



DEPARTMENT OF ENVIRONMENTAL PROTECTION

Marc Elrich  
County Executive

Jon Monger  
Director

July 22, 2024

**NOTICE OF AD 2024-3 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  
  
Category Change Request Property Owners and Applicants

FROM: Tim Williamson, Planner III, Water Supply and Wastewater Unit  
Department of Environmental Protection

SUBJECT: **Administrative Public Hearing AD 2024-3 for Water and Sewer Plan Amendments**

DATE & TIME: **Wednesday, August 21st , 2024, at 10:00 a.m.**

LOCATION: **Telephone Conference**

Please contact Tim Williamson at [timothy.williamson@montgomerycountymd.gov](mailto:timothy.williamson@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 (WSSCR) to the County's 2022 Comprehensive Water Supply and Sewerage Systems Plan:

WSSCR 24-BEN-01A....Brinklow-Blocktown, LLC  
WSSCR 24-GWC-01A....Gregory & Cara Lynagh

WSSCR 24-GWC-02A....Deeper Life Bible Church  
WSSCR 24-OLN-01A....Godwin Real Estate, LLC

To assist with your review of this proposed action, DEP has created and posted a PDF to the "Service Area Category Changes" webpage at <https://www.montgomerycountymd.gov/DEP/water/water-supply-wastewater/category-change-request/index.html>. Select the blue "Hearing Schedules" tab to expand the section, then scroll down to the "Current Administrative Delegation 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, 4<sup>th</sup> Floor, Wheaton, MD 20902;  
or to [timothy.williamson@montgomerycountymd.gov](mailto:timothy.williamson@montgomerycountymd.gov).

**DEP will close the record on September 25th, 2024.**

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

cc: Andrew Friedson, President, Montgomery County Council  
Linda Kobylski, Jason Flemming & Megan Wilhelm, DPS  
Artie Harris, Chairperson, 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  
Dinorah Dalmasy, Program Manager, Water and Science Admin., Maryland Dept. of the Environment  
Rebecca L. Flora, Secretary, Maryland Department of Planning

Category Change Applicants & Interested Parties

24-BEN-01A.....Ed Boyce, Brinklow-Blocktown, LLC  
.....David McKee, Benning & Associates  
24-GWC-01A....Gregory & Cara Lynagh  
24-GWC-02A....Deeper Life Bible Church  
.....Ike Okoye, Mikada Design Group  
24-OLN-01A.....Godwin Real Estate LLC  
.....David McKee, Benning & Associates

Civic Organizations and Other Public Interest Groups

Nature Forward  
Greater Olney Civic Association  
Northern Montgomery County Alliance  
Montgomery County Civic Federation  
Montgomery Coalition to Stop Sewer Sprawl  
West Montgomery County Citizens Association  
Wards Overlook Homeowners Association  
Plantations II Community Association Inc  
Montgomery Golf Estates Homeowners Association  
Glen Hills Civic Association

Greater Glen Mill Community Association  
Rural Alliance  
Patuxent Watershed Protective Association.

**[1] 24-BEN-01A, Brinklow-Blocktown, LLC**

<p><b>DEP Staff Recommendation: Maintain existing W-6 and S-6, with advancement for approval of multiuse water supply and sewerage systems conditioned on DPS permitting of the proposed onsite systems. Revise Appendix B as shown. Policy V.D.2.a: Administrative Delegation Policies – Multiuse Onsite Systems.</b></p>					
<p>Property Information and Location                  Property Development</p>	<p>Applicant’s Request:                  Service Area Categories &amp; Justification</p>				
<ul style="list-style-type: none"> <li>• 25201 Peach Tree Road, Clarksburg</li> <li>• Parcel: P666, Res on Wildcat Adventure, (tax acct. 03584436)</li> <li>• Map tile: WSSC –236NW15; MD - DX562</li> <li>• Agricultural Property along I-270 and Peach Tree Road.</li> <li>• AR Zone; 10,622,541.6 sq.ft. (243.86 ac.)</li> <li>• Bennet &amp; Little Bennett Planning Area Preservation of Agriculture and Rural Open Space Master Plan (1980)</li> <li>• Little Bennet Creek Watershed; MDE Use III-P</li> <li>• <u>Existing use:</u> Agricultural</li> <li>• <u>Proposed use:</u> Agricultural / Winery &amp; Tasting Room (According to M-NCPPC staff, as an allowed agricultural use, a subdivision plan for the proposed use will not be required.)</li> </ul>	<p><u>Existing – Requested – Service Area Categories</u></p> <table border="0"> <tr> <td>W-6</td> <td><b>W-6 with approval for multiuse system</b></td> </tr> <tr> <td>S-6</td> <td><b>S-6 with approval for multiuse system (4,999 gpd)</b></td> </tr> </table> <p>Outside planned water &amp; sewer envelopes.</p> <p><u>Applicant’s Explanation</u></p> <p>“The property is located within the County’s AR zone and is currently being farmed. A winery operation which will be an accessory use to the on-going farming operation is being planned for the site. The winery will include a tasting room open to the public.</p> <p>“The property is to be served by on-site well and on-site septic systems. This request is for a maximum daily design flow of 4,999 gallons per day which is the maximum permitted for multi-use systems in the AR zone.”</p>	W-6	<b>W-6 with approval for multiuse system</b>	S-6	<b>S-6 with approval for multiuse system (4,999 gpd)</b>
W-6	<b>W-6 with approval for multiuse system</b>				
S-6	<b>S-6 with approval for multiuse system (4,999 gpd)</b>				

**DEP Staff Report**

The applicant has requested approval for multiuse water supply and wastewater systems under the existing W-6 and S-6 service area categories. Multiuse onsite systems have a design capacity of 1,500 or more gallons per day (GPD). The proposed large-capacity onsite systems will provide service for a planned winery and public tasting room. The applicant has tentatively identified a maximum design capacity of 4,999 GPD for the multiuse systems. (Multiuse system of 5,000 or more GPD require approvals and annual monitoring reports for the Maryland Dept. of the Environment.) The site is zoned AR and encompasses approx. 244 acres.

DPS reports that no onsite system permit applications have been received as of 6/4/2024. M-NCPPC staff have acknowledged that the proposed winery and tasting room use is consistent with the County’s land use and environmental planning guidance and policies. M-NPPC confirmed that there are no park impacts.

As an allowed agricultural use, the winery is not subject to multiuse system capacity limitations included in Chapter 1 of the Water and Sewer Plan (§ III.C.5.c.). However, given the lack of onsite system design and permitting information from DPS for this project, ***WSWU staff recommend a conditional approval for the multiuse systems pending further coordination with DPS staff. A place-holder entry for the proposed multiuse systems can be included in Appendix B of the Water and Sewer Plan text.***

**Agency Review Comments**

**DPS:** No septic permit application has been received as of 6/4/24.

**M-NCPPC – Planning Dept.:**

The applicant desires an expansion from a single-use system to a multiuse system for both water and sewer to support a winery and tasting room. The categories will remain W-6 and S-6, but the *Water and Sewer Plan* must be amended for any new or updated multiuse system. The property is located at 25201 Peach Tree Road in Clarksburg and is within the area covered by the 1980 *Preservation of Agriculture & Rural Open Space Functional Master Plan*. The property is in the Agricultural Reserve (AR) zone and is currently being farmed. The master plan does not contain any property-specific recommendations.

