



**Maryland**  
Department of  
the Environment

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

Ben Grumbles, Secretary  
Horacio Tablada, Deputy Secretary

**JAN 19 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 18-956 Amendment (Amendment)** to the 2003 Montgomery County Comprehensive Water Supply and Sewerage Systems Plan. The Amendment includes eight service category change requests. Three requests were either withdrawn by the applicant or tabled by the Council. The Department reviewed the remaining five requests that had been approved by the Council (see enclosed Amendment Summary). These service category change requests were approved on October 31, 2017, by the Montgomery County Council.

During MDE's review of the Amendment, the Maryland Department of Planning (MDP) advised the Department that four of the five approved requests were consistent with the local Comprehensive Plans (see enclosed comments). Specifically, MDP identified Case No. 17-CLO-01A, Malcolm & Gale Morse Trust (for Chinmaya Mission), as currently not consistent with the Cloverly Master Plan. However, the Department understands that once the County's Planning Board approves a Preliminary Plan for Case No. 17-CLO-01A, the advancement to S-3 will be consistent with the Cloverly Master Plan. In accordance with §9-507(a) of the Environment Article, Annotated Code of Maryland, the Department hereby approves the **Resolution 18-956**.

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](mailto:virginia.kearney@maryland.gov).

Sincerely,

D. Lee Currey, Director  
Water and Science Administration

Enclosure

The Honorable Hans Riemer

Page 2

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

**Summary of Administrative Resolution 18-956  
Montgomery County Water Supply and Sewerage Systems Plan Amendment**

Case No.	Applicant	Existing Service Area Categories	Service Area Category Request	Council Action	MDE Action
17-CLO-O1A	Malcolm & Gale Morse Trust (for Chinmaya Mission) Norwood Rd., Silver Spring	W-4 S-5	W-1 S-3	<p>Approve W-1</p> <p>Maintain S-5* with advancement to S-3 conditioned upon Planning Board's approval of a preliminary plan that the Board finds to conform with the Cloverly Master Plan's goals for protecting the community and stream water quality. S-3 is for a PIF use only.</p> <p>The applicant is urged to work with M-NCPPC and the community to revise its existing development plan to reduce impervious area and better adapt to the neighborhood's setting.</p>	<p><b>Approve W-1</b></p> <p><b>Maintain S-5 with advancement to S-3 conditioned upon Planning Board's approval of a preliminary plan that the Board finds to conform with the Cloverly Master Plan's goals for protecting the community and stream water quality. S-3 is for a PIF use only.</b></p>

Case No.	Applicant	Existing Service Area Categories	Service Area Category Request	Council Action	MDE Action
16-TRV-04A	Floyd III & Carolyn Willis 13113 Ridge Dr., Rockville	W-3 S-3, one sewer hookup only - health problem (restricted sewer extension alignment).	W-3 S-3, one sewer hookup only - health problem. Allow a proposed, alternative sewer extension alignment, different from the alignment specified in CR 14-819.	Maintain W-3 Maintain S-3, one sewer hookup only - health problem. Allow a proposed, alternative sewer extension alignment, different from the alignment specified in CR 14-819.	Maintain W-3 Maintain S-3, one sewer hookup only - health problem. Allow a proposed, alternative sewer extension alignment, different from the alignment specified in CR 14-819.
17-TRV-O1A	George & Janet Simmons 12911 Circle Dr., Rockville	W-1 S-6	W-1 (No Change) S-1	Maintain W-1 Approve S-1, restricted to a single sewer hookup under the abutting mains policy.	Maintain W-1 Approve S-1, restricted to a single sewer hookup under the abutting mains policy.
17-TRV-05A	James & Evette Meni 13120 River Rd., Potomac	W-6 S-6	W-1 S-3	Correct W-6 to W-1 Approve S-3	Approve W-1 Approve S-3
17-TRV-06A	Lisa W. Gill 13100 River Rd., Potomac	W-6 S-6	W-1 S-3	Correct W-6 to W-1 Approve S-3	Approve W-1 Approve S-3

\* There was a typographical error in the Resolution. The original service category was S-5 not S-6.



