



MACHINE TRANSCRIPT • CORAGGIO CONSULTING

Loudoun County Board of Supervisors, Public Hearing, Wednesday, July 9, 2025

Date Wednesday, July 9, 2025
Place Board Room, First Floor, Government Center, 1 Harrison Street SE, Leesburg, Virginia
Length 2h 34m (video)

- Official meeting video (county, Granicus): <https://loudoun.granicus.com/player/clip/7980>
- Meeting page: <https://loudoun.granicus.com/player/clip/7980>

Machine transcript (speech-to-text) produced by Coraggio Consulting. Not an official county record. Names and numbers may be misspelled; check the video at the timestamp before quoting.

Speech-to-text: whisper.cpp, model large-v3-turbo. Produced 2026-10-11. Each paragraph starts with its time [HH:MM:SS] in the meeting video.

[00:09:15] don't know. Well, good evening, supervisors, good evening, staff, and good evening, Loudon.

[00:11:16] I'd like to call to order the July 9, 2025 Loudon County Board of Supervisors public hearing. This room has a hearing loop. If you need hearing assistance, please switch your hearing aid to the telecom mode. If you need a headset, we have those available as well. Please see the clerk to my left to request one. Before I do the Pledge of Allegiance and go on, I'm going to ask my colleagues for a moment of personal privilege. On July 4th, just a couple of days ago in Central Texas, there was a flash flood, and we all know that. We learned today that as of today, 119 people have died,

[00:11:55] and there is up to 170 more people who are still missing, many who are presumed dead. And so we could have lost, and likely lost, almost 200 Americans on the 4th of July of this year. It is a tragedy beyond measure.

[00:12:12] Many were children at a camp. There were older people. There were grandfathers and grandmothers. There were people who sacrificed their lives for their own families. There were, you know, when something like this happens, floodwaters do not care who you are.

[00:12:31] It doesn't care your political party, it doesn't care your age, it doesn't care your income, it just doesn't care. And so it is, it is, it's indescribable. So anyway, if we could all have a moment of silence, I

would appreciate that. Thank you.

[00:12:58] Would everybody now please join me in the Pledge of Allegiance. Pledge of Allegiance to the flag of the United States of America and to the republic for which it stands, one nation, under God, indivisible, liberty and justice for all.

[00:13:18] Okay, as a reminder, if you are here, any member of the public and you wish to address this board this evening, you may only register to speak on items that are on the public hearing docket.

[00:13:36] Due to the broadcast delay, any member of the public, if you're not in the boardroom and you wish to address the board on items 1, 2, 3, 4, 8, 9, and 10, which are on the consolidated hearing agenda, please call the number that is scrolling across your screen at this time.

[00:13:54] If you're interested to speak, you'll be allowed at two and a half minutes. If you're in the boardroom, we ask that when your name is called, please come to the podium closest to you and state your name for the record. You may also state the district that you live in if you'd like. The timer on the podium will indicate your remaining time.

[00:14:10] When your time has expired, please yield the floor to the next speaker. If you're providing your comments via phone, I would ask that you use your own stopwatch because you cannot see our clock, and I don't want to stop you in like two minutes because then it breaks your concentration, but I will stop you when your time is up, so if you can time yourself for two and a half minutes, I'd appreciate that.

[00:14:34] When taking public input for items, I would ask first of the people in the boardroom who would like to speak, and then I would go to the moderator, who is Andy this evening, and ask if there are any speakers via online. Please note that there is a slight delay between the broadcast and the boardroom.

[00:14:51] Andy, can you hear me this evening? I can hear you loud and clear. Wonderful, thank you. Supervisors, just to get yourselves ready, we have consolidated hearing items from Sterling, Dulles, Catocin, Sterling, Leesburg, and Sterling again.

[00:15:07] And then the last one, number 10, is a county-wide item, so I will make that last motion. So grab your motion sheets because I'll be calling on you for those in just a minute. I do want to say that item number five, which is led you to 2023-0060, Luckstone-Cochran-Mill, ZMAP 2023-0001, and ZMAP 2023-0001, which is the Leesburg District.

[00:15:33] The applicant has requested to defer this item until September 10th, 2025, So the next public hearing, I'm going to grant that deferral for one time.

[00:15:49] Due to this not being advertised as deferred, if there is anybody in the room who would like to speak on that item, we would take public comment on that after we adopt the consolidated hearing agenda. So if you're here and want to speak on Luckstone, although we're not going to hear it tonight, You can absolutely speak on it, and you can speak on it again in September if you want to.

[00:16:14] So you can do both those things. The Board will hear the following items is consolidated. As a reminder, these items are being consolidated because there are no outstanding issues. Staff has recommended approval. The applicant has waived their presentation -- are you okay over there?

[00:16:29] You all right? Yeah. The applicant has waived their presentation time, and no public speakers registered in advance to speak. I don't want resolution concurring in declaration and finding at the Dulles Town Center Community Development Authority that's in Sterling. Item 2 the proposed conveyance of

county property conveyance of an easement within county owned property located at Marward Drive Audi to Maverick Virginia Infrastructure LLC that is in Dulles. Item 3 proposed conveyance of county property conveyance of easement near Mountain View Elementary School in

[00:17:06] Woodgrove High School to Virginia Electric and Power Company, DBA, Dominion Energy Virginia and Comcast Cable Communications Management, LLC, that's in the Catoctin District. Item four, ordinance imposing a special assessment and levying a special tax on the real property within the Rivanna Innovation and Station Community Development Authority District and approving a special assessment agreement, jazz hands, that's in the Sterling District.

[00:17:35] Item 8, Legi 2024-0035, Stonewall Creek Business Park Substation, ZCPA 2024-0002. Madam Chair, I had sent an email to ask that to be taken off of consolidated. Item number 8? Item number 8, I don't think I knew that.

[00:17:54] Let's change that statement. I did not know that. Ms. Bricksman has asked number 8 to be taken off consolidated. I always, always honor the request of one of my colleagues if they want something off of an consolidated agenda, that's never an issue for me. So item number eight, which I've read already when I read the opening, is now off consolidated, so we can adjust that when we do the notes.

[00:18:18] I'd appreciate it. Item nine, and that's actually, item eight is in the Leesburg District. Item nine, Leji 2024-0027, Jesse Court, ZMAP 2020-24-0007, and special exception 2024-0044 is in Sterling, and then item number 10 is a DOAM 2024-0001, Loudoun County Facility Standards Manual for roadway over dams and plat notes regarding maintenance and emergency access and fire lane identification.

[00:18:52] That is a countywide issue. With the exception of item number eight, which is now off the consolidated agenda, are there any members of the public who would like to speak on any issues tonight that I just read on the consolidated hearing agenda and the other is anyone on the phone no ma'am for all items except for eight okay then i'm going to close the consolidated agenda and board members if you would go to your consolidated hearing motion sheet uh that's at your dais i would appreciate that the first item is on the resolution um um and it's in the sterling district mr sayings

[00:19:28] thank you madam chair i move that the board of supervisors approve motion to be for the approval of the resolution as provided in the July 9th, 2025 public hearing item number one staff report. Motions made and seconded by, who said second? Super, who said second?

[00:19:43] I wasn't looking up. Who seconded? I don't care. Give it to Ms. Glass. Give it to Ms. Glass. Supervisor Glass seconded it. Discussion on that item? Mr. Sainz? Thank you, Madam Chair. Yes, this is one of those rare occurrences where we are dissolving a community development authority, and that's a rarity these days, but this has served a good purpose to help with the construction of the Dulles Town Center many many moons ago originally this was a few years ago was in the Broad Run district then with redistricting came into the Sterling district so Supervisor Glasses attended a few meetings and I've attended a few meetings regarding the Dulles Town

[00:20:21] Center Community Development Authority and we are happy to see that everything is paid up and and we're here today to dissolve of this authority I have a feeling I should have made that motion because I think I probably spent more time in the Dulles Town than anybody else on this day. Yes, I'm just going to say that right now. I've been there since day one when it opened. All of Dulles Town. Anybody else? Ms. Glass? You good? All right.

[00:20:47] Motions made by Supervisor Sane, seconded by Supervisor Glass. All in favor, please say aye. Aye. Any opposed? That motion will pass 9-0. Next motion is the Dulles District. Mr. Letourneau. I move the Board of Supervisors approve motion 2B for the approval of the proposed conveyance as provided on the July 9, 2025 public hearing item 2, staff report.

[00:21:06] I will set. Motion made and seconded by Mr. Supervisor Sainz. Discussion on the motion, Mr. Letourneau? No discussion. Anybody else? Seeing none, all the people who say aye. Aye. Any opposed, that motion will pass 9-0. Item 3 is the Catoctin District, Mr. Kirshner. Thank you, Madam Chair. I move that the Board of Supervisors approve motion one, two, for the proposed conveyance to the September 3rd, 2025 business meeting as provided in the July 9th, 2025 public hearing, item number three, staff report.

[00:21:36] Motion is made, seconded by Supervisor Armstead. Discussion on that motion, Mr. Kirshner? No, ma'am. Anybody else? Mr. Letourneau? Oh, sorry. All right. Seeing none, all the people who say aye.

[00:21:51] Aye. Any opposed? That motion will pass 9-0. item number four um innovation stage uh revana um mr saints no i didn't just i did no i didn't it's it's number four my apologies for trying to help out do not help me unless you're helpful i move that the board of supervisors approve motion two b for the adoption of the proposed ordinance approval for the special exception uh agreement and authorization to levy special taxes

[00:22:29] is provided in the July 9th, 2025 public hearing item number four, staff report. Second. Discussion on that item. Thank you, Madam Chair. So we just dissolved one authority. Now we're approving and updating another authority within the Sterling District. And hopefully we have as much success as we did with the original authority in the Dulles Town Center for the Ravanna Innovation Station development.

[00:22:54] And we look forward to continue to work with our partners on this and see it to fruition. Thank you. Thank you. I will say that Ravonna has been a, I won't say it's been a heavy lift, I would say it's been a lot for, oh my gosh, what, seven years now?

[00:23:17] And that there were so many people who have gotten this across the finish line. First and foremost is the amazing Buddy Riser, I'm not sure if he's in the room somewhere, but there you are. The amazing buddy riser who first brought this idea of Ravonna, which is going to be an amazing, amazing mixed-use community with all types of amenities that I won't even go into right now.

[00:23:40] George Govan, Aaron McClellan, people from the county attorney's office, Mr. Hamstreet. There was so much work on Ravonna. It is, I think, probably the first major development in what is our new urban policy area.

[00:23:57] It's why we created an urban policy area for the mixed-use living, for the vertical infrastructure, for vertical buildings, for the urban school environment. I think it's going to be phenomenal.

[00:24:14] And I just want to thank and acknowledge all the people who pushed and pulled and maybe even prayed a little to get Ravonna over the finish line. It's an exciting, exciting development. And it is exactly where a development like this belongs, right near, in fact, on the metro stations.

[00:24:34] It belongs right there. And so it's going to be a great amenity for Loudoun County, and I once want to thank everybody who's involved in it. So I could close you, Mr. Sainz. Yeah, I'd just like to add to the

folks that have been working on this diligently day in and day out, our finance recruitment folks, Elaine, you mentioned George Belke from the county attorney's office.

[00:24:54] They've been working day and night, Abelkis, thank you, day and night for a long time with this, with the developers. So we really appreciate all the effort. And I know some of you guys are in the room right now. So, again, appreciate all the effort, especially the last-minute changes that had to come with this to make it happen.

[00:25:09] So let's keep on working. We'll look forward to the next few months. All right. All in favor say aye. Any opposed? That motion will pass 9-2-0. Number 9 is the Sterling District also.

[00:25:25] Mr. Saines. Here it is. I move that the Board of Supervisors approve Motion 2B for approval of the zoning conversion and special exception as provided in the July 9th, 2025 public hearing. Supplemental item number 9, staff report.

[00:25:42] Motion made. Second Supervisor Bricksman. Discussion on the motion. Thank you, Madam Chair. Appreciate economic development and buddy and staff and the applicant working on this one. This has been talked about for many years. What we're doing is expanding a current use right off of Route 28 in the Sterling District.

[00:26:04] And I believe this is adding to another, well, the industry is already here, but it's expanding and adding more jobs and businesses and revenue to the area. So we're very appreciative of that and appreciative of the applicant for some of the changes that have taken place in these last couple of weeks.

