

MONTGOMERY COUNTY COUNCIL ROCKVILLE, MARYLAND

OFFICE OF THE COUNCIL PRESIDENT

May 6, 2024

D. Lee Currey, Director Water and Science Administration Maryland Department of the Environment 1800 Washington Boulevard Baltimore, MD 21230

Dear Mr. Currey,

Please find enclosed two copies of Resolution 20-482, approved by the Montgomery County Council on April 23, 2024. The Council actions reflected in the resolution involved 11 category change requests and include two approvals, one conditional approval, seven denials and one deferral.

An electronic copy of Resolution 20-482 is available at the Council website at: <u>https://apps.montgomerycountymd.gov/ccllims/DownloadFilePage?FileName=12173_1_25617_</u> Resolution 20-482 Adopted 20240423.pdf

If you have any questions regarding the enclosed documents, please contact Keith Levchenko of Council Staff at (240) 777-7944 or at: <u>keith.levchenko@montgomerycountymd.gov</u>.

Thank you for your attention to this matter.

Sincerely.

Andrew Friedson Council President

AF:kl Enclosure

cc: Rebecca L. Flora, AICP, Secretary, Maryland Department of Planning Nicolai Francis-Lau, Maryland Department of the Environment

Resolution No.:	20-482
Introduced:	January 30, 2024
Adopted:	April 23, 2024

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

Lead Sponsor: County Council

SUBJECT: Amendments to the Comprehensive Water Supply and Sewerage Systems Plan

Background

- 1. Section 9-501 et seq. of the Environmental Article of the Maryland Code requires the governing body of each County to adopt and submit to the State Department of the Environment a comprehensive County Plan, and from time to time amend or revise that Plan for the provision of adequate water supply systems and sewerage systems throughout the County.
- 2. Section 9-507 of the Environmental Article of the Maryland Code provides that the Maryland Department of the Environment (MDE) has 60 days to review a county governing body's action to amend the County's Water and Sewer Plan. Upon notice to the County, MDE may extend that review period for another 45 days, if necessary. At the conclusion of this review, MDE must either approve or reject the Council's action on each of these amendments, or the action is confirmed by default. Any action approved or taken by this resolution is not final until that action is approved by MDE or the period for final MDE action has expired.
- 3. In accordance with the State law on December 30, 1969, by Resolution No. 6-2563, the County Council adopted a Comprehensive Ten-Year Water Supply and Sewerage Systems Plan which was approved by the State Department of the Environment.
- 4. The County Council has from time to time amended the Plan.
- 5. On January 22, 2024, the County Council received recommendations from the County Executive on seven Water and Sewer Plan amendments.
- 6. Recommendations on these amendments were solicited from the Maryland-National Capital Park and Planning Commission, Washington Suburban Sanitary Commission Staff, and affected municipalities.

- 7. A public hearing was held on March 5, 2024. The County Council notified affected State and local agencies of the public hearing on January 25, 2024. The County Council published a public notice for the hearing in The Daily Record on February 2, 2024.
- 8. The County Council's Transportation and Environment Committee held a worksession on the request on March 11, 2024.
- 9. The County Council held a worksession on April 2, 2024.

<u>Action</u>

The County Council for Montgomery County, Maryland approves the following actions on amendments to the Ten-Year Comprehensive Water Supply and Sewerage Systems Plan as shown in the attachments to this resolution.

This is a correct copy of Council action.

