



MONTGOMERY COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION

Comprehensive Water Supply and Sewerage Systems Plan Amendments
Administrative Delegation Action (AD) 2023-2 – Statement of Action
Water/Sewer Service Area Category Change Requests

CHRONOLOGY

Table with 2 columns: Event and Date. Includes Interagency Notices of Public Hearing (March 2, 2023), Published Notice of Public Hearing (March 22, 2023), Public Hearing (April 5, 2023), Public Hearing Record Closed (April 12, 2023), and DEP Administrative Approval Action (April 19, 2023).

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 2018 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.

PUBLIC HEARING PROCESS

Public Hearing Notification: In accordance with State regulations, on March 2, 2023, DEP notified the appropriate County and State agencies of an administrative public hearing, scheduled for April 5, 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 April 18, 2023, Keith Levchenko, senior legislative analyst on the Council's staff, notified DEP that the Councilmembers concurred with the approval recommended for this administrative action.

On March 23, 2023, the Planning Board met to consider M-NCPPC staff recommendations for the amendment included in the AD 2023-2 administrative delegation packet. The Board concurred with the M-NCPPC staff recommendations for the included amendments, which generally agreed with DEP's staff recommendations.

**DEP ADMINISTRATIVE ACTION**

The 2018-2027 water/sewer category map update of the *Montgomery County Comprehensive Water Supply and Sewerage Systems Plan* is hereby amended as follows:

**Damascus Planning Area**

**WSSCR 23-DAM-02A: Zoor, LLC**

Property Information and Location Property Development	Applicant's Request: Administrative Action and Policy Justification
<ul style="list-style-type: none"> <li>• 9000 Block, Woodfield Rd., Damascus</li> <li>• Parcel P568, Mt Radnor Owens Conclusion (acct. no. 03408515)</li> <li>• Map tile: WSSC – 237NW10; MD –FX43</li> <li>• East side of Woodfield Rd., 400 ft. North of the intersection with Main St.</li> <li>• CRT-1.0 Zone; 2.71 ac.</li> <li>• Damascus Planning Area Damascus Master Plan (2006)</li> <li>• Upper Patuxent River Watershed (MDE Use III)</li> <li>• <u>Existing use</u>: unimproved</li> <li>• <u>Proposed use</u>: 30 Town Homes</li> </ul>	Service Area Categories: <u>Existing</u> <b>Requested</b> W-3              W-3 (no change) S-6* <b>S-3</b> <i>*Within the planned community sewer envelope</i>  Administrative Action <b>Approve S-3</b> , Administrative policy V.D.2.a.: Consistent with Existing Plans. (Mapping on pg.6)

**Lower Seneca Planning Area**

**WSSCR 23-LSN-01G: Maryland National Capital Park and Planning Commission**

Property Information and Location Property Development	Applicant's Request: Administrative Action and Policy Justification
<ul style="list-style-type: none"> <li>• 14600 Schaeffer Rd. &amp; 17730 Burdette Ln., Germantown</li> <li>• Parcels N536, N543, N593, and N619, Barmakian Property Plat of Reservation and Parcels P436 and P491, Friend in Need (acct. nos. 03598557, 03598546, 03598535, 03598524, 00389152, 00389163)</li> <li>• Map tile: WSSC – 224NW15 and 224NW14; MD – ET12 and DT62</li> <li>• South side of Schaeffer Rd., West of the intersection with Burdette Ln. – South Germantown Recreational Park</li> <li>• R200 Zone; 22.46 total ac.</li> <li>• Lower Seneca Planning Area Agricultural and Rural Open Space Master Plan (1980)</li> <li>• Lower Great Seneca Creek Watershed (MDE Use I)</li> <li>• <u>Existing use</u>: Cricket Field</li> <li>• <u>Proposed use</u>: Irrigation for Cricket Field</li> </ul>	Service Area Categories: <u>Existing</u> <b>Requested</b> W-6* <b>W-3</b> S-6                  S-6 (no change) <i>*Outside the planned community water envelope</i>  Administrative Action <b>Approve W-3, restricted to a public facility use only</b> , Administrative policy V.D.2.a.: Community Service for Public Facilities (Mapping on pg.7)

