

**Proposed Category Map Amendments: Montgomery County Comprehensive Water Supply and Sewerage Systems Plan – 2021-3 - Three Administrative Cases**

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 Patrick Butler, Chief, Upcounty, [Patrick.Butler@montgomeryplanning.org](mailto:Patrick.Butler@montgomeryplanning.org) (301) 495-4561

**Completed: 6/17/21**

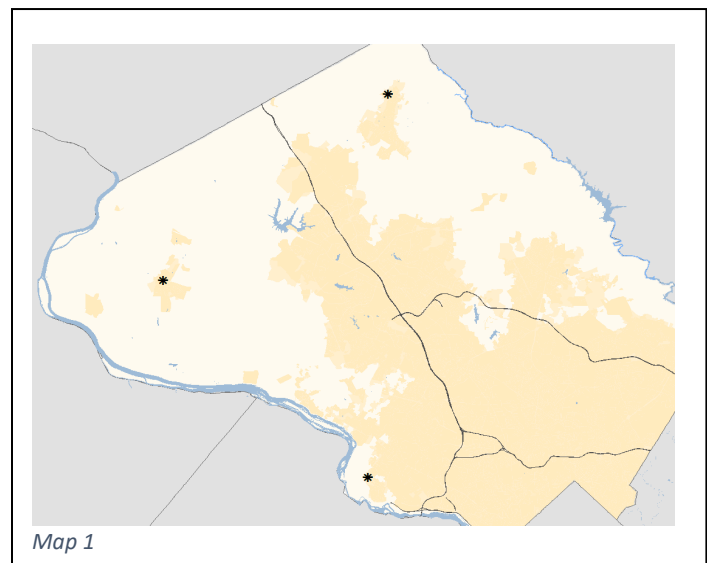
**Description**

**Proposed Amendments:**

Montgomery County Comprehensive Water Supply and Sewerage Systems Plan – Three Administrative Water/Sewer Category Changes

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 the County Executive*



**Summary**

The Planning Board is required by State law to make a Master Plan conformance determination on each Water and Sewer Category Change Request (WSCCR). Map 1 shows the location of the 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 use, and recommendations from other agencies are shown in the attached packet from the County Executive (Attachment A). Staff recommendations are consistent with the County Executive's recommendations.

**STAFF RECOMMENDATION**

Transmit the Planning Board’s comments and recommendations to the County Executive.

**2021-3 Administrative Amendments**

**WSSCR 21-DAM-01A: Barry Brake**

These two parcels equal approximately 1.55 acres and they are zoned RE-2C and RNC. The parcels are located outside of the Town Center of Damascus. The 2006 Damascus Master Plan recommends water service to these zones.

Staff Recommendation: Approve W-1

County Executive Recommendation: Approve W-1

**WSSCR 21-POT-03A: Robert and Susan Cantilli**

This 1.0-acre lot is zoned R-200 and is located in the Sewer Envelope of the 2002 Potomac Subregion Master Plan.

Staff Recommendation: Approve S-3

County Executive Recommendation: Approve S-3

**WSSCR 21-PVL-01A: Fishpool, LLC**

This property is located in the Town of Poolesville, which has jurisdiction over its own Planning and Zoning. The Town of Poolesville supports sewer and water service to this property.

Staff Recommendation: No Comment, defer to the Town of Poolesville

County Executive Recommendation: Approve W-3, S-3

**NEXT STEP**

The Planning Board’s recommendations will be transmitted to the County Executive for final action.

**ATTACHMENT**

Attachment A – County Executive Notice of Public Hearing and Attached Package



DEPARTMENT OF ENVIRONMENTAL PROTECTION

Marc Elrich  
County Executive

Adam Ortiz  
Director

May 21, 2021

**NOTICE OF AD 2021-3 ADMINISTRATIVE PUBLIC HEARING**

TO: Keith Levchenko, Senior Legislative Analyst  
County Council  
  
Patrick Butler, 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  
  
Bobbie Evans, Acting Town Manager  
Town of Poolesville  
  
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 2021-3 for Water and Sewer Plan Amendments**

DATE & TIME: **Wednesday, June 23, 2021, at 9:00 a.m.**

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

Please contact George Dizelos at [george.dizelos@montgomerycountymd.gov](mailto:george.dizelos@montgomerycountymd.gov) for instructions on joining the teleconference, or if you wish to submit written testimony.