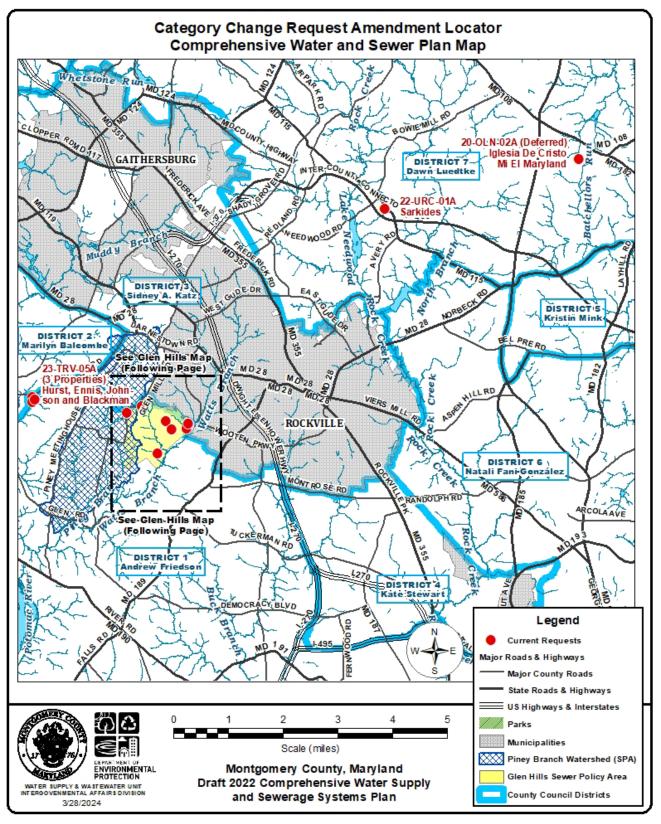
Sara R. Tenenbaum Clerk of the Council

Montgomery County uses water and sewer service area categories, in part, to identify those properties that should use public water and/or sewer service versus those that should use onsite systems, usually wells and/or septic systems. Categories W-1 and S-1 identify properties approved for public service and that have access to public system mains. Categories W-3 and S-3 identify properties approved for public service but need new main extensions in order to receive public service. Categories W-4 and S-4, and W-4 and S-5 identify properties that currently should use onsite systems but are proposed for public service in the future. Categories W-6 and S-6 identify properties that should use on-site systems, where public service is not planned for at least the next ten years. (See page 5 for additional information.)

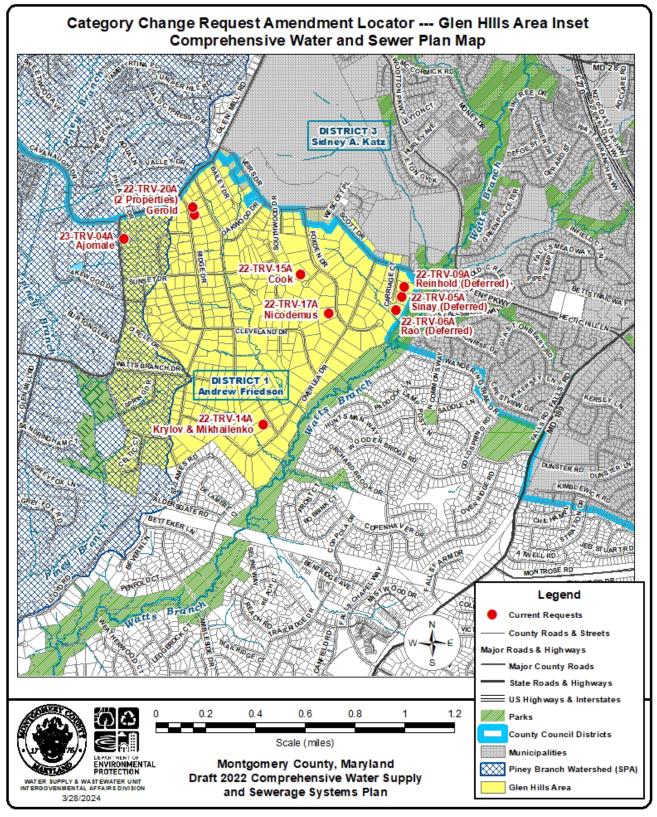
Property owners file category change map amendment requests seeking to change the service areas for their property from one category to another, often based on anticipated development plans. The following charts present the County Council's actions on a water/sewer category map amendment request filed with DEP and transmitted by the County Executive to the Council for consideration on December 29, 2022.

