



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

AGENDA ITEM #12
October 25, 2022
Action

SUBJECT

Ten-Year Comprehensive Water Supply and Sewerage Systems Plan Amendments: Category Change
Request: WSCCR 21-TRV-03A: David Mohebbi

EXPECTED ATTENDEES

- Steve Shofar, Chief, Intergovernmental Affairs Division, Department of Environmental Protection (DEP)
- Alan Soukup, Senior Planner, Intergovernmental Affairs Division, DEP
- Heidi Benham, Manager, Well and Septic Section, Department of Permitting Services (DPS)
- Katherine Nelson, Planner Coordinator, Montgomery County Planning Department
- Mark Symborski, Planner III, Montgomery County Planning Department

DESCRIPTION/ISSUE

- On January 27, 2022, the County Council received a recommendation from the County Executive on a Water and Sewer Category Change request (Mohebbi). The Executive recommended deferral of the request pending a re-evaluation of the technical limitations of the Palatine LPS system.
- This request involves a 5.17-acre RE-2 zoned property located on Centurion Way near McCrossin Lane and Travilah Road in Potomac. The applicant is seeking public sewer (S-3) to serve an existing single-family home. The applicant testified at the public hearing about septic system problems he has experienced. However, at this time, the Department of Permitting Services (DPS) has not confirmed that the applicant's system has failed or that connection to sewer is recommended. If the system was determined to have failed, approval of public sewer under the Water and Sewer Plan's "documented public health problem" policy could be considered on an expedited basis.
- WSCWater has identified two alternatives for providing sewer to the site:
 - A 70 foot low-pressure sewer extension to the end of the roundabout from the end of the current low-pressure sewer on Centurion Way. This extension would only serve the subject property.
 - A 900 foot low-pressure sewer extension to the end of the cul-de-sac from the end of the current low-pressure sewer on Centurion Way. This extension would abut four additional properties.
- The Planning Board discussed this request on March 31, 2022 and recommended denial since the request was not consistent with Master Plan recommendations or Water and Sewer Plan policies.
- The Council held a public hearing on April 19, 2022.
- The T&E Committee discussed this request on September 12, 2022 and on October 17, 2022. At the October 17, 2022 meeting, the Committee heard from Mr. Mohebbi about the ongoing problems he has had with his septic system. The Committee asked Department of Environmental Protection (DEP) staff to work with the Department of Permitting Services (DPS) to assess Mr. Mohebbi's septic system and determine whether the system has failed.

T&E COMMITTEE RECOMMENDATIONS

- The T&E Committee concurred with the Executive to further study the capacity issues regarding the Palatine low pressure sewer. However, in addition, based on Mr. Mohebbi's description of his septic problems experienced to date, the T&E Committee recommended (2-0, Riemer abstaining) to approve S-3 for the property; which would allow Mr. Mohebbi to connect to the nearby sewer main. The attached resolution notes approval of S-3 and that the applicant will connect to the system from the southern portion of the property (the 70 foot extension noted earlier).
- All Council-approved changes to the Water and Sewer Plan are subject to review and approval by the Maryland Department of the Environment (MDE). However, If DPS later affirms Mr. Mohebbi has a failed or failing septic system and DPS concurs that public sewer is the best solution going forward, then DEP can work with WSSCWater to expedite the construction of the sewer main extension in advance of future approval of the category change request.

This report contains:

10/17/2022 T&E Committee Council Staff Report*
9/12/2022 T&E Committee Council Staff Report
Draft Resolution

Pages

1-©16
©17-47
©48-©52

*NOTE: This report also includes discussion of the five previously deferred category change requests, which are the subject of Council Agenda Item #11.

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T&E Committee #1
October 17, 2022

Worksession

M E M O R A N D U M

October 12, 2022

TO: Transportation and Environment Committee

FROM: Keith Levchenko, Senior Legislative Analyst

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

- WSCCR 20-TRV-14A: Transquest LLC
- WSCCR 20-TRV-15A: Travilah Oak LLC
- WSCCR 20-TRV-03A: Ashwani & Janak Arora
- WSCCR 20-TRV-05A: Ravinder & Rita Kapoor
- WSCCR 20-TRV-09A: Sami and Siham Ainane
- WSCCR 21-TRV-03A: David Mohebbi

PURPOSE: To discuss and make recommendations on several category change request¹

Links for More Information

- [October 3, T&E Committee Staff Report \(with addendum\) on the 2022-2031 Water and Sewer Plan](#)
- [September 12 T&E Committee Staff Report on the 2022-2031 Water and Sewer Plan](#)
- [September 12 T&E Committee Staff Report - WSCCR 21-TRV-03A: David Mohebbi](#)
- [October 12, 2021 Council Worksession Staff Report](#)
 - Transquest LLC request
 - Travilah Oak LLC request
- [February 23, 2021 Council Worksession Staff Report](#)
 - WSCCR 20-TRV-03A: Ashwani & Janak Arora
 - WSCCR 20-TRV-05A: Ravinder & Rita Kapoor
 - WSCCR 20-TRV-09A: Sami and Siham Ainane

Attachments to this Memorandum

- Potomac Oak Center and Old White House Vision and Proposed Site Plan (©1-2)
- Draft Commercial Sewer Service Policy (©3-6)
- Draft Revised Abutting Mains Policy (©7-11)
- Executive's Recommended Ten-Year Comprehensive Water Supply and Sewerage Systems Plan 2022-2031 Excerpt - Potomac Peripheral Sewer Policy (©12-15)
- 2002 Potomac Subregion Master Plan Excerpt: Potomac Peripheral Sewer Policy (©16)

¹ #WaterandSewerPlan and Category Changes

Expected Participants

- Steve Shofar, Chief, Intergovernmental Affairs Division, Department of Environmental Protection (DEP)
- Alan Soukup, Senior Planner, Intergovernmental Affairs Division, DEP
- Nasser Kamazani, Senior Engineer, Intergovernmental Affairs Division, DEP
- George Dizelos, Planning Specialist, Intergovernmental Affairs Division, DEP
- Katherine Nelson, Planner Coordinator, Planning Department
- Mark Symborski, Environmental Planning Coordinator, Planning Department

Background

On October 3, 2022, the T&E Committee made recommendations regarding the Ten-Year Comprehensive Water Supply and Sewerage Systems Plan 2022-2031 (Water and Sewer Plan). Several recommendations will affect five previously deferred category change requests and one request currently under review by the Committee which the Committee asked Council Staff to bring back for discussion and recommendations. Based on the Committee’s October 3 recommendations, Council Staff has provided recommendations for each of the category change requests.

State Approval

All amendments to the County’s Water and Sewer Plan (including policy changes and individual category change actions) 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.

For those category changes recommended for Council approval, approval by MDE of the County’s 2022-2031 Ten-Year Water and Sewer Plan is also required, since the approvals hinge on new language in that plan.

Category Change Requests

WSSCR 20-TRV-14A: Transquest LLC

WSSCR 20-TRV-15A: Travilah Oak LLC

Applicant Request	CE Recommendation	Planning Board	County Council	Council Staff 10/17/2022
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	7/6/2021: 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.	9/9/2021: 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.	10/12/2021: 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.	Maintain S-6 and W-6 with advancement to S-3 and W-6 multiuse conditioned on 1) conformance with the Comprehensive Water Supply and Sewerage Systems Plan 2022-2031 with a new Commercial Sewer Service Policy as approved by MDE and 2) Planning Board approval of a preliminary plan (if applicable) which conforms substantially with the concept plan as submitted by the applicant.
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	7/6/2021: Deny S-3	9/9/2021: 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.	10/12/2021: 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.	Maintain S-6 (multi-use) with advancement to S-3 conditioned on 1) conformance with the Comprehensive Water Supply and Sewerage Systems Plan 2022-2031 with a new Commercial Sewer Service Policy as approved by MDE and 2) Planning Board approval of a preliminary plan (if applicable) which conforms substantially with the concept plan as submitted by the applicant.

The Transquest LLC 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.

The Travilah Oak LLC 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.

For more details on both requests, please see the [October 12, 2021 Council Worksession Staff Report](#) and the attached site/concept plan for both properties included in the applicants' category change request submissions (see ©1-2).

According to WSSC Water, each request will require dedicated 5,300-foot low pressure sewer extensions along Travilah Road. The two applicants originally sought 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 concerns about the low-pressure sewer extension³ that would need to be addressed should the category change for Transquest and/or Travilah Oak be approved.

The Executive recommended denial of sewer for both requests since they are outside the planned sewer envelope and thus not consistent with the Master Plan's general recommendations and the fact that there are no special Water and Sewer Plan policies that would apply in these cases.

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.

Both requests were deferred by the Council in October 2021 "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..."

Based on the Committee's recommendations at its October 3 meeting supporting a new Commercial Sewer Service Policy (see draft policy language on ©3-6) in the Water and Sewer Plan, these two requests can be recommended to the Full Council for approval consistent with and conditioned upon future approval of the Commercial Sewer Service Policy in the Ten-Year Plan by MDE. Approval of each request should also be conditioned upon Planning Board approval of a preliminary subdivision plan (if applicable) which conforms substantially with the concept plan included in the applicants' category change request submissions.

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.

³ For WSSC Water's comments, see pages ©15-16 of the [October 12, 2021 Council Worksession Staff Report](#).

WSSCCR 20-TRV-03A: Ashwani & Janak Arora
WSSCCR 20-TRV-05A: Ravinder & Rita Kapoor

Applicant Request	CE Recommendation	Planning Board	County Council	Council Staff 10/17/2022
WSSCCR 20-TRV-03A: Ashwani & Janak Arora				
Requesting public sewer (from S-6 to S-1) to serve the existing single family home	12/4/2020: Approve S-1, restricted to a single sewer hookup only from the abutting sewer main.	1/7/2021: Concur with CE	3/2/2021: Approve S-1, for one sewer hookup only. Under the Piney Branch restricted sewer access policy, the approval of public sewer service for this property may not be used to support the subdivision of this parcel into more than one building lot. Sewer service is to be provided from the existing sewer main only. Defer action on the applicants' request for a sewer main extension along Boswell Lane pending consideration of the "abutting mains" policy under the 2021 update of the Water and Sewer Plan.	Maintain S-1 as previously approved in Resolution 19-748. Approval of the applicants' request for a sewer main extension along Boswell Lane is conditioned on MDE approval of the Comprehensive Water Supply and Sewerage Systems Plan 2022-2031 with a revised abutting mains policy that allows main extensions.
WSSCCR 20-TRV-05A: Ravinder & Ritu Kapoor:				
Requesting public sewer (from S-6 to S-3) to serve the existing single family home	12/4/2020: Deny the request for S-3; maintain S-6.	1/7/2021: Concur with CE	3/2/2021: Defer action on the applicants' request for a sewer category change to S-3 pending consideration of the "abutting mains" policy under the 2021 update of the Water and Sewer Plan.	Maintain S-6 with advancement to S-3 conditioned on 1) MDE approval of the Comprehensive Water Supply and Sewerage Systems Plan 2022-2031 with a revised abutting mains policy that allows main extensions and 2) initiation of the main extension process to serve the property under application WSSCCR 20-TRV-03A.

For more details on both requests, please see the [February 23, 2021 Council Worksession Staff Report](#). Summary information is provided below.

The Arora request involves a 3.7-acre RE-2 zoned property located on Boswell Lane in Potomac. The applicant is seeking public sewer service to serve the existing single-family home. A low-pressure sewer main abuts the property and WSSCWater has noted that serving the applicant's property by connecting to the existing sewer main is feasible. The property is eligible for a single connection under the Water and Sewer Plan's abutting mains policy.

Typically, requests like this would be approved through DEP's administrative delegation process. However, the applicant, in coordination with a neighboring property owner (Mr. Kapoor, who had an amendment request under review by the Council at the same time), is requesting a 140-foot extension with a shorter on-site extension from a connection more directly in front of the of property. This extension would abut Mr. Kapoor's property and thus make his property eligible under the abutting mains policy.

The Executive recommended approval of the Arora request but restricted to a connection to the existing main. The Kapoor request was recommended for denial. The Planning Board concurred with the Executive's recommendations.

In March, 2021 the Council deferred the Kapoor request pending review of potential changes in the abutting mains policy in the context of the Water and Sewer Plan. The Arora request was approved as part of the same action but conditioned upon the applicant connecting without a main extension. The applicant's request for the main extension that would abut the Kapoor property was deferred pending the Water and Sewer Plan review.

In his Recommended Ten-Year Plan transmitted earlier this year, the Executive included new abutting mains policy language which would allow DEP to approve limited extensions from existing abutting mains for better placement of the service connection (for instance so the service connection would avoid sensitive environmental areas on the subject property or provide a more logical connection to the property). Under the Executive’s proposed changes, if an extension were to abut additional properties, then those properties would also become eligible for a single-hookup.

At its October 3 meeting, the Committee supported the Executive’s recommended Water and Sewer Plan language allowing main extensions under certain circumstances, with Council Staff’s recommendation to limit properties eligible to connect to these main extensions to improved properties and recorded lots (see revised policy language on ©7)

Given the Committee’s October 3 recommendation, the Arora request for a main extension which had been deferred by the Council can be recommended for approval as can the Kapoor request, consistent with the Committee’s recommendations to revise the abutting mains policy. Both approvals would be conditioned upon future approval by MDE of the Water and Sewer Plan’s abutting mains policy language.

WSSCR 20-TRV-09A: Sami and Siham Ainane

Applicant Request	CE Recommendation	Planning Board	County Council	Council Staff 10/17/2022
WSSCR 20-TRV-09A: Sami and Siham Ainane				
Requesting public sewer (from S-6 to S-1) to convert an existing outlot to building lot for one single-family house	12/4/2020: Deny the request for S-1; maintain S-6.	1/7/2021: Support the transfer of abutting main rights from the adjacent property owned by the applicant to the outlot pending applicants’ submittal & DRC positive review of a concept plan for the outlot.	3/2/2021: Defer action on the applicants’ request for a sewer category change to S-1 pending consideration of the “abutting mains” policy under the 2021 update of the Water and Sewer Plan.	Maintain S-6 with advancement to S-1 conditioned on MDE approval of the Comprehensive Water Supply and Sewerage Systems Plan 2022-2031 with revised abutting mains policy language allowing the transfer of connection rights and and on recordation of the existing outlot as a building lot.

In March 2021, the Council deferred the Ainane request (for more details, see the [February 23, 2021 Council Worksession Staff Report](#)) pending further discussion of whether to revise the abutting mains policy to allow for the transfer of abutting main connection rights from one property to another under limited circumstances. The applicant was requesting approval of public sewer to serve an outlot (Outlot A) immediately adjacent to another developed property (Lot 2) also owned by the applicant and which uses a septic system. Both properties abut a sewer main, with Lot 2 eligible under the Abutting Mains Policy. However, Outlot A is ineligible to connect (since it was part of a prior subdivision whereby another property was provided the single-hookup rights).

In its Executive Staff Report for this request, DEP staff had noted that if Lot 2 and Outlot A were to go through a re subdivision process and a portion of Lot 1 were to be subsumed into Outlot A, then the abutting mains policy could be interpreted to allow a single connection to either one of the properties.

The Planning Board had recommended allowing for a transfer of the abutting mains rights from Lot 2 to Outlot A “if a Concept Plan analyzing development issues on the property is favorably reviewed by the Development Review Committee.”

At its October 3 meeting on the Water and Sewer Plan, the Committee recommended revising the Abutting Mains Policy to allow for the transfer of abutting mains rights under limited circumstances (see draft abutting mains policy language on ©10).

In the context of the Committee’s recommendations on the Water and Sewer Plan on October 3, the Ainane request can be recommended for approval consistent with the new policy language and conditioned upon future approval of the revised policy in the Water and Sewer Plan by MDE and on recordation of the outlot as a building lot.

