



DEPARTMENT OF ENVIRONMENTAL PROTECTION

Marc Elrich
County Executive

Adam Ortiz
Director

November 25, 2020

NOTICE OF AD 2021-1 ADMINISTRATIVE PUBLIC HEARING

TO: Keith Levchenko, Senior Legislative Analyst
County Council

Carrie Sanders, Upper County Planning Team, M-NCPPC
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 2021-1 for Water and Sewer Plan Amendments**

DATE & TIME: **Tuesday, December 29, 2020, at 9:00 a.m.**

LOCATION: **Telephone Conference – Due to Covid-19 Operating Status**

Please contact George Dizelos at george.dizelos@montgomerycountymd.gov 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 (WSSCRs) to the County's 2018 Comprehensive Water Supply and Sewerage Systems Plan:

WSSCR 21-PAX-01A... William and Karen Daniels
WSSCR 21-POT-01A... Kathryn and Timothy Raab
WSSCR 21-TRV-01A... Helen Ra

To assist with your review of these proposed actions, DEP has created and posted a PDF to the "Service Area Category Changes" webpage at www.montgomerycountymd.gov/water/supply/category-changes.html. 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 or their 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). Please note that DEP cannot complete the administrative action without receiving this notice from Council staff.

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; 2425 Reedie Drive, 4th Floor, Wheaton, MD 20902; or to george.dizelos@montgomerycountymd.gov.

DEP will close the record on January 5, 2021.

Please do not hesitate to contact me at george.dizelos@montgomerycountymd.gov 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\2021\AD-2021-1\ad-hearing-notice-2021-1.docx

cc: Sidney Katz, President, County Council
Ehsan Motazedi, Jason Flemming & Megan Wilhelm, DPS
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
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

WSSCR 21-PAX-01A... William and Karen Daniels
WSSCR 21-POT-01A... Kathryn and Timothy Raab
... George Bott, Anthony Wilder Design/Build, Inc.
WSSCR 21-TRV-01A... Helen Ra
... David McKee, Benning and Associates

Civic Organizations and Other Public Interest Groups

Audubon Naturalist Society
Cloverly Civic Assoc.
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
Spencerville Civic Association
West Montgomery County Citizens Association

WSSCR 21-PAX-01A: William and Karen Daniels

DEP Staff Recommendation: Approve S-1, for a single sewer hookup only, Administrative policy V.D.2.a.: Community Service for Public Health Problems. Correct existing W-6 to W-1, for a single water hookup only; service predates the CWSP and planned service envelope.

Property Information and Location Property Development	Applicant's Request: Service Area Categories & Justification				
<ul style="list-style-type: none">• 2134 Spencerville Rd., Spencerville• Parcel P299, Laurel Rd (acct. no. 00281342)• Map tile: WSSC – 221NE02; MD –KS22• North side of Spencerville Rd., 250 feet West of the intersection with Batson Rd.• RE-1 Zone; 21,780 sq. ft. (0.5 ac.)• Patuxent Watershed Conservation Planning Area Cloverly Master Plan (1997)• Paint Branch Watershed, Upper Paint Branch Special Protection Area (MDE Use III)• <u>Existing use</u>: Single-Family Home (built 1918)• <u>Proposed use</u>: Sewer service for the Existing Single-Family Home	<p><u>Existing – Requested – Service Area Categories</u></p> <table><tr><td>W-6</td><td>W-1 (correction)*</td></tr><tr><td>S-6</td><td>S-1</td></tr></table> <p><u>Applicant's Explanation</u></p> <p>"Failed septic system."</p> <p><i>DEP NOTE: Expedite sewer request issued on August 25th, 2020. (see pages 7-10)</i></p> <p><i>*Water Category Correction to W-1, property has been connected to public water service since approximately 1959 as verified with WSSC.</i></p>	W-6	W-1 (correction)*	S-6	S-1
W-6	W-1 (correction)*				
S-6	S-1				

DEP Staff Report: The applicant has requested approval of sewer category S-1 to allow for public sewer service for the relief of a failing septic system. This property is 27,780 square feet in size, zoned RE-1, and is located outside the County's planned public sewer service envelope. An existing 8-inch-diameter sewer main runs along Spencerville Rd., abutting the property. The county's water and sewer plan policies allow for the provision of public sewer service for the relief of failing septic systems for properties outside the planned sewer service envelope. DEP issued an expedited sewer connection request on August 25, 2020, for the relief of the failed septic system.

