



DEPARTMENT OF ENVIRONMENTAL PROTECTION

Marc Elrich  
County Executive

Jon Monger  
Director

MEMORANDUM

January 11, 2023

TO: D. Lee Currey, Director, Water and Science Administration  
Maryland Department of the Environment

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

SUBJECT: Approval of Comprehensive Water and Sewer Plan Category Map Amendments

This is to notify you that the Director of the Department of Environmental Protection (DEP) has acted to approve three amendments to the County's Comprehensive Water Supply and Sewerage Systems Plan (CWSP) under the authority delegated by the County Council in that Plan. Attached for your consideration and distribution are two copies of the approval document addressing the following category map amendments:

Action	Amendment Approved
AD 2023-3 (1/9/2024)	WSSCR 23-CLO-01A: Ashton United Methodist Church
AD 2023-3 (1/9/2024)	WSSCR 23-PLV-01A: Charles H. Jamison, Inc.
AD 2023-3 (1/9/2024)	WSSCR 23-TRV-02A: Roderick Dunlap and James Hall
AD 2023-3 (1/9/2024)	WSSCR 23-URC-01A: Ken Fraley

You may also review and download this document from DEP's Service Area Category Changes webpage at [www.montgomerycountymd.gov/waterworks](http://www.montgomerycountymd.gov/waterworks); refer to the "Completed Actions" tab on that page.

Once MDE has concurred with this action, DEP will revise the water and sewer category map database in the County's geographic information system (GIS), MC:MAPS, to include these amendments, and they will be shown as part of the next Water and Sewer Category Map update.

If you have any questions concerning this action, please do not hesitate to contact either me at either 240-777-7716 or [alan.soukup@montgomerycountymd.gov](mailto:alan.soukup@montgomerycountymd.gov).

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cc: See "DISTRIBUTION" Section of the Attached Approval Document

Attachments



MONTGOMERY COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION

Comprehensive Water Supply and Sewerage Systems Plan Amendments
Administrative Delegation Action (AD) 2023-3 - Statement of Action
Water/Sewer Service Area Category Change Requests

CHRONOLOGY

Interagency Notices of Public Hearing: November 6, 2023
Published Notice of Public Hearing: November 22, 2023
Public Hearing: December 6, 2023
Public Hearing Record Closed: December 13, 2023
DEP Administrative Approval Action: January 9, 2024

BACKGROUND

Authority: Under the Annotated Code of Maryland, Section 9-501, et seq., the Maryland Department of the Environment (MDE) has charged the Montgomery County Council, as the governing body for Montgomery County, with adopting and amending a comprehensive plan for the provision of adequate water supply and sewerage systems within the county.

In the adopted 2022 update of the CWSP, the County Council has delegated to the Director of the Department of Environmental Protection (DEP), through an administrative process, the authority to approve certain amendments to the Plan, including water and sewer category changes.

Proposed Plan Amendments: DEP staff considered four proposed amendments for approval by the administrative delegation process. All four amendments were for service area category changes. The proposed amendments reviewed by the following agencies, as appropriate: the Washington Suburban Sanitary Commission (WSSC), the Maryland - National Park and Planning Commission (M-NCPPC), and the Montgomery County Department of Permitting Services (DPS) - Well and Septic Section.

PUBLIC HEARING PROCESS

Public Hearing Notification: In accordance with State regulations, on November 6, 2023, DEP notified the appropriate County and State agencies of an administrative public hearing, scheduled for December 6, 2023, and provided the staff recommendations for the proposed amendments.

Public Hearing Testimony and Interagency Recommendations: DEP staff scheduled a remote public hearing for the date and time included in the hearing notices. The hearing notices specified that anyone wanting to provide testimony needed to contact DEP staff to receive information on how to do so.

On December 6, 2023, Alan Soukup of DEP, acting on behalf of Jon Monger, the DEP director, conducted the public hearing on the four category change requests. The hearing started at 10:02 a.m. For WSCCR 23-PVL-01A, Mr. Robert Pierce of Poolesville requested that a notice of the results of the administrative delegation process be sent to the Poolesville Planning Commission.

Harris explained these areas and identified them on a copy of the current development plan. There were several questions from local residents concerning the needed 2,300-foot water main to be constructed along Bowie Mill Rd., concerning costs for the extension, construction time, and the need for abutting lots using onsite wells to connect to the main. Mr. Soukup responded that the developer will pay all construction costs for the new main, that an estimated construction time would be about one month, and that no residents with an existing well (lots are designated as water category W-5) would be required to connect to new public water service. The hearing concluded at 10:35 a.m. There were no subsequent written comments received by DEP.

On December 8, 2023, Keith Levchenko, senior legislative analyst on the Council's staff, notified DEP that no Council members had questions about or objections to the approvals recommended for requests.

