



DEPARTMENT OF ENVIRONMENTAL PROTECTION

Marc Elrich
County Executive

Adam Ortiz
Director

MEMORANDUM

May 7, 2019

TO: D. Lee Currey, Acting Director, Water Management Administration
Maryland Department of the Environment

FROM: Alan Soukup, Senior Planner, Water and Wastewater Policy Group
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 one amendment 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 amendment:

Action	Amendment Approved
CR 15-1410 (4/25/06)	Final Action (5/2/19) for WSCCR 05A-OLN-02

You may also review and download this document from DEP's Service Area Category Changes webpage at 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 this amendment, and it 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 240-777-7717 or 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 Final Approval Action for County Council Action CR 15-1410: WSSCR 05A-OLN-02 (Parker Memorial Baptist Church for R. Jones Estate)

May 2, 2019

AUTHORITY: Chapter 1, Section III.D.10. "Conditional Category Changes", of the Montgomery County Ten-Year Comprehensive Water Supply and Sewerage Systems Plan authorizes the Director of the Montgomery County Department of Environmental Protection (DEP) to grant final approval for water/sewer service area category change requests (WSSCRs) which have previously received a conditional approval.

BACKGROUND: Conditional Approval Action: The Montgomery County Council acted to conditionally approve this service area category change request, WSSCR 05A-OLN-02 (Parker Memorial Baptist Church for R. Jones Estate), under County Council resolution CR 15-1410 on April 25, 2006. Under this action, the Council placed the following condition for final approval of category W-3 and S-3 for the request:

"Maintain W-6 and S-6, with a final approval of W-3 and S-3 conditioned on Planning Board approval of a preliminary plan that is in conformance with the applicant's pre-application submission (M-NCPPC file no. 7-20060410). Public water and sewer service is restricted to a private institutional use only, specifically the Parker Memorial Baptist Church."

"Note: This action is restricted to the named applicant, Parker Memorial Baptist Church. Should this applicant not proceed to development of the site, any subsequent user, including another private institutional facility, would need to file a new request with the Department of Environmental Protection, Water and Wastewater Policy Group, for service area category changes."

Changes to Restrictions: On May 16, 2013, DEP issued a correction to the preceding County Council resolution on the advice of the Office of the County Attorney (OCA). OCA had determined that another qualifying private institutional facility (PIF) could use the Council's conditional approval action, provided that the specific conditions affecting the Planning Board's preliminary plan approval for the site are still satisfied. The language restricting the conditional approval for WSSCR 05A-OLN-02 to a specific PIF user, including the language in the note, was removed from the Council's action under CR 15-1410 to read as follows:

"Maintain W-6 and S-6, with approval of W-3 and S-3 conditioned upon Planning Board approval of a preliminary plan that is in conformance with the applicant's pre-application submission (M-NCPPC file no. 720060410). Public water and sewer service is restricted to a private institutional (PIF) use only."

Fulfillment of Conditions: On January 23, 2008, the Planning Board issued a resolution (no. 08-13) granting approval for preliminary plan no. 120061240 "Parker Memorial Baptist Church" for the subject site. Although the approved preliminary plan appears to be in conformance with the pre-application plan considered by the Council, the Board's resolution did not specifically address that issue. The preliminary plan expired before the properties were recorded as a building lot.

On June 9, 2015, Centro Cristiano Internacional Church (CCIC) acquired the subject properties with the intent of building a sanctuary on the site. CCIC provided M-NCPPC with a revised development plan for the site that differed from the plan reviewed by the Council for its conditional approval under CR 15-1410. Under the recently adopted PIF policy in the 2018 update of the Water and Sewer Plan, M-NCPPC is required to compare the original and revised development plans for PIF uses. Following this review, M-NCPPC recommends whether the revised plan differs sufficiently from the original plan as to warrant the County Council's reconsideration of the category change request.

M-NCPPC considered both the original pre-application plan (no. 720060410) and the revised preliminary plan submitted by CCIC (no. 12006124A). M-NCPPC found the revised plan was sufficiently similar to the original plan acceptable to the Council and recommended that reconsideration of WSSCR 05A-OLN-02 by the Council was not needed (see page 4). This finding is supported by M-NCPPC's decision that the Planning Board did not need to reconsider the revised preliminary plan in order to proceed with recordation of the site as a building lot. Keith Levchenko of the County Council staff acknowledged on April 30, 2019 the findings provided by M-NCPPC and concurred that further consideration of the category change request by the Council is not needed to proceed with a final approval action.

These actions by M-NCPPC and the Planning Board satisfy the revised conditional approval for categories W-3 and S-3 issued by DEP on May 16, 2013.