Category Definition and General Description	Category Definition and General Description
W-1 and S-1	W-5 and S-5
Properties approved for and generally with existing access to community (public) service. This may include properties which have not yet connected to existing community service.	Properties planned for future public service, but which may use private, on-site systems (wells and septic systems) on a permanent basis. • Areas where improvements to or construction of new community systems are planned for the seven- through ten-year period.
W-3 and S-3	W-6 and S-6
Properties planned and approved for community (public) service, but <u>without</u> existing access to public service. • Public service will generally be provided within two years as development and requests for community service are planned and scheduled.	Properties that will use private, on-site systems (wells and septic systems), where community (public) service is not planned. • Category 6 includes areas that are planned or staged for community service beyond the scope of the plan's ten-year planning period, and areas that are not ever expected for community service on the basis of adopted plans.
W-4 and S-4 Properties planned for future public service, but which need to use private, on-site systems (wells and septic systems) in the interim. • Areas where improvements to or construction of new community systems will be programmed for the three- through six- year period. B	Note: Although the majority of properties in the county have the same water category as sewer category (i.e. W-3 and S-3, or W-5 and S-5), this is not always the case. The County does not always assign water and sewer categories in tandem, due to differences in service policies or to actual service availability. For example, a particular property could have service area categories W-1 and S-6. Therefore, it is important to know both the water <i>and</i> sewer service area categories for a property. Montgomery County does not use categories W-2 and S-2 in its Plan.

Water & Sewer Service Area Categories Summary



Description: A map showing the locations of water and/or sewer category change requests within the general Rockville and Potomac areas. Four of the current requests are within the Glen Hills study area. The map also shows related County Council districts.



Description: A map showing the locations of current and previously deferred water and/or sewer category change requests within the Glen Hills area. The map also shows related County Council districts.

Request [1]: WSCCR 22-TRV-14A: Dmitry Krylov and Irina Mikhailenko

Property Information and Location Property Development	Applicant's Request: County Council Action
 9504 Watts Branch Dr., Rockville (acquired in 2004) Lot 2, Block F, Potomac Highlands (acct. no. 00088688) 	Existing –Requested – Service Area CategoriesW-3W-3 (no change)S-6*S-3*Outside the planned community sewer service envelope.
 Map tile: WSSC – 216NW09; MD –FQ53 West side of Watts Branch Dr., 230 feet north of the intersection with Overlea Dr. RE-1 Zone; 1.87 ac. Travilah Planning Area Potomac Subregion Master Plan (2002) Watts Branch Watershed (MDE Use I) <u>Existing use</u>: Single-Family Home (built 1965) <u>Proposed use</u>: Sewer service for the Existing Single-Family Home 	T&E Committee Recommendation Deny the request for category S-3; maintain S-6. (The applicants may not apply again for this property until April, 2025, unless specifically allowed by DEP.)

Request [2]: WSCCR 22-TRV-15A: Josh Cook

Property Information and Location	Applicant's Request:
Property Development	County Council Action
 2 Foxden Ct., Rockville (acquired in 2010) Lot 4, Block D, Potomac Highlands (acct. no. 00088371) Map tile: WSSC – 216NW09; MD –FQ53 West side of Overlea Dr., at the intersection with Watts Branch Dr. RE-1 Zone; 1.53 ac. Travilah Planning Area Potomac Subregion Master Plan (2002) Watts Branch Watershed (MDE Use I) <u>Existing use</u>: Single-Family Home (built 2012;) <u>Proposed use</u>: Sewer service for the Existing Single-Family Home 	Existing – Requested – Service Area Categories W-1 W-1 (no change) S-6* S-3 *Outside the planned community sewer service envelope. T&E Committee Recommendation Deny the request for category S-3; maintain S-6. (The applicant may not apply again for this property until April, 2025, unless specifically allowed by DEP.)

Request [3]: WSCCR 22-TRV-17A: Honrato and Rosvida Nicodemus

Property Information and Location	Applicant's Request:
Property Development	County Council Action
 13110 Foxden Dr., Rockville (acquired 1994) Lot 11, Block D, Potomac Highlands (acct. no. 00088176) Map tile: WSSC – 217NW09; MD –FR51 West side of Foxden Dr., 320 feet north of the intersection with Overlea Dr. RE-1 Zone; 2.38 ac. Travilah Planning Area Potomac Subregion Master Plan (2002) Watts Branch Watershed (MDE Use I) Existing use: Single-Family Home (built 1966) Proposed use: Sewer service for the Existing Single-Family Home 	Existing – Requested – Service Area Categories W-1 W-1 (no change) S-6* S-3 *Outside the planned community sewer service envelope. T&E Committee Recommendation Approve the request for sewer category S-3; Potomac peripheral sewer service policy. Note: This action does not extend the planned public sewer envelope onto this lot.