WSSCCR 21-TRV-03A: David Mohebbi

Applicant Request	CE Recommendation	Planning Board	County Council	Council Staff 10/17/2022
WSSCCR 21-TRV-03A: David Mohebbi:				
Requesting public sewer (from S-6 to S-3) to serve an existing single-family home	1/27/2022: Defer pending a re-evaluation of the technical limitations of the Palatine LPS system upon which a restriction to the Potomac peripheral sewer service policy is based.	3/31/2022: Deny S-3. Inconsistent with the Potomac Subregion Master Plan and Water and Sewer Plan policies	---	Defer pending further study by DEP and WSSCWater of the Palatine low-pressure sewer system capacity and the feasibility for future connections to the system.

This request involves a 5.17-acre RE-2 zoned property located on Centurion Way near McCrossin Lane and Travilah Road in Potomac. The applicant is seeking public sewer (S-3) to serve an existing single-family home. The Committee discussed the Mohebbi request at its September 12, 2021 meeting. For more details, please see the [Council Staff Report](#).

The request is not consistent with the Potomac Subregion Master Plan nor current Water and Sewer Plan policies since the property does not abut a main nor does the property have a documented failed septic system.⁴

The property also not eligible for consideration under the Potomac Subregion Master Plan’s Peripheral Sewer Service Policy. While the property is adjacent to the planned public sewer envelope, the Potomac Subregion Master Plan’s Peripheral Sewer Service Policy (see ©16) explicitly excludes properties such as this which are adjacent to and in the vicinity of the Palatine subdivision. The Water and Sewer Plan policy language reflects this same restriction (see ©14).

According to the Executive Staff Report for this request, the Palatine policy exclusion “was based on WSSCWater’s evaluation that the low-pressure sewerage (LPS) system serving the Palatine subdivision could not accept any additional sewer service connections.” Subsequent improvements have been made to parts of the LPS system and WSSCWater noted that some additional capacity may be available to properties “at the periphery of the Palatine LPS system.”

The Executive recommended deferral of the request pending further study by DEP and WSSCWater of the capacity issues and technical limitations of the Palatine LPS system.

⁴ The applicant testified at the Council’s public hearing about septic system problems he has experienced. However, at this time, the Department of Permitting Services (DPS) has not confirmed that the applicant’s system has failed and that public sewer, if feasible, is the best long-term solution. If DPS provides such an assessment in the future, approval of public sewer under the Water and Sewer Plan’s “documented public health problem” policy could be considered.

The Planning Board recommended denial of the request as it is inconsistent with the Potomac Subregion Master Plan and the Water and Sewer Plan.

At the Committee's October 3 meeting on the Ten-Year Water and Sewer Plan, Tom Hilton, Planning Division Manager, Engineering and Construction Department, WSSCWater provided additional information regarding capacity issues in the Palatine low pressure sewer system. He also noted WSSCWater's support for the County Executive's and Council Staff's recommendation to defer the Mohebbi request pending further study. Mr. Hilton's written comments received are copied below:

- *While improvements have been made to the Palatine low pressure sewer system, they were intended to rectify issues existing customers were having with the current system and were never intended to enable a system expansion*
- *WSSC's comments on the category change request for the Mohebbi property, dated 7/26/21, never indicated system capacity was available. In fact, a statement was made that "downstream system upgrades might be required."*
- *The Palatine low pressure system is a large and complex system in which individual grinder pumps pump into a network of small diameter pressurized pipelines. Capacity analyses of such a large and complex system require the use of a computerized hydraulic model that simulate the pumped flows from each home into the piping network to see if the system pressures are adequate to support the connection of additional grinder pumps at the locations being contemplated.*
- *We therefore support, the Staff's recommendation to defer this request, pending a further review of the hydraulic capacity of the Palatine low pressure sewer system to determine if the current system is capable of supporting one or more additional sewer service connections to the system and what, if any, improvements will be required.*

DEP staff have noted that there are 31 properties around the Palatine subdivision which are adjacent to or confront the planned sewer envelope which would be eligible for approval if the Peripheral Sewer Service Policy exclusion for the Palatine subdivision were removed. Of these, 22 properties would have direct access via public rights of way. However, most of the 31 properties would require long low-pressure sewer (LPS) extensions (between 1,400 and 5,200 feet).⁵ If these sewer extensions were ultimately built, an additional 36 properties could also be eligible for approval via the abutting mains policy.

At its October 3 meeting, the T&E Committee concurred with Executive and Council Staff to have DEP and WSSCWater staff study the capacity issues before considering any changes in the Peripheral Sewer Service Policy that could allow additional connections to the Palatine low-pressure sewer.

Based on the Committee's October 3 recommendation, Council Staff recommends that the Mohebbi category change request be deferred pending additional study by DEP and WSSCWater.

⁵ Applicants seeking public water/sewer service are required to pay the extension costs.



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 - **WSCCR 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
North is to the right side of the page.



See page 4 for new policy text for Community Service for Commercial Land Uses, **highlighted in yellow.**

II.G.4.: Community Service for Private Institutional Facilities

This Plan defines private institutional facilities (PIFs) as buildings constructed for an organization that qualifies for a federal tax exemption under the provisions of Section 501 of Title 26 of the United States Code (Internal Revenue Service).

Private institutions, needing space to locate and grow, sometimes look to less-expensive land zoned for lower-density development. This land is often located outside of the community water and/or sewer service envelopes. The County Council adopted a special service policy addressing PIF uses with three primary goals in mind:

- To continue to support, where the provision of community service is reasonable, the county's private institutional facilities, which the Council recognizes as having an important role in their communities and for their residents;
- To provide more objective and consistent criteria in evaluating PIF cases; and
- To limit the potential impact of water and sewer main extensions constructed outside the community service envelopes for the sole purpose of supporting PIF uses.

Aspects of the Religious Land Use and Institutionalized Persons Act of 2000

The County understands the intent of the Religious Land Use and Institutionalized Persons Act of 2000 (RLUIPA). The County further accepts RLUIPA as a means of ensuring against discrimination to religious institutions in the County's land use and zoning codes. The PIF policy acts to grant opportunities for the provision of community water and sewer service for non-profit institutions (that can include religious institutions) that are not otherwise afforded to residential and commercial development in areas located outside planned public service envelopes.

Restrictions included in the PIF policy serve to limit the applicability of the policy to address appropriate development and environmental concerns, not to discriminate against any specific type of land use or institution. County zoning and land use standards still apply equally to institutional uses as they do to residential and commercial development for the same area. The County works to ensure that master plan recommendations concerning the provision of community apply in a manner consistent with both the PIF policy and RLUIPA.

PIF Sites Within the Planned Community Service Envelopes

Note that for private institutional facilities located within the planned water and/or sewer community service envelopes, service area category changes may be approved by DEP through the administrative delegation process (Section V.D.2.a.: Consistent with Existing Plans). For a specific site, the planned water and sewer service envelopes differ in some areas due to the general service policies (Section II.F.) included in this Plan.

PIF Sites Outside the Planned Community Service Envelopes

The County Council will address category change requests seeking the provision of community water and/or sewer service to such facilities located outside of the planned community service envelopes on a case-by-case basis by the policies provided in the following sections. Under this circumstance, category change requests for PIF uses have specific application requirements. Refer to Section II.G.4.e. for relevant information.

The County Council has come to place greater emphasis on the review of a concept plan for projects seeking the approval of community water and/or sewer service under the PIF policy. PIF-based category change cases often propose more intense development of a site than would be expected on a property zoned for lower-density development. As a result, one of the Council's more significant concerns is the amount of impervious area proposed for the project. Typically, the Council's approval of a category change for a PIF use is based on an understanding that the PIF user's final development plan will be consistent with the concept plan considered by and acceptable to the Council, especially concerning impervious area.

The use of community service outside the planned community service envelopes can imply inconsistency with the general recommendations of local area master plans. However, many master plans are silent on the specific issue of community service related to exceptional service policies in this Plan, such as the PIF policy. The County Council typically interprets these situations as suitable for the application of this policy.

Some circumstances will result in properties that are specifically excluded from the application of this policy; see Section II.G.4.a., below.

In cases where the County Council supports a requested category change for a PIF use, the Council will typically choose to condition a category change approval on either:

- The Planning Board's approval of a preliminary subdivision plan that the Board finds to be in conformance with local area master plan recommendations; or
- The Planning Board's approval of a preliminary subdivision plan which conforms substantially with the concept plan reviewed by the County Council.

Please refer to Section V.E.2. for additional information concerning conditionally approved Water and Sewer Plan amendments, including the five- to -ten-year sunset provisions for final approval actions.

Sites Abutting Existing Water and/or Sewer Mains

For cases where existing or approved water or sewer mains abut or will abut a property, the Council may consider the approval of service area category amendments for sites with an existing PIF use and for sites proposed for a new or relocating PIF use, excluding those zoned AR (see Section II.G.4.c).

Sites Requiring New Water and/or Sewer Main Extensions

For sites where the provision of community service for a PIF use requires the construction of new water and/or sewer mains, the Council shall apply the following criteria:

- For existing PIF uses, service area category amendments may be approved for sites only where required water and/or sewer main extensions do not threaten to open undeveloped land to development contrary to the intent of the relevant local area master plan.
- For new or relocating PIF uses, service area category amendments may be approved for sites where required new water and/or sewer main extensions will not make community service available to additional properties that are otherwise not eligible for community service under the general policies of this plan.

WSSC Water policies require that where low-pressure systems provide sewer service to a non-residential use, that system must be dedicated to only one user and cannot provide service to intervening properties, whether for residential or non-residential uses. This policy will therefore allow a dedicated, low-pressure sewer main extension for a PIF use to abut properties ineligible for community sewer service.

Care must be taken to ensure that any associated gravity outfall from a low-pressure sewer system otherwise satisfies these requirements.

New WSSC Water wastewater pumping facilities are not allowed where their only purpose is to serve PIF uses. (See Section II.G.4.c., following.)

Consistent with the Limited Access Water and Sewer Mains policy (see Section III.A.1), water and sewer main extensions outside the acknowledged community service envelopes, where required, shall be designated "Limited Access". Where community sewer service for a PIF use will be provided by low-pressure mains, those mains shall be dedicated only to that PIF use and generally not eligible for additional service connections. This is consistent with WSSC Water's policy of requiring that non-residential pump/pressure sewer system users have systems dedicated to only that use. The County and WSSC Water may make limited exceptions to this requirement to allow for the relief of failed septic systems, where such service is technically feasible.

PIF uses may receive service from limited access water or sewer mains where the Council has specifically approved access to those mains. The provision of community service under this policy shall not be used as justification for the connection of intervening or nearby lots or parcels if they would not otherwise be entitled to connect to community systems.

Under its Systems Extension Permit (SEP) process, WSSC Water requires that all commercial and institutional service applicants construct and pay for the community systems main extensions and related facilities needed to serve their projects.

II.G.4.a.: PIF Policy Exclusions

The following circumstances restrict the application of the PIF policy in cases where community service is sought.

PIF Uses Affected by Specific Master Plan Service Policy Recommendations

This policy cannot be used to justify the provision of community service where a local area master plan specifically recommends against the use of community service for PIF uses, or for any use in general.

PIF Uses on Sites Zoned Agricultural Reserve (AR)

To help preserve the integrity of the land-use plan for the County's agricultural reserve, neither community water nor sewer service shall be used to support existing or proposed PIF uses within the Agricultural Reserve (AR) Zone. This prohibition shall apply to all PIF cases regardless of whether public service requires either new main extensions or only service connections to an existing, abutting main.

The only exception allowed to this prohibition is to allow for community service to relieve health problems caused by the failure of on-site systems, as documented by the Department of Permitting Services (DPS). In the case of a public health problem, DEP and DPS staff will need to concur that the provision of community service is a more reasonable alternative to a replacement of the failed on-site system, either by conventional or alternative technologies. WSSC Water and DEP staff will need to concur that the provision of community service is technically feasible.

Note that this Plan, with the preceding agricultural preservation goals in mind, also places limitations on the size of individual, on-site septic systems used within the AR Zone (see Section II.G.4.c).

PIF Uses in Existing Residential Structures

The Council may deny service area category amendments for PIF uses located outside the acknowledged water and/or sewer envelopes where main extensions are required for private institutional facilities seeking community service for existing residential structures. This could result in the extension of community water and/or sewer service for structures which would not otherwise be eligible for such service, and which could return to residential use.

PIF Uses Requiring New WSSC Water Pumping Facilities

In cases where more than one PIF use proposes to locate on a site requiring a pump and low-pressure main extension, WSSC Water requires that each institutional facility have a separate pump and pressure main system. The County and WSSC Water will not support the provision of community sewer service for a PIF use where that service will require a WSSC Water-owned and operated wastewater pumping station that does not also support community sewer service for other non-PIF uses consistent with the service policies of this Plan.

II.G.4.b.: Further PIF Policy Considerations

The PIF policy has accomplished its intended goals in many cases, although the practical application of the policy in other cases remains controversial. These more controversial cases have raised additional policy questions about the criteria for to evaluate PIF category change requests. Among these are the following:

- Should the policy place limitations on the length of water and /or sewer main extensions needed to serve qualifying PIF uses?
- Should the policy include additional prohibitions on community service for PIF uses in other zones besides the AR Zone?

Outside of the CWSP and the PIF policy, should broader County policies consider the following issues:

- Whether County policies should include limitations on the amount of allowed impervious surfaces for either all uses or all non-residential uses, whether universal or based on zoning criteria, and subsequent enforcement of approved impervious surface limitations. Should the County enact additional environmental overlay zones with imperviousness limitations in additional watersheds or subwatersheds the County determines to need additional protection?
- Should County policies be concerned about the effect of PIF uses on nearby communities with respect to compatibility, noise, traffic, etc.?

II.G.4.c.: PIF Policy Category Change Application Requirements

Applicants seeking category change approvals under the PIF policy need to provide the following information in addition to the category change application form:

- Name of and contact information for the proposed institutional use if that institution does not already own the property.
- Statement of the institution's non-profit, federal tax-exempt status from the U.S. Internal Revenue Service.
- A concept plan for the site of the proposed institutional use that has first been considered by the M-NCPPC Development Review Committee (DRC) under that agency's concept plan review process. The County Council's consideration of the reviewed concept plan will focus on impervious area and on water and sewer main extensions. The concept plan needs to include:
 - Proposed activities, seating capacity, and auxiliary uses (day care, private school, etc.).
 - Proposed building footprints, parking and driveway areas, and other paved surfaces in sufficient detail to provide an estimate of impervious surface area. Imperviousness must be consistent with specific, established imperviousness limitations imposed by County regulations.
 - Concepts for water and/or sewer main extensions, as needed.

The category change application needs to include a copy of the reviewed concept plan and a copy of the comments for the plan provided by the DRC agencies.

II.G.4.f.: County Council Reconsideration of PIF Concept Plan Changes

The discussion of the review of PIF policy cases (Section II.G.4.b) explains the Council's consideration of a concept development plan for the proposed PIF use, which in part is the basis for a category change approval action. However, if the PIF user makes significant changes (prior to service being provided to the approved PIF use) to the development plan from the plan considered at the time of the Council's action, the County will require reconsideration of the original approval action by the County Council. This shall also apply for cases where the proposed PIF user changes from the original user. The M-NCPPC Planning Department will evaluate the revised concept plan with respect to the original plan and report its findings to DEP and the Council concerning significant changes that would warrant the Council's reconsideration.

II.G.5.: Community Service for Commercial Land Uses

This policy addresses the provision of community water and sewer service for commercial land uses located outside the planned community service envelopes. This is to help support commercial service (such as grocery and convenience stores, medical offices, and day-care facilities) in lower-density areas of the county where residents may otherwise have to travel many miles to avail themselves of these services. Properties eligible for consideration for community service are those with existing or proposed commercial uses as defined in the Montgomery County Zoning Ordinance.