The winery and tasting room will be accessory uses to the farming operations, and the tasting room will be open to the public. The applicant desires a maximum daily design flow of 4,999 gallons. The county's *Water and Sewer Plan* categorizes all systems over 1,500 gallons per day (gpd) as multiuse systems. According to the *Water and Sewer Plan*, a typical single-use system for a four-bedroom house uses about 600 gallons per day. Montgomery County tracks multiuse systems to help "identify areas where several multiuse systems together may create cumulative impacts on ground and surface waters which would be difficult to evaluate on a case-by-case basis" (p. 1-61). There are no multiuse systems in the vicinity of the application.

The property is within an area indicated as having moderate limitations for septic systems in the master plan. It is also within an area identified in the master plan as a "state area of critical concern conservation area" for potential stream impacts (it is in the Little Bennett—Sugarloaf Conservation Area). The master plan states that "these areas have such unusual or significant importance that future use or development of these areas must be consistent with the proposed management techniques expressed in the county approved and state supported *Critical Areas Plan*." The winery and tasting room should not provide the intense development impacts that the master plan is concerned with, and existing environmental regulations and practices should minimize any impact.

The property is located within the Maryland Piedmont Sole Source Aquifer area, but neither the master plan nor the *Water and Sewer Plan* contain restrictions on providing water to the property.

The *Water and Sewer Plan* places constraints on multiuse sewage systems on properties located with the AR zone. However, the *Water and Sewer Plan* exempts agricultural uses from the design capacity restrictions that may otherwise be applicable. There does not appear to be an upper limit to the size of multiuse sewage systems when used for agricultural purposes, although any system over 5,000 gallons per day requires additional review by the Maryland Department of the Environment; the applicant seeks a maximum daily design flow of 4,999 gallons.

The preservation of agricultural land is the primary purpose of the master plan and the AR zone. A winery and tasting room are accessory uses to the agricultural use of the property and are compatible with both the master plan and the zone. The master plan supports multiuse water and sewerage systems for the property.

**M-NCPPC – Parks Planning: No parks impact.**

**Office of Agricultural Services:**

Attached is the BLT easement that is recorded against this property. The part of the property where the tasting room is proposed to be located has one (1) development right associated with it. There is a portion of the property not subject to the terms and conditions of the easement – parcels 8 and 9 of preliminary plan no. 120060750. Parcels 8 and 9 each have one (1) development right.

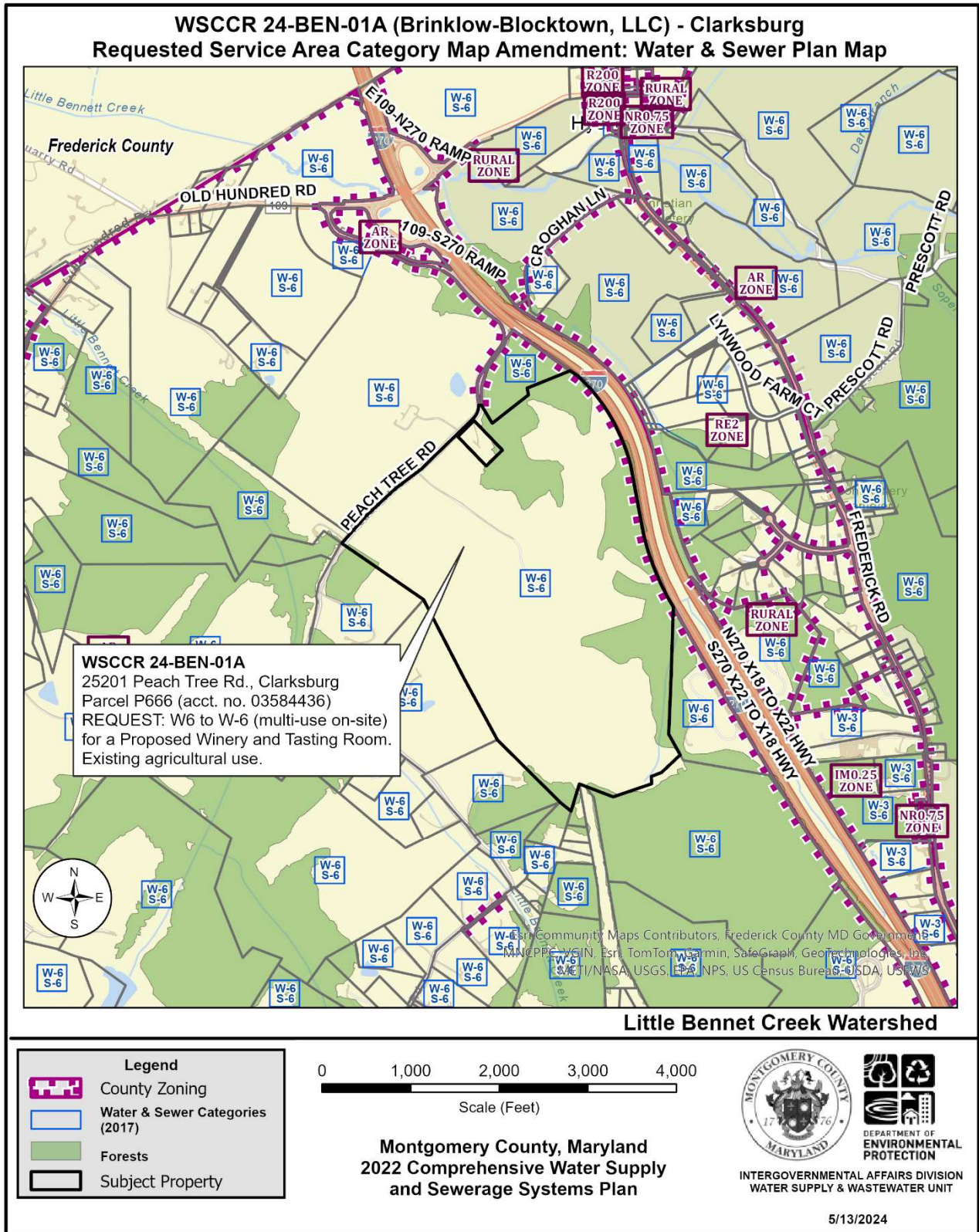
**WSSC - Water:**

Water pressure zone: Outside of the service area, N/A. There are no comments, as this is outside of the WSSC service area and is not planned for public water service.