Larry Hogan, Governor  
Boyd Rutherford, Lt. Governor

Robert S. McCord, Acting Secretary

December 22, 2017

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 Amendments – County Council Resolution No. 18-956

Dear Ms. Outen:

Montgomery County Council approved CR No. 18-956 on October 31, 2017. The Resolution contained eight category change requests, which were previously reviewed by the Maryland Department of Planning (Planning) in a letter to you dated September 18, 2017. We have 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 Amendments:**

**1. WSCCR 17-CLO-01A: Malcolm & Gale Morse Trust (for Chinmaya Mission)**

The applicant requested a service area category change from W4 to W1 and S5 to S3 for a proposed place of worship under the Private Institutional Facility (PIF) policy. Proposed uses are for a 1,500-person religious assembly building, a 100 bed senior living facility and a clergy residence. The 17.81 acre parcel is zoned RE-2C. CE Recommendation: Approve W1. Maintain S5 with advancement to S3 conditioned on Planning Board approval of a preliminary plan.

County Council Action: Approve W-1. Maintain S-6 with advancement to PIF only S-3 conditioned as outlined above. Note that the original category was S-5, not S-6.

**2. WSCCR 09A-TRV-02: Ted and Roxanne Smart**

The applicant had requested a category change from S-6 to S-3 to build a single-family house in the Glen Hills area, which was previously deferred under CR 17-217 on 7/19/2011 pending the results of the Glen Hills Sanitary Study, and again on 10/25/2016 pending the outcome of the abutting mains policy in the 2017 Water and Sewer plan update adoption.

CE Recommendation: Deny S3. The approved sewer service policies for the Glen Hills area currently do not support the provision of public sewer service to this property.

County Council Action: Tabled pending further discussion of the draft 2017 Water and Sewer Plan.

**3. WSCCR 16-TRV-02A: Karen McCord**

The applicant requested a service category change from S6 to S3 for an existing single family house built in 1913. The 2.20 acre property is zoned RE-2. The house is located in a sensitive area/flood plain within 200 yards of a WSSC sewer drain. CE Recommendation: Defer action pending determination by DPS about the feasibility of onsite septic repair.

County Council Action: Defer action as outlined above.

**4. WSCCR 16-TRV-04A: Floyd III and Carolyn Willis**

The applicant requested a sewer hookup because of a health problem. S3 is already in place. The 2.72-acre property is zoned RE-1. CE Recommendation: Defer action pending results of a septic system survey along the applicant's proposed sewer extension alignment.

County Council Action: Maintain S-3. Allow alternative sewer extension alignment.

**5. WSCCR 17-TRV-01A: George & Janet Simmons**

The applicant requested a service category change from S6 to S1 for a new single family house on 3.41 acres zoned RE-1. CE Recommendation: Maintain S6 with advancement to S1 conditioned on WSSC verification to DEP that the house can be served by the abutting main.

County Council Action: Approve S-1 under the abutting mains policy for a single sewer hookup.

**6. WSCCR 17-TRV-02A: Kevin & K L Smart - WITHDRAWN**

The applicant requested a service category change from S6 to S3 for a new single family house on 2.28 acres zoned RE-1. CE Recommendation: Deny S3. The approved sewer service policies for the Glen Hills area currently do not support the provision of public sewer service to this property.

County Council Action: Request withdrawn by applicant.

**7. WSCCR 17-TRV-05A: James & Evette Meni**

The applicant requested a service category change from W-6 to W-1 and S6 to S3 because of a failing septic system for a single-family house built in 1978 on 4 acres zoned RE-2. CE Recommendation: Correct W-6 to W-1. Approve S3 under the Potomac peripheral sewer service policy recommended by the 2002 Potomac Subregion Master Plan.

