



Committee: T&E
Committee Review: Completed
Staff: Keith Levchenko, Senior Legislative Analyst
Purpose: Final action – vote expected
Keywords: #WaterandSewerPlan and Category Changes

AGENDA ITEM #5.5
 October 12, 2021
Action

SUBJECT

Amendments to the Comprehensive Water Supply and Sewerage Systems Plan: Water and Sewer Category Change Requests

DESCRIPTION/ISSUE

- On July 6, 2021, the County Council received recommendations from the County Executive on a package of three Water and Sewer Category Change requests.
- The Planning Board reviewed these category changes on September 9, 2021 and transmitted its recommendations to the Council.
- A public hearing was held on September 14, 2021 and a T&E Committee worksession was held on September 30, 2021.
- The requests and the Executive, Planning Board, and T&E Committee recommendations are presented in the following chart and further detailed in the attached Council Staff Report:

Category Change Requests and Recommendations

#	Applicant	Request	CE Recommendation	Planning Board	T&E Committee
1	WSSCR 20-TRV-14A: Transquest LLC	Requesting change from W-6 to W-6* (*approval of a multi-use onsite water system) and S-6 to S-3 for a new Country Inn/Restaurant	Deny S-3. Defer consideration of a multi-use onsite water system pending a determination that a multi-use septic system is feasible for the property.	Concur with CE. Deny S-3. Inconsistent with the Potomac Subregion Master Plan. However, the Planning Board conceptually supports the redevelopment plans for these requests and of the Council finding a way to move these requests forward.	Defer action on the request for S-3 and W-6-multiuse pending consideration of a special service policy in the Water and Sewer Plan to address public service for commercial uses outside the planned public Water/Sewer service areas.
2	WSSCR 20-TRV-15A: Travilah Oak LLC	Requesting change from S-6* (*multi-use onsite septic system) to S-3 public sewer to support redevelopment of the existing shopping center	Deny S-3.	Concur with CE. Deny S-3. Inconsistent with the Potomac Subregion Master Plan. However, the Planning Board conceptually supports the redevelopment plans for these requests and of the Council finding a way to move these requests forward.	Defer action on the request for S-3 pending consideration of a special service policy in the Water and Sewer Plan to address public service for commercial uses outside the planned public Water/Sewer service areas.
3	WSSCR 21-TRV-02A: TDR Properties LLC	Requesting public sewer (S-6 to S-3) to serve a proposed single family home and accessory dwelling unit	Deny S-3.	Concur with CE	Concur with CE

This report contains:

Council Staff Report

Alternative format requests for people with disabilities. If you need assistance accessing this report you may [submit alternative format requests](#) to the ADA Compliance Manager. The ADA Compliance Manager can also be reached at 240-777-6197 (TTY 240-777-6196) or at adacompliance@montgomerycountymd.gov

Worksession/Action

MEMORANDUM

October 7, 2021

TO: County Council

FROM: Keith Levchenko, Senior Legislative Analyst

SUBJECT: **Worksession/Action:** Amendments to the Comprehensive Water Supply and Sewerage Systems Plan

PURPOSE: To discuss and act on three category change requests¹

Category Change Requests and Recommendations

#	Applicant	Request	CE Recommendation	Planning	T&E	CE Staff Report	
				Board	Committee	Text	Maps
1	WSSCR 20-TRV-14A: Transquest LLC	Requesting change from W-6 to W-6* (*approval of a multi-use onsite water system) and S-6 to S-3 for a new Country Inn/Restaurant	Deny S-3. Defer consideration of a multi-use onsite water system pending a determination that a multi-use septic system is feasible for the property.	Concur with CE. Deny S-3. Inconsistent with the Potomac Subregion Master Plan. However, the Planning Board conceptually supports the redevelopment plans for these requests and of the Council finding a way to move these requests forward.	Defer action on the request for S-3 and W-6-multiuse pending consideration of a special service policy in the Water and Sewer Plan to address public service for commercial uses outside the planned public Water/Sewer service areas.	©14-16	©32-35
2	WSSCR 20-TRV-15A: Travilah Oak LLC	Requesting change from S-6* (*multi-use onsite septic system) to S-3 public sewer to support redevelopment of the existing shopping center	Deny S-3.	Concur with CE. Deny S-3. Inconsistent with the Potomac Subregion Master Plan. However, the Planning Board conceptually supports the redevelopment plans for these requests and of the Council finding a way to move these requests forward.	Defer action on the request for S-3 pending consideration of a special service policy in the Water and Sewer Plan to address public service for commercial uses outside the planned public Water/Sewer service areas.	©17-19	©32-35
3	WSSCR 21-TRV-02A: TDR Properties LLC	Requesting public sewer (S-6 to S-3) to serve a proposed single family home and accessory dwelling unit	Deny S-3.	Concur with CE	Concur with CE	©37-38	©39-41

¹ #WaterandSewerPlan and Category Changes

Expected Attendees

- Patrick Butler, Chief, Upcounty, Montgomery County Planning Department
- Donnell Zeigler, Supervisor, Upcounty, Montgomery County Planning Department
- Katherine Nelson, Environmental Planner Coordinator, Montgomery County Planning Department
- Steve Shofar, Chief, Intergovernmental Affairs Division (IGAD), Department of Environmental Protection (DEP)
- Alan Soukup, Senior Planner, IGAD, DEP

List of Attachments

	<u>Page #</u>
• Council Resolution	©1-2
○ Resolution Attachment A	©3-5
○ Resolution Attachment B	©6-7
• County Executive’s Transmittal Letter (dated July 6, 2021)	©8-9
• County Executive Department of Environmental Protection Staff Report	©10-46
• Miller, Miller, and Canby Email of 9/13/2021	©47-50
• Macris, Hendricks, and Glascock, PA Letter Dated 11/3/ 2020	©51-57
• Planning Department Staff Memorandum	©58-63
• Planning Board Letter to the Council Dated 9/24/2010	©64-66
• Potomac Subregion Master Plan Excerpt (Pages 21-23)	©67-69
• Planning Board Letter	©70

Background

On July 6, 2021, the County Council received a package of three Water and Sewer Category Change requests from the County Executive. The requests and Executive recommendations are summarized above and in the Executive Summary of the Executive Staff Report (see ©11)

The Planning Board’s review of these category changes occurred on September 9, 2021. The Council held a public hearing on September 14, 2021. The T&E Committee discussed these requests and made recommendations on September 30, 2021.

Category Change Process Overview

The County’s Department of Environmental Protection (DEP) is responsible for assembling, reviewing, and processing category change amendments. DEP coordinates with staff from the Planning Department, WSSC Water, Department of Permitting Services (DPS) and other departments and agencies as needed and includes department/agency staff comments in its Executive Staff Report.

Amendments that are determined by DEP to be consistent with specific Water and Sewer Plan policies (and for which no concerns are raised by the Planning Department, WSSC Water staff, or County Councilmembers) can be approved by the DEP Director through DEP’s administrative delegation process. However, DEP does not administratively deny requests. Any requests

recommended for denial go through the formal Council review process. The Council's action on each amendment can include Approval, Conditional Approval, Deferral, or Denial.

The three requests in the current amendment package involve properties outside the planned water/sewer envelopes and are recommended for denial by the County Executive.

Like the Executive, Council Staff has relied heavily on relevant Water and Sewer Plan policies as well as the relevant area Master Plan when making recommendations on these amendments.

Specific Water and Sewer Plan policies and their applicability in particular cases, tend to drive much of the discussion of category change requests before the Council. The Council can review and modify these policies through consideration of text amendments to the Water and Sewer Plan. These text amendments can be done as separate actions or as part of a comprehensive update process. Comprehensive updates are required by State law to be done every three years. The most recent comprehensive update was approved by the Council in 2018. DEP Staff are working on the next comprehensive update and expect it to be transmitted to the Council later this year.

State Approval

All amendments to the County's Water and Sewer Plan are subject to approval by the Maryland Department of the Environment (MDE) per Section 9-507 of the Environment Article. Therefore, amendment approvals by the Council are considered preliminary until MDE action.

Planning Board Review

The Planning Board reviews all Water and Sewer Plan amendments and transmits formal recommendations to the Council. Per Section 9-506 of the Environmental Article, "The county planning agency shall certify that the plan, revision, or amendment is consistent with the county comprehensive plan..." The Planning Board discussed the current amendment package on September 9, 2021 and concurred with the Executive's recommendations to deny each of the requests. The Planning Board's letter to the Council is attached on ©70. The Planning Department's Staff Memorandum for the Planning Board's September 9 meeting is attached on ©58-63.

Regarding the Transquest and Travilah Oak requests, the Planning Board Chair expressed support for the development plans of the applicants but felt that since these requests were not consistent with the Potomac Subregion's Master Plan recommendations, the Planning Board could not recommend approval. The applicants were encouraged to work with the Council on a possible solution. There was also discussion about the sewer extension issues raised by WSSC Water and that further detailed engineering analysis would need to be done address WSSC Water's concerns if the category change requests were to be approved.

Public Hearing and Correspondence

In public hearing testimony and through correspondence received, the Council heard from the applicants for the Transquest and Travilah Oak requests and from nearby residents expressing support for the proposed redevelopments. The Council also heard from the West Montgomery Citizens Association which noted its opposition to all three requests based on the requests being inconsistent with the Potomac Subregion's Master Plan recommendations.

Discussion

#	Applicant	Request	CE Recommendation	Planning Board	T&E Committee	CE Staff Report	
						Text	Maps
1	WSSCR 20-TRV-14A: Transquest LLC	Requesting change from W-6 to W-6* (*approval of a multi-use onsite water system) and S-6 to S-3 for a new Country Inn/Restaurant	Deny S-3. Defer consideration of a multi-use onsite water system pending a determination that a multi-use septic system is feasible for the property.	Concur with CE. Deny S-3. Inconsistent with the Potomac Subregion Master Plan. However, the Planning Board conceptually supports the redevelopment plans for these requests and of the Council finding a way to move these requests forward.	Defer action on the request for S-3 and W-6-multiuse pending consideration of a special service policy in the Water and Sewer Plan to address public service for commercial uses outside the planned public Water/Sewer service areas.	©14-16	©32-35

This request involves a 2-acre RE-2 zoned property located on Travilah Road on the northeast corner of the intersection with Glen Road in Potomac. The property currently includes a single-family home dating back to the 19th century (known as the Old White House) and barn. The applicant is seeking public sewer (S-3) and designation of a multi-use water system² to support a 135-seat country inn/restaurant.

According to WSSC Water, providing sewer to the site would require a dedicated 5,300-foot low pressure sewer extension along Travilah Road. The applicant originally joined with the Travilah Oak request (see next item), which is located on the southeast corner of the same intersection, to request a single low-pressure sewer extension to serve both properties. However, WSSC Water does not allow the sharing of low-pressure sewer lines by multiple non-residential properties. WSSC Water has raised some additional concerns about the sewer extension (see ©15-16) that would need to be addressed should the category change for Transquest and/or Travilah Oak be approved. The applicant’s response to WSSC Water’s concerns is attached on ©51-57.

The applicants stated at the Planning Board meeting and again in writing (see ©47-50) that the development proposals are consistent with the Master Plan intent and that the Master Plan does not specifically recommend against sewer for these properties. However, both the Transquest and Travilah Oak properties are surrounded by RE-2 zoned properties. [The Potomac Subregion Master Plan](#) recommends against the provision of community sewer service to low density areas (RE-1 and RE-2 zoned properties) (see Master Plan excerpt on ©67-69) except within the planned sewer envelope and along the edge of the envelope. Neither of these circumstances apply here.

The County’s Water and Sewer Plan provides limited exceptions for consideration for service outside the planned sewer envelope. These exceptions include addressing failed septic systems, abutting mains, Private Institutional Facilities (PIFs), and (in the Potomac Subregion area) properties

² A multi-use on-site water or sewerage system is defined in the County’s Water and Sewer Plan as having a capacity of 1,500 gallons per day or greater.

on the edge of the planned service area (peripheral sewer policy). However, none of these exceptions apply in this case (nor in the Travilah Oak case across the street).

The Planning Board agreed that both the Transquest and Travilah Oak sewer requests were not consistent with the Master Plan and that it therefore could not recommend approval of public sewer for either request. However, the Planning Board noted its conceptual support of the redevelopments of the Transquest and Travilah Oak properties and of the Council finding a way to approve sewer to these properties.

An amendment to the Potomac Subregion Master Plan would provide a process for the consideration of making this (and the Travilah Oak) request eligible for service. Alternatively, the Council could consider creating a new policy in the Water and Sewer Plan that would apply in cases like the Transquest request (and presumably the Travilah Oak request). As noted earlier, a comprehensive update to the Water and Sewer Plan is expected to be transmitted to the Council later this year for its review.

The Executive recommends denial of the public sewer request and deferral of the multi-use water system designation pending further review of the feasibility of such a system for the site. Council Staff concurred with the Executive. The T&E Committee recommends deferral of both this request and the Travilah Oak request pending Council consideration of a new special service policy in the Water and Sewer Plan for commercial properties outside the planned Water/Sewer service area.

Category Change Requests and Recommendations

#	Applicant	Request	CE Recommendation	Planning	T&E	CE Staff Report	
				Board	Committee	Text	Maps
2	WSSCR 20-TRV-15A: Travilah Oak LLC	Requesting change from S-6* (*multi-use onsite septic system) to S-3 public sewer to support redevelopment of the existing shopping center	Deny S-3.	Concur with CE. Deny S-3. Inconsistent with the Potomac Subregion Master Plan. However, the Planning Board conceptually supports the redevelopment plans for these requests and of the Council finding a way to move these requests forward.	Defer action on the request for S-3 pending consideration of a special service policy in the Water and Sewer Plan to address public service for commercial uses outside the planned public Water/Sewer service areas.	©17-19	©32-35

This request involves a 3.14-acre NR-0.75 zoned property located on Travilah Road on the southwest corner of the intersection with Glen Road in Potomac. The applicant is seeking public sewer service (S-3) to redevelop the existing commercial shopping center.

As with the prior case located on the northeast corner of the same intersection, according to WSSC Water, providing sewer to the site would require a dedicated 5,300-foot low pressure sewer extension along Travilah Road.

The Council has considered a sewer category change request for this property twice; most recently in 2010 (per [Resolution 16-1519](#)) when the request was denied. The Planning Board at the time had also recommended denial and suggested the request should be considered in the context of a Master Plan amendment (see ©59).

As noted earlier, at its September 9, 2021, meeting, the Planning Board agreed that both the Transquest and Travilah Oak sewer requests were not consistent with the Master Plan and that it therefore could not recommend approval of public sewer for either request. However, the Planning Board noted its conceptual support of the redevelopments of the Transquest and Travilah Oak properties and of the Council finding a way to approve sewer to these properties.

For the same reasons noted earlier in the Transquest case discussion, the Executive recommends denial of the public sewer request, as does Council Staff. The T&E Committee recommends deferral of both this request and the Transquest request discussed earlier pending Council consideration of a new special service policy in the Water and Sewer Plan for commercial properties outside the planned Water/Sewer service area.

#	Applicant	Request	CE Recommendation	Planning Board	T&E Committee	CE Staff Report	
						Text	Maps
3	WSSCR 21-TRV-02A: TDR Properties LLC	Requesting public sewer (S-6 to S-3) to serve a proposed single family home and accessory dwelling unit	Deny S-3.	Concur with CE	Concur with CE	©37-38	©39-41

This request involves a 1.1-acre RE-1 zoned property located on Valley Drive in the Glen Hills area near the city of Rockville (but not in the Rockville city limits). The property is currently unimproved. The applicant is seeking public sewer service to build a single-family home and accessory dwelling unit. A 485-foot sewer extension (partially gravity and partially low pressure) along Valley Drive to the intersection with Glen Mill Road would be needed to serve the property.

The subject property is located outside the planned sewer envelope as defined in the 2002 Potomac Subregion Master Plan and does not meet the criteria established by the Council in 2017 for consideration of sewer service in the Glen Hills area (such as a failed septic system, abutting main, or peripheral to the planned sewer envelope).

The Executive and Planning Board recommend denial of the request. Council Staff concurs. The T&E Committee recommends denial.

Attachments

Resolution No.: _____
Introduced: July 13, 2021
Adopted: _____

**COUNTY COUNCIL
FOR MONTGOMERY COUNTY, MARYLAND**

By: County Council

SUBJECT: Amendments to the Comprehensive Water Supply and Sewerage Systems Plan

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 60 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 45 days, if necessary. At the conclusion of this review, 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 July 6, 2021, the County Council received recommendations from the County Executive regarding three Water and Sewer Plan amendments.
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 September 14, 2021.
8. The County Council's Transportation and Environment Committee held a worksession on September 30, 2021.

Action

The County Council for Montgomery County, Maryland approves the following actions on amendments to the Ten-Year Comprehensive Water Supply and Sewerage Systems Plan as shown in the attachments to this resolution.

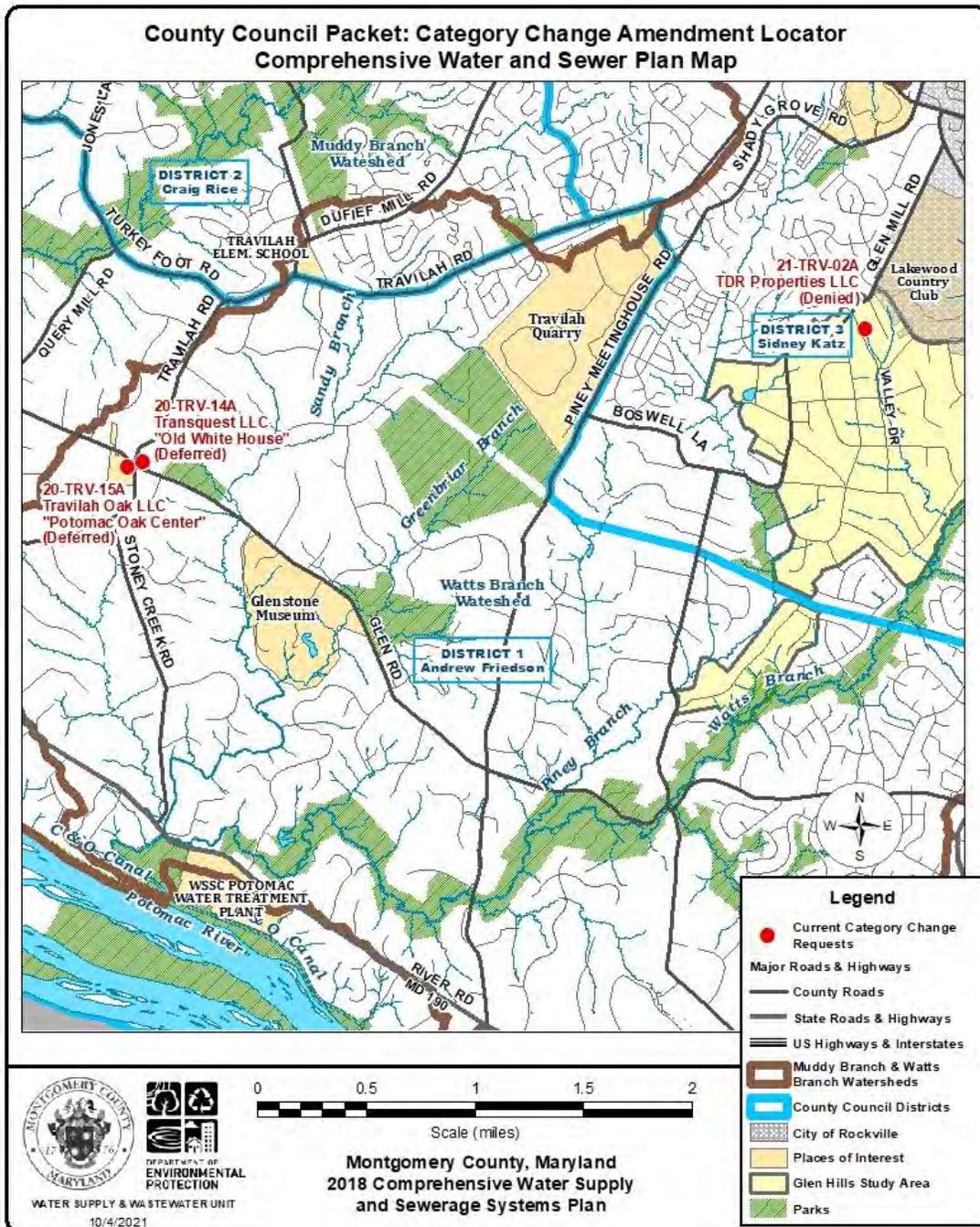
This is a correct copy of Council action.

Selena Mendy Singleton, Esq.
Clerk of the Council

**Montgomery County Comprehensive Water Supply and Sewerage Systems Plan
May 2021 Amendment Transmittal: Water/Sewer Category Map Amendments**

Montgomery County uses water and sewer service area categories, in part, to identify those properties that should use public water and/or sewer service versus those that should use onsite systems, usually wells and/or septic systems. Categories W-1 and S-1 identify properties approved for public service and that have access to public system mains. Categories W-3 and S-3 identify properties approved for public service but need new main extensions in order to receive public service. Categories W-4 and S-4, and W-4 and S-5 identify properties that currently should use onsite systems but are proposed for public service in the future. Categories W-6 and S-6 identify properties that should use on-site systems, where public service is not planned for at least the next ten years. (See page 5 for additional information.)

Property owners file category change map amendment requests seeking to change the service areas for their property from one category to another, often based on anticipated development plans. The following charts present the County Council's actions on water/sewer category map amendment requests filed with DEP and transmitted by the County Executive to the Council for consideration on December 4, 2020.



- Applicants receiving a denial under this resolution may not apply again until October __, 2022, unless specifically allowed by DEP.
- See Attachment B for mapping of approved, conditionally approved, and deferred category change amendments.