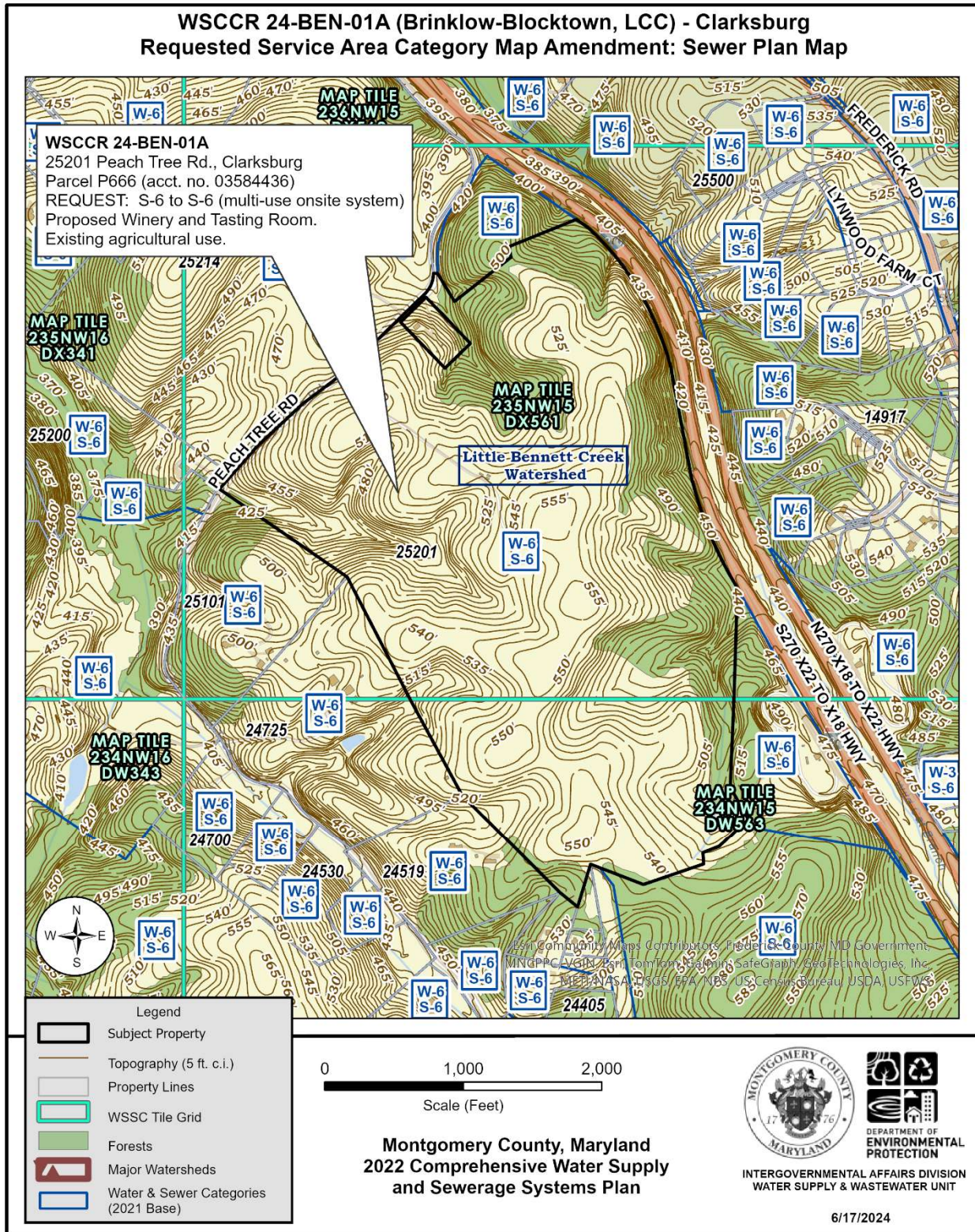
**WSSC - Sewer:**

Basin: 25-800, Monocacy (Outside of the service area.). Average wastewater flow from the proposed development: 4,999 GPD. There are no comments, as this is outside of the WSSC service area and is not planned for public sewer service.

*Statements of adequacy/inadequacy are made exclusively for this application at this time. Further analysis of adequacy will be part of the review at the time of application for water/sewer service.*



A water category map showing the location of WSSCR 24-BEN-01A and surrounding area with associated water categories.



A sewer category map showing the location of WSSCR 24-BEN-01A and surrounding properties and their associated water categories, local topography, and features.

**MONTGOMERY COUNTY COMPREHENSIVE WATER SUPPLY AND SEWERAGE SYSTEMS PLAN**  
**Appendix B: Multiuse Water and Sewer Facilities**  
 County Council Approved 2022-2031 Plan

Table B-T1: Inventory of Existing and Approved Multiuse Water Supply and Sewerage Systems		
Facility	Multiuse Water Supply System	Multiuse Sewerage System
<b>Facility Name</b> Owner/Operator (If Different than Facility) Location Comments (Status/Expansion)	Water Source Treatment & Sludge/Backwash Disposal System Capacities (Rated, Ave., Max., Stor.) State Coordinates	Type of Treatment Design Capacity Point of Discharge & Permit No. State Coordinates
<b>WSCCR 24-BEN-01A</b> Brinklow-Blocktown LLC 25201 Peach Tree Rd., Clarksburg <u>Comments</u> Proposed winery & tasting room on the existing farm site is expected to need multiuse water supply and wastewater onsite systems.	Source _____ Treatment: _____ Disposal: _____ Rated capacity: _____ GPD Average production: _____ GPD Maximum flow: _____ GPD Storage capacity: _____ GPD Coordinates: N _____ / _____	Treatment: _____ Design capacity: _____ GPD Ground discharge; permit not required. Coordinates: N _____ / _____

Description: An excerpt from Water and Sewer Plan Appendix B for multiuse onsite systems for the systems proposed by WSCCR 24-BEN-01A.



**[2] WSCCR 24-GWC-01A: Gregory & Cara Lynagh**

Anticipated Action Path: Administrative Delegation

<b>DEP Staff Recommendation: Approve W-1 for one single family home. Policy V.D.2.a.: Administrative Delegation - Community Service Consistent with Existing Plans.</b>	
Property Information and Location Property Development	Applicant's Request: Service Area Categories & Justification
<ul style="list-style-type: none"> <li>23700 Woodfield Rd., Gaithersburg</li> <li>Parcel P649, Woodfield (acct. no. 00931923)*</li> <li>Map tile: WSSC -233NW09; MD -FW62</li> <li>Southwest side of Woodfield Rd. west of Magruder Knolls Ct.</li> <li>RE-2 Zone; 21,780 sq.ft. (0.5 ac.)</li> <li>Goshen – Woodfield – Cedar Grove Planning Area Damascus Master Plan (2006)</li> <li>Upper Great Seneca Creek Watershed (MDE Use IP)</li> <li><u>Existing use</u>: single-family house (built 1935)</li> <li><u>Proposed use</u>: no change. Provide public water service for the existing house.</li> </ul>	<p><u>Existing – Requested – Service Area Categories</u></p> <p>W-6            <b>W-1</b></p> <p>S-6            S-6 (no change)</p> <p><i>Within the planned public water service envelope.</i></p> <p><u>Applicant's Explanation</u></p> <p>"We are currently on well and septic, our well is not producing and we are running out of water. The cost for a new well and eventually a new septic is not in our budget. The store next to our house is on public water as well as the development across the street."</p> <p><i>DEP notes:</i></p> <p><i>*An adjacent property, Outlot B of Wards Overlook (acct. no. 03412517), is in common ownership with Parcel P649. It is designated as categories W-3 &amp; S-6. An approval for category W-1 for Parcel P649 should carry over to this outlot.</i></p> <p><i>On Feb. 2, 2024, DEP requested that WSSC Water expedite the provision of public water service to this property. DEP directed to proceed with public service despite the existing W-6 water category. The DPS Well and Septic Section had notified DEP about a failed well at this location. (See the following pages.)</i></p>

**DEP Staff Report**

The applicant has requested approval for water category W-1 for their single-family house to alleviate a well failure. The property is 0.5 acre, in the RE-2 Zone within the planned water service envelope. The adjacent Outlot B of Wards Overlook (acct no. 03412617) is in common ownership with the subject property. On Feb. 2, 2024, DEP requested WSSC water to expedite the provision of community water service to this property ahead of the category change.

