

**PROPOSED CATEGORY MAP AMENDMENTS
MONTGOMERY COUNTY COMPREHENSIVE WATER SUPPLY
AND SEWERAGE SYSTEMS PLAN – 2023-1 GROUP
THREE ADMINISTRATIVE CASES**

Description

The Planning Board is required by State law to make a Master Plan and Water and Sewer Plan conformance determination on each of the Water and/or Sewer Category Change Requests.

COMPLETED: 1-13-2023

MCPB
Item No. 9
January 26, 2023

2425 Reedie Drive
Floor 14
Wheaton, MD 20902



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Angelica Gonzalez, Acting Supervisor, Upcounty Planning Division,
Angelica.Gonzalez@montgomeryplanning.org, 301-495-4583

Patrick Butler, Chief, Upcounty Planning Division, Patrick.Butler@montgomeryplanning.org, 301-495-4561

LOCATION:

Three Locations in the Upcounty

MASTER PLANS

2006 Damascus Master Plan

2002 Potomac Subregion Master Plan

PROPERTY SIZE

Various

APPLICATION

2023-1 Administrative Water and Sewer
Category Change Requests

ACCEPTANCE DATE:

January 3, 2023

REVIEW BASIS:

Section 9-506(a)(1-2)(ii)

Maryland Annotated Code, Environment



Summary

- The Planning Board is required by State law to make a Master Plan conformance determination for each of the Five Water and Sewer Category Change Requests.
- The Planning Board's recommendation will be transmitted to the County Executive for final action.
- The Planning Staff recommendation of approval for each of these cases is consistent with the Executive Staff recommendations, see Attachment A.

SECTION I

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).

The Planning Board's recommendations will be transmitted to the County Executive prior to final action. For each case, 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 for approval of each case is consistent with the County Executive Staff's recommendation.

SECTION II

RECOMMENDATIONS

WSCCR 23-DAM-01A: Ana Ayala and Anmer Fuentes

The applicant has requested approval of Sewer Service category S-1 to allow for public sewer service for the existing home. This property 0.59-acres and zoned RE-2C zone. This property is within the 2006 *Damascus Master Plan* water and sewer envelope and is also eligible for Water service.

Staff Recommendation: Approve W-1, S-1

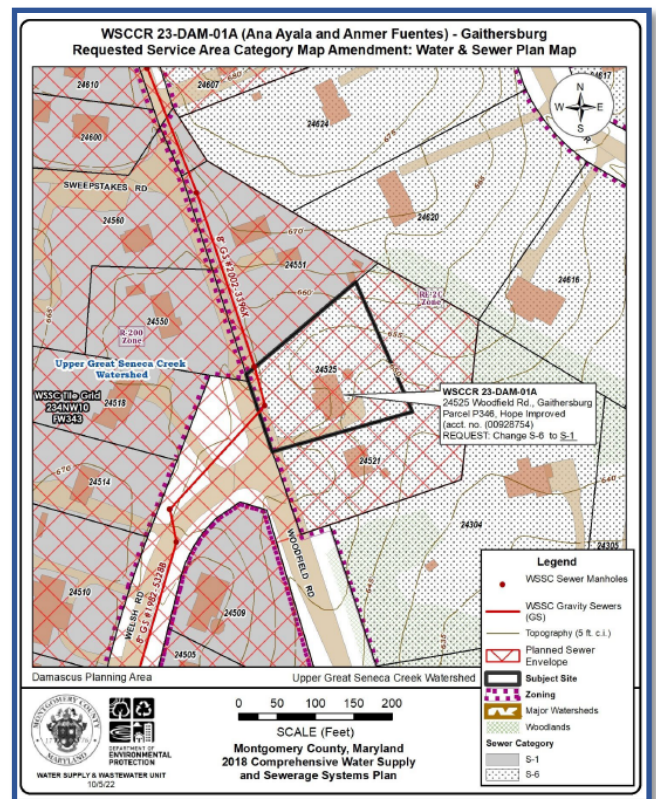


Figure 1 – Page 3, Attachment A

WSCCR 23-POT-01A: William and Annie Reyes

The applicant has requested approval of sewer category S-1 to allow for public sewer service for an existing single-family home. The property is 2.68-acres in size, and zoned RE-2. The property is located at the periphery of the planned public sewer service envelope. To qualify for the Potomac Peripheral Service Policy, the property must at a minimum abut or confront the 2002 *Potomac Subregion Master Plan* sewer envelope.

