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Loudoun County Board of Supervisors, Public Hearing, Wednesday, October 9, 2024

Date Wednesday, October 9, 2024
Place Board Room, First Floor, Government Center, 1 Harrison Street SE, Leesburg, Virginia
Length 3h 38m (video)

- Official meeting video (county, Granicus): <https://loudoun.granicus.com/player/clip/7766>
- Agenda (Granicus): https://loudoun.granicus.com/AgendaViewer.php?view_id=73&clip_id=7766

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Speech-to-text: whisper.cpp, model large-v3-turbo. Produced 2026-10-18. Each paragraph starts with its time [HH:MM:SS] in the meeting video.

[00:03:55] No, he's not adding this. He may not have sent it out, which I need to get that. Mr. Kirshner? Caleb. I tried.

[00:04:13] I tried. Can you please come here? Come here.

[00:04:27] Okay. Just those sections that we're adding. Okay. We can pass it out. Yeah, I think people won't actually have it in their hand. Yeah, because I haven't seen his. Where's my staff? He sent it to us. He emailed to us about half an hour ago. Oh, okay. Yeah, but not everyone's seen it yet.

[00:04:42] Good evening, supervisors.

[00:05:23] Good evening, staff, and good evening, Loudoun. I'd like to call to order the October 9, 2024 Loudoun County Board of Supervisors public hearing and the joint meeting of supervisors and VDOT public hearing. This room has a hearing loop. If you need hearing assistance, please switch your hearing aid to the telecom mode. If you have a headset, we have those available as well. Please see the clerk to request one. And would everybody please join me in the Pledge of Allegiance.

[00:05:40] I pledge allegiance to the flag of the United States of America and to the republic for which it stands, one nation, under God, indivisible, with liberty and justice for all.

[00:05:59] As a reminder to all members of the public, if you are addressing the board this evening, you do have to sign up to speak, and you can only speak on the issues that are actually on our agenda.

[00:06:14] Due to the broadcast delay, any member of the public, if you are in the boardroom wishing to address the board on item number two, which is our only item on our consolidated hearing agenda, please call the number that's scrolling across your screen at this time.

[00:06:31] If you're not in the boardroom, if you're at home, there's a number on your screen. Please call that if you want to talk to us about item number two. If you signed up to speak, you will be allotted two and a half minutes. If you're in the boardroom we ask that when your name is called please come to either podium that's closest to you state your name for the record if you'd like to state the district that you live in that's okay too the timer on the podium will re-indicate your remaining time when your time is expired please yield the floor to the next speaker if you're providing your comments via the telephone I ask that you use your own stopwatch to track your time and that is because

[00:07:10] if you're talking and you get to two minutes, I'm not going to stop you and let you know that you're getting close, because to stop you interrupts your flow, but when your time is up, I will stop you, and so if you time yourself, you kind of know when you're getting close to your time being up.

[00:07:28] When taking public input for items, I will first ask for the people in the room to speak, and then I will go to the moderator for any speakers online. Please note that there is a slight delay between the broadcast and the boardroom.

[00:07:44] There is one item on the consolidated hearing. It is an item in the Little River District. As a reminder, the item on the consolidated hearing is because there are no outstanding issues for this item. Staff has recommended approval, the applicant has waived its presentation time, and no public speakers have signed up in advance to speak on the item.

[00:08:05] The item is Leji 2, which is the altar. I'm sorry, Aldi water storage tank upgrade and reallocation. It's a specs 2024-0031 and specs 2024-0032.

[00:08:22] Is there anyone who'd like to actually speak on item number two? Seeing none, I'm going to go to the supervisor from the Little River District, Mr. Crony, to ask her would you like to make a motion? Thank you, Chair Randall. I move that the Board of Supervisors approve Motion 2B for the approval of the special exceptions as provided in the October 9th, 2024, public hearing item number two, staff report.

[00:08:49] I will second that. Discussion on that motion? Mr. Crony? No discussion. I'm just glad that we're moving forward with this so that Aldi can get their water storage tank upgrade and relocation. Wonderful. Anybody else?

[00:09:06] All right, on this item that was put forward by Mr. Crony, and I seconded it, all in favor, please say aye. Aye. Any opposed? That motion will pass 9-0. All right, we're going to now talk about the FY 2025 through FY 2030 six-year row plan, and FY 2025 and construction improvement budget priority list is a countywide item, although it is likely that I might go to Mr. Kirshner for motions.

[00:09:36] Um, so before we have members of the public, uh, to come speak on this item, uh, good evening staff. How are y'all doing? How's everybody doing this evening? Um, uh, and we are ready for the briefing from you all whenever you're ready.

[00:09:51] And if you'd like to introduce everybody at the table, just in case somebody doesn't know somebody else. We really appreciate that. And to all of our VDOT people, thanks for coming in today. All right. Well, let's get started here. I'm Susan Glass, Special Projects Manager in the Department of Transportation and Capital Infrastructure.

[00:10:08] I'm joined tonight by DTCI's Deputy Director, Scott Wurst, over to the far right of me, and Assistant Director, Lou Moserak. Additionally, Kim McCool is with us this evening, representing the Virginia Department of Transportation. We are here to present the proposed FY25 to FY2030 Secondary Road Six-Year Plan, and the FY25 construction improvement budget priority list.

[00:10:33] Each year, a joint VDOT and board public hearing is held to appropriate funding to improve unpaved roads. This public hearing, the board considers accepting the annual allocation of the state's funds that are designated to improve state-maintain unpaved roads.

[00:10:49] Additionally, the board identifies specific roads it wants improved, and those are listed on the construction improvement budget priority list Scott can you like yeah thank you so just a refresh where we were last year we did two public hearings for the FY 24 to 29 plan the first one was held on July 12 23 and the second was on September 13th during those meetings the board provided specific direction to staff which included removing can be road from future consideration

[00:11:26] and ultimately the board deferred action on programming unpaid roads last year until this year additionally the board directed staff to poll residents on roads that were proposed to be paved and you told us to obtain and report on crash data for the proposed roads during those meetings some members some board members expressed a desire to establish a data driven process that would use objective criteria to determine which road should be recommended for paving staff previously

[00:12:00] presented a proposed process titled the unpaved roads program to the transportation and land use committee during the past summer however that initiative has been deferred at this time and uh as there were outstanding concerns from board members and some of the community during the past year legislation was approved which amended section 33.2 359 of the state code which specifies how the state's unpaved secondary highway funds are to be used in the past those

[00:12:38] funds could only be used to pave unpaved roads that had 50 trips per day or more the roads were typically designated to be paved through vdot's rural rustic road program which hard surfaces the road within the existing right-of-way and doing that they don't have to comply with the requirements that are mandated by vdot's road design manual can you i'm just going to pause you can you give a definition or at least an example of what you mean when you say which hard surfaces of the roads because that that may not be the same thing as a road you'll see

[00:13:15] may not be like route seven in eastern loudon can so what does hard surfacing a road mean i'm going to defer to my colleague from vdot to give you the technical definition sure thank you the the language allows for improvements to the roadway and of which we have been hard surfacing in the past which would mean um generally it's some kind of asphalt material uh can be um it can have uh surfacing on it to mimic gravel but the it would have a stabilized base and um

[00:13:53] some form of of asphalt top on it i still don't know that i understand i mean i mean what tell me the difference between that and a and a and route seven that's that is surfaced tell me the difference between what you're talking about because because as we make these decisions we need to understand

what you're what you're saying to us sure uh route seven obviously is a is a paved roadway with you know all the stripes and it's it's a smooth roadway um the hard surfacing that we've done in some locations in loudon um it still has

[00:14:32] a strengthened base but we've put a a top on there to mimic a gravel look so it it does have asphalt but then it has a gravel surfacing on the top top that um it's it's not a loose gravel but it's it's a coarser surface on it so then the asphalt on the top is more for aesthetics because under the asphalt i mean under the gravel on the top is for more for aesthetics because under the gravel is just an asphalt road oh okay thank you and i'd just like to expand any time there is a road

[00:15:11] improvement there's a when it's a regular road like route 7 there's a pavement design and that is based on geotechnical studies and the volume of traffic and other considerations right these have been done as capital improvements so they they do get a geotechnical design that has as i As I said, the strength and base is determined by the geotechnical design.

[00:15:34] Some maintenance applications that have had a thin layer of asphalt on there, those are not capital improvements, those can be done maintenance. Okay. Thank you. I'm sorry. Continue. Okay. So back to the amended code language.

[00:15:53] The change this year allows for the state funds to be used to improve -- to perform improvements other than paving such as improved materials drainage upgrades or enhanced design of the highway profile however at this time we cannot specifically say what that really means because we are awaiting policy guidance from vdot central office to direct us how to how those improvements would be administered all right so uh without further ado the proposed plan that's before you tonight there's a couple of slides coming up that will show the specifics of the plan

[00:16:33] it proposes to pave the eastern portion of old wheatland road using nine hundred and seventeen thousand thirty two dollars of state funds combined with a contribution that was paid to the county by the developer of old wheatland estates that has a current balance of six hundred and eighty two thousand nine hundred and sixty eight dollars that contribution was paid for specifically paving the section of old wheatland road that is for you before you tonight for consideration the staff report provides the summarized crash data that's on page four of

[00:17:10] the staff report there were five reported crashes on the road that is on the portion that is uh proposed for paving those five crashes occurred between 2017 and 2023 we also polled the residents of the entire length of old wheatland road those who use the road to access their homes as well as those who are addressed on the road 158 ballots were sent out we received 111 responses 82 of those indicated support for paving 29 were opposed

[00:17:46] uh we one thing to point out is the current plan has we took off a road that was pre that the board previously approved for hard surfacing and that was cochran mill road that road runs between russell branch parkway and sickle and road and there are some active legislative applications that would change the land uses along that road and render it no longer eligible for

[00:18:18] vdot's criteria in the rural rustic road program so going forward you'll see the first page of the plan this is where the state's annual allocation of state district grant funds are shown it's you know a six-year budget and it is important for the board to approve this portion of the proposed plan because it

demonstrates to the state that the county is accepting these funds to be used to improve unpaved roads in Loudoun County. The second page is what's known as the construction improvement

[00:18:58] budget priority list which only reflects paving one road which is Old Wheatland Road between Rosemont Farm Place and Milltown Road. The estimated cost to do that is 1.6 million dollars. I note that when assuming the board wants to move forward with that project, it will allow VDOT then to conduct preliminary investigations that will determine the appropriate surface treatment and

[00:19:31] they will also, you know, see if that footprint that's laid out there is acceptable. We believe that Old Wheatland Road could be hard surface to a similar treatment that was previously applied to Nixon Road, which was a rural rustic road that the board had hard surfaced a few years ago. We, DTCI and VDOT, are aware of an issue on Old Wheatland Road to the west of these proposed paving limits, it's near Route 9. VDOT's maintenance division was dispatched out there; they assess the

[00:20:10] situation and determine that to repair that section of the road, it's going to require equipment and personnel that are currently deployed down in southwestern Virginia to repair roads that were damaged by Hurricane Helene. So when they have an opportunity when they're when their equipment and folks are back here, they can get that fixed and just concluding here, there's a total of about 15 million dollars, fourteen million, eight hundred eighty-seven dollars, four hundred nine, fourteen million

[00:20:45] eight hundred eighty-seven thousand, four hundred and nine dollars that are in a bucket waiting for the board to allocate for improving whatever unpaved roads it wishes to add to the list here. So the staff recommendation for this item is for the board to approve the proposed FY 2025 to 2030 secondary road six-year plan as presented in this item and ask that the board authorize county administrator or is designated to execute the plan. Thank you, suppose before I, before I, um, call on people, I, I meant to say this at the top of the

[00:21:25] meeting and I'm ashamed of myself for forgetting and Susan reminded me, um, our fellow Americans down in North Carolina, Tennessee, Florida, Georgia, especially Florida, again, are experiencing just untold tragedies and grief right now. Um, there have been a lot of questions that we have gotten like how we can help. I am trying to gather that information a lot of times from what I understand and I did make some phone calls, um, relief organizations, whether you not send

[00:21:59] items so like blankets and pillows and stuffed animals, they'd rather you send money, um, and so I will make sure I put that up. Um, you did remind me when you said it because of course we now have people who are from this area who have been dispatched to help. And Loudoun County, and I will speak on behalf of the county, certainly extends all of our good wishes, all of our thoughts, all of our prayers to our fellow Americans in those areas. What they're going through is just an untold tragedy. So thank you for reminding me of that. Okay, questions.

[00:22:33] Mr. Kirshner, I will go to you first. Thank you, Madam Chair. Can you hear me? Thank you, Thank you, Madam Chair. Thank you, staff. I've got a number of questions. I'm going to try to rapid fire since I only have three minutes.

[00:22:49] Obviously, we need to get this as close to right as we possibly can. So I know that the item calls for Old Wheatland Road from Rosemont Farm Place to Milltown. So that is beyond what the cash agreement will cover. Is that correct? That was proposed by the, I think, the developer of the development there. Is that correct? That's beyond?

[00:23:05] Yes, the agreement covered the area fronting Old Wheatland Estates and east to Milltown Road. There is a slight extension. Can you tell me who made the decision to go beyond that or how that came about, why the decision was made?

[00:23:22] Is it just the nature of the road, the shape it's in, or could you give me more detail on that? That came from the Board's direction at the July public hearing last year. But before that, someone came up with that. I'm assuming staff recommended it. Is that correct? There's existing pavement on Wheatland Road from Milltown Road to approximately about a half a mile west.

[00:23:44] Okay. That was done through VDOT's maintenance as, I believe. So we're fixing the current paving. We're fixing the paving that's kind of broken apart. You want to answer that? I'm running out of time.

[00:23:59] To tie new pavement in to the existing pavement, it needs to be extended beyond the terminus of the existing pavement. So can you all, now the funding concerns me a little bit. My understanding we're using funding from the maintenance fund.

[00:24:15] Is there no other funding source to use this? Because that will take, obviously, one of the big problems we have in Western Loudoun is we're using funding from maintenance. Can we not use construction funds for this, or am I incorrect? That's what these funds are. I understand.

[00:24:30] They are not maintenance funds. These are rural roads funds. Capital construction. Perfect. That's all I wanted to make sure. The other question I had was, and you touched on it in your opening comments, are we confident that VDOT is going to look at and fix this turn problem on the side of Route 9 where a number of cars have gone off?

[00:24:52] Do we know how soon those maintenance crews will be ready, and if we looked at the other portion that is not being paved or hard surface as part of this item on the road? So are we confident that they're going to be able to come up? Is that what I'm hearing? we've obviously been made aware of the concern at the curve and we've gone out and done some preliminary review of that um and we'll committed to having our crews go back out and take some all right that would be great because that's obviously a hazard i look at it i'm like this is super dangerous do we look to see if we have any other cash offers in the county on unpaved

[00:25:30] roads that are sitting there for a number a long time because this kind of came as a surprise for us i think it's been sitting there since 2012 or 10 or something like that are we aware of are there any other roads yes there are cash contributions have been paid previously for a variety of unpaved roads in the county okay i'd like to get a copy of that i'm out of time oh okay the chair's gone oh she's back thank you supervisor kirschner supervisor umstead thank you madam vice chair Susan, you had said, if I heard you correctly,

[00:26:06] that Cochran Mill Road would no longer qualify for paving because of the land uses along it. I cannot find on VDOT's website that particular requirement.

[00:26:25] I can find that there have to be at least 50 vehicle trips a day on a road for it to qualify for paving, but if it is the land use, is that because it's in an industrial area and most of the land use is industrial, or is it broken down into different sections because we have a significant residential community, Woodlands at Goose Creek, closer to the Russell Branch Parkway side of that road.

[00:27:03] And I cannot remember whether that is paved or not. - The portion by the residential community is paved. - Okay. - Okay, but the concern is not with the particular land use, but because of the traffic generated by the land use would increase the trips beyond the threshold eligible for the Rural Rustic Road Program.

[00:27:25] That's the reason that it's being recommended be deleted from from that list all right that thresholds 1500 trips per day and there's a proposed distribution center okay one of the proposed uses so it does not qualify for the rural road paving program because we're going to have a distribution center and 1500 trips a day but it is a dirt road a gravel road now so that's a bit of a conundrum i think wouldn't you want a paved road to handle that amount of traffic so do we have to use a different

[00:28:02] vdot program i do believe that there are um commitments that are being considered with those applications to to build the road to a paved uh to a full vdot standard okay thank you for some of the corridor yes all right thanks uh mr turner thank you madam chair um i'd like to go into the I'll call it the aggregate option for rather than fully paving the road.