The property is currently connected to public water service. Due to WSSC's confirmation of the existing water service account, the property requires a water category correction from W-6 to W-1. An existing 12-inch water main runs along Spencerville Road, abutting the property. WSSC has reported that public water service was provided to this property in 1959, before the County's Water and Sewer Plan and the related planned water service envelope existed.

M-NCPPC staff concur that the property is eligible for public sewer service for the relief of the failing septic system. M-NCPPC Parks confirm 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 category S-1, Community Service for Public Health Problems, water category correction to W-1, Utility Service Error.

Agency Review Comments

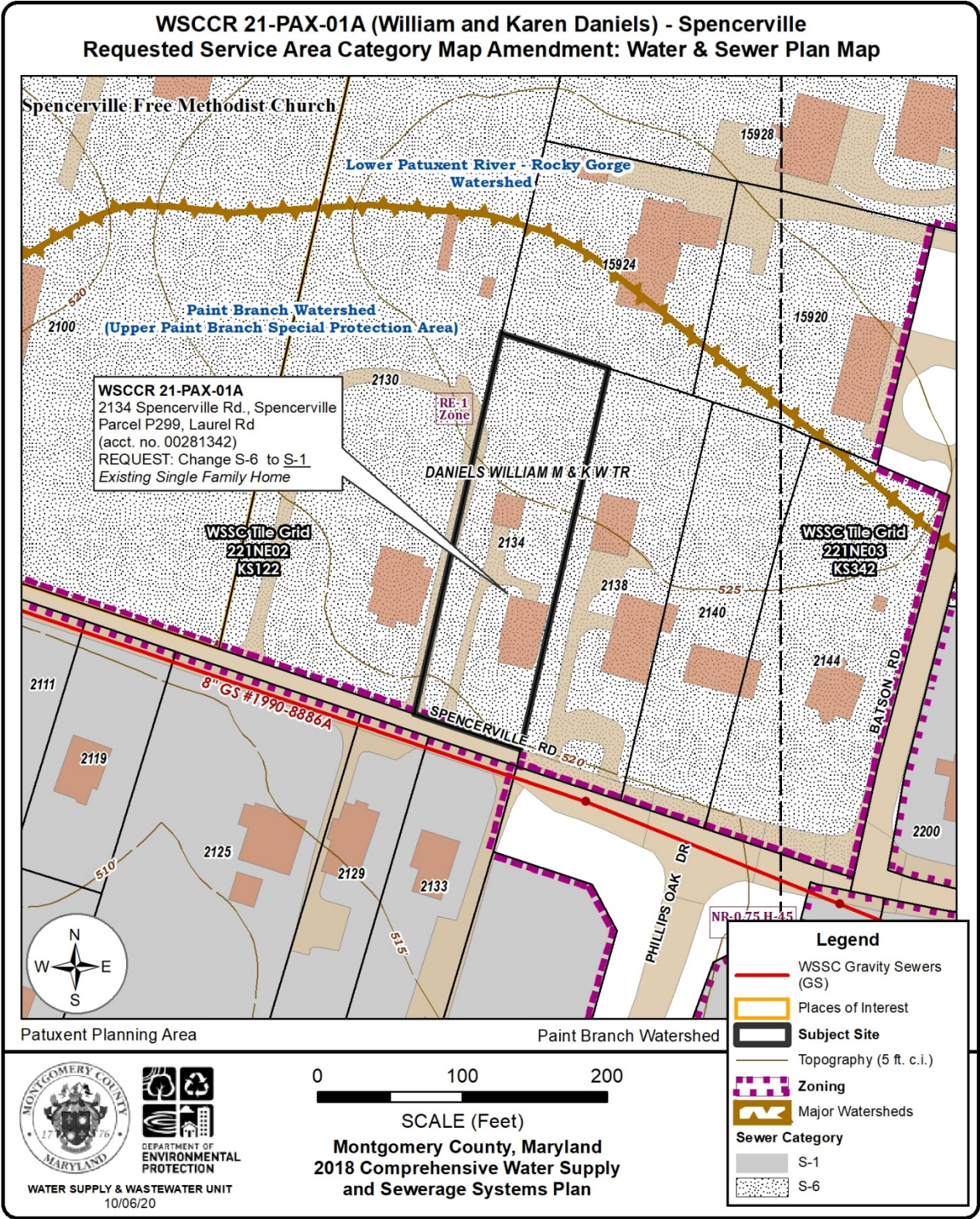
DPS: Existing septic system was repaired/replaced in 2009. The septic system was again failing in 2020. The failure was verified by the DPS Well and Septic field inspector on August 20, 2020.

