

Resolution No.:	<u>20-92</u>
Introduced:	<u>January 17, 2023</u>
Adopted:	<u>March 21, 2023</u>

**COUNTY COUNCIL
FOR MONTGOMERY COUNTY, MARYLAND**

By: County Council

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

Background

1. Section 9-501 et seq. of the Environmental Article of the Maryland Code requires the governing body of each County to adopt and submit to the State Department of the Environment a comprehensive County Plan, and from time to time amend or revise that Plan for the provision of adequate water supply systems and sewerage systems throughout the County.
2. Section 9-507 of the Environmental Article of the Maryland Code provides that the Maryland Department of the Environment (MDE) has 60 days to review a county governing body's action to amend the County's Water and Sewer Plan. Upon notice to the County, MDE may extend that review period for another 45 days, if necessary. At the conclusion of this review, MDE must either approve or reject the Council's action on each of these amendments, or the action is confirmed by default. Any action approved or taken by this resolution is not final until that action is approved by MDE or the period for final MDE action has expired.
3. In accordance with the State law on December 30, 1969, by Resolution No. 6-2563, the County Council adopted a Comprehensive Ten-Year Water Supply and Sewerage Systems Plan which was approved by the State Department of the Environment.
4. The County Council has from time to time amended the Plan.
5. On December 29, 2022, the County Council received recommendations from the County Executive on seven Water and Sewer Plan amendments.
6. Recommendations on these amendments were solicited from the Maryland-National Capital Park and Planning Commission, Washington Suburban Sanitary Commission Staff, and affected municipalities.

7. A public hearing was held on February 28, 2023. The County Council notified affected State and local agencies of the public hearing on January 19, 2023. The County Council published a public notice for the hearing in The Daily Record on January 23, 2023.
8. The County Council's Transportation and Environment Committee held a worksession on the request on March 6, 2023.

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.

A handwritten signature in black ink, appearing to read "Judy Rupp", is written over a horizontal line.

Judy Rupp, Clerk of the Council

Montgomery County Comprehensive Water Supply and Sewerage Systems Plan December 2022 Amendment Transmittal: Water/Sewer Category Map Amendments