Staff Recommendation: Approve S-1

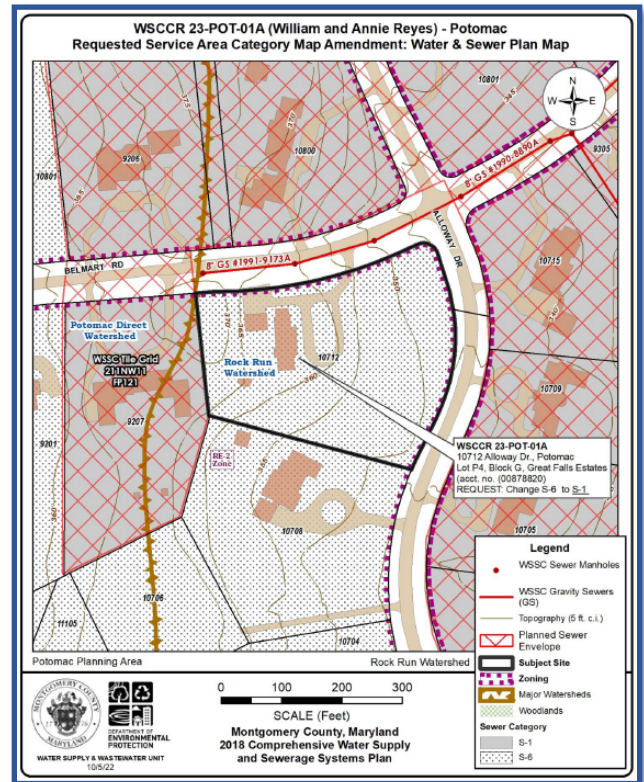


Figure 2 - Page 7, Attachment A

WSSCR 23-TRV-01A: Eugene Imbro and Susan Huddy

The applicant has requested approval of sewer category S-1 to allow for public water service for an existing single-family home. This property is 0.92-acres in size and zoned RE-1. The property is located at the periphery of the planned public sewer service envelope. To qualify for the Potomac Peripheral Service Policy, the property must at a minimum abut or confront the 2002 *Potomac Subregion Master Plan* sewer envelope.

Staff Recommendation: Approve S-1

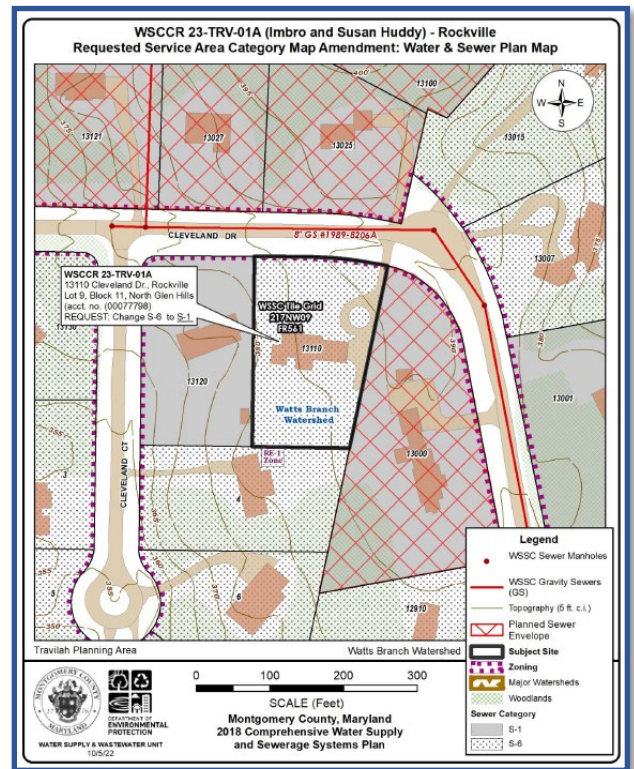


Figure 3 – Page 9, Attachment A

Next Step

The Planning Board's recommendations will be transmitted to the County Executive prior to final action.

