ROCKVILLE, MARYLAND

April 18, 2014

Jerry Johnson, General Manager/CEO
Washington Suburban Sanitary Commission
14501 Sweitzer Lane
Laurel, MD 20707

Dear Mr. Johnson:

For the past several years, Montgomery County has investigated options for providing critically needed public sewer service in the Clarksburg Historic District ("Historic District") to: 1) relieve aging and failing septic systems; and 2) promote planned redevelopment. The Historic District consists of approximately 50 properties located on 60 acres along Frederick Road (MD 355) near the Clarksburg Town Center Development. Properties typically range in size from 0.4 acres to over one acre, and include a mix of residential and commercial uses in addition to some vacant properties. The majority of Historic District properties are approved for and have access to public water service. However, only a few properties in the District have access to and can make use of public sewer service.

With this letter, Montgomery County requests that the Washington Suburban Sanitary Commission (WSSC) provide technical and financial assistance needed to design and construct the new sewer infrastructure to serve the Clarksburg Historic District.

The 1994 Clarksburg Master Plan ("1994 Plan") identified the Historic District as a focal point of the adjacent Clarksburg Town Center. The 1994 Plan encourages sensitive and appropriate infill development in the Historic District and surrounding properties, as an important component of the Plan's objectives for the Town Center. The 1994 Plan also recommends renovations of existing buildings that would allow both residential and small scale commercial activities such as shops and offices. The topography of the area and the pattern of surrounding master plan-staged development resulted in the absence of any new developer dependent sewer main construction in the Historic District. By the time new nearby sewer mains were constructed within the Town Center, individual service extension costs were not affordable for most property owners due to a number of factors, including changes that were made to WSSC's developer-funded System Extension Program which significantly impacted the affordability of non-developer-funded sewer extension costs. However, it has always been clear

that the 1994 Plan intended that sewer service be provided in the Historic District to achieve the goals of both this historic area and the Town Center.

Experience has shown that both new infill development and renovation and reuse of existing structures cannot occur using on-site septic systems, and will require the use of public sewer service. In 2008, the Montgomery County Council formally designated the Historic District as a public health problem area and amended its Ten Year Comprehensive Water Supply and Sewerage Systems Plan (Ten Year Plan) to reflect that designation. This designation identifies these properties as a priority for sewer service since the septic systems are failing or prone to failure due to age, small lot size and poor soils. Most of the septic systems are over 50 years old (note: many septic systems are so old that the County has no permitting records which would confirm their ages and designs). The Montgomery County Department of Permitting Services (DPS) has stated that current permitting standards, relatively small lot sizes, and poor soils in the Historic District constrain new septic system development and existing septic system replacement. The 2014 Ten Mile Creek Area Limited Master Plan Amendment ("Master Plan Amendment") also notes that "the lack of public sewer service, needed to replace aging septic systems, has hampered improvement and redevelopment of the Clarksburg Historic District, an integral part of the Town Center."

Sewer service planning in 1994 included the entirety of the Historic District in the master plan's public sewer service envelope. At that time, sewer service within the Historic District was linked in the master plan with service planned for adjacent Town Center development. However, only a portion of the Historic District lies within same watershed as the Town Center. Much of the District lies within the adjacent Ten Mile Creek watershed where there is no existing sewer infrastructure currently available. This has generally limited the provision of public sewer in the Historic District to those properties either in the Town Center watershed or in the adjacent Ten Mile Creek watershed that are located close enough to connect to these existing sewers.

Recognizing this constraint on providing public sewer service, the Montgomery County Department of Environmental Protection (DEP) and WSSC conducted a sewer facility plan in 2010 that defined several options for providing sewer service to the Historic District and adjacent properties. The option selected by the County involves the temporary use of a central sewage pumping station that would collect flows from a gravity sewerage system serving the Historic District. WSSC prepared a concept plan for this project last summer which estimated that the total project cost would be approximately $2.6 million, with only $360,000 covered by WSSC's Health Hazard Subsidy and Front Foot Benefit Assessments charged to property owners, leaving approximately $2.2 million in sewer project deficit costs. This deficit prevents the implementation of this project by the property owners in the Historic District, because the requirements placed on properties with historic designations make it additionally difficult to gain

sufficient added property value from new development and redevelopment to justify these sewer extension costs.

With regard to area-wide sewer service planning, the recently approved Master Plan Amendment continues to recommend public sewer service in some areas of the Ten Mile Creek watershed. This planned development can potentially contribute to the County's efforts to provide public sewer service near the Historic District. However, that development will still not result in the construction of needed sewer infrastructure to make service available to the Historic District property owners. The Master Plan Amendment recommends significant actions to preserve the character of the Historic District, including transportation modifications, zoning changes and rehabilitation guidance. The Master Plan Amendment recognizes that these provisions have only very limited value without the availability of sewer service to allow revitalization of these properties. WSSC sewer service is essential to the Historic District for it to be a sustainable component of the Town Center community. Accordingly, the Master Plan Amendment also recommends that Montgomery County "work with WSSC on a project to extend public sewer to properties in the Clarksburg Historic District as soon as possible and in a manner which is affordable to property owners."

Consistent with the Master Plan Amendment recommendation, we propose a coordinated effort by Montgomery County and WSSC to provide the sewer infrastructure needed to serve the Clarksburg Historic District. This effort will also be coordinated with the Historic District's property owners who would benefit from and share appropriately in the cost for this new service.

The Clarksburg Historic District presents a unique service challenge to Montgomery County and WSSC. No other designated public health area in Montgomery County is located in the heart of one of the County's priority growth areas, where the County has formally acknowledged the need for public sewer service. While modest in scope, it is critical to the 1994 Master Plan vision as well as the vision being developed by the current County Council in the Master Plan Amendment.

Thank you for your prompt attention to this matter and consideration of our request. We look forward to your response to begin this effort.

Sincerely,

Craig Rice, County Council President

Isiah Leggett, County Executive

c: Gene W. Counihan, Chair
Christopher Lawson, Vice Chair, Prince George's County
Adrienne A. Mandel, Commissioner, Montgomery County
Roscoe M. Moore, Commissioner, Montgomery County