org

Description: The Holy Communion Service held every 1st Wednesday of the month.

## **EXHIBIT** 6

Thu May 4, 2017

6pm - 7:30pm Armor Bearers Where: The Annex Building Calendar: mkokumo@jesushousedc.org Description: Prayer meeting group holding every Thursday.

Fri May 5, 2017

6pm - 8pm Choir Rehearsal Where: Main Sanctuary Calendar: mkokumo@jesushousedc.org Description: Choir rehearsal meeting for JHMM.

6pm - 7:30pm Faith Clinic

Where: The Annex Building Calendar: mkokumo@jesushousedc.org Description: Prayer meeting group holding every Friday.

8pm - 11pm Prayer & Praise Night Service Video call: https://plus.google.com/hangouts/\_/jesushousedc.org/mkokumo?hceid=bWtva3Vtb0BqZXN1c2hv Where: The Main Sanctuary Calendar: mkokumo@jesushousedc.org Description: The Prayer & Praise Night Vigil Service which holds on the 1st Fridayof every month. Featuring: Intense Praise & Worship, Intense Prayer &Live Testimonies.

#### Sat May 6, 2017

9am - 11am Joyful Mothers Where: Seminar Room #2 - 921 Bldg Upstairs Calendar: mkokumo@jesushousedc.org Description: Prayer meeting for pregnant women and women believing God for the fruitof the

5pm - 7pm Levites Where: Seminar Room #2 - 921 Bidg Upstairs Calendar: mkokumo@jesushousedc.org

Description: Prayer meeting group holding every Saturday.

### Sun May 7, 2017

All day Ministering -Pstr.Agu Irukwu

Sun May 7, 2017 - Mon May 8, 2017

womb - holds every Saturday,

Video call:

https://plus.google.com/hangouts/\_/jesushousedc.org/mkokumo?hceid=bWtva3Vtb0BqZXN1c2hv

Calendar: hkokumo@jesushousedc.org

6:30am - 7am Sunday School Class Where: Main Santuary Calendar: mkokumo@jesushousedc.org Description:

Sunday school classes hold at 9.00 am for every ist Sunday monthly.Sunday

school classes hold at 7.30 am and 11.30 am respectively. ABible Study interaction.

7am - 8am Celebration Services: 10am/12noon

Video call:

https://plus.google.com/hangouts/\_/jesushousedc.org/mkokumo?hceid=bWtva3Vtb0BqZXN1c2hv

Where: The Main Sanctuary

Calendar: mkokumo@jesushousedc.org

Description:

Regular Sunday Services - Fresh Anointing Service @ 8am-9.30am; IgniteService: 10am-11.30am; Celebration Service: 12noon-2pm

## 9am - 11:30am Joint Thanksgiving C/Service

Video call:

https://plus.google.com/hangouts/\_/jesushousedc.org/mkokumo?hceid=bWtva3Vtb0BqZXN1c2hv

Where: Main Sanctuary Calendar: mkokumo@jesushousedc.org Description: The Joint Thanksgiving Celebration Service which holds every 1st Sundayof the month at 10am. Guest Speaker - Pastor Agu Irukwu

#### Mon May 8, 2017

6pm - 7pm Children of Issachar

Where: Seminar Room #2 - 921 Bidg Upstairs Calendar: mkokumo@jesushousedc.org Description: Prayer Meeting group every Monday

6pm - 7:30pm DLI-Toastmasters Club

Video\_call: https://plus.google.com/hangouts/\_/jesushousedc.org/mkokumo?hceid=bWtva3Vtb0BqZXN1c2hv Where: The Enoch Adeboye Hall Calondary mkokumo@iacushousedc.org

Calendar: mkokumo@jesushousedc.org Description: Daniel Leadership Institute - Toastmasters Club Meeting held every2nd & 3rd Monday of the month.

Tue May 9, 2017

6pm - 8pm Choir Rehearsal

Where: Main Sanctuary Calendar: mkokumo@jesushousedc.org Description: Choir rehearsal meeting for the JHMM.

6pm - 7pm Judah

Where: Seminar Room #2 - 921 Bldg Upstairs Calendar: mkokumo@jesushousedc.org Description: Prayer Meeting group every Tuesday

7pm - 9:30pm Alpha Course

Video call:

https://plus.google.com/hangouts/\_/jesushousedc.org/mkokumo?hceld=bWtva3Vtb0BqZXN1c2hv

Where: The Enoch Adeboye Hall Calendar: mkokumo@jesushousedc.org Description: Alpha Course - A community outreach to win a soul for Christ -non-Christian,

friends, families and Coworkers are encouraged toatlend. Dinner will be served.

### Wed May 10, 2017

6am - 7:30am Lighthouse Fellowship

Video call:

https://plus.google.com/hangouts/\_/jesushousedc.org/mkokumo?hceid=bWtva3Vtb0BqZXN1c2hy

Where: Lighthouse Centers

Calendar: mkokumo@jesushousedc.org

Description:

This holds at Lighthouse Centers from 7pm. It holds on the 2nd, 3rd,4th, and 5th (as the case may be) Wednesday of the month.

Thu May 11, 2017

6pm - 7:30pm Armor Bearers Where: The Annex Building Calendar: mkokumo@jesushousedc.org Description: Prayer meeting group holding every Thursday.

Fri May 12, 2017

All day Jesús Women Dinner Fri May 12, 2017 - Sat May 13, 2017

Video call:

https://plus.google.com/hangouts/\_/jesushousedc.org/mkokumo?hceid=bŴtva3Vtb0BqZXN1c2hv

Where: The Main Sanctuary Calendar: mkokumo@jesushousedc.org Description: A Jesus Women Ministries Dinner @ 7pm.

6pm - 8pm Choir Rehearsal

Where: Main Sanctuary

Calendar: mkokumo@jesushousedc.org

Description: Choir rehearsal meeting for JHMM.

6pm - 7:30pm Faith Clinic Where: The Annex Building Calendar: mkokumo@jesushousedc.org Description: Prayer meeting group holding every Friday.

Sat May 13, 2017

9am - 11am Joyful Mothers

Where: Seminar Room #2 - 921 Bidg Upstairs Calendar: mkokumo@jesushousedc.org Description: Prayer meeting for pregnant women and women believing God for the fruitof the womb - holds every Saturday.

1pm - 3pm Wedding Ceremony - JHDC

Video call:

https://plus.google.com/hangouts/\_/jesushousedc.org/mkokumo?hceid=bWtva3Vtb0BqZXN1c2hv

Where: The Main Sanctuary

Calendar: mkokumo@jesushousedc.org

Description: Wedding Ceremony for Miss Funmi Adeyo & Fiance.

1pm - 3pm Wedding Ceremony - O/L

Video call:

https://plus.google.com/hangouts/\_/jesushousedc.org/mkokumo?hceid=bWtva3Vtb0BqZXN1c2hv

Where: Outside Location

Calendar: mkokumo@jesushousedc.org

Description: Wedding Ceremony for Miss. Felicia Obadina & Fiance.

5pm - 7pm Lévites

Where: Seminar Room #2 - 921 Bldg Upstairs

Calendar: mkokumc@jesushousedc.org

Description: Prayer meeting group holding every Saturday.

Sun May 14, 2017

All day, Mother's Day

Sun May 14, 2017 - Mon May 15, 2017

Video call:

https://plus.google.com/hangouts/\_/jesushousedc.org/mkokumo?hceid=bWtva3Vtb0BqZXN1c2hv

Calendar: mkokumo@jesushousedc.org

6:30am - 7am Sunday School Class

Where: Main Santuary

Calendar: mkokumo@jesushousedc.org Description: Sunday school classes hold at 9.00 am for

Sunday school classes hold at 9.00 am for every ist Sunday monthly. Sunday school classes hold at 7.30 am and 11.30 am respectively. ABible Study interaction.

7am - 8am Celebration Services: 10am/12noon

Video call:

https://plus.google.com/hangouts/\_/jesushousedc.org/mkokumo?hceid=bWtva3Vtb0BqZXN1c2hv

Where: The Main Sanctuary Calendar: mkokumo@jesushousedc.org Description: Regular Sunday Services - Fresh Anointing Service @ 8am-9.30am; IgniteService: 10am-11.30am; Celebration Service: 12noon-2pm

7pm - 10pm Mother's Day Dinner

Video call: https://plus.google.com/hangouts/\_/jesushousedc.org/mkokumo?hceid=bWtva3Vtb0BqZXN1c2hv

Where: The Enoch Adeboye Hall Calendar: mkokumo@jesushousedc.org Description: A Mother's Day Dinner to be hosted by the Jesus Women Ministries.

Mon May 15, 2017

6pm - 7pm Children of Issachar

Where: Seminar Room #2 - 921 Bldg Upstairs Calendar: mkokumo@jesushousedc.org Description: Prayer Meeting group every Monday

6pm - 7:30pm DLI-Toastmasters Club Video call: https://plus.google.com/hangouts/\_/jesushousedc.org/mkokumo?hceid=bWtva3Vtb0BqZXN1c2hv Where: The Enoch Adeboye Hall Calendar: mkokumo@jesushousedc.org Description: Daniel Leadership Institute - Toastmasters Club Meeting held every2nd & 3rd Monday of the month.

#### Tue May 16, 2017

6pm - 8pm Choir Rehearsal

Where: Main Sanctuary Calendar: mkokumo@jesushousedc.org

Description: Choir rehearsal meeting for the JHMM.

6pm - 7pm Judah

Where: Seminar Room #2 - 921 Bldg Upstairs Calendar: mkokumo@jesushousedc.org Description: Prayer Meeting group every Tuesday

7pm - 9:30pm Alpha Course

### Video call:

https://plus.googie.com/hangouts/\_/jesushousedc.org/mkokumo?hceid=bWtva3Vtb0BqZXN1c2hv

Where: The Enoch Adeboye Hall Calendar: mkokumo@jesushousedc.org Description: Alpha Course - A community outreach to win a soul for Christ -non-Christian, friends, families and Coworkers are encouraged toattend. Dinner will be served.

#### Wed May 17, 2017

6am - 7:30am Lighthouse Fellowship

Video call: https://plus.google.com/hangouts/\_/jesushousedc.org/mkokumo?hceid=bWtva3Vtb0BqZXN1c2hv

Where: Lighthouse Centers Calendar: mkokumo@jesushousedc.org Description: This holds at Lighthouse Centers from 7pm. It holds on the 2nd, 3rd,4th, and 5th (as the case may be) Wednesday of the month.

Thu May 18, 2017

6pm - 7:30pm Armor Bearers

Where: The Annex Building

Calendar: mkokumo@jesushousedc.org

Description: Prayer meeting group holding every Thursday.

Fri May 19, 2017

All day J-Gen Summa Claude Initiative Weekend

Fri May 19, 2017 - Sun May 21, 2017

Video call:

https://plus.google.com/hangouts/\_/jesushousedc.org/mkokumo?hceid=bWtva3Vtb0BqZXN1c2hv

Where: The Annex Building Calendar: mkokumo@jesushousedc.org

6pm - 8pm Choir Rehearsal

Where: Main Sanctuary

Calendar: mkokumo@jesushousedc.org

Description: Choir rehearsal meeting for JHMM.

6pm - 7:30pm Faith Glinic

Where: The Annex Building

Calendar: mkokumo@jesushousedc.org

Description: Prayer meeting group holding every Friday.

7pm - 9pm Workers Meeting

Video call: https://plus.google.com/hangouts/\_/jesushousedc.org/mkokumo?hceid=bWtva3Vtb0BqZXN1c2hv

Where: The Main Sanctuary Calendar: mkokumo@jesushousedc.org Description: The monthly Workers Meeting for all Ministers, HOD, AsstHODs, StaffMembers, Rhamp Leaders & Next Gen Leaders which holds every 3rd week of the month.

Sat May 20, 2017

All day J-Gen Summa Claude Initiative Weekend Fri May 19, 2017 - Sun May 21, 2017 Video call: https://plus.google.com/hangouts/\_/jesushousedc.org/mkokumo?hceid=bWtva3Vtb0BqZXN1c2hv

Where: The Annex Building Calendar: mkokumo@jesushousedc.org

9am - 4:30pm Alpha Getaway

Video call:

https://plus.google.com/hangcuts/\_/jesushousedc.org/mkokumo?hceid=bWtva3Vtb0BqZXN1c2hv

Where: Outside Location Calendar: mkokumo@jesushousedc.org Description: An Alpha Getaway Retreat.

9am - 11am Joyful Mothers
 Where: Seminar Room #2 - 921 Bidg Upstairs
 Calendar: mkokumo@jesushousedc.org
 Description:
 Prayer meeting for pregnant women and women believing God for the fruitof the womb - holds every Saturday.

9am - 2pm TLC - Street Evangelism Video call:

https://plus.google.com/hangouts/\_/jesushousedc.org/mkokumo?hceid=bWtva3Vtb0BqZXN1c2hv Where: Outside Location

Calendar: mkokumo@jesushousedc.org

Description: TLC (True Love Cares) Street Evangelism holding at last Saturday of themonth.

9am - 2pm YMP

Video call:

https://plus.google.com/hangouts/\_/jesushousedc.org/mkokumo?hceid=bWtva3Vtb0BqZXN1c2hv

Where: Annex Bldg

Calendar: mkokumo@jesushousedc.org

Description: DLI-Young Professional Mentoring Program - Career Workshop.

#### 2pm - 5pm Elders Forum

Video call:

https://plus.google.com/hangouts/\_/jesushousedc.org/mkokumo?hceid=bWtva3Vtb0BqZXN1c2hv

Where: The Enoch Adeboye Hall

Calendar: mkokumo@jesushousedc.org

Description: The Elders Forum meeting which holds every 3rd Saturday of every month.

2pm - 4pm Wedding Ceremony-O/Location

Video call: https://plus.google.com/hangouts/\_/jesushousedc.org/mkokumo?hceid=bWtva3Vtb0BqZXN1c2hv

Where: Outside Location Calendar: mkokumo@jesushousedc.org Description: Wedding Ceremony for Ms.Bunmi Akintonde & Fiance to be held at theLargo Community Church.

5pm - 7pm Levites

Where: Seminar Room #2 - 921 Bldg Upstairs Calendar: mkokumo@jesushousedc.org Description: Prayer meeting group holding every Saturday.

Sun May 21, 2017

7:30am - 8am Sunday School Class Where: Main Santuary Calendar: mkokumo@jesushousedc.org Description: Sunday school classes hold at 9.00 am for every lst Sunday monthly.Sunday school classes hold at 7.30 am and 11.30 am respectively. ABible Study Interaction.

8am - 9am Celebration Services: 10am/12noon

Video call:

https://plus.google.com/hangouts/\_/jesushousedc.org/mkokumo?hceid=bWtva3VtbDBqZXN1c2hv

Where: The Main Sanctuary Calendar: mkokumo@jesushousedc.org Description: Regular Sunday Services - Fresh Anointing Service @ 8am-9.30am; IgniteService: 10am-11.30am; Celebration Service: 12noon-2pm

Mon May 22, 2017

7pm - 8pm Children of Issachar

Where: Seminar Room #2 - 921 Bidg Upstairs Calendar: mkokumo@jesushousedc.org Description: Prayer Meeting group every Monday

Tue May 23, 2017

7pm - 9pm Choir Rehearsal

Where: Main Sanctuary

Calendar: mkokumo@jesushousedc.org

Description: Choir rehearsal meeting for the JHMM.

7pm - 8pm Judah

Where: Seminar Room #2 - 921 Bldg Upstairs

Calendar: mkokumo@jesushousedc.org

Description: Prayer Meeting group every Tuesday

8pm - 10:30pm Alpha Course

Video call:

https://plus.google.com/hangouts/\_/jesushousedc.org/mkokumo?hceid=bWtva3Vtb0BqZXN1c2hv

Where: The Enoch Adeboye Hall

Calendar: mkokumo@jesushousedc.org

Description:

Alpha Course - A community outreach to win a soul for Christ -non-Christian,

friends, families and Coworkers are encouraged toattend. Dinner will be served.

Wed May 24, 2017

7am - 8:30am Lighthouse Fellowship

Video call:

https://plus.google.com/hangouts/\_/jesushousedc.org/mkokumo?hceid=bWtva3Vtb0BqZXN1c2hv

Where: Lighthouse Centers Calendar: mkokumo@jesushousedc.org Description: This holds at Lighthouse Centers from 7pm. it holds on the 2nd, 3rd,4th, and 5th (as the case may be) Wednesday of the month.

Thu May 25, 2017

7pm - 8:30pm Armor Bearers

Where: The Annex Building

Calendar: mkokumo@jesushousedc.org

Description: Prayer meeting group holding every Thursday.

Fri May 26, 2017

7pm - 9pm Choir Rehearsal

Where: Main Sanctuary Calendar: mkokumo@jesushousedc.org Description: Choir rehearsal meeting for JHMM.

7pm - 8:30pm Faith Clinic Where: The Annex Building Calendar: mkokumo@jesushousedc.org Description: Prayer meeting group holding every Friday.

Sat May 27, 2017

9am - 12pm Gideon's Connect B/Fast

Video call:

https://plus.google.com/hangouts/\_/jesushousedc.org/mkokumo?hceid=bWtva3Vtb0BqZXN1c2hv

Where: Outside Location Calendar: mkokumo@jesushousedc.org Description: Quarterly Gideon's Connect Breakfast Meeting for men.

10am - 12pm Joyful Mothers

Where: Seminar Room #2 - 921 Bidg Upstairs Calendar: mkokumo@jesushousedc.org Description: Prayer meeting for pregnant women and women believing God for the fruitof the womb - holds every Saturday.

10am - 3pm TLC - Global Outreach Day

https://plus.googie.com/hangouts/\_/jesushousedc.org/mkokumo?hceld=bWtva3Vtb0BqZXN1c2hv

Where: Outside Location Calendar: mkokumo@jesushousedc.org Description: TLC (True Love Cares) - Global Outreach Day of Evangelism.

6pm - 8pm Levites

Where: Seminar Room #2 - 921 Bldg Upstairs Calendar: mkokumo@jesushousedc.org Description: Prayer meeting group holding every Saturday.

Sun May 28, 2017

7:30am - 8am Sunday School Class

Where: Main Santuary Calendar: mkokumo@jesushousedc.org Description: Sunday school classes hold at 9.00 am for every ist Sunday monthly. Sunday school classes hold at 7.30 am and 11.30 am respectively. ABible Study interaction.

8am - 9am Gelebration Services: 10am/12noon

Video call:

https://plus.google.com/hangouts/\_/jesushousedc.org/mkokumo?hceid=bWtva3Vtb0BqZXN1c2hv

Where: The Main Sanctuary Calendar: mkokumo@jesushousedc.org Description: Regular Sunday Services - Fresh Anointing Service @ 8am-9.30am; IgniteService: 10am-11.30am; Celebration Service: 12noon-2pm

Мол Мау 29, 2017

All day Office Closed - Memorial Day Mon May 29, 2017 - Tue May 30, 2017 Video call: https://plus.google.com/hangouts/\_/jesushousedc.org/mkokumo?hceld=bWtva3Vtb0BqZXN1c2hv

Calendar: mkokumo@jesushousedc.org

7pm - 8pm Children of Issachar Where: Seminar Room #2 - 921 Bldg Upstairs

Calendar: mkokumo@jesushousedc.org

Description: Prayer Meeting group every Monday

7pm - 8:30pm DLI-Toastmasters Club

Video call:

https://plus.google.com/hangouts/\_/jesushousedc.org/mkokumo?hceid=bWtva3Vtb0BqZXN1c2hv

Where: The Enoch Adeboye Hall

Calendar: mkokumo@jesushousedc.org

Description:

Daniel Leadership Institute - Toastmasters Club Meeting held every2nd & 3rd Monday of the month.

#### Tue May 30, 2017

7pm - 9pm Choir Rehearsal

Where: Main Sanctuary

Calendar: mkokumo@jesushousedc.org

Description: Choir rehearsal meeting for the JHMM.

7pm - 8pm Judah

Video call:

Where: Seminar Room #2 - 921 Bidg Upstairs Calendar: mkokumo@jesushousedc.org Description: Prayer Meeting group every Tuesday

8pm - 10:30pm Alpha Course

https://plus.google.com/hangouts/\_/jesushousedc.org/mkokumo?hceid=bWtva3Vtb0BqZXNtc2hv

Where: The Enoch Adeboye Hall Galendar: mkokumo@jesushousedc.org Description: Alpha Course - A community outreach to win a soul for Christ -non-Christian, friends, families and Coworkers are encouraged toattend. Dinner will be served.