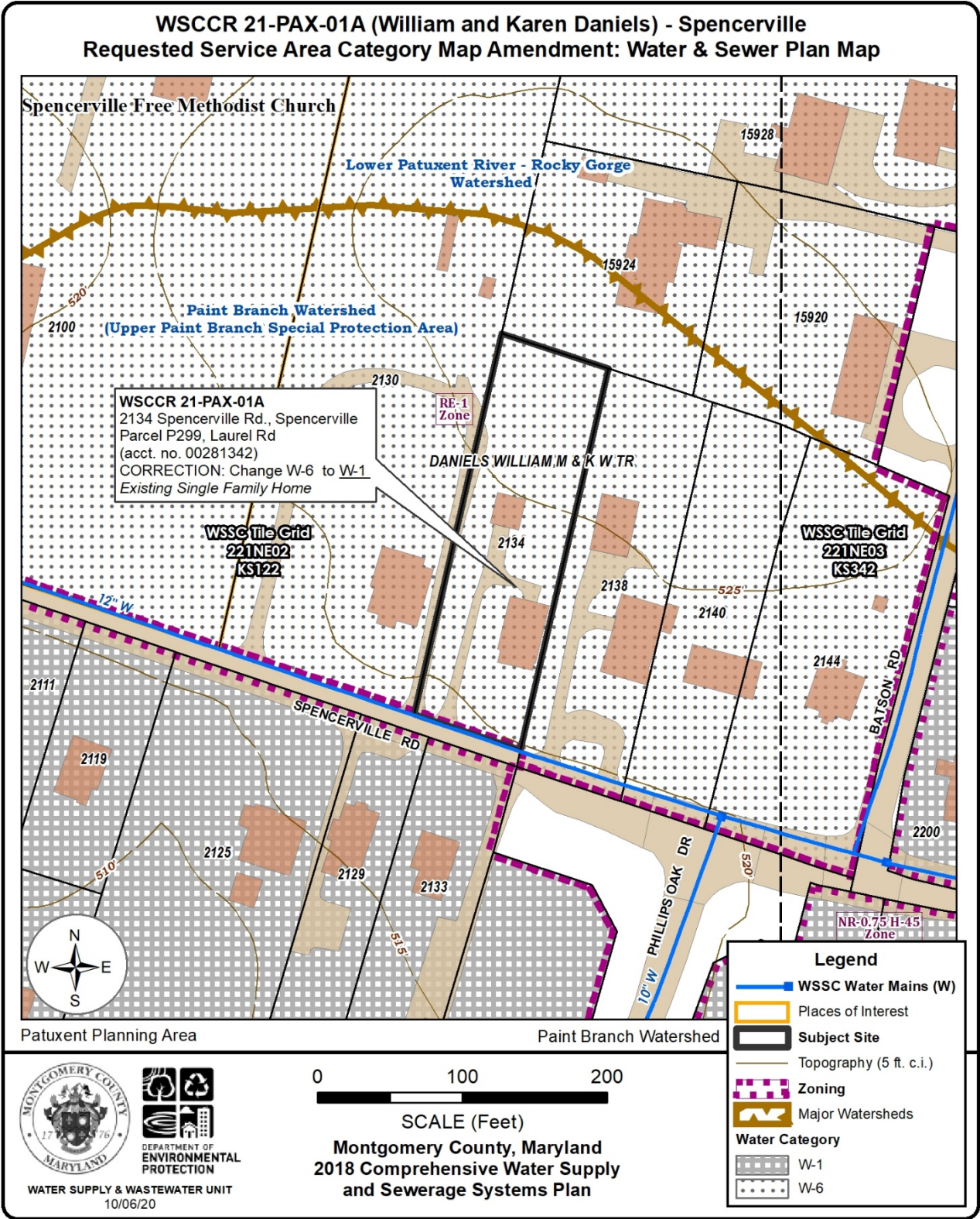
M-NCPPC – Planning Dept.: This 0.5-acre parcel is zoned RE-1 and is located in the in the Paint Branch Special Protection area of the Cloverly Master Plan. The property has a failing septic system, abuts an existing sewer main and is therefore eligible for a single sewer hookup.