On December 7, 2023, the Planning Board met to consider M-NCPPC staff recommendations for the amendments included in the AD 2023-3 administrative delegation packet. The Board concurred with the M-NCPPC staff recommendations for the included amendments, which they agreed with DEP's staff recommendations. On December 13, 2023, DEP received formal notification of the Board's action in a letter dated December 13, 2023.

**DEP ADMINISTRATIVE ACTION**

The 2022-2031 water/sewer category map update of the *Montgomery County Comprehensive Water Supply and Sewerage Systems Plan* is hereby amended as follows:

**WSSCR 23-CLO-01A: Ashton United Methodist Church**

Property Information and Location Property Development	Applicant's Request: Administrative Action and Policy Justification
<ul style="list-style-type: none"> <li>• 17400 New Hampshire Ave., Ashton</li> <li>• Parcel P079, Bachelors Forest (acct. no. 00705017)</li> <li>• Map tile: WSSC – 223NW01; MD –JT51</li> <li>• West side of New Hampshire Ave., North of the intersection with Tucker Ln.</li> <li>• RE-2 Zone; 3.01 ac.</li> <li>• Cloverly - Norwood Planning Area Sandy Spring Ashton Master Plan (1998)</li> <li>• Northwest Branch Watershed (MDE Use IV)</li> <li>• Existing use: Single Family Home (on a church-owned property) Proposed use: Water service for Single Family Home</li> </ul>	<p><u>Existing – Requested – Service Area Categories</u></p> <p>W-6*            <b>W-1</b>                  S-6            S-6 (no change)</p> <p>*Outside the planned public water service envelope  <i>DEP note: This request received an advance approval action for category W-1 on Oct. 27, 2023, under the abutting mains policy. This administrative action is allowed under the consistent with existing plans policy.</i></p> <p><b>Administrative Action</b></p> <p><b>Approve W-1. Include this property within the planned public water service envelope.</b>                  Administrative policy V.D.2.a.: Community Service Consistent with Existing Plans. (Mapping on pg.7)</p>

**WSSCR 23-PLV-01A: Charles H. Jamison, Inc.**

Property Information and Location Property Development	Applicant's Request: Administrative Action and Policy Justification
<ul style="list-style-type: none"> <li>• Westerly Rd., 20300 block, Town of Poolesville</li> <li>• Parcel P630, Difficulty (acct. no. 00042301)</li> <li>• Map tile: WSSC –223NW20; MD –CT11</li> <li>• Southwest quadrant of the intersection of Willard Rd. and Westerly Rd.</li> <li>• PR 0.5 Zone (Poolesville); 56.7 ac.</li> <li>• Town of Poolesville Poolesville Master Plan (2011)</li> <li>• Broad Run and Horsepen Branch Watersheds (MDE Use I)</li> <li>• <u>Existing use</u>: Crop Field <u>Proposed use</u>: 65 single-family homes</li> </ul>	<p><u>Existing – Requested – Service Area Categories</u></p> <p>W-6*            <b>W-3</b>                  S-6*            <b>S-3</b></p> <p>*Within the planned public water and sewer service envelopes for the Town of Poolesville.</p> <p><b>Administrative Action</b></p> <p><b>Approve W-3 and S-3.</b> Administrative policy V.D.2.a.: Community Service Consistent with Existing Plans. (Mapping on pgs. 8-9)</p>

**WSSCR 23-TRV-02A: Roderick Dunlap and James Hall**


Property Information and Location Property Development	Applicant's Request: Administrative Action and Policy Justification
<ul style="list-style-type: none"> <li>• 12805 Spring Dr., Rockville</li> <li>• Lot 22, Block 2, Sec 3 Glen Hills (acct. no. 00078532)</li> <li>• Map tile: WSSC – 217NW10; MD –FR41</li> <li>• South side of Spring Dr., 340 ft east of the intersection with Circle Dr.</li> <li>• RE-1 Zone; 1.02 ac.</li> <li>• Travilah Planning Area Potomac Subregion Master Plan (2002)</li> <li>• Watts Branch Watershed – Piney Branch subwatershed (MDE Use I)</li> <li>• <u>Existing use</u>: Single Family Home <u>Proposed use</u>: Public sewer service for the existing house for the relief of a failed septic system.</li> </ul>	<p><u>Existing – Requested – Service Area Categories</u></p> <p>W-1            W-1 (no change)                  S-6*            <b>S-1</b></p> <p>*Outside the planned public sewer envelope</p> <p><i>DEP notes:</i>  <i>Expedite sewer service request, based on the septic system failure notice from DPS, issued to WSSC Water on 1/10/2023.</i></p> <p><b>Administrative Action</b></p> <p><b>Approve S-1, for one sewer service connection only.</b> Administrative policy V.D.2.a.: Community Service for Public Health Concerns. <i>This action does not add this property to the planned public sewer envelope.</i> (Mapping on pg.10)</p>

