DEPARTMENT OF ENVIRONMENTAL PROTECTION

Marc Elrich
County Executive

Adam Ortiz
Director

E-MAIL TRANSMITTAL

Interagency Water/Sewer Map Amendment Review

July 15, 2020

TO: Beth O'Connell, Rufus Leeth, and Luis Tapia, Development Services Division
Washington Suburban Sanitary Commission

Richard Weaver, Area 3 Planning Team, M-NCPPC
Maryland – National Capital Park and Planning Commission

Geoffrey Mason, Parks Planning & Stewardship Division
Maryland – National Capital Park and Planning Commission

Heidi Benham, Well and Septic Section
Department of Permitting Services

FROM: George Dizelos, Planner III, Water Supply and Wastewater Unit
Intergovernmental Affairs Division, Department of Environmental Protection

SUBJECT: WATER/SEWER CATEGORY CHANGE REQUEST REVIEW – **2020-Q4 REVIEW GROUP**

Attached with this message and posted to www.montgomerycountymd.gov/waterworks is a PDF that includes six (6) new individual water/sewer service area category change request (WSCCRs) for your review and comment. These requests will be considered as proposed amendments to the County's *Comprehensive Water Supply and Sewerage Systems Plan*. I would greatly appreciate receiving your review comments on these requests no later than **Wednesday, August 12, 2020**. Please notify me before August 5, 2020 if this schedule is not feasible.

DEP will develop and announce a schedule for administrative delegation hearing AD 2020-4, which will include all eligible FY 2020 forth quarter requests. We will provide a notice of that hearing 30 days prior to the hearing date. We also expect to include the requests recommended below for Council Action to be included with the packet of FY 2020 category change requests anticipated to go to the Council in Fall 2020. We will advise you of the Council's hearing date and review schedule at that time. DEP's recommendation process for the requests will be based in part on the review comments your agencies provide.

Note that the listing of the following requests under the administrative process versus the Council process is a preliminary determination and certainly subject to change as they proceed through the review process.

Anticipated Administrative Action WSCCRs
20-DAM-03A… Sharon Chaney and Sheila Hutchison
20-DAM-04A… King-Souder LLC
20-POT-03A… Spiro Gioldasis
20-TRV-13A… Mary B. Frye Trust

Anticipated Council Action WSCCRs
20-TRV-14A… Transquest LLC
20-TRV-15A… Travilah Oak LLC

Please do not hesitate to contact me at George.Dizelos@montgomerycountymd.gov or at 240-777-7755 if you have any questions concerning these category change requests or the review schedules.

GJD: gjd

\\DEPFILES\Data\Programs\Water_and_Sewer\CCRs\CCR-Review-Process\2020CCR-review-process\2020-Q4\2020-q4--review-pckt.docx

cc: Agencies

Steve Shofar and Alan Soukup, DEP-IGAD-WSWU
Keith Levchenko, County Council
Katherine Nelson, Area 3 Planning, M-NCPPC
Mark Symborski, Functional Planning, M-NCPPC
Mark Pfefferle, Development Applications & Regulatory Coordination, M-NCPPC
Ray Chicca, Development Services, WSSC
D. Lee Currey, Water and Science Administration, MDE
Susan Llareus, MDP

Category Change Applicants & Interested Parties

20-DAM-03A… Sharon Chaney and Sheila Hutchison
… David McKee, Benning and Associates Inc.
20-DAM-04A… King-Souder LLC
… Tim Longfellow, Gutschick, Little and Weber, P.A.
20-POT-03A… Spiro Gioldasis
20-TRV-13A… Mary B. Frye Trust
20-TRV-14A… Transquest LLC
… Scott Roser, Macris, Hendricks & Glascock, P.A.
20-TRV-15A… Tavilah Oak LLC
… Scott Roser, Macris, Hendricks & Glascock, P.A.

Civic Organizations and Other Public Interest Groups

Audubon Naturalist Society
Belvedere Neighbors Association
Damascus Community Alliance
Greater Glen Mill Community Association
Greater Glen Hills Coalition LLC
Glen Hills Civic Association
Glen Hills Community Coalition
Glen Preservation Foundation
Northern Montgomery County Alliance
North Potomac Citizens Association
Montgomery County Civic Federation
Montgomery Coalition to Stop Sewer Sprawl
Potomac Highlands Citizens Association
West Montgomery County Citizens Association

Adjacent and Confronting Property Owners

DEP will send a notice to each owner of properties adjacent to and confronting these category change request sites advising them about the filing of these requests.

WSCCR 20-DAM-03A: Sharon Chaney and Sheila Hutchison

Anticipated Action Path: Administrative Action

Property Information and Location Property Development	Applicant's Request: Service Area Categories & Justification
• Parcel P807, 26200 Block, Town Spring Rd., Damascus • Parcel P807, Pleasant Plains (acct. no. 00937634) • Map tile: WSSC – 237NW09; MD –FX53 • East side of Town Spring Rd., 200 feet North of the intersection with Main St. • RE-1 Zone; 13,885 sq. ft. (0,32 ac.) • Damascus Planning Area Damascus Master Plan (2006) • Patuxent River, Upper Brighton Dam Watershed, Damascus Tributary (MDE Use III) • Existing use: Undeveloped Proposed use: Single-Family Home	Existing – **Requested** – Service Area Categories W-1 W-1 (no change) S-6 **S-1** Applicant's Explanation "Public sewer abuts the site and other nearby properties are connected to the sewer. The property owner would like to utilize public sewer for a new single-family home to be built."

Agency Review Comments

DPS:

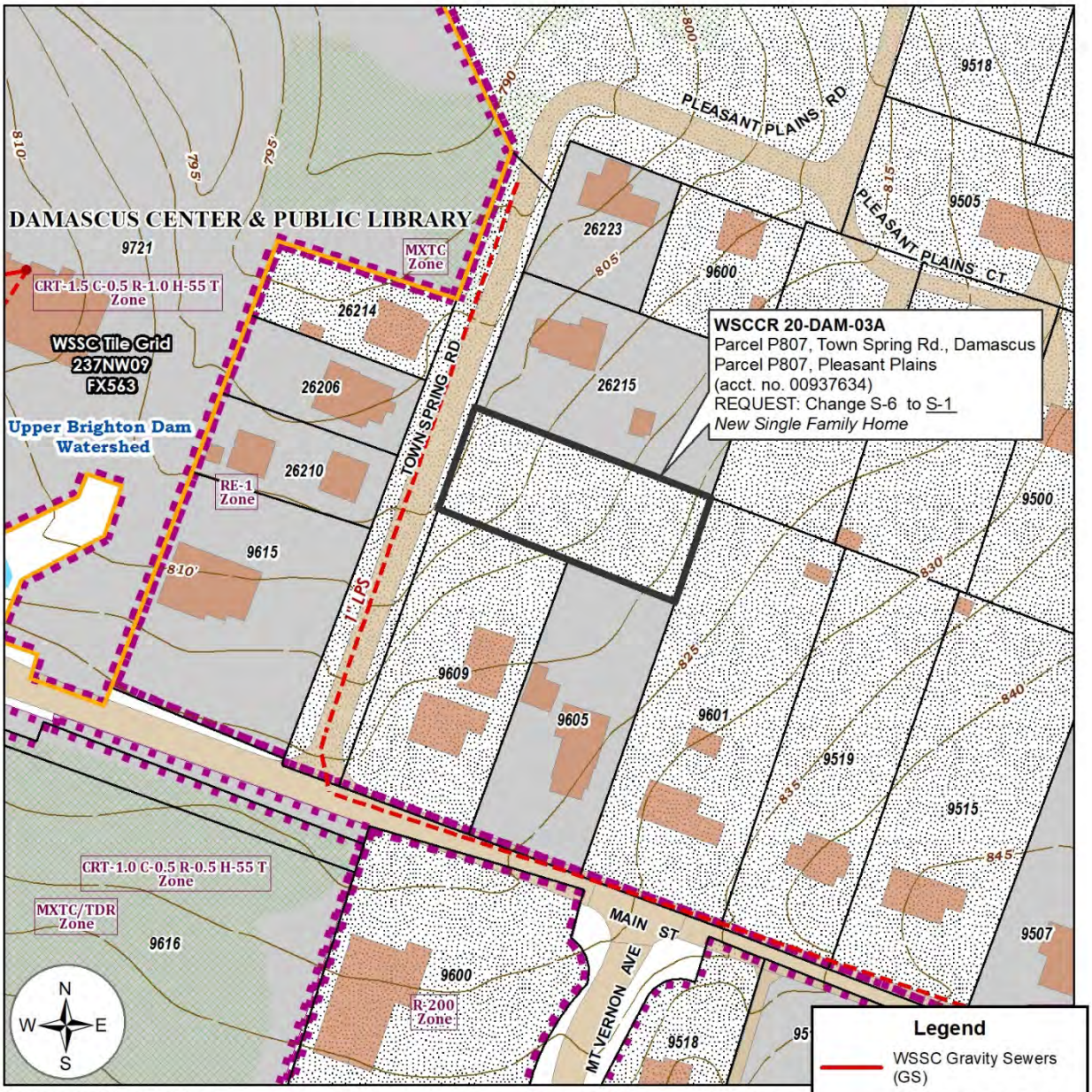
M-NCPPC – Planning Dept.:

M-NCPPC – Parks Planning:

WSSC - Water: (not requested)

WSSC - Sewer:

WSCCR 20-DAM-03A (Sharon Chaney and Sheila Hutchison) - Damascus
Requested Service Area Category Map Amendment: Water & Sewer Plan Map



Damascus Planning Area

Upper Brighton Dam Watershed

Legend

- WSSC Gravity Sewers (GS)
- Topography (5 ft. c.i.)
- **Subject Site**
- **Zoning**
- Woodlands

Sewer Category

- S-1
- S-6

0 100 200 300

SCALE (Feet)

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

WATER & WASTEWATER POLICY GROUP
7/07/20

WSCCR 20-DAM-04A: King-Souder LLC
Anticipated Action Path: Administrative Action

Property Information and Location Property Development	Applicant's Request: Service Area Categories & Justification
• Parcel P885 and 26110 Ridge Rd., Damascus • Parcel P885, Damascus ETC (acct. no. 00941374) and Parcel N838, PAR D Damascus (acct. no. 02725084) • Map tile: WSSC – 237NW10; MD –FX33 • West side of Ridge Rd., 400 feet North of the intersection with Bethesda Church Rd. • R-90/CRT 1.0 Zone; 1.86 and 7.79 acres (9.64 ac. total) • Damascus Planning Area Damascus Master Plan (2006) • Bennett Creek Watershed (MDE Use I & III) • Existing use: One Single Family Home Proposed use: 60 Townhouses and 2 Single-Family Homes	Existing – **Requested** – Service Area Categories W-6 **W-1** S-6 **S-1**

Applicant's Explanation

"The Applicant is proposing to develop the property as a residential community with two housing types: approx. Sixty (60) townhouses and two (2) single family detached homes.

The Subject Properties are Parcel N838, Parcel 885 and Parcel N867 located at 26110 Ridge Road, no official address and 26114 Ridge Road respectively within the town of Damascus, a small up-county town surrounded by mostly rural, agricultural land. Parcel N867 is currently in W-3 and S-1 which is sufficient for the proposed development. The Subject Properties for the category change are Parcel N838 and Parcel 885 which are both in W-6 and S-6 and owned by the King Souder LLC and totals 9.65 acres. The Overall Subject Property is split-zoned and the smaller R-90 (Single-family Residential) property, Parcel P885 is vacant, 1.86 acres in size and located at the southwest corner of the site with a narrow frontage on Bethesda Church Road. The larger property. Parcels N838 and N867 are zoned CRT-1.0, C- 0.5, R-0.5, H-55T (Commercial Residential Town). improved with a single-family residence and 9.03 acres in size. The majority of Parcel P 885 and the northern portions of parcels P838 & P867 are covered with mature forest. with open areas in the central portions of the site and around the single- family home. The topography slopes moderately from south along Damascus Elementary School north toward tributaries of Bennett Creek. The surrounding area to the northwest is a large undeveloped property (Parcel 792) that is mostly wooded and is zoned RNC (residential). To the south is the Damascus Elementary School with associated athletic fields and parking lots. To the northeast and east are retail and commercial businesses and associated driveways and parking lots along Ridge Road.

Proposed Development and Master Plan Conformance

The property is located within the 2006 Approved and Adopted Damascus Master Plan. As outlined in the Master Plan, the King Souder property lies within the Damascus "Town Center" area where a moderate level of residential growth is recommended including multifamily residential and mixed-use development that will support the downtown retail and service businesses. The Applicant is proposing to develop the property as a residential community with two housing types: approx. Sixty (60) townhouses and two (2) single family detached homes. The development will include associated stormwater management facilities, parking, forest conservation/environmental areas and open space. Although the Master Plan supports a residential density in the "Town Center Core" of 15 to 20 dwelling units per acre, the 0.5 FAR CRT zoning on the Subject Property correlates to a 6-8 DU/Ac. townhouse density more appropriate for a fringe property with topographic challenges. Due to the site configuration and topography, the Applicant is proposing a density of approx. 5.6 dwelling units per acre (0.39 FAR) while protecting the property's environmentally sensitive natural features and providing additional housing in close proximity to the town center core. Of the approx. 62 homes, 25% will be moderately priced dwelling units (or MPDU's) that will provide affordably priced homes and increase housing opportunities for homebuyers of a variety of income levels.

There are existing water and sewer mains in Ridge Road along the site frontage. The 16-inch water line was built under WSSC Contract# 71-BL-4940A and the 8-inch sewer line was built under WSSC Contract #71CT4655A. These lines are both available for connection for this project."

DEP NOTE: Please refer to concept plan (520200170) on page 7.

Agency Review Comments

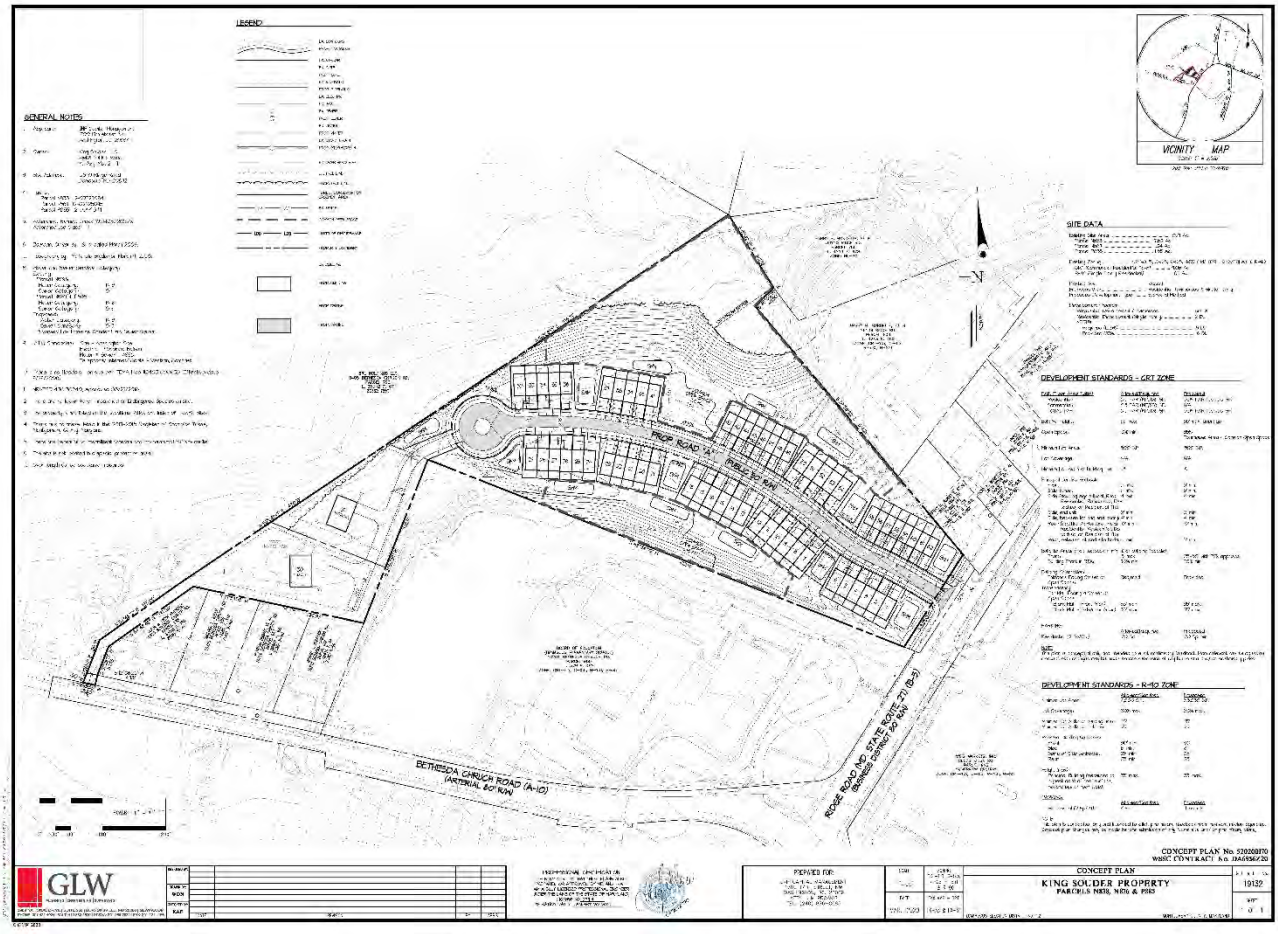
DPS:

M-NCPPC – Planning Dept.:

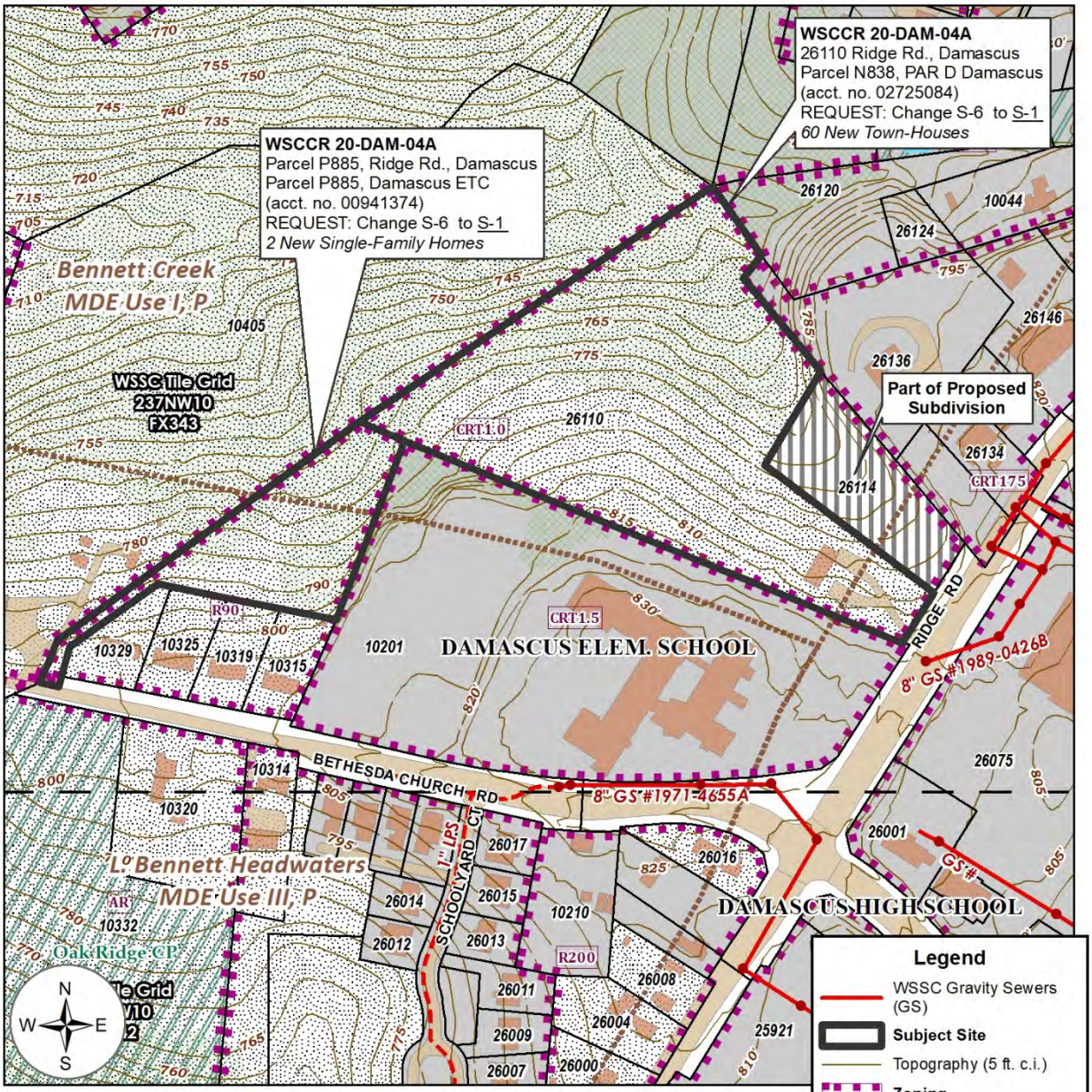
M-NCPPC – Parks Planning:

WSSC - Water:

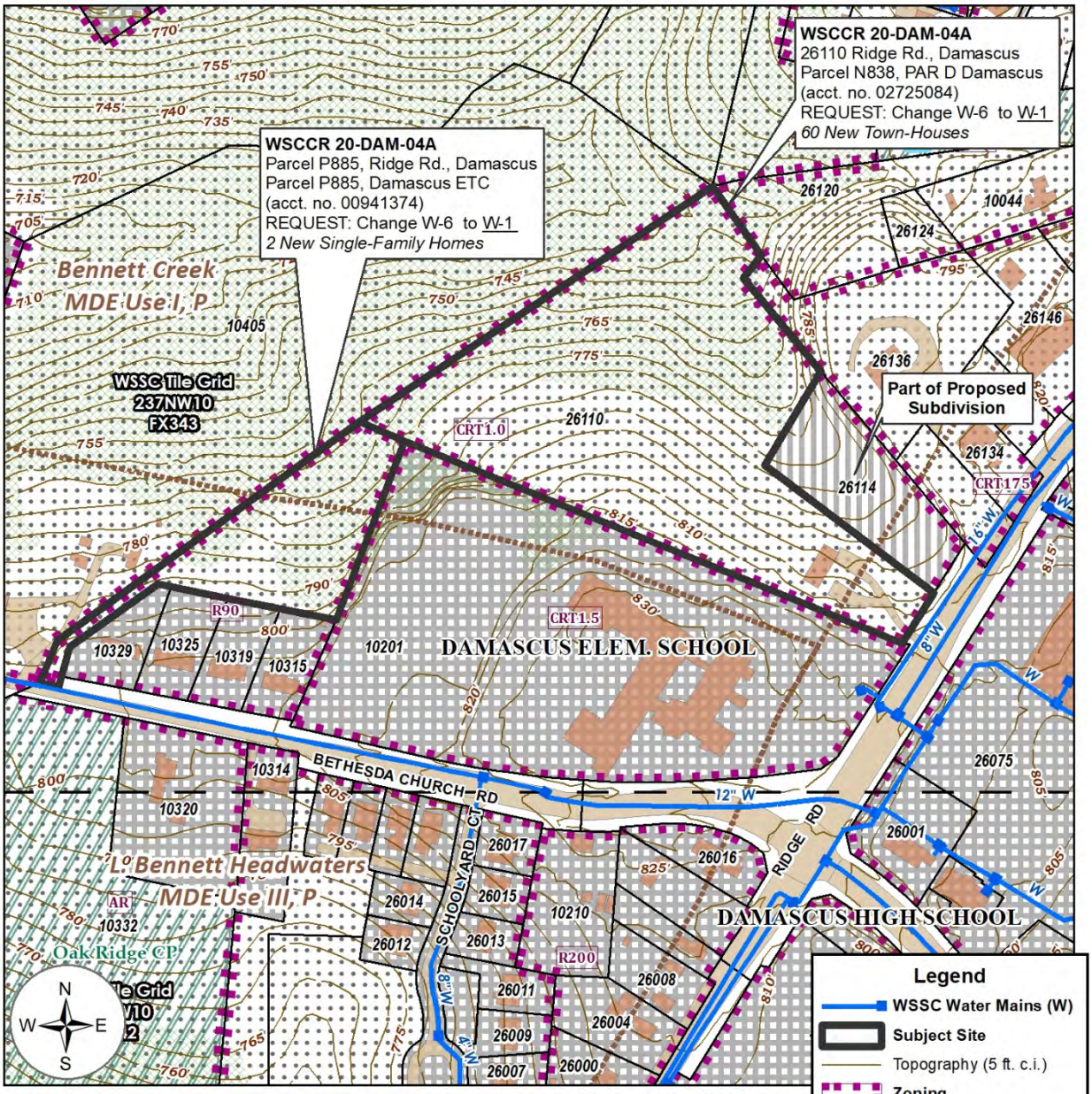
WSSC - Sewer:


LEGEND
GENERAL NOTES
VICINITY MAP
SITE DATA
DEVELOPMENT STANDARDS - CRT ZONE
DEVELOPMENT STANDARDS - R-90 ZONE
PROP. ROAD 'A'
PUBLIC 30' R/W
BETHESDA CHURCH ROAD (A-10)
(ARTERIAL 80' R/W)
RIDGE ROAD AND STATE ROUTE 27 (B-3)
(BUSINESS DISTRICT 50' R/W)
CONCEPT PLAN No. S2000070
WSSC CONTRACT No. 00A4566A20
GLW
CONCEPT PLAN
KING SOLDER PROPERTY
PARCELS N878, N876 & P583
19132

WSCCR 20-DAM-04A (King Souder LLC) - Damascus
Requested Sewer Service Area Category Map Amendment: Water & Sewer Plan Map



WSCCR 20-DAM-04A (King Souder LLC) - Damascus
Requested Water Service Area Category Map Amendment: Water & Sewer Plan Map



WSCCR 20-POT-03A: Spiro Gioldasis

Anticipated Action Path: Administrative Action

Property Information and Location Property Development	Applicant's Request: Service Area Categories & Justification
• 10309 Norton Road., Potomac • Parcel P129, Potomac School House Lot (acct. no. 00853545) • Map tile: WSSC – 213NW10; MD –FP33 • South side of Norton Rd., at the intersection with S. Glen Rd. • RE-2 Zone; 41,382 sq. ft. (0.95 ac.) • Potomac Planning Area Potomac Subregion Master Plan (2002) • Watts Branch Watershed (MDE Use I) • Existing use: Single-Family Home Proposed use: No Change	Existing – **Requested** – Service Area Categories W-1 W-1 (no change) S-6 **S-1** Applicant's Explanation None provided. From communications between the applicant, DEP and DPS, the applicant wants to make improvements to the property that will be constrained by the existing septic system.

Agency Review Comments

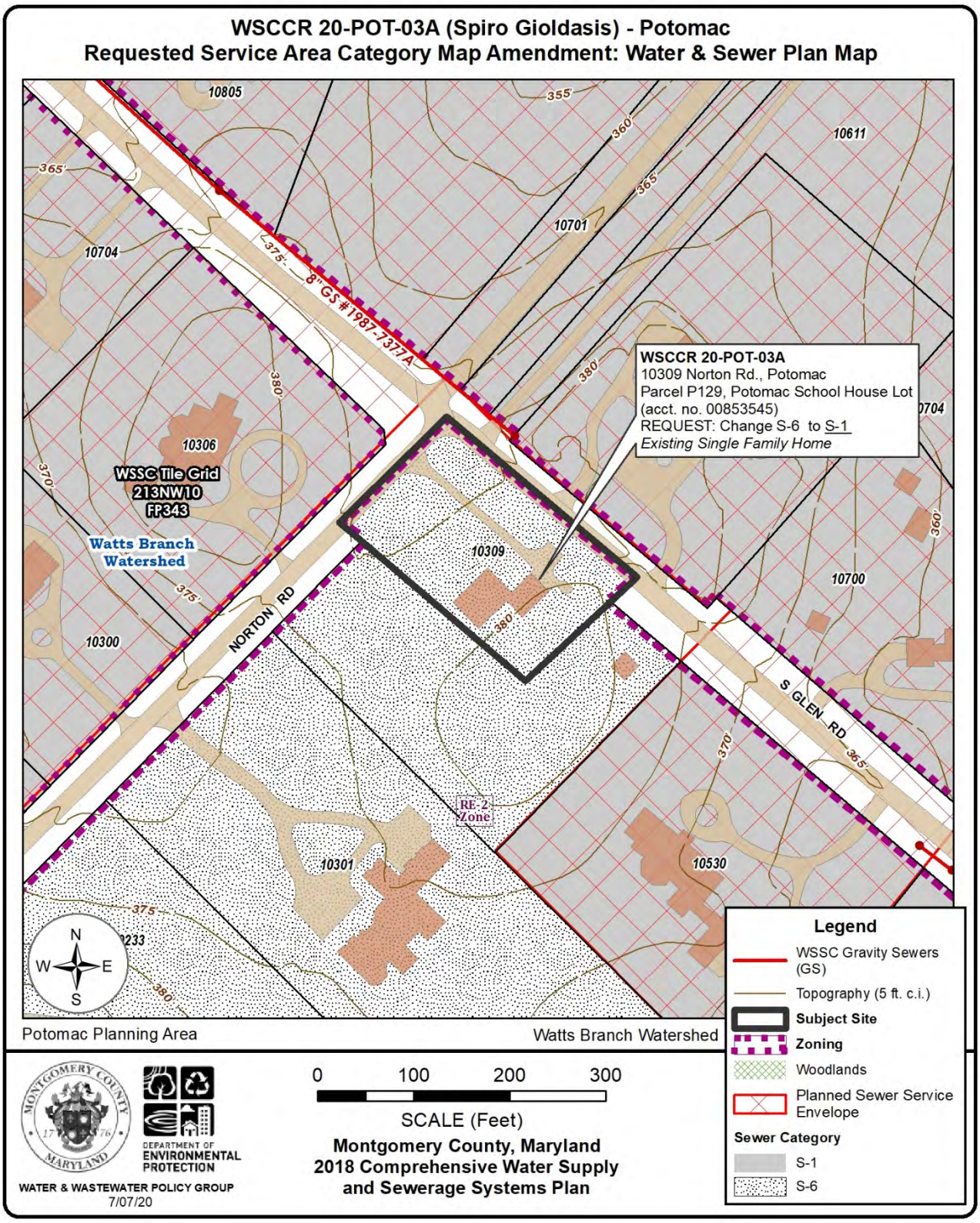
DPS:

M-NCPPC – Planning Dept.:
DEP note: This property confronts the planned sewer envelope across both Norton and South Glen Roads. DEP will likely consider this request under the Potomac peripheral sewer service policy.