M-NCPPC – Parks Planning: No park impacts.

WSSC - Water: This home has been connected to the WSSC water main since approximately 1959. Water pressure zone: 660A. A 12-inch C.I. water line in Spencerville Road abuts the property (contract #1957-0267). Local service is adequate.

WSSC - Sewer: Basin: Paint Branch. An 8-inch sewer line in Spencerville Road abuts the property (contract # 1990-8886A). Average wastewater flow from the proposed development: 280 GDP. Interceptor capacity is adequate. Treatment capacity is adequate.







DEPARTMENT OF ENVIRONMENTAL PROTECTION

Marc Elrich
County Executive

Adam Ortiz
Director

MEMORANDUM

August 25, 2020

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:

Sewer Service: 2134 Spencerville Road

Property I.D.:	Parcel P299, Laurel Rd; acct.no. 00281342 – (SDAT tax map: KS22)
Owners:	William and Karen Daniels
WSSC grid:	221NE02
Planning Area:	Patuxent
Water Category:	W-1
Sewer Category:	S-6
Zoning/Size:	RE-1, 21,780 sq.ft. (0.50 ac.)
Watershed:	Paint Branch (SPA)

The Department of Permitting Services (DPS), Well and Septic Section, has advised this office of a public health problem, a septic system failure, at the subject property (see the attached memorandum). DPS recommended relief of this problem by connecting the site to public sewer service, due to a collapsed drywell. An existing 8" gravity sewer abuts the property along Spencerville Road.

Although this property is designated as category S-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 sewer service, regardless of the existing service area category. The property owners have filed a request with DEP for a service area change from S-6 to S-1 (WSSCC, 21-PAX-01A).

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

The property owners will need to contact WSSC to begin the application process for public sewer service. Neither DEP nor DPS staff can initiate a WSSC service application on the owner's behalf.

Ray Chicca and Luis Tapia, WSSC
August 25, 2020

Page 2

Contact the WSSC Permit Services Section at either 301-206-4003 or onestopshop@wssewater.com.
Additional information is available at the WSSC-Permits website at
<https://www.wssewater.com/business--construction/permit-services.html>.