Request [4]: WSCCR 22-TRV-20A: John and Andrea Gerold

Applicant's Request: County Council Action	
Existing – Requested – Service Area Categories W-1 W-1 (no change) S-6* S-3 *Outside the planned community sewer service envelope. T&E Committee Recommendation Defer action pending: • Further information regarding the status of the vacant sliver of land between 13213 Ridge Drive and 13419 Ridge Drive and • Information on the status of the ownership of the applicant's two properties at the time the Peripheral Sewer Policy was established.	

Request [5]: WSCCR 23-TRV-04A: Adebowale Ajomale

Property Information and Location Property Development	Applicant's Request: County Council Action	
• 13409 Glen Mill Rd., Rockville	Existing – Requested – Service Area Categories	
• Lot 15, Block 5, North Glen Hills Sec 1 (acct. no.	W-1 W-1 (no change)	
00079161)	S-6* S-3	
 Map tile: WSSC – 210NW11; MD –FR41 	*Outside the planned community sewer service envelope.	
• East side of Glen Mill Rd., 350 ft South of the intersection with Cavanaugh Dr.	T&E Committee Recommendation	
• RE-1 Zone; 1.01 ac.	Deny the request for category S-3; maintain S-6.	
 Travilah Planning Area Potomac Subregion Master Plan (2002) 	(The applicant may not apply again for this property until April, 2025, unless specifically allowed by DEP.)	
 Watts Branch Watershed (MDE Use I) – Piney Branch subwatershed (SPA) 		
• Existing use: Unimproved (purchased Aug. 2022)		
Proposed use: Single Family Home		

Request [6]: WSCCR 23-TRV-05A: Hurst, Ennis, Johnson and Blackman

Property Information and Location Property Development	Applicant's Request: County Council Action	
• 13741 and 13751 Travilah Rd., Rockville	<u>Existing</u> –	Requested – Service Area Categories
• Parcels P804, P709 and N765, Harbins Lot and	Parcel P709	
Parcel B Travilah (acct. nos. 00389265, 00399300	W-6*	W-1
and 00405195)	S-1	(no change)
• Map tile: WSSC – 218NW11; MD –FR12	*Inside the pla	nned public sewer envelope.
• South side of Travilah Rd., 90 ft. west from the	Parcels P804	<u>4 & N765</u>
intersection with Royal Manor Way	W-1	(no change)
• RE-2 Zone; 11.09 total ac.	S-1*	S-1 unrestricted
 Travilah Planning Area Potomac Subregion Master Plan (2002) 	*Restricted to a single sewer service connection o (abutting mains)	
Watts Branch Watershed (MDE Use I)	*Outside the p	anned public sewer envelope.
• Existing use: Commercial/Residential	T&E Commi	ttee Recommendation
<u>Proposed use</u> : Independent Senior Living	Parcel P709	:
Townhomes: approx. 60 units (will require a conditional use approval – CU202310)	Approve cat	tegory W-1 for public water service
	Parcels P80	<u>4 & N765</u>
	existing sin future resid will require Hearing Exa	restricted S-1 (i.e. the removal of the gle connection restriction) to serve a ential development. The development a conditional use approval by the uniner and a preliminary subdivision al by the Planning Board.

Request [7]: WSCCR 22-URC-01A: Paul Sarkides

Property Information and Location	Applicant's Request:
Property Development	County Council Action
 5904 Muncaster Mill Rd., Rockville Parcel P202, Magruders Hazard (acct. no. 00048730) Map tile: WSSC – 222NW06; MD –GS63 West side of Muncaster Mill Rd., 650 feet North of the intersection with Achille Ln. RE-2 Zone; 4.37 ac. Upper Rock Creek Planning Area Upper Rock Creek Master Plan (2004) Upper Rock Creek Watershed (MDE Use IV) Existing use: Single Family Home Proposed use: 100 unit Senior Living Facility 	Existing – Requested – Service Area Categories W-1 W-1 (no change) S-6* S-3 *Outside the planned community sewer service envelope. T&E Committee Recommendation Deny the request for category S-3; maintain S-6. (The applicant may not apply again for this property until April, 2025, unless specifically allowed by DEP.)