**Montgomery County Comprehensive Water Supply and Sewerage Systems Plan
May 2021 Amendment Transmittal: Water/Sewer Category Map Amendments**

Request [1] WSCCR 20-TRV-14A: Transquest LLC

Property Information and Location Property Development	Applicant's Request: County Council Action						
<ul style="list-style-type: none"> • 13005 Travilah Rd., Rockville • Parcel P648, Travilah School Property (acct. no. 00395131) • Map tile: WSSC – 217NW13; MD – ER51 • Northeast corner, intersection of Travilah Rd. and Glen Rd. (Located diagonally across the intersection from WSCCR 20-TRV-15A) • Zoning: RE-2. Size: 2 acres • Travilah Planning Area Potomac Master Plan (2002) • Watts Branch Watershed (MDE Use I) • <u>Existing use</u>: Single-Family Home and Barn • <u>Proposed use</u>: Country Inn, 135-seat restaurant (conditional use) 	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;"><u>Existing –</u></td> <td style="width: 50%;">Requested – <u>Service Area Categories</u></td> </tr> <tr> <td>W-6</td> <td>W-6 for multiuse water system</td> </tr> <tr> <td>S-6</td> <td>S-3</td> </tr> </table> <p>T&E Committee Recommendation</p> <p>Defer action on the request for S-3 and W-6-multiuse pending consideration of a special service policy in the Water and Sewer Plan to address public service for commercial uses outside the planned public Water/Sewer service areas</p> <p><i>(Note that deferral actions are intended to be resolved within approximately one year.)</i></p>	<u>Existing –</u>	Requested – <u>Service Area Categories</u>	W-6	W-6 for multiuse water system	S-6	S-3
<u>Existing –</u>	Requested – <u>Service Area Categories</u>						
W-6	W-6 for multiuse water system						
S-6	S-3						

Request [2] WSCCR 20-TRV-15A: Travilah Oak LLC

Property Information and Location Property Development	Applicant's Request: County Council Action						
<ul style="list-style-type: none"> • Properties: <ul style="list-style-type: none"> ○ 12960 Travilah Rd., Potomac; Parcel N679*, Lot 4, Boylestons Discovery (acct. no. 03063708) ○ 12948 Travilah Rd., Potomac; Parcel N726*, Lot 3, Boylestons Discovery (acct. no. 02232731) ○ 12940 Travilah Rd., Potomac; Parcel N780*, Lot 1, Lot 2 Boylestons Discovery (acct. no. 00397857) <p><i>*This request includes only those parts of these three parcels zoned NR-0.75. Areas zoned RE-2 are excluded.</i></p> • Map tile: WSSC – 217NW13; MD –ER41 • Southwest corner, intersection of Travilah Rd. and Glen Rd. (Located diagonally across the intersection from WSCCR 20-TRV-14A) • Zoning: NR-0.75. Size: 3.14 acres total • Travilah Planning Area Potomac Master Plan (2002) • Watts Branch Watershed (MDE Use I) • <u>Existing use</u>: Commercial Shopping Center. "Potomac Oak Center" • <u>Proposed use</u>: Redevelop the Existing Shopping Center. 	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;"><u>Existing –</u></td> <td style="width: 50%;">Requested – <u>Service Area Categories</u></td> </tr> <tr> <td>W-6**</td> <td>W-6** (no change)</td> </tr> <tr> <td>S-6**</td> <td>S-3</td> </tr> </table> <p><i>**Approved for multiuse water supply and sewerage systems. The capacity of the existing multiuse water supply system may need to be revised if the requested provision of public sewer service is approved.</i></p> <p>T&E Committee Recommendation</p> <p>Defer action on the request for S- pending consideration of a special service policy in the Water and Sewer Plan to address public service for commercial uses outside the planned public Water/Sewer service areas</p> <p><i>(Note that deferral actions are intended to be resolved within approximately one year.)</i></p>	<u>Existing –</u>	Requested – <u>Service Area Categories</u>	W-6**	W-6** (no change)	S-6**	S-3
<u>Existing –</u>	Requested – <u>Service Area Categories</u>						
W-6**	W-6** (no change)						
S-6**	S-3						

• Applicants receiving a denial under this resolution may not apply again until October __, 2022, unless specifically allowed by DEP.
• See Attachment B for mapping of approved, conditionally approved, and deferred category change amendments.

**Montgomery County Comprehensive Water Supply and Sewerage Systems Plan
May 2021 Amendment Transmittal: Water/Sewer Category Map Amendments**

Request [3] **WSCCR 21-TRV-02A: TDR Properties LLC**

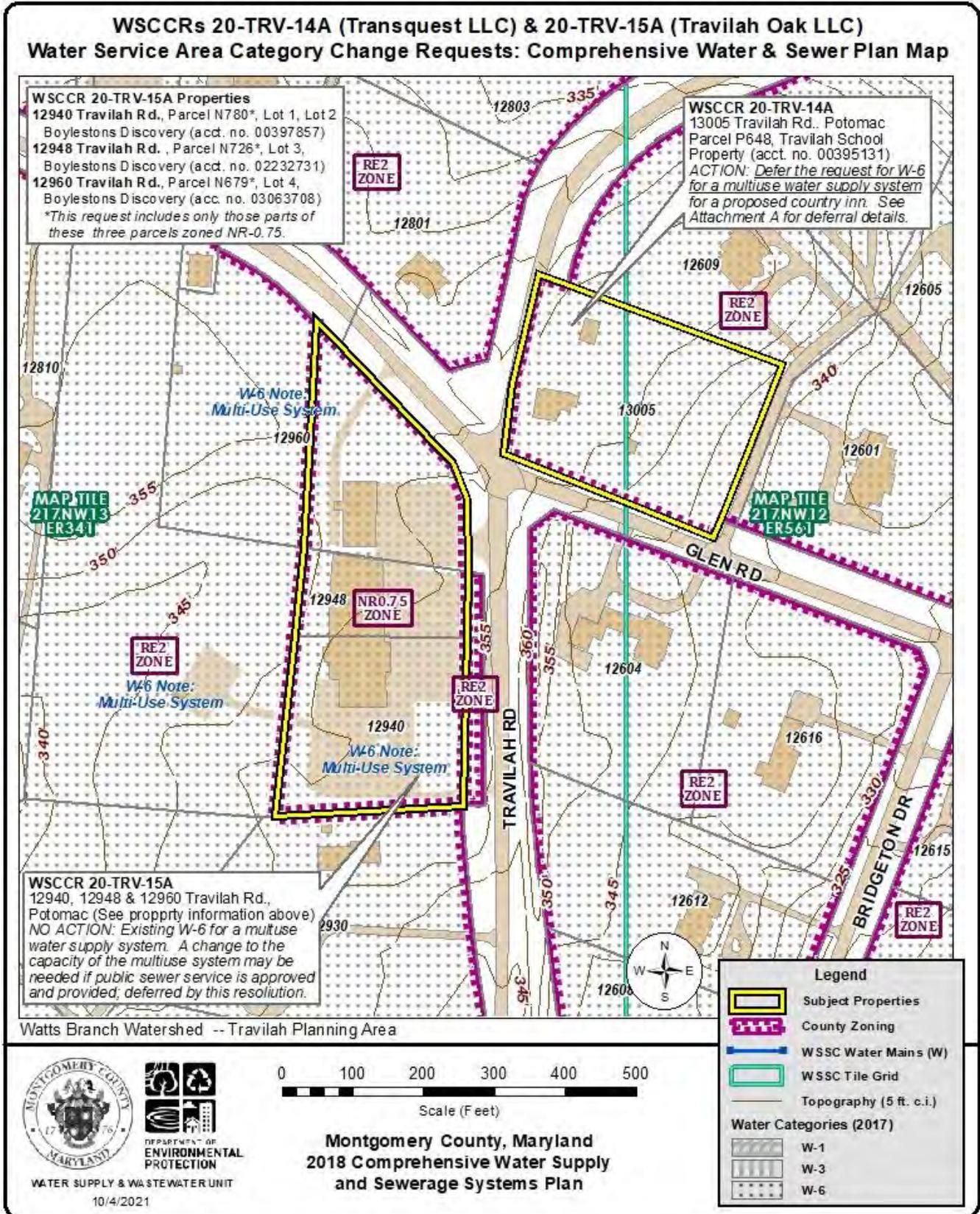
Property Information and Location Property Development	Applicant's Request County Council Action
<ul style="list-style-type: none"> • 13417 Valley Dr., Rockville • Lot 1, Block 5, North Glen Hills Sec 1 (acct. no. 00076908) • Map tile: WSSC – 218NW10; MD –FR42 • East side of Valley Dr., 470 feet south of Glen Mill Rd. • Zoning: RE-1. Size: 48,043 sq.ft. (1.10 acres) • Travilah Planning Area Potomac Subregion Master Plan (2002) • Watts Branch Watershed (MDE Use I) • <u>Existing use</u>: Vacant • <u>Proposed use</u>: Single-Family Home and Accessory Dwelling Unit 	<p><u>Existing – Requested – Service Area Categories</u></p> <p>W-3 W-3 (no change)</p> <p>S-6 S-3</p> <hr/> <p>T&E Committee Recommendation</p> <p>Deny the request for sewer category S-3, maintain category S-6.</p>

Water & Sewer Service Area Categories Summary

Category Definition and General Description	Category Definition and General Description
W-1 and S-1	W-5 and S-5
Properties approved for and generally with existing access to community (public) service. This may include properties which have not yet connected to existing community service.	Properties planned for future public service, but which may use private, on-site systems (wells and septic systems) on a permanent basis. ▪ Areas where improvements to or construction of new community systems are planned for the seven- through ten-year period.
W-3 and S-3	W-6 and S-6
Properties planned and approved for community (public) service, but <u>without</u> existing access to public service. ▪ Public service will generally be provided within two years as development and requests for community service are planned and scheduled.	Properties that will use private, on-site systems (wells and septic systems), where community (public) service is not planned. ▪ 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.
W-4 and S-4	
Properties planned for future public service, but which need to use private, on-site systems (wells and septic systems) in the interim. ▪ Areas where improvements to or construction of new community systems will be programmed for the three- through six-year period. B	Note: Although the majority of properties in the county have the same water category as sewer category (i.e. W-3 and S-3, or W-5 and S-5), this is not always the case. The County does not always assign water and sewer categories in tandem, due to differences in service policies or to actual service availability. For example, a particular property could have service area categories W-1 and S-6. Therefore, it is important to know both the water <i>and</i> sewer service area categories for a property. Montgomery County does not use categories W-2 and S-2 in its Plan.

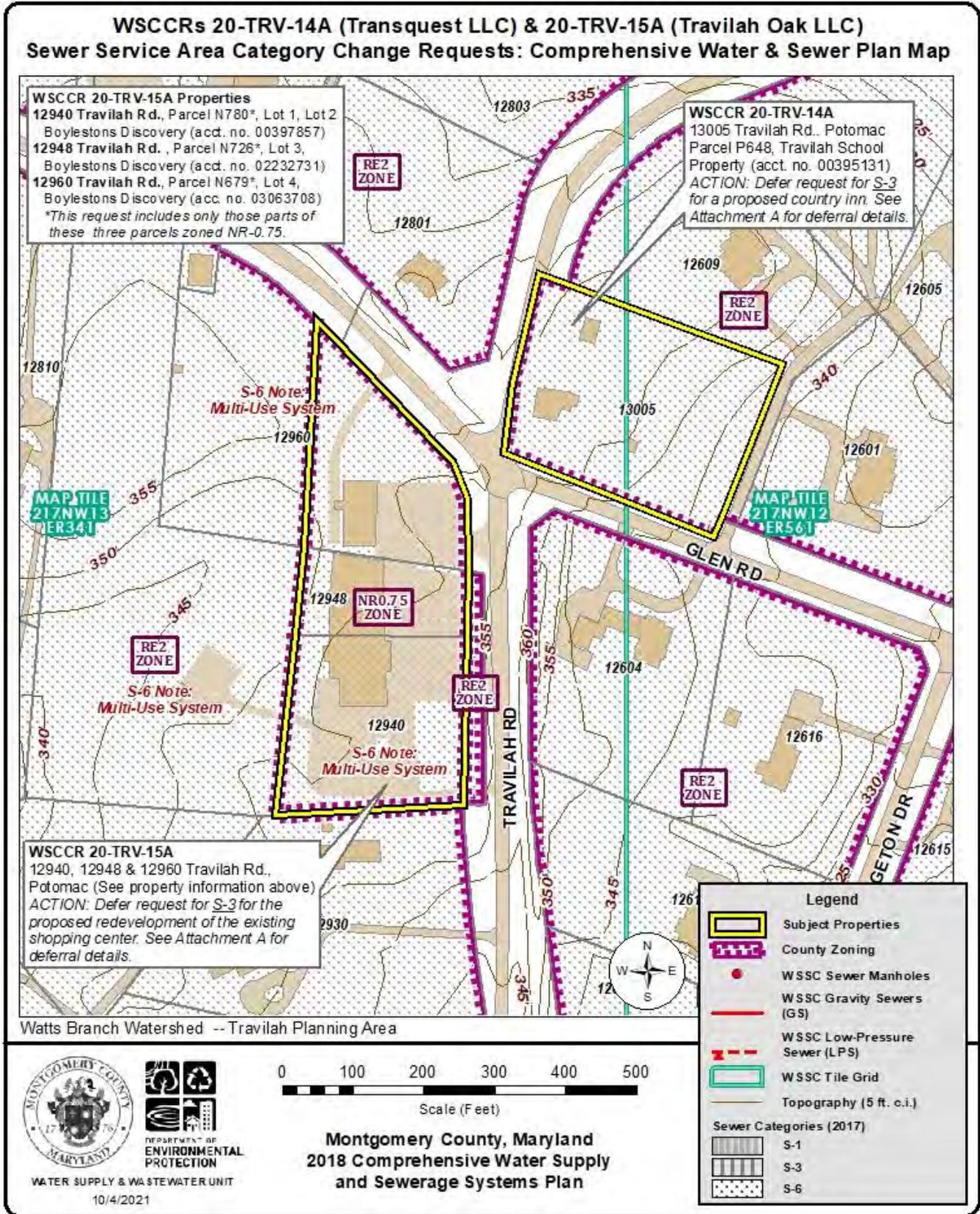
• Applicants receiving a denial under this resolution may not apply again until October __, 2022, unless specifically allowed by DEP.
• See Attachment B for mapping of approved, conditionally approved, and deferred category change amendments.

Montgomery County Comprehensive Water Supply and Sewerage Systems Plan
 May 2021 Amendment Transmittal: Water/Sewer Category Map Amendments



Attachment B presents mapping only for approved, conditionally approved, and deferred category change amendments. See Attachment A for the specific language of the Council's actions and information on water and sewer service area categories.

Montgomery County Comprehensive Water Supply and Sewerage Systems Plan
 May 2021 Amendment Transmittal: Water/Sewer Category Map Amendments



Attachment B presents mapping only for approved, conditionally approved, and deferred category change amendments. See Attachment A for the specific language of the Council's actions and information on water and sewer service area categories.



OFFICE OF THE COUNTY EXECUTIVE

Marc Elrich
County Executive

MEMORANDUM

July 6, 2021

TO: Tom Hucker, President
Montgomery County Council

FROM: Marc Elrich, County Executive 

SUBJECT: Transmittal of and Recommendations on Proposed Amendments to the Ten-Year Comprehensive Water Supply and Sewerage Systems Plan

Pursuant to the requirements of the Environment Article, Sections 9-503 through 9-506 and 9-515 through 9-516, of the Annotated Code of Maryland, I am transmitting my recommendations for three proposed amendments to the County's *Comprehensive Water Supply and Sewerage Systems Plan*. Recommendations and supporting documentation addressing these amendments are included in the attached staff report. All three amendments are requests for individual water/sewer service area category changes.

My recommendations for these amendments are consistent with the adopted policies and guidelines included in the Water and Sewer Plan and are consistent with precedents set under local area master plan service recommendations. Nevertheless, I expect that two of the category change cases have the potential to generate public testimony and worksession discussions. They are summarized as follows:

Commercial Use Cases – WSCCRs 20-TRV-14A (Transquest) & 20-TRV-15A (Travilah Oak)

The applicants have proposed the provision of public sewer service for two sites at the intersection of Travilah Road and Glen Road. WSCCR 20-TRV-14A is for the proposed Old White House Country Inn at the location of an existing single-family house. WSCCR 20-TR-15A is for redevelopment of the existing Potomac Oak Center shopping center. The approval of public sewer service as requested is not consistent with either the Water and Sewer Plan or recommended in the 2002 Potomac Subregion Master Plan. Both locations are outside the planned public sewer envelope. The Water and Sewer Plan does not have any special sewer service policies that would support the approval of public sewer service for these sites.

WSSC has advised that the provision of public sewer service to these sites will require two parallel, 5,300-foot low-pressure main extensions southwest along Travilah Road and Bissel Lane.

Tom Hucker, President
July 6, 2021
Page 2

Under WSSC's engineering requirements, separate main extensions are required for the two separate commercial use projects. These extensions would connect with a WSSC gravity sewer along Bissel Lane.

The Potomac Oak Center (WSSCC 20-TRV-15A) was previously denied approval for public water and sewer service under Resolution No. 16-1519 on October 19, 2010 (WSSCC 07A-TRV-10). I have recommended denial for both category change requests as inconsistent with existing policies and plans. WSSCC 20-TRV-14A also includes a request for approval of a multiuse (large capacity) well water supply system. I have recommended deferral of this request to allow the applicant time to pursue the use of a septic system for this project, if feasible.

Staff from the Department of Environmental Protection, Intergovernmental Affairs Division, will be available for and participate in upcoming committee and full Council work sessions.

ME:as

Attachment

- c: Lee Currey, Director, Water and Science Administration, Maryland Department of the Environment
- Robert McCord, Secretary, Maryland Department of Planning
- Casey Anderson, Chair, Montgomery County Planning Board
- Carla Reid, General Manager, Washington Suburban Sanitary Commission
- Adam Ortiz, Director, Department of Environmental Protection
- Mitra Pedeem, Director, Department of Permitting Services

Montgomery County Comprehensive Water Supply and Sewerage Systems Plan

County Executive's May 2021 Amendment Transmittal to the County Council

Three Service Area Category Change Requests

**Prepared by
The Department of Environmental Protection**

Adam Ortiz, Director

Steve Shofar, Chief, Intergovernmental Affairs Division

Alan Soukup, Senior Planner, Water Supply and Wastewater Unit

George Dizelos, Planner III, Water Supply and Wastewater Unit

**We acknowledge and appreciate the assistance of the following
agencies in the preparation of this amendment packet:**

Washington Suburban Sanitary Commission

Maryland - National Capital Park and Planning Commission

Montgomery County Department of Permitting Services

COMPREHENSIVE WATER SUPPLY AND SEWERAGE SYSTEMS PLAN AMENDMENTS
County Executive's May 2021 Transmittal Packet
FY 2020 & FY 2021 Category Change Requests

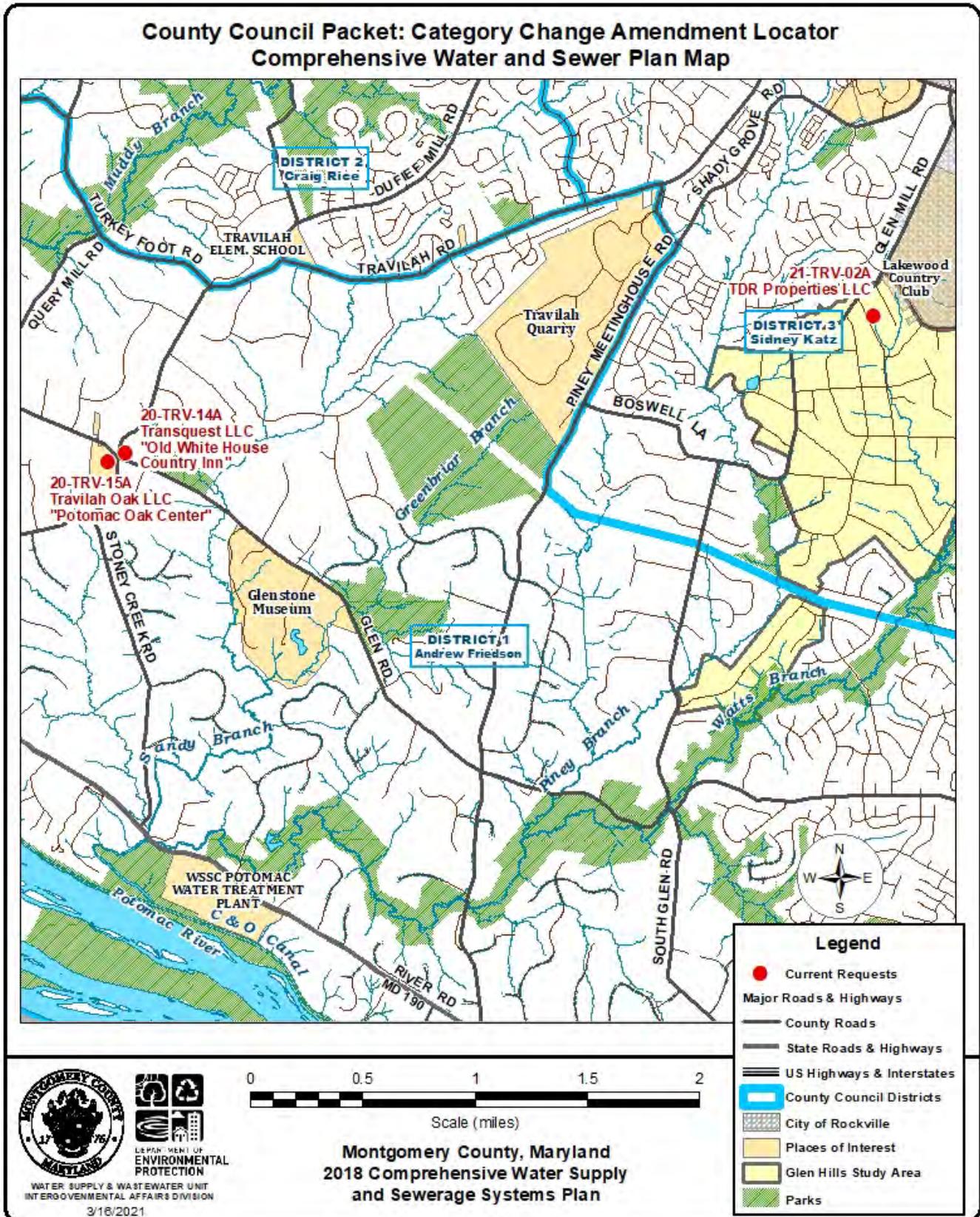
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Executive Summary: Proposed Amendments and Recommendation

Category Change No. & Applicant Location - Zoning - Acreage - Proposed Use	Requested Category Change	Summary of Executive Recommendations & Policy Discussions	Packet Page No.
[1] WSCCR 20-TRV-14A: Transquest LLC			
<ul style="list-style-type: none"> 13005 Travilah Rd., Potomac RE-2 Zone; 2.00 acres Travilah Planning Area Potomac Subregion Master Plan (2002) <u>Proposed use</u>: Country Inn, restaurant 	W-6 to W-6* S-6 to S-3 *multiuse onsite water system	Defer the request for a multiuse system designation for category W-6. Deny approval of category S-3; maintain category S-6. Public sewer service is not consistent with master plan recommendations and Water and Sewer Plan policies. Without public sewer service, the need for a multiuse water supply system depends on the site's suitability for a multiuse septic system.	Report: Pgs. 4 - 6 Maps: Pgs. 22 - 26
[2] WSCCR 20-TRV-15A: Travilah Oak LLC			
<ul style="list-style-type: none"> 12940, 12948 & 12300 Travilah Rd., Potomac; Potomac Oak Center NR-0.75 Zone; 3,14 acres total Travilah Planning Area Potomac Subregion Master Plan (2002) <u>Proposed use</u>: Redevelopment of the existing shopping center 	W-6* (No change) S-6** to S-3 *multiuse onsite water system **multiuse onsite sewerage system	Deny the request for category S-3; maintain category S-6 for a multiuse sewerage system. Public sewer service is not consistent with master plan recommendations and Water and Sewer Plan policies.	Report: Pgs. 7 - 9 Maps: Pgs. 22 - 26
[3] WSCCR 21-TRV-02A: TDR Properties, LLC			
<ul style="list-style-type: none"> 13417 Valley Dr., Rockville RE-1 Zone; 48,043 sq.ft. (1.01 acres) Travilah Planning Area Potomac Subregion Master Plan (2002) <u>Proposed use</u>: Single-Family Home and Accessory Dwelling Unit (currently vacant) 	W-3 (No change) S-6 to S-3	Deny the request for sewer category S-3, maintain category S-6. Public sewer service is not consistent with the Glen Hills Area sewer service policy in the Water and Sewer Plan.	Report: Pgs. 27 - 28 Maps: Pgs. 29 - 31

See Executive Staff Reports for the recommendation and full policy discussion for each requested amendment.