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

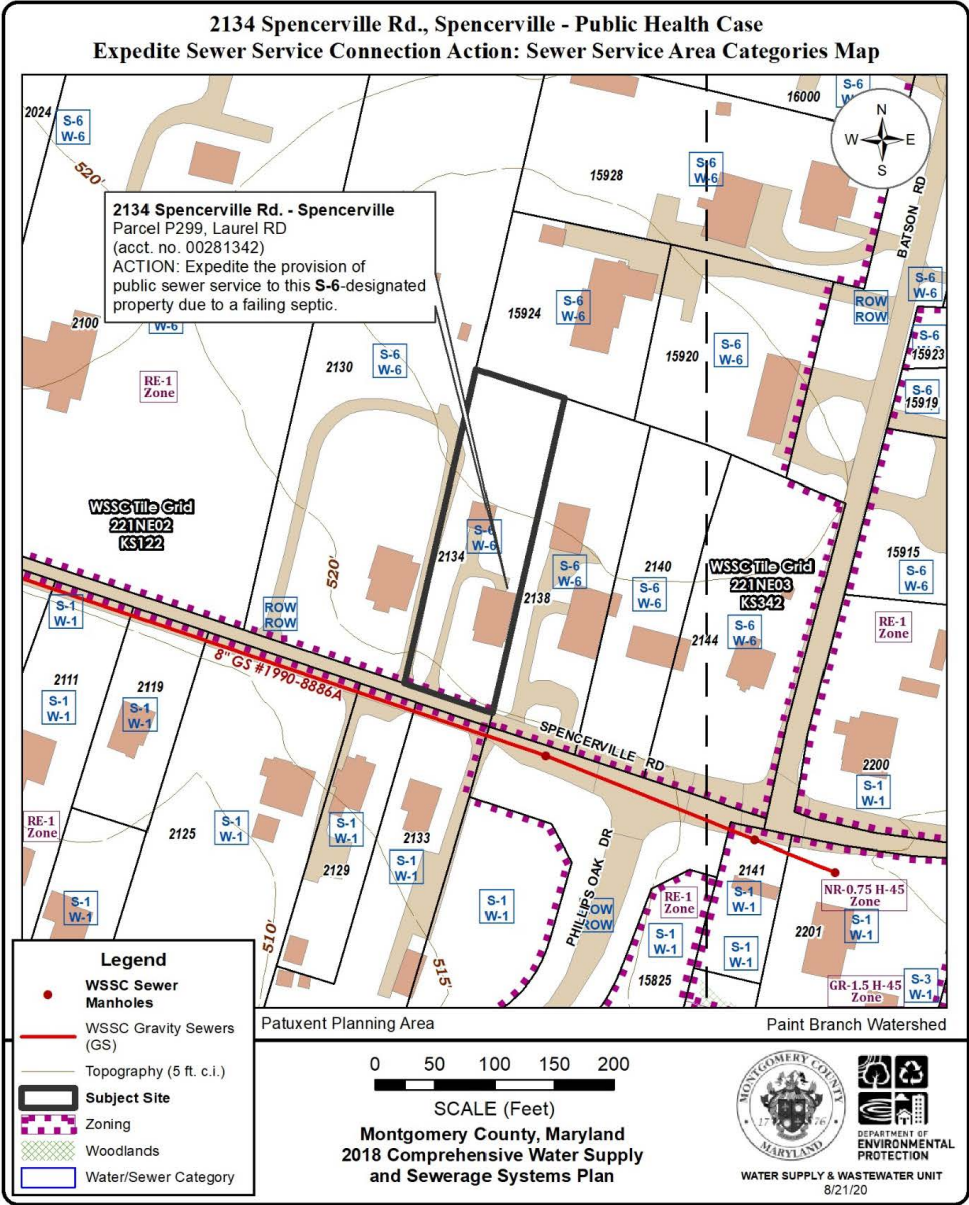
Attachments (see pages 3 and 4)

R:\Programs\Water_and_Sewer\well-septic\HEALTHAZ\CASE\S\spencerville-rd-2134-septic\Spencerville-Rd-2134- Expedite Sewer Request.docx

cc: Lisa Sine, Sharon Spruill and April Snyder, Permit Services Unit, WSSC
Steven Shofar, Water and Wastewater Policy Group, DEP
Linda Kobylski 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
Karen and William Daniels

Ray Chicca and Luis Tapia, WSSC
August 25, 2020

Page 4




Ray Chicca and Luis Tapia, WSSC
August 25, 2020

Page 3



Memorandum

To: George Dizelos
Department of Environmental Protection
255 Rockville Pike
Rockville, Maryland 20850

From: Kim Beall 
Well and Septic Section
Department of Permitting Services
255 Rockville Pike, 2nd floor
Rockville, Maryland 20850

Subject: Request for category change

Location: 2134 Spencerville Road
Tax Map Grid: KS 22
WSSC GRID: 221 NE 3

William and Karen Daniels, the current owners of the subject property, have requested our assistance in getting an expedited sewer connection due to a failing septic system on this property. I was at the site August 20, 2020 and confirmed that the existing septic drywell has collapsed. The subject property is in sewer category S-6 and needs a category change. As you indicated, a mainline sewer abuts the front of the property.

If I can be of further assistance, please contact me at 240-777-6315.

WSSCR 21-POT-01A: Kathryn and Timothy Raab

DEP Staff Recommendation: Approve S-1 Administrative policy V.D.2.a.: Consistent with Existing Plans.

