

MCPB Consent Date: 5-7-20

Proposed Category Map Amendments: Montgomery County Comprehensive Water Supply and Sewerage Systems Plan – Three Water/Sewer Service Category Change Requests – 2020-2 Administrative Cases

- KEN Katherine E. Nelson, Planner Coordinator, <u>Katherine.Nelson@montgomeryplanning.org</u> (301) 495-4622
- Ben Berbert, Acting Master Planner, Area 3, <u>Benjamin.Berbert@montgomeryplanning.org</u> (301) 495-4644
- *RAW* Richard A. Weaver, Chief, Area 3, <u>Richard.Weaver@montgomeryplanning.org</u> (301) 495-4544

Completed: 4/29/2020

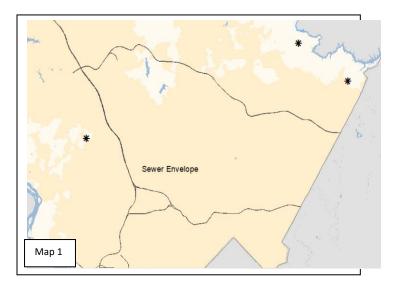
Description

Proposed Amendments:

Montgomery County Comprehensive Water Supply and Sewerage Systems Plan – Three Water/Sewer Category Change Requests

Referred to the Planning Board for a determination of consistency with relevant master and sector plans, with recommendations to the County Executive for final action.

Staff Recommendation: Transmit Recommendations to County Executive



Summary

The Planning Board is required by State law to make a Master Plan consistency determination on each Water and Sewer Category Change Request (WSCCR). Map 1 shows the location of properties requesting water and sewer service with an asterisk.

The Planning Board's recommendations will be transmitted to the County Executive for final action. Information and maps of zoning, existing and proposed uses and recommendations from other agencies are shown in the attached packet from the County Executive. (Attachment A) The recommendations made by Staff on all applications agree with the County Executive's recommendations.

STAFF RECOMMENDATION

Transmit the Planning Board's recommendations to the County Executive.

Water and Sewer Category Change Requests—2020-2 Administrative Amendments

WSCCR 20-PAX-02A: Daniel and Shelby Lethbridge at 4238 Sandy Spring Road

This one-acre property is zoned RC and is within the 1997 Fairland Master Plan area. The well of the existing home has failed, and this request is for a single hookup. The Master Plan supports the extension of water service under these circumstances.

Staff Recommendation: Approve W-1 County Executive Recommendation: Approve W-1

WSCCR 20-PAX-03A: Ever Campos at 1809 Ednor Road

This 2.48-acre lot is in the RC Zone and is located in the Agricultural Wedge of the 1997 Cloverly Master Plan Area. It is also located in the Patuxent River watershed and very close to the Rocky Gorge Reservoir. Although subdivided in 1985 using well and septic systems, it conforms to Master Plan guidance and Comprehensive Water Supply and Sewerage System Plan requirements for the provision of water service.

Staff Recommendation: Approve W-1 County Executive Recommendation: Approve W-1

WSCCR 20-TRV-08A: Liang Zhao and Kunyl Wu at 9312 Overlea Drive

This 2.27-acre lot is in the RE-1 Zone and is located in the Travilah Planning Area of the 2002 Potomac Subregion Master Plan. This property is eligible for a single sewer service hookup under the abutting mains policy.

Staff Recommendation: Approve S-1 (single hook-up) **County Executive Recommendation**: Approve S-1 (single hook-up)

NEXT STEP

The Planning Board's recommendations will be transmitted to the County Executive. Final action by the Executive will follow.

Attachment: A. County Executive Notice of Public Hearing and Attached Package.