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. 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	Categories W-2 and S-2 are not used in the Montgomery County Water and Sewer Plan. (State's definition: Areas served by extensions of existing community and multi-use systems which are in the final planning stages.)	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. • This includes areas generally requiring the approval of CIP projects before service can be provided.	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. • 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.	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"> 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. 	

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.

Request [1]

WSSCR 20-TRV-14A: Transquest LLC

DEP note: The applicants for this request and WSSCR 20-TRV-15A, which follows, submitted a joint proposal for the provision of public sewer service to both projects.

County Executive’s Recommendation: Defer the request for a multiuse system designation for category W-6, pending an evaluation of establishing a multiuse septic system on the property. Deny the request for approval of category S-3; maintain category S-6.

(Note: As previously recommended by the Planning Board for the WSSCR 20-TRV-15A site, the issues concerning this sewer category change request would be better addressed by a limited master plan amendment for the existing and proposed commercial uses at this intersection.)

<p>Property Information and Location Property Development</p> <ul style="list-style-type: none"> • 13005 Travilah Rd., Rockville • Parcel P648, Travilah School Property (acct. no. 00395131) • Map tile: WSSC – 217NW13; MD –ER51 • Northeast corner, intersection of Travilah Rd. and Glen Rd. (Located diagonally across the intersection from WSSCR 20-TRV-15A) • Zoning: RE-2. Size: 2 acres • Travilah Planning Area Potomac Master Plan (2002) • Watts Branch Watershed (MDE Use I) • <u>Existing use:</u> Single-Family Home and Barn • <u>Proposed use:</u> Country Inn, 135-seat restaurant (conditional use) The proposed site layout is shown on page 21. 	<p>Applicant’s Request: Service Area Categories & Justification</p> <p><u>Existing – Requested – Service Area Categories</u></p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">W-6</td> <td style="width: 50%; text-align: center;">W-6 for multiuse water system</td> </tr> <tr> <td>S-6</td> <td style="text-align: center;">S-3</td> </tr> </table> <p><u>Applicant’s Explanation</u></p> <p><i>Applicant’s documentation for a multiuse water system for WSSCR 20-TRV-14A.....Pages 10 - 11</i></p> <p><i>Applicants’ combined documentation for WSSCRs 20-TRV-14A and 20-TRV-15A:Pages 12 - 21</i></p> <p><i>Note: DEP has received 24 letters supporting the approval of this category change request from local residents, business owners, and organizations. DEP will forward these letters to the County Council as part of the public hearing record. A map showing the locations of the writers is included on page 26.</i></p>	W-6	W-6 for multiuse water system	S-6	S-3
W-6	W-6 for multiuse water system				
S-6	S-3				

Executive Staff Report

The applicant has requested a sewer category change from S-6 to S-3 to support redevelopment of an existing parcel improved with a single-family house into a proposed country inn with a restaurant. The proposed extension of public sewer for this site is linked with a similar request for sewer service for the Potomac Oak Center (WSSCR 20-TRV-15A) located across the intersection of Travilah and Glen Roads. The applicant also requested approval of a multiuse designation for the existing category W-6.

Neither the sewer service recommendations in the 2002 Potomac Subregion Master Plan nor the sewer service policies in the 2018 Water and Sewer Plan support the provision of public sewer service for this RE-2-zoned property. The site is well outside the limits of the planned public sewer service envelope. M-NCPPC has reported the Planning Board’s September 24, 2010, recommendation for the previous request for the Potomac Oak Center site, WSSCR 07A-TRV-10, is applicable to this request:

“We find that the proposed category change is clearly inconsistent with the Approved and Adopted Potomac Subregion Master Plan (2002) ... This request should be considered within the context of a master plan amendment rather than a category change request.”

According to the applicant’s engineer, a multiuse water system with a design capacity of up to 3,400 gallons per day is proposed for the site. The use of a large-capacity well water supply system is potentially consistent with the master plan and the Water and Sewer Plan. The nearby Potomac Oak Center has a multiuse well water supply system. However, the need for a multiuse water supply system would depend on the site supporting a multiuse onsite septic system to accept wastewater flows of that magnitude. This has not been established owing to the expectation of public sewer service.

The applicants originally proposed a single sewer extension to serve both projects. Sewage from this site would flow into a pumping facility on the Potomac Oak Center property across the intersection. Contrary to this proposal, WSSC has stated that sewer service to this project will require a 5,300 low-pressure sewer extension that is separate from and parallel to the extension needed for the nearby shopping center. WSSC has also raised several technical concerns about the operation of such a low-pressure sewerage system (see the following page). The applicant has disputed certain aspects of WSSC's findings, indicating that WSSC could allow waivers to some of its requirements. WSSC has indicated that it stands by its original comments.

Executive staff find that this request for category S-3 is inconsistent with both Water and Sewer Plan service policies and with master plan recommendations. WSSC's analysis presents problems with the proposed low-pressure sewer extension. This request is recommended for deferral of W-6 for a multiuse water system, pending an evaluation for a multiuse onsite sewerage system. The request is also recommended for denial of S-3 for public sewer service; maintain the existing S-6.

Agency Review Comments

DPS – Well & Septic

DPS hasn't received any details related to the multiuse water system or proposed uses for a Country Inn. We have only reviewed information for the existing structure to be retained as a museum (with former address of 12625 Glen Road). A new well was drilled in 2019 to replace the existing well.

M-NCPPC – Planning Dept.

In a letter dated September 24, 2010 the Planning Board made the recommendation below on the Travilah Oak LLC application [WSSCR 07A-TRV-10, now WSSCR 20-TRV-15A]. This is the recommendation for both applications:

"We find that the proposed category change is clearly inconsistent with the Approved and Adopted Potomac Subregion Master Plan (2002) in agreement with the County Executive. The site is located over half a mile from the edge of the approved sewer envelope and at the epicenter of the non-sewer service area of the Potomac Subregion. Provision of public service to this property would require a 5000-foot pressure system extension and require additional right-of-way. Extension of water service to this site is also problematic, requiring a 3000-foot main extension. This request should be considered within the context of a master plan amendment rather than a category change request."

[DEP Note: M-NCPPC has stated that these comments are applicable to the current category change request.]

M-NCPPC – Parks Planning

No park impacts.

WSSC – Water: (not requested)

WSSC – Sewer:

Basin: 16 – Watts Branch. A gravity sewer service to this property does not appear feasible due to the difference in elevations. A dedicated grinder system would be an alternative to gravity sewer but also brings issues. A 5,300-foot-long non-CIP-grinder system extension along Travilah Road would be required to serve the property. This extension would connect to an existing 8-inch diameter gravity sewer in Bissell Lane (Contract No. 89-8406A). The applicant suggested that this property could be served by a gravity sewer line to the Potomac Oak Center. [*] This would not follow WSSC Water's Development Services Code (DSC) or the Pipeline Design Manual (PDM) for the following reasons:

[The applicant's sewer service proposal for this request and for WSSCR 20-TRV-15A, involves a single low-pressure sewer extension with a private pumping facility on the Potomac Oak Center site that would serve both properties. Sewage from this site would flow under the intersection to the single pumping facility.]*

- 1) A private sewer extension within a public road dedication is not allowed. A public gravity sewer from the Old White House site to the Potomac Oak Center would not be allowed. A public sewer system cannot discharge into a private sewer system.

- 2) The Potomac Oak Center and the Old White House would be two non-residential customers served by the low-pressure sewer. Non-residential customers may not share a low-pressure sewer. (DSC page 88 and PDM Appendix C-7)
- 3) Detention time in the pressure sewer prior to discharge to the gravity system would be greater than 2 hours. Detention times would contribute to the generation and release of hydrogen sulfide and odors near the residential dwellings along Bissel Lane downstream of the transition manhole and at air valves along Travilah Rd. (PDM Appendix C-7, PDM S-28.1 & PDM S-26.1).
- 4) The proposed LPSS would pump downhill. Uphill pumping is preferred in a pressure sewer system where the point of discharge to gravity system is at a higher elevation than the rest of the system, to maintain positive pressure throughout the system. (PDM S-25.3) Vacuum pressure can occur at high points elevated above the transition manhole, when pumps shut down. Air vacuum valves would be needed. (PDM S-26.2) Air release and air and vacuum valves require frequent maintenance for them to function as intended. (PDM S-26.1)
- 5) The pressure sewer profile would have high and low points. Continuously rising profiles are preferable. Sewer air vacuum and air release valves will be required at all high points in the system. (PDM S-25.3) *[See page 24.]*
- 6) Through an internal hydraulic analysis, it was determined the minimum velocity of 3.0 fps could not be obtained.

Interceptor capacity is adequate. Treatment capacity is adequate.

Maps, Plans, Etc.: Applicants' Request Letters	Pages 10 - 21
Water and Sewer Category Maps.....	Pages 22 - 23
Proposed Sewer Extension Map	Page 24
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Supporters Map.....	Page 26

Request [2]

WSSCR 20-TRV-15A: Travilah Oak LLC

DEP note: The applicants for this request and WSSCR 20-TRV-14A, which precedes, submitted a joint proposal for the provision of public sewer service to both projects.

County Executive’s Recommendation: Deny the request for category S-3; maintain category S-6 for a multiuse sewerage system.

(Note: As previously recommended by the Planning Board for this site, the issues concerning this sewer category change request would be better addressed by a limited master plan amendment for the existing and proposed commercial uses at this intersection.)

Property Information and Location Property Development	Applicant’s Request County Council Action
<ul style="list-style-type: none"> • 12960 Travilah Rd., Potomac; Parcel N679*, Lot 4, Boylestons Discovery (acct. no. 03063708) • 12948 Travilah Rd., Potomac; Parcel N726*, Lot 3, Boylestons Discovery (acct. no. 02232731) • 12940 Travilah Rd., Potomac; Parcel N780*, Lot 1, Lot 2 Boylestons Discovery (acct. no. 00397857) <p><i>*This request includes only those parts of these three parcels zoned NR-0.75. Areas zoned RE-2 are excluded.</i></p> <ul style="list-style-type: none"> • Map tile: WSSC – 217NW13; MD –ER41 • Southwest corner, intersection of Travilah Rd. and Glen Rd. (Located diagonally across the intersection from WSSCR 20-TRV-14A) • Zoning: NR-0.75. Size: 3.14 acres total • Travilah Planning Area Potomac Master Plan (2002) • Watts Branch Watershed (MDE Use I) • <u>Existing use</u>: Commercial Shopping Center. “Potomac Oak Center” • <u>Proposed use</u>: Redevelop Shopping Center. The proposed site layout is shown on page 21. 	<p>Existing – Requested – Service Area Categories</p> <p>W-6** W-6** (no change)</p> <p>S-6** S-3</p> <p><i>**Approved for multiuse water supply and sewerage systems.</i></p> <p>Applicant’s Explanation</p> <p><i>Applicants’ combined documentation for WSSCRs 20-TRV-14A and 20-TRV-15A: Pages 12 - 21</i></p> <p><i>Note: DEP has received 24 letters supporting the approval of this category change request from local residents, business owners, and organizations. DEP will forward these letters to the County Council as part of the public hearing record. A map showing the locations of the writers is included on page 26.</i></p> <p><i>Note: The Council previously considered and denied a request for categories W-3 and S-3 for WSSCR 07A-TRV-10 under CR 16-1519 (10/19/2010).</i></p>

Executive Staff Report

The applicant has requested a sewer category change from S-6 to S-3 to support redevelopment of an existing commercial shopping center. The proposed extension of public sewer for this site is linked with a similar request for sewer service for the Old White House Country Inn (WSSCR 20-TRV-14A) located across the intersection of Travilah and Glen Roads. Neither request seeks the provision of public water service,

The Council denied a previous water and sewer category change request for this site, WSSCR 07A-TRV-10, under CR 16-1519 (Oct. 19, 2010). M-NCPPC has reported the Planning Board’s September 24, 2010, recommendation for WSSCR 07A-TRV-10 is still applicable to this request:

“We find that the proposed category change is clearly inconsistent with the Approved and Adopted Potomac Subregion Master Plan (2002) ... This request should be considered within the context of a master plan amendment rather than a category change request.”

Neither do the service policies in the 2018 Water and Sewer Plan support the provision of public sewer service for this NR-0.75-zoned property. The site is well outside the limits of the planned public sewer service envelope.

The applicants originally proposed a single sewer extension to serve both projects. Sewage from the Old White House Country Inn this site would flow under the intersection into a private pumping facility on this site. Contrary

to this proposal, WSSC has stated that sewer service to this project will require a 5,300 low-pressure sewer extension that is separate from and parallel to the extension needed for the country inn project. WSSC has also raised several technical concerns about the operation of such a low-pressure sewerage system (see the following page). The applicant has disputed certain aspects of WSSC's findings, indicating that WSSC could allow waivers to some of its requirements. WSSC has indicated that it stands by its original comments.

The shopping center is currently served by multiuse water supply and sewerage systems. The sewerage system has a design capacity of 5,000 gallons per day and cannot be expanded for additional capacity. As a result, DPS notes that changes in uses in the center must be monitored carefully to ensure that expected flows to the septic system do not exceed established limits.

Executive staff recommend denial of the request for sewer category S-3, maintaining S-6 (with multiuse system approval).

(Note: As previously recommended by the Planning Board, the issues concerning this sewer category change request would be better addressed by a limited master plan amendment for the existing and proposed commercial uses at this intersection.)

Agency Review Comments

DPS – Well & Septic

The subject properties are currently served by 3 separate septic systems on three separate septic areas. The septic areas include reserve area for replacement systems. The septic systems have experienced failures and numerous repairs in the last 10-15 years. The septic system serving the existing restaurant has had multiple repairs to properly treat the high strength waste and flow volume. Each proposed change in tenants and/or uses in the shopping center must be carefully reviewed as to not increase the approved sewage flows for the septic systems. This restricts the type of facilities that are permitted in the shopping center.

M-NCPPC – Planning Dept.

In a letter dated September 24, 2010 the Planning Board made the recommendation below on the Travilah Oak LLC application. This is the recommendation for both applications:

"We find that the proposed category change is clearly inconsistent with the Approved and Adopted Potomac Subregion Master Plan (2002) in agreement with the County Executive. The site is located over half a mile from the edge of the approved sewer envelope and at the epicenter of the non-sewer service area of the Potomac Subregion. Provision of public service to this property would require a 5000-foot pressure system extension and require additional right-of-way. Extension of water service to this site is also problematic, requiring a 3000-foot main extension. This request should be considered within the context of a master plan amendment rather than a category change request."

[DEP Note: M-NCPPC has stated that these comments are applicable to the current category change request.]

M-NCPPC – Parks Planning

No park impacts.

WSSC – Water (not requested)

WSSC – Sewer

Basin 16: Watts Branch. A gravity sewer service to this property does not appear feasible due to the difference in elevations. A dedicated grinder system would be an alternative to gravity sewer but also brings issues. A 5,300-foot-long non-CIP-grinder system extension along Travilah Road would be required to serve the property. This extension would connect to an existing 8-inch diameter gravity sewer in Bissell Lane (Contract No. 89-8406A). The applicant suggested that this property could be served by a gravity sewer line to the Potomac Oak Center. [*] This would not follow WSSC Water's Development Services Code (DSC) or the Pipeline Design Manual (PDM) for the following reasons:

[The applicant's sewer service proposal for this request and for WSSCR 20-TRV-14A, involves a single low-pressure sewer extension with a private pumping facility on this site that would serve both properties. Sewage from the Old White House Country Inn site would flow under the intersection to the single pumping facility.]*

- 1) A private sewer extension within a public road dedication is not allowed. A public gravity sewer from the Old White House site to the Potomac Oak Center would not be allowed. A public sewer system cannot discharge into a private sewer system.
- 2) The Potomac Oak Center and the Old White House would be two non-residential customers served by the low-pressure sewer. Non-residential customers may not share a low-pressure sewer. (DSC page 88 and PDM Appendix C-7)
- 3) Detention time in the pressure sewer prior to discharge to the gravity system would be greater than 2 hours. Detention times would contribute to the generation and release of hydrogen sulfide and odors near the residential dwellings along Bissel Lane downstream of the transition manhole and at air valves along Travilah Rd. (PDM Appendix C-7, PDM S-28.1 & PDM S-26.1).
- 4) The proposed LPSS would pump downhill. Uphill pumping is preferred in a pressure sewer system where the point of discharge to gravity system is at a higher elevation than the rest of the system, to maintain positive pressure throughout the system. (PDM S-25.3) Vacuum pressure can occur at high points elevated above the transition manhole, when pumps shut down. Air vacuum valves would be needed. (PDM S-26.2) Air release and air and vacuum valves require frequent maintenance for them to function as intended. (PDM S-26.1)
- 5) The pressure sewer profile would have high and low points. Continuously rising profiles are preferable. Sewer air vacuum and air release valves will be required at all high points in the system. (PDM S-25.3) *[See page 24.]*
- 6) Through an internal hydraulic analysis, it was determined the minimum velocity of 3.0 fps could not be obtained.

Interceptor capacity is adequate. Treatment capacity is adequate.

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Applicant's Explanation (Referenced on Page 4): Multiuse Water Supply System



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July 24, 2020

Mr. George Dizelos
Environmental Planner III
Water Supply & Wastewater Unit
Intergovernmental Affairs Division
Department of Environmental Protection
Suite 120, 255 Rockville Pike

Re: The Old White House
Sewer Category Change
WSSCR 20-TRV-14A
MHG Project No. 1988.132.88

Dear Mr. Dizelos:

On behalf of our client Transquest LLC, we are requesting that the subject sewer category change application be amended to also include a change request for multiuse water withdrawal. Concept plans and published usage/generation rates indicate that the proposed country inn / restaurant will likely require water in excess of 1,500 gallons per day.

Current concept plans conceive a 134 seat restaurant. Fixtures or fixture counts have not been determined. WSSC sewer generation rate charts indicate restaurants generate an average base sewer flow of 24.2 gallons per seat per day. This would predict in excess of 3,400 gallons per day average wastewater flow. The higher average sewer flow generation rates include typical infiltration and inflow which must be accounted for when sizing sewer lines. Because the 3,400 gallons per day does not include predicted infiltration and inflow and it is not anticipated that the restaurant will use significant water for things such as irrigation that do not create sewage flow, it is anticipated that the water requirements will be similar to the predicted wastewater flow. The application amendment is being requested because the 1,500 gallons per day multi-use minimum designation will likely be exceeded and therefore necessitates the requested change to accommodate the desired country inn / restaurant.

It is also important to note that the applicant had a new well installed on the property as part of recent improvements. Well test data reports a withdraw rate of 40 gallons per minute. This far

Applicant's Explanation (Referenced on Page 4): Multiuse Water Supply System

exceeds the anticipated water requirements of the desired use.

For your use we have also included a copy of the amended application and fee transmittal. The fee for the change is scheduled to be sent to the County Finance Office on Monday. Please let us know if you have any questions or require additional information.

Sincerely;



Scott D. Roser, P.E.

Applicant's Explanation (Referenced on Pages 4 & 6)



MEMORANDUM

TO: Alan Soukup, Senior Planner
Montgomery County Department of Environmental Protection

FROM: Robert O. Eisinger on behalf of Transquest LLC – The Old White House
13005 Travilah Road – Parcel P648
Tax Account – 00395131
Guy Semmes on behalf of Travilah Oak LLC – Potomac Oak Center
12940, 12948 and 12960 Travilah Road – Parcels N780, N726 and N679
Tax Accounts – 00397857, 02232731 and 03063708
Applicants for Proposed Amendments to the Montgomery County Comprehensive
Water Supply and Sewerage Systems Plan

DATE: June 30, 2020

RE: **Joint Statement in Support of Sewer Category Change from Existing S-6 to
Requested S-3**

Transquest LLC and Travilah Oak LLC have filed separate applications requesting a sewer category change to S-3 to allow for the extension of community/public sewer services to their properties, respectively, the Old White House located at 13005 Travilah Road and the Potomac Oak Center, a neighborhood-based shopping center located at 12940, 12948 and 12960 Travilah Road.

The Properties

The Old White House (“OWH”) is classified in the RE-2 Zone. The OWH property, containing 2.0 acres, is located on the northeast corner of the intersection of Travilah and Glen Roads and is comprised of the above-referenced parcel and tax account number.

The Potomac Oak Center (“Center”) is classified in the NR-0.75, H-45 Zone (formerly C-1) with an existing and reserve septic system on RE-2 zoned property. The Center, containing 5.084 acres, is located across from the OWH, on the southwest corner of the intersection of Travilah

Applicant's Explanation (Referenced on Pages 4 & 6)

and Glen Roads and is comprised of three (3) parcels, also referenced above with tax account numbers.



The Application

The Applicants have retained the civil engineering services of Macris, Hendricks and Glascock to investigate options by which the properties could access public sewer services. The preferred method/route is to extend a small, dedicated, grinder system commercial sewer line 5,000 feet down Travilah Road to connect to an existing 8-inch public, gravity sewer main (#89-8406A) in Bissel Lane. An existing residential pressure sewer line in Bissel Lane and Travilah Road currently connects to this main that would be unaffected. The commercial sewer line would be located entirely within the public right-of-way of Travilah Road, and would be paid for entirely by the Applicants and would serve no other properties than the OWH and the Center.

More specifically, the proposed pressure sewer would tie to the existing gravity sewer in the vicinity of 13418 Bissel Lane using a standard WSSC manhole designed for that purpose. This is similar to the connection of the existing residential pressure sewer line already in Bissel Lane. The width of the proposed pipeline is anticipated to be 2 – 2.5 inches in diameter or smaller. From the connection point, the pipeline would extend along Bissel Lane and Travilah Road to the vicinity of the southern entrance to the Center. There would be standard WSSC maintenance and pressure control manholes located approximately every 400 feet along the alignment. This portion of the system will be privately built per WSSC criteria and turned over to WSSC for public operation and maintenance when construction is complete and the system has been properly tested. It is anticipated that much of this system will be constructed using directional drilling technology to limit disturbance to the surrounding area and to reduce costs.

Applicant's Explanation (Referenced on Pages 4 & 6)

A commercially manufactured grinder pump system with backup pumps, containment storage and level alarms is to be located at the rear of the Center. The discharge line from this grinder pump will extend and connect to the public pressure sewer system in Travilah Road. A private gravity sewer system will convey wastewater from the OWH and the Center's existing sewer on-site lines to the grinder pump system.