[00:26:21] So I appreciate your work on that and look forward to the expansion and the ribbon-cutting of the beautiful new facility once it opens. Wonderful. Anybody else? Ms. Bricksman. Thank you, Madam Chair. I just want to appreciate the business for expanding in Loudoun County and appreciate Supervisor Sainz and all the hard work you and your team did to make sure that data centers and substations were proffered out on this property.

[00:26:52] Thank you. Wonderful. Anybody else? All land people, please say aye. Any opposed? That motion will pass 9-0. And the last one is, I move the Board of Supervisors to approve motion 2-B. I'm sorry, this is the DOAM, item number 10. I move the Board of Supervisors to approve motion 2-B for the adoption of the amendments It's outlined in DOAM 2025-0001 as provided in the July 9th, 2025 public hearing item number 10 staff report.

[00:27:20] Motion is made second by Supervisor Glass. All I will say on this is there are things that happen in the county that seem almost routine when you get to the end, but I will tell you people, both the staff and community members who work on the facility standards manual, which is one of the most intense, hardest things to write are incredible public servants.

[00:27:49] And so although we say these things and the consolidated agenda and it goes fast, we know that they get to the end because the staff and citizens worked on these for a long time. So especially to the Facility Standards Manual Board, thank you very much for all that you do.

[00:28:06] All right, anybody else? All in favor, please say aye. Any opposed? that motion will pass 9-0. Is there anybody in the room or on the phone, Andy, who would like to speak on the Luckstone-Cochran Mill item, which is item number five, that will be heard on September 10th at the public hearing in September, which I think is September 10th.

[00:28:31] I don't have anybody, Madam Chair. And I don't have anybody either that I see in the room. Wonderful. Thank you. Okay, then we're going to go on to Ms. Brixman, I'm going to call the other items before item number eight because I told them I would, so I am.

[00:28:52] Would the staff please come to the table for the Tuscarora Land Bay 3 subdivision, I'm sorry, substation CPMT. I like to remind everyone that there could be two parts to this application or to this matter, depending on what happens on the first part.

[00:29:12] This item addresses the applicant's appeal of the Planning Commission's decision relating to the commission permit. The subject matter, if we actually, if this, if the appeal is overturned, what we will do next is the actual item.

[00:29:28] So if anyone would like to speak, you would speak now just on the appeal, and then next you would speak on the item itself. So I just want to make sure people know you can speak on both, but they're two different topics that you're speaking on.

[00:29:44] One's the appeal and one is the item. So I just want to make sure everyone knows that. So good evening, staff. Good evening. How's it going? It's going pretty well. Very good. do you have anything you'd like to give us on the appeal yes I have a presentation for the board

[00:30:07] for the appeal that's correct okay ready when you are I'm sorry I didn't say that did I I'm sorry we're ready when you are good evening my name is Darby Metcalf with the Department of Planning and Zoning I'm here tonight to present the appeal of the Planning Commission's denial of Commission

[00:30:45] Permit 2024-0009, Tuscarora Land Bay 3 substation. The subject property is 37.61 acres, located south of Crosstrail Boulevard, west of the Washington and Old Dominion Trail in the Leesburg Election District, within the Suburban Policy Area and the Leesburg JLMA Employment Place Type. The property is zoned Industrial Park under the Loudoun County Zoning Ordinance.

[00:31:17] The applicant requests an appeal of the commission's denial of commission permit 2024-0009, a request to permit a utility major use, and additionally request the specs and minor specs for which action is stayed until the appeal is decided. Present on screen is an annotated excerpt of the commission permit. The substation is indicated in gold with previously approved data centers indicated in brown. At the May 27th planning commission public hearing, the commission denied the commission permit following a discussion of the proposed location and

[00:31:56] surrounding character. The board may affirm, reverse, or modify commission decision, and staff are available for questions. All right this is in the Leedsburg district so Ms. Umstead I will go to you first if you have any questions. Thank you Madam Chair. Staff I think the wording in the staff report was you could you could recommend approval but you had one outstanding issue on I think buffers is that true? That's correct. Is that still an outstanding issue as of tonight

[00:32:33] And what form does that issue take? The submission materials before the board tonight are the same as what was presented to the planning commission. The applicant has indicated in discussions with staff to address that outstanding issue related to landscape buffering.

[00:32:51] Okay. Thank you very much. More questions on the appeal. Ms. Brixman. Thank you. Thank you, Madam Chair. Can you tell us when and how the data centers were approved on this property?

[00:33:10] The data centers on the subject property were conditionally approved at Site Plan under Bi-Right under the original ZMAP 2012 Tuscarora Crossing and the accompanying ZCPA 2019 for the same ZMAP. So in 2012, it was approved to be a type of zoning or place type that ended up being Bi-Right data center the application was for planned development industrial park uses within the land

[00:33:43] bay at that time it didn't it didn't specify a specific use right so it got rezoned to pdip that's correct right so um i just wanted to be clear that um because we talk a lot about data centers near homes that this was not an application that that any board really saw in that schematic and approved it like we see happening more recently.

[00:34:11] It was PDIP in 2012 before really the boom started in Loudoun County. So I just want to get that on the record that these were by right because it was approved as a PDIP area in the overall plan.

[00:34:30] Other things could go there, but they have decided that they're going to put data centers there and this board did not give that a thumbs up because it is very close to homes. Ms. Briggsman, in your time, do you want to say what buy-right is?

[00:34:46] Sure. Buy-right means that they are vested, that boards really didn't get to vote on what it looked like. It means that the land owners and holders have a right to do that on the property based on the zoning that it was converted to back in 2012, if that makes sense.

[00:35:06] hopefully um go ahead just a small clarification while the z map is was dated 2012 it was approved february of 2015 okay okay okay thank you thank you um and then i had a question for mr rogers if i might madam chair yes if a cmpt is approved um does that give the um the applicant any special privileges to do the uh the substation there in other words does it give them any buy right

[00:35:40] sort of uh rights to have to put the substation there or is there another there's another step um the commission permit only means that it's consistent with the comprehensive plan they still need to meet the zoning ordinance requirements as well which would be a special exception thank you very much thank you miss glass thank you madam chair staff if the applicant were to swap the location of the substation with the storm water management pond at the back of the

[00:36:14] property would a new application have to be filed and would they lose their grandfathered ability to build they were to relocate where the storm water management pond behind the data centers they would have to they would have to come in for a zoning concept plan amendment which additionally they would also have to amend the conditionally approved site plan okay thank you mr kirschner thank you madam chair just i just want to clarify a couple things because some of the questions i think were asked probably are better for the next item that we're

[00:36:49] going to address but miss sorry miss um um said ask the question about the buffering that doesn't have to do with this portion of the application right the commission permit am i accurate about So you were just answering the question, but specifically what we're dealing with now in terms of commission, but that has nothing to do with the commission permit, correct?

[00:37:08] That's correct. Okay. And, Mr. If I can direct my question to the county attorney, Madam Chair. So, Mr. Rogers, I think you answered the question. The really only criteria we must decide on whether to vote for or against the Planning Commission's decision is whether or not it is consistent with the comp plan. Is that correct?

[00:37:30] That's correct. Whether it's general location, approximately boundaries are consistent with its location, character, and extent under the comprehensive plan. That's the limit of your determination on the commission permit. Okay. And as far as I've seen from the item itself and staff, there is no issue with its consistency or compliance with the comp plan. Is that correct?

[00:37:54] While the application is generally in general conformance with the Leesburg JLMA employment place type, staff would recommend the board consider if the visual impact measures are sufficient to screen the use from the compatible with the larger character.

[00:38:13] That we can address that in the actual rezoning or the zoning itself in number seven. This is we're dealing with number six here, correct? That's correct. Okay. Thank you. Mr. Crony. Thank you, Chair Randall. So, yeah, I think Mr. Rogers made it clear in his email that you can't condition a commission permit.

[00:38:36] So that's how I look at it. But the Planning Commission's denial was based on the proximity and buffering from nearby residential. But I don't think that's something we can look at here. That sounds like that's more part of item 7.

[00:38:53] Am I correct with the special exception and the minor special exception? That's correct. You can use the condition provisions in item 7 in order to make the buffer wider or make the buffer more intense to screen the facility. And we can also, as we talked about, maybe ask to move around the substation a little bit or change the configuration. We can do that.

[00:39:16] That would be another consideration during the special exception. Okay, great. Thank you. Mr. Sains. Thank you, Madam Chair. Can we ask the question of either staff or the applicant? No, not the applicant, just staff right now. Okay, well, we'll wait until that step.

[00:39:34] Mr. Vice Chair Turner? Thank you, Madam Chair. Can you go back to the photo, looking down on the site, the actual photo? It looks to me like there are three substations immediately south of the proposed substation site.

[00:39:51] Do I have that correct? That's correct. Do you know who the, are there surrounding customers to those three substations? because I've heard that their capacity is completely spoken for. Is that true? Do you know? We know that the substations serve the area, but who they specifically serve, we're not aware of.

[00:40:13] Are you aware of if they're at capacity in that service? Do they have any extra room on? We have not gotten that feedback from the Dominion, sir. All right. That's all I have. Thank you very much. So it is unusual for a planning commission to deny a CPMT.

[00:40:34] But for the very reasons Mr. Rogers said, because it's a very narrow discussion, on what basis did they deny it? I have the document. One second. Okay. I can go back to you on that.

[00:40:49] Okay. And in the meantime, while you're finding that, I will ask a question, Mr. Rogers. Mr. Rogers, if this board decides to respectfully disagree with the decision of the Planning Commission because what we're deciding is so narrow, That does not constrain us to how we will vote on item 7, either tonight or going forward, correct?

[00:41:19] That is correct, Madam Chair. Okay. All right. Thank you. I'm sorry. The findings were based upon the location and screening of the proposed utility substation as incompatible with existing and

planned uses along Crosstrail Boulevard. Additionally, as the impacts of utility major uses are not adequately mitigated given the site's proximity to existing residential uses and planned public civic uses to the north.

[00:41:42] Application represents an introduction of land uses and development patterns that are inconsistent with the GP policy recommendations. Mr. Rogers, would you say that what was just read, the reason the Planning Commission denied this, is actually consistent with the authority they have?

[00:42:01] is the fact that it was about the the general plan that they deny it for for reasons that are appropriate uh if you're going to deny a commission permit madam chair i i will be happy to go into a closed session to talk to the board about that item um i will tell you that should this commission permit be denied i will be defending it okay but at the same but once again if it is if we overturn the planning commission does it does not constrain us to do to do with something no

[00:42:37] matter what we want to do on the next item that's correct okay um okay and one more thing how unusual is it for for a commission permit to be denied marsha you might know that answer my gray hair is giving me away so honestly the more the more recent commission permits have been short hill i think may have been the last time um that was one of the associated applications for a telecom I think it was a telecom the last time a commission permit was denied.

[00:43:13] The question was commission permit. It was. Was that the commission permit? Was it? Did we? I thought so did, too. I thought you were talking about the planning commission. I was talking about the planning commission. That's my recall. I'd have to do some more research on that, but that's the last time I remember there was a question about the commission permit.

[00:43:29] Interesting. Okay. Okay. Okay, I have everyone to my left. We'll have an answer when they answer. People that have been here longer than me. You actually answered the question I asked specifically, so that's fine. You are doing just fine. serve. All right. Oh, I'm sorry. Anybody else? Does the applicant have anything you'd like to say about the commission permit item? Good evening, Chair and members of the board. Tony Calabrese with DLA, and I'd appreciate it, Darby, if you could pull up the slide. With

[00:44:03] all the skilled questions, you've taken care of most of my presentation, so I will be less than 10 minutes, I promise. And this presentation is just about the permit, right? Nothing else? Yes, ma'am. Okay. I'm focusing only on the permit. Okay. Fire away. I'm going to beat your clock tonight. Okay. All right. Darby, you have a PowerPoint for me, please. Can you stop this?

[00:44:25] There we go. We're good. We're good. You can pull that up. That'd be terrific. Thank you so much. I'll give you 30 seconds. I'm joined by Michael Capretti and Derek Van Dyke of the Black Chamber. You will see three simple phrases. If I can get to the next. Just stop this time for a second. You You just had the black chamber.