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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-DAM-01A... Barry Brake  
WSSCR 21-POT-03A... Robert and Susan Cantilli  
WSSCR 21-PVL-01A... Fishpool, LLC

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](http://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, 4<sup>th</sup> Floor, Wheaton, MD 20902; or to [george.dizelos@montgomerycountymd.gov](mailto:george.dizelos@montgomerycountymd.gov).

**DEP will close the record on June 30, 2021.**

Please do not hesitate to contact me at [george.dizelos@montgomerycountymd.gov](mailto: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-2021-3\ad-hearing-notice-2021-3.docx

cc: Tom Hucker, President, County Council  
Victor Salazar, 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-DAM-01A... Barry Brake  
WSSCR 21-POT-03A... Robert and Susan Cantilli  
WSSCR 21-PVL-01A... Fishpool, LLC  
... James Clifford, Clifford, Debelius & Boynton, Chtd.

Civic Organizations and Other Public Interest Groups

Audubon Naturalist Society  
Damascus Community Alliance  
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  
Northern Montgomery County Alliance  
Montgomery County Civic Federation  
Montgomery Coalition to Stop Sewer Sprawl  
Potomac Highlands Citizens Association  
West Montgomery County Citizens Association

**WSSCR 21-DAM-01A: Barry Brake**

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

<p>Property Information and Location                  Property Development</p> <ul style="list-style-type: none"> <li>• 11000 Block, Locust Drive, Damascus</li> <li>• Parcel P650, Beans Good Luck and Parcel P702, Damascus (acct. nos. 03181556 and 00924552)</li> <li>• Map tile: WSSC – 237NW10; MD –FX43</li> <li>• South side of Locust Dr., 1300 feet from the intersection with Lewis Dr.</li> <li>• RE-2C and RNC Zone; 0.27 ac. and 1.28 ac., respectively</li> <li>• Damascus Planning Area Damascus Master Plan (2006)</li> <li>• Bennett Creek Watershed (MDE Use I)</li> <li>• <u>Existing use</u>: Unimproved</li> <li>• <u>Proposed use</u>: Two Single-Family Homes</li> </ul>	<p>Applicant’s Request:                  Service Area Categories &amp; Justification</p> <hr/> <p>Existing – <b>Requested</b> – Service Area Categories</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">W-6</td> <td style="width: 50%; text-align: center;"><b>W-1</b></td> </tr> <tr> <td>S-1</td> <td style="text-align: center;">S-1 (no change)</td> </tr> </table> <hr/> <p>Applicant’s Explanation</p> <p>“We are attempting to sell the properties listed above. The prospective buyer wants WSSC to provide sewer and water service. They are currently working with a builder and will be applying for a permit in May. The nearest two houses adjacent to the lots are 11031 Locust Drive and 11023 Locust Drive and are connected to existing WSSC sewer and water services. The buyers would like to start construction once building permits are approved later this year and hopefully tap the existing sewer and water service assuming the category change request is approved.”</p>	W-6	<b>W-1</b>	S-1	S-1 (no change)
W-6	<b>W-1</b>				
S-1	S-1 (no change)				

**DEP Staff Report:** The applicant has requested approval of water category W-1 to allow for public water service for two proposed single-family homes. These properties are 0.27 and 1.28 acres in size, zoned RE-2C and RNC, respectively. An existing 4-inch-diameter water main runs along Locust Drive, abutting the properties. The properties are within the planned water service envelope.

M-NCPPC staff concur that public water service is consistent with the 2006 Damascus Master Plan recommendations to these two properties. M-NCPPC Parks confirm there are no park impacts. WSSC confirms that connecting the properties to public water service can be supported. DEP staff recommendation is for the approval of category W-1, consistent with existing plans.