**WSSCR 23-URC-01: Ken Fraley**

Property Information and Location Property Development	Applicant's Request: Administrative Action and Policy Justification
<ul style="list-style-type: none"> <li>• 17800 Bowie Mill Rd., Derwood</li> <li>• Parcels P222, P445, Springfield, and Lot 1, Granby Woods (acct. nos. 00706980, 01682742 and 02890242)</li> <li>• Map tile: WSSC – 224NW06; MD –HT12 and GT62</li> <li>• Northwest quadrant at the intersection of Bowie Mill Rd. with Fraley Farm Rd.</li> <li>• RE-1 Zone; 87.3 total ac.</li> <li>• Upper Rock Creek Planning Area Upper Rock Creek Master Plan (2004)</li> <li>• Upper Rock Creek Watershed (MDE Use III) – Upper Rock Creek SPA</li> <li>• <u>Existing use</u>: Agricultural, Farm Home</li> <li>• <u>Proposed use</u>: 43 Single Family Homes, including the existing farmhouse.</li> </ul>	<p><u>Existing – Requested – Service Area Categories</u></p> <p>W-6*            <b>W-3</b>                  S-6            S-6 (no change)</p> <p>*Outside the planned public water service envelope</p> <p><b>Administrative Action</b></p> <p><b>Approve W-3. Include the site within the planned public water service envelope.</b> Administrative policy V.D.2.a.: Community Service Consistent with Existing Plans. (Mapping on pg.11)</p> <p><i>Note that water service will require inclusion of the needed 2,350-ft. long, 16-inch-diameter water main extension in the WSSC Water CIP budget.</i></p>

Now therefore be it resolved by the Director of the Montgomery County Department of Environmental Protection that the amendments described above for inclusion in the County's *Comprehensive Water Supply and Sewerage Systems Plan* are approved. DEP will revise the water and sewer category maps in the County's geographic information system (GIS) database to include these amendments, and they will be shown as part of the next interim or triennial service area map update. This action requires the review and concurrence of the Maryland Department of the Environment. Applicants may proceed with plans based on this action pending the State's action, at their own risk.

Approved


1/8/24  


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 Jon Monger, Director Date  
 Montgomery County Department of Environmental Protection

**NOTIFICATION OF DEP ACTION**

DEP will submit notification of the Director's action to MDE for that agency's review. MDE has 60 days to either comment on the administrative approvals granted or invoke up to two 45-day review extensions. DEP will also notify each applicant, appropriate county government agencies, and other interested parties of the Director's action. A list of agencies that will receive a copy of this summary of action follows:

Distribution: Interagency

Andrew Friedson, President, Montgomery County Council  
Keith Levchenko, Senior Legislative Analyst, County Council  
Linda Kobylski, Heidi Benham, Jason Flemming & Megan Wilhelm, DPS  
Artie Harris, Chairperson, Montgomery County Planning Board  
Patrick Butler, Donnell Zeigler, and Jamey Pratt, Upper County Planning Team, M-NCPPC  
Mark Symborski, Functional Planning, M-NCPPC  
Christina Sorrento, Chief, Intake and Regulatory Coordination Division, M-NCPPC  
Geoffrey Mason, Parks Planning and Stewardship Division, M-NCPPC  
Ray Chicca, Development Services Division, WSSC  
Luis Tapia, Permit Services Section, WSSC

D. Lee Currey, Director, Water and Science Admin., Maryland Dept. of the Environment  
Susan Llareus, Secretary, Maryland Department of Planning  
Wade Yost, Town Manager, Town of Poolesville

Category Change Applicants & Interested Parties

WSSCC 23-CLO-01A..... Ashton United Methodist Church  
..... David McKee, Benning and Associates, Inc.  
WSSCC 23-PLV-01A ..... Charles H. Jamison, Inc.  
WSSCC 23-TRV-02A..... Roderick Dunlap and James Hall  
..... Dennis Leapley, Leapley Construction  
WSSCC 23-URC-01A ... .. Ken Fraley  
..... Angelo Petraglia, Cole Group, LLC  
..... Patricia Harris

Civic Organizations and Other Public Interest Groups

Nature Forward  
Greater Glen Mill Community Association  
Greater Glen Hills Coalition LLC  
Greater Olney Civic Association  
Glen Hills Civic Association  
Glen Hills Community Coalition  
Glen Preservation Foundation  
Northern Montgomery County Alliance  
Montgomery County Civic Federation  
Montgomery Coalition to Stop Sewer Sprawl  
Potomac Highlands Citizens Association  
West Montgomery County Citizens Association  
Sandy Spring Ashton Rural Preservation, c/o Amy Medd  
Ashton Alliance, c/o Kathleen Wheeler  
Sandy Spring Civic Association, c/o Baslie Whittaker  
Northern Montgomery County Alliance, c/o Julius Cinque  
East County Citizens Advisory Board, c/o Rachel Evans  
Avenshire Homeowners Association Inc., c/o Elizabeth Osterman  
Muncaster Area Civic Association, c/o Dave Troutner  
Planning Commission, Town of Poolesville