WSSC confirmed that the property can be served without a main extension from a 10-inch water main in Woodfield Road. M-NCPPC Planning staff concur that water service to the property is consistent with the 2006 *Damascus Master Plan* and the *10-year Comprehensive Water and Sewer Service Plan*. M-NPPC confirmed that there are no park impacts. **DEP staff recommendation is for the approval of W-1, consistent with existing plans.** Additionally, an approval of W-1 should carry over to Outlot B, as mentioned above, held in common ownership by the applicant.

**Agency Review Comments**

**DPS:**

DPS has no well records on file.

**M-NCPPC – Planning Dept.:**

The applicants desire a change from W-6 to W-1 to allow public water service for an existing single-family detached house. The applicants state that their well is failing and they are running out of water. The property is at 23700 Woodfield Road in Damascus and is within the area covered by the 2006 *Damascus Master Plan*. An adjacent outlot in common ownership with the property is currently categorized W-3 and should be included in this request for W-1. The property is zoned RE-2. The master plan does not contain any property-specific recommendations. A water main abuts the property along Woodfield Road. The property is surrounded by

properties in the W-1 water category on three sides. DEP requested from WSSC an expedition of public water service to the property on February 2, 2024.

The property is in the Neighborhood Transition area of the master plan. The primary concern for the transition areas is to balance providing additional housing and protecting the headwaters of streams in the area. The Neighborhood Transition area includes a mixture of residential development along Woodfield Road and open areas beyond. Topographical constraints and sensitive environmental features can present challenges to providing public sewer service in the Neighborhood Transition area, but the property in this case does not contain any such constraints and this request is for water service only.

The master plan supports community water service per the guidance of the *Water and Sewer Plan*, which supports public water service in general for areas outside the Agricultural Reserve. The property qualifies for public water service under the *Water and Sewer Plan's* Abutting Mains policy.

**M-NCPPC – Parks Planning: No parks impact.**

**WSSC - Water:**

Water pressure zone: 740A. A 10-inch water line (Contract 1964-2579) in Woodfield Road traverses in front of this property. No extension is needed to serve the property. Local service is adequate.

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

*Statements of adequacy/inadequacy are made exclusively for this application at this time. Further analysis of adequacy will be part of the review at the time of application for water/sewer service.*



DEPARTMENT OF ENVIRONMENTAL PROTECTION

Marc Elrich  
*County Executive*

Jon Monger  
*Director*

MEMORANDUM

February 2, 2023

TO: Ray Chicca, Division Chief, Development Services Group  
Luis Tapia, Unit Coordinator, DSD Permit Services  
Washington Suburban Sanitary Commission

FROM: Alan Soukup, Senior Environmental Planner, Water Supply and Wastewater Unit  
Interagency Affairs Division, Department of Environmental Protection

SUBJECT: Public Service Relief for Onsite Systems Problems

A handwritten signature in blue ink, appearing to be "ALS".

We request WSSC Water's assistance in expediting the provision of public service to the following property:

**Water Service: 23700 Woodfield Road**

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Property I.D.: Parcel P649, Woodfield; acct.no. 00931923\* – (SDAT tax map: FW62)  
Owner: Gregory & Cara Lynagh Categories: Water: W-6 Sewer: S-6  
WSSC grid: 233NW09 Zoning/Size: RE-2; 23,369 sq. ft. (0.54 ac.)\*  
Planning Area: Goshen – Woodfield – Cedar Grove Watershed: Upper Great Seneca Creek

\*This location also includes an adjacent property: Outlot B, Wards Overlook; acct. no. 03412517.

The Department of Permitting Services (DPS), Well and Septic Section, has advised this office of a public health problem, a well system failure, at the subject property (see the attached memorandum). DPS recommended relief of this problem by connecting the site to public water service due to the age of the existing well (c. 1935) and that an existing 10"-diameter water main abuts the property along Woodfield Rd. contract no. 1964-2739).

Although this property is designated as category W-6 in the County's Water and Sewer Plan, DPS acknowledgment of a public health problem is sufficient justification to warrant the expedited provision of public water, regardless of the existing service area category. The property owners have filed a request with DEP for a service area change from W-6 to W-1 (WSSCCR no. 24-GWC-01A).

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

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

Ray Chicca and Luis Tapia, WSSC Water  
February 2, 2024

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For a water main connection to an existing main, the owner can contact the WSSC Permit Services Section at either 301-206-4003 or [onestopshop@wsscwater.com](mailto:onestopshop@wsscwater.com). Additional information is available at the WSSC-Permits website at <https://www.wsscwater.com/work-with-us/permit-services>.

If you have any questions, or if there are significant problems related to provision of water service, please contact me at [alan.soukup@montgomerycountymd.gov](mailto:alan.soukup@montgomerycountymd.gov) or 240-777-7716.

Attachments (see pages 3 and 4)

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cc: Lisa Sine and Sharon Spruill, Permit Services Unit, WSSC Water  
Steven Shofar, Chief, Intergovernmental Affairs Division, DEP  
Heidi Benham and Kim Beall, Well and Septic Section, DPS  
Mark Symborski, Functional Planning Division, M-NCPPC  
Patrick Butler, Donnell Zeigler and Jamey Pratt, Upcounty Planning Division, M-NCPPC  
Gregory & Cara Lynagh

Ray Chicca and Luis Tapia, WSSC Water  
February 2, 2024

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
**Montgomery County  
Department of Permitting Services**

2425 Reedie Dr 7<sup>th</sup> Floor  
Wheaton, MD 20902  
Phone: 311 in Montgomery County or (240)777-0311  
<https://www.montgomerycountymd.gov/dps/>



January 17, 2024

**TO:** Alan Soukup, Senior Planner  
Water Supply & Wastewater Unit  
Department of Environmental Protection  
2425 Reedie Drive, 4<sup>th</sup> floor  
Wheaton, Maryland 20902

