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DEPARTMENT OF PLANNING
STAFF REPORT

BOARD OF SUPERVISORS PUBLIC HEARING

DATE OF HEARING: JUNE 7, 2010
SPEX 2010-0005, HAMILTON WELL 14, STONE EDEN FARM
DECISION DEADLINE: JUNE 20, 2010
ELECTION DISTRICT: Blue Ridge
PLANNER: Rodion Iwanczuk **DIRECTOR: Julie Pastor**

EXECUTIVE SUMMARY

The Town of Hamilton, Virginia has submitted an application for a Special Exception to permit for local governmental purposes a Town water supply well, control building, and emergency electric generator on a parcel that is located partially in the JLMA-3 (Joint Land Management Area-3) and partially in the A-3 (Agricultural Residential-3) zoning district and to modify the additional regulations of Section 5-1400 of the Revised 1993 Zoning Ordinance regarding requirement for a Type Two (2) buffer yard and screening adjacent to residential lots. Water from the well will be transported via pipeline to the Water Treatment Plant located approximately one mile north adjacent to Harmony Intermediate School and Kenneth W. Culbert Elementary School that was approved by the Board of Supervisors in 2007 (SPEX 2007-0022/CMPT 2007-0013). The well was considered at the time that the treatment plant was reviewed and there are Conditions of Approval related to the well in the original special exception. However, the well site was not included in the advertising and required notice. Consequently this application for the well, control building, and emergency generator, for local governmental purposes, is needed to bring the well into compliance. The use of the well is critical to meet Virginia Department of Health requirements for providing potable water to Town utility customers including the two schools mentioned above. The subject property is approximately 1.3 acres in size and is located on Stone Eden Drive, south of Karen Hope Court, and north of Sands Road, at 38146 Stone Eden Drive, Hamilton, Virginia, southwest of the Town of Hamilton.

RECOMMENDATIONS

Planning Commission

The Planning Commission voted 6-2-1 (Bayless, Robinson opposed, Ronis absent) at its May 19, 2010 worksession to recommend approval of the application subject to the Conditions of Approval as amended at that meeting and based on the Findings in this staff report. The recommendation is subject to the Town of Hamilton's preparation prior to the Board of Supervisors Public Hearing of an Addendum to a Pumping, Monitoring and Mitigation Plan for Well 14 and ongoing refinement of monitoring procedures for adjacent private wells.

Staff

Staff recommends that the Board of Supervisors approve the special exception application, subject to Conditions of Approval dated May 20, 2010, and to modify the Type Two (2) buffer yard and screening adjacent to residential lots by eliminating the landscape required along the front, side, and rear yards. An earthen berm is conditioned to provide noise mitigation to an existing residence from the backup electric generator.

SUGGESTED MOTIONS

1. I move that the Board of Supervisors forward SPEX 2010-0005, Hamilton Well 14,Stone Eden Farm, to the July 7, 2010 Board Business Meeting for action.

   OR

2a. I move that the Board of Supervisors suspend the rules.