Attachments

Service Area Category Designations (see page 6)  
Amendment Service Area Category Mapping (see pages 7-11)

ADS:ads/ R:\Programs\Water\_and\_Sewer\actions-AD\2023\AD-2023-3\SOA\SOA AD-2023-3.docx

**WATER/SEWER SERVICE AREA CATEGORIES INFORMATION**

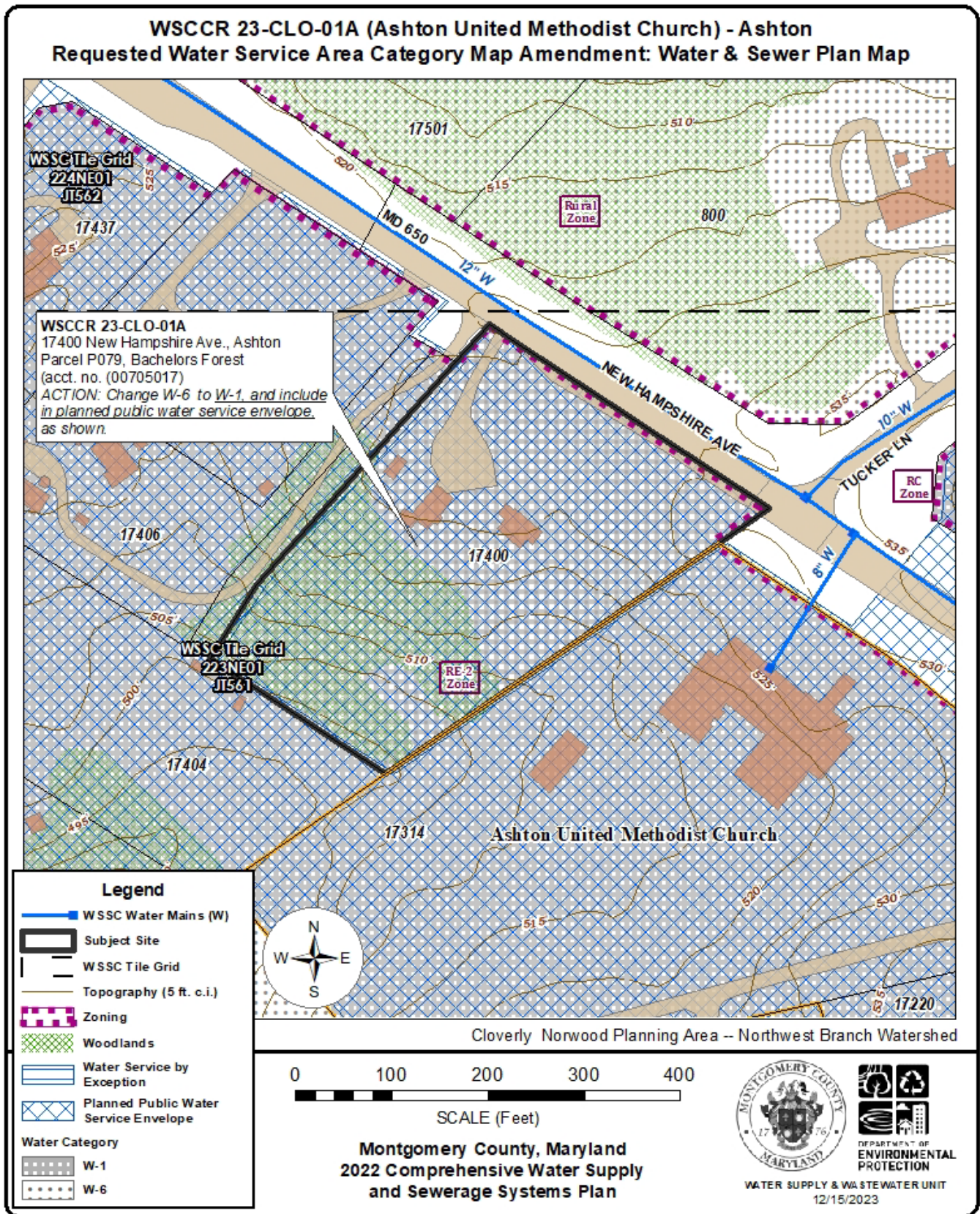
The Montgomery County Ten-Year Comprehensive Water Supply and Sewerage Systems Plan designates water and sewer service area categories for each property within the County. These service area categories determine a property's eligibility to receive public water and/or sewer service and indicate when the County and the sanitary utility (usually the Washington Suburban Sanitary Commission (WSSC)) should program water and sewerage facilities to serve those properties. (Although the actual provision of public service is often dependent on an applicant's own development schedule.) The Water and Sewer Plan is adopted and amended by the County Council; it is administered by the County Executive through the Department of Environmental Protection (DEP).