Wed May 31, 2017

7am - 8:30am Lighthouse Fellowship

Video call:

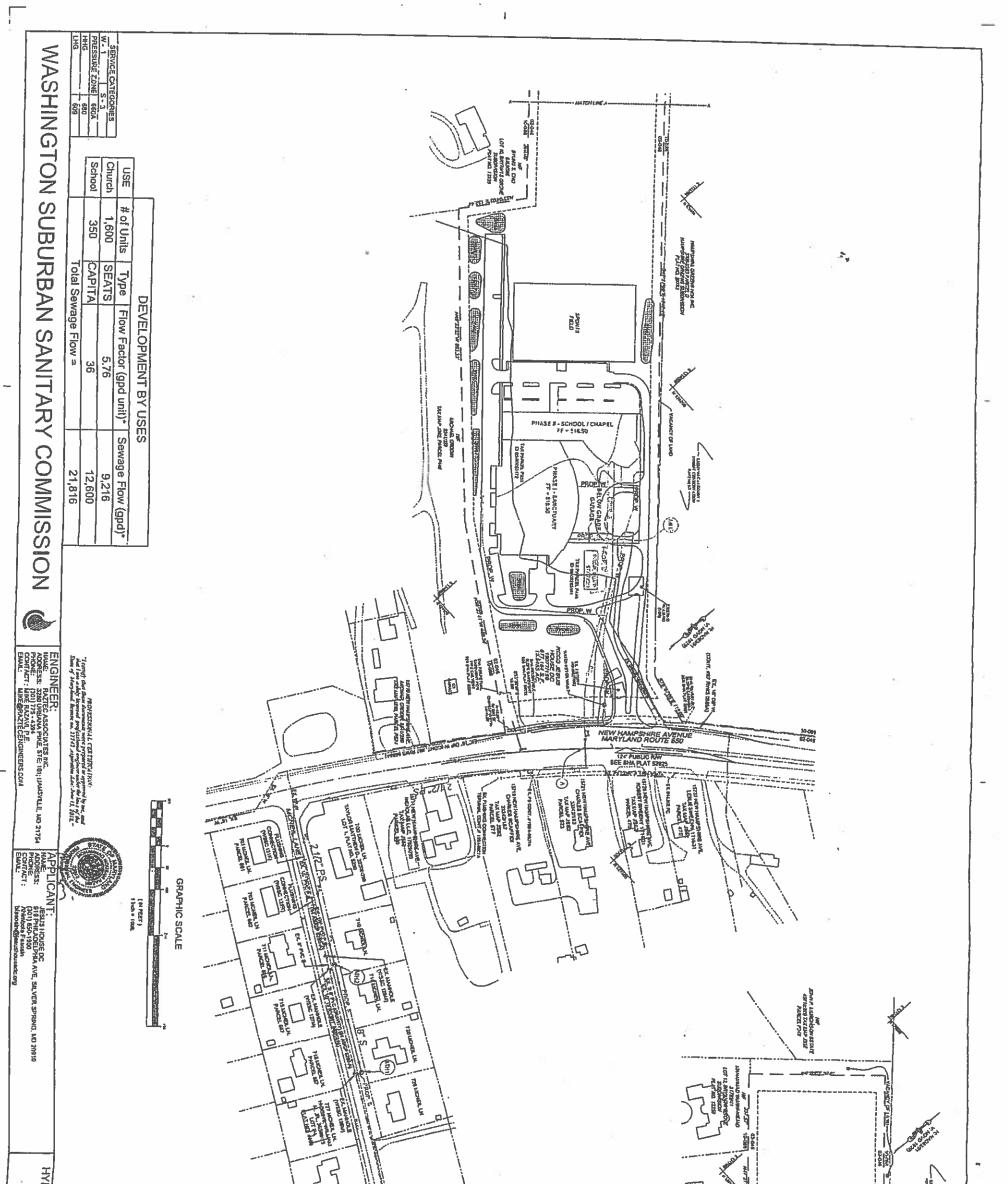
https://plus.google.com/hangcuts/\_/jesushousedc.org/mkokumo?hceid=bWtva3Vtb0BqZXN1c2hv

Where: Lighthouse Centers

Calendar: mkokumo@jesushousedc.org

Description:

This holds at Lighthouse Centers from 7pm. It holds on the 2nd, 3rd,4th, and 5th (as the case may be) Wednesday of the month.



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Exhibit D WSSC	APPROVED		Human Shell Greens         Human Shell Sh	
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# DEPARTMENT OF ENVRIRONMENTAL PROTECTION

Isiah Leggett County Executive Fariba Kassiri Acting Director

November 24, 2014

Ms. Anne Mead Linowes and Blocher 7200 Wisconsin Avenue, Suite 800 Bethesda, Maryland 20814-4842

#### Dear Ms. Mead:

This is to advise you and your client, Jesus House DC, of the Department of Environmental Protection's (DEP) position with respect to the proposed development by Jesus House DC for the 13.7-acre site at 15730 New Hampshire Ave. and conditions of conformance with the County Council's category change action under resolution no. 14-334 (11/2/1999) for WSCCR 99A-CLO-02. The resolution specified the following requirements for approval of sewer category S-3:

- Requirement 1 Sewer service is "... restricted to a private institutional facility use only."
- Requirement 2 "the church will establish a covenant preserving the forested area which would have been used for the on-site septic system,"
- Requirement 3 "the proposed low-pressure sewer main extension will be dedicated to the church's use only,"
- Requirement 4 "the church will pay all costs associated with the extension of public sewer service."

DEP's interpretation of the above requirements for S-3 approval for the proposed Jesus House DC project under the existing resolution (no. 14-334) follows:

#### Requirement 1 - Restricted Public Sewer Service

The development proposal will satisfy this requirement. Jesus House DC has provided confirmation of its taxexempt status under the Federal tax code and, therefore, has confirmed its status as a private institutional facility under the requirements of the County's Water and Sewer Plan.

#### Requirement 2 - Forest Conservation Easement for the Septic System Area

The development proposal most recently provided to DEP can satisfy the second bulleted item. According to the concept plans for the Jesus House DC project, the septic area required for the planned facilities is approximately 4 acres. The Department of Permitting Services (DPS), Well and Septic Section, confirmed this determination. This 4-acre area would need to be set aside and protected by a recorded covenant for the forest conservation easement as indicated. Note: DEP may recommend to M-NCPPC, as part of the development review process, that the septic-related forest conservation area be in addition to the otherwise required forest conservation area for the site:

Department of Environmental Protection • Water and Wastewater Policy Group Rockville Center, Suite 120 • 255 Rockville Pike • Rockville MD 20850-4166 240-777-7716 • fax: 240-777-7715 • www.montgomerycountymd.gov/waterworks Ms. Anne Mead November 24, 2014

Requirement 3 - Dedicated Low-Pressure Sewer Extension The development proposal will satisfy this requirement. The Washington Suburban Sanitary Commission's (WSSC) policies for low-pressure sewerage systems requires that a main constructed for non-residential uses, such as a private institutional facility, must be dedicated to that use only. No other residential or non-residential service connections to the dedicated main will be allowed.

#### <u>Requirement 4 - Sewer Extension Costs</u>

The development proposal will satisfy this requirement. WSSC's main extension policies now require that applicants for non-residential development projects pay all service-related costs.

As long as the requirements established for WSCCR 99A-CLO-02 under resolution no. 14-334 and DEP's above-cited findings are satisfactory to Jesus House DC, the proposed site development may proceed to the development review process using the existing category change action that granted restricted approval of sewer category S-3. Comments provided by DEP to the Development Review Committee for a specific preliminary plan submitted by Jesus House DC will address the requirements for sewer service as established under resolution no. 14-334.

If the preceding is acceptable, then the category change request for this site recently filed by Jesus House DC (WSCCR 14-CLO-04A) will not be needed. Unless we have correspondence to the contrary from the applicant within 30 days of the date of this letter, DEP will assume that new application is withdrawn and remove it from active consideration.

If either you or your client have any questions concerning this letter, please feel free to contact me at your earliest convenience.

Best regards -

Alan Soukup, Senior Planner Water and Wastewater Policy Group

#### ADS:ads

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Sam Atolaiye, Jesus House DC Mike Razavi, Raztec Engineers Dave Lake, Manager, DEP-WWPG Gene Von Gunten, Manager, Well and Septic Section, DPS Keith Levchenko, County Council Cathy Conlon, Development Applications & Regulatory Coordination Team, M-NCPPC Pam Duan, Functional Planning Team, M-NCPPC Katherine Nelson and Richard Weaver, Area Three Planning Team, M-NCPPC Mike Harmer and David Shen, Development Services Group, WSSC

#### Mitra Pedooem Testimony

**RCCG Jusus House** 

Fall 2019

Good afternoon.

My name is Mitra Pedoeem and am testifying as a Licensed Professional Civil Engineer in state of Maryland on behalf of "The Concerned Citizens of Cloverly".

JH is currently slated to remove about half of a magnificent 10-acre of 100-year old forest next to the homes in Cloverly.

This was not supposed to happen according to the master plan and subsequent Montgomery County Council resolution 14-334 issued in 1999. This resolution calls for a covenant for this parcel to preserve the forested area which would have been removed otherwise for an on-site septic system if the category change was not approved at that time in 1999.

Based on the documented hearing discussions on November 2 1999, the intent of this resolution was to preserve a minimum of 7 acres of this forest. At this hearing, the full council voted 6-3 in favor of this resolution and approved the category change to save these magnificent trees.

On June 30, 2014, Ms. Anne Mead representing JH DC requested change request 14-CLO-04A to change the sewer category for this parcel waiving the 1999 requiement of conserving forest equal in size to the area needed for a septic system as set by resolution 14-334.

Later on, in a letter dated 11/24/2104, from Alan soukup of DEP, Ms Mead was notified that the draft plan for JH as proposed may proceed to the development review process using the existing category change of 14-334 of 1999. This was due to staff assumptions that it was sufficient forest conservation area for the project to account for both the miscalculated 4 acre septic system offset required by the council resolution, and the normal requirements that the plan was subject to. Therefore, there was no need to apply for a new category change. Please see Exhibit 4

1

Raztec, the applicant's engineer, on November 9, 2016 (originally submitted on June 25, 2104), in an attempt to satisfy the requirement for forest conservation in the resolution 14-334, submitted Exhibit 2 to size <u>a hypothetical</u> septic system.

In this hypothetical analysis, Raztec states that " the school and church will not operate simultaneously, and therefore the highest-daily-use of water flow is for the school only. In addition they assume that a church and school of this size, uses a warming kitchen instead of a commercial kitchen. A commercial kitchen uses twice of flow than warming kitchen (10 GPD vs. 5 GPD). Based on those assertions, the applicant is only required to preserve 4.82 of the 10.6 acres of existing forest to satisfy the covenant.

You do not need to be an engineer to walk through this analysis to see the flaws in the assumptions made to calculate this hypothetical septic area:

Reading Exhibit 2 under "Regulations/Requirements":

- 1. 10,000 sf of septic area is required for each 500 gallons of water flow per day.
- 2. Church use with Warming Kitechen: 5 GPD/seat
- 3. Septic trenches are laid out based on topography. Therefore amount of space required for a septic system is dependent on topography.
- 4. Each additional 10,000 sf of absorption area or portion must be established on 15,000-40,000 sf or proportional area depending on percolation rates.

Item 4 basically is saying that there is a multiplier of 1.5 to 4.0 to determine the acreage required for a septic system factoring in topography, slopes, soil percolation tests (shallow or regular trenches), etc. This by itself shows the importance of defining the actual site conditions when calculating the size of a septic system.

Based on the resolution 14-334, the applicant is required to do a true and genuine site analysis based on what is required if the applicant was to build a septic field and not only very preliminary assumptions for a hypothetical one. DEP nor DPS would NOT issue an on site septic system permit based on these assumptions.

Following are the major flaws in the Raztec analysis:

**Flaw no 1**: the applicant did not factor in the actual site conditions. They did not perform soil borings nor perculation tests to determine the type of the soil and the depth of the water table. They did not do a survey to verify the topography of the site. To determine the required septic area one should consider the actual site condition and topographical features including soil borings and perculation tests for the type of the soil and water table elevations. Tests done on the property in 1999 showed that more than 1/3 of the site needs shallow trenches because the water table was less than 10 feet below the surface. (In some cases, it was only 4.5' below the surface.) Exhibit 3 diffrentiating area B for shallow trenches vs area A. This was reviewed and achnowledged by DPS on 8/25/1997.

**Flaw no 2**: Raztec assumed there was no concurrent activities of the school and church and therefore used the seweage flow from the school only to be 10,500 GPD to size the septic area. However, the "highest daily use is suppose to include ALL requirements for the day of the week with the most demand. In addition to the school operations, the church also has worship services on some Wednesday and Friday evenings. Additionally, there has also been NO disclosure about other planned occupancy and activities on the property. This information needs to be provided by the Applicant and included in the calculations. Based on the WSSC Hydraulic Planning Analysis prepared by the same engineer at Raztec (Exhibit 5), the following sweage flows were approved by WSSC on January 5 2017:

USE	# of Units	TYPE	Flow Factor (wssc)	Sewage Flow (gpd)
church	1,600	SEATS	5.76	9,216
school	350	CAPITA	36	12,600

Total Sewage Flow= 21,816

As you see in this chart the engineer has added up the flows from both the church and school unlike using the flow for school only. I understand that the flow factors used for

the public sewer are a bit higher than the ones for the septic areas. However, the basis of the analysis asumming that the church and school being concurrent or not should stay the same for either case.

Raztec sealed and signed WSSC's hydraulic analysis plan that was approved on 1/5/2017 with a flow of 21,816 GPD . Versus, a flow of 10,500GPD on his analysis of a hypothetical septic system dated 11/9/2016. These loose calculations were unsigned and unsealed to falsely satisfy the requirements of the resolution 14-334. As you can see the numbers are in conflict with one another. Flow on the WSSC's Hydraulic Analysis plan are twice as high as the flow on the analysis of hypothetical septic system both done by Raztec. Ms Renne Chen testimony will include evidence to support the concurrent use of the church and school.

**Flaw no 3**: The warming kitchen assumption (versus a "commercial kitchen") also needs to be investigated and verified as it notably impacts this calculation. The applicant asserts that for a church of this size and magnitude, and a school of 350 students they only need a warming kitchen. Ms Michelle Albornoz will have her testimony regarding a commercial vs warming kitchen for the church. This church feeds the homeless, and have banquests and parties and overnight satys which usually one thinks will require a commercial kitchen. A commercial kitchen will increase the water flow by two folds for church and school. (10GPD vs 5GPD per seat)

Planning staff in their reports have indicated that DPS has confirmed the accuracy of the calculations for determination of the septic area. **This is not true**. We met with both DPS and DEP staff on 1/30/2017. Alan Soukup from DEP, Gene Von Gunten and Jason Fleming from DPS and Ryan Sigworth were present. I asked Mr. Von Gunten if he had reviewed the plans and their event activities for the church. His response was <u>NO</u>. He told us that he simply relied on design requirements and activity informations provided to him by the Applicant and that he had no knowledge of the Applicant's project. He said he was asked by DEP to provide his input on Raztec one page calculations for the septic system area. Please see Exhibit 5 the letter responding my questions to DPS regarding if these requirement were met. The responses confirm that

4

since the applicant did not file an application, and since this septic area was not going to be built, DPS had no obligation to review or enforce the septic design guidelines and requirements set by DPS. How could DPS then verify that the onsite septic area as calculated by Raztec was correct if they never reviewed it?

I am a licensed civil engineer in MD practicing engineering for more than 38 years. I would <u>Not</u> sign and seal this hypothetical analysis for determination of a septic area system as presented. And as you notice there is no signature or engineering stamp on Raztec calculations. I do not believe any professional engineer would stamp these incomplete calculations as a septic design for a commercial facility. These calculations are clearly incomplete and present a GROSSLY incorrect conclusion.

To satisfy the council resolution, we contend that the Board needs to require the Applicant to design a permitable sewer layout. This layout should be based on actual and not hypothetical assumptions for an on-site septic system to support a commercial facility with actual flows and site conditions. This layout has to be sealed and signed by a professional engineer in State of MD and knowledgable in the design of on site septic systems for commercial facilities. The septic calculations should be revised to reflect the concurrent uses of both school and church and also the need of a commercial kitchen vs warming kitchen. If the applicant insists that a warming kitchen suffices their needs and they have no intention in the future to change it to a commercial kitchen, then a process needs to be implemented to prevent the applicant from changing the warming kitchen to a commercial one any time in the future and as long as they are operating this facility. When the 100 year old forest equivalent to close to 1000 trees are removed from this site, nothing else will bring them back.

Thank you.

Mitra Pedoeem

5

My name is Renee Chen and I have been involved in the Jesus House DC hearing from the beginning and am a plaintiff in the lawsuit against the Planning Board.

Raztec Associates, Inc. calculations for the final septic area are based on school use only because the document states "...the uses for the site are not simultaneous." This implies the church will not be used at all during the week. I conducted an extensive investigation into Jesus House DC church activities during the week, which will take place at their church in Silver Spring.

Jesus House has expressed in this case its intention to relocate the Silver Spring church to a much larger church facility at the Cloverly location, and it has not in any way stated or implied that the move and expansion would be accompanied by any significant reduction in the regular church activities taking place in the current location. Indeed, quite the opposite should be the expectation: expanded facilities suggests expanded activities. Absent definitive representations to the contrary by Jesus House, the only possible conclusion the Board can draw from the evidence presented below is that Jesus House intends to use their expanded church facilities in Cloverly extensively on weekdays, in addition to weekday use of the school.

Jesus House, DC has a public Facebook page that regularly announces upcoming weekly events that occur at the church. Below are examples of posts from 2019 and prior years.

- Monday, Tuesday, and Thursday Night Prayer Meetings. EXHIBIT 1 page 2
- Holy Communion Service on first Wednesday of each month. EXHIBIT 2 page 5
- Alpha on Tuesdays. EXHIBIT 3 page 7
- JHDC Prayer & Praise Night on first Friday of each month. EXHIBIT 4 page 9
- Prayerathon for seven straight days, 24 hours per day. EXHIBIT 5 page 12
- Friday night movies. EXHIBIT 6 page 20
- Annual Biazo events. EXHIBIT 7 page 24
- A list of past events. **EXHIBIT 8 page 30**

A Google search for "Jesus House DC schedule" shows Tuesday events listed through the end of the year. **EXHIBIT 9 – page 34** 

Jesus House DC hosts a Toastmasters International meeting two Mondays each month. **EXHIBIT 10 – page 35** 

Hard copy information obtained at Jesus House DC displays regular events every Tuesday and Wednesday **EXHIBIT 11 – page 36** 

## **EXHIBIT 1**





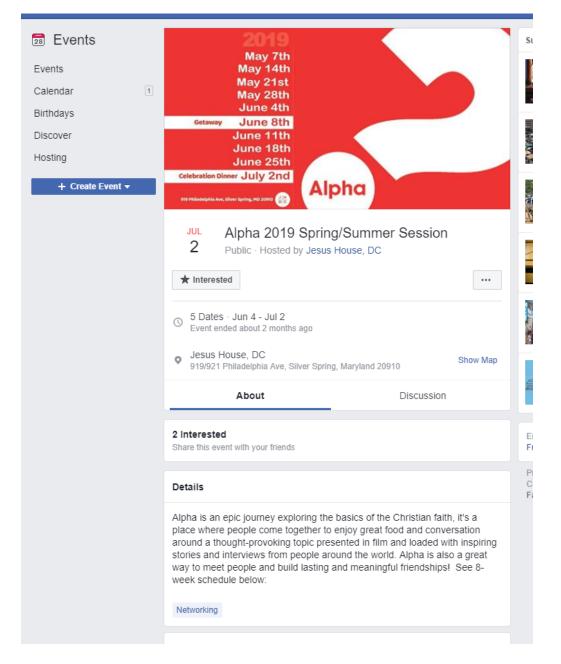


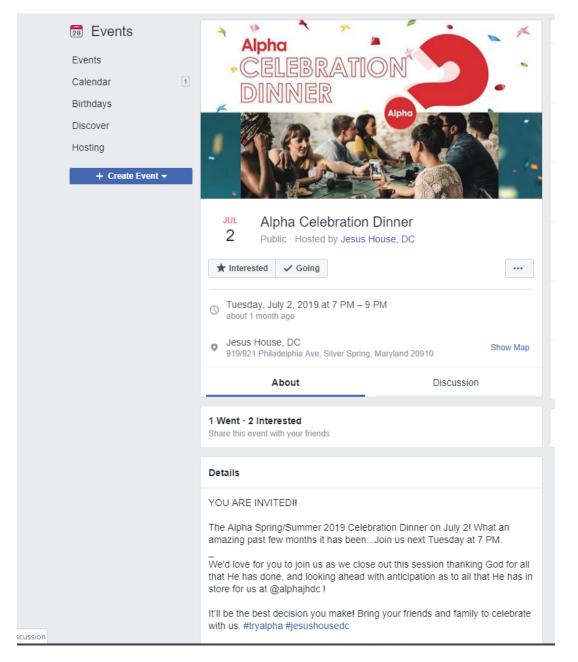
### **EXHIBIT 2**





### **EXHIBIT 3**





#### **EXHIBIT 4**



<ul> <li>Events</li> <li>Events</li> <li>Calendar</li> <li>Birthdays</li> <li>Discover</li> <li>JHDC Prayer &amp; Praise Night</li> <li>Hosting</li> </ul>	PRAYER & PRAISE NIGHT					
+ Create Event ▼	SEP       JHDC Prayer & Praise Night         6       Public · Hosted by Jesus House, DC         ★ Interested       Going         ★ Interested       Going         ♦ Share ▼          ♦ Until Dec 7          6       Fri 9:00 PM         • Fri 9:00 PM       OCT 4         • Jesus House, DC          • Discussion					
	8 Interested Share this event with your friends					
	Details					
	<ul><li>What are you praying and asking God for?</li><li>Join us every 1st Friday of the Month @ 9PM for Prayer and Praise, at our physical location or watch online by clicking the link in our bio.</li><li>Remember that God Answers Prayers, so why not stop by to pray along with others.</li><li>We can't wait to have you!</li></ul>					



