Submission No. 1

Memorandum of David W. Brown at Knopf & Brown
To Montgomery County Planning Board
Dated 6/2/17
w/Six Exhibits (totaling 46 pages)

For Concerned Citizens of Cloverly
Opposition of Jesus House, LLC construction

LAW OFFICES OF

Knopf & Brown

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WRITER'S DIRECT DIAL

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

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:

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10,500/500 = 21 and 21 \times 10,000 sq. ft. = 210,000 sq. ft. = 4.82 acres
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Id.

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.

Id. 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"? <u>Id</u>. Mr. von Gunten's response, quoted above, was a reference back to the "narrative" that had been provided by the Applicant. <u>Id</u>. 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.¹

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.

¹ 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 warming 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 $350 \times 30 = 10,500 \text{ gal/day}$.
- 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.² 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

² 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. 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

Petitioners would not be filing this Petition if they were not convinced that, upon appraisal of all the evidence, not just self-serving statements by the Applicant's engineer—who declined to put his name and credentials behind his calculations – the Board will conclude that the proffered set aside of 4.82 acres is, by a significant margin, too small.

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

³Nor 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. Warming Kitchen. 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

Isiah Leggett
County Executive

Diane R. Schwartz Jones

Director

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

April 24, 2017

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



- 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 MNCPPC. Any revision of the preliminary plan approval would need to originate with MNCPPC.

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 basically 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 = $(1 \times 10,000sf) + (20 \times 10,000sf \times 2.75) = 560,000sf$ 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 From: Soukup, Alan

Sent: Thursday, February 16, 2017 5:11 PM

To: Flemming, Jason < Jason Flemming@montgomerycountymd.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



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

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

EXHIBIT 3

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



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 von Gunten @montgomery countymd.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 \$ acres. It seems the Council staff cannot find minutes to support that claim.

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

Allow me to explain:

- 1. 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).
- 3. 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.
- 4. 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

- 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 $350 \times 30 = 10,500 \text{ gal/day}$.
- 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 4.32 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.

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

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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:



Sat Apr 1, 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 Bldg 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 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 Bldg 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 Biazo Conference held in the month of April - Guest Speakers and other

anointed men of God.

All day Ministering-Dr. Jasmin Sculark

Sun Apr 2, 2017 - Mon Apr 3, 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 lst Sunday monthly. Sunday school classes hold at 7.30 am and 11.30 am respectively. ABible Study interaction.

EXHIBIT 5

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

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 4, 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 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 cali:

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

fullonited their 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?hceid=bWtva3Vtb0BqZXN1c2hv

Where: The Main Sanctuary

Calendar: mkokumo@jesushousedc.org

Description: Biazo 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 and other 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 Saturday.

5pm - 7pm Levites

Where: Seminar Room #2 - 921 Bldg 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 Biazo Conference held in the month of April - Guest Speakers and other anointed men of God.

All day Ministering-Pastor Tola Odutola

Sun Apr 9, 2017 - Mon Apr 10, 2017

Video cali:

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

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 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/mkokumo?hceid=bWtva3Vtb0BqZXN1c2hv

Where: The Main Sanctuary

Calendar: mkokumo@jesushousedc.org

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

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 Biazo Conference held in the month of April - Guest Speakers and other 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://pius.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

7pm - 9:30pm Alpha Course - begins

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 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 Biazo 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?hceid=bWtva3Vtb0BqZXN1c2hv

Calendar: mkokumo@jesushousedc.org

7pm - 10pm Midweek Service

Video call:

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

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 - 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 andother anointed men of God.

All day Good Friday

Fri Apr 14, 2017 - Sat Apr 15, 2017

Video call:

https://plus.google.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?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 Saturday.

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 - 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: Biazo 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 call:

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

Calendar: mkokumo@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.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 - Ministration by our very own - PastorGhandi

Olacye

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

All day Office Closed - Easter Monday

Mon Apr 17, 2017 - Tue Apr 18, 2017

Video call:

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

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 18, 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 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 to attend. 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?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 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?hceid=bWtva3Vtb0BqZXN1c2hv

Where: The Main Sanctuary

Calendar: mkokumo@jesushousedc.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 Biazo 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 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.

6pm - 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: Biazo 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 Blazo 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 Bldg 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 the month.

10am - 2pm HBN/DLI Seminar

Video call:

https://plus.google.com/hangouts/_/jesushousedc.prg/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?hceid=bWtva3Vtb0BgZXN1c2hy

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. 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 lst 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

Calendar: mkokumo@jesushousedc.org

Description: Blazo 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=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-Dr. Mensa Otabil

Mon Apr 24, 2017 - Tue Apr 25, 2017

Video call:

https://plus.google.com/hangouts/_/jesushousedc.org/mkokumo?hceid=bWtva3Vtb0BgZXN1c2hv

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

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

All day Ministering-Dr. Mensa Otabil

Tue Apr 25, 2017 - Wed Apr 26, 2017

Video call:

https://plus.google.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: Biazo 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/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.

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

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.

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. George Adegboye.

Fri Apr 28, 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 and other 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@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 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 Saturday.

10am - 3pm TLC Street Evangelism

Video call:

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

Where: Outside Location

Calendar: mkokumo@jesushousedc.org

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

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: Blazo 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

Calendar: 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. George Adegboye

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?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 2, 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?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=bWtva3Vtb0BqZXN1c2hv

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.

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 Friday of 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

womb - holds every Saturday.

5pm - 7pm Levites

Where: Seminar Room #2 - 921 Bldg 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

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 1st Sunday monthly. Sunday school classes hold at 7.30 am and 11.30 am respectively. ABible Study interaction.

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

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; Ignite Service:

10am-11.30am; Celebration Service: 12noon-2pm

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

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

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 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 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 toattend. Dinner will be served.

Wed May 10, 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 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 Jesus Women Dinner

Fri May 12, 2017 - Sat May 13, 2017

Video call:

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

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 Bldg 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 Levites

Where: Seminar Room #2 - 921 Bldg Upstairs

Calendar: mkokumo@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 every lst 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.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 to attend. 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 Clinic

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/hangouts/_/jesushousedc.org/mkokumo?hceid=bWtva3Vtb0BqZXN1c2hv

Where: Outside Location

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

.9am - 11am Joyful Wothers

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 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 cali:

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 Adebove 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 cali:

https://plus.google.com/hangouts/_/jesushousedc.org/mkokumo?hceld=bWtva3Vtb08qZXN1c2hv

Where: Outside Location

Calendar: mkokumo@jesushousedc.org

Description:

Wedding Ceremony for Ms.Bunmi Akintonde & Fiance to be held at the Largo

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 1st 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=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

Mon May 22, 2017

7pm - 8pm Children of Issachar

Where: Seminar Room #2 - 921 Bldg Upstairs

Calendar: mkokumo@jesushousedc.org

Description: Prayer Meeting group every Monday

Tue May 23, 2017

7pm - 9pm Choir Rehearsal

Where: Main Sanctuary

Calendar: mkokumo@iesushousedc.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 Bldg 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

Video cali:

https://plus.google.com/hangouts/_/jesushousedc.org/mkokumo?hceid=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 1st 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=bWtva3Vtb0BgZXN1c2hv

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 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?hceid=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

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 to attend. Dinner will be served.

Wed May 31, 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.

Submission No. 2

Report of RENEE CHEN
Covering Statement w/Nine Exhibits
(Total of 57 pages)
Dated 12/31/19

For Concerned Citizens of Cloverly
Opposition of Jesus House, LLC construction

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 3**
- Holy Communion Service on first Wednesday of each month. **EXHIBIT 2 page 7**
- Alpha on Tuesdays. **EXHIBIT 3 page 9**
- JHDC Prayer & Praise Night on first Friday of each month. **EXHIBIT 4 page 12**
- Prayerathon for seven straight days, 24 hours per day. **EXHIBIT 5 page 18**
- Friday night movies. **EXHIBIT 6 page 26**
- Annual Biazo events. **EXHIBIT 7 page 30**
- Holiday events. **EXHIBIT 8 page 36**
- A list of past events. **EXHIBIT 9 page 37**

Jesus House DC also promotes weekday events at the church described below.

- A Google search for "Jesus House DC schedule" shows Tuesday events listed through the end of the year. **EXHIBIT 10 page 41**
- Jesus House DC hosts a Toastmasters International meeting two Mondays each month that is advertised on Toastmasters' website and Jesus House DC Facebook page.
 EXHIBIT 11 – page 42
- Email directly from Jesus House DC promoting Promise Kids Bible Club that meets on Fridays in the Children's Church Building. **EXHIBIT 12 page 44**
- Hard copy information obtained at Jesus House DC displays regular events every Tuesday and Wednesday. EXHIBIT 13 – page 45
- 2019 calendar from Jesus House DC Members Portal website confirms weekday activities above. **EXHIBIT 14 page 47**

Lastly, Jesus House DC operates an unadvertised chiropractor business on their premises.

- US Business listing chiropractic services at "Jesus House" with address 919 Philadelphia Avenue, Silver Spring, MD 20910. EXHIBIT 15 – page 53
- Infofree.com business profile of Jesus House DC showing they have run a chiropractic business on premises for 3 to 5 years, with up to four employees, and an annual income of up to \$500,000. **EXHIBIT 16 page 55**