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

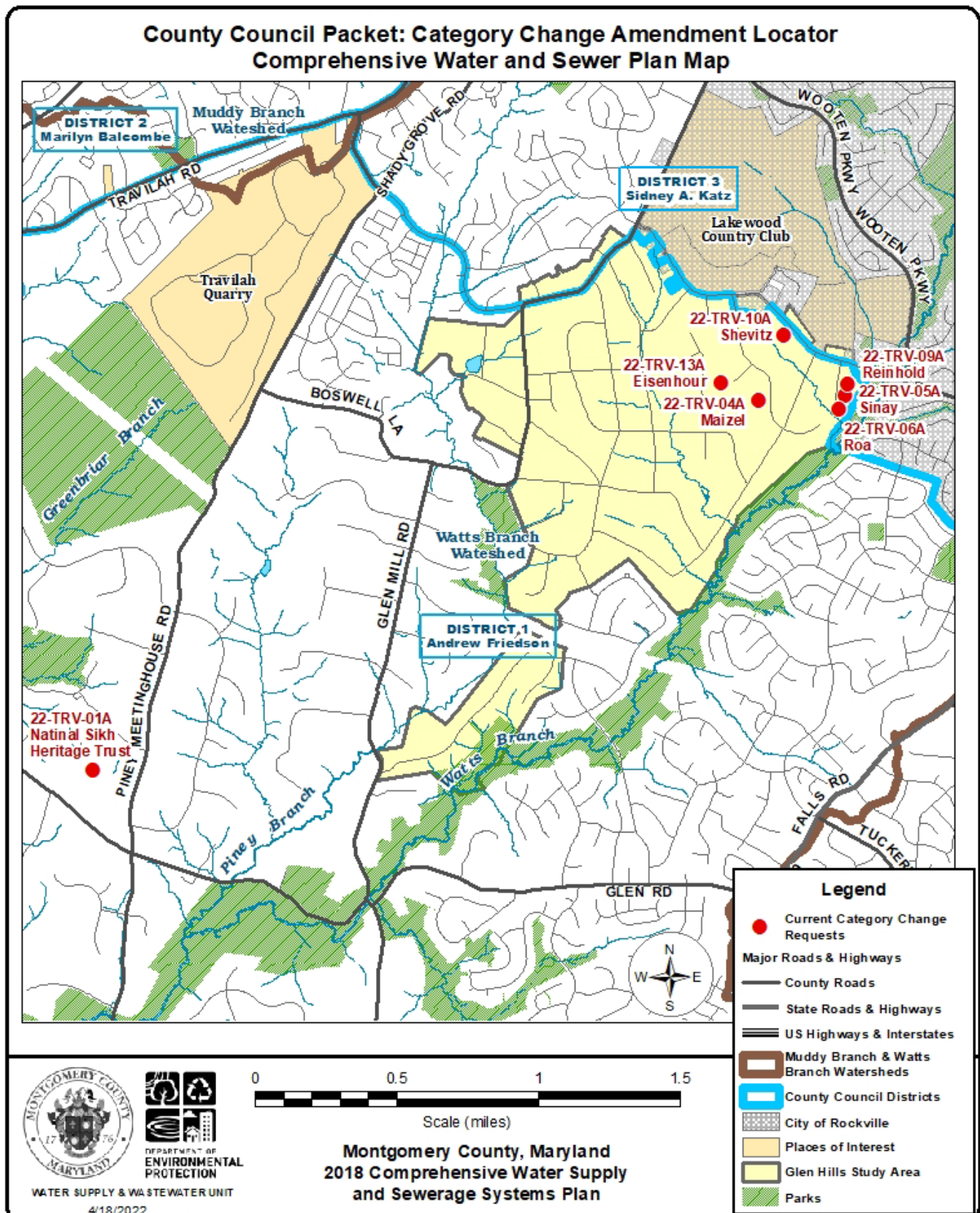
Property owners file category change map amendment requests seeking to change the service areas for their property from one category to another, often based on anticipated development plans. The following charts present the County Council's actions on a water/sewer category map amendment request filed with DEP and transmitted by the County Executive to the Council for consideration on December 29, 2022.

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.</p> <p>Montgomery County does not use categories W-2 and S-2 in its Plan.</p>

• See Attachment B for mapping of approved, conditionally approved, and deferred category change amendments.

**Montgomery County Comprehensive Water Supply and Sewerage Systems Plan
December 2022 Amendment Transmittal: Water/Sewer Category Map Amendments**



Description: Locator map showing all seven category change requests on this packet and County Council districts.

- See Attachment B for mapping of approved, conditionally approved, and deferred category change amendments.

**Montgomery County Comprehensive Water Supply and Sewerage Systems Plan
December 2022 Amendment Transmittal: Water/Sewer Category Map Amendments**

WSSCR 22-TRV-01A: National Sikh Heritage Trust

Property Information and Location Property Development	Applicant's Request: County Council Action
<ul style="list-style-type: none"> 11000 Block, Wood Thrush Ln. and 11415 Glen Rd., Potomac Parcel P093 and P147, Piney Grove (acct. nos. 03696853 and 00397722) Map tile: WSSC – 215NW11; MD –FQ12 North of Glen Rd., 1,150 feet West of the intersection with Piney Meetinghouse Rd. RE-2 Zone; 4.97 total ac. Travilah Planning Area Potomac Subregion Master Plan (2002) Watts Branch Watershed (MDE Use I) <u>Existing use</u>: Single-Family Home (built 1961) <u>Proposed use</u>: 2-4 Single-Family Homes (<u>not</u> a private institutional facility use) 	<p><u>Existing – Requested – Service Area Categories</u></p> <p>W-1 W-1 (no change)</p> <p>S-6* S-3</p> <p>*Outside the planned community sewer service envelope.</p> <p>County Council Action</p> <p>Deny the request for category S-3; maintain S-6. <i>(The applicants may not apply again for these properties until March 21, 2024, unless specifically allowed by DEP.)</i></p>