**Agency Review Comments**

**DPS:** No objection to connection to public service.

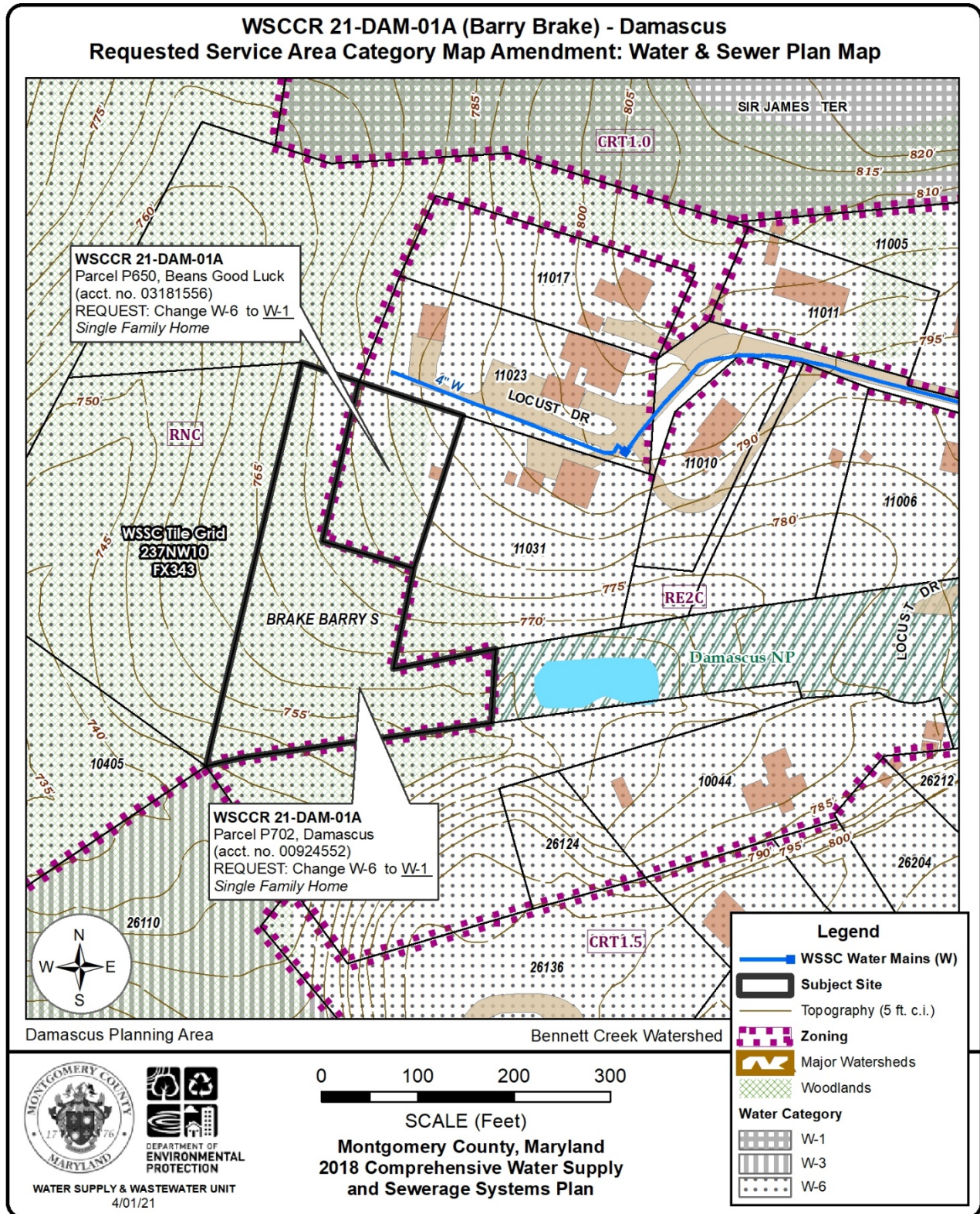
**M-NCPPC – Planning Dept.:** These two parcels equal approximately 1.55 acres and are zoned RE-2C and RNC. The parcels are located outside the Town Center of Damascus. The 2006 Damascus Master Plan allows water service to these zones.