Attachment A

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Marc Elrich County Executive Adam Ortiz Director

April 13, 2020

NOTICE OF AD 2020-2 ADMINISTRATIVE PUBLIC HEARING

TO: Keith Levchenko, Senior Legislative Analyst County Council

> Rich Weaver, Chief, Area Three Planning Team Maryland - National Capital Park and Planning Commission

Ray Chicca, Manager, Development Services Division Washington Suburban Sanitary Commission

Heidi Benham, Manager, Well and Septic Section Department of Permitting Services

Category Change Request Property Owners and Applicants

- FROM: George Dizelos, Planner III, Water Supply and Wastewater Unit Department of Environmental Protection
- SUBJECT: Administrative Public Hearing AD 2020-2 for Water and Sewer Plan Amendments
- DATE & TIME: Wednesday, May 13, 2020, at 9:00 a.m.
- LOCATION: Telephone Conference Due to Covid-19 Operating Status

Please contact George Dizelos at <u>george.dizelos@montgomerycountymd.gov</u> for instructions on joining the teleconference, or if you wish to submit written testimony.

Please be advised that the Montgomery County Department of Environmental Protection (DEP) will hold an administrative public hearing as specified above on the following requested category map amendments to the County's 2018 Comprehensive Water Supply and Sewerage Systems Plan:

20-PAX-02A... Daniel and Shelby Lethbridge 20-PAX-03A... Ever Campos 20-TRV-08A... Liang Zhao and Kunyi Wu

To assist with your review of these proposed actions, DEP has created and posted a PDF to the "Service Area Category Changes" webpage at <u>www.montgomerycountymd.gov/water/supply/category-changes.html</u>. Select the blue "Application Hearing Schedule" tab to expand the section, then scroll down to the "Current Administrative Review Packet" heading. The hearing notice PDF includes the following information for the proposed amendments:

- Information summaries
- Staff reports and recommendations
- Mapping
- Supporting documents, as appropriate

We ask that Council staff provide the posted materials to the Councilmembers for their review. If Council staff members and aides would like to meet with DEP regarding the proposed amendments, call me to arrange a date and time to review the cases before the public hearing. We request that the Council staff submit Councilmembers' comments to DEP no later than the hearing record closing date (see below). <u>Please note that DEP cannot complete the administrative action without receiving this notice from Council staff.</u>

We understand that the Montgomery County Planning Board will include this administrative packet for consideration on its agenda.

Attendance at this hearing for agencies, applicants, and others is optional. These requests will be considered at the time specified on page 1. If you wish to comment on a referenced amendment or on the staff recommendations, you may testify at the public hearing, or you may submit written testimony to:

Adam Ortiz, Director, DEP; 255 Rockville Pike, Suite 120; Rockville, MD 20850-4166; or to george.dizelos@montgomerycountymd.gov.

DEP will close the record on May 20, 2020.

Please do not hesitate to contact me at <u>george.dizelos@montgomerycountymd.gov</u> or at 240-777-7755 if you have any questions concerning these category change requests or the schedule provided.

GJD: gjd/\DEPFILES\Data\Programs\Water_and_Sewer\actions-AD\2020\AD-2020-2\ad-hearing-notice-2020-2.docx

 cc: Sidney Katz, President, County Council Casey Anderson, Chairperson, Montgomery County Planning Board Katherine Nelson, Area 3 Planning Team, M-NCPPC Jason Sartori, Functional Planning and Policy Division, M-NCPPC Geoffrey Mason, Parks Planning and Stewardship Division, M-NCPPC Beth Kilbourne & Rufus Leeth, Development Services Division, WSSC Luis Tapia, Permit Services Section, WSSC
 D. Lee Currey, Director, Water and Science Admin., Maryland Dept. of the Environment Robert McCord, Secretary, Maryland Department of Planning

Category Change Applicants & Interested Parties

20-PAX-02A... Daniel and Shelby Lethbridge 20-PAX-03A... Ever Campos ... David Mckee, Benning & Associates, Inc. 20-TRV-08A... Liang Zhao and Kunyi Wu

Civic Organizations and Other Public Interest Groups

Audubon Naturalist Society Cloverly Civic Association Cloverly Fairland White Oak CAC East County Citizens Advisory Board Greater Glen Mill Community Association Greater Glen Hills Coalition LLC Glen Hills Civic Association Glen Hills Community Coalition Glen Preservation Foundation North Potomac Citizens Association Montgomery County Civic Federation Montgomery Coalition to Stop Sewer Sprawl Potomac Highlands Citizens Association West Montgomery County Citizens Association

WSCCR 20-PAX-02A: Daniel and Shelby Lethbridge

<u>DEP Staff Recommendation</u>: Approve W-1, Administrative policy V.D.2.a.: Community Service for Public Health Problems.