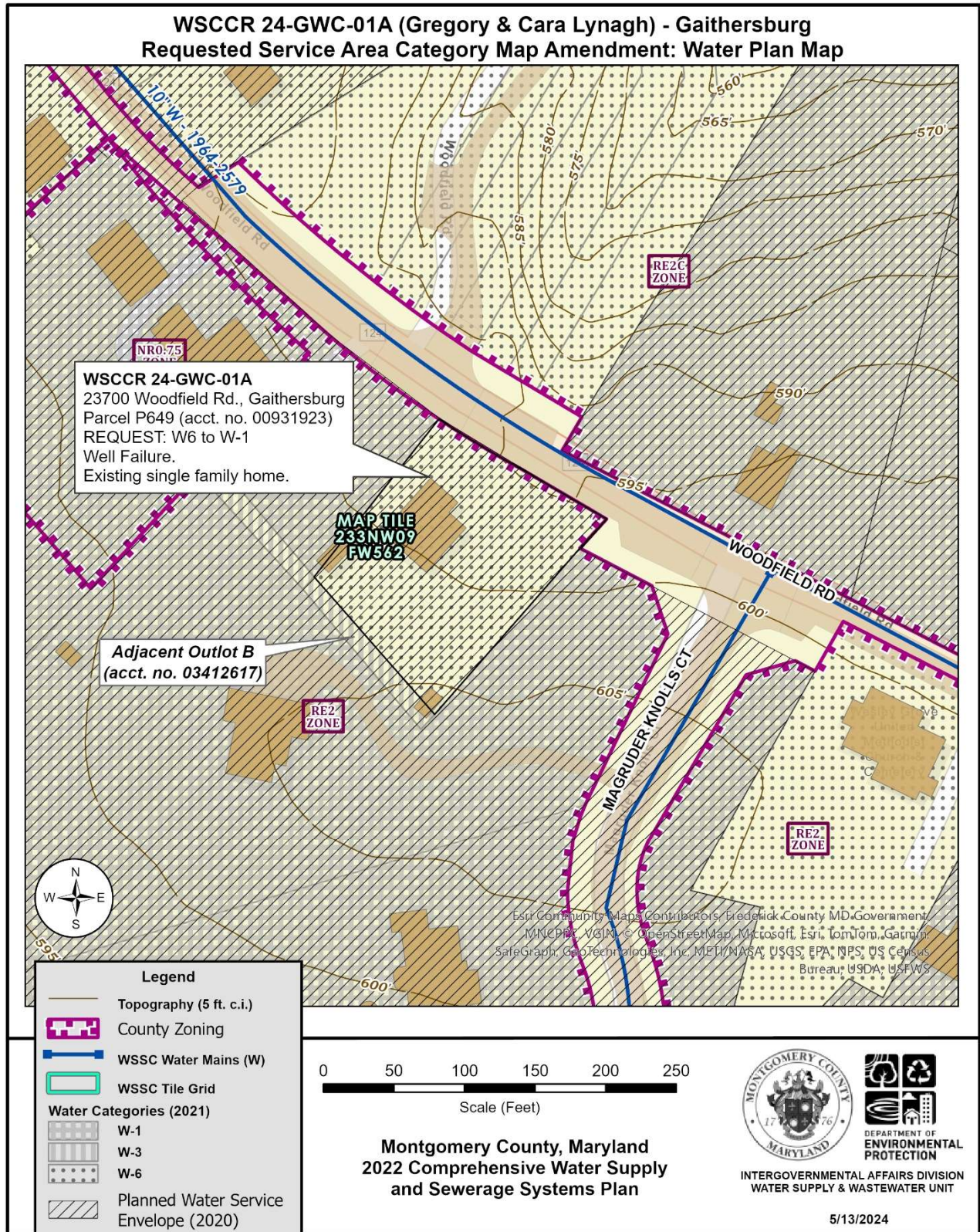
**FROM:** Kim Beall, R.S.   
Well and Septic Section  
Department of Permitting Services  
2425 Reedie Drive, 7<sup>th</sup> floor  
Wheaton, Maryland 20902

**SUBJECT:** Request for water connection

**LOCATION:** 23700 Woodfield Road  
Tax Map Grid: FW 62  
WSSC Grid: 233 NW 09

Mr. and Mrs. Gregory Lynagh, the current owners of the above referenced property, have requested our assistance in getting an expedited water connection for the existing dwelling. The property is in water category W-6 and a category change is needed. The owners have provided information on the current 'failing' condition of the existing water well. The existing house was built in 1935 and is still served by the original water well.

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



A water category map showing the location of WSSCR 24-GWC-01A (23700 Woodfield Rd., Gaithersburg), nearby properties, roads, and other features.

**[3] WSCCR GWC-02A: Deeper Life Bible Church**

Anticipated Action Path: Administrative Delegation

<b>DEP Staff Recommendation: Approve W-1 and S-1. Policy V.D.2.a.: Administrative Delegation - Community Service Consistent with Existing Plans.</b>	
Property Information and Location Property Development	Applicant's Request: Service Area Categories & Justification
<ul style="list-style-type: none"> <li>• 23841 Woodfield Rd., Gaithersburg, MD 20882</li> <li>• Parcel P289, Woodfield (acct. no. 00942664)</li> <li>• Map tile: WSSC 233NW09; MD –FW562</li> <li>• Northeast side of Woodfield Rd. east of Woodfield School Rd.</li> <li>• RE2C Zone; 38,715 sq. ft. (0.89 ac.)</li> <li>• Goshen – Woodfield – Cedar Grove Planning Area Damascus Master Plan (2006)]</li> <li>• Upper Great Seneca Creek Watershed (MDE Use IP)</li> <li>• <u>Existing use</u>: Unoccupied (built 1950)</li> <li>• <u>Proposed use</u>: Place of Worship</li> </ul>	<p><u>Existing – Requested – Service Area Categories</u></p> <p>W-6            <b>W-1</b></p> <p>S-6            <b>S-1</b></p> <p><i>Within the planned public water and sewer service envelopes.</i></p> <p><u>Applicant's Explanation</u></p> <p>"Request to correct the category change from W-6 and S-6 to W-1 and S-1. "</p>

**DEP Staff Report**

The applicant has requested approval of water category W-1 and sewer category S-1 to allow for public service to a proposed place of worship. The property is 0.89 acre and in the RE2C Zone within the planned water and sewer service envelope. WSSC Water has confirmed that community service can be provided from a 10-inch water line and an 8-inch sewer line in Woodfield Road abutting the property.

M-NCPPC Planning staff concur that water service to the property is consistent with the 2006 *Damascus Master Plan* and the *10-year Comprehensive Water and Sewer Service Plan*. M-NPPC confirmed that there are no park impacts.

***DEP staff recommendation is for the approval of W-1 and S-1, consistent with existing plans.***

**Agency Review Comments**

**DPS:**

DPS has no records for the existing well. A replacement septic system was installed in 1962. There is no septic reserve area identified.

**M-NCPPC – Planning Dept.:**

The applicant desires changes from W-6 and S-6 to W-1 and S-1 to allow public water and sewer service. The property is at 23841 Woodfield Road in Damascus and is within the area covered by the 2006 *Damascus Master Plan*. The property is zoned RE-2C. Water and sewer mains abut the property along Woodfield Road. The property abuts properties in the W-1 water category on two sides and confronts a property in the S-1 sewer category. The master plan does not contain any property-specific recommendations.