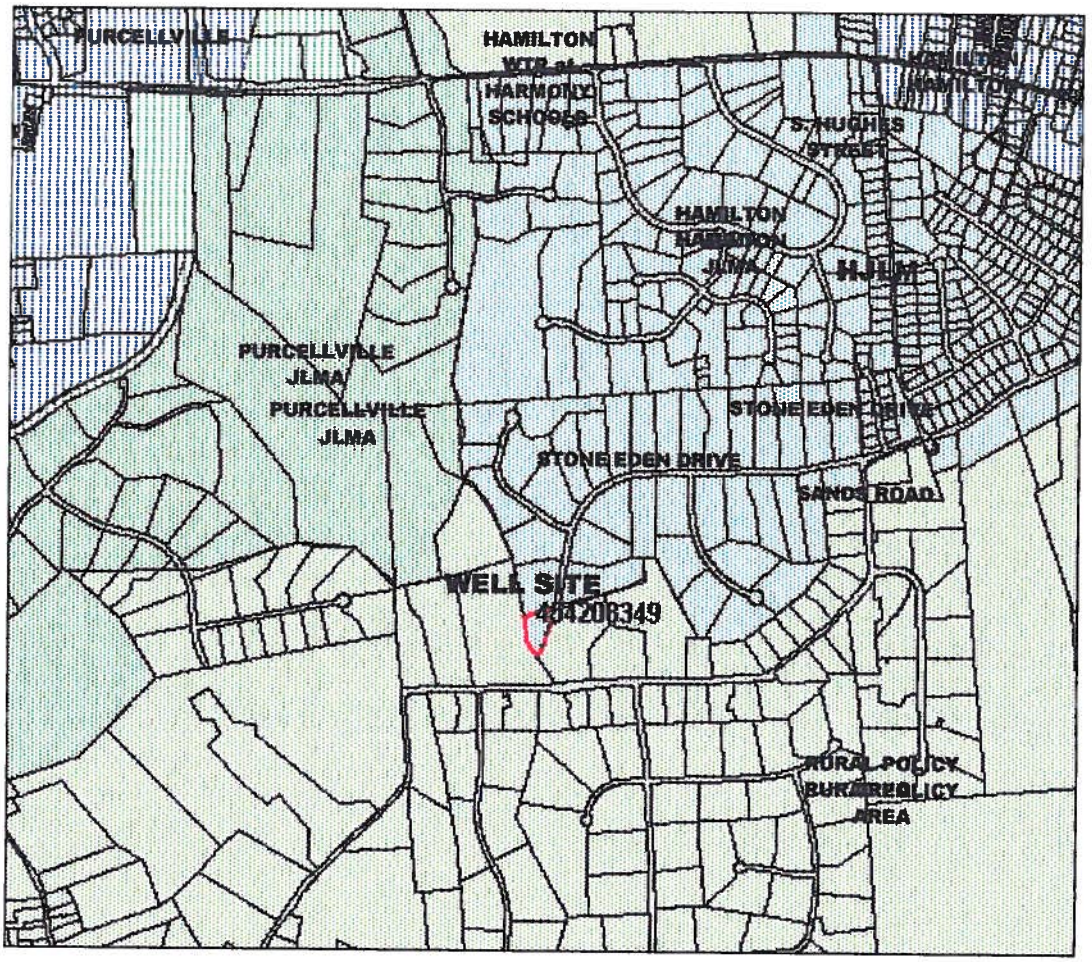
   AND

2b. I move that the Board of Supervisors approve SPEX 2010-0005, Hamilton Well 14, Stone Eden Farm, subject to the Conditions of Approval dated May 20, 2010, and based on the Findings dated June 7, 2010, and including the modification of the Type Two (2) buffer yard and screening adjacent to residential lots to eliminate such landscaping along the front, side, and rear yards.

   OR

3. I move an alternate motion.

VICINITY MAP



Directions: From Leesburg, west on Route 7, exiting at Hamilton Station Road (Route 704) to go south to Colonial Highway (Business Route 7), then west on Business Route 7 (1.6 miles) to Hughes Street. Turn left (south) on Hughes Street (Route 709) 0.6 miles, then turn right (west) on Sands Road (Route 709). Go 0.1 miles west on Sands Road, and then go straight onto Stone Eden Drive (Sands Road continues left). Go 0.6 miles west and then south to the cul de sac at the end of Stone Eden Drive, and the entrance to the Town of Hamilton's property is on the right at 38146 Stone Eden Drive.

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I. APPLICATION INFORMATION

APPLICANT: Town of Hamilton
Mayor Ray Whitbey
PO Box 130
Hamilton, VA 20159
540-338-2811

PROPOSAL: A Special Exception to allow a municipal well, control building, and emergency electric generator in JLMA-3 and A-3 districts, and modify the Type Two (2) buffer yard and screening requirement.

LOCATION: 38146 Stone Eden Drive, on Stone Eden Drive, south of Karen Hope Court, and north of Sands Road, in Hamilton, Virginia,

TAX MAP/PARCEL: Tax Map-/45//37//WELL/ MCPI-454-20-8349

ZONING: JLMA-3 and A-3

RESIDENTIAL UNITS: N/A

NON-RES. FLOOR AREA: 250 square feet

SURROUNDING LAND USES/ZONING:

NORTH	Residential	JLMA-3
SOUTH	Residential	A-3
EAST	Farm/Agricultural	AR-1/A-3
WEST	Residential	AR-1/A-3

ELECTION DISTRICT: Blue Ridge

II. SUMMARY	
Referral Agency or Topic Area	***Issues Examined and Status***
Community Planning	Conformance with Revised General Plan, Comprehensive Plan for the Town of Hamilton and JLMA, Revised Countywide Transportation Plan, Bicycle and Pedestrian Mobility Master Plan; Groundwater quantity and quality; Buffering and screening from surrounding uses. No outstanding issues.
Zoning Administration	Building height; Type 2 buffer and screening required adjoining residential properties, unless Applicant requests waiver or Board of Supervisors modifies requirement during Special Exception process. No outstanding issues.
Environmental	Conformance with submitted Pumping, Monitoring and Mitigation Plan; Noise impact of emergency electric generator and acceptable mitigation if necessary; Secondary containment for generator fuel tank. No outstanding issues.
Transportation	Driveway meeting Virginia Department of Transportation or County Facilities Standards Manual standards. No outstanding issues.
Health Department	No outstanding issues.
Virginia Department of Conservation and Recreation	Heritage Resources. No issues.

III. PLANNING COMMISSION REVIEW AND FINDINGS

The Planning Commission held a Public Hearing on SPEX 2010-0005, Hamilton Well 14-Stone Eden Property, on April 28, 2010. Three members of the public spoke, all in opposition to the application. Concern was expressed about the impact on individual wells of the Town of Hamilton's use of Well 14, what mitigation would be provided if individual wells dried up, the lighting impact on the neighbor to the west, and the noise that would emanate from an emergency generator.

