

**PROPOSED CATEGORY MAP AMENDMENTS
MONTGOMERY COUNTY COMPREHENSIVE WATER SUPPLY AND
SEWERAGE SYSTEMS PLAN – 2025-2 GROUP
THREE ADMINISTRATIVE CASES**

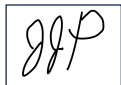
The Planning Board is required by State law to make a Master Plan and Water and Sewer Plan conformance determination on each of the Water and/or Sewer Category Change Requests.

Completed: March 20, 2025

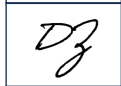
MCPB
Item No. 10
March 27, 2025

2425 Reddie Drive
Floor 14
Wheaton, MD 20902

Planning Staff



Jamey Pratt, Planner III, Upcounty Planning Division, Jamey.Pratt@montgomeryplanning.org, 301-495-4588



Don Zeigler, Supervisor, Upcounty Planning Division, Donnell.Zeigler@montgomeryplanning.org, 301-495-4583



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

LOCATION/ADDRESS

Three locations throughout the county

MASTER PLANS

2021 Ashton Village Center Sector Plan
2002 Potomac Subregion Master Plan

APPLICANT

Montgomery County Department of
Environmental Protection

ACCEPTANCE DATE

February 21, 2025

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 the Water and Sewer Category Change Requests included in the packet.
- 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 1: 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).

The Administrative Public Hearing is scheduled for March 26, 2025. Montgomery County's Department of Environmental Protection (MCDEP) will close the public record on April 2, 2025, but the Planning Board's recommendations can be received after this date. Planning Staff's recommendation of approval of each case is consistent with County Executive Staff's recommendations.

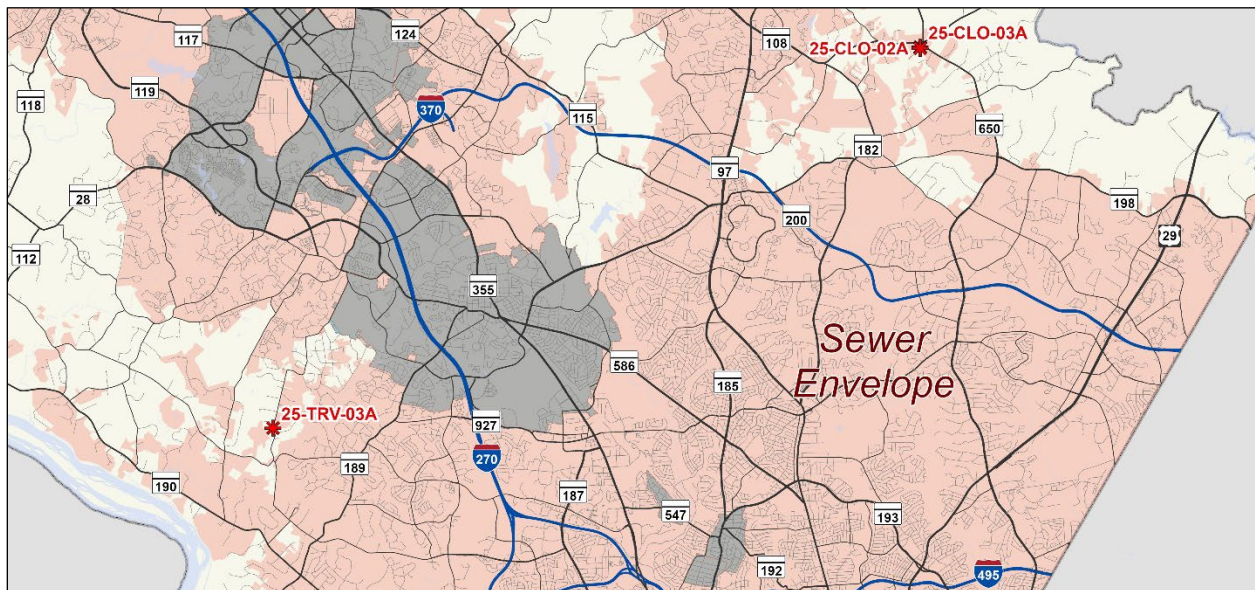


Figure 1. Map showing location of category change requests and generalized sewer envelope.

SECTION 2: RECOMMENDATIONS

WSSCR 25-CLO-02A: FREDERICK & THEOLA MEYER

Property address: 3 Porter Court, Ashton

The applicant requests a change from S-6 to S-1 to allow public sewer service for a proposed two-lot subdivision. The existing single-family detached house is served by a septic system. The 25,264-square-foot property is within the 2021 *Ashton Village Center Sector Plan* area and is in the R-90 zone. There is an existing sewer line within Porter Road adjacent to the property.

The master plan recommends public sewer to all properties within the plan area. The property qualifies for public water service.