The property is in the Neighborhood Transition area of the master plan. The primary concern for the transition areas is to balance providing additional housing and protecting the headwaters of streams in the area. The Neighborhood Transition area includes a mixture of residential development along Woodfield Road and open areas beyond. Topographical constraints and sensitive environmental features can present challenges to providing public sewer service in the Neighborhood Transition area, but the property in this case does not contain any such constraints.

The master plan supports community water service per the guidance of the *Water and Sewer Plan*, which supports public water service in general for areas outside the Agricultural Reserve. The property qualifies for public water service under the *Water and Sewer Plan's* Abutting Mains policy. Therefore, the master plan

supports public water service for the property.

The master plan includes the property within the proposed sewer service envelope; therefore the master plan supports public sewer service for the property.

**M-NCPPC – Parks Planning:** No parks impact.

**WSSC - Water:**

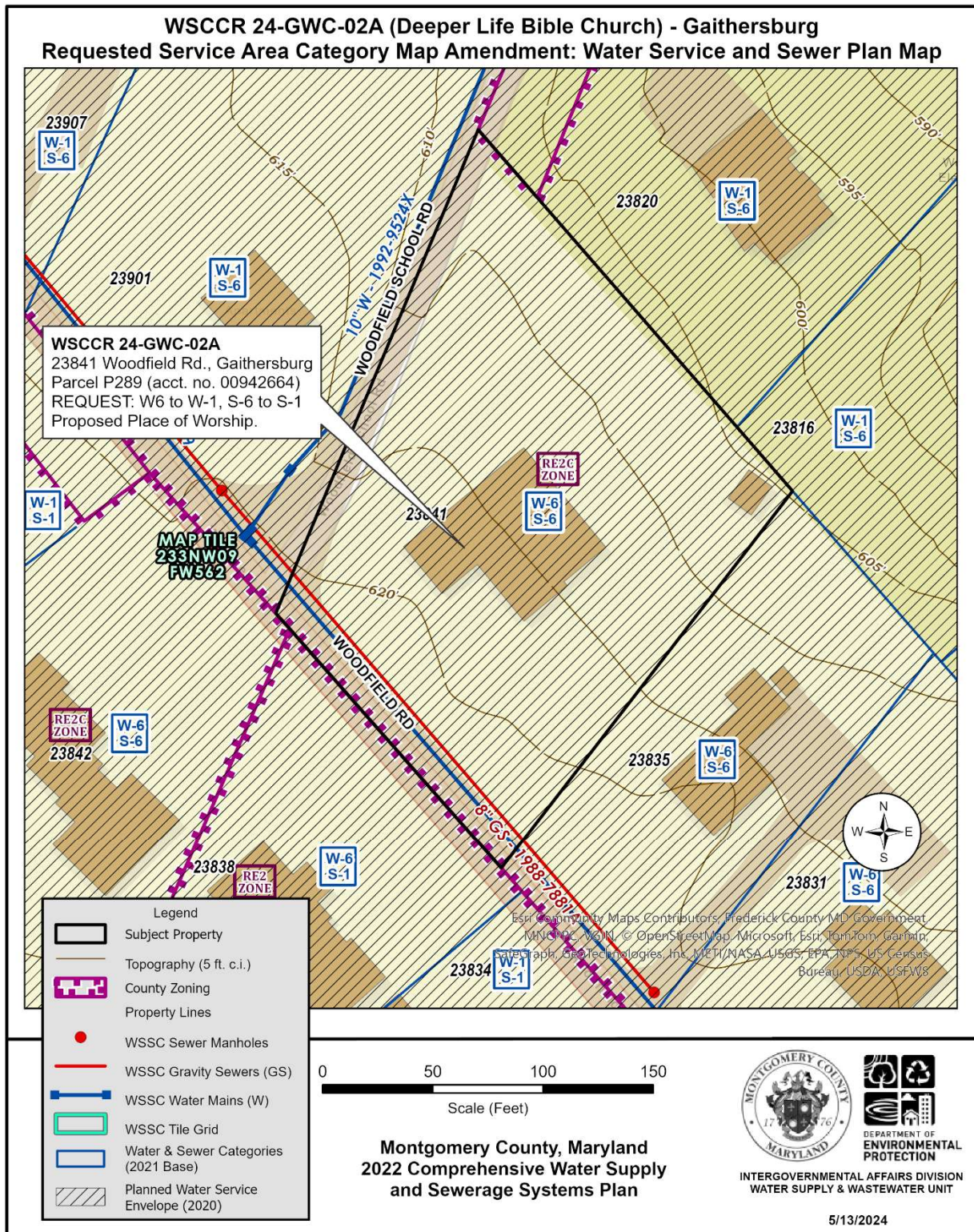
Water pressure zone: 740A. A 10-inch water line in Woodfield Road abuts the property, Contract 1964-2570. Local service is adequate. Program-sized water main extensions (16 inches in diameter or greater) are not required to serve the property.

**WSSC - Sewer:**

Basin: Seneca Creek. An 8-inch sewer line in Woodfield Road abuts the property, Contract No. 1988-7881A. Average wastewater flow from the proposed development: 1,000 GPD. Program-sized sewer mains are not required to serve the property. Interceptor capacity is adequate. Treatment capacity is adequate.

*Statements of adequacy/inadequacy are made exclusively for this application at this time. Further analysis of adequacy will be part of the review at the time of application for water/sewer service.*





A water and sewer category map showing the location of WSSCR 24-GWC-02A (23841 Woodfield Rd., Gaithersburg), nearby water mains in blue and sewer mains in red. The entirety of this map is within the planned public water and sewer service envelopes.