Property Information and Location Property Development	Applicant's Request: Service Area Categories & Justification	
• 4238 Sandy Spring Rd., Burtonsville	Existing –	Requested – Service Area Categories
Parcel N762, Lot P4, Wootten Subdivision	W-6	W-1
(acct. no. 00266984)	S-6	S-6 (no change)
 Map tile: WSSC – 211NE05; MD –LS12 		
North of Sandy Spring Rd., 220 feet North	Applicant's Explanation	
West of the intersection with Dino Rd.		ed on temp water. Well in lower level of house. This is
RC Zone; 1.0 acre	the only lot along easement (attached) not currently served by w water. Easement and covenant has been submitted to recording	
Patuxent <u>Watershed</u> Conservation Planning		
Area	DEP NOTE:	An expedite water connect request was issued on
Fairland Master Plan (1997)	12/3/2019. (see pages 4-8)	
Lower Patuxent River Watershed (MDE Use I)		
• Existing use: Single Family Home		
<u>Proposed use</u> : No Change		

DEP Staff Report: The applicant has requested approval of water category W-1 to allow for public water service for the relief of a failing well. The property is one acre in size and in the RC Zone. An existing water main in Sandy Spring Road, abuts an established easement created to serve the property. M-NCPPC staff concur that the provision of water service can be supported for the relief of a failing well, for a single hookup. M-NCPPC Parks have concluded that there are no park impacts. WSSC has confirmed that water service can be supported. The Community Service for Public Health Problems policy allows for a single hookup for a qualifying property with a documented failure. Given the zoning and the size of the parcel, future subdivision is not feasible; only one water hookup is allowed. DEP staff recommendation is for the approval of category W-1 for the relief of a failing well, for a single water hookup only.

Agency Review Comments

DPS: The well and septic inspector confirmed the existing well has excessive amounts of sediment. Water quality is no longer potable.

M-NCPPC – Planning Dept.: this one-acre property is zoned RC and is within the 1997 Fairland Master Plan area. The well of the existing home has failed, and this request is for a single hookup. The Master Plan supports the extension of water service under these circumstances.

M-NCPPC - Parks Planning: No park impacts.

WSSC - Water: Water pressure zone: 660A. This property has already been approved for a non-abutting connection to the 20-inch water main in Sandy Spring Road (MD Route 198). A service connection permit has been issued. This required a private water connection easement which was provided as well (L. 58482, F. 122). Service to this property will require connection to a 20-inch ductile iron water main. There is a 20-inch Prestressed Concrete Cylinder Pipe (PCCP) water main in the vicinity of this project. [However,] The PCCP main was replaced with ductile iron pipe where this property would need to connect according to the water connection easement. Local service is adequate.

WSSC - Sewer: (not requested)



DEPARTMENT OF ENVIRONMENTAL PROTECTION

Marc Elrich County Executive Adam Ortiz Director

MEMORANDUM

December 3, 2019

TO:	Ray Chicca, Division Chief, Development Services Group Luis Tapia, Unit Coordinator, DSD Permit Services
	Washington Suburban Sanitary Commission
FROM:	Alan Soukup, Senior Environmental Planner, Water Supply and Wastewater Unit Interagency Affairs Division, Department of Environmental Protection
SUBJECT:	Public Service Relief for Onsite Systems Problems

We request WSSC's assistance in expediting the provision of public service to the following property:

Water Service: 4238 Sandy Spring Rd, Burtonsville

Property I.D.: Parcel N762, Lot P4; acct.no. 0	0266984 – (SDAT tax map: LS12)
Owner: Daniel and Shelby Lethbridge	Water Category: W-6 Sewer Category: S-6
WSSC grid: 221NE05	Zoning/Size: RC, 1 acre
Planning Area: Patuxent	Watershed: Lower Patuxent River

The Department of Permitting Services (DPS), Well and Septic Section, has advised this office of a public health problem, a water supply well failure, at the subject property (see the attached memorandum). DPS recommended relief of this problem by connecting the site to public water service, due to excessive sediment in the existing well. The closest existing water main to this property is a 20" main in Sandy Spring Road, approximately 650 feet to the south. The property owner has provided a plan showing what is referred to as a "water house connection easement" between this parcel and Sandy Spring Road (see page 4).

Although this property is designated as category W-6 in the County's Water and Sewer Plan, DPS acknowledgment of a public health problem is sufficient justification to warrant the expedited provision of public water service, regardless of the existing service area category. The property owners have filed a request with DEP for a service area change from W-6 to W-1 (WSCCR No., 20-PAX-02A).

Given these conditions, it is reasonable to relieve this public health hazard by expediting the provision of public water service. WSSC does not need to wait for the approval of a Water and Sewer Plan amendment to provide public water service; public service via the WSSC's system should be provided as soon as possible. We would appreciate your assistance in this matter.

MontgomeryCountyMD.gov/311



²⁵⁵ Rockville Pike, Suite 120 • Rockville, Maryland 20850 • 240-777-0311 • 240-777-7715 FAX • MontgomeryCountyMD.gov/DEP

Ray Chicca and Luis Tapia, WSSC	
December 3, 2019	Page 2
The property owner will need to contact WSSC to begin the applicat	ion process for public water service.
Neither DEP nor DPS staff can initiate a WSSC service application of	on the owner's behalf.
Contact the WSSC Permit Services Section at ether 301-206-4003 or	r onestopshop@wsscwater.com.
Additional information is available at the WSSC-Permits website at	

https://www.wsscwater.com/business--construction/permit-services.html.

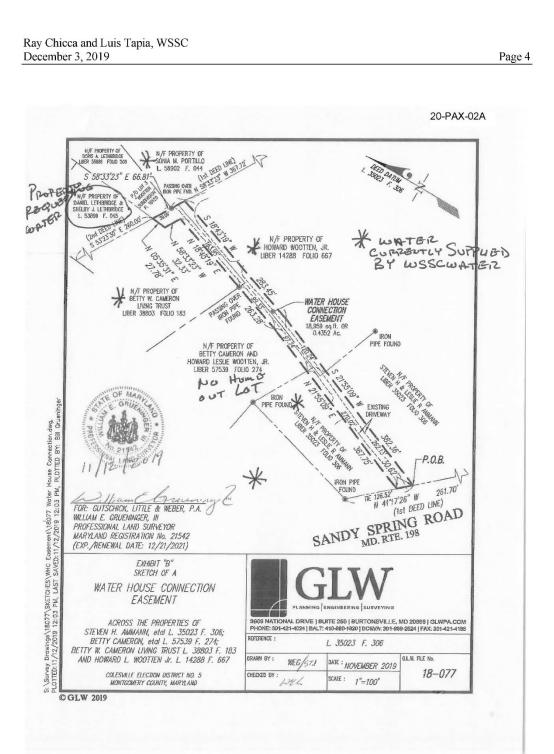
If you have any questions, or if there are significant problems related to provision of water service, please contact me at <u>george.dizelos@montgomerycountymd.gov</u> or 240-777-7755.