Mitigation measures established by the Town of Hamilton through the Pumping, Monitoring and Mitigation Plan for Hamilton Well 14 approved by Loudoun County in October, 2007 include:

1. Well monitoring of adjacent wells for at least two years and potentially beyond that point upon consultation between the Town's water supply consultant and County hydrogeologists (County staff has already indicated that monitoring would extend longer than two years);
2. Limiting volume of water drawn from Well 14;
3. Limiting the hours that water may be pumped from Well 14 (pumping schedules);
3. Lowering pumps deeper into the ground of impacted wells;
4. Well rehabilitation efforts (deepening or reaming impacted wells);
5. Other efforts to provide water supply to offsite wells critically impacted by use of Well 14.

At the Public Hearing, comments from the Planning Commission concerned:

- Planned mitigation of well impacts on individual property owners;
- Installation of a shield to the control building light;
- Noise impact due to emergency generator operation;
- Meeting with abutting property owners and scheduling of a community meeting with area residents.

To allow for further discussion, the Commission voted 9-0 to forward the application to worksession scheduled to follow meetings by the applicant with the community and with immediately-adjacent neighbors. The Planning Commission requested that Conditions of Approval further address the impact of Well 14 upon adjacent private wells, monitoring of adjacent wells to extend through a year exhibiting drought conditions, that a regular reporting system be established for neighbors regarding Well 14 pumping and impact on adjacent wells, and further restrictions on site lighting.

Meetings with immediately-adjacent neighbors and with the community were held on May 12 and 13, 2010, respectively, at Harmony Intermediate School. Town of Hamilton officials and staff from the County and the Loudoun County Public Schools met with the adjacent property owners to the west and northwest who continue to have concerns about the impact of Well 14 upon their individual wells. Invitations to the community meeting were sent to owners of property located within a half-mile radius of the Well 14 property.

On May 19, 2010, the Planning Commission discussed the questions that were raised during the public hearing. Discussion at the worksession focused on the impacts of drawing water from Well 14 and monitoring of such impacts on adjacent private wells.

The Town of Hamilton has been pumping water from the well since August 2009 in a range of approximately 250,000-300,000 gallons per month (gpm), which averages to approximately 9,000 gallons per day (gpd). However, as Well 14 is used primarily to provide water to Harmony Intermediate School and Kenneth W. Culbert Elementary School and the elevated water tank located there, pumping of approximately 20,000-30,000 gallons occurs during overnight hours once every several days. It was also noted for Commissioners that a limiting factor on the Town's water production is the 160,000-gallon per day capacity of Hamilton's wastewater treatment plant, and further that current demand on the water supply system (and all of the Town's six wells) is approximately 120,000 gpd.

The Commission concluded that monitoring of wells should continue for one full year following a moderate drought (Condition Number 2). Hamilton officials are formulating a process through which investigation would be made to determine reasons if private wells exhibit signs of being negatively impacted by Well 14. The Town of Hamilton also agreed to prepare, prior to the Board of Supervisors Public Hearing, an Addendum to the existing Pumping, Monitoring and Mitigation Plan for Well 14 that will provide a permanent point of contact for people with concerns, timelines for response, and other clarification. That Addendum will be provided to the Board at the Public Hearing.

The Planning Commission voted 6-2-1 (Bayless, Robinson opposed, Ronis absent) to forward this application to the Board of Supervisors with a recommendation of Approval subject to the Conditions of Approval as amended at the Worksession, and with the Findings for Approval listed below.

IV. SPECIAL EXCEPTION FINDINGS, June 7, 2010

1. Placing Town and County facilities in Joint Land Management Areas (JLMAs) and in the Rural Policy Area adjacent to Town JLMAs is consistent with the Revised General Plan and the Comprehensive Plan for the Town of Hamilton and JLMA.

2. The application conforms to the Pumping, Monitoring, and Mitigation Plan for the Town of Hamilton's Well 14, as approved by the Loudoun County Department of Building and Development, submitted in lieu of completing a Hydrogeological Survey as required by Section 6.240 of the Loudoun County Facilities Standards Manual.

3. Sufficient distance to neighboring residences and an existing treeline on the applicant's property will provide the necessary buffering to allow the requested modification of Revised 1993 Zoning Ordinance Section 5-1400 regulations requiring a Type Two (2) buffer yard and screening, eliminating the landscape screening.

4. The application conforms to the Revised 1993 Zoning Ordinance for use of a municipal well, control building, and emergency electric generator in JLMA-3 and A-3 zoning districts.

V. CONDITIONS OF APPROVAL, May 20, 2010

1. **Special Exception Plat.** The Special Exception use, structure or use for local governmental purposes (public well), shall be developed in substantial conformance with the revised Outlet Lot "A", Well Lot, Town of Hamilton Special Exception Plat prepared by Stantec Consulting Services, Inc., dated March, 2010 and revised through March 26, 2010, and the Revised 1993 Loudoun County Zoning Ordinance. Approval of this application for Tax Map /45//37//WELL/ (PIN # 454-20-8349) (the "Property") shall not relieve the applicant or the owners of the Property from the obligation to comply with and conform to any other Zoning Ordinance, Codified Ordinance, or applicable regulatory requirement.