The provisions of this commercial uses service policy (allowances, restrictions, procedural requirements) parallel those established in the Private Institutional Facilities (PIF) policy (see II.G.4, preceding), with the following exceptions:

- The commercial uses considered under this policy do not have to qualify as tax-exempt under Section 501 of Title 26 of the United States Code (Internal Revenue Service).
- Neither community water nor sewer service shall be used to support existing or proposed commercial uses within the Agricultural Reserve (AR), Rural (R), and Rural Cluster (RC) Zones.
- Water and sewer main extensions for these properties are required to stay within public rights of way and avoid sensitive environmental features such as streams and forests.
- Properties with residential structures converted or proposed to be converted to a commercial use may be considered for community service.

Properties that have submitted category change requests for community service for an existing or proposed commercial use prior to the approval of this policy are not required to submit a concept plan for consideration of the Development Review Committee.

See new text based on T&E Committee recommendations on pages 1 and 4, highlighted in yellow.

II.G.3.: Community Service for Properties Abutting Community System Mains

Under specific and limited circumstances, community water and/or sewer service may be provided to properties that abut an existing or approved water and/or sewer main. Except in cases where this policy specifically requires the County Council's consideration and action, DEP may grant approval for abutting service hookups through the administrative delegation process, under the "Community Service for Properties Abutting Community System Mains" policy, Section V.D.2.a.

II.G.3.a.: General Requirements

The provision of community service under this policy requires that the property, or a structure on the property, must have been established prior to the extension of the abutting water or sewer main. Residential, institutional, and commercial uses qualify as existing structures; barns, garages, or other types of outbuildings do not qualify. Satisfaction of this requirement qualifies the property for a single public service hookup. Neither the construction of a building on an unimproved property, nor the addition to or replacement of an existing structure, invalidates the application of this policy. The provision of community service under this policy shall not be used as justification for the connection of nearby lots or parcels if they would not otherwise be entitled to connect to community systems.

Technical Feasibility of Service Connections

The provision of community service under this policy also requires that service from the abutting main must be technically feasible. Major water and sewer transmission mains and sewer force mains cannot support individual service connections and hookups, and therefore do not qualify abutting properties for community service under this policy. Service from low-pressure, small-diameter sewer mains may also be restricted, depending on the type or number of users proposed. WSSC Water's current pump/pressure system policies do not permit both residential and non-residential (commercial/institutional) uses to connect to the same low-pressure main, requiring instead separate, dedicated mains for each separate non-residential use.

A property owner may request DEP's approval of a new water or sewer main extension to the existing abutting main to position the main directly aligned with the building on the property. This can allow for a shorter onsite service utility between the main and the structure or serve to avoid affecting an environmental constraint on the site (stream, forest stand, etc.). The new main extension cannot extend past the point where it can best provide a logical connection to the existing outfall from the building to the septic tank. (See figure 1-F7, following.) DEP, DPS, and WSSC-Water will confer on these cases and determine the allowed length of the additional main extension.

The requested main extension may offer abutting mains connections to other confronting properties **provided that they are only improved properties or recorded building lots**. These confronting properties must be served from the extended main; no additional extensions are allowed. DEP may grant an exception to this limitation in cases where an extension is needed for the relief of a failed onsite system. In cases where a service area category change is needed for a confronting property, the category change is not suitable for an advance action (see Section II.G.3.d.). The confronting properties will carry a notice that disallows any similar, additional main extensions. As with the general provisions of this abutting mains policy, a property newly abutting a new main extension is limited to a single service connection from the new main. Further, in such cases, the additional subdivision of the newly abutting property based on the provision of an abutting service connection is not allowed. Service connections from the extended main to other newly abutting properties must be direct connections from the main. Non-abutting service connections are not allowed in these cases.

Planned Community Service Mains

The implementation of this policy applies to both existing and planned service mains. Where a category change approval is based on new mains planned and approved by WSSC Water, actual service depends on the construction of that main by the applicant for that main. The owner of a property with a restricted abutting mains approval based on construction of a new main can independently initiate the construction of all or part of that new main.

Non-Abutting Service Connections

A non-abutting water or sewer connection may allow for the provision of community service under this policy. A non-abutting connection is typically located within either a public road right-of-way or a WSSC Water main

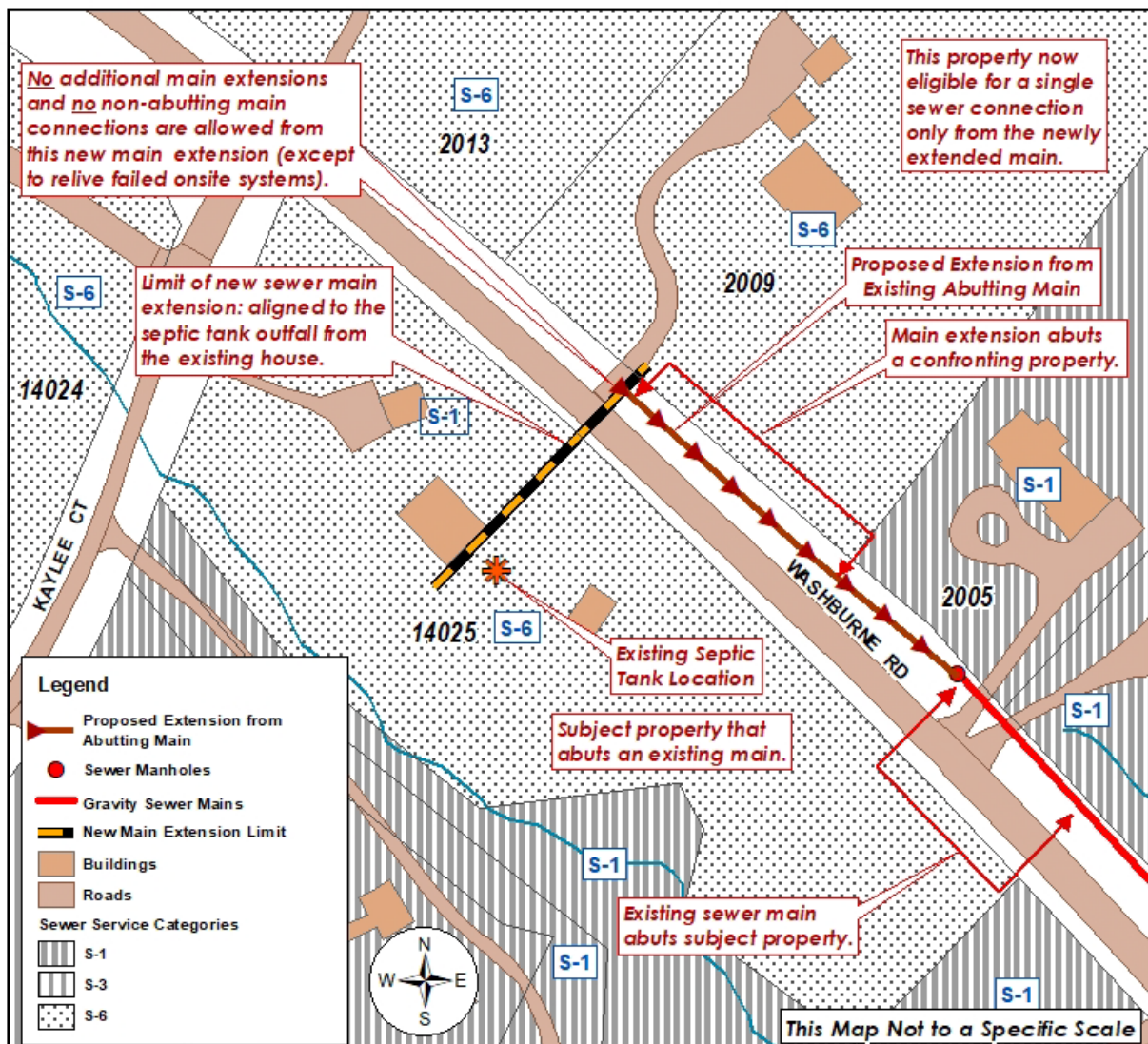
easement. The associated house service utility must be located on *only* the customer's property receiving community service. The use of an offsite service hookup in an easement crossing another intervening property is not allowed. Non-abutting service connections require specific approval from WSSC Water.

Policies for the use of non-abutting service connections differ between this Plan's policies and WSSC Water's. In this Plan, the preceding policy concerning non-abutting service connections will determine whether a property qualifies for community service under the abutting mains policy. Most often, such a property is located outside the planned community service envelope and is considered for community service only because it satisfies this special service policy. WSSC Water's policy for non-abutting service connections addresses cases involving access to a community system main where the County has already approved the property for community service. Typically, these properties are within the designated planned community service envelope.

In summary:

- The Water and Sewer Plan's policy concerning non-abutting service connections affects decisions about which properties may receive community service.
- WSSC Water's non-abutting connection policy affect decisions about the best way to serve a property once the Plan has established that property for community service.

Figure 1-F7: New Extensions from Abutting Community Service Mains
(Source: DEP-IGAD)



Abutting Mains Policy Exclusions

This policy will not apply in the following circumstances:

- *Private Institutional Facilities* - The application of this policy does **not** include the provision of community service for private institutional facilities (PIFs) located outside planned community service envelopes. These cases must be addressed separately through the PIF policy (see Section II.G.4.).
- *Limited Access Service Mains* - This policy cannot be applied in cases where the County Council has expressly restricted access to the abutting main as specified under the Limited Access Water and Sewer Mains policy (see Section III.A.1.).

II.G.3.b.: Single Connections for Only One Property

A single water and/or sewer connection only is allowed for an individual property or for a structure that satisfies the policy requirements under Section 3.a. preceding. The application of the policy is most often for a single property in the same geometric configuration that existed at the time an abutting main was approved or constructed. However, the policy does allow for exceptions, as follows:

Allowed Property Changes

A change in the property configuration due to the following circumstances does not invalidate this allowed single connection:

- Dedication of land for a public use such as a road right-of-way or park land.
- An exchange of land between a *qualifying* property and an adjacent property, qualifying or not, provided the overall number of qualifying lots—and therefore the allowed number of service connections—remains the same. Under this provision, *at least one* property must have qualified for a single hookup under this policy *before* the lot line adjustment occurred. A lot line adjustment only to acquire frontage along a main does not justify an abutting mains approval.
- The inclusion of additional contiguous, commonly owned properties, if those properties are combined through subdivision with the qualifying property into a single property. Only one single water and/or sewer connection for the entirety of the combined properties will be approved in such cases, so that the provision of community service does not promote the further subdivision of additional lots. Final approval of a category change will require the Planning Board's approval of the subdivision plan or plat assembling the properties.

Remainders of Qualifying Properties

The allowed single service connection may also be assigned to an existing property that is the remainder of a property that would have originally qualified for a single hookup under Section II.G.3.a. above. For approval of single service hookups, these properties must satisfy both of the following conditions:

- The residual property proposed for community service abuts the existing or approved main; and
- The allowed service hookup has not been used elsewhere on the property that originally qualified for the single service hookup. Community service provided elsewhere on the original property where consistent with both Water and Sewer Plan general service policies and with master plan recommendations shall not be considered to have used this one allowed service connection.

DEP may grant approval for this single connection under the administrative delegation process included in this chapter, as noted previously in Section II.G.3., provided that either:

- All of the residual properties involved are still under common ownership, or
- None of the other residual properties from the original abutting property could qualify under this policy for the allowed connection because they do not abut the subject water or sewer main.

However, DEP shall refer to the County Council any cases where two or more residual properties that could qualify for the single service connection are under different ownership. DEP will attempt to notify the owners of those qualifying properties of the pending category change request amendment and of the Council's hearing for that amendment.

Single Community Service Connections in Proposed Subdivisions

Some properties that qualify for a single community service connection under this policy will also be proposed for new subdivisions. In these cases, this policy may allow for a new lot using community service in addition to those lots approved using individual, onsite systems. Qualifying projects will need to satisfy the following conditions:

- The original property had to satisfy the general policy requirements for a single community service connection under Section II.G.3.a, preceding.
- The property in the subdivision receiving the single community service connection must receive service by either a direct connection or non-abutting connection to the water or sewer main. The conditions for the use of a non-abutting connection apply as explained in Section II.G.3.a., preceding.
- Final approval of a category change under this condition will require the Planning Board's approval of a preliminary plan that specifies the lot receiving the allowed community water and/or sewer connection.

Properties located within the Piney Branch Restricted Sewer Access Area and the Glen Hills Study Area do not qualify for this subdivision provision of the abutting mains policy concerning sewer connections. The policy is not intended to promote the creation of additional subdivision lots in these areas. A single sewer connection may be provided in a subdivision to one qualifying lot that could be served by an individual septic system.

II.G.3.c.: Transfer of an Abutting Mains Single Service Connection Qualification

The transfer of an available abutting mains service connection "right" from a qualifying property to another property that does not qualify for a connection right may be considered under this policy on a case-by-case basis. The approval of such a transfer of a service connection right will require that DEP make the following findings during a category change review process:

- Both properties must abut the water or sewer main with the donating property confirmed by DEP to be eligible for a single connection via the abutting mains policy.
- Both properties must be contiguous (i.e. share a property boundary).
- Both properties must be under common ownership.
- If improved, the property with the existing abutting mains connection right must have a fully functioning septic system that satisfies all current septic system permitting requirements, including an established septic reserve area, under State and County law as verified by the Department of Permitting Services.
- The property donating the existing abutting mains connection right will no longer be eligible for public service through the abutting mains policy.
- The connection right transfer must not contradict other Water and Sewer Plan special service policies such as the Piney Branch Restricted Sewer Service policy.
- Approval of the connection right transfer will be conditioned upon Planning Board confirmation of the receiving property as a building lot.

Provided that DEP determines that preceding requirements are satisfied, a service area category change may be approved through the administrative delegation process.

II.G.3.d: Multiple Abutting Community Service Connections

In order to limit the effects of development supported by community systems in areas intended to use individual, on-site well and septic systems, the preceding "abutting mains" policies limit service to a single service connection. However, situations may arise where a reasonable accommodation can be made for more than one service connection for a subdivision site that abuts an existing or approved water or sewer main. The use of community service, particularly sewer service, may allow for an improved lot layout over that required using onsite systems.

The approval of multiple community service connections requires all of the following conditions be satisfied:

- The property proposed for subdivision qualifies for a single service connection under Section II.G.3.a. above.
- One proposed lot qualifies for a connection to community service under the basic policy. Each additional proposed building lot in the subdivision must be established on the basis of an approved onsite systems permit for a well and/or a septic system by DPS. The total number of lots approved

using community service must not exceed the number of lots that would otherwise be allowed using the one allowed “abutting mains” hookup plus permitted onsite systems.

- All community service infrastructure must be contained within the subdivision site; no offsite infrastructure is allowed. Easements for main extensions and offsite service utilities may be established within the project site. On-site main extensions, if required, must not make community service available to any other properties otherwise ineligible for community service.
- Final approval for a service area category change under this policy will require the Planning Board’s approval of a preliminary subdivision plan for the subject site.

Category change actions considered under this subsection must be addressed by the County Council and do not qualify for consideration under the administrative delegation process.