[00:28:31] So the way it was described, you said it's basically the gravel material that now just sits on top of an improved road. That doesn't strike me as entirely accurate because the gravel would just wash off. I get the impression that the gravel is pressed into the underlying stable road surface, so it looks like a gravel road, but it's a solid road.

[00:28:54] doesn't have loose gravel on top of it. Am I accurate in that? You are correct. Apologies if I misspoke. It is. No, no. I wasn't sure. Okay. It's not loose gravel. Okay. It's just a rough surface. Then my question is, if VDOT hasn't yet decided what kinds of applications that new surface would be made available for funding, and we approve this plan, and then VDOT comes back and says oh yeah you can do all these things with that new type of aggregate road how do we can we go back and revisit the six-year plan if we have candidates for that kind of surfacing after we've already

[00:29:32] approved the six-year plan do we have to rate for the next cycle before we can approve that i'm not sure it's a clean answer but i'm just worried that we're waiting for them to decide what we can use it for and we may have things in this plan that would be ideal for that we're not We're not asking the board to consider a specific treatment road surface type at this time other than hard surface.

[00:29:57] The analysis that VDOT will perform, assuming the road is approved, assuming Old Wheatland Road is approved, they will go out there and determine options, and then we can confer with Supervisor Kirshner's office.

[00:30:14] Okay, so let me clarify that. So the only road we're considering for paving in the six-year plan right now is that portion of old Wheatland Road? Yes. Yes, sir. Well, we could, and again, I defer to the supervisor, but it could be that at some point VDOT says this new type of aggregate surfacing is available to you, and we may come to the conclusion that that kind of surface on this portion of Wheatland Road would be appropriate rather than straight paving.

[00:30:44] Is that a possibility? That's available to you now. The treatment that we did on Nixon Road, we did under the Rural Rustic Program using these same funds. Okay. All right. Then I'll just defer to the supervisor. Thank you. Yes.

[00:31:04] Oh, okay. Okay. Thank you, Chair Randall. So just to follow up on Supervisor Turner's comment, for Old Wheatland Road, it may not be a hard surface, or are we only looking at hard surface for

this section of the road of Old Wheatland?

[00:31:24] It's to consider a hard surface on the segment of road between Rosemont Farm Place and Milltown. Okay, so it's hard surface that we're considering. Okay. So I went out there, and I saw a lot of cut-through traffic going to Waterford.

[00:31:42] So I'm a little bit concerned that, you know, hard surfacing that section will increase cut-through traffic. Was that looked at at all, going to Waterford? I believe part of the decision and the direction that we received from the board to limit the segment to be paved was to have a portion of the road remain non-hard surfaced or unpaved to discourage the cut-through traffic in the area.

[00:32:11] So it would not be a complete pavement from one end from Milltown to Route 9. There would be a significant stretch that would still remain unpaved. Okay. What is that stretch? Do you know? is it it's between bluebird ridge lane and it would be rosemont farm place assuming the board to route 9 to route to route 9 or well the road is paved right now from route 9 to bluebird ridge place okay i went out there and i saw some sections were paved and and some were not so it was yeah

[00:32:47] somewhere. So do you have, I saw that you had a ballot of 158 were mailed out. Do you know how many residents voted that live off Old Wheatland Road versus in the neighborhood that's connected to it? I don't have a tally of that at my fingerprint. Okay. But did you get a significant number responding from Old Wheatland Road that live along the road? There were positive responses from people that lived on old wheatland road directly okay or addressed on old wheatland

[00:33:25] right okay i just want to make sure that we're you know getting a tally from i know it's called old wheatland estates i think is the neighborhood but i just want to make sure we're we're also getting a significant response rate of people who live off of old wheatland road it sounds like we did okay thank you thank you mr crony miss brixman thank you what is the speed limit on on Old Wheatland Road? I believe it's 25 miles an hour. Okay, that's what I thought. I drove on

[00:33:58] it the other day. I saw a 25 mile an hour sign, but the entire road's 25 miles an hour. Do we believe? I do believe that. I think it was set by a resolution that VDOT had done years ago. Okay, okay. And is it, in your opinion, this might be a VDOT question, is it more safe or less safe to go from paved to gravel to paved to gravel and like back and forth is that more safe or less safe

[00:34:30] i'm not i don't know that that's been evaluated honestly okay that's a hard question it just seems odd to me that we would have a portion of a road paved and then a portion gravel and then a portion paved and a portion gravel like intuitively like i'm not a vdot engineer but intuitively to me that would make it less safe there are obviously a lot of factors being considered here and the

[00:35:08] desire for cut throughs traffic and reducing cut through traffic and speeds is is part of what's going into yes i see we're using that as a traffic calming tool basically that's what we're doing in my opinion but were you going to say something mr moza i'm going to say that we just there's would be one stretch of the road that would remain unpaved, not to, just to clarify, it is currently paved. Oh, if this were approved, there would only be one stretch that's gravel in the end? That's correct. It still is paved. It transitions back and forth, yes. It still goes, you would still go

[00:35:42] back and forth if you were driving the length of Old Wheatland Road. I mean, you would still be going back and forth, I guess. And then on, I believe what you're trying to say on the Cochran Mill Road is that it doesn't qualify under this program, but you have an assumption that it will qualify at some point,

like VDOT will pave it at some point under a different mechanism because of all the traffic that's going to happen with the new businesses and stuff. I think what's anticipated

[00:36:16] is there would be proffer commitments that would improve the section of road. There's a pretty large um proffer improvements okay it would be through the section of cochran mill that's unpaved is south of the w and d roughly yeah i know where it is yeah i'm actually when i get on it i'm like i'm so surprised it's gravel i try not to go on it but um okay i think those are all my questions thank you um okay uh do we know if i i'm going to make the assumption that the that the homes that

[00:36:53] that are off Old Wheatland Road or on Old Wheatland Road right now were by Wright. Is that a reasonable assumption? Yes. Is there any other homes that can be built by Wright along that road? I'm asking because, you know, what's being said is the full length of Old Wheatland Road is not being paved just where homes are.

[00:37:12] But if more homes come, more people might ask, those people who come in, we may ask for that road to be paved in front of their house as well until we've actually eventually paved the entirety of Old Wheatland Road. Does that make sense?

[00:37:30] We would need to see. I believe some of the large tracts of land that are out there have conservation easements that are recorded on them that would prevent that. That's a great answer, and I'd love to know the answer to that question as I try to inform my decision today because I don't actually particularly want the whole road to be paved, to be honest.

[00:37:51] So I know you said to me, Gas, want to make sure that I know that I know that I know. If you're saying to me the words hard surface, hard surface always includes some level of asphalt, whether it's, whether gravel's in the asphalt or gravel's on the asphalt or it's just asphalt, hard surface always means asphalt.

[00:38:18] I don't mean to confuse this more. I apologize. Hard surfacing really is a general term, right, that you're trying to better understand, obviously, and so it could include, like, concrete, like, on a bridge deck or something like that, or if there's areas of the country that use concrete in their pavements.

[00:38:38] We have not done that here, but we are, you know, willing to look into alternate methods and things like that. I guess a better question, I'm sorry to cut you off, I don't want to run out of my time, so I do apologize. A better question is, the term hard surface means the road changes forever.

[00:39:01] It would be changed, yes, unless another project came back and had to remove the construction. But then it would still be changed from what it was, yeah. Sure, sure. You talked about, and please don't yell out. I appreciate everyone has time to speak. Please don't yell out.

[00:39:16] You talked about what happened on Nixon Road. What is the, what kind of surface did you put on Nixon Road? I think, Susan, did you say that? Yeah. Was it a different surface put on Nixon Road? On Nixon Road, we went out and we did some geotechnical investigations out there, and they recommended a certain type of base that included asphalt and asphalt layers.

[00:39:45] So it's essentially a pavement section like you would see in a neighborhood, but then we did come back actually later and come and include what we'll call a double seal, which includes layers of aggregate and asphalt, that the asphalt is essentially gluing down the aggregate on the top of the pavement surface.

[00:40:05] So it's a paved road with a coarse surface on the top of it that has a look and feel of being an unpaved road, except it doesn't pick up the mud and the dust on the vehicles that unpaved roads typically.

[00:40:25] Okay, thank you very much. All right, we have lots of speakers. and I think we have more can you bring those up to me please thanks as I call your name if you come to the podium closest to you you have two and a half minutes if you don't mind saying your name and if you would like to say the district you live in that would be helpful I call your name three people in advance thank you very much I'll call your name three people in advance so that you can be you know that you are next up first up is William Clark followed by Jean Francione's block a beautiful name followed by Kathy

[00:41:01] goddess good evening sir good evening my name is William Clark and I live off Old Wheatland Road paving Old Wheatland Road is not about dirty cars it's about a multitude of problems on a rotten road the dirt mud rocks dust potholes washboarding puddles and asphalt patches that pound vehicles and humans alike the overgrown vegetation that blocks your site and scratches your car the sharp drop-offs that can pop tires and bend suspension components the blind hills and turns where often you meet an oncoming car in the middle of the road because it's too narrow there are growing concerns over the calcium chloride dust suppressant OWR is no longer a quaint country road it is a

[00:41:41] heavily used necessary piece of basic infrastructure for road residents and non-residents alike that is no longer practical to maintain it is battered by approximately 300 transits a day by residents school buses trash trucks amazon deliveries mail and ups trucks lawn services contractors etc a dirty gravel surface is no longer adequate safe reasonable or cost efficient why did i buy on a dirt road because you put a great neighborhood there you approved it you made sure that there was adequate school infrastructure and student slots you made sure there was fire and police support you ensured that the homes had electricity water and sewage but you didn't pave the road i was told by the builder that the road would be paved but i did my due diligence and i checked on

[00:42:20] on the escrow, and I saw the 612,000 that was put in towards the paving back in 2010. That was 14 years ago. What did you think was going to happen? Since then, the amount of road traffic has increased. As the homes have been completed, families have grown, and the business has expanded.

[00:42:35] Plus, and honestly, I didn't realize how rotten the road was until I drove it every day. Then I assumed that the road would be maintained properly. It has not and it cannot. Then I assumed that when the road reached a critical point of usage, problems, and finances, the BOS would pave. I assume that the BOS would listen to the majority of daily users and act to fix problems.

[00:42:53] Well, you know what they say when you assume. OWR is unmaintainable in its current state, which I remind you is already paved on both ends. It's terrible pavement, but at least it's not dirt. The BOS has wasted money year after year on this maintenance folly and sat on the escrow funds. Your inaction meets the county's own definition of waste.

[00:43:10] The daily users, the residents, have overwhelmingly spoken time and time again. The percentage of people who want this keeps growing. The ratio is now almost three to one. Motor vehicles need pavement, horses can do pavement, dirt, or pastures, and the county has never built a dirt bicycle path. The curves have crossed. It's time for action, and you have the ability to do this tonight and not wait another month for the business meeting to vote.

[00:43:31] Thank you. Thank you, sir. Just two things. In the room, there's no clapping, nor cheering, nor cheering at all, just because that's just the rules of the board. And secondly, the reason I asked if it was a by-right community, because a by-right community means no board approved this community.

[00:43:52] It's a by-right community. You don't have to come to the board for approval. It's a legislative application. So I don't even remember. I don't even know when it happened, but I just want to make that clear. But thank you, sir. And our next speaker is Jean Fanciones-Blanc, followed by Kathy Gattis, followed by Lisa O'Donnell.

[00:44:12] Good evening. Yes, good evening, ma'am. and board. Thank you for the time. Jean-François Blanc. I live in Concharton District, Senator Caleb, and I appreciate the time to speak. Also part of the Coalition for a Better Old Wheatland Road. So my wife, my two daughters, myself moved out to Waterford just over five years ago. We were the first house on the north side of Old Wheatland Road development. Beautiful area. We love living out there. Five years ago, the road was drivable and had no issues. It's And we knew what we were buying when we bought the house.

[00:44:45] Five years later, with the completion of the development, the road is, as Bill mentioned, unmaintainable in my opinion. And I believe VDOT's recommendation was to hard surface it and has been for a while. I mean, the washboarding, it just takes one rain and you've got excessive washboarding, potholes.

[00:45:04] My wife was, and if you don't have a 4x4, which not everyone wants or can afford, you basically can't drive a regular car. We have friends that have kept their cars in their garage for the last four years just because a smaller car won't drive through it. My wife was run off the road because somebody, you always drive on the middle of the road because it's a dirt road.

[00:45:22] My wife was actually sideswiped, hit the car, and ran off the road because someone was driving in the middle of the road. So the escrow has been in place, as mentioned, for years now. The expectation was fully that the road would be paved at some point.

[00:45:40] So we've been patient, and I don't see the road. Unless BDOT's going to scrape the road every time it rains, I don't see anything changing about it. And believe me, there's nothing aesthetically pleasing or otherwise pleasing about the road at this point. Matter of fact, the horses from across the neighbor like to come on our paved road to walk down the paved road and go back.

[00:46:01] And I ask the board to support Supervisor Kirshner and all the residents that live off of Old Wheatland Road, as we do, to vote yes on this matter i think it's both financially it's much more expensive to maintain this dirt road than it would after the initial capital outlay to surface the road and i think it's also ethically at this point the right thing to do as well so i thank you for your time thank you sir thank you very much um kathy i'm sorry kathy gottas followed by lisa o'donnell followed by eric king good evening hello we came here to talk about lena road in aldi um it's part of the

[00:46:39] well it's part of the it's part of the item okay yes it is part of the item so i'm absolutely okay thank you um everything that they said applies to okay in aldi it's like ditto so we live in the springs of lena neighborhood in aldi virginia the only way to get to our home is either route 50 or braddock road and when we're going on 50 you have to take lena road It's a mile and a half long, at least, and it's a gravel road.

[00:47:11] It's a safety hazard. Our cars have cracked windshields, flat tires, bent rims, often need tire alignments. The endless potholes are not only damaging to the vehicle, but a safety issue as well. It's

especially treacherous during poor weather.

[00:47:27] Getting two cars driving by at the same time is already difficult. And when the potholes are taking up half the road, it makes for a very dangerous situation. Trash trucks, construction trucks, school buses, Amazon trucks, many different types of trucks and cars have to use this road.

[00:47:44] And there have been accidents caused by cars sliding onto the gravel and into trees or into other cars, which obviously is worse when the gravel is wet. Going a different route adds at least 10 minutes. I don't see why we have to go a different route.

[00:48:00] the road is there, and we're constantly having to call VDOT to come and put more gravel down, and it's never done properly. There's always huge potholes, which we have pictures of. And the other concern is that our house is adjacent to Lena Road, and when the gravel is dry, dust from the road comes up into the air, into our eyes, lungs, and sticks to the siding of the house. We were advised on February of 2022 that Lena Road was approved on November 10th, 2021 for the six-year plan. And when I called earlier this year to check on it, they said it

[00:48:40] was removed from the plan. And from hearing other people talk, we never got any survey or anything sent to us. So that's all I'd like to say. And it's definitely draining on us to have to constantly clean the cars and it's not safe for anyone and it really needs to be paved thank you and we have pictures i don't know if you want them absolutely absolutely can you please um give them to the clerk if you don't mind okay and i have the email that says that the okay was approved

[00:49:13] on the plan okay thank you thank you so much ma'am um eric king i'm sorry uh lisa o'donnell followed by eric king followed by margaret sailor take your time take your time good evening good evening may it please the board feature of habit my name is lisa o'donnell and i'm a resident of the catoctin district supervisor kirschner's and i stand before you as a resident of the

[00:49:53] trevor hill community as well as the president of what the organization we formed called coalition for a better old wheatland road i want to begin by thanking this board for separating old wheatland road from the others. We know it's different and it needed to be separated from all the other gravel roads in the county. Why is it different? One reason it's different is 14 years ago on August 30th of 2010, a cash contribution agreement was entered into by the county and the developer of Old Wheatland

[00:50:31] Estates, wherein the county accepted \$612,000 to make improvements, I emphasize that word, to Old Wheatland Road in a quote coordinated and timely manner. I submit to you that 14 years is not timely. When asked why did you buy on gravel road if you didn't want to live on a gravel road the answer is simple because many of us were told that that agreement had been put in place and the paving of the road had already been paid for. That was the county's determination the number

[00:51:09] that was needed by the developer. So I'm here to ask you to act with your vote to pave Old Wheatland Road, to act in good faith and with fiscal responsibility, good faith in honoring an agreement that was entered into and signed by no less than three county officials 14 years ago.