If category S-3 is granted to the properties, and a dedicated grinder system with separate commercial sewer extension is approved to serve the properties, the dedicated commercial grinder system/line could not physically be utilized by any intervening residential property due to its design and WSSC regulations. If there were other non-residential uses in the area (and there are not), they would not be permitted to connect to the proposed pressure sewer line under WSSC policies and additional properties would be restricted from the system by restrictive covenant. A dedicated commercial pressure sewer system in the area does not increase the likelihood of additional residential or commercial public sewer connections.

The Vision

The requested sewer category change is needed to facilitate reuse of the existing structure(s) on the OWH site for a country inn conditional use. The previous residential use of the property has become obsolete. While not designated historic, the two-story frame barn and house (which still has remnants of the original pre-Civil War log cabin) are both 19th Century structures, believed to have been built in 1850 and 1870 respectively. The OWH has been structurally and cosmetically stabilized by the current owner and Applicant; however, it is located very close to the busy Travilah Glen Road intersection making it unappealing for residential use. Its long time vacancy and previous dilapidated condition reinforce this point. A more logical/appropriate future use of the property is as a country inn/restaurant, which is not sustainably feasible on a 2-acre lot residential septic system. Moreover, resizing the septic system on-site would result in significant tree impacts that would be counter-intuitive and undermine benefits associated with maintaining the existing environmental setting as much as possible for the country inn use.

The requested sewer category change is also needed to realize a more robust mix of convenience retail uses at the Center to better serve adjacent residential communities. The Center currently includes, among other uses, a small restaurant that is experiencing sewer disposal problems, requiring installation of an expensive pre-treatment facility that treats sewage before it enters the septic system. This is not a permanent solution; the pre-treatment facility has a limited life. The County's DPS Well and Septic Section has restricted the water usage rates of each tenant in order to remain within septic treatment limits. This has had the effect of limiting uses within the Center to "low-flow" uses, including a convenience store with very limited food service, a low water use Doggie Daycare service, and a small sit-down restaurant with very limited seating. Any future potential uses would be limited to office uses or insurance agents. Alternatively, "higher-flow" uses that use greater amounts of water, such as a small grocery store, hair salon, exercise gym, coffee shop/bakery, or ice cream shop are not permitted to be located within the Center, due to the septic treatment constraints. The Center is comprised of 24,000 square feet of existing commercial uses and has a County approved site plan and/or septic facilities for approximately 40,000 square feet of commercial space. As previously stated, current uses in the Center are restricted to low-flow type uses. If

Applicant's Explanation (Referenced on Pages 4 & 6)

this sewer service category request is granted, the Applicant will not develop the Center beyond the Approved Site Plan of approximately 40,000 square feet scale of development.

With a country inn use of the OWH across from a re-invigorated neighborhood center, the Applicants envision creating a viable local destination with historic character and a true sense of place that would enhance and build upon recently introduced amenities in the area such as the Greenbriar Community Park and the Glenstone Museum. The Applicants agree that smart growth principles support focusing new residential development in areas with alternative transportation infrastructure. But the Applicants also believe that smart growth is supported by the creation of places within existing low-density residential communities that result in shorten and/or reduced auto-trips. With the advent of the 'home office' phenomenon, vibrant and sustainable localized commercial centers, such as what is envisioned here, are needed to transform the County's low-density areas into 'live, work and play' communities.

The Applicants believe it is time to breathe new life into this part of 'Old Potomac' and create an attractive, functional gathering place that serves as a local destination for the surrounding community. Without a sewer category change, the Center will remain dated and stagnant, the preservation of the OWH doubtful and opportunities to create new local jobs missed.

2002 Potomac Subregion Master Plan

The introduction of an appropriate conditional use (formerly special exception use) for the OWH site (also known as the Reiver Property) was discussed and encouraged by the County Council in conjunction with adoption of the 2002 Potomac Subregion Master Plan ("2002 Plan"). The highlighted text in the below excerpt of page 25 of Council Resolution No. 14-1170 documents the Council's support for non-residential use of the OWH property, which was ultimately incorporated into the land use recommendation for the Reiver Property found on page 91 of the 2002 Plan, also excerpted below:

Many of the recommendations in this Master Plan require the approval of zoning text amendments. The Council urges the Park and Planning Department to take all actions necessary to finalize those text amendments before the Potomac Sectional Map Amendment. In addition to text amendments specifically described in the Master Plan, the Council indicated its interest in exploring additional special exception uses in the RE-2 zone (that would affect the Reiver property) and its desire to ensure that existing parking on residentially zoned land in the Potomac Village Shopping Center will be grandfathered (including lighting that may be changed to comply with current standards) by pending text amendments.

Applicant's Explanation (Referenced on Pages 4 & 6)

Reiver Property

This two acre site, zoned RE-2, is located in the northeast quadrant of the intersection of Travilah and Glen Roads. The Property is surrounded on three sides by the single-family detached houses of the Belvedere, Travilah Park, and Greenbriar Estates subdivisions, is zoned RE-2, and retains a single-family detached residential character. A small commercial convenience center is located diagonally across the intersection from this site. The owner has requested O-M zoning, with a schematic development plan, arguing the need for small office in the area, and that the proximity of the existing structure to the Glen and Travilah rights-of-way limits its use for residential purposes.

Even on well and septic, and with the safeguards of a schematic development plan, this site is not appropriate for office use. Such a change would constitute an undesirable precedent in the RE-2 Zone.

Recommendation

- **Retain the existing RE-2 zoning, but allow appropriate special exception uses.**

Relative to the Center, the property's classification in the C-1 dates back to the 1966 Potomac Master Plan. The 1980 Master Plan down-zoned the property from C-1 to RE-2, without discussion of the property. The 2002 Plan then included the property as a commercial site classified back into the C-1 Zone. Finally, the 2014 Comprehensive Rezoning changed the zone of the developed portion of the Center to the NR-0.75, H-45 Zone.

Historically, commercial activity has occurred on the Center property over the course of many decades. The crossroads of Travilah and Glen Roads have long supported local convenience commercial uses. But in a general discussion of commercial facilities, all three of the previously mentioned Master Plans, 1966, 1980, and 2002, indicate that not all of the commercial demand by residents of this area is to be satisfied within the planning area and sub-region. The Plans include such language as:

- [large retail centers] are available in the nearby I-270 corridor (1960 Potomac Master Plan, pp. 14 & 15)
- This area is also served by centers just outside of the boundaries, including Rockshire, Seven Locks Plaza, Georgetown Square, and Wildwood (1980 Potomac Subregion Master Plan, p. 127)
- Commercial areas beyond Travilah are expected to accommodate the shopping needs of the community (2002 Potomac Subregion Master Plan, p.80)

While resorting to commercial centers 8 to 10 miles or more from the community on a daily basis may have made some sense during the second half of the 20th century, the negative effects of excessive driving and long trip distance are now more apparent. The environmental benefits of reduced carbon emissions and other pollutants, reduction of excessive gas

Applicant's Explanation (Referenced on Pages 4 & 6)

consumption, reduced road congestion, and reduced road wear all indicate that there are positive environmental and community benefits from reducing trips and trip lengths, by offering convenience commercial goods and services closer to home. Retail services that are provided closer to home will reduce congestion at surrounding intersections. In addition, removing the commercial septic system will reduce undesirable nutrients from the groundwater supply of the Sandy/Watts watershed leading into the Potomac River. The Maryland Department of Environmental Protection found high nitrates in the well water in 2004 and insisted that an expensive system to lower the nitrates be installed on each well. While this removes nitrates from the drinking water, it does not keep them out of the septic field, water table, and eventually the river.

In addition, the 2002 Plan included some design principles in order to create a cohesive, attractive, efficient commercial Center, providing needed goods and services and creating an enduring community image. This Center, though small, has the capacity to be of greater utility to the immediate neighborhood. With a wider range of commercial services offered, it could function as a more community useful, but not larger, community center.

The 2002 Plan raised general concerns regarding potential damage to the environment and water resources associated with the provision of public sewer service that are not applicable here. It notes the following:

- Public sewer can facilitate development to the maximum zoning density
- Extension of sewer along a stream valley can create habitat disturbance, threaten species survival, and adversely affect the natural hydrologic system due to wetlands fragmentation
- If sewer lines leak they can further disturb the eco system

The present Applications will not permit development to the maximum density on the properties, but development will be restricted to the same density associated with the septic approval on the Center and the existing principal structures via conditional use approval on the Old White House property. The proposed sewer line will not extend down a stream valley buffer disturbing wetlands or other habitat. Rather, it is proposed to extend down the Travilah Road right of way, an existing road. An improbable leak in the sewer line located within well-traveled roads far from the stream valley not subject to exposure from stream erosion will not result in any significant ecosystem disruption.

Previous Potomac Oak Sewer Category Change Request (07A-TRV-10)

A sewer service category S-3 request was previously considered by the County for the Center in June, 2007. Same as here, the purpose of the previous request was to permit higher water flow uses/tenants within the Center, with no increase in the existing and approved size of commercial space. The value of permitting uses of greater utility to the community at the Center in closer proximity to nearby residents was argued; thereby reducing auto travel for commercial goods and services with the environmental benefits of reduced carbon emissions and other pollutants, reduction of excessive gas consumption, reduced road congestion, and reduced road wear.

Applicant's Explanation (Referenced on Pages 4 & 6)

The 07A-TRV-10 application was filed in June, 2007. The County Executive referred it to various agencies for comment and submitted a recommendation to the County Council on January 17, 2008. The County's DPS Well and Septic Section expressed a preference for public sewer service for the property, the WSSC provided technical comments regarding how public sewer service could be provided to the property, and the Planning Board recommended approval of the application on February 21, 2008.

Specifically, DPS Well & Septic Section noted in their original review of this application that "[w]hile reserve septic fields are established for all the properties, it would be best served by public watersewer. This is due to the high strength nature of the waste generated by the food service facilities located in the Shopping Center."

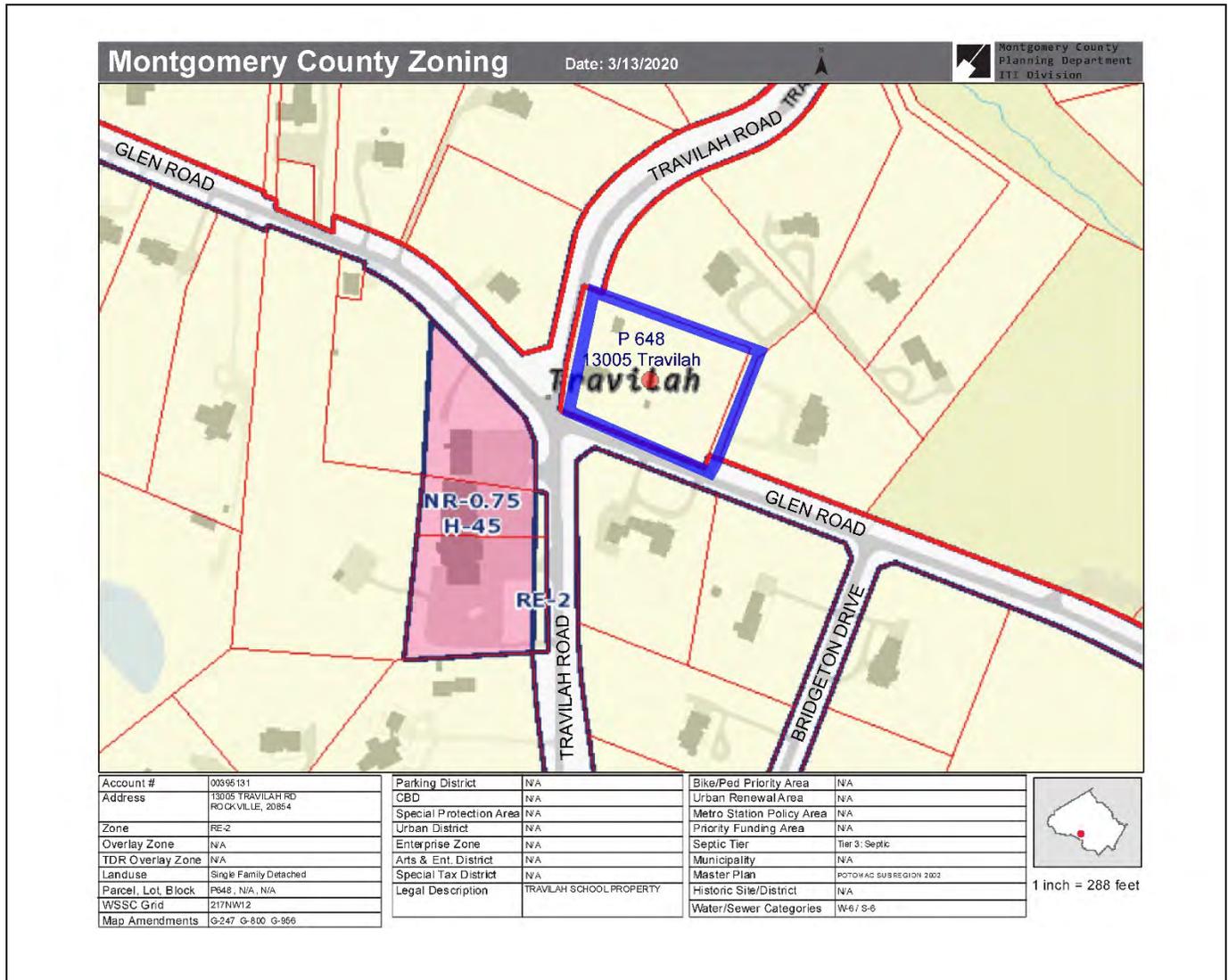
The Planning Board, in their original review, recommended approval of the category change, expressing a preference for the following, all of which remain even more relevant and true today:

- The environmental benefits of reduced travel for commercial goods and services;
- Creation of a commercial community center of greater utility to the immediate community; and
- No conversion of undeveloped, or residential, ground to commercial activity, merely the improved utility of a commercial center to serve the community.

On March 13, 2008 the Council's T&E Committee recommended deferral at the request of the applicant for the purpose of further discussion between the applicant and the community, and the Council concurred with that deferral on April 8, 2008. Four community events were held at the Center during the summer of 2008, which provided an opportunity for the applicant to describe the application, and for community members to ask questions and comment on the application. While immediately adjoining neighbors were supportive (and had submitted letters of support), community leaders voiced differing perspectives and on July 13, 2009, the County Executive expressed support for deferring the application pending a master plan amendment to the 2002 Plan. Since such an amendment was not likely so soon after adoption of the 2002 Plan, the application was ultimately denied by the Council in 2010.

Over the past year, the Applicants have re-engaged with neighboring property owners and community leaders (including those who had been engaged on the previous application) and have garnered a groundswell of support for the current proposal. With the addition of the OWH property to the overall vision/concept, the Applicants will be able to spread the cost of the necessary pressure sewer extension, making the current proposal financially viable and achievable in the near term.

Applicant's Explanation (Referenced on Pages 4 & 6)



Applicant's Explanation (Referenced on Pages 4 & 6): Supplement with Site Development Plan



April 2, 2021

Attn: Alan Soukup, Senior Planner
Water Supply & Wastewater Unit
Montgomery County Department of Environmental Protection
2425 Reedie Drive, Fourth Floor
Wheaton, Maryland 20902

Re: Sewer category change - **WSSCR 20-TR-14A &-15A (Transquest LLC/Travilah Oak LLC);**
"The Vision" - Proposed Site Plan with Updated Narrative

The enclosed Site Plan depicts "The Vision" that we seek to achieve at the historic crossroads of Travilah Road and Glen Road with sewer approval. A sewer category change would not only facilitate more vibrant, neighborhood serving uses at the Potomac Oak Center but allow for the transformation of 7-acres of land currently burdened by septic easements into a community gathering place inclusive of a small Farmers Co-op, a 'farm-to-table' produce/vegetable garden for the Old White House and a Farmers Market.

Specifically, approval of the requested sewer category change would allow for the abandonment/removal of septic easements over 7 acres of land located at the rear of the Potomac Oak Center property and its subsequent dedication as a small Farmers Co-op (3-4 farmers). We are committed to working with the Land Link program of Montgomery Countryside Alliance to identify several farmers that would be interested in having small produce farms located 'closer-in'. The ability to release the 7 acres in this manner would provide a phenomenal opportunity for a 'farm-to-table' produce area curated by and for the Old White House's country inn operation. We are also proposing a county recognized Farmers Market on the north corner of the Potomac Oak Center property where the farmers and others would have access to sell their products to the surrounding community.

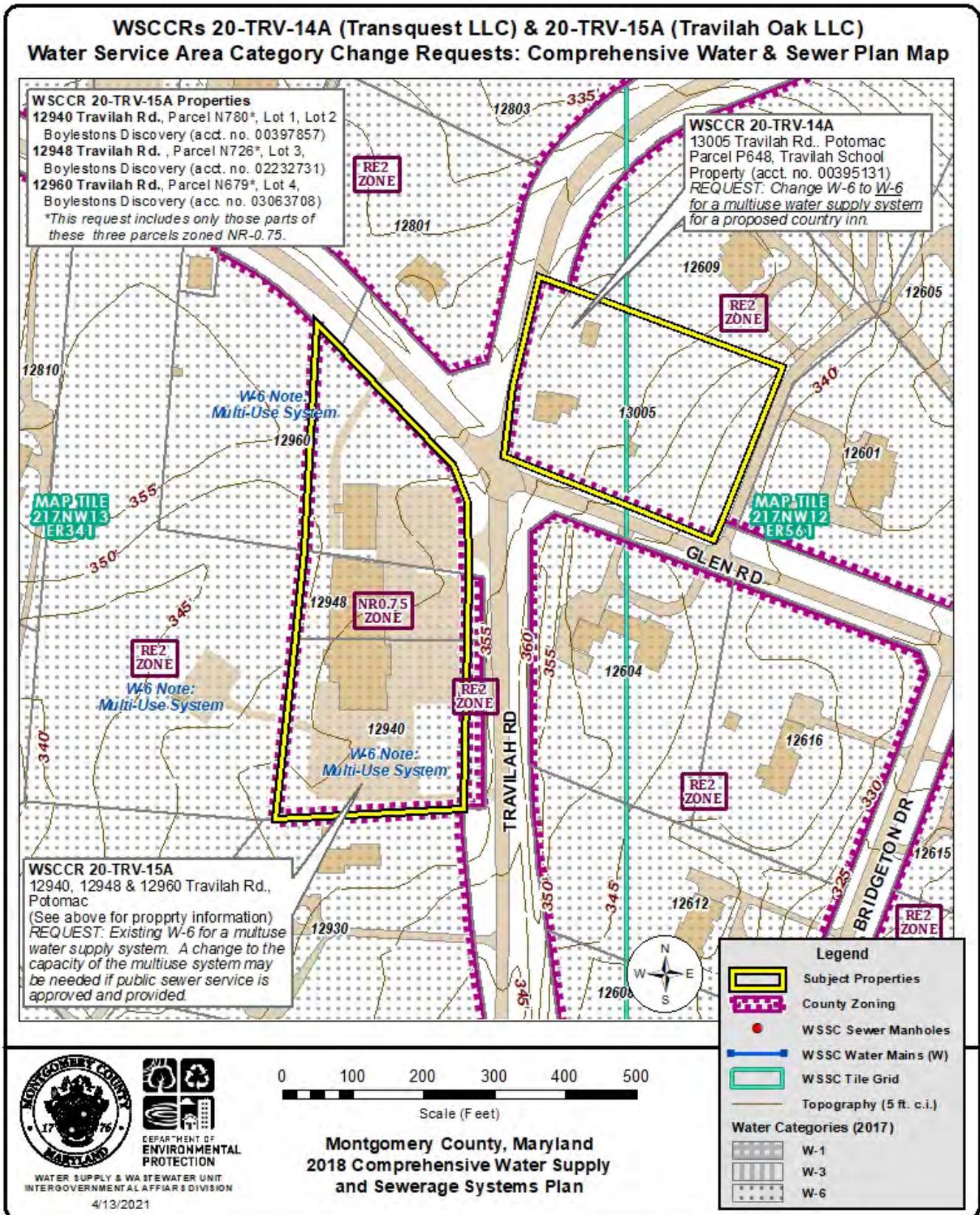
Known as a small agricultural community that grew at this intersection in the mid-1800s because of its proximity to the C&O Canal, our requested sewer change will facilitate the desired type of uses/improvements needed at the Center that, in conjunction with a country inn re-use of the Old White House, will create a historically appropriate sense of place for the Travilah community that is long overdue.