EXHIBIT 1









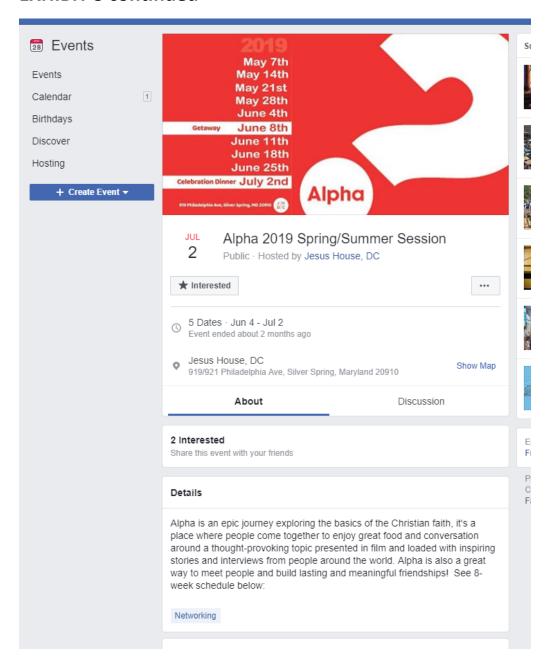
EXHIBIT 2





EXHIBIT 3





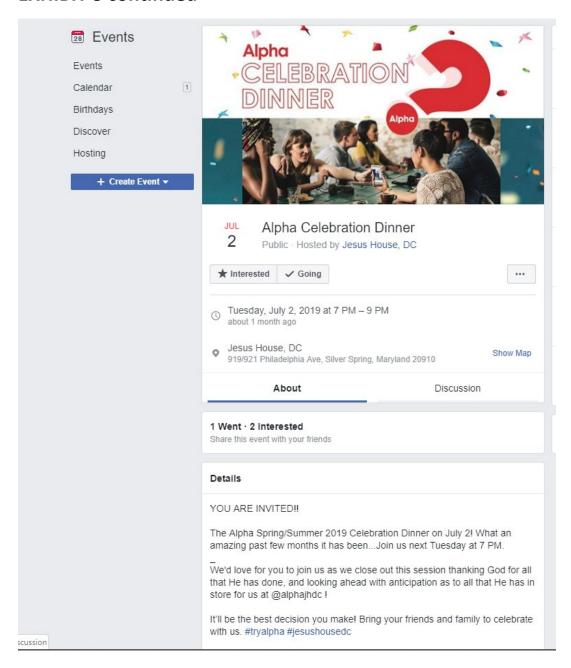


EXHIBIT 4







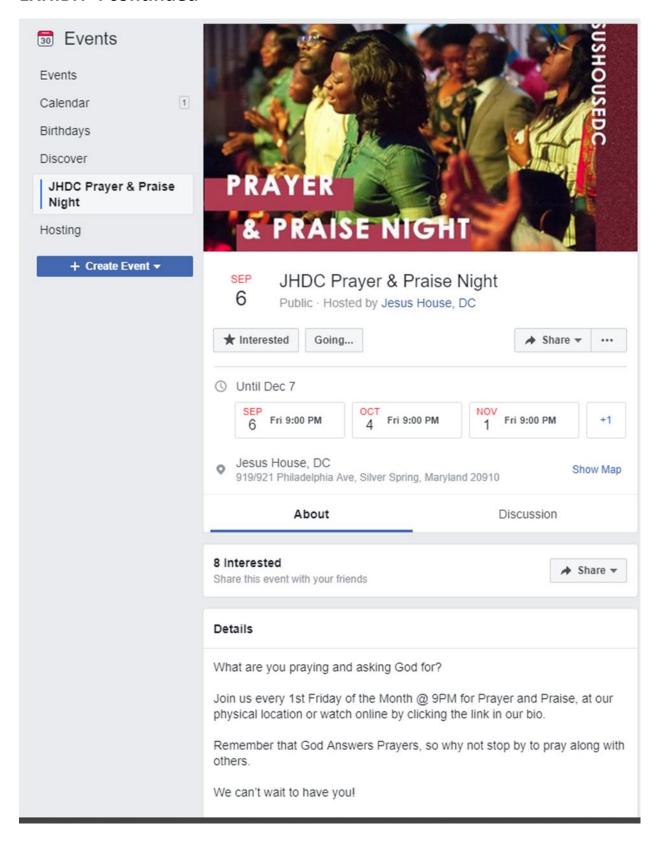






EXHIBIT 5







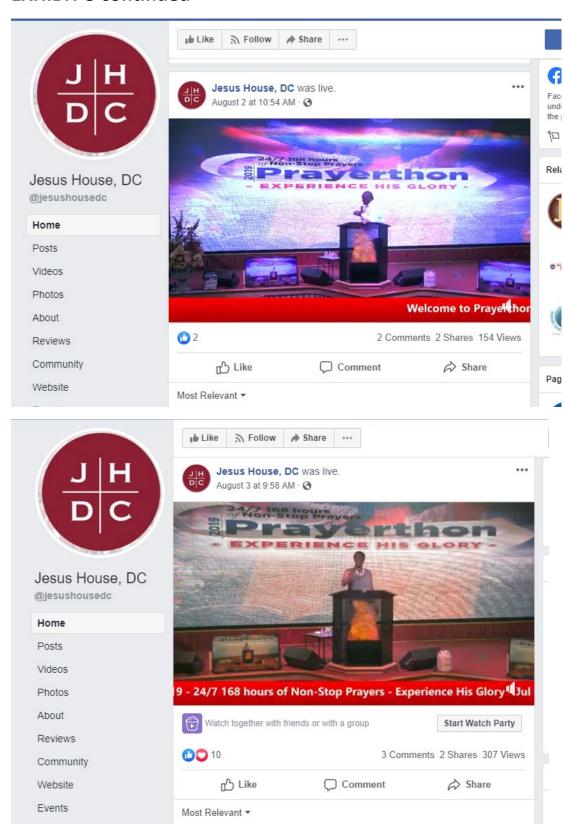






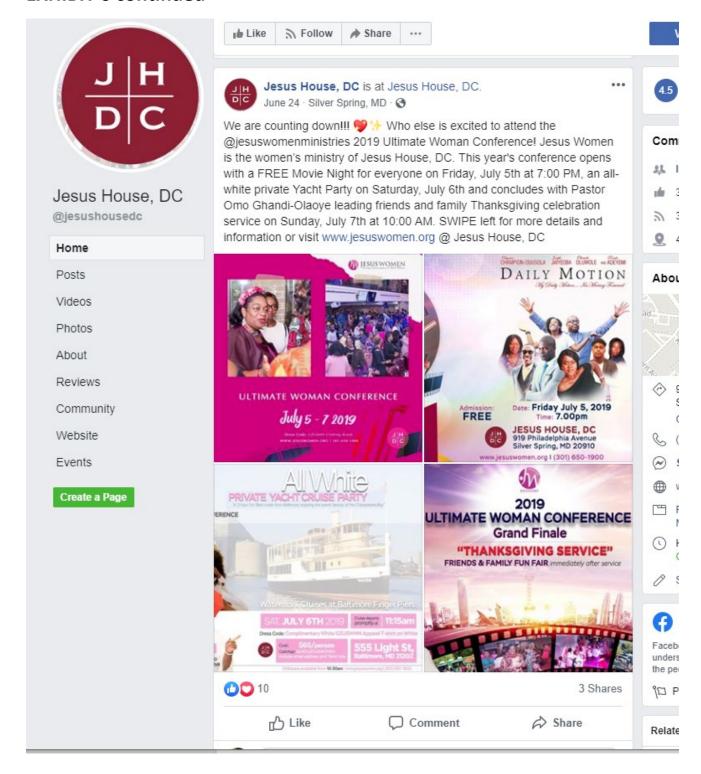




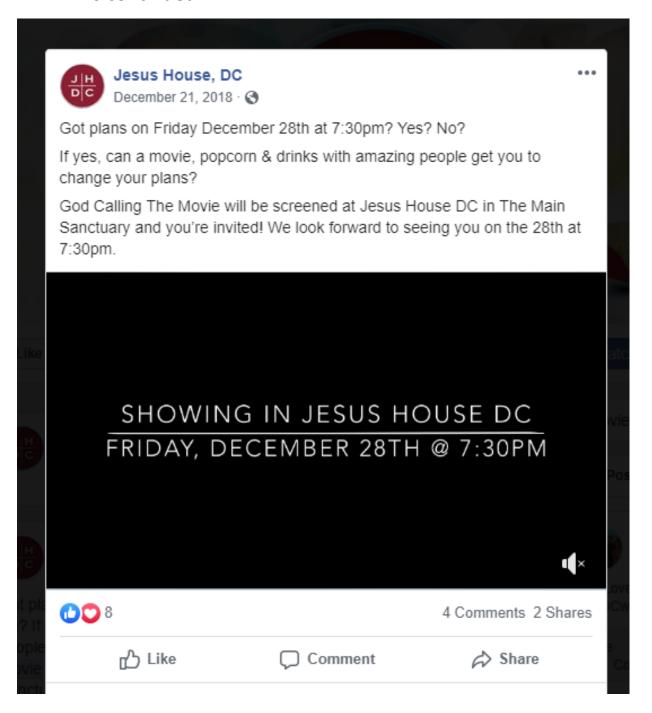








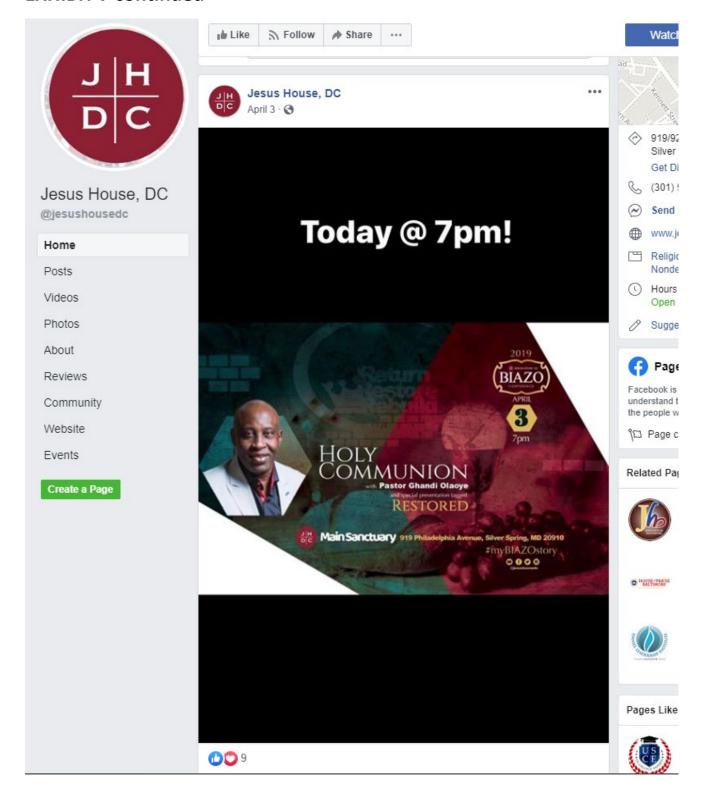


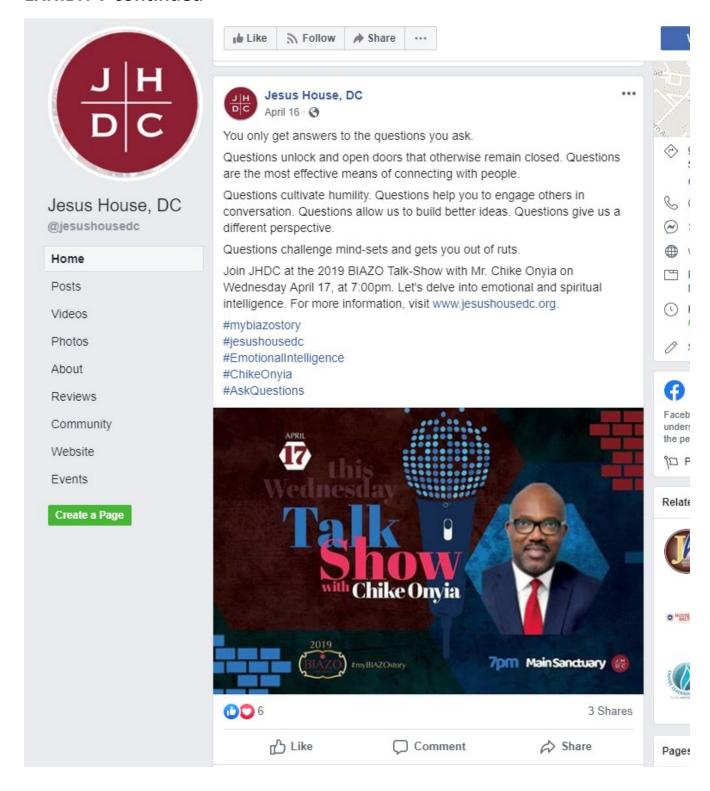






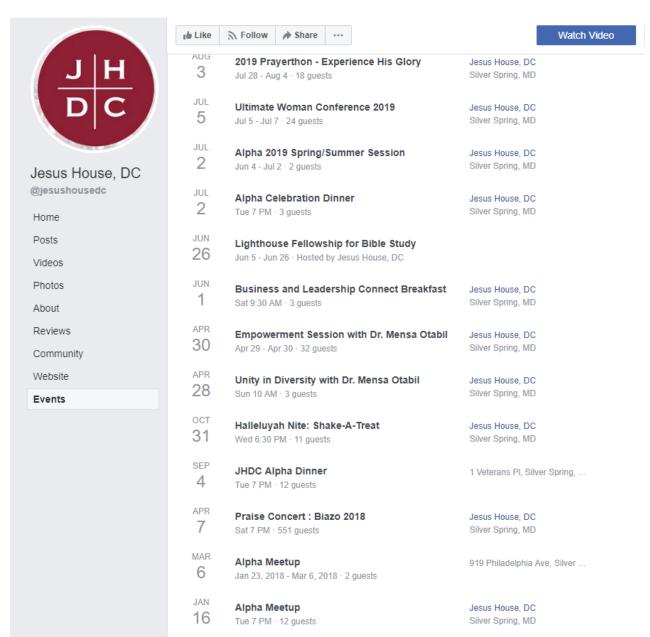






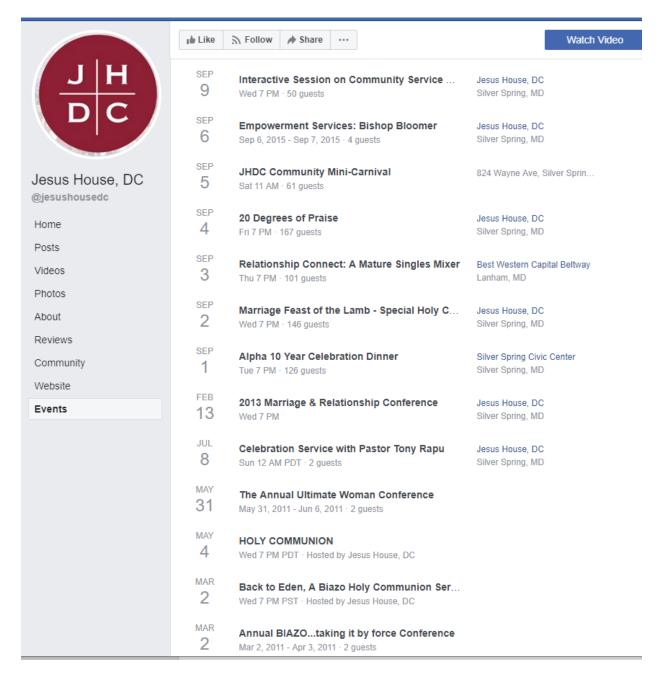


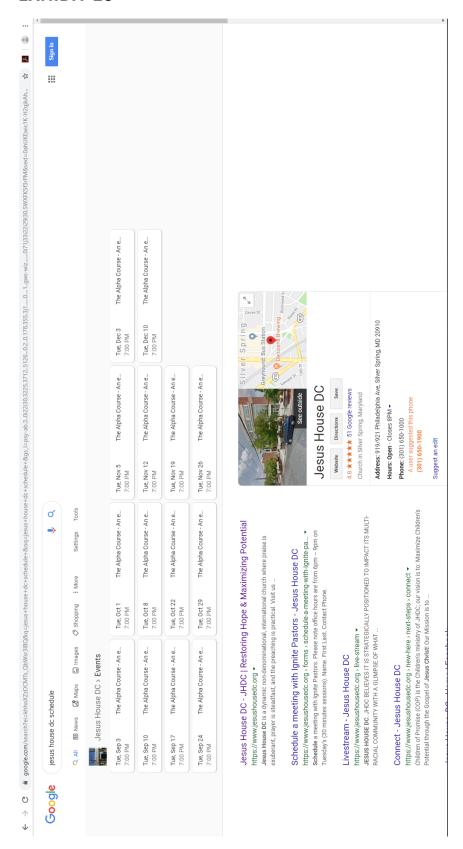


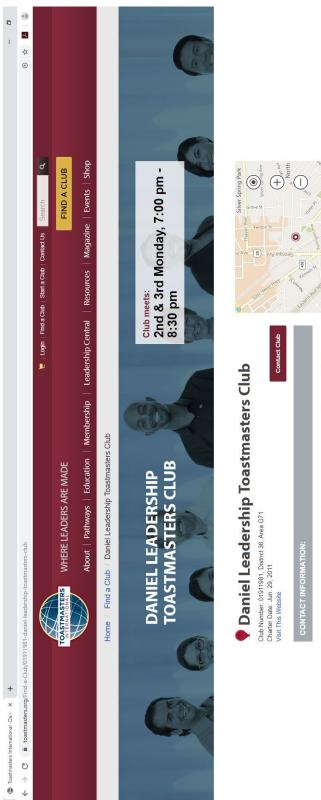


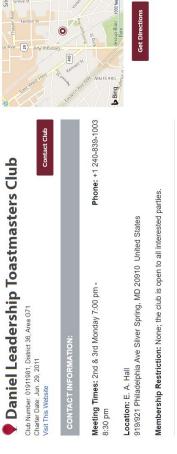












Visiting for the First Time?

Share

EXHIBIT 11 continued



Comment

Like

Dear Parents,

Hope your week has been a blessing.

On behalf of Children of Promise Ministry of Jesus house DC, we are excited to inform you that our **Promise Kids Bible Club (PKBC)** will begin officially for this year on Friday, November 8, 2019.

About PKBC:

PKBC is a formal, exciting, rewards-based program that will introduce your children to the word of God while teaching them practical life skills, behavior, and attitudes required for success in a loving, fun-filled environment. We implement the Mpact Girls and Royal Rangers (for boys) curriculum, a national bible study program implemented by a network of churches. The children are grouped, according to gender and age/grade, into the following club rooms:

- Rainbows: Boys and girls ages 3 through 5 years
- Ranger Kids: Boys in Kindergarten through 2nd grade
- Daisies: Girls in Kindergerten
- Prims: Girls in 1st and 2nd grades
- Discovery Rangers: Boys in 3rd through 5th Grade
- Stars: Girls in 3rd through 5th Grade
- Friends: Middle School Girls and Up

When we meet: Fridays, 7:00pm - 8:30pm

Where we meet: JHDC Children's Church Building

Membership Fees: \$30/year for registration + \$40 for uniforms

Additional Costs: Parents maybe required to pay for field trips and other events/programs organized for the children.

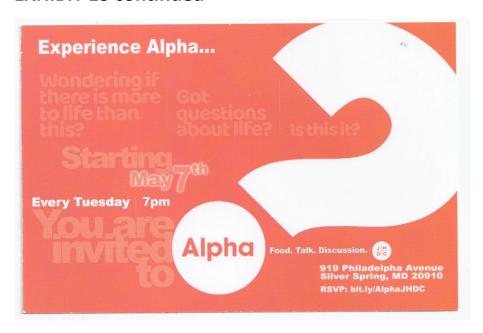
Registration forms is available in the Children's Church office or download attached registration form or fill the <u>form</u> online and submit to Children's Ministry office upon completion. **Full payment is due at the time** of registration (\$70 for NEW membership: registration + uniform.

\$30 for returning members).

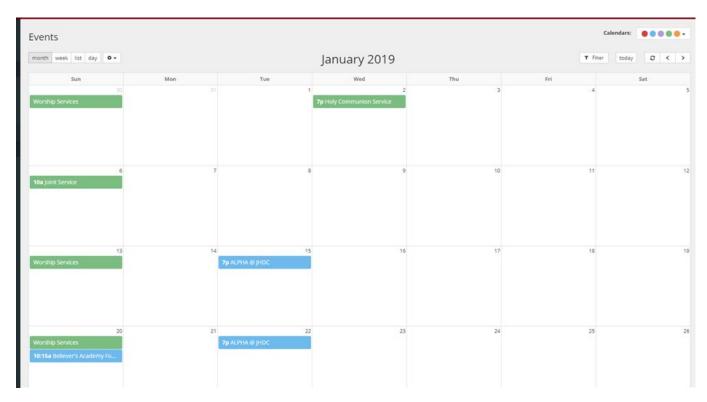
For more information, please contact Children's Ministry Office.

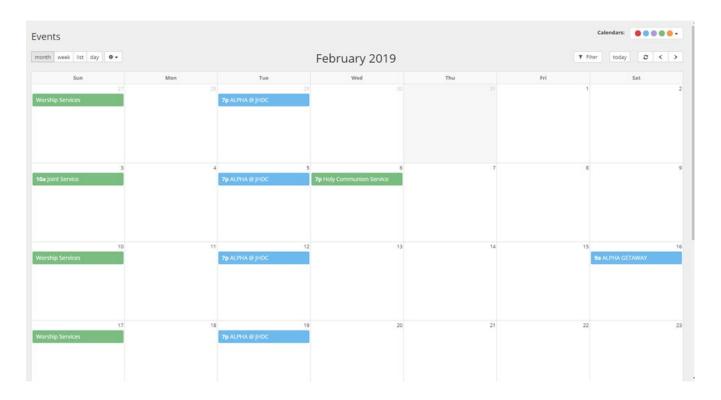
You can watch our 2018/2019 Highlights here

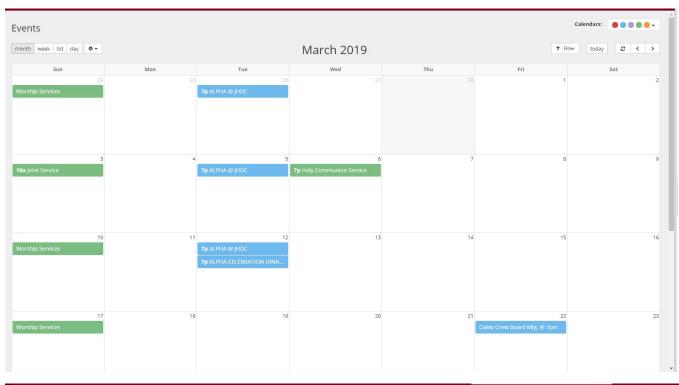


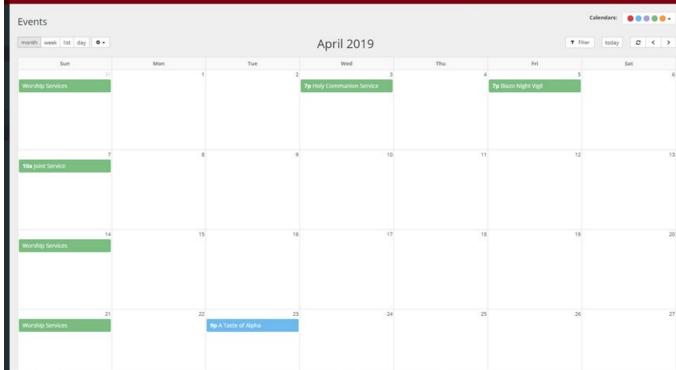


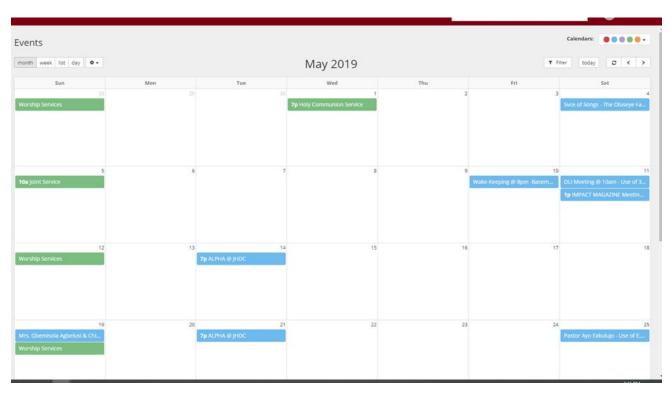


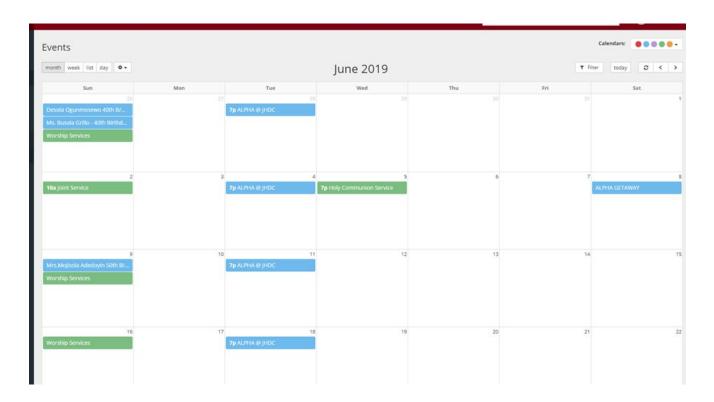


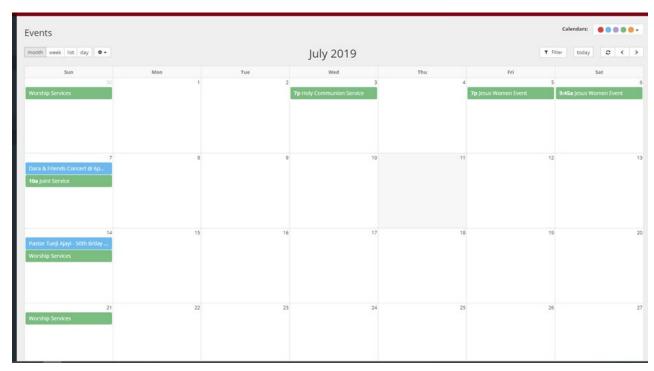


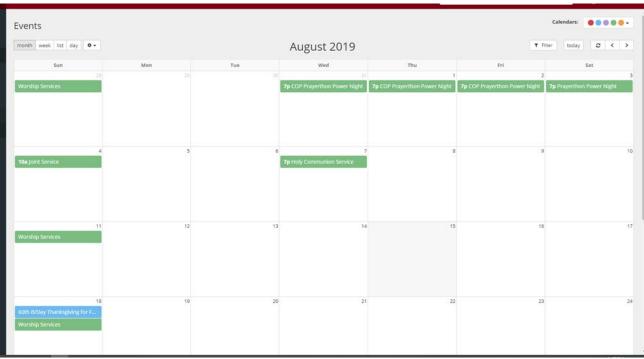


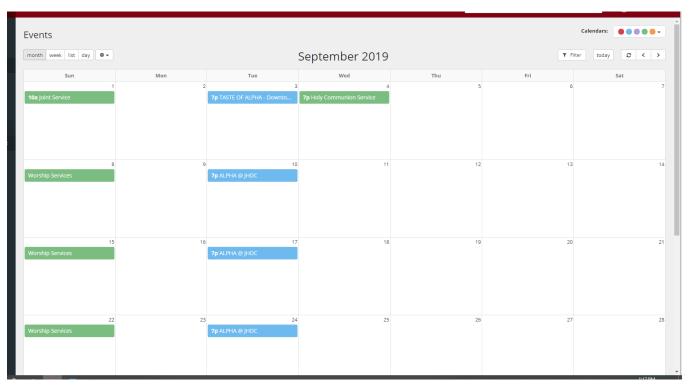


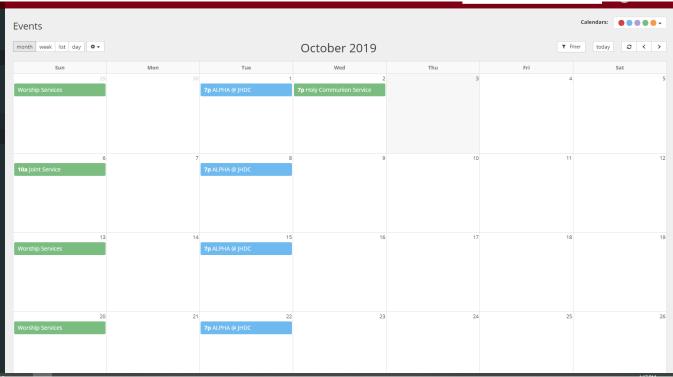


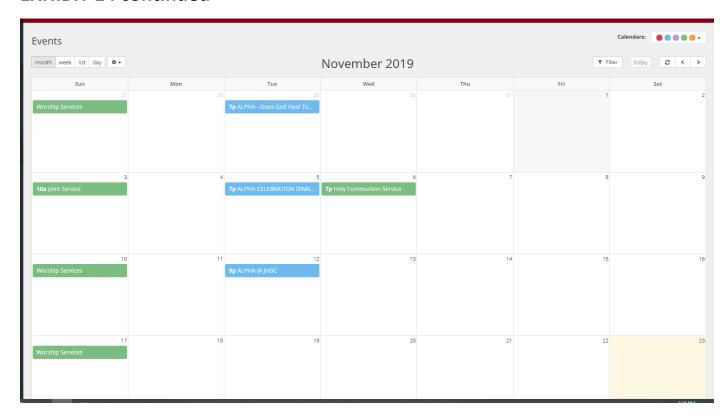


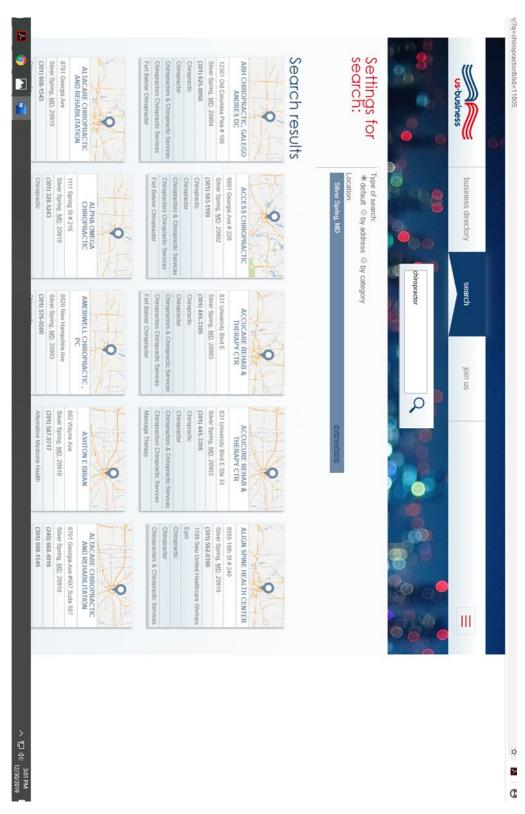




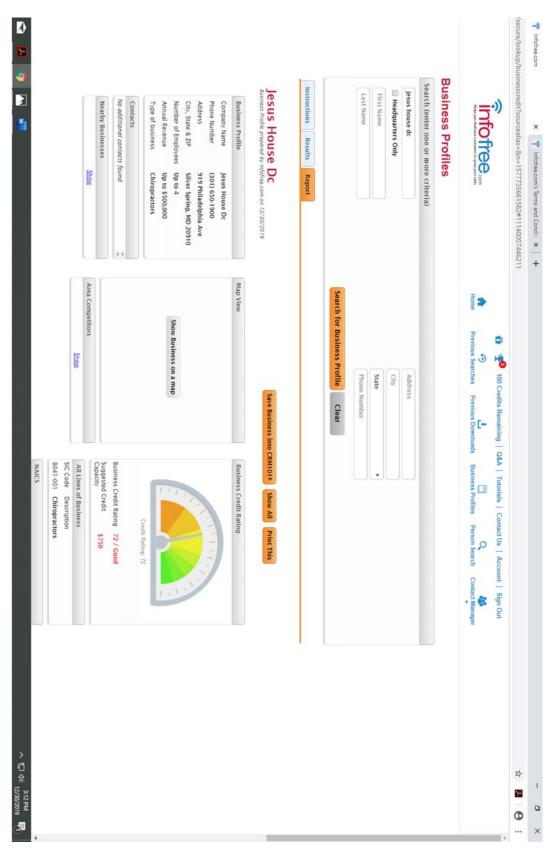














Jesus House Dc in Silver Spring, Maryland | Business Profile | Info... Page 1 of 3



http://profile.infofree.com/biz/MD/Silver%20Spring/Jesus%2... 4/22/2019

Submission No. 3

Testimony of Mitra Podoeem w/Five Exhibits Dated 12/31/19

For Concerned Citizens of Cloverly
Opposition of Jesus House, LLC construction

TESTIMONY OF MITRA PEDOEEM, P.E.

My name is Mitra Pedoeem. I am a Licensed Professional Civil Engineer in State of Maryland. Until July 2018, I resided at 630 Bryants Nursery Road, Silver Spring, MD 20905. I am testifying on the basis of personal and professional knowledge about the Preliminary Plan of subdivision sought by Jesus House for a church/school facility at 15730 New Hampshire Avenue in Cloverly (the "Property"). The Property abuts my former residence at 630 Bryants Nursery Road. I am still a resident of Montgomery County.