**[4] WSCCR 24-OLN-01A: Godwin Real Estate LLC**

Anticipated Action Path: Administrative Action

<p><b>DEP Staff Recommendation: DEP Staff Recommendation: Maintain existing W-6 and S-6, with advancement for approval of multiuse water supply and sewerage systems proposed expansion conditioned on DPS permitting of the proposed onsite systems. Revise Appendix B as shown. Policy V.D.2.a: Administrative Delegation Policies – Multiuse Onsite Systems.</b></p>					
<p>Property Information and Location                  Property Development</p> <ul style="list-style-type: none"> <li>• 5910 Sundown Rd., Gaithersburg</li> <li>• Lot 33, Block A of Fairhill, (acct. no. 02949928)</li> <li>• Map tile: WSSC –230NW06; MD –GV562</li> <li>• Southside of Sundown Rd.</li> <li>• AR Zone; 294,901.2 sq. ft. (6.77 ac)</li> <li>• Olney Planning Area                      Olney Master Plan (2005)</li> <li>• Hawlings River Watershed (MDE Use IVP)</li> <li>• <u>Existing use:</u> Commercial/Residential (built 2000)</li> <li>• <u>Proposed use:</u> Commercial/Residential</li> </ul>	<p>Applicant’s Request:                  Service Area Categories &amp; Justification</p> <p><u>Existing – Requested – Service Area Categories</u></p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 150px;">W-6</td> <td><b>W-6 (Multiuse)*</b></td> </tr> <tr> <td>S-6</td> <td><b>S-6 (Multiuse)*</b></td> </tr> </table> <p>*For expansion of existing onsite multiuse well and septic systems</p> <p><i>Outside the planned public water and sewer service envelopes.</i></p> <p><u>Applicant’s Explanation</u></p> <p>“The subject property is identified as having existing multi-use on-site systems for water and sewer.</p> <p>“The applicant has received conditional use approval to expand the current operations of the veterinary practice at the site. The proposed expansion necessitates an increase in the capacity of the on-site septic system from 1500 gallons per day to 3100 gallons per day as determined by the Well &amp; Septic office of the Department of Permitting Services. This application is a request to expand the existing on-site systems.</p> <p>“The property is located within the County’s AR zone. In support of this request for expansion of on-site systems, the following information is offered:</p> <ul style="list-style-type: none"> <li>• The ownership of the property has not changed since February 14, 2006;</li> <li>• The property acreage has not been increased since February 14, 2006; and</li> <li>• The use of the property has not changed since February 14, 2006. “</li> </ul>	W-6	<b>W-6 (Multiuse)*</b>	S-6	<b>S-6 (Multiuse)*</b>
W-6	<b>W-6 (Multiuse)*</b>				
S-6	<b>S-6 (Multiuse)*</b>				

**DEP Staff Report**

The applicant has requested the approval of an expansion of their multiuse on-site septic system to accommodate a larger wastewater flow associated with the expansion of their veterinary clinic facility. The proposed capacity increase is from 1500 gallons per day to 3100 gallons per day. The property is 6.77 acres and sits in the AR zone, outside the planned sewer service envelope.

The expansion of the existing multiuse system is exempt from constraints in the Water and Sewerage Systems Plan because it is an existing system that has not changed ownership since Feb 14, 2006 (Section III.C.5.c.). The Olney Master Plan does not address multiuse on-site systems. M-NPPC confirmed that there are no park impacts with the expansion.

***DEP Staff recommendation is for the approval of the expansion of the multiuse on-site system under the existing system expansion exemption.***

**Agency Review Comments**

**DPS:**

The expansion of the clinic is dependent on further percolation testing to establish more septic area to support the new design flow. As of 6/4/24 the plan for testing has not been approved. No changes to the table are needed at this time. The approved design flow is still 1500 GPD.

**M-NCPPC – Planning Dept.:**

The applicant desires increases in the multiuse systems for both water and sewerage to expand the current operations of the veterinary practice on the property. Animals are also boarded at the facility. The categories will remain W-6 and S-6, but the *Water and Sewer Plan* must be amended for any new or updated multiuse system. The property is located at 5910 Sundown Road in Laytonsville and is within the area covered by the 2005 *Olney Master Plan*. The property is in the Agricultural Reserve (AR) zone. The applicant desires to increase the maximum daily design flow from 1,500 to 3,100 gallons per day. The master plan does not contain any property-specific recommendations.

The property is in the Northern Olney master plan analysis area. This part of Northern Olney drains to the Hawlings River, which is a tributary of the Patuxent River and is upstream from the T. Howard Duckett Reservoir, one of the main drinking water supplies for the region. The master plan retained the RDT zone (now AR) on the properties to provide protection to the area's environmental resources. Agriculture and rural open space are the recommended primary land uses in Northern Olney west of Georgia Avenue.

Originally, 8,400 square feet of space in the 10,800-square-foot building was dedicated to the veterinary practice and 2,400 square feet served as a residence. A modification to special exception S-2239 in 2021 expanded the practice to allow a two-story addition (1,270 square feet) and conversion of 1,414 square feet of attic space for use by the business. The modification also allows a change from two veterinarians and six support staff onsite at any one time to six veterinarians and 42 staff with no more than 24 persons onsite at any one time. The parking lot was approved to be expanded from 15 to 41 spaces.

The western portion of the property, which contains stables and horse fields and paddocks, is within the Patuxent River Primary Management Area (PMA), where impervious surfaces are limited to 6%. The veterinary building is in the eastern part of the property, outside the PMA, where there is no impervious surface limitation, although such surfaces should be minimized in general. There is an approved Final Forest Conservation Plan (FFCP S-2239) on the property, but none of the current improvements are shown on that plan.

The county's *Water and Sewer Plan* categorizes all systems over 1,500 gallons per day (gpd) as multiuse systems. According to the *Water and Sewer Plan*, a typical single-use system for a four-bedroom house uses about 600 gallons per day. Montgomery County tracks multiuse systems to help "identify areas where several multiuse systems together may create cumulative impacts on ground and surface waters which would be difficult to evaluate on a case-by-case basis" (p. 1-61). Two other multiuse systems are the vicinity of the application: The Federal Regional Center FEMA property at 5321 Riggs Road with a design capacity of 10,000 gpd and the Montgomery Country Club golf course at 6601 Olney-Laytonsville Road with a design capacity of 8,000 gpd.

The *Water and Sewer Plan* places constraints on multiuse sewage systems on properties located with the AR zone. However, the *Water and Sewer Plan* exempts from these constraints expansions of existing onsite sewerage systems established prior to February 14, 2006, from these constraints if the ownership of the property has not changed, the acreage has not been increased, and the use of the property has not changed since that date. The current use of the property was established under Special Exception S-2239 on January 9, 1997. The property has been under the same ownership since 1997 and it has not changed in size or shape since being platted in 1992 (plat 18388). The master plan does not address multiuse systems, but generally supports service that conforms to the *Water and Sewer Plan's* policies. The requested multiuse system expansion is supported by the *Water and Sewer Plan*, and therefore it is supported by the master plan.

The master plan does not address multiuse water or sewer systems, so the *Water and Sewer Plan* provides the only guidance for these cases. The *Water and Sewer Plan* does not indicate a limit for multiuse water systems, so expansion of the multiuse water system is supported.