#### **EXHIBIT 5**



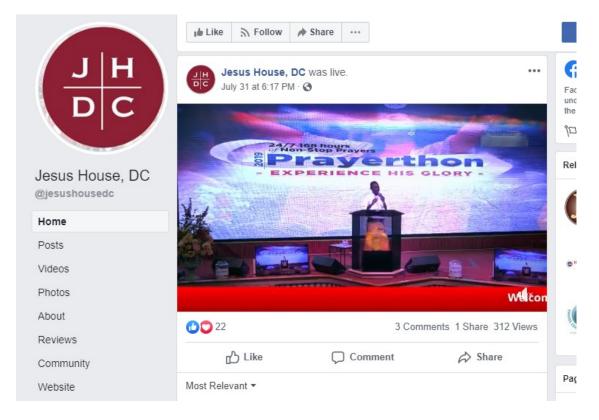


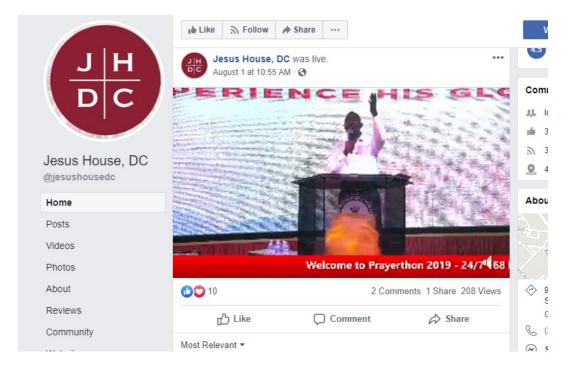


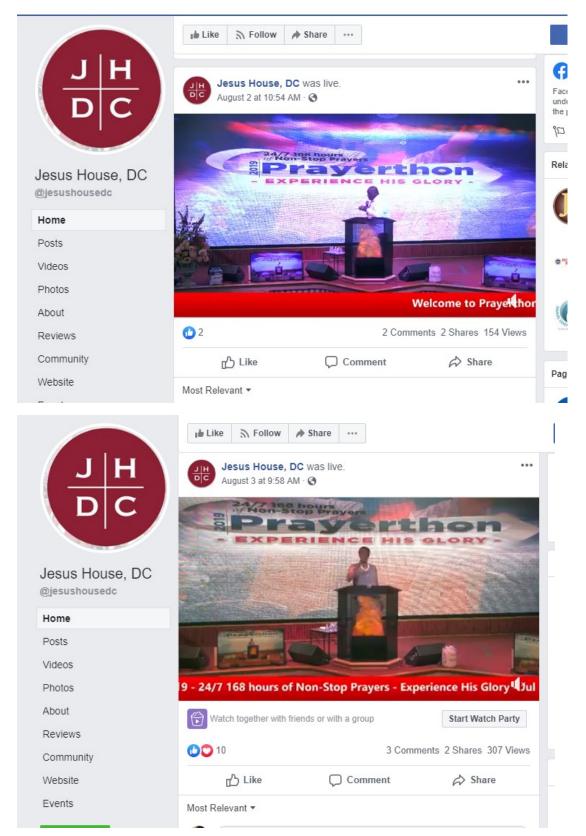






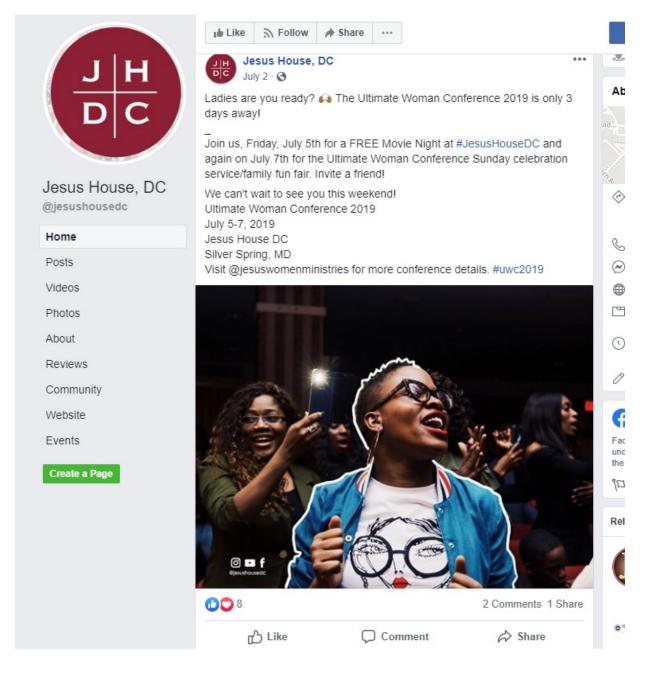


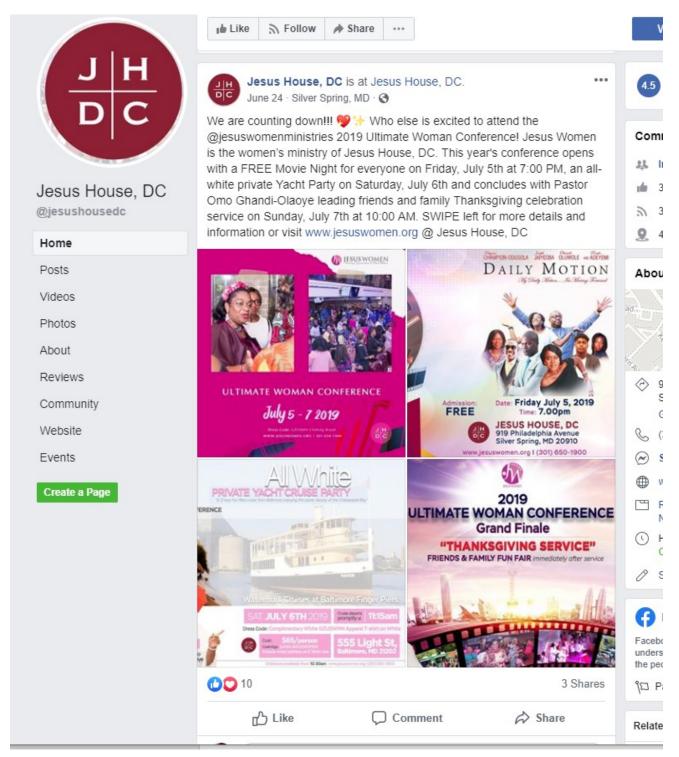






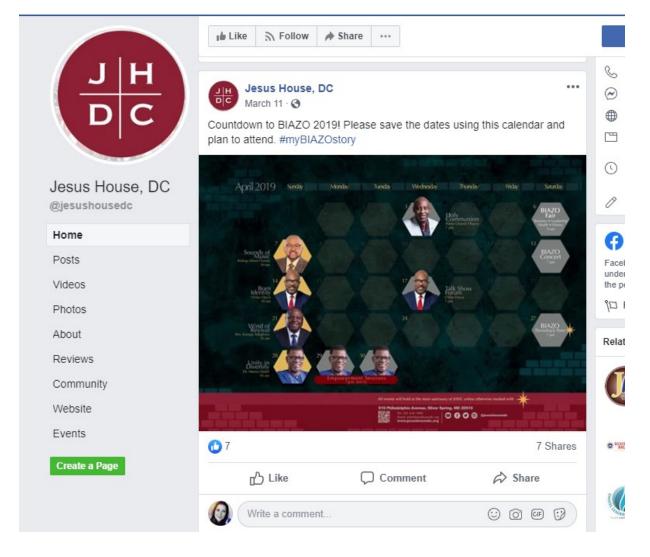
#### **EXHIBIT 6**





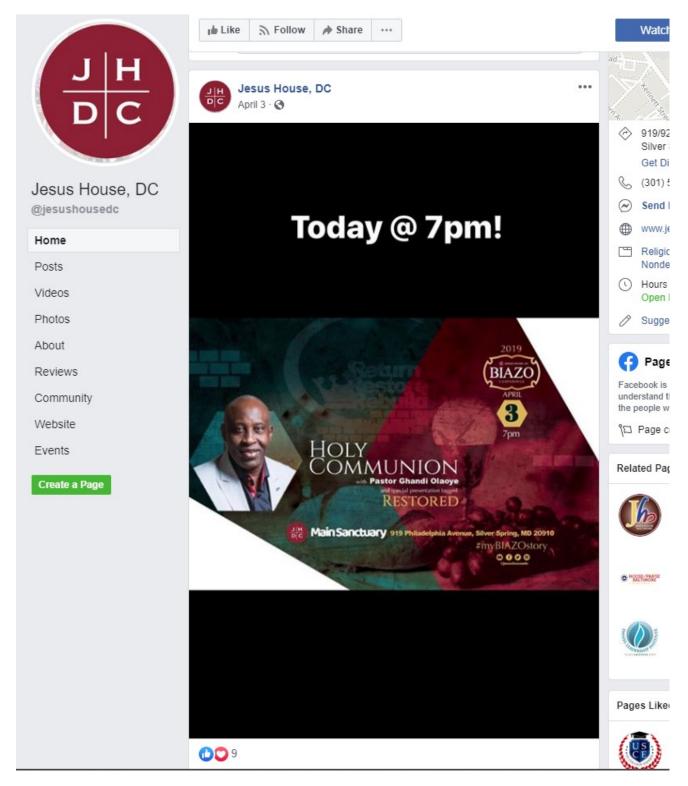


	JH December 21, 2018 · S	
	Got plans on Friday December 28th at 7:30pm? Yes? No?	
	If yes, can a movie, popcorn & drinks with amazing people get you to change your plans?	
	God Calling The Movie will be screened at Jesus House DC in The Main Sanctuary and you're invited! We look forward to seeing you on the 28th a 7:30pm.	it
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	SHOWING IN JESUS HOUSE DC FRIDAY, DECEMBER 28TH @ 7:30PM	
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H L	Jesus House, DC	10
	With just a few hours to go, we would like to share our activities / events for	
	this first week with you.	2
	WEEK 1 Wednesday April 3 @ 7pm	9
Jesus House, DC	Pastor Ghandi Olaoye - Holy Communion Special featuring a skit titled "RESTORED"	A
@jesushousedc	Friday April 5 @ 7pm	
Home	BIAZO Night of Prayer and Worship	ad
Posts	featuring JHDC Choir and Guest Psalmist, Kemisola Adewole Saturday April 6 @ 9am-2pm	
	BIAZO Fair	ng.
Videos	featuring the following: Meet and Greet: 9.00am - 9.30am	Ĉ
Photos	Business and Leadership Connect: 9.30am -11.30am	
About	Health Screenings: 10.00am – 2.00pm Children's Activities: 10.00am – 2.00pm	Ç
Reviews	Mental Health Workshop: 12.00pm - 1.15pm	C
Community	Fitness Workout: 12.30pm - 2.00pm Please invite your friends and family!	€
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### Jesus House, DC @jesushousedc

### Home

Posts Videos Photos About

Reviews

Community

Website

Events



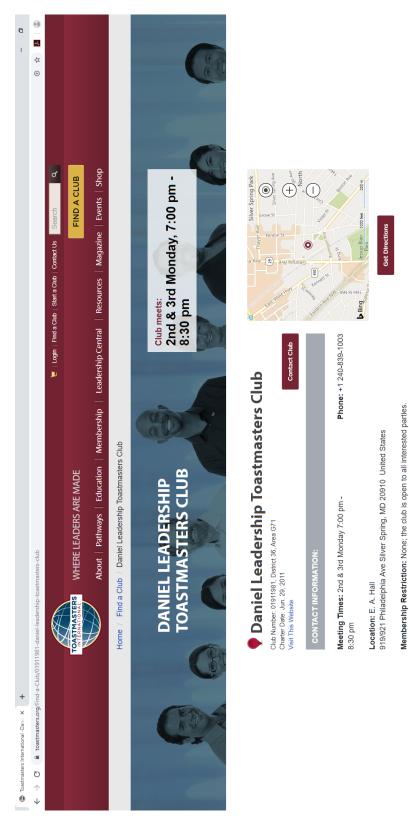
	i Like	☆ Follow	Watch Video
	AUG	2019 Prayerthon - Experience His Glory	Jesus House, DC
JH	3	Jul 28 - Aug 4 · 18 guests	Silver Spring, MD
	JUL	Ultimate Woman Conference 2019	Jesus House, DC
	5	Jul 5 - Jul 7 · 24 guests	Silver Spring, MD
	JUL	Alpha 2019 Spring/Summer Session	Jesus House, DC
	2	Jun 4 - Jul 2 · 2 guests	Silver Spring, MD
Jesus House, DC			
@jesushousedc	JUL	Alpha Celebration Dinner	Jesus House, DC
	2	Tue 7 PM · 3 quests	Silver Spring, MD
Home			
Posts	JUN	Lighthouse Fellowship for Bible Study	
	26	Jun 5 - Jun 26 · Hosted by Jesus House, DC	
Videos			
Photos	JUN	Business and Leadership Connect Breakfast	Jesus House, DC
	1	Sat 9:30 AM · 3 guests	Silver Spring, MD
About		Gut 5.50 / Wr - 5 gut 515	ontor opinig, inc
Reviews	APR	Empowerment Session with Dr. Mensa Otabil	Jesus House, DC
	30	Apr 29 - Apr 30 · 32 guests	Silver Spring, MD
Community		Apr 20 Apr 30 32 guosis	ontor opinig, inc
Website	APR	Unity in Diversity with Dr. Mensa Otabil	Jesus House, DC
	28	Sun 10 AM · 3 quests	Silver Spring, MD
Events		our to the 5 guodo	ontor opinig, inc
	ОСТ	Halleluyah Nite: Shake-A-Treat	Jesus House, DC
	31	Wed 6:30 PM · 11 quests	Silver Spring, MD
	• •	Hed 0.50 Fin Frightsho	ontor opinig, inc
	SEP	JHDC Alpha Dinner	4 Maharana DL Oikara Oraina
	4	Tue 7 PM · 12 guests	1 Veterans PI, Silver Spring,
	APR	Praise Concert : Biazo 2018	
	7	Sat 7 PM · 551 guests	Jesus House, DC Silver Spring, MD
		Garrim JJI guesis	ontor opinig, no
	MAR	Alaba Mastur	
	6	Alpha Meetup Jan 23, 2018 - Mar 6, 2018 · 2 guests	919 Philadelphia Ave, Silver
	Ŭ	Jan 23, 2010 - Mar 0, 2010 - 2 guests	
	JAN	Alaba Mastur	Jame Haves DO
	16	Alpha Meetup	Jesus House, DC Silver Spring, MD
	10	Tue 7 PM · 12 guests	Silver Spring, ND

	ı Like	☆ Follow	Watch Video
JH	JAN	Alpha Meetup	Jesus House, DC
	16	Tue 7 PM · 12 guests	Silver Spring, MD
DC	JAN	<b>The Alpha Course</b>	Jesus House, DC
	10	Jan 10, 2017 - Jan 17, 2017	Silver Spring, MD
Jesus House, DC	aug	Alpha Pre-Invitation Dinner	Jesus House, DC
	<b>30</b>	Tue 7 PM	Silver Spring, MD
@jesushousedc	JUN	Alpha Celebration Dinner	Jesus House, DC
Home	21	Tue 7 PM · 2 guests	Silver Spring, MD
Posts	APR	The Alpha Course	Jesus House, DC
Videos	12	Tue 7 PM · 3 guests	Silver Spring, MD
Photos	mar	Community Easter Egg Hunt	1 Veterans PI, Silver Spring,
About	26	Sat 11 AM · 8 guests	
Reviews	mar	Community Easter Egg Hunt	1 Veterans PI, Silver Spring,
Community	26	Sat 11 AM · Hosted by Jesus House, DC	
Website Events	mar	Alpha Course Celebration Dinner	Jesus House, DC
	22	Tue 7 PM · 3 guests	Silver Spring, MD
	ост	JHMM Reunion Choir & Empowerment Servi	Jesus House, DC
	<b>4</b>	Sun 10 AM · 127 guests	Silver Spring, MD
	sep	Bible Jeopardy	Jesus House, DC
	30	Wed 7 PM · 4 guests	Silver Spring, MD
	sep	JHMM Album Launch & Empowerment Servi	Jesus House, DC
	27	Sun 10 AM · 198 guests	Silver Spring, MD
	sep	The Legacy Ball	Ronald Reagan Building
	26	Sat 7 PM · 130 guests	Washington
	sep	Empowerment Service with Bishop IV Hilliard	Jesus House, DC
	25	Fri 7 PM · 56 guests	Silver Spring, MD

	ı 🖢 Like	☆ Follow  A Share	Watch Video
JH	sep	Empowerment Service with Bishop IV Hilliard	Jesus House, DC
	25	Fri 7 PM · 56 guests	Silver Spring, MD
DC	sep 25	<b>Teen Night</b> Fri 7 AM · 7 guests	The Dance Studio - Philadel
Jesus House, DC	sep	Jesus Women Get ReadyTonite!!	Jesus House, DC
	<b>24</b>	Thu 6:30 PM · 104 guests	Silver Spring, MD
@jesushousedc	sep	Interactive Wednesday: Marriage & Relation	Jesus House, DC
Home	<b>23</b>	Wed 7 PM · 114 guests	Silver Spring, MD
Posts	sep	Empowerment Services with A.R. Bernard	Jesus House, DC
Videos	20	Sep 20, 2015 - Sep 21, 2015 - 348 guests	Silver Spring, MD
Photos	sep	Leadership & Career Conversations	Jesus House, DC
About	19	Sat 12 PM · 348 guests	Silver Spring, MD
Reviews	sep	Daddy Daycare & Women's Fitness Expo	Jesus House, DC
Community	19	Sat 10 AM · 41 guests	Silver Spring, MD
Website	sep	RHAMP Business Plan Competition	Jesus House, DC
Events	18	Fri 7 PM - 591 guests	Silver Spring, MD
	sep	Family Feud	Jesus House, DC
	16	Wed 7 PM · 66 guests	Silver Spring, MD
	sep	Empowerment Services with Dr Mensah Otabil	Jesus House, DC
	14	Sep 14, 2015 - Sep 15, 2015 - 25 guests	Silver Spring, MD
	sep	International Day with Dr Mensah Otabil	Jesus House, DC
	13	Sun 10 AM · 9 guests	Silver Spring, MD
	sep 12	JHDC Mini Olympics Sat 11:30 AM · 62 guests	6520 Freetown Rd, Columbi
	SEP	Interactive Session on Community Service	Jesus House, DC
	9	Wed 7 PM · 50 guests	Silver Spring, MD

	ı Like	☆ Follow  A Share	Watch Video
JH	sep	Interactive Session on Community Service	Jesus House, DC
	9	Wed 7 PM · 50 guests	Silver Spring, MD
DC	SEP	Empowerment Services: Bishop Bloomer	Jesus House, DC
	6	Sep 6, 2015 - Sep 7, 2015 · 4 guests	Silver Spring, MD
Jesus House, DC	sep	JHDC Community Mini-Carnival	824 Wayne Ave, Silver Sprin
@jesushousedc	5	Sat 11 AM · 61 guests	
Home	sep	20 Degrees of Praise	Jesus House, DC
	4	Fri 7 PM · 167 guests	Silver Spring, MD
Posts	SEP	Relationship Connect: A Mature Singles Mixer	Best Western Capital Beltway
Videos	3	Thu 7 PM · 101 guests	Lanham, MD
Photos	sep	Marriage Feast of the Lamb - Special Holy C	Jesus House, DC
About	2	Wed 7 PM · 146 guests	Silver Spring, MD
Reviews	SEP	Alpha 10 Year Celebration Dinner	Silver Spring Civic Center
Community	1	Tue 7 PM · 126 guests	Silver Spring, MD
Website Events	FEB	2013 Marriage & Relationship Conference	Jesus House, DC
	13	Wed 7 PM	Silver Spring, MD
	JUL	Celebration Service with Pastor Tony Rapu	Jesus House, DC
	8	Sun 12 AM PDT · 2 guests	Silver Spring, MD
	MAY 31	The Annual Ultimate Woman Conference May 31, 2011 - Jun 6, 2011 · 2 guests	
	MAY 4	HOLY COMMUNION Wed 7 PM PDT · Hosted by Jesus House, DC	
	MAR 2	Back to Eden, A Biazo Holy Communion Ser Wed 7 PM PST · Hosted by Jesus House, DC	
	MAR 2	Annual BIAZOtaking it by force Conference Mar 2, 2011 - Apr 3, 2011 · 2 guests	

Q All 🗄 News			୪ <b>ନ</b>				
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Jest	Jesus House DC > Events						
Tue, Sep 3 7:00 PM	The Alpha Course - An e	Tue, Oct 1 7:00 PM	The Alpha Course - An e	Tue, Nov 5 7:00 PM	The Alpha Course - An e	Tue, Dec 3 7:00 PM	The Alpha Course - An e
Tue, Sep 10 7:00 PM	The Alpha Course - An e	Tue, Oct 8 7:00 PM	The Alpha Course - An e	Tue, Nov 12 7:00 PM	The Alpha Course - An e	Tue, Dec 10 7:00 PM	The Alpha Course - An e
Tue, Sep 17 7:00 PM	The Alpha Course - An e	Tue, Oct 22 7:00 PM	The Alpha Course - An e	Tue, Nov 19 7:00 PM	The Alpha Course - An e		
Tue, Sep 24 7:00 PM	The Alpha Course - An e	Tue, Oct 29 7:00 PM	The Alpha Course - An e	Tue, Nov 26 7:00 PM	The Alpha Course - An e		
Jesus Hou https://www. Jesus House L exuberant, pray	Jesus House DC - JHDC   Restoring Hope & Maximizing Poter https://wwwjesushousedc.org • Jesus House DC is dynamic non-denominational, international church where praise is exuberant, proyer is steadfast, and the preaching is practical. Visit us	<b>J Hope &amp; Max</b> I, international chur s practical. Visit us	& Maximizing Potential onal church where praise is I. Visit us		Silve	Silver Spring	K J Grove St
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Connect - https://www. Children of Pro	Connect - Jesus House DC https://www.jesushousedc.org > new-here - next-steps > connect • children of Promise (coP) is the Children's ministry of JHDC; our vision is to: Maximize Children's	next-steps > conr y of JHDC; our visi	<pre>nect * on is to: Maximize Children's</pre>	Hours: Opt Phone: (30 A user si (301) 65	Hours: Open - Closes 8PM • Phone: (301) 650-1000 A user suggested this phone (301) 650-1900		
Potential throu							



Visiting for the First Time?