My purpose is to assist the Planning Board in determining the proper amount of acreage on the Property that should be set-aside as preserved forest in order to comply with Montgomery County Council Resolution 14-334 issued in 1999, approving a sewer category change (from septic to connected sewer) for church use of the Property. This resolution calls for a covenant for this parcel to preserve the forested area which would have been removed for an on-site septic system if the category change had been denied.

The church for which Resolution 14-334 was adopted did not get built, and the Property changed hands, ultimately becoming owned by Jesus House. In furtherance of its plans to develop the Property with a church/school complex, on June 30, 2014, Ms. Anne Meade, legal counsel for Jesus House, filed sewer category change request No. 14-CLO-04A for the new much larger church and school.

On November 24, 2014, Alan Soukup, representing the County Department of Environmental Protection (DEP), notified Ms. Mead that the "concept plan" Jesus House proposed could proceed to the development review process using the existing sewer category change set by resolution 14-334 in 1999. Therefore, he stated that there was no need to apply for a new category change. **Exhibit 1.**

About two years later, on November 9, 2016, when the Jesus House "concept plan" had become more particularized as a proposed Preliminary Plan undergoing development review, the applicant's engineer, Raztec, submitted unsigned, uncertified calculations for a "hypothetical septic system" in an attempt to demonstrate the amount of acreage necessary to satisfy the set-aside requirement for forest conservation in Resolution 14-334. Exhibit 2.

In this hypothetical analysis, Raztec states that "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." In addition, Raztec's calculations assume that the church and school would use only a warming kitchen instead of a commercial kitchen. In addition, Raztec's calculations apply a ratio of 10,000 sq. ft. of septic field absorption area for each 500 gallons of water usage, not just for the first 500 gallon unit of water usage, but for all additional units as well.

In preparing its calculations, Raztec quotes the following regulations and requirements as those that apply when determining the septic area:

- 10,000 sf of septic area is required for each 500 gallons of water flow per day (GPD).
- 2. Church use with Warming Kitchen: 5 GPD/seat
- 3. Septic trenches are laid out based on topography. Therefore, the 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.

Based on its legislative history, I believe it is clear that under Resolution 14-334, in order to retain the benefit of the sewer category change, the applicant is required to do a true and genuine site analysis based on what would actually be required if the applicant did not have the sewer hookup allowed by the Resolution and was instead required to build a septic field. Put another way, while the septic field is, in a sense, hypothetical, the set-aside calculation is not, and neither is the obligation to determine the size of the on-site septic system that is saved as forest in exchange for the sewer hookup.

In the discussion to follow, I assume that the Raztec-quoted regulations and requirements are the applicable ones here. The major flaws in the Raztec analysis are as follows:

Flaw No 1: The applicant did not factor in the actual site conditions, which are plainly implicated by item 4 in Raztec's list of regulations and requirements. Raztec did not perform soil borings nor percolation tests to determine the type and permeability of the soil and the depth of the water table. Raztec 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 percolation tests for the type of the soil and water table elevations. Water table depths were measured on the Property in 1997, and they showed that more than 1/3 of the site needs shallow trenches because the water table was less than 10 feet below the surface. Indeed, in some cases, the water table was only 4.5' below the surface This was reported to the then-Property owner, Mike Grodin, in a memo from DPS staff of August 25, 1997. The memo and accompanying sketch showing the shallow-trench area of the Property was included as Exhibit 3 to the March 28, 2017 letter to the Planning Board from Mr. Grodin's legal counsel at the time, David Gardner, Esq., as is part of the record in this case.

Flaw No. 2: As noted above, Raztec pointed out in requirement number 4 that for each unit of 500 gallons of water usage above the first unit, each additional absorption area must be established on 15,000-40,000 sf depending on percolation rate. In plainer

English, this means that, after the first 500 gallons, there is a multiplier of 1.5 to 4.0 for each additional 500-gallon unit of water usage in order to determine the acreage required for a septic system, factoring in soil percolation tests and site topography. But Raztec's calculations do not use a factor between 1.5 and 4.0; they continue the same 1.0 factor that is applied to the first 500 gallons, severely understating the requirement, even assuming a best-case scenario of suitability of the land for septic field use.

<u>Flaw No. 3</u>: Raztec generously assumed for Jesus House that there was no concurrent activities of the school and church, in order to justify using only the sewage flow from the school (i.e. 10,500 GPD) to size the septic area. However, the "highest daily use" is supposed 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 factored into the calculations.

It is noteworthy that the same engineer used the following sewage flows for the site when he submitted a Hydraulic Planning Analysis for the same site that was approved by WSSC on January 5, 2017. **Exhibit 3.** Details the total sewage flow as follows:

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

In this WSSC submission, Raztec has added up the flows from both the church and school, which was not done in submitting Exhibit 2, Raztec's analysis of a hypothetical septic system, which included the flow for only the school. I understand that the flow factors used for the public sewer are a bit higher than the ones for the septic areas. However, in both cases, the underlying factual predicate for the analysis—consecutive or concurrent use—should be the same. Mr. Soukup has noted that it is WSSC standard practice to add all the usages on the site. This no doubt reflects the need to guard against understatement of usage by applicants who could all too easily expand use from consecutive to concurrent, taxing the public sewer more than initially anticipated. That same concern should animate the septic analysis here, particularly

given Renee Chen's testimony, which will include evidence to support the future planned concurrent use of the church and school.

Flaw No 4: The warming kitchen assumption (versus a "commercial kitchen") also needs to be investigated and verified as it notably impacts the set-aside calculation. Jesus House asserts that for a church of this size and magnitude, and a school of 350 students, they only need a warming kitchen. Michelle Albornoz will testify regarding a commercial vs warming kitchen for the church. In its present location in Silver Spring, the church feeds the homeless and has banquets and parties and overnight stays. These activities are associated with a commercial kitchen. A commercial kitchen will double the water flow for church use, from 5 GPD to 10GPD per seat.

Further Discussion: 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 January 30, 2017. At that meeting, Alan Soukup from DEP, Gene Von Gunten and Jason Fleming from DPS, and Ryan Sigworth from Planning Staff were all present. I asked Mr. Von Gunten if he had reviewed the plans and if they had confirmed the event activities for the church. His response was NO. He told us that he simply relied on design requirements and activity information 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's one-page calculations for the septic system area. Attached is a letter from DPS responding to my questions regarding whether these requirements had been met. Exhibit 4. The responses confirm that since the applicant did not file an application, and since this septic area was not going to be built, DPS felt it had no obligation to review or enforce the septic design guidelines and requirements set by DPS. If they never reviewed it, then DPS has no basis to verify that the onsite septic area as calculated by Raztec was correct. Further confirmation that DEP and DPS simply relied upon the understated water usage claims made by Jesus House is extensively detailed in the June 2, 2017 memorandum filed with the Planning Board by our legal counsel, which is being resubmitted along with this testimony. We sought reconsideration of the Board's approval of the Preliminary Plan based on those details, but the Board did not consider the evidence as grounds for reconsideration of its March 30, 2017 decision.

To satisfy Resolution 14-344, 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 must be signed and sealed by a professional engineer in the State of Maryland who is knowledgeable in the design of onsite septic systems for commercial facilities. The septic calculations should be revised to reflect the concurrent uses of both school and church and the needs of a commercial kitchen, not just a warming kitchen.

Below is a chart that uses Raztec's GPDs for school and church, i.e., Church= 8000 GPD with a warming kitchen or 16000 GPD with a commercial kitchen, and School= 10,500 GPD. The chart shows the different required sizes of the septic area, based on the various assumptions made for the site conditions and its uses. The figures in the last two columns are in acres.

FACILITY	GPD	septic units	septic area 10,000SF for all units	septic area using 15000sf for additional units
church/warming kitchen	8000.00	16.00	3.67	5.39
school	10500.00	21.00	4.82	7.12
church/comm. kitchen	16000.00	32.00	7.35	10.90
school + church warm. kit	18500.00	37.00	8.49	12.63
school + church comm. kit	26500.00	53.00	12.17	18.14

The numbers in the last column are calculated by using 15000 sf, which is the least amount of acreage needed based on the requirements set forth in COMCOR 27 A.00.01.05 Section K for onsite water systems and onsite sewage disposal systems which says: "when facilities other than single family dwellings or shared facilities are contemplated, and the total absorption field exceeds 10,000 sf, each additional 10,000 sf or portion must be established on separate 15,000-40,000 sf of available usable land or proportional area depending on the percolation rates in accordance with the table below..." Using the 15,000 sf number is very conservative, in that actual site percolation rates can only increase the required septic area.

Exhibit 5 is an email exchange between Gene Von Gunten of DEP and Jason Fleming of DPS about the application of this regulation to the Jesus House matter, shortly before the Board hearing on March 30, 2017. Von Gunten explained to Flemming that

[i]t was written to address concerns about large amounts of high strength waste being discharged in areas where nitrate levels could become concentrated. Obviously, you need to know a perc rate to determine the final size of the absorption area. At the beginning, this calculation was simply a matter of how large a potential septic system might be. Without a nitrate loading analysis and other studies, that answer is unknown. A full

study would involve test well and a lengthy engineering exercise- way beyond the resources of our staff.

Von Gunten added that "we have never invoked that clause in our regulations for Churches," since he believed their actual flows would prove to be below the projections. The regulation, however, is not written in such a manner that those charged with applying it can chose to disregard it at their discretion.

The calculations of the Hypothetical Septic System in Raztec's analysis only provide the amount of acreage needed for a school (i.e. 4.82 acres) and ignores COMCOR's requirements. Even if there were no concurrent use, the correct school use set-aside is not 4.82 acres; it is 7.12 acres, an increase of almost 48%. When the concurrent uses on the site are considered, the number of acres to be set aside for the onsite septic area is considerably greater, ranging from 7.12 acres for school along to 18.14 acres when the school and church with a commercial kitchen are considered. All of these numbers are based on the highly favorable assumption that actual site testing would produce no reason for any of the additional 500-gallon units of water flow to be based on a factor higher than the minimum 1.5 factor Raztec acknowledged but never applied.

It is up to the Board to decide whether the applicant's representations regarding no commercial kitchen and no concurrent church/school use are credible and should be accepted. My recommendation is that, based on the testimony at the forthcoming hearing, the Board determine from among the acreages provided above one to satisfy the set aside requirements in Resolution 14-334. This will generously give Jesus House the benefit of the doubt on how much more acreage would be required if actual site testing, topography and percolation rates were to be taken into account.



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 tax-exempt 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

EXHIBIT 1

(3)

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.

Requirement 4 - Sewer Extension Costs

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 Soulcup, Senior Planner

Water and Wastewater Policy Group

ADS:ads

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CC:

Sam Atolaiye, Jesus House DC

Mike Razavi, Raztec Engineers

Dave Lake, Manager, DEP-WWPG

Gene Von Gunten, Manager, Well and Septic Section, DPS

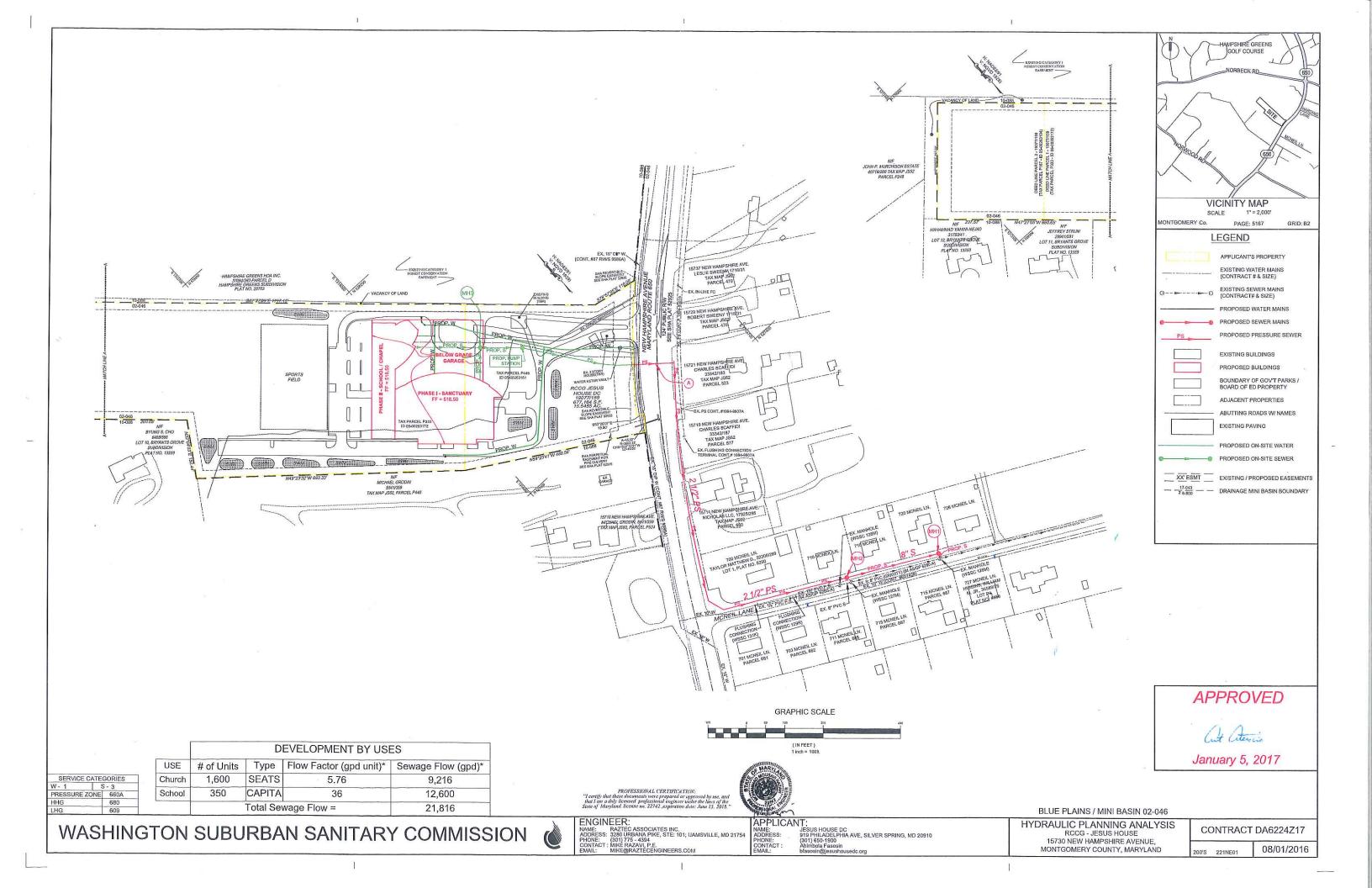
Keith Levchenko, County Council

Cathy Conlon, Development Applications & Regulatory Coordination Team, M-NCPPC

Pam Dunn, 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



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.

 $8,000 \text{ GPD/}500 = 16 \times 10,000 = 160,000 \text{ Square Feet } (3.67 \text{ Acres})$

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.

 $10,500 \text{ GPD}/500 = 21 \times 10,000 = 210,000 \text{ Square Feet } (4.82 \text{ Acres})$

<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.



Isiah Leggett
County Executive

Diane R. Schwartz Jones Director

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

April 24, 2017

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 TTY www.montgomerycountymd.gov

- 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 MNCPPC. Any revision of the preliminary plan approval would need to originate with MNCPPC.

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 basically 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 = $(1 \times 10,000sf) + (20 \times 10,000sf \times 2.75) = 560,000sf$ 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 From: von Gunten, Gene

Sent: Wednesday, March 29, 2017 5:12 PM

To: Flemming, Jason < Jason. Flemming@montgomerycountymd.gov>

Subject: Re: Need Help - Jesus House

Jason:

It was written to address concerns about large amounts of high strength waste being discharged in areas where nitrate levels could become concentrated. Obviously you need to know a perc rate to determine the final size of the absorptive area.

At the beginning, this calculation was simply a matter of how large a potential septic system might be. Without a nitrate loading analysis and other studies, that answer is unknown. A full study would involve test wells and a lengthy engineering exercise- way beyond the resources of our staff.

Basing a hard and fast assessment on assumed percolation tests would seem to be inappropriate, or perhaps reckless.

Beyond that, we have never invoked that clause in our regulations for Churches- given the knowledge that their actual flows are so much below the projections.

Good luck.

Gene

From: Flemming, Jason

Sent: Tuesday, March 28, 2017 1:03:25 PM

To: von Gunten, Gene

Subject: Need Help - Jesus House

Gene:

I hope you are having a good time on your vacation. I'm sorry to disrupt it, but I need an explanation on a part of the county regs that I do not understand and are a part of the oppositions argument that a larger area of forest needs to be set aside. This is from the OSDS Site Criteria section of COMCOR:

K. Where facilities other than single family dwellings or shared facilities are contemplated, and the total absorption field exceeds 10,000 square feet, each additional 10,000 square feet or portion must be established on separate 15,000-40,000 square feet of available useable land or proportional area depending on percolation rates in accordance with the table below. In the case of a portion, the Approving Authority may waive the full 15,000-40,000 square feet providing

that separate useable land commensurate with the additional absorption field area is available. This density criterion also applies to easement areas.

	1				
Time Requir	red 1	Facilities & Individual			
for a 1 Inch	<u>Drop</u>	& Sewerag	e Facili	<u>ties</u>	Sewerage Systems
Min.	Width	Min. Area	Min.	Width	Min. Area
(minutes)	(fee	t) (sq. ft.)	(fe	et) (:	sq.ft.)
2 to 5	100	20,000	100	15,000	
6 to 15	125	25,000	100	17,50	0
16 to 25	150	30,000	100	20,000)
26 to 30	150	40,000	150	30,000)

I need to know why this is in the regs and what it was intended to be used for and why we didn't consider it when we approved the Jesus House calculations. It appears to me that it was put in place to ensure dilution of the sewage plume before it would get on to other properties. It was sort of a way to keep nitrate levels down? Attached you will find the calculations that were submitted to me today from a member of the opposition.

Thanks,

Jason

Jason L. Flemming, LEHS Dept. of Permitting Services Well & Septic Program 255 Rockville Pike, 2nd floor Rockville, MD 20850 240-777-6334

Submission No. 4

Legislative History prepared by David W. Brown Of Council Resolution No. 14-344 as to the Water/Sewer Category Change for the Michael and Patricia Grodin Property (WSCCR 99A-CLO-02)

w/Six Exhibits
Dated 12/31/19

For Concerned Citizens of Cloverly
Opposition of Jesus House, LLC construction

LAW OFFICES OF

Knopf & Brown

401 EAST JEFFERSON STREET SUITE 206 ROCKVILLE, MARYLAND 20850 (301) 545-6100 FAX: (301) 545-6103

E-MAIL BROWN@KNOPF-BROWN,COM

WRITER'S DIRECT DIAL (301) 545-6105

DAVID W. BROWN

LEGISLATIVE HISTORY OF COUNCIL RESOLUTION NO. 14-334 AS TO THE WATER/SEWER CATEGORY CHANGE FOR THE MICHAEL AND PATRICIA GRODIN PROPERTY (WSCCR 99A-CLO-02)

I review below the legislative history of Council Resolution No. 14-344, as it relates to the water/sewer category change requested in 1999 by Michael and Patricia Grodin, denominated WSCCR 99A-CLO-02, and conditionally approved by Resolution 14-334. I first review the legislative file known to be available on this matter in order to understand the action taken by the County Council and the reasons therefor. I have no reason to believe the file is materially incomplete in any way. I then discuss what bearing this history should have on fulfillment by Jesus House of the conditions associated with the approval in the Resolution.

Contents of the Legislative File

On November 2, 1999, the County Council adopted Resolution No. 14-334, approving, *inter alia*, a water and sewer category change for Cloverly parcels P333 and P446, for 13.7 acres in the RE-2 zone. **Exhibit 1.** The change to W-1 (allowed connection to public water) was without restriction and generated no controversy. The change to S-3 (allowed connection to public sewer) was restricted to private-institutional uses only, under three conditions, as follows:

- the church will establish a covenant preserving the forested area which would have been used for the on-site septic system,
- the proposed low-pressure sewer main extension will be dedicated to the church's use only, and
- the church will pay all costs associated with the extension of public sewer service.

Exhibit 1 at 3 (Resolution Attachment A, p. 1.). The "church" referred to in Attachment A is described in Attachment A as the proposed use of the Grodin property, as follows: "Proposed: private institutional—Southern Asian Seventh Day Adventist Church (750 seats)." *Id*.

This conditional sewer category change was not a decision easily made by the County Council at the time. It was opposed by the Planning Board, the County Executive and the Council Staff as inconsistent with the then almost new 1997 Cloverly Master Plan (still in effect today) which specified that the

extension of sewer service to...institutional...uses in the RC and RE-2 area...is not consistent with this Plan because of potential impacts on the low-density character of both areas and conflict with the longstanding recommendation not to provide sewer service in the Patuxent watershed in order to control water quality in the reservoir.

Cloverly Master Plan at 91. Exhibit 2 (excerpt).