Sincerely,

Robert O. Eisinger and Guy Semmes
Applicants

Applicant's Explanation (Referenced on Pages 4 & 6): Supplement with Site Development Plan
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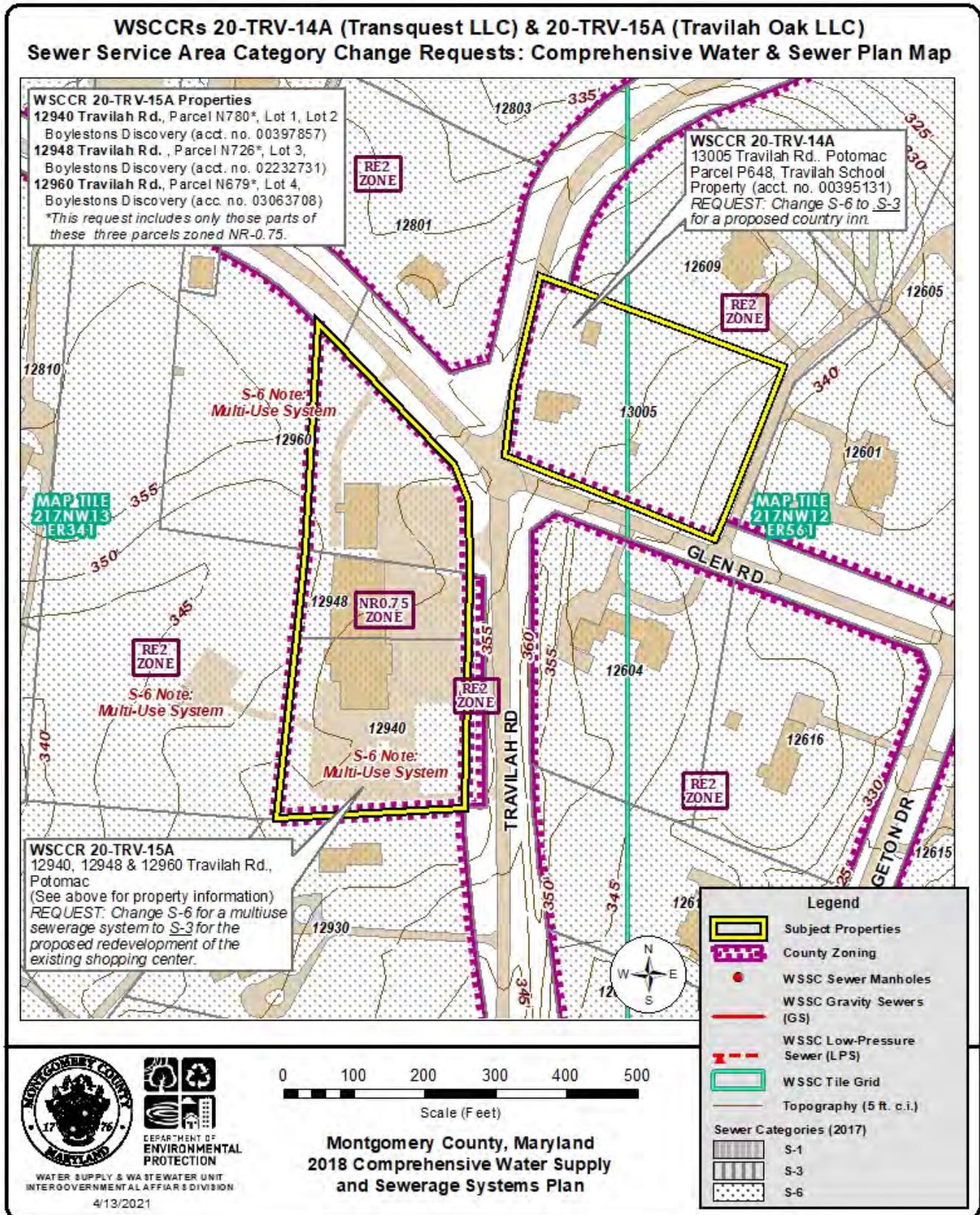




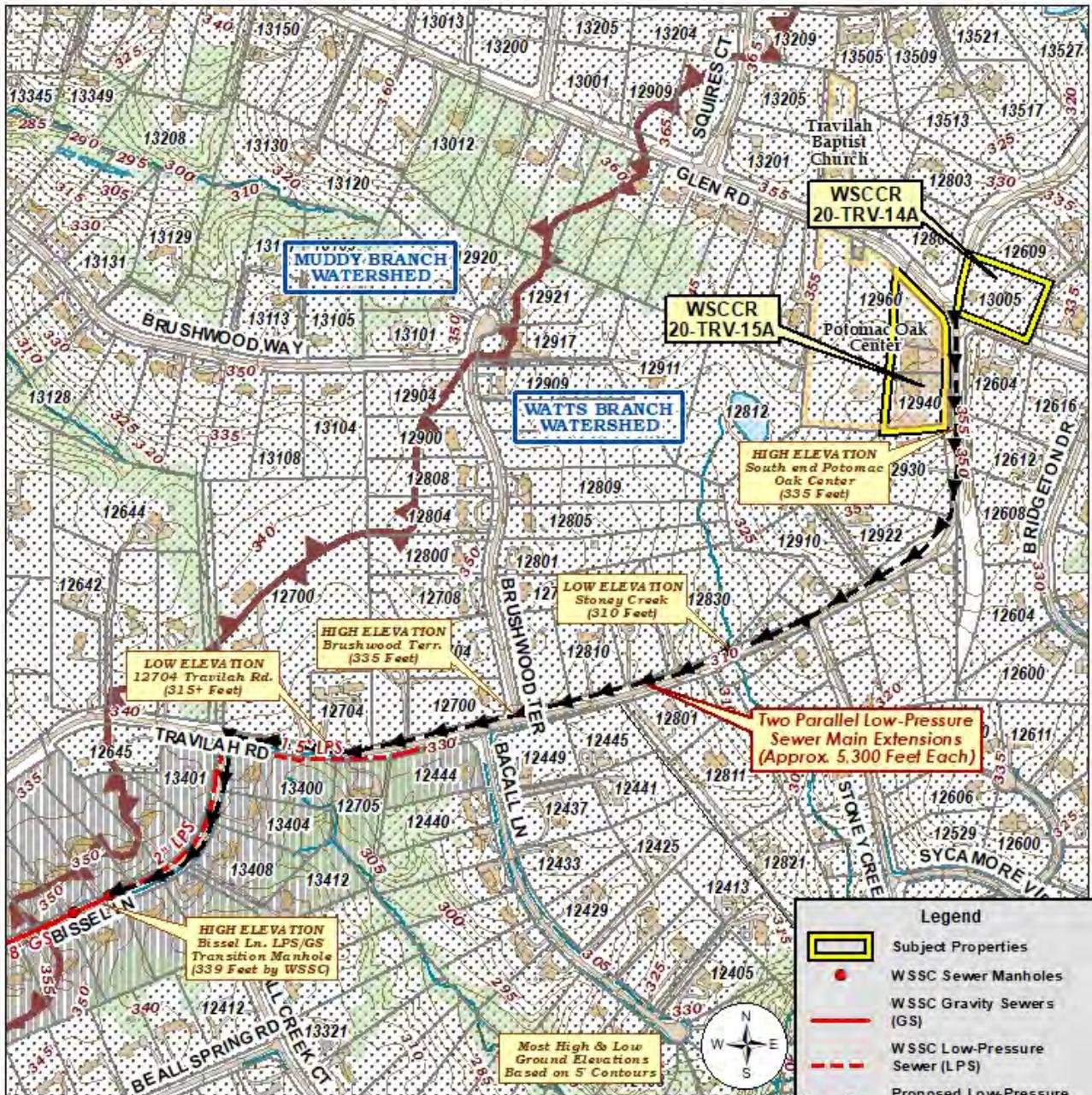
DEPARTMENT OF ENVIRONMENTAL PROTECTION
 WATER SUPPLY & WASTE WATER UNIT
 INTERGOVERNMENTAL AFFAIRS DIVISION
 4/13/2021

0 100 200 300 400 500
 Scale (Feet)

**Montgomery County, Maryland
 2018 Comprehensive Water Supply
 and Sewerage Systems Plan**



**WSSCR 20-TRV-14A (Transquest LLC) & 20-TRV-15A (Travilah Oak LLC)
 Proposed Low-Pressure Sewer Main Extensions: Comprehensive Water & Sewer Plan Map**



Legend

- Subject Properties
- WSSC Sewer Manholes
- WSSC Gravity Sewers (GS)
- WSSC Low-Pressure Sewer (LPS)
- Proposed Low-Pressure Sewer Extensions
- Major Watersheds
- Topography (5 ft. c.i.)
- Forests

Sewer Categories (2017)

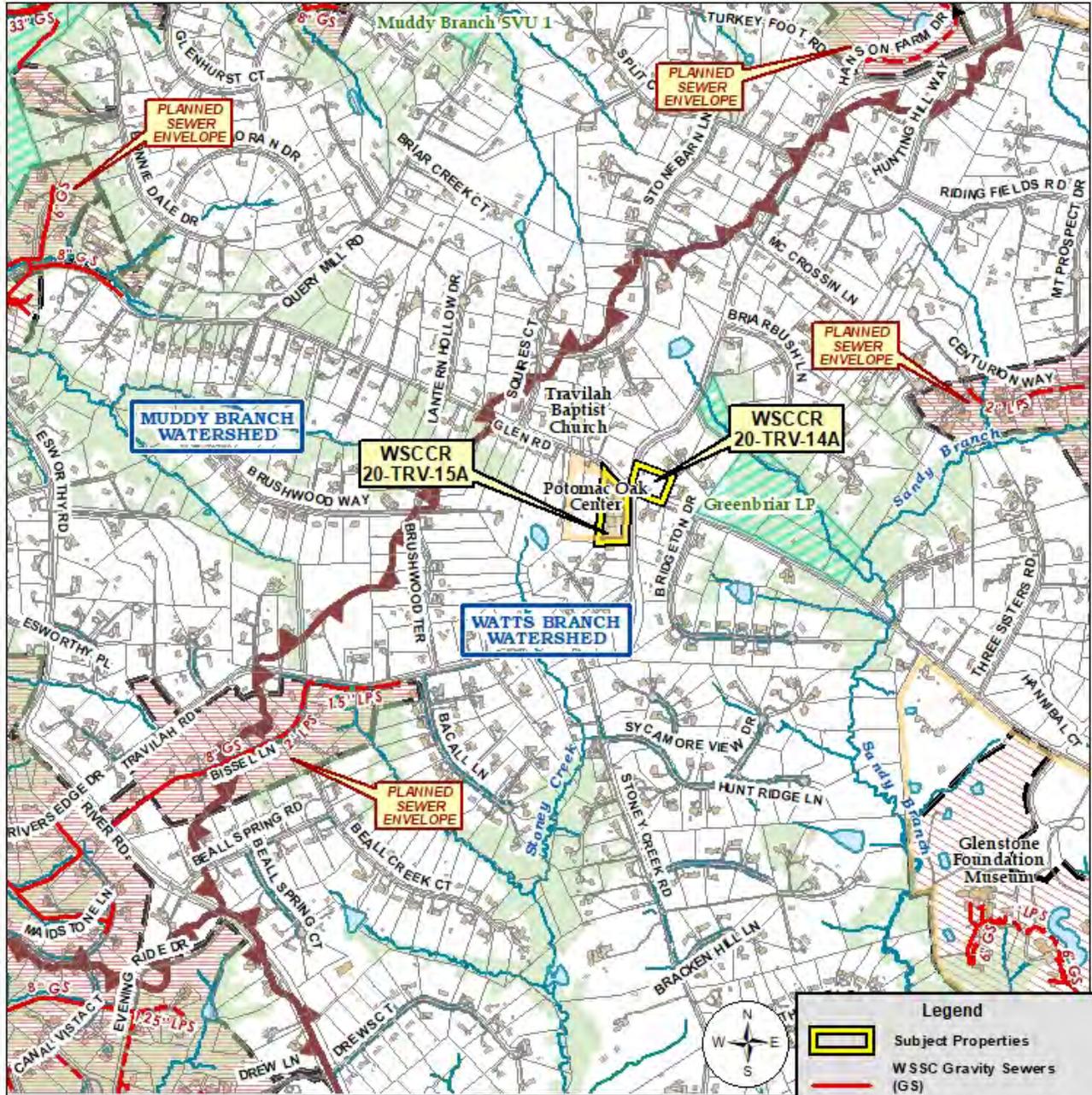
- S-1
- S-3
- S-6

Montgomery County, Maryland
 WATER SUPPLY & WASTEWATER UNIT
 INTERGOVERNMENTAL AFFAIRS DIVISION
 9/17/2020



Montgomery County, Maryland
 2018 Comprehensive Water Supply
 and Sewerage Systems Plan

**WSSCR 20-TRV-14A (Transquest LLC) & 20-TRV-15A (Travilah Oak LLC)
 Planned Public Sewer Service Envelopes: Comprehensive Water & Sewer Plan Map**



Legend

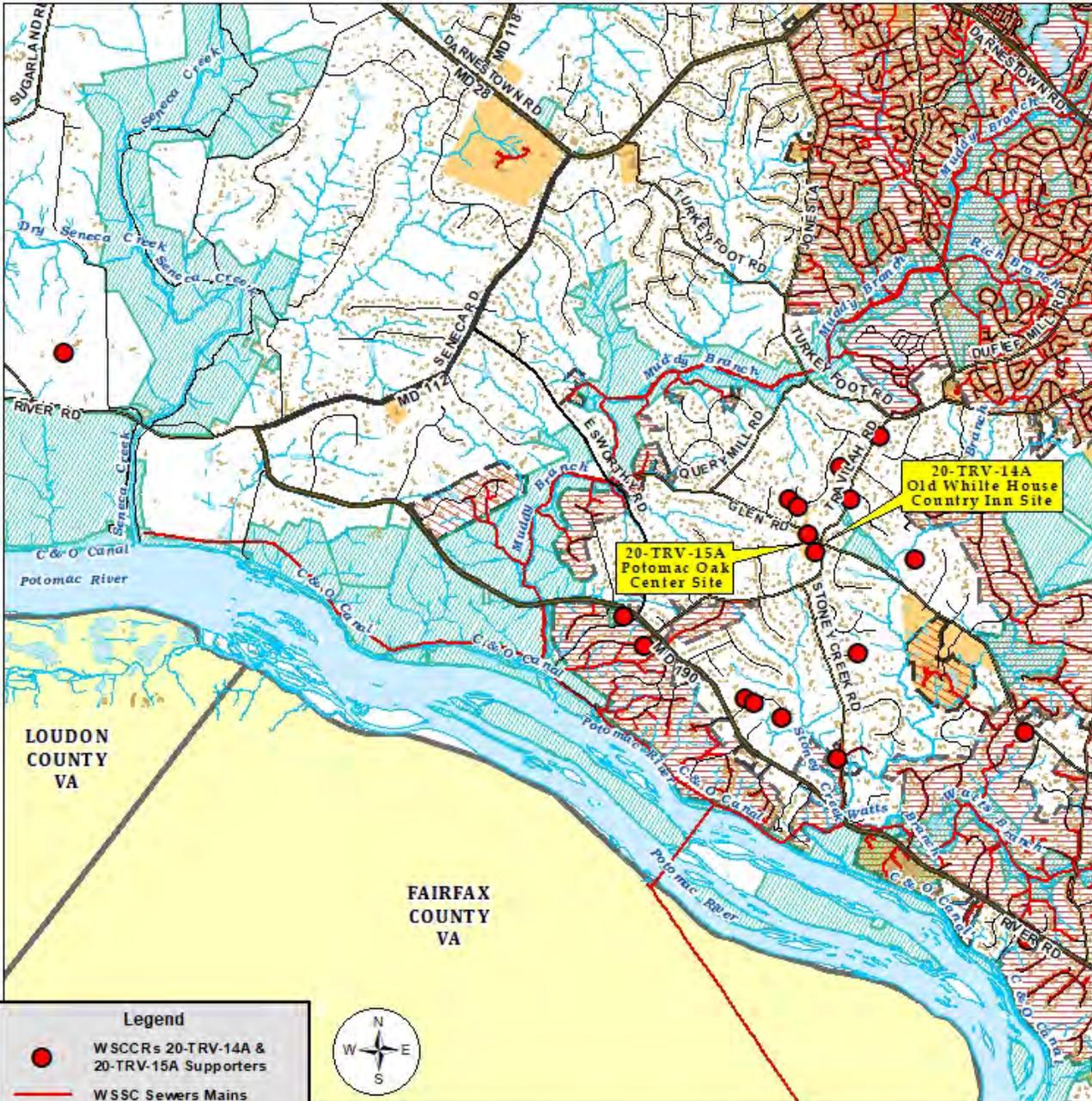
- Subject Properties
- WSSC Gravity Sewers (GS)
- WSSC Low-Pressure Sewer (LPS)
- Major Watersheds
- Forests
- Existing Parkland
- Sewer Service Envelopes
- Planned Service Envelope
- Service by Exceptions

DEPARTMENT OF ENVIRONMENTAL PROTECTION
 WATER SUPPLY & WASTEWATER UNIT
 INTERGOVERNMENTAL AFFAIRS DIVISION
 4/13/2021



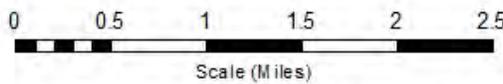
Montgomery County, Maryland
 2018 Comprehensive Water Supply
 and Sewerage Systems Plan

**WSSCRs 20-TRV-14A & 20-TRV-15A: Locations of Supporters (Based on Letters to DEP)
 Comprehensive Water & Sewer Plan Map**



Legend

- WSSCRs 20-TRV-14A & 20-TRV-15A Supporters
- WSSC Sewers Mains
- Major County Roads
- State Roads
- U.S. Highways
- Existing Parkland
- Sewer Service Envelopes**
- Planned Service Envelope
- Service by Exceptions
- Places of Interest



Montgomery County, Maryland
 2018 Comprehensive Water Supply
 and Sewerage Systems Plan

DEPARTMENT OF ENVIRONMENTAL PROTECTION
 WATER SUPPLY & WASTEWATER UNIT
 INTERGOVERNMENTAL AFFAIRS DIVISION
 8/18/2020

Request [3]

WSSCR 21-TRV-02A: TDR Properties LLC

County Executive’s Recommendation: Deny the request for sewer category S-3, maintain category S-6.

<p>Property Information and Location Property Development</p> <ul style="list-style-type: none"> • 13417 Valley Dr., Rockville • Lot 1, Block 5, North Glen Hills Sec 1 (acct. no. 00076908) • Map tile: WSSC – 218NW10; MD –FR42 • East side of Valley Dr., 470 feet south of Glen Mill Rd. • Zoning: RE-1. Size: 48,043 sq.ft. (1.10 acres) • Travilah Planning Area Potomac Subregion Master Plan (2002) • Watts Branch Watershed (MDE Use I) • <u>Existing use</u>: Vacant • <u>Proposed use</u>: Single-Family Home and Accessory Dwelling Unit 	<p>Applicant’s Request: Service Area Categories & Justification</p> <hr/> <p>Existing – Requested – Service Area Categories</p> <p>W-3 W-3 (no change)</p> <p>S-6 S-3</p> <hr/> <p><u>Applicant’s Explanation</u></p> <p>“Category change as necessary to provide water and sewer service to the proposed development of the property by the contract purchaser. According to WSSC records, 8” water main exists within Valley Drive to the north and a sewer system exists at the Valley Drive and Glen Mill Road intersection to the north. Site is located within the Glen Hills Study Area described in the 2018 Montgomery County Comprehensive Water Supply and Sewerage Systems Plan, Appendix C.”</p>
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Executive Staff Report

The applicant has requested a sewer category change from S-6 to S-3 to build a single-family home and accessory dwelling unit. The property is located within the Glen Hills Study Area.

Sewer service recommendations in the 2002 Potomac Subregion Master Plan, as well as the sewer service policies in the 2018 Water and Sewer Plan, within the Glen Hills Study Area, do not support the provision of public sewer service for this RE-1-zoned property. The property does not satisfy any of the six requirements for public sewer service in the Glen Hills area, including the Potomac Peripheral Sewer Service policy. (See pgs. 32 – 33 and 34 – 36.)

WSSC reports that a sewer extension of approximately 485 feet to an existing main at the intersection of Valley Dr and Glen Mill Rd. is needed. The main would be a combination of gravity and low-pressure sewer mains. WSSC’s evaluation notes that this would be part of a conceptual sewer extension of 1,450 feet of pressure sewer, identified in the Glen Hills Sewer Study. (See the map on page 27.) The County has not undertaken a septic system survey for this part of Valley Dr. to determine whether public sewer service is warranted.

WSSC’s previous one-mile gravity sewer extension concept is shown on page 28. This extension is not consistent with master plan recommendations for sewer extensions in the Glen Hills Study Area as it would affect a stream, a stream valley buffer, and wooded areas in the neighborhood, and would need easements from private property owners.

Executive staff recommend denial of sewer category S-3, maintaining category S-6.

Agency Review Comments

DPS: Soils testing was conducted by DPS in 1985 and most recently in 2019. All testing in 1985 failed and the 2019 test revealed shallow groundwater. Further testing was not recommended including testing sand mound systems due to very limited area and the inspector’s field observations.

M-NCPPC – Planning Dept.: This 1.01-acre lot is zoned RE-1 and is located in the Glen Hills Study Area of the Potomac Subregion Master Plan. The Water and Sewer Plan limits public service in Glen Hills and outlines conditions that must be satisfied before public service is provided. This property does not appear to meet any of the six conditions outlined in the Water and Sewer Plan. Therefore, staff does not support sewer service to this property.

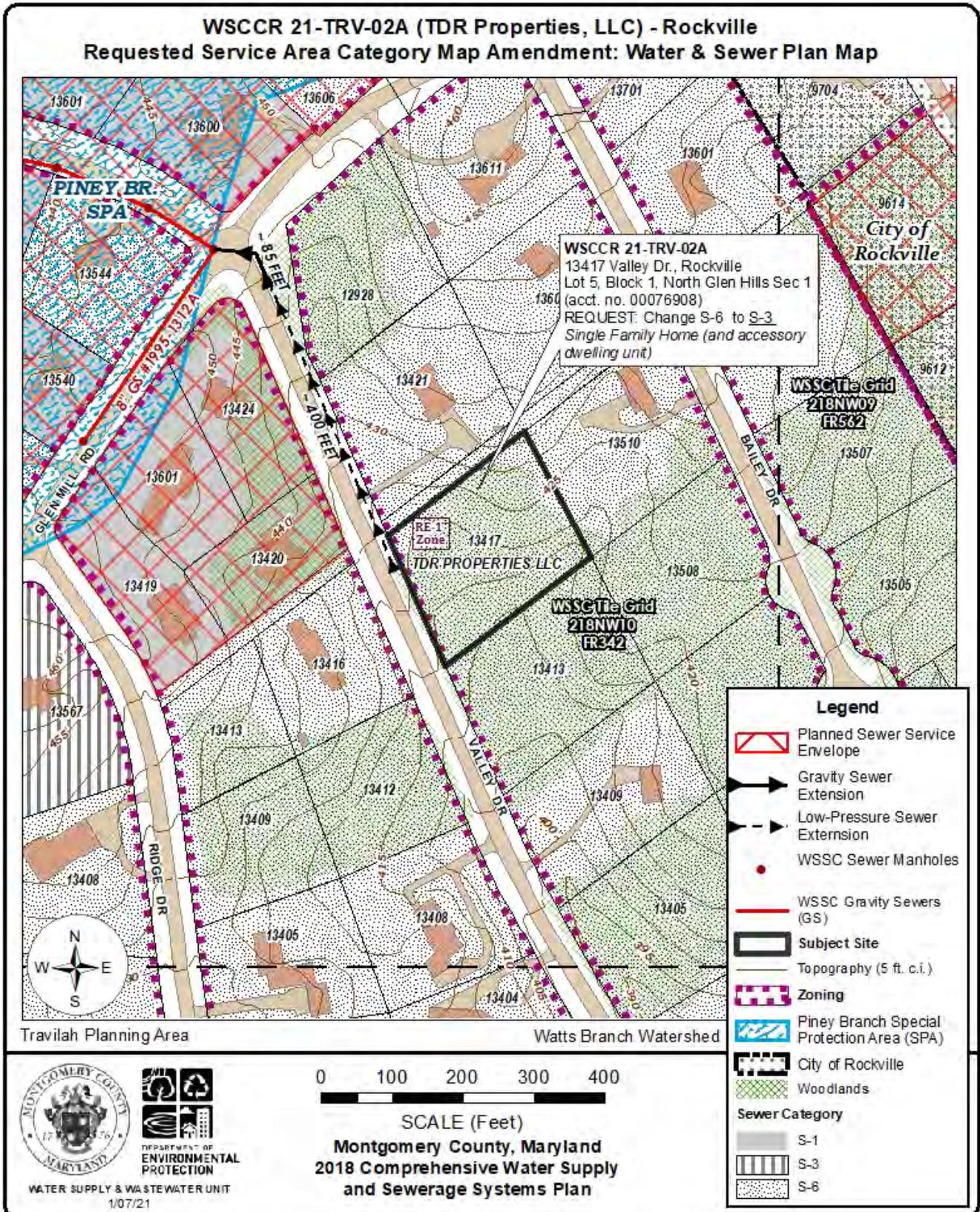
M-NCPPC – Parks Planning: No park impacts.