From:	Pfefferle, Mark
To:	Sigworth, Ryan
Cc:	Mills, Matthew
Subject:	FW: Over development/ MS4 Permit/ Water Quality Protection Charge
Date:	Wednesday, March 4, 2020 5:03:12 PM
Attachments:	cloverly decision.pdf
	image002.png
	image008.png
	image012.png
	image004.png
	image010.png
	image006.png
	image001.png
	image003.png
	image005.png
	image007.png
	image009.png
	image011.png

FYI



### **Mark Pfefferle**

Chief

Montgomery County Planning Department 8787 Georgia Avenue, Silver Spring, MD 20910 mark.pfefferle@montgomeryplanning.org 301 495 4730



Let's Plan Our Future. Together.

From: o <calientesjoy@aol.com>
Sent: Wednesday, March 4, 2020 4:19 PM
To: Pfefferle, Mark <mark.pfefferle@montgomeryplanning.org>; marian.honeczy@maryland.gov
Cc: kenneth.jolly@maryland.gov; matthew.fleming@maryland.gov; Suzanne.dorsey1@maryland.gov;
Jeannie.haddaway-riccio@maryland.gov; mcp-chair@mncppc.mc.org
marc.elrich@montgomerycountymd.gov; naomi.howell@maryland.gov

Subject: Re: Over development/ MS4 Permit/ Water Quality Protection Charge

Ms. Honeczy and Mr. Pfefferle:

The statement in below email from Mr. Pfefferle does not characterize the situation as I understand it. Rather than debate opinions, we must rely on the written order of the Maryland Court of Special Appeals (Court) to direct us.

As I will be quoting from that court order, it is attached.

**F**irst, some background, in 1999, the former landowner requested public sewer be granted in anticipation of a sale to a much smaller church (750 seats versus 1600 seats. now proposed) and no school (350 students school now proposed). Huge difference albeit Adequate Public Facilities were and still are available.

In response to the former landowner, the Montgomery County Council granted the public sewer connection in Resolution (14-334) which directly speaks to a forest preservation condition, to quote:

## "the church will establish a covenant preserving the forested area which would have been used for the on-site septic system,"

It is notable that the Resolution in no way makes mention of any exemption from the Forest Conservation Law requirement for similar developments. Nor does the Resolution provide that the preservation of the septic area be used to satisfy most of the forest conservation requirement per that law.

Consider the fallacy that the County Council made a resolution to preserve forest that was already going to be preserved and that by granting public sewer, not a single tree would be preserved over and above that already prescribed by the Forest Conservation Law.

This was clearly not their intent as shown in the meeting minutes of 11/2/99, to quote Councilmember Subin:

"... if the facility is built without the sewer category change, the County will lose almost seven acres of heavily forested land... the County has nothing to lose by granting the sewer category change, pointing out that no further building or density would be allowed on the property."

(but today it is).

Continuing, the church engineer's current Septic Plan estimates 4.82 acres of land needed for the septic system and therefore, forest preservation set aside for such. This acreage is being contested and will be reviewed and determined on remand.

Further, using the 4.82 acres for argument's sake, the Court states on page 8 paragraph 2:

Thus, the preservation of 4.82 acres of existing forest satisfies the conditions of the sewer category change resolution. In addition, the requirements of the Forest Conservation Law have been applied to this application for the preservation of all the additional forest beyond the 4.82 acres. A Category I Forest Conservation easement will be the legal mechanism to preserve the forest required by the Forest Conservation Law and the sewer category change.

Lastly, to be clear, the Court's rationale for the remand to the Montgomery County Planning Board (Board) is and I quote from page 24:

"Because the record reflects that the Board determined that it lacked the power to independently assess the validity of the septic set-aside calculations to ensure that the Preliminary Plan conformed with the conditions required by Resolution 14-334, we agree that the Board committed an error of law. Accordingly, we must reverse and remand to the Board for further proceedings."

With all due respect, in my most humble opinion, the light of today shows a highly political product, i. e. a proposed development too big for the 15.5 acres, more density than anticipated by the County Council all resulting in the need to destroy forest to create buildable land. Even so, the development will have 28% imperviousness with implications from the headwaters of the Northwest Branch to the Chesapeake. In a nutshell, the issue for me is if forested land is being unlawfully calculated and ultimately unlawfully destroyed to create buildable land?

The attention of the Department of Natural Resources is needed to determine the proper treatment of an irreplaceable old forest before it is a done deal which it would have been but not for concerned citizens who brought their case to court. Consider that the church applied for a Sediment Control Permit and was ready to clear forest. But permitting was held up by the Dept. of Permitting Services for what I was told concerned storm water runoff. Please advise of if we can count on the state to help us.

I look forward to responsiveness.

Sincerely,

Kathy Hastings

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

From: Pfefferle, Mark <<u>mark.pfefferle@montgomeryplanning.org</u>> To: Marian Honeczy -DNR- <<u>marian.honeczy@maryland.gov</u>>; o <<u>calientesjoy@aol.com</u>> Cc: Kenneth Jolly -DNR- <<u>kenneth.jolly@maryland.gov</u>>; Matthew Fleming -DNR-<<u>matthew.fleming@maryland.gov</u>> Sent: Mon, Mar 2, 2020 12:03 pm Subject: RE: Over development/ MS4 Permit/ Water Quality Protection Charge

Marian

This is a pending regulatory case before the Montgomery County Planning Board. The case was remanded back to the Planning Board by the Court for there was difficulty in making an adequate public facilities finding in that Montgomery County Council, years ago, approved a sewer category change for a religious institution, that allowed for a proposed religious institution to connect to public sewer. Since then, the religious institution has either changed, or gotten larger, or both, and there has been discussion, by community members, as to whether or not the area that would have otherwise been used for septic fields, if there was no sewer category change, should be within a conservation easement over and above the requirements of the County's forest conservation law.

	Mark Pfefferle	
	Chief	
Montgomery Planning	Montgomery County Planning Department 8787 Georgia Avenue, Silver Spring, MD 20910 mark.pfefferle@montgomeryplanning.org 301 495 4730	
	(f) 💌 💷 🚥	

# Let's Plan Our Future. Together.

From: Marian Honeczy -DNR- <<u>marian.honeczy@maryland.gov</u>>
Sent: Monday, March 2, 2020 10:34 AM
To: o <<u>calientesjoy@aol.com</u>>; Pfefferle, Mark <<u>mark.pfefferle@montgomeryplanning.org</u>>
Cc: Kenneth Jolly -DNR- <<u>kenneth.jolly@maryland.gov</u>>; Matthew Fleming -DNR-

<matthew.fleming@maryland.gov>

Subject: Re: Over development/ MS4 Permit/ Water Quality Protection Charge

Ms Hastings, Montgomery County adopted a county forest conservation ordinance and is responsible for the review and approval of this project as it is required to obtain other county permits and approvals. State and federal projects within the county comply with the State Forest Conservation Act. I've included Mark Pfefferle of MNCPPC - Montgomery County on this email.

j

?	Marian Honeczy, AICP, CA Supervisor Urban & Community Forestry, MD Forest Service, Department of Natural Resources 580 Taylor Ave E-1 Annapolis, MD 21401 410-260-8511 (office) marian.honeczy@maryland.gov
dnr.maryland.gov	

<u>Click here</u> to complete a three question customer experience survey.

On Mon, Mar 2, 2020 at 10:06 AM Matthew Fleming -DNR- <<u>matthew.fleming@maryland.gov</u>> wrote:

Ms. Hastings, Marian and Ken;

Forest Conservation is definitely outside of my area of expertise and likely would be something that might be best addressed by the county but I did want to connect you with Marian Honeczy who oversees the implementation of State's Forest Conservation Act. While Marian may not be able to answer the specifics of local codes and covenants she certainly is my go to for any forest conservation questions and could point you in the right direction.

Matt

On Sun, Mar 1, 2020 at 1:25 PM o <<u>calientesjoy@aol.com</u>> wrote:

Mr. Fleming: Matt,

The more I look at this church/school development the more I question.

I see that both the state and county have codified Forest Conservation.

My questions are for DNR and Mont. County if they would please be responsive:

1. Is it state or county forest conservation laws that control? Or like septic code is it the more stringent of the two?

2. What exemptions if any are there to forest conservation for this private development on more than 40K square feet?

3. This development, as we discussed, has a covenant (per Mont. County Council Resolution) to preserve forest commensurate with the amount of land an on-site septic system would have required if public sewer had not been not granted by the Council. (within the four corners of the resolution, there is no mention of tying the forest preservation vis a vis septic on this specific land to forest preservation by law for all similar development).

4. Mont. County Planning has used the septic preservation acreage to satisfy the majority of the required forest conservation per Maryland and County Codes, why?

5. Is this lawful? Did the planner under plan insofar as saving forest?

It seems that the covenant from the County Council Resolution is a requirement over and above the forest conservation prescribed by code, not in lieu of it. The resolution says nothing to the contrary. Therefore my questions.

Please respond it would be appreciated as I am writing to the state since my county is behind in being responsive to me. For that reason,I believe Maryland needs to step in and answer my legitimate questions. These answers will be useful as I prepare my testimony before the Mont. County Planning Board.

Regards,

Kathy Hastings

-----Original Message-----From: o <<u>calientesjoy@aol.com</u>> To: matthew.fleming <<u>matthew.fleming@maryland.gov</u>> Sent: Fri, Feb 28, 2020 1:52 pm Subject: Fwd: Over development/ MS4 Permit/ Water Quality Protection Charge

-----Original Message-----From: o <<u>calientesjoy@aol.com</u>> To: matthewfleming <<u>matthewfleming@maryland.gov</u>> Sent: Fri, Feb 28, 2020 1:45 pm Subject: Fwd: Over development/ MS4 Permit/ Water Quality Protection Charge

Mr. Fleming Matt,

Thanks for listening and I apologize for showing my frustration. Although my volunteer work is fascinating, what is happening is sad for the environment and the land.

So below is my latest missive to share which has gone unanswered. Nonetheless I will continue to do by bit.

Regards and have a good weekend,

Kathy Hastings

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

From: o <<u>calientesjoy@aol.com</u>>

To: mcp-chair <<u>mcp-chair@mncppc.mc.org</u>>; marc.elrich <<u>marc.elrich@montgomerycountymd.gov</u>> Cc: Suzanne.dorsey1 <<u>Suzanne.dorsey1@maryland.gov</u>>; lee.currey <<u>lee.currey@maryland.gov</u>>; degilio <<u>degilio@msn.com</u>>; albornoz.michele <<u>albornoz.michele@gmail.com</u>>; cloverly <<u>cloverly@verizon.net</u>>; claire.iseli <<u>claire.iseli@montgomerycountymd.gov</u>>; dale.tibbitts <<u>dale.tibbitts@montgomerycountymd.gov</u>>

Sent: Tue, Feb 11, 2020 10:12 am Subject: Over development/ MS4 Permit/ Water Quality Protection Charge

Honorable County Executive Elrich and Montgomery County Planning Board Chairman Anderson:

To recap, the Preliminary Plan for RCCG Jesus House #120160040 was approved by the Montgomery County Planning Board (Board) 3/30/17. This approval was appealed by citizens through the courts. In March 2019, the Maryland Court of Special Appeals ordered a remand requiring the Board to further delineate septic system sizing in order to determine the amount of forest preservation pursuant to County Council Resolution 14-334. That resolution granted public sewer in exchange for preservation of the forested area which would have been used for an on-site septic system.

Currently, the citizens await the public hearing before the Board; the subject of which is limited to septic system sizing for forest preservation. While gallons per day usage input, etc. in the Septic Plan from the church are highly questionable, what is unquestionable is that the 28% site imperviousness for this development is double the "Cloverly Master Plan's" 10% - 15% imperviousness for the Northwest Branch sub watershed. Also consider that high imperviousness is especially injurious because the proposed church will be located at the headwaters of the Northwest Branch and in close proximity to Bryant's Nursery Run stream.

To quote the <u>Cloverly Master Plan:</u>

"This range (i.e., 10% - 15%) is within the generally acceptable limits for protection of coldwater streams in Maryland. New development in the upper Northwest Branch should minimize imperviousness and stormwater management waivers should be avoided to the greatest extent possible."

Although, the Preliminary Plan recognizes the high site imperviousness, it rationalizes the problem by spreading the church's 28% across the subwatershed. To quote:

"Rather than implement a strict development by development limit of 15% imperviousness, this Staff Report demonstrates that while the imperviousness level of this application is above 15 percent imperviousness, approval of this application will continue to maintain a subwatershed impervious level below 15 percent imperviousness recommended in the Master Plan." This approach begs serious questions:

- Is the church receiving preferential treatment?

- How can the next applicant(s) with imperviousness above the 10%-15% be treated equitably?

- What about the protection of headwaters and the stream vis a vis the church's location?

This brings me to Montgomery County's MS4 Permit from Maryland and the now settled Consent Decree between the County and Maryland Department of the Environment requiring further mitigation of existing imperviousness from development e.g. Olney Elementary School etc.

To be clear, the proposed church being a new development with a Stormwater Management Plan is not currently subject to the MS4 permit. However, once built it will be in the future as Montgomery County Department of the Environment meets its MS4 Permit requirements and does inspections of existing imperviousness. And if needed, mitigation by treatment of impervious areas to meet permitting targets.

Of concern is the 28% imperviousness and removal of too much forest to build this mega church/school complex. Shoehorning the complex onto too little land is at the expense of the environment and not in public interests way beyond Cloverly. Preservation of forest in good condition is the first line of defense against stormwater runoff and the ensuing flooding, stream erosion and degradation of water quality. Remember Ellicott City.

In coming years will the "Water Quality Protection Charge" on everyone's Property Tax bill be used to mitigate imperviousness from this church, e.g. to monitor the ecosystem in the headwaters of the Northwest Branch, restore the banks of Bryant's Nursery Run, etc?

No one wants a scenario resulting in a nonsensical cycle. Just say:

1. On one hand, the Board approves over development involving high imperviousness, forest removal to create buildable land, underestimated forest conservation.

2. On the other hand the County Department of Environment is bound to fulfill the MS4 Permit or even a Consent Decree to mitigate runoff from impervious sites. And taxpayers have paid Water Quality Protection Charges for naught----- for work that could have been avoided with cognizant coordinated planning.

Gentlemen, are we going to be trapped in a cycle facilitated by bureaucratic silos?

It is my aim that this missive has knocked down a couple silos and created a bridge between the agencies to do it right the first time. We only have one chance to preserve an old growth forest.

Please respond via return email or on 301 989-9553. I want to know how my Water Quality is going to be protected?

Sincerely,

Kathy Hastings

--

Matthew Fleming Director Chesapeake and Coastal Service Department of Natural Resources 580 Taylor Ave., E-2 Annapolis, Maryland 21401 <u>matthew.flemingl@maryland.gov</u> (410) 260-8719 (O) (443) 370-6951 (M) Website | Facebook | Twitter

Click here to complete a three question customer experience survey.

January 30, 2020

Montgomery County Planning Board Attn: Casey Anderson, Chair 8787 Georgia Ave Silver Spring MD 20910

RE: RCCG Jesus House Preliminary Plan # 120160040 – Remand Order Hearing

Dear Chairman Anderson;

This letter is to notify the Planning Board that due to personal reasons I am withdrawing myself (including my name and expert testimony) completely from the referenced case. Please feel free to share this notice with all of the parties involved in this case.

Respectfully; Mitra Pedoeem 14705 Latakia Place N Potomac Md 20878 C: 301-580-1309

### Hi Casey

Hope all is well. I just received a phone call from David Brown, the community legal council opposing this case, that he has been informed by the Planning Department legal staff that they will not withdraw my testimony as I had requested. I appreciate if I can receive a formal response to my request and the reasons for denial.

Respectfully; Mitra Pedoeem

On Tue, Feb 11, 2020 at 2:30 PM Anderson, Casey <<u>Casey.Anderson@mncppc-mc.org</u>> wrote:

Thanks, Mitra! I have forwarded this information to the relevant management folks who oversee development review.

Casey

Sent from my iPhone

On Feb 11, 2020, at 2:03 PM, Mitra Pedoeem <<u>mpedoeem@gmail.com</u>> wrote:

### February 11, 2020

Montgomery County Planning Board Attn: Casey Anderson, Chair 8787 Georgia Ave Silver Spring MD 20910

RE: RCCG Jesus House Preliminary Plan # 120160040 – Remand Order Hearing

Dear Mr. Anderson;

This is a follow up to my email I sent you on January 30 regarding this matter.

I have been nominated as the Director of Department of Permitting Services (DPS) by the Montgomery County Executive. The confirmation hearing by the County Council is tentatively scheduled for March 17 with the final confirmation vote on March 24, 2020. This letter is to notify the Planning Board that since I have already withdrawn from this case, any matter related to this case that may be referred to DPS, assuming my appointment is confirmed by County Council, will be handled solely by the DPS Chief Operating Officer Mr. Hadi Mansouri. Please feel free to share this notice with all of the parties involved in this case.

Respectfully;

Mitra Pedoeem 14705 Latakia Place N Potomac Md 20878 C: 301-580-1309

Cc: Ryan Sigworth David Brown Hadi Mansouri

--

Mitra Pedoeem



Erin E. Girard 301-517-4804 egirard@milesstockbridge.com

March 12, 2020

Casey Anderson, Chair and Members of the Montgomery County Planning Board Maryland-National Capital Park and Planning Commission 8787 Georgia Avenue Silver Spring, Maryland 20910

Re: Jesus House; Preliminary Plan No. 120160040 ("Preliminary Plan")

Dear Chairman Anderson and Members of the Planning Board:

We represent RCCG Jesus House, D.C. ("Jesus House"), the applicant for the Preliminary Plan. The purpose of this letter is to note our preliminary objection to the introduction of any new testimony, expert or layperson, on behalf of the Concerned Citizens of Cloverly, *et al.*, the appellants in this matter ("Appellants"), at the remand hearing on the Preliminary Plan now scheduled for April 16, 2020.

As the Board is aware, on March 14, 2019 the Preliminary Plan was remanded by the Court of Special Appeals. The Circuit Court issued its Order on Remand, returning jurisdiction to the Board, on June 19, 2019. Although Jesus House understands that the remand proceedings could properly have been limited to the record compiled during the Planning Board's initial review of the Preliminary Plan, Planning Staff decided to allow the submission of supplemental information by all interested parties as part of the remand proceedings, setting a deadline of December 31, 2019 for those submissions. In accordance with this direction, Appellants submitted extensive materials into the record on that date. After evaluation of the information submitted by both parties, Staff initially set a Planning Board hearing date of April 2<sup>nd</sup>. Jesus House was later informed, however, that the hearing date would be delayed until April 16<sup>th</sup> at the request of the Appellants in order to allow a new engineer they had recently engaged to be present at the hearing. The anticipated appearance of this new engineer at the remand hearing is what has given rise to this anticipatory objection.

The Preliminary Plan proceedings began nearly five years ago, when Jesus House initially filed the application in August 2015. The issues in the case have not substantively changed since this initial submission. The Preliminary Plan was under review for over 19 months, culminating in a full hearing before the Planning Board, at which Appellants testified and submitted evidence into the record, on March 30, 2017. After the remand order, Appellants had an additional nine months to prepare and submit supplemental information. Appellants have therefore had more

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Page 2

than ample opportunity to present their positions and be heard. To now allow Appellants to present new witnesses and/or testimony at the April 16<sup>th</sup> hearing would be incredibly unfair and prejudicial to Jesus House, and would run counter to the procedures the parties agreed to with Staff. Jesus House therefore respectfully requests that all testimony and evidence to be presented or reviewed at the hearing by Appellants be limited to those materials already in the record in this matter and that any new evidence, experts or testimony be excluded.

Thank you for your consideration of this objection and request. If you have any questions, please feel free to contact me.

Sincerely,

MILES & STOCKBRIDGE, P.C.

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Erin E. Girard

cc: Ryan Sigworth Matthew Mills, Esq.

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Ryan,

This email is an early heads-up for you regarding a letter I will be sending later this month to you, the Planning Director and the Chairman.