Attachments (see pages 3 - 5)

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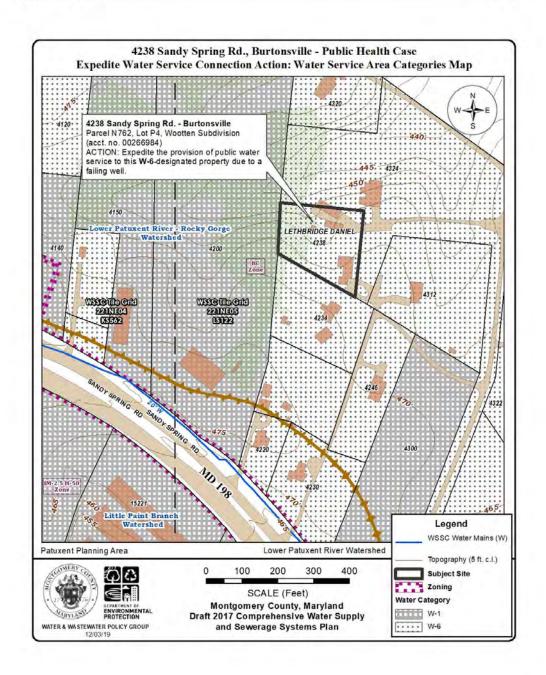
cc: Lisa Sine, Sharon Spruill and April Snyder, Permit Services Unit, WSSC Steven Shofar, Water and Wastewater Policy Group, DEP Heidi Benham and Kim Beall, Well and Septic Section, DPS Jason Sartori, Functional Planning Division, M-NCPPC Richard Weaver and Katherine Nelson, Area 3 Planning Division, M-NCPPC Daniel and Shelby Lethbridge

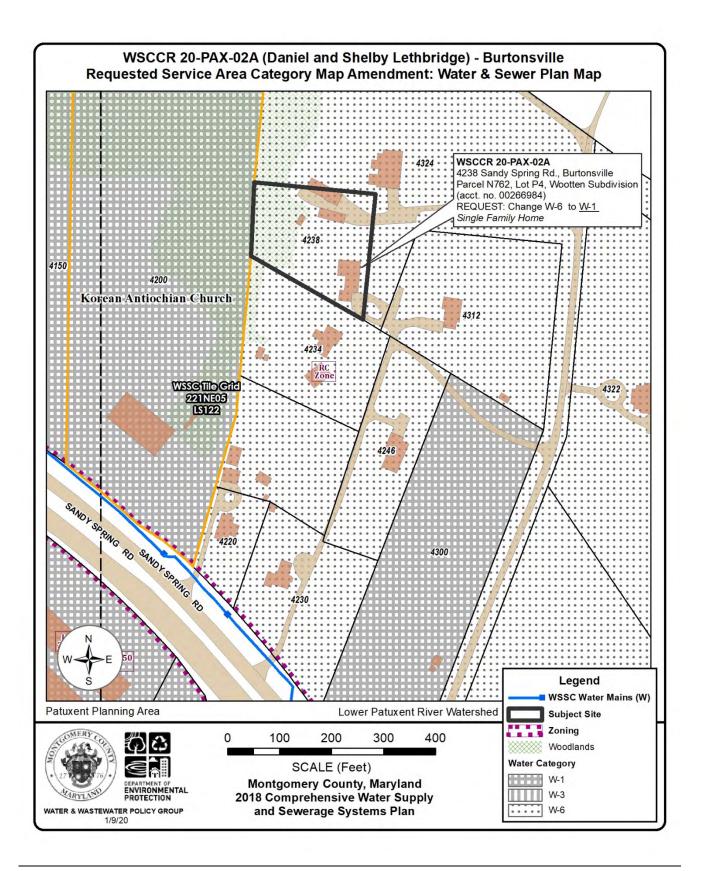
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	DEPARTMENT OF PERMITTING SERVICES	
Marc I County E	Elrich Hadi Mansouri Executive Acting Director	
	November 27, 2019	
TO:	Alan Soukup Department of Environmental Protection 255 Rockville Pike Rockville, Maryland 20850	
FROM:	Kim Beall, R.S. We Well and Septic Section Department of Permitting Services 255 Rockville Pike, 2 nd floor Rockville, Maryland 20850	
SUBJECT:	Request for water connection	
LOCATION	4238 Sandy Spring Road Tax Map Grid: LS 12 WSSC Grid: 220NE5	
confirmed th well is locate W-6 and nee	Shelby Lethbridge, the owners of the above referenced property, have ur assistance in getting an expedited water connection. Our office has at the existing water well has excessive amounts of sediment. The existi ad in the basement of the dwelling The subject property is in water catego ads a category change.	ng ory
If I can be of	further assistance, please contact me at 240-777-6315.	
cc: Mr. Le	athbridge	
Mentgemery Department	255 Rockville Pike, 2 nd Floor · Rockville, Maryland 20850 · 311 · 240-777-0311 · 240 www.montgomerycountymd.gov/dps)-777-6256 TTY



