



Maryland
Department of
the Environment

Larry Hogan, Governor
Boyd K. Rutherford, Lt. Governor

Ben Grumbles, Secretary
Horacio Tablada, Deputy Secretary

JAN 25 2018

The Honorable Hans Riemer
Council President
Montgomery County Council
Stella B. Werner Council Office Building
100 Maryland Avenue
Rockville, MD 20850

Dear President Riemer:

The Maryland Department of the Environment (MDE) has completed its review of the **Resolution 18-888 (Amendment)** to the 2003 Montgomery County Comprehensive Water Supply and Sewerage System Plan. The Montgomery County Council approved the Resolution on July 25, 2017. The Resolution establishes a special sewer service area for 16 of 24 properties that were evaluated. Thirteen of these lots are receiving sewer category changes from S-6 to S-3, with service restricted to a single sewer hookup only. Sewer categories for 2 additional lots are being corrected from S-6 to S-1 to recognize the existing WSSC sewer service (see attached table and map).

During MDE's review of the Amendment, the Maryland Department of Planning (MDP) advised the Department that the requests are consistent with the 2002 Potomac Subregion Master Plan (see enclosed comments). In accordance with §9-507(a) of the Environment Article, Annotated Code of Maryland, the Department hereby approves **Resolution 18-888**.

This action completes MDE's review, as required by §9-507 of the Environment Article, Annotated Code of Maryland. If you need further assistance on these matters, please contact Virginia F. Kearney, Deputy Director, at (410) 537-3512, toll free at (800) 633-6101, or by e-mail at virginia.kearney@maryland.gov

Sincerely,

D. Lee Currey, Director
Water and Science Administration

Enclosure

cc: Patty Bubar, Acting Director, Montgomery County DEP
Alan Soukup, Montgomery County DEP
Charles Boyd, Director, Planning Coordination, MDP
Virginia F. Kearney, Deputy Director, WSA, MDE

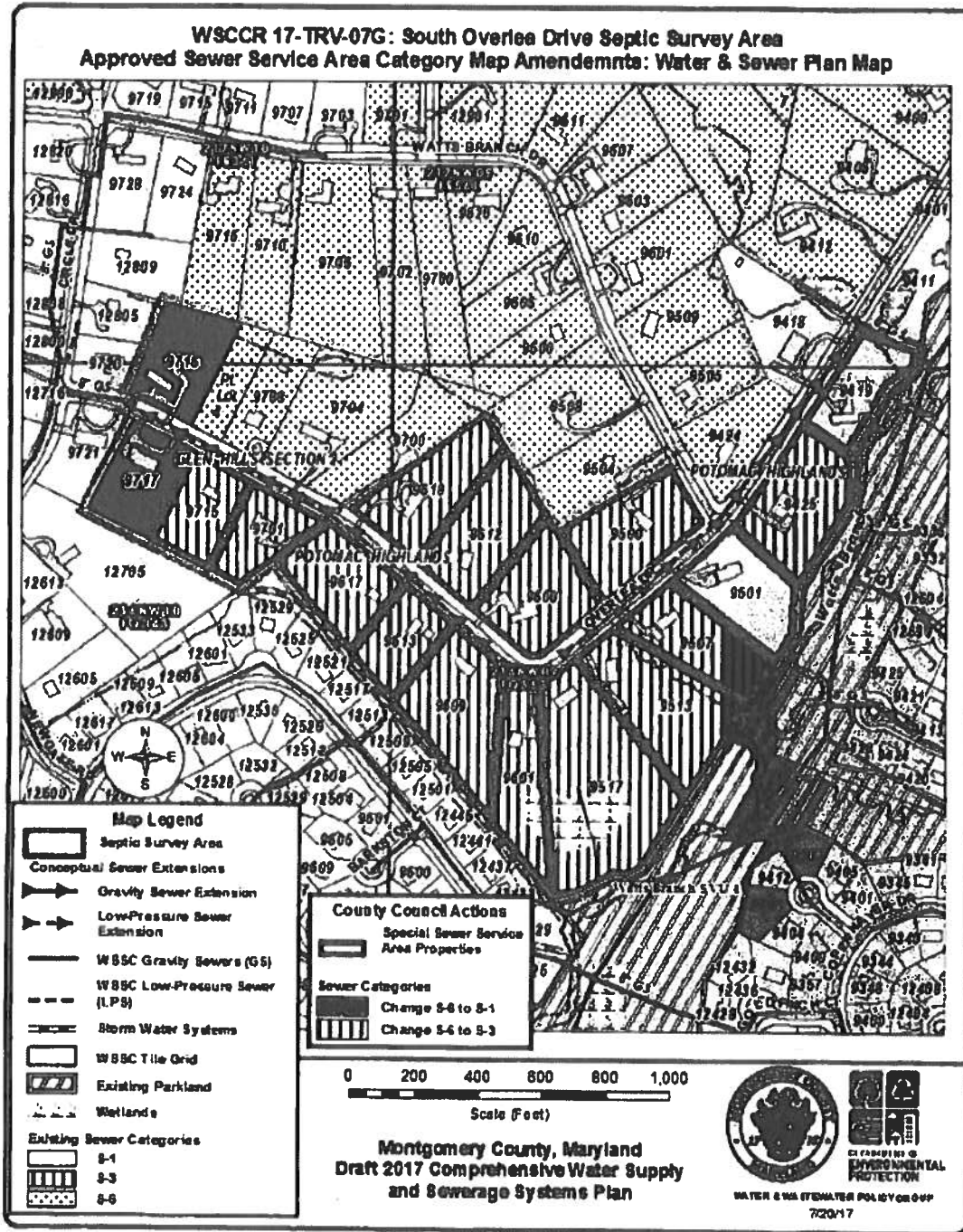
COMPREHENSIVE WATER SUPPLY AND SEWERAGE SYSTEMS PLAN AMENDMENTS
County Executive's April 2017 Transmittal Packet