2. **Pumping, Monitoring, and Mitigation Plan.** Use of the well on the Property ("Well 14") shall be in accordance with the provisions of the accepted Pumping, Monitoring and Mitigation Plan (PMMP) for Town of Hamilton Well 14, dated October 15, 2007, including the addendum to be finalized by Board of Supervisors review, and including but not limited to pumping, monitoring, and potential mitigation of impacts due to the use of Well 14. The Applicant shall continue monitoring of adjacent wells and providing quarterly reports to the Loudoun County Department of Building and Development as established in the PMMP. Such monitoring and reporting shall extend at least one year beyond the next one-year period October 1-September 30 that exhibits moderate drought conditions in Loudoun County as measured in the Palmer Drought Index, USGS Weekly Streamflow, and Standardized Precipitation Index following approval of SPEX 2010-0005. The Applicant shall also work with Loudoun County staff to develop and implement a reporting system to inform adjacent property owners of monitoring reports and investigate situations in which private wells may have been significantly impacted by Well 14.

3. **Noise Attenuation.** The Applicant shall install an earthen berm on the Property at least four (4) feet in height, between the generator and the northern property boundary. The berm will

begin at approximately the eastern end of the existing control building and run approximately 70 feet in an easterly direction. The berm shall be completed within 60 days after issuance of the zoning permit for the generator. Until the berm has been completed, the generator shall not be operated for more than thirty (30) minutes per week, and any such operation shall be only between the hours of 10:00 a.m. and 4:00 p.m., Monday through Friday. After installation of the berm, the noise level of the generator will be tested to document that the noise level does not exceed 55 dBA, measured at the northern property line. Such measurement shall be continuous noise measured using a slow meter response of the sound level meter. Should additional noise mitigation be necessary, a board on board fence will be installed on the berm. The Applicant will work with the County Urban Forester to provide suitable landscaping of the berm. The plantings may include a mix of low maintenance shrubs and trees and will consist of a planting density similar to a Type 2 side/rear buffer. The Applicant shall provide documentation that noise created by operation of the generator is in compliance with the noise standards of Section 5-1507 of the Revised 1993 Zoning Ordinance.

4. **Generator Test.** Generator tests lasting for one half-hour shall only be scheduled each week between the hours of 10:00 a.m. and 4:00 p.m., Monday through Friday.

5. **Lighting.** All lighting on the Site shall comply with the requirements of Section 5-1504 of the Revised 1993 Zoning Ordinance regarding Light and Glare Standards. All lighting shall be full cutoff and fully shielded lighting fixtures such that the light will be directed downward and away from adjacent properties and the direct glare of the bulb shall not be visible beyond the property line of the parcel, and the lighting system shall be operated by motion sensor. The lighting will be designed in such a manner as to minimize the impacts on the nearby residential uses.

VI. PROJECT REVIEW

A. Context

Town of Hamilton Well 14, a control building, and the proposed new diesel-powered emergency electric generator are located in the Rural Policy Area and within the Hamilton Joint Land Management Area (JLMA). The use of the well for public purposes is critical to meet Virginia Department of Health requirements for providing potable water to Town utility customers including the Harmony Intermediate School and Kenneth W. Culbert Elementary School.

The approximately 1.3-acre subject property is located on the west side of Stone Eden Drive. The well site is approximately one mile south of the water treatment plant (SPEX 2007-0022/CMPT 2007-0013) approved by the Board of Supervisors in 2007. The well was considered at the time that the treatment plant was reviewed and there are Conditions of Approval related to the well in the original special exception. However, the well site was not included in the advertising and required notice. Consequently this application for the well, control building, and emergency generator, for local governmental purposes, is needed to bring the well into compliance. The most significant condition placed on the well was the preparation of a Pumping, Monitoring and Mitigation Plan (PMMP). That plan is currently in place.

Residential properties are located to the north, west, and south of the parcel, and a farm is located on land to the east. The land to the north is zoned JLMA-3. The closest homes are 300 feet to the north and 400 feet to the west of the well site. Land to the east and west is split zoned AR-1 and A-3 similar to the subject parcel, and land to the south is zoned A-3.

Use of the well and operation of the water treatment plant and storage tanks will enable the Town to meet future water demands including that of Harmony Intermediate School and Kenneth W. Culbert Elementary School. Well 14 would be one of six active wells that the Town uses for potable water supply. Well 14 has a pump test capacity of over 400 gallons per minute (gpm), a Virginia Department of Health "safe yield" of 350 gpm and "yield capacity" of 280,000 gpd, however the applicant does not contemplate at this time that Well 14 would pump more than 120,000 gpd, which is the current demand on the Town's entire water system.

B. Summary of Outstanding Issues

Conditions of Approval provide appropriate mitigation measures to address well drawdown concerns, lighting, and noise impacts on neighbors.