The category change request for the Grodin property came before the Council's Transportation and Environment (T&E) Committee on October 25, 1999. As is customary, the meeting was preceded by a memorandum from Council Legislative Staff with a staff recommendation on the change request. The

October 21, 1999 memorandum, from Legislative Analyst Keith Levchenko, recommended that the Committee deny the sewer category change as inconsistent with the Cloverly Master Plan. **Exhibit 3** at 5. Mr. Levchenko noted that if the sewer category change is based on the claim it would reduce the environmental impacts of septic service, that "is not a stated policy in the Master Plan and could lead to future category change requests not consistent with the Master Plan." *Id.*

The minutes of the Committee meeting detail how and why the unanimously negative recommendations on the Grodin request were not followed. Exhibit 4. Alan Soukup of the County Department of Environmental Protection (DEP), explained the Grodin request as for use of the property as a church. He noted that their "sewer request was consistent with the County's Private Institutional Facilities policy within the Comprehensive Ten-Year Water Supply and Sewerage System Plan but not with the Cloverly Master Plan which does not recommend sewer service in this area." *Id.* at 3. He further noted that the

County Executive, Planning Board and Council Staff recommended denial of the sewer change consistent with the Master Plan, and that preliminary septic testing has been done and it is likely that the church would be able to relocate to the property whether sewer service is approved or not; and that multiunit septic service would have a negative environmental impact on seven acres of forested area on the northwestern portion of the site.

Id.

In reaction to this, Committee Chair Isiah Leggett characterized the Master Plan as a "guiding document" that "should not preclude actions which meet other

Council priorities such as protecting the environment." *Id.* The end result was a Committee recommendation of approval of the sewer category change, subject to three conditions:

- The sewer main extension will be dedicated and restricted in use for the church. No other properties will connect to the service.
- The forested area on the northwest portion of the site will be protected from future disturbance through the use of covenants, conservation easements, and/or other formal actions.
- The cost of the extension will be paid for by the beneficiary of the service.

Id. at 3-4.

The Council as a whole took up a matter on November 2, 1999. Mr. Levchenko again prepared a staff memorandum that included forwarding the Committee recommendation of conditional approval of the sewer category change. His memorandum of October 29, 1999, Exhibit 5, expressed disagreement with the outcome before the Committee (and agreement with the County Executive's recommendation), and recommended denial of the sewer category change on the same basis staff had presented to the Committee, as noted above. *Id.* at 5.

At that time, T & E Committee Chair Leggett was also Council President. After considerable discussion, the Council approved the sewer connection for the Property by a vote of 6-3, as reflected in the Council Minutes for November 2, 1999. Exhibit 6. Members in opposition were in agreement with the Executive, Planning Board and Legislative Staff concerns that approval would be contrary to

and alter the Cloverly Master Plan language on sewer connections and that it might prove difficult to limit the precedential impact of approval. *Id.* at 7-8 (minute page numbering). President Leggett stated his belief that "the Committee made it clear in its recommendation that this should not be viewed as a precedent." *Id.* at 8. Councilmember Subin supported the Committee recommendation by pointing out 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.

Id. at 7. He added that "the County has nothing to lose by granting the sewer category change," id., and he also "pointed out that no further building or density would be allowed on the property." <u>Id</u>. In the end, the divided vote in favor of the connection was recorded, after

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.

Id. at 8.

The formal resolution adopted in the wake of this discussion, i.e., Resolution No. 14-344, is not specific as to the actions taken; they are in attachments to the Resolution. Those attachments relevant to the Grodin property are included in Exhibit 1.

Application of Resolution 14-334 to the Jesus House Preliminary Plan

The legislative history of Resolution 14-344 appears to have been carefully crafted to apply to the plans the Grodins had to sell the property to a church of a specific size (750 seats), with a forest set-aside requirement geared to that particular project, i.e., in the range of 7-8 acres. But ultimately, the Southern Asian Seventh Day Adventist Church, the intended purchaser of the Grodin property, did not follow through and complete the purchase. Testimony at the prior Board hearing reveals that the property was sold to the Pentecostal Church of God in 2001, which did not take the steps necessary to obtain development approval, and it was resold to Jesus House in or about 2011. Tr. 73 (March 30, 2017).

Jesus House's initial steps toward developing the property included seeking and obtaining confirmation from DEP/DPS of its entitlement to use the Council's original 1999 decision to approve a conditional sewer category change, though many years later, and notwithstanding a plausible argument that the change was intended exclusively to facilitate the sale to a different church at a much earlier time. More logically, Jesus House should have been required to reapply for such approval based on its intended use of the property. The category change terms are silent on whether it is limited to the original applicant, however, and no time limit was imposed on its use, either. In any case, my clients, Cloverly residents and petitioners in this matter, elected not to challenge the County decision to allow

Jesus House the opportunity to use the conditional approval, under the terms set forth in Resolution 14-344.

Whatever amount of forest-set aside would have been finally deemed necessary for Preliminary Plan approval for the Southern Asian Seventh Day Adventist Church of 750 seats, it is not a number that ultimately became fixed for the Southern Asian Church, which did not seek to use its entitlement. It logically follows from this that the set-aside number is not fixed for Jesus House, either. Instead, a forest-set aside number must be determined for the actual and intended use of the property by Jesus House. That use is, in every respect, going to be more intensive that was represented to the Council for the Southern Asian Church. According to the Court of Special Appeals decision in this case, what that number should be is ultimately the responsibility of the Planning Board to determine, pursuant to its authority under, *inter alia*, the County Subdivision Ordinance, and all parties agree that this is the limited purpose of the court-ordered remand.

As detailed in testimony being simultaneously submitted by Maryland-licensed Professional Engineer Mitra Pedoeem, that number is dependent of factual issues that need to be resolved by the Board at the upcoming hearing. Her testimony provides the Board several choices for that number based on calculations she made under the rules and regulations identified and used by the engineering firm for Jesus House in this case.

Petitioners contend that the facts will show that there will be concurrent, not consecutive church and school use of the property and that Jesus House must

ultimately expect to install a commercial kitchen to support its intended activities at the site. Petitioners further contend that Jesus House's engineers misapplied the rules and regulations they relied upon to understate (whether intentionally or not) the amount of acreage necessary for the forest set-aside. If the Board finds that all of these contentions are correct, as Petitioners urge is the case, Ms. Pedoeem calculates that the required set-aside would be 18.14 acres, or more than the entire land area of the project! Such an outcome, however, does not mean that her calculations are in error or require some form of standardless downward adjustment. Rather, it means that Jesus House has chosen a property ill-suited to its relocation/expansion goals and must look elsewhere. This conclusion also holds for any lower determination of the set-aside requirement that Jesus House would decry as prohibiting it from meeting its lofty goals for this site.

Finally, I must lastly and most strongly emphasize that the true fulfillment of the set-aside requirement in Council Resolution 14-344 requires taking into account the actual soil and topographic conditions that would increase the septic field acreage requirement (and, hence, the set-aside requirement). Ms. Pedoeem's calculations assume, very favorably to Jesus House, that the soil is ideal for septic field use, such that no acreage beyond the minimum would be required. She does so in the expectation that even if the Board were to accept all of Jesus House's understatements of its intended use of the property, and the associated understatement of its water usage, the set-aside requirement would still be too much for Jesus House to bear if it is intent on zealous fulfillment of its spiritual

mission. Put another way, once a proper forest set-aside requirement is imposed as computed by Ms. Pedoeem, it will almost certainly become quite clear that this project cannot be reconfigured acceptably to either the applicant or the Board, and there will be no need for additional deterrence by imposing the intended requirement of determining the true size of the septic field that would be required with no sewer hookup, for Jesus House's use on this property, as required to afford Jesus House the benefit of Master Plan noncompliance under the terms of Resolution 14-344. The Board should not consider Petitioner's insistence on actual field measurements on the water table, soil permeability/drainage, and topography waived except in the very narrow circumstances outlined in this paragraph.

Attachment 12

Resolution No.: 14-334

Introduced: September 28, 1999 Adopted: November 2, 1999

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

By: County Council

Subject: Amendments to the Comprehensive Water Supply and Sewerage Systems Plan

Background

- 1. Section 9-501 et seq. of the Health-Environmental Article of the Maryland Code, requires the governing body of each County to adopt and submit to the State Department of the Environment a comprehensive County Plan, and from time to time amend or revise that Plan for the provision of adequate water supply systems and sewerage systems throughout the County.
- 2. In accordance with the State law on December 30, 1969, by Resolution No. 6-2563, the County Council adopted a Comprehensive Ten-Year Water Supply and Sewerage Systems Plan which was approved by the State Department of the Environment.
- 3. The County Council has from time to time amended the Plan.
- 4. On, September 14, 1999, the County Executive submitted to the Council recommendations for water and sewer category change applications.
- 5. Recommendations on these amendments were solicited from the Maryland-National Capital Park and Planning Commission, Washington Suburban Sanitary Commission Staff, and affected municipalities.
- 6. A public hearing was held on October 19, 1999.
- 7. The Transportation and Environment met on October 25, 1999, to discuss these amendments to make recommendations to the Council.

Resolution No.:

Action

The County Council for Montgomery County, Maryland approves the following amendments as shown on the attached chart.

Water and Sewer Categories to the Ten-Year Comprehensive Water Supply and Sewerage Systems Plan are approved as indicated in the attachments to this resolution, including a text amendment change.

This is a correct copy of Council action.

Mary A. Edgar, CMC/ Clerk of the Council

Comprehensive Water Supply and Sewerage System

:-	Amendment No. Applicant (Owner) Description & Location	Master Plan & Watershed · Zoning & Acreage Proposed Development	Existing Category	Requested Category	County Council Action (See Attachment B for mapping of approved, conditionally approved, and deferred amendments.)
	CLARKSBURG PLANNIN	NG AREA			
	WSCCR 98A-CKB-03 "Lakewood Church Lot 25 (N966), Garnkirk Estates (tax map EV343 - EW341) Southwest side of Frederick Rd. (Rte. 355) 500' northwest of Shawnee Ln.	Clarksburg Master Plan (1994 – master plan development stage 3 Little Seneca Creek watershed (Use VI) R-200 Zone: 9.5 acres Existing use: 1 single-family house. Proposed use: church.	S-5	No Change S-3	Defer action pending the preparation of a comprehensive water/sewer map amendment for the Clarksburg Development Stage 3 area. Tax ID: 00021731
	WSCCR 98A-CKB-04 Clarksburg Village Partnership and Clarksburg Village, LC Outlots D - G, Block F, Greenridge Acres (tax map EV563) North side of Canterfield Way 150' east of Greenbrook Dr. (Outlot F); and North side of Morning Star Dr. 300' northeast of Canterfield Way (Outlots D, E, and G)	Clarksburg Master Plan (1994) Little Seneca Creek watershed (Use IV) R-200 Zone: 2.7 acres total Existing use: Vacant Proposed use: 4 single-family houses (one per existing outlot)	W-1 S-5 2 Tax U 0330 905	No Change S-3 DS : 2.2 5.5	Approve S-3. Notes: The approval of this map amendment does not establish a precedent for the approval of category S-3 for adjacent Stage 3 areas which would be served by the required CIP sewer main (S-84.55) except through a comprehensive water/sewer map amendment for the Clarksburg Development Stage 3 area. See the Crystal Rock WWPS and Seneca Creek WWTP Service Advisory notes on page 6.
<u>C</u>	LOVERLY - NORWOOD P	LANNING AREA			
M Pa	ichael and Patricia Grodin arcels P333 and P446, I	private institutional–Southern Asia Seventh Day Adventist Church (750 seats); plan no.		>S	Approve W-1 without restriction. Approve S-3, restricted to private institutional facility use only, with the following conditions: • the church will establish a covenant preserving the forested area which would have been used for the on-site septic system, • the proposed low-pressure sewer main extension will be dedicated to the church's use only, and • the church will pay all costs associated with the extension of public sewer service.

WSCCR 99A-CLO-04 Thomas and Janice Valois Parcel P076, Ingleside Farm (tax map JT341) East side of cul-de-sac

end of Crystal Spring Dr.

Cloverly Master Plan (1997) Northwest Branch watershed (Use IV) RE-2 Zone: 2.05 acres

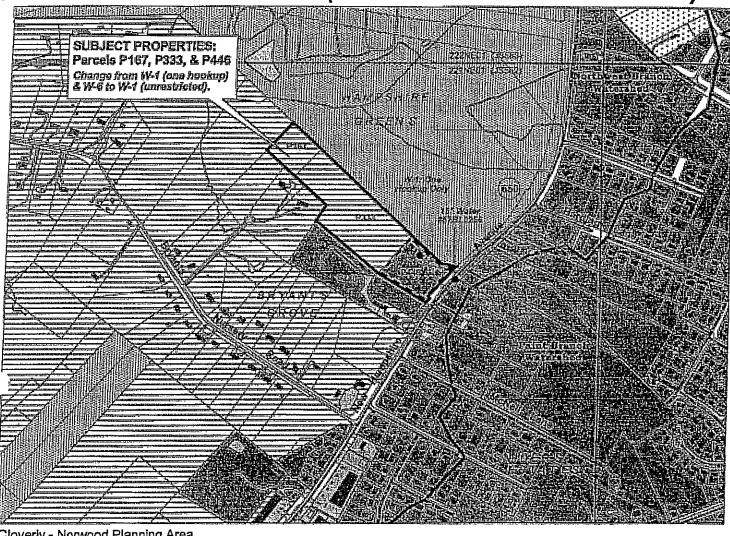
Existing: vacant. Proposed: 1 single-family house

W-3 No Change S-6 · S-3

Tax 10:03412346

Maintain S-6.

Water Service Area Categories Map WSCCR 99A-CLO-02 (Michael and Patricia Grodin)



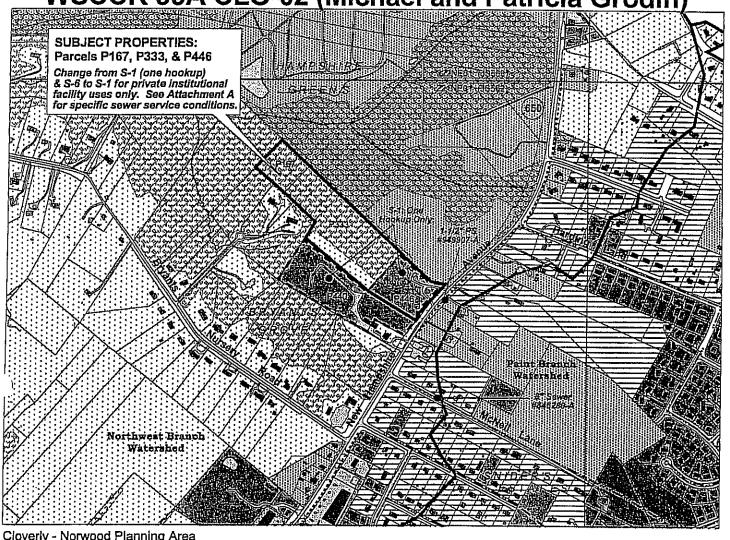
Cloverly - Norwood Planning Area

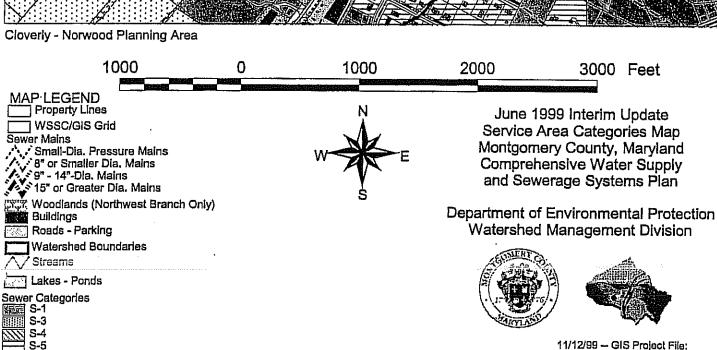
Category Updates & Conditions

2000 1000 1000 3000 Feet MAP LEGEND June 1999 Interim Update **Property Lines** Service Area Categories Map Water Mains Montgomery County, Maryland WSSC/GIS Grid Comprehensive Water Supply Roads - Parking and Sewerage Systems Plan Watershed Boundary Streams Department of Environmental Protection Lakes - Ponds Watershed Management Division Bulldings Water Categories W-1 W-3 W-4 W-5 11/12/99 - GIS Project File:

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Sewer Service Area Categories Map WSCCR 99A-CLO-02 (Michael and Patricia Grodin)





Category Updates and Conditions

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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 2

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.

T&E COMMITTEE #1 October 25, 1999 Worksession

MEMORANDUM

October 21, 1999

TO: Transportation and Environment Committee

FROM: 25 Keith Levolienko, Legislative Analyst

SUBJECT: Worksession: Resolution to Amend the Ten-Year Comprehensive
Water Supply and Sewerage System Plan

On September 14, 1999 the County Executive transmitted recommendations on 20 water/sewer category change requests and one plan text amendment to the Ten-Year water/sewer category change requests and one plan text amendment to the Ten-Year comprehensive Water Supply and Sewerage System Plan. A public hearing was held on Comprehensive Water Supply and Sewerage System Plan. A public hearing was held on October 19, 1999. The following documents are attached for your information and review.

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The Planning Board concurred with the Planning Staff recommendations. When a formal transmittal from the Board is received it will be provided to Councilmembers.

Please bring to the worksession the spiral-bound booklet distributed to the Council in September.

Overview

The Gounty Executive transmits a package of amendments to the County Council semi-annually (typically May and November). However, the submission now before the semi-annually (typically May and November). However, the submission now before the Council represents the first submission this year. The Department of Environmental Council represents the first submission this year. The Department of Environmental Profection (DEP) which is the Executive department responsible for assembling,

^{••} This correspondence reflects the opinions of its authors, in some cases; Council or Executive staff may disagree with the facts presented. The inclusion of this information in the Council staff packet should not be perceived as an affirmation of the positions expressed.

reviewing, and transmitting these amendments to the Council, expects to submit a second set of amendments in the December/January timeframe. During calendar year 2000 DEP expects to be back on schedule and submit amendments in May and November.

The County Council has the authority under the ourrent Comprehensive Water Supply and Severage Systems Plan to review and approve amendments at any time during the year. Therefore, if amendments of a time-sensitive nature arise, they may be dealf with outside of the semi-annual process:

The package submitted by the County Executive includes 20 water/sewer category change requests and one plan (extramendment which are separately reviewed later in this packet.

Council starf concurs with the County Executive recommendations (as does the Planning Board) on all of the amendments. Several policy issues recur throughout the amendment requests and are summarized below:

Council staff believes that category change decisions should be approved based.
 on criteria presented in the Water and Sewer Plan, recommendations provided in relevant master plans, the "intent" of policies; and (when available) prior Council actions.

In many of the requests, applicants request category changes based on factors apart from whether the request is consistent with the Water and Sewer Planfor master plans. These reasons include: to maximize the use of a property to increase the value of a property for future sale, to allow for a specific land use (such as a new Church facility or a retirement home for a family member) and others.

However while these factors have and will continue to play a part in the development of master plans and Water and Sewer Plan policy Council staff feels that these factors should not be the basis for individual water or sewen category changes:

- In some cases, there is a conflict between the Water and Sewer Plan and the respective master plan. A master plan is assumed to take precedence unless a specific Council policy exists which allows exceptions (such as the Private Institutional Facilities policy).

The issues raised in the five demais should be considered in the context of the Polomac Subregion Master Plan, which shall be going through a revision process

over the next year. The ourrent M-NCPPC schedule calls for Gouncil receipt of the draft plan revisions by April of 2000. However, this schedule is currently being revised. A more likely time frame is late summer or early fall of 2000. A comprehensive review of calegories throughout the area can be done at that time Deforting action on the five requests in this Master Plan area is consistent with trior Council actions on similar requests.

The Private Institutional Facility policy is a factor in five of the amendments
reviewed in this packet. In some cases, this policy allows for approvals where
the Water and Sewer Plan general criteria and relevant master plan would not.
The policy is attached on © 24

The following section reviews each amendment request individually and is grouped by planning area. The County Executive and Planning Board recommendation is included for reference.

Proposed Amendments

Clarksburg Planning Area

1. Lakewood Church (98A-CKB-03

This request involves at R-200 zoned property in the Stage 3 area of Clarksburg. The property is located just north of Rocky Hill Middle School on Route 355. The amendment would change the current S-5 category to S-3 in order to allow for the construction of a church with a public sewer connection. The Gounty Executive and the Planning Board recommend deterral of this request pending a review of the status of the staging triggers and the preparation of a comprehensive water/sewer map amendment for the Stage 3 area.

The request will require the construction of a 2800; main extension from the existing 12" diameter main located just south of the Rocky Hill Middle School. The extension would abut five additional properties, require rights-of-way from several properties, require the removal of mature trees, and temporarily disrupt a stream and wetlands.

The Clarksburg Master Plan requires that certain triggering mechanisms be met prior to development proceeding. County agencies are now reviewing the status of the triggers necessary to allow this development. DEP will prepare a general water/sewer map amendment for Clarksburg Stage 3 when this interagency review is complete.

Staff-Recommendation: Concur with the County Executive's and Planning Board's recommendations to defer action on this sever category change request until the above-noted studies are completed. Careful staging of development is a critical element of the Clarksburg Master Plan

2. Clarksburg Village Partnership and Clarksburg Village, LC (98A-CKB-04)

This amendment would change the current S-5 category to S:3 in order to provide sever service to four R-200 zoned outlots within the Greenridge Acres subdivision located east of Route 355. The County Executive and the Planning Board concur with this request with a note that nearby Stage 3 properties will not receive approval of unleggory changes outside of the comprehensive water/sewer map amendment process.

The request will require the construction of approximately 2800 of mains (1900 of CIP) size main). Construction will affect a stream and wetlands and may require the removal of some trees.

Although the request will require construction within the Stage 3 portion of Clarksburg, it will serve only non-stage 3 properties and is therefore consistent with the Masjer Planuand the Water and Sewer Plan

Staff Recommendation. Concur with the County Executive's and Planning Board's recommendation to change the sewer category from S-5 to S-3.