Request [8] WSCCR 17-OLN-02A: Iglesia De Cristo Mi-El Maryland Inc.

Property Information and Location Property Development	Applicant's Request: County Council Action
• 17521 Old Baltimore Rd., Olney	Existing – Requested – Service Area Categories
• Parcel P950, Rockland Farm (acct. no. 00722056)	W-6 W-1
• Map tile: WSSC – 224NW03; MD –HT56	S-6 S-1
 South side of Old Baltimore Rd east of the intersection of Winter Morning Way 	T&E Committee Recommendation
RNC Zone; 7.21 acres	Maintain W-6 and S-6, with advancement to W-3 and S-3 upon the Planning Board's approval of a
Olney Planning Area Olney Master Plan (2006)	preliminary plan that:Maintains the proposed water and sewer
 Northwest Branch – Batchellors Forest Tributary subwatershed (MDE Use IV) and Hawlings River (MDE Use IV) Watersheds <u>Existing use</u>: Single Family Home <u>Proposed use</u>: Place of worship of up to 700 seats; retain existing house as a parsonage (preliminary plan no, 120220040, Iglesia De Cristo Mi-El Maryland) 	main alignments as shown on the draft preliminary plan.
	 Maintains an impervious area limitation in the Hawlings River watershed of no more than 10 percent as shown on the draft preliminary plan.
	 Reduces the impervious area within the Northwest Branch watershed to the maximum extent reasonably possible given the proposed use.
	Previously deferred under CR 18-1272 (10/30/2018).
	This conditional approval action must be finalized within five years of the date of the Council's action, or by

WSCCR 22-TRV-05A: Michael and Denise Sinay

Property Information and Location Property Development	Applicant's Request: County Council Action	
• 13205 Carriage Ct., Rockville	Existing – Requested – Service Area Categories	
• Lot 3, Block C, Potomac Highlands (acct. no.	W-1 W-1 (no change)	
00088280)	S-6* S-3	
 Map tile: WSSC – 217NW09; MD –FR61 	*Outside the planned community sewer service envelope.	
• East side of Carriage Ct., 500 feet south of the intersection with Scott Dr.	T&E Committee Recommendation	
• RE-1 Zone; 2.02 ac.	Deny the request for category S-3; maintain S-6.	
Travilah Planning Area	Previously deferred under CR 20-92 (3/21/2023).	
Potomac Subregion Master Plan (2002)	(The applicants may not apply again for this property until April, 2025, unless specifically allowed by DEP.)	
 Watts Branch Watershed (MDE Use I) 		
• Existing use: Single-Family Home (built 1956)		
 <u>Proposed use</u>: Sewer service for the Existing Single-Family Home 		

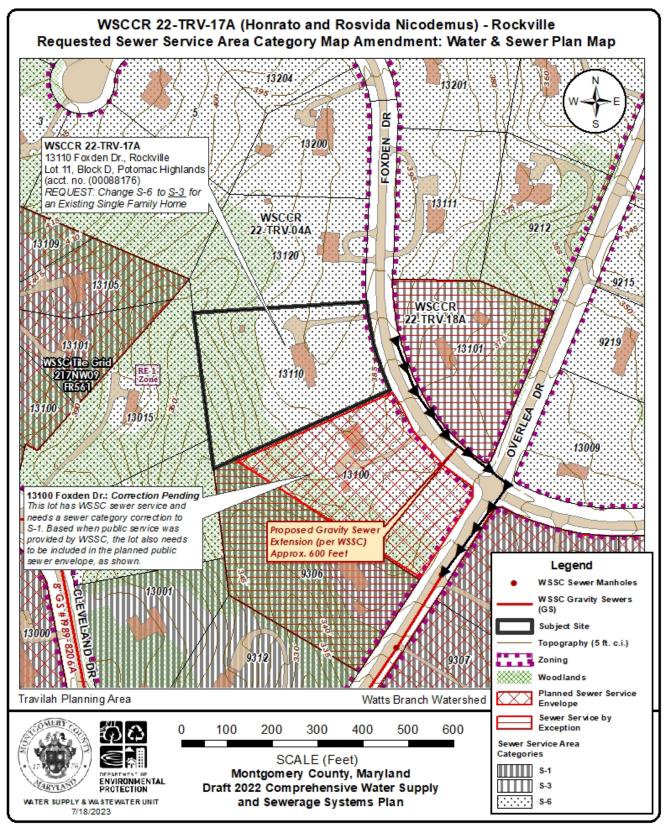
Request [10]: WSCCR 22-TRV-06A: Nirmala Rao