Ray Chicca and Luis Tapia, WSSC December 3, 2019

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WSCCR 20-PAX-03A: Ever Campos

DEP Staff Recommendation: Approve W-1, Administrative policy V.D.2.a.: Consistent with Existing Plans.			
Property Information and Location Property Development	Applicant's Request: Service Area Categories & Justification		
• 1809 Ednor Road., Silver Spring	Existing –	Requested – Service Area Categories	
 Lot 27, Rocky Gorge Meadows (acct. no. 02548193) 	W-6 S-6	W-1 S-6 (no change)	
• Map tile: WSSC – 223NE02; MD –KT21			
 South side of Ednor Rd., 1070 feet West of the intersection with Twinridge Ct. RC Zone; 2.48 acres Patuxent <u>Watershed Conservation</u> Planning Area Cloverly Master Plan (1997) Lower Patuxent River Watershed (MDE Use 	Applicant's Explanation "Public water is available in front of the lot in Ednor Road and all the surrounding properties/lots are W-1 except the subject lot. To owner wishes to utilize public water for a new home to be built in 2020. The subject lot was part of a 3-lot subdivision recorded in 1985. The subdivision was developed using the cluster option of Rural Cluster zone. Houses have been built on the other 2 lots in subdivision utilizing public water."		
 Lower Pattern River Watershed (MDL Ose I/IV) Existing use: New Single-Family Home Proposed use: No Change 	Subaivision ut	inzing public water.	

DEP Staff Report: The applicant has requested approval of water category W-1 to allow for public water service for a new single-family home. The property is 2.48 acres in size, in the RC Zone. The property was developed using the cluster option, allowing for the use of public water service in the RC Zone.

M-NCPPC staff concur that water service for this property conforms with the 1997 Cloverly Master Plan. M-NCPPC Parks have concluded that there are no park impacts. WSSC has confirmed water service can be provided by the abutting water main in Ednor Road.

DEP staff recommendation is for the approval of water category W-1, consistent with existing plans.

Agency Review Comments

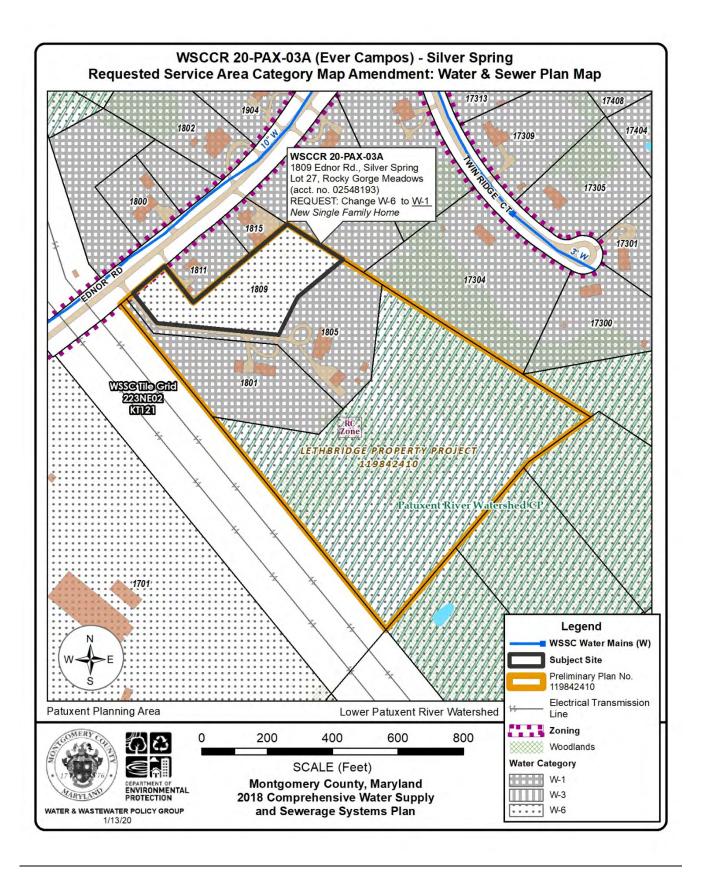
DPS: The preliminary plan which includes this lot was approved by the well and septic section. The property must connect to the public water system per notes on the plan. The plan approves the lot for a dwelling with up to 6 bedrooms. A septic easement for 1815 Ednor Road is located on the property.

