

**PRINCE GEORGE'S COUNTY COUNCIL**  
**AGENDA ITEM SUMMARY**

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**Meeting Date:** 4/23/2002

**Reference No.:** CR-9-2002

**Proposer:** County Executive

**Draft No.:** 4

**Sponsors:** Wilson, Scott, Bailey

**Item Title:** A Resolution changing the water and sewer category designations of properties within the 2001 Water and Sewer Plan (December 2001 Amendment Cycle)

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**Drafter:** Shirley Anthony Branch  
DER

**Resource** Stephen Paul  
**Personnel:** Office of the County Executive

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**LEGISLATIVE HISTORY:**

**Date Presented:** \_\_/\_\_/\_\_

**Executive Action:** \_\_/\_\_/\_\_

**Committee Referral:** 3/5/2002 THE

**Effective Date:** 5/14/2002

**Committee Action:** 4/11/2002 FAV(A)

**Date Introduced:** 3/5/2002

**Public Hearing:** 4/9/2002 1:00 P.M.

**Council Action:1** 4/16/2002 ADOPTED

**Council Votes:** PS:-, DB:A, TD:A, JE:-, TH:A, RVR:A, AS:A, MW:-

**Pass/Fail:** P

**Council Action:2** 4/23/2002 RECONSIDER

**Council Votes:** PS:A, DB:-, TD:-, JE:A, TH:A, RVR:A, AS:A, MW:A

**Pass/Fail:** P

**Council Action:3** 4/23/2002 READOPT

**Council Votes:** PS:A, DB:-, TD:-, JE:A, TH:A, RVR:A, AS:A, MW:A

**Pass/Fail:** P

**Remarks:** \_\_\_\_\_

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4/23/2002 – Reconsidered; amended on the floor by adding 01/W-15; DR-4 adopted

4/16/2002 – Amended on the floor to delete 01/W-15; DR-3 adopted

**TRANSPORTATION, HOUSING AND ENVIRONMENT COMMITTEE** DATE: 4/11/02

Committee Vote: Favorable with Amendments, 4-0 (In favor: Council Members Scott, Dernoga, Shapiro and Wilson)

The December 2001 Cycle of Amendments to the Ten Year Water and Sewer Plan contains twenty three (23) applications for water and sewer category change and one for a point of discharge. Two (2) of the applications were deferred to the April Cycle and one (1) was withdrawn. The Committee recommended approval of the County Executive's recommendation on seventeen applications and did not make a recommendation on one. The Committee's recommendations on the remaining applications are as follows:

01/W-18 Longleaf, Lot 1 (Application withdrawn)

01/W-15 Race Track Road - Engleman Property (5 to 4). The County Executive recommends advancement to category 4 and the Planning Board recommends advancement to category 4. The Committee did not make a recommendation, but deferred action to the Council.

01/P-13 Braden Reserve (Request 5 to 4) The applicant testified at the Public hearing indicating that a typographical error was made in the submission of the application. The revised change should be 29 instead of 49 single-family dwellings as initially submitted. The Committee recommended category 4 since the applicant meets the minimum criteria for advancement to category 4.

01/BP-01 Fairlands Golf Community (4C to 3) The County Executive recommends advancement to category 3 and the Planning Board recommends category 4. The Preliminary Plan of Subdivision has been approved but the plan has a condition that requires a signed agreement in order to develop the golf course. This agreement must be signed prior to the final plat. The Committee recommended category 4.

01/W-08 Correctional Officers' Union Hall (Deferred by Applicant)

01/P-06 Fort Washington Manor (Deferred by Applicant)

99/WWP-01 Cedarville Mobile Home Park (POD) The County Executive recommended two proposals: reject the applicant's request for further delays and seek injunctive relief included in the Consent Decree of 1994 or require the applicant to immediately post a bond (amount to be determined), and receive all approvals and permits and begin construction by June 1, 2002 or forfeit that bond. The applicant spoke at the Public Hearing indicating that the grading permits are ready to be issued subject to a final sign-off by M-NCPPC and fees and bonds have been posted. The Committee recommended modifying the County Executive's language to "require the applicant to immediately post all required construction bonds, receive all approvals and permits and begin construction by September 30, 2002.

The Department of Environmental Resources (DER) staff presented a revised staff report updating the status of the Point of Discharge request. Additionally, DER staff and the Office of Law negotiated and revised the County Executive's language for consideration by the Committee. Applicant shall post a \$35,000 cash bond (the collateral) with the County within fifteen (15) days after Council adoption of CR-9-2002. Applicant must complete all permit application requirements, including filing a pre-construction report, soils report, and construction completion schedule as well as three copies of grading and sediment control plans, and submit to DER within 30 days after the Construction Bonds or Letters of Credit are approved by the Office of Law, or applicant must forfeit the collateral. Applicant must begin construction within 45 days of the issuance of a County grading permit or must forfeit posted collateral. "Begin construction" means the applicant must initiate sediments controls, and mobilize heavy equipment. Applicant must grade a minimum of one-quarter of the proposed sewage treatment plant site within 90 days of the issuance of a County grading permit or must forfeit posted collateral. Work under any State permit must be completed within nine months of State permit issuance or applicant must forfeit County posted collateral. All time frames shall be extended the number of days that any Stop Work Order is in effect. Any deficiencies resulting from a Stop Work Order shall be corrected, re-inspected and approved within five (5) working days. The subject collateral shall be returned to applicant upon timely completion of the project. The Committee voted to approve the revised language.

The County Executive supports CR-9-2002. The Legislative Officer and the Office of Law find CR-9-2002 to be in proper legislative form.

## **BACKGROUND INFORMATION/FISCAL IMPACT**

**(Includes reason for proposal, as well as any unique statutory requirements)**

The 2001 Water and Sewer Plan provides for three cycles of category change requests annually to amend the Plan. This resolution represents the December 2001 Cycle of Amendments.

The 2001 Water and Sewer Plan was adopted by CR-62-2001. The December Cycle contains twenty-three requests for a category change, and a status update and recommendation on one Point of Discharge request from the 1999 December Cycle in the Zekiah watershed. Three category change requests are in the Blue Plains sewershed; twelve are in the Western Branch sewershed, seven in the Piscataway sewershed, and one in the Mattawoman sewershed.

Environment Article, Title 9, Subtitle 5, of the Maryland Annotated Code, sets procedures for amendments and revisions to the Plan. At least 30 days prior to the public hearing on the amendments, the County Council must submit to the WSSC and M-NCPPC a copy of the resolution for their recommendations.

## **CODE INDEX TOPICS:**