[00:51:28] Fiscal responsibility, why do I say that? Well, also in good faith to your constituents who have spoken loud and clear. Petition with 120 signatures in favor of paving the road several years ago two ballots submit sent to all the stakeholders that lived on and just off the road with a super majority of two-thirds each time in favor of paving why is it fiscally responsible to do this i did freedom of information act requests to vdot and to the county to get information about what

[00:52:05] it costs to maintain this unmaintainable road as you've heard another speaker say it costs vdot Ms. O'Donnell, I'm sorry. Say what it costs VDOT, but then your time's up. Sorry. So finish your sentence. Finish. Cost VDOT, \$34,000 a year to do the maintenance.

[00:52:23] Over the 14-year period, that's almost a half a million dollars. Thank you. Thank you very much. And I'm sorry, I shouldn't have interrupted you in the middle of your sentence. I will always let you guys finish your sentence, so I apologize for that. Mr. King, Eric King, followed by Margaret Saylor, followed by Pam Ostrich.

[00:52:43] Good evening, sir. Hey, good evening. My name's Eric King, and I'm here with my other half, Christina. We live right on Old Wheatlands Road, the corner of Charles Henry Place, and I appreciate your time and attention on this important matter. The yellow shirts that you see us wearing, it's all part of a growing membership of the Coalition for a Better Old Wheatland Road.

[00:53:07] You're just seeing a small representation here today. And frankly, we're just exhausted over this road. I want to appeal to your common sense, frankly. No more delays. We are talking about eight-tenths of a mile.

[00:53:23] And to answer or address the statement you made, Ms. Brisbane, we're not creating an island within the Grauwe area. We are extending the road that's already paved. We're just talking about a small portion to make it safer and easier to ride on.

[00:53:40] Our coalition is organized. We're committed. We're well-funded. And we have members with expertise in all fields. and that we need to ensure all courses of action another key thing i'd ask that you refrain from listening to folks who are not directly impacted by this road there are lots of folks that have opinions about how this part of the county should remain with gravel but they don't live on the road and uh and many of them live on roads themselves so it seems like they're denying us what they already actually have. We, on the other hand, are directly impacted by the road's condition

[00:54:19] on a daily basis. I can assure you that no one, if you went to the Old Wheatlands or the Waterford Fair this weekend, no one had their windows down if they were going on Old Wheatlands. And I'm sure you didn't if you were traveling down today on the road and certainly wouldn't be in a convertible because the dust is just so bad. We're your constituents. We lived with this troubled road every day, and paving this portion of the road is long overdue. Speaking of paving, notice that the name of our coalition is not just for paving old wheat lands, but for a better old wheat lands.

[00:54:54] So we're committed to all users of the road, whether they're two wheels, four wheels, or four legs. We want to address traffic concerns, deal with in placing historical markers, because we believe that paving does not destroy history. Lastly, we're ready to fight for what we believe the rest of the county has a normal safe usable road for our daily needs you've seen the votes the demand is overwhelming the residents have spoken you have all the evidence sir and input you need please no more delays uh let's get this project done thank you thank you um let's see

[00:55:32] margaret sailer followed by palm ostrich and followed by james ostrich good evening good evening my name is margaret sailer my husband and i moved here to old wheatland estates um in 2021 in March. Every day I go to work, I see the children standing out at the bus stop. I am a demolition contractor, so I know the effects of silica dust, fugitive dust, anything that's going to blow into them, and it does. Every morning when the cars come out of the neighborhood, I see it go.

[00:56:03] There's children. They're sitting in my row. They live right on the street. They play. They ride their bikes. This has to be fixed. They cannot breathe this. This is horrifying that I see this every day so if you can it's common sense to me it should be common sense to everyone to pave the road for the children thank you thank you um pam ostrich followed by james ostrich followed by bill massey good evening ma'am good evening madam chair and board members my name is pam ostrich and i'm

[00:56:43] in favor of paving old wheatland road today i'm here to read a statement from an elderly neighbor betty hutchinson she's 92 years old she lives directly on old wheatland road and is in favor of paving she can't be here today because she's incapacitated with an injury about six years ago betty was in her car on old wheatland road and a car crashed into her car door at her daughter's driveway next door her car was totaled and she's been in a leg brace ever since the other driver came over the crest on the wrong side of the gravel road. I quote from Betty. My name is Betty

[00:57:21] Hutchinson. I'm 92 years old. I've lived in this house on Old Wheatland for 75 years. I am not leaving. I would love to see it paved. I don't want any grit on it. My house is six feet from the road. I can't get my mail without getting hit by dust. My mailbox is covered in dust. I can't open the windows on the front. The dust has ruined two of my sewing machines. I quit sewing. The top of my car is a vinyl top, and it is ruined because my car sits outside all the time. My heat pump is always covered in dust. Cars go by 40, 50 miles an hour, maybe faster, even though there are speed

[00:58:01] signs. If the road is paved, at least there would be no dust. I don't mind the speeders as much as the dust, unquote. That was Betty Hutchinson's testimony. I will say her historic yellow house looks gray and is in the worst condition of all of our houses on this road, from the road dust.

[00:58:22] Now, as for me, I lived two houses off of Old Wheatland for the past five years, and I deal with the dirt, the dust, and the muck. While driving, I've had near misses with speeding cars trying to avoid the potholes, the ruts, and the washboarding. It's a very dangerous situation, as you can see from betty hutchinson's crash i think paving would keep the drivers on the right side of the road i asked betty when will you get out of your leg brace and she answered when i'm

[00:58:53] in the casket please vote yes to pave thank you very much thank you um james ostrich followed by bill massey followed by derrick bennett good evening sir good evening uh chair randall and board members. My name is James Ostridge, obviously resident of Catoctin 10 District.

[00:59:29] Thank you once again for allowing us that live along Old Wheatland Road, Waterford, to make compelling arguments for paving Old Wheatland Road. We began this initiative over two years ago. And the time for you to act has come. It really has. We've worked very hard, organized branded ourselves uh coalition for a better old wheatland road we're very proud and we're very strong and we're very determined we launched a web page social media and all

[01:00:06] and we're counting on you to finally vote in favor of paving old wheatland road we are incredibly grateful to vdot's efforts to maintain old wheatland road we really are um however the volume traffic is such that within hours, not days, hours, the road degrades. That washboarding, potholes, all the rest of it happens within hours. If you don't believe me, come out after

[01:00:39] it's paved. Our coalition maintains constant communication with VDOT, and they've been great, as I said. I'm sure you've heard the horror stories, emails from us, especially over the past year, and

have seen the pictures. It does not make financial sense to keep throwing tax dollars at a road that is unsafe and unhealthy. We respectfully ask that you consider that the

[01:01:14] results of the petitions that have been mentioned here, the two ballots that overwhelmingly by two thirds two or three to one uh document document that most households who live along old wheeland road want it paved supervisor kirschner has done his due diligence and met multiple times with our side and the opposing side he's heard all the arguments and i'm sure you have too enough of the talk it's time for you as our loudon county leaders to vote unanimously unanimously please

[01:01:51] in favor of paving old wheatland road thank you sir thank you madam chair thank you um bill massey you will be followed by derrick van nutt followed by chris i think that's busting good evening sir good evening how you doing my name is billy massey and my family and i we're on the corner of old wheatland road and agi dream so we're right there on the corner we're pretty much in the center of everything. My wife is in the stands right now out there and so is my daughters. Today I stand before you to advocate for paving our gravel road and the

[01:02:29] urgency and concern. My wife and I have four daughters ages 8, 9, 11, and 13. Their laughter fills our home with joy but beneath that laughter lies a quiet worry about their health. Our gravel road poses a serious threat to their well to their well-being each airborne airborne particle of dust becomes an obstacle in their fight fight to breathe we yearn for them to breathe freely run run without gasping and dream without wheezing paving our gravel road is not just an convenience it's an investment for their future health and safety here are some of our concerns

[01:03:08] their respiratory problems dust from the gravel roads can exasperate asthma and allergies increasing the risk of chronic health issues visibility and safety dust reduces visibility for drivers posing safety posing safety risks my daughter tellers i'm her and her friends they have like a bike club in the neighborhood and they're always riding their bites and i see them outside and every time a car passes by they have to hold their shirts over their face and their eyes because there's just so much dust and we just kind of to catch it all by us being in the corner right there this is about the this is about the health of our children and the peace of mind that comes with knowing our community is protecting our

[01:03:46] youngest members we cannot wait any longer each day without this action is another day our daughters breathe each harmful dust paving our gravel roads is a necessity it will reduce dust create cleaner and enhanced um create cleaner air and enhance safety i will implore you and supervisors to vote in favor of a paving old wheatland road let's give our children the gift of a cleaner and the cleaner air and healthier lives thank you mr massey listen um i promise i'll listen to everything you said but i wish you could see your daughters on camera as they're watching you on camera okay

[01:04:22] because they were very proud while watching their father on tv so thank you um derek van mcnuttt i'm sorry, Van Nutt, not Van McNutt, Van Nutt.

[01:04:37] You got it. And then Chris, you'll be followed by Chris Buston and Brandon Buehler. Good evening. Good evening. My name is Derek Van Nutt, Catoctin District. Thank you, Chairwoman Randall and supervisors for allowing us to speak on this topic.

[01:04:53] This now marks the third time that I've come and spoken to you at one of these meetings, and I'm very hopeful for a different result this time around. Over last year, I've sent you several emails about

the concerns and frustrations that we have. We've invited you out to the road to experience the conditions that we face every day, every single day.

[01:05:16] Today, you've heard very real and compelling stories of our neighbors and my friends, but I want to go back to this moment one year ago at this very meeting. One year ago, Chairwoman Randall stated that she would find it difficult to support a proposal to pave Old Wheatland Road because we the residents moved there knowing it was gravel and that was the decision that we made. While that's very true, can't argue that, that mindset ignores a lot of important facts. So with the time that I have today, I wanted to go through some of those facts. Fact, many of us were told by the builder that the road would be paved and our

[01:05:49] decisions were made with that in mind. Fact, the builder told us that because they gave \$612,000 dollars, which is probably enough to pave the road at that time, for the sole purpose of paving the road. In fact, when many of us made the decision to move there, the traffic was a lot less, a lot less houses were built, so it was a much different situation, right? The situation now is completely different, and it's unbearable. And finally, the last fact, our request is a compromise, and since

[01:06:22] we're reasonable people, it's to pave 1.16 miles of gravel. This represents 0.46% of Loudoun's total gravel roads, a very small portion. And that's for the next five years, right? This isn't a huge request. This is a reasonable request. So I beg you, please don't ignore the facts.

[01:06:44] Please make the right decision. The one that should have been made many years ago. I have 30 seconds. My wife wanted me to point out that she was also driven off the road by somebody coming in the middle, pushed her off, damaged her car. It happens pretty regularly, unfortunately.

[01:07:00] We need to make a decision to pave this road. It's unsafe, and I appreciate your time. Thank you, sir. Chris Buston, followed by Brandon Buehler, followed by Tom Donahue. Good evening. Chris Burton, although Buston is a great last name. I just want to take, you've heard some compelling arguments I'm sorry it's okay I don't write very well I live in the same neighborhood and just want to address a couple of questions that came up again people made very compelling arguments and I want to second Betty Hutchison's testimony so as it is

[01:07:36] now going from paved to unpaved to paved it just goes paved unpaved paved and that wouldn't change at all so in terms of how safe it is you slow down for the transition and that wouldn't change at all. It would just be about 0.8 miles of gravel you'd be driving on instead of 1.5 miles of road.

[01:07:55] So that's there. In terms of using it as a cut through, right now, if you're driving down 287, it doesn't make really geometric sense to cut through. So the people that would continue to cut through would do it anyways. People come down, I think, Milltown from Maryland and Levittsville into the town of Waterford, but this decision doesn't affect that.

[01:08:18] We heard some comments tonight trying to avoid driving on gravel roads when they can, and I think we're all in the same boat, and not just for the dust. The dust is the least of the concerns. It's the potholes, it's the ruts, it's the loss of traction.

[01:08:35] I've seen school buses, fishtailing, and when you're driving on the right-hand side of the road, You either have to just hit the pothole or try to avoid somebody who's driving in the same, you have to sort of sacrifice a tire to avoid an accident. I don't have my children wait at the bus stop for the reasons that we talked about.

[01:08:52] I drive my children, my wife and I drive them every day because you see that the dust is unbearable. In terms of compromise, I think Derek was right. We would love to see the whole road paved and initially that was the intent and our understanding, but we're happy to compromise because this is a great first step and that hard surfacing would maintain the rural look some topography it would look aesthetically pleasing while still getting rid of those those problems and the challenges with the dust and the ruts and the constant resurfacing again back in 2010 612 000 was put aside and so now it's a question

[01:09:27] of stewardship so please vote to pave the road thank you thank you thank you um brandon i think This is Brandon Buehler, followed by Tom Donahue, followed by Emily Houston. Good evening.

[01:09:42] Good evening. Brandon Buehler, you got that right, in the Catoctin District. I wanted to just address some things that have already been addressed and thank everyone for listening to us and favoring us with allowing us to speak. I do feel that there's a lot of focus on the concern this would increase cut-through traffic, and I also wanted to address that. It's my own stat, but literally I feel it's nine out of ten cars are turning up Milltown coming through Waterford, and I really truly believe that any

[01:10:18] concerns about cut-through really aren't founded, and that's from driving this road for five years. And again, this is not creating additional island, if you will, of pavement. This is just extending the paved portion, you will still have the gravel portion there. I have also had damage to my car, bent rims, and I've had pinstriping because it is a real issue trying to get two cars through that road and not hit potholes, ruts, and also the vegetation on the side. There are tree limbs that

[01:10:56] hang out. There are residents that will actually go out and cut that down because it's not sufficiently maintained. I do appreciate the maintenance that is being done, but I'm asking that there's more to be done that will make it improved. I grew up in Central California where fog is a real issue. You have foggy days in school because the fog can get pea soup fog.

[01:11:21] I know there's fog out here, but I have not seen it as bad as in Central California. The dust, I literally have been driving on this road at days after it's been paid or fixed from VDOT, which I do appreciate, but then that level of dust has been so thick, it has felt like I'm in California with foggy days where it's very hard to see cars in front of you, and that, to me, is a very safety issue that I've driven.

[01:11:48] So I would ask that please use the funds that have been allocated. Recommend that this portion of the road does get the hard surface. I do believe that what's proposed for the hard surface, like Clefton or whatever that other road was, I've driven on that road.

[01:12:06] I think that looks very appealing, much more in a country setting than what is currently done. It is not pleasantly appealing what is currently there. Thank you. Thank you. Thank you, sir. I'll make sure I get everybody. Tom Donahue, followed by Emily Houston, followed by Jane Covington.

[01:12:29] Good evening, sir. Good evening. Tom Donahue, Catoctin District. I'd like to look beyond, really, tonight's discussion to look at the future of the gravel roads. Wheatland features the concurrent issue of the traffic congestion just noted in Waterford.

[01:12:45] And also, this issue does not address the broader issue of how we might manage the other gravel roads in Loudoun that we still choose to preserve. People rightly complain about the dust, the potholes, and the washboards of gravel roads, but these conditions are inevitable because of the way we build and maintain gravel roads.

[01:13:05] We dump on the roads soft 21A gravel, which quickly disintegrates into dust, even though VDOT specifies 21A as a base material, not a surface material. We don't address water flow, which then leaves behind the hardened shells of potholes and ruts.

[01:13:20] We maintain the roads by pushing the dust into the hardened shells, and that dust is then washed away in the next major rainstorm to reveal the very same problems, the very same potholes and ruts and washboards. There are better ways, better methods for building and maintaining gravel roads that have been developed in Pennsylvania to prevent degradation of forest waterways from road erosion.

[01:13:45] This approach involves gravel that does not turn immediately into dust, drainage that avoids road erosion, deep reclamation of defective road beds, and proper installation and maintenance that ensures enduring road quality. The district grants provide us an opportunity to shift from maintaining wrong to building right.