County Council Action: Correct W-6 to W-1 and approve S-3 as outlined above.

**8. WSCCR 17-TRV-06A: Lisa W. Gill**

The applicant requested a service category change from W6 to W1 and S6 to S3 citing potential for a failing septic system for a single-family house built in 1979 on 3.9 acres zoned RE-2. CE Recommendation: Correct W-6 to W-1. Approve S3 under the Potomac peripheral sewer service policy recommended by the 2002 Potomac Subregion Master Plan.

County Council Action: Correct W-6 to W-1 and approve S-3 as outlined above.

**Consistency with the Comprehensive Plan****1. WSCCR 17-CLO-01A: Malcolm & Gale Morse Trust (for Chinmaya Mission)**

While it appears that this amendment is consistent with the abutting mains policy of the Water and Sewerage Plan and is located in an area planned for public water and sewer, the request appears to

be inconsistent with the Cloverly Master Plan's recommendations for low density development with minimal impact to natural resources, unless a substantial amount of open space is incorporated into the site plan. S5 with advancement to S3 is conditioned on Planning Board approval of a preliminary plan.

2. WSSCR 09A-TRV-02: **Ted and Roxanne Smart**  
This request appears to be inconsistent with the abutting mains policy of the updated 2017 Water and Sewerage Plan. Planning commented previously in letters to MDE dated October 7, 2011 and subsequently on January 9, 2017 that in our opinion this amendment is inconsistent with the Potomac Subregion Master Plan.
3. WSSCR 16-TRV-02A: **Karen McCord**  
This amendment appears to be inconsistent with the 2002 Potomac Subregion Master Plan and the peripheral mains policy of the Water and Sewerage Plan.
4. WSSCR 16-TRV-04A: **Floyd III and Carolyn Willis**  
This amendment appears to be consistent with the revised Glen Hills area sewer policy reflected in the updated 2017 Water and Sewer Master Plan.
5. WSSCR 17-TRV-01A: **George & Janet Simmons**  
This amendment appears to be consistent with the revised Glen Hills area sewer policy reflected in the updated 2017 Water and Sewer Master Plan or the 2002 Potomac Subregion Master Plan.
6. WSSCR 17-TRV-02A: **Kevin & K L Smart - WITHDRAWN**  
This amendment appears to be inconsistent with the revised Glen Hills area sewer policy reflected in the updated 2017 Water and Sewer Master Plan or the 2002 Potomac Subregion Master Plan. Withdrawn by applicant.
7. WSSCR 17-TRV-05A: **James & Evette Meni**  
This amendment appears to be consistent with the peripheral mains policy in the 2017 Water and Sewer Master Plan and the 2002 Potomac Subregion Master Plan.
8. WSSCR 17-TRV-06A: **Lisa W. Gill**  
This amendment appears to be consistent with the peripheral mains policy in the 2017 Water and Sewer Master Plan and the 2002 Potomac Subregion Master Plan.

#### **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).

With the exception of WSSCR 17-CLO-01A: **Malcolm & Gale Morse Trust (for Chinmaya Mission)**, all of the amendments were determined to be outside the PFA.

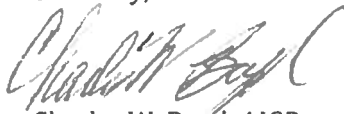
**Growth Tier Map Review**

The following Tier Map findings were determined using Montgomery County's adopted Tier Map:

1. WSSCR 17-CLO-01A: Tier I.
2. WSSCR 09A-TRV-02: Tier III.
3. WSSCR 16-TRV-02A: Tier IV.
4. WSSCR 16-TRV-04A: Tier II.
5. WSSCR 17-TRV-01A: Tier III.
6. WSSCR 17-TRV-02A: Tier III. - **WITHDRAWN**
7. WSSCR 17-TRV-05A: Tier III.
8. WSSCR 17-TRV-06A: Tier III.

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