WSSCR 22-TRV-04A: Jonathan Maizel

Property Information and Location Property Development	Applicant's Request: County Council Action
<ul style="list-style-type: none"> 13120 Foxden Dr., Rockville Lot 10, Block D, Potomac Highlands (acct. no. 00088622) Map tile: WSSC – 217NW09; MD –FR51 West side of Foxden Dr., 500 ft north of the intersection with Overlea Dr. RE-1 Zone; 2.02 ac. Travilah Planning Area Potomac Subregion Master Plan (2002) Watts Branch Watershed (MDE Use I) <u>Existing use</u>: Single-Family Home (built 1977) <u>Proposed use</u>: Sewer service for the Existing Single-Family Home 	<p><u>Existing – Requested – Service Area Categories</u></p> <p>W-1 W-1 (no change)</p> <p>S-6* S-3</p> <p>*Outside the planned community sewer service envelope.</p> <p>County Council Action</p> <p>Deny the request for category S-3; maintain S-6. <i>(The applicant may not apply again for this property until March 21, 2024, unless specifically allowed by DEP.)</i></p>

**Montgomery County Comprehensive Water Supply and Sewerage Systems Plan
December 2022 Amendment Transmittal: Water/Sewer Category Map Amendments**

WSCCR 22-TRV-05A: Michael and Denise Sinay

Property Information and Location Property Development	Applicant's Request: County Council Action
<ul style="list-style-type: none"> • 13205 Carriage Ct., Rockville • Lot 3, Block C, Potomac Highlands (acct. no. 00088280) • Map tile: WSSC – 217NW09; MD –FR61 • East side of Carriage Ct., 500 feet south of the intersection with Scott Dr. • RE-1 Zone; 2.02 ac. • Travilah Planning Area Potomac Subregion Master Plan (2002) • Watts Branch Watershed (MDE Use I) • <u>Existing use</u>: Single-Family Home (built 1956) • <u>Proposed use</u>: Sewer service for the Existing Single-Family Home 	<p><u>Existing – Requested – Service Area Categories</u></p> <p>W-1 W-1 (no change)</p> <p>S-6* S-3</p> <p>*Outside the planned community sewer service envelope.</p> <p>County Council Action</p> <p>Defer the request for category S-3 pending the State's concurrence with the 2022 update of the Water and Sewer Plan.</p> <p><i>(Note that deferral actions are intended to be resolved within approximately one year.)</i></p>

WSCCR 22-TRV-06A: Nirmala Rao

Property Information and Location Property Development	Applicant's Request: County Council Action
<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><u>Existing – Requested – Service Area Categories</u></p> <p>W-1 W-1 (no change)</p> <p>S-6* S-3</p> <p>*Outside the planned community sewer service envelope.</p> <p>County Council Action</p> <p>Defer the request for category S-3 pending the State's concurrence with the 2022 update of the Water and Sewer Plan.</p> <p><i>(Note that deferral actions are intended to be resolved within approximately one year.)</i></p>

**Montgomery County Comprehensive Water Supply and Sewerage Systems Plan
December 2022 Amendment Transmittal: Water/Sewer Category Map Amendments**