**Water and Sewer Service Area Categories Table**

Service Area Categories	Category Definition and General Description	Service Comments
W-1 and S-1	Areas served by community (public) systems which are either existing or under construction. <ul style="list-style-type: none"> <li>This may include properties or areas for which community system mains are not immediately available or which have not yet connected to existing community service.</li> </ul>	Properties designated as categories 1 and 3 are eligible for to receive public water and/or sewer service. New development and properties needing the replacement of existing wells or septic systems are generally required to use public service. Properties with wells or septic systems on interim permits are required to connect to public service within one year of its availability.
W-2 and S-2	<p><b>Categories W-2 and S-2 are not used in the Montgomery County Water and Sewer Plan.</b>                      (State's definition: Areas served by extensions of existing community and multi-use systems which are in the final planning stages.)</p>	Where water and/or sewer mains are financed under the front foot benefit system, WSSC will assess front foot benefit charges for mains abutting these properties unless the property has a functioning well and/or septic system. WSSC provides public water and sewer service throughout the county, except where service is provided by systems owned by the City of Rockville or the Town of Poolesville.
W-3 and S-3	Areas where improvements to or construction of new community systems will be given immediate priority and service will generally be provided within two years or as development and requests for community service are planned and scheduled.	WSSC will not serve properties designated as categories 4 or 5, but will work to program water and/or sewer projects needed to serve these areas. Permits for new wells and/or septic systems for category 4 properties will be interim permits. (See above for further information.) MCDEP may require that development proceeding on interim wells and septic systems in category 4 areas also provide dry water and sewer mains and connections.
W-4 and S-4	Areas where improvements to or construction of new community systems will be programmed for the three- through six-year period. <ul style="list-style-type: none"> <li>This includes areas generally requiring the approval of CIP projects before service can be provided.</li> </ul>	Where water and/or sewer mains are financed under the front foot benefit system, WSSC will assess front foot benefit charges for abutting properties designated as category 4 unless the property has a functioning well and/or septic system. WSSC will not assess front foot charges for properties designated as category 5.
W-5 and S-5	Areas where improvements to or construction of new community systems are planned for the seven- through ten-year period. <ul style="list-style-type: none"> <li>This category is frequently used to identify areas where land use plans recommend future service staged beyond the scope of the six-year CIP planning period.</li> </ul>	WSSC will neither provide service to nor assess front foot benefit charges for properties designated as category 6. Development in category 6 areas is expected to use private, on-site systems, such as wells and septic systems.
W-6 and S-6	Areas where there is no planned community service either within the ten-year scope of this plan or beyond that time period. This includes all areas not designated as categories 1 through 5. <ul style="list-style-type: none"> <li>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.</li> </ul>	