[00:44:43] Everyone went up and went, oh, like you're the black chamber. The entire dais went, oh. Black chamber group. I know that. But you should have heard this dais like, huh, okay, very good.

[00:45:00] Darby, is this not clicking to the next one for me? Yeah, one second. Is that the time back? I'm losing all my time. The chairs are very, very vigilant about keeping time on that. You should be good now. It's still not going. All right, I'm just going to ask you to click for me.

[00:45:15] done since it's i'll give you another minute i would appreciate it are you going to hit the next one thank you so much so i'm not going to read this entire slide or any of the slides that you're about to view because i think you all asked some adroit and important questions but there's three simple critical governing phrases of virginia state code 2232 that you will see here and here a couple of times this evening in my less than 10 minute spiel because they govern this case it's consistent with both the state code as well as our laden county zoning ordinance the general or approximate location character and extent and i think to answer one of your good questions that

[00:45:52] what's highlighted in red is subsumed as part of the planning commission motion for denial the application represents the introduction of land uses and development patterns that are inconsistent with the general plan we absolutely respectfully disagree with the planning commission for the reasons that are enumerated in the appeal that's in your record and the ones that i will quickly review tonight there were other issues raised as well several highlighted here that the substation might someday serve others that's not part of the commission permit purview under 2232 general discomfort as we've all heard about the pace of data center growth again

[00:46:28] respectfully inappropriate next slide please the legal standard is narrow and clear recited here in green both under the 2232 above and our own ordinance i think our own ordinance actually is even clearer in some ways more strict than 2232 it says commission permits will be approved if the general location approximate location character extent are substantially in accord with the comprehensive plan we absolutely think that's the case next here for the reasons again i'll quickly enumerate all three criteria have been very well satisfied in our opinion

[00:47:06] and i think consistent with the staff discussions i will note miss um said that we did agree actually to several suggestions from class from staff and we actually did agree with the planning commission on the night of the hearing uh next slide please um i mean this is key and you all are intimately familiar with jlma the employment place type under the general plan the types of uses that are specifically permitted in the jlma data centers and public facilities are specifically recommended as uses within that area as you'll see in a minute goes back to the question from the vice chair some good overview this substation is directly contiguous to three existing major

[00:47:47] substations the 120 foot dominion transmission corridors to two major quarters is a confluence right next to where we are obviously the two stone quarries towing facilities county detention facility many other uses that that this board knows so incredibly well this area has long been identified specifically planned a plan approved and developed for substations next slide i think hopefully is illuminating as well the jlma is there in pink you can see the site there in white the commission permit the special exception they're focused on about the six and a quarter

[00:48:22] acres you can see the existing plan view pleasant view one and two substations to the right and i'll have a better graphic here in a second in the goose creek substation immediately under it to the bottom left the jlma recommended uses include data centers public facilities the things that you all know so well and 100 non-residential is consistent with jlma next slide hopefully this is helpful as well you can see the selected the site before you on the right hand side of those two orange lines those are the major transmission north south east west transmission corridors with very significant

[00:49:01] facilities the luckstone to the north and right and also to the bottom the pleasant view substation to your right hand side of of the w and od trail those two substations together are almost 13

acres the goose creek substation immediately contiguous to the subject site as well is over 23 acres that does not include the proposed aspen substation again for context purposes next slide in terms of character we take very seriously the staff recommendations the gentleman to my right take great pride frankly in their development of Tuscarora crossing

[00:49:40] as well as the proposed and approved data centers and the application before you this evening appropriate transition we absolutely believe and respectfully submit that we've hit in quite a few ways across the front of cross trails Boulevard we've agreed to a four-foot berm 12-foot screening wall 16 foot very

[00:49:59] much larger landscape buffer 80 feet as compared to 25 required in the zoning ordinance significantly enhanced plantings and you'll see here in a moment the substation floor is actually quite a bit lower than the height of cross trails boulevard which is really quite advantageous in terms of screening of these facilities enhanced landscaping along the W and OD trail as I note the substation pad is some 30 feet below the contiguous point across trails boulevard next slide won't through all this but importantly as darby just pointed out it says zmap 2012 it was concluded in

[00:50:37] 2015 but these were subsumed as part of the board's findings in the approval of the 2012 application and also more importantly miss briskman in addition to the 2015 approval in 2019 the board of supervisors approved for this land bay substantially more density data centers in in particular and a taller building height so the far actually went on this land bay from 0.6 to 0.8 in 2019 next and i'll wrap up here in just a minute the extent right size targeted area

[00:51:14] for the reasons enumerated here there's some excerpts from the general plan the electric recommendations encourage safe grouping this notion of clustering makes very good sense use the existing transmission corridors substation sites to expand capacity encourage the use of design techniques which we think we have done our substation is about six and a quarter acres again the contiguous goose creek parcel almost 20 slightly over 23 acres pleasant view 12 plus acres aligned with the transmission corridors clustered appropriately meet the transition

[00:51:49] guidelines of the jlma exceed the zoning ordinance buffer requirements next slide i think this is also a good depiction this is basically on the west side turning around looking back toward the east you see the subject property as well as the surrounding substations the industrial uses obviously crossrail boulevard was just under construction at that time next slide not going to read all this but of the three substations that we've been reviewing that are contiguous to the one before you this evening they all three received commission permit approvals all three of the staff reports contain the same type of language reflected here on the right

[00:52:28] The very things that I've been alluding to the clustering of substations contiguous to the transmission corridor use the benefit of being next to the W and OD trail Put these facilities in ways that make sense that cluster them together rather than spread them apart this area has consistently for decades supported exactly the type of uses as Reflected before the board this evening next and last substantive slides just repetitive of the earlier one Reflects what was included in the board's in the Planning Commission motion We think for all the reasons enumerated this evening as I think reaffirmed by staff and in the appeal before the Board of Supervisors

[00:53:08] We respectfully submit that we absolutely comport with both 2232 and 10.90 D of the zoning ordinance. Thank you chair. Happy to answer questions Calvary thank you so much. I appreciate that

supervisors if you have questions for the applicant, please put your light on I will go again. If you have questions, Ms. Umstead, it is your district. Thank you. Thank you, Madam Chair back when Tuscarora crossing was approved my recollection is that

[00:53:46] The data centers were approved along with the housing. Yes, ma'am. That's correct. Okay. So can I just so in 2012 Everything was approved except the whole project was approved in 2012.

[00:54:04] We bought it in 2018 and made two changes. We took the shopping center out and put in the 180 affordables, and we took Land Bay 3, and we increased the density to 1.4 million square feet of data center under a special exception.

[00:54:23] That was approved in 2019, and those were the two changes that we made after we purchased the property. So let me restate what I think I heard, that the approval of data centers in that area preceded the housing that was approved for Tuscarora Crossing.

[00:54:42] All right. The construction of the housing. Right, the construction of the housing. Thank you. That's the only question I have. Thank you. Mr. Sainz. Thank you, Madam Chair. Thank you for your presentation. In your presentation, you made mention of, I think, at least three or four substations in this area.

[00:55:01] already, correct? Yes, sir. So what was the reason Dominion is giving you to not be able to hook up to those existing substations, and why are you here now asking for a new substation? My understanding is that the capacity of those substations has been utilized, Mr. Sains. Our substation has been approved by Dominion, and we have a power agreement with them. They will serve our data centers. And so So they can't just run the lines from those substations underground to do the hookups because of?

[00:55:34] We actually will be interconnected with those substations, but there's insufficient power to power the substations associated with Tuscarora Crossing. Okay. And I don't know, Madam Chair, if this can be answered by the applicant and staff or vice versa, but say hypothetically for whatever reason you're still not approved for substation, are you able to get power to the data center some other way or this is the only way to get power?

[00:55:59] We'll certainly have to find a different way to do it. Yeah, and just to identify her. Yeah, I'm Derek Van Dyken from the Black Chamber Group. I'm the applicant. Virginia is a, the Commonwealth of Virginia is a right to serve state, so dominion by law has to serve the data centers.

[00:56:20] It's just the one variable is time associated with when they serve. So they have to serve, but it depends on when they can serve the use. So say no substation, depending on times, it could be 2028, 2029, 2030, they might be able to hook you up with regular lines from those substations when they possibly could give the power load.

[00:56:48] I mean, I can't speak to the timing. Well, did they give you any time? I'm sure you've had these conversations. I'm just going to restart Mr. Sains' time. Mr. Rogers, you're good with this conversation? Okay. Mr. Sains, go on.

[00:57:04] In terms of if this substation was not approved, no, they have not given us the timing. Okay. All right. And then question, how far would the data center and substation be from the nearest housing?

[00:57:22] The closest house from the substation, at the closest point of the substation, Mr. Sainz, would be about 750 feet. 750 feet? Yes, sir. Okay. And that's the existing neighborhood for Kincade Forest?

[00:57:37] No, sir. It's the Tuscarora crossing across the street. Natchez Drive. Natchez Drive. Actually, that's more of a question for the next item anyway. Yeah. Let's just hold that question for the next item. All right. Thank you. Ms. Brickman.

[00:57:54] Thank you, Madam Chair. After the, this might be for the next, this might be for number seven. After the substation is, and the permit is given, and potentially the specs is approved, who in the end owns the substation?

[00:58:21] I'll speak to that. Dominion will own the substation. They own and operate the substation. So they purchase it from you? Well, we deed the land over to Dominion. Dominion then builds the substation. We pay for the cost of that construction.

[00:58:44] can you say that again please so we deed the land the substation land over to dominion and do they pay you for that no they do not so that's at our cost so we deed the land at no cost to dominion dominion will then build the substation and own and operate they build the substation correct but we pay for it they build it but you pay them yes correct interesting okay okay um and and let's just clarify this one more time. In 2012, were data centers on the application or was it just converted

[00:59:20] to PDIP? This was all industrial when it went to rezoning in 2012. There was residential added to that application. There was a shopping center added to that application and then this site remained industrial. So it was always PDIP. Correct. Which at that point under the zoning ordinance they were they were by right gotcha okay okay thank you let's put in public mr um turner thank you madam chair just again the only basis that we're considering

[00:59:59] for the appeal is whether or not it comports and this is my language it's not precise it comports with the comprehensive plan and the surrounding uses to the site correct that's the only basis upon which we should be considering to not uh affirming the appeal did i say that right mr rogers mr rogers yes that is correct that's accurate okay thank you um so with three substations to the immediate south um it would seem to me prima facie slam dunk case that that's obviously comports with existing uses and with the desire of the comprehensive plan so that's open and shut

[01:00:37] just to add a little bit of icing on the cake here i think the intent of that language is to ensure that it is compatible with the surrounding uses I went out to the site and I think you said I looked at the contour lines on the map and it looks like you said I think a 30-foot drop-off from cross trail so it is substantially down and you showed a picture at the very beginning of your presentation is that a depiction of what the substation would look like when it was fully built out at the end of the data center building the picture at the beginning was a picture of the data center buildings but we're what we're going to show you slides in the next presentation okay that address both of those questions okay

[01:01:16] thank you i don't i the the vice chair and the chair speak last on any um i don't i evidently i missed mr crony's light being on i didn't see it i apologize so i am going to circle back to mr crony okay thank you chair randall and i actually have a question for mr freddy so in 2018 when you got the approval for more density did you contemplate that you might need a substation at that time

[01:01:44] At that time, part of our application and the screening that we did with that application, staff acknowledged that that screening would satisfy a substation if it was there.

[01:02:02] So we committed to the buffers that if a substation would be there, it would be taken care of under the current ordinance. Right, but are you still getting the 1.4 million square feet of data centers, or

do you have to reduce it because you had to? No, we'll reduce it and we'll address that in the item.

[01:02:20] In the next item. Yeah. Okay. All right. Thank you. All right. We have three people to speak on this item, the substation item. It is Brett Sposa, Isham Diab, and Emily Kassenbaum in that order.

[01:02:36] Good evening, sir. My name is Brett Sposa. I live in Tuscarora Crossing neighborhood right across the street from the proposed substation site. I appreciate the opportunity to speak. I know this is a difficult decision for you all, but I believe there is a right one to be made.

[01:02:53] I'm here today to urge you to uphold the denial of this project, not just to protect our community, but because approving it would directly violate the intent of Loudoun County's 2019 General Plan. This site is in the Leesburg JLMA and designated as an employment place type. Public utilities are not listed as core, complementary, or conditional uses in this category, and that's intentional.