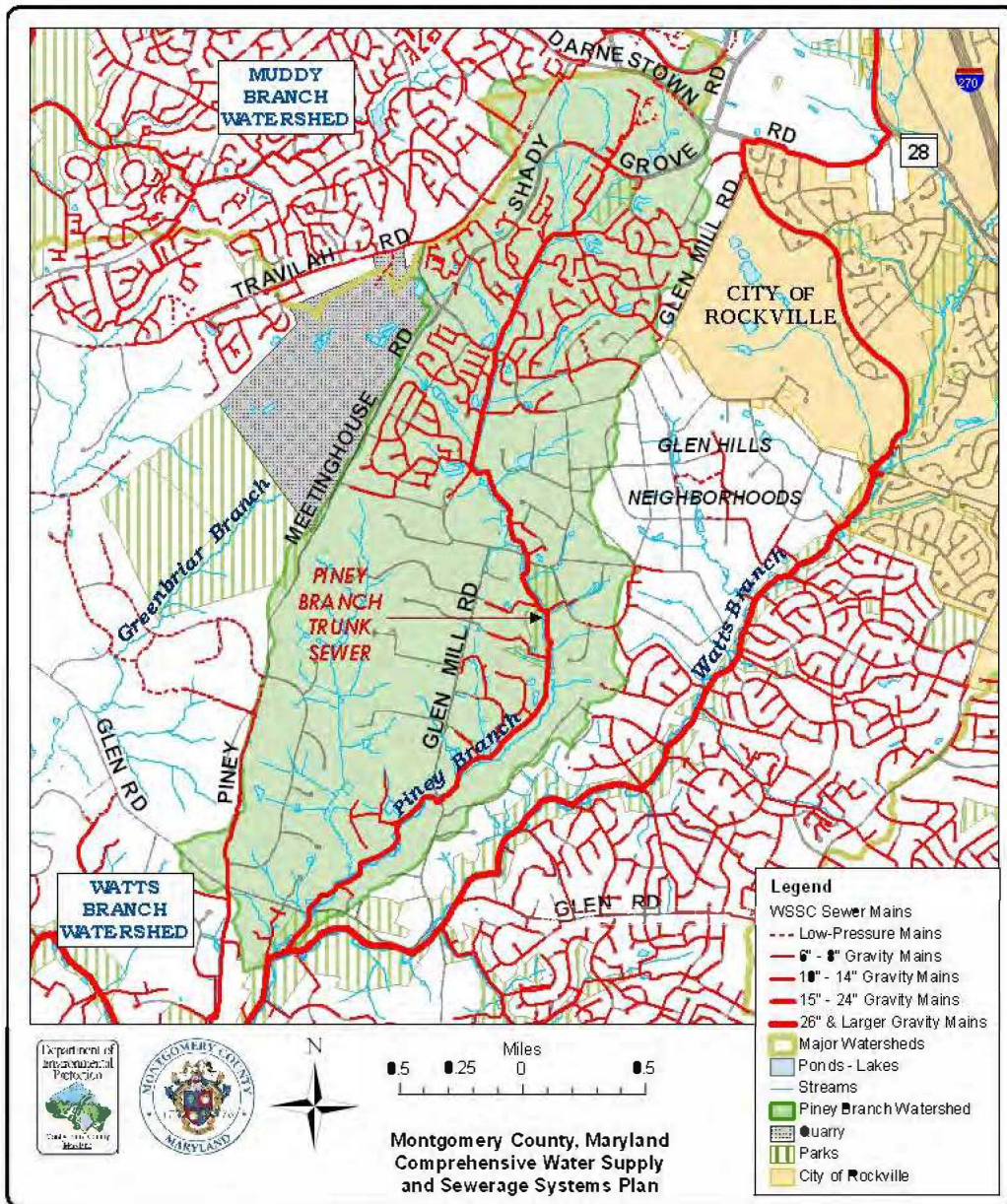
II.G.3.e.: DEP Advance Approval of Single Abutting Connections in Categories 4, 5, and 6

DEP may direct WSSC Water to provide an allowed single water and/or sewer connection for a residential use on a property not currently designated for community service (categories 4, 5, or 6) upon confirmation of the following:

- DEP staff confirmation that the property qualifies for service under this policy, and does not require consideration and action by the County Council for approval; and
- DEP receipt of a valid category change request application for the property.

Only in such cases may DEP approve service for a residential use from an abutting main in advance of granting the actual service area category approval. Commercial and institutional uses must first receive the required service area change.

Figure C-F11: Piney Branch Watershed and Restricted Sewer Service Area



Developers seeking to subdivide parcels into building lots using community sewer service in the Piney Branch subwatershed are required to record, as a covenant running with the properties, the Piney Branch Sewer Agreement Recommendations as a condition for the approval of sewer categories S-1 or S-3. Properties established prior to 1988, and for which only a single sewer connection is sought, are exempt from this requirement. Contact DEP staff (see Appendix D) for copies of the draft covenant and the required recommendations.

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

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

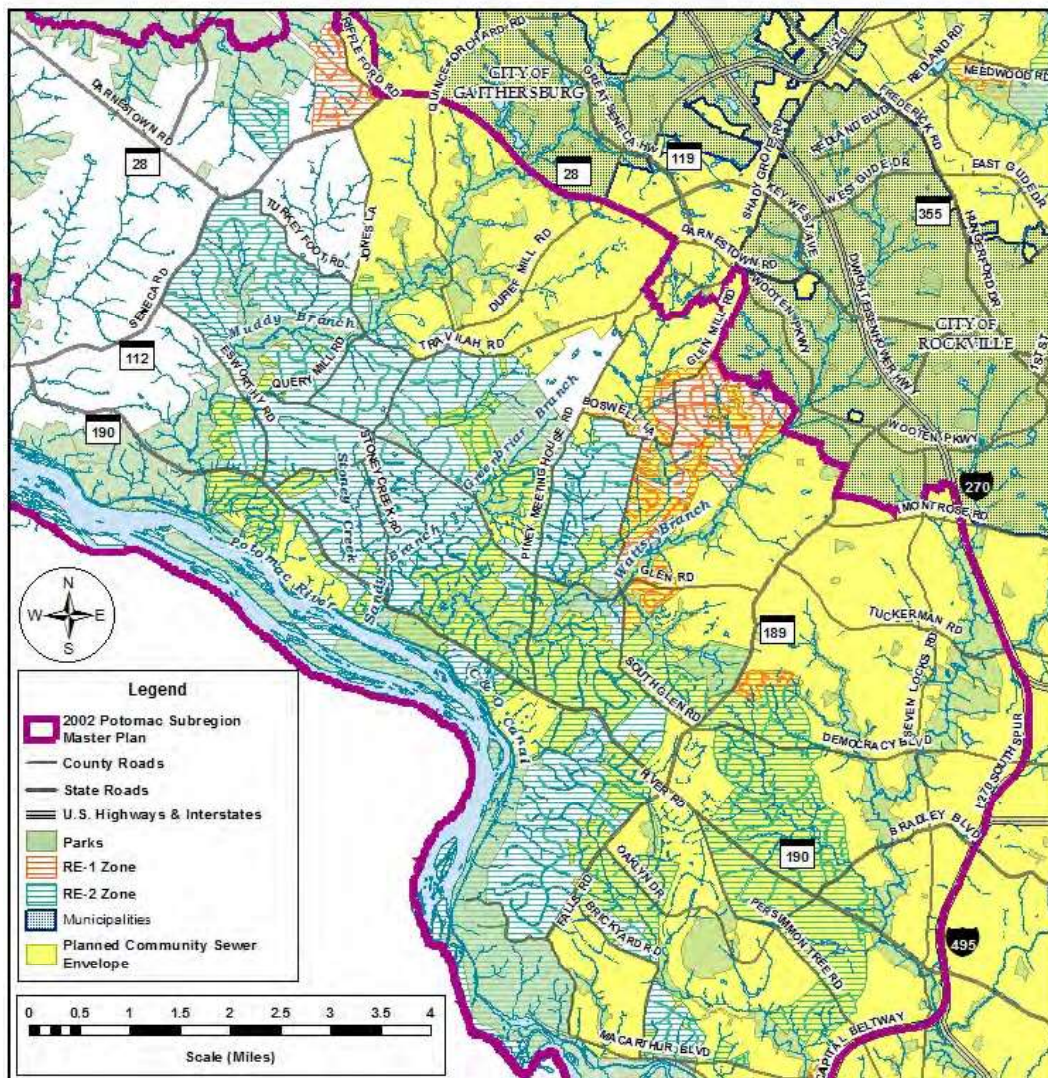
Subject Area: Properties zoned RE-1 or RE-2 at the edge or "periphery" of the master plan's recommended community sewer service envelope

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.

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

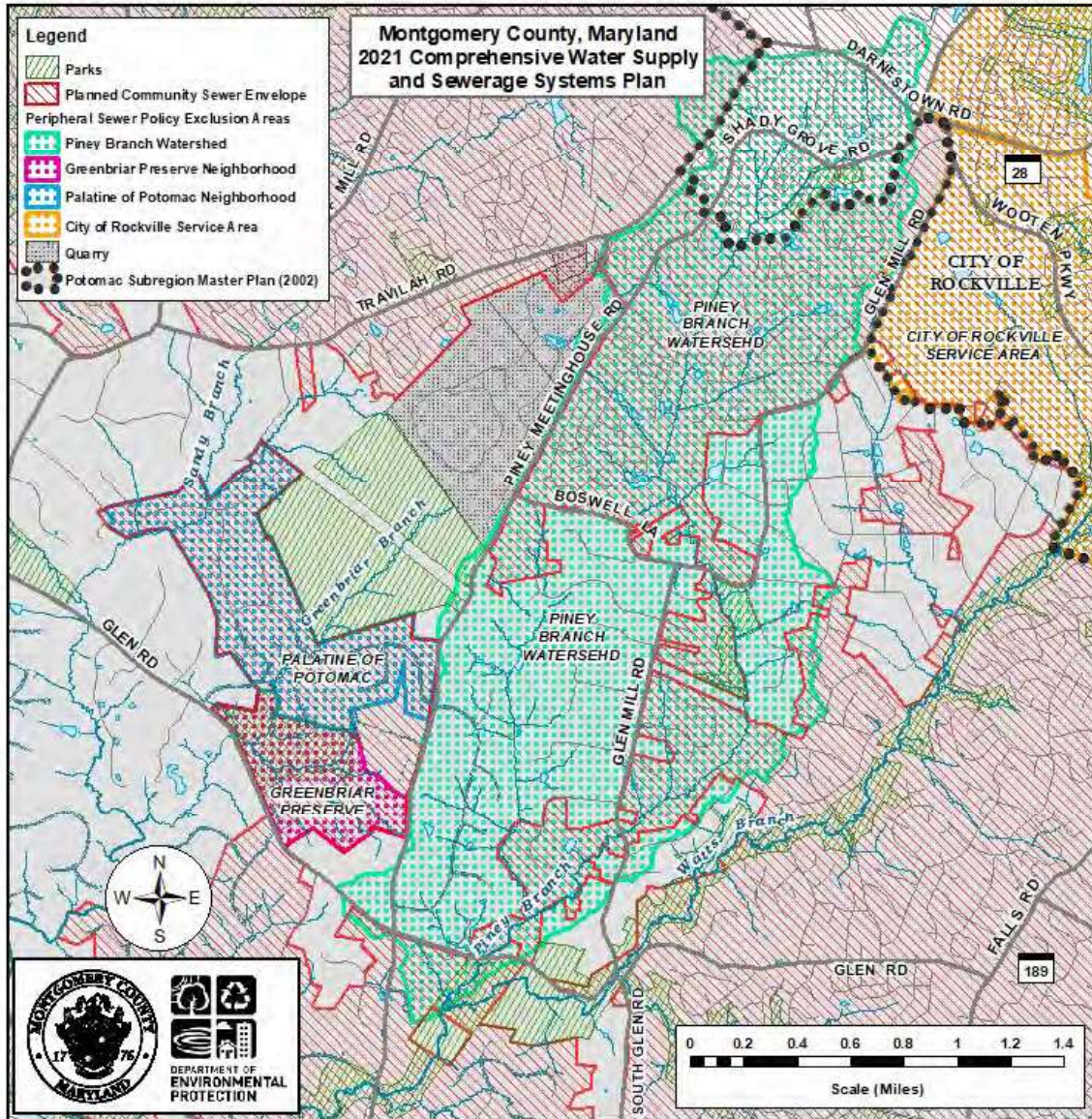


In addition to the preceding essential requirements, several years of experience implementing this policy have resulted in the acceptance of guidelines that further refine the evaluation of and recommendations for potential cases.

- 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

Figure C-F13: Potomac Area Peripheral Sewer Service Policy Exclusion Areas



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 Branch watershed.

Also excluded from using this policy are properties that would abut or confront the planned community sewer service envelope within the City of Rockville.

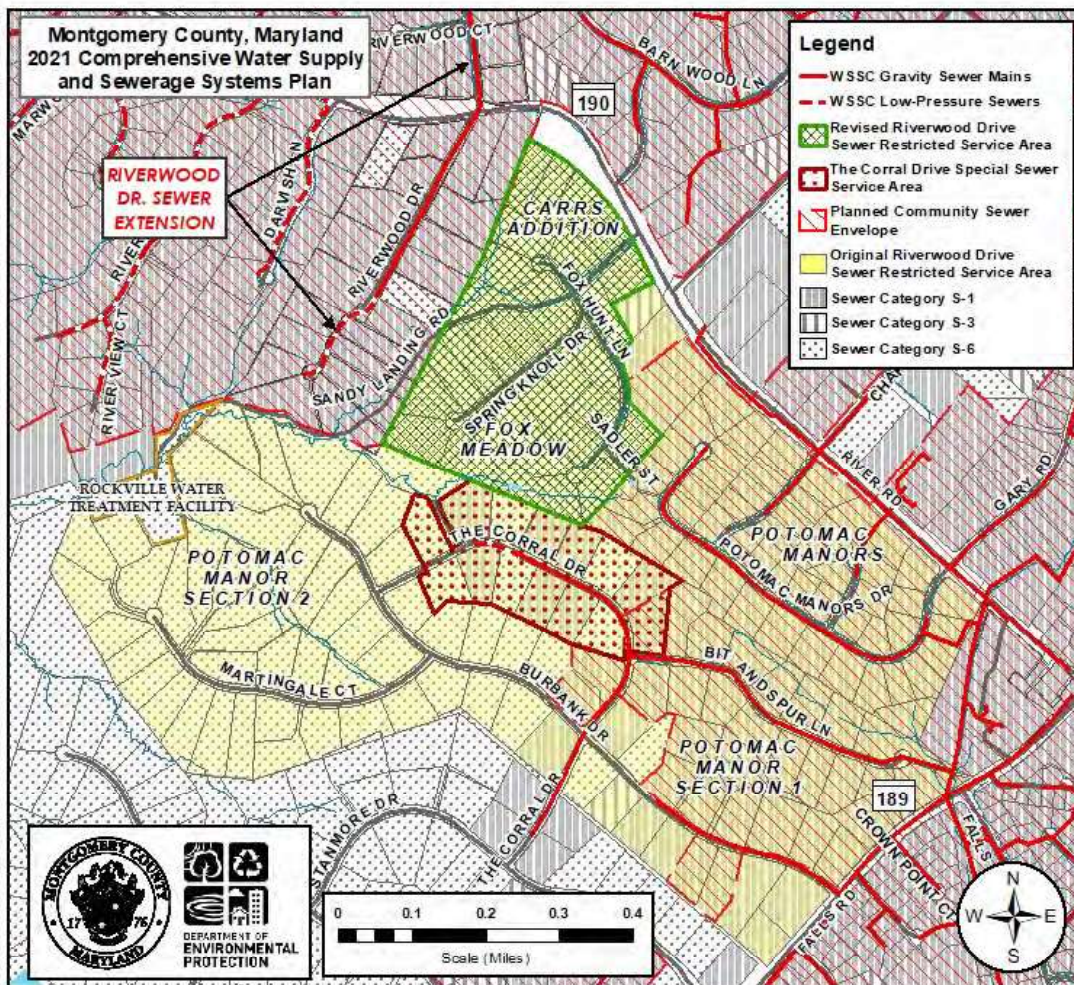
II.N. RIVERWOOD DRIVE

Restricted Sewer Service Area: Established by Council Resolution 13-1205 (3/10/98)

Subject Area: Fox Meadow and Carrs Addition subdivisions.