ATTACHMENT

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



DEPARTMENT OF ENVIRONMENTAL PROTECTION

Marc Elrich
County Executive

Adriana Hochberg
Acting Director

January 3, 2023

NOTICE OF AD 2023-1 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

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 2023-1 for Water and Sewer Plan Amendments**

DATE & TIME: **Tuesday, February 7, 2023, at 10:00 a.m.**

LOCATION: **Telephone Conference**

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 (WSSCR) to the County's 2018 Comprehensive Water Supply and Sewerage Systems Plan:

WSSCR 23-DAM-01A... Ana Ayala and Anmer Fuentes
WSSCR 23-POT-01A... William and Annie Reyes
WSSCR 23-TRV-01A... Eugene Imbro and Susan Huddy

To assist with your review of this proposed action, 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 DEP's administrative public hearing is optional for agency staff, applicants, and others. 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:

Adriana Hochberg, Acting Director, DEP; 2425 Reedie Drive, 4th Floor, Wheaton, MD 20902; or to george.dizelos@montgomerycountymd.gov.

DEP will close the record on February 14, 2023.

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/R:\Programs\Water_and_Sewer\actions-AD\2023\AD-2023-1\ad-hearing-notice-2023-1.docx

cc: Gabe Albornoz, President, County Council
Linda Kobylski, Jason Flemming & Megan Wilhelm, DPS
Chairperson, Montgomery County Planning Board
Katherine Nelson and Donnell Zeigler, Upper County Planning Team, M-NCPPC
Jason Sartori, Functional Planning and Policy Division, M-NCPPC
Geoffrey Mason, Parks Planning and Stewardship Division, M-NCPPC
Fred Mejias, 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

23-DAM-01A... Ana Ayala and Anmer Fuentes
23-POT-01A... William and Annie Reyes
... Jared Carhart, CAS Engineering
23-TRV-01A... Eugene Imbro and Susan Huddy

Civic Organizations and Other Public Interest Groups

Audubon Naturalist Society
Greater Glen Mill Community Association
Greater Glen Hills Coalition LLC
Glen Hills Civic Association
Glen Hills Community Coalition
Glen Preservation Foundation
Northern Montgomery County Alliance
Montgomery County Civic Federation
Montgomery Coalition to Stop Sewer Sprawl
Potomac Highlands Citizens Association
West Montgomery County Citizens Association

WSSCR 23-DAM-01A: Ana Ayala and Anmer Fuentes

DEP Staff Recommendation: Approve S-1 and correct existing W-6 to W-1, Administrative policy V.D.2.a.: Consistent with Existing Plans. Note for a future Growth Tiers change to Tier 1.

Property Information and Location Property Development	Applicant's Request: Service Area Categories & Justification				
<ul style="list-style-type: none"> • 24525 Woodfield Rd., Gaithersburg • Parcel P346, Hope Improved (acct. no. 00928754) • Map tile: WSSC – 234NW10; MD –FW43 • East side of Woodfield Rd., At the intersection with Welsh Rd. • RE-2C Zone; 25,900 Sq.Ft. • Damascus Planning Area Damascus Master Plan (2006) • Upper Great Seneca Creek Watershed (MDE Use I) • <u>Existing use</u>: Single Family Home (built 1958) • <u>Proposed use</u>: Sewer service for the Existing Single-Family Home • 	<p>Existing – Requested – Service Area Categories</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>*Within the planned public water and sewer service envelopes</p> <p><u>Applicant's Explanation</u></p> <p>"This property is under contract to be sold. We discovered the septic system was leaking when the septic inspection was done, we contracted Fogle's Septic Clean who provide a proposal to pull the necessary permit to have DPS confirm the failure. The inspection was then scheduled for Monday July 18th, 2022. Mrs. Kim Beall was the environmental health specialist who was on site to do the inspection. Since then Mrs. Beall has confirmed via email dated July 20th 2022 "Existing septic system is at failure." Therefore, we would like to request a sewer category change to S-1. Note, the water category also shows W-6 but we have public water, please correct to W-1."</p> <p><i>DEP NOTE: Expedite water and sewer request issued on August 23rd, 2022.</i></p> <p><i>*Water Category Correction to W-1, property has been connected to public water service since approximately 2002 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 25,900 square feet in size, zoned RE-2C, and is located inside the County's planned public sewer service envelope. An existing 8-inch-diameter sewer main runs along Woodfield Rd., abutting the property. DEP issued an expedited sewer connection request on August 23, 2022, for the relief of the failed septic system. To qualify for the Consistent with existing plans policy, the property must be within the planned sewer envelope.