[01:03:15] This land is meant for employment-generating uses, not high-impact infrastructure like a substation and multiple data centers. This appeal is asking for an exception, a carve-out, one that comes at the direct expense of the well-being and quality of life for the residents. It's not a technical deviation. It's a fundamental shift in what this land was intended to be.

[01:03:34] Even if this was within the industrial mineral extraction category where substations might be appropriate, The general plan requires strong transitions with extensive berming, buffering, and distance between industrial uses and adjacent residential neighborhoods. But if this moves forward, my neighbors and I won't be living in the community we've moved into.

[01:03:54] We'll be surrounded by an industrial park, and there's nothing but an unpleasant wall and a few trees we'll do to change that. And I believe you know that too. The community playground where my kids play would be closer to the substation than our own home. That's not a buffer. That's direct exposure. families bought homes here trusting that the county's long-term plan would guide compatible development. If we start making exceptions and encroaching more and more on the residents of the community, we weaken that very foundation of that trust. I recognize this is a difficult decision. I know the board doesn't take it lightly. The proposed substation is not being built in isolation. It's intended to enable the development of the data centers, which are significant sources

[01:04:32] of tax revenue for the county. But at some point, we have to ask the question, at what cost? This is a question of immediate financial gain versus the long-term planning vision Loudon has committed to in the very real everyday impact on the residents who live next to this site I hope your way not just the budgetary benefits but also the precedent it sets when the interests of a large developer outweigh the protections the general plan promises to community like ours please stand by the plan stand by your community and uphold the denial thank you thank you sir we actually got one more speaker come in after I announced the speakers but the

[01:05:08] next speaker is Isam Diab, D-I-A-B is her last name, and then you're followed by Emily Kossenbaum. Good evening, sir. I'm sorry if I mispronounced your name. It's okay. I'm used to it. It's Isam Diab. Thanks for having me. I appreciate the time. I'm not going to be as structured as my friend Brett here. I just made some points, some of which you've heard before. Last time on July 1st, I'm sorry, prior hearing about this subject, we were told a number of facts which did not pan out during our HOA meeting. We were talking about 130 foot setback during that meeting now we're talking about an 80 foot setback we're talking about a 75 foot 80 foot height during the first public hearing about this and they were

[01:05:47] mentioning about 60 foot height so there's consistency in information but to add to Brett's points as far as building community this whether this follows consistency with the area or not clearly there was a vision change or shift at some point by deciding to build what I think amounts to 750 homes or so across the street and it is a direct impediment on the way of life on the property values on all that I mean it's we're talking about community building community when I hear folks in my community talking about leaving the community me included that sounds like

[01:06:24] antithetical to building a community making it industrial it's supposed to be mixed use I get that but it seems like it's going to be way more industrial if there's no need for the substation now per dominion during our HOA meeting we were told if this doesn't get approved dominion will find a way by putting a substation in you're relieving dominion of their responsibility wherever they're committed to and you're paying for them to have access to build more data centers in our area it's clearly not part of the grander vision of the board which seems they're not on board with

[01:07:01] more data centers but it also affects the community directly and we just we would we hope that you uphold the denial. Thank you. Thank you. Emily Kasamban, followed by Beth Taylor. Good evening.

[01:07:23] Good evening. My name is Emily Kasabian, and I am also a resident living across the street from the proposed substation. I'm also here to ask you to uphold the Planning Commission's denial. As you know, this area was always intended to serve as a transitional area, which calls for careful design, strong buffering, and the placement of utilities away from key travel corridors and residential areas. Putting a substation here violates all of that and would alter the experience for people who live, walk, and bike in this area every day. When I bought my home, a substation was

[01:08:02] never a part of the plan. Adding this across the street will have a negative impact on my property value and my quality of life. I will be able to see the substation from every single window on the front and side of my home and there's no landscaping that will be able to hide that. I'm also extremely frustrated and disappointed in how the developer has handled this. Instead of working to reduce the impact on residents, they're asking for permission to do even less buffering. A community meeting was held only after one of our neighbors spoke out against the proposal at the public

[01:08:37] hearing. At that meeting, the data center developer glossed over the entire substation issue and only acknowledged it when residents asked point blank if it was being added. Approving a high-impact industrial project in a place that doesn't belong sets the wrong precedent and opens the door for others to follow suit.

[01:08:56] Please protect the integrity of our neighborhood and the vision of the general plan. This is an opportunity to send a message that Loudoun residents deserve transparency, accountability, and respect. Uphold the Planning Commission's decision and deny this application.

[01:09:12] Thank you. Thank you. I also have a letter on behalf of our entire neighborhood. We received a majority of signatures from the residents there. I believe a copy of the letter and signatures will be provided to you afterwards.

[01:09:28] Thank you. Or you can give it to them. That would be great. Thank you. Thank you very much. And I mispronounced your last name, too, and I apologize. Beth Taylor, you're the next speaker. I got your name right.

[01:09:44] Simple enough. thanks so much all right thank you guys um i just want to say uh first address several issues that i saw in the presentation just now um the first the slide with um the proposed substation site it's not only outdated it's misleading uh it looks like barren dirt if you want to pull it up it's not barren dirt it's now a neighborhood there is a tot lot immediately across from the substation uh families live here as you as you heard um and i heard 2012 and 2015 thrown out

[01:10:18] back in 2012 and 2015 my daughter played soccer at segra and i shopped at wegman's and i knew cross trail was closed and it was going to be opening and it was a very exciting moment for me and my family because i could do where i you know work where i live you know live where i work um so i watched this area grow i chose this area because of the decisions made to make this a mixed residential space and if i had known from this that this image would be shown before i would have brought an updated slide for you myself so i also took note of the language used in the appeal

[01:10:56] the word inappropriate was used to describe to describe the the fact that it was denied and in the same meeting i heard um miss randall say um praising ravana because this is where development like this belongs which i think is a very astute comment so the one speaker asked um where's the nearest house i would say the right question that's a great question but the right question is where's the nearest play playground and that playground is right across the road and in that spirit i do want to share with you um let the record show this picture of about 12 kids

[01:11:37] doing their easter egg hunt our community is coming together we've all been there about a year two years and everyone's coming together at this playground i do not think that this same spirit would live if we saw substations the buzzing of electrical um be present so um i respectfully ask that you uphold the denial um and keep in mind that a lot of the images that you saw today

[01:12:04] are quite outdated and quite misleading so thank you promotion all right thank you everybody we're We're going to go to Ms. Umstead for a motion.

[01:12:19] Supervisors, you can ask questions of either the applicant or staff during the motion. Ms. Umstead, would you like to make a motion? All right. I'm going to go to Motion 3A. I move that the Board of Supervisors suspend the rules.

[01:12:39] That needs a second, right? Yeah, yeah, yeah. Second. Motion to suspend. Now we're next meeting. Motion to suspend the rules has a second. You can have a discussion on a motion to suspend. a discussion on the motion to suspend motion to suspend is that a two-thirds vote there's a two thirds vote uh the two-thirds vote um was there a discussion on motion to suspend yes you can you can you can have discussion on the motion to suspend that wasn't a question that was an answer miss miss brixman thank you um is there is there a timeline issue here that the cmpt needs to be

[01:13:18] approved at a certain time yes mr rogers yes we we do have enough time to go to the next business meeting but we could not go any further than that the next business meeting meeting july 15th that's correct okay okay mr latour yeah on a normal land use application i would not vote to suspend the rules when there's opposition this is a unique situation with the commission permit um i think this i'm not i'm gonna save my comments for the motion i think this is fairly cut and dry on this

[01:13:56] specific piece and so i would not benefit from waiting a week to a very loaded meeting where everybody has to come back to on this specific issue so i will support the motion in this case to suspend the rules on the commission permit specifically mr kirschner so just to clarify

[01:14:36] And correct me if I'm wrong, Mr. Rogers, if we suspend the rules and pass this now, commission permit would be approved, but the actual, the next item would not be, and that could easily be sent to a business meeting, which are a lot of what the residents and I think some of the other concerns that were expressed maybe by the board, is that correct? Yes, sir, that is correct. Okay, thank you. I'm going to support the motion to suspend because I actually have questions for the next motion, which is the motion to approve or not, and I can't get to those questions. I don't if I don't vote for the motion to suspend because this is just the motion to suspend so I'm going to support that motion to suspend any other discussions all right motion to suspend made by supervisor I'm sensing my supervisor Kirsten I do believe all the people who say aye opposed that motion will pass 9-0 miss upset you have another motion I move that the Board of

[01:15:12] Supervisors reverse the Planning Commission's denial of legy 2024-0043 Tuscarora Land Bay 3 substation CMPT-2024-0009.

[01:15:32] Motion's made in second with Supervisor Letourneau, I do believe. Discussion on the motion, Ms. Umstead. Thank you, Madam Chair. I appreciate the residents coming out. I very much do. but this this area was long zoned industrial and much of it heavy industrial there were residential rezonings that were made into that industrial and heavy industrial area and i actually voted against

[01:16:08] uh the um the one residential rezoning that came forward because i do not think we should be putting residential in industrial areas, but this entire area to the east of the south has long been industrial, and to have had data centers by right and approved in the past and not permit those data centers to have a substation that they need to go forward

[01:16:44] I think is unjust to those who had every right to rely on the industrial and heavy industrial zoning that was in that area historically.

[01:17:00] So I will be supporting this. Thank you. Mr. Sainz. Thank you, Madam Chair. I'm going to vote to reverse the Planning Commission's decision. However, when it comes to the actual application for the next item, I don't know where I am just yet on that, but I just want to make that statement, say that so everybody knows where I'm at right now because I do have questions for the applicant when we get to the next item, but thank you.

[01:17:36] Thank you, Mr. Letourneau. Yeah, the Board of Supervisors is a quasi-judicial body. Rarely does that come into play in such an obvious way as it does in this particular case because we're hearing an appeal. So we have to wear a little bit different hats when we hear these appeals and stick strictly to the four corners of the law.

[01:17:58] Like Mr. Sains, I am completely undecided on the next application and the special exception. I do not know if I will support it, and if I did support it, I think I would probably want to see more than what's in the application by way of buffering. however specific to the planning commission it's pretty in the commission permit it's really obvious to me that the planning commission aired legally in its in its decision they made findings that are outside of what is legally permissible in a commission permit in some ways this activity here to me is today delaying the inevitable should the board upheld

[01:18:38] the planning commission's decision i have no doubt eventually it would be reversed it would would just be by a different body. So therefore, I will support the overturning of the commission permit, and then we will have, no doubt, a very robust discussion on the land use special exception, which gives us

far greater latitude to discuss, debate, ask for things, and then ultimately deny if we choose to the land use case.

[01:19:10] Thank you. So, Ms. Umsa just said that the data centers were allowed by Wright. We would be talking about 2012, right? Correct. 2012, the IP district was established, which allowed data center use.

[01:19:27] In 2019, when they came in, they asked to increase data center FAR from the district limit of 0.6 to 0.8. So, in both instances, data center was allowed. In the 2019 application, the data centers were confirmed, and the intensity of those data centers were increased in 2019.

[01:19:44] If this was, and for the most part, I mostly would associate myself with Mr. Turner's comments. If we overturn the planning commission right now, and just say that on the application, the actual application, the supervisors, we decided, and I think many are undecided, that we would not support that.