MCDEP Staff Recommendation:

Approve S-1

Planning Staff Recommendation:

Approve S-1

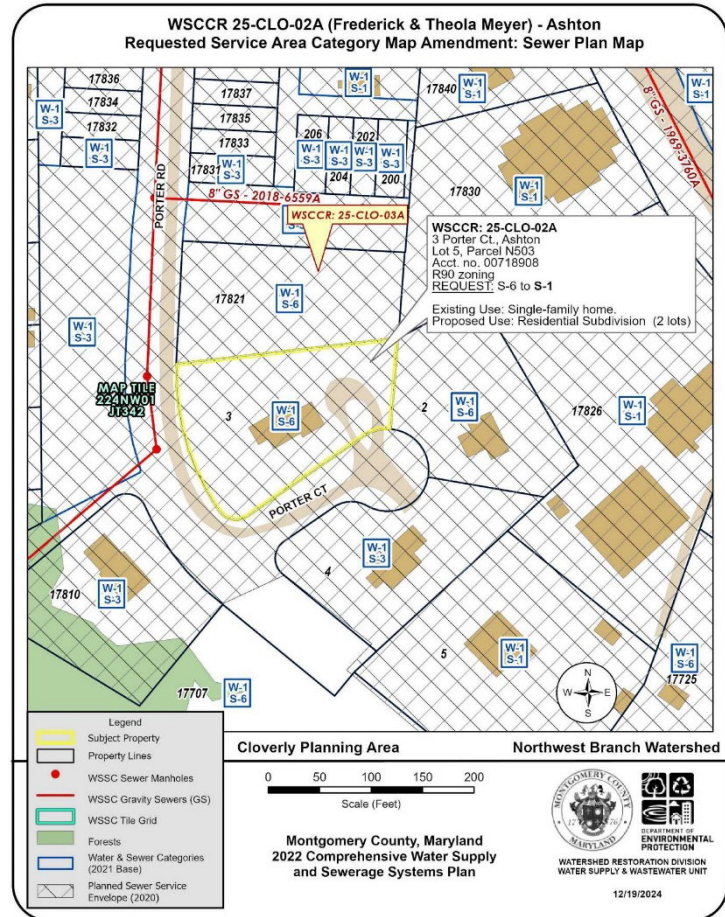


Figure 2. Sewer plan map for 25-CLO-02A (Figure 1, Page 5, Attachment A)

WSSCR 25-CLO-03A: ANDREA G. LAMPHIER REVOCABLE TRUST

Property address: 17821 Porter Road, Ashton

The applicant requests a change from S-6 to S-1 to allow public sewer service for a proposed two-lot subdivision. The property is currently vacant. The 21,780-square-foot property is within the 2021 *Ashton Village Center Sector Plan* area and is in the R-90 zone. There is an existing sewer line within Porter Road adjacent to the property.

The master plan recommends public sewer to all properties within the plan area. The property qualifies for public water service.

MCDEP Staff Recommendation:

Approve S-1

Planning Staff Recommendation:

Approve S-1

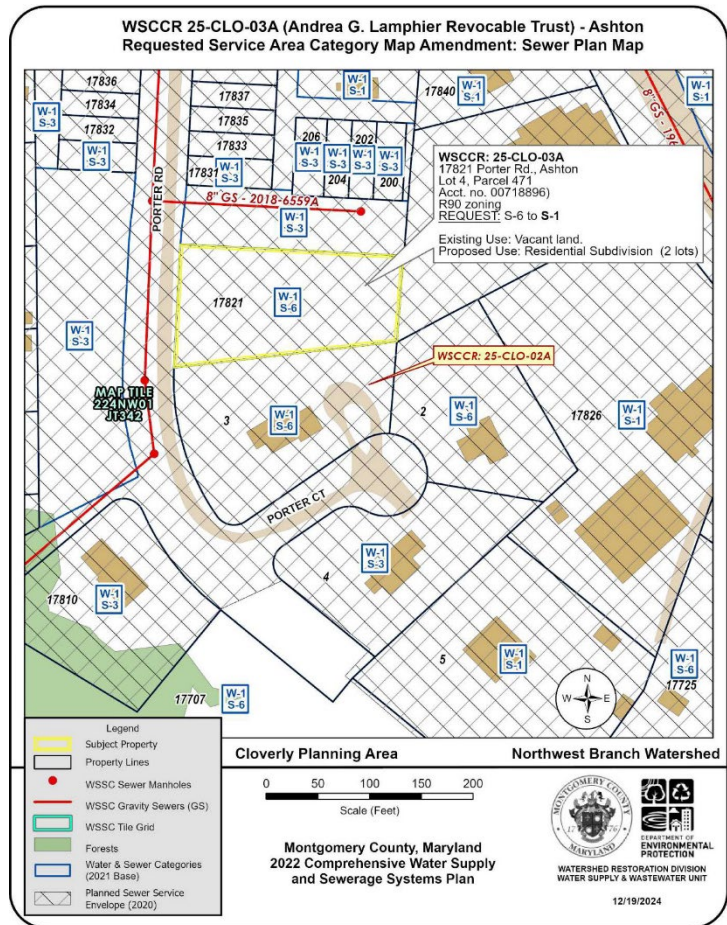


Figure 3. Sewer plan map for 25-CLO-03A (Figure 2, Page 8, Attachment A)

WSSCR 25-TRV-03A: MAYA WEYL

Property address: 12100 Glen Mill Road, Potomac

The applicant requests a change from S-6 to S-1 to allow public sewer service for a property currently improved with a single-family detached house. The applicant is concerned that the aging septic system will fail. The property is within the 2002 *Potomac Subregion Master Plan* area. The 1.54-acre property is in the RE-2 zone.