As I believe you are aware, the Cloverly Citizens made sure to comply with your 12/31/19 deadline for submitting written materials for the upcoming hearing. It was well after that time that the County Executive tapped one of my clients, Mitra Pedoeem, for the job of Director, Department of Permitting Services. As a condition of her appointment, which I have every reason to believe will soon be confirmed by the County Council, Mitra has had to divorce herself from this ongoing proceeding, in which her engineering expertise and qualifications were used to present expert testimony on the issue of the calculation of the set-aside for Jesus House's right to use a sewer hookup, i.e., the central issue on remand here. Her testimony was included in our 12/31 filing. Mitra has since learned that due to her appointment she will be unable to present and defend her testimony at the upcoming hearing, although Matt Mills has advised her that her testimony cannot be expunged from the record after submission. As a result, my clients have retained the services of another engineer to take Mitra's place at the hearing. I anticipate providing you his written report as an attachment to the aforementioned letter, which will also be provided to Jesus House's counsel. Cloverly Citizens has been diligently seeking to rectify this problem as quickly as possible; my best present estimate is that his report will be ready for forwarding to you no later than March 31<sup>st</sup>. He will comment on and supplement Mitra's report, and will be available for the hearing, whenever it takes place. Please note that this forthcoming letter will detail the foregoing circumstances and register my clients' objection to Jesus House's counsel's letter attempting to deprive my clients of this opportunity to cure any omission from their case, arising late in the process through no fault of their own.

Equally importantly, as I believe I have advised you before, Cloverly Citizens intends to assert their right of cross-examination of any witness supportive of Jesus House's evidence and testimony supportive of the set-aside calculations that were not tested in the prior Board hearing in this case. The Court of Special Appeals has made clear the Board has the statutory responsibility to resolve this dispute, and my clients feel they are best protected if all witnesses on this topic, including my witnesses, are available for cross-examination. The aforementioned letter coming later this month will also seek cross-examination, as provided i Board Rule of Procedure 4.6. I mention this now, ahead of the letter, as I am quite concerned that under current coronavirus arrangements, a hearing with cross-examination of witnesses cannot be achieved, even if other public hearing tasks can be accomplished in the remote fashion currently contemplated for other Board hearing matters. Put another way, just as courtroom trials have been suspended, not converted to online telecasts, so too, must be the case for any administrative adjudication where witness cross-examination is properly requested. At the moment, it does not seem foreseeable that such a hearing, with appropriate confrontation of witnesses, can take place as early as April 16<sup>th</sup>. If that remains the

outlook when my letter is submitted later this month, we will be requesting a continuance until such time as a proper hearing can be held.

In the meantime, I hope you and the rest of the Board and Board staff are able to stay sage and well. I am copying Matt Mills on this email in case you want to discuss any of this with him in advance of my letter.

Sincerely, Dave Brown Knopf & Brown (301) 545-6100

#### LAW OFFICES OF

FAX: (301) 545-6103

E-MAIL BROWN@KNOPF-BROWN.COM

WRITER'S DIRECT DIAL

(301) 545-6105

KNOPF & BROWN 401 EAST JEFFERSON STREET SUITE 206 ROCKVILLE, MARYLAND 20850 (301) 545-6100

DAVID W. BROWN

SOLE PRACTITIONER (2017)

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March 30, 2020

Casey Anderson, Chairman Montgomery County Planning Board 8787 Georgia Avenue

Silver Spring, MD 20910

### Re: Preliminary Plan 120160040; Jesus House

Dear Chairman Anderson:

This letter responds to the March 12, 2020 letter from counsel for the applicant in the above-referenced matter seeking a ruling that my clients, the Cloverly Citizens (the "Citizens") be excluded from providing any testimony or witnesses in the hearing on this matter that were not identified by December 31, 2019. For the reasons expressed below, that request should be denied. A second and related purpose of this letter is to request that the hearing be postponed until such time as full adjudicatory hearing can be held, where each party to this contested case can exercise their right of cross-examination.

# **1.** Citizens Should Not Be Precluded From Presenting an Expert Report and the Expert's Testimony at the Hearing

The exclusion request from the applicant's counsel is based on the fact that staff set a deadline of December 31, 2019 for the submission of supplemental information and identification of witnesses, and it would be "incredibly unfair and prejudicial to Jesus House" to allow Citizens to supplement its submission now, with a hearing scheduled for April 16, 2020. Wholly apart from the issue of whether the hearing can or should take place as scheduled, it would be more unfair and prejudicial to Citizens to deny them a narrow, limited opportunity to supplement the record.

The Citizens fully complied with the December 31st deadline for submitting written materials for the upcoming hearing. Well after that deadline, the County Executive tapped one of the individuals in the Citizens, Mitra Pedoeem, for the job of Director, Department of Permitting Services. As a condition of her appointment, which I have every reason to believe will soon be confirmed by the County Council, Mitra has been obliged to divorce herself from this ongoing proceeding, in which her engineering expertise and qualifications were used to present expert testimony on the issue of the calculation of the set-aside for Jesus House's right to use a sewer hookup, i.e., the central issue on remand here. Her testimony was included in our December 31st filing, and the Citizens were counting on her to testify at the hearing in amplification of her report.

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Casey Anderson, Chairman March 30, 2020 Page 2

Mitra has since learned that due to her appointment she will be unable to present and defend her testimony at the upcoming hearing, although Matt Mills has advised her that her testimony cannot be expunged from the record after submission. As a result, my clients have had to diligently search for and retain the services of another engineer to take Mitra's place at the hearing. The Citizens expect that his written report will be proved to them no later than tomorrow; it will be forwarded to Board staff and counsel for the applicant without delay. The Citizens, though they have no control over the professional opinion of their expert, believe it likely that his conclusions will largely parallel those provided by Mitra, which Jesus House has now had three full months to review. Citizens have no intention of prejudicing Jesus House's preparation for the hearing, and if Jesus House and its own witnesses and counsel want more time to evaluate the Citizens' supplemental expert report, Citizens has no objection to a postponement on that basis.

I also ask you to take into account that this request does not seek to excuse the Citizens from compliance with any Board Rule of Procedure, is necessitated only by circumstances entirely beyond their control, and rectifies the situation in a narrow, limited fashion that is the least prejudicial to Jesus House's interests.

### 2. The Hearing Should Be Postponed Until the Board Can Hear the Case in a Full Adjudicatory Hearing Where Testimony on Disputed Facts Can be Subject to Cross-Examination

The hearing in this case is about proper, evidence-based calculation of the forest set-aside acreage that will justify a sewer hookup for the Jesus House project, in accordance with the conditions outlined for such a hookup by the County Council in Resolution No. 14-334 in 1999. That calculation is in dispute, both in terms of the proper methodology for its determination, as well as on the key factual variable in the calculation—anticipated future water usage at the Jesus House project. On this very point, in this particular case, the matter is before the Board on remand because the Court of Special Appeals has made clear the Board has the statutory responsibility to resolve this dispute—a responsibility the Board expressly abjured in the prior Board resolution in this case.

In furtherance of the goal of proper adjudication of this dispute, I have advised staff repeatedly, and now formally advise you, that at the Board hearing in this case, I intended to seek cross-examination of any opposing witness providing relevant testimony or reports on the dispute, in accordance with Board Rule of Procedure 4.6. By the same token, I would anticipate making all of my witnesses available for cross-examination as well.

I do not believe that under current coronavirus arrangements for Board public hearings, a hearing with cross-examination of witnesses can be achieved, even if other public hearing tasks can be accomplished in the remote fashion currently being employed. Put another way, just as courtroom trials have been suspended throughout the

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Casey Anderson, Chairman March 30, 2020 Page 3

State, not converted to online telecasts, so too, must be the case for any administrative adjudication where witness cross-examination is properly requested. At the moment, it does not seem foreseeable that such a hearing, with appropriate confrontation of witnesses, can take place as early as April 16<sup>th</sup>. If so, I request that the matter be continued until such time as a complete adjudicatory hearing can be scheduled.

Sincerely yours,

W. Brown

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David W. Brown

cc: Gwen Wright, Director Matt Mills, Esq. Ryan Sigworth Erin Girard, Esquire

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Excellence Delivered As Promised

## RESUME

# Elik Livay, PE, PMP, ENV SP, DBIA

### **Vice President**

### **CURRENT RESPONSIBILITIES:**

Vice President/Area Manager for the Water Business Line directing 25 technical support staff personnel, including project managers, project engineers, and CAD technicians. Providing complete design and construction management services for water, wastewater, and environmental infrastructures projects. Projects include municipal water/wastewater treatment plants, industrial wastewater treatment plants, water/wastewater pump stations, water transmission and distribution mains, sewer interceptors, force mains and collection systems, and fueling facilities. Responsibilities include budget and schedule compliance, multidiscipline project coordination, staffing, quality control/quality assurance, and marketing. As Client Service Manager, serves a variety of municipal, industrial, and private clients in Maryland, District of Columbia, and Virginia.

YEARS EXPERIENCE WITH FIRM: 17

YEARS EXPERIENCE WITH OTHER FIRMS: 6

### **EDUCATION:**

AA, Civil Engineering Technology, Ruppin Academic Center, 2001 BS, Civil Engineering, Morgan State University, 2004 MCE, Civil Engineering, Norwich University, 2008

**Project Manager** providing complete design and construction management services for water, wastewater, and environmental infrastructures. Develops detail designs and technical specifications for water and wastewater treatment plants; pumping stations; conveyance systems; sludge dewatering, stabilization, and chemical facilities; fuel stations; and remediation systems. Duties also include managing the operational and financial aspects of the project; leading and coordinating various disciplines and subconsultants; performing hydraulic analyses, facility investigations, facility layouts and sizing, equipment selection, and construction cost estimating; securing permitting; providing contract bidding assistance; and providing construction services.

### **PROFESSIONAL REGISTRATION(S):**

PE: Maryland - No. 30413 (2008) Florida (Civil) - No. 75329 (2013) District of Columbia (Civil) - No. PE907378 (2013) Idaho - No. 16097 (2014)



## Elik Livay, PE, PMP, ENV SP, DBIA

Virginia - No. 0402053949 (2014) New York - No. 097421-1 (2017) Indiana - No. PE11700361 (2017) North Carolina - No. 046256 (2018) Delaware (Civil) - No. 23222 (2019)

Erosion and Sediment Control Certification: Maryland Department of the Environment (Green card) - No. 35676 (2009) Project Management Professional: Project Management Institute - No. 1372191 (2010) Envision Sustainability Professional (ENV SP): Institute for Sustainable Infrastructure (2017) e-RAILSAFE Badge: e-VERIFILE.COM, Inc. - No. 153530 (2018) Designated Design-Build Professional (DBIA): Design-Build Institute of America (2019)

### **SUMMARY OF EXPERIENCE:**

**Wastewater Facility Plan, Millsboro, DE**, *Town of Millsboro, Delaware*. Project Principal providing project oversight, assistance, and leadership for the development of membrane bioreactor (MBR) modeling of the wastewater treatment plant, to determine operational improvements to the existing system and to provide feedback on future capacity.

**Clinton Pressure Zone Water Storage - Brandywine Elevated Water Storage Tank (EWST), Laurel, MD**, *Washington Suburban Sanitary Commission*. Principal in Charge for budget and schedule compliance, staffing, coordination with client and project team, and providing support to the project manager in overall project execution for the design of a 2 Mgal EWST in Prince George's County, Maryland. The project included a preliminary design study and a site evaluation for the tank, and permitting with Maryland Department of the Environment (MDE) and Prince George's County.

**Water and Sewer Main Extension Engineering Design Services, Howard County, MD,** *Howard County, Maryland.* Principal in Charge, providing project oversight, assistance, quality assurance/quality control (QA/QC) reviews, and ensuring resources are allocated to complete tasks on time and within budget for the County's various water and sewer infrastructure systems. Furthermore, providing leadership for an evaluation of alternatives for rehabilitation or replacement of approximately 7,000 linear feet of 8-inch cast iron water main installed in 1959. Responsibilities include budget and schedule compliance, staffing, coordination with client and project team, and providing support to the Project Manager in overall project execution with the aim of improving project outcomes for the County. Evaluated alternatives included cured-in-place pipe (CIPP) lining, close-fit lining techniques, such as fold and form, expandable polyvinyl chloride (PVC), and melt-in-place technologies, open-cut replacement, pipe-bursting, and a new parallel water main. Improvement recommendations were made based on the degree to which they achieved the goal of restoring the function, capacity, and service life. Additionally, recommendations were also based on constructability, including excavation challenges, specialty equipment, construction duration, temporary water piping,





community impacts including traffic, service interruptions, temporary construction easements, temporary reduction of fire protection levels, environmental impacts, and construction costs.

**Outfall Sewershed Collection System Improvements, Baltimore, MD,** *City of Baltimore Department of Public Works, Bureau of Water and Wastewater.* Project Principal for budget and schedule compliance, staffing, coordination with the client and project team, and providing support to the project manager, in overall project execution, for the rehabilitation and hydraulic improvements to the City of Baltimore's outfall sewershed.

**Crum Creek Pump Station Upgrade, Delaware County, PA,** *Central Delaware County.* Technical Advisor to support the design team by providing guidance, technical support, and quality assurance and quality control reviews for the replacement and upgrade of the Crum Creek Pump Station, from its original 16 mgd permitted capacity to 24 mgd. Crum Creek is a self-cleaning submersible pumping station that conveys wastewater from Central Delaware County Authority's system to the Delaware Country Regional Water Quality Authority (DELCORA) collection and conveyance system.

**Crum Creek Pump Station Upgrade, Delaware County, PA,** *Central Delaware County Authority.* Technical advisor to support the design team by providing guidance, technical support, and quality assurance/quality control (QA/QC) reviews for the replacement and upgrade of the Crum Creek Pump Station from its original 16 mgd permitted capacity to 24 mgd. Crum Creek is a self-cleaning submersible pump station that conveys wastewater from Central Delaware County Authority's system to the Delaware Country Regional Water Quality Authority (DELCORA) collection and conveyance system.

Water, Wastewater, and Stormwater Utility Engineering Services, Richmond Annual Services – Backwash Waste Pump System Upgrade Phase 1, Richmond, VA, *City of Richmond.* Task Manager managing multiple disciplines and subconsultants to provide engineering services for upgrades to the backwash waste pump system at the City of Richmond's water treatment plant. Responsibilities include coordination between disciplines, budget and schedule tracking, overall quality control/quality assurance, and lead the overall preliminary design.

**Southern Middle School Force Main, Annapolis, MD,** *Anne Arundel County Public Schools* (*AACPS*). Project Manager for the design of approximately 21,000 linear feet of force main, construction of a new pump station, and modification of an existing pump station. The new force main will convey sanitary sewer from the Lothian Elementary School and Southern Middle School to the Southern High School Wastewater Treatment Plant, eliminating the need for the elementary and middle school to maintain independent treatment systems. Responsibilities include managing a multi-discipline team including subconsultants, coordinating with the owner and permitting agencies, budget and schedule tracking, and performing quality control/quality assurance.





**Tank Inspection and Condition Assessments, Laurel, MD**, *Washington Suburban Sanitary Commission (WSSC)*. Principal in Charge for budget and schedule compliance, staffing, coordination with client and project team, and providing support to the project manager in overall project execution for inspection services for the 2.2 million-gallon Colesville elevated hydropillar water storage tank. The internal inspection of the tank was performed using a remotely operated vehicle in accordance with the latest version of AWWA D101 53. The external inspection was done by walking the roof portions that were accessible. The objectives of the assessment were to perform inspections and tests to assess the structural and coating integrity of the tank, review the safety compliance of tank ladders and access, evaluate sanitary conditions and protection, and provide recommendations for rehabilitation. After the inspection, we provided WSSC with a detailed condition report including recommendations, still photos, and a video of the internal inspection for future reference.

**Ferebee Avenue Pump Station Replacement Sanitary Sewer Project, and Park Avenue Pump Station Replacement, Chesapeake, VA**, *Hampton Roads Sanitation District*. Pump Station Task Manager for two new pump stations. Duties entailed providing overall guidance and performing quality assurance/quality control for evaluation and design of two new pump stations. Also, for coordination with multiple disciplines, subconsultants, and a separate pipeline project. Pump station expert providing technical expertise including sizing, basis of design, hydraulic analysis, materials of construction, and specifications.

**Regional Wastewater Pretreatment Facility – Engineering, Procurement, and Construction** (EPC), Clayton, NC, Novo Nordisk Pharmaceutical International LP. Lead Process/Mechanical Engineer and Engineer-of-Record for a \$35 million industrial wastewater pretreatment plant in support of a \$1.8 billion Diabetes Active Pharmaceutical Ingredient (DAPI) manufacturing facility. The project uses the EPC method, and Gannett Fleming Project Development Corporation is the contractor. Responsibilities included advancing preliminary process/mechanical design (30 percent design level) to a complete final design; reviewing quality of the all design elements including Biowin model, calculations, contract drawings, Revit building information model (BIM) software, and development of specifications. Worked closely and coordinated with the contractor and support disciplines such as civil/site; structural; architectural; electrical; heating, ventilation, and air-conditioning (HVAC); plumbing; and instrumentation and controls. Worked closely with permitting agencies and other stakeholders such as the client, the Town of Clayton, and their consultant. The project includes a new 0.75 mgd pretreatment facility to process wastewater from a new industrial pharmaceutical manufacturing plant and treat waste from yeast-based fermentation, recovery, and purification of Semaglutide. The process includes a pH neutralization system, two equalization tanks, a four-stage Bardenpho process, two clarifiers, two aerobic digesters, dissolved air floatation (DAF), sludge conditioning, and centrifugation. Other support facilities include an administration/laboratory building, blower/motor control center building, and DAF/dewatering building. The 21.7-acre site has approximately 170,000 square feet of buildings and structures. The project duration is 18 months for design and construction, and design was completed in 6 months.



**Professional Engineering Services Basic Ordering Agreement, Septage Receiving Facility Upgrade Study and Design, Centreville, VA**, *Upper Occoquan Service Authority*. As Project Manager, provided ongoing communication and coordination, made certain that task orders were on budget and on schedule, attended and led meetings with the client and other stakeholders, and provided overall design guidance and supervision.

Analysis of Norchester Street Pump Station Number 116 and Associated Sanitary Sewer Infrastructure, Norfolk, VA, Hampton Roads Sanitation District. Quality Assurance/Quality Control (QA/QC) and Pump Station Technical Lead for performing QA/QC reviews, constructability review, and multi-disciplined coordination review and providing technical consultation during construction and start-up for the replacement of a wet-well wastewater pump station. The new pump station is rated at 3.8 mgd average daily flow and 10.8 mgd maximum daily flow. Key design features of the station include a variable-frequency drive (VFD)-controlled four-pump arrangement, a hydraulically powered comminutor with by-pass channel, a standby permanent diesel bypass pump, and a biological odor control system; key services included a detailed preconstruction survey and vibration monitoring requirements for neighboring residential structures. To facilitate regular cleaning, the wet-well was redesigned into a self-cleaning trench-style model, which required extensive flow monitoring and data collection. Replacement of the pump station required design of a detailed temporary bypass system in the street to provide uninterrupted service to the immediate service area (2,380 acres) and 23 upstream pump station service areas. The existing pump station was demolished upon completion of the new station.

**Defense Logistics Agency Distribution Susquehanna Water Reservoir Replacement, New Cumberland, PA**, *U.S. Army Corps of Engineers, Baltimore District.* Senior Engineer for design services for the replacement of the existing water reservoir with an elevated water storage tank and all the appurtenances to hold a minimum of 750,000 gallons of potable water, upgrade of the existing DLA Fire Pump Station, and support preliminary design studies and field work for the Defense Logistics Agency Distribution Susquehanna.

**Design and Construction of New PS-6 Pumping Station, Chester, PA,** *Delaware County Regional Water Quality Control Authority (DELCORA).* QA/QC Reviewer providing quality reviews for the design of a new PS-6 pumping station and rehabilitation of the existing EPS-1 pumping station to handle hauled in waste. The EPS-1 Pumping Station Upgrade Project is part of the Headworks of the DELCORA Western Regional wastewater treatment plant (WWTP). The new pump station will be by December 31, 2018, to comply with the Pennsylvania Department of Environmental Protection Consent Order and Decree.

**Diffused Aeration Panels Replacement Project, Chester, PA,** *Delaware County Regional Water Quality Control Authority.* Project Manager managing multiple projects at the Western Regional Wastewater Treatment Plant. Projects include replacing the existing diffused aeration panels and installing a new blower. Responsibilities include ongoing communication and coordination





with the client, subconsultants, and multiple disciplines, including process/mechanical, structural, architectural, electrical, and instrumentation and controls; making certain that projects are on budget and on schedule; overall design guidance, direction, and supervision; and review of calculations, cost estimates, reports, and design documents. Also, for performance of an evaluation, development of basis of design for equipment, design of the diffused aeration replacement and installation of the fourth blower, and bid and constructionphase services. The design of the diffused aeration panels replacement included an evaluation as how to optimize the diffused aeration panels installation to minimize headloss air pressure so the current aeration blower system will be able to provide the required pressure. Additionally, the design included an evaluation for potential replacement or addition of air piping, including air distribution piping and drop legs, to accommodate the new aeration panels and provide additional flexibility. Finally, the design included installation of instrumentation and controls system and electrical systems and evaluation of the existing concrete pedestals for potential removal or coordination of the new diffused aeration panels layout to eliminate conflict with the existing pedestals.