[01:20:08] would there just be a substation there sitting alone would I mean a data center there's what happens with that piece of property if there's no substation the applicant would have to decide whether or not to move forward on their data center entitlement or have to replan the IP uses that would be allowed on the site okay well maybe not though okay okay and I want to ask this one more time mr. Rogers saying yes to the to this to the to the overturning of the

[01:20:46] Planning Commission does not let us to what we have to do on the next item correct that's correct okay okay um all right thank you thank you miss I'm such a closing no ma'am all right motions made by Supervisor I'm said the sec and second by Supervisor Letourneau all people say aye opposed that motion will pass 9-0 now I think we're gonna do the next item right now is anyone changing out all y'all staying where you are you're gonna stay right where you

[01:21:18] are. All right. Yeah, okay, cool. Staff, we're ready for your, we're ready for you for item number seven. Good evening. I'm here tonight to present the application Tuscarora Land Bay 3 substation, which are concurrent legislative applications with item six on tonight's agenda, just heard before the board. The subject property is the same as heard in item six of tonight's public hearing,

[01:21:59] as is the zoning district. The application requests a special exception to permit a utility major use and a minor specs to eliminate buffer requirements along the western boundary facing the approved data center uses present on screen is an annotated excerpt of the specs plant substation is indicated in gold and which previously approved data centers indicated in brown tonight's application is within the larger rezoning tuscarora crossing and one of three land bays that permit non-residential uses which rezoned 250 acres to residential public and civic

[01:22:34] and pdip uses present on screen is an annotated excerpt of the concept development plan for Tuscarora crossing. The rezoning outlined in red and tonight's application in yellow. The applicant proposes enhanced buffering along the north, east, and south as well as supplemental plantings along Cross Trail Boulevard. Conditions of approval have been recommended by staff to include screening wall, enhanced landscape buffering, and supplemental plantings. Staff could support approval as the applications are generally consistent with the Leesburg JLMA employment place type. However,

[01:23:11] staff raise for board consideration whether the design detail proposed will ensure conformance with the design guidelines and compatibility with the surrounding uses and staff are available for questions. - Just a point of clarification.

[01:23:29] You just said staff could support approval. Does staff support approval or not? - That's correct, staff are supportive of approval but identifying an issue for consideration. - Got it, okay, I understand, thank you.

[01:23:44] All right, thank you very much. Supervisors, questions for staff. Ms. Umstead, this is your district, do you have any questions? you ma'am on on the kind of screening do you think the screening that you have recommended is going to be adequate to significantly cut down on the visual impact of this on both the Tuscarora crossing community which is right across cross to Grail Boulevard and then Kincaid Forest and Tavistock farms which

[01:24:22] are a little bit further away. Staff have recommended enhanced landscapes landscape buffering along Crosstrail Boulevard however the proposed facility will exceed the height of the enhanced landscaping. All right and by enhanced landscaping what do you envision? To the north it is an enhanced type C buffer yard that is enhanced with five additional evergreen trees per hundred linear feet as well as a supplemental planting of 17,900 square feet. And how about the west? To the west that is that is only a security wall that is related to

[01:25:00] the minor special exception to eliminate the planting requirements approximate to the data center uses. Okay thank you. Mr. Crony. Thank you Chair Randall. So regarding the screening wall will there be a berm at all like around the substation? The application at the planning Commission public hearing did not propose a berm in concert with the substation screening wall.

[01:25:29] However, the applicant has indicated in conversations with staff that they will provide a berm along the northern substation screening wall. Yeah, because I heard the applicant state that the ground mounted. Mr. Can I bring you back a little bit closer, please? The applicant stated that the ground mounted, you know, infrastructure is 20 feet. So I would want to see at least 20 feet to to screen the um ground mounted infrastructure i mean i know the utility poles can't you can't screen them but um the ground mounted infrastructure you know can be

[01:26:04] very um you know it can be ugly so frankly so it would be nice to be able to um at least screen that either with a higher screen wall or a berm in addition um so the enhanced landscaping buffer Is that just along Cross Trail Boulevard?

[01:26:22] What about the W&OD? The landscape buffers are screened along the W&OD and Cross Trail Boulevard as well as to the south. The applicant does only provide the additional plantings to the north. Okay, so that's not with the W&OD though, right?

[01:26:38] That's correct. It is just towards the north. I know that the staff said that they recommended the applicant consider providing interim screening measures um until the the tree plantings reach the envision height was there any discussion about that um you know as an interim whether native fast growing shrubs um to help with the visual impacts correct staff did recommend a number of those mitigation measures such as a screening mesh or fast growing native shrubs those were not included in the application materials

[01:27:11] Okay. And then also I saw that some required plant units may be substituted as deemed necessary by Dominion. Has that been resolved? In conversations with the applicant, the applicant, sorry, in conversations with staff, the applicant has indicated to remove that language in concert with what staff is recommending.

[01:27:37] Okay, so it'll be more, so there won't be a substitution is what you're saying. correct the applicant has indicated that they're removing that language for substitutions okay thank you mr sanes well thank you madam chair all right staff how far is the data center from the what is this rhonda place southeast uh street residence i have to get back to you on that specific measurement for that crossroads all right i'm assuming that maybe the applicant

[01:28:13] will know it so i'll wait till the applicant um does their presentation and ask that question amateur unless you allow them to answer it now is that it you do yeah since staff doesn't know the answer i'll wait till the app okay unless you unless you allow them to answer it now no we'll wait okay thank you that was it miss um bruxman thank you madam chair could you go back to slide seven please so um what's proposed here on land bay five those are planned development general

[01:28:50] industrial uses right but is there a site plan approved there for anything staff are not aware of a current site plan for that land bay. Okay. And then what about land bay seven? Land bay seven is for office or industrial uses. And there's no site plan approved there yet either? Staff are not aware of a current site plan on that land bay. Okay. Okay. I think those are all questions I have for staff. Thank you. Mr. Turner. Thank you, Madam Chair. This is open civic space. This is never

[01:29:27] going to be built out with residences currently within land bay four there is an application under review for flex industrial or warehouse use in in this space right here correct okay and as i believe this is a retention pond i'm sorry correct that that location is for the school that's coming okay well public use civic and school open space i'm sorry the county warehouse county applications in for that land bay I apologize now I'm really confused so what's going in that space I apologize we're trying to so you see the label on

[01:30:03] it it says public schools civic space or the like the the school board has submitted an application for for a warehouse complex associated with the school a warehouse complex okay and there is a retention pond right here that's correct well you will come back to you that's the information that we have if mr. Capretti has a different answer we'll let him address that okay

[01:30:27] Okay. And then with the original application and the application was approved in 2019, was it approved with a substation on the CDP? Was there talk of a substation? Was the approval basically on the assumption that there would be a substation with this data center?

[01:30:45] Mr. Capretti made the reference earlier looking through the documents. I could not find it is not cited for a substation Hence the need for the Commission permit There were some discussions about screening or how substations might be screened and certainly how the screen The site would be screened from the substations to the south, but a substation was not approved with that application Okay, that's that's the operative answer. Okay. Thank you very much. All right will you do me a favor because Mr. Mr. Turner just asked a great question, and I think you have one answer.

[01:31:18] Mr. Corretti may have another answer in just a second when we get to him. Can you go through all of these land bays in here and show us where the data system will be and if that was approved and what everything else is? Because I do think that, one, not everybody can see this. It's an eye test.

[01:31:35] But, two, I do think this may be a little confusing. That's the first thing. So walk through all those land bays for me if you have a pointer. That would be helpful. That's the first question. And the second question is, how far, building to building, not building to setback or building to tree, closest home

to building, is the, would the data center be from a home, and then how far from a tot lot or a park or anything like that would that be from the actual building?

[01:32:08] Madam Chair, we can have the applicant, because he is the owner and the developer, have him go through the specifics of each of the land bays and we'll bot our heads if we agree or not and then with the distances we can have those for you you're talking about the distances in the area the land bait outlined in yellow you're asking the distance of those data center buildings itself to the nearest residential house on the north side of cross track the nearest home and the nearest tot lot or park or something else like that that might need to be a follow-up for later on but we'll see what we can put together for you while we have that would be really helpful thank you thank you very much any other i guess no more questions good evening and mr capretti

[01:32:47] is you're kind of ready to go well we're going to start your time fine okay i'm going to talk very quickly i don't have a i don't have a red pointer i don't think this does this point would you like a red pointer i would but i can't walk up there because it's all blocked off could you stop my time okay so michael don't take all my time do you want us to start the presentation right there i want you to stay right there for a second and then i'm going to talk and then i'm going to give tony the all right does this work okay okay so real quick let me just walk you through tusk

[01:33:28] put this time at 10. there we go all right let me just walk you through the concept plans from 2019. so we have land bay 2 which is residential which is 64 units which all those houses are built and delivered we have land bay 3 is the data center site which is right across the street this was profit is a public use site it's up to the county how they use that and the county has a special exception submitted to build the worldwide headquarters for general services and that has been submitted and it's under staff review right now so that's a loud county application

[01:34:08] in conjunction with that application this land bay five which is zoned heavy industrial gi is proposed for the county to take the general services this will be the building and this will be a repair facility for vehicles for the county this land bay six is the affordable land bay one is all residential and land bay seven is data centers with an approved site plan and that's all tony's time i'm allowed to take so can you answer the other question what was the

[01:34:42] other question the distance we're going to answer that okay madam chair can we stop and move to their presentation you can stop the time we're not going to add time to him though okay time you are hawk on time chair you really are that's all right i actually i brought my watch so i'm down to 8 35.

[01:35:01] you're good i shouldn't like 8 42. i shouldn't like 8 42. i shouldn't like capretti even touch the mic chair brandon members of the board remain tony calabrese and michael capretti and derek van dyke of the black chamber group are here body guarding me again let's flip since i don't seem to be able to do it to the next slide uh staff covered that stop right there if you guys don't mind while while repetitive i think this helps uh recalibrate if you will you've seen this and heard it but for the record for this case uh you see on the graphic again the substation location

[01:35:36] i think it's important to note that the selected site is intentionally not directly across from the residential area we did move it up to the north contiguous to the existing substations that's by that's by design as you well know and one of the things that i absolutely encourage i know colonel turner uh and a number of uh obviously ms umstead probably mr kirschner and quite a few of you been up and down cross trails boulevard as you contemplate this case and as you contemplate the issue some some of the

very good questions that i've already heard this evening from the board i would really encourage you i'd ask you we're happy to meet you out on the site we'll certainly

[01:36:16] continue a dialogue with any board member that would like to meet with us we're certainly going to continue a dialogue with staff and with the good residents here we are pleased by the dialogue and we're happy to follow up with them but please come out to the site and drive around it will give you a very good very helpful perspective on exactly the types of things that miss umsted was alluding to several minutes ago next slide again we're in the jlma area for the reasons noted in the previous case actually we've got one more slide earlier please if you can go to four just to reiterate that the recommended uses with which we think we are quite

[01:36:53] consistent even the residential area immediately across the site still remains within JLMA and really still recommends no residential development next slide what this application is about infrastructure to support the already approved data center uses it is planned employment there will be a partial GIS substation and not fully but a partial that helps reduce the footprint as Colonel Turner I think was pointing out of the substation substantial screening located in and surrounded by the place type next application important to note it's not a new data center proposal we're not

[01:37:33] asking for an increase we're not asking for a land use change we're not asking for a rezoning. You're a very good counsel there around the horse. You will advise you at the appropriate time, maybe tonight, maybe in the future, about the standard of review of special exceptions.

[01:37:48] They are different. They're certainly different than a commission permit. They're different from a rezoning as well, as this board is very cognizant. Special exception is a use that is recognized as appropriate within a district. The applicant needs to reflect and ultimately convince the board that we've mitigated the impact of that use through binding development conditions.

[01:38:07] the board has an ability to impose development conditions in a special exception that you don't in a commission permit. We're happy to continue a dialogue about every one of the issues that you all have asked about this evening. So we're happy to do that. Next slide, we think this is absolutely a logical and appropriate location for the utility for the reasons you heard before and that are recited here again.

[01:38:30] As recently as 2019, the board designated this property and the surrounding properties again as JLMA employment, even after the 2015 approval of Tuscarora Crossing, which Ms. Umstead noted she was not enthused about, but it's still JLMA, directly relevant, ultimately, to your consideration.

[01:38:50] Next slide. You saw this before, again, but these are the findings associated with the 12/approved in 15 case, as well as the 2019 case. I think that they are salient, ultimately, to the board's deliberations and conclusion about a special exception.

[01:39:10] Next slide, again, just goes to the general plan. So let's skip that, 'cause you've already seen it. Next slide, again, we think the logical nature of putting the subject property, the site plan, and the substation where proposed.

[01:39:25] One of the things that Colonel Turner alluded to a few minutes ago in the previous case, can't tell by this graphic, 'cause CrossTrails is under construction, But the road rises up very dramatically as you kind of go from the right-hand side where it says Approved Data Center as you head north towards Route 7 to the left.

[01:39:44] If you can't appreciate it by the maps or the graphics that we're reviewing very quickly with you this evening, please go out to the site if you'd like to meet us on the site. We're very happy to do it. Next slide. We take seriously, Mr. Capretti takes seriously, Black Chamber Group takes seriously the very things that bring the residents out tonight.