WSCCR 17-TRV-07G: South Overlea Drive Septic Survey Area

South Overlea Drive Septic Survey Area – Category Map Amendment Actions for WSCCR 17-TRV-07G			
Applicants/Owners [1 – 12] Location & Property Information Existing Service Area Categories	County Council Action: Special Sewer Service Area & Sewer Category ^A	Applicants/Owners [13 – 24] Location & Property Information Existing Service Area Categories	County Council Action: Special Sewer Service Area & Sewer Category ^A
[1] Ian & Natalie Belsler 9418 Overlea Dr. (acct. no. 00088393) Lot 6, Block E, Potomac Highlands W-3 & S-1	EXCLUDE: Maintain S-1.	[13] Kevin King ^B 9612 Overlea Dr. (acct. no. 00088837) Lot 5, Block F, Potomac Highlands W-3 & S-6	INCLUDE: Change S-6 to S-3, one hookup only for special sewer service area.
[2] Phyllis Newfield 9419 Overlea Dr. (acct. no. 00088234) Lot 26, Block C, Potomac Highlands W-3 & S-1 (health problem)	INCLUDE: Maintain S-1 (one hookup only, for failed septic system).	[14] Joshua Charles & Dixon Charles ^D 9613 Overlea Dr. (acct. no. 00087981) Lot 38, Block C, Potomac Highlands W-3 & S-6	INCLUDE: Change S-6 to S-3, one hookup only for special sewer service area.
[3] Thomas Gabrielle & Karina Garner 9424 Overlea Dr. (acct. no. 00088360) Lot 7, Block E, Potomac Highlands W-3 & S-6	EXCLUDE: Maintain S-6.	[15] Bill & Elizabeth Wainger ^B 9617 Overlea Dr. (acct. no. 00088017) Lot 38, Block C, Potomac Highlands W-3 & S-6	INCLUDE: Change S-6 to S-3, one hookup only for special sewer service area.
[4] Maryam Mamdouh ^B 9425 Overlea Dr. (acct. no. 00088267) Lot 27, Block E, Potomac Highlands W-3 & S-3	INCLUDE: Maintain S-3.	[16] John & Rosemary Drake ^B 9618 Overlea Dr. (acct. no. 00088154) Lot 6, Block F, Potomac Highlands W-3 & S-6	INCLUDE: Change S-6 to S-3, one hookup only for special sewer service area.
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[6] Eric & Laura Hennmueller 9501 Overlea Dr. (acct. no. 00088085) Lot 28, Block C, Potomac Highlands W-1 & S-1	INCLUDE: Maintain S-1.	[18] John & M.E. Stopher 9701 Overlea Dr. (acct. no. 00078474) Lot 4, Block 7, Glen Hills Sect. 2 W-3 & S-6	INCLUDE: Change S-6 to S-3, one hookup only for special sewer service area.
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[8] John & Mary Yakaitis ^{B,C} 9513 Overlea Dr. (acct. no. 00088201) Lot 30, Block C, Potomac Highlands W-3 & S-6	INCLUDE: Change S-6 to S-3, one hookup only for special sewer service area.	[20] Michael & Garefo Caggiano 9708 Overlea Dr. (acct. no. 00079092) Lot 5, Block 6, Glen Hills Sect. 2 W-3 & S-6	EXCLUDE: Maintain S-6.
[9] Shengting Pan ^B 9517 Overlea Dr. (acct. no. 00088815) Lot 31, Block C, Potomac Highlands W-3 & S-6	INCLUDE: Change S-6 to S-3, one hookup only for special sewer service area.	[21] Richard Carroll & Tiffin Shawmake 9715 Overlea Dr. (acct. no. 00078486) Lot 3, Block 7, Glen Hills Sect. 2 W-3 & S-6	INCLUDE: Change S-6 to S-3, one hookup only for special sewer service area.
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[11] Charles Family Trust ^B 9601 Overlea Dr. (acct. no. 00088844) Lot 36, Block C, Potomac Highlands W-3 & S-6	INCLUDE: Change S-6 to S-3, one hookup only for special sewer service area.	[23] Robert & I. Salcido 9716 Overlea Dr. (acct. no. 00077993) Lot 3, Block 6, Glen Hills Sect. 2 W-1 & S-6	EXCLUDE: Correct S-6 to S-1, utility service error.
[12] Son Chang & Pi Ye 9609 Overlea Dr. (acct. no. 00088600) Lot 37, Block C, Potomac Highlands W-3 & S-6	INCLUDE: Change S-6 to S-3, one hookup only for special sewer service area.	[24] Emma James 9717 Overlea Dr. (acct. no. 00078485) Lot 2, Block 7, Glen Hills Sect. 2 W-1 & S-6	EXCLUDE: Correct S-6 to S-1, utility service error.
^A All properties retain existing W-1 or W-3 water service categories.		^C Prior WSCCR 06A-TRV-12: S-3 denied under CR 16-237 (7/10/07)	
^B Nine original survey applicants.		Included in the Special Sewer Service Area	

COMPREHENSIVE WATER SUPPLY AND SEWERAGE SYSTEMS PLAN AMENDMENTS
County Executive's April 2017 Transmittal Packet

WSSCR 17-TRV-07G: South Overlea Drive Septic Survey Area





January 4, 2018

Ms. Janice Outen
Water Resources Planning
Maryland Department of the Environment
1800 Washington Boulevard
Baltimore, MD 21230

Subject: Montgomery County Comprehensive Water Supply and Sewerage Systems Plan Adopted Amendment – County Council Resolution No. 18-888

Dear Ms. Outen:

Montgomery County Council approved CR No. 18-888 on July 25, 2017. This Resolution contained 16 category change requests and administrative adjustments, consolidated under a single amendment (WSCCR 17-TRV-07G). This is the first amendment action under CR-18-423, which established the Glen Hills Study Area and its attendant policies on March 8, 2016.