Cloverly Planning Area

3. Michael and Patricia Grodin (99A-GEO-02)

This request is for two RE-2 zoned parcels located on the west side of New Hampshire Road just north of Bryants Nursery Road. The amendment would change durrent restrictions on water service and change the sewer category from \$-6 to \$=1. The change is requested in order to accommodate the construction of a facility for the Southern Asian Seventh Day Adventist Church and eliminate the need for an underground septic field. The County Executive and the Planning Board recommend approval of the water change but denial of the sewer change:

The change in water restrictions will require the connection of service from the abutting 16" diameter main located along New Hampshire Avenue. The water service change request is consistent with both the Master Plan and Water and Sewer Plan policies. The current single hookup restriction is the result of an earlier administrative delegation process.

The sever eategory change will require a 1250 low pressure main extension. An on-sile pump will be required. The applicants note that the sewer change will protect the sensitive environmental feature of the Porest Stand in the headwaters of the Northwest Branch by avoiding the construction of an underground septic field.

DEP staffibelieves the request is consistent with the intent of the private institutional facilities (PIF) policy in the Water and Sewer Plan (Chapter 1, Section D. 15 b. 11). The PIF policy allows for sewer main extensions to serve properties joutside the sewer

envelope if the extension will not abut other properties otherwise ineligible for service.

Even though the main extension would abut other properties not eligible for sever service; the server would be an institutionally sized pressure main and therefore dedicated to the institutional use. No other connection would be technically feasible and as a result not allowed by WSSC.

While the main extension required is long, 1250; the cost would be the responsibility of the church. The PIF policy does not specify a maximum main extension length allowed.

However, the request is in conflict with the Cloverly Master Plan which states:

The extension of sever service to residential, institutional and special exception uses in the RG and RE-2 area (except to relieve public health problems of to address other specific Comprehensive Water Supply and Severage Systems Plan policies) is not consistent with this Plan because of potential impacts on the low-density character of both areas.

The Issue of the potential environmental impacts of septic versus sewer in the area were discussed during the Master Plan review process but the Council chose the restrictive language quoted above.

Both the County Executive and the Planning Board argue that the Master Plan should take precedence in this instance based on the specific language included and Council linent not to allow public sewer service to support institutional development in this area.

If septio service is a fensible option for the church, then Council staff notes that the master plan language discouraging institutional uses by not allowing sewer is ineffective in this case. However, allowing sewer service in order to lessen negative environmental impacts of septic service is not a stated policy in the Master Plan and could lead to future category change requests not consistent with the Master Plan.

Stoff Recommendation: Concur with the County Executive's and the Planning Board's recommendations to approve the change in water restrictions but deny the change in sever entegory

4 Thomas and Janice Valois (99A-GLO-04)

This amendment would change the current S-6 category to S-3 in order to allow for the construction of a home on a residual outlot south of New Hampshire Avenue on Crystal Springs Drive. The County Executive and the Planning Board recommend denial of this request.

Two previous single sewer hookups were granted to two pieces of the original parcel from which the current property was a part. However, the property in question is zoned RE-2, and is not generally eligible for public sewer service under Water and Sewer Plan

APPROVED

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND TRANSPORTATION AND ENVIRONMENT COMMITTEE

Monday, October 25, 1999 2:00 PM to 3:00 PM Council Conference Room

PRESENT

Isiah Leggett, Chair

Derick Berlage

Blair G. Ewing

SUBJECT: Resolution to Amend the Ten-Year Comprehensive Water Supply and Sewerage System Plan (Category Change Requests)

The Committee had before it the memorandum from Legislative Analyst Levchenko, dated October 21, 1999.

ACTION: Recommended the following approvals and denials of category changes requests consistent with the County Executive, Planning Board, and Council Staff

recommendations:

			hange Requested	Commiltee
Applicant Name Lakewood Church	Number	Water	Sewer	Recommendation
	98A-CKB-03	None (W1)	S-5 to S-3	Defer
Clarksburg Village Parternship	98A-CKB-04	None (W1)	S-5 to S-3	Approve
and Clarksburg Village, LC			<u> </u>	
Thomas and Janice Valois	99A-CLO-04	None (W3)	S-6 to S-3	Denv
James Schuette	98A-DNT-01	W-4 to W-3	S-6 to S-3	Defer
Armenian Youth Center of	98A-DNT-02	None (W3)	S-6 to S-3/ multi-	Approve S-1 (rather than S-3 fo
Greater Washington, Inc.		1	use	technical reasons) subject to
Armenian Youth Center of	OCT OLIV OF THE	ļ		approval by MCDPS.
	98T-CH4-05 (Text	1		Approve per 98A-DNT-02
Greater Washington, Inc.	Amendment)			recommendation.
Robert and Margaret Karam	98A-GWC-03	W-6 to W-3	S-6 to S-3	Approve Water, Defer Sewer Change
James Gouge	98A-OLN-04	None (W5)	S-6 to S-3	Denv.
Kevin Clair	98A-OLN-06	W-5 to W-1	S-6 to S-3	Approve Water, Deny Sewer
Mary Markey	98A-PAX-02	W-6 to W-1	S-6 to S-3	Change Site Aiready Served by Water,
Trinity Internat'l Church of God	99A-PAX-01	W-6 to W-1	S-6 to S-3	Deny Sewer Change.
		44-0 to 44-1	3-0103-3	Site Aiready Served by Water,
Thompson Co. Realtors (for	98A-PAX-03	W-6 to W-2	None (S-6)	Approve Sewer Change.
Larry Thompson)	-		140/10 (0-0)	Approve W-1 (W-2 category not used),
Susana Hodgkins	98A-TRV-04	W-4 to W-1	S-6 to S-3	
			3-0103-3	Site Aiready Served by Water,
S. Ruffin Maddox, Jr. (for	98A-TRV-11	None (W1)	S-6 to S-3	Deny Sewer Change.
Patience Huntwork, et al)		(10.10 (11.1)	2-0 (0 2-2	Deny
Robert and Angela Novas	98A-TRV-07	None (W1)	S-6 to S-1 or S-3	
Marie Seebode	98A-TRV-08	None (W1)	S-6 to S-3	Deny'
Leo Patrick Cullinane	98A-TRV-09	None (W1)	S-6 to S-3	Deny
Pulte Home Corp. (for Ross	99A-TRV-02	None (W1)	S-6 to S-3	Deny
Snider)		110/10 (111)	3-6 10 3-3	Approve
Inowes & Blocher (for Hossein	98A-TRV-10	None (W1)	S-6 to S-3	
Forooshani)			0-0 III 0-0	Approve
inowes & Blocher (for	99A-TRV-01	None (W1)	S-6 to S-3	
Salvatore Bruno)	7	(4010 (441)	3-0 10 3-3	Арргоче

Discussed a group of requests within the Piney Branch watershed which are affected by the Piney Branch Restricted Access Policy.

Mr. Leggett expressed concern that the Seebode request (98A-TRV-08) and perhaps other properties are surrounded by sewer service for which they are ineligible; and noted the requests cannot be considered on a case-by-case basis at this time, but that he believes applicants should not have to wait for the conclusion of the Potomac Sub-Region Master Plan process.

Recommended, Councilmember Berlage voting in the negative, the following requests be considered in a timely manner prior to revisions to the Potomac Subregion Master Plan, subject to the receipt of additional information from Staff regarding the potential impacts of approving the requests:

- Novas (98A-TRV-07)
- Seebode (98A-TRV-08)
- Cullinane (98A-TRV-09)

Discussed with Mr. Soukup, DEP, the request from Michael and Patricia Grodin for sewer service to accommodate a church. Received explanation from Mr. Soukup that the sewer request was consistent with the Private Institutional Facilities policy within the Comprehensive Ten-Year Water Supply and Sewerage System Plan but not with the Cloverly Master Plan which does not recommend sewer service in this area.

Noted that the County Executive, Planning Board and Council Staff recommend denial of the sewer change consistent with the Master Plan, and that preliminary septic testing has been done and it is likely that the church would be able to relocate to the property whether sewer service is approved or not; and that multi-unit septic service would have a negative environmental impact on seven acres of forested area on the northwestern portion of the site.

Mr. Leggett noted that the Master Plan should be considered a guiding document but should not preclude actions which meet other Council priorities such as protecting the environment.

Recommended approval of the following water and sewer category change request with conditions:

Applicant Name	Number	Category Chai Water	nge Requested :	Committee Recommendation
Michael and Patricia Grodin	99A-CLU-02	VV-1" to VV-1	S-6 to S-1	Approve
*Water is currently restricted to a	one water books in or	The request u	muld romaica this was	

Conditions:

- The sewer main extension will be dedicated and restricted in use for the church. No other properties will connect to the service.
- The forested area on the northwest portion of the site will be protected from future disturbance through the use of covenants, conservation easements, and/or other formal actions.

 The cost of the main extension will be paid for by the beneficiary of the service (consistent with the Private Institutional Facilities policy contained within the Ten-Year Comprehensive Water Supply and Sewerage System Plan).

This is an accurate account of the meeting:

Mary A. Edgar, CMC Clerk of the Council

Minutes written by: Keith Levchenko, Legislative Analyst

Minutes edited by: Mary A. Edgar

ACIGNOA (TRN 40 November 2, 1999

Action

MIMORANDUM

October 29, 1999

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County Council

FROM Keith Levehenko, Legislative Analysi

SUBJECT: Action: Resolution to Amend the Ten A car Comprehensive Water Supply and Selverage System Plan

Transportation and Environment Committee Recommodations Concur with the County Executive and Planting Board on all of the recommendations except.

Allehwel and Pairsela Grodin (99-CLO:02): The Complice recommends approval of this request with conditions (specified on page 6 of this memorandum)

The Committee recommends decial of three calegory change requests for properties located in the Pincy Branch subwatershed (consistent with the County Executive wind the Pincy Branch subwatershed (consistent with the County Executive wind the Planning Board). If the Committee recommends (2-1) Mr. Beriage opposed) that staff provide further information regarding the impacts of approving these changes and that the Committee register requests in the Pincy Branch subwatershed in advance of future revisions to the Potomac Subregion Master Plan and Restricted Access Policy.

On September 14: 1999 the County Executive transmitted recommendations on 20 Vater/server dategory change requests and one plantext amendment to the Ten-Year Comprehensive Water Supply and Serverage System Plan. A public hearing was held on October 19: 1999. The Transportation and Environment Committee held a worksession on October 25: 1999. The following documents are attached for your information and environment.

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Overview

The Caunty Executive transmits a propage of amendments to the County County is semi-sentually (typically bloy and Nevember). However, the automission propagetore the Caunty (typically bloy and Nevember). However, the automission propagetore the Caunty transmittents that the submission subsych. The Department of Environments of Environments for agreement of Environments for agreement of the Cauncy of automitial according to automitial according to the Cauncy appears to automit a second reviewing and transmitting these amendments to the Cauncy expects to be submit a propaget time and automitial according to the Cauncy and Alexandric and Submit automitial May and Movember.

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The County Council has the authority under the ourcent Comprehensive Water Supply and severage systems Plan to review and approve unsudments at any time during the year. Therefore if amonoments of a time-sensitive mattre arise; they may be deall with outside of the sent the sensitive mattre arise; they may be deall with outside of the sent amonomic process.

The package aubinited by the County Executive includes 20 what/sewer category change requests soid one plan text attlendition. Which are separately reviewed later in this packet.

Council staff concurs with the County Executive recommendations (as does the Planning Board) on all of the arrendments. Several policy (saues reour throughou) the amendment several policy (saues reour throughou) the amendment requests and are summarized below.

 Conneil staff believes that entegory change decisions should be approved based on criteria presented in the Water and Sewer Plan, recommendations provided in relevant master plans, the "intent" of policies, and (when available) prior Council actions

Wignly of the applicants request category changes based on tactors apart from whether the request is consistent with the Water and Sewer Plan or master plans. These reasons includes to maximize the use of a property to increase the value of a property to increase the value of a property to future sale, to allow for a specific land use (such as a new Church facility or a retirement home for a furnity member) and others.

In some caucs, there is a conflict between the Water and Sewer Plan and the respective muster Plan (A master plan is assumed to take precedence unless a specific Council policy exists to supercede a master plan (such as the Private

Thempional Paulinies policy and the Pracy Branch Server Restricted Address (Policy)

Six requests involve sever estagory shanges to either the Groundshardshanch typicrahed on the Pinox Branch. Wheershed theit part of the Potomed Subregion: Nation Plant (Part) of the Potomed Subregion: Nation Plant (Part) of the Potomed Subregion: Nation Plant (Part) of the Potomed Subregion (Part) of the Potomed S

The Pointhae Subrulator Makier Plan will be going through a revision process of a period of the next year. Which and server service recommendations will be included in the revisions. The latest wind PPC schedule ands for ransmitted to the County Executive this executive

The Private Institutional Pacifity policy is a factor in five of the appendments
reviewed in this packet. In some cases, this policy allows for approvals where
the Water and Sower Man general criteria and relevant master plan would not.
The policy is attached and 2-28.

The following section reviews each amendment request individually and is grouped by planning area. The County Executive and Plenning Board recommendations are (righted for reference. The Council staff recommendation is included where it differs from the Transportation and Environment Committee recommendation.

Proposed Amendments

Clarksburg Planning Area

Lakeward Church (98A-CKB-03)

This request involves an R-200 ganed property in the Stage 3 area of Clarksburg. The property is located just north of Rocky Hill Middle School on Route 355. The amendment would change the current S-5 category to S-3 in order to allow for the construction of a church with a public sever connection. The County Executive and the construction of a church with a public sever connection. The County Executive and the change Board recommend deferral of this request pending a review of the status of the staging riggers and the preparation of a comprehensive water/sewer map amendment for the Suige 3 area.

The request will require the construction of a 2800, main extension from the existing [2] drameter main located just south of the Rocky Hill Middle School. The extension would abut five auditional properties, require rights of way from several properties, require the removal of mature trees, and temporarily discipled stream and wetlands.

The Clareaburg Marky Plan Equator that defining leagering mechanisms he met prior to deferent the control of the met prior to deferent the control of the co

Computing Recommendation Consurviol the County Executive's and Planning Howroll executives mathems to determine on this sover entegory change request until the above potent studies are completed. Careful staging of acceptament is a critical clonent of the Claresburg Master Plan

A SCIENTALISMONIANTENENTENTONING MORNOR STORMAND STORMAND

This emenument would change the correct Stategory to State provide sever service to four R-200 sometion by within the foregardize Acres subdivision stated east of Raute 355. The County Executive and the Placoling Hourd concurry in this request with a note that nearby Stage 3 properties will not receive approval of category changes outside a fille comprehensive water/seven map amendment process.

The request will require the construction of approximately 2800 of mains (1900) of CP size main). Construction will arrest a stream and well and any require the removal of some trees.

Although the responsively will facture construction within the Stage 3 portion of Cinchestrage 3 properties and is therefore consistent with the Master Plan and its Water and Server Plan

Evaluative: Recommendation: Concur viti-dies county Executive's and Plauming Useful's 1-20 innocutation to shange the server catagory from 5-3 10/5-3.

Cliverly Fluming Area

3 Michael and Pottech Grodli (09A-GLO-02)

This request is for two REP2 zoned purchs loomed on the west side of New Hampshire Road Just north of Bryain's Nursery Road. The amendment would change current restrictions on water service and change the sewer category from \$-6.00 \$-1. The change is requested in order to accommodate the construction of a facility for the Southern Asian Seventi Day Adventist Church and cluminate the need for an undergraphic field. The County Executive and the Planning Board recommend approval of the water change buildenial of the sewer change.

The charge in water restrictions will require the connection of service from the abutting 16' diameter main located along New Hampshire Avenue. The avater service change request is consistent with both the Misser Plan and Water and Sewer Plan policies. The current single hookup restriction is the result of an earlier administrative delegation process.

The terror phieton, change will routine at 1250 to winnessure main extension. All ensembles the pump will be required. The applicants note that the abover change will protect the ensemble pump will be required. The applicants note that the abover change will protect the ensembles that the abover change will protect the applicant of a line headwhere of the Prorthivest applied by dynighing the functionary of an underproduct senticities.

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Willie the main extension required is long 1250), the cost would be the responsibility at the shured. The PH (policy does not spacify a maximum main extension length sallowed.

Howevery the request is in worthlen with the Cloverty Master Plan which stales

s The exicusion of seven service in residential institutional and special exception these in the RC and RL-2 area (exception address public life at the problems or as address of the specific Comprehensive Mater Supply and Sevenage Systems Plain policies) is not consistent with this Plain secage of potential impacts on the lower tensity elarates of potential impacts on the lower tensity elarates or potential impacts on the lower tensity elarates or potential impacts on the lower tensity elarates or potential impacts on the lower tensity elarates.

The lastic of the potential environmental impacts of scribe versus sower in the area were discussed during the Mastel Plant soview process, but the Council chose the testificity stanguage quoted above

Both the County Exacultye and the Pluming Board argue that the Master Plan should take precedence in this instalice based by the specific language included and Council take precedence in this instalice based by the specific language included and Council take precedence in this section of the severage to support institutional development in this section.

If septic service is a faisible opition for the church, then Council staff notes that the master plan language discouraging institutional uses by not allowing sewer is ineffective in this ease. In overor, allowing sewer service in order to lessen negative environmental impacts of septic service is not a stated policy to the Master Plan and could lead to faithe pategory change requests not consistent with the Master Plan.

Council slaft recommends approval of the water change out agrees with the time out ve s and Paramis Board's recommendation to deny the sewer palegory change based on the specific master plan language recommending against sever service in the area. Computer Resourcements Consultation County Discours discours and the Panning Sports of Strong County Discours and the Panning Reputation strong control of the County Discours and the County Discours and Cou

Approve the sense collegory change with the following conditions:

- a the sever main extension will be restricted for use by the connection for systems of connection to other proportion.
- s sovenanc (or similar legal arrangement) will be developed to ensure the impatern protection of the area that would have been assention the septic
- * life property dwaler will pay for the multi extension as required in the Privals and unique fallifies policy:

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This amendment would change the current 5-h category to 5-1 in order to allow for the construction of a home on a residual outlor solution by New Hampshire Avenue on Crystal Springs Drive. The County Executive and the Planning Board recommend denial of the request

Two previous single sever hookung were granted to to a pieces of the original parce from which the current property was a part. However, the property in question is zoned if I and is not generally eligible for hubits sewer service under Water and Rewer Plan policies and master plan recommendations. A sewer main traverses the site but the property does not predate the main extension. Therefore, the request does not orectable property does not predate the main extension. Therefore, the request does not orectable property does not predate the main extension. Therefore, the request does not orectable property about the extension while I should be property as a first content of the property is forested sever service for environmental reasons is not justified under current policies either.

Committee Recommendations Concur with the County Executive's and the Planting Bonra's recommendations to deny the sewer category change request.

Dameslown Planning Area:

5 Minnes Schoole 08ALDNO OD

This request is for a property located on Turkey Foot Road. The amendment would change the current W-4 and \$46 categories to W-5 and \$.5. In order to enhance the value of the property and allow the applicant to sell the property to support his retirement. The County Executive and the Plataing Board recommend approval of this request.

The request Will require a S76 CIP-sized water main extension and a 1200 sewer main extension. The area in question is in a stage IV area of the Master Plan and thus requires that such extensions be logical, sconomical and environmentally acceptable.

11/2/99

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.

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.

Submission No. 5

Testimony of Michele Albornoz w/Ten Exhibits Dated 3/30/17

For Concerned Citizens of Cloverly
Opposition of Jesus House, LLC construction

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.

- 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).
 - ii. 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.
- iii. An antenna may be mounted on the facade of a building at a minimum height of:
- (a) 50 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:

- a. 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. weekdays.

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, Maryland

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.

Attachment5

PHED Committee #4 July 14, 2014

MEMORANDUM

July 10, 2014

TO:

Planning, Housing, and Economic Development Committee

FROM:

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. 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;

- 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.

¹ 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".2 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.3 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. To the best of HHS's information, only 10 of the 3,500 licensed facilities rent space to

² Chapter 15 definition:

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

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

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

License: A document authorizing a food service facility or an itinerant food service facility to operate in the County. ³ Sec. 15-8. License required; exceptions; certified manager required.

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.

After January 15, 1989, a licensee must not operate a food service facility unless at least one employee is a (b) 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) A food service facility where no unwrapped food is handled; or

A seasonal food service facility in which little or no potentially hazardous food is prepared, (B) handled or served.

This requirement may be applied to an itinerant food service facility at the discretion of the director. (4)

The director may postpone or waive this requirement if in unusual circumstances its application to a particular licensee would result in undue hardship.

⁴ The number of caterers and restaurants is not available from this aggregate data.

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

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.

A-Hachnent



Department of Permitting Services Division of Customer Service 255 Rockville Plke, 2nd 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)
	Washington Suburban Sanitary Commission (WSSC)
	State Highway Administration (SHA)
	Life Safety
	Mechanical
	Electrical
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.