The property is within the Travilah master plan neighborhood and is within the Piney Branch Special Protection Area; it is not within the Glen Hills neighborhood. The property is not shown within the planned public sewer envelope in the master plan. However, the Piney Branch Trunk sewer line runs across the property and there is an available connection on the property. The Piney Branch Restricted Sewer Access policy allows a connection for properties the trunk sewer traverses or abuts. The master plan supports sewer connections for properties that satisfy the criteria under the restricted sewer access policy. The master plan supports the requested connection.

MCDEP Staff Recommendation: Approve S-1

Planning Staff Recommendation: Approve S-1

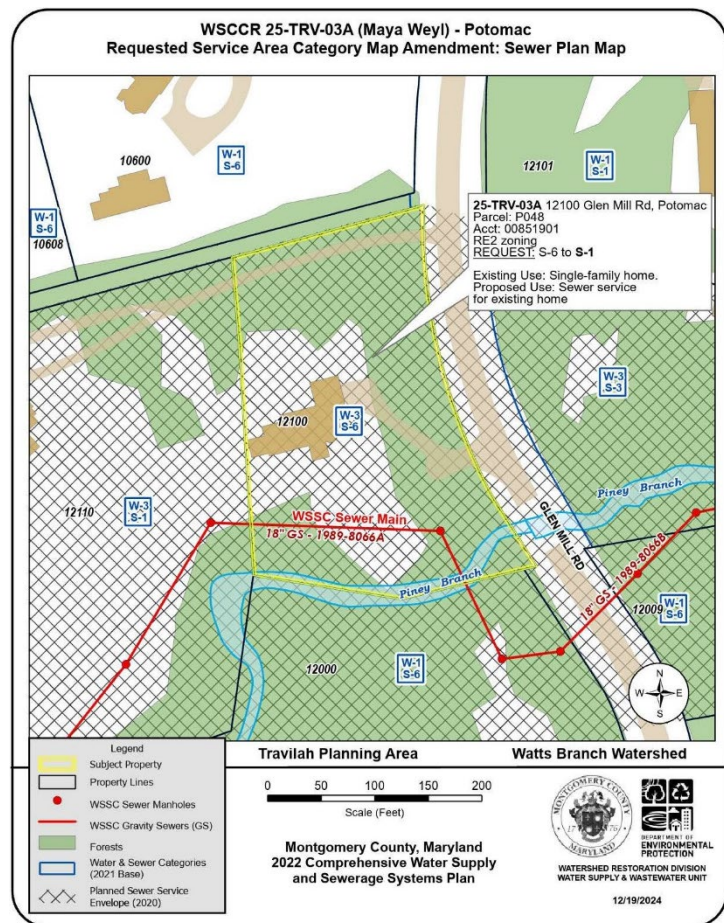


Figure 4. Sewer plan map for 25-TRV-03A (Figure 3, Page 11, Attachment A)

SECTION 3: CONCLUSION

Staff recommends that the Planning Board approve the category change request recommendations. Staff will transmit the recommendations to the County Executive for final action.

ATTACHMENT

- A. County Executive Notice of Public Hearing and Attached Package



DEPARTMENT OF ENVIRONMENTAL PROTECTION

Marc Elrich
County Executive

Jon Monger
Director

February 21, 2025

NOTICE OF ADMINISTRATIVE DELEGATION (AD) 2025-2 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: Tim Williamson, Planning Specialist III, Water Supply and Wastewater Unit Watershed Restoration
Division, Department of Environmental Protection

SUBJECT: **Administrative Public Hearing AD 2025-2 for Water and Sewer Plan Amendments**

DATE & TIME: **Wednesday, March 26, 2025 at 10:00 a.m.**

LOCATION: **Telephone Conference**

Please contact me at timothy.williamson@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 water/sewer category map amendments (WSCCR) to the County's 2018 Comprehensive Water Supply and Sewerage Systems Plan:

25-CLO-02A...Frederick & Theola Meyer
25-CLO-03A...Andrea G. Lamphier Revocable Trust
25-TRV-03A...Maya Weyl

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:

Jon Monger, Director, DEP; 2425 Reedie Drive, 4th Floor, Wheaton, MD 20902;
or to timothy.williamson@montgomerycountymd.gov.

DEP will close the record on April 2, 2025. Following the closing, DEP staff will prepare Statement of Action and provide it to the DEP director for approval. DEP will then send the action to the Maryland Dept. of the Environment (MDE) for review and concurrence. MDE has 60 days to review and comment on DEP's action. MDE's concurrence with DEP's action is required for approval of these Plan amendments. (MDE may extend its review time up to an additional 90 days.) Applicant's may proceed with development plans and/or service requests with WSSC Water based on DEP's action at their own risk during MDE's review.