The Maryland Department of Planning (Planning) has reviewed these adopted requests pursuant to our mandate to advise the Maryland Department of the Environment (Environment) on local comprehensive plan consistency and other appropriate matters as required by Environment Article Section 9-507 (b)(2). We offer the following comments for your consideration:

Summary of Amendment:

WSCCR 17-TRV-07G: South Overlea Drive Septic Survey Area

Based on requests from nine property owners, DEP and DPS conducted a survey of 24 properties along Overlea Drive, resulting in a recommendation to designate 16 properties within the survey area as part of a special sewer service area approved for public sewer service. All properties are zoned RE-1, located within the Travilah Planning Area and within the Watts Branch watershed.

County Council Action: Established a special sewer service area that includes 16 of the 24 properties surveyed. Thirteen lots change from S-6 to S-3, restricted to single hookup only. Two lots are corrected from S-6 to S-1 in recognition of existing sewer service.

Consistency with the Comprehensive Plan

WSCCR 17-TRV-07G: South Overlea Drive Septic Survey Area

Planning finds that this amendment and the establishment of a special sewer service area is **consistent** with the 2002 Potomac Subregion Master Plan. New sewer service for the 16 properties is allowed under the special sewer service area and abutting mains provisions of the new Glen Hills sewer service policy. New sewer hookups cannot be used to support subdivision or resubdivision of existing properties to create new building lots.

Priority Funding Area Review

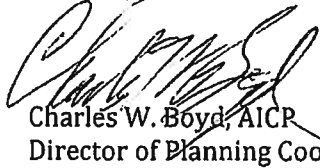
Pursuant to the State Finance and Procurement Article, Section 5-7B-02, local jurisdictions are eligible to receive State financial assistance if the project is located in a Priority Funding Area (PFA). All of the properties within WSCCR 17-TRV-07G were determined to be outside the PFA.

Growth Tier Map Review

The Glen Hills area is designated Tier III on the Montgomery County adopted Tier Map.

If you have any questions concerning these comments please call Steve Allan at 410-767-4572, or Daniel Rosen at 410-767-4557.

Sincerely,



Charles W. Boyd, AICP
Director of Planning Coordination

cc: Steven Allan, Daniel Rosen, Jason Dubow, Planning
Tony Redman, DNR
Dwight Dotterer, MDA
Teresa Wong, MDE



MONTGOMERY COUNTY COUNCIL
ROCKVILLE, MARYLAND

OFFICE OF THE COUNCIL PRESIDENT

August 14, 2017

Lynn Y. Buhl, Director
Water Management Administration
Maryland Department of the Environment
1800 Washington Boulevard
Baltimore, MD 21230

Dear Ms. Buhl,

Enclosed please find two copies of Resolution 18-888, approved by the Montgomery County Council on July 25, 2017. This resolution approves an amendment to the Comprehensive Water Supply & Sewerage Systems Plan to establish the South Overlea Drive Special Sewer Service Area and associated sewer category changes for properties within the newly established area. An electronic copy of Resolution 18-888 is available at the Council's website at: http://www.montgomerycountymd.gov/COUNCIL/Resources/Files/res/2017/20170725_18-888.pdf.

Section 9-507 of the Environmental Article of the Maryland Code provides that the Maryland Department of the Environment (MDE) has 90 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 90 days if necessary. At the conclusion of this review period, if no specific action is taken by MDE on any amendment in the resolution approved by the County Council, that amendment is approved by default.

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

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "R. Berliner".

Roger Berliner
Council President

RB:kl
Enclosure

c: David R. Craig, Secretary, Maryland Department of Planning

STELLA B. WERNER COUNCIL OFFICE BUILDING • 100 MARYLAND AVENUE • ROCKVILLE, MARYLAND 20850
240/777-7900 • TTY 240/777-7914 • FAX 240/777-7989
WWW.MONTGOMERYCOUNTYMD.GOV

Resolution No.: 18-888
Introduced: May 16, 2017
Adopted: July 25, 2017

**COUNTY COUNCIL
FOR MONTGOMERY COUNTY, MARYLAND**

By: County Council

SUBJECT: Amendments to the Comprehensive Water Supply and Sewerage Systems Plan: Establishment of the South Overlea Drive Special Sewer Service Area and Associated Sewer Category Changes

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 90 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 90 days, if necessary. By the conclusion of this review period, 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 April 27, 2017, the County Executive transmitted his recommendation to create a special sewer service area along Overlea Drive in the Glen Hills area of Potomac and associated sewer category changes.