[01:14:05] As we move forward from the old Wheatland decision, we must shift our focus to the longer term solutions that solve the root cause for traffic issues around Waterford and that provide enduring solutions that will allow us to not just preserve gravel roads, but improve them as called for by the law. This longer term approach is the key to avoiding fights like tonight between communities. We can have our cake and eat it too. We can preserve our roads and not bust our cars if we make the right investments. Thank you. Thank you, sir. Emily Houston, followed by Jane

[01:14:40] covington followed by um patty um passaris and then do we have anybody else that's it all right thank you good evening miss houston good evening my name is emily houston i'm a resident of the catoctin district and a member of the rural roads committee like mr donahue i want to be forward looking in my comments and ask you three questions one regarding a developer's cash contribution to the county to have a section of road paved is this the way we want to make decisions about

[01:15:14] public assets in the future what if i lived on a paved road decided i didn't like it and gave you money to rip it up would you silly question i know but you get my point in the case of old wheatland estates this cash contribution was not a proffer and not subject to the legal and procedural oversight applied to proffers so again is this the way we want to do things in the future two do we want to have this type of public hearing again in which the road wars as supervisor kirschner called them play out here in the boardroom last year was recognized that a technical

[01:15:52] data-driven process was needed for making decisions about louden's historic unpaved roads developing this will take time but it's critical to get that right if we don't want to have the same battles year after year third question what about the legislation passed this spring in richmond the rural roads bill as it came to be called and which i'm proud to say originated with our committee gives you a powerful tool to have our cake and eat it too as mr donahue said it gives our county the flexibility to use state funds to fix a wide range of problems on our road

[01:16:30] including all of those you've heard about here and stretch the available money further than million dollar a mile paving let's use it i'm hopeful about the future loudon county can be a model for stewardship of a valuable asset and responsible allocation of taxpayer dollars at the same time thank you thank you and our last two speakers are jane covington and patty pisaris good evening is covington good evening thank you my name is jane covington of the little river district and

[01:17:05] i'm a resident of a gravel road i'm not here tonight to wave weigh in on the pave or don't pave decision but i'm here to advocate for more civil solution and fair and equitable allocation of taxpayer dollars for proper care of loudons rural roads a stand with supervisor kirschner in his efforts to avoid the road wars that have evolved around DTCI's pave don't pave balloting measures looking forward an appropriate process to resolve road wars might consider the following

[01:17:41] points planning policy please allocate funding for roads according to priority of need and planning policy. Repaving a paved section of Old Wheatland using \$917,000 of taxpayer funding doesn't make sense when there's an unmet need in the TPA. Funding is finite. We can't afford to pave our way out of this problem. DTCI's Pave Don't Pave ballot completely ignores the bipartisan work

[01:18:15] carried out by the General Assembly, which made available increased funding for gravel road improvement. Repair of gravel roads is far cheaper than paving at a million dollars per mile. The question is no longer pave, don't pave, but a nuanced approach of repair rather than pave.

[01:18:35] Safety. Using VDOT's own metrics, gravel roads are statistically safer. Gravel roads inherits traffic calming features, encouraged reduced speeds. Old Wheatland is a case in point. Five of the last seven crashes were on the paved portions. Only two of the seven were on gravel.

[01:18:56] Finally, efficient use and fair allocation of taxpayer dollars. I live on a gravel road. Why didn't DTCI ask me if I would like \$917,000 to fix my road? Why does Old Wheatland's repaving of a paved section receive preferential treatment? Moving forward, I hope the board will direct DTCI to work with citizens dedicated to finding workable solutions for care of Loudoun's rural roads.

[01:19:26] Thank you. Thank you, Ms. Covington. And then our last speaker is Patty Pissaris. Good evening. Good evening. Well, my name is Patty Pissaris, and I think I have a problem because I do love Loudoun's gravel roads.

[01:19:45] And I love them because, as you heard, they reduce car speeds, they make recreation on the roads safe, and I think they're economically important to Western Loudoun. I spoke before you last year. We had this kind of same meeting. I'm not sure why we're here again, but last year we hashed out a number of the pros and cons.

[01:20:06] In my mind, not a whole lot has changed. Last year we were told that the system used to make these decisions was broken. I think that was everyone agreed. And Supervisor Kirshner had said, and I quote, Each road deserves its individual consideration to come up with solutions and we will come up with a solution that has objective criteria that takes into consideration the people that live on the road, the historical aspects of the road, the safety of the road, and the fact that, and you said again this evening, we want to get it right and I appreciate that.

[01:20:41] But it seems to me we're not quite getting it right for Old Wheatland because we're pushing it ahead of these decision criteria that we discussed. Again, you know, why we're here, what's the rush? I know that there are some very valid concerns about the road, but what I'm not hearing a lot about is safety, and I think safety should be the number one consideration and the common ground between, you know, the road wars, paved and not paved. But I'd like to leave you with just three points, and that is that the crashes, you heard some of the statistics

[01:21:15] that more crashes occur on the paved roads leading into and out of Waterford than on the gravel road. I had also FOIA'd VDOT for information on complaints on the road, and over a six-year period,

there were 67 complaints.

[01:21:32] Fifty percent were on the gravel road, but 50 percent were on the paved road. So, you know, and that's about five complaints a year. And if you consider, you know, debris and downed trees in the road, it's not like a horrendous number.

[01:21:49] If you need to make a decision on this and you decide that the road needs to be paved, I would ask you to require VDOT to incorporate speed mitigation. I don't care speed bumps, speed cameras. I think that you're not familiar with that 0.8 mile stretch but it is a straightaway it is there are no curves there's no mitigation at all to speed thank you so much thank you so much thank you okay um mr kirschner i'm going to go to you for a motion thank you madam chair i move to the

[01:22:24] board of supervisors for the fy 2025 and fy 2023 secondary road six-year plan and fy 2025 construction improvement budget priority list to the november 7th 2024 board of supervisors business meeting for action and this is in my motion excuse me i further move that staff provide the following information with the november 7th item one a detailed map clarifying the exact locations with distances of where paving is in place will begin on old wheatland road and its end at the entrance of

[01:22:58] rosemont place two a vdot plan to fix drainage on old wheatland road along with a ditch on old wheatland near route 9 which was spoken about earlier and three a description of the pave in place treatment that will be considered old wheatland road specifically though i will second that mr kirsten i will second that but i do want you to go back up to your first sentence did i say something because i don't know um my paper says 2025 to 2030 you said 2025 to 2023 which goes

[01:23:28] back in time well yeah i misspoke okay so very okay cool all right all right um uh you well that's a whole separate motion that's not actually to add the rose you mean that that's she wants a friendly i think i if you don't want it that's fine i i not that i don't want it or want it i would consider that a friendly a friendly to a motion has to be about that motion i would consider that a separate motion which is fine let me just finish this first and then we'll just take your motion up okay mr kirsten would you like a opening i would thank you madam chair i just want to thank everyone

[01:24:07] who came out tonight and to speak it takes a lot to come out thankfully we got to you first um your input is very important regardless of whether you're on the side that wants to hard serve this or you're not and um it's really a delicate balance in my opinion of what we're trying to do in western loud and that is really preserve what the west is and what it looks like and what people appreciate about it.

[01:24:28] And then obviously we have ongoing growth and developments that pop up and roads that are getting a lot heavier traffic and trying to figure out where that balance is. And in the five years that I've been on the board, I have not worked with a program that causes, quite frankly, more division with our communities in Western Loudoun than the rural roads.

[01:24:46] And I'm going to write someday a book called The Road Wars of Loudoun County. VDOT's secondary six-year program in line it pits neighbors against neighbors and communities against communities and I've been out to many of them I have been last year I really appreciate the civility quite frankly that was spoken tonight I appreciate that we are getting to some solutions we're going to get there but as I said before and it was mentioned tonight the the process is clearly broken it's a reactive process it's not a proactive process and it's still we still need an objective road criteria and we're going to get there.

[01:25:25] It needs to change. We have been working in TLUC. It has been put on hold for the moment. I think my staff has been working with staff, along with VDOT, along with Cicrony's office, and Supervisor Cicrony, and Chair Randall's office, and we're going to get there. We're going to get to where we need to be on this, but it's going to take time and effort, and I agree with the Rural Roads Committee folks who came out.

[01:25:48] We need an objective criteria. I've got a few more things to say about that, but I have limited time, with it but the real i think probably on old wheatland specifically um this kind of deserves its own unique vote tonight um and i'm not planning i'm quite frankly supporting any more hard servicing on any other road until we have a criteria in place going forward that is my plan i can't say that for any of the other supervisors but i think wheatland is a little bit different it's unique in that and again we're only doing a small portion of it um as was mentioned by one of of the speakers we're we're extending the current paving on it but we're continuing to have a section

[01:26:27] of gravel in between which i think is important um one of the issues of course is the ongoing um what do you call it no i'm looking for the right word where the road deterioration of the road continues regularly i just it's partly because of the maintenance programs that we do have i agree that one rain and it's a problem there are ongoing mitigation issues i think with what this vote brings which is it is not paving or hard surfacing the whole thing i think we can bring a surface to it that continues to give it a role look majority of the people on the road absolutely want it we took a vote and i think finally there is a proffer on the table that we

[01:27:07] should not lose put leave on the table that's money on the table so those are the reasons i'm supporting this motion okay thank you miss brixman thank you madam chair if i might i have a question for my colleague from catoctin and then another question for vdot that's absolutely fine um what What are you pointing at?

[01:27:25] She turned on her light, I guess. Your light wasn't on before. Was it? Did I miss your light? It wasn't. Supervisor Kirshner saw it. Yeah. Well, if I miss your light, I'll come back to you. I'll come back to you. Reset for time and missed the crony.

[01:27:41] Okay, thank you. If I may ask Supervisor Kirshner. No, no, I'll come back to you. Oh, you're coming back to me? I'll come back to you. Oh, okay. No, I'll come back to you. So I just wanted to say, kind of a follow-up on Supervisor Kirshner, his comments. I do love rural roads, too.

[01:27:56] I think they're wonderful, and I think they make rural Loudoun County a unique and special place. I do think the system is broken and that we need to come together, residents and DTCI and even VDOT, to kind of figure out a process that makes sense.

[01:28:19] And I do want to bring it back to TLUC. I know it's on hold, but I think if we create an ad hoc committee to work with DTCI to develop a data-driven approach that is fair and equitable, you know, as far as the district grant funds for the care and management of Loudoun's gravel roads, I think that might be a good next step.

[01:28:45] And that might take us to where we aren't having these road wars and where we aren't um, pitting neighbor against neighbor. Um, I agree. I think, I think we can get there. And I think the general assembly saw the vision and, um, I'd like to make sure that we're not, um, putting this on hold for too long. I know it's on hold in, in TLUC, but I, I want to get it back to TLUC. And I would recommend, um, an ad

hoc committee, um, to really look at this and, um, come up with a technical data driven process um to kind of avoid these controversies so

[01:29:21] i look forward to working with everybody and i thank you for coming out thank you very much miss briggsman thank you uh as i said earlier i have a couple little questions and then quick comment if i might ask supervisor kirschner a question yes um you use the term paving in place in both in in your motion does that limit us to a certain technique uh because i heard us say earlier that hard surfacing can include any number of things from

[01:29:58] paving all the way to the other techniques so is paving in place a specific technique you're trying to make sure we do so i may defer to the staff my i ran this motion by the step my understanding is hard surface or paving in place would probably be interchangeable in terms of the terms am i correct about that or do we need to because the idea of course is some sort of hard surface what we do with the topping is a little bit different that's but but the problem with our current this current road and some of the other roads that we have chosen to use in the rural programs is they're not it's not a hard server so they just crumble they don't they don't hold up and yeah i understand

[01:30:34] so in my time can staff answer that real quick my suggestion would be to have it uh hard surfaced to uh through the v dots rural rustic road program i would move to amend that's which if i don't if i can speak manager well we're still in miss brixman so i i would just make a friendly that we change the term as to what staff says without objection okay without thank you um and then uh vdot um the the way you determine whether a road needs hard surfacing or

[01:31:09] paving is not necessarily just because you wanted to i mean you you look at the traffic on the road right? You count the cars that are using the road to decide if it needs paving, correct? You use a number of things. Under our program, we allow a certain amount of funds to hard surface to pave roads between over 50 ADT, but we don't provide any requirements as to how you select those.

[01:31:41] Interesting. Okay. Okay. Then I stand corrected. Thank you. I was at the Waterford Fair on Friday, And I made a point to go drive Old Waterford Road to experience it myself. And my opinion when I drove it was if you go 25 miles an hour, it should be fine.

[01:32:00] But I have to say that the stories I heard tonight are compelling. And I don't know if my vote's going to count, but now I'm back on the fence. And so we'll have to see what happens on November 7th. Thank you.

[01:32:17] So there are some things that were said tonight that I agree with, and there are some decisions that have to be made that I wish we didn't have to make, to be honest. I agree that at this point it's probably common sense. I agree with Mr. McNutt.

[01:32:32] When I used to work with clients, I used to say, when you know more, you do more, or you do something different. I think my question was valid. Why would you move on a gravel road and then complain about being on a gravel road? It seemed like people who complain about hearing airplane noise when they live near an airport.

[01:32:51] One lady that called me complaining about listening to cows, and she moved to West Atlanta County. I'm like, what is happening? But I do think things have changed because just the amount of cars alone has changed things, and that's just how it is.

[01:33:07] I do want to say one more time that when there are by-right communities, these are the things that are missed. That doesn't mean we don't want everyone who wants to live in Canada to live in Loudoun County, but a by-right community means it doesn't come before the board. And so technically there was not a proffer made because it's a by-right community, and proffers are by their very nature voluntary anyway.

[01:33:29] And so it's not technically correct to say there was a proffer put up for this because that's not how it works when it's by-right. But I get the underlying portion of when people moved there, they were told that the road would be paid because money was put forward for that.

[01:33:46] I don't think the developer had any right to tell you that, but it is what it is. We told you that that's what you were told. I would say that to staff to check to see what of this road is conservation easement, if we can do any more buy or write homes, because if we can, I want to make sure that things are not told to people that it's not factually accurate or that that person telling you has no control over any way, because I don't think that's fair to tell things to people before they move in.

[01:34:14] I also want to say that one thing that I did strongly disagree with is that because you don't live on the roads, you don't have a say. I do think our rural, rustic rural community has been kind of doing care and tending and the history of our roads for a long time, which has made Loudon a richer, more interesting place to live, just having that information.

[01:34:34] So I like it that people care even if they don't live there. Sometimes I get concerned that people only care of the section they live in. So I don't think that's an issue that you care even though you don't live there. But I do know that the people who live there are the ones who are dealing with the issues.

[01:34:52] I understand that the accidents are not maybe on the pay parts, but safety is not just accidents. It is also what's happening to you medically. And so that's also a safety piece of what's happening to you medically. And I say all the time, if I have to have one thing move me with everything else being equal, it's safety.

[01:35:10] And this, to me, has now become a safety issue. But I certainly wish we weren't here because none of this feels like it's something we want to be doing. But, Mr. McNutt, good job. Thank you. Mr. Kirsten, would you like a closing?

[01:35:26] Yes, just briefly. I won't use all three minutes, I don't think. But I just want to, again, thank everybody for coming out. Famous last words. My job is to listen to my constituents and everyone who's come here. And we've been doing that, my staff and I. We've had a lot of different meetings. We've taken multiple phone calls.

[01:35:42] We've talked to the folks from the Rural Roads Committee and the people from the various communities along the road. And I'm hoping some of the additional information I've asked staff to come back with between now and the January 7th meeting will be helpful and help kind of bridge some of the divide that's here.

[01:35:58] The fact is we have 250 miles in Loudoun County. in roads and gravel roads and quite frankly that's they're going to remain unpaved most of those and we're going to need to figure out a better way of doing this process because there's one million it's going to cost one million dollar road to kind of pave those that ain't going to happen we don't have that kind of money so a lot of people have spoken some of

my colleagues up here and we've got to figure out how to solve this controversy and one of the things I would point out that I think really needs to happen is the state and VDOT need to start stepping up a

[01:36:34] little bit and I say that with respect but the truth of the matter is we have some experiments that we have done we have a number of different solutions that for example Mr. Donahue mentioned that I think we could certainly move to going into the future to help improve our poor gravel roads I think some of the solutions probably would include better materials and maintenance experimental treatments that we use like on Old Waterford.