**M-NCPPC – Parks Planning:** No park impacts.

**WSSC - Water:** Water pressure zone: 960A. A 4-inch water line in Locust Drive abuts the property (contract no. 1979-4133A). Easements may be required. Connection to this water main may involve the removal of trees. 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*





**WSSCR 21-POT-03A: Robert and Susan Cantilli**

**DEP Staff Recommendation: Approve S-3 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"> <li>• 11015 Chandler Rd., Potomac</li> <li>• Lot 11, Block 1, Fawsett Farms (acct. no. 00867575)</li> <li>• Map tile: WSSC – 210NW11; MD –FN23</li> <li>• North side of Chandler Rd., 500 feet southeast of the intersection with Falls Rd.</li> <li>• R-200 Zone; 1 acre</li> <li>• Potomac Planning Area Potomac Subregion Master Plan (2002)</li> <li>• Rock Run Watershed (MDE Use I)</li> <li>• <u>Existing use</u>: Single-Family Home</li> <li>• <u>Proposed use</u>: Single-Family Home</li> </ul>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td colspan="2" style="text-align: center; border-bottom: 1px solid black;">Existing – <b>Requested</b> – Service Area Categories</td> </tr> <tr> <td style="width: 50%;">W-3</td> <td style="width: 50%;">W-3 (no change)</td> </tr> <tr> <td>S-6</td> <td><b>S-3</b></td> </tr> <tr> <td colspan="2" style="border-top: 1px solid black; border-bottom: 1px solid black;"><u>Applicant's Explanation</u></td> </tr> <tr> <td colspan="2">                     "We are currently on a septic system and we would like to expand our home. It is our understanding that it cannot occur without connection to the public sewer system. Several years ago, the property failed a perc test prior to the construction of an addition. Therefore, the addition was constructed to the maximum allowable size per the septic system. There is an existing sewer main at the top of Chandler Road along Falls Road. The neighbors on each side of our property have low pressure sewer mains connecting to sewer mains."                 </td> </tr> </table>	Existing – <b>Requested</b> – Service Area Categories		W-3	W-3 (no change)	S-6	<b>S-3</b>	<u>Applicant's Explanation</u>		"We are currently on a septic system and we would like to expand our home. It is our understanding that it cannot occur without connection to the public sewer system. Several years ago, the property failed a perc test prior to the construction of an addition. Therefore, the addition was constructed to the maximum allowable size per the septic system. There is an existing sewer main at the top of Chandler Road along Falls Road. The neighbors on each side of our property have low pressure sewer mains connecting to sewer mains."	
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**DEP Staff Report:** The applicant has requested approval of sewer category S-3 to allow for public sewer service for the existing single-family home. This property is 1 acre in size and zoned R-200. An existing 1 ¼ inch diameter low-pressure sewer main runs along Chandler Road, requiring an approximately 140-foot extension to serve the property. The property is within the planned sewer service envelope.

M-NCPPC staff concur that public sewer service to this property is consistent with recommendations 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 by an extension to the existing low-pressure sewer main in Chandler Road. DEP staff recommendation is for the approval of category S-3, consistent with existing plans.

**Agency Review Comments**

**DPS:** This property has a permitted septic system for 3 bedrooms. Owner attempted to establish a septic reserve area on the property but was unsuccessful. This property is still on a private well.