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 July 11, 2017.
8. The Transportation, Infrastructure, Energy & Environment Committee discussed these amendments on July 20, 2017 and recommended approval as transmitted by the County Executive.
9. The Council discussed these amendments on July 25, 2017.

Action

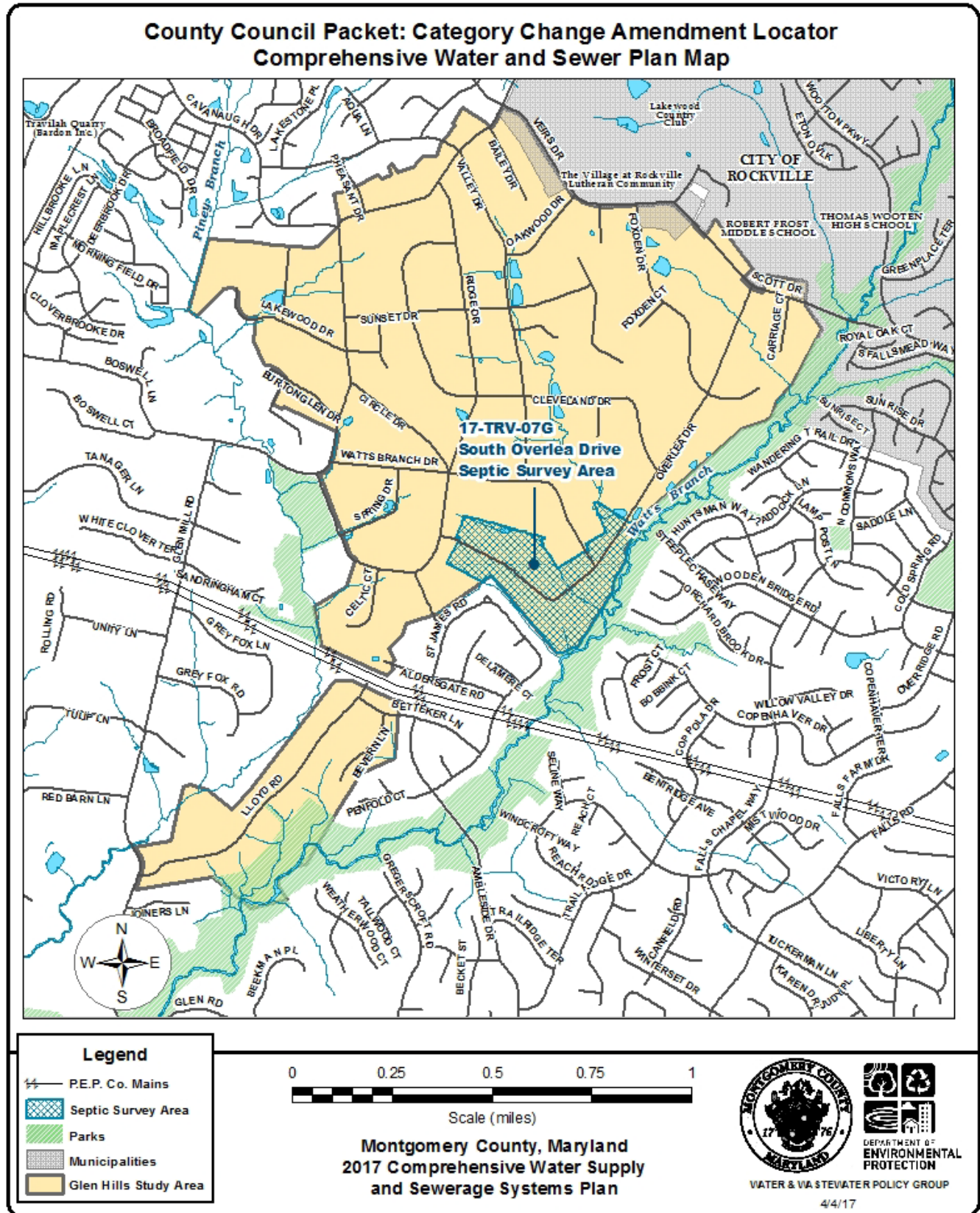
The County Council for Montgomery County, Maryland approves an amendment to the Ten-Year Comprehensive Water Supply and Sewerage Systems Plan to establish the South Overlea Drive Special Sewer Service Area and associated sewer category changes as shown in the attachment to this resolution.