[01:37:02] I know that's expensive, but unless my fellow supervisors want to sit up here every year when we go through the rural roads program and hear people on both sides of this issue, we may have to invest some money, a little more money in that at a local level and also perhaps put in our legislative program, getting more money from our state to help with this.

[01:37:24] We need to identify some of the worst roads and probably increase, enhance our maintenance over a three to four year program. When roads are, when folks come in and want roads hard service, we probably need to run them through the criteria process that hopefully we are working on and see if they fit.

[01:37:41] I know the research council with VDOT is putting together some criteria and thoughts on rural roads, we probably need to incorporate that into our process as well. And quite frankly, until we have that objective process, I, hopefully we will have that by this time next year when we revisit these rural roads or certainly be on the brink of it.

[01:38:02] I think we probably need to say, put a hold on future hard surfacing. At least that would be my objective for the Catoctin district. I can't speak for anyone else in the other district. With the exception of those roads, the short portions, whatnot, that really make total sense. And I would obviously support those.

[01:38:19] So thank you for the support on this and I look forward to speaking about it again on November 7th. - Speaking about it down the road, wah, wah, wah. - It's a country road though.

[01:38:37] - All right, Mr. Kirshner made the motion. I second the motion, all the people say aye. Any opposed? That motion will pass unanimously. That motion will pass unanimously. Thank you everybody. Mr. Crony has a motion she'd like to make.

[01:38:57] - Okay, I move that the Board of Supervisors direct staff to add Red Hill Road, Gulick Mill Road, and Lena Road to a future VDOT Board of Supervisors joint public hearing in the spring before VDOT's next budgetary process.

[01:39:14] - Motion's made and seconded by Mr. Letourneau. I was looking at you, Mr. Kirsten, I thought you were gonna get there, but you were too late, too late, too late. - You were slow. - I'll defer to my colleague from Nullis. - You were slow. - Discussion on the motion, Mr. Croney? - Yeah, this will allow staff to begin the process balloting per board direction to the residents and landowners of property adjacent to or served by these roads.

[01:39:39] Red Hill Road is mostly in the transition policy area. It's east of Route 15, and it has three schools coming very soon. Watson Middle School's already on that road. HS 14 will be opening in 2028,

and also there'll be a future elementary school, so I do think it's worth looking at this road, having a public hearing and a ballot.

[01:40:09] God bless you. Gulick Mill Road is off of Sickland Road. It's partially paved, and it also is in the transition policy area. It connects to Loudoun Academy Drive, where the academies of Loudoun is located.

[01:40:24] It has been considered previously for paving. And there is also money allocated from the developer of Goose Creek Bend subdivision for Pave in Place. And that's Gulick Mill.

[01:40:40] And lastly, Lena Road is in the transition policy area between Trailhead Drive and Braddock Road. It has been on the six year secondary road plan before but was removed as the resident my district mentioned tonight and we've gotten lots of emails from the subdivision off of Lena Road asking to have that road paved. So I think I would hope the board would consider this request and again it would be a public process. I want to make sure all voices are heard but these three

[01:41:16] roads are east of Route 15 and they are in areas where we have lots of growth and I think it makes sense to explore paving in place. Thank you. Thank you, Mr. Crony. Anybody else? Would you like a closing? No closing, but I think the residents for coming out and speaking and for the residents that came out about Lena Road, and I look forward to the public process.

[01:41:50] - Wonderful, wonderful, thank you. I'm sneezing 'cause I went and drove down U. Ross Road and doing some research. That was my research. And that was the result of the research.

[01:42:05] Okay, all in favor, please say aye. Any opposed? That motion will pass 9-0, thank you very much. Okay, with that item, we, I will call the joint supervisors and BDOT public hearing adjourn, and now we have the rest of the public hearing, which is just two more items to go through.

[01:42:26] I'm sure you guys all want to stay with us while we do the rest of the public hearing. No? No? Okay. All right. Then we'll wait a second while the room clears out.

[01:42:56] Thank you, sir.

[01:43:19] Okay, the next item is in the Ashburn District. It is Trailside Park. there an applicant here for this item will they please come to the table how are you very good all right hello Dan how are you we're good we're ready when

[01:43:45] you are hello good evening good evening I'm Allison Britton with the Department of Planning and Zoning I'm here today for Trailside Park I wanted to offer the board the applicant has prepared a presentation and staff are happy to defer the presentation to the applicant um but happy to go through it also as well okay wait so you all don't we don't have a presentation we do a presentation from staff i'm looking at it would

[01:44:23] you like it yes oh that's a mr turner would you like yes we would since publication of the staff report staff have received uh seven additional public comments in opposition to the application citing concern for environmental and health impacts the subject property is 10.22 acres

[01:44:59] located west of Claiborne Parkway and south of the W&OD Trail in the Ashburn Election District. This property is on Planned Development Housing 4, PDH4, located in the suburban policy area in the suburban neighborhood place type. This site is currently the site of Trailside Park, a county owned public facility. The applicants requesting a commission permit and special exception to develop a 150 foot

monopole with a two foot lightning rod with capacity for up to four wireless carriers and an associated 1,850 square foot antenna hub site approximately 200 feet away.

[01:45:32] The applicant's additionally requesting a minor special exception to modify the landscape offers required around the antenna hub site. Here is a graphic of the proposed commission permit and special exception plat. You can see the monopole proposed on the left field baseball field light and the antenna hub site located behind the existing bathroom facility. Here is that plat overlaid with aerial imagery for a better visual in the location on the site here so as previously mentioned the monopole would have space for four future carriers the applicant's proposing to

[01:46:09] relocate the light fixtures to be about the same 80 foot height they currently are on the ball field and the applicants retained uh the note on the this note on the plat to self-limit the use of the 10 foot extension permitted without additional approvals pursuant to fcc regulations for county use only the applicant is proposing to eliminate as part of the special exception the buffer required around the base of the monopole to minimize impact to the ball field here is a zoomed in graphic of the proposed antenna hub site adjacent to the park bathroom facility the antenna hub site will be

[01:46:48] contained with an eight foot chain link fence with privacy screening and the applicants requesting a minor special exception to modify the landscape buffering as shown on the left here to accommodate its location against the existing bathroom facility and within the existing vegetated landscape. So the modification would be to the north part up here, where there's not green circles indicating trees, and against the building down here. The northern portion is currently occupied by tree conservation area, so the purpose of the modification would

[01:47:21] be to retain the existing vegetation. The 2019 general plan supports the provision of wireless connectivity in suburban areas, the county's strategic land use plan for telecommunications facilities establishes a hierarchy of location preference. The county's first preference is to have new antennas co-locate on existing tall structures to minimize the need for new tall structures. And the second level of preference is to locate new towers on public facility sites such as parks. This would incentivize the provision of telecommunications facilities but minimize

[01:47:56] impacts to the character of the surrounding community staff support the proposed revisions oh sorry staff recommend conditions relating to design and color to blend the proposed monopole with the existing ball field lighting in the surrounding area and buffering and screening of the antenna hub site the planning commission forwarded approved the commission permit and forwarded the special exception with a recommendation of approval and staff also

[01:48:29] Support approval of the commission permit and special exception. It was found to be consistent with the location character and extent envisioned in the general plan and the county strategic land use plan for telecommunications facilities.

[01:48:47] Staff are happy to answer any questions and have parks and recreation staff available. Mark Novak as well. Thank you very much. Mr. Turner. This is your district. I will come to you first, sir. Thank you, Madam Chair. This is a tricky question. I'm not sure if it can be answered either by you or the applicant. Do we have any data to reinforce the need that we're trying to meet here generically? I understand we may be meeting a need for an individual service provider for their business plan, but do we have any data at all suggesting that there are gaps in mobile coverage writ large across several carriers or just one?

[01:49:21] The application materials include one primarily, but I will let the applicant answer for other analyses okay thank you okay not yet when we come we come back around to you all yeah mr crony yeah oh thank you chair randall um has the county previously approved uh monopole uh light light pole replacement projects at parks they have um the ones that i'm aware of off the top of my head are at claud moore park and also at mickey gordon park and i believe um it may be in the town of

[01:50:00] leesburg limits but morvin park okay um i've heard that they have a letter from ashburn um farms um saying they don't have a problem uh with the application is that is that correct have you did submit a letter as part of their public comment okay is that because they're having uh gaps in coverage do you know uh i don't believe that was identified as part of the reasoning for the support in that letter okay um has milestone had other projects approved in the county

[01:50:35] with comparable distances to residential do you know i don't have the the data or the numbers on that um but i'd be happy to follow up if madam vice chair i think i can answer that question if well that would be up to mr crony in mr crony's time i had a house in waterford and i believe milestone built the tower at the old uh animal shelter which was the property immediately adjacent to my house and and that was desperately needed and i remember that when i lived there that we really needed that tower but i think that was you're in you're in laura's time yeah yeah that's

[01:51:13] fine um okay and um did milestone change locations of the monopole um in response to feedback from the community and planning commission concerns yes uh the original proposal uh located the monopole on the other light on that ball field uh and can you pull up a graphic here yeah let's see where that was so uh the other monopole the previous monopole proposal was um right around here with the um antenna hub site located back here picture here's a um maybe a better comparison graphic okay

[01:51:52] so the previous proposal had the antenna hub site located closer to residential by where there are park equipment sheds and it was relocated to be over here behind the bathroom facility and then the monopole structure was located from the right ball field light to the left ball field light oh okay okay thank you thank you that's all i have mr saynes thank you madam chair good evening staff kind of in the same spirit of mr mr coney's question this kind of reminds me of what we did

[01:52:32] a few years back in clodmore where we took a light pole and then put the the cellular equipment on top of that and then still had the light is that what we're proposing here as well correct okay and then if you can go to page two or slide two of your presentation okay no no yeah there you go now where because the image is illustrating before i really couldn't pay attention uh-oh where are we putting the light on this in this picture yes uh so it this um small structure yes

[01:53:09] right there that would be the bathroom facility so the um the equipment compound would be located right there and then the the ball yep exactly you nailed it okay so they're yes their homes in proximity but they're you're putting them as far away from the homes as you can kind of in in the center kind of sort of uh of the property correct okay and as far as you know for any of the other uh monopoles that we've put up say claud moore and the other examples that mr turner proposed have we received any issues or complaints once they're up with any noise or or anything

[01:53:49] that we know about uh none that we're aware of okay and if the applicant can be prepared to answer that same question when it's their time. Well, any complaints after the fact of it being put up. Okay. Thank you. My only question is, so the three planning commissioners who voted against this, one of them

was the Ashburn planning commission and one of them was the planning commission to the chair. So literally the two that would represent this area voted against it.

[01:54:25] I'm just curious because I haven't talked to my planning commission. I usually do. I think I missed her call. Do you remember why they voted against it? I'm just curious. Elements of the discussion related to the need in the area or the sighting within the park, the character of the park, just having a monopoly there at all might have an impact was generally portions of the discussion. Interesting. Okay. All right. Thank you.

[01:55:04] Hi. How are you all? You have 10 minutes. You can stay sitting there. You can stand up at the podium. Either one's fine with us. Evening, Chair, Board. Thank you for having us this evening. My name is Aaron Frank. I'm a planner with Cooley here on behalf of Milestone.

[01:55:21] I'm joined by Matt Penning, the Director of Development for Milestone, as well as Guaro Bell, an RF engineer. And I'll try to zip through this and appreciate some of the commentary so far. Our application this evening is one of many sites that has been developed in the county and many of the supervisors have good memories about some of those other sites.

[01:55:44] Milestone did develop a monopoly on the animal shelter as well as many other sites in the county and it works well for a few different reasons but notably from a land use perspective. The county owns different properties, of course, dispersed in different areas of the county where there are cell needs.

[01:56:03] These could be in commercial areas, industrial areas, or in residential areas. And finding ways to appropriately add cell service is not easy given the obvious visual impact. But there are park areas such as Trailside Park, where we're discussing this evening, where we can locate them but still be distanced away from residential.

[01:56:23] So how did we get here? There are some broader macro trends that many of us have experienced in terms of increased cell usage and cell demand. And in particular, many of us have dropped our landlines. And among those who do live in our house, we have more and more wireless devices, both among ourselves as well as our children, young adults.

[01:56:47] Our cell phones are being used for all sorts of purposes. 77% of 911 calls are made on a cell phone, but also the intensity of the usage has changed. Whereas we used to just send text messages perhaps a few years ago, we're FaceTiming now.

[01:57:04] You know, there are social media apps that are very video dependent. And as a result, we've seen since 2010 a 200% increase in mobile wireless data traffic over that period. And that's supposed to increase quadruple in the next few years.

[01:57:19] So these trends have all contributed towards the application before you tonight, but also to Supervisor Turner's point about the broader need in the county. Milestone actually has four applications that are currently pending. That is a uniquely large number, but it is emblematic of the varying of the increased trend and need for cell service, not just here in Ashburn, but elsewhere across the entire county. So at this site in particular, what we look for is It's an area of need and where are existing towers and where is service being provided.

[01:57:56] Trailside Park is identified on the star on this map and it's the hole in the donut. We have three towers that are located to the north, to the southwest and to the southeast and cell sites will typically

propagate about three quarters of a mile to a mile.

[01:58:13] So as you can see being 1.4 miles, 1.3 miles, 0.86 miles, it results in a service gap in this area. Service strength depends on a few different items, the number of devices in use, so there's a lot of rooftops as a predominantly residential area, so we talked about the trends a little bit earlier, but also we have the park itself with peak demands with baseball and softball games, W&OD next door, but very importantly, we have four schools very close to us with thousands of students and faculty, and I don't think I need to overstate the importance of reliable cell service for general order.

[01:58:50] emergency uses at schools. Taking a closer look at Trailside Park, the park is is somewhat divided into two areas. On the right there is a passive recreation area with a lot of woods surrounding some hydrology and this area is predominantly risk or buffer. On the left hand side of the park we have three baseball fields. Our effort here is to provide improved cell service where it's needed but also to be aware and respectful of our neighbors.

[01:59:22] So we want to locate the pole as far as we can from the residences to the south. As staff mentioned earlier, our application originally had the monopole co-located on this leftmost field, but on the right field line, right field ball field light pole, which is right next to the restroom facility.

[01:59:43] through the result of community feedback, but also since the time that we applied for the application, the risker boundaries have adjusted in a way that was positive for us to be able to move the equipment area deeper into the site and therefore move the site of the monopole to the left field baseball light.

[02:00:03] That increased the distance from surrounding residents to almost 479 feet, I believe. so here's a look at that pole location on the left field ball field light the equipment area is nestled behind the existing restroom facility that is going to be secured with a solid fence as well as a landscape buffer the facility itself the restroom facility and the woods are going to provide screening to the east and the north the pole itself is 150 feet tall

[02:00:44] And this poll is going to be built to allow for co-location for up to four different carriers. AT&T is the lead carrier on the site. And along with AT&T, FirstNet will be providing cellular service. FirstNet provides service to county public responders.

[02:01:01] The site, as far as review goes, when we apply for this, we do have an FAA review to make sure that there is no impact to airspace. There will be no illumination, and it must operate within FCC guidelines as well.

[02:01:17] So here's a closer look at that need that we were talking about earlier. And this is a propagation map that measures single strength. And the three triangular features on the left-hand side of the screen represent the existing towers.

[02:01:34] And you can see that green representing excellent levels of service. That means excellent service strength, no drop calls. that only extends a certain amount and then it declines into moderate or poor service. With the addition of the cell site that immediately provides an improved service level to excellent and we actually performed a more granular study called a drive test which showed even actually worse service conditions than this map shows here in the surrounding area.

[02:02:05] Here's a closer look at the landscape area surrounding the equipment area. We are providing landscaping along the berm that leads up to the baseball field to the left, and then the existing forest is shown to the north as well as the restroom facility.

[02:02:22] As part of its outreach, Milestone does send postcards. It publishes a website, and the postcards are sent to folks within a quarter of a mile radius. We acknowledge that with unique visual impact, we do need to notify folks who do live further away from the site as well.

[02:02:44] Milestone held a community balloon fly, as well as a town hall, and we are pleased to have the letter of no opposition from Ashburn Farm. Milestone also provides simulations of what the site is going to look like from different perspectives. This is from the east across Claiborne Parkway, and this is looking directly at the site.