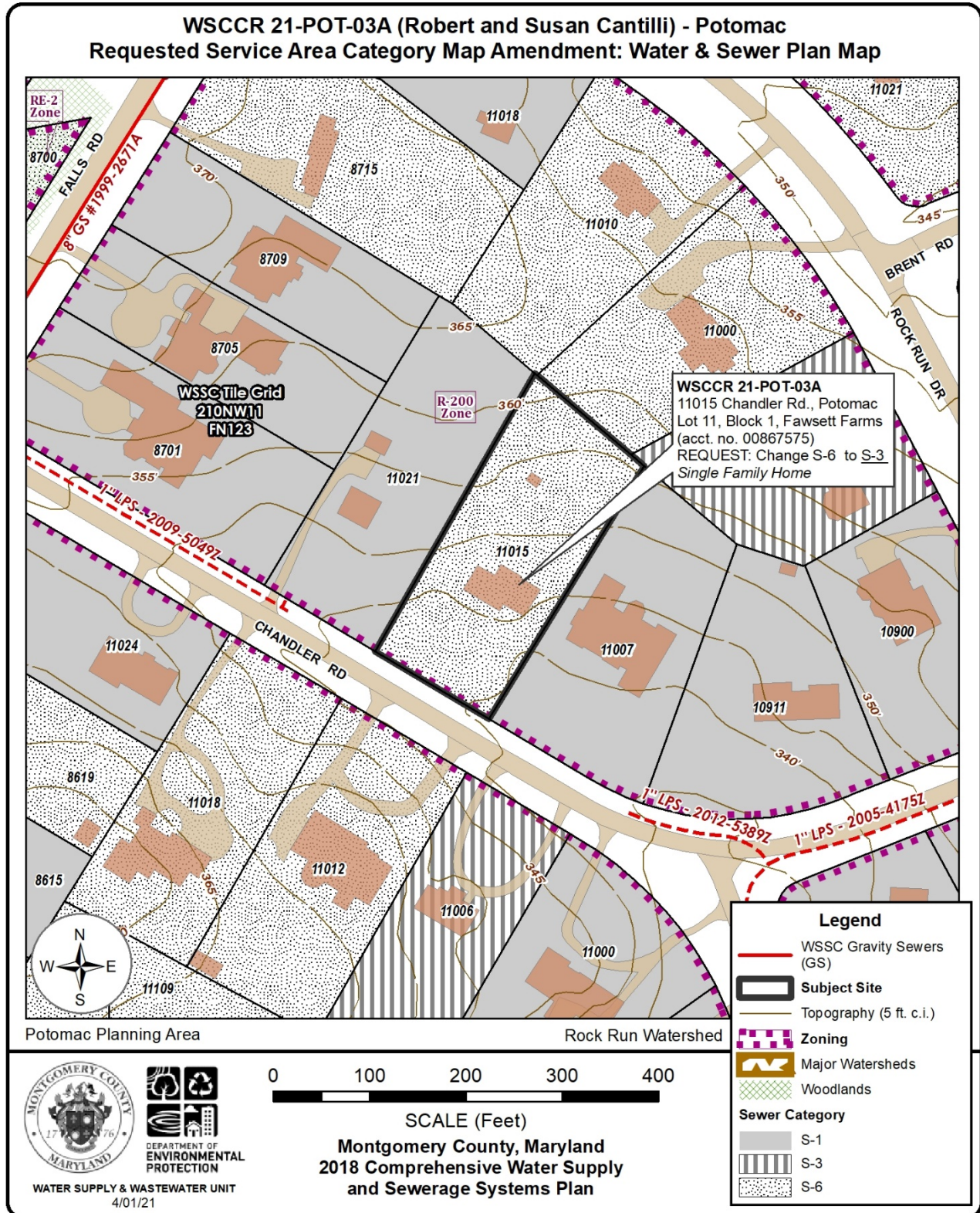
**M-NCPPC – Planning Dept.:** This 1.0-acre lot is zoned R-200 and is located in the Sewer Envelope of the Potomac Subregion Master Plan. Staff supports sewer service to this property.

**M-NCPPC – Parks Planning:** No park impacts.

**WSSC - Water:** not requested

**WSSC - Sewer:** Basin: Proposed to drain to Rock Run/Blue Plains 01-005. Approximately 140-foot-long non-CIP-sized low-pressure sewer extension is required to serve the property. This extension would connect to an existing 1 ¼ inch low pressure sewer main along Chandler Road (contract no. 2009-5049Z) and would abut approximately 3 properties in addition to the applicant's. Construction of this extension may involve the removal of trees, temporary disruption of wetlands and stream valley. This extension has been conceptually approved for service to the 11015 Chandler Road property along with any abutting properties. Average wastewater flow from all abutting properties: 821 GPD. Program-sized sewer mains are not required to serve the property. This extension would not be required to appear in an adopted Capital Improvement Program since it does not meet the criteria for a major project (COMAR 29 7-101.b.3). The receiving low-pressure sewer capacity can only handle 3-4 total properties. This will be the second property to connect to the 1 ¼ inch sewer contract no. 2009-5049Z. With only two properties connected, the capacity is adequate. Additional properties requesting to connect to this LPS will be required to submit a System Planning Forecast (SPF). Treatment capacity is adequate.