C. Overall Analysis

COMPREHENSIVE PLANNING

Land Use, Design, and Environmental Features. An existing municipal well and a control building are located and a new diesel-powered emergency electric generator is proposed on a property located in the Rural Policy Area and within the Hamilton Joint Land Management Area (JLMA). The property is governed by policies of the Revised General Plan, the Revised Countywide Transportation Plan (Revised CTP), the Bicycle and Pedestrian Mobility Master Plan, and the JLMA policies of the Comprehensive Plan for the Town of Hamilton and JLMA (Hamilton Plan). The County encourages and supports the expansion of existing Town water facilities that facilitate a coordinated development pattern and further the goals and policies of the *Revised General Plan* (*Revised General Plan, Chapter 9, Public Utilities Policies, Policy 2*). The extension of central (municipal) water service into the rural area is permitted to serve County and Town owned and operated public facilities adjacent to the Town's JLMA (*Revised General Plan, Chapter 2, General Water and Wastewater Policies, General Water Policies, Policy 9*). The Town of Hamilton is also designated as the sole provider of central utilities within the Hamilton JLMA and may provide such service to public facilities in the Rural Policy Area but adjacent to the Hamilton JLMA (*Hamilton Plan, Policies, Community Facilities and Services, Policy 1*).

The Revised General Plan also seeks to protect groundwater resources that are deemed precious due to high susceptibility to fluctuation in quantity and quality and that supply all of the towns and homes and rural Loudoun (*Revised General Plan, Chapter 7, Land Use Pattern and Design, text*). The County is charged with ensuring that groundwater is protected from contamination and ensuring that there is an adequate level of drinking water quality for rural Loudoun and western Loudoun Towns that are dependent on groundwater as a water source (*Revised General Plan, Chapter 5, Groundwater Policies, Policy 2*).

Development in the rural area, according to the Revised General Plan, should also meet established performance criteria including site design standards such as buffering and pose no threat to public health, safety and welfare to ensure their compatibility with the character of the surrounding rural area (*Revised General Plan, Chapter 7, Land Use Pattern and Design Strategy, Policy 6*).

The well, control building, and generator are appropriate uses on the property and staff recommends approval of the special exception application. Staff additionally finds that distance to neighboring residences and the existing vegetation and treeline, which varies in depth from approximately 15 to 30 feet, on the western portion of the property and consists of several mature canopy trees and more numerous shrubs and understory trees, could provide sufficient buffering to warrant the requested modification of the requirement for a Type 2 buffer yard and screening adjacent to residential lots. Staff recommends further that the Department of Building and Development determine compliance with the Pumping, Monitoring and Mitigation Plan previously submitted by the applicant to mitigate potentially negative impacts upon surrounding residential wells, and that the applicant also provide documentation that Zoning Ordinance Section 5-1507, Noise Standards, provisions would be met or else provide other mitigation to offset such noise that would be created by operation of the proposed generator.

Figure 1
View to West

Figure 2
View to North

ZONING

Staff did not identify any major issues with the application during review. In response to staff comments, however, the applicant revised the Special Exception plat to indicate that no buildings on the subject property exceed 40 feet in height. The applicant has also requested through the special exception process that the Board of Supervisors modify the requirement for Type Two (2) buffer yard landscaping along adjacent residential lots. The applicant states that the existing and proposed uses – a well, control building, and emergency electric generator, are small and unobtrusive on the landscape and proposes to use existing vegetation to screen and provide a buffer for visual and noise impacts.

The existing and proposed uses are located on the northwest portion of the subject property. An existing treeline extends to approximately 25 feet along the western property border of the roughly triangular-shaped property, and a residential structure is located approximately 350 feet to the southwest beyond the property line. An existing residence lies to the north, set back approximately

250 feet from the property line shared with the well lot. To the east, across the Stone Eden Drive cul de sac and a gravel extension leading to Sands Drive, are vacant residential lots not yet developed and farmland. As such, existing vegetation and distance help to provide mitigation of any negative effects such as noise that may impact neighboring residential properties. A security vulnerability assessment and guide, prepared jointly by the Association of State Drinking Water Administrators and the National Rural Water Association, available through the Virginia Department of Health and cited by the applicant, contains several recommendations for increasing the security around critical water system components, such as wellheads. Among the recommendations are to keep fence lines clear of all vegetation, avoid landscaping that would allow trespassers to hide or conduct unnoticed suspicious activities, and that any trees and shrubs are trimmed to enhance the visibility of water system components, and to maintain adequate lighting of the exterior of water system critical components.

Staff recommends approval of the special exception application and support the modification of landscaping requirements as requested provided that noise standards can be met.

ENVIRONMENTAL REVIEW

The applicant and consultants met with County staff at the time of consideration of Town of Hamilton Water Treatment Plan, SPEX 2007-0022, to discuss issues related to the use of Well 14. Production from Well 14 will average greater than 10,000 gallons per day (gpd) during any 30-day period, which would ordinarily require a hydrogeologic study addressing the effect of the proposed special exception on groundwater supply, in accordance with the Loudoun County Facilities Standards Manual. According to the approved hydrogeologic study performed in 2000 for the Fawn Meadow subdivision, located approximately 600 feet south of Well No. 14, air-lift discharges[1] from Well 14 were documented to have an impact upon nearby wells. This was not an issue since Well 14 had not been placed in service. However with the approval of SPEX 2007-0022 for the water treatment plant, a pipeline has been built enabling Well No. 14 to be placed in service to provide water supply and potentially affect the use of wells located in the Fawn Meadow subdivision. In recognition that the Town possesses an active Virginia Department of Health permit to operate Well 14, County staff suggested in July 2007 at a meeting regarding the water treatment plant that the Town of Hamilton could submit a waiver request of the hydrogeological study requirement together with a Pumping, Monitoring and Mitigation Plan (PMMP). The PMMP would discuss proposed pumping schedules, monitoring of adjacent wells to detect any changes in existing well functioning, and potential mitigation if it is determined that Well 14 is negatively affecting adjacent wells. The Town agreed to the County's suggestion and submitted a waiver request contingent upon an acceptable PMMP (WAIV 2007-0111).

A PMMP, submitted on October 17, 2007, was approved by Loudoun County following evaluation by County staff that determined that the PMMP addresses issues listed in the County's Facilities Standards Manual, thereby satisfying the requirement for a waiver. The County's intent in considering the waiver request was to work with and enable the Town to use Well 14 to support the water needs of the Town and to also protect the existing water supplies of adjacent property owners.

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[1] An air-lift discharge is measured when a well is being drilled. Air is forced down the well and the flow of water returning up the well is measured. Accurate measurement is difficult at high discharges, and air-life discharges are often overestimates of actual yield.

The submitted PMMP notes that although the Town requests maximum pumping (yield capacity) of 280,000 gallons of water per day (gpd), at a rate (maximum safe yield) of 350 gallons per minute for a maximum 800 minutes (13.3 hours) per day, the Town estimates that projected average daily demand would be 120,000 gpd (or fewer than 6 hours of pumping at 350 gpm) with minimal increases expected over time. Water demand for the entire Town is currently 120,000 gpd, which is the current demand on the Town's entire water system that utilizes Well 14 and five other wells. In accordance with the PMMP, the Town's consultant is currently monitoring 8 wells located within 1,000 feet of Well 14 for at least 2 years (a period that will start when the well goes online with the water treatment plant following approval of the special exception and installation of the emergency generator), with initial data measurement every 15 minutes decreasing to 6-hour intervals after the first 30 days of operation of the well. At the end of 2 years, the Town is to submit a final groundwater report to the County containing all data collected during the program and a professional hydrogeologist's opinion supported by detailed hydrogeological analysis as to the nature and extent of apparent impacts, if any, to neighboring residential supply wells. The report would include a recommendation for additional monitoring if warranted. The Town may operate the well on a pumping schedule that would minimize interference with use of the residential wells, or assist with drilling residential wells deeper into the water-bearing zone.

Regarding potential impacts of the proposed emergency generator, staff identified the need for assurances regarding containment of diesel fuel or other hydrocarbon sources and mitigation of noise impacts. According to the applicant's consultant, the outdoor generator would have a sound pressure level of an average of 74dB at 7 meters (approximately 22 feet) – the property line is approximately 50 feet from the generator. The fuel tank does provide dual containment, and is equipped with a liquid sensor in the rupture basin.

Staff recommends approval of the special exception subject to acceptable mitigation of pumping impacts in accordance with the Pumping, Monitoring, and Mitigation Plan. Staff can also recommend approval of the requested screening and buffering modification, as the applicant has agreed to a Condition of Approval to provide an earthen berm around the proposed generator and provide documentation that Revised 1993 Zoning Ordinance noise standards are met.

TRANSPORTATION

The operation of Hamilton Well 14 would generate 1 round trip per day, or up to 31 round trips per month. Access to the property will be provided from Stone Eden Drive, which ends in a cul de sac at the property entrance. County staff notes that the driveway access entering the well lot would need to meet Virginia Department of Transportation standards. County staff also notes that the internal driveway on the property will need to meet the requirements of the Loudoun County Facilities Standards Manual. Staff recommends approval of the application.

The Virginia Department of Transportation (VDOT) notes that typically a minimum 20-foot wide paved apron for the entrance to the parcel from Stone Eden Drive should be provided. However, in recognition of site and area characteristics, VDOT agrees that the requirement can be modified such that the paved apron be 16 feet wide, which is the same width as the existing swing-arm gate and the length of the drainage culvert beneath the apron.

HEALTH DEPARTMENT

The Loudoun County Department of Public Health recommends approval of the application.

D. ZONING ORDINANCE CRITERIA FOR APPROVAL

Section 6-1310 of the Revised 1993 Loudoun County Zoning Ordinance states "In considering a special exception application the following factors shall be given reasonable consideration."

(A) Whether the proposed special exception is consistent with the comprehensive plan.

The subject property is located within the Rural Policy Area, designated as part of the Hamilton Joint Land Management Area (JLMA), and is identified as a well in the Comprehensive Plan for the Town of Hamilton and JLMA (Hamilton Plan). JLMAs are located around some of the towns in Western Loudoun County and provide for joint planning activities by the County and the associated Towns. JLMA's define the limits of for expansion of public water and sewer, and as such, provide an urban growth boundary around towns. The County encourages and supports the expansion of existing town water and sewer facilities encourage a coordinated development pattern and further the goals and policies of the Revised General Plan. Extension of public utilities into the Rural Policy Area is not permitted except to serve County- and Town-owned and operated public facilities immediately adjacent to a Town or its JLMA. As stated above, the Hamilton Plan identifies the subject property as a well site, and the lot is specifically designated and dedicated for municipal water use.

The Revised General Plan also intends for facilities to be constructed in a manner causing the least environmental risk and visual disruption, and disturbed areas stabilized with native vegetation. The built environment on the site, including the well and an emergency electric generator required by the Virginia Department of Health for operation of the well, is minimal, encompassing 250-squre feet in area on a 1.3-acre property. Disturbance of approximately 4,000 square feet including a gravel access driveway is associated with development of the site. Disturbed areas are to be seeded and mulched.

Regarding natural resource assets, the property does not contain and floodplain, wetlands, or steep slopes of 25 percent or greater; a moderately steep slope of between 15 and 25 percent is located in the 25-foot buffer area in the extreme southeast of the site. There is minimal forest cover along the western property boundary. In a letter dated March 2, 2010, the Virginia Department of Conservation and Recreation advised that there is no anticipation that the well use will result in any adverse impact to natural heritage resources including rare and threatened plant and animal species. The property is not adjacent to any scenic rivers and does not contain any limestone conglomerate area or mineral resources; no adverse impact to groundwater is anticipated. No known historical or archaeological resources or other heritage assets are located on the property, and a waiver of the Phase I investigation has been approved. The well and associated facilities are in place already and no added disturbance of the property is anticipated. Future operation of the water supply is not expected to impact the County's open space assets. Development of the property will comply with the County's standards for air quality, light, and noise. An emergency generator from which the loudest noise would issue on the property, is intended to provide electric service in case of electric disruption, and would be used only during such

emergencies, maintenance, and a half-hour scheduled test each week. Any necessary buffering or screening will be as required by the Revised 1993 Zoning Ordinance or Conditions of Approval as included with this application.

(B) Whether the proposed special exception will adequately provide for safety from fire hazards and have effective measures of fire control.

The municipal well, control building, and emergency electric generator are or will be constructed or installed to meet required building codes. Fire protection services will be provided by the volunteer fire companies serving the area.

(C) Whether the level and impact of any noise emanating from the site, including that generated by the proposed use, negatively impacts the uses in the immediate area.

The greatest noise source will be the electric generator. Intended for use during periods of electric power interruptions, the generator would also operate during scheduled testing or when necessary for maintenance. Noise produced by the generator is measured at 75 dBA at 7 meters (approximately 22 feet) – the subject property boundary is approximately 50 feet away from the generator. Section 5-1507 of the Revised 1993 Zoning Ordinance, limits the maximum sound level (dBA), taken at the property boundary of the noise source to no more than 55 dBA for continuous noise. The applicant must demonstrate that the noise of the generator and/or well does not exceed the maximum at the property boundaries. If the noise does exceed the maximum, then mitigation measures reducing the dBA to acceptable levels must be provided.

(D) Whether the glare or light that may be generated by the proposed use negatively impacts uses in the immediate area.

A small, shielded light is provided for safety reasons at the entrance to the 120-square foot control building, in case Town staff or contractors need to gain access at night. No adverse impact is anticipated. The light will also be operated by motion sensor, meaning that the light should only be on when someone is in the fenced area.

(E) Whether the proposed use is compatible with other existing or proposed uses in the neighborhood, and adjacent parcels.

Well 14 and its operational facilities is located in a residential subdivision and surrounded by single-family homes on large lots. The 1.3-acre well lot was created at the time of subdivision and is depicted on the preliminary plat for Phase 5 of the Stone Eden Farm subdivision, HAML 1999-0004, approved in July, 2000 and the record plat recorded in Deed Book 2115, Page 2105. The well, control building, and proposed generator encompass 250-square feet in area. The well use will provide water for the Town of Hamilton water utility which serves the Stone Eden neighborhood. Pumping impacts to residential wells located to the south and to the west, created by operation of the well, are addressed in a Pumping, Monitoring and Mitigation Plan prepared during the approval process for SPEX 2007-0022, Town of Hamilton Water Treatment System and included as a Condition of Approval for that application and similarly proposed for inclusion with this application.

(F) Whether sufficient existing or proposed landscaping, screening and buffering on the site and in the neighborhood to adequately screen surrounding uses.

The property is roughly triangular in shape and contains minimal existing vegetation; uses would encompass approximately 250-square feet in area. An existing treeline is located along the property's western border and the residence to the west is approximately 420 feet in distance from the well and 10 feet higher in elevation. If the requested modification to required landscaping is approved, the applicant would rely on distance and topography to provide buffering to the north and east. The nearest residence lies to the north, approximately 300 feet from the well and associated facilities, and approximately 20 feet higher in elevation, and the residence to the east is approximately 800 feet away and 50 higher in elevation.

(G) Whether the proposed special exception will result in the preservation or destruction, loss or damage of any topographic or physical, natural, scenic, archaeological or historic feature of significant importance.

A moderately steep slope area is located on the extreme southeast of the property, located within the A-3 zoning district 25-foot buffer. No impact is expected to any features on the site of significant importance, and there are no significant scenic, archaeological or historic features associated with the site.

(H) Whether the proposed special exception will damage existing animal habitat, vegetation, water quality (including ground water) or air quality.

Uses on the property have altered the existing natural environment, disturbing approximately 4,050-square feet including a gravel access driveway. Except for the developed portion of the site, disturbed areas will be seeded and mulched. The well will be operated under Virginia Department of Health regulations. No long-term environmental damage of the property is anticipated.

(I) Whether the proposed special exception at the specified location will contribute or promote the welfare or convenience of the public.

The location of the well, control building, and emergency generator will contribute to the welfare and convenience of the public and serve the Town of Hamilton's projected growth.

(J) Whether the traffic expected to be generated by the proposed use, will adequately be served by roads, pedestrian connections and other transportation services.

Traffic associated with the proposed use is minimal: one round trip to the wellsite a day for routine maintenance and to ensure that the system is fully operational is projected. Stone Eden Drive will provide adequate and safe access to the site. No pedestrian connections are needed for this use.

(K) Whether, in case of existing structures to be converted to uses requiring a special exception, the structures meet all code requirements of Loudoun County.

Not applicable.

(L) Whether the proposed special exception will be served adequately by essential public facilities and services.

The proposed use will provide public water to public school and other uses located within and adjacent to the Town of Hamilton. The site is accessible from Stone Eden Drive. Police protection will be provided by Loudoun County and Fire and Rescue Services will be provided by both the volunteer system and the County.

(M) The effect of the proposed special exception on groundwater supply

No adverse impact to groundwater supply is anticipated. Well 14 will be operated in accordance with Virginia Department of Health regulations and a Pumping, Monitoring and Mitigation Plan submitted as part of the Conditions of Approval for SPEX 2007-0022, Town of Hamilton Water Treatment System. Mitigation of any offsite groundwater impacts caused by use of Well 14 will be performed in accordance with the Pumping, Monitoring and Mitigation Plan, dated October 15, 2007.

(N) The effect of the proposed special exception on the structural capacity of the soils.

Construction in compliance with the requirements of the County's Facilities Standards Manual will ensure adequate structural capacity is maintained.

(O) Whether the proposed use will negatively impact orderly and safe road development and transportation.

Safe road access will be available to the use. Traffic to the use is minimal (one round trip per day projected).

(P) Whether the proposed special exception use will provide desirable employment and enlarge the tax base by encouraging economic development activities consistent with the Comprehensive Plan

The well and associated facilities will provide water supply to a water treatment plant located adjacent to Harmony Intermediate School and Kenneth W. Culbert Elementary School. Getting the well online to supply the water treatment plant will enhance the ability of the Town of Hamilton to provide water service to new users within the Town. This ability would also make the Town an attractive location for new businesses and positively influence employment opportunities and economic activity.

(Q) Whether the proposed special exception considers the need of agriculture, industry, and businesses in future growth.

The Town of Hamilton's water needs are being taken into consideration as a part of the proposed expansion of the Town's water supply. Potable water is necessary for future growth, and the proposed special exception addresses these growth needs.

(R) Whether adequate on and off-site infrastructure is available

Infrastructure needs for the proposed water treatment facility are minimal. Good road access is available to the property.

(S) Any anticipated odors which may be generated by the uses on site

Not applicable.

(T) Whether the proposed special exception uses sufficient measures to mitigate the impact of construction traffic on existing neighborhoods and school areas.

Minimal impact of construction traffic is expected on surrounding neighborhoods. The well and control building are in place; installation of an electric generator and concrete pad to place the generator on is yet to take place. Access to the property is via Stone Eden Drive with access to Colonial Highway (Business Route 7) via Sands Road and South Hughes Street (Route 709). No adverse impacts are anticipated.

V. ATTACHMENTS		PAGE NUMBER
1. Review Agency Comments		
a. Building & Development, Zoning Administration	(3/24/10)	A-1
b. Building & Development, Environmental Review Team (ERT)	(3/26/10)	A-3
c. Office of Transportation Services (OTS)	(4/2/10)	A-5
d. Virginia Department of Transportation	(4/7/10)	A-9
e. Loudoun County Health Department, Environmental Health	(3/26/10)	A-11
f. Virginia Department of Conservation and Recreation	(3/17/10)	A-13
2. Disclosure of Real Parties in Interest (5/20/10) (4/27/10) (4/16/10) (3/26/10) (3/17/10)		A-15
3. Applicant's Statement of Justification & Buffer Modification Request (3/25/10) (3/17/10)		A-39
4. Special Exception Plat for Outlet Lot "A", Well Lot, Town of Hamilton (Revised 4/28/2010)		Follows A-48

COUNTY OF LOUDOUN

DEPARTMENT OF BUILDING AND DEVELOPMENT

MEMORANDUM

DATE:	March 23, 2010
TO:	Rodion Iwanczuk, Project Manager, Department of Planning
FROM:	Theresa M. Stein, Planner, Zoning Administration TMS
CASE NUMBER AND NAME:	SPEX 2010-0005, Town of Hamilton Well R.E. Stone Edge Property
TAX/MAP PARCEL