[02:03:05] As we go into the site, this is a view that, frankly, you'd be looking at it if you're going towards the restroom, but if you're driving the car in the cul-de-sac, you actually wouldn't be oriented this direction. but it shows the existing 80-foot ball field light to the left and then the new 150-foot monopole to the right that's co-located with the left field ball field light. As you can see, the human scale perspective actually is very favorable in this case because the way that the 80-foot actually

[02:03:38] appears to be of a similar height as the 150 from this perspective. So in general, we're pleased to have staff and the planning commission's support of the application when we look for a site we do look to the comprehensive plan and we look to the zoning ordinance for guidance because we do recognize that these are not easy decisions so we look for the locational criteria and preferences the telecommunications plan expresses preference to co-locate with existing tall towers to locate monopoles on public sites and we've been able to do that but also respond to some of the

[02:04:18] community interest in in creating further separation which has allowed us to separate that further from the right field to the left field line in a way that we believe is compatible and with that that concludes my presentation this evening but we're glad to take any questions that the board has 45 seconds left look at that i know i know i apologize my motor mouth started going that's good that's good that's wonderful all right um mr turner this is in your district you would like to ask questions first thank you could you put the picture back up again of the the poll at the left field fence line that's that array on top is for single carriers so for three more

[02:04:57] carriers it would be an identical race stacked below that one correct that's correct okay thank you very much mr letourneau i was actually going in that same direction um i just want to confirm kind of in the public record right now the the carrier is at&t but there would be space available to lease for other carriers if they chose to on this tower that's correct have there been any discussions in that regard yet or not yet not yet what we often find is that once the first carrier joins then the interest begins from other carriers so right now it is at&t and first net okay and

[02:05:34] the location was driven primarily by AT&T's coverage issues potentially like with that map that you showed for cell coverage was that AT&T specifically yes that was okay do you have any idea what that map would look like for other carriers i'm going to ask our engineer and matt if you have any awareness of that yeah that's usually we don't receive those maps unless we engage or they make that site active and um so that's proprietary data that they don't usually share well let me ask you this way are there any other cell phone towers belonging to different

[02:06:10] carriers that didn't show in this proximity that didn't show up on the map no so it would be logical then if there are no other cell phone towers other than the ones that at&t participates in that are close by that other carriers might have similar coverage yes that's correct all right Thank you Madam Chair and thank you for the presentation I believe I heard that you have a lightning rod on top of the monopole is that usually done or is that because of the height

[02:06:46] or because it's at a ball field that is that is customarily with most of these poles it's a two foot lightning rod and that this 150 foot height compared to some of the towers that we showed on prior screen that's a pretty typical or actually below average height compared to some of the other towers let's see if you had anything to add nope that's right it's standard for all of our projects okay okay thank you mr zanes thank you madam chair well supervisor glass struck a question

[02:07:26] for me so following up on the lightning rock and everything further again for claude moore the pole at the animal shelter and a couple others have you had any incidents after installation No, I would say the closest we've come is a noise question as to whether the tower was generating additional noise, and we visited that for the animal shelter sites and then worked with general services and the neighbor and determined that wasn't caused by the tower.

[02:07:59] So, but yeah, no other complaints or issues that we've had. Okay, and those other ones have a lightning rod on top of those too? That's correct. Okay, and again, no issues? right and then after installation let's say claudemore interim shelter how long was it if there were if it did happen for other uh providers to to attach their equipment it varies i would say generally we're averaging close to two tenants per tower for the sites that we developed in in um loudon um you know usually within a year we'll get interest from another carrier uh is generally

[02:08:39] what we're seeing and then in your picture where you had the circle and then you have this thing this is the donut were any other carriers on those towers besides at&t i don't want to speak out of turn but my memory is that all the carriers are on all the surrounding sites oh like at&t verizon t-mobile right whoever okay yep okay very good so it's possibly reasonable to say if this was to happen they might follow suit on the on this one as well that's our expectation based on the density

[02:09:12] and the the i guess the trends that we're seeing in terms of coverage isn't necessarily expanding it's more identifying so the data rich apps everything that you need um we're moving towards smaller rings of service um so we're seeing more more of these sites um filling in these donut holes okay all right thank you mr crony uh thank you chair randall so i'm just curious um being on

[02:09:46] a county park site um do you um with the lease do you help with the park improvements like is there some benefit to the park um having uh your facility at a county park great question so as part of our agreement master license agreement with the county there would be space reserved on the tower for any county use so for instance obviously we're relocating the lights co-purposing the structure

[02:10:20] to have those lights on it but then if there were a need in the future for um public safety to come on the tower then we reserve additional capacity on the tower for for their need okay okay um the eight-foot secured fence for the hub site. You're going to buffer that as much as possible because I know that kind of sounds like it might not fit in in a park. Yes and this graphic does a pretty good job of what we expect to be the most visible vantage point in the park

[02:10:54] and that shows where the landscaping would be proposed right outside the equipment compound which is nestled right next to that restroom facility um and then as you go around that there's no real public means of access around the concession building it just faces existing forest um on the other sides and then the ball field and you see the berm as it goes up the hill so we wouldn't really expect it in our view and perspective we're trying to

[02:11:26] screened from where the screening will be useful uh and be seen okay thank you thank you okay we have um i from what i can undersee we only have one person speak on this item tonight and that person's on the webex um although you're walking up to me so maybe we have more than one person but let's go on and go to the while i'm taking this to the webex first chris um bowling is on the webex to speak to us tonight they're both they're all remote okay all right then mr what

[02:12:02] mr bowling they're all remote as it turns out the chris bowling uh or bowling just bowling is first hi can you hear me we can hear you just fine sir great hello everybody good evening i just want to make a few points regarding this um first off the only one that seems to want this tower is the applicant here, who, by the way, stands to make money from this. Ashburn residents

[02:12:37] and park users do not want this tower here. A neighbor of ours has started a petition on change.org regarding putting this tower here. And as of today, there's 512 signatures opposed to putting this tower here.

[02:13:01] As has been shown, there's three existing towers, just over, two of them just over a mile away from this, the other one less than a mile away. And me nor my neighbors who live in this area, none of us have ever had any sort of cell strength issues.

[02:13:25] And as a matter of fact, the AT&T website shows, when you look at their coverage on their website, they don't show any sort of a donut hole in this area. They show solid 5G plus coverage in this area. And that makes sense with the three surrounding existing towers that are about a mile away, one even shorter. Another point I want to make is that the Loudoun County policies of the telecommunications plan states that monopolies

[02:14:03] should be constructed to a minimum height necessary to accommodate at least three providers unless, quote, doing so would create an unnecessary visual impact on the surrounding area, end of quote. Well, this tower will be by far the tallest object in the area, definitely in the park, even much taller than the tree line, and this thing will stand out like a sore thumb. There's at least 50 residences nearby who are going to have a clear view of this from their properties

[02:14:42] and probably more if a new tower is really needed in this area sir i'm sorry to stop you but your time is up okay yes oh thank you very much our next two speakers are june jackson i'm sorry jane jackson and nancy nickel both um are remote as well hello my name is jane jackson can you hear me in the boardroom? We can hear you, ma'am. Thank you, Chair Randall and supervisors, for the

[02:15:21] opportunity to speak about my opposition to the construction of the 152-foot wireless monopole that is being planned for our small community park. I am a 20-year resident in Ashburn. I live south of Trailside and north of Stonebridge High School. The Ashburn HOA was mentioned, But actually, Trailside Park is not in Ashburn Farm.

[02:15:52] One, for me, this is not a buy-write opportunity that has plagued this county with too many data centers. We're surrounded by data centers, and soon Belmont Ridge will be another data center alley,

and those buildings are under construction. This is by special exception.

[02:16:12] The monopole will now be the focal point, the focal center of the park. It will further industrialize the area. The plan for this poll will put, well, I think they've already mentioned that there are already three polls between Belmont Ridge, the WNOD Trail, and Ashburn Road.

[02:16:36] The fourth poll is a mile south. And it was mentioned that three members of the planning committee, planning commission, were opposed to the project. And the reasons that they stated was that, and I'm just reading from their notes, the general extent of the proposed telecommunications monopole and associated antenna hub site are not compatible with the surrounding area and cannot be reasonably mitigated with conditions of approval.

[02:17:11] And second, the location of the proposed telecommunications monopole and associated antenna hub site are not in conformance with location policies under the Loudoun County strategic land use plan for telecommunications facilities and such non-conformance cannot be reasonably addressed with the conditions of approval.

[02:17:35] I appreciate all that the staff has done to review this. and all that Aaron Frank and Milestone have done to locate this poll in a different area.

[02:17:54] But as was previously mentioned, this is going to be unsightly. Ma'am? Ma'am? Yes. Thank you so much. Your time is up. Thank you. Thank you. And our last speaker, our last remote speaker is Nancy Nickel.

[02:18:16] Thank you. Hello. Can you guys hear me? We can. We can. Okay, thank you. I'm calling because I, like many residents and families in Ashburn Farm, are strongly against this proposal to build an unnecessary and harmful cell phone tower in Trailside Park.

[02:18:36] Milestone Towers has been continuously harassing our community with the threat of cell phone towers in our schools, parks, and near our homes. Over 800 signatures were collected to oppose cell phone towers from being built near our schools. In addition to those signatures, we have collected over 500 signatures from our community to oppose the cell phone tower proposal in Childside Park.

[02:18:56] The LCPS school board has taken our concerns seriously and now have revised their policy and placed a ban on cell phone towers from being built near schools for five years. They did this because they value our children's lives and know that the FCC has failed to respond in federal court regarding their outdated regulations.

[02:19:13] Now, Mouselon Towers is still here today trying to disrespect and bypass this ban by building near schools on county land. They will step at nothing to build these harmful cell phone towers at the expense of our children's lives. They don't care about our community, our schools, our children, and they don't even care about coverage.

[02:19:32] They only care about one thing, money. How much money can they save by building this tower on land developed for our community? They don't want to be told to look elsewhere because that will cut into their profit margins to develop that land to build a cell phone tower on. The U.S. Court of Appeals of D.C. has ordered the SEC to comply and respond to why their guidelines are so out of date and why they're ignoring 11,000 pages of scientific evidence that highlight the dangers to humans from exposures to wireless technologies, including 5G, cell phones, cell towers, Wi-Fi, and wireless networks.

[02:20:04] Just to name a couple, brain damage and brain cancer. Shame on Milestone Towers for ignoring our federal court's demand for better guidelines from the FCC to ensure the health, safety, and well-being of our communities. Your blatant disregard for human life is inexcusable, and we don't want you or AT&T in our parks, schools, or homes.

[02:20:22] With the rapid evolution of technology, these outdated FCC regulations are unacceptable. The FCC needs to respond in federal court, and until they do, no one can say that cell phone towers can be safely built near schools, parks, or homes. I'm confident that the Board of Supervisors will act in our best interest and protect our children and families by rejecting this proposal by milestone towers.

[02:20:44] And then I also want to point out in the beginning where you guys said that Ashburn Farm HOA supports this tower. As a resident, we have received email communications confirming that they remain neutral and do not support. Ma'am, your time has expired. Thank you.

[02:21:00] Thank you. Do you want to go straight to a motion? no so supervisors i was trying to figure out um what to do um with the the difference between the specs item and the commission permit uh because they're they're under the same um i just didn't know what to do with that so that's what i was trying to figure out um mr turner you you you were going to choose not to make a motion tonight correct i can make a motion you can make a motion. Okay. Madam Chair, I move the Board of Supervisors for LEGI 2023-0083, Trailside

[02:21:39] Park, CMPT 2023-009, specs 2023-0020, and specs 2024-0036 to the November 7th 2024 Board of Supervisors business meeting for action. Okay. Motion's made and seconded. And just to make sure, Mr. Rogers, this is fine. Just move all of it. We don't have to do anything else with 2B tonight? That's correct. You're actually looking at this. The Planning Commission approved it on September 12th. So we have time.

[02:22:10] Okay. Wonderful. Wonderful. Just want to make sure. Thank you. Mr. Turner, did you like an opening? Yeah. I want to meet with the applicant, if I can, between now and November. Just some more questions on coverage. I think what the constituents mentioned about cell phone coverage kind of resonates, and I would like to talk to you about that. I drove through the neighborhood I have Verizon as my carrier, and I noted that I was at one bar through most of the neighborhood on the east side of Claiborne Parkway.

[02:22:41] I could still call. I actually called my staff and talked in several places, but I do want to talk to you about that coverage. I would like to point out that I've heard the health argument before. First of all, I believe, correct me if I'm wrong, Mr. Rogers, but it's against federal law to deny this kind of an application based on health reasons.

[02:23:03] Is that correct? That is correct. That's what I thought. In addition to which, it takes me about 15 seconds to find very extensive articles that there's no conclusive data whatsoever that there are bad health effects from 5Gs. It's just completely inconclusive. So I am skeptical is probably the best word when I hear anyone say that these towers are going to cause brain cancer, premature births.

[02:23:31] We've heard it all over the last five years. and I'm sure if Supervisor Turner is going way back further than that, about the health effects of these towers, and I can literally, within 15, 20 seconds on the Internet, find a very extensive article from a number of reputable sources that that data has never been proven.

[02:23:51] It's irrelevant in this case because we can't use that as a basis for denial, but I would like to talk to the applicant over the intervening couple of weeks that we have here. Thank you, Madam Chair. Thank you very much, Ms. Umstead. thank you madam chair I will be supporting this motion and intend to support the motion when it comes back to us on November 7th I live in an area where I have very spotty cell coverage from a certain provider that the county

[02:24:29] uses. And I always know if someone in the neighborhood cannot get any bars at all, I know who the provider is. So when you've got emergencies, when you want a competitive set of opportunities for customers to be able to decide which provider is perhaps the cheapest for them or the best fit for them you need options and i view this as providing

[02:25:03] more options for the folks who live within range of this proposed tower thank you mr letourneau thank you um yeah you know we we have heard a lot of arguments um and one of which by the way is that not too much an argument is the fact that there's probably more radiation risk from the fact that we're constantly on our phones holding it close to our heads than I'm a cell phone tower hundreds of feet away. But nevertheless, I think that purely as a lane use matter, this actually seems like a good location for a tower. It's pretty well integrated. It's not directly near

[02:25:41] residential. I can understand somebody wouldn't want one of these in their backyard just from a visual impact standpoint, but this has now been placed in a pretty good location as far as that's concern integrated into the park and I mean the data is the data we just saw the data about the quality of the coverage I think you're probably trying to get ahead of what are growing problems we have big spots in suburban Loudoun this is not just a western Loudoun issue by any means this is you know the dense populated parts of the county it is not uncommon that calls are not necessarily

[02:26:20] going to the nearest tower because it's at capacity and so on and then there are implications to all that and it becomes a safety issue it really does you know having had the experience of call 9-1-1 at a county facility and having that go to a tower not even in our county because we were at capacity i i do care about this issue a great deal so i think when there are locations that make sense we should support them and this one appears to so my intent would be to to be supportive when it gets to the business meeting thank you miss Brixman thank you madam chair well first of all I believe this is completely different than

[02:26:59] locating it on school property there aren't kids here seven eight hours a day it's it's a park and you know while we are not allowed to use purported health concerns in our decision-making apparently the school board can and I am really disappointed that they have decided not to allow co-locating of cell towers on school property anymore because companies like you have put in a lot of work first of all to put those plans together given that you were told

[02:27:38] that we could do that and now there's two school locations in my district that have been shot down when we were just getting ready to to get them approved and I have constituents who cannot get cell coverage in countryside can I get I mean my school board member lives there and her calls drop when I'm talking to her at home so I will likely be supporting this application I think it's a very appropriate area I've spent a lot of time in this area actually my daughter has played softball in those fields when she was younger I have a friend that

[02:28:14] It dragged me up and down the W&OD for marathon training there, and I'm there on my bike almost every Sunday, and I will be there again this weekend, and I'll drive down. I'll go closer into the park

and check it out, but it is not accurate to say that this is going to be the tallest structure because, oh, by the way, Dominion power lines go right down the W&OD, and they are huge.