**County Facilities Reconstruction Designs, Hillsmere 1 and 6, and Anchorage 2 Sewer Pump Stations (SPSs), Anne Arundel County, MD,** *Anne Arundel County Department of Public Works (County).* Project Manager for the design upgrade of the Hillsmere 1 and 6, and Anchorage 2 SPSs as part of the County's continuous efforts to upgrade the existing infrastructure in compliance with applicable federal, state, and local requirements and standards. Manages the design, bid, and construction phases, including coordinating with the client, various subconsultants, and disciplines and securing required permits. Other responsibilities involve developing system curves and preparing detailed plans and specifications. The improvements include the replacement of the mechanical and electrical equipment to comply with National Fire Protection Association 820; two dry pit pumps; piping; motor control centers; control; instruments; and the heating, ventilation, and air-conditioning (HVAC) system. The improvements also include a new precast-concrete emergency bypass vault and a new emergency storage tank to comply with Maryland Department of the Environment requirements.

#### Engineering Consulting Services, Wastewater Treatment System (WWTS) Upgrade, AL,

*Confidential Client.* Project Engineer providing 30-percent-level design documents for the replacement of an industrial WWTS. Services include design-build activities to furnish a grease recovery pilot unit (Fogbusters) and flowmeters and work directly with the installed contractor. Additional services include the generation of a preliminary engineering layout of the WWTS, including demolition plans, interface points with the building construction (i.e., lift station wet wells, outfall location, equipment pads, and loadings), and providing regulatory support for the discharge permit. Other duties include managing the field survey and geotechnical investigation, coordinating a multidiscipline team, and developing drawings and specifications in sufficient detail that design-build contractors can bid the job. The WWTS upgrades are comprised of modifications to the existing influent wet well, the replacement of influent pumps, a new influent force main, a new 100,000-gallon equalization tank, rehabilitation of the existing



dissolved air flotation (DAF) or furnishing a new DAF, new effluent pumps, a new effluent force main and connection to an existing sanitary manhole, two 15,000-gallon oil/sludge tanks, chemical feed systems, and electrical and instrumentation and control systems.

#### Engineering and Construction Design Support, Wastewater Treatment System (WWTS), IN,

*Confidential Client.* Project Engineer providing 30-percent-level design documents for a new industrial WWTS and supporting design/build contractor (Gannett Fleming Project Development Corporation, a subsidiary of Gannett Fleming Affiliates, Inc.) and the Client Project Manager during the course of construction and start-up services. Services include generating the preliminary engineering layout of the WWTS including interface points with the building construction (i.e., lift station wet wells, outfall location, equipment pads, and loadings), providing regulatory support for the discharge permit, reviewing shop drawings, and providing technical consultation during construction. The WWTS is comprised of two lift stations, an influent screen, an equalization tank, dissolved air flotation, two decant tanks, chemical feed systems, and electrical and instrumentation and control systems.

#### Wastewater Treatment Facility (WWTF) – Development Phase, Willard, OH, CSX

*Transportation, Inc.* Project Manager designing the replacement of a WWTF serving locomotive servicing and fueling areas. Duties include developing conceptual costs for Association for Facilities Engineering budgetary purposes, developing bid packages to allow management of scope to the allowable construction budget using multiple line items, assessing the existing WWTF system and site, reviewing drawings of the existing system and determining additional scope elements, and developing an opinion of probable cost for project design and construction phases and the project schedule. Other duties include managing the field survey and geotechnical investigation, coordinating the multidiscipline team, and developing detailed drawings and specifications for bid and construction purposes.

#### Woodrow Wilson Rehabilitation Center (WWRC) Wastewater Investigation, Fishersville, VA,

*WWRC.* Project Manager providing expert consulting services in connection with elevated concentrations of either nitrogen or phosphorus in the WWRC wastewater, and subsequently developing solution(s) to reduce the wastewater concentrations. The purpose of the project is to investigate the existing conditions, including infrastructure, operations, and practices; develop and implement sampling programs; and identify solutions. Services include performing a walkthrough of the facilities to identify the potential sources of waste; developing a sampling program to quantify loadings and flows from the kitchens and laundries; identifying best management practices that will reduce biological oxygen demand and total suspended solids loadings; and summarize observations, conclusions, and recommendations in a brief letter report to submit to the client.

**Crain Highway and Shipley Elevated Water Tank Rehabilitations, Construction Management Services for Anne Arundel County's Water Storage Tanks, Annapolis, MD**, *Anne Arundel County.* Principal in Charge for budget and schedule compliance, staffing, coordination with client and project team, and providing support to the project manager in overall project





execution for rehabilitation of elevated water storage tanks (EWST) in Anne Arundel County. The project included:

- Old Mill, 1-Mgal EWST
- Crain Highway, 1-Mgal EWST
- Shipley, 2-Mgal EWST
- Rose Haven, 250,000-gallon EWST
- Gibson Island, 230,000-gallon new bolted tank
- Herald Harbor, 500,000-gallon EWST
- **Millersville**, 2-Mgal EWST.

**Well House – Booster Pump Investigation, Poolesville, MD,** *Nobis Engineering, Inc.* Project Manager providing expert consulting services in connection with poor performance of the booster pump at the Poolesville well house. The purpose of the project was to investigate the pump performance and provide recommendations to resolve the problem. The initial phase was comprised of providing an on-site inspection of the facility to observe booster pump operations, piping arrangement, and overall treatment system layout; reviewing any other available information, including drawings, pump cut sheets, and operations description; and analyzing the hydraulic of the system and the pump. The next phase is comprised of identifying potential solutions to improve booster pump performance and summarizing observations, findings, conclusions, and recommendations in a brief letter report to submit to the client.

**On-Call Engineering Services for Water and Wastewater Projects, Edgewood Interceptor, Harford County, MD**, *Harford County Department of Public Works*. Task Manager performing an evaluation and developing design for approximately 9,200 linear feet of 36-inch parallel gravity sewer (Edgewood Interceptor) to provide sufficient capacity for the projected flows within the Winters Run sewer shed. The evaluation includes performing an alternative alignments and phasing study, a geotechnical investigation and test pits, and environmental permitting. Upon completion of the study and acceptance of the recommendations by the County, a complete design will be provided. The work is expected to be performed on Amtrak property.

**On-Call Engineering Services for Water and Wastewater Projects, Sod Run Wastewater Treatment Plant (WWTP) Plan Scum and Grease Handling Study, Harford County, MD,** *Harford County Department of Public Works.* Project Engineer and Project Manager for performing studies, design, bid, and construction-phase services for multiple tasks at the Sod Run WWTP. Project Manager for a study to develop an alternative strategy for scum and grease handling. The scope of the study generally includes a detailed cost evaluation, to upgrade the existing facilities with a reliable system for handling the grease and scum that collects in the primary and secondary clarifiers. The purpose of the study is to identify the sources of scum and grease, evaluate alternatives for its segregation removal and disposal routes, and develop preliminary design criteria for the improvements. Also, served as Project Engineer providing design, bid,





and construction-phase assistance services for the rehabilitation of primary clarifiers No. 3 and 4, at the Sod Run WWTP.

**Open-Ended Environmental Consulting Services, Underground Storage Tanks (UST) Replacement, Charles County, MD**, *Maryland State Highway Administration (Maryland SHA)*. Design Manager providing study, design, permitting, and bid-phase services for the replacement of existing underground storage tanks (USTs) with aboveground storage tanks (ASTs) at the Maryland SHA La Plata maintenance facility in Charles County. Manages the design and bid phases, including coordinating with the client, various subconsultants, and disciplines and securing required permits. Other responsibilities involve preparing an evaluation study, and subsequently detailed plans and specifications for construction, as well as a cost estimate based on materials, equipment, and labor. The project includes the replacement of three 10,000-gallon USTs used for diesel and gasoline with one 8,000-gallon gasoline and one 12,000-gallon diesel AST; the removal of the existing USTs and monitoring wells and relocation of dispensers; construction of a new fuel island and pre-engineered canopy; site work; and electrical service and controls.

**Open-Ended Environmental Consulting Services, District 4 Pipe Yard Facility Drum Removal, Baltimore County, MD**, *Maryland State Highway Administration*. Design Manager providing design, permitting, and bid-phase services for drum removal at the District 4 pipe yard facility in Baltimore County. Manages the design and bid phases, including coordinating with the client, various subconsultants, and disciplines and securing required permits. The primary objective of the project is to remove 55-gallon drums containing lead-based paint from the suspected burial areas within the pipe yard and to confirm that leakage from the buried drums has not contaminated adjacent soils. If determined that adjacent soils are contaminated, then a removal action of the contaminated soil would be required. This project involves excavation of soils, removal of waste drums, characterization of drum contents and soils, and appropriate management and/or disposal of excavated drums, wastes, and soils.

**Open-Ended Environmental Consulting Services, Vactor Truck Dewatering Stations, Charles and Carroll Counties, MD**, *Maryland State Highway Administration (Maryland SHA)*. Design Manager providing design, permitting, and bid-phase services for the vactor truck dewatering stations upgrades at two Maryland SHA facilities: the La Plata maintenance facility in Charles County and the Mount Airy facility in Carroll County. Manages the design and bid phases, including coordinating with the client, various subconsultants, and disciplines and securing required permits. Responsibilities also include preparing detailed plans and specifications for construction and a cost estimate based on materials, equipment, and labor. The La Plata project includes the design of a new dewatering pad with a pre-engineered canopy, a new oil/water separator, a new lift station, yard piping, connection into existing sanitary manholes, site work, and electrical service and controls. The Mount Airy project includes the design of a new dewatering pad with a pre-engineered to a new dewatering pad with a pre-engineered canopy, site work, and electrical service and controls.



**On-Call Pump Station Engineering Services, Sunnybrook Pumping Station Improvements, Baltimore, MD,** *Baltimore County Department of Public Works.* Project Manager for design improvements to a 300-gpm water pump station and a 75,000- gallon water storage tank. Manages the design, bid, and construction phases, including coordinating with the client, various subconsultants, and disciplines and securing required permits. Other responsibilities involve developing a condition assessment report and preparing detailed plans and specifications. The improvements include the replacement of the mechanical and electrical equipment, including two booster pumps; piping; chemical feed systems; motor control center; control; instruments; and heating, ventilation, and air-conditioning (HVAC) system. The improvements also include the installation of an iron and manganese water treatment system, replacement of a 75,000-gallon storage tank, and rehabilitation of 6,000-gallon pneumatic tank, replacement of architectural features, and installation of two new storage sheds.

**Locomotive Fueling Containment Improvements, Rail Yard, PA,** *Confidential Client.* Project Engineer designing upgrades to the existing track pans and stormwater/process wastewater facilities serving the locomotive servicing and fueling areas. Duties include developing conceptual costs for AFE budgetary purposes; developing bid packages to allow management of scope to the allowable construction budget using multiple line items; working with contractors in advance for best value of track pan replacement; assessing the existing track pan system; reviewing drawings of the existing system and determining additional scope elements; and developing an opinion of probable cost for project design and construction phases and through project schedule. Other duties include managing the field survey, coordinating multidiscipline teams, developing detailed drawings and specifications for bid and construction purposes, and providing bid-phase services.

**Collection and Industrial Wastewater System Improvements, Rail Yards, AL**, *Confidential Client.* Project Engineer performing quality assurance/quality control review on three different designs in three different yards in Alabama. Design work included the replacement of existing spill containment track pans with track mats and upgrades to the existing stormwater and industrial waste treatment systems. The project involved developing a conceptual-level evaluation of alternatives to meet project objectives, developing conceptual costs for AFE budgetary purposes, and developing detailed drawings and specifications for bid and construction purposes.

**Eleven Oaks Pumping Station Multidisciplinary Engineering Services, Fairfax, VA,** *City of Fairfax.* Project Manager for the design of a new package pump station and odor control system, including an emergency generator, for a new development. Manages the design, bid, and construction phases, including coordinating with the client and disciplines and securing required permits. Other responsibilities involve developing system curves and a hydraulic profile and preparing detailed plans and specifications for construction.

Baltimore Gas and Electric Underground Storage Tank (UST) Replacement, Baltimore County, MD, Somes Environmental Associates. Design Manager for providing design-phase





services for the replacement of an existing 5,000-gallon UST with an aboveground storage tank and connecting it to the existing generator system. Also, for developing detailed plans and specifications for construction.

**Baltimore Gas and Electric (BGE) Howard County Underground Storage Tank (UST) Replacement, Howard County, MD**, *Somes Environmental Associates*. Design Manager that provided design-phase services and securing permits for the replacement of an existing 10,000gallon UST with an aboveground storage tank; the replacement of the existing fuel station, including the fuel island, two fuel dispensers, and lighting, with new fuel station at BGE Howard Service Center in Howard County; and developing detailed plans and specifications for construction.

Professional Engineering Services Basic Ordering Agreement, Centreville, VA, Upper Occoquan Service Authority (UOSA). Project Manager managing two task orders, including preliminary engineering services for a septage receiving facility (SRF) and bridging consulting services for fueling station upgrades. Responsibilities include ongoing communication and coordination with the client and multiple disciplines, including process/mechanical, civil, structural, architectural, mechanical (heating, ventilation, and air-conditioning (HVAC) and plumbing), electrical, instrumentation and controls, and construction management/inspection; make certain that task orders are on budget and on schedule; attend and lead meetings with the client and other stakeholders; provide overall design guidance, direction, and supervision; and review calculations, cost estimates, and reports. Preliminary engineering services for SRF include assessing the issues of the existing SRF, identifying potential solutions, evaluating different alternatives, and providing recommendations based on life-cycle cost, system reliability, health and safety implications, and environmental impacts to provide a long-term, safe, and reliable SRF. Bridging consulting services for fueling station upgrades include assisting and supporting the client during the pre-design, design, and construction phases of a design/build project. The purpose of the project is to upgrade the existing fueling station at UOSA, including tanks, pumps, dispensers, and the fuel management system.

**Grease and Grit Facility Study, Anne Arundel County, MD,** *Anne Arundel County Department of Public Works (County).* Project Manager leading a team of approximately 10 engineers and two subconsultants performing a study to develop an alternative strategy for grease and grit treatment and disposal to minimize or eliminate the County's concerns. Subsequent to the study, providing design, and bid phase services for the new facility. Serves as the primary point of contact for the client and makes certain of adherence to scope and budget. The scope of the study generally includes review and analysis of the current grease and grit collection practices at County wastewater pump stations, collection and laboratory analysis of samples of material collected from the pump station, identification and analysis of potential sites for a facility, identification of treatment and disposal technologies, assessment of the level of success achieved at other similar facilities, and development of recommendations for selection of treatment and disposal methods and facility location.



**Local Limits Study, Hagerstown, MD,** *City of Hagerstown.* Project Manager performing a study of the potential impacts of wastewater discharges from industrial users to the Hagerstown municipal wastewater treatment plant. This study is referred to as local limits study. After completion of the local limits study, Gannett Fleming will assist Hagerstown to set new industrial user discharge permits.

Expert Consulting Services, Harris Teeter Flooding, Arlington, VA, Comstock Partners. Project Manager for providing expert consulting services in connection with recent flooding at the Harris Teeter Grocery Store at the Potomac Yards Development in Arlington, Virginia. The client was interested in addressing ultimate solutions to prevent reoccurrence of the problem. The initial phase consisted of providing an on-site inspection of the Harris Teeter store facility to develop an understanding of the facility layout and to confirm the sanitary layout as shown on the as-built drawings; providing written recommendations for additional protection on the sanitary lines between Harris Teeter and the connection to the City's collection system; reviewing recommendations by others to provide back-flow protection on the sanitary lines; and developing a written description of operation for the Arlington Pump Station as designed. The next phase consisted of providing design-build construction services to include removal of existing equipment, piping, wiring, and related requirements; installing new equipment and systems and any related modifications to the existing facilities; and securing permits. Our firm retained a contractor to perform the construction activities and worked closely with the contractor to complete the improvements on time. In the final phase, our firm developed Standard Operating Procedures (SOPs) and diagrams to be used by the operators.

**Guilford Pump Station Sodium Hypochlorite Design, Baltimore, MD**, *City of Baltimore*. Project Engineer for performing quality assurance/quality control review on a design to convert a chlorine gas system to a sodium hypochlorite system for the Guilford Pump Station.

**Environmental Site Remediation, Vapor Recovery System Expansion, IL**, *Confidential Client*. Project Engineer for designing the expansion of a vapor extraction system, including the selection of equipment and the development of detailed construction plans and specifications for design-build purposes.

**On-Call Pump Station Engineering Services, Catonsville Pump Station Upgrades, Baltimore, MD**, *Baltimore County Department of Public Works*. Project Manager for design improvements to an 18 mgd water pump station and water main. Principal station facilities include two 10-mgd pumps, two 5-mgd pumps, a 20-million-gallon ground storage reservoir, a gas chlorination system providing disinfection of the station discharge and the influent and effluent flows of the reservoir, a discharge flow meter, reservoir flow control valves, electrical and instrumentation systems, an electrical substation, and an operations building. Engineering design services provided include an assessment of the condition of the station facilities and preparation of a report detailing recommendations for improvements. The recommended scope of improvements included rehabilitation of pumps, including motor replacement; replacement of piping and valves; replacement of the gas chlorination system with a sodium hypochlorite





system; installation of an emergency generator system with automatic transfer switch; replacement of control system programmable logic controller (PLC); upgrading of flow metering and recording system; rehabilitation of valve vaults; rehabilitation of pump station building electrical, mechanical, and plumbing facilities and structural features; and miscellaneous site improvements. It was also recommended to construct new 36-inch influent and 30-inch effluent mains. The 36-inch influent main will provide a redundant connection for the pumping station and 20 Mgal ground Catonsville Reservoir. The pipeline is located in a commercial district along U.S. 40, Baltimore National Pike, with extensive existing utilities. The water main work included locating feasible alignments and ranking the alignment options based on factors such as existing utilities, easements required, depth, contractor work area, environmental concerns, and cost. The design included approximately 3,600 feet of 36-inch pipe and a connection to the existing 48-inch transmission main in the median of U.S. 40 using tapping connection, new 30-inch discharge main; new isolation valves, air release valves, and vaults; and new 36-inch influent main to an existing 42-inch water main.

#### On-Call Pump Station Engineering Services, Catonsville Pump Station Upgrades, Baltimore,

**MD**, *Baltimore County Department of Public Works*. Project Engineer overseeing and reviewing design improvements to an 18 mgd water pump station and water main. Station facilities include two 10 mgd pumps, two 5 mgd pumps, a 20 Mgal ground storage reservoir, a gas chlorination system providing disinfection of the station discharge and the influent and effluent flows of the reservoir, a discharge flow meter, reservoir flow control valves, electrical and instrumentation systems, an electrical substation, and an operations building. Design services include assessment of the condition of the station facilities, and detailing recommendations for improvements. The 36-inch influent main will provide a redundant connection for the pumping station and ground reservoir.

Defense Logistics Agency Distribution Susquehanna (formerly Defense Distribution Depot Susquehanna Pennsylvania), Wastewater Treatment Plant Replacement, New Cumberland, PA, U.S. Army Corps of Engineers, Baltimore District. Project Manager for the coordination of geotechnical, civil, electrical, mechanical, architectural, and structural design activities; direction of the fire protection subconsultant; communications with the client and regulatory agencies; and monitoring of quality assurance/quality control efforts and the project budget and schedule. The project consists of replacement of treatment units and associated buildings to include the headworks (influent screening) facility, aeration tank, clarifier tank, tertiary filters, sludge holding tanks, chlorine contact tank, control building, access road, underground utilities, electrical service, and ancillary features. The aeration tank, clarifier tank, effluent tertiary filter, chlorine contact tanks, filter building, chlorine building, alum storage building, two storage sheds, control building, and influent sampler shed will be demolished as part of the project. The project also includes repair of existing sinkhole conditions on the treatment plant site. Generally, the proposed treatment plant upgrade includes a new influent screening facility, new sequencing batch reactors, a new aerated sludge holding tank, a new ultraviolet system, new process pumps and blowers, new chemical storage and feed facilities, new influent and effluent samplers, instrumentation and control systems, new electric service, a new non-potable plant



water pumping system including storage basin, and a new control building. The existing equalization basin will be reused as a sideline equalization basin, and the existing Parshall flume will be reused. One of this project's goals is implementing sustainable measures in the design process to achieve Leadership in Energy and Environmental Design (LEED) Silver certification and utilize building information modeling.

**Governor Harry W. Nice Memorial Bridge Administration Building Facility, Replacement of USTs, Charles County, MD,** *Maryland Transportation Authority.* Design Manager for designing the replacement of existing underground storage tanks (UST) with aboveground storage tanks (AST). Other responsibilities involve preparing detailed plans and specifications for construction and a construction cost estimate; coordinating with the client, subconsultant, and other disciplines; and securing permits. The project includes the replacement of one 8,000-gallon heating oil UST and one 2,000-gallon emergency generator diesel UST with one 8,000-gallon AST, as well as replacement of all piping, valves, pumps, and appurtenances located between the tanks and the equipment, such as the emergency generator, boiler, and unit heaters.

**Fort McHenry Tunnel Sanitary Line Relocation, Baltimore, MD,** *Maryland Transportation Authority.* Design Manager for designing the relocation of sanitary force main by the Fort McHenry Tunnel. Other responsibilities involved preparing detailed plans for construction and coordinating with the client and contractor. The project included the relocation of 4-inch sanitary force main to distance it from new concrete foundations.