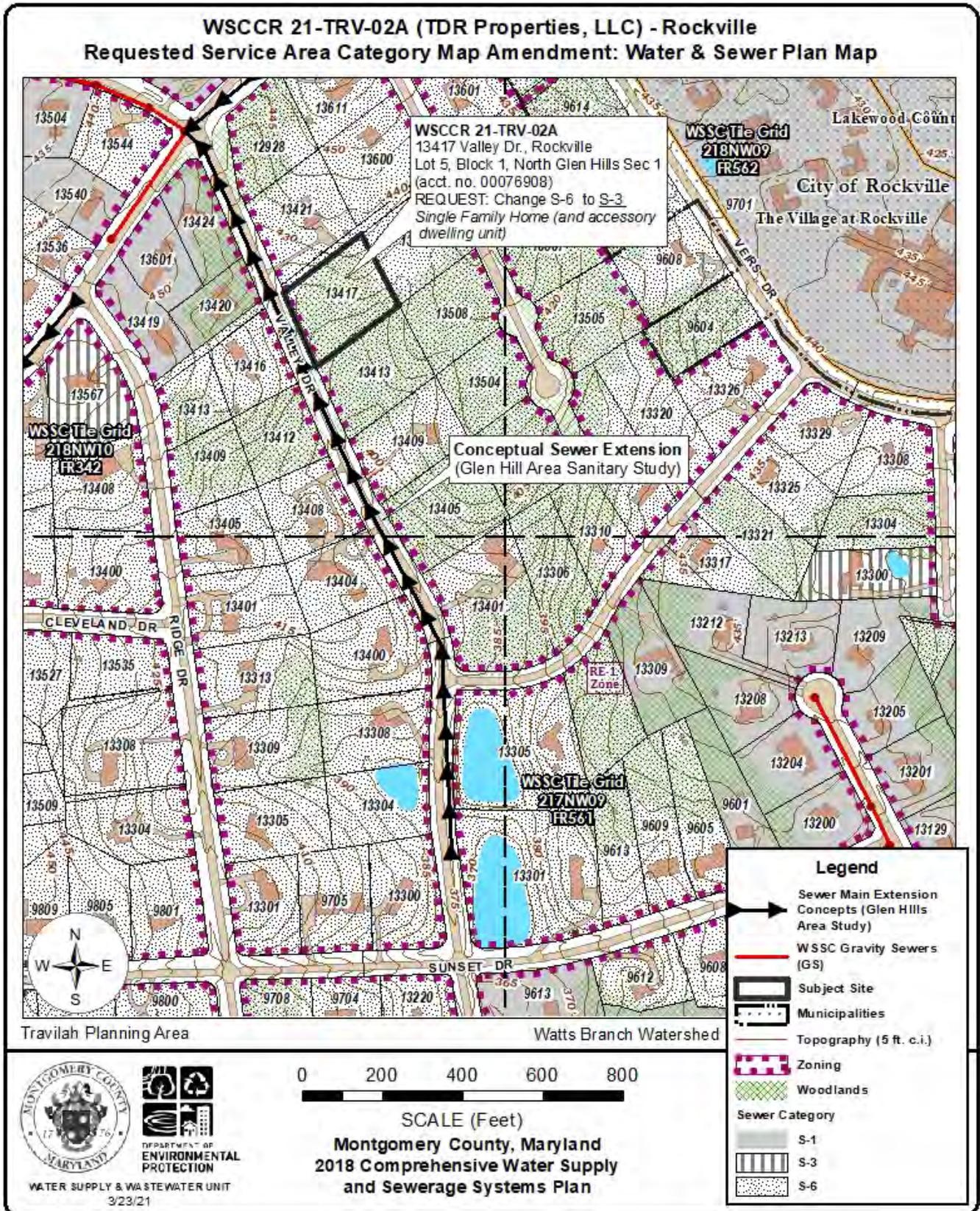
WSSC - Water: *(not required)*

WSSC - Sewer: Basin: 16-025 (Watts Branch). There are currently no existing sewer mains in this mini basin to service this property. A sewer main extension is required to connect to existing manhole in Glen Mill Road (Asset ID: 16027279M) (contract no. 1995-1312A) to service this property (and any property that abuts Valley Drive, north of Sunset Drive, as referenced in the Glenn Hills Sanitary Study, dated June, 2013). To serve the property at 13417 Valley Drive, the extension would be approximately 85 LF of gravity sewer and approximately 400 LF of low-pressure sewer. [emphasis added] To service the other lots upstream from this property that abut Valley Drive, as referenced in the 2013 Glenn Hills Sanitary Study, an additional 1,450 LF of low pressure sewer would be required. Average wastewater flow from the proposed development: 4,900 GPD. Program-sized sewer mains are not required to serve the property. This extension would not be required to appear in an adopted Capital Improvement Program since it does not meet the criteria for a major project (COMAR 29 § 7-101.b.3). Interceptor capacity is adequate. Treatment capacity is adequate.

Maps, Plans, Etc.:	Requested Sewer Category Map Amendment	Page 29
	Glen Hills Area Sewer Extension Concept	Page 30
	WSSC Gravity Sewer Extension Concept	Page 31

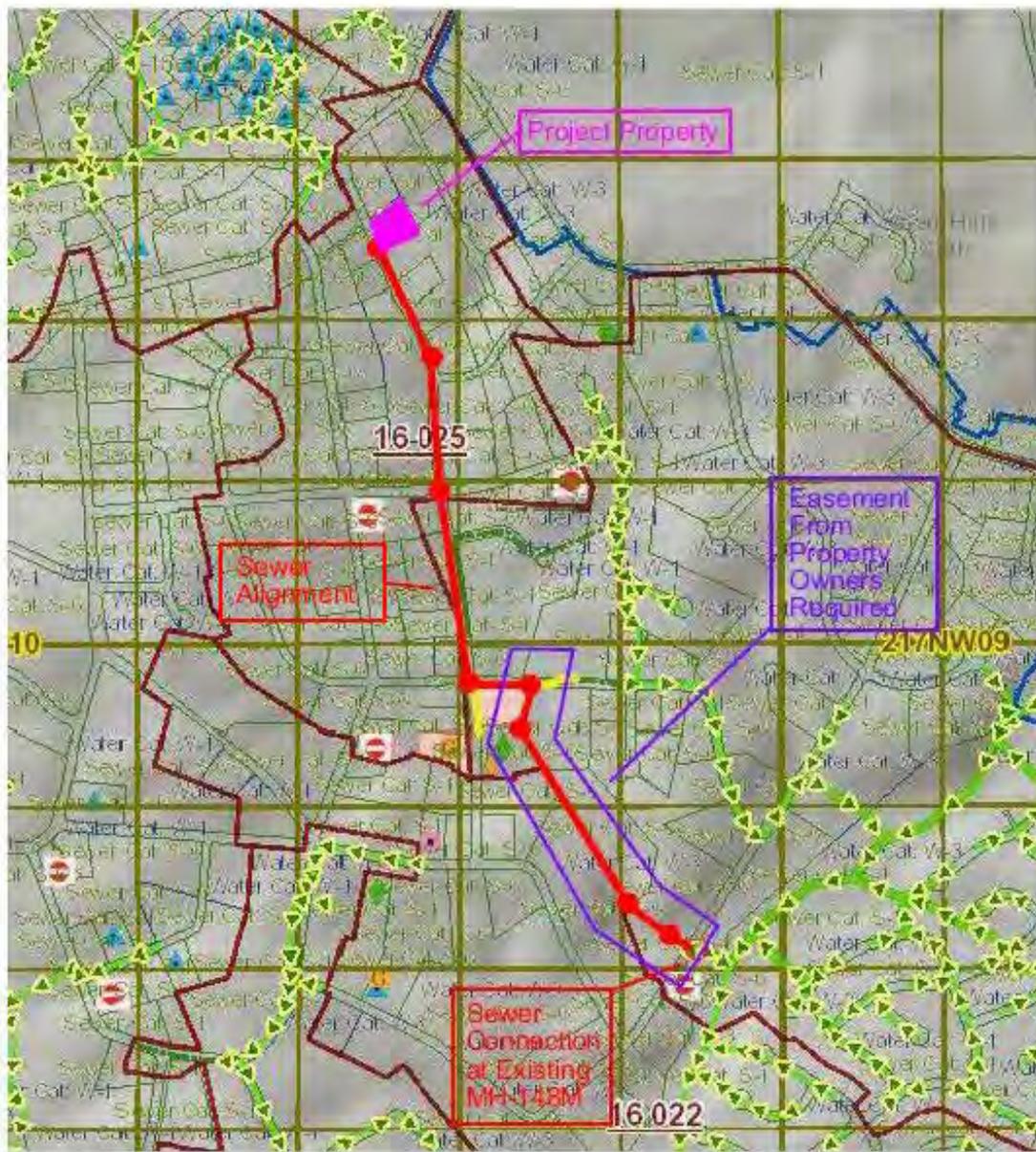
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WSSC Gravity Sewer Extension Concept

Sewer Alignment Exhibit



Packet Appendix: Related 2018 Water and Sewer Plan Service Policies

Appendix C, Section II.E: Glen Hills Study Area

Sewer Service Policy Area: Established by Council Resolution No. 18-423 (3/8/16)

Subject Area: Residential development zoned RE-1 as identified in the Glen Hills Area Sanitary Study.

Service Recommendation & Comments: In March 2016, the County Council adopted Resolution No. 18-423 that established sewer service policies for the Glen Hills area, as shown below (see Figure C-F4). These service policies resulted from a study of general septic system suitability in the area conducted by DEP. This study had been recommended by the 2002 Potomac Subregion Master Plan. Pending the Council's consideration of the study's results, the provision of new community sewer service in the Glen Hills area was limited to properties with septic system failures documented by DPS

The Council's 2016 resolution established the following sewer service policies for the study area:

- Individual, on-site septic systems are the primary wastewater disposal method consistent with the area's standard-type development under the RE-1 Zone.
- Community sewer service can be considered only under the following conditions for:
 - Properties in need of relief from public health problems resulting from documented septic system failures (Sections II.G.2.a.).
 - Properties included within a specifically designated special sewer service area (Section II.G.2.b.). The septic system survey process used to establish these areas is outlined in the Council's resolution and in Chapter 1, Section II.G.2.b: Area-Wide Onsite Systems Concerns, *et seq.* The research conducted for the Glen Hills Area Sanitary Study will allow DEP to streamline the survey process for properties in these neighborhoods. Once DEP has established a survey area, an Executive recommendation for the Council concerning that area is expected within approximately three (3) months. A decision by the Council is generally expected within three months after that.

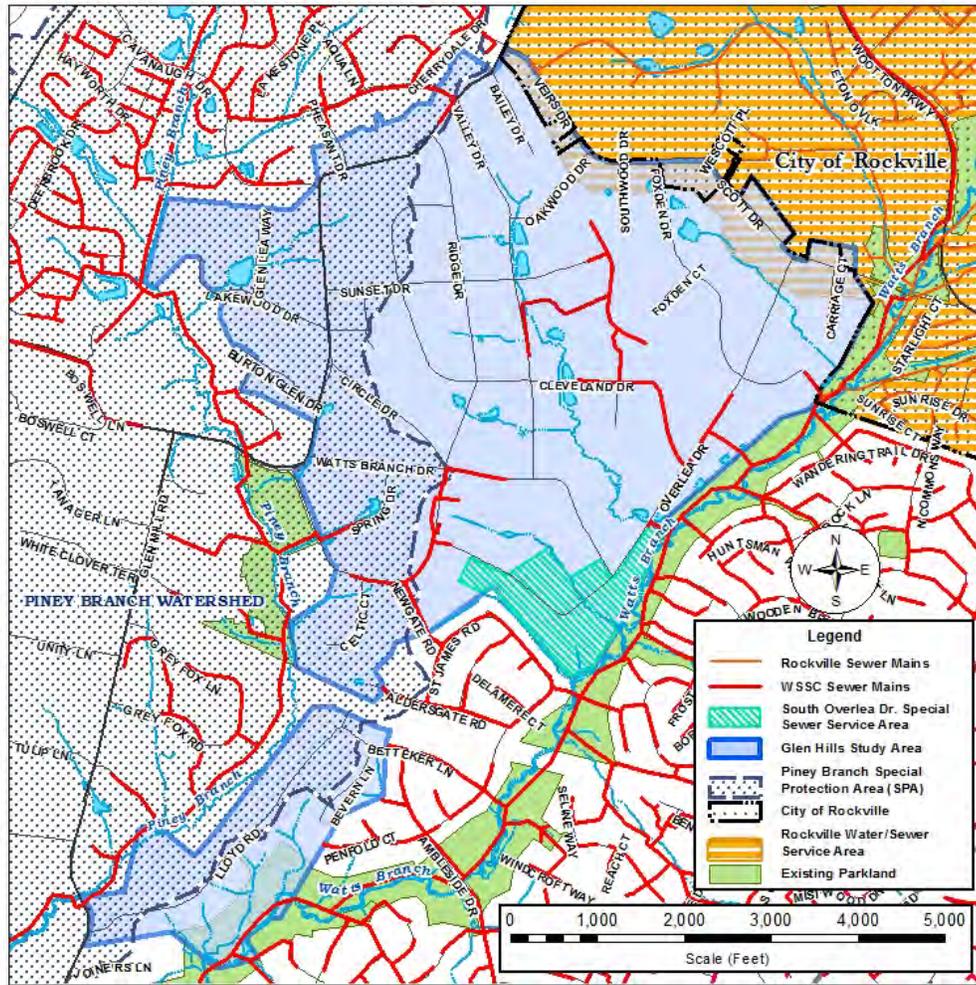
DEP will give a higher priority for surveys that include properties located within Review Areas (RAs) established in the Glen Hills Study and those with documented septic system problems. DEP will give a lower priority to survey areas outside of RAs or where DPS has not identified existing septic problems.

The County has approved one special sewer service area in Glen Hills for part of the South Overlea Drive Septic Survey Area. The County Council under CR 18-888 (July 25, 2017) acted to include 16 of 24 properties surveyed by DEP and DPS within a special sewer service area.

The County Council's 2018 action to approve this Plan update changed the County's approach to the consideration of area-wide health problems where located outside the planned community service envelope. Establishing a septic system survey requires the inclusion of at least one property that has a DPS-documented septic system failure (see Chapter 1, Sections II.G.2.b. – d.).
 - Properties that abut existing or planned sewer mains and that satisfy the requirements of the "abutting mains" policy (Section II.G.3.)
 - Properties at the edge of the Potomac Master Plan planned public sewer envelope, that abut and/or confront properties within the envelope, consistent with the Potomac area peripheral sewer service policy. (Consistent with this policy however, properties at the periphery of the planned sewer envelope within the Piney Branch watershed are excluded.) *Note that this service condition was subsequently added to the Glen Hills study area in 2018 by the County Council's action to approve this update of the Plan.*
 - Properties within the study area and within the Piney Branch subwatershed that satisfy the requirements for community sewer service under the Piney Branch restricted sewer service policy (Section II.G.11.b.).

Property owners shall not use the provision for a single sewer hook-up under any of the four Glen Hills area sewer policy provisions cited above to support subdivision or resubdivision of existing properties into more than one lot.

Figure C-F4: Glen Hills Sewer Service Policy Area



Appendix C, Section II.M: Potomac Area RE-1 and RE-2-Zoned Properties

County Council Actions: Adopted October 2, 2018 (CR 15-396)

II. SPECIFIC SERVICE AREAS

The following sections identify and explain the areas in the county where exceptional water and/or sewer service policies apply.

II.M.: POTOMAC AREA RE-1 AND RE-2-ZONED PROPERTIES

Special Community Sewer Service Policy: Recommended by the 2002 Potomac Subregion Master Plan

Subject Area: Properties zoned RE-1 or RE-2-at the edge or "periphery" of the master plan's recommended community sewer service envelope

Service Recommendation & Comments: The master plan's recommendations concerning for community sewer service properties zoned for rural estate development (RE-1 and RE-2) depart from those in the 1980 master plan. The previous master plan had allowed for the consideration of sewer service for rural estate zones. The 2002 master plan follows in line with the Water and Sewer Plan's general service policies for rural estate zones. However, the new master plan also recognizes that before 2002, the approval and provision of community sewer service within these zones occurred on a case-by-case basis, resulting in an irregular sewer service envelope. The master plan recommends that RE-1- and RE-2-zoned properties located at the edge or periphery of the recommended community sewer envelope may be *considered* for community sewer service on a case-by-case basis. In such cases:

- The property under consideration must abut or confront another property within the master plan's designated sewer service envelope.
- The extension of community sewer service is intended to follow existing public rights-of-way and must not affect streams, stream valley buffers, or other environmentally-sensitive areas.

In addition to the preceding essential requirements, several years of experience implementing this policy have resulted in the acceptance of guidelines that further refine the evaluation of and recommendations for potential cases.

- Properties that confront the sewer envelope across broad public rights-of-way should also be in relatively close proximity to other properties approved for sewer service on their own side of that right-of-way.
- The selection of sewer main extensions, wherever possible, should minimize the number of properties abutting new sewer main extensions

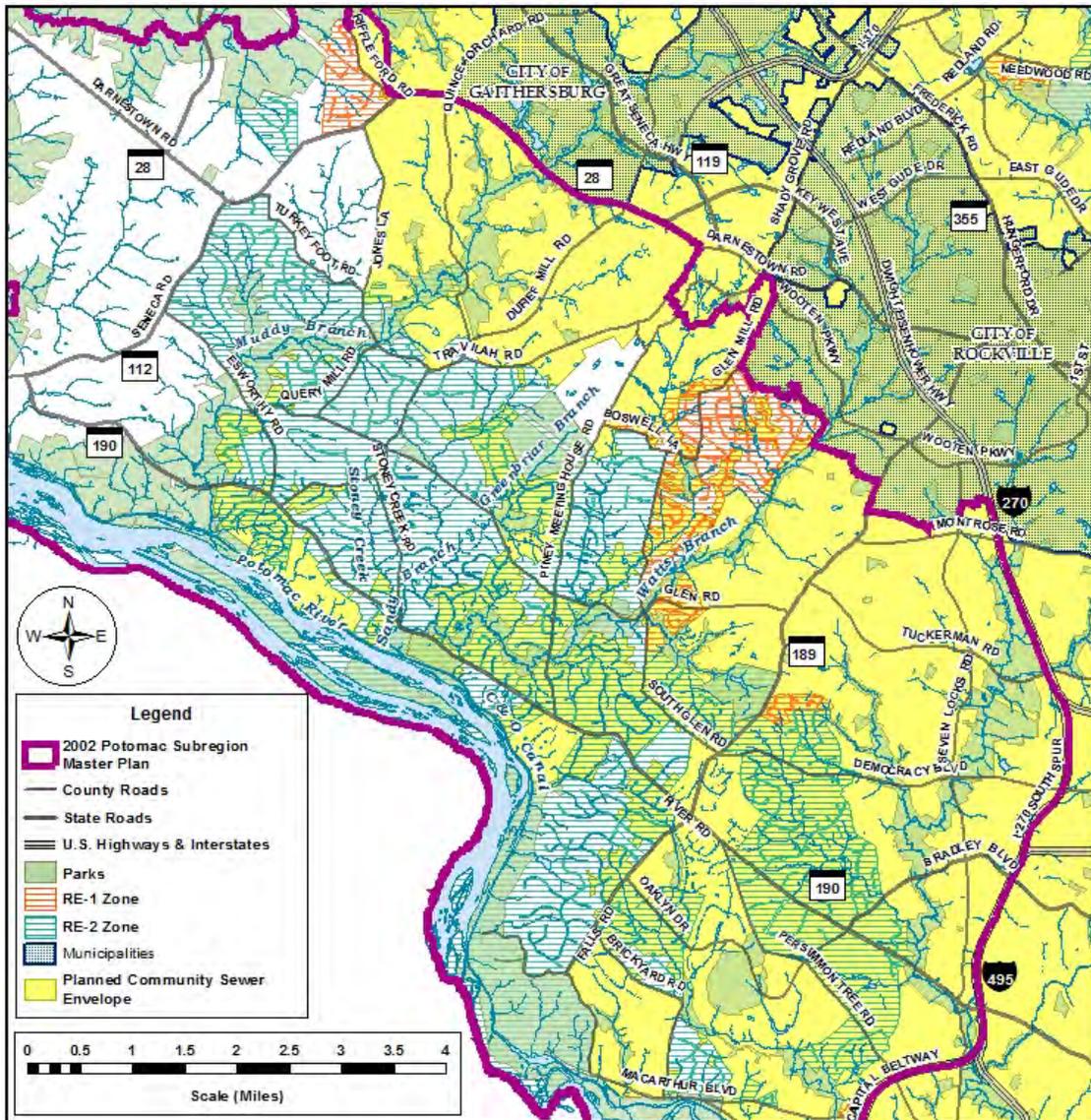
Note that the 2002 master plan specifically recommends excluding properties within or at the edge of the following neighborhoods from the use of this policy (see Figure C-F13):

- The Piney Branch subwatershed
- The Palatine of Potomac neighborhood
- The Greenbriar Estates neighborhoods.

The preceding exclusion areas previously included the Glen Hills neighborhoods. The 2002 master plan recommended reconsideration of this exclusion following the completion of the Glen Hills Area Sanitary Study. However, the recommendations provided with the study did not address this policy. The 2017 Water and Sewer Plan update removes the Glen Hills area exclusion, except for those properties at the periphery of the planned sewer envelope within the Piney Brach watershed.

Appendix C, Section II.M: Potomac Area RE-1 and RE-2-Zoned Properties

Figure C-F12: Potomac Area Community Sewer Envelope and RE-1 and RE-1 Zones



From: Soo Lee-Cho <slcho@mmcanby.com>

Sent: Monday, September 13, 2021 11:28 PM

Subject: Sewer Category Change Request - Potomac Oak Center & Old White House - SUMMARY OF PLANNING BOARD'S CONSIDERATION OF APPLICATIONS / WSSC Concerns & Potomac Subregion Master Plan

Importance: High

Councilmember Katz, et al.:

I am writing to follow-up on a couple of the discussion points that came out of our meeting with you and others on August 18th and to provide a quick update on the Planning Board's recent review (on Sept 9) of the sewer category requests for the Potomac Oak Center and the Old White House properties.

Not surprisingly, planning staff's position was to recommend denial of our sewer amendment applications based on a more narrow reading of the Potomac Subregion Master Plan ("Master Plan" or "Plan") – staff argued that because the Master Plan did not expressly recommend community sewer for the properties, our sewer category change application(s) must be denied. We had expected the Planning Board to simply agree with staff's analysis and recommendation, but were very pleased to find that the Planning Board had a very different perspective which I will detail here.