Service Recommendation & Comments: In March 1998 under CR 13-1205, the County Council approved the extension of community sewer service to properties located along Riverwood Drive south of River Road in Potomac (see Figure C-F14). In approving this service, the Council restricted the number of sewer hookups allowed for the Kitchen Property located at the southern end of the street, and further restricted the sewer main extension from serving properties in nearby neighborhoods in order to limit the extension of sewer service in the areas zoned for two-acre development south of River Road.

Figure C-F14: Riverwood Drive Sewer Restricted Service Area



DEP’s recent review of this restricted sewer service area revealed that it is more extensive than is needed to limit sewer service from the Riverwood Dr. sewer main extension south of River Rd. Much of the original restricted service area already has community sewer service. Other areas in Potomac Manor are not reasonably accessible due to the steep stream valley along Sandy Landing Rd. Except where community service is required to relieve public health problems, the Riverwood Drive sewer main, and potential future

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

Worksession

MEMORANDUM

September 7, 2022

TO: Transportation and Environment Committee

FROM: Keith Levchenko, Senior Legislative Analyst

SUBJECT: **Worksession:** Amendments to the Comprehensive Water Supply and Sewerage Systems Plan – Category Change Request (Mohebbi)

PURPOSE: To discuss and make recommendations on one category change request¹

Category Change Requests and Recommendations

#	Applicant	Request	CE Recommendation	Planning Board	Council Staff	CE Staff Report	
						Text	Maps
1	WSCCR 21-TRV-03A: David Mohebbi	Requesting public sewer (S-6 to S-3) to serve an existing single-family home	Defer action on this request pending further review of the policy justification. NOTE: The request is not consistent with current Master Plan recommendations and Water and Sewer Plan policies.	Deny	Table pending action on the Ten Year Plan Update	©9-10	©11

NOTE: Page numbers refer to the attachment pages of the Council Staff Report.

List of Attachments

- | | <u>©Page</u> |
|--|--------------|
| • Draft Council Resolution | 1-2 |
| • County Executive’s Transmittal Letter (dated January 27, 2022) | 3-4 |
| • County Executive Department of Environmental Protection Staff Report | 5-14 |
| • Planning Board Letter to the Council dated April 5, 2022 | 15 |
| • Planning Department Staff Memorandum | 16-20 |
| • Potomac Subregion Master Plan Excerpt | 21 |
| • Correspondence and Public Hearing Testimony | |
| ○ Information provided by Mr. Mohebbi | 22-24 |
| ○ WMCCA Written Testimony dated May 2, 2022 | 25-26 |

¹ #WaterandSewerPlan and Category Changes

Expected Participants

Department of Environmental Protection

- Steve Shofar, Chief, Intergovernmental Affairs Division, Department of Environmental Protection (DEP)
- Alan Soukup, Senior Planner, Intergovernmental Affairs Division, DEP
- Nasser Kamazani, Senior Engineer, Intergovernmental Affairs Division, DEP
- George Dizelos, Planning Specialist, Intergovernmental Affairs Division, DEP

Planning Board/Planning Department

- Casey Anderson, Chairman, Montgomery County Planning Board
- Robert Kronenberg, Deputy Director, Montgomery County Planning Department
- Patrick Butler, Chief, Upcounty Planning, Montgomery County Planning Department
- Katherine Nelson, Planner Coordinator, Montgomery County Planning Department
- Mark Symborski, Planner III, Montgomery County Planning Department

Background

On January 27, 2022, the County Council received a recommendation from the County Executive on a Water and Sewer Category Change request (Mohebbi). The request and Executive recommendation are summarized in the chart above and in the Executive Summary of the Executive Staff Report (see ©6)

The Planning Board's review of these category changes occurred on March 31, 2022. The Council held a public hearing on April 19, 2022.

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.

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. The most recent comprehensive update was approved by the Council in 2018. In early June, the County Executive transmitted his recommended Comprehensive Update. The T&E Committee is scheduled to discuss this update at the same meeting as this category change request.

Council Staff suggests that the policy issues noted later regarding this category change request be discussed in the context of that Comprehensive Update review. At that review, the Committee can consider whether to recommend a change in the applicable Water and Sewer Plan Policy or perhaps whether to pursue a limited Master Plan amendment to address this and perhaps other Water and Sewer issues in the Potomac Subregion Master Plan area. **Council Staff recommends that the Committee table this category change request pending that policy review.**

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 category change request on March 31, 2022 and recommended denial of the request since the request is not consistent with the Potomac Subregion Master Plan nor current Water and Sewer Plan policies. The Planning Board’s letter to the Council is attached on ©15. The Planning Department Staff Memorandum is attached on ©16-20.

Public Hearing and Correspondence

At the public hearing, the applicant noted the problems he has experienced with the septic system over the last couple of years; with multiple replacement of the pumping system and that sewer is available nearby.

The West Montgomery County Citizens Association submitted correspondence (see ©25-26) recommending denial of the request based on current policies and to protect Sandy Branch from higher density and larger scale development.

Discussion

#	Applicant	Request	CE Recommendation	Planning Board	Council Staff	CE Staff Report	
						Text	Maps
1	WSSCR 21-TRV-03A: David Mohebbi	Requesting public sewer (S-6 to S-3) to serve an existing single-family home	Defer action on this request pending further review of the policy justification. NOTE: The request is not consistent with current Master Plan recommendations and Water and Sewer Plan policies.	Deny	Table pending action on the Ten Year Plan Update	©9-10	©11

NOTE: Page numbers refer to the attachment pages of the Council Staff Report.

This request involves a 5.17-acre RE-2 zoned property located on Centurion Way near McCrossin Lane and Travilah Road in Potomac. The applicant is seeking public sewer (S-3) to serve an existing single-family home.²

² As noted earlier, the applicant testified at the public hearing about septic system problems he has experienced. However, at this time, the Department of Permitting Services (DPS) has not confirmed that the applicant’s system has (19)

As shown on the map on ©11, the lot is oddly shaped, with the existing home located immediately north of the Centurion Way cul-de-sac. The existing sand-mound septic system is located on the southern portion of the property (connected by a narrow pipestem to the northern portion of the property) adjacent to the Centurion Way roundabout.

WSSCWater has identified two alternatives for providing sewer to the site:

- A 70 foot low-pressure sewer extension to the end of the roundabout from the end of the current low-pressure sewer on Centurion Way. This extension would only serve the subject property.
- A 900 foot low-pressure sewer extension to the end of the cul-de-sac from the end of the current low-pressure sewer on Centurion Way. This extension would abut four additional properties.

The County's Water and Sewer Plan provides limited exceptions for consideration for service outside the planned sewer envelope. For residential properties, these exceptions include addressing failed septic systems, connecting to an abutting main, and, in the Potomac Subregion Masterplan area, allowing properties on the edge of the planned service area (peripheral sewer policy) to connect under certain conditions.

A main does not abut the property. With regard to the septic system, as noted earlier, the applicant testified at the public hearing about septic system problems he has experienced. However, at this time, the Department of Permitting Services (DPS) has not confirmed that the applicant's system has failed. If the system were determined to have failed, approval of public sewer under the Water and Sewer Plan's "documented public health problem" policy could be considered.

The subject property is adjacent to the planned public sewer envelope. However, the Potomac Subregion Master Plan's Peripheral Sewer Service Policy (see ©12) explicitly excludes properties such as this which are adjacent to and in the vicinity of the Palatine subdivision.

According to the Executive Staff Report (see ©9), the Master Plan's policy exclusion for areas around the Palatine subdivision "was based on WSSCWater's evaluation that the low-pressure sewerage (LPS) system serving the Palatine subdivision could not accept any additional sewer service connections." Recent improvements have been made to parts of the LPS system and WSSCWater now notes that some additional capacity may be available to properties "at the periphery of the Palatine LPS system."

DEP staff have noted that there are 31 properties around the Paltine subdivision which are adjacent to or confront the planned sewer envelope which would be eligible for approval if the Peripheral Sewer Service Policy exclusion for the Palatine subdivision were removed. Of these, 22 properties would have direct access via public rights of way. However, most of the 31 properties

failed. If the system was determined to have failed, approval of public sewer under the Water and Sewer Plan's "documented public health problem" policy could be considered.

would require long low-pressure sewer (LPS) extensions (between 1,400 and 5,200 feet).³ If these sewer extensions were ultimately built, an additional 36 properties could also be eligible for approval via the abutting mains policy.

The Executive recommends deferral of the request pending a re-evaluation of the technical limitations of the Palatine LPS system.

Council Staff recommends that the Potomac Peripheral Sewer Service Policy exclusion for this area be discussed as part of the Comprehensive Update to the Ten-Year Plan and that this category change request be revisited after that review. As noted earlier, the Committee can consider whether to recommend a change in the Water and Sewer Plan or perhaps whether to pursue a limited Master Plan amendment to address this and other Water and Sewer issues in the Potomac Subregion Master Plan area.

Attachments

³ Applicants seeking public water/sewer service are required to pay the extension costs

Resolution No.: _____
Introduced: _____
Adopted: _____

**COUNTY COUNCIL
FOR MONTGOMERY COUNTY, MARYLAND**

Lead Sponsor: County Council

SUBJECT: Ten-Year Comprehensive Water Supply and Sewerage Systems Plan, 2022-2031

Background

1. Section 9-501 et seq. of the Health-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 on a triennial basis comprehensively review its Plan.
2. 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.
3. The County Council has from time to time amended the Plan.
4. On June 2, 2022, the County Executive submitted the Recommended Montgomery County 2022-2031 Comprehensive Water Supply and Sewerage Systems Plan.
5. Recommendations on these amendments were solicited from the Maryland-National Capital Park and Planning Commission, Washington Suburban Sanitary Commission staff, and affected municipalities.
6. A public hearing was held.

Action

The County Council for Montgomery County, Maryland approves the following resolution:

The County Executive's Recommended Montgomery County 2022-2031 Comprehensive Water Supply and Sewerage Systems Plan is approved with the following changes, as shown in the attachments to this resolution.

This is a correct copy of Council action.

Judy Rupp
Clerk of the Council




OFFICE OF THE COUNTY EXECUTIVE

Marc Elrich
County Executive

MEMORANDUM

January 27, 2022

TO: Gabe Albornoz, 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 one proposed amendment to the County's *Comprehensive Water Supply and Sewerage Systems Plan*. Recommendations and supporting documentation addressing this amendment are included in the attached staff report. The amendment is a request for an individual water/sewer service area category change.

My recommendation for this amendment is 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. The request is summarized below.

WSSCR 21-TRV-03A (David Mohebbi)

The applicant has proposed the provision of public sewer service for an existing residential lot along Centurion Way in Potomac, Maryland. The approval of public sewer service for the property requested is not consistent with Water and Sewer Plan sewer service policies or with 2002 Potomac Subregion Master Plan recommendations. This location is outside of the planned public sewer envelope in the Palatine of Potomac subdivision. The Potomac peripheral sewer service policy can allow for the consideration of public sewer service for some properties at the edge of the planned sewer envelope. However, properties at the edge of the Palatine subdivision are excluded from qualifying under this policy.

The Palatine area exclusion in this policy was based largely on the sewer capacity limitations in the low-pressure sewerage system serving the subdivision. Yet WSSC Water's evaluation of this Transmittal of and Recommendations on Proposed Amendments to the Ten-Year Comprehensive Water Supply and Sewerage Systems Plan request indicates that recent improvements to the

January 27, 2022
Page 2 of 2

Palatine sewerage system may have relieved that constraint, at least in the vicinity of this property. Therefore, I have recommended deferral of this request while DEP researches this issue with WSSC Water and M-NCPPC to determine whether a revision to the current policy restriction should be considered.

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

Enclosure

cc: 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
Adriana Hochberg, Acting Director, Department of Environmental Protection
Mitra Pedoeem, Director, Department of Permitting Services

(25)

(4)

Montgomery County Comprehensive Water Supply and Sewerage Systems Plan

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

One Service Area Category Change Request

**Prepared by
The Department of Environmental Protection
Adriana Hochberg, Acting Director
Steve Shofar, Chief, Intergovernmental Affairs Division
Alan Soukup, Senior Planner, IGAD, Water Supply & Wastewater Unit
George Dizelos, Planner III, IGAD, Water Supply & 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**

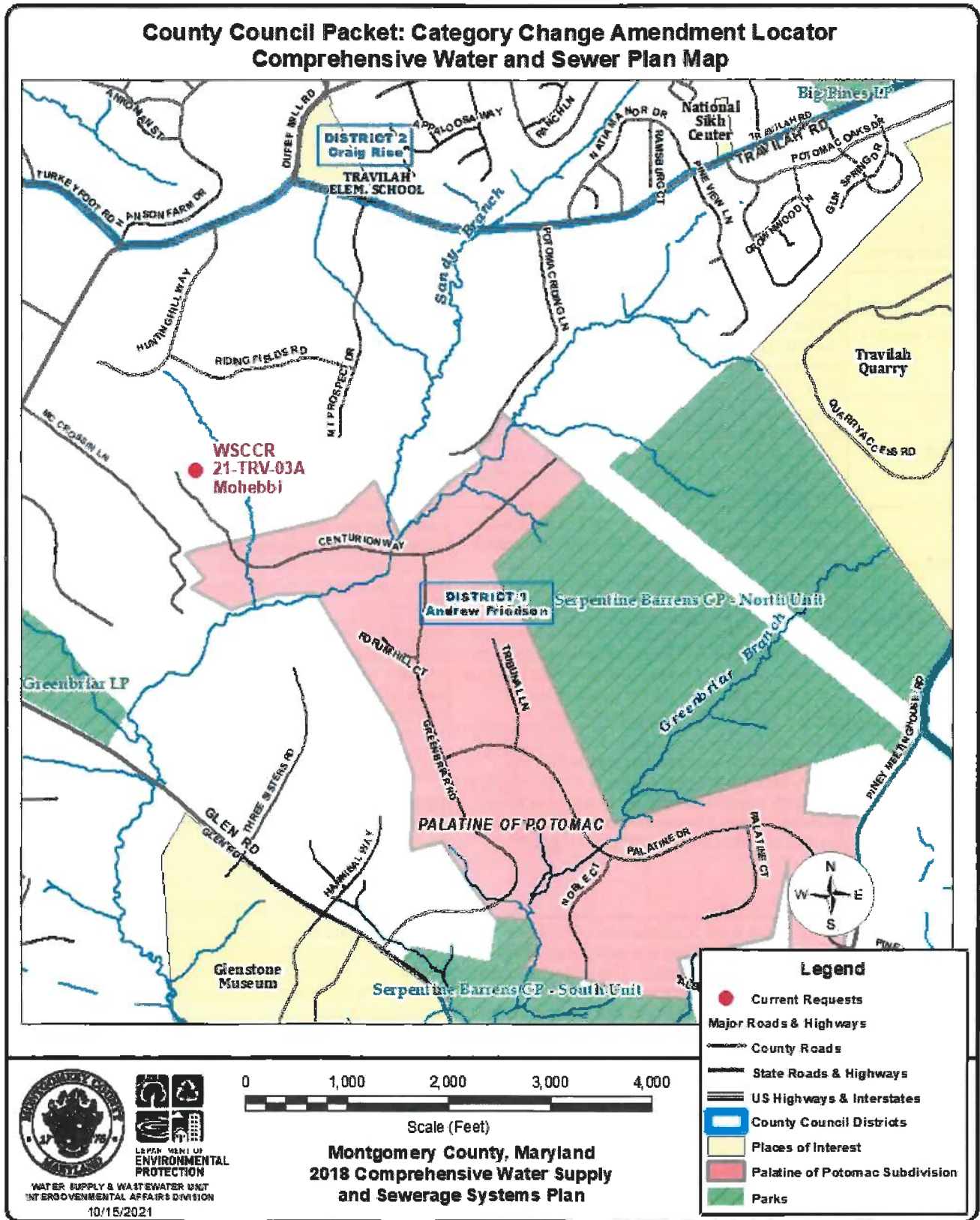
Packet Table of Contents

Executive Summary Pg. 1
 Category Change Amendment Locator Maps Pg. 2
 Water/Sewer Service Area Category Information Pg. 3
 Category Change Requests Pgs. 4 - 6
 Water and Sewer Plan Policy Excerpts:
 • Potomac Area RE-1 and RE-2-Zoned Properties (Appendix C, Section II.M): Pgs. 7 - 9

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 21-TRV-03A: David Mohebbi			
<ul style="list-style-type: none"> • 11905 Centurion Way, Potomac • RE-2 Zone; 5.17 ac. • Travilah Planning Area Potomac Subregion Master Plan (2002) • <u>Proposed use</u>: sewer service for the existing single-family house. 	<ul style="list-style-type: none"> W-1 (no change) S-6 to S-3 	Sewer service is inconsistent with master plan recommendations and with Water and Sewer Plan general sewer service policies. However, the policy justification on which this is based may require reconsideration. Defer action on this request for category S-3.	Report: Pgs. 4-5 Maps: Pg. 6

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



(28)

(7)

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 21-TRV-03A: David Mohebbi

County Executive's Recommendation: Defer a decision on this request for category S-3, pending a reconsideration by DEP, WSSC Water, and M-NCPPC of the Palatine area sewer service restriction under the Potomac peripheral sewer service policy.