[01:40:04] and we understand and respect their concerns and we appreciate the dialogue. We have already agreed to, there are a number of conditions which we did agree to, subsequent to the Planning Commission hearing and before the staff deadline for the hearing this evening, significant additional buffer requirements.

[01:40:23] We'll reiterate those again with staff. We have at least an 80-foot minimum landscape buffer along Cross Trail Boulevard. We have a four-foot berm, so that's not quite right, a 16-foot berm that wouldn't be impossible it's a four-foot berm and a 12-foot wall there's a 16-foot combined protection which is depicted here come back to that significant additional landscaping screening wall on all four sides next slide this is a helpful graphic and you'll get it if you drive out to the site if you go out to where this property is and you're on cross trail boulevard there's a very significant drop as you're going up to the w and od trail if you follow those blue

[01:41:02] cars if you will there is a distance of 47 feet if you look to the middle of the graphic says 47 feet from the base to the top of the wall from the base of the substation going off to the right all the way up to the berm and the screening wall on top that is a 47 foot difference so that is very helpful I think ultimately in your discussions and our discussions with the residents about how to adequately buffer and protect them in terms of sight in terms of any type of noise in terms of any visual impact. You can't see it on this depiction, but there

[01:41:38] are very, Mr. Crony I think was asking, there's a tremendously, there's a series of evergreens and deciduous trees all along the W and OD trail and we're actually doing additional buffering there. I'm down to a minute and 45, but I will beat it. Next slide. If you stand out on the site today, this is basically if you're coming out of the resident's second entrance this does not do justice to what they see today it is stark those are all the existing facilities the transmission lines the substations that's what you see today next slide we understand

[01:42:14] and respect the fact that that isn't necessarily next slide please what you want at your front door that is an accurate depiction of the proposed height of the data centers some sense of the rendering of what we think will be very attractive addition that is the berm in the screening wall and a five-year growth plan on the left-hand side that screening wall and the berm will be built along with the data centers we think it will enhance significantly the view along cross trails boulevard and what the residents see today next slide is just a frankly a 10-year growth plan

[01:42:48] i think importantly we will implement those screening measures on the first day next slide and i think i'm almost at the end i actually am at the end we really appreciate your consideration we would do the slide with the dimensions no not all of them let me just in my 29 seconds chair we will send to you we'll send the staff as well we're working on a final depiction as i noted to mr saynes earlier the closest area from the substation to a home is 771 feet

[01:43:22] mr saynes the closest area from a data center to across the street is about 485 feet i'll I'll check that. It's somewhere around 480 feet. Ms. Sump said it's 1,400 feet or more to Kincaid, just to give you a sense. Let me just stay for the record as my time is up.

[01:43:38] You've got 15 seconds. I've got 15 seconds. We're delighted to meet you on the site. We will absolutely continue to dialogue with staff and our good residents here. We're happy to conduct additional community meetings. We understand and respect their legitimate concerns. We're here to help. You have very responsible corporate citizens.

[01:43:54] Thank you, Chair. Thank you. Thank you very much. Okay, questions to the applicant, Ms. Umstead. So I really appreciate the graphic depictions of what the screening is going to look like in five years or ten years.

[01:44:18] And the data center design, I think, is attractive. Do you have any thoughts on why there's a bit of a disconnect between your proposal for screening and staff's concern that we need greater screening or buffering?

[01:44:43] I do. I think the short answer, Ms. Umstead, is that because we've had a 10-day period within which to appeal the Planning Commission decision, and the staff understandably takes their protocol all, is that if you file an appeal under those circumstances, the pending legislative action, in this case a special exception, is put on hold.

[01:45:03] So I think this is fair, Marchand can correct me if I'm saying this incorrectly. Even though we submitted additional materials to try and address the very things that staff has alluded to and that are memorialized in the report, that we think directly responds to those things. That was submitted before we filed the appeal, but I believe that staff takes the position They have to halt their review of materials like that.

[01:45:26] That's why I think it's not before the board this evening until we made the type of decision you made a few minutes ago. So we will again convene with staff. We will make absolutely sure that they understand the conditions that we think appropriate, the buffers that we've proffered to, the berm, the opaque wall from day one.

[01:45:44] So I think an ongoing dialogue will be productive, ma'am. That would be great. Thank you. Yes, ma'am. The other question I have, where are you siting any generators? Sure. They are between the data center buildings.

[01:46:00] You saw that they were kind of perpendicular to cross trails. They will not only be screened. They will not only be significant screening and sizable screening walls, but those walls will be a parallel to cross trails.

[01:46:15] It will have the type of effect that you saw in that cross section. That is, we'll have the walls, the backup generators will be behind those walls and also a bit below cross trails, not as far below as the substation, but still completely screened. We'll be happy. I don't have that graphic tonight, but I'll be happy to bring that back if you'll let me come back.

[01:46:35] All right. Thank you very much. Thank you, Ms. Letourneau. Thank you. Mr. Calabrese, is the substation, is any part of it a GIS, which is indoor facility? Yes. So it's about half.

[01:46:52] Can you just explain? There's a lot on the buffering and the data center, but not a lot on what the actual substation looks like. Yeah, so I'll answer that question if that's okay. Derek Van Dyken from Black Chamber here. It is a half GIS substation, so the front end, so the end that faces cross-trail will be

GIS, and sort of the low side, so to speak, of the substation will be air insulated, that's on the back end okay does it still have kind of the h frame though that sort of sticks up

[01:47:25] i believe so correct yeah is there any i'm going to ask is there any opportunity to do it as a full gis i know that will increase costs but is that something that you would consider i don't have to give me a firm answer but i can't speak to that that's really a decision mostly driven by dominion not by us but we can look into it well i don't i mean having been through this recently on another application dominion didn't want to do a gis and the applicant decided to pay for it on their own anyway so now we'd be happy to do a full gis it's okay we can we can discuss the mean on it

[01:48:02] the maximum building in the substation is about 50 feet high so the screening wall is certainly not is there any way to get to the sort of ratio of building height and wall so that the building is covered by the wall screened fully by the wall um darby could you go back to that cross section from mr letourneau for a minute this is mr letourneau this is uh with regard to the substation site the land is actually um a lot closer to grade across trails when it comes to the data centers

[01:48:41] frankly we think the data centers are going to be very attractive when it comes to the substation this is an accurate depiction in the middle of the substation parcel of where you are at cross trail boulevard elevation 311 you can see where if you go back we've got about at least an 80 foot wide landscape buffer you can see where it says 315 it actually goes up a little bit there'll be a four foot berm and a 12 foot screening wall completely blocking on top of that plus the landscaping on both sides but if it's 50 feet it's still going to be above that tree line well the utility pole you have there is 60 that the utility pole is actually shown at 60 feet and yes

[01:49:19] will that utility pole if you take it straight across to the left will it be slightly higher the building's only 55 feet the gis building's 50 feet i'm sorry the the gis building is 50 feet right the very tip of the top of that pole is a little bit higher than let me i got three seconds it would be very helpful to see visuals of what this substation site actually would look like

[01:49:42] We'll have those. Yes, sir. Thank you. Mr. Crony. Thank you, Chair Randall. So the building, is it going to cover all the ground mounted structures? Is that is that the idea? Because those are the things that are very visual. So the for the substation. I mean, it sounds like if you do a GIS, then it's a different design. But I'm saying are the you said they're 50 feet, the buildings.

[01:50:12] Mr. Crony, the GIS building is a relatively small footprint. And so to what Mr. Letourneau just asked, I think we need some better graphics that I don't have this evening. We'll have a planned view for you that shows where the building is proposed, the size of that building.

[01:50:28] It's not particularly large. Right. And we will continue a dialogue with Dominion about the other facilities. But the building itself is relatively small and will be a maximum height of 50 feet. Okay. And then I'm wondering if it's a smaller building than what you anticipated, because as a partial GIS, if you could do a little more buffering along the W&OD. I know the buffering along Cross Trail was enhanced by five times, but the W&OD was three times. I'm just wondering if there might be an opportunity for more buffering.

[01:51:02] Yes, ma'am. We'll be happy to look at that. With the plants. Yes, ma'am. Yeah, that would be great. Yes, ma'am. What's this retaining wall? The retaining wall is a reflection again of the grade in that area. Because we need the substation area needs to be relatively flat in order to construct. The good news

for, frankly, for anyone on cross trails or across the street is that we're actually taking the site down a bit farther in order to have a flat grade for the substation. In order to do that, it slopes up pretty significantly to cross trails, so we need that 17-foot high retaining wall, if that's helpful.

[01:51:37] Yeah, that is helpful. So you have no, I know that the planning commission discussed relocating it in the back and that's just not feasible, right? I mean, could you explain why? The short answer is we have a, I think it's a proffered plan that shows with the stormwater management facility, it's behind the data centers, it's at the low end of the site. It's not only proffered, it was only approved, it's constructed and existing. It accommodates the water from both our site and actually from the residents across the street. My brother the very smart plumber has taught me that water flows downhill among other things and so it is that it is at the low point of

[01:52:15] the site. So it would be quite challenging to say the least to reconfigure the property and frankly we would lose our conditionally site plan approval which we would not be enthused as much fun as this is we wouldn't be very enthused about having to come back through and reapprove the data center uses ma'am okay thank you just to add to that the ponds built and been accepted by the county the stormwater pond okay okay thank you mr saints thank you madam chair um can we get obviously it's gonna have to be after this meeting but can we get some visual more visuals regarding your data center

[01:52:52] substation on street level on the side in the back yes please and where do you plan on putting the backup generators? Again, very briefly, Mr. Sains, the data centers would be perpendicular to cross trails. So those cross trails, there are three buildings. They would be between the buildings. But critically, as I think I indicated to Ms. Umstead, we will have significant screening walls against, between the data centers and against cross trails. So let us come back to

[01:53:28] with better graphics that make it clearer than my hand signals are doing at the moment yeah so quickly they can answer so you're not putting it on the front part no sir facing the the residential no sir but you're putting on the side in between the buildings yes sir why not put them in the back of the building uh we'd run out you basically would put them in the stormwater management facility so they they um sure we can do that can you put up 18. slide 18. so they're going in the alleys yes sir and and what's not reflected here particularly well so we'll have better graphics

[01:54:05] for you will be the the screening walls that i was alluding to um well the screening walls prevent the sound sorry will the screening walls prevent sound if the generators are running absolutely we'll have um we have sound protection measures already in place uh and uh we actually use the latest technology and there will be screening walls as well yeah we have to have some more conversations about that because i yeah what what what type of generators are you planning to install sorry those most likely will be tier four generators what do you mean most likely well

[01:54:40] we aren't installing the generators it's our end user who would be installing the generators and they have said that they would install tier four generators but i can't speak for them you said say that again one more time tier four generators is that definitive or are you still they're still making decision no that from what from what they have told us that's what they were going to use okay can you send me video and audio of what tier 4 generators sound like when they're running sure and i can and as it relates to noise there have been studies done i can tell you that

[01:55:12] the end users um the way that they program their site and their use um the county standard for noise is 55 dba i believe um what they their internal uh targets are 20 below that at least so i i have real life

case studies and i'm hard pressed to believe that's but anyway okay um yeah you can give me that information please sooner than later and are you are you definitively building all three buildings or will you possibly change and say oh we're going to end up just doing

[01:55:51] two or plans wrap it up oops are we building all three buildings that is correct you would like to build all three okay thank you miss bruxman thank you thank you madam chair um could you go back to slide 12 please so what i'm curious about is what well first of all what's a gis gas insulated substation so does that mean there's going to be walls around all four sides it will be enclosed

[01:56:24] correct completely enclosed completely enclosed a portion of the of the substation not all of it because it's a partial gis it's not it's not fully so it's not fully gas insulated so a portion of it is gas insulated and then a portion of it is air insulated the air insulated components are are sort of the the exposed um uh parts of this substation that that you can that are not enclosed right so there will be a portion of the substation that's not enclosed that on the back on the back side of the okay okay correct and then um how tall are the um residential buildings

[01:57:04] across the street in in both land bays because there's a land bay that's got adus that sort of a catty corner is that four stories four stories yes okay so and then directly across the street are those single family homes or those apartments they're single family in towns and town homes okay and how tall 45 is the max for 45 is the max okay so this is all well and good from the road and the other one you showed me you know yeah it looks yucky from the road but what i'm concerned about is somebody who might be in the fourth floor um of any of those buildings and what they're

[01:57:42] looking down on um so that that that's my concern and i gotta tell you the the substation that is probably i think now complete near the mall at the corner of route 7 and algonquian parkway right by winding that substation is my a monstrosity and i had no idea what that was going to look like so it's going to be really difficult for me if if you need to get that visual out of my head

[01:58:17] i'm saying because that that makes me want to never vote for another substation again um so partially enclosed is is better but um i i need to have a visual as to what that looks like Okay, thank you.