[02:28:38] They are huge, and I'm not saying you should add on and pile on and add on and pile on these sorts of structures but there's already huge towers there that are carrying power lines and it's this is very close to right where those are I think it's completely appropriate to put it here and and fix the the gaps that you have and like I said I will support this motion tonight and I will likely support the application when it comes back to the board thank you thank you I support the motion tonight and I will spend some time over between now and November talking to my planning commissioner and the community before I make decisions about what

[02:29:17] to do next. Mr. Turner, would you like a closing? All right. All in favor, please say aye. Aye. Any opposed? That motion will pass 9-2-0. Thank you very much. We are going to take a break before

[02:29:31] we do our last one. I need a break. Good evening. How are you all doing? All right. We're doing the

[02:51:25] stone hill item it is in the um that is where it's at in the sterling and little river it is i'm tired we're ready when you are thank you malison britain with the department of planning and zoning and i'm here today to present the application for stone hill since publication the staff report staff received two additional public comments one in support of the rezoning and one in opposition the subject property is 16.64 acres located east of louden county parkway and south of evergreen ridge drive in the sterling and little river election districts

[02:52:03] this property is zoned planned development housing for administered planned development commercial center community center and located in the suburban policy area in the suburban neighborhood place type the applicant is proposing to rezone the property from pdh4 to the r16 adu legacy zoning district to develop up to 104 residential dwelling units to include 80 multi-family stacked dwelling units and 24 single-family attached dwelling units with a total of 11 attainable units. The application would result in a density of 6.25 dwelling units per acre. The applicants additionally proposing modifications to

[02:52:39] reduce the minimum front yard requirement for multi-family stacked units, increase building height, allow units to front onto open space, eliminate the road corridor buffer width on internal roadways, and reduce the cemetery preservation buffer. Here is the proposed concept development plan with a legend on the bottom left-hand corner. The multi-family stacked units are identified in orange and the single-family attached units are identified in light blue.

[02:53:03] Active recreation areas are identified in purple and in the top right-hand corner of the primary parcel you can see the historic cemetery area identified in red. Active recreation, correct.

[02:53:21] That's awful close. Okay, I'm sorry, go on. No worries. In general, the 2019 general plan supports a 100% residential project on this site. Single-family and multi-family residential are identified as core and complementary uses in the suburban neighborhood place type but there are a few remaining outstanding issues with this application relating to compatibility oh sorry and transportation the 2019 general plan anticipates infill development in the suburban

[02:53:57] neighborhood place type develop at a density of six dwelling units per acre and anticipate at least 10 percent civic space the proposal would result in density of 6.25 dwelling units per acre which is

about four dwelling units higher than the maximum density envisioned in this place type. The applicant's also proposing less civic space in the place type anticipates.

[02:54:15] This application was analyzed based on the subject property area and the limits of this rezoning. The alternative proposed by the applicant is that this community would become part of the existing Loudoun Valley Estates to Homeowners Association. The applicant has provided several documents illustrating this intent and an updated proffer statement as of October 7th, but staff have not yet had the opportunity to consume in totality the new materials.

[02:54:45] So staff don't have a recommendation at this time, but would be able to provide an update at a future board business meeting. This graphic, though, does show four civic space areas are proposed. You can see on the bottom right-hand corner, Recreation D area would provide a total of 43 parking spaces to serve the pickleball courts.

[02:55:08] Staff recommend in lieu of the excess parking that additional civic space be provided, and in general recommend civic space be provided in more centralized locations. The subject property is located in the 60 to 65 plus LDN noise contour of the airport impact overlay district, but the property is proximate to the 65 plus LDN noise contour.

[02:55:34] It should be noted the application is in compliance with the standards of the revised 1993 zoning ordinance but as a matter of consideration staff have identified a potential incompatibility between residential uses and airport operations based on airport noise complaints in the area and the metropolitan washington airport authority noise contour map staff note there is an ongoing board-directed community process specific to this area related to airport noise the subject property is located about 400 feet away from the highest noise contour area in 2023 mwa received a total

[02:56:11] of 60 858 aircraft noise complaints can you pause just for a second if if if somebody else was feeling like i feel right now i'd send them home so i'm going to take my own advice hand the gavel to miss briggsman i'm going home thank you feel better that's okay proceed thank you feel better madam chair uh in 2023 mw received a total of 60 858 aircraft noise complaints and of these

[02:56:49] complaints about 72 percent of them were generated from residential communities adjacent to the subject property this is a graphic identifying flight paths within a 24-hour period with altitudes ranging from 1 000 to 2 000 feet the star identifies a one mile radius kind of shaded around the subject property at this time staff do not support the proposed zoning modification to reduce the required road corridor buffer width to provide an alternative design and recommend landscaping details and internal street sections be provided for staff to analyze the potential

[02:57:24] impact of this proposed modification. And finally, the proposal identifies two potential points of ingress and egress to serve the residential units, one right in right out from Evergreen Ridge Drive and one full access from Hopewell Manor Terrace.

[02:57:44] The access from Hopewell Manor Terrace, however, is conditional upon approval from the adjacent residential community and therefore is not necessarily guaranteed. So staff recommend two options. Either the application be amended to provide a revised traffic impact study to reflect the possibility of only one point of access, so staff may provide analysis of safe access, or alternatively, staff recommend the proffers be amended to recognize a subsequent legislative application may be necessary to reevaluate site access.

[02:58:19] At the Planning Commission public hearing in July, the Commission forwarded the application with a recommendation of approval with several revisions to address issues related to compatibility heritage resources and transportation. Staff recommend the application be forwarded to a future works business meeting to address outstanding issues related to compatibility and transportation. And with that, staff are happy to answer any questions. I have Lindsay Marfert and Marie Pham from DTCI available as well. Okay, thank you. This is in the Sterling district mostly, so I'll go to Supervisor Sains first. Thank you, Madam Vice Chair. Thank you for

[02:58:59] the staff presentation. I'll start with, you said you mentioned about the Hopewell Manor Terrace road connection. That's pending approval from the community next door. What do you mean by that?

[02:59:17] As currently proposed to obtain access from Hopewell Manor Terrace and provide that second access. It requires, it's a private road, privately owned. So it would require approval from those who own that property, which are the adjacent property owners. So would that be the Loudoun Valley Estates HOA or what is it? The Buckingham community? Who would they have to? Yeah, it would probably, it's that community. I'm not sure the exact entity, but it is that community. So like, okay, right here in the picture that where it says Loudoun Valley Estates too, they have to get permission from that community. Correct. Okay. Um, do we know if they have permission yet or?

[02:59:56] Uh, we are not, um, apprised of that, but we would recommend that, uh, the proffers be amended to reflect that. Okay. Um, how, you said there's a representative from LCPS on the line, is that correct? Or no? Uh, from DTCI. Oh, DTCI. Oh, sorry. Right. Do we know how, and again, in that neighborhood, there's Stonehill Middle School is directly across the street. Um, how do students get to that middle school do they walk or do they ride a bus there are existing pedestrian connections and sidewalks on either side of evergreen ridge drive and there is a

[03:00:33] crosswalk at the intersection uh here but um the whether students typically drive or walk i don't have that data but i'd be happy to follow up yeah well i hope they don't drive to middle school get a ride yes but if you follow up because to your point you said there's a yes guess there's a crosswalk at Evergreen and Loudoun County Parkway and on the other end but I'm dead smack in the middle so I got to walk technically all the way down cross then all the way back up which is not sufficient so could the applicant or has the applicant as far as you know talked about providing a crosswalk for this community that they're proposing uh that has not been

[03:01:12] identified as part of the application okay and they were pinned the planning commission approved depending they do a few items as far as you know have they've done all those things yet or are they still in process uh they have done uh most of the uh items the planning commission uh had sought with the only thing being kind of the administration of the uh approvals from the surrounding HOA and from the Hopewell Manor Terrace so they need to update proffers like you said and then staff

[03:01:48] recommended saying the density is too high, what would the staff like to see the density at? The density is currently at 6.25 dwelling units per acre and this place type would anticipate for infill development six dwelling units per acre. So that equates to approximately four. There's four additional units proposed in this application. What would that total number be? A hundred. A hundred. Okay. Thank you. Supervisor Tacroni. Thank you, Vice Chair

[03:02:16] Brisbane. So can we go to that picture, um, with the 400 feet, the airport? So, um, 400 feet is Birchwood and, uh, Birchwood at Brambleton has had significant, uh, noise impact, um, experiences and issues. Um, they, there have been significant complaints to, um, Dulles about the noise and because of the overflights. I noticed that during the planning commission meetings that

[03:02:54] additional noise attenuation would be applied, but I didn't see it in the proffer statement. Can you clarify, please? The applicant is meeting the requirements of the zoning ordinance, which does require in this overlay district to provide some acoustical treatments in each of the homes and the applicant has additionally added a proffer to conduct a noise study as part of the building permit submission and install acoustical noise treatments prior to any occupancy. Yeah but

[03:03:29] I noticed the noise study was mainly for Loudoun County Parkway was more for the road not for our airport flight noise so yeah I mean I'd like to see and I'll be asking the applicant about this windows that are, you know, will reduce the noise and also insulation because this area is going to experience significant noise.

[03:03:56] This is an area that I know from Birchwood will experience significant noise. So another question I had is compatibility with Birchwood. Is it compatible? I saw that it's compatible to developments to the east, which is Loudoun Valley Estates, was Birchwood looked at too for compatibility it was um evaluated for compatibility based off of the density of all of these surrounding areas um this while this density is higher than this place type anticipates um should this application um be incorporated into the greater Loudoun Valley it

[03:04:33] would um it would fit with these um these areas were concentrated as part of their larger developments right in this area. Okay, and then I said I noticed the cemetery is counted as civic space. Is that correct? No. Okay, and I am concerned about reducing the preservation buffer. I mean, that took a, that was a big accomplishment, getting a preservation buffer around cemeteries, and so I am concerned about reducing that at all, and I noticed that we're reducing it from 25 to 20

[03:05:09] fee can you is that correct correct it is only in one uh area of the proposal okay it is in the corner and i can pull this to demonstrate it's a small corner here but it is a to permit a five foot encroachment to accommodate this stick of um residential thank you i'm a little bit confused about the airport overlay are they in any of the noise contour over noise contours are they in the one mile buffer where where is this property they are it's the it's the medium one the 60 to 65 plus

[03:05:47] ldn noise contour okay okay so residential is permitted but noise attenuation required correct are they uh would the builder be required to um disclose that uh the residences are in the contour i know i know the answer for the initial purchase they would for the initial purchase for the initial purchase okay okay thank you those are all the questions I have thank you okay the applicant has 10 minutes you can stay at the desk you can

[03:06:25] go to the podium great if we can just pull up our presentation that'd be great for the record my name is Molly Novotny I'm an urban planner at Curata Partners pleased to be here before you tonight with Angela Rossus with toll as well as several members of our team as well I will start by saying that this project project is about 16.5 acres contained within the Loudoun Valley Estates 2 communities.

[03:06:49] You can see outlined in red is that 860-acre community that Toll Brothers has been building out for the last couple decades. This is the last developable piece within that community. It is planned for

suburban residential, which does allow the four units per acre, with infill density up to six units per acre.

[03:07:11] His property was originally zoned for 100,000 square feet of retail. But for the past 20 years, it has not developed with retail. Some retailers, namely a gas station, were interested in the site, and when we took that to the community, they said, "No, thank you." So Toll Brothers looked to do some other uses here and looked to draw density and other compatibility issues from what's built immediately around it, and that is how we've come to the application where we are today.

[03:07:38] The reason retail did not work or was not successful here is evident with this map of the prolific amount of retail that is around the property, as well as the Bram Quarter retail, which is currently under construction now. And so when we looked to rezone the property to allow it to develop, we came initially forward with a multifamily attached project.

[03:08:01] It had about 250 units, as well as some standalone retail. Took that to the community and they said, "No, thank you." So we came back and said, okay, what else can we do here? So we took very, very clear cues from the most proximate communities to us, which is Buckingham and then other areas across the street within LVE2.

[03:08:24] What you see on this image is all of the dark colored roofs are stacked units, or those two over twos, and then the light colored roofs are the townhouses. And so our proposal has similar colored roofs to kind of show how we are matching the density and the uses. We've lined the southern portion of our property with those single-family attached units, and then on the internal portion are those stacked units.

[03:08:49] We have 80 stacked units and 24 townhouses. We have been working very, very closely with the Loudoun Valley Estates community. We've been before that board at least five times and have heavily negotiated all of our recreation spaces with that board.

[03:09:08] The development, the buildings are very similar to what is built across the street. They are the same height. They have very similar modifications in terms of setbacks and landscaping as the units in Buckingham Palace. We're really trying to finish this Loudoun Valley Estates II community with a very similar type of architecture, just modernized a little bit.

[03:09:31] This is one of the active recreation spaces for the new residents. And so what you'll see in red is the cemetery preservation buffer. This includes both the protection buffer and the preservation buffer, as well as the cemetery. Toll Brothers protected this cemetery, put up the fence, moved the stone house that's there today, and we have proffered money for signage for the Mankin Cemetery to help educate the public about what's there.

[03:10:00] Working, again, with Loudoun Valley Estates, too, the amenities that we're showing to the of the cemetery are located in such a manner that they requested they be located. The grilling area in the gazebo, they asked for them to be in that location, and we relocated the tot lot there to create really a nexus of activity in that area. The cemetery preservation buffer that we are modifying, it is only 147 square feet. It is a very, very nominal area, and in lieu of that, we are adding 680 square feet of protection in the upper right corner. So we are, you know,

[03:10:39] providing more than triple the amount of what we are taking away. This community park is on a one acre parcel that, that, that we own. We originally showed townhouses and stacked units in this project. As I said, we started out with 250 multifamily attached units. We then reduced it down to about 130 units, then we dropped it down to 119 and now we're at 104. So this parcel previously had two over two

units in it and the community said what we really, really need are parking spaces. These parking spaces are not for our units, although they

[03:11:17] can use it, but it is really to serve the existing two over two units that exist in that area. And then we also had, we also looked to amenitize it and that community said we don't have pickleball courts. We need some more lawn space. And so these are very specific active rec items that the community asked for. This is in addition to the active rec that we need from a zoning ordinance perspective to meet our demands. Same thing with the parking. All of this parking is in addition to what our demands are. These are just the meetings that we've had with the LVE2 community, and we've been in constant conversation with them. School capacity, it always comes up. I

[03:11:56] wanted to put this slide in from the staff report. There is ample school capacity at all of the schools. The question about how the students from this side of Evergreen Ridge get to the schools, they are actually not in the walk zone. So school buses come to this property to pick up the students. There is not a mid-block crossing today, but we are contributing the \$6,000 to regional roads and transit, and we're happy to allocate that to study and potentially construct if VDOT allows a mid-block crossing to help get the folks from this community as well as the existing

[03:12:29] communities to the school. One of the underlying issues in the staff report is really, are we part of the LVE2 community? We provided this deed of recordation, which was done back in 2018, and it clearly states that land bays 4R1 and 4R2 are subject to the terms of the declaration. We are part of LVE2. It was done back years ago. And this parcel shows 4R1 is the yellow parcel and 4R2 is the brown parcel. And then additionally, the HOA sent this letter dated September 10th that

[03:13:07] said they acknowledged that these homes will be part of Loudoun Valley Estates 2. And then because the issue still seemed unresolved, we had the HOA's attorney send an email to us today that we then forwarded to staff that reaffirm that we are part of the LVE2 community. That's so important because that resolves a lot of staff's issues about density, about open space, about kind of the amenities that we're providing here. Again, overall density, when you consider us within Loudoun Valley Estates 2, with these 104 units, the overall density is only 3.27 dwelling units per acre,

[03:13:44] so well below the suburban residential place type goal of four units to the acre. But then we looked even closer. So if you look immediately to our west, or I'm sorry, to our east at the Buckingham project, they have 9.53 dwelling units per acre. And again, our application is just 6.25. So to Allison's point, this area is a very densified portion of LVE2. Airport overlay, this map shows everything that is bold here is within the 60 to 65. Everything in purple is residential. We are not

[03:14:18] asking for anything that the ordinance does not allow. This is an area that is permitted to develop with residential. The county studied this significantly during the comp plan rewrite, as well as during the airport overlay district, and this area was not removed from this LDN area.

[03:14:38] Conversely, Cedar Terrace, that property was removed, and Tollbrothers is developing that, and they removed the residential from that because that was a county policy. But the county policy here does allow residential here. We did take these items out of the proffers because they are required by the zoning ordinance. So we took those specific commitments about acoustical treatments out of the proffers at staff's request. Staff said, there are already a zoning ordinance requirement.