<p>Property Information and Location Property Development</p> <ul style="list-style-type: none"> • 11905 Centurion Way, Potomac • Lot 3, Parcel N188, Sutton's Addition to Palatine (acct. no. 03639933) • Map tile: WSSC – 217NW12; MD –ER51 • East side of Centurion Way, 2,050 feet from the intersection with Greenbriar Rd. • RE-2 Zone; 5.17 ac. • Travilah Planning Area Potomac Subregion Master Plan (2002) • Watts Branch Watershed (MDE Use I) • <u>Existing use:</u> Single-family home <u>Proposed use:</u> Single-family home to remain 	<p>Applicant's Request: Service Area Categories & Justification</p> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left; border-bottom: 1px solid black;">Existing –</th> <th style="text-align: left; border-bottom: 1px solid black;">Requested –</th> <th style="text-align: left; border-bottom: 1px solid black;">Service Area Categories</th> </tr> </thead> <tbody> <tr> <td>W-1</td> <td>W-1 (no change)</td> <td></td> </tr> <tr> <td>S-6</td> <td>S-3</td> <td></td> </tr> </tbody> </table> <p><u>Applicant's Explanation</u></p> <p>"This property is unique and it's land is divided in two sections. One is where the house is located, and the other land is where the sand mound septic field is located. During 2019 WSSC ran a sewer line all the way down Centurion to the front of our neighbor's house at 11832 Centurion, which is very close to the section of our land where our septic mound is. We applied to WSSC to have our property connect to that line. They are processing our application and they have asked us to apply to Montgomery County for a category change so they can move forward. WSSC will run the line the short distance to the edge of our land and our plumbing contractor will run the lines inside the property and install the required grinder and pumps. My wife and I would really appreciate your help in this matter."</p>	Existing –	Requested –	Service Area Categories	W-1	W-1 (no change)		S-6	S-3	
Existing –	Requested –	Service Area Categories								
W-1	W-1 (no change)									
S-6	S-3									

Executive Staff Report

The applicant has requested a sewer category change from S-6 to S-3 to allow for the provision of public sewer service for an existing single-family house. The lot totals 5.17 acres in size and is zoned RE-2. The configuration of the lot is unusual. It consists of two areas connected by a flag stem; one area is the for the house and the other is for the sand mound septic system (see the map on page 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. Although the site is adjacent to the planned public sewer envelope, the envelope in this area is for the Palatine of Potomac subdivision. The Potomac peripheral sewer service policy does not apply to those properties around the Palatine subdivision (see pages 7 – 9).

This restriction was based on WSSC Water's evaluation that the low-pressure sewerage (LPS) system serving the Palatine subdivision could not accept any additional sewer service connections. The LPS system was carefully designed and balanced for the number of homes in the subdivision, each with a grinder pump feeding into the system, and the lengths and diameter of the low-pressure pipes.

Recently, however, improvements were made to parts of the Palatine LPS system, including increasing the diameter of some low-pressure mains. WSSC Water's report on this request indicates that some additional capacity may be available to properties at the periphery of the Palatine LPS system, such as the subject property. DEP proposes to research the technical issues with WSSC Water and, if a revision to the peripheral sewer is warranted, coordinate sewer service recommendations from the master plan with M-NCPPC.

Executive staff find that this request for category S-3 is currently inconsistent with both Water and Sewer Plan service policies and with master plan recommendations. The request is recommended for deferral pending a re-evaluation of the technical limitations of the Palatine LPS system upon which a restriction to the Potomac peripheral sewer service policy is based.

Agency Review Comments

DPS – Well & Septic

This property has a permitted septic system for 5 bedrooms and an approved septic reserve area for the use of sand mound systems.

M-NCPPC – Planning Dept.

This 5.17-acre existing house lot was built using public water service and a sand mound septic system. The entire RE-2-zoned Sutton Property Subdivision (120060710) was built using this method. The water and sewer plan generally excludes this and other low density zones from access to the public sewer system. In addition, although part of the proposed lot is adjacent to the Palatine subdivision which was built using a pressure sewer system, the 2002 Potomac Subregion Master Plan excludes this part of the sewer envelope from the peripheral service policy which, in other locations, allows limited extensions.

This property is not eligible for access to public sewer service.

M-NCPPC – Parks Planning

No park impacts.

WSSC – Water: *(not requested)*

WSSC – Sewer:

Basin: Watts Branch

There are two alternatives for sewer service to this property:

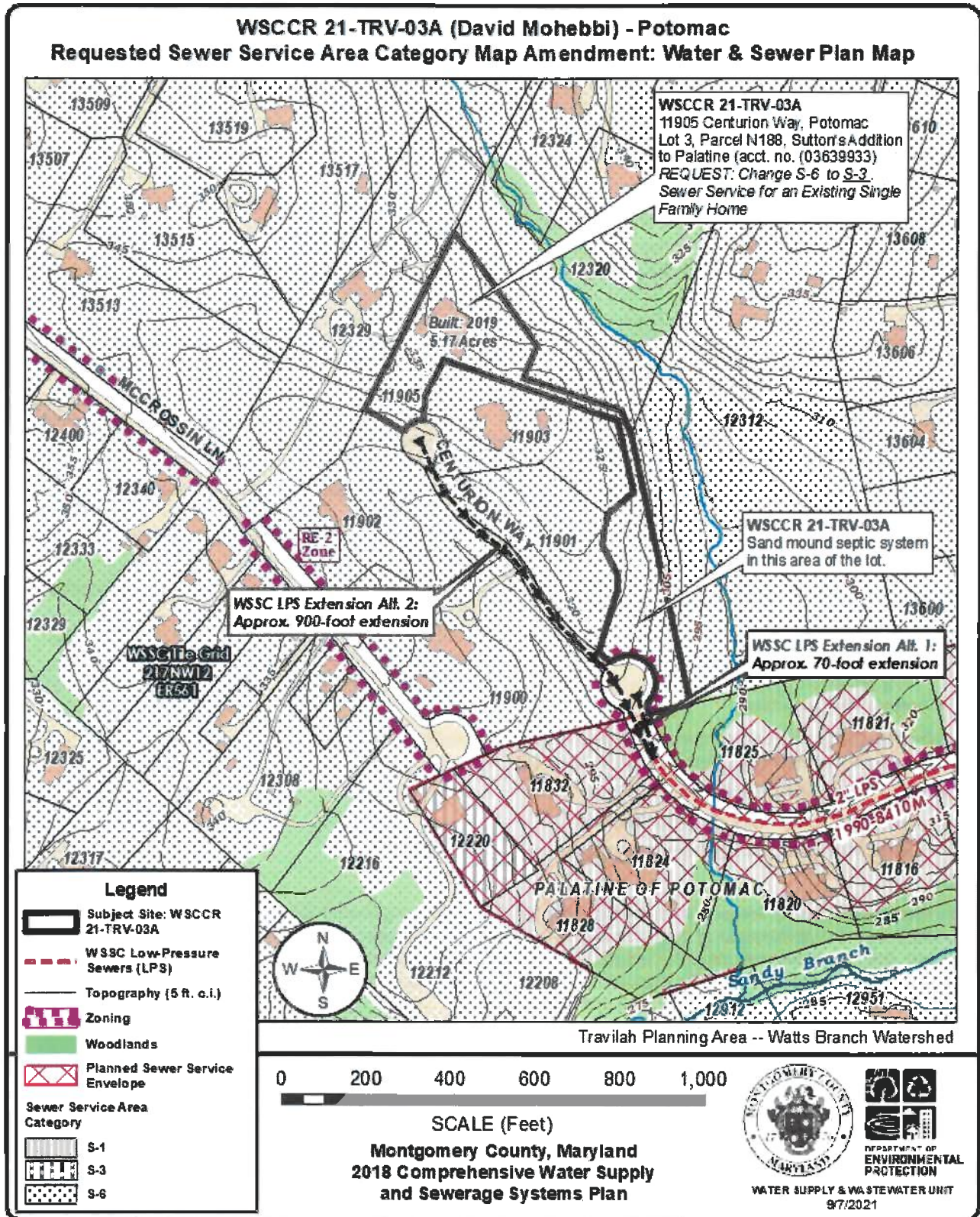
- The first alternative would be to build approximately 70 feet of low-pressure sewer extension to the end of the roundabout from the end of the ex. 2.5 -inch diameter LPS in Centurion Way (contract no.16-6162A). This option would only connect the applicant's property.
- The second alternative would be to build approximately 900 feet of low-pressure sewer extension to the end of the cul-de sac from the end of the ex. 2.5 - inch diameter LPS in Centurion Way (contract no. 16-6162A). This would connect the 5 lots including the applicant's property.

Pumping within the new subdivision may be required. Easements might be required. Construction of this extension may involve the removal of trees, temporary disruption of wetlands and stream valley.

Average wastewater flow from the proposed development: 280 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).

Downstream system upgrade might be required.

Interceptor capacity is adequate. Treatment capacity is adequate.



Packet Appendix: Related 2018 Water and Sewer Plan Service Policies

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

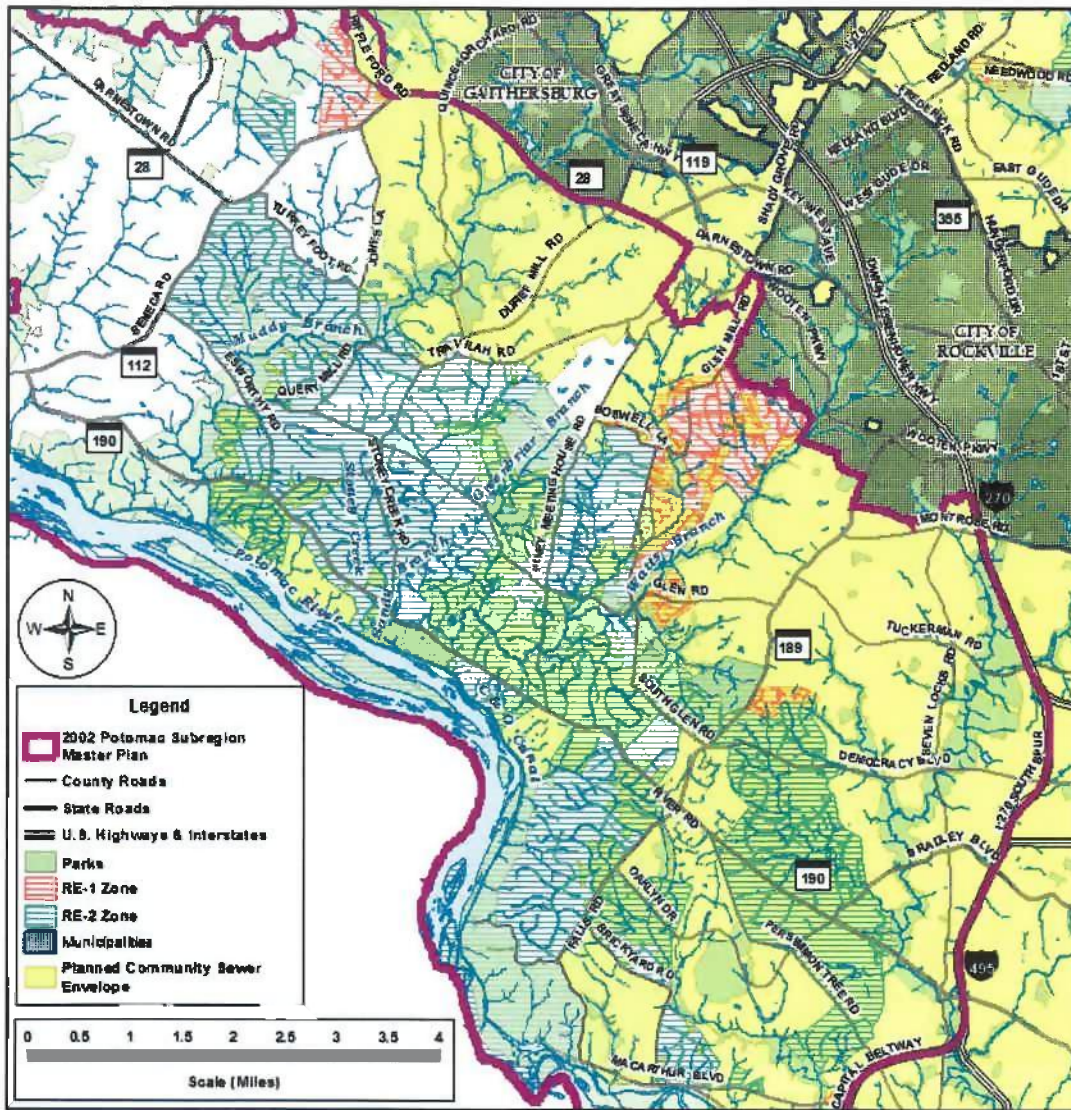
Note that the 2002 master plan specifically recommends excluding properties within or at the edge of the following neighborhoods from the use of this policy (see Figure C-F13):

- 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.