WSCCR 22-TRV-09A: William Reinhold

Property Information and Location Property Development	Applicant's Request: County Council Action
<ul style="list-style-type: none"> 13209 Carriage Ct., Rockville Lot 2, Block C, Potomac Highlands (acct. no. 00088690) Map tile: WSSC – 217NW09; MD –FR61 East side of Carriage Ct., 250 feet south of the intersection with Scott Dr. RE-1 Zone; 2.29 ac. Travilah Planning Area Potomac Subregion Master Plan (2002) Watts Branch Watershed (MDE Use I) <u>Existing use</u>: Single-Family Home (built 1960) <u>Proposed use</u>: Sewer service for the Existing Single-Family Home 	<p><u>Existing – Requested – Service Area Categories</u></p> <p>W-1 W-1 (no change) S-6* S-3</p> <p>*Outside the planned community sewer service envelope.</p> <p>County Council Action</p> <p>Defer the request for category S-3 pending the State's concurrence with the 2022 update of the Water and Sewer Plan.</p> <p><i>(Note that deferral actions are intended to be resolved within approximately one year.)</i></p>

WSCCR 22-TRV-10A: Max Shevitz

Property Information and Location Property Development	Applicant's Request: County Council Action
<ul style="list-style-type: none"> 9208 Scott Dr., Rockville Lot 1, Block B, Potomac Highlands (acct. no. 00088507) Map tile: WSSC – 217NW09; MD –FR51 South side of Scott Dr., 450 feet west of the intersection with Overlea Dr. RE-1 Zone; 3.48 ac. Travilah Planning Area Potomac Subregion Master Plan (2002) Watts Branch Watershed (MDE Use I) <u>Existing use</u>: Single-Family Home (built 1995) <u>Proposed use</u>: Sewer service for the Existing Single-Family Home 	<p><u>Existing – Requested – Service Area Categories</u></p> <p>W-1 W-1 (no change) S-6* S-3</p> <p>*Within the <u>Rockville</u> planned community sewer service envelope.</p> <p>County Council Action</p> <p>Defer the request for category S-3, pending the development of an annexation agreement for the property with the City of Rockville.</p> <p><i>(Note that deferral actions are intended to be resolved within approximately one year.)</i></p>