Questions re WSSC Comments:

First, it was immediately clear that the Board (in particular Chair Casey Anderson) was **extremely supportive** of the Site Development Plan for the two properties (**Before/After Exhibit attached**) but had questions about the technical/engineering related issues raised by WSSC. Alan Soukup was asked by the Chair to go through and explain each of WSSC's concerns. Those concerns however related to Applicants' initial single-shared commercial line design and NOT Applicants' revised two-separately dedicated commercial line proposal submitted by the Applicants (**Revised Sewer Plan attached**) in direct response to WSSC. Alan, as expected, was very balanced/fair in his presentation and concurred with Applicants' assessment of WSSC's position – that further detailed engineering analysis would need to be done to satisfy WSSC and DEP, but only after the County Council first makes a policy decision in support of these applications.

Master Plan - Not an Issue:

In response to planning staff's reading of the Plan, we argued that the Plan left it open-ended as to whether sewer might be otherwise granted to these properties. While it's true the Master Plan did not explicitly recommend community sewer for these two properties, the Plan also did not definitively deny it either. In other words, unlike other properties covered by the Plan that received a specific 'denial of sewer' recommendation, neither of the properties were explicitly denied sewer. **Instead, the Plan made zoning and land use recommendations for both properties that clearly necessitate community sewer if they are to be achieved in a meaningful way that is beneficial to the surrounding community intended to be served by the recommendations.**

The Plan reclassified the Potomac Oak Center back to the C-1 commercial zone, which was later translated to the NR (Neighborhood Retail) Zone under the 2014 Rewrite. For the Old White House, the Plan supported the pursuit of an appropriate non-residential special exception use (i.e., country inn) on the property.

While the Board could not agree that the Master Plan could be read as recommending sewer for the properties, **the Board unanimously agreed that the Master Plan's deficiency need not and should not serve to prevent the County Council from otherwise granting the requested sewer category change and allowing the development concept proposed for the properties to move forward.** In fact, the Board fully endorsed that the Council take whatever policy action necessary to allow the sewer category change subject to the condition that Applicants be required to address any/all technical/engineering concerns to the satisfaction of WSSC and DEP. When further asked by planning staff whether the Board would recommend that a limited master plan amendment be required, the Chair expressed the exact opposite position (supported by the rest of the Board)... that re-opening the Master Plan might be the last thing the Council should do because of all the endless debate that would undoubtedly ensue.

No matter one's position on whether the Master Plan supports sewer for these properties, there is little debate that Applicants' proposed development plan (which is achievable only with sewer) is entirely consistent with the "Design Principles" set forth on pages 33-35 of the Master Plan (**excerpt below**) that are "intended to create cohesive, attractive, and efficient community centers that not only provide needed goods and services, but that create an enduring community image."

Design Principles

These principles are designed to preserve the Subregion's green and rural character, while creating a pedestrian and bicycle-friendly environment. These principles are also intended to create cohesive, attractive, and efficient community centers that not only provide needed goods and services, but that create an enduring community image.

To create environmentally sustainable development:

- **Design and locate parking lots and structures to minimize impervious surfaces.**

- Adequately shade parking facilities and include shade tree planting areas within parking lots.
- Provide storm water management according to current standards and retrofit projects for currently untreated sites. Incorporate alternative techniques that increase filtration and enhance natural hydrology, such as small bioretention areas, rooftop gardens, disconnection of impervious cover, alternative pavers, soil amendments and conditioning, or other landscaping techniques.

Provide facilities that promote transit use, walking, and biking as alternatives to car trips.

- Provide incentives to minimize car trips such as fringe parking lots and shuttle services to Metro.

To create neighborhood centers:

- Create a grid of intersecting streets consisting of short blocks 200 to 400 feet long, organized around major axes and a “Main Street.”
- Design streets that are defined with buildings, animated with active uses, and made pleasant with streetscape and landscape features to encourage pedestrian activity.
- Locate public and private community facilities and open spaces within and adjacent to centers.
- Create pedestrian and bike links to surrounding neighborhoods to encourage community access.

To create developments with interconnected street patterns:

- On larger sites, create an internal system of active, tree-lined streets rather than a series of driveways and parking lots.
- Establish a street pattern of short blocks and main axes that allow walking.
- Provide pedestrian and bike links to surrounding streets and neighborhoods.
- Provide paths through open spaces to complete the pedestrian/bicycle system.

To design streets with pedestrian activity:

- Locate buildings along streets to create a strong street definition.
- Provide street activating uses, such as residential entrances and ground level retail in commercial buildings and parking garages.
- Limit roadway widths to minimum dimensions.

- **Provide on-street, parallel parking on most streets.**
- **Provide attractive streetscaping, generally consisting of a row of street trees along the curb and adequately sized sidewalks.**
- **Design streets to include attractive traffic calming features.**
- **Provide well-defined crosswalks at reasonable intervals, generally not exceeding 400 feet.**

To incorporate open space and community facilities into new development:

- **Provide visible and accessible open spaces and community facilities, including active plazas and passive garden areas for community gathering.**
- **Reinforce links to existing and future community facilities.**
- **Link existing open spaces, parks, and trails.**
- **Provide facilities and amenities for community gathering and entertainment.**

In addition to all the above, I will forward in a separate e-mail, copies of all support letters that should already be in the record but that we wanted to make sure you had compiled in one location for your convenience. We are extremely grateful to all those who took the time to write such thoughtful and eloquent letters of support.

Thank you for your consideration of this matter.

Soo Lee-Cho
Principal



200-B Monroe Street ■ Rockville, MD 20850
T: 301.762.5212 ■ F: 301.424.9673

[website](#) | [bio](#) | [vCard](#) | [confidentiality](#) | [email](#)

Celebrating 75 years of Serving our Clients and Community



November 3, 2020

Mr. Alan Soukup
Senior Planner
Water Supply & Wastewater Unit
Intergovernmental Affairs Division
Montgomery Co. Dept. of Environmental Protection
Suite 120, 255 Rockville Pike
Rockville MD 20850-4166

Re: Potomac Oak Center Sewer Category Change
Application No. 20-TRV-15A
MHG Project No. 1988.132

Dear Mr Soukup:

On behalf of Travilah Oak LLC we are providing you with additional information in response to WSSC comments in their memo dated August 12, 2020 (copy attached). The comments in the memo and our responses to them are as follows:

Comments 2.a. and 2.b.

- a. *A private sewer extension within a public road dedication is not allowed. A public gravity sewer from the Old White House site to the Potomac Oak Center would not be allowed. A public sewer system cannot discharge into a private sewer system.*
- b. *The Potomac Oak Center and the Old White House would be two non-residential customers served by the low-pressure sewer. Non-residential customers may not share a low-pressure sewer. (DSC page 88 and PDM Appendix C-7)*

Response:

We believe a private sewer could be located within the public right-of-way; however, it would likely require a special franchise agreement from the County and if prohibited by WSSC code, a code waiver. Acknowledging that these are not by any means certain, the concept extension is now proposed as two separate dedicated pressure sewer lines and grinder pump systems. A concept plan is attached for reference.

Mr. Alan Soukup
Montgomery Co. Dept. of Environmental Protection
Re: Potomac Oak Center Category Change
Application No: 20-TRV-15A
11/3/2020
Page 2 of 4

Comment 2.c.

- c. *Detention time in the pressure sewer prior to discharge to the gravity system would be greater than 2 hours. Detention times would contribute to the generation and release of hydrogen sulfide and odors near the residential dwellings along Bissel Lane downstream of the transition manhole and at air valves along Travilah Rd. (PDM Appendix C-7, PDM S-28.1 & PDM S-26.1).*

Response:

All commercial and low number residential pressure sewers likely have a detention time greater than two hours overnight when sewage flows are non-existent or too low to fill the grinder pump chamber(s) to the “on” level. The predicted average daily flow for Potomac Oak Center is from approximately 4,000 to 7,000 gallons per day based on WSSC’s shopping center Base Sanitary Flow Rate and the existing and allowable center square footage respectively. HDPE SDR-11 pipe with a labeled diameter of 1.25” has a reported inside diameter of 1.34”. The volume of that pipe, if 5100 feet long, is computed to be approximately 370 gallons. If 4,000 gallons per day is pumped through the line over from say 7 am to 12 midnight, the average flow rate in the line is about 235 gallons per hour. At this rate the volume of wastewater in the line would be turned over on average every 1.6 hours. In addition at the required minimum 3 ft/sec velocity, wastewater will pass through a 5100 foot line in less than 30 minutes. Flows from the full build out of the shopping center shopping center are predicted to be higher; therefore, turnover in the line will be more frequent.

One of the air release and air and vacuum valves will be in the vicinity of the high point near the shopping center. This could be placed on private property within an easement and a privately operated odor control device could be used to address odors from the vent located at the high point of about 40% of the length of the pressure line. Odor control at this location could be as simple as a remote elevated manhole vent. The center’s owner has also expressed a willingness to provide some level of pretreatment for hydrogen sulfide/odor control and is in the process of investigating potential technologies to determine the most effective least cost pre-treatment process. Chemical addition for hydrogen sulfide / odor control is not unlike chemical addition for pH control; in fact source control of pH is one of the acknowledged treatment methods for odor control. The owner or any subsequent owner has a strong incentive to control odors in the area as many residents are customers of the Center’s tenants.

Mr. Alan Soukup
Montgomery Co. Dept. of Environmental Protection
Re: Potomac Oak Center Category Change
Application No: 20-TRV-15A
11/3/2020
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Comment 2.d.

- d. The proposed LPSS would pump downhill. Uphill pumping is preferred in a pressure sewer system where the point of discharge to gravity system is at a higher elevation than the rest of the system, to maintain positive pressure throughout the system. (PDM S-25.3) Vacuum pressure can occur at high points elevated above the transition manhole, when pumps shut down. Air vacuum valves would be needed. (PDM S-26.2) Air release and air and vacuum valves require frequent maintenance for them to function as intended. (PDM S-26.1)*

Response:

Comment acknowledged. As indicated above, one of the high points is in the vicinity and could be placed on the property. This release valve could be privately maintained. The described valves are standard WSSC details and therefore not uncommon. We trust that WSSC has the capability to maintain its standard structures and set the rate it charges for wastewater transport and treatment at the level required to operate and maintain its facilities.

Comment 2.e.

- e. The pressure sewer profile would have high and low points. Continuously rising profiles are preferable. Sewer air vacuum and air release valves will be required at all high points in the system. (PDM S-25.3)*

Response:

Comment acknowledged. We have shown sewer air vacuum and air release valves at the proposed high points in the system.

Comment 2.f.

- f. Through an internal hydraulic analysis, it was determined the minimum velocity of 3.0 fps could not be obtained.*

Response:

As previously mentioned, all commercial and low number residential pressure sewers have times, typically at night, when no pumps are on, creating periods of time when there is less than 3.0 fps velocity. We're confident that a combination of pump, pump operation and pipe size is available that will provide 3.0 fps cleansing velocity or higher when the pump or pumps (in the case of duplex operation) are on. An advantage of pumping downhill is the pump(s) does not

Mr. Alan Soukup
Montgomery Co. Dept. of Environmental Protection
Re: Potomac Oak Center Category Change
Application No: 20-TRV-15A
11/3/2020
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need to overcome the difference in vertical head; only the friction and other losses in the system. The pipe can therefore likely be smaller, creating higher velocities when the pumps are operating. For example, the minimum pumping rate of an E-one pump system operating in duplex mode is 15.6 GPM. This would create a pipe velocity of roughly 3.5 fps in 1 ¼ SDR-11 HDPE pipe. The E-one grinder pump systems sized for the range of flows from the shopping center have a storage capacity in excess of the capacity of the pressure sewer line; therefore, the wastewater in the line could be displaced in a single pumping cycle. While E-one positive displacement grinder pumps are preferred by WSSC, centrifugal grinder pumps are acceptable and can be purchased with a large range of horsepower and impeller size to match the pump's performance curve to the required discharge pipe's system head. The pump will be selected so that it discharges at a rate that will create flow velocities in WSSC's acceptable range of 3 to 7 fps when the pump is operating at or near peak efficiency.

The points brought in the WSSC memo do present legitimate challenges; however, we are confident that these challenges can be addressed. If you have any questions or require additional information please let us know.

Sincerely:

Scott D. Roser, P.E.

Cc: Travilah Oak, LLC

WASHINGTON SUBURBAN SANITARY COMMISSION

**DEVELOPMENT PROPOSAL REVIEW
FOR A
SERVICE AREA CATEGORY CHANGE REQUEST**

APPLICATION NO.: 20-TRV-15A

DATE: August 12, 2020

SUBDIVISION NAME: Potomac Oak Center

APPLICANT: Travilah Oak, LLC

LOCATION: South East corner on the intersection of Travilah Road and Glen Road

COUNTY: **MONTGOMERY**

200' SHEET NO.: 217NW13

PRESENT ZONING: NR-0.75

PROPOSED ZONING: NR-0.75

CATEGORY CHANGES:

EXISTING

REQUESTED

WATER: 6

WATER: 6

SEWER: 6

SEWER: 3

SIZE OF PARCEL: 5.08 Acres

DWELLING UNITS/TYPES:

OTHER: **Shopping Center**

SEWER INFORMATION

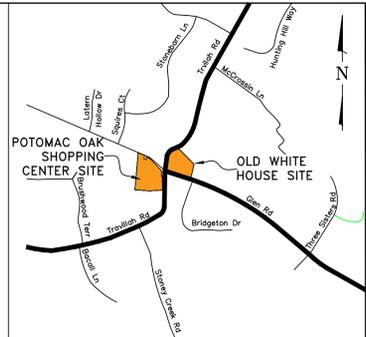
1. Basin: 16 – Watts Branch
2. A gravity sewer service to this property does not appear feasible due to the difference in elevations. A dedicated grinder system would be an alternative to gravity sewer but also brings issues. A 5,300-foot-long non-CIP-grinder system extension along Travilah Road would be required to serve the property. This extension would connect to an existing 8-inch diameter gravity sewer in Bissell Lane (Contract No. 89-8406A). The applicant suggested that this property could be served by a gravity sewer line to the Potomac Oak Center. This would not follow WSSC Waters Development Services Code (DSC) or the Pipeline Design Manual (PDM) for the following reasons:
 - a. A private sewer extension within a public road dedication is not allowed. A public gravity sewer from the Old White House site to the Potomac Oak Center would

not be allowed. A public sewer system cannot discharge into a private sewer system.

- b. The Potomac Oak Center and the Old White House would be two non-residential customers served by the low-pressure sewer. Non-residential customers may not share a low-pressure sewer. (DSC page 88 and PDM Appendix C-7)
 - c. Detention time in the pressure sewer prior to discharge to the gravity system would be greater than 2 hours. Detention times would contribute to the generation and release of hydrogen sulfide and odors near the residential dwellings along Bissel Lane downstream of the transition manhole and at air valves along Travilah Rd. (PDM Appendix C-7, PDM S-28.1 & PDM S-26.1).
 - d. The proposed LPSS would pump downhill. Uphill pumping is preferred in a pressure sewer system where the point of discharge to gravity system is at a higher elevation than the rest of the system, to maintain positive pressure throughout the system. (PDM S-25.3) Vacuum pressure can occur at high points elevated above the transition manhole, when pumps shut down. Air vacuum valves would be needed. (PDM S-26.2) Air release and air and vacuum valves require frequent maintenance for them to function as intended. (PDM S-26.1)
 - e. The pressure sewer profile would have high and low points. Continuously rising profiles are preferable. Sewer air vacuum and air release valves will be required at all high points in the system. (PDM S-25.3).
 - f. Through an internal hydraulic analysis, it was determined the minimum velocity of 3.0 fps could not be obtained.
3. Interceptor capacity is adequate.
 4. Treatment capacity is adequate.

Statements of adequacy/inadequacy are made exclusively for this application at this time. Further analysis of adequacy will be part of the review at the time of application for water/sewer service.

Reviewed by Bryan Hall, 301-206-8769, Bryan.Hal@wsscwater.com



VICINITY MAP
SCALE 1" = 2,000'

Professional Certification
I HEREBY CERTIFY THAT THIS DOCUMENT WAS PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 14979, EXPIRATION DATE 07/02/2022

Mr. Robert O. Eisinger
Transquest, LLC
451 Hungerford Drive, Suite 700
Rockville, MD 20850
beisinger@promarkpartners.com

Mr. Guy Semmes
Travilah Oak, LLC
112944 Travilah Road, Suite 204
Potomac, MD 20854
guy@hopkinsandporter.com

NO.	DESCRIPTION	DATE

WSSC 217 NW13

6TH ELECTION DISTRICT
MONTGOMERY COUNTY
MARYLAND

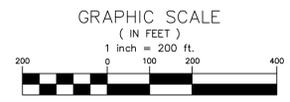
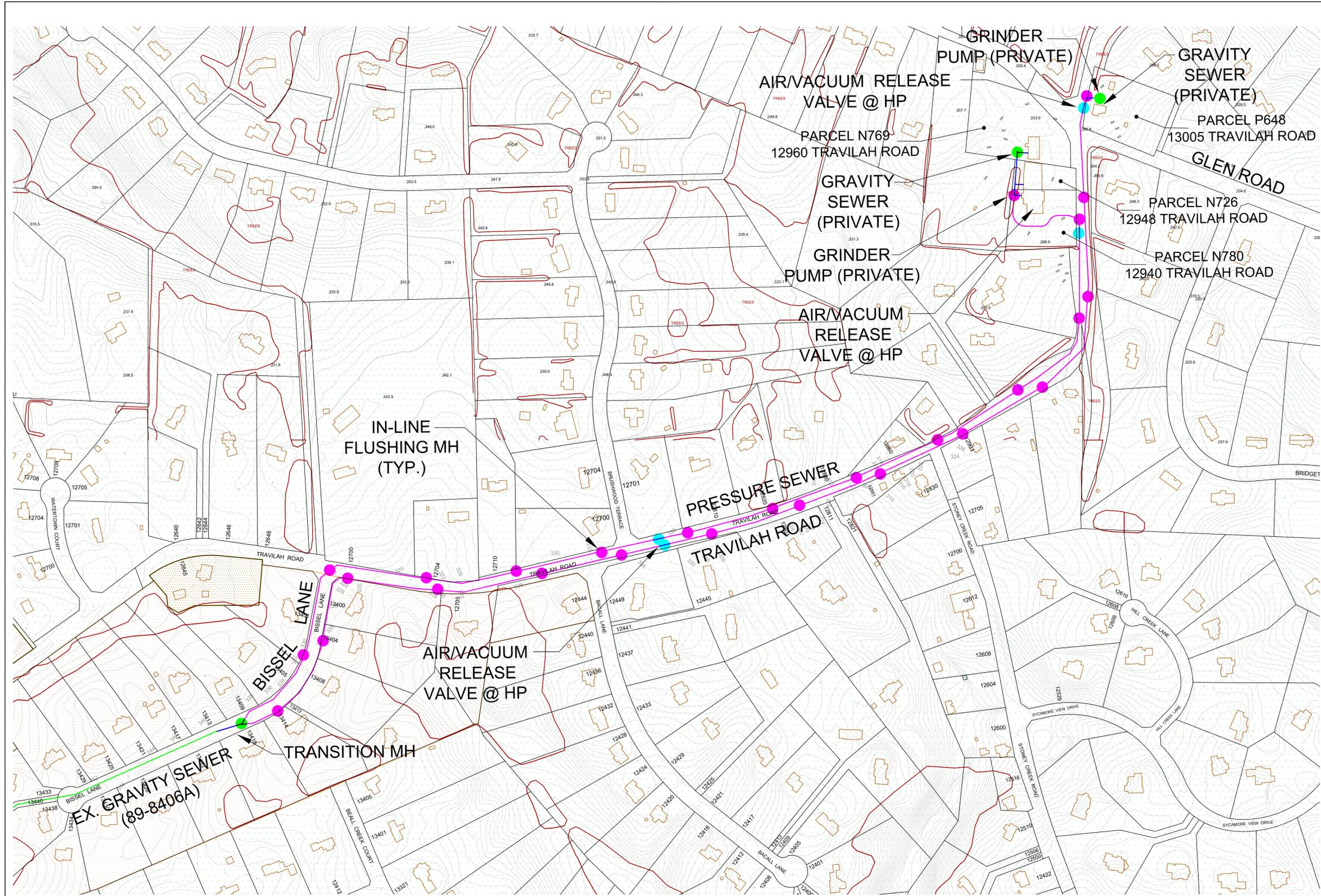
**BOYLESTON'S
DISCOVERY**

PROJ. MGR	DAC
DRAWN BY	PAS/SDR
SCALE	1" = 200'
DATE	10/29/2020

**GRAVITY / PRESSURE
SEWER EXHIBIT**

C1.01

PROJECT NO. 1988.132.11
SHEET NO. 1 OF 1



LEGEND

- GRAVITY SEWER
- PRESSURE SEWER
- EXISTING SEWER
- IN-LINE FLUSHING MH (TYPICAL 400' SPACING)
- SANITARY SEWER MH
- SEWER AIR VACUUM RELEASE VALVE MH
- S-1
- S-3
- S-6



Proposed Category Map Amendments: Montgomery County Comprehensive Water Supply and Sewerage Systems Plan – July 2021 - Three County Council Cases

KEN Katherine E. Nelson, Planner Coordinator, Upcounty, Katherine.Nelson@montgomeryplanning.org (301) 495-4622

DJ Donnell Zeigler, Supervisor, Upcounty, Donnell.Zeigler@montgomeryplanning.org, 301-495-4511

Patrick Butler, Chief, Upcounty, Patrick.Butler@montgomeryplanning.org (301) 495-4561

Completed: 8/27/21

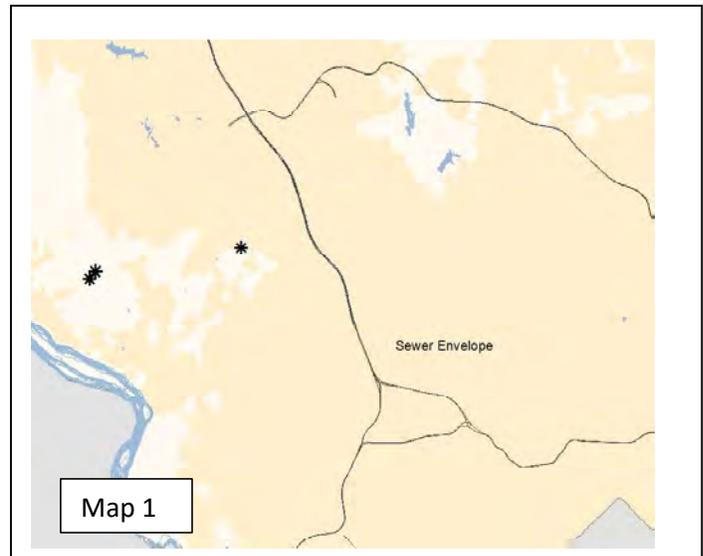
Description

Proposed Amendments:

Montgomery County Comprehensive Water Supply and Sewerage Systems Plan – Three County Council Water/Sewer Category Changes

Referred to the Planning Board for a determination of consistency with relevant master and sector plans, with recommendations to the County Council for final action.