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 10-inch water main runs along Woodfield Road, abutting the property. WSSC permit records show public water service was provided to this property in 2002. Although this was likely a utility service error at the time service was provided, the provision of public water service is consistent with master plan recommendations and Water and Sewer Plan service policies.

M-NCPPC staff concur that the property is eligible for public sewer service as recommended in the 2006 Damascus 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, and water category correction to W-1, Consistent with existing plans.

Agency Review Comments

DPS: This property has a confirmed failing septic system.

M-NCPPC – Planning Dept.: This property is within the 2006 Damascus Master Plan recommended sewer envelope. It is also eligible for public water service.

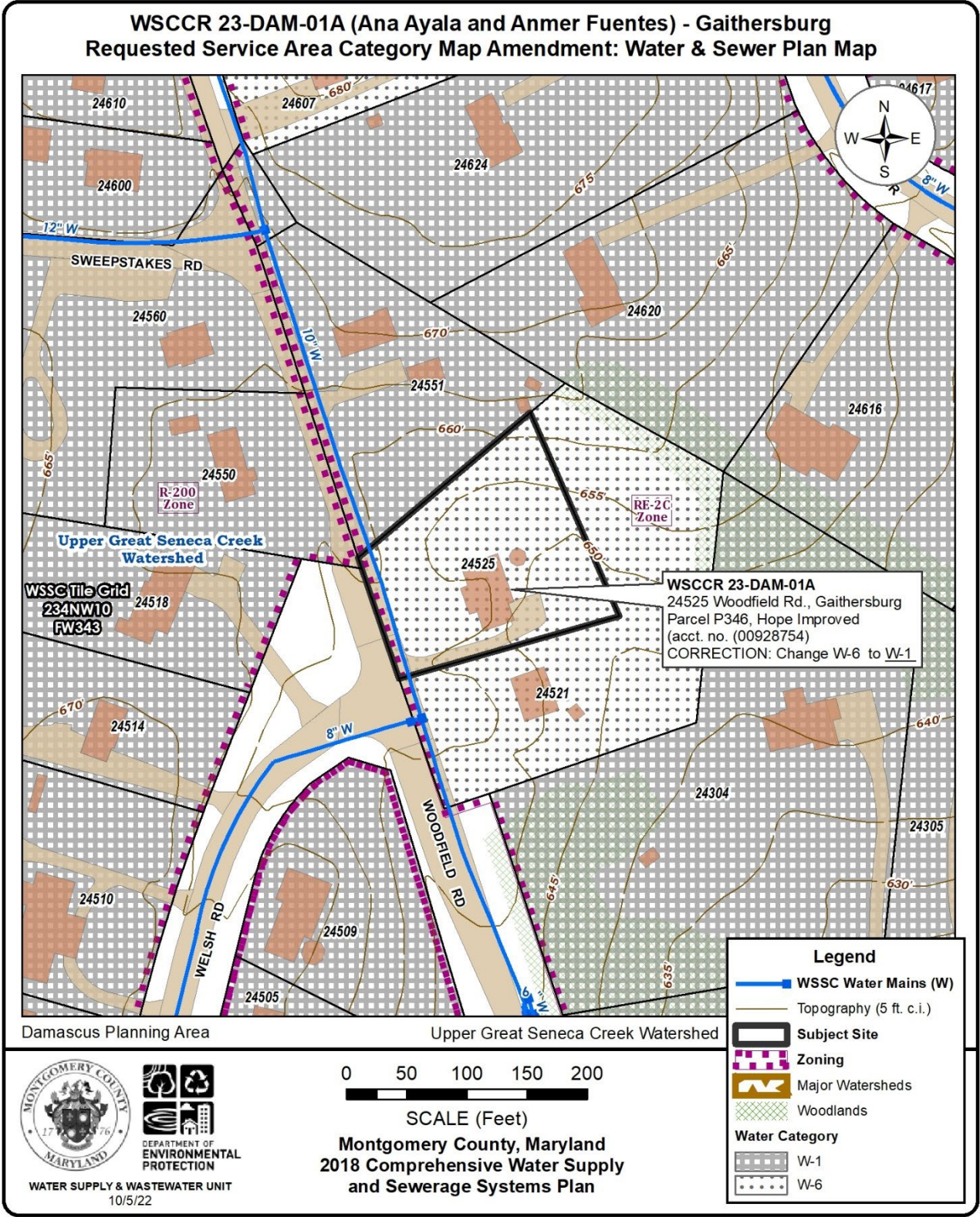
M-NCPPC – Parks Planning: No apparent park impacts.