M-NCPPC – Parks Planning:

WSSC - Water: *(not requested)*

WSSC - Sewer:


WSCCR 20-POT-03A (Spiro Gioldasis) - Potomac
Requested Service Area Category Map Amendment: Water & Sewer Plan Map
WSCCR 20-POT-03A
10309 Norton Rd., Potomac
Parcel P129, Potomac School House Lot
(acct. no. 00853545)
REQUEST: Change S-6 to S-1
Existing Single Family Home
8" GS #1987-7377A
WSSC Tile Grid
213NW10
FP343
Watts Branch Watershed
NORTON RD
S GLEN RD
RE-2 Zone
10805
10611
10701
10704
10306
10309
10700
10300
10301
10530
355'
360'
365'
370'
375'
380'
N
W
E
S
Potomac Planning Area
Watts Branch Watershed
Legend
WSSC Gravity Sewers (GS)
Topography (5 ft. c.i.)
Subject Site
Zoning
Woodlands
Planned Sewer Service Envelope
Sewer Category
S-1
S-6
0 100 200 300
SCALE (Feet)
Montgomery County, Maryland
2018 Comprehensive Water Supply and Sewerage Systems Plan
DEPARTMENT OF ENVIRONMENTAL PROTECTION
WATER & WASTEWATER POLICY GROUP
7/07/20

WSCCR 20-TRV-13A: Mary B. Frye Trust

Anticipated Action Path: Administrative Action

Property Information and Location Property Development	Applicant's Request: Service Area Categories & Justification
• 10514 Boswell Ln., Rockville • Parcel P602, Wickham and Pottinger (acct. no. 00048661) • Map tile: WSSC – 217NW10; MD –FR31 • West side of Boswell Ln. 975 ft west of the intersection with Glen Mill Rd. • RE-2 Zone; 43,560 sq. ft. (1.0 ac.) • Travilah Planning Area Potomac Master Plan (2002) • Watts Branch Watershed (MDE Use I) • Existing use: Single-Family Home • Proposed use: No Change	Existing – **Requested** – Service Area Categories W-1 W-1 (no change) S-6 **S-1** Applicant's Explanation None. *DEP NOTE: Property located in the Piney Branch Special Protection Area. Sewer connection restricted to a single hook up for the relief of a failing septic system. Septic system has failed, verified by DPS. An Expedited sewer connection request was issued by DEP to WSSC on May 12th, 2020. (see pages 13-16)*

Agency Review Comments

DPS:

M-NCPPC – Planning Dept.:

M-NCPPC – Parks Planning:

WSSC - Water: *(not requested)*

WSSC - Sewer:

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Marc Elrich
County Executive

Adam Ortiz
Director

MEMORANDUM

May 12, 2020

TO: Ray Chicca, Division Chief, Development Services Group
Luis Tapia, Unit Coordinator, DSD Permit Services
Washington Suburban Sanitary Commission

FROM: George Dizelos, Environmental Planner, Water Supply and Wastewater Unit
Intergovernmental Affairs Division, Department of Environmental Protection

SUBJECT: Public Service Relief for Onsite Systems Problems

We request WSSC's assistance in expediting the provision of public service to the following property:

Sewer Service: 10514 Boswell Lane, Potomac

Property I.D.: Parcel P602, Wickham and Pottinger; acct.no. 00048661 – (SDAT tax map: FR31)

Owner: Mary Frye	Water Category: **W-1** Sewer Category: **S-6**
WSSC grid: 217NW10	Zoning/Size: RE2, 43,560 sqft.
Planning Area: Travilah	Watershed: Watts Branch (Piney Branch)

The Department of Permitting Services (DPS), Well and Septic Section, has advised this office of a public health problem, a septic system failure, at the subject property (see the attached memorandum). DPS recommended relief of this problem by connecting the site to public sewer service, due to a leaking cinder block septic tank. A low-pressure sewer main abuts the property in Boswell Lane.

Although this property is designated as category S-6 in the County's Water and Sewer Plan, DPS acknowledgment of a public health problem is sufficient justification to warrant the expedited provision of public sewer service, regardless of the existing service area category. The property owners have filed a request with DEP for a service area change from S-6 to S-1 (WSCCR No., 20-TRV-12A).

Given these conditions, it is reasonable to relieve this public health hazard by expediting the provision of public sewer service. **WSSC does not need to wait for the approval of a Water and Sewer Plan amendment to provide public sewer service; public service via the WSSC's system should be provided as soon as possible.** The use of public sewer service to relieve a failing septic system is allowed under the Water and Sewer Plan's Piney Branch restricted sewer access policy. We would appreciate your assistance in this matter.

The property owner will need to contact WSSC to begin the application process for public sewer service. Neither DEP nor DPS staff can initiate a WSSC service application on the owner's behalf.

Contact the WSSC Permit Services Section at ether 301-206-4003 or onestopshop@wsscwater.com. Additional information is available at the WSSC-Permits website at https://www.wsscwater.com/business--construction/permit-services.html.

If you have any questions, or if there are significant problems related to provision of sewer service, please contact me at george.dizelos@montgomerycountymd.gov or 240-777-7755.

Attachments (see pages 3 and 4)

\\DEPFILES\Data\Programs\Water_and_Sewer\well-septic\HEALTHAZ\EXPDOCS=alpha-street\B\Boswell-Ln-10514--S\boswell-ln-10514-Septic.docx

cc: Lisa Sine, Sharon Spruill and April Snyder, Permit Services Unit, WSSC
Steven Shofar, Water Supply and Wastewater Unit, DEP
Heidi Benham and, Well and Septic Section, DPS
Jason Sartori, Functional Planning Division, M-NCPPC
Richard Weaver and Katherine Nelson, Area 3 Planning Division, M-NCPPC
Patricia Frye

DEPARTMENT OF PERMITTING SERVICES

Mark Ellish
County Executive

Mitra Pedoeem
Director

May 11th, 2020

TO: Alan Soukup
Water Supply & Wastewater Unit
Department of Environmental Protection
255 Rockville Pike, 1st floor
Rockville, Maryland 20850

FROM: Heidi Benham
Well and Septic Section
Dept. of Permitting Services
255 Rockville Pike, 2nd floor
Rockville, Maryland 20850

SUBJECT: Request for Sewer Connection

LOCATION: 10514 Boswell Lane
Potomac, MD 20854
Tax Map Grid: FR31
WSSC Grid: 217 NW 10

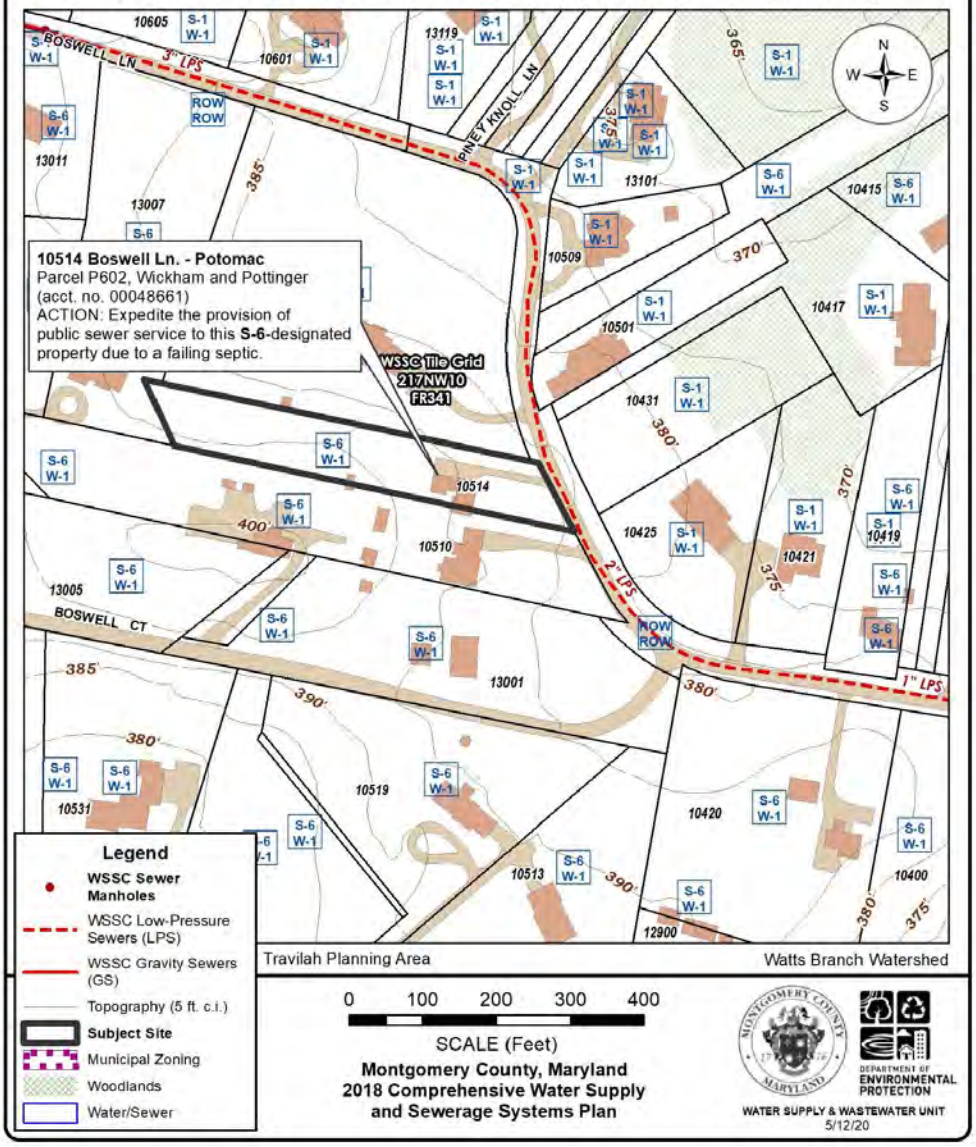
The authorized representative for the subject property, Patricia Frye, has requested our assistance in obtaining an expedited sewer connection due to a failing septic system. The septic system was evaluated by the county well and septic inspector, Jared Sluzalis, on 3/18/2020 and he confirmed a leaking cinderblock tank.