Staff Recommendation: Denial of all three cases. Transmit Planning Board Recommendations to the County Council



Summary

The Planning Board is required by State law to make a Master Plan conformance determination on each Water and Sewer Category Change Request (WSCCR). Map 1 shows the location of the three properties requesting water and sewer service with an asterisk, all of which are located within the Potomac Subregion Master Plan.

Staff recommends denial of three applications for water/sewer Category changes due to incompatibility with Master Plan recommendations. The Planning Board’s recommendations will be transmitted to the County Council for final action. Information and maps of zoning, existing and proposed use, and recommendations from other agencies are shown in the attached packet from the County Executive (Attachment A). Staff recommendations are consistent with the County Executive’s recommendations.

STAFF RECOMMENDATION

Denial of the three applications for water/sewer category changes and transmittal of the Planning Board's comments and recommendations to the County Council.

July 2021 County Council Amendments

WSSCR 20-TRV-14A: Transquest LLC

Staff Recommendation: Deny S-3. Defer consideration of a multi-use onsite water system pending a determination that multi-use septic system is feasible for the property.

County Executive Recommendation: Deny S-3, Defer consideration of a multi-use onsite water system pending a determination that multi-use septic system is feasible for the property.

This two-acre parcel, zoned RE-2, is located in the northeast quadrant of the intersection of Travilah and Glen Roads. The existing house, known as the Old White House or the Reiver Property, although not designated as historic is a 19th century structure. It is surrounded on three sides by single-family detached houses. The Travilah Oak commercial center is located diagonally across the intersection from this site.

The Applicant has requested sewer service and a multi-use well-water system for a proposed country inn and has applied in conjunction with the Travilah Oak application (Pages 12 – 19 of Attachment 1). The house currently has a well and septic system as do most of the lots in the surrounding neighborhood.

The 2002 *Potomac Subregion Master Plan* confirmed the RE-2 zone of this property but recommended that appropriate conditional uses without sewer service be allowed (page 91). However, the property is well outside the limits of the Master Plan sewer envelope and nearly a mile from existing infrastructure. The

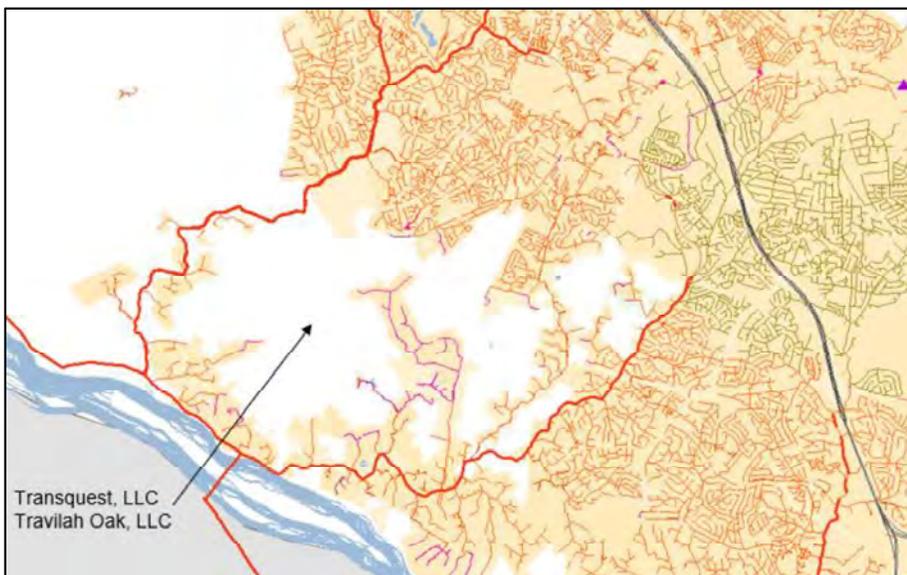


Figure 1 Potomac Sewer Service Area

Department of Environmental Protection finds that the proposed sewer extension is inconsistent with the County Water and Sewer Plan and there are no policies that would support sewer service in this area. Finally, WSSC has identified numerous policy and technical difficulties with a single-use extension to this property (page 5 and 6 of Attachment 1).

WSSCR 20-TRV-15A: Travilah Oak LLC

Staff Recommendation: Deny S-3

County Executive Recommendation: Deny S-3

The Travilah Oak property consists of three parcels zoned NR-0.75 and RE-2. The application only applies to the 3.14 acres zoned NR-0.75. It is located at the corner of Glen and Travilah Roads diagonally across from the previous application by Transquest LLC for the Reiver Property. The Center is currently served with a multi-use well and septic system.



Figure 2 Travilah Center Vicinity

The applicant has requested sewer service to support redevelopment of the existing commercial center. The 2002 Potomac Subregion Master Plan confirmed the Commercial (now NR-0.75) zone of this property with no changes recommended (page 80). Similar to the Transquest, LLC application, the property is well outside the limits of the Master Plan sewer envelope and nearly a mile from existing infrastructure. The Department of Environmental Protection finds that the proposed sewer extension is inconsistent with the County Water and Sewer Plan and there are no policies that would support sewer service in this area. Finally, WSSC has identified numerous policy and technical difficulties with a single-use extension to this property (page 8 and 9 of Attachment 1). This potentially troublesome system would be maintained at public expense in perpetuity.

The request for sewer service has come before the Planning Board and County Council two other occasions without Council Approval. In a letter dated September 24, 2010 (Attachment 2) the Planning Board made the following recommendations on the previous Travilah Oak LLC application (07A-TRV-10):

“We find that the proposed category change is clearly inconsistent with the *Approved and Adopted Potomac Subregion Master Plan (2002)* in agreement with the County Executive. The site is located over half a mile from the edge of the approved sewer envelope and at the epicenter of the non-sewer service area of the Potomac Subregion. Provision of public service to this property would require a 5000-foot pressure system extension and require additional right-of-way. Extension of water service to this site is also problematic, requiring a 3000-foot main extension. This request should be considered within the context of a master plan amendment rather than a category change request.”

Staff agrees with the prior Planning Board recommendation to deny sewer service to this and the Transquest application because granting sewer service is such a departure from Master Plan and other Countywide policies. This kind of land use change should be studied as part of a master plan effort that would include the entire neighborhood and address the community, transportation and environmental and technical implications of such a change.

WSSCR 21-TRV-02A: TDR Properties LLC

Staff Recommendation: Deny S-3

County Executive Recommendation: Deny S-3

This 1.01-acre lot is zoned RE-1 and is located in the Glen Hills Study Area of the 2002 *Potomac Subregion Master Plan*. The Master Plan recommended that this area be the subject of a study to determine how this existing neighborhood would receive sewer service extensions. Figure 3 outlines the Glen Hills Policy that is now part of the Water and Sewer Plan. This policy limits public service in Glen Hills and outlines conditions that must be satisfied before public service is provided. This property does not meet the six conditions outlined in the Water and Sewer Plan. (Figure 3 or Attachment 1, page 32)

Appendix C, Section II.E: Glen Hills Study Area

Sewer Service Policy Area: Established by Council Resolution No. 18-423 (3/8/16)

Subject Area: Residential development zoned RE-1 as identified in the Glen Hills Area Sanitary Study.

Service Recommendation & Comments: In March 2016, the County Council adopted Resolution No. 18-423 that established sewer service policies for the Glen Hills area, as shown below (see Figure C-F4). These service policies resulted from a study of general septic system suitability in the area conducted by DEP. This study had been recommended by the 2002 Potomac Subregion Master Plan. Pending the Council's consideration of the study's results, the provision of new community sewer service in the Glen Hills area was limited to properties with septic system failures documented by DPS

The Council's 2016 resolution established the following sewer service policies for the study area:

- Individual, on-site septic systems are the primary wastewater disposal method consistent with the area's standard-type development under the RE-1 Zone.
- Community sewer service can be considered only under the following conditions for:
 - Properties in need of relief from public health problems resulting from documented septic system failures (Sections II.G.2.a.).
 - Properties included within a specifically designated special sewer service area (Section II.G.2.b.). The septic system survey process used to establish these areas is outlined in the Council's resolution and in Chapter 1, Section II.G.2.b: Area-Wide Onsite Systems Concerns, *et seq.* The research conducted for the Glen Hills Area Sanitary Study will allow DEP to streamline the survey process for properties in these neighborhoods. Once DEP has established a survey area, an Executive recommendation for the Council concerning that area is expected within approximately three (3) months. A decision by the Council is generally expected within three months after that.

DEP will give a higher priority for surveys that include properties located within Review Areas (RAs) established in the Glen Hills Study and those with documented septic system problems. DEP will give a lower priority to survey areas outside of RAs or where DPS has not identified existing septic problems.

The County has approved one special sewer service area in Glen Hills for part of the South Overlea Drive Septic Survey Area. The County Council under CR 18-888 (July 25, 2017) acted to include 16 of 24 properties surveyed by DEP and DPS within a special sewer service area.

The County Council's 2018 action to approve this Plan update changed the County's approach to the consideration of area-wide health problems where located outside the planned community service envelope. Establishing a septic system survey requires the inclusion of at least one property that has a DPS-documented septic system failure (see Chapter 1, Sections II.G.2.b. – d.).

- Properties that abut existing or planned sewer mains and that satisfy the requirements of the "abutting mains" policy (Section II.G.3.)
- Properties at the edge of the Potomac Master Plan planned public sewer envelope, that abut and/or confront properties within the envelope, consistent with the Potomac area peripheral sewer service policy. (Consistent with this policy however, properties at the periphery of the planned sewer envelope within the Piney Branch watershed are excluded.) *Note that this service condition was subsequently added to the Glen Hills study area in 2018 by the County Council's action to approve this update of the Plan.*
- Properties within the study area and within the Piney Branch subwatershed that satisfy the requirements for community sewer service under the Piney Branch restricted sewer service policy (Section II.G.11.b.).

Figure 3 Glen Hills Policy Area Criteria

NEXT STEPS

The Planning Board's recommendations will be transmitted to the County Council.
A Council public hearing will be held on September 14, 2021.

ATTACHMENTS

Attachment 1 – County Executive Notice of Public Hearing and Attached Package
Attachment 2 – 2010 Planning Board Recommendations



MONTGOMERY COUNTY PLANNING BOARD
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

OFFICE OF THE CHAIRMAN

September 24, 2010

The Honorable Isiah Leggett
County Executive
Montgomery County Government
101 Monroe Street
Rockville, Maryland 20850

The Honorable Nancy Floreen
Council President
Montgomery County Council
100 Maryland Avenue
Rockville, Maryland 20850

RE: May 2010 County Council Amendments to the *Comprehensive Water Supply and Sewerage Systems Plan*

Dear Mr. Leggett and Ms. Floreen:

On Thursday, September 16, 2010, the Montgomery County Planning Board considered the water and sewer service area category changes application cited above. Our recommendations are as follows:

07A-TRV-10: Travilah Oak LLC
Deny W-3, S-3

Due to the length of time since this case last came before the Planning Board, the intervening increase in smart growth emphasis by the State of Maryland (see enclosure), and at the urging of our staff, the Planning Board reconsidered this case. We find, in agreement with the County Executive, that the proposed category change is clearly inconsistent with the *Approved and Adopted Potomac Subregion Master Plan (2002)*. The site is located over half a mile from the edge of the approved sewer envelope and at the epicenter of the non-sewer service area of the Potomac Subregion. Provision of public service to this property would require a 5000-foot pressure system extension and additional right-of-way. Extension of water service to this site is also problematic, requiring a 3000-foot main extension. This request should be considered within the context of a master plan amendment rather than a category change request.

07A-CLO-09: Neil & Laura Pullen
Deny unlimited S-3

The Cloverly Master Plan recommends that the approval of community sewer service to properties zoned RE-1 in the Upper Paint Branch SPA should be coordinated with the approval of subdivision plans, which address the environmental concerns associated with development in these headwaters areas, and should be granted only if development supported by community sewer service, rather than septic systems, would result in a clear environmental benefit.

The site constraints of this long, narrow property, the location of the cemetery, and the lack of significant environmental resources to avoid do not permit a lot arrangement that provides a “clear environmental benefit” if sewer service is extended. This was demonstrated by the applicants’ identical site layouts using sewer vs. septic. In the absence of a clear environmental benefit, the master plan standard cannot be met and community sewer service should not be extended. This is the only Planning Board recommendation within this group of category change requests that disagrees with the Executive recommendation.

WSSCR 09A-TRV-05: Jamshidi & Vafai
Recommendation: Deny S-3

The 2002 Potomac Subregion Master Plan specifically recommends an inter-agency study to comprehensively address and recommend sewer solutions within the Glen Hills neighborhood. The only exception is for failing systems that are considered health problems. There is no documented health problem with this property. Pending completion of the Glen Hills study, the Planning Board agrees with the County Executive’s recommendation to deny this category change request.

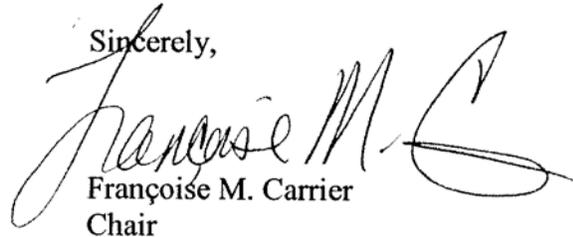
09A-TRV-06: Hanson Family
Recommendation: Approve W-3. Approve S-3

In accordance with *The Approved and Adopted Potomac Subregion Master Plan (2002)*, this property was rezoned from RE-2 to PD-2 on June 15, 2010. The master plan allows public sewer service to be provided if developed according to master plan guidance. The plan also states that sewer extension into the adjacent Muddy Branch Stream Valley Park should be done in an environmentally sensitive way that minimizes impacts. The environmental and park impact issues, including the location of the sewer connections, will be addressed at the time of subdivision. The Planning Board agrees with the County Executive’s recommendation to approve this application.

The Honorable Isiah Leggett
The Honorable Nancy Floreen
September 24, 2010
Page 3 of 3

We thank you for the opportunity to provide recommendations on these applications. The Planning Board packet, a summary of the Smart Growth Initiative, is enclosed for further information.

Sincerely,



Françoise M. Carrier
Chair

KN:ss
Enclosures

cc Keith Levchenko, Montgomery County Council
David Lake, MCDEP
Alan Soukup, MCDEP
Katherine Nelson, M-NCPPC Environmental Planning
Clara Moise, M-NCPPC Chair's Office

- **Acquire the Miller & Smith (Pepco) property (258 acres) as conservation park land.**
- **Acquire by dedication significant portions of the Tipton tributary properties in the lower Greenbriar Branch as conservation park land. These properties include the Tipton, Piney Grove, Weihe, and Semmes properties. Priorities include the Greenbriar Branch mainstem riparian areas along with the forested area west of the gas line easement.**
- **Acquire by dedication portions of the Hanson Farm along the border of Muddy Branch Stream Valley Park, including the northern corner where a trail connection is desirable and where the mainstem is close to the property line.**
- **Protect the riparian area along the Turkey Foot tributary of Muddy Branch through acquisition, dedication or conservation easement.**
- **Acquire forested property (parcel 170) adjacent to Muddy Branch Stream Valley Park land at the end of Cervantes Avenue and with access from Esworthy Road.**
- **Acquire property south of Esworthy Road (parcel 121), surrounded by the Muddy Branch Stream Valley Park.**
- **Acquire the surplus school site located inside the bend on Brickyard Road to protect scarce forested land in this densely developed area.**
- **Designate the 97-acre Callithea Farm (Figure 3) bordering Blockhouse Point and the Chesapeake & Ohio Canal National Historical Park as park land that will include a publicly owned horse farm.**
- **Explore designation of part of Gokturk Woods, on Berryville Road in Seneca Village, as a neighborhood conservation area.**

Sewer Service Policies

A critical policy related to water quality is the provision of community sewer service. Providing community sewer service to relieve failed septic systems minimizes groundwater contamination. However, the provision of community sewer service can damage the environment and water resources by facilitating development to the maximum zoning density. Extensions along stream valleys can also create habitat disturbance, threatening species survival, and can adversely affect the natural hydrologic system due to wetland fragmentation. Once sewer lines are in place, their structural integrity may deteriorate over time, resulting in sewage leaks and further disturbance to the ecosystem. This is particularly troublesome where eroding or shifting stream channels expose sewer mains and manholes, leaving them more susceptible to damage.

In general, the County's water and sewer policies allow the provision of sewer service only to those areas zoned for moderate to dense development (i.e., greater than or equal to one unit per 20,000

square feet). However, at the recommendation of the 1980 Master Plan, sewer service has been provided to some areas zoned for one- and two-acre lots, creating both a policy dilemma and, in some cases, environmental damage. Typically, low zoning densities (such as RE-1 and RE-2) are used to protect the natural environment by minimizing development impacts. Low and, in some cases medium, density areas (such as R-200) are dependent on septic suitability, often resulting in actual development yields well below the maximum allowed by zoning. Extending sewer lines into these areas has the potential to allow development density at or near the zoned maximum, to disrupt the environment and to provide rationale for further extensions and greater density. One of the greatest challenges facing the Potomac Subregion and this Master Plan has been to develop compatible land use and sewer service recommendations which protect the Subregion's environmental quality. The section addressing sewerage systems provides detailed recommendations regarding these sewer service issues.

Community sewer service in the Subregion is provided through trunk lines which parallel most of the major tributaries. These trunk mains drain to the Potomac Interceptor, a large sewer line that parallels the Potomac River and conveys sewage to the Blue Plains Treatment Plant in the District of Columbia.

The County's policies on the provision of community sewer service are governed by the *Water and Sewer Plan*, the County's *General Plan*, master plans, the State's Smart Growth policies, and other policy documents. Master plans recommend where sewer service is to be provided, generally in areas of dense development, consistent with *Water and Sewer Plan* policies. The *1980 Potomac Subregion Master Plan* is one of the County's few master plans recommending sewer service for zones such as RE-1 and RE-2, an exception to the general policies for sewer extension. The County Council has asked that as part of the Potomac master plan update, the Planning Board study the effects of sewer service in these areas on land use, infrastructure, the environment, and budget.

Low-Density Areas

In part, the 1980 Potomac Master Plan's intent was to use community sewer service to take maximum advantage of the allowed density in lower-density zones such RE-1 and RE-2 where it was appropriate. Much of the undeveloped area zoned RE-1 and RE-2 was placed in master plan sewer stage IV where the provision of community sewer service was evaluated case-by-case on the basis of logical, economical, and environmentally acceptable service. Twenty years later, a comprehensive evaluation indicates that providing community sewer service to areas zoned for one-and two-acre development, and contrary to smart growth policies, has undermined the environmental emphasis of zoning areas for low-density development, especially where septic suitability is marginal. With increasing demand for homes and recent development and redevelopment trends, especially where sewer service is provided, this exception to the general sewer service policy is no longer effective. Much of the remaining undeveloped RE-1 and RE-2 land is beset by environmental constraints limiting development potential without sewer.

Under the prior master plan, the Subregion has experienced substantial provision of community sewer service to lower-density areas. Because of this, and because the County considered the approvals for much of this service on a case-by-case basis, the current Potomac community sewer

envelope is irregular, established by demand rather than by plan. Voids within the envelope and irregular boundaries along its perimeter abound. Although this Master Plan generally recommends against the continued provision of community sewer service to low-density (RE-1 and RE-2) areas, it does support limited approvals for community sewer service for the low-density areas within the envelope and along its currently-established edge. The focus of this limited service and expansion should be on properties which already abut existing or proposed mains and on properties which can be served by sewer extensions within public rights-of-way. Main extensions that would disrupt streams and their undisturbed buffer areas should be avoided. Any approvals granted along the currently-established edge should not be cited as justification for expanding the sewer service envelope beyond the limits recommended in this Plan.

Sewer Service Recommendations

- **Provide community sewer service in the Subregion generally in conformance with *Water and Sewer Plan* service policies. This will generally exclude areas zoned for low-density development (RE-1, RE-2, and RC) not already approved for service from further extension of community service.**
- **Allow for the limited provision of community sewer service for areas zoned RE-1 and RE-2 within and at the periphery of the proposed sewer service envelope. (See Foldout Map D.) Exclude from this peripheral service policy properties adjacent to and in the vicinity of the Palatine subdivision and the lower Greenbriar Branch properties, and all properties within the Piney Branch Subwatershed, the Darnestown Triangle, and the Glen Hills Area (until completion of the study described on page 24, which will evaluate whether this exclusion should continue in the future). Emphasize the construction of sewer extensions, if needed, along roads rather than through stream valleys.**
- **Help to protect water quality in the Stoney Creek subwatershed of Watts Branch by requiring that sewer main extensions to serve the few properties approved for community service be located along River and Stoney Creek Roads, rather than along the stream valley.**
- **Deny the provision of community sewer service to the areas zoned R-200 near the intersection of River and Seneca Roads.**

Glen Hills Area

The Glen Hills area consists of several established subdivisions with lots generally at least one acre in size. Most of the lots were established in the 1950's and 60's using septic systems. At that time, septic standards did not include septic buffers, water table testing, multiple depth testing, and the consideration of fractured rock. The Department of Permitting Services (MCDPS) has raised concerns about the periodic septic failures which occur in the neighborhood because subsurface conditions often do not allow for replacement systems which satisfy current septic regulations. This Plan supports a study of the septic failures in Glen Hills to develop the measures necessary to ensure



MONTGOMERY COUNTY PLANNING BOARD
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

October 5, 2021

The Honorable Tom Hucker, President
Montgomery County Council
Stella B. Werner Council Office Building
100 Maryland Avenue
Rockville, Maryland 20850

RE: Amendment to the *Comprehensive Water Supply and Sewerage Systems Plan: Sewer Category Change Requests - July 2021 Amendment Cycle*

Dear Mr. Hucker:

At its regular meeting of September 9, 2021, the Planning Board reviewed three requests from the County Executive for sewer category changes. I am pleased to transmit to the Council the Planning Board's recommendations for these requests. The recommendations are consistent with the County Executive Recommendations.

WSSCR 20-TRV-14A: Transquest LLC

WSSCR 20-TRV-15A: Travilah Oak LLC

The Planning Board deliberated over these applications for a considerable length of time. We recommended denial of the proposed concepts based on the *2002 Potomac Subregion Master Plan* and other policies, but we want to make it clear that this is an excellent project and that we would like to support it. The Council has a variety of ways to make the proposed plan possible. This could be done with changes to the Master Plan or other County policies. If the Council does approve this extension, it should be conditioned on agreement with WSSC and DEP on the engineering and financing, including long-term maintenance.

WSSC 21-TRV-02A: TDR Properties

Although the current Planning Board does not necessarily agree with Master Plan recommended Glen Hill Sewer Policy, we recognize that this application does not meet the criteria within that Water and Sewer Plan Policy and should not be granted sewer service.

The Planning Board appreciates the opportunity to review and provide recommendations for these requests. Should you have further questions, you may contact Katherine Nelson of the Upcounty Planning Team at 301 495-4622 or katherine.nelson@montgomeryplanning.org.

Sincerely,

Casey Anderson
Chair

cc: Keith Levchenko, Montgomery County Council
Alan Soukup, Department of Environmental Protection
Katherine Nelson, Upcounty Planning
James Parsons, Technical Hearing Writer