Please do not hesitate to contact me at timothy.williamson@montgomerycountymd.gov or at 202-579-3116 if you have any questions concerning these category change requests or on the schedule provided.

R:\Programs\Water_and_Sewer\actions-AD\2025\2025-2\Hearing Packet\AD-Hearing-Notice-2025-2.docx

cc: Kate Stewart, President, Montgomery County Council
Linda Kobylski, Jason Flemming & Megan Wilhelm, DPS
Artie Harris, Chair, Montgomery County Planning Board
Donnell Zeigler, and Jamey Pratt, 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
Robin Pellicano, Division Chief, Water and Science Admin., Maryland Dept. of the Environment
Jeff White, Program Manager, Water and Science Admin., Maryland Dept. of the Environment
Rebecca L. Flora, Secretary, Maryland Department of Planning

Category Change Applicants & Interested Parties

25-CLO-02A...Frederick & Theola Meyer
25-CLO-03A...Andrea G. Lamphier Revocable Trust
25-TRV-03A...Maya Weyl

Civic Organizations and Other Public Interest Groups

Sandy Spring Ashton Rural Preservation
Sandy Spring Civic Association
Ashton Alliance
Greater Olney Civic Association
Southeast Rural Olney Civic Association
Northern Montgomery County Alliance

Montgomery County Civic Federation
Montgomery Coalition to Stop Sewer Sprawl
West Montgomery County Citizens Assn.
Nature Forward
East County Citizens Advisory Board

Adjacent and Confronting Property Owners

DEP will send a hearing notice to each owner of properties adjacent to and confronting these category change request sites.

WSSCR 25-CLO-02A: Frederick & Theola Meyer

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"> • 3 Porter Ct., Ashton, MD 20861 • Lot 5, Parcel N503 (acct. no. 00718908) • Map tile: WSSC – 224NW01; MD – JT342 • North side of Porter Ct. • R90 Zone; 25,264 sf • Cloverly Planning Area 2021 Ashton Village Center Sector Plan • Northwest Branch Watershed (MDE Use IV/IV-P) • <u>Existing use:</u> Single-Family Home • <u>Proposed use:</u> 2 Lot Subdivision 	<p><u>Existing – Requested – Service Area Categories</u></p> <p>W-1 No change S-6 S-1</p> <p>Inside the planned public water and sewer service envelope.</p> <p><u>Applicant's Explanation</u></p> <p><i>"Current Water and Sewer along property frontage. Wanting to subdivide the two lots into a total of four lots"</i></p> <p>*DEP note: Cases 25-CLO-02A and 25-CLO-03A are part of a joint subdivision process. Each property will be subdivided into 2 lots for a total of 4 lots.</p>

DEP Staff Report

The applicant is a part of a proposed two lot subdivision to allow for the of 4 building lots in conjunction with the neighboring property to the North (case #: 25-CLO-03A; pg 6) for a larger 4-lot residential development in Ashton. The applicant requests a sewer category change from S-6 to S-1 to allow for a sewer connection. The connection allows the abandonment of the current septic system so that the land area can accommodate more development. DPS confirmed that the septic system had been installed in the 1950s and there is no septic reserve area.

The Parks and Planning Commission (M-NCPPC) has found that the proposed change in category is consistent with existing plans; the property is within the planned sewer service envelope and the Master Plan recommends public sewer for all properties within the plan area. Furthermore, a WSSC sewer main abuts the property along Porter Rd. WSSC has confirmed that the main can adequate serve the property. No parks would be impacted by the category change.

The sewer category change request does not address any feasibility of a subdivision.

Agency Review Comments

DPS: Existing septic system was installed in the 1950's, property has no septic reserve area and limited area.

M-NCPPC – Planning Dept.:

The applicant requests a change from S-6 to S-1 to allow public sewer service for a new subdivision for two single-family detached houses at 3 Porter Court in Ashton. There is a single-family house on the property. The applicant desires to subdivide the property into two lots. The 25,264-square foot property is within the 2021 Ashton Village Center Sector Plan area and is in the R-90 zone. The applicant intends to submit a joint subdivision application with 25-CLO-03A, which is on an adjacent property.

The Upcounty Planning Division has not seen a subdivision application or concept for this property, so this review does not address the feasibility of a subdivision.

The property is in the Residential Edge plan neighborhood in the master plan, which retained the R-90 zone for the property. The master plan recommends public sewer service for all properties within the plan area. The property qualifies for public sewer service as a single lot or as subdivided lots.

M-NCPPC – Parks Planning:

No park impacts.

WSSC - Water: *(not requested)***WSSC - Sewer:**

1. Basin: Northwest Branch
- 2 An 8-inch sewer line in Porter Road abuts the property (contract no. 2018-6559A).
- 3 Average wastewater flow from the proposed development: 520 GPD
- 4 Program-sized sewer mains are not required to serve the property.
- 5 Interceptor capacity is adequate.
- 6 Treatment capacity is adequate.