M-NCPPC – Planning Dept.: This 2.48-acre lot is in the RC Zone and is located in the Agricultural Wedge of the 1997 Cloverly Master Plan Area. It is also located in the Patuxent River Watershed and very close to the Rocky Gorge Reservoir. Although subdivided in 1985 using well and septic systems, it conforms to Master Plan guidance and Comprehensive Water Supply and Sewerage System Plan requirements for the provision of water service. Staff supports this recommendation.

M-NCPPC – Parks Planning: No Park Impacts.

WSSC - Water: Water pressure zone: 660A. A 10-inch water line in Ednor Road abuts the property (contract no. 1966-2370A), a WHC can be built to main line for water service to the property. Local service is adequate. Program-sized water main extensions (16 inches in diameter or greater) are not required to serve the property.

WSSC - Sewer: (not requested)



WSCCR 20-TRV-08A: Liang Zhao and Kunyi Wu

<u>DEP Staff Recommendation</u> : Approve S-1, for one sewer hookup only. Administrative policy V.D.2.a: community service for properties abutting mains.			
Property Information and Location Property Development	Applicant's Request: Service Area Categories & Justification		
 9312 Overlea Dr., Rockville 	Existing – Requested – Service Area Categories		
 Lot 14, Block D, Potomac Highland (acct. no. 00088495) 	W-3 W-3 (no change) S-6 S-1		
 Map tile: WSSC – 217NW09; MD –FR51 			
• West side of Overlea Dr. 400 ft north of the intersection with Cleveland Dr.	Applicant's Explanation		
RE-1 Zone; 2.27 acres	"The property is currently using a private septic system. The lot was established in 1951 in the county's land records and		
 Travilah Planning Area Potomac Master Plan (2002) 	the abutting sewer main constructed in 1968. Our neighbors, e.g., 9306 and 9319 Overlea Dr., have connected to the public		
 Watts Branch Watershed (MDE Use I) 	sewer system. County has a service policy that addresses this		
 <u>Existing use</u>: Single-Family Home (built 1962) 	type of situation referred to as the "abutting mains" policy. It applies in cases where a property existed at the time a public service main was installed. Therefore, our lot should qualify		
• <u>Proposed use</u> : No Change	for a single sewer hookup to the existing main. I have contacted WSSC Water's Permit Services Office by phone for information about the process of connecting to public sewer service. According to the representative, it is feasible for our property to hookup to the existing main sewer system." DEP NOTE: An Advanced Action was granted for this property on <u>4/2/20</u> (pages 14-16)		

DEP Staff Report: The applicant has requested approval of sewer category S-1 to allow for public sewer service for an existing single family home. This property is 2.27 acres in size, zoned RE-1, and is located outside the County's planned public sewer service envelope. An advanced action was granted by DEP for this property on April 2, 2020. The advance action was granted on the basis of the abutting mains policy. An existing 8-inch-diameter sewer main runs along Overlea Dr., abutting the property. The abutting mains policy allows for a single hookup for a qualifying property abutting a sewer main. Any future subdivision of this property into more than one lot will not allow for additional hookups to public sewer.