DEP FINAL APPROVAL ACTION: The water and sewer categories designated by the Montgomery County are revised as follows:

WSCCR 05A-OLN-02: Parker Memorial Baptist Church**	
<p>Property Information and Location Property Development</p> <ul style="list-style-type: none"> • 1601 Norbeck Rd. – Parcels P905, P907, & P909, Batchellors Forest Etc (tax account nos. 00710891, 00710891, & 00710878) • Map tile: Maryland - 222NW02; WSSC - JS123 • North side of Norbeck Rd. (MD 28) west of Layhill Rd. (MD 182) • Olney Planning Area Olney Master Plan (2004) • Northwest Branch Watershed (MDE Use IV) • RC Zone; 8.36 ac. • <u>Existing use:</u> existing single-family house and two vacant parcels • <u>Proposed use:</u> house of worship (approx. 700 seats); Plan nos. 720060410 & 120081240 "Parker Memorial Baptist Church" <p><i>**Current property owner and PIF user: Centro Cristiano Internacional Church</i></p>	<p>Applicant's Request County Council Action</p> <p><u>Existing - Requested - Service Area Categories</u></p> <p>W-6* W-1 (No Change) S-6* S-1</p> <p><i>*with conditional approval for W-3 and S-3, as noted previously.</i></p> <p>Final Approval Action</p> <p><u>Change W-6 and S-6, with conditional approval for W-3 and S-3, to W-3 and S-3, with water and sewer service both restricted to a private institutional facility (PIF) use only.</u></p> <p><i>DEP notes: DEP will review any water and sewer main extensions considered by WSSC to serve this site to ensure that those alignments satisfy the requirements of the Water and Sewer Plan's private institutional facilities policy.</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 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 interim or triennial general map update.

Approved




 Adam Ortiz, Director
 Montgomery County Department of Environmental Protection

SUBDIVISION PLAT REVIEW for 220190400 "Centro Cristiano Internacional Church": The use of public water and sewer service for the development proposed by this plat is consistent with the restricted W-3 and S-3 water and sewer categories granted by this final approval action.

DISTRIBUTION: Interagency Distribution:

- Lee Currey, Director, Water and Science Administration, Maryland Department of the Environment
- Nancy Navarro, President, County Council
- Casey Anderson, Chair, Planning Board
- Keith Levchenko, County Council
- Heidi Benham, Well and Septic Section, DPS
- Mark Pfefferle, Development Applications and Regulatory Coordination Team, M-NCPPC
- Jason Sartori, Functional Planning Team, M-NCPPC
- Richard Weaver & Katherine Nelson, Area 3 Planning Team, M-NCPPC

Department of Environmental Protection Director's Office – Water and Wastewater Policy Group

Rockville Center ■ 255 Rockville Pike, Suite 120 ■ Rockville, Maryland 20850-4166
 Telephone No.: 311/240-777-0311 ■ FAX No.: 240-777-7715

Geoffrey Mason, Parks Planning and Stewardship Division, M-NCPPC
Ray Chicca, Beth Kilbourne, Rufus Leeth, and Tom Gingrich, Development Services Division, WSSC
Luis Tapia, Permit Services Section, WSSC

Applicant, Owner & Others Distribution:

Centro Cristiano Internacional Church
Dean Packard, Packard Associates, LLC
Donald Rohrbaugh, Site Solutions, Inc.

Attachments: M-NCPPC Findings for Revised Plan No. 12006124A: See page 4
Water and Sewer Service Area Category Change Maps: See pages 5-6

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M-NCPPC Findings: Comparison of Original and Revised Development Plans for WSCCR 05AA-OLN-02

Mark Pfefferle and Richard Weaver. M-NCPPC
January 29, 2019

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want to evaluate forest conservation requirements, site access, and other site considerations in your consideration of these development plans.

Attachments

- CR 15-1410 excerpt (4/25/06)
- WSCCR 05A-OLN-02 Revision/Correction (5/16/13)
- Concept plan submitted and considered for WSCCR 05A-OLN-02, Parker Memorial Baptist Church (pre-application plan no. 720060410))
- Revised preliminary plan for draft plat no. 220190400, Centro Cristiano Internacional Church (revised preliminary plan no. 120061240)

M-NCPPC Findings:

The changes between the original development plan for the Parker Memorial Baptist Church (pre-application plan no. 720060410) and the revised development plan for the Centro Cristiano Internacional Church (revised preliminary plan no. 120061240):

✓ **Do not warrant** reconsideration of category change request 05A-OLN-02 by the County Council. DEP may proceed with a final approval action for W-3 and S-3 for this request.

_____ **Do warrant** reconsideration of category change request 05A-OLN-02 by the County Council (see additional findings, as follow).

Additional Findings:

My finding is that the plans before us are substantially similar to those reviewed at the time of the category change. Building size, parking and limits of disturbance are within acceptable tolerance.

cc: Keith Levchenko, County Council staff
Stan Edwards, Manager, Water and Wastewater Policy Group, DEP
Luis Tapia, Unit Coordinator, Permit Services Unit, WSSC
Ray Chicca, Development Services Group, WSSC
Katherine Nelson, Area 3 Planning Team, M-NCPPC
Centro Cristiano Internacional Church
Dean Packard, Packard & Associates LLC

Attachments: Pre-application plan 720060410, Parker Memorial Baptist Church
Approved preliminary plan 102261240, Parker Memorial Baptist Church
Revised preliminary plan 120061240, Central Cristiano Internacional Church
CR 15-1410 excerpt for WSCCR 05A-OLN-02

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Received from M-NCPPC, Area 3 Planning Division, on Mar. 5, 2019.