[03:15:03] You don't need to proffer them, but we are committed to them. And then civic open space, the property has more than 39% open space, only 30% is required. So we are well in abundance from open space. And then in terms of the modifications, staff had asked for some sections in their staff report, and so we've prepared the sections to show that even though we are reducing the road buffer and the setback, the buildings still are not right on the street. You still have, you know, a six-foot sidewalk and plenty of landscape area. And so with that, I'm happy to

[03:15:40] answer any questions. Thank you, Ms. Novotny. I'll go to Supervisor Sains from Sterling first. Well, thank you, Madam Vice Chair. Appreciate it. Thank you, applicant, for your presentation. So we've had a few discussions on this application, and thank you for those discussions.

[03:16:01] And I've shared some concerns regarding the density. So would you be willing to go down from 104 to a little bit lower? Yeah. At your request, we did study that. So right now at the 104 units we have the project generates not the need for nine 80 use and we've added two unmet housing needs units. So if we drop down to a hundred units, we would generate the need for Eight 80 use and we would still do the two unmet housing needs units. So to drop to 104 units We would lose an adu and so we'd be losing one adu and the in three market rate units

[03:16:38] So is that a yes or no to go from a hundred and four to a hundred if that is the will of board yes we will do that but i just wanted to be clear that we do lose an affordable unit with it understand well that would be i can't speak for the board but that would be my preference because i i do believe that uh even though yes you're adding some parking as we discussed uh numerous times yes you are adding parking and rightfully so but i still feel by adding more residents there's still going to be some parking issues in this neighborhood uh and full disclosure i do have have a family member that lives in this neighborhood in Buckingham and so I'm quite frequently over

[03:17:16] over in this neighborhood so I see I've seen the the issues with parking over the over the years because their original owner once development came online and let's talk about the the crosswalk because yes even though this neighborhood is not in the walk zone which is very interesting that you're living directly across the street from a school but you're getting picked up by a bus which is interesting i think that's something a whole nother conversation that needs to be had about that but well is the applicant willing to proffer a crosswalk or a crosswalk warrant study for for evergreen ridge drive because this community is very active if you go there

[03:17:54] during good weather from loudon county parkway on one side all the way down to the other side You will see this whole neighborhood out walking their dogs, riding their bike. They're playing at the tennis courts that are already there, the basketball courts that are there already.

[03:18:13] It's beautiful to see the whole neighborhood on both sides of the street. Everybody's out enjoying nature. So I think it only makes sense for us to add in some crosswalks at some point during the stretch on Evergreen Ridge Drive. Yeah, so I'll preface my response by saying we have contributed with the recreation facilities for the community and with those parking spaces.

[03:18:37] We're also adding a turn lane at the community's request. It's about a \$600,000 package to the benefit of Loudoun Valley Estates, too, above and beyond what this project would generate the need for. We do have, we have provided the bus shelter. We've got significant other commitments. We have about more than half a million dollars toward regional roads, and we would be happy to contribute and allocate a portion of that money to study the crosswalk and then construct it if needed.

[03:19:02] But it would be an allocation from our regional roads. Sounds perfect. Supervisor Tacroni. Thank you, Vice Chair Brissman. So I would like to see in the proper statement, the acoustical treatments, just because the amount of complaints that the airport has received just south of this development at Birchwood.

[03:19:25] I'd like to see very specific, you know, with the windows and the insulation, you know, at least at LDN 67 standard. Um, if you could look into that, um, because I, it, it needs to be very, um, uh, very, uh, rigorous standards because of the amount of complaints that we've received.

[03:19:50] And I want to take care of residents because the noise is significant and you guys are going up 55 feet, my understanding with your building. Yes, I already have the proffer drafted. As I said, we had it in there. We'll make sure it references the 67 LDN. Okay. Thank you. And then your two over two units, you said you were serving some other, you were serving um, London Valley estates with the parking, what happened there that they don't have enough parking? Do you know? So parking rates have changed over time. Okay. Right. And so when I say they don't have enough parking, that's from their perspective. It's not from a zoning ordinance

[03:20:24] perspective. Oh, okay. Okay. Um, and then it sounds like, uh, we may get a crosswalk and, um, I was wondering, because of the taper that VDOT is probably going to require for Evergreen Ridge Drive, the taper, you may have to take some of that preservation buffer for the cemetery.

[03:20:49] So there's four units just to the south, four townhome units that can potentially lower that density to 100, and that would allow you to replace that buffer that you're going to take for the Evergreen Ridge Drive taper. so I don't know if that can be a consideration. So a couple things. I just want to be clear on the turn lane. We have submitted a modification, a waiver to not do the turn lane, and so we should hear from that back from VDOT in terms of if that's needed, but if it is needed, it would only

[03:21:26] impact the preservation, not the protection buffer, so I do just, you know, hopefully that sets you a little bit of ease? Well, I'm into both. So we worked hard on that cemetery. Understood, understood. But the preservation buffer is not as, it's farther out than that protection buffer.

[03:21:42] No, I know. It's 25. Yeah, 25 feet. And so it would impact an area there. The preservation on the, where the units are on the south side of the cemetery, it would, the encroachment really affects one unit down there, not all four of those units. No, I know. But as you're considering reducing the density maybe take a look there okay to so that it doesn't i don't know if supervisor sayings would agree but um that way you're you're able to mitigate some of that yeah we can look at that when we spoke with supervisor sayings we had looked at removing two of the two over two units

[03:22:15] that are closest to hopewell manner okay um okay thank you but yeah thank you um so on the pickle pickleball courts. I'm sure you've heard the issue about HOAs and communities wanting to convert their tennis court to pickleball, and they've gotten into trouble because they say specifically tennis court. So in your proffer, are you actually saying pickleball? Because 20 years from now, we may run into the same problem. So we've gotten smarter. And so you do say pickleball, but then we also have a proffer that says after they're built, if the HOA wants to change those

[03:22:51] public recreation facilities. Okay. As long as they meet the ordinance intent, they can. Okay. Okay. Great. Great. Um, and then I agree with the, with the crosswalk. Um, I wanted to talk a little bit about connectivity. Um, I was wondering if there's any trails going in here in this area, like natural surface

trails. So we had previously had a trail go through there, but that is through the RISCAR and the floodplain. And it also was going to use part, it was going to use a segment of the trail that served the stormwater management ponds.

[03:23:25] And staff has a position that they want those stormwater management pond access roads to only be for vehicles and not for people, and so to separate it. And so rather than- This? Well, it would- That's the access road? No, the access road was over to the left where you can see that.

[03:23:42] Okay, oh, okay. So rather than kind of bring folks back there through the RISCAR, and we focused instead on reforesting that area and linking our trail network to the existing Orange Trail But is that paved or natural surface? Which one?

[03:23:58] The orange trail is paved. Okay. So, I mean, I don't know if you can look at it again, but you know the beginning of the Broad Run Trail is like right here. I should say the dead end of the Broad Run Trail is like right there. And we're putting, I mean, it just makes sense to me to connect to the natural surface trail in your tree area.

[03:24:19] Yeah, we can look at that. Okay, that'd be great. But we do connect to that trail using the Orange Trail. But yes, I understand your question. Maybe you can show it to me some other time. Okay, okay. Happy to do that. And what's the percentage of attainable units then if you stay where you are?

[03:24:41] So we have 7% multifamily stacked and 12.5% single-family attached. It's about 10.5% total. We are under the revised 1993 ordinance still. Okay, okay. I don't want to go against my colleague, but I would rather keep the ADU, frankly, and not reduce the density, especially given what you described about the density around there.

[03:25:06] And also, you're over-parked, as I understand. I know that it's supposed to serve the other, but the application itself is over-parked, correct? Correct. So our property generates the need for 232 parking spaces, and we're providing 312 on our side of the street, and then we're providing 43 on the other side.

[03:25:27] So we have a total of 355 parking spaces for these 104 units. Okay. Okay. Thank you. Okay. We do have, this is a public hearing. I have one speaker signed up. Is there anybody on? Nope. Okay. Great. So I have a Stephen Hoffman.

[03:25:45] You have two and a half minutes. either podium is fine. Good evening. Thank you for waiting. I'm Stephen Hoffman. I've been designated to represent the Loudoun Valley Estates to HOA, and I'm pleased to tell you that it has nothing to do with gravel roads or towers. I want to emphasize that LV2 HOA has worked with Toll Brothers for a considerable period of time, and I think I can address some

[03:26:20] of the Mr. Seen's concerns what I've done I don't know if you have it but I put it into the record I'm a cover letter which you know basically indicates that I've been authorized to speak for the HOA with regard to support of this development in the second piece of document is a letter signed by the president of the HOA which is saying that in addition to the agreement which i'll get into between toll brothers and the community we are not going to oppose this

[03:26:56] development as proposed i appreciate the issues that you've raised and i think i can address some of those but for the record toll brothers and and you have a i can put copies into the record but i sent you copies and i have additional copies for your review the agreement was signed september 10th and it

basically um goes over a number of points one being the construction of additional turn lane on hopewell manor um i can address the i've walked the site myself and i can also update

[03:27:35] you on the relationship between toll and the cemetery which is a complicated ownership issue the the um agreement we have um also consists of um additional of the 43 parking spaces and the reason that were that the community was so um and pleased of working out an agreement with all um i'll have to speak faster um we we um went when the development was put in uh people had more than one car and sometimes two or three and people were parking on hopla manor and that's become an

[03:28:10] issue so this the additional parking spaces will substantively improve parking ability and safety the other issues that were raised in the agreement include the the two pickleball courts a gazebo and four grilling stations the construction of a tot lot there are financial agreements which i don't want to get into thank you mr hoffman yeah if you have anything else you could you've well you've already emailed us all this information so we'll definitely take and if there are questions yeah that were raised like we've got time to answer them no sir sorry two and a half minutes

[03:28:46] equitable for everybody okay uh thank you those are all our speakers for this item um are we going to a motion supervisor sayings thank you madam vice chair i move that the board of supervisors ford uh oh whoops wait a minute that's not the right motion here it is i move that the board Supervisor Ford Ledge 2023-0076 Stonehill ZMAP 2023-0007, Special Exception 2023-0042, ZMOD 2023-0065, ZMOD 2023-0066,

[03:29:24] ZMOD 2023-0067, and ZMOD 2024-0004 to the November 19th, 2024 Board of Supervisors Business Meeting for action. All right, we have a motion seconded by Supervisor Tacroni.

[03:29:41] Would you like an opening? No, I'll just thank you for the applicant's time. We have some good conversations, and we raised some issues that we still need to work out and hopefully come to a good resolution before our November meeting.

[03:29:59] And I know Supervisor Tacroni raised some issues as well, so I'd like to see those addressed and hopefully come to a good resolution, and we'll see you in November. Thank you. Thank you. Supervisor Turner. Thank you, Madam Vice Chair. I have enormous respect for the land use attorney and for Dole Brothers. I really do. I mean that.

[03:30:22] The critical map in this, and I've been working on this project now for three years, I don't care if it takes every second of the remaining time that I'm in this office, however long that is, I am going to get MOA and Dulles Airport to change the flight path of runway 30.

[03:30:40] As it stands right now, the place type and the zoning in this location was designed when the old AIOD was in place, which is a straight-ahead departure off runway 30. The red lines on this map show that this is directly underneath the departing flight path of the majority of airplanes that take off from runway 30.

[03:31:01] LDN 67 is the highest standard of noise mitigation that you can apply. It involves spraying the windows, and it's the highest level of noise mitigation you can apply. I wouldn't even consider voting for this application if it didn't have a hard proffer of LDN 67 requirements with the proffer.

[03:31:22] Even at that, to build another neighborhood, I've gone out there multiple times and stood in this location. If there was some way we could legally require every potential home buyer in this

neighborhood to go out there between the hours of 6 p.m. and 10 p.m. on a weeknight and stand there for at least an hour, you would not sell a single home in this neighborhood.

[03:31:45] It is awful. These are fully loaded, transoceanic 747s taking off at full power, banking in a 30-degree bank turn, 500 feet over these homes, 10, 20, 30 times a day. It's awful. so this this is a this is a major issue for me for this development yes it's in the 60 to 65 and it's technically legal these are not hard lines on the ground these are very fuzzy lines it's 400 feet from the ldn 65 which would not allow a single house to be built and we knew when we were talking about the debate to change the aid there were 10 000 homes that were already

[03:32:23] in the pipeline to get or 2 000 homes that were already in the pipeline to get built that we couldn't stop that effectively would have been prevented if in the old LDN 65. I just, this is just a very, very bad location. It's going to be hard for me to vote for this one.

[03:32:45] And final point, I've got 27 seconds left. LDN 67 is the highest form of mitigation. It's enough to mitigate the sound of a fully loaded transoceanic 747. It is not nearly enough to mitigate the sound from even one of those pickleball courts. Thank you. Supervisor Letourneau.

[03:33:03] Well, the av geek in me must point out that there's only one 747, sadly, that still serves Dallas, which is Lafantza's 747-8. But the point, nevertheless, 777s and A350s and those sort of things, it is loud here.

[03:33:19] We have an issue here because we permit this under our ordinance. But I do agree, there's no doubt there's going to be a lot of complaints here, as there is directly to the south. And that's why I've been so eager on the disclosure issue.

[03:33:38] People think it's silly, but understanding and knowing that you have that. And so we have this now issue with state law that we can't require. I know new developers do a good job with this. It's the resale where this falls apart, and often it's the resale where we hear the complaints.

[03:33:56] because residents didn't realize it, so, and unfortunately the state, you know, found it necessary to specifically ban us from doing that because of the realtor lobby, so anyway, that being said, I would be inclined to probably support my colleagues on what they're asking for in that city. I think if you know me, you know two over twos are not my favorite product, and I will contend that almost every two over two community in this county has a parking problem, almost every one of And that's just what happens because it's just too much. It's too many students in it in a tight space So I do think you need every cent of those every cent every inch of those parking spaces extra in this case

[03:34:35] Because it's so badly under parked over here. Otherwise, I don't care what the ordinance says the ordinance was wrong and we fixed it As well on the density discussion. I understand you have lower density, but when you start way over what the place type requires okay, sure, it's a negotiation, but I think all he's really asking you to do is to get into what the place type is, so that seems reasonable. But I will be interested to hear the details on the attenuation and those kind of things that you will do, and maybe we go a little extra here, given that concern that Suarez or Turner expressed, and go beyond even what the

[03:35:14] ordinance requires, because there are some mitigation things that we can do. That said, I know the history of this site. I understand and I agree that the retail didn't really work here. Nobody wanted a gas station, understandably. So, you know, it's adjacent to residential. It makes sense if that's what we're looking at. So hopefully we can work that out. Thank you.

[03:35:35] Supervisor Tacroni? Yeah, thank you, Vice Chair Brissman. And like my colleagues, Supervisor Letourneau and Supervisor Turner, that is probably the most important thing to me as well is is the mitigation from the airport noise um because my the community just the south that's in my district birchwood is really experiencing significant impacts from the airport so um it's very important and definitely it has to be above the ordinance um so i would like to see that in the proper statement and that that'll be a big determining factor for me and mr hoffman i might

[03:36:12] reach out to you just to hear about the history of the cemetery and just to get some more information. It sounds like you might have some information on that that I'd love to hear about. Okay, thank you. Yeah, I'd be interested in some information about the cemetery as well. I've just, you know, we're limited on how many questions we can ask, uh, uh, and the time to get responses. Um, I'll likely support this application. I'll be supporting the motion right now. Um, and the, the the LDN issue is is really a hot button for me as well not because I not because of the flight

[03:36:48] patterns and those sorts of things we worked really hard on this dais to come up with rules and an ordinance that required disclosure on the second third fourth sailor whatever and we talked about it we argued about it we heard comment about it and in my mind we did the right thing. So shame on the General Assembly for taking that away from us. And shame on any Loudoun County representative in the General Assembly that voted for that to happen. We were

[03:37:23] protecting our residents and our constituents, and we were protecting their future constituents when we did that. And they took their power with not knowing anything about what we did and how hard we worked on that and took their power and flipped it over on us after we spent all that time worked so hard to do that. So I will get off my soapbox though, but I really haven't had an opportunity to talk about that. And so I'm going to put it on the record. Shame on our General Assembly members for doing that. And I know which ones voted for it. Not going to name

[03:38:01] names, but it will be a conversation when I run into those folks. Anyway, we have a motion and a second all those in favor please say aye any opposed all right that motion passes one two three four five six seven zero two with two off the dais yeah i said two oh two i said two off the day oh supervisor umstead and chair randall thank you uh miss rassus would you mind hanging back for just a second and i think that's all the business we have this evening we are adjourned thank you



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