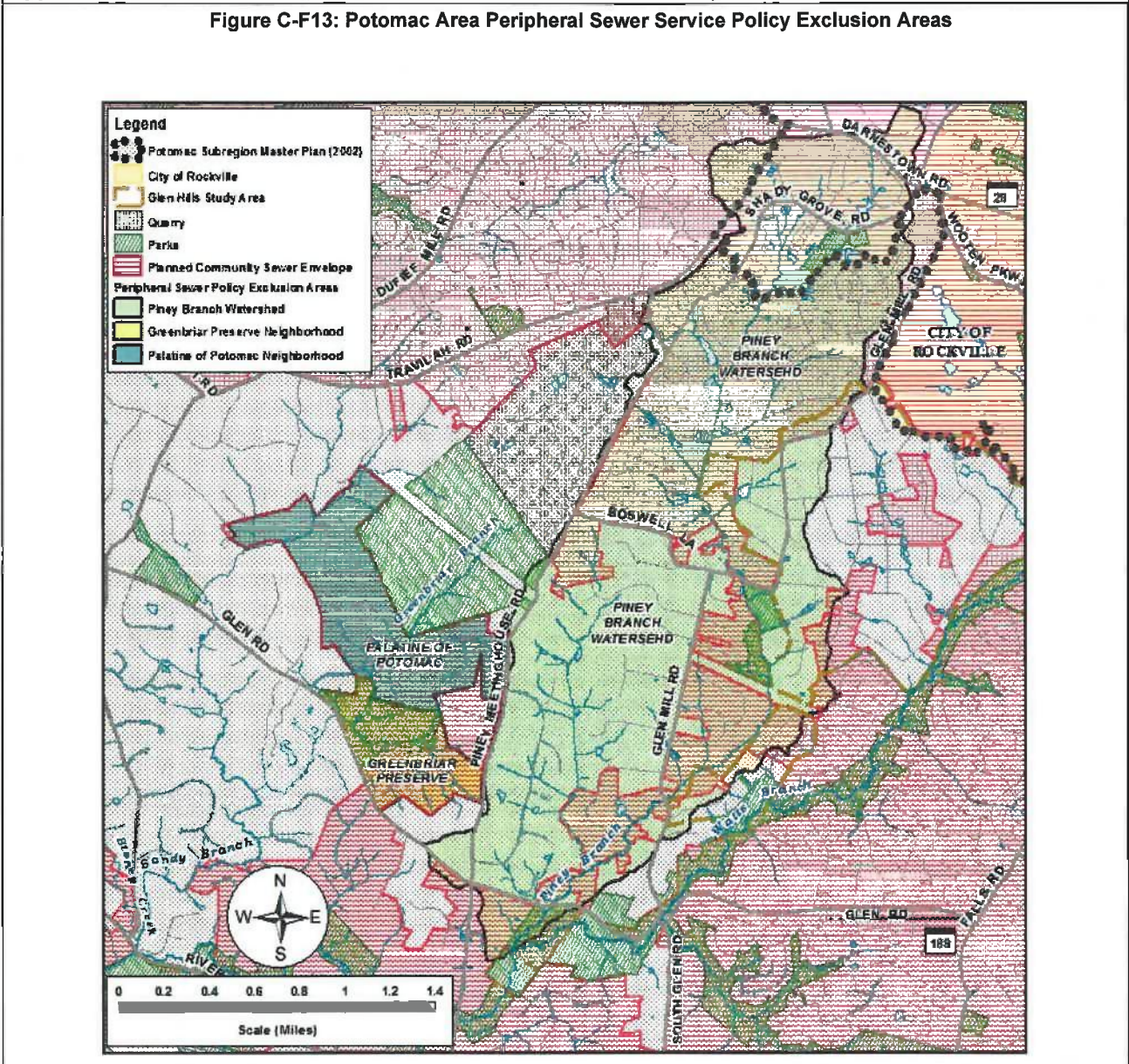
Appendix C, Section II.M: Potomac Area RE-1 and RE-2-Zoned Properties

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



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

Figure C-F13: Potomac Area Peripheral Sewer Service Policy Exclusion Areas



April 5, 2022

The Honorable Gabe Albornoz

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 Request – October 2021 Amendment Cycle*

Dear Mr. Albornoz:

At its regular meeting on March 31, 2022, the Planning Board reviewed this request from the County Council for a sewer category change. I am pleased to transmit to the Council the Planning Board's recommendations for this request.

WSSCR 21-TRV-03A: David Mohebbi

The Water and Sewer Plan generally excludes this and other low-density zones from access to the public sewer system. In addition, although part of the proposed lot is adjacent to the Palatine subdivision which was built using a pressure sewer system, the 2002 *Potomac Subregion Master Plan* excludes this part of the sewer envelope from the peripheral service policy which, in other locations, allows limited extensions under certain conditions. The Planning Board concluded that this property is *not* eligible for access to public sewer service.

Regarding the Executive's deferral recommendation, the 2002 *Potomac Subregion Master Plan* defined several areas that were excluded from the peripheral service policy. Only one of them – Glen Hills – was meant to be studied in the future to develop a more defined sewer policy. The Board does not support deferral for further study of this area, as this area was clearly intended to be excluded from sewer service per the 2002 *Potomac Subregion Master Plan*.

The Planning Board appreciates the opportunity to review and provide recommendations for this request. 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, Planning Department, Upcounty Planning
James Parsons, M-NCPPC, Office of the General Counsel

(36)

(15)

PROPOSED CATEGORY MAP AMENDMENTS
MONTGOMERY COUNTY COMPREHENSIVE WATER SUPPLY
AND SEWERAGE SYSTEMS PLAN – OCTOBER 2021 GROUP
ONE COUNTY COUNCIL CASE

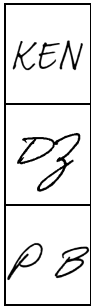
Description

The Planning Board is required by State law to make a Master Plan and Water and Sewer Plan conformance determination on this Water Sewer Category Change Request.

COMPLETED: 3-24-2022

MCPB
Item No. 9
March 31, 2022

2425 Reedie Drive
Floor 14
Wheaton, MD 20902



Katherine Nelson, Planner Coordinator, Katherine.Nelson@montgomeryplanning.org, 301-495-4622

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

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

LOCATION:

Potomac, Maryland

MASTER PLANS

2002 Potomac Subregion Master Plan

PROPERTY SIZE

5.17 acres

APPLICATION

October 2021 County Council Sewer Category Change Request

ACCEPTANCE DATE:

February 12, 2022

REVIEW BASIS:

Section 9-506(a)(1-2)(ii)
Maryland Annotated Code, Environment



Summary

- The Planning Board is required by State law to make a Master Plan conformance determination for all Water and Sewer Category Change Requests.
- The Planning Board’s recommendation will be transmitted to the County Council for final action.
- The Planning Staff recommendation of denial is based on existing Master Plan policies. The Executive Staff recommendation of deferral is based on the potential to change Water and Sewer Plan, and thus, Master Plan policies (see Attachment A).

SECTION I

SUMMARY

The Planning Board is required by State law to make a Master Plan conformance determination on every Water and Sewer Category Change Request (WSSCR).

The Planning Board's recommendation will be transmitted to the County Council for their consideration prior to 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). Planning Staff is recommending denial of this request, while the County Executive Staff is recommending deferral.

SECTION II

RECOMMENDATIONS

WSSCR 21-TRV-03A: David Mohebbi

This 5.17-acre existing house lot was built using public water service and a sand mound septic system. The entire RE-2-zoned Sutton Property Subdivision (120060710) was built using this method. The water and sewer plan generally excludes this and other low-density zones from access to the public sewer system. In addition, although part of the proposed lot is adjacent to the Palatine subdivision which was built using a pressure sewer system, the 2002 *Potomac Subregion Master Plan* excludes this part of the sewer envelope from the peripheral service policy which, in other locations, allows limited extensions. (see Figure 2) Therefore, this property is not eligible for access to public sewer service.

Staff Recommendation: Deny S-3

The County Executive also finds this application to be inconsistent with Water and Sewer Plan service policies or with the 2002 *Potomac Subregion Master Plan* recommendations, but the Executive feels that the feasibility of sewer extensions along the Palatine low pressure sewer system should be explored with WSSC prior to making what may be a precedent-setting decision, should the Council approve sewer service. (Figure 1) The Executive recommendation for deferral is intended to allow for the Department of Environmental Protection

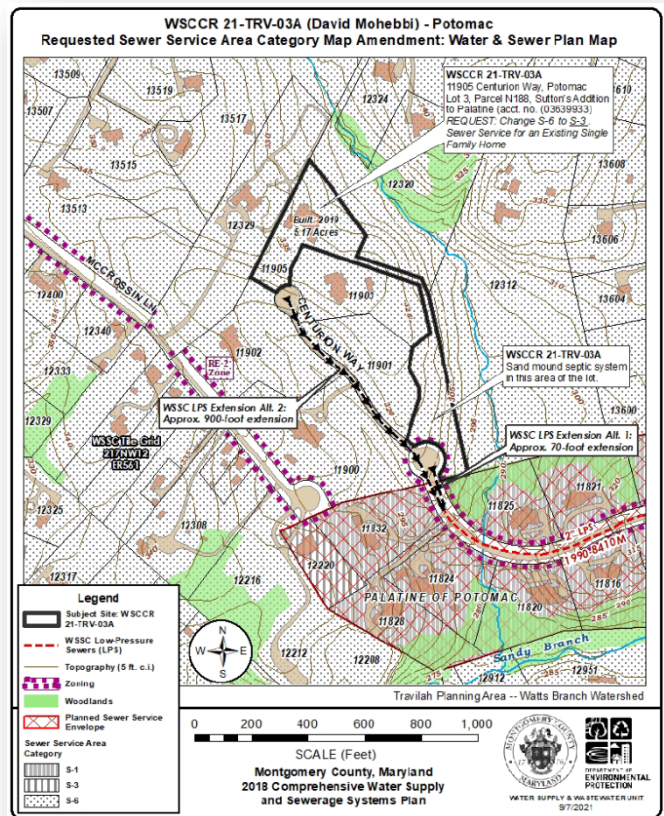


Figure 1 WSSC's proposed low-pressure sewer connection

the Washington Suburban Sanitary Commission and the Planning Department to consider a change to the current policy that excludes sewer extension under the Potomac Peripheral Sewer Policy in the vicinity of the Palatine subdivision. While the Master Plan allows for the limited provision of a peripheral sewer service policy to areas zoned RE-1 and RE-2, within and adjacent to the sewer service envelope, the Master Plan specifically excludes properties adjacent to and in the vicinity of the Palatine subdivision. Therefore, Planning Staff recommends denial of this request.

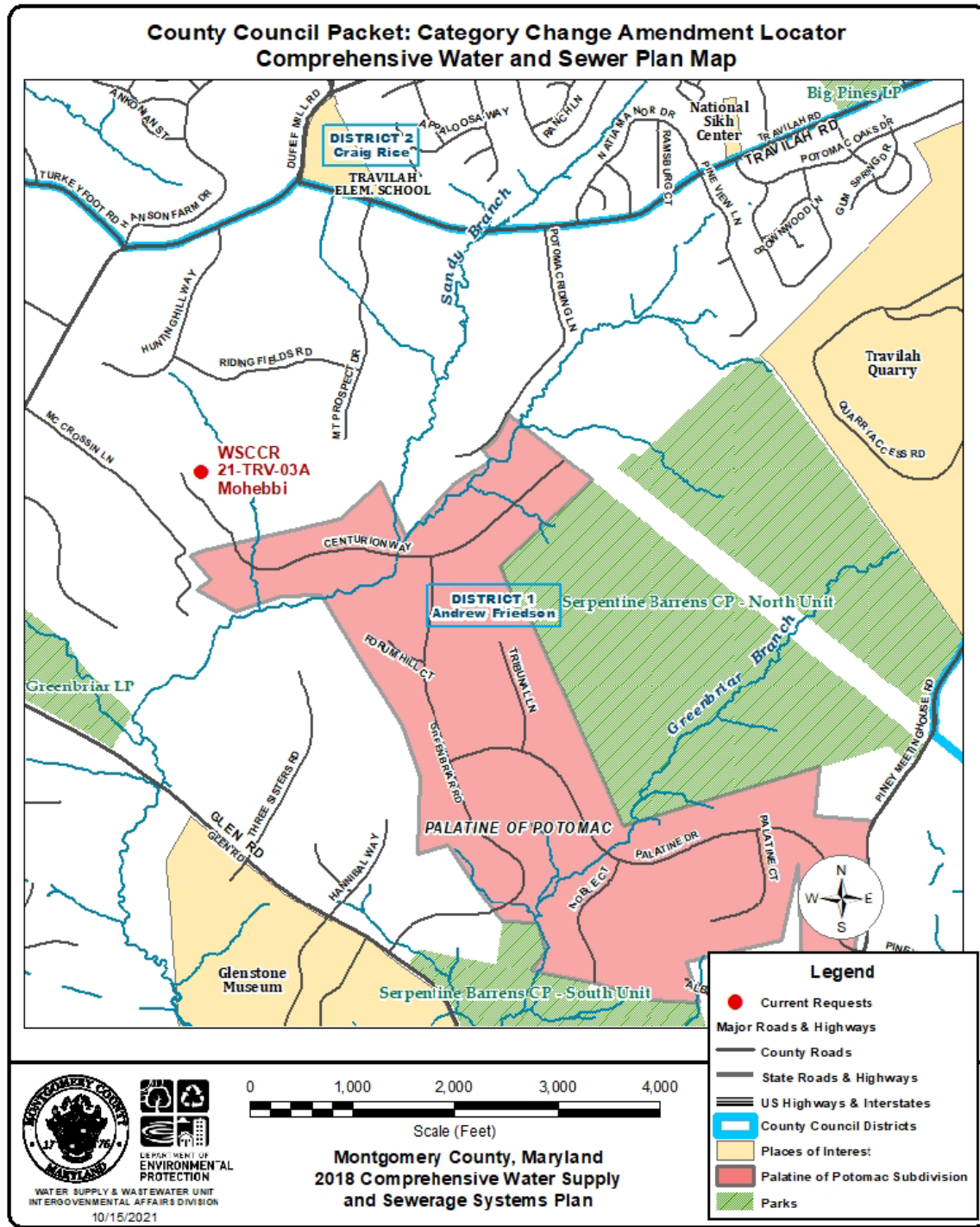


Figure 2 Palatine Low Pressure Sewer Envelope

Next Step

The Planning Board's recommendation will be transmitted to the County Council and presented at their Public Hearing on April 19, 2022. Final action will subsequently be taken by the full Council.