Property Information and Location Property Development	Applicant's Request: County Council Action
 11905 Centurion Way, Potomac Lot 3, Parcel N188, Sutton's Addition to Palatine (acct. no. 03639933) 	Existing –Requested – Service Area CategoriesW-1W-1 (no change)S-6*S-3
 Map tile: WSSC – 217NW12; MD –ER51 East side of Centurion Way, 2,050 feet from the 	*Outside the planned community sewer service envelope. T&E Committee Recommendation
intersection with Greenbriar Rd.RE-2 Zone; 5.17 ac.Travilah Planning Area	Deny the request for category S-3; maintain S-6. Previously deferred under CR 20-92 (3/21/2023).
 Potomac Subregion Master Plan (2002) Watts Branch Watershed (MDE Use I) 	(The applicant may not apply again for this property until April, 2025, unless specifically allowed by DEP.)
• <u>Existing use</u> : Single-family home <u>Proposed use</u> : Single-family home to remain	

Request [11]: WSCCR 22-TRV-09A: William Reinhold

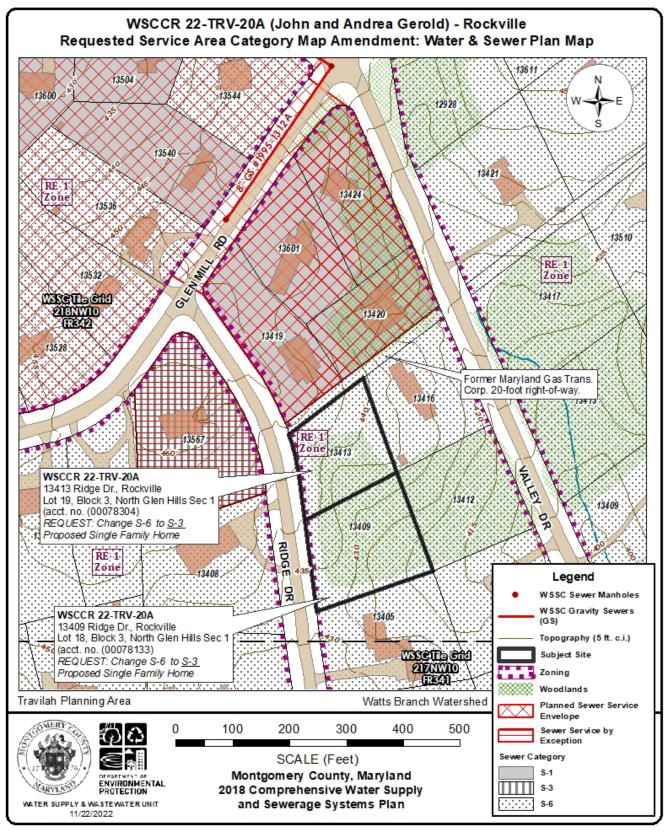
Property Information and Location Property Development	Applicant's Request: County Council Action
 <u>Proposed use</u>: Sewer service for the Existing Single-Family Home 	