**WSSCR 21-PVL-01A: Fishpool, LLC**

**DEP Staff Recommendation: Approve W-3 and S-3 Administrative policy V.D.2.a.: Consistent with Existing Plans.**

<p>Property Information and Location                  Property Development</p> <ul style="list-style-type: none"> <li>• 19825 Fisher Ave., and 17825 Elgin Road, Poolesville</li> <li>• Parcel P615, LT Poolesville and Parcel P507, Poolesville 5549/703 5744/179 (acct. nos. 00044628 and 02005914)</li> <li>• Map tile: WSSC – 224NW20; MD –CT22</li> <li>• North west corner of the intersection of Fisher Ave. and Fyffe Rd.</li> <li>• R ½ and GC Zones*; 11.77 acres total  <i>*Applicant's request for Village Overlay Zone pending</i></li> <li>• Town of Poolesville Poolesville Master Plan (2011)</li> <li>• Upper Dry Seneca Creek Watershed (MDE Use I)</li> <li>• <u>Existing use</u>: Single-Family Home</li> <li>• <u>Proposed use</u>: 63 Single-Family Homes</li> </ul>	<p>Applicant's Request:                  Service Area Categories &amp; Justification</p> <hr/> <p>Existing – <b>Requested</b> – Service Area Categories</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">W-5</td> <td style="width: 50%; text-align: center;"><b>W-3</b></td> </tr> <tr> <td>S-5</td> <td style="text-align: center;"><b>S-3</b></td> </tr> </table> <hr/> <p>Applicant's Explanation</p> <p>See below:</p>	W-5	<b>W-3</b>	S-5	<b>S-3</b>
W-5	<b>W-3</b>				
S-5	<b>S-3</b>				
<p>"The Applicant is pursuing infill development as "The Willard Project" on subject property and two other adjoining parcels in Town of Poolesville. Two other parcels are currently in service categories W-1/S-1, while the two subject parcels are currently in service categories W-5/S-5. All abutting and confronting properties, with the exception of 17821 Elgin Road, are in service categories W-1/S-1.</p> <p>"The Applicant plans to develop the property with 62 proposed single family detached homes. The existing single family residence at 19825 Fisher Avenue will be retained for a total of 63 homes. The existing convenience store on the adjoining parcel will be removed as well as an existing small single family home on the subject property.</p> <p>"The Applicant is currently pursuing approval of the Town's Village Overlay Zone. The application is pending before the Town Commissioners at this time. The Town of Poolesville's Planning Commission has unanimously recommended approval of the proposal to the Town Commissioners. Submittal of a preliminary subdivision plan to the Town is planned for spring 2021.</p> <p>"The project is consistent with the Town's Comprehensive Master Plan which recommends residential infill development at this location. The properties are zoned P-COMMERCIAL (P615) and R-1/2 (P507).</p> <p><i>DEP NOTE: Town Zoning layer shows parcel P615 as GC Zone in error.</i></p> <p>"The properties are part of the Town's Targeted Improvement Zone.</p> <p>"Public water and sewer mains are located in the streets (Fisher Avenue, Fyffe Road, and Glass Way) abutting the property and no off-site easements will be required.</p> <p>"Extension of facilities to these properties is logical, efficient and consistent with the master plan for this community."</p>					

**DEP Staff Report:** The applicant has requested approval of water category W-3 and sewer category S-3 to allow for public water and sewer service for a proposed 63-lot subdivision. The properties total 11.77 acres in size and are zoned R ½ and GC. (The applicant has requested rezoning the site to the Village Overlay Zone from the town.) Existing water and sewer mains run along Fyffe Road as well as Fisher Avenue, abutting the properties. These properties are locating within the planned water and sewer envelopes.