ATTACHMENT

Attachment A – County Council Notice of Public Hearing and Attached Package

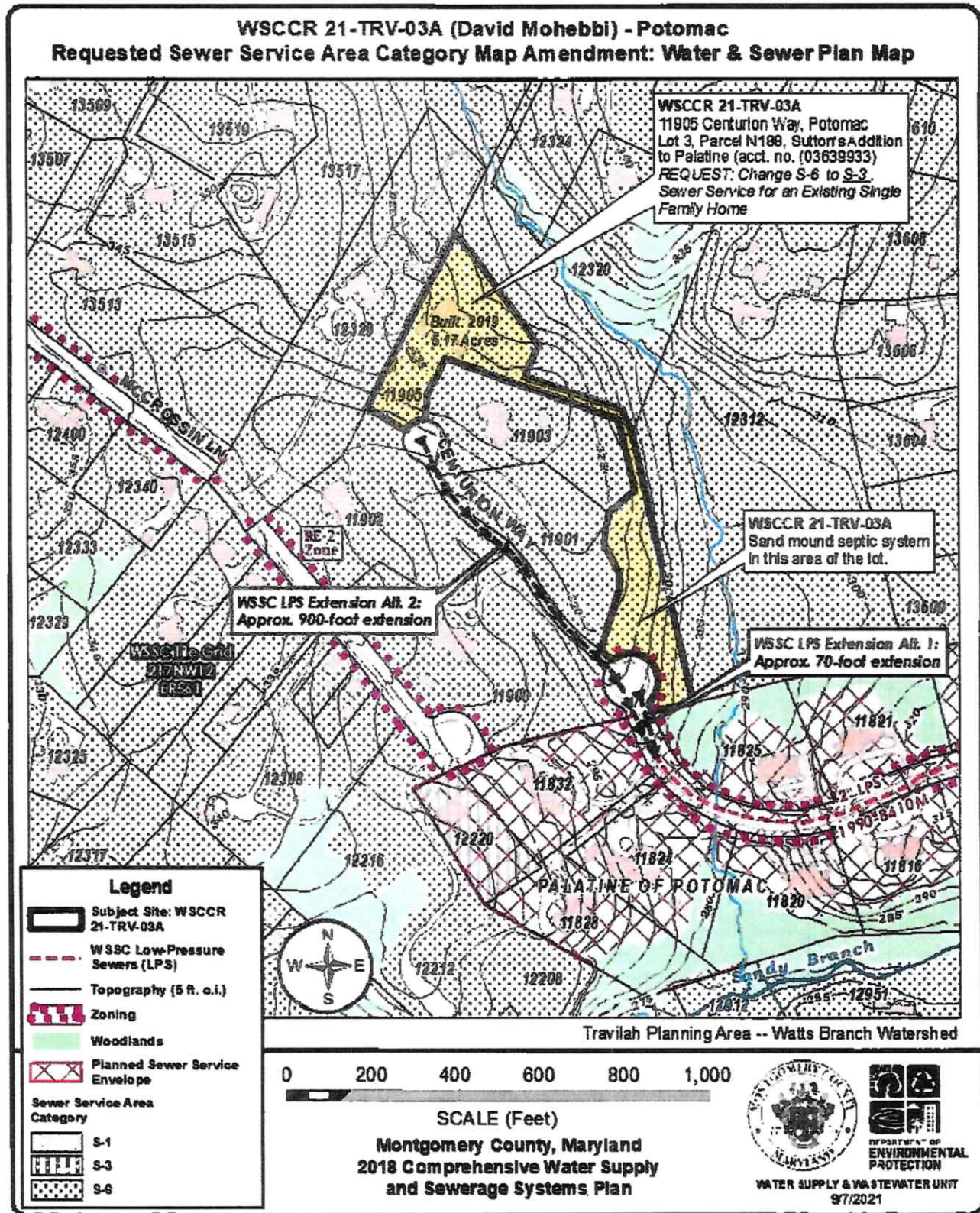
envelope is irregular, established by demand rather than by plan. Voids within the envelope and irregular boundaries along its perimeter abound. Although this Master Plan generally recommends against the continued provision of community sewer service to low-density (RE-1 and RE-2) areas, it does support 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



WEST MONTGOMERY COUNTY CITIZENS ASSOCIATION

P.O. Box 59335 • Potomac, Maryland 20854

Founded 1947

May 2, 2022

To: Council President Albornoz and County Councilmembers

From: West Montgomery County Citizens Association

Subject: Deny proposed amendment to the County's Comprehensive Water Supply and Sewerage for request WSCCR 21-TRV-03A (David Mohebbi) at 11905 Centurion Way, Potomac for sewer category S-3

Dear Council President Albornoz and County Councilmembers:

We recommend denial of the request for provision of public sewer service for WSCCR 21-TRV-03A (David Mohebbi). Per the County Executive's letter of January 27, 2022 to the County Council:

"The applicant has proposed the provision of public sewer service for an existing residential lot along Centurion Way in Potomac, Maryland. The approval of public sewer service for the property requested is not consistent with Water and Sewer Plan sewer service policies or with 2002 Potomac Subregion Master Plan recommendations. This location is outside of the planned public sewer envelope in the Palatine of Potomac subdivision. The Potomac peripheral sewer service policy can allow for the consideration of public sewer service for some properties at the edge of the planned sewer envelope. However, properties at the edge of the Palatine subdivision are excluded from qualifying under this policy."

"The Palatine area exclusion in this policy was based largely on the sewer capacity limitations in the low-pressure sewerage system serving the subdivision. Yet WSSC Water's evaluation of this Transmittal of and Recommendations on Proposed Amendments to the Ten-Year Comprehensive Water Supply and Sewerage Systems Plan request indicates that recent improvements to the Palatine sewerage system may have relieved that constraint, at least in the vicinity of this property. Therefore, I have recommended deferral of this request while DEP researches this issue with WSSC Water and M-NCPPC to determine whether a revision to the current policy restriction should be considered."

However, the Ten-Year Comprehensive Water Supply and Sewerage Systems Plan gives no reason for the Palatine area exclusion. Certainly, there was no mention of this exclusion being based largely on the sewer capacity limitations in the low-pressure sewerage system serving the subdivision. A reason to maintain this exclusion is to protect Sandy Branch from higher density and larger scale development resulting in more impervious surfaces, and causing more stormwater runoff that erodes our streams. There has already been extensive erosion along Sandy Branch within the Glenstone property which resulted in a very expensive effort to stabilize the stream bank. Larger structures enabled by public sewer service will only exacerbate the erosion problem in Sandy Branch and possibly blow out work already done at Glenstone. Interpretation of the Water & Sewer Plan must be based on what is in the plan, not after-the-fact, anecdotal hearsay of intent.

(46)

This request for a sewer service category change from S-6 to S-3 should be denied based on the Water & Sewer Plan as written.

Sincerely,

Kenneth Bawer
Immediate Past President
West Montgomery County Citizens Association.

Resolution No.: _____
Introduced: _____
Adopted: _____

**COUNTY COUNCIL
FOR MONTGOMERY COUNTY, MARYLAND**

By: County Council

SUBJECT: Amendment 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 January 27, 2022, the County Council received a recommendation from the County Executive regarding Water and Sewer Plan amendment: WSCCR 21-TRV-03A: David Mohebbi.
6. Recommendations on this amendment 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 April 19, 2022
8. The County Council's Transportation and Environment Committee held worksessions on the request on September 12, 2022 and October 17, 2022.

Action

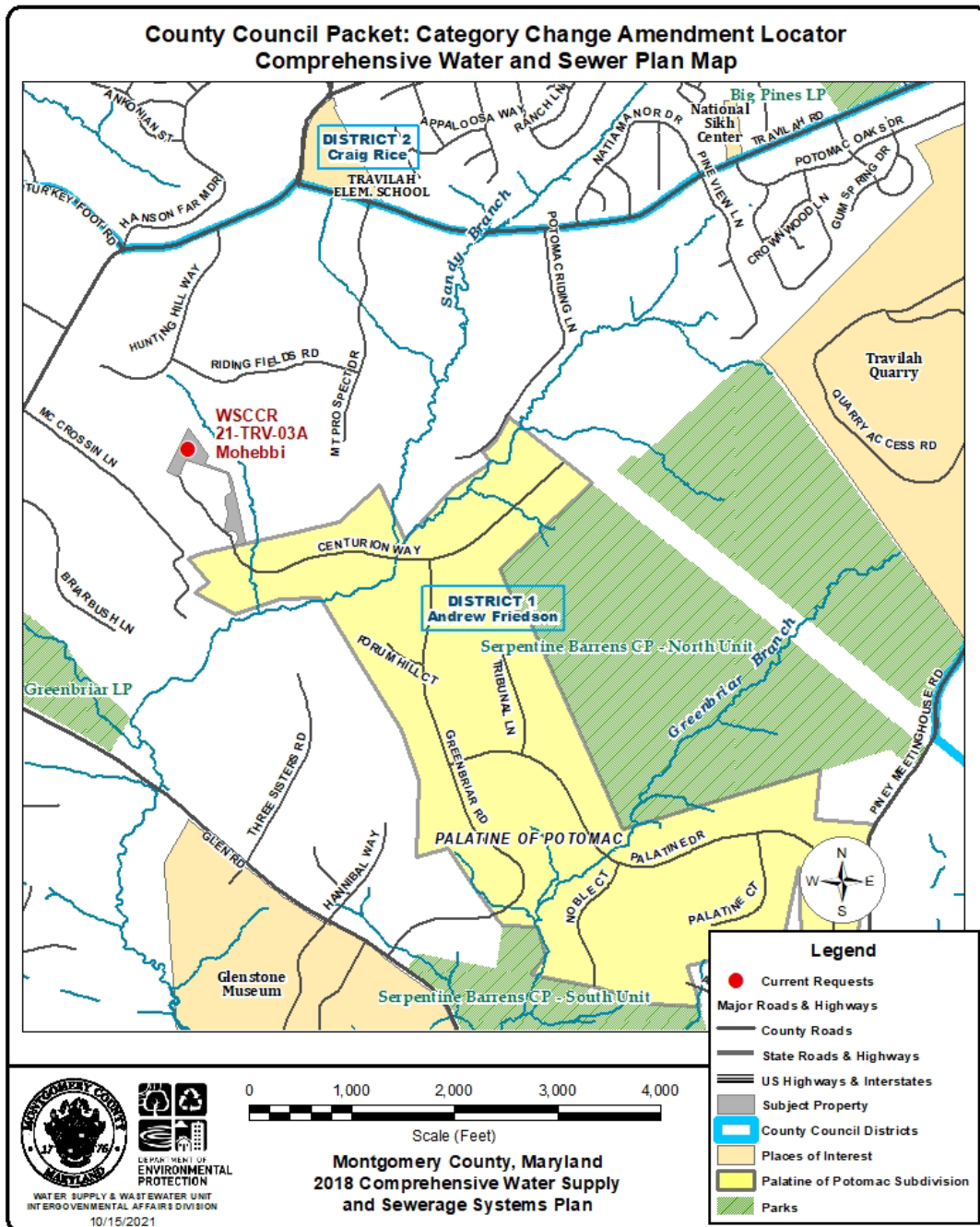
The County Council for Montgomery County, Maryland approves the following actions on amendments to the Ten-Year Comprehensive Water Supply and Sewerage Systems Plan as shown in the attachments to this resolution.

This is a correct copy of Council action.

Selena Mendy Singleton, Esq.
Clerk of the Council

Montgomery County 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 a water/sewer category map amendment request filed with DEP and transmitted by the County Executive to the Council for consideration on January 27, 2022.



WSSCR 21-TRV-03A: David Mohebbi

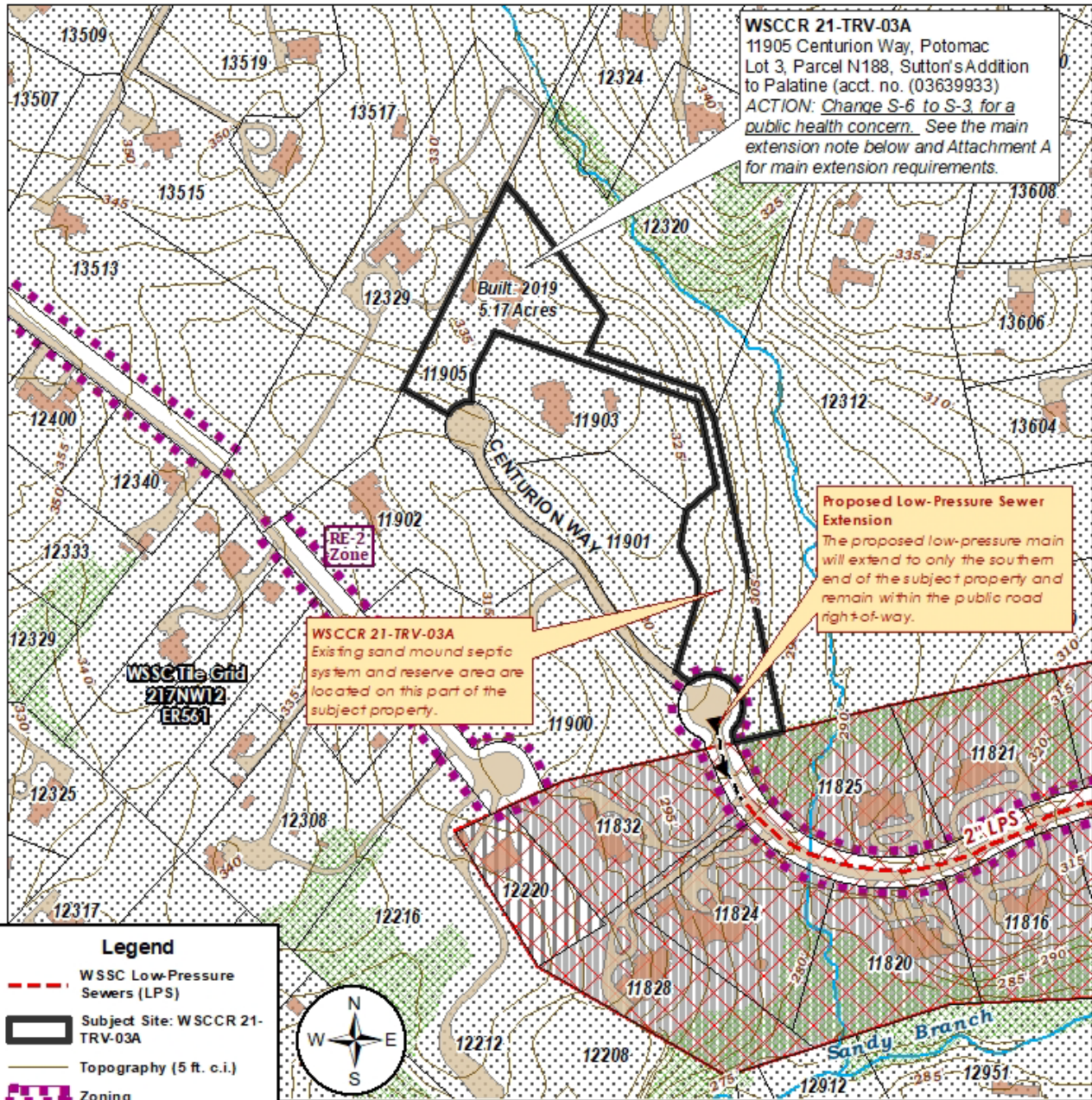
Property Information and Location Property Development	Applicant's Request: Service Area Categories & Justification
<ul style="list-style-type: none"> • 11905 Centurion Way, Potomac • Lot 3, Parcel N188, Sutton's Addition to Palatine (acct. no. 03639933) • Map tile: WSSC – 217NW12; MD –ER51 • East side of Centurion Way, 2,050 feet from the intersection with Greenbriar Rd. • RE-2 Zone; 5.17 ac. • Travilah Planning Area Potomac Subregion Master Plan (2002) • Watts Branch Watershed (MDE Use I) • <u>Existing use</u>: Single-family home <u>Proposed use</u>: Single-family home to remain 	<p>Existing – Requested – Service Area Categories</p> <p>W-1 W-1 (no change)</p> <p>S-6* S-3</p> <p>*Consideration of the request for category S-3 was tabled.</p>
	<p>County Council Action</p> <p>Approve S-3, for one sewer connection only, as a public health concern. The needed low-pressure sewer extension will be the shorter of the two extension options evaluated by WSSC Water, approximately 70 feet in length. The new sewer main will not extend beyond the existing public road right-of-way (Centurion Way cul-de-sac).</p> <p><i>Note: Request for category S-3 previously tabled by the T&E Committee on 9/12/2022.</i></p>

Water & Sewer Service Area Categories Summary

Category Definition and General Description	Category Definition and General Description
<p>W-1 and S-1</p> <p>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.</p>	<p>W-5 and S-5</p> <p>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.</p>
<p>W-3 and S-3</p> <p>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.</p>	<p>W-6 and S-6</p> <p>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.</p>
<p>W-4 and S-4</p> <p>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</p>	<p>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.</p>

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WSSCR 21-TRV-03A (David Mohebbi) - Potomac
Sewer Service Area Category Change Request: Comprehensive Water & Sewer Plan Map



Legend

- WSSC Low-Pressure Sewers (LPS)
- Subject Site: WSSCR 21-TRV-03A
- Topography (5 ft. c.i.)
- Zoning
- Planned Sewer Service Envelope
- Woodlands

Sewer Service Area Category

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



SCALE (Feet)
Montgomery County, Maryland
 2018 Comprehensive Water Supply
 and Sewerage Systems Plan

DEPARTMENT OF ENVIRONMENTAL PROTECTION
 WATER SUPPLY & WASTEWATER UNIT
 10/19/2022