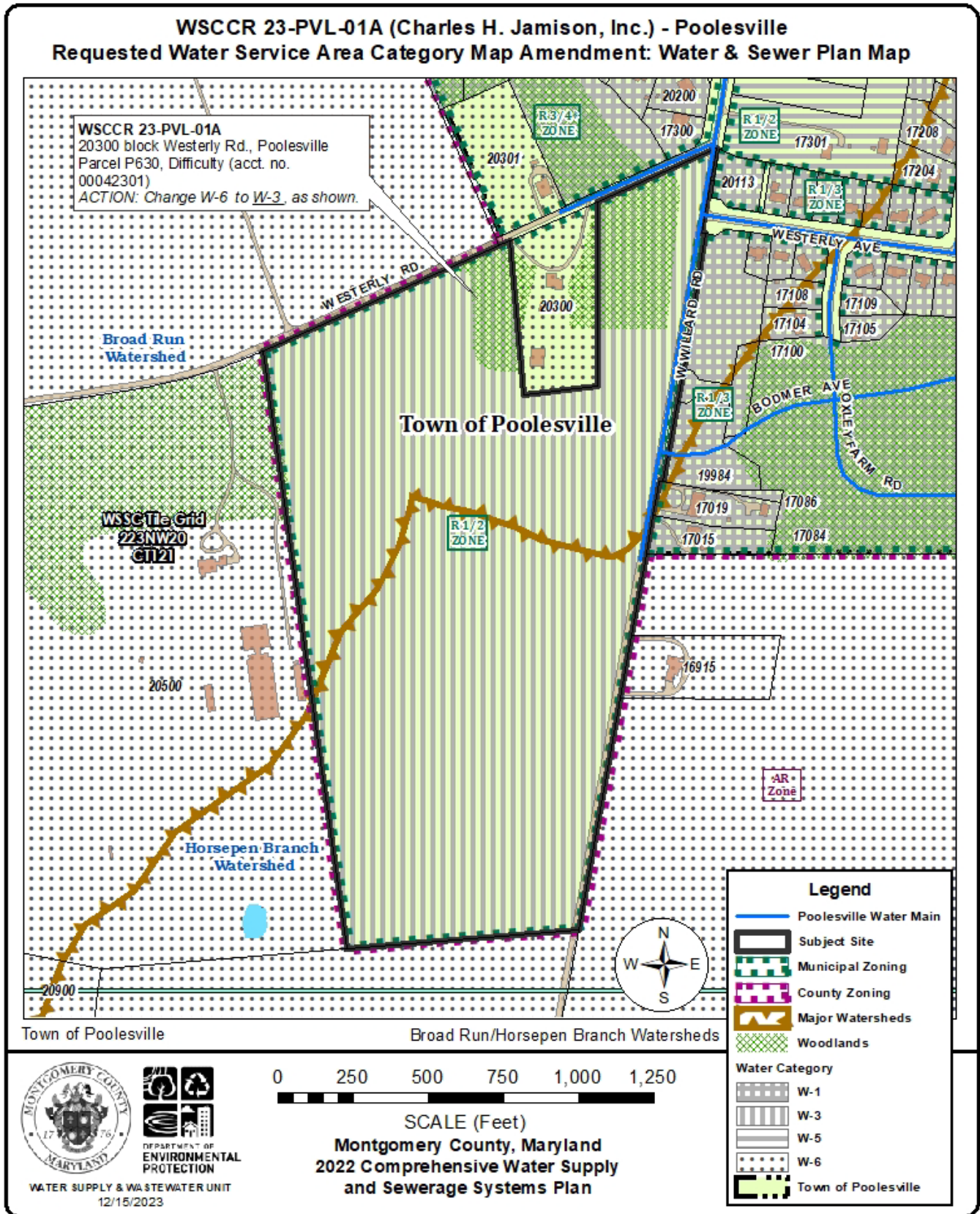
Please note that the County does not necessarily assign water and sewer categories in tandem (i.e. W-3 and S-3, or W-5 and S-5), due to differences in water and sewer service policies or to actual water or sewer service availability. Therefore, it is important to know *both* the water *and* sewer service area categories for a property.





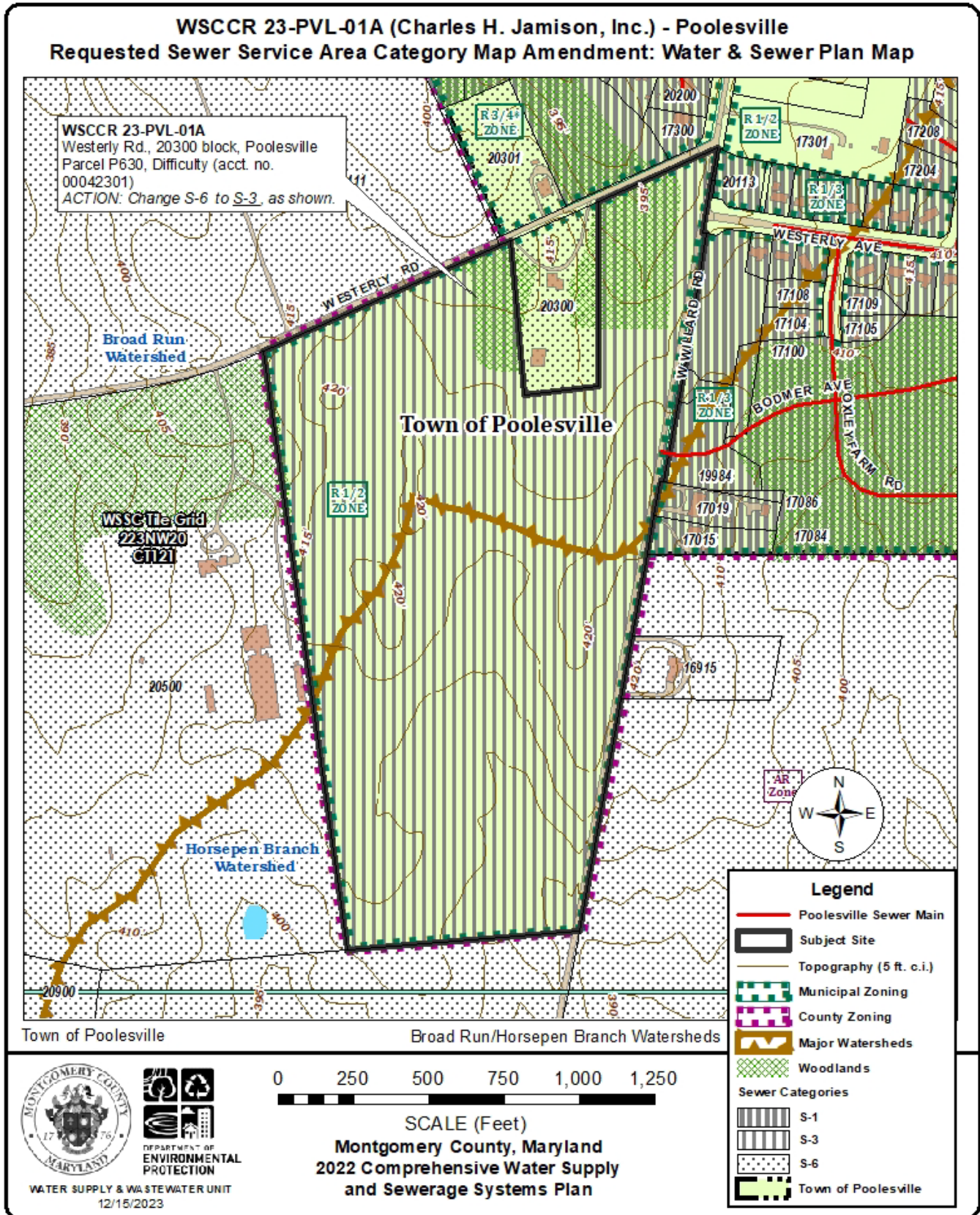
Description: Water category map showing category change request 23-CLO-01A and approving water category W-1 for 17400 New Hampshire Ave.