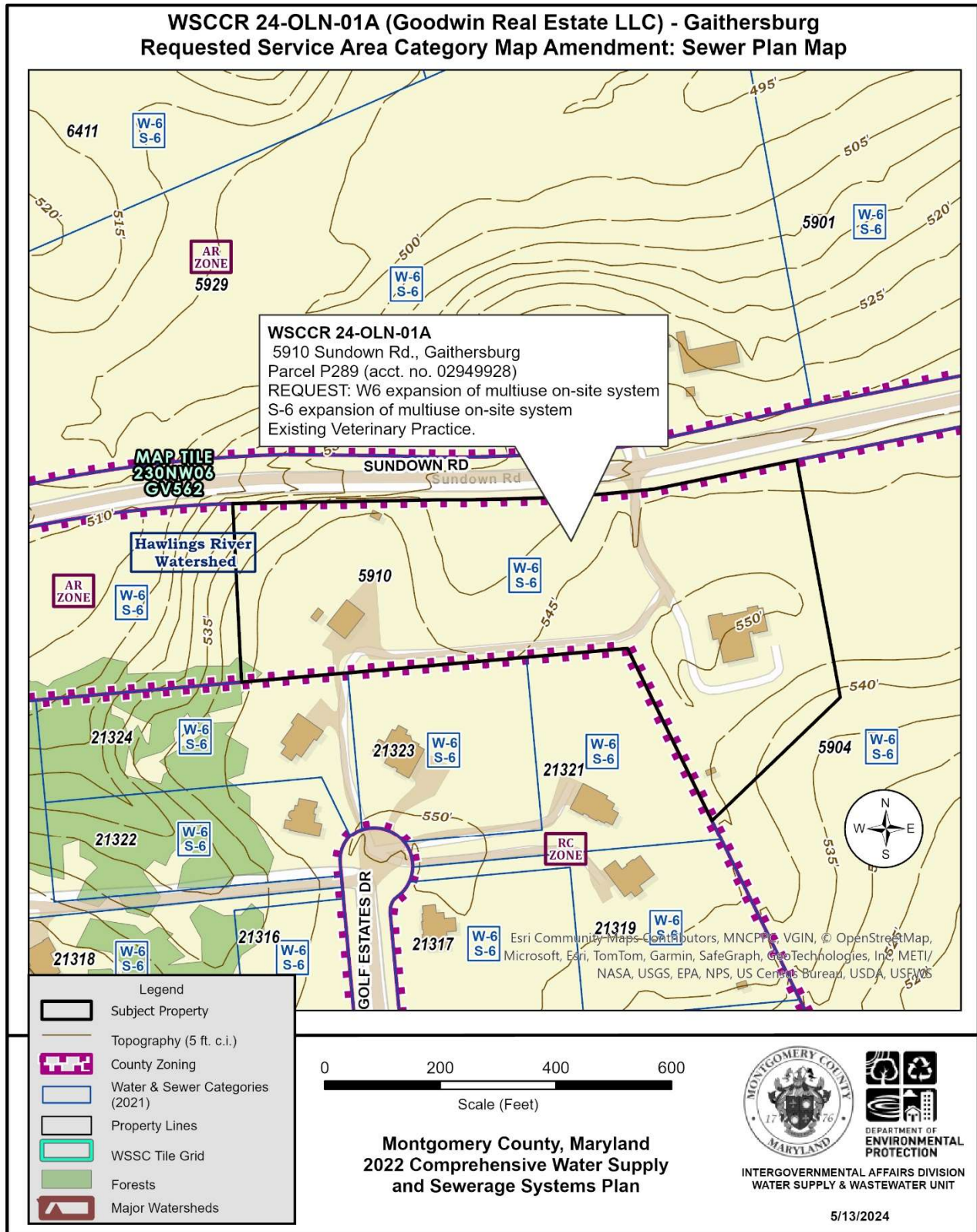
**M-NCPPC – Parks Planning:** No parks impact.

**WSSC - Water:** (category change not requested)

**WSSC - Sewer:** (category change not requested)

**MONTGOMERY COUNTY COMPREHENSIVE WATER SUPPLY AND SEWERAGE SYSTEMS PLAN**  
**Appendix B: Multiuse Water and Sewer Facilities**  
 County Council Approved 2022-2031 Plan

Table B-T1: Inventory of Existing and Approved Multiuse Water Supply and Sewerage Systems		
Facility	Multiuse Water Supply System	Multiuse Sewerage System
<b>Facility Name</b> Owner/Operator (If Different than Facility) Location Comments (Status/Expansion)	Water Source Treatment & Sludge/Backwash Disposal System Capacities (Rated, Ave., Max., Stor.) State Coordinates	Type of Treatment Design Capacity Point of Discharge & Permit No. State Coordinates
<b>Four Streams Golf Course</b> Members Club at Four Streams, Inc. 19501 Darnestown Rd. (MD 28), Beallsville No comments.	Source: groundwater	Treatment: Septic tanks and soil absorption via subsurface fields with low pressure distribution. Design capacity: ..... 2,750 GPD Ground discharge; permit not required.
<b>Johnson's Flower &amp; Garden Center</b> Same 5011 Olney Laytonsville Rd. (MD 108), Laytonsville Sewer: Expansion proposed	Source: groundwater.	Treatment: Septic tanks and soil absorption via drain fields Design capacity: ..... 2,000 GPD* Proposed:
<b>Layton Village Shopping Center</b> same 6830 Laytonsville Rd. (MD108), Laytonsville 2-building strip shopping center	Source: groundwater.	Treatment: septic tanks, aerobic treatment unit, soil absorption via drain fields Design capacity: ..... 2,500 GPD Ground discharge; permit not required.
<b>Laytonsville Veterinary Practice &amp; Sundown Kennel</b> Same 5910 Sundown Rd. - Laytonsville Formerly the Sundown Road Veterinary Clinic. Proposed: Expansion of existing facility and multiuse systems from 1,500 to 3,100 GPD. Onsite testing not completed.	Source: Groundwater Treatment: None. Disposal: None Rated capacity: ..... 1,500 GPD Average production: ..... 1,500 GPD Maximum flow: ..... 1,500 GPD Storage capacity: ..... none Coordinates: N507,000 / E763,000	Treatment: septic tank, soil absorption via drain fields Design capacity: ..... 1,500 GPD Ground discharge; permit not required. Coordinates: N507,000 / E763,000
<b>Montgomery Country Club</b> Same 6601 Olney Laytonsville Rd. (MD 108), Laytonsville No comments	Source: groundwater Treatment: none. Disposal: none	Treatment: septic tanks, soil absorption via drain fields with a low-pressure dosing distribution system Design capacity: ..... 8,000 GPD Ground discharge; permit not required. Coordinates: N498,500 / E762,800
<b>Potomac Oak Center*</b> Travilah Oak LLC 12940-12960 Travilah Rd., Potomac Shopping center Sewer: Replacement septic system installed *Previously "Glenvilah Center."	Source: groundwater	Treatment: Septic tanks with aerobic treatment, soil absorption via drainfields Design capacity: ..... 5,000 GPD Ground discharge; permit not required.
<b>Ruppert Nurseries*</b> Same 23601 Laytonsville Rd. (MD 108), Laytonsville Proposed facility: Approved preliminary plan 1-05090, 1,900 GPD *Formerly Yesteryear Farm Country Inn	Source Groundwater Treatment: none. Disposal: none Coordinates: N513,400/E759,300	
<b>Seneca Highlands Harris Teeter Grocery Store</b> Same 14101 Darnestown Rd. (MD 28), Darnestown Sewer: Addition of aerobic treatment and additional reserve areas allowed an expansion from 3,200 gpd to 4,000 gpd in 2005.	Served by WSSC community water supply system.	Treatment: Aerobic treatment unit, septic tank, soil absorption via deep drain fields Design capacity: ..... 4,000 GPD Ground discharge; permit not required. Coordinates: N464,000 / E717,000



A water and sewer category map showing the location of WSSCR 24-OLN-01A (5910 Sundown Rd., Laytonville), nearby properties, roads, topography, and other nearby features.