Attachment 7

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

2. Use of architects and engineers not familiar with Montgomery County Codes and processes 3. Single Family Homes Meeting Commercial Building Standards 4. Accessibility Feder Basis Comm	Description en places of worship submit an application for ding permits, they must have a set of as-built wings for DPS to review the existing and the cosed structures. Many places of worship do not e a set of drawings of the existing church. cost of getting an engineer to develop a set of as a drawings can be expensive, but it is necessary. The places of worship use their members who are gen professionals to submit building applications and wersee the construction project.	Resolution Tips Build in the cost of the as-built drawings into the total cost of your project.
and engineers not familiar with Montgomery County Codes and processes 3. Single Family Homes Meeting Commercial Building Standards 4. Accessibility Feder Basis Comm	gn professionals to submit building applications and	
Homes Meeting Commercial Building Standards 4. Accessibility Feder Basis Comn	etimes these professionals are working in tgomery County for the first time and are not familial County codes or processes, and this makes the w period and construction period a challenge.	management services. The primary objective we
Basis Comn	mercial building standards are required because pace will be for public use. Sometimes it is difficult aces of worship in single family homes to meet nercial building standards. The question of what is does DPS use to determine that a SFD is dered 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
areas and sh physic lines o genera that als emerg	rai Law – 28 CFR Part 36 Nondiscrimination on the of disability by Public Accommodations and in mercial Facilities 3 Placement of Wheelchair Locations. Wheelchair shall be an integral part of any fixed seating plan hall be provided so as to provide people with cal disabilities a choice of admission prices and of sight comparable to those for members of the all public. They shall adjoin an accessible route so serves as a means of egress in case of lency. At least one companion fixed seat shall be ed 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.

A Hachment

Issue	Description	Resolution Tips
	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.	Parmed PRO
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 are trying to achieve
	One parking space for each 4 persons for whom seating is provided in the main auditorium; provided, that the number of spaces thus required may be reduced by not more than 30 percent if the church, synagogue or other place of worship is located within 500 feet of any public parking lot or any commercial or industrial parking lot where sufficient spaces are available during the time of services to make up the additional spaces required. This requirement does not apply to any existing building or structure located in a commercial or industrial zone which is used for religious purposes, if the existing parking meets or otherwise exceeds the requirements for any commercial or industrial uses allowed in the zone. This requirement does not apply to any existing 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 land, as of May 1, 1962; nor to any such building or structure for which a valid building permit has been issued prior to such date.	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.
	Any place of worship used by a congregation whose religious beliefs prohibit the use of motor vehicles in traveling to or from religious services conducted on their Sabbath and principal holidays shall only be required to provide one space for each 8 persons for whom seating is provided in the main auditorium; provided further, that the spaces thus required do not have to be provided on the building site if such place of worship is located within 500 feet of any public parking lot or any commercial parking lot where sufficient spaces are available during the time or services or other proposed use of the building to provide the spaces required.	
ii C b s	Parking in Neighborhoods - complaints related to nadequate parking. DPS receives complaints about inadequate parking pecause church members are parking on neighborhood treets taking up spaces where homeowners usually park.	

Attachment S

- (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 hundred-foot radius and downgrade from the proposed house location and shall all be in virgin soil.

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

 $8,000 \text{ GPD/}500 = 16 \times 10,000 = 160,000 \text{ Square Feet } (3.67 \text{ Acres})$

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

 $10,500 \text{ GPD}/500 = 21 \times 10,000 = 210,000 \text{ Square Feet } (4.82 \text{ Acres})$

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.

A-Hachment 10



December 12, 2016

Erin E. Girard 301.961.5153 egirard@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.



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

Erin E. Girard

cc: Mike Razavi

Submission No. 6

Testimony of Michele Albornoz w/Five Exhibits Dated 12/31/19

For Concerned Citizens of Cloverly
Opposition of Jesus House, LLC construction

TESTIMONY OF MICHELE ALBORNOZ

My name is Michele Albornoz. I live at 712 Snider Lane, Silver Spring, MD 20905. I have been a Cloverly resident since 1977 and currently live only a short distance from the Jesus House property that is the subject of this case. This testimony supplements my letter and testimony submitted at the March 30, 2017 hearing in this case. A copy of that letter is being separately resubmitted due to an apparent mixup about including it in the record previously.

My larger family has been in the commercial construction industry for many years, and I have worked in the family business since 2000. In the course of my work in the industry, I review a very large number of plans every year that involve proposed construction of buildings that contemplate inclusion of cooking and eating facilities, including churches and schools. This has given me great familiarity with the distinction drawn in Maryland building codes between warming kitchens and commercial kitchens.

A warming kitchen is one in which food that has primarily been prepared elsewhere is assembled or heated up in the kitchen. A warming kitchen can contain counter space, a couple of ovens and refrigerators, several microwaves and a sink. They typically look like a home kitchen.

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. Either way, the activity requires a food license, as specified in Montgomery County Code, § 15-8 (a). Under § 15-11, detailed plans for the facility are to be reviewed and approved by the Department of Health and Human Services. Exhibit 1. County Guidelines for obtaining such a license are very detailed. Exhibit 2.

These distinctions between warming and commercial conditions are reflected in **Exhibit 3**, an October 18, 2016 email exchange between Gene VonGunten of DEP and Claire Eseli, then a legislative aide to Councilmember Marc Elrich, concerning the impact of the categorization of the Jesus House kitchen on the projected water flow of the Jesus House project.

Commercial kitchens have very specific commercial building code requirements, including the following:

- (1) vent hoods have to physically match to the equipment (burners) underneath, as well as for the BTU rating for the equipment underneath. The fan motors remove a certain amount of air (cubic feet per minute) in relation to the BTU rating. This assures that combustion gases for the more powerful burners are removed along with the cooking smells.
- (2) Floor drains, hand sinks, mop sinks and three compartment sinks are all standard in commercial kitchens.
- (3) A commercial kitchen can have three times as many sinks and/or dishwashers systems as a warming kitchen.
- (4) Plumbing drain lines (in the floor) are connected to grease interceptors to eliminate the FOG's (fats, oils & greases) from entering the sewer system. This is a stringent regulation enacted in 2006 by the U.S. Environmental Protection Agency. This also holds true for the trash rooms.
- (5) Commercial kitchens have commercial grade electrical capacity and fire suppression equipment.

The majority of churches big or small go with a commercial kitchen 95% of the time. If it is built as a warming kitchen it is typically recommended that all the plumbing, electrical and mechanical be installed at the initial build out to avoid costly renovation

expenses in the future. If the rough-ins are in place at the initial build out then it is easy to convert from a warming kitchen to a commercial kitchen in the future. A churches kitchen is driven by its intended uses.

At present, in its Silver Spring location, Jesus House has a County-issued food service facility license, as shown in County records maintained by Licensure and Regulatory Services of DHHS. Exhibit 4. In Chapter 15, "food service facility" includes those in churches, and is defined as "[a]ny enterprise that prepares or sells food or drink for human consumption on or off the premises." § 15-1(f). In short, it appears that the reason Jesus House has a food service facility license is because it is operating a commercial kitchen in Silver Spring.

Jesus House has, to our knowledge, not provided any detailed drawings showing the interior functions or layout of the kitchen facilities for its relocation to Cloverly. I put in two requests to DPS requesting any/all plans for the project. What we do have is an email from Jesus House counsel Anne Mead of June 30,2014 stating, "Jesus House may have more than a warming kitchen." **Exhibit 5.** If Jesus House has more that's a warming kitchen, then, as shown by others, this will have a direct impact on the calculations and determination of the necessary forest set- aside under Council Resolution 14-344.

In this remand proceeding, the Board should take a long hard look at the scope and scale of the Jesus House project in the fruition of its long-range plans. This should also take account of its heavy church calendar at present in Silver Spring, the fact that Jesus House appears to be already operating a commercial kitchen in its present location.

Print

Montgomery County Code

Sec. 15-8. License required; exeptions; 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.
- (2) After July 15, 1989, a licensee must not operate a food service facility unless the facility is under the immediate control of a certified food service manager.
 - (3) This requirement does not apply to:
 - (A) A food service facility where no unwrapped food is handled; or
- (B) A seasonal food service facility in which little or no potentially hazardous food is prepared, handled or served.
- (4) This requirement may be applied to an itinerant food service facility at the discretion of the director.
- (5) The director may postpone or waive this requirement if in unusual circumstances its application to a particular licensee would result in undue hardship.
 - (c) A license is not requested if food or drink is:
- (1) Prepared or provided from the homes of members of a nonprofit organization listed in subsection (d);
 - (2) Shared among the members of the organization at no charge; and
 - (3) Not served to the public.
- (d) A license is not required for a food preparation or serving area that is used exclusively by a volunteer fire company or a nonprofit fraternal, civic, war veterans, religious, or charitable organization to serve the public if:
 - (1) No potentially hazardous food is prepared or served; and
 - (2) Food or drink is served less than 5 times a week.
- (e) Any food preparation or serving area listed in (d) may be inspected by the director and is subject to the operational provisions of this chapter pertaining to cleanliness, water supply and waste disposal, health of personnel and the handling and wholesomeness of food and drink. (Mont. Co. Code 1965, § 82-10; 1972 L.M.C., ch. 16, § 13; 1980 L.M.C., ch. 25, § 1; 1989 L.M.C., ch. 1, § 3.)

Note-Formerly, § 15-10.

EXHIBIT 1

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Montgomery County Code

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.

Class IV: A food service facility operating from a mobile unit which handles or sells sealed, prewrapped, or prepackaged food or drink in the original sealed container or wrapping, and does not prepare, wrap, or package any food or drink within the mobile unit except coffee or tea.

- (j) License: A document authorizing a food service facility or an itinerant food service facility to operate in the County.
 - (k) Licensees: A person who is issued a license.
- (l) *Person:* An individual, firm, partnership, company, corporation, trustee, association, institution, cooperative enterprise, or other publicly or privately owned entity.
- (m) Potentially hazardous food: Any food capable of supporting rapid and progressive growth of infectious or toxicogenic microorganisms. This term includes milk or milk products, eggs, meat, poultry, fish, shellfish, and edible crustacea. This term does not include clean, whole, uncracked, odor-free shell eggs.
- (n) *Utensils:* Any kitchenware, tableware, glassware, cutlery, utensils, containers, machines, or other equipment with which food or drink comes in contact during storage, preparation, or serving. (Mont. Co. Code 1965, § 82-1; 1972 L.M.C., ch. 16, § 13; 1980 L.M.C., ch. 25, § 1; 1989 L.M.C., ch. 1, § 1; 1995 L.M.C., ch. 13, § 1; 1996 L.M.C., ch. 26, § 1.)

Editor's note-Section 5 of 1995 L.M.C., ch. 13, reads as follows: "Sec. 5. A regulation that implements a function assigned to the Department of Health and Human Services by 1995 LMC ch. 13 continues in effect but is amended to the extent necessary to provide that the regulation is administered by the Director of the Department of Health and Human Services."

Sec. 15-11. Plan approval requirements.

- (a) If a food service facility is constructed or materially altered, or if an existing structure is converted for use as a food service facility, the licensee or applicant must submit to the director properly prepared, scaled plans and specifications for:
 - (1) Plumbing, lighting, and the construction and finishing materials for work areas; and
 - (2) The location, size, manufacture, and model number of all equipment.

- (b) The director must approve all plans and specifications before workbegins.
- (c) If one or more pieces of equipment are added or are replaced, the licensee or applicant must submit to the director the location, size, manufacturer, and model number of that equipment.
 - (d) The director must approve the equipment before it is installed. (1989 L.M.C., ch. 1, § 3.)



Montgomery County Department of Health and Human Services

Licensure & Regulatory Services 255 Rockville Pike, Suite 100 Rockville, Maryland 20850

Phone: 240-777-3986 Fax: 240-777-3088 www.montgomerycountymd.gov

GUIDELINES FOR BUILDING OR REMODELING A FOOD SERVICE FACILITY

Are you planning to operate a new retail food service facility or alter an existing facility (either by renovation or the addition of equipment)? The information contained in this packet is intended to assist you in obtaining Montgomery County Department of Health and Human Services, Licensure and Regulatory Services' approval for the use of the new facility or equipment. Please allow ten (10) business days for the initial review of the plans or information submitted. If you have any questions, please contact DHHS, Licensure and Regulatory Services at 240-777-3986.

LICENSES AND PERMITS

SECTION I: NEW FACILITIES

1.1. Submit a complete set of architectural drawings to Licensure and 1 Regulatory Services. Ī 1 1.2. Apply for a Food Service Facility License with License and Regulatory Services (see Attachment A for the application). ſ 1 If you are planning to provide alcohol beverages, obtain a liquor license by contacting the Board of Licensed Commissioners at 240-777-1999. 1.4. If your facility is a chain or franchise (i.e., there is more than one ſ 1 facility in Maryland with the same menu, processing systems, and facility layout), additional architectural drawings need to be submitted to the State of Maryland Department of Health and Mental Hygiene Office of Food Control for review and approval. Contact the State of Maryland Division of Food Control at 410-767-8400 for further information. 1.5. If your facility is serviced by public water and sewer, contact the Washington Suburban Sanitary Commission (WSSC) at 301-2068000 or the City of Rockville at 301-314-8240 (if your facility is within that jurisdiction) for information on connecting to the public utilities. If your facility is serviced by an on-site water or sewage disposal system, contact the Montgomery County Department of Permitting Services, Well and Septic Section at 240-777-6300 to obtain approval for on-site systems.

- [] 1.6. Obtain a Trader's License by contacting the Clerk of the Circuit Court at 240-777-9460.
- [] 1.7. Provide Workers' Compensation Insurance or a Certificate of Compliance from the Workers' Compensation Commission (see Attachment B). Contact 1-800-0479 for more information.
- 1.8. Provide the name of an employee who has obtained a Montgomery County Certified Food Service Manager's card or who is enrolled in an approved food safety course. The Certified Manager must be an employee with the responsibility for implementing the facility's food safety (HACCP) plan (see Attachment C for more information).

SECTION II: ALL FACILITIES

Before construction or renovation work begins, you MUST obtain approval from Licensure and Regulatory Services in addition to obtaining a valid building permit. Submit one complete set of architectural drawings which must include the following information.

- [] 2.1. Menu. List all the food items and beverages you plan to offer and submit a completed HACCP plan (see Attachment D). If your facility has a rotating menu cycle, provide a representative list of the food items and beverages you plan to offer.
- [] 2.2. General Layout. Provide scaled drawings identifying the location of all equipment, fixtures, walls, doors, lights, drains, counters, bathrooms, storage rooms, offices, refuse storage, wait staff areas, dining rooms, etc.
- [] 2.3. Finish Schedule. List the surface finish of the floors, walls, baseboards, and ceilings. Specify the material and color used for each finish. All finishes must be durable, smooth, washable, non-absorbent, and grease resistant.
- [] 2.4. Equipment Specification. List all the equipment to be installed. Include the type, manufacturer, model number, dimensions,

performance capacity, and how the equipment will be installed (casters, legs, or sealed to the floor and wall). Also include information that:

Ĺ]	2.4.1.	Equipment is listed by the National Sanitation Foundation (NSF at www.nsf.org) or equivalent. Equipment that is custom built must meet the standards of NSF;
Į.	1	2.4.2.	Equipment is moveable or is sealed to adjacent surfaces, on casters, or spaced from walls and adjacent equipment to facilitate cleaning;
I	J	2.4.3.	Floor mounted equipment is placed on approved 6 inch legs and counter mounted equipment weighing more than 80 lbs. is placed on approved 4 inch legs;
[1	2.4.4.	If the equipment is painted, a lead-free, non-toxic, light-colored, glossy enamel paint or high gloss varnish is used;
1]	2.4.5.	Shelving for walk-in units is constructed of durable, non-absorbent, and non-corrosive materials such as stainless steel;
[1	2.4.6.	The bottom shelf of a shelving unit intended for storing open foods or utensils is at least 18 inches from the floor;
]	2.4.7.	The design of salad bars, buffets, and bulk food service equipment meets the design standards set forth in this guide. When unwrapped food is placed on display, provide covers or install guards to prevent contamination from a customer's sneeze or cough (e.g., a sneeze guard). The guards may be hung from the ceiling, anchored to the adjoining wall, clamped on the display counter, or be free-standing. Provide elevation information on the sneeze guard and submit a cross-section drawing of the installation. Also, provide equipment to maintain hot or cold food at the proper temperature;
[]	2.4.8.	All cracks, holes, and gaps between non-portable equipment are sealed or caulked;
I]	2.4.9.	An adequate number of preparation tables are provided to separate raw meats from ready-to-eat food items during preparation;

[] 2.4.10. Adequate refrigeration and freezer space capable of maintaining proper temperatures is provided; Ţ 1 2.4.11. Adequate hot holding equipment capable of maintaining proper temperatures is provided if food is to be hot held; 1 2.4.12. Adequate equipment to rapidly cool and reheat food is provided, if those processes are indicated in the HACCP plan. This equipment must be able to restrict the time a food is in the temperature danger zone; and ſ 1 2.4.13. If a charbroiler, pit barbeque, smoker, or similar cooking equipment of at least five square feet is installed, an air quality Permit-to-Construct from the Maryland Department of the Environment is obtained. Contact the Montgomery County Department of Environmental Protection, Division of Environmental Policy and Compliance at 240-777-7770 for forms or additional information.] 2.5. Plumbing Fixtures and Plumbing Riser Diagram (Note: The Washington Suburban Sanitary Commission (WSSC) is the agency responsible for issuing plumbing permits, except in the city limits of Rockville). Submit architectural drawings that indicate hot and cold running water is provided under pressure in all areas where food is prepared and where equipment and utensils are washed. Produce washing sinks in retail markets only need to be supplied with cold water. The hot water supply must be of sufficient quantity so that hot water is continuously provided, even during periods of peak demand. Refer to the Food and Drug Administration (FDA) plan review guide (www.cfsan.fda.gov/~dms/prev-toc.html) for guidelines on sizing water heaters. Also, include information that: ſ 2.5.1. 1 Utensil washing is provided via a three compartment sink or a mechanical dishwashing machine to properly wash, rinse, and sanitize equipment and utensils. One and two compartment sinks are not approved for utensil washing. Include information that: Ī 1 2.5.1.1. A test kit is provided for checking the sanitizer concentration if a chemical sanitizer is used. If hot water is used as the sanitizer, provide a maximum registering thermometer or temperature tape for checking the hot water temperature;

Į)	2.5.1.2.	left in compacco clear comp	A three compartment sink is equipped with right and left integral drainboards. In addition, each compartment must be of sufficient size to accommodate the largest utensil or equipment being cleaned in the sink. Each vat of the three compartment sink must drain independently and indirectly; and										
		2.5.1.3.	Aime	echanical dishwashing machine is equipped with:										
I]	2.5.1.	3.1.	A pressure gauge for the final rinse cycle;										
	I	2.5.1.:	3.2.	Built-in temperature gauges for the wash and sanitizing cycles;										
[]	2.5.1.3		A compartment of sufficient size to accommodate the largest utensil or equipment being cleaned in the unit;										
[2.5.1.3		A booster heater capable of heating the water to at least 180°F. or an automatic chemical dispensing system; and										
[]	2.5.1.3	3.5.	A pre-rinse device.										
		2.5.2. Ha	nd wa	ashing facilities are:										
[]	2.5.2.1.	Locat	ted in or adjacent to toilet facilities;										
[]		utens	ted in each food preparation, processing, and sil washing area. Additional sinks may need to be led so that no point is more than 25 feet from a sink;										
[]			oped with soap and disposable hand towel nsers;										
]]	•	of a m	ded with hot and cold water tempered by the use nixing valve or combination faucet. The minimum red hot water temperature is 110°F.;										
ليبسا	J	· · · · · · · · · · · · · · · · · · ·	than 1 food s	ded with a splash shield if the hand sink is less 18 inches from unprotected food preparation, storage, or utensil storage areas. Splash shields extend at least 12 inches above the rim; and										

	[1	2.5.2.6.	Designated for hand washing only.
]		Pipper wells are provided to store dispensing utensils sed in serving frozen desserts. Dipper wells must have:
İ	ĺ]	2.5.3.1.	A water source with control valve;
!	Į.]	2.5.3.2.	An air gap at the point that water is introduced into the well; and
]	2.5.3.3.	An indirect drain.
			2.5.4. In	direct drain connections are provided for:
[•]	2.5.4.1.	Dishwashing machines, refrigerators (unless self contained), steam kettles, ice machines, walk-in units, or any food service equipment that generates waste. Indicate that the equipment drains into an open-site drain; and
I].	2.5.4.2.	Food preparation and utensil washing sinks. Multiple sinks must be provided with independent, as well as indirect, drains.
[]]	pr for sy W	rect connections are provided with an approved, operly installed vacuum breaker or backflow preventer requipment directly connected to a potable water stem and/or having a threaded hose bib. Contact SSC or the City of Rockville for information on approved ckflow protection devices;
E]			oor drains not regularly receiving waste are provided the an automatic trap priming system or 6 inch trap seal;
Ĺ]			aste water lines are not located over food preparation or orage areas;
[]			op sinks are provided with hooks for hanging mops and coms and an approved vacuum breaker;
]	1		info	throoms (Contact WSSC or the City of Rockville for ormation on the required number of bathrooms and throom fixtures) are provided and:
-[]		2.5.9.1.	Are fully enclosed;

[]		2.5.9.2.	Have self-closing and inward opening doors;
[]		2.5.9.3.	The materials used for the floors, walls, and baseboards meet the criteria specified in Section II.3 of this guide;
[feerend		2.5.9.4.	Proper ventilation via mechanical ventilation in conjunction with screened louvers or forced make-up air is provided. Mechanical exhaust ventilation must exhaust at a rate of at least 2 cfm per square foot of floor area;
[]		2.5.9.5.	Appropriate covered trash receptacles are provided, including a separate covered receptacle in the women's bathroom; and
]	á	2.5.9.6.	New facilities constructed with seats for on-site eating and facilities changing their operation to include on-site eating, are provided with a bathroom for the public. A customer must not pass through the kitcher or food storage area to access the bathroom.
[1	2.5.		e location of garbage grinders and trash compactors is ecified; and
[].	2.5.1	req 800	e location of a grease recovery unit is specified, if unified. Contact WSSC Code Enforcement at 301-206- 00 or City of Rockville at 240-314-8240 for additional ormation.
		2.6. Ade	quate ligh	ting is provided and:
[]	2.6/1		type and location of lighting and the method of elding is specified;
Γ.]	2.6.2	the requ uter the	light levels, in foot candles, for each area, including interior of walk-in units is specified. The minimum uirement is 50 foot candles in food preparation and sil washing areas and 20 foot candles 30 inches from floor in food storage, walk-in units, dining areas during ning, and bathrooms; and
]	2.6.3		type of shielding for lights installed inside any pment is specified.