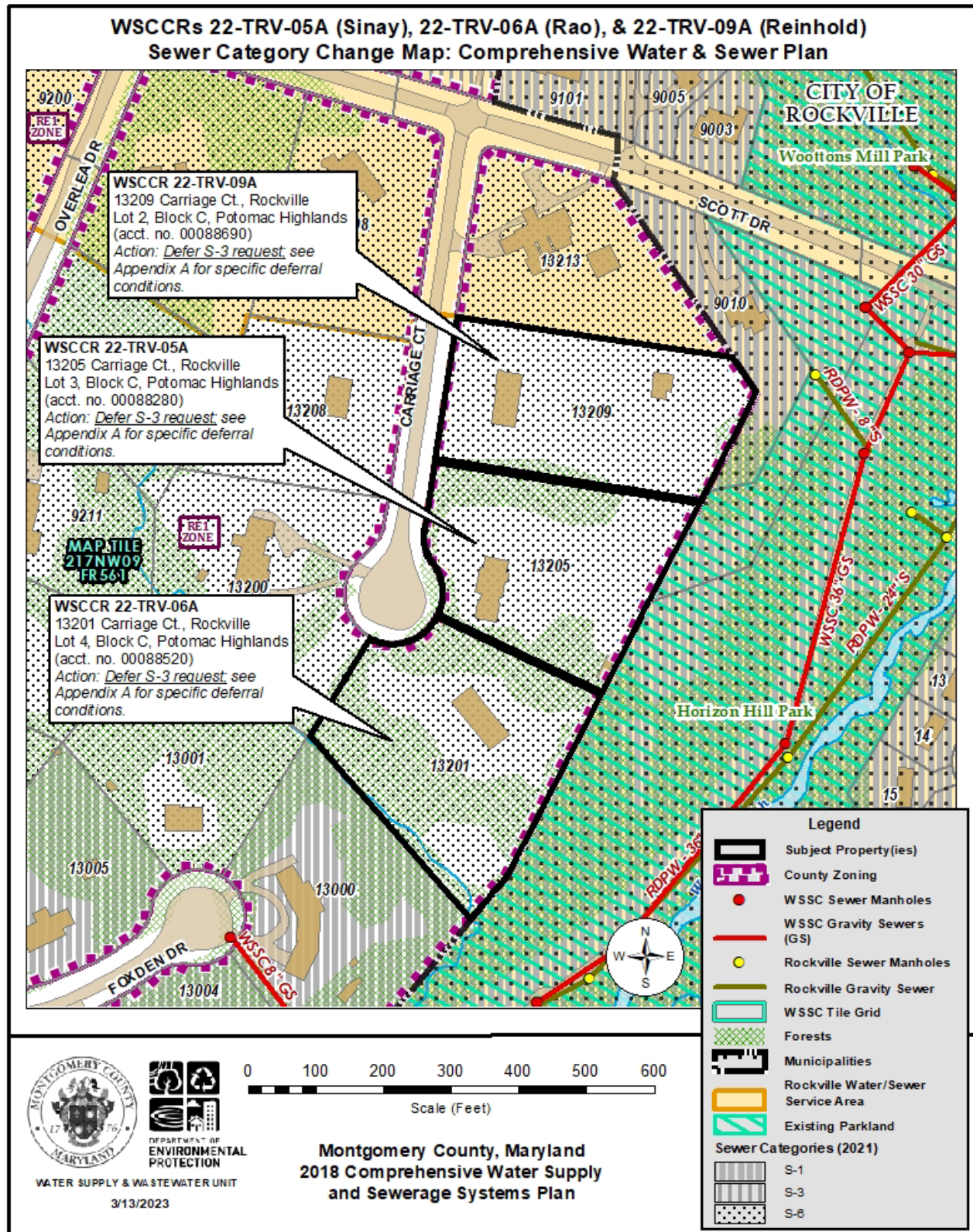
**Montgomery County Comprehensive Water Supply and Sewerage Systems Plan
December 2022 Amendment Transmittal: Water/Sewer Category Map Amendments**

WSSCR 22-TRV-13A: Arthur Eisenhour

Property Information and Location Property Development	Applicant's Request: County Council Action
<ul style="list-style-type: none"> • 3 Foxden Ct., Rockville • Lot 5, Block D, Potomac Highlands (acct. no. 00088278) • Map tile: WSSC – 217NW09; MD –FR51 • West side of Foxden Ct., 500 ft from the intersection with Foxden Dr. • RE-1 Zone; 2.76 ac. • Travilah Planning Area Potomac Subregion Master Plan (2002) • Watts Branch Watershed (MDE Use I) • <u>Existing use</u>: Single-Family Home (built 1968) • <u>Proposed use</u>: Sewer service for the Existing Single-Family Home 	<p><u>Existing – Requested – Service Area Categories</u></p> <p>W-1 W-1 (no change)</p> <p>S-6* S-3</p> <p>*Outside the planned community sewer service envelope.</p> <p>County Council Action</p> <p>Deny the request for category S-3; maintain. <i>(The applicant may not apply again for this property until March 21, 2024, unless specifically allowed by DEP.)</i></p>