WSSC – Planning:

This property is located in the Northwest Branch basin. The downstream CIP-sized sewer from the proposed connection can handle the proposed flow of 520 GPD. The non-CIP-sized sewer needs evaluation by the DSD. The existing Northwest Branch basin sewer model has not been updated to include all pipes. The current model was calibrated to the flow data collected in 2005 and may not accurately reflect present conditions.

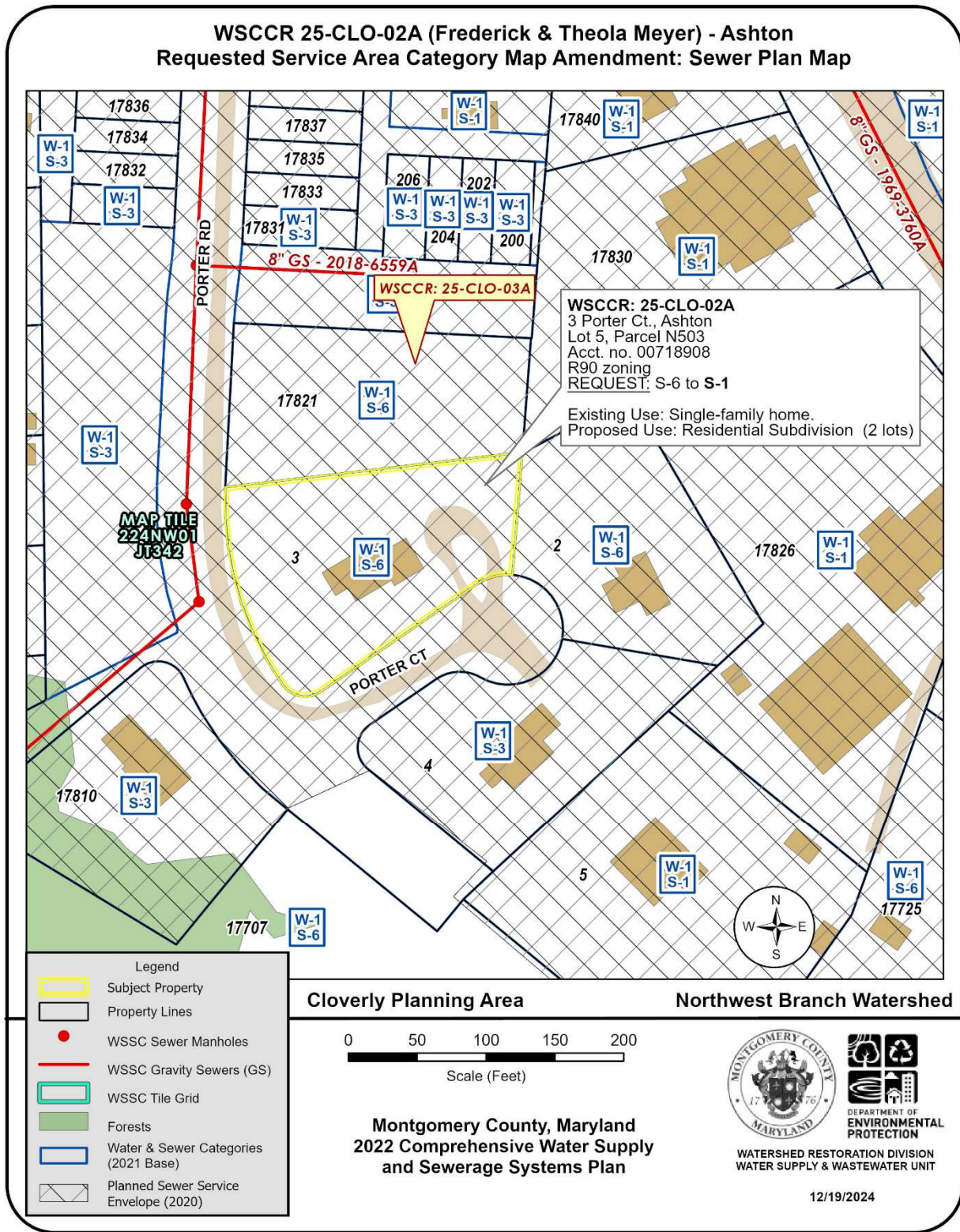


Figure 1: Sewer Plan Map for case 25-CLO-02A showing the water and sewer categories, planned sewer envelope, and location of nearby sewer mains.