**Homewood House Project, Baltimore, MD,** *Gannett Fleming Project Development Corporation.* Project Engineer for the design of a storm drain discharge vapor extraction system, including selection of equipment and the development of detailed construction plans for design-build purposes. The system consists of transfer pump, storage/transfer tank, granular activated carbon vessels, vacuum breaker, bag filter, control panel, level switches, flow meter, sampling ports and pressure gauges, exhaust fan, passive bailer, and telemetry system.

Water and Wastewater Pump Stations - On-Call Engineering Services, Baltimore County, MD, Baltimore County Department of Public Works, Bureau of Engineering and Construction. Project Manager for the evaluation of existing pump station conditions and design improvements of four water and wastewater pump stations in Baltimore County, MD. Managed the design, bid, and construction-phases, including coordinating with the client, various subconsultants, and disciplines and securing required permits. Other responsibilities involve developing system curves preparing detailed plans and specifications. Various improvements consist of replacement of the mechanical and electrical equipment, including pumps, piping, motor control centers, control, instruments, and heating, ventilation, and airconditioning (HVAC) systems. Additional improvements comprise replacement of architectural features and new flow meter vaults. Provided bid and construction-phase services, including reviewing questions and requests for information from prospective bidders, issuing addenda, reviewing shop drawings, and responding to requests for information.





**West Inverness Pumping Station Improvements, Baltimore, MD,** *Baltimore County Department of Public Works.* Project Manager for design improvements to a 700 gpm pump station. Manages the design, bid, and construction phases, including coordinating with the client, various subconsultants, and disciplines and securing required permits. Other responsibilities involve developing system curves and preparing detailed plans and specifications. The improvements include the replacement of the mechanical and electrical equipment, including two dry pit pumps, piping, motor control centers, control, instruments, and heating, ventilation, and air-conditioning (HVAC) system. The improvements also include the replacement of architectural features, a new precast-concrete flowmeter vault, and the raising of the wet well to grade. Provides bid- and construction-phase services, including reviewing questions and requests for information from prospective bidders, issuing addenda, reviewing shop drawings, and responding to requests for information.

**Southern High School Wastewater Treatment Plant, Harwood, MD,** *Anne Arundel County Public Schools.* Project Manager for the design of a new wastewater treatment plant to serve a high school. Manages the design, bid, and construction phases, including coordinating with the client, various subconsultants, and disciplines and securing required permits. Other responsibilities involve designing hydraulic processes, including pipes, valves, pumps, weirs, and flow instruments based on hydraulic needs; developing the hydraulic profile; preparing detailed plans and specifications for construction; and developing a cost estimate based on materials, equipment, and labor. The project includes the design of a new screening system, intermittent cycle extended aeration system, ultraviolet system, postaeration system, and operations building. The design also includes the demolition of the existing treatment plant.

**Vapor Recovery System Expansion, IL**, *Confidential Client*. Project Engineer for designing the expansion of a soil vapor extraction system, including the selection of equipment and the development of detailed construction plans and specifications for design-build purposes. The design includes the expansion of an existing extraction system to include adding new recovery wells and a new piping system to tie into the existing piping system.

Vactor Truck Dewatering Pads Upgrades, Anne Arundel and Baltimore Counties, MD,

*Maryland State Highway Administration (SHA).* Design Manager for providing design, permitting, and bid-phase services for the vactor truck dump stations upgrades at two SHA facilities, the Glen Burnie maintenance facility in Anne Arundel County and the Owings Mills maintenance facility in Baltimore County. Responsibilities involve preparing detailed plans and specifications for construction and a cost estimate based on materials, equipment, and labor. The project includes the design of new settling tanks, discharge pipes, connection into sanitary manholes, new pre-engineered canopies, and electrical service and controls.

**Kirk Avenue Bus Facility, Baltimore, MD**, *Maryland Transit Administration*. Project Engineer for designing a fueling system in a new bus facility and preparing detailed plans and specifications for construction. The design includes four 10,000-gallon biodiesel aboveground storage tanks



(AST), piping, pumps and dispensers, and a 5,000-gallon urea AST to provide a complete diesel exhaust fluid system. The design also includes a complete fluid management system.

**Vehicle Wash Drain System, Motor Vehicle Administration, Glen Bernie, MD**, *Maryland Environmental Service*. Project Manager for providing design, bid, and construction management services. The design includes the installation of a concrete pad for a vehicle wash system, including an oil-water separator, isolation valves to separate between sanitary and storm drain, piping, trench drain inside the maintenance building, and site design. Provides ongoing coordination with the client and permitting agencies.

**Hoffman Blocks 11 and 12 Pumping Station, Alexandria, VA,** *City of Alexandria.* Project Manager for the design of a new precast-concrete pump station to serve two new blocks in a new development. Manages the design phase, including coordinating with the client, the City, and the Alexandria Sanitation Authority. Other responsibilities involve developing system curves and a hydraulic profile and preparing detailed plans and specifications for construction. The project includes the installation of the new pump station, which has the flexibility to bypass flow by gravity during normal flow conditions and pump flows during surge flow conditions.

**Francis Scott Key Facility Fuel Station, Baltimore, MD,** *Maryland Transportation Authority.* Design Manager for designing the replacement of existing underground storage tanks (UST) with aboveground storage tanks (AST). Other responsibilities involved preparing detailed plans and specifications for construction and a cost estimate based on materials, equipment, and labor. The project included the replacement of two 6,000-gallon USTs used for diesel and gasoline with two 6,000-gallon ASTs, one for biodiesel and one split into two to be used for E-85 and unleaded gasoline; removal of dispensers, monitoring wells, fuel island, and canopy; construction of a new fuel island and pre-engineered canopy; construction of a new oil-water separator; and upgrades to the existing monitoring system. Also assisted the project manager in meeting the budget and schedule and with coordination with subcontractors and the client.

**Broad Creek System Upgrades, Prince George's County, MD,** *Washington Suburban Sanitary Commission.* Project Engineer providing quality assurance for the preparation of plans to improve headworks and storage facilities. The project involves evaluating and developing the final design for a parallel pipeline. Attended workshops and reviewed design concepts and contract documents for accuracy, completeness, constructability, and conformance to engineering practices and principles. The pipeline will increase the capacity of the pump station to carry wastewater to the Piscataway Wastewater Treatment Plant.

**Packaged Groundwater and Soil Vapor Extraction and Treatment System, MD**, *Confidential Client*. Project Engineer for the design of a packaged, skid-mounted groundwater and soil vapor extraction system, including the development of detailed construction plans, specifications, and request for proposals. The design included a skid system, remote vapor extraction system, product storage tank, and telemetry system.



**Underground Storage Tanks and Aboveground Storage Tanks Removal, Richmond, VA,** *GRTC Transit System.* Project Engineer for designing the removal of underground storage tanks (UST), aboveground storage tanks (AST), and other miscellaneous equipment that had an adverse impact on the environment. Other responsibilities included preparing detailed plans and specifications for construction and a cost estimate based on materials, equipment, and labor. The project included removing seven USTs and nine ASTs; abandoning in place two USTs located under building slabs; removing hydraulic fluid lifts; removing four fuel dispensers; cleaning two oil-water separators; removing piping, electrical wiring, and control; and removing the hose reels.

**Wastewater Treatment Plant Charrette, New Cumberland, PA,** *U.S. Army Corps of Engineers, Baltimore District.* Project Engineer for analyzing the replacement of a wastewater treatment plant and preparing a charrette. Also calculated hydraulic profiles and system curves; prepared a cost estimate based on materials, equipment, and labor; and developed schematics to present in the charrette. The project includes the evaluation of sequence batch reactor, ultraviolet system, and operations building.

**Martin State Airport, Aboveground Storage Tank, Baltimore, MD,** *Maryland Environmental Service.* Project Manager for designing the installation of a concrete pad for a 500-gallon aboveground storage tank for an emergency generator, as well as piping connections between the tank and the existing generator. Developed a proposal, met the budget and schedule, and provided coordination with the client.

**Soil and Groundwater Remediation System Improvements, MD,** *Confidential Client.* Project Engineer for the design of a final remedy at three different areas, including the development of detailed construction plans and specifications. The design included the expansion of an existing dual-phase extraction system to include an angle-drilled recovery well under a four-lane thoroughfare, including a new underground precast-concrete vault, new recovery wells and monitoring wells, an iron sequestration system, and a new 1,000-pound granular activated carbon vessel. In a second area the design included an oxygen reactive zone, consisting of a series of five oxygen injection wells connected via trench to a precast-concrete, belowgrade concrete vault containing an oxygen cylinder. In a third area, the design included groundwater monitoring wells and an in-situ groundwater remediation well borehole.

**Chesapeake Avenue Water Main Replacement, Baltimore, MD,** *City of Baltimore Department of Public Works.* Project Engineer for designing approximately 3,400 LF of 12-inch water main replacement. The design included piping layout and profiles, fire hydrants and service relocations, a temporary bypass system, contaminated soils and groundwater, and construction phasing to minimize service shutdowns. Prepared redline drawings in AutoCAD and specifications for construction.

Mechanicsburg Wastewater Treatment Plant (WWTP) Upgrade, Cumberland County, Mechanicsburg, PA, *Borough of Mechanicsburg*. Project Manager for designing hydraulic





processes, including pipes, valves, pumps, weirs, and flow instruments based on hydraulic needs of the WWTP. Other responsibilities involve analyzing the processes based on drawings and specifications to calculate hydraulic profiles, system curves, and pump curves; preparing a cost estimate based on materials, equipment, and labor; and developing specifications and drawings in AutoCAD. Managed the design phase, including coordinating with various disciplines and securing required permits. The project included the design of aeration tanks, clarifiers, denitrification filters, a sludge-pumping station, and the replacement and modification of existing equipment, such as clarifier drives, trickling filter drives, pumps and piping, chemical induction system, and other site work. Provided bid- and construction-phase services, including reviewing questions and requests for information (RFI) from prospective bidders, issuing addenda, reviewing shop drawings, and responding to RFI.

#### Beverly Beach Sewer Force Main, Anne Arundel County, MD, Anne Arundel County

*Department of Public Works.* Assistant Project Manager for designing approximately 6,050 LF of 8-inch sewer force main at the Mayo Peninsula. The design included piping layout and profiles, valves and manholes, pavement and surface restoration, erosion and sediment control plans, and a maintenance-of-traffic plan. The design allowed the contractor to use various methods of construction such as open-trench excavation, horizontal directional drilling (HDD), or a combination of both. Prepared contract plans for the pipeline construction consisting of pipe plans and profiles and special details, construction cost estimate, and technical specifications. Assisted the project manager in meeting the budget and schedule, providing coordination with subconsultants and the client, and preparing applications for various permits from local, state, and federal regulatory agencies. Provided bid-phase and construction-phase services, such as reviewing questions and requests for information from prospective bidders, issuing addenda, reviewing shop drawings, and responding to requests for information.

**Oaks of Harford Sewer Relocation, Harford County, MD,** *Harford County Department of Public Works.* Project Engineer for designing the relocation of approximately 300 LF of 8-inch gravity sewer at the Constant Friendship subdivision. Design included piping layout and profiles, including manholes, and the preparation of drawings in AutoCAD. Assisted the project manager in meeting the budget and schedule, providing coordination with subconsultants and the client, and developing applications for various permits from local, state, and federal regulatory agencies.

**Oaklyn Manor Phase II Sewer Petition, Harford County, MD,** *Harford County Department of Public Works.* Project Engineer for designing approximately 3,600 LF of 8-inch gravity sewer, nine grinder pump systems, and approximately 600 LF of small-diameter pressure sewer and related appurtenances to service the properties within the Oaklyn Manor subdivision. Design included piping layout and profiles, including manholes, grinder systems, and service house connections and the preparation of drawings in AutoCAD. Assisted the project manager in meeting the budget and schedule, providing coordination with subconsultants and the client, and developing applications for various permits from local, state, and federal regulatory agencies.

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**Southwest Diversion Sewer Rehabilitation, Phase I, Baltimore, MD,** *City of Baltimore Department of Public Works.* Project Engineer for evaluating various options for pressure-sewer rehabilitations and developing recommendations for the rehabilitation and/or replacement of two sections. Section 1 consisted of approximately 1,650 LF of 102-inch piping at a rail yard, and Section 2 consisted of approximately 1,350 LF of 102-inch piping running along Chesapeake Avenue.

**Concepts for Underground Storage Tank Relocations at Bay Bridge, Baltimore, MD,** *Maryland Transportation Authority.* Design Manager for developing and evaluating various options for replacing existing underground storage tanks (UST) with aboveground storage tanks (AST). The study included the replacement of two 2,000-gallon USTs used for diesel and gasoline with one 8,000-gallon AST split into two to be used for diesel and unleaded gasoline; removal of dispensers, monitoring wells, fuel island, and canopy; replacement of one 4,000-gallon heating oil UST with a 4,000-gallon heating oil AST; replacement of one 1,000-gallon heating oil UST with a 1,000-gallon heating oil AST; construction of a new fuel island and canopy; and upgrades to the existing monitoring system. Also assisted the project manager in meeting the budget and schedule and coordination with subcontractors and the client.

**BWI Airport Heating Oil Tank, Baltimore, MD,** *Maryland Environmental Service.* Project Engineer for designing the installation of a concrete pad for an 8,000-gallon aboveground storage tank for heating oil, as well as piping connections between the tank and the existing boiler. Assisted the project manager in meeting the budget and schedule and provided coordination with the client.

**Griffith Bulk Chemical Loading Area Improvements, Fairfax, VA**, *Fairfax Water*. Project Engineer for designing improvements to a chemical loading area at the Griffith Water Treatment Plant. Improvements included the replacement of a vault section including a watertight hatch with an H-20 loading, design of a means to prevent stormwater and a potential chemical spill from entering the personnel door near the chemical off-loading area, and design of a new liquid-tight precast vault and isolation valve, including modifications to an existing trench drain.

**Glen Cove Marina Facility Improvements, Darlington, MD,** *Exelon Power Generation, Inc.* Assistant Project Manager for designing improvements to a marina facility. Improvements included the replacement of two 1,500-gallon aboveground storage tanks (AST) with one 3,000-gallon AST and the replacement of two dispensers with one dispenser and piping, valves, and instruments. Provided bid and construction services, such as preparing and distributing contract documents, reviewing shop drawings, developing responses to requests for information, attending job conferences, and providing a final punch list. Assisted the project manager in managing the bid and construction phases while meeting the budget and schedule, coordinating with the client, and obtaining various permits from local, state, and federal regulatory agencies.





**Baltimore Harbor Tunnel Fuel Tank Improvements, Baltimore, MD**, *Maryland Transportation Authority.* Design Manager for designing improvements at a toll plaza facility. Improvements included the replacement of two 2,000-gallon underground storage tanks (UST) used for diesel and gasoline with one 4,000-gallon aboveground storage tank (AST) split into two to be used for E-85 and unleaded gasoline; installation of three new dispensers to be used for E-85, unleaded gasoline, and diesel; installation of a new 250-gallon AST to be used with an emergency generator; conversion of an existing 10,000-gallon UST from heating oil to diesel; removal of two existing 2,000-gallon USTs, dispensers, monitoring wells, and a fuel island; construction of a new fuel island and fuel island canopy; and upgrades to the existing monitoring system. Provided bid and construction services, such as preparing and distributing contract documents, reviewing shop drawings, developing responses to requests for information, attending job conferences, and providing a final punch list. Assisted the project manager in managing the bid and construction phases while meeting the budget and schedule, coordinating with the client, and obtaining various permits from local, state, and federal regulatory agencies.

JFK Maintenance Facility II, Aboveground Storage Tank Design, Cecil County, MD, *Maryland Transportation Authority.* Design Manager for designing the replacement of an underground storage tank (UST) with an aboveground storage tank (AST). The replacement included UST removal and closure; oversight of the Geoprobe soil and groundwater investigation; development of a spill prevention, control, and countermeasure plan for a temporary AST system; and permanent AST system design. The AST system design included the installation of an 8,000-gallon AST fueling system split into two products (unleaded and diesel), including four dispensers, piping, two fill boxes, instrumentation, and an upgrade to the existing monitoring system. Provided bid and construction services, such as preparing and distributing contract documents, reviewing shop drawings, developing responses to requests for information, attending job conferences, and providing a final punch list. Assisted the project manager in managing the bid and construction phases while meeting budget and schedule, coordinating with the client, and obtaining various permits from local, state, and federal regulatory agencies.

**Fullerton Water Filtration Plant Study, Baltimore, MD,** *City of Baltimore Department of Public Works.* Project Engineer assisting the project manager in meeting the budget and schedule and coordinating with subconsultants and the client. Collected existing data from different sources, designed site and facilities layouts, and provided pilot plant design, bid, and construction services. The study included the collection and review of existing data, surveying and field investigation, raw water supply management hydraulic model, distribution system impacts, and the development of treatment process alternatives. Also included were hydraulic configuration, initial site investigations, system integration needs, residuals management alternatives, design of bench experiments and pilot studies, site preparation, facilities design and construction, treatment process alternatives testing, benchtop experiments, communication and a report of findings, and conceptual design.



**Water Main Replacements, Bel Air, MD**, *Pennsylvania American Water*. Assistant Project Manager for designing the water main piping layout and profiles and for preparing drawings in AutoCAD in connection with the design of 1,150 LF of 12-inch water main in South Main Street and 800 LF of 12-inch water main in Churchville Road.

**Willoughby Beach Road Water Main Extension, Harford County, MD,** *Harford County Department of Public Works.* Project Engineer for designing 2,300 LF of 16-inch water main along Willoughby Beach Road and approximately 1,200 LF of 16-inch water main along Edgewood Road. The design included piping layout and profiles and erosion and sediment pollution control plans. Prepared detailed plans for construction using AutoCAD. Assisted the project manager in meeting the budget and schedule, providing coordination with subconsultants and the client, and developing applications for various permits from local, state, and federal regulatory agencies.

**Arlington Pumping Station, Arlington, VA**, *City of Arlington*. Project Engineer for the design and construction-phase engineering of a 25-foot by 38-foot by 45-foot-deep sewage pumping station. The station was designed for cast-in-place construction with a masonry block building sitting above it. It includes two 5-foot by 11-foot wet wells and a 3-foot by 8-foot inlet cell.

**New Hanover Wastewater Treatment Facility Expansion, Montgomery County, PA**, *New Hanover Township.* Assistant Project Engineer for designing hydraulic processes including pipes, valves, pumps, weirs, and flow instruments based on hydraulic needs. Other responsibilities involved analyzing the processes based on drawings and specifications to calculate hydraulic profiles, system curves, and pump curves; preparing a cost estimate based on materials, equipment, and labor; and developing specifications and drawings in AutoCAD. Managed the design phase and provided construction services. The project included the design of oxidation ditches, clarifiers, a digester, a sludge-thickening building, a sludge-pumping station, a sludgestorage facility, and an ultraviolet channel.

**Force Main Design, FL**, *Confidential Client*. Civil Engineer for designing force main layout and profiles, including jack and bores, and preparing drawings in AutoCAD.

**Oaks Wastewater Treatment Plant Expansion, Oaks, PA,** *Lower Perkiomen Valley Regional Sewer Authority.* Assistant Project Manager for designing hydraulic processes including pipes, valves, pumps, weirs, and flow instruments based on hydraulic needs. The environmental facilities consisted of pump stations, primary and secondary clarifiers, disinfectant, and the utility water system. Other responsibilities involved analyzing the processes based on drawings and specifications to calculate hydraulic profiles, system curves, and pump curves; preparing a cost estimate based on materials, equipment, and labor; and developing specifications and drawings in AutoCAD. Also, for managing the final phase of design and coordinating with other disciplines and firms. Reviewed shop drawings and responded to requests for information during the construction phase.





#### Alternatives Design for Southeast Water Pollution Control Plant, Philadelphia, PA,

*Philadelphia Water Department.* Project Engineer performing flow alternatives evaluation. Responsibilities included development of hydraulic calculations and evaluation of various methods to convey flows into the scum troughs, including rehabilitation/replacement of scum troughs in the final clarifier tanks of the 112 mgd Southeast Water Pollution Control Plant.

**Lower Back River Neck Water Expansion, Baltimore County, MD,** *Baltimore County Department of Public Works.* Assistant Project Manager for designing water main piping layout and profiles, including fire hydrants and service connections, and for preparing drawings in AutoCAD. Also reviewed shop drawings and responded to requests for information during the construction phase.

**Aberdeen Proving Grounds Wastewater Treatment Plant, Aberdeen, MD**, *City of Aberdeen Department of Public Works*. Project Engineer for analyzing processes based on drawings and specifications and calculating hydraulic profiles, system curves, and pump curves. Also, for designing the blower storage and for preparing specifications for submittals and drawings in AutoCAD.

**Aberdeen Area Wastewater Treatment Plant Biological Nutrient Removal, Aberdeen, MD**, *City of Aberdeen Department of Public Works.* Project Engineer for designing piping for the perchlorate removal system on Wells No. 3, 8, and 9 and for preparing drawings in AutoCAD.