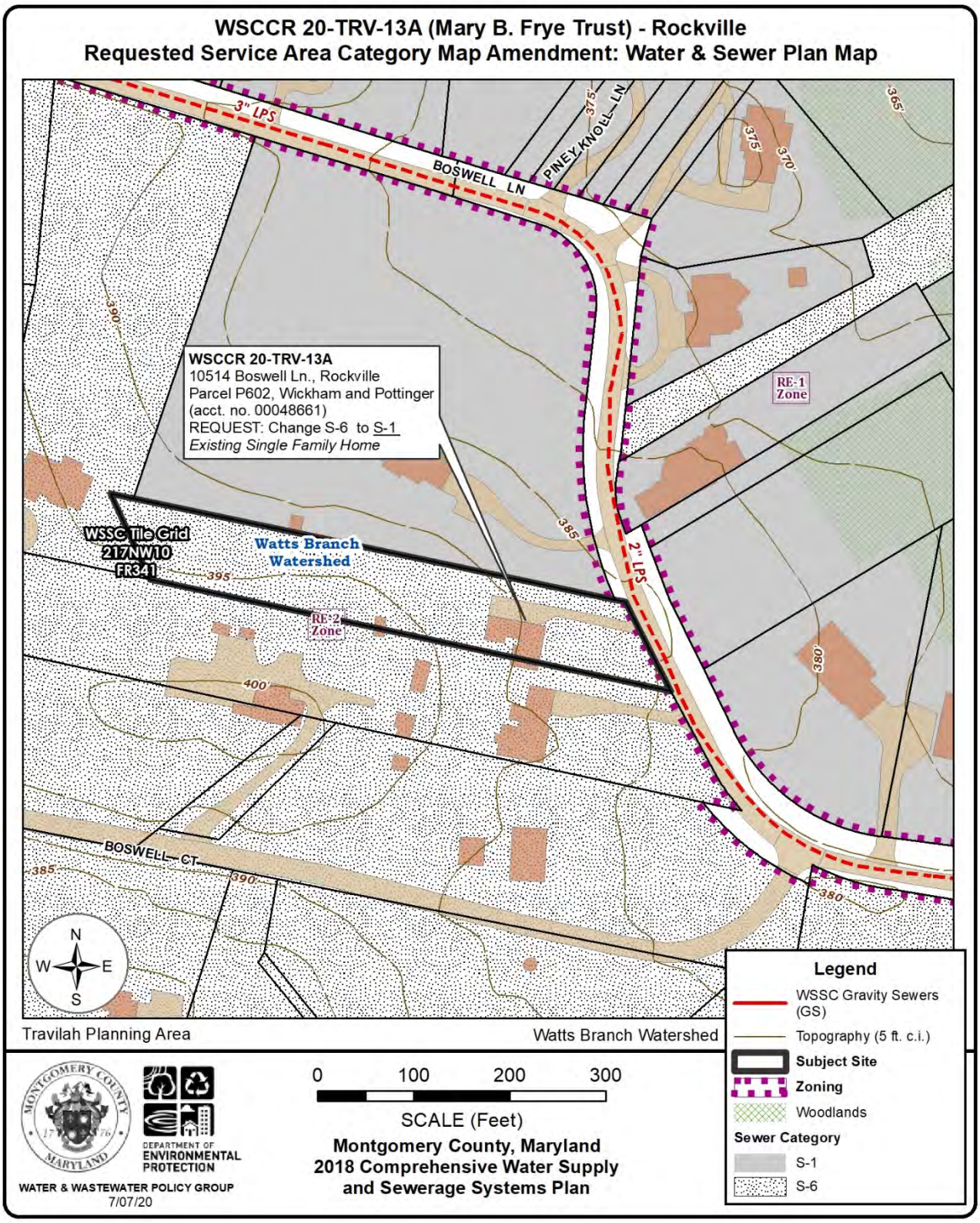
This property is currently designated as sewer category S-6 and will require a sewer category change.

If I can be of further assistance, please contact me at 240-777-6318.

cc: File
Patricia Frye

10514 Boswell Lane., Potomac - Public Health Case
Expedite Sewer Service Connection Action: Sewer Service Area Categories Map




WSCCR 20-TRV-13A (Mary B. Frye Trust) - Rockville
Requested Service Area Category Map Amendment: Water & Sewer Plan Map
3" LPS
BOSWELL LN
PINEY KNOLL LN
WSCCR 20-TRV-13A
10514 Boswell Ln., Rockville
Parcel P602, Wickham and Pottinger
(acct. no. 00048661)
REQUEST: Change S-6 to S-1
Existing Single Family Home
RE-1 Zone
WSSC Tile Grid
217NW10
FR341
Watts Branch Watershed
RE-2 Zone
2" LPS
BOSWELL CT
N
W
E
S
Travilah Planning Area
Watts Branch Watershed
Legend
WSSC Gravity Sewers (GS)
Topography (5 ft. c.i.)
Subject Site
Zoning
Woodlands
Sewer Category
S-1
S-6
0 100 200 300
SCALE (Feet)
Montgomery County, Maryland
2018 Comprehensive Water Supply and Sewerage Systems Plan
DEPARTMENT OF ENVIRONMENTAL PROTECTION
WATER & WASTEWATER POLICY GROUP
7/07/20

WSCCR 20-TRV-14A: Transquest LLC

Anticipated Action Path: County Council

Property Information and Location Property Development	Applicant's Request: Service Area Categories & Justification
• 13005 Travilah Rd., Rockville • Parcel P648, Travilah School Property (acct. no. 00395131) • Map tile: WSSC – 217NW13; MD –ER51 • East side of Travilah Rd., at the NE intersection with Glen Rd. • RE-2 Zone; 2 acres • Travilah Planning Area Potomac Master Plan (2002) • Watts Branch Watershed (MDE Use I) • Existing use: Single-Family Home and Barn Proposed use: Country Inn	Existing – **Requested** – Service Area Categories W-6 **W-6 for multiuse water system** S-6 **S-3** Applicant's Explanation *Please see overview map on page 22, and combined documentation for 20-TRV-14A and 20-TRV-15A on pages 23-29.*

Agency Review Comments

DPS: *DEP note: Based on the proposed uses, the applicant anticipates a design flow for the onsite well water supply system equal to or greater than 1,500 gallons per day. This will require a multiuse water system designation in the Water and Sewer Plan. DEP has requested details about the proposed uses to help determine the needed design flow.*