WSSCR 25-CLO-03A: Andrea G. Lamphier Revocable TrustDEP 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"> • 17821 Porter Rd., Ashton, MD 20861 • Lot 4, Parcel 471 (acct. no. 00718896) • Map tile: WSSC – 224NW01; MD – JT342 • East side of Porter Rd., 170 feet north of Porter Ct. • R90 Zone; 25,264 sf • Cloverly Planning Area 2021 Ashton Village Center Sector Plan • Northwest Branch Watershed (MDE Use IV/IV-P) • <u>Existing use:</u> Vacant land <u>Proposed use:</u> 2 Lot Subdivision 	<p><u>Existing – Requested – Service Area Categories</u></p> <p>W-1 No change S-6 S-1</p> <p>Within the planned public water and sewer service envelopes.</p> <p><u>Applicant's Explanation</u></p> <p><i>"Current Water and Sewer along property frontage. Wanting to subdivide the two lots into a total of four lots"</i></p> <p>*DEP note: Cases 25-CLO-02A and 25-CLO-03A are part of a joint subdivision process.</p>

DEP Staff Report

The applicant is a part of a proposed two lot subdivision to allow for the of 4 building lots in conjunction with the neighboring property to the South (case #: 25-CLO-02A; pg 3) for a larger 4-lot residential development in Ashton. The applicant requests a sewer category change from S-6 to S-1 to allow for a sewer connection. Although intended for onsite systems, DPS confirmed that there is no septic reserve area on this property.

The Parks and Planning Commission (M-NCPPC) has found that the proposed change in category is consistent with existing plans; the property is within the planned sewer service envelope and the Master Plan recommends public sewer for all properties within the plan area. Furthermore, a WSSC sewer main abuts the property along Porter Rd. WSSC has confirmed that the main can adequately serve the property. No parks would be impacted by the category change.

The sewer category change request does not address any feasibility of a subdivision.

Agency Review Comments

DPS: Property has no septic reserve area and very limited area.

M-NCPPC – Planning Dept.:

The applicant requests a change from S-6 to S-1 to allow public sewer service for a new subdivision for two single-family detached houses at 17821 Porter Road in Ashton. The lot is vacant. The applicant desires to subdivide the property into two lots. The 21,780-square foot property is within the 2021 Ashton Village Center Sector Plan area and is in the R-90 zone. The applicant intends to submit a joint subdivision application with 25-CLO-02A, which is on an adjacent property.

The Upcounty Planning Division has not seen a subdivision application or concept for this property, so this review does not address the feasibility of a subdivision.

The property is in the Residential Edge plan neighborhood in the master plan, which retained the R-90 zone for the property. The master plan recommends public sewer service for all properties within the plan area. The property qualifies for public sewer service as a single lot or as subdivided lots.

M-NCPPC – Parks Planning:

No park impacts.

WSSC - Water: *(not requested)*

WSSC - Sewer:

1. Basin: Northwest Branch
2. An 8-inch sewer line in Porter Road abuts the property (Contract No. DA6559A18). Connection to this sewer will be required.
3. Average wastewater flow from the proposed development: 1,120 GPD
4. Program-sized sewer mains are not required to serve the property.
5. Interceptor capacity is adequate.
6. Treatment capacity is adequate.