This is a correct copy of Council action.


Linda M. Lauer, Clerk of the Council

COMPREHENSIVE WATER SUPPLY AND SEWERAGE SYSTEMS PLAN AMENDMENTS
County Executive's April 2017 Transmittal Packet

WSSCR 17-TRV-07G: South Overlea Drive Septic Survey Area



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County Council Action (summary): Establish a special sewer service area that will include sixteen of the twenty-four properties surveyed. Thirteen of these lots will receive sewer category changes from S-6 to S-3, with service restricted to a single sewer hookup only. Sewer categories for two additional lots will be corrected from S-6 to S-1 to recognize existing WSSC sewer service. Property-by-property recommendations are provided in the table on page 3 and on the category map on page 4.

<p>Property Information and Location Property Development</p> <ul style="list-style-type: none"> • 24 properties along Overlea Drive and Watts Branch Drive in the Glen Hills area • Lots in Potomac Highlands and Glen Hills Section 2 • Map tile: (see map on page 3) • Either side of Overlea Dr. from one lot east of Circle Dr. (starting at #9717) to two lots east of Watts Branch Dr. (ending at #9418) • RE-1 Zone; 47.89 acres total • Travilah Planning Area Potomac Subregion Master Plan (2002) • Watts Branch Watershed (MDE Use I) • <u>Existing use:</u> 23 existing single-family houses & one unimproved lot <u>Proposed use:</u> Public sewer service for existing houses; no changes currently planned, although future expansions or replacements of houses could occur. 	<p>Applicants’ Requests (Service Area Categories):</p> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left; border-bottom: 1px solid black;"><u>Existing</u></th> <th style="text-align: left; border-bottom: 1px solid black;"><u>Recommended</u></th> </tr> </thead> <tbody> <tr> <td>W-1 & W-3</td> <td>W-1 & W-3 (no change)</td> </tr> <tr> <td>S-1, S-3 & S-6 ^A</td> <td>S-1, S-3 & S-6 ^A</td> </tr> </tbody> </table> <p>^A No category changes are sought for four properties already designated as S-1 and S-3 (see table on pg. 3). Two lots are recommended for S-1 to correct designations to reflect existing public sewer service.</p> <p><u>Applicants’ Explanations</u></p> <p>Nine property owners requested a septic survey of this neighborhood with the intent of establishing a special sewer service area and allowing the extension of public sewer to replace existing septic systems. Owners cited the following concerns:</p> <ul style="list-style-type: none"> • Aging, pre-1975 septic systems • Limited area on their lots for future septic system repair or replacement due to stream buffers, wetlands, flood plains, and existing water well buffers. • Increased frequency of septic tank pump-outs to maintain the existing system. • Possible seepage of inadequately-treated septic effluent into shallow ground water from seepage pits. • Possible loss of onsite forested areas due to repair or replacement septic systems. 	<u>Existing</u>	<u>Recommended</u>	W-1 & W-3	W-1 & W-3 (no change)	S-1, S-3 & S-6 ^A	S-1, S-3 & S-6 ^A
<u>Existing</u>	<u>Recommended</u>						
W-1 & W-3	W-1 & W-3 (no change)						
S-1, S-3 & S-6 ^A	S-1, S-3 & S-6 ^A						