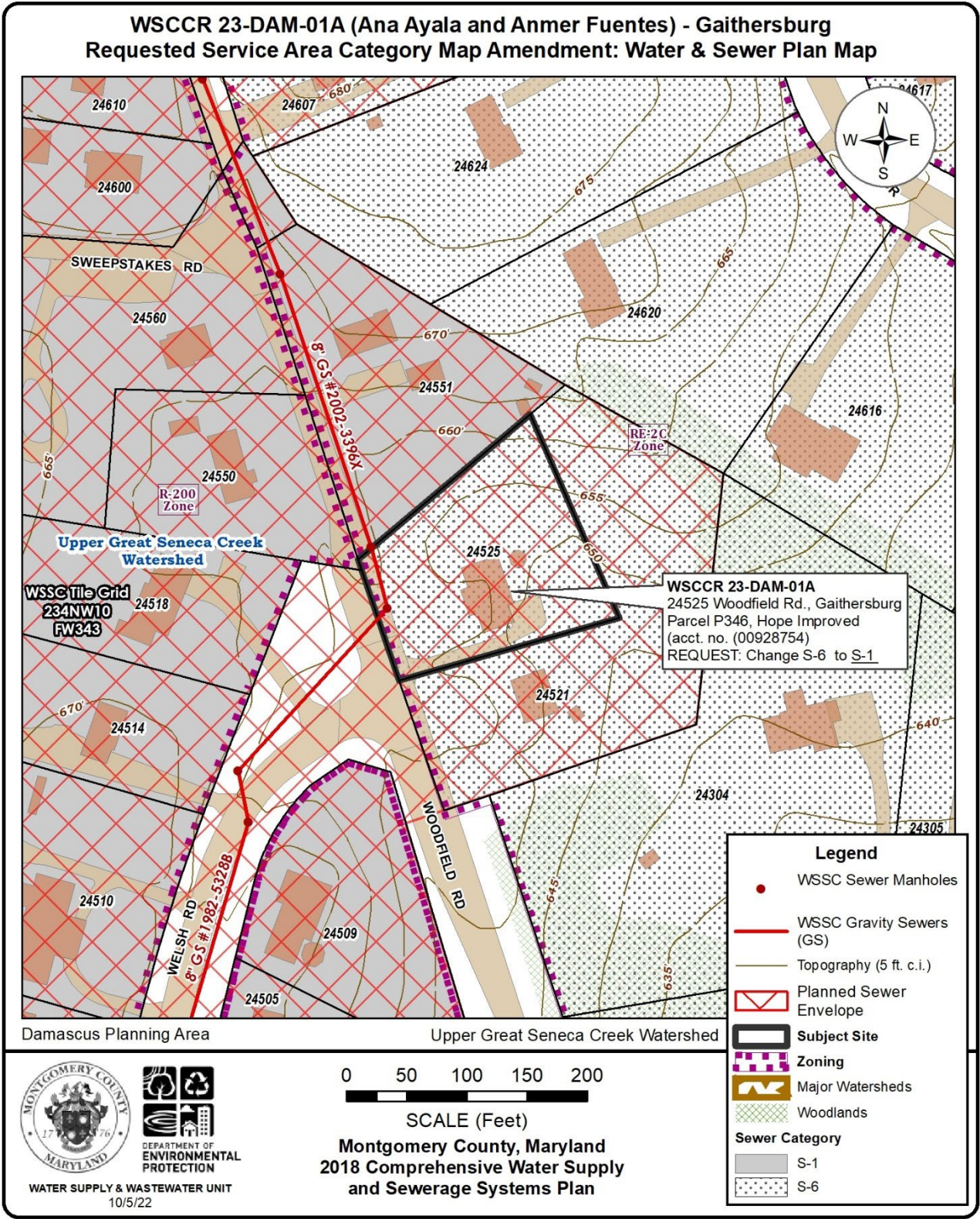
WSSC - Water: (*correction*)