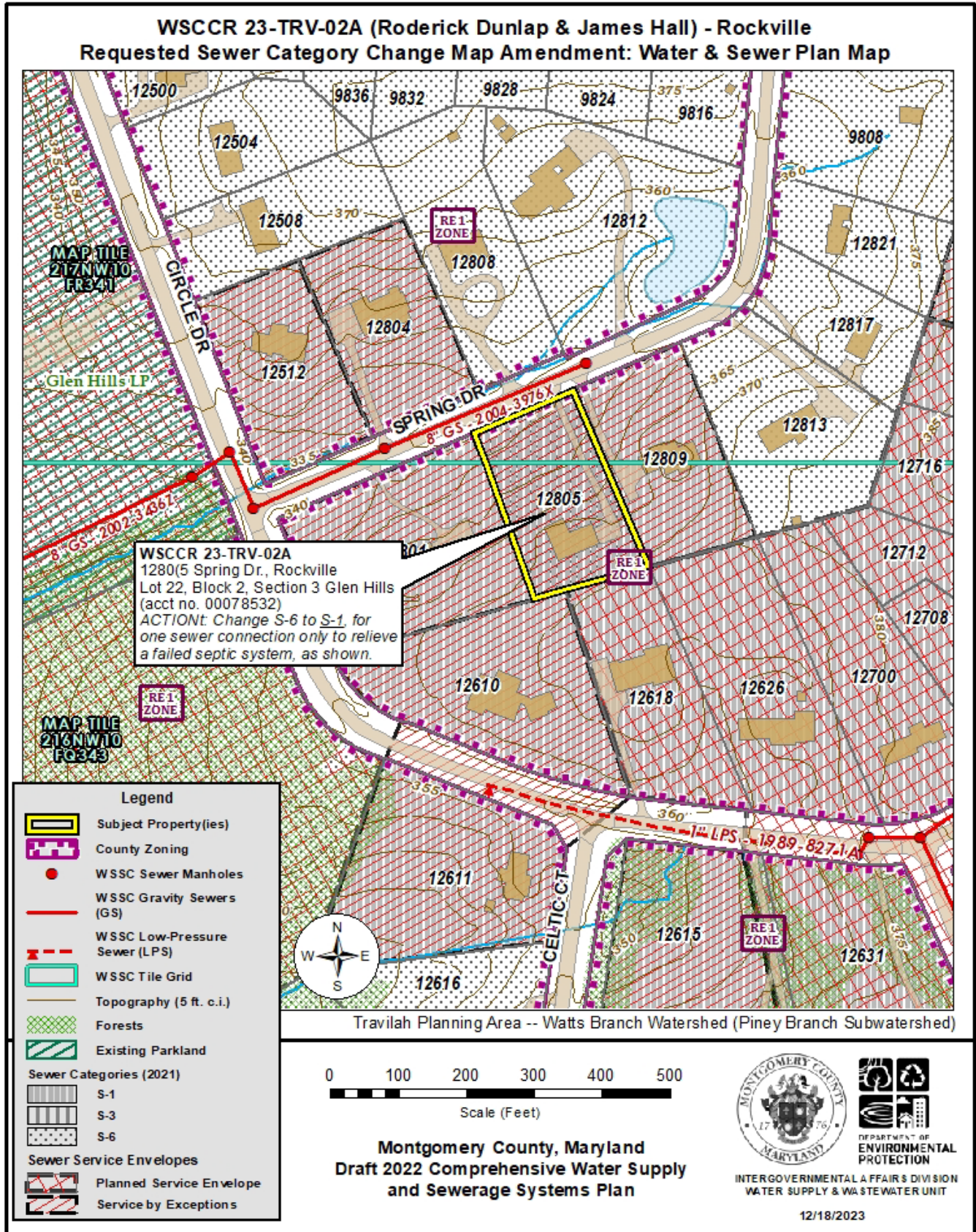
Description: Water category map showing category change request 23-PVL-01A and approving water category W-3 for Parcel P630 on Westerly Rd., Poolesville.