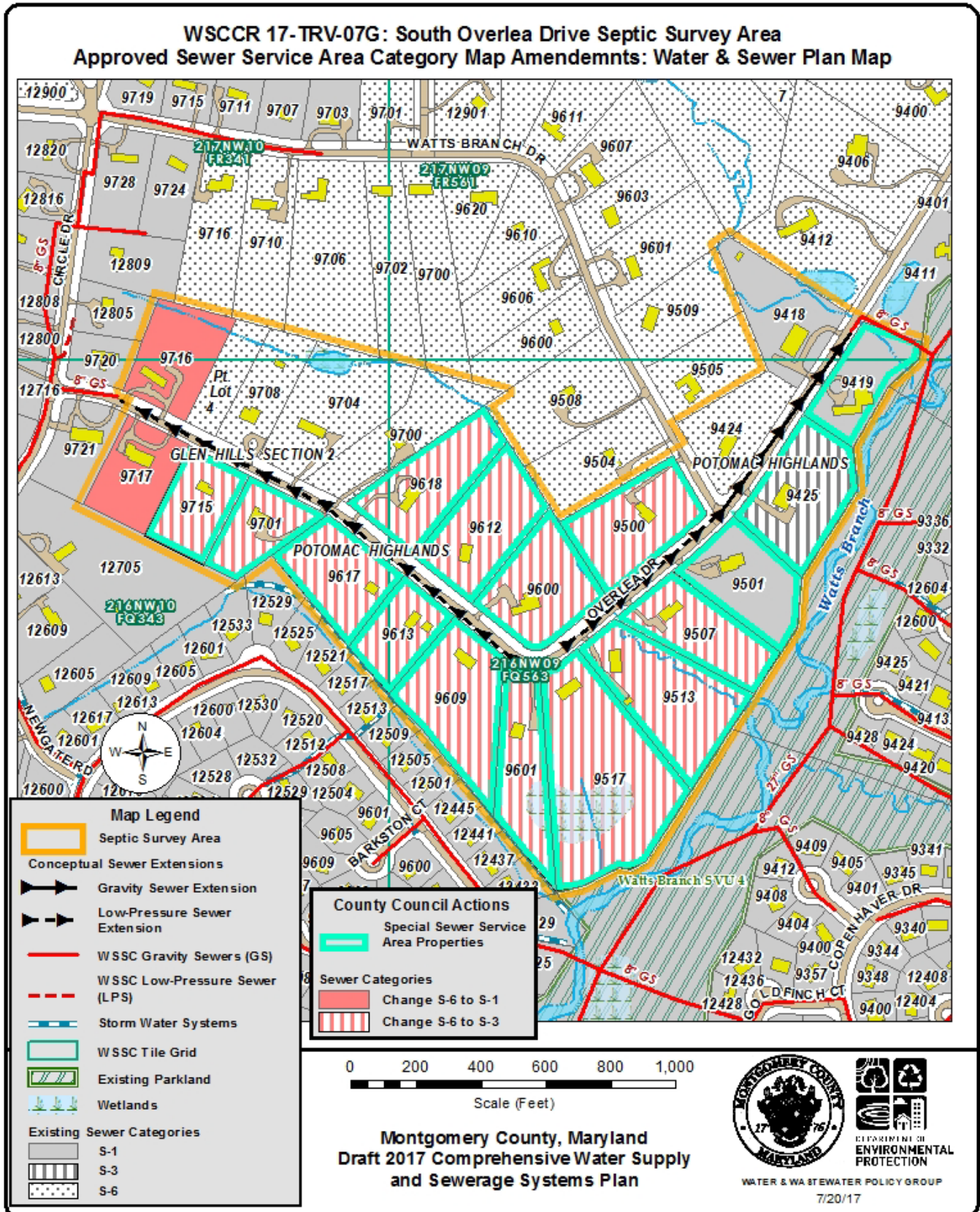
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Water/Sewer Service Area Categories Information

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"> 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. 	Properties designated as categories 1 and 3 are eligible for to receive public water and/or sewer service. 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 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-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"> 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. 	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.

*Excludes information for categories W-4 and S-4 and W-5 and S-5, which are not relevant to this amendment.

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.