Property Information and Location Property Development	Applicant's Request: Service Area Categories & Justification						
<ul style="list-style-type: none">• 7120 Saunders Ct., Bethesda• Lot 11, Parcel N272, Clewerall (acct. no. 00851091)• Map tile: WSSC – 209NW09; MD –FN62• West side of Saunders Ct., 50 feet South of the intersection with Saunders Ln.• RE-2 Zone; 2.02 acres• Potomac Planning Area Potomac Subregion Master Plan (2002)• Rock Run Watershed (MDE Use I)• <u>Existing use</u>: Single-Family Home• <u>Proposed use</u>: Sewer Service for the Existing Single-Family Home	<table><tr><th colspan="2">Existing – Requested – Service Area Categories</th></tr><tr><td>W-1</td><td>W-1 (no change)</td></tr><tr><td>S-6</td><td>S-1</td></tr></table> <u>Applicant's Explanation</u> "Would like to convert over from well and septic to county water and sewer as part of proposed remodel. We believe that there are water and sewer lines in the street directly in front of the house. Most surrounding houses are already connected to municipal water and sewer."	Existing – Requested – Service Area Categories		W-1	W-1 (no change)	S-6	S-1
Existing – Requested – Service Area Categories							
W-1	W-1 (no change)						
S-6	S-1						

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. (Note that under the existing W-1 water category, the property is already eligible for public water service.) This property is 2.02 acres in size, zoned RE-2, and is located within the County's planned public sewer service envelope. An existing 8-inch-diameter sewer main runs along Saunders Ct., abutting the property. To qualify for the Consistent with existing plans policy, the property must be within the planned sewer envelope.

M-NCPPC staff concur that the property is eligible for public sewer service. M-NCPPC Parks confirm 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 category S-1, Consistent with existing plans.

Agency Review Comments

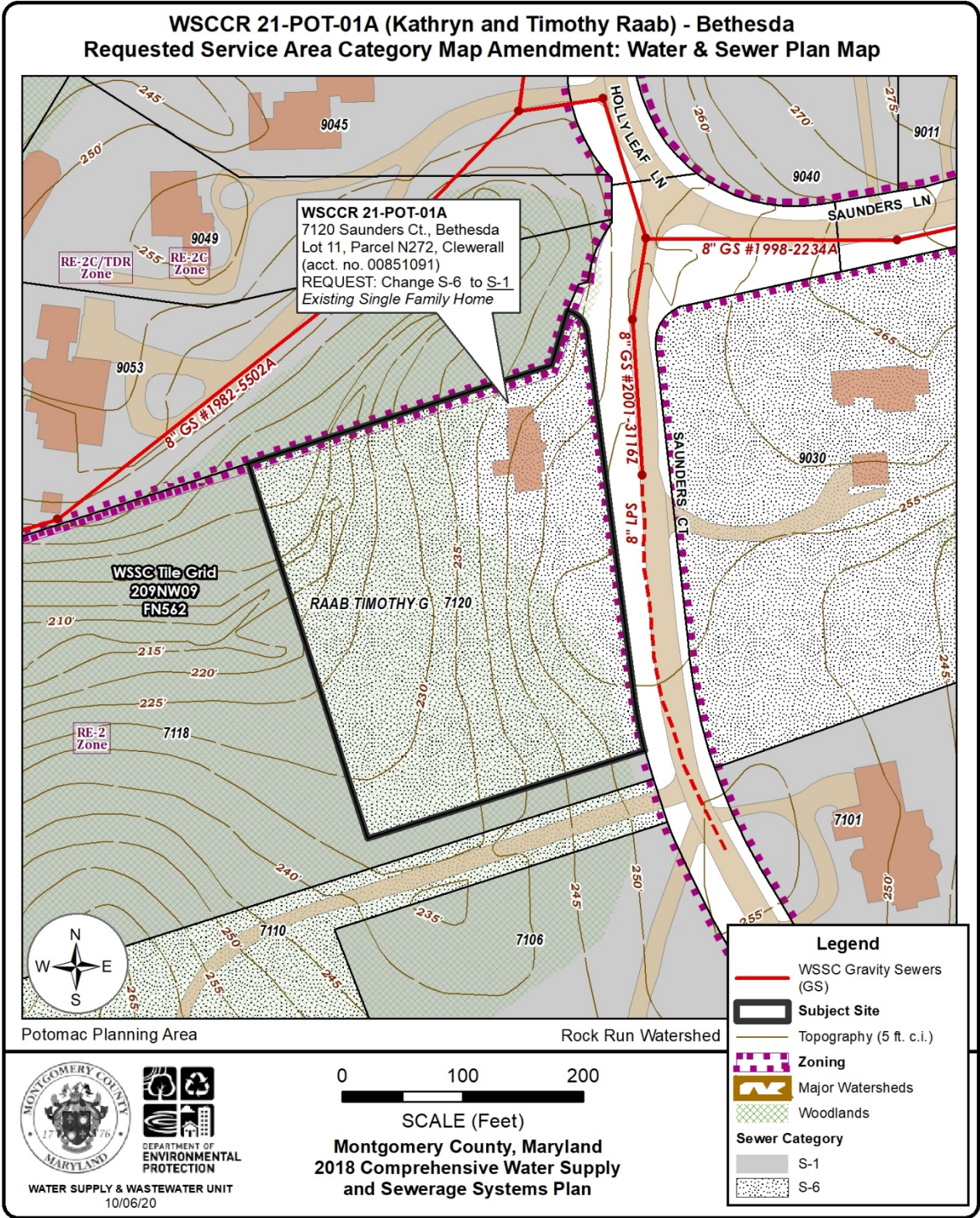
DPS: This property has a permitted septic system for three bedrooms and an approved septic reserve area.