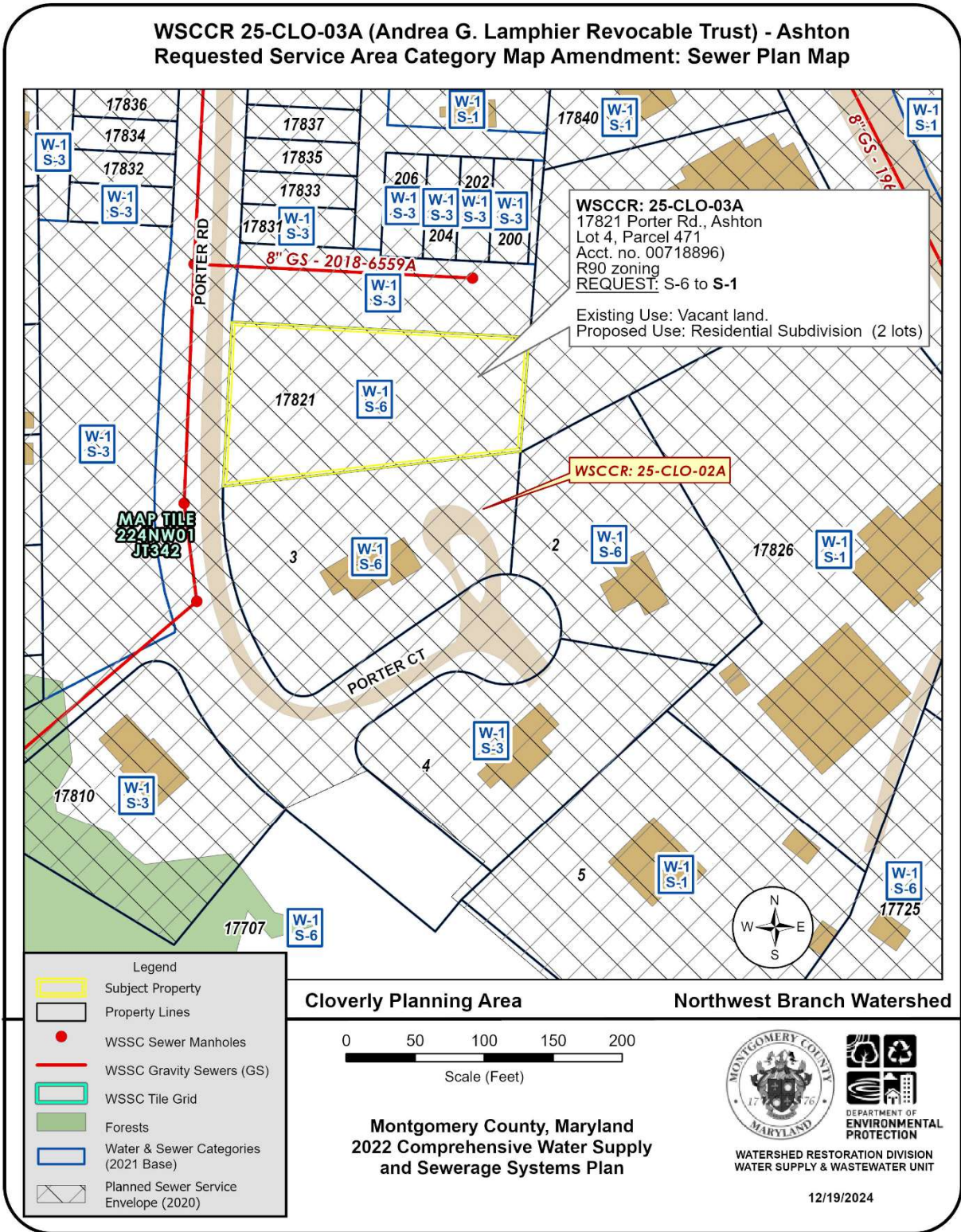


Figure 2: Sewer Plan Map for case 25-CLO-03A showing the water and sewer categories, planned sewer envelope, and location of nearby sewer mains.

WSSCR 25-TRV-03A: Maya Weyl

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

<p>Property Information and Location Property Development</p>	<p>Applicant's Request: Service Area Categories & Justification</p>
<ul style="list-style-type: none"> • 12100 Glen Mill Rd., Potomac, MD 20854 • Parcel P048 (acct. no. 00851901) • Map tile: WSSC – 217NW10; MD – FR341 • West side of Glen Mill Rd. 500 feet North of Lloyd Rd. • RE2 Zone; 67,082 sf • Travilah Planning Area Potomac Subregion Master Plan (2002) • Watts Branch Watershed (MDE Use I/I-P) • <u>Existing use:</u> Single-Family Home <u>Proposed use:</u> Sewer service for existing single-family home. 	<p><u>Existing – Requested – Service Area Categories</u></p> <p>W-3 No change S-6 S-1</p> <p>Inside the planned public sewer service envelope.</p> <p><u>Applicant's Explanation</u></p> <p><i>"I currently have a septic system that for now is not experiencing problems. However, it is old so liable to fail at some point in the future. I have a sewer line running through my property and a sewer head on my property. I have been told in the past and recently that that entitles me to connect to the public sewer system. However, I understand that I need a sewer category change to do so. I would like to obtain that sewer category change now so that I do not experience delays, etc, if my septic system experiences problems/fails but rather be in a position to readily connect to the public sewer system."</i></p>

DEP Staff Report

The applicant requests a category change from S-6 to S-1 to allow for a connection to sewer in case a septic abandonment is needed in the future. DPS confirmed that the septic system is in use and the septic reserve area is located off the property on an easement at 12110 Glen Mill Rd. The property itself has no septic reserve area.

The Parks and Planning Commission (M-NCPPC) found that while the property is not within the planned sewer service envelope in the master plan, the Piney Branch Trunk Sewer traverses the property and therefore under the Piney Branch Restricted Sewer Access Policy, the connection is allowed under the area Master Plan. No parks will be impacted by the sewer service connection.

WSSC confirmed that the traversing main has adequate capacity for the connection, but "construction of this connection may involve the removal of trees, and temporary disruption of wetlands and stream valley" (WSSC Water, see below). The connection must undergo Special Review and that the connection may or may not be approved by WSSC Water. Therefore, if the category change request is granted, it does not guarantee the sewer service connection, and that WSSC Water will have to evaluate the connection. See comments from WSSC Water below for more information.

Agency Review Comments

DPS: Existing septic system was installed in 1972. This system is located off the property on an easement located on 12110 Glen Mill Rd. The property has no septic reserve area.

M-NCPPC – Planning Dept.:

The applicant requests a change from S-6 to S-1 to allow public sewer service for an existing house at 12100 Glen Mill Road in Potomac. The 1.54-acre property is within the 2002 Potomac Subregion Master Plan area and is in the RE-2 zone. The applicant is concerned that the aging septic system will fail.

The property is within the Travilah master plan neighborhood and is within the Piney Branch Special Protection Area; it is not within the Glen Hills neighborhood. The property is not shown within the planned public sewer envelope in the master plan. However, the Piney Branch Trunk sewer line runs across the property and there is

an available connection on the property. The Piney Branch Restricted Sewer Access policy allows connection for properties the trunk sewer traverses or abuts. The master plan supports sewer connections for properties that satisfy the criteria under the restricted sewer access policy. The master plan supports the requested connection.

M-NCPPC – Parks Planning:

No park impacts.