[01:58:32] You need to get that visual out of my head. I don't know how you do that. Just knock it right on out of there. Mr. Turner. Thank you, Madam Chair. I'd like to focus my questions on the substation, specifically not on the already approved data center.

[01:58:53] Can you circumscribe for me the discussion around a substation with the 2019 approval of a data center? and correct me if I'm wrong, the data center, and I may have pulled this from another application, the data center was originally 1.4 million square feet, and it's now 700,000 square feet.

[01:59:12] Is that correct? Correct. Okay. So when the data center was approved in 2019, what was the discussion around the substation? Was there anything in writing that depicted the substation? Was there a discussion that this will need a substation down the road? There was discussion about buffering for the substation, which, again, is in the staff report and acknowledges our buffering works.

[01:59:31] Back in 2019, substations were by right in PDIP. That's right. They were substations were by right. We've only recently attached the specs to substations. So what I would say to you is in the world of 2019 for this board, I believe the board asked applicants to proffer out substations if they weren't going to do them.

[01:59:50] We were never asked to do that. Okay. So there was a, I've completely forgotten that. So substations were basically considered integral data centers unless they were specifically proffered out. Okay, my thoughts on this are, to me, and this is just my personal opinion, it's borderline unethical for the Board of Supervisors to approve a data center within an environment where there's a general consensus that a 700,000 square foot, at that point, 1.

[02:00:08] 4 million square feet data center, is going to need a substation.

[02:00:26] Substations are considered integral to the property, and if you don't want a substation, then somebody has to say, oh, I'll proffer out a substation. So it is clear to me that this data center was approved with the intent of building a substation. And it's borderline ethical to me to realize now, because of a change in the zoning ordinance, that the board could theoretically kill this data center by backdoor disapproving a substation, which is intended to be part of this data center all along.

[02:00:56] And I don't think it's any surprise to anybody how I feel about new data centers in Loudoun County. So this is a tough vote for me to be able to do this. I got 40 seconds. Just let me correct some misinformation that came up both at the recent meeting, the committee meeting we had, and then this.

[02:01:13] A Tier 4 generator, a backup generator, eliminates 90 to 95 percent of nitrogen oxide, sulfur dioxide, CO₂, unburned hydrocarbons, and particulate matter 2.5. It runs at about a 50% reduction in the noise level.

[02:01:29] It's more fuel efficient. It requires less maintenance. It's way more expensive on the front end, but over a period of years, it pays for itself because it's more efficient and operates more efficiently. It is the new EPA standard, and Tier 5 generators are probably coming within the next year or two will be the next highest standard, just to clarify.

[02:01:47] Thank you. Thank you, Mr. Turner. So I will be taking you all up on your offer to come out because field trips is what I do. Honestly, because I don't have a really good mind's eye. And so even when things are described to me and charts are shown, I don't see things well.

[02:02:04] So me going out is the best way for me to help make up my mind. So I will be coming out. That's the first thing. The second thing is, do you all plan to have any other power generating source like turbines or anything else on this property?

[02:02:22] No. No. And have you proper those things out? We would, yes. which you would you would profit you would profit those out thank you condition those out in the condition okay okay that's fine um the pictures you showed us were those actual illustratives of how the how the facility would look correct those were actual illustratives correct okay um i think that was i think that's all the questions i have and i will i will uh give probably mr capretti a

[02:02:55] a call. I may go out by myself. I may go out Mr. Capretti, but I'll go out. I do have one other question. The cross trail, is that a six-lane divided road or a four-lane divided road? How much space is that across that road? It is four lanes. Four lanes divided. Excuse me, I'm sorry.

[02:03:17] That was lovely. Thank you. I'm very sorry. Very sorry. Bless you. Thank you very much. It's a four-lane divided road okay all right um yeah all right thank you very much i appreciate what madam chair may i clarify some things before you move on to public comment sure okay um on the substation discussion we're all recalling the conversation in 2019 just a little bit differently so what i'll do is we'll work

with mr caprati we'll go review the tape we'll have a summary discussion should this go to a future business meeting we will agree on the accounting of how substation was addressed

[02:03:54] during the 2019 application. On the public use north of this property, Mr. Capretti and I are both correct. It is a general services building that is labeled on a special exception plat as flex industrial warehouse building at 130,000 square feet. So again, if this goes to the special, this goes to a future business meeting, we'll have a description of what that use is and where it's in the review process as part of your application or part of the action item for the application.

[02:04:22] okay and i can just add to that one of the things we've done with the neighborhood is offered some dates so that ernie can come out and do the presentation on what's going on land bay 4 and i'm sure that'll lead to additional data center discussions but we will meet with the residents certainly before we come back in september if that's where you put us all right thank you very much um i will go to the uh speakers here for public comment do we have anybody else who are signed up for public comment okay we have the same speakers and and we welcome you back um mr

[02:04:59] brett sposa um mr diab i hope i said that right this time and and miss casa bain i hope i got that a little closer this time ready when you were sir awesome thank you um a couple of just a couple points it's unfortunate um but it's somewhat clear that our community is being just disregarded if If you go back to the picture with the land base, yeah, right there.

[02:05:24] If the board doesn't know, they're trying to put a warehouse directly in the neighborhood across the street. It obviously doesn't have anything to do with the data centers, but we're about to have to fight a gigantic warehouse in that circle across from the substation that's going to have two roads right across from the playground, where the playground is.

[02:05:45] So it's unfortunate that I feel like our neighborhood is like, all right, well, we'll put everything around this thing instead of leaving it a residential community, which is, again, what we thought we were moving into.

[02:06:04] So it's important to be aware of that. I don't believe any amount of trees or shrubs or wall is going to make this thing look good. They talked about, oh, it's going to look better than what we see now. I will happily take what I look at now as opposed to gigantic data centers in a substation.

[02:06:22] If you've never been out to our community, there are three- to four-foot-story townhouses that sit on a gigantic hill. Our community is not flat. There's a gigantic hill that what sits on top of it is townhomes.

[02:06:37] Those townhomes are going to look directly into that substation, as Ms. Bristman was talking about, but I don't know how you're going to obscure that thing, so good luck. What else? I do find it kind of convenient that there's no pictures from where the community is settled to what this is going to look like when you're sitting on the playground or in our homes.

[02:07:03] It's convenient that there's no depictions of what it's going to look like. It's all right from the road, two feet from the sidewalk where I walk my dog. And so at the end of this, I just think the moral of the story for me is we shouldn't be putting substations that are noisy.

[02:07:19] We haven't talked enough about the noise of the substation. I ride my bike on the WND trail. I have to, unfortunately, go by all the three other substations that are right near our community. It's loud as

can be. So we haven't talked enough about the noise of that either, regardless of the visual impairment that it's going to provide.

[02:07:37] So, again, I'll rest with that. Thank you. Thank you. Yes, thank you, sir. Hello. Hello. It's been such a long time.

[02:07:53] Good to see you again. So I just want to touch on a few points. Again, no formal speech. Mr. Capretti developer at some point asked for higher density. And then, I guess, had to back away from that. So whenever they got this approval, there was no explicit designation that a substation would be needed.

[02:08:10] They asked for higher density. They didn't get it. They scaled back. And now we find ourselves in a pickle of needing a substation, which nobody wants. This kind of sounds like the biggest winner here is going to be Dominion. They've pushed people into a corner, said we can't supply you with power. But if you build us a substation, we'll gladly provide you power and whoever else needs it.

[02:08:30] It sounds a bit extortionist to me, but it certainly doesn't put anything on Dominion and their responsibility in any of this. It kind of puts it all on us. To Mr. Brett's point, well, actually, let me go to Mr. Umsat. You said at some point that you were opposed to the residential area around that, which is understandable given what we know today.

[02:08:50] But by approving a substation, it kind of feels like we're going to be punished for some decisions, not necessarily yours, but some decisions from other folks. The height from our neighborhood is well going to exceed the visual that you saw. Yes, cross-trail slopes up, but our neighborhood's elevation is much higher than that.

[02:09:07] I see the stations now from my window. I paid over a million dollars to look at an industrial park as not really what I signed up for. Approving the substation likely allows more power to other locations, other data centers, which it seems like nobody here really wants.

[02:09:27] And I do, I invite you to go drive around that area. I invite you to go look and see for yourselves that our neighborhood is, in fact, not taken into account on those elevations. And then I want you to drive around and ask yourselves, why in the heck did we ever approve residential here, only to inundate it with industrial around it?

[02:09:47] They want to put a warehouse site next to us, which has commercial vehicles, and the entrance would be from our neighborhood. None of it makes sense from a master planning standpoint, certainly not from where we're sitting. And hopefully from where you're sitting, from a zoom-out perspective, we can get a better visual that our neighborhood is not really very neighborhood-y.

[02:10:07] You're inundating us, surrounding us with an industrial buffer. It's almost like an industrial prison generator noise. We hear the generators now from the detention center. a very low hum and rumble and they are further away than these data centers please don't approve this substation and i invite you to come see it maybe you can come see it with the residents i will absolutely do that thank you um miss casabane i hope i get right that time and then we have miss taylor it's casabian but it's okay i've heard them all

[02:10:50] um i would like uh if you could to pull up the slide that shows the three data centers in the substation highlighted in gold um i would like to point out something kind of glaring to me as a resident

my house is caddy corner to this um off of kathachny and i did pay a very significant lot premium to live there from my vantage point the substation protrudes out in front of these data

[02:11:23] centers and there is not going to be significant screening on the western side of the substation from my understanding because the data center is is there however when you are walking up cross trail when i am looking out of both my son's windows i will be seeing that substation every single morning at 7 a.m um i would think that in an area that is residential and off the wond we

[02:11:58] would require even more extensive buffering that those requirements would be strengthened and not waived again i just i think this sets a dangerous precedent for for future projects i also wanted to i guess also point out that yes a lot of houses are up on a hill so while the vantage point as you're driving up and at the very tippy top of cross trail you will only see maybe 10 feet of the utility station that's not the vantage point for people that are living there

[02:12:35] every single day we will see that thing none of the visuals show how far the poles extend beyond that wall um and i think you know there's a reason that these visuals don't include um include that um i also you know it's too late now um but maybe there is an opportunity for for black chamber to reduce the size of the data center footprint and allow them to put in more proper screening allow them to put the generators on the back i would hope that is something that can be taken into

[02:13:13] consideration um and then you know again too too late now um but i would urge the county and applicants ma'am time is up okay thank you thank you the last speaker is beth taylor guys again um and i will start a couple of my neighbors mentioned the misleading piece of this i will say i'm a chief marketing officer and to see someone present photos that don't actually show the substation

[02:13:48] is bizarre we saw everything but the substation so i would encourage you to be a bit more forthright with that and the fact that we are looking at images of a pond and a school which are actually a playground for young children and a potential vdot proposal which we'll talk about another day so i really hope you guys do come out and i think the offer to come with the neighbors is great um what we haven't talked about besides the noise is health right there's a couple comments that we made there's research that's still outstanding on what data center impacts have to

[02:14:25] help um i don't have the data for that but i would encourage that to be part of this conversation because we live very close to this um and then the the image about the i think it was fm fm la 100 non-residential is what that slide said so someone made the decision to build million dollar homes to extort money in a way um by putting residential in a non-residential zone so i you need to stand behind that decision and help protect who you offered that to this seems to

[02:15:02] be about money seems to be about corporate interest and like i said whoever was willing to buy them those 40 homes good luck to you but it's not about community and i moved to loudon from fairfax because of community because of the way that leesburg has evolved um and i just would be very disappointed to see the government not stand up for the people so thank you thank you miss taylor all right um with no other comments andy is anybody on the phone we don't have anybody on the phone wonderful okay miss umstead would like to make a motion yes ma'am i move that the

[02:15:41] board of supervisors forward legy 2024-0043 tuscarora land bay 3 substations spex 2024-0059 NSPEX-2024-0060 to the September 3rd, 2025 Board of Supervisors Business Meeting for Action. Second. Motion made and seconded by Ms. Umstead and seconded by Mr.