WSSC - Sewer: Basin: Seneca. An 8-inch sewer line in Woodfield Rd abuts the property (contract no.2002-3396X).

Based on the ground elevations, on property ejector or grinder pump and low-pressure sewer will be required for service. A registered plumber must install the pumps at the owner's expense. Grinder pump units must be approved by WSSC. For properties to be served by a grinder pump system, the homeowner is responsible for all on-site installation (i.e. materials, electrical equipment, the grinder pump unit and plumbing hook-up which shall be installed by a registered plumber). Ultimately the property owner will be responsible for all on-site maintenance of grinder pump systems. Owners should disclose this requirement to purchasers at property settlement.

Average wastewater flow from the proposed development: 558 GPD. Interceptor capacity is adequate. Treatment capacity is adequate.





WSSCR 23-POT-01A: William and Annie Reyes

DEP Staff Recommendation: Approve S-1 (Potomac peripheral sewer service policy), Administrative policy V.D.2.a.: Consistent with Existing Plans. The planned public sewer envelope will not be revised to include this property. Note for a future Growth Tiers change to Tier 1.

Property Information and Location Property Development	Applicant's Request: Service Area Categories & Justification												
<ul style="list-style-type: none">10712 Alloway Dr., PotomacLot P4, Block G, Great Falls Estates (acct. no. 00878820)Map tile: WSSC – 211NW11; MD –FP21West side of Alloway Dr., at the intersection with Belmart Rd.RE-2 Zone; 2.68 ac.Potomac Planning Area Potomac Subregion Master Plan (2002)Rock Run Watershed (MDE Use I)<u>Existing use</u>: Single-Family Home (built 1961)<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><tr><td colspan="2">*Outside the planned public sewer service envelope.</td></tr><tr><th colspan="2">Applicant's Explanation</th></tr><tr><td colspan="2">"Currently on septic and prefer the reliability of sewer service."</td></tr></table>	Existing – Requested – Service Area Categories		W-1	W-1 (no change)	S-6*	S-1	*Outside the planned public sewer service envelope.		Applicant's Explanation		"Currently on septic and prefer the reliability of sewer service."	
Existing – Requested – Service Area Categories													
W-1	W-1 (no change)												
S-6*	S-1												
*Outside the planned public sewer service envelope.													
Applicant's Explanation													
"Currently on septic and prefer the reliability of sewer service."													

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. The property is 2.68-acres in size, and in the RE-2 zone. The property is located at the periphery of the planned public sewer service envelope. To qualify for the Consistent with Existing Plans, Potomac Peripheral Service Policy, the property must at a minimum abut or confront the planned sewer envelope. The property confronts the planned sewer envelope across Belmart Rd. and Alloway Dr., and abuts the planned sewer envelope at 9207 Belmart Road.