To qualify for public service under the abutting mains policy, the property must have also been platted, and/or the existing home have been built prior to the installation of the abutting sewer main. The house on the property was built in 1962, prior to the installation of the abutting main in 1968. This condition qualifies the existing parcel for a single sewer hookup. M-NCPPC staff concur that public sewer service is available through the abutting mains policy for a single connection. DPS staff recommend approval of public sewer service as the property has no existing septic reserve area. M-NCPPC Parks confirms there are no park impacts. WSSC confirms that connecting the property to sewer service can be supported. DEP staff recommendation is for the approval of a restricted category S-1, for a single sewer hook-up only.

Agency Review Comments

DPS: The existing septic system was installed under permit in 1961. There is no existing septic reserve area. DPS has no objection to the category change.

M-NCPPC – Planning Dept.: This 2.27-acre lot is in the RE-1 Zone and is located in the Travilah Planning Area. The request seeks a sewer category change from S-6 to S-1. This property is eligible for a single sewer service hookup under the abutting mains policy.

M-NCPPC - Parks Planning: No Park Impacts.

WSSC - Water: (not requested)

WSSC - Sewer: Basin: Watts Branch. This project is located within the Study Area of the County designated Special Sewer Service Area of Glen Hills. Service to the property will be subject to the measures outlined in the study. An 8-inch sewer line in Overlea Drive abuts the property (Contract No. 1967-2840A). Average wastewater flow from the proposed development: 280 GPD. Program-sized sewer mains are not required to serve the property. Interceptor capacity is adequate. Treatment capacity [Blue Plains] is adequate.



DEPARTMENT OF ENVIRONMENTAL PROTECTION

Marc Elrich County Executive Adam Ortiz Director

MEMORANDUM

April 2, 2020

- TO: Luis Tapia, Manager, Permit Services Unit, Development Services Group Washington Suburban Sanitary Commission
- FROM: George Dizelos, Environmental Planner III, Water and Wastewater Policy Group Department of Environmental Protection
- SUBJECT: Request to Provide a Single Sewer Service Connection

This is to request that WSSC accept and act on an application to provide public sewer service for the following property:

Property Address & Identification	Owner – Est. Date	Abutting Main - 200' Tile	WSCCR No.
9312 Overlea Drive, Rockville Lot 14, Block D, Potomac Highland (recorded 1951); acct. no. 00088495 (tax map FR51)	Liang Zhao and Kunyi Wu Built 1962	8" sewer main (#1967-2840A) Overlea Dr. – built: 1968 (WSSC tile 217NW-09)	20-TRV-08A

The property is currently in sewer category S-6. A sewer main abuts the property in Overlea Drive. The lot was established by plat and the house constructed before construction of the abutting sewer main. The property would qualify under the Abutting Mains Policy in the County's Water and Sewer Plan.

DEP will address the service area category change amendment cited above, which seeks to change the existing S-6 sewer category to S-1, allowing the provision of public sewer service. However, it will take our office some time to process and approve this request, and the owner has indicated a need to proceed with the service to this site.

WSSC may install the requested sewer service connection and approve on-site plumbing permits in advance of DEP's approval of the associated service area category change. The County's Water and Sewer Plan allows DEP to direct WSSC to provide public service for cases which clearly satisfy the Abutting Mains Policy.

If you have any questions concerning this action, please contact me at 240-777-7755

Attachment: Service Area Category Map (see pg. 3)

GJD:gjd

Luis Tapia, WSSC April 2, 2020

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 cc: Ray Chicca, Development Services Group, WSSC Kathy Wallace, Section Manager, Billing, WSSC Richard Riggleman, Utility Services North Division, WSSC Mark Symborski, Functional Planning Team, M-NCPPC Richard Weaver & Katherine Nelson, Area 3 Planning Team, M-NCPPC Heidi Benham & Jason Flemming, Well and Septic Section, DPS Keith Levchenko, County Council Steve Shofar & Alan Soukup, DEP-IGAD Liang Zhao and Kunyi Wu Luis Tapia, WSSC April 2, 2020

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