**Potomac Planning Area**

**WSCCR 23-POT-02A: Florence Richman**

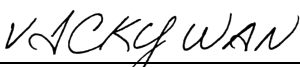
Property Information and Location Property Development	Applicant's Request: Administrative Action and Policy Justification
<ul style="list-style-type: none"> <li>• 8901 Falls Rd., Potomac</li> <li>• Lot 3, Parcel N875, Rock Run Knolls (acct. no. 00859906)</li> <li>• Map tile: WSSC – 211NW11; MD –FP21</li> <li>• East side of Falls Rd., 375 ft south of the intersection with Brickyard Rd.</li> <li>• R200 Zone; 1.25 ac.</li> <li>• Potomac Planning Area Potomac Subregion Master Plan (2002)</li> <li>• Potomac Direct Watershed (MDE Use I)</li> <li>• <u>Existing use</u>: Single Family Home (built 1960)</li> <li>• <u>Proposed use</u>: Public Sewer Service for the Single Family Home</li> </ul>	Service Area Categories: <u>Existing</u> <b>Requested</b> W-1              W-1 (no change) S-6* <b>S-1</b> *Within the planned community sewer envelope  Administrative Action <b>Approve S-1</b> , Administrative policy V.D.2.a.: Consistent with Existing Plans. (Mapping on pg.8)

**WSCCR 23-POT-03A: Dallen Russell and Katiana Cokinos**

Property Information and Location Property Development	Applicant's Request: Administrative Action and Policy Justification
<ul style="list-style-type: none"> <li>• 11010 Rock Run Dr., Potomac</li> <li>• Lot 5, Block 1, Fawsett Farms (acct. no. 00868067)</li> <li>• Map tile: WSSC – 210NW11; MD –FN23</li> <li>• South side of Rock Run Dr., 160 ft west of the intersection with Brent Rd.</li> <li>• R200 Zone; 1.11 ac.</li> <li>• Potomac Planning Area Potomac Subregion Master Plan (2002)</li> <li>• Potomac Direct Watershed (MDE Use I)</li> <li>• <u>Existing use</u>: Single Family Home (built 1969)</li> <li>• <u>Proposed use</u>: Public Sewer Service for the Single Family Home with addition of an Accessory Dwelling Unit (ADU)</li> </ul>	Service Area Categories: <u>Existing</u> <b>Requested</b> W-1              W-1 (no change) S-6* <b>S-3</b> *Within the planned community sewer envelope  Administrative Action <b>Approve S-3</b> , Administrative policy V.D.2.a.: Consistent with Existing Plans. (Mapping on pg.9)

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.

Approved

 04/19/2023  
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 Vicky Wan, Acting Deputy Director                      Date  
 Montgomery County Department of Environmental Protection

## **NOTIFICATION OF DEP ACTION**

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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

D. Lee Currey, Director, Water and Science Admin., MDE  
Evan Glass, President, Montgomery County Council  
Keith Levchenko, Montgomery County Council  
Rabbiah Sabbakhan, Director, DPS  
Heidi Benham, Well & Septic Section, DPS  
Jeffery Zyontz, Chairman, Planning Board  
Patrick Butler, Donnell Zeigler and Katherine Nelson, Upper County Planning Team, M-NCPPC  
Jason Satori, Functional Planning Division, M-NCPPC  
Christina Sorrento, Intake and Regulatory Coord. Division, M-NCPPC  
Geoffrey Mason, Parks Planning Division., M-NCPPC  
Kishia Powell, General Manager, WSSC  
Ray Chicca, Tom Gingrich, & Fred Mejias, Development Services Division, WSSC  
Luis Tapia, Permit Services Section, WSSC  
Eintou Karima, Assessments Group, WSSC

### Distribution: Property Owners /Other Interested Parties/Public Interest Groups

23-DAM-02A... Zoor, LLC  
... David McKee, Benning and Associates, Inc.  
23-LSN-01G... M-NCPPC  
23-POT-02A... Florence Richman  
... Dennis Leapley, Leapley Construction  
23-POT-03A... Dallen Russell and Katiana Cokinos  
... Angelo Petraglia, Cole Group, LLC

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

### Attachments

Service Area Category Designations (see page 5)  
Amendment Service Area Category Mapping (see pages 6 - 9)

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**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.