M-NCPPC staff conclude that public sewer service to the property is consistent with the recommendations in the 2002 Potomac Subregion Master Plan. M-NCPPC Parks confirm there are no park impacts. WSSC confirms that sewer service can be supported. DEP staff recommendation is for the approval of category S-1, consistent with existing plans. The proposed approval of sewer category S-1 will not result in the inclusion of this property within the planned public sewer envelope.

Agency Review Comments

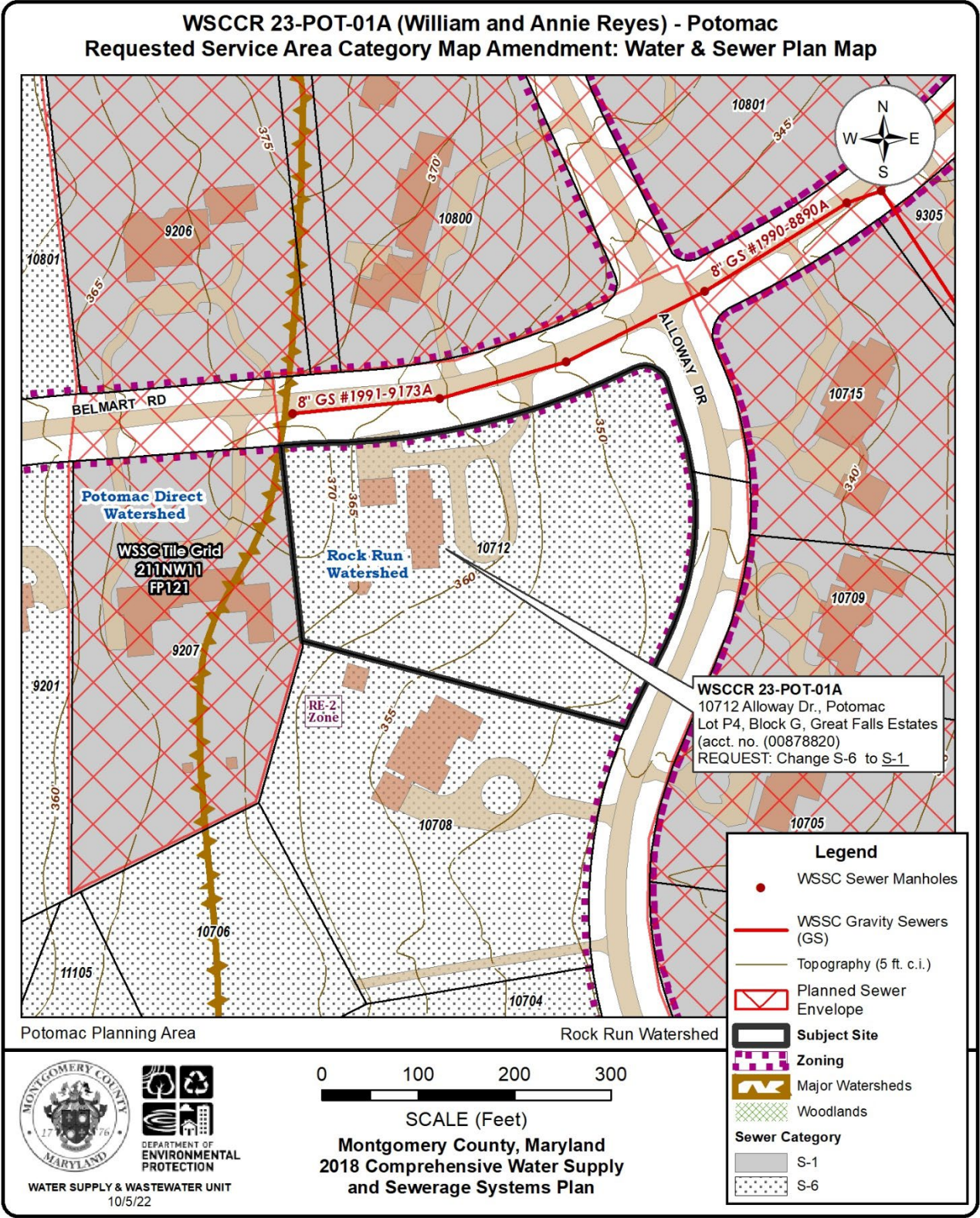
DPS: Property is currently served by a septic system repaired in 1972. There is no approved septic reserve area.