İ	Ĺ]		ing room or personal storage is provided specifying the type ation of lockers, hooks, etc.
			2.8. Refuse	disposal is provided. The information must specify:
			2.8.1.	For exterior refuse disposal:
[•]:	2.8.	.1. The location and type of refuse containers;
į	•].	2.8.	.2. The non-absorbent material on which the refuse containers are stored;
[J	2.8.1	.3. The procedure for cleaning refuse containers;
[ĺ	2.8.1	.4. The refuse containers are vermin proof; and
[J	2.8.1	.5. The drainage method for refuse storage areas.
			2.8.2.	For interior refuse storage:
I		J	2.8.2	1. The location of trash receptacles;
I		1	2.8.2	o a manufacture of the contract of the contrac
[J	2.8.2	3. The location of trash storage within facility, if applicable.
I			drawings to remov heat, cor systems with mak the entra Ventilatio	and equipment ventilation is provided. Submit architectural indicating that kitchen ventilation is designed and installed a grease droplets, vapors, toxic gases, excessive steam or densation, and smoke from a facility. All ventilation must discharge outside the facility and provide the system e-up air. Make-up air vents must be designed to prevent nce of dust, dirt, insects, or other contaminating material. In of individual equipment may be required to prevent the tion of debris and prevent grease or condensate from into food or onto food preparation surfaces. Also, provide in that:
[]	ľ	2.9.1.	Bathroom ventilation is separate from other ventilation systems and is vented directly outside;
]]		2.9.2.	The minimum air speed at the edge of the cooking surface is at least fifty (50) feet per minute in the direction of the exhaust;

I]	2.9.3.	Air is exhausted from within the hood and air movement is uniform through the hood;
I]	2.9.4.	Hood equipment is capable of capturing sudden clouds of steam, vapor, or smoke;
1	J	2.9.5.	The hood systems are installed to facilitate cleaning and are constructed of stainless steel or durable, smooth, easily cleanable materials (paint is not approved). Interior reinforcing and the fire suppression system must be smooth, easily cleanable, and not create a surface on which grease or condensation will collect and drip;
[.],	2.9.6.	The hood has a smooth interior and is free of interior lips or edges that may allow grease or dirt to accumulate;
[]	2.9.7.	The hood is provided with an approved means to capture and dispose of accumulated grease, such as a removable grease trough;
Ì]	2.9.8.	The distance between the bottom of the hood and the top of the cooking surface is as short as possible, without causing injury or interfering with kitchen personnel at work;
[]	2.9.9.	Canopy-type hoods overhang the cooking equipment a minimum of 6 inches on all sides for Underwriters Laboratories (UL) 710 listed hoods. Fabricated canopy-type hoods overhang the cooking equipment a minimum of 12 inches on all sides. The minimum depth must be 24 inches;
[]	2.9.10.	Filters are baffle-type or a type approved by the Fire Marshall. Filters must fit tightly against the supporting framework and be easy to remove for periodic cleaning. The bottom of the filter frame is equipped with ¼ inch weep holes. The joints between adjacent filters must prevent the passage of air.; and
ľ]	2.9.11.	The hood ventilation is not blocked by overshelves, broilers, or salamander units unless approval is obtained by this office.
[]		Contact the Department of Permitting Services at 240-777-6200 and Fire Code Enforcement at 240-777-2457 for additional requirements. If your facility is located

within the City limits of Rockville or Galthersburg, contact those jurisdictions for additional requirements.

2.10. The following miscellaneous items are addressed:

2.10.1. Storage systems:

[]	2.10.1	 The type, manufacturer, model number, and location of shelving, platforms, etc.;
]]	2.10.1	.2. The location for storing cleaners/toxic items, single use items, equipment, utensils, and food, which must be in a separate cabinet or room. Exposed food and utensils must be stored at least 18 inches from the floor;
[]	2.10.2.	Doors: All doors to the outside are self-closing and rodent proof;
[]	2.10.3.	Choking Posters: Choking posters are provided and posted. Posters may be purchased from the American Red Cross at 301-588-2515;
].	}		Delivery: Adequate equipment is provided for the hot and cold transportation of potentially hazardous foods;
i.[]		A minimum of 36 inches of aisle space is provided in front of equipment;
-[1		The method used to dispense single service items or self- service condiments and the location of those items; and
J]	:	The storage location of clean and soiled laundry. If onsite laundry service is provided, show the location of the washing machine and dryer.

Contact Information:

Department of Health and Human Services, Licensure and Regulatory Services: 240-777-3986

Department of Permitting Services, Division of Building Construction: 240-777-6200

Department of Permitting Services, Well and Septic Office: 240-777-6300

Office of the Board of Licensed Commissioners (Liquor Control): 240-777-1999

Clerk of the Circuit Court: 240-777-9460

Workers' Compensation Commission: 1-800-492-0479

Fire Code Enforcement/Fire Marshall: 240-777-2457

Department of the Environment, Division of Environmental Policy and Compliance:

240-777-7770

Washington Suburban Sanitary Commission: 301-206-8000

State of Maryland Department of Health and Mental Hygiene, Office of Food Control: 410-767-8400

City of Rockville, Inspection Services: 240-314-5040 (www.rockvillemd.gov)

City of Barnesville: 301-972-8411 (www.barnesvillemd.org)

City of Gaithersburg: 301-258-6330 (www.gaithersburgmd.gov)

City of Laytonsville: 301-869-0042 (www.laytonsville.md.us)

City of Poolesville: 301-428-8927 (www.ci.poolesville.md.us)

City of Washington Grove: 301-926-2256 (www.washingtongrovemd.ord)

National Sanitation Foundation: (www.nsf.grg)

Underwriters Laboratories: (www.uk.com)

Food and Drug Administration: (www.ida.gov) For the plan review guide click on:

(www.cfsan.fda.govi~dms/prev-too.himi)

American Red Cross: 301-588-2515 (www.redcross.org)

From: von Gunten, Gene

Sent: Thursday, October 20, 2016 3:12 PM

To: Sigworth, Ryan < Ryan. Sigworth@montgomeryplanning.org >; Iseli, Claire

<<u>Claire.lseli@montgomerycountymd.gov</u>>; Soukup, Alan <<u>Alan.Soukup@montgomerycountymd.gov</u>>;

Tibbitts, Dale < Dale. Tibbitts@montgomerycountymd.gov>

Cc: Lake, Dave < Dave.Lake@montgomerycountymd.gov >; Levchenko, Keith

< Keith. Levchenko@montgomerycountymd.gov >; Weaver, Richard

<rp><ri>chard.weaver@montgomeryplanning.org>; Flemming, Jason

<<u>Jason.Flemming@montgomerycountymd.gov</u>>

Subject: RE: Forest conservation on Jesus House site

Ryan:

That would be better asked of the State Dept. of Education, or whatever agency licenses the school.

Many public schools have "satellite" food service; where the food is kept warm or cold for a short time-but is prepared elsewhere.

Thanks,

gene

From: Sigworth, Ryan [mailto:Ryan.Sigworth@montgomeryplanning.org]

Sent: Thursday, October 20, 2016 2:39 PM

To: von Gunten, Gene < Gene.vonGunten@montgomerycountymd.gov >; Iseli, Claire

< Claire.Iseli@montgomerycountymd.gov >; Soukup, Alan < Alan.Soukup@montgomerycountymd.gov >;

Tibbitts, Dale < Dale. Tibbitts@montgomerycountymd.gov>

Cc: Lake, Dave < Dave.Lake@montgomerycountymd.gov >; Levchenko, Keith

< Keith.Levchenko@montgomerycountymd.gov >; Weaver, Richard

<ri>richard.weaver@montgomeryplanning.org>; Flemming, Jason</ri>

<Jason.Flemming@montgomerycountymd.gov>

Subject: RE: Forest conservation on Jesus House site

Gene,

One of the questions our staff has is whether or not a 350 student private school can realistically or legally operate without a commercial kitchen? Or will a school such as this just have a warming kitchen?

Thanks.

Ryan Sigworth, AICP

From: von Gunten, Gene [mailto:Gene.vonGunten@montgomerycountymd.gov]

Sent: Tuesday, October 18, 2016 8:13 AM

To: Iseli, Claire < Claire. Iseli@montgomerycountymd.gov >; alan.soukup

<alan.soukup@montgomerycountymd.gov>; Tibbitts, Dale < Dale. Tibbitts@montgomerycountymd.gov>

Cc: Lake, Dave < Dave.Lake@montgomerycountymd.gov >; Levchenko, Keith

< Keith. Levchenko@montgomerycountymd.gov >; Weaver, Richard

<ri>richard.weaver@montgomeryplanning.org>; Sigworth, Ryan

< Ryan, Sigworth@montgomeryplanning.org >; Flemming, Jason

<p

Subject: RE: Forest conservation on Jesus House site

Claire:

On behalf of DPS I will answer your question #2:

1. What is a "warming kitchen" – what types of equipment/activities are allowed? What is the County's rationale for a 50% reduction in septic capacity requirements for a facility that has a warming kitchen instead of a full kitchen? What steps are taken to ensure that a full kitchen is not installed after a project is built out?

A warming kitchen is equipped with non-commercial (residential quality) appliances. It is not suitable for large-scale commercial food preparation. This type of kitchen is adequate for a MCHHS commercial food license- and there is no possibility of food sales to the public. The Church can use a warming kitchen to warm up food prepared by Church members for consumption by Church members only.

A commercial kitchen has high-grade appliances that are listed and approved for commercial food preparation. This kitchen has passed a rigorous MCHHS plan review and can be licensed for food sales to the public. The installation of such a kitchen into an existing Church would require multiple permits and inspections- requiring approval of the well & septic section.

Actual sewage flow studies have verified that Churches without commercial kitchens have very low water use profiles; and Churches with commercial kitchens can have much higher flows. When DPS permits these facilities, we have a legal covenant recorded with the Church that stipulates the flow restrictions and limitations of the kitchen facilities. Commercial kitchens require annual inspections by MCHHS, and the staff of HHS verifies the septic capacity and function with DPS upon each renewal.

Thanks,

gene

From: Iseli, Claire

Sent: Monday, October 17, 2016 3:05 PM

To: Soukup, Alan < Alan.Soukup@montgomerycountymd.gov >; Tibbitts, Dale

<<u>Dale.Tibbitts@montgomerycountymd.gov</u>>

Cc: Lake, Dave < Dave. Lake@montgomerycountymd.gov >; von Gunten, Gene

< Gene.vonGunten@montgomerycountymd.gov>; Levchenko, Keith

< Keith.Levchenko@montgomerycountymd.gov >; Weaver, Richard

<ri>richard.weaver@montgomeryplanning.org>; Sigworth, Ryan</ri>

< Ryan. Sigworth@montgomeryplanning.org >; Flemming, Jason

< Jason. Flemming@montgomerycountymd.gov >

Subject: RE: Forest conservation on Jesus House site

Hello Alan,

Thank you for getting back to us with additional information. I have a couple of follow-up questions:

- 1. To MNCPPC staff copied on this email, who will respond to questions 2 and 3 below and when may we expect to get that information? Also, we note that the PIF policy states a concern about PIFs creating imperviousness far in excess of that normally resulting from residential uses, and urges MNCPPC staff and the Planning Board to "pursue options for establishing imperviousness limits" for PIFs locating in rural estate zones. Can you explain how you have addressed this for this application, which is proposing a use that is considerably more intense than the use approved by the County Council in 1999? Have all three phases of the proposed project been considered the 1,600-seat sanctuary, the K-12 private school, and the youth center, plus the required parking, both in terms of septic use requirements and impervious cover?
- 2. What is a "warming kitchen" what types of equipment/activities are allowed? What is the County's rationale for a 50% reduction in septic capacity requirements for a facility that has a warming kitchen instead of a full kitchen? What steps are taken to ensure that a full kitchen is not installed after a project is built out?

Thank you, Claire

Claire Iseli, Legislative Aide
Office of Councilmember Marc Elrich
Montgomery County Council
100 Maryland Avenue, 6th Flr
Rockville, MD 20850
Phone: (240) 777-7946
claire.iseli@montgomerycountymd.gov

From: Soukup, Alan

Sent: Friday, October 14, 2016 1:21 PM

To: Tibbitts, Dale < Dale. Tibbitts@montgomerycountymd.gov >; Iseli, Claire

<<u>Claire.lseli@montgomerycountymd.gov</u>>

Cc: Lake, Dave < Dave.Lake@montgomerycountymd.gov>; von Gunten, Gene

<<u>Gene.vonGunten@montgomerycountymd.gov</u>>; Levchenko, Keith

< Keith.Levchenko@montgomerycountymd.gov ; Weaver, Richard

<ri>richard.weaver@montgomeryplanning.org>; Sigworth, Ryan

< Ryan. Sigworth@montgomeryplanning.org >; Flemming, Jason

Lason.Flemming@montgomerycountymd.gov>

Subject: RE: Forest conservation on Jesus House site

10/13/16

Hello Claire and Dale -

My apologies for not getting back to you on this matter before now. I had intended to co you on an email response I sent to Keith back in September. (See the attached item.)

Please see my responses to Claire's questions annotated to her message below. Given the questions being raised about this project, I met last week with staff from M-NCPPC and DPS Weil and Septic to review the project and verify septic capacity and forest conservation calculations. Therefore, the following responses update the information in the attached email.

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BETHESDA	SILVER SPRING	ROCKVILLE	ROCKVILLE	SILVER SPRING	BETHESDA	SILVER SPRING	GERMANTOWN	GAITHERSBURG	ASPENHILL	POTOMAC	GAITHERSBURG	DAMASCUS	OLNEY	GAITHERSBURG	BURTONSVILE	ROCKVILLE	SILVER SPAING

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(39.0212, -76.9768)

(39.053, -77.1243)

(39.0856, -77.1515)

(38.9988, -77.0517)

(38.9881, -77.0979)

Hi Alan,

I just wanted to find out if you had a copy of the condition that Anne refers to her in email below regarding the preservation of forest which would have been used for the onsite septic system. Since the septic system would obviously been onsite, I'm just trying to see if the additional forest preservation area to meet this condition is also intended to be onsite. They are proposing it as fee-in-lieu or offsite via a forest bank. Any thoughts or information you might have on this would be appreciated.

Thanks, Mary Jo

Mary Jo Kishter
Planning Department, Area 3
M-NCPPC
(301) 495-4701
maryjo.kishter@mneppe-me.org

From: Mead, Anne M. - AMM [mailto:AMead@linowes-law.com]

Sent: Monday, June 30, 2014 2:53 PM

To: Soukup, Alan (Alan Soukup@montgomerycountymd.gov);

'gene.vongunten@montgomerycountymd.gov'

Cc: Kishter, Mary Jo; Weaver, Richard; mike@raztecengineers.com

Subject: Jesus House- 15730 New Hampshire/sewer condition re: forest preservation

Alan and Gene-

Pursuant to our discussion, we have prepared the materials (attached below) to address implementation of one of the conditions of the County Council Resolution No. 14-334 (dated November 2, 1999) for approval of an S-3 category for this site, "restricted to private institutional facility use only," specifically the condition: "the church will establish a covenant preserving the forested area which would have been used for the on-site septic system,...."

For Gene's review, please find attached the hypothetical septic calculations for a 1,600 seat church on the property, which includes the calculations for a 750 seat church that was proposed by the PIF applicant in 1999 (the sewer category change was not conditioned for the number of seats). We have also attached a draft Forest Conservation Plan (FCP) worksheet table based on the current concept plan and with the added lines "w" and "x" to address this unique situation to preserve additional forest area in addition to (as you requested to be consistent with the intent of 1999 condition- our preference was to include as part of the forest area already intended to be preserved) the forest area already retained and required for the FCP.

As you can see from the charts, with this draft concept plan (also attached), there would be the 4.31 acres of forest preserved on-site, plus an additional 4.68 acres of forest

EXHIBIT 5

preservation off-site or through payment-in-lieu that includes an additional 3.67 acres of forest preservation to implement this sewer condition, which is a significant increase from the 1.72 acres of forest preservation that would have been achieved with the original proposal. A few important notes—although the 1999 condition only references the church seats, we have assumed a warming kitchen was anticipated at that time, so we conservatively added that to our septic and forest area calculations and requirements (Jesus House may have more than warming kitchen); the concept plan is just a concept at this point—we know the forest areas, impervious areas and footprints will change, but we wanted to get the overall principle of satisfying this condition confirmed prior to plan revisions; and the FCP table is similarly just conceptual (and we don't need to necessarily include the additional 3.67 acres of forest preservation on the table, but we wanted to clarify the conceptual total amount on-site and off-site on one page for clarity at this point).

I have copied Rich Weaver and Mary Jo Kishter at M-NCPPC (and had opportunity to give Rich heads up it was on its way) for their feedback on the forest preservation aspect of this condition (please note caveats on conceptual nature- we know there will be changes to plan and FCP for subdivision) and for direction on the preference/requirements for the offsite forest preservation (we are assuming payment in lieu and forest banking). The final acreage number will change since there will be plan revisions, landscape added, etc.- but the additional 3.67 acres of preservation should remain the constant (assuming Gene confirms calculations).

Thank you all for your assistance and timely response to our confirmation request on implementing this condition. While we filed a sewer change application as a placeholder to get in queue per Alan's suggestion, we are not asking for a change to the S-3 at this time-just confirmation of implementing the existing condition, so hope to avoid the delays and expense of duplicating the 1999 process of going back to Planning Board or Council.

Please let us know if you would like to meet or discuss in person or need additional information? Thanks.

Anne

Anne M. Mead
Linowes & Blocher LLP
7200 Wisconsin Avenue Suite 800
Bethesda, MD 20814
301.961.5127
301.654.2801 (fax)
http://www.linowes-law.com
amead@linowes-law.com

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Submission No. 7

Signed Afffidavit of Michael Grodin w/Four Exhibits Dated 12/27/19

For Concerned Citizens of Cloverly Opposition of Jesus House, LLC construction

AFFIDAVIT OF MICHAEL GRODIN

I, Michael Grodin, hereby state as follows:

- 1. My name is Michael Grodin. I am over the age of 18 and fully competent to make the statements below, which are based on personal knowledge. I own and reside in a home at 15710 New Hampshire Avenue, Silver Spring, Maryland 20905.
- 2. In 1984, I began renting the open farmable space on the adjacent property at 15730 New Hampshire Avenue from the Hines family. I farmed the land until 2000, tilling the-ground and growing and harvesting trees and shrubs.
- 3. I purchased the entire property from the Hines family in 1996. At that time, and today, the land was zoned RE-2, single family residential in three parcels, totaling 15.56 acres, with a house on the parcel fronting on New Hampshire Avenue.
- 4. The property taxes proved to be too overwhelming for me. The taxes were \$20,000 a year and business was not that good, so I decided to subdivide and sell the land for residential development.
- 5. In the subdivision process, I was told that the Fire Marshall would require construction of a road that would accommodate a fire truck turnaround. This would have cost \$180,000, an amount I simply could not afford. In looking at alternatives, I concluded that the best one was to sell the property to a church that would want to relocate there.
- 6. The end result was that I entered into a contract for sale with Southern Asian Seventh Day Adventist Church in 1999. In consultation with licensed professionals, I did extensive engineering and site preliminary development work. I made clear to the Church that my family and I enjoyed the beautiful forested area and that we wanted to see it preserved in perpetuity when the Church was built.
- 7. In May 1999, I had Witmer and Associates evaluate the septic field the Church would need. Southern Asian wanted to build a 750-seat church with a full service kitchen. Though the water table proved to be high, preliminary perc test done by myself in conjunction with a Witmer engineer showed that a septic field could be built that would meet Church needs. Following COMAR and COMCOR guidelines, Witmer drew up a plan that depicted 7.6 acres of septic field, characterized as a concept development plan. Exhibit 1.