M-NCPPC – Planning Dept.: This 2.02-acre lot is zoned RE-2 and is within the approved sewer envelope of the Potomac Subregion Master Plan. Staff supports sewer service to this property.

M-NCPPC – Parks Planning: No Park Impacts.

WSSC - Water: (not required)

WSSC - Sewer: Basin: Rock Run. An existing 8-inch sewer (Contract No. 2001-3161Z) line located in the public road right-of-way of Saunders Court abuts the property. Average wastewater flow from the proposed development: 280 GPD. Interceptor capacity is adequate. Treatment capacity is adequate.



WSSCR 21-TRV-01A: Helen Ra

DEP Staff Recommendation: Approve S-1 Administrative policy V.D.2.a.: Consistent with Existing Plans.

Property Information and Location Property Development	Applicant's Request: Service Area Categories & Justification				
<ul style="list-style-type: none"> • 14300 Glen Mill Rd., Rockville • Lot 2, Block A, Hunting Hill Estates (acct. no. 00051098) • Map tile: WSSC – 219NW09; MD –FR53 • West side of Glen Mill Rd., 90 feet north of the intersection with Wootton Pkwy. • R-200 Zone; 55,321 sq. ft. (1.27 ac.) • Travilah Planning Area Potomac Subregion Master Plan (2002) • Watts Branch Watershed (MDE Use I) • <u>Existing use</u>: Single-Family Home • <u>Proposed use</u>: Replacement Single-Family Home 	<p>Existing – Requested – Service Area Categories</p> <table> <tr> <td>W-3</td><td>W-3 (no change)</td></tr> <tr> <td>S-6</td><td>S-1</td></tr> </table> <p><u>Applicant's Explanation</u></p> <p>"A sewer main abuts the site and lots on either side are designated S-1. We would like to utilize public sewer for the new home."</p>	W-3	W-3 (no change)	S-6	S-1
W-3	W-3 (no change)				
S-6	S-1				

DEP Staff Report: The applicant has requested approval of sewer category S-1 to allow for public sewer service for the replacement of an existing single-family home. This property is 1.27 acres in size, zoned R200, and is located within the County's planned public sewer service envelope. An existing 8-inch-diameter sewer main runs along Glen Mill Rd., abutting the property. To qualify for the Consistent with existing plans policy, the property must be within the planned sewer envelope.

M-NCPPC staff concur that the property is within the planned sewer service envelop, recommended in the 2002 Potomac Subregion Master Plan. M-NCPPC Parks confirm 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 category S-1, Consistent with existing plans.

Agency Review Comments

DPS: The existing septic system was installed under a permit in 1956. There is no septic reserve area established.

M-NCPPC – Planning Dept.: This 1.27-acre lot is zoned R200 and is within the approved sewer envelope of the Potomac Subregion Master Plan. Staff supports sewer service to this property.

M-NCPPC – Parks Planning: No Park Impacts.

WSSC - Water: *(not requested)*

WSSC - Sewer: Basin: Watts Branch. An 8-inch sewer line in Glen Mill Road abuts the property (2001-3089A), at the intersection of Glen Mill Rd and Wootton Pkwy. The homeowner can directly connect onto existing Manhole #041M or the 8-inch sewer main located between Manholes 041M and 040U. Construction of this sewer house connection will require water and storm drain crossings. Average wastewater flor from the proposed development: 280 GPD. No public sewer main extensions are required. Interceptor capacity is adequate. Treatment capacity is adequate.