M-NCPPC – Planning Dept.: This property is adjacent to the Potomac sewer envelope as recommended in the 2002 Potomac Subregion Master Plan and is eligible for sewer service. The property is also adjacent to existing sewer infrastructure and eligible for a single sewer hookup.

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

WSSC – Water: (not requested)

WSSC - Sewer: Basin: Rock Run. An 8-inch sewer line in Belmart Road abuts the property (contract no.1991-9173A). 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 is adequate.



WSSCR 23-TRV-01A: Eugene Imbro and Susan Huddy

DEP Staff Recommendation: Approve S-1 (Potomac peripheral sewer service policy), Administrative policy V.D.2.a.: Consistent with Existing Plans. The planned public sewer envelope will not be revised to include this property.

Property Information and Location Property Development	Applicant's Request: Service Area Categories & Justification						
<ul style="list-style-type: none">13110 Cleveland Dr., RockvilleLot 9, Block 11, North Glen Hills (acct. no. 00077798)Map tile: WSSC – 217NW09; MD –FR51South side of Cleveland Dr., 175 ft east of Cleveland Ct.RE-1 Zone; 40,208 Sq. Ft.Travilah Planning Area Potomac Subregion Master Plan (2002)Watts Branch Watershed (MDE Use I)<u>Existing use:</u> Single Family Home (built 1963)<u>Proposed use:</u> Public Sewer Service for the Single Family Home	<table><tr><th colspan="2">Existing – Requested – Service Area Categories</th></tr><tr><td>W-6</td><td>W-6 (no change)</td></tr><tr><td>S-6*</td><td>S-1</td></tr></table> <p>*Outside the planned public sewer service envelope.</p> <p><u>Applicant's Explanation</u></p> <p>"There is a sewer line in front of my house. The house directly across the street 13205 Cleveland Drive is connected to the sewer line."</p> <p><i>DEP Note: Advanced Action granted on October 5, 2022, under the authority granted by Water and Sewer Plan's "abutting mains" policy.</i></p>	Existing – Requested – Service Area Categories		W-6	W-6 (no change)	S-6*	S-1
Existing – Requested – Service Area Categories							
W-6	W-6 (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. The property is 40,208 sq. ft. in size, and in the RE-1 zone. The property is located at the periphery of the planned public sewer service envelope. To qualify for the Consistent with Existing Plans, Potomac Peripheral Service Policy, the property must at a minimum abut or confront the planned sewer envelope. The property confronts the planned sewer envelope across Cleveland Dr., and abuts the planned sewer envelope at 13000 Cleveland Drive.

M-NCPPC staff conclude that public sewer service to the property is consistent with the recommendations in the 2002 Potomac Subregion Master Plan. M-NCPPC Parks confirm there are no park impacts. WSSC confirms that sewer service can be supported. DEP staff recommendation is for the approval of category S-1, consistent with existing plans. The proposed approval of sewer category S-1 will not result in the inclusion of this property within the planned public sewer envelope.

Agency Review Comments

DPS: The existing septic system was installed in 1963 and the drain fields were repaired in 1978. This property has no septic reserve area established.

M-NCPPC – Planning Dept.: This property confronts and is adjacent to the Potomac sewer envelope as recommended in the 2002 Potomac Subregion Master Plan and is eligible for sewer service. The property is also adjacent to existing sewer infrastructure and eligible for a single sewer hookup.

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

WSSC - Water: (not requested)

WSSC - Sewer: Basin: Watts Branch. This project is located in Glen Hills. Some parts of Glen Hills are located in a county designated Special Sewer Service area. An 8-inch sewer line in Cleveland Drive abuts the property (contract no. 1989-8206A). Average wastewater flow from the proposed development: 190 GPD. Interceptor capacity is adequate. Treatment capacity is adequate.