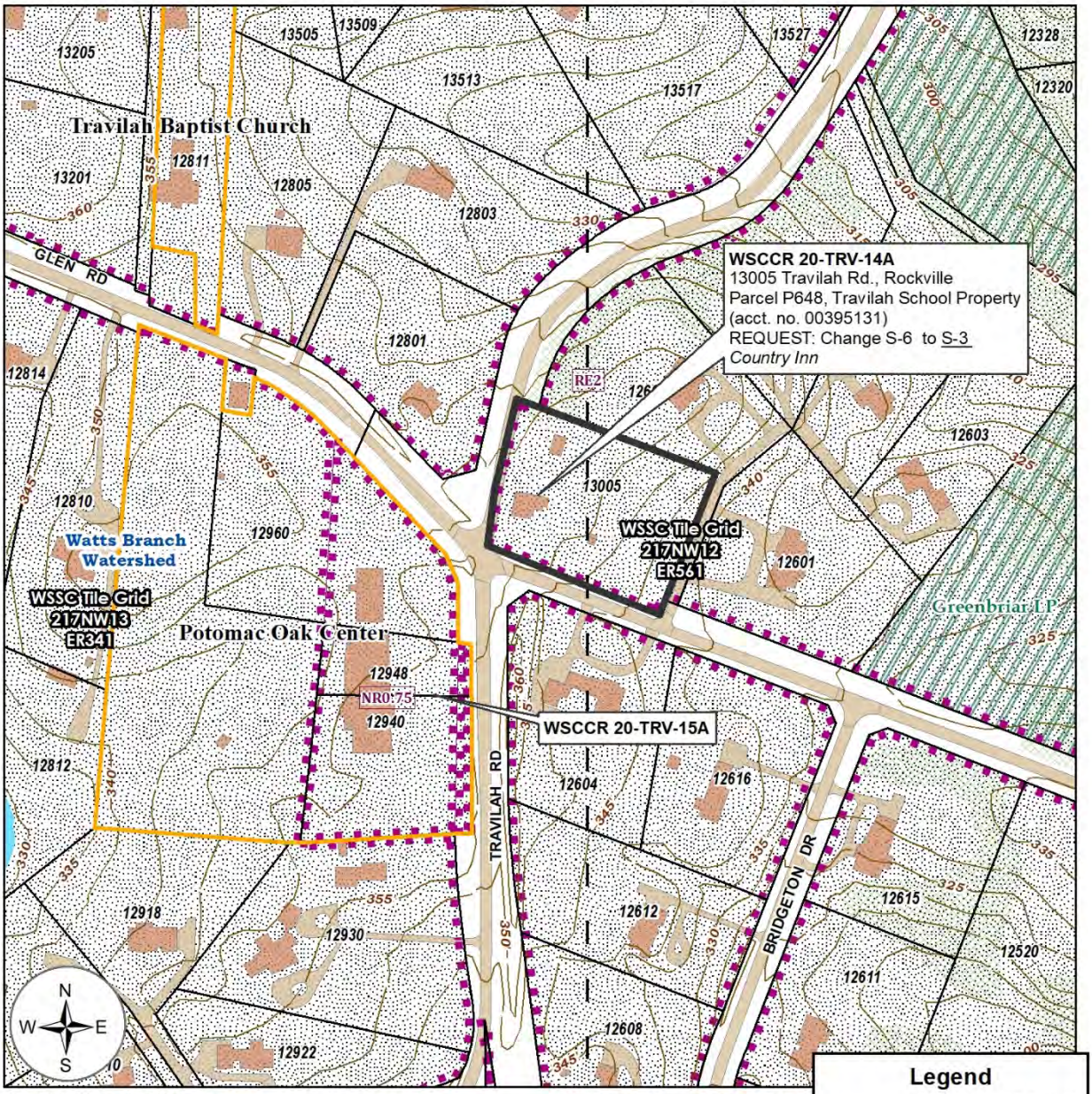
M-NCPPC – Planning Dept.:

M-NCPPC – Parks Planning:

WSSC - Water: *(not requested)*

WSSC - Sewer:
DEP note: This request and 20-TRV-15A, which follows, are included here as two separate applications. Our understanding is that two separate low-pressure/pump systems, one for each site, will be needed. However, the applicants' explanation (Pages 22-28) appears to present a proposal for a single sewerage system to serve both sites together. Please address the applicants' sewer concept in your comments back to DEP.

WSCCR 20-TRV-14A (Transquest LLC) - Rockville
Requested Service Area Category Map Amendment: Water & Sewer Plan Map



Travilah Planning Area Watts Branch Watershed

Legend
- Topography (5 ft. c.i.)
- Subject Site
- Zoning
- Woodlands

Sewer Category
- S-6

0 200 400 600
SCALE (Feet)

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION
WATER & WASTEWATER POLICY GROUP
7/07/20

WSCCR 20-TRV-15A: Travilah Oak LLC

Anticipated Action Path: County Council

Property Information and Location Property Development	Applicant's Request: Service Area Categories & Justification
• 12960, 12948 and 12940 Travilah Rd., Rockville • Parcel N679*, Lot 4, Boylestons Discovery (acct. no. 03063708) Parcel N726*, Lot 3, Boylestons Discovery (acct. no. 02232731) Parcel N780*, Lot 1, Lot 2 Boylestons Discovery (acct. no. 00397857) **This request includes only those parts of these three parcels zoned NR-0.75.* • Map tile: WSSC – 217NW13; MD –ER41 • Northeast corner of the intersection of Travilah Rd. and Glen Rd. • NR-0.75 Zone; 5.08 acres combined • Travilah Planning Area Potomac Master Plan (2002) • Watts Branch Watershed (MDE Use I) • Existing use: Retail Center Proposed use: Expand Retail Center	Existing – **Requested** – Service Area Categories W-6 W-6 (no change) S-6 **S-3** Applicant's Explanation *Please see overview map on page 22, and combined documentation for 20-TRV-14A and 20-TRV-15A on pages 23-29.*

Agency Review Comments

DPS:

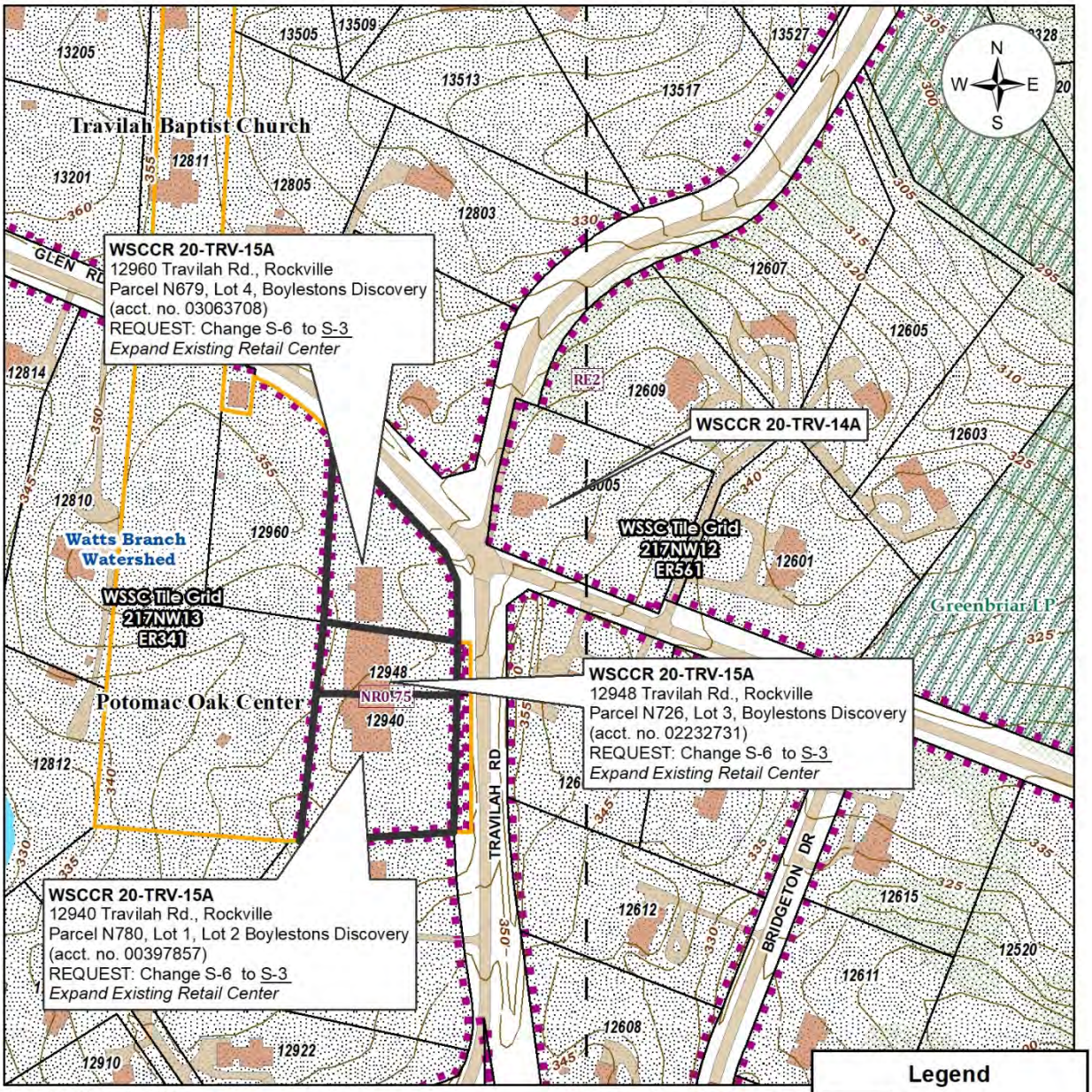
M-NCPPC – Planning Dept.:

M-NCPPC – Parks Planning:

WSSC - Water: *(not requested)*

WSSC - Sewer:
DEP note: This request and 20-TRV-14A, which precedes, are included here as two separate applications. Our understanding is that two separate low-pressure/pump systems, one for each site, will be needed. However, the applicants' explanation (Pages 22-28) appears to present a proposal for a single sewerage system to serve both sites together. Please address the applicants' sewer concept in your comments back to DEP.

WSCCR 20-TRV-15A (Tavilah Oak LLC) - Rockville
Requested Service Area Category Map Amendment: Water & Sewer Plan Map



Travilah Planning Area

Watts Branch Watershed

Legend

- **Subject Site**
- Topography (5 ft. c.i.)
- **Zoning**
- Woodlands

Sewer Category

- S-6

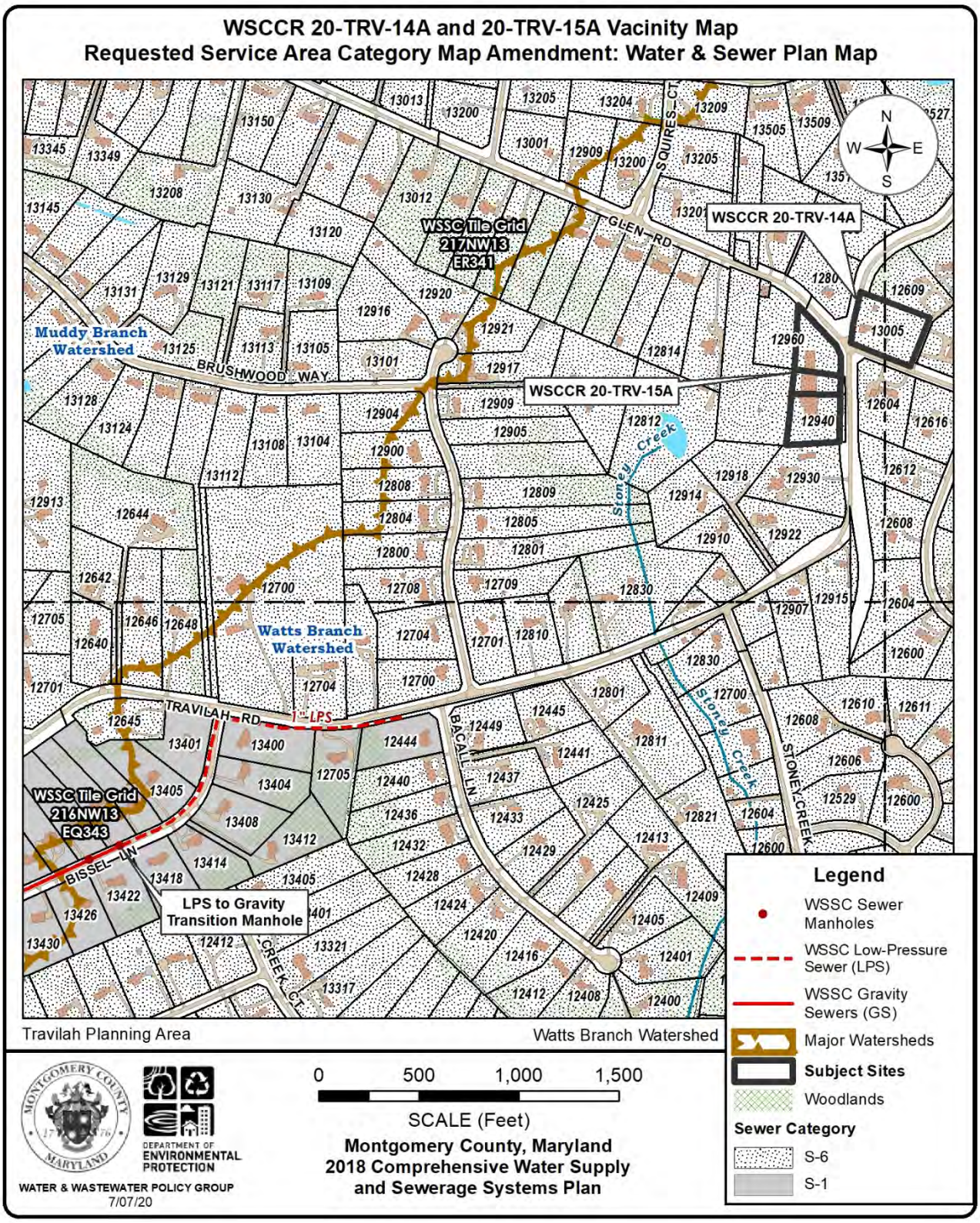
0 200 400 600

SCALE (Feet)

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

WATER & WASTEWATER POLICY GROUP
7/07/20


WSCCR 20-TRV-14A and 20-TRV-15A Vacinity Map
Requested Service Area Category Map Amendment: Water & Sewer Plan Map
WSCCR 20-TRV-14A
WSCCR 20-TRV-15A
WSSC Tile Grid 217NW13 ER341
WSSC Tile Grid 216NW13 EQ343
Muddy Branch Watershed
Watts Branch Watershed
Stoney Creek
GLEN RD
BRUSHWOOD WAY
TRAVILAH RD
BISSEL LN
BACALL LN
STONEY CREEK
LPS to Gravity Transition Manhole
Travilah Planning Area
Watts Branch Watershed
Legend
WSSC Sewer Manholes
WSSC Low-Pressure Sewer (LPS)
WSSC Gravity Sewers (GS)
Major Watersheds
Subject Sites
Woodlands
Sewer Category
S-6
S-1
0 500 1,000 1,500
SCALE (Feet)
Montgomery County, Maryland
2018 Comprehensive Water Supply and Sewerage Systems Plan
DEPARTMENT OF ENVIRONMENTAL PROTECTION
WATER & WASTEWATER POLICY GROUP
7/07/20

MEMORANDUM

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

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

DATE: June 30, 2020

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

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

The Properties

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

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

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

Potomac Oak Center
(Travilah Oak LLC Property)

Old White House
(Transquest LLC Property)

The Application

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

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

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

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

The Vision

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

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

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

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

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

2002 Potomac Subregion Master Plan

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

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

Reiver Property

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

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

Recommendation

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

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

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

- [large retail centers] are available in the nearby 1-270 corridor (1960 Potomac Master Plan, pp. 14 & 15)
- This area is also served by centers just outside of the boundaries, including Rockshire, Seven Locks Plaza, Georgetown Square, and Wildwood (1980 Potomac Subregion Master Plan, p. 127)
- Commercial areas beyond Travilah are expected to accommodate the shopping needs of the community (2002 Potomac Subregion Master Plan, p.80)

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

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

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

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

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

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

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

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

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

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

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

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

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

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