### **EXPERIENCE PRIOR TO GANNETT FLEMING:**

#### Shefayim Water Park, Israel

**Chief Engineer** for managing the Engineering Department at the largest water park in the Middle East. Responsibilities included maintaining and operating the water infrastructure and making sure of the proper functionality of all electrical infrastructure and communication systems. Additional tasks included negotiating contracts, supervising contractors, and making sure of compliance with all local standards issued by the State Health Department, State Environmental Agency, and Department of Labor.

**Assistant Engineer** to the Chief Engineer in managing the Engineering Department for the largest water park in the Middle East. Responsibilities included maintaining water infrastructure, performing regular maintenance of all park attractions, and supervising renovations and improvements on all facilities in the park.

#### **PROFESSIONAL AFFILIATIONS:**

Society of American Military Engineers (SAME) American Society of Civil Engineers (ASCE) Environmental and Water Resources Institute (EWRI)





## RESUME

American Water Works Association (AWWA) Water Environment Federation (WEF) Engineers Without Borders (EWB)

### FOREIGN LANGUAGE PROFICIENCY:

Hebrew (verbal and written)





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Gannett Fleming, Inc. Rutherford Plaza Building Suite 300 7133 Rutherford Road Baltimore, MD 21244-2718 Office: 443.348.2017 Fax: 410.298.3940 www.gannettfleming.com

#### **Expert Witness Testimony**

**Jesus House** Concerned Citizens of Cloverly Gannett Fleming (GF) Job No. 067070

#### March 30, 2020

Gannett Fleming (GF) has been retained by the Concerned Citizens of Cloverly to examine the provided documents regarding the preliminary plan of subdivision sought by Jesus House for a church and school facility at 15730 New Hampshire Avenue in Cloverly, MD.

It is GF understanding that the property in question had a sewer category change granted under Montgomery County Council Resolution 14-334 in 1999 and verified to be applicable to the new owners of the property, Jesus House, by the Montgomery County Department of Environmental Protection (DEP) in 2014. Resolution 14-334 stipulates an agreement to preserve the equivalent forested area, which would have been required for an on-site septic system if the sewer category change had been denied.

Further, it is GF understanding that Jesus House hired an engineer, Raztec Associates, Inc. (Raztec), to determine the required area of land to be set aside for forest conservation to meet the conditions of Resolution 14-334. The calculations performed by Raztec, dated June 25, 2014 and other documents that were developed by Raztec are provided in Appendix B.

It is GF professional opinion that the following regulations/guidance documents apply and should be used to design the hypothetical septic system.

- 1. Maryland Department of the Environment (MDE) Guidance on Wastewater Flows for Use in Designing On-Site Systems;
- 2. Code of Montgomery County Regulations (COMCOR) Chapter 27A Section 00.01 On-Site Water Systems and On-site Sewage Disposal Systems;
- 3. Code of Maryland Regulations (COMAR) Chapter 26 Section 04.02.05 Design and Construction of Conventional On-Site Sewage Disposal Systems; and
- 4. MDE Water Management Administration Wastewater Permits Program Guidelines for Large On-Site Sewage Disposal Systems with a Maximum Accumulative Flows ≥ 5000 Gallons per day (gpd).

MDE Guidance on Wastewater Flows for Use in Designing On-site Systems indicates the following peak flow rates for the proposed facilities:

•	Churc	h-Assembly Hall	
	0	Per Sanctuary Seat:	3 gpd per seat
	0	With Private Kitchen:	5 gpd per seat
	0	With a Commercial Kitchen:	10 gpd per seat
٠	Schoo	l	
	0	Without Food or Showers:	15 gpd per seat
	0	Add for Food:	5 gpd per seat
	0	Add for Showers:	10 gpd per seat

### Gannett Fleming

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Based on the above guidelines, and the information provided to GF, the following wastewater flows should have been used for the calculation:

- Church: 10 gpd per seat
- School: 30 gpd per seat

It is GF's understanding that a commercial kitchen should have been used for the church flow rate given that the church feeds the homeless and has banquets and overnight stays. Our understanding is different from Raztec, which assumed a warming kitchen. Additionally, Raztec stated in the calculation dated June 25, 2014 that the uses for the site are not simultaneous, and the highest daily use, which is the school use, should be used in the calculations. The on-site septic system should be sized to accommodate a potential maximum wastewater flow, and it is GF's understanding that the church has services on days that the school is in session, which indicates that the peak wastewater flow would be a combination of the wastewater from the two facilities.

GF performed calculations for both scenarios (refer to Appendix A), commercial kitchen and warming kitchen, and determined that the wastewater flow should be 26,500 gpd for a church with a commercial kitchen and 18,500 gpd for a church with a warming kitchen.

COMCOR 27A.00.01.08 paragraphs A.2.a. and A.2.b. read:

- a. All lots proposed for uses other than single family dwellings, for example, churches [...] must have sufficient area for the initial absorption area and at least three recovery absorption areas. The total absorption area must be at least 10,000 square feet of useable area per 500 gallons of water flow per day or enough area for the initial and three recovery absorption areas, whichever is greater [...] Conventional shallow trench absorption systems are only permitted when the projected water use is less than 500 gallons per day.
- b. When the total required absorption area exceeds 10,000 square feet for lots proposed for subdivision approval, including areas proposed or established as easements, each additional 10,000 square feet of absorption area or portion, must be established on 15,000-40,000 square feet or proportional area depending on percolation rates. See 27A.00.01.05K for specific criteria.

To determine the required absorptive area, a calculation must be completed based on 10,000 square feet per 500 gpd times the required multiplication factor (1.5 or 4.0 based on results of a percolation test) for each additional 500 gpd of flow, as well as a calculation based on layout for an initial absorption areas and three recovery absorption areas. Both calculations should have been completed to determine which area is larger. Additionally, results from a percolation test would determine which application rate should be used for the hypothetical system layout (ranging from 0.390 gallons per square foot per day – 0.177 gallons per square foot per day) in accordance with 27A.00.01.07G Table III.

### Gannett Fleming

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GF has performed calculations based on both scenarios, listed in COMCOR 27A.00.01.08 paragraph A.2.a, using the flow rates discussed above assuming the use of deep trenches for the layout, as shallow trenches are not to be used for flows in excess of 500 gpd. It is important to note that for flows in excess of 500 gpd with unfavorable site conditions, mound systems or other approved methods may need to be used and would require consultation with MDE and the Approving Authority as well as performing calculations requiring information beyond what was provided for our analysis. Refer to COMCOR 27A.00.01.05 paragraph J and COMCOR 27A.00.01.09 paragraph I. As such, at this point, we assumed deep trenches are appropriate, but the overall required area for on-site septic system might be different if another treatment system is required. However, based on our calculations for the hypothetical absorption area presented in Appendix A, the 10,000 square feet per 500 gpd with the minimum required multiplication factor (1.5) for each additional 500 gpd governed with regards to required acreage.

Assuming the best scenario (1.5 multiplication factor) for site conditions relating to septic systems, the land required for each use is presented below:

	Septic Units	Area
	(Wastewater flow/500 gpd)	(acre)
Church	32	10.90
School	21	7.12
Combined	53	18.14

The MDE Water Management Administration (WMA) Wastewater Permits Program Guidelines for Large On-Site Sewage Disposal Systems with a Maximum Accumulative Flows  $\geq$  5,000 Gallons per day, Section 5 paragraph D. states:

When projects encompass a primary use that generates proportionally large maximum daily flows on specific days of the week and significantly less flow on other days, flow equalization may be applied. Churches, sports arenas, and fairgrounds may be examples of this type of use. The appropriateness of incorporating flow equalization will be considered on a case-by-case basis in consultation with the WMA Onsite Systems Division. Storage requirements for flow equalization should be calculated using a graphical approach where the cumulative inflow volume is plotted verses time [...]

The size of this hypothetical onsite treatment system would have required approval through MDE and based on the above, it is apparent that the combined use would be considered the peak flow unless consultation with the Onsite Systems Division had occurred and approval of a flow equalization was granted.

### Gannett Fleming

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In conclusion, based on the information provided to GF regarding the Jesus House septic system, it is our professional opinion that in order to satisfy Resolution 14-344, the applicant and their engineer should have been required to provide a design for a permittable on-site system. Without performing a percolation test and soil analysis during the time the calculation was performed for the proposed site, and without approval of the treatment method through MDE, it would have been impossible to determine the required system layout. Additionally, it is our professional opinion that the wastewater flow from the two facilities on the property in question should be combined as both could be in use on any single day which would be the maximum daily peak flow. Further, based on hypothetical system, and the information provided to us, our analysis of the proposed system indicates that a minimum of 18.14 acres should be preserved as the equivalent forested area to comply with the covenant set forth in Resolution 14-334.



Appendix A Supporting Calculations



Subject	Septic System	n Sizing Calculati	on - Commercial Kitchen
<b>Job No.</b> 67070		Project	Jesus House
Ву	SNT	Date	3/24/2020
Checked	EL	Date	3/30/2020

Facility Information:		
Church	1,600 seats	Based on Raztec's calculations dated June 25, 2014
School	350 students	Based on Raztec's calculations dated June 25, 2014

Per Maryland Department of the Environment (MDE) Guidance on Wastewater Flows for Use in Designing On-site Systems:

Church - Assembly Hall		
Per Sanctuary Seat	3 gpd per seat	
With Private Kitchen	5 gpd per seat	
With a Commercial Kitchen	10 gpd per seat	
School & Colleges (per student)		
Without Food or showers	15 gpd per seat	
Add for food	5 gpd per seat	
Add for showers	10 gpd per seat	
TOTAL	30 gpd per seat	

Church	16,000 gr	gpd	No. of seats x ww flow for a church with a commericial kitchen
School	10,500 gr	gpd	No. of students x ww flow for a school with food and shower
TOTAL	26,500 gr	gpd	

### Per COMCO 27A.00.01.08

10,000 SF per 500 gpd OR enough area for initial and three recovery adsorption areas, whichever is greater

If total adsorption area > 10,000 SF, each additional 10,000 SF or portion, must be established on 15,000 to 40,000 SF depending on Perc Rates

#### Area Required

#### Based on 10,000 SF/500 gpd and 15,000 SF/additional 500 gal units

Septic Units (ww			
	flow/500 gpd) Area		
Church	32	10.90	
School	21	7.12	
Combined	53	18.14	

#### Based on Required area for initial and three recovery adsorption areas

Assume best case scenario for percolation rate - Maximum application rate of 0.39 gal/SF Per COMCOR 27A.00.01.07G

Minimum Area per best case application rate

	Area (SF) (ww flow/0.39)	Area (ac)
	110W/0.59)	
Church	41,026	0.94
School	26,923	0.62
Combined	67,949	1.56

For this exercise 3 ft wide x 3 ft deep x 500 feet long trenches spaced 15 feet on center were used

Absorption area per trench4,500 SFNumber of deep trenches required (Area/Absorption Area)Church9.12School5.98

Combined 15.10

Area Required for first field plus 3 additional adsorption fields

\*Spacing between adsorption areas must be 50 feet per Per COMCOR 27A.00.01.08

Area Between Fields 1.72 ac

		Area/Field	Total Minimum
	Area/Field (SF)	(ac)	Area of 4 fields
Church	62,376	1.43	7.45
School	38,872	0.89	5.29
Combined	107,248	2.46	11.57

### Per COMCOR 27A.00.01.08.A.2., the greater of the two areas governs.

	Septic Units	Area (ac)
Church	32	10.90
School	21	7.12
Combined	53	18.14



Subject	Septic System	Septic System Sizing Calculation - Warming Kitchen		
Job No.	67070	Project	Jesus House	
Ву	SNT	Date	3/24/2020	
Checked	EL	Date	3/30/2020	

<b>Facility Information:</b>		
Church	1,600 seats	Based on Raztec's calculations dated June 25, 2014
School	350 students	Based on Raztec's calculations dated June 25, 2014

Per Maryland Department of the Environment (MDE) Guidance on Wastewater Flows for Use in Designing On-site Systems:

Church - Assembly Hall		
Per Sanctuary Seat	3 gpd per seat	
With Private Kitchen	5 gpd per seat	
With a Commercial Kitchen	10 gpd per seat	
<u>School &amp; Colleges (per student)</u>		
Without Food or showers	15 gpd per seat	
Add for food	5 gpd per seat	
Add for showers	10 gpd per seat	
TOTAL	30 gpd per seat	

#### Proposed Wastewater Flow in Gallons per Day

Church	8,000	gpd	No. of seats x ww flow for a church with a commericial kitchen
School	10,500	gpd	No. of students x ww flow for a school with food and shower
TOTAL	18,500	gpd	

### Per COMCO 27A.00.01.08

10,000 SF per 500 gpd OR enough area for initial and three recovery adsorption areas, whichever is greater

If total adsorption area > 10,000 SF, each additional 10,000 SF or portion, must be established on 15,000 to 40,000 SF depending on Perc Rates

#### Area Required

#### Based on 10,000 SF/500 gpd and 15,000 SF/additional 500 gal units

	Septic Units (ww	
	flow/500 gpd)	Area (ac)
Church	16	5.39
School	21	7.12
Combined	37	12.63

#### Based on Required area for initial and three recovery adsorption areas

Assume best case scenario for percolation rate - Maximum application rate of 0.39 gal/SF Per COMCOR 27A.00.01.07G

### Minimum Area per best case application rate

	Area (SF) (ww flow/0.39)	Area (ac)
Church	20,513	0.47
School	26,923	0.62
Combined	47,436	1.09

For this exercise 3 ft wide x 3 ft deep x 500 feet long trenches spaced 15 feet on center were used

Absorption area per trench 4,500 SF

Number of deep trenches required (Area/Absorption Area)Church4.56School5.98Combined10.54

<u>Area Required for first field plus 3 additional adsorption fields</u> \*Spacing between adsorption areas must be 50 feet per Per COMCOR 27A.00.01.08

Area Between Fields 1.72 ac

		Area/Field	Total Minimum
	Area/Field (SF)	(ac)	Area of 4 fields
Church	28,188	0.65	4.31
School	38,872	0.89	5.29
Combined	73,060	1.68	8.43

Per COMCOR 27A.00.01.08.A.2., the greater of the two areas governs.

	Septic Units	Area (ac)
Church	32	5.39
School	21	7.12
Combined	53	12.63

Appendix B Provided Documents



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Date: June 25, 2014

Revised: November 9, 2016- Updated December 24, 2019

Project: RCCG-Jesus House- Analysis of Hypothetical Septic System

Data:

1. Proposed Seats: 1,600 Seats

2. School: 350 Students, K-12

Regulations/Requirements:

1. 10,000 square feet of septic area for each 500 gallons of water flow per day.

2. Church Use with warming Kitchen: 5 Gallons Per Day (GPD)/Seat

3. Septic trenches are laid out based on topography. Therefore the amount of space required for a septic system is also dependent on topography.

4. Each additional 10,000 square feet of absorption area or portion must be established on 15,000-40,000 square feet or proportional area depending on percolation rates.

School Requirement- Based on Maryland Department of The Environment (MDE), Memorandum of June 27, 2011. Subject: "Decision Framework for Evaluating Project Flows Utilizing On-Site Systems".

Schools (Per Student)

No food or showers-15 GPD/Studentadd for food5 GPD/Studentadd for showers10 GDP/Student

15 GPD + 5 GPD (Kitchen) + 10 GPD (Showers) = 30 GPD

CALCULATIONS:

1. Determine the required gallons per day based on a 1,600 seat church with a warming kitchen;

5 GPD/seat x 1,600 seats = 8,000 GPD

Determine the area of septic required, based on 10,000 square feet of septic area for each 500 GPD of water flow.

8,000 GPD/500 = 16 x 10,000 = 160,000 Square Feet (3.67 Acres)

2. Determine the required gallons per day based on a 350 Students;

30 GPD/student x 350 students = 10,500 GPD

Determine the area of septic required, based on 10,000 square feet of septic area for each 500 GPD of water flow.

10,500 GPD/500 = 21 x 10,000 = 210,000 Square Feet (4.82 Acres)

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<u>Conclusion</u>: Since the uses for the site are not simultaneous, then the highest daily use will be used. In this case that is for the school use. Therefore, 4.82 acres of existing forest area will be preserved to satisfy the existing sewer category change.



PROFESSIONALS' REVIEW STATEMENT

I CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NUMBER:22742. EXPIRES: JUNE 15, 2020



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December 27, 2019

Mr. Ryan Sigworth MNCPPC 8787 Georgia Avenue, Silver Spring, MD. 20910

RE: RCCG Jesus House, Preliminary Plan # 120160040

Dear Mr. Sigworth

We would like to provide further clarification on questions that have been raised regarding the calculations for the septic and public sewer, as follows;

#### SEPTIC ISSUES

- 1. In accordance with Montgomery County Department of Permitting Services' (MCDPS) standard practice, septic calculations are based on the use of the property that is the largest sewage usage. In the case of this project, the calculations show the largest use to be the proposed school use. The school use is for 350 students and associated staff. The Maryland Department of Environment (MDE) requires 15 Gallons Per Day (GPD) per student for general school use, an additional 5 GPD per student for food (with warming kitchen), and 10 GPD per student for showers (which has been included in the calculations even though it has not yet been confirmed that this school use will, in fact, have showers). Based on these numbers, the total use would be 30 GPD per student. The calculations therefore show that the total use would generate 10,500 GPD (30 GPD x 350 students). Since the minimum land area required for septic is 10,000 square feet for every 500 GPD, the calculations show an area of 210,000 square feet would be required, equivalent to 4.82 acres. This calculation is based on guidelines provided by MCDPS titled "Well and Septic Guidelines for Commercial and Large Septic System Design," under Basic Requirements, note 2.
- 2. In regards to the question of whether the calculations should also include a septic reserve area, it is reasonable to conclude that the 4.82 acres would be more than sufficient to also accommodate any reserve drainfields. Although MCDPS is not requiring full design of a septic system for this project, which would involve percolation testing to determine the precise length of septic trenches needed, soil testing and a Geotechnical Infiltration Report provided by Professional Consulting Corporation (PCC) on November 28, 2016, for stormwater management purposes predict a favorable outcome were percolation testing to be performed. Of the six test holes dug for that analysis, all were free from groundwater during drilling. After 24 hours two of the test holes were still free from groundwater and, of the remaining four holes, one hole had groundwater at

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eleven feet (11') deep, two test holes had ground water at fourteen feet (14') depth, and one test hole had groundwater depth of eighteen feet (18'). Furthermore the infiltration tests showed very good results, where all the test holes infiltrated above acceptable ranges, ranging from 1.38 inches/hour to 3.91 inches/hour over a four hour average range. These results suggest that deeper and shorter trenches could be used for a septic system on the property, minimizing any reserve areas. Additionally, as has been acknowledged by MCDPS, the 4.82 acre area is, in fact, conservative because the calculations are based on outdated flow numbers that do not account for today's low-flow fixtures, etc. As noted above, the actual school may also not even include showers, which have been included in the calculations at this point to ensure they represent the most intensive use, and the GPD includes evening activities and staffing.

3. In regards to this project, the proposed forest conservation area set aside to be placed in a category 1 forest conservation easement is 5.86 acres. Based on the above septic calculations, 4.82 acres of this area would need to be retained as required by the County Council action approving the sewer category change. This part of the site is wooded with acceptable topography for a septic field. Septic systems are generally placed on topography with slopes below 25% and the topography in this part of the site is well below 25%, and free from any natural bodies of water.

### PUBLIC SEWER ISSUES

4. In response to questions regarding the sewer use information shown on the <u>Development By Uses</u> table on the Hydraulic Planning Analysis Plan that was submitted to WSSC, please note that these numbers are based on WSSC code for the uses proposed by this project, namely, sanctuary and school. The actual sewer calculations are performed by WSSC. In our most recent conversations with WSSC, we have confirmed that it is WSSC's policy to perform their analysis based on a cumulative use for this site, which is in contrast to the septic calculation requirements, which are based on the largest use (not cumulative use) as required by MCDPS, Well and Septic Division. Attached please find e-mail from WSSC confirming our conversation.

Should you have any further questions or comments, please contact this office at (301)775-4394

Yours Truly, Raztec Associates, Inc.

Mike Razavi, P.E.

341 West Patrick Street, Frederick, MD. 21701. Tel(301)775-4394 mike@raztecengineers.com

#### mike@raztecengineers.com

From: Sent: To: Subject: Atencio, Art <Art.Atencio@wsscwater.com> Monday, November 25, 2019 2:08 PM MIKE RAZAVI RE: RCCG Jesus House- DA6224Z17

Mike,

As is typical procedure for an HPA we simply add all average daily flows from various uses.

art



Art Atencio Project Manager, DSD 301.206.8816 (O) art.atencio@wsscwater.com

From: MIKE RAZAVI <mike@raztecengineers.com>
Sent: Monday, November 25, 2019 9:42 AM
To: Atencio, Art <Art.Atencio@wsscwater.com>
Cc: Erin Girard <egirard@milesstockbridge.com>; Abimbola Fasosin <bimfash@hotmail.com>
Subject: re: RCCG Jesus House- DA6224Z17

#### **EXTERNAL EMAIL!**

Art

The HPA for this project was approved some time ago. The project is currently being reviewed by others and contested by citizens, so they staff at MNCPPC is looking for calculations related to HPA which WSSC would have done. They are essentially trying to see if the flow for various uses for the church project, being church use and school use were calculated as separate items or together.

If you can please call me to discuss further.

Thanks

Mike Razavi, PE (301) 775-4394



**Civil Engineers** 

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