8. The Witmer calculation of the septic field acreage was arrived at as follows, utilizing COMAR standards:

750-seat church with a full service kitchen at 15 gallons per seat equals 11,250 gallons per day

11,250 divided by 500 gallons per unit equals 22.5 units

First unit: 10,000 square feet

Remaining 21.5 units x 15,000 square feet each = 322,500 sf

Total Acreage: 332,500 sf = 7.63 acres

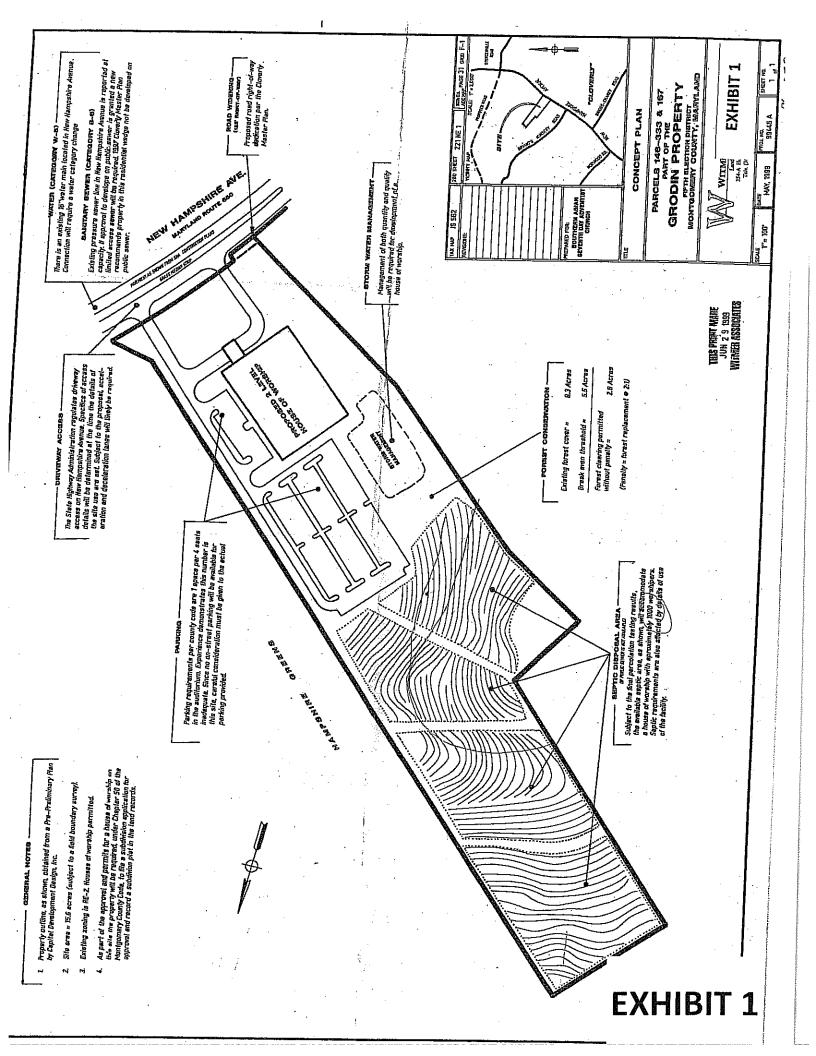
- 9. I made appointments that summer and fall with each County Council member to discuss the plan. Accompanied by Church elders, we showed each Councilmember the plan and pledged to place 8 acres into a perpetual Forest Conservation Easement if the Council allowed the Church to install a dedicated sewer line instead of a septic field.
- 10. We sought to persuade each councilmember that allowing the sewer hookup, although contrary to the recommendation in the Cloverly Master Plan, would preserve 8 acres of pristine virgin forest at the headwaters of the Northwest Branch, and could be a win-win for the environment, the church, the community and me.
- 11. The Witmer drawing depicting the Church and the required septic field acreage was shown to every County Councilmember. This plan was the focus of the discussion that led to adoption of Council Resolution 14-334 on November 2, 1999. Exhibit 2.
- 12. When this matter came up for consideration by the Council in the fall of 1999, it was preceded by discussions with the Department of Environmental Protection staff with my attorney at the time, Jody Kline, Esq. of Miller, Miller & Canby, concerning (a) the inclusion into the Resolution (Exhibit 2) of all three parcels of land at 15730 New Hampshire Avenue; and (b) the concept development plan (Exhibit 1). Exhibit 3.

13. Based on these discussions, Council Legislative staff recommended approval of the sewer category change with the condition "that the area that would have been used for septic service be protected via a covenant or other legal document," and that all three parcels be included to "best achieve the [Transportation and Environment] Committee's intent to environmentally protect this area of the property." Exhibit 4.

I AFFIRM UNDER THE PENALTIES OF PERJURY THAT THE FOREGOING STATEMENTS ARE TRUE AND CORRECT

Michael Grodin

Date: 12-27-2019



Attachment 12

Resolution No.: 14-334

Introduced: September 28, 1999 Adopted: November 2, 1999

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

By: County Council

Subject: Amendments to the Comprehensive Water Supply and Sewerage Systems Plan

Background

- Section 9-501 et seq. of the Health-Environmental Article of the Maryland Code, requires the
 governing body of each County to adopt and submit to the State Department of the
 Environment a comprehensive County Plan, and from time to time amend or revise that Plan
 for the provision of adequate water supply systems and sewerage systems throughout the
 County.
- In accordance with the State law on December 30, 1969, by Resolution No. 6-2563, the County Council adopted a Comprehensive Ten-Year Water Supply and Sewerage Systems Plan which was approved by the State Department of the Environment.
- 3. The County Council has from time to time amended the Plan.
- 4. On, September 14, 1999, the County Executive submitted to the Council recommendations for water and sewer category change applications.
- 5. Recommendations on these amendments were solicited from the Maryland-National Capital Park and Planning Commission, Washington Suburban Sanitary Commission Staff, and affected municipalities.
- A public hearing was held on October 19, 1999.
- 7. The Transportation and Environment met on October 25, 1999, to discuss these amendments to make recommendations to the Council.

EXHIBIT 2

Resolution No.:

<u>Action</u>

The County Council for Montgomery County, Maryland approves the following amendments as shown on the attached chart.

Water and Sewer Categories to the Ten-Year Comprehensive Water Supply and Sewerage Systems Plan are approved as indicated in the attachments to this resolution, including a text amendment change.

This is a correct copy of Council action.

Mary A. Edgar, CMQ

Clerk of the Council

Comprehensive Water Supply and Sewerage Systems Plan Amendments: Water/Sewer Map Amendments

Amendment No. Applicant (Owner) Description & Location

Master Plan & Watershed Zoning & Acreage Proposed Development

Existing Requested Category Category

County Council Action (See Attachment B for mapping of approved, conditionally approved, and deferred amendments.)

CLARKSBURG PLANNING AREA

WSCCR 98A-CKB-03 ~Lakewood Church Lot 25 (N966), Garnkirk Estates (tax map EV343 - EW341)

Southwest side of Frederick Rd. (Rte. 355) 500' northwest of Shawnee Ln.

Clarksburg Master Plan (1994) - master plan development stage 3

Little Seneca Creek watershed (Use VI) R-200 Zone: 9.5 acres Existing use: 1 single-family

house. Proposed use: church. No Change S-3

No Change

Defer action pending the preparation of a comprehensive water/sewer map amendment for the Clarksburg Development Stage 3 area.

Tax 10: 00021731

WSCCR 98A-CKB-04

Clarksburg Village Partnership and Clarksburg Village, LC

Outlots D - G, Block F. Greenridge Acres (tax map EV563)

North side of Canterfield Way 150' east of Greenbrook Dr. (Outlot F); and North side of Morning Star Dr. 300' northeast of Canterfield Way (Outlots D, E, and G)

Clarksburg Master Plan (1994) Little Seneca Creek watershed (V) esU)

R-200 Zone: 2.7 acres total Existing use: Vacant

Proposed use: 4 single-family houses (one per existing outlot)

W-1 S-5

W-1

S-5

S-3 2 Tax 10s: 033090<u>2</u>2 033090*55*

Approve S-3. Notes:

 The approval of this map amendment does not establish a precedent for the approval of category S-3 for adjacent Stage 3 areas which would be served by the required CIP sewer main (S-84.55) except through a comprehensive water/sewer map amendment for the Clarksburg Development Stage 3

 See the Crystal Rock WWPS and Seneca Creek WWTP Service Advisory notes on page 6.

CLOVERLY - NORWOOD PLANNING AREA

WSCCR 99A-CLO-02 Michael and Patricia Grodin Parcels P333 and P446.

Snowden's Manor Enlarged (tax map JS562)

West side of New Hampshire Ave. (Rte. 650) 300' north of McNeil Ln.

Cloverly Master Plan (1997) Northwest Branch watershed (Use IV)

RE-2 Zone: 13.7 acres Existing: farm. Proposed: private institutional-Southern Asia Seventh Day Adventist Church (750 seats); plan no.

7-97018

W-1*/W-6 W-1 S-1*/S-6 S-1

* for one water/sewer hookup only 3 Tax IDS! 00263174 00263161

Approve W-1 without restriction. Approve S-3, restricted to private institutional facility use only, with the following conditions:

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

 the proposed low-pressure sewer main extension will be dedicated to the church's use only, and

e the church will pay all costs associated with the extension of public sewer service.

WSCCR 99A-CLO-04

Thomas and Janice Valois Parcel P076, Ingleside Farm (lax map JT341) East side of out-de-sac end of Crystal Spring Dr.

Cloverly Master Plan (1997) Northwest Branch watershed (Use IV)

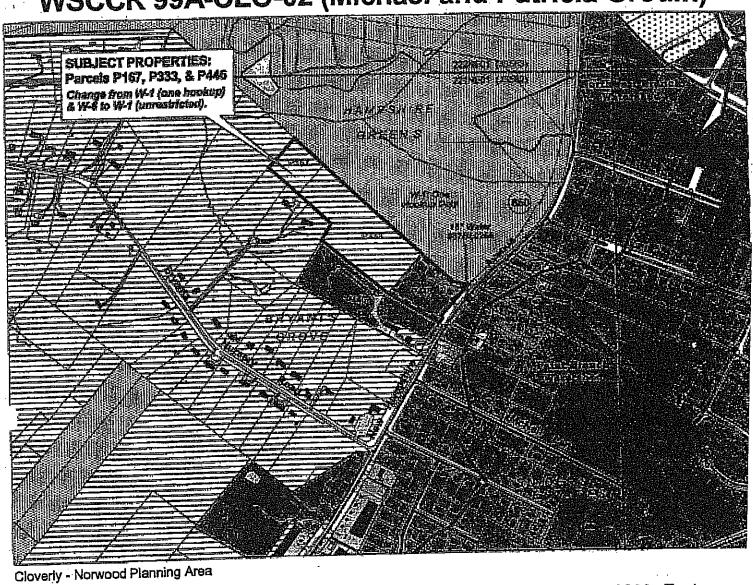
RE-2 Zone: 2.05 acres Existing: vacant. Proposed: 1 single-family house

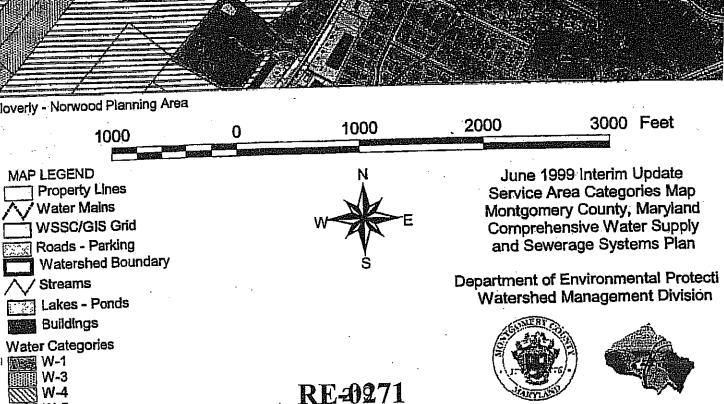
W-3 No Change S-6 S-3

Tax 10/103412346

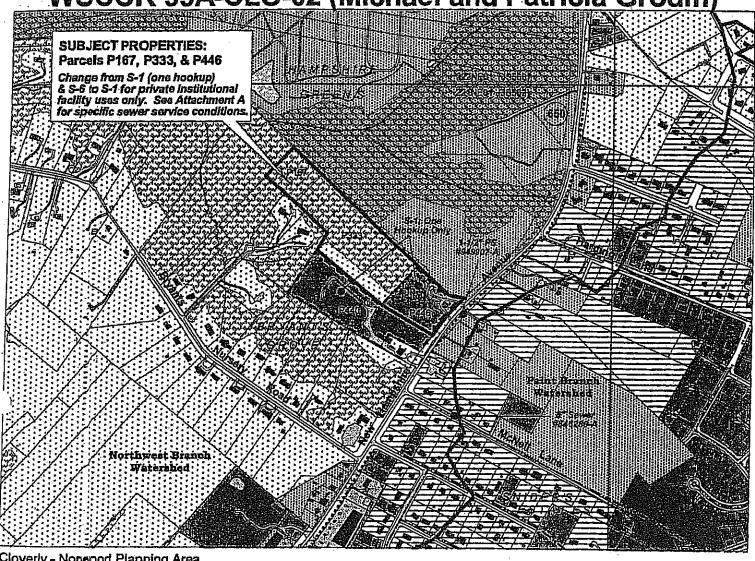
Maintain S-6.

Water Service Area Categories Map WSCCR 99A-CLO-02 (Michael and Patricia Grodin)





Sewer Service Area Categories Map WSCCR 99A-CLO-02 (Michael and Patricia Grodin)



Cloverly - Norwood Planning Area

1000 1000 2000 3000 Feet MAP LEGEND Property Lines June 1999 Interim Update] WSSC/GISGrid Service Area Categories Map ewer Mains Montgomery County, Maryland Small-Dia. Pressure Mains Comprehensive Water Supply 8" or Small or Dia. Mains 9" - 14"-Dia Mains and Sewerage Systems Plan `15" or Greeter Dia. Mains Woodlands (Northwest Branch Only) Department of Environmental Protection Bulldings Roads - Pasting Watershed Management Division Wetershed Lounderies ∕~Streams~ Lakes - Ponds Sewer Categories RE-0272

LAW OFFICES

MILLER, MILLER & CANBY

CHARTERED

200-B MONROE STREET ROCKVILLE, MARYLAND 20850

(301) 762-5212 FAX (301) 762-6044

October 28, 1999

Mr. Alan Soukup
Montgomery County Department
of Permitting Services
255 Hungerford Drive
Rockville, Maryland 20850

ounty Department

ROBERT L. BURCHETT*
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MICHAEL G. CAMPBELL
JON W. LUTHER
*OF COUNSEL

JAMES R. MILLER, JR.*

RE: Category Change Request No. 99-CLO-02, Application of Michael and Patricia Grodin

Dear Mr. Soukup:

As you requested, I enclose a copy of a "concept" development plan prepared by engineers for the Southern Asian Seventh Day Adventist Church. I believe that the septic disposal area shown on the attached plan was conceptual at the time that the attached plan was prepared. Subsequently, Mr. Grodin has verified that the length of trench required for each of the four disposal fields needed to support a house of worship with approximately 750 seats will require approximately as much land disturbance as is shown on the attached "concept" plan.

You have brought to my attention that Parcel 167, owned by Mr. and Mrs. Grodin, apparently is shown on the attached Concept Plan as part of the developable area of the subject property, but is not included in Category Change Request No. 99-CLO-02. Mr. Grodin advises me that he did not include Panel 167 in his category change request because it was not necessary to support the Church's use in the event that sewer service was provided to the Church. You have indicated that it is more appropriate for all properties in common ownership to have the same sewer category, and that having a "split" sewer category on the subject property may complicate obtaining preliminary plan approval from the Mortgomery County Planning Board. Accordingly, at your suggestion and with the Grodins' acquiescence, I request that Category Change Request No. 99-CLO-02 be amended to include adjacent Panel 167, which is planned to be acquired by the Southern Asian Seventh Day Adventist Church.

Thank you for your attention to this request.

Sincerely yours,

MILLER, MILLER & CANBY

JOSY KLINE

Jody S. Kline

ADDENDUM AGENDA ITEM #3 November 2, 1999

Action

MEMORANDUM

November 1, 1999

TO:

County Council

FROM: Keith Levchenko, Legislative Analyst

SUBJECT: Action: Resolution to Amend the Ten-Year Comprehensive Water Supply and Sewerage System Plan (Addendum)

Below are some clarifications, corrections and correspondence, which were not ready or available for inclusion in the Council staff packet.

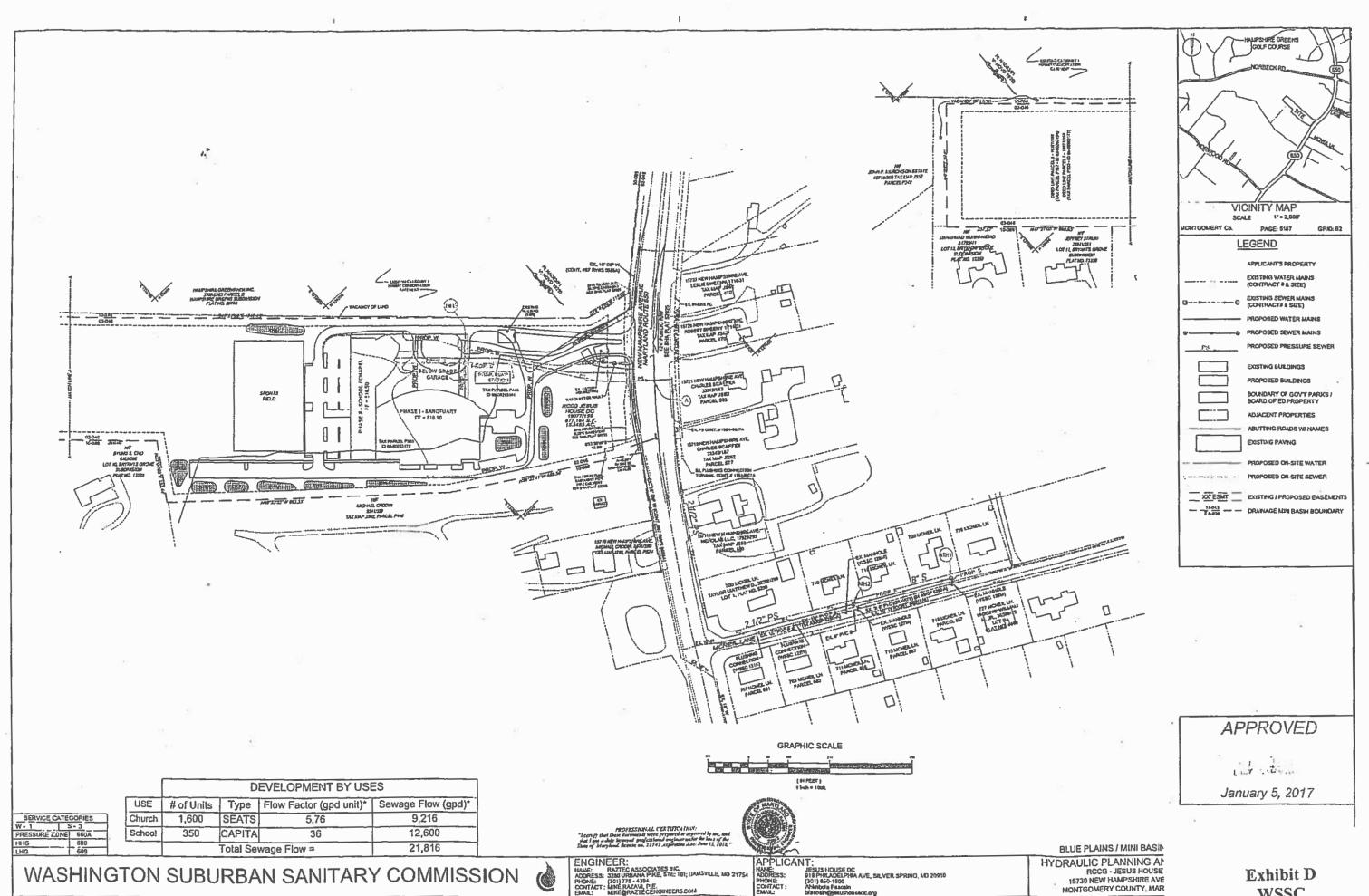
1. Michael and Patricia Grodin (99A-CLO-02)

• Based on discussions with Department of Environmental Protection staff and the applicant (see attached letter on ©7 from the applicant's attorney, Mr. Kline of Miller, Miller & Canby), Council staff recommends that the water and sewer category change requests for this applicant be amended to include Parcel 167. This parcel is the northwestern most parcel of the property. This parcel should be included in the overall request because it would be used for a portion of a septic system if needed.

The Transportation and Environment Committee is recommending approval of the sewer category change with conditions. One condition is that the area that would have been used for septic service be protected via a covenant or other legal document. To best achieve the Committee's intent to environmentally protect this area of the property, it is appropriate to include the entire area that would have been used for the septic field.

The attached chart on ©1 (to be included in the Council resolution) has revised language that includes Parcel 167. Revised maps are also attached (©2-3).

• The DEP staff report (©4-5) for this request has been corrected to reflect that Parcel 446 (the parcel abutting New Hampshire Avenue) had previously been approved for a single sewer hookup from the abutting main (in addition to a single water hookup). Since the abutting main is not available for use by the Church and because Parcels



WSSC

From: Thomas, Patricia
To: Sigworth, Ryan
Subject: RCCG Jesus House

Date: Tuesday, December 31, 2019 4:06:14 PM

Dear Mr. Sigworth,

Please accept my comments regarding the forested area proposed to be preserved that otherwise would be used for an on site septic system for the Jesus House proposal.

The entire forested area must be preserved to minimize the disruption of Bryant's Nursery Run - streams and wetlands directly connected to the Northwest Branch. This project is an assault on the county's remaining eastern green wedge.

The value of the 15 forested acres in preserving the entire Chesapeake Bay ecosystem must not be ignored. Preservation of this property is why corridor II was rejected when the ICC preliminary plans were evaluated. Please include these comments in the record for Planning Board review. Thank you.

Sincerely, Patricia A. Thomas 15510 Holly Grove Road Silver Spring, Maryland 20905 pathomas110@yahoo.com

Sent from my iPad