WSSC - Water: (*not requested*)

WSSC - Sewer:

1. Basin: Watts Branch
2. The subject property is located on the periphery of the Glen Hills Sewer Study Area. Some parts of Glen Hills are located in a county designated *Special Sewer Service* area.
3. An 18-inch sewer line in Piney Branch stream valley abuts/traverses the property (contract no. 1989-8066A). As-per WSSC Development Services Code (refer to page 107 of Code), a special review of a connection to an existing 18-inch WSSC sewer would require special review by WSSC, and may or may not be approved. Construction of this connection may involve the removal of trees, and temporary disruption of wetlands and stream valley.
4. Average wastewater flow from the proposed development: 260 GPD
5. Program-sized sewer mains are not required to serve the property.
6. Interceptor capacity is adequate.
7. Treatment capacity is adequate.

WSSC – Planning:

This property is situated in the Watts Branch basin. The 18-inch sewer line in Piney Branch Stream Valley, which will receive the proposed flow, along with the downstream sewer, has the capacity to handle the proposed additional flow of 260 GPD. The feasibility of the proposed connection should be evaluated.

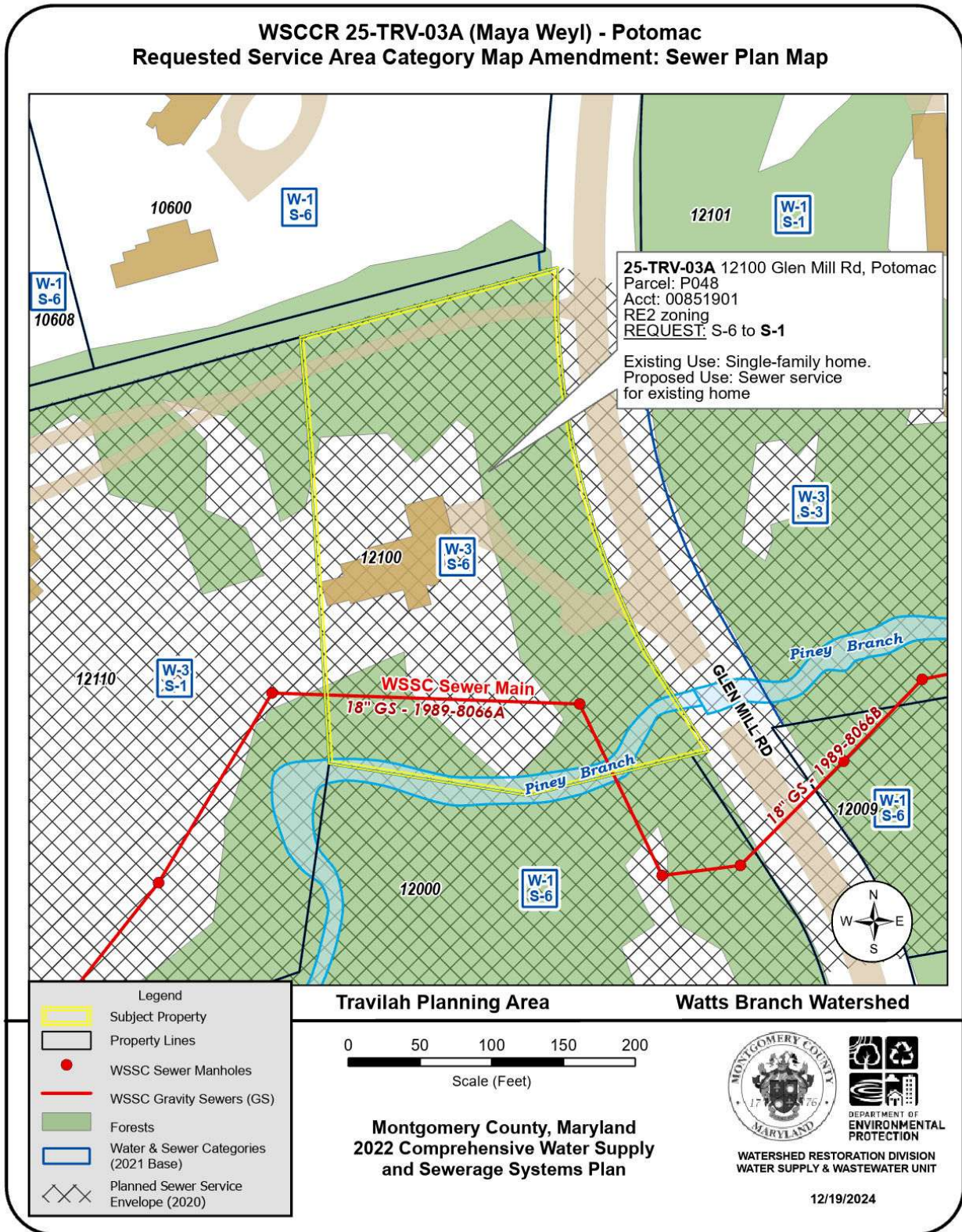


Figure 3: Sewer Plan Map for case 25-TRV-03A showing the water and sewer categories, planned sewer envelope, and location of nearby sewer mains.