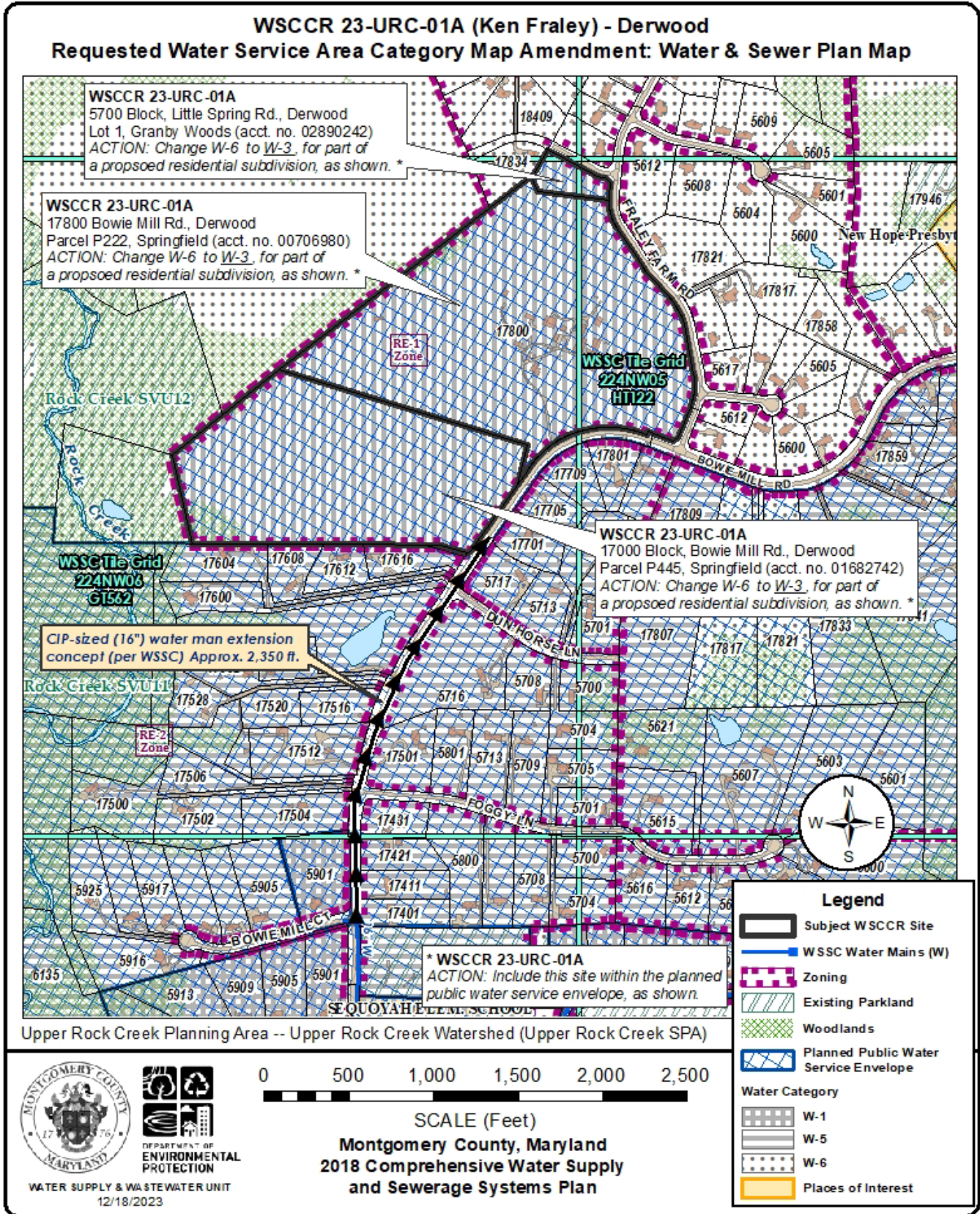
Description: Sewer category map showing category change request 23-PVL-01A and approving sewer category S-3 for Parcel P630 on W. Willard Rd., Poolesville.





Description: Sewer category map showing category change request 23-TRV-02A and approving restricted sewer category S-1 for 12805 Spring Dr., Rockville.





Description: Water category map showing category change request 23-URC-01A and approving water category W-3 for 17800 Bowie Mill Rd., Derwood.