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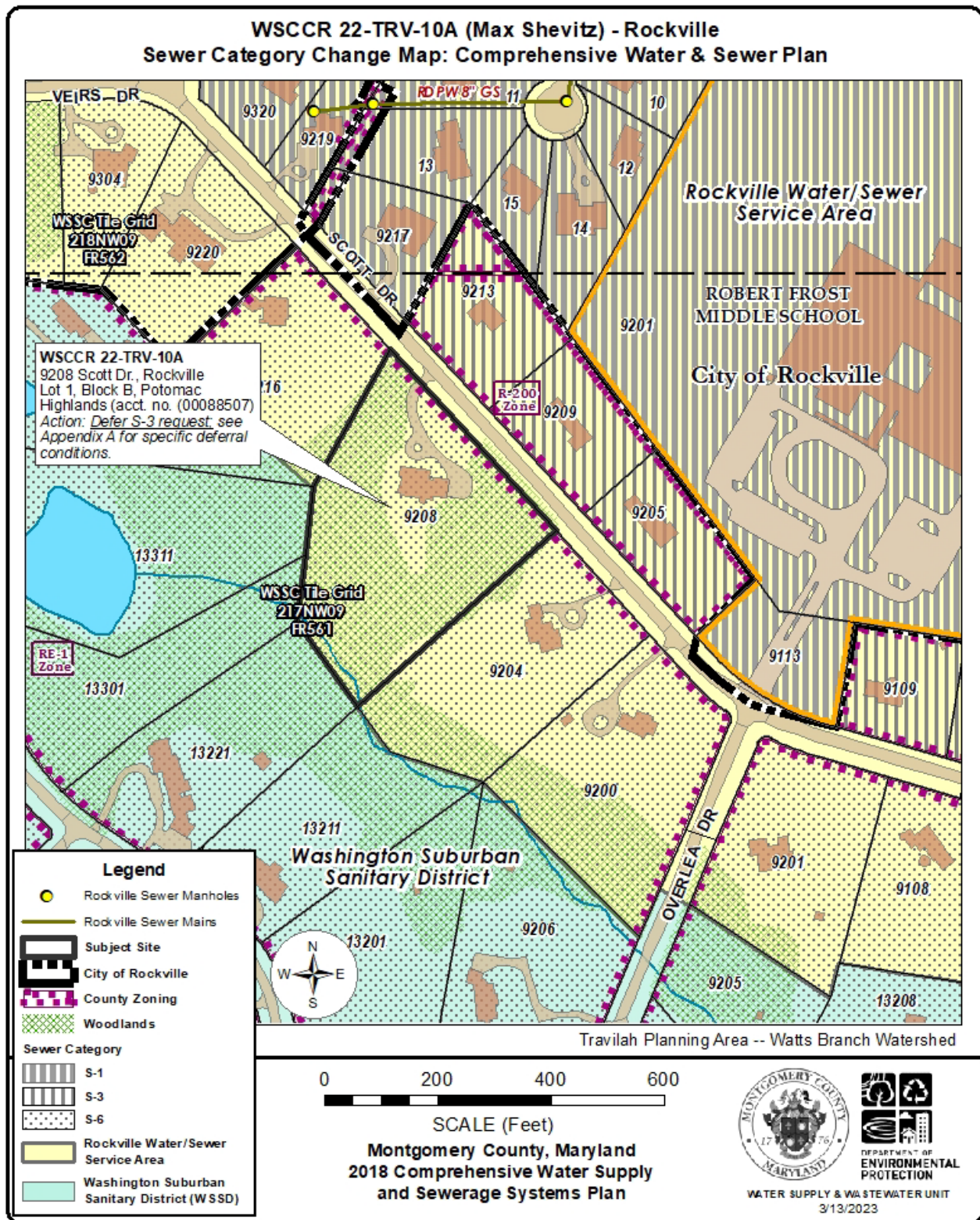
**Montgomery County Comprehensive Water Supply and Sewerage Systems Plan
December 2022 Amendment Transmittal: Water/Sewer Category Map Amendments**



Description: Sewer Service Area Category Map showing a deferral action for the category S-3 requests for 13201, 13205, and 13209 Carriage Ct., Rockville (WSSCRs 22-TRV-05A, -06A, & -09A).

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

**Montgomery County Comprehensive Water Supply and Sewerage Systems Plan
December 2022 Amendment Transmittal: Water/Sewer Category Map Amendments**



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Description: Sewer Service Area Category Map showing a deferral action for the category S-3 request for 9208 Scott Dr., Rockville (WSSCR 22-TRV-10A).

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