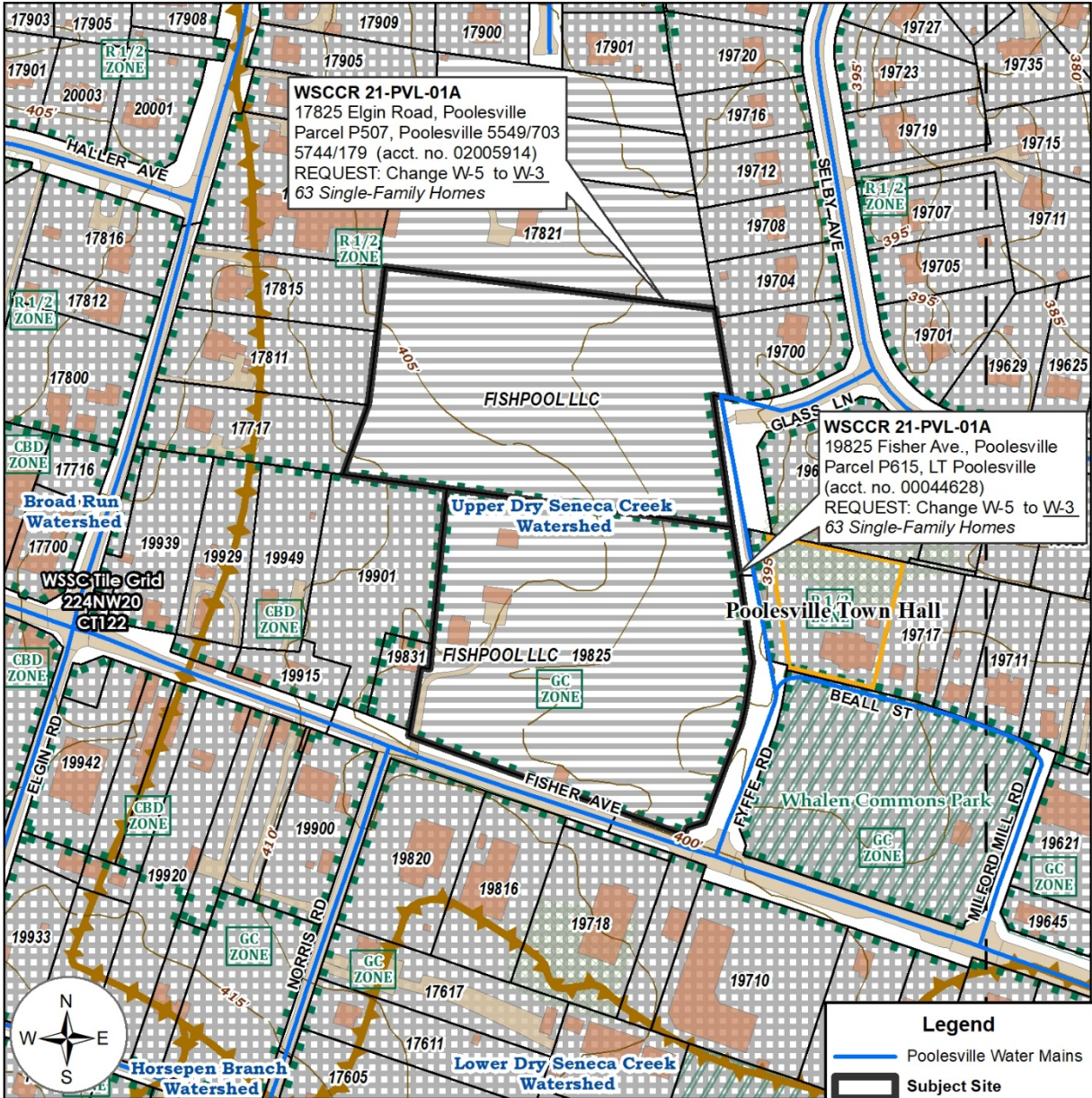
The Town of Poolesville supports the category change request. DEP staff recommendation is for the approval of category W-3 and S-3, consistent with existing plans.

**Agency Review Comments**

**DPS:** There are no existing well or septic records for 19825 Fisher Ave. 17825 Elgin Rd has a permitted septic system for 3 bedrooms; this property does not have an approved septic reserve area.

**Town of Poolesville.:** The Town of Poolesville has no issues with the change in category.

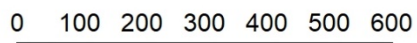
**WSSCR 21-PVL-01A (Fishpool, LLC) - Poolesville**  
**Requested Service Area Category Map Amendment: Water & Sewer Plan Map**



Town of Poolesville Upper Dry Seneca Creek Watershed



WATER SUPPLY & WASTEWATER UNIT  
 4/01/21



SCALE (Feet)

**Montgomery County, Maryland**  
**2018 Comprehensive Water Supply**  
**and Sewerage Systems Plan**

**Legend**

- Poolesville Water Mains
- Subject Site
- Topography (5 ft. c.i.)
- Municipal Zoning
- Major Watersheds
- Woodlands
- Water Category**
- W-1
- W-5