[02:16:15] Kirshner. Discussion on the motion. Ms. Umstead. The things that I would strongly encourage the applicant to take seriously are the buffering requests additional buffering is always a positive with these projects also noise attenuation and I would love to do a site visit as well but noise attenuation is very important supervisor Sains let me listen to the sound of generators at

[02:16:53] a data center in his district and he's been a strong advocate for reducing noise and I think that's really important the level four generators I think is the way to go whichever generators are going to generate the least amount of noise that is going to significantly lessen the impact on the residents so those are the things that a number of board members have said they're looking for and I certainly am looking for those as well.

[02:17:25] Thank you. Supervisor DeCrony. Thank you, Chair Randall, and thank you to the residents who came out tonight. I hear you. I look forward to seeing images of the substation.

[02:17:42] I would encourage a full GIS substation if that's possible because, like Supervisor Letourneau said, you know, that is what's being proposed in a residential area in Dulles, And this is a residential area, you know, and I think we all know that this use is not really compatible with residential, so I think if we could create a smaller substation that's fully enclosed, that, you know, takes care of the visual impacts and potentially the

[02:18:16] noise, if there is noise from the substation, I'm going to focus on the substation, not the data centers, um, even though I could say things about the data centers, but I'm not going to. Um, and the visual impacts of course, um, you know, hopefully there won't be lights because I think our residents deserve a dark sky. And then, um, you know, uh, just really seeing if we can take care of some of the issues that the residents mentioned, I do encourage you to go back out to the community and meet with the residents and talk with them about their concerns.

[02:18:53] I like to visit, but I like to kind of do my drive-by. I am concerned about how close it is to the W&OD, but like you said, if you can make it smaller, there might be more opportunities for additional buffering along our recreational corridor.

[02:19:12] And, you know, I appreciate, you know, you working on this more over the summer so that we take care of the concerns of the community. Thank you. Thank you. Ms. Bricksman. Thank you. I'm going to go ahead and support the motion to send it to the first business meeting in September.

[02:19:32] I don't know how I'm going to vote in September. um i have a lot of concerns about this um substation um and that i expressed some of those concerns earlier in the questions but also this this is that's so close to the w and od and i ride the w and od almost every single weekend and if i had to ride past that i i would not be that would not be pleasant um and as supervisor to crony says that is one of our major recreational

[02:20:05] corridors. And we are really encroaching. Look, that looks like it's really encroaching. And I understand there isn't a lot of buffering there. So those are my comments for now. Thank you. Mr. Turner.

[02:20:22] Thank you, Madam Chair. I'll support to move us on to the, I think it's September meeting. I did want to point out one thing, because we're probably going to hear this on July 15th as well, or maybe not, about capacity, excess capacity on the three surrounding substations.

[02:20:40] Right now, Dominion has plans to build 59 new substations in Loudoun County. I'm going to go out on a limb here and say if they're planning to build 59 substations, there's probably not a whole lot of excess capacity on existing substations. Just to kind of put that to rest if it comes up in future discussions. Thank you.

[02:20:56] Thank you. Thank you, everybody. I will go out, and I will visit with the applicant, and I will visit with the neighbors. I'll let you know what kind of car I'm driving, because I've done this twice. I've been out there in the neighborhoods.

[02:21:12] Somebody called the sheriff's department on me, walk into your neighborhoods. Let's not do that this time. But I will go out so I can see from all angles, because I do think it matters when your house is elevated it and you're looking into, you're looking down or into a building. I would respectfully say we are listening. We're not sure how we end up, but we absolutely are listening.

[02:21:39] There are times you have to go through the process to find out what you don't know, to be quite honest. And I think it's, you know, I like to see pictures. I like to hear the noise. I will say one thing, and I say this with great respect to the residents. Three people mentioned how much you either pay for your lot or how much your home's cost. With respect, that doesn't matter to me. If you are living in a shack or if you live in a \$10 million mansion, that's your home. And your home is where your family lives, is where you bring your kids, is where you

[02:22:13] have your anniversaries and parties. I would never consider a home price or a home price point we're making these decisions. Your home is your home no matter how much you pay for it and I'm going to respect a home no matter how much somebody pays for it one way or the other. So I should just kind of put that on the record but I will come out. We will, I do, we do have some questions to be answered but also oftentimes for me the best way to really know is to make that visit, to see things with my own eyes, to, you know, to stand up on a hill and find out where

[02:22:49] I'm looking to see the illustratives, that's really important to me, illustratives and how something's going to look is really important to me, and all those things. And so before, I will move, I will vote to move this on, but there will be, this is a vote to kind of have further discussions, and there's a lot of, a lot of research and things that will be done between now and then.

[02:23:14] But I thank you all for coming out, and truthfully, I do have, I do have your information, your contact information i have your emails i have your phone number so when i do decide to come out i'll let people know when i before i come out okay yes yes okay thank you um miss i'm saying would you like a closing no ma'am all right motion was made by supervisor umster who seconded this motion mr second by supervisor cursor to move this to the i think it was to the first meeting in september is that correct yes all right all in favor to say aye any opposed

[02:23:46] that motion will pass 9-0 thank you thank you everybody um we we have one more item because it came off consent it came it came off consent and and the applicant has come in so if the applicant wants to present i would certainly allow that to happen because the applicant has presented themselves because because this item is yeah yeah I know I know so thank you very much I will go to

[02:24:19] staff first and ask is I will go to staff first and good evening everyone and ask staff is there anything new that we need to know that we don't know that that's that's important to know about this item before we get started this is tess lynch this she's been here nine months but i think this is her first time

presenting to you oh we poached her from james city county okay tell me your name again tess lynch tess yes lynch yes nice to meet you miss lynch where do you live i live in fairfax Sorry.

[02:25:00] Couldn't quite make it all. No, what? Oh, I know it. You come all the way from James City to land in Fairfax? I'm sorry. Yeah. You were so close, so close, Ms. Lynch. Welcome to Loudoun County. Thank you. Thank you, Marshawn.

[02:25:15] Do you guys have anything new on this? Any new information? Nothing that we don't know, that we haven't seen. There's nothing new. Supervisors, do you have any questions at all for staff that you haven't asked already that you don't know? To the applicant, you have come in because you have been requested to come in, and since you are here, you can absolutely do a full presentation if you'd like to, or I can ask if there's anything new that you want to show us that you haven't shown us already.

[02:25:48] For the record, my name is Molly Novotny. I'm an urban planner at Curata Partners. I'm a little hesitant to say no, I won't do the presentation given the conversation, but I'm getting the nod that I don't need to do a presentation. So I'm going to not do the presentation, but I do have one if anyone has questions.

[02:26:05] Okay. We do have unanimous planning commission and staff support for the application. We know, which is why we're so confused right now. Miss, does anyone have any questions for the applicant? Okay.

[02:26:24] Listen. Okay. Are there any speakers who wants to speak on this item? there any speakers on the phone would like to speak on this item no madam chair okay um is there anyone who would like to make a motion on this item whose district is this leedsburg would you like to make a motion on the item i'm i'm gonna make um the item was on consolidated yeah i think

[02:26:58] okay i'm happy to to make the uh that that motion i move that the board of supervisors approve motion to be for the ratification. I think we have to suspend the rules. She needs to suspend if it's not concerned. We have to suspend the rules because, yeah, although had it been a consolidated, we wouldn't.

[02:27:16] Motion to suspend the rules. Okay, motion is made to suspend the bill, seconded by Supervisor Letourneau. Discussion on the motion to suspend? Ms. Umstead, any discussion on the motion to suspend? No, ma'am. All in favor, please say aye. Aye. Any opposed? That motion will pass 9-0. Main motion, please, from the Leedsburg District.

[02:27:32] All right. Are you good? You look confused right now. You good? okay why am i here she's like why am i here however we're all trained we're all trained like dogs so if your green light is on we're all waiting for you to say something well i'm looking at her face she's like what is happening right now please please come back tess she looks so confused why are we why am i here i could be home unpacking my house in fairfax

[02:28:08] miss upstairs like to make a motion yes thank you um this is on legy 2024-0035 stonewall creek business park substation zcpa 2024-0002 cmpt 2024-0007 specs dash 2024-0052 and specs 2024-0053. I move that the Board of Supervisors approve motion 2B for the ratification of the

[02:28:46] commission permit and the approval of the zoning concept plan amendment special exception and minor special exception as provided in the July 9th, 2025. Okay, thank you, Leo. No, she just voted

suspend the rules we we just vote to suspend the rules the vote was to suspend that's why we just suspended the rules that's why we just did that and it was unanimous yeah we lost it all right

[02:29:23] here we go i move that the board of supervisors ratify are we in good good ground now ratify the planning commission's approval of leji 2024-0035 stonewall creek business park substation cmpt-2024-0007 subject to the commission permit plat dated march 6 2025 provided as attachment four to the july 9 2025 board of supervisors public hearing staff report i further move that

[02:29:58] the board of supervisors approve legy 2024-0035 stonewall creek business park substation zcpa-2024-0002 specs 2024-0052 and specs 2024-0053 based on the findings for approval and subject to the conditions of approval dated june 26 2025 and the proffer statement dated April 29, 2025, and provided as attachments 1, 2, and 3 to the July 9, 2025 Board of Supervisors

[02:30:38] Public Hearing Staff Report. I have no opening statement. Thanks. Do you need a second? Motion is made and seconded by Mr. Kirchner. Discussion on the motion. This is just a point of information. So, no kidding, so we have a consolidated agenda, and things that during public hearing on a consolidated agenda, usually there's no objection from anyone. There's no speakers that want to speak on it. The applicant raised the right to do the presentation because we've seen it already and we've talked to them. And there's no objection from anybody. So

[02:31:14] we leave those unconsolidated. However, if one of my colleagues, for any reason or no reason that they have to give me, asked to take something off consolidated, I've always honored that. And so one of my colleagues did ask to take it off consolidated. So we're here because somebody said can you take this off consolidated and I didn't ask a reason because if they asked me to, I'm going to respect my colleagues and assume they have a good reason to do that. So I know things look like what are they doing, but that's why we're doing this, okay? Okay. So discussion on the motion, Ms. Bruce.

[02:31:47] Thank you. Yeah, so this is all my fault. But I think if motion 2B was the consolidated agenda motion i wanted to vote no on this application um and initially i thought maybe i didn't need to take it off consent because it was the motion would be to send it to a business meeting but it wasn't to send it to a business meeting it was to approve it so i had to take it off anyway to vote no i think so anyway i'm voting no when everyone's shaking their head i'm wrong about that too sorry let's just vote so we can leave i know you're right i could have voted no

[02:32:24] on the consolidated. You're right. Well, now that we are here, can we go to page two of the staff presentation? I just, just go to page two. No, no, no, just go to page two. Just go to page two. Is that, is there actually down the bottom of a resident, a neighborhood called Peace Plantation 1? I'm just asking. Is that, is that really what that's called? I'm not familiar with that. Is there a Peace Plantation 2, 3, and 4? Not that I'm aware of. Doesn't mean it's not there.

[02:33:00] because it's peace plantation one on here i'm just just curious interesting i just think the words peace and plantation is a bit of an oxymoron to be quite honest but we're going to leave that alone though that's fine yeah no it's on the you can't see it because the little box is on the bottom oh okay yeah yeah but i'll show you later okay i'll show you later it's just a strange name um um motion was made by supervisor um stat second by supervisor kirchner and at this point this motion is to approve not to go to another business meeting. All in favor please say aye.

[02:33:38] Aye. Opposed? That motion will pass eight to one and thank you for coming in. Appreciate it. Thank you. Nice to meet you. Supervisors, before we leave, I will say that just a little point, Mr. Kirchner and Mr. Crony make sure you get to me anything you want me to take to NACO for the rural committee since you all are not going and I appreciate that. Otherwise supervisors

[02:34:18] from what I understand right now all the mobile tours are things that were cancelled before are now all back on in Pennsylvania. So everything that happened cancelled is back on because the the Pennsylvania strike is over, and so they put everything back on the calendar, all right?

[02:34:36] So we'll see you in Philly. All right, we are adjourned.



Coraggio Consulting · aguyonx.com