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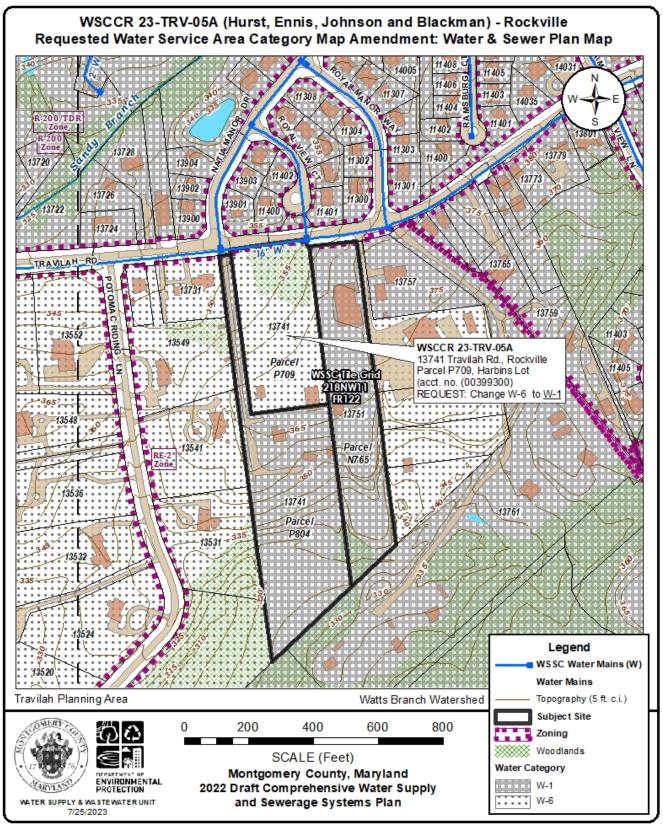
Description: Sewer Category Map showing the location of WSCCR 22-TRV-17A with respect to the planned public sewer envelope and a proposed 600-foot sewer extension.

Attachment B presents mapping only for approved, conditionally approved, and deferred category change amendments. See Attachment A for the specific language of the Council's actions and information on water and sewer service area categories. County Council Resolution No. 20-482 (April 23, 2024) - Attachment B: Pg. 2/6



Description: A map showing existing sewer service area categories for WSCCR 22-TRV-20A, along with existing nearby sewer mains.

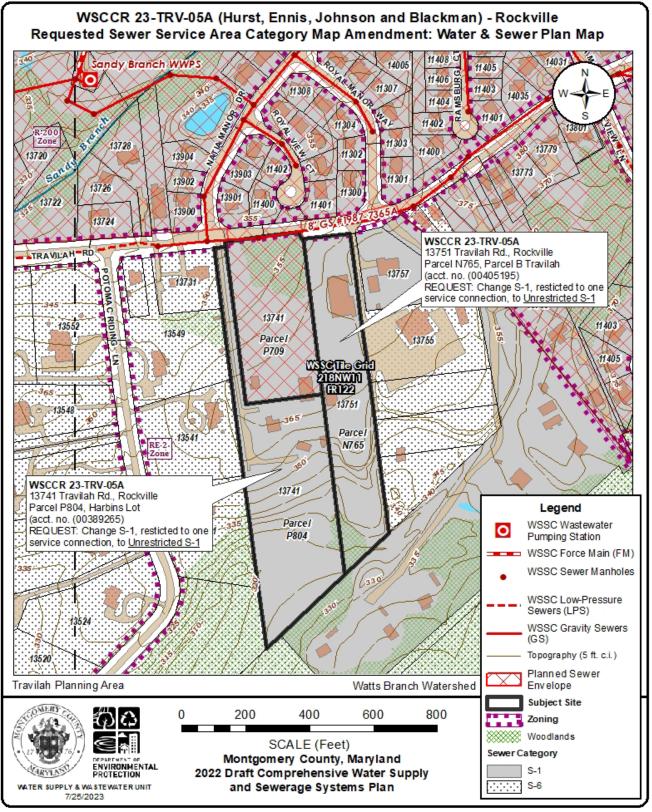
County Council Resolution No. 20-482 (April 23, 2024) - Attachment B: Pg. 3/6



Description: Water service area category map for WSCCR 23-TRV-05A, showing water categories and existing water main infrastructure.

County Council Resolution No. 20-482 (April 23, 2024) - Attachment B: Pg. 4/6

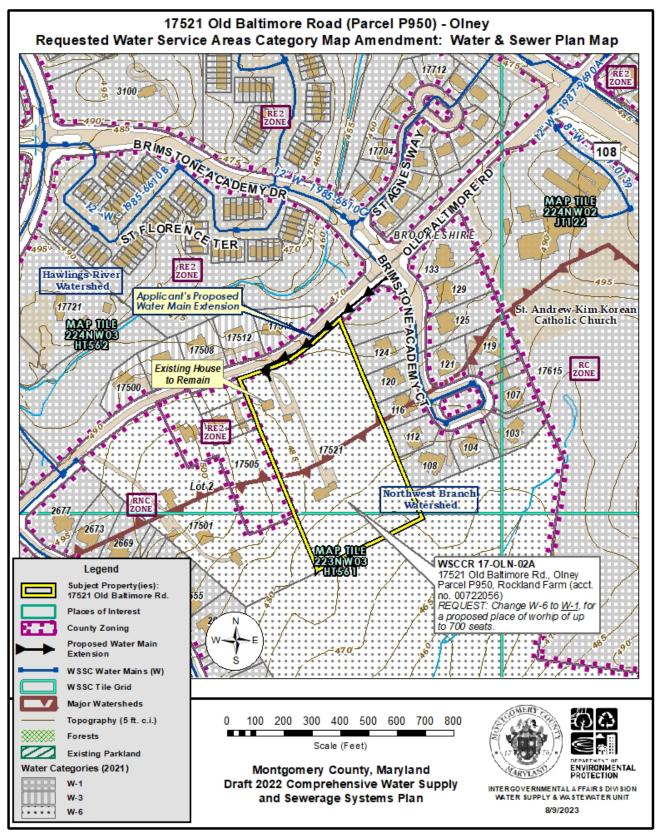
Montgomery County Comprehensive Water Supply and Sewerage Systems Plan December 2022 Amendment Transmittal: Water/Sewer Category Map Amendments



Description: Sewer service area category map for WSCCR 23-TRV-05A, showing sewer categories and existing sewer main infrastructure.

County Council Resolution No. 20-482 (April 23, 2024) - Attachment B: Pg. 5/6

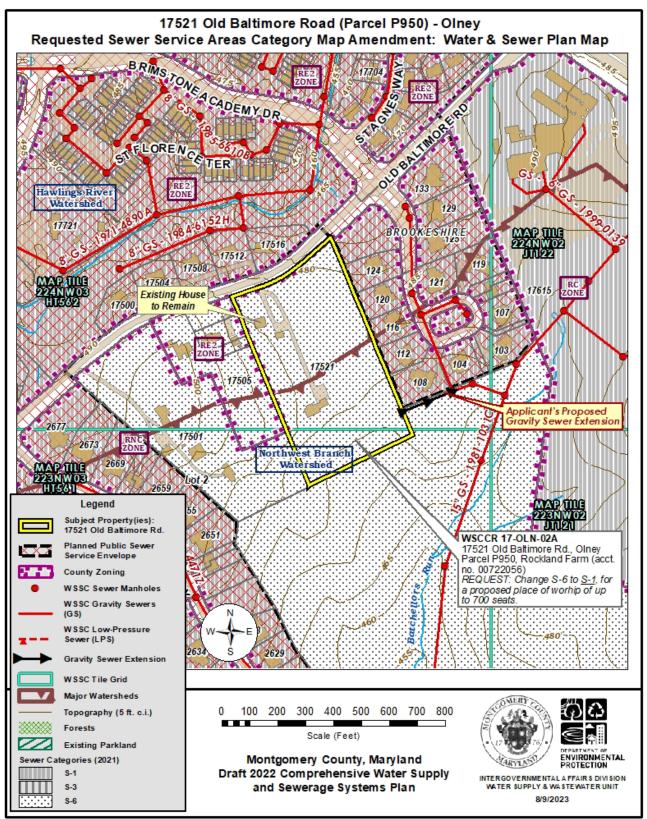
Montgomery County Comprehensive Water Supply and Sewerage Systems Plan December 2022 Amendment Transmittal: Water/Sewer Category Map Amendments



Description: A map showing existing water service area categories for WSCCR 17-OLN-02A along with existing water mains and a proposed water main extension.

Attachment B presents mapping only for approved, conditionally approved, and deferred category change amendments. See Attachment A for the specific language of the Council's actions and information on water and sewer service area categories. County Council Resolution No. 20-482 (April 23, 2024) - Attachment B: Pg. 6/6

Montgomery County Comprehensive Water Supply and Sewerage Systems Plan December 2022 Amendment Transmittal: Water/Sewer Category Map Amendments



Description: A map showing existing sewer service area categories for WSCCR 17-OLN-02A along with existing sewer mains and a proposed sewer main extension.

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Attachment B presents mapping only for approved, conditionally approved, and deferred category change amendments. See Attachment A for the specific language of the Council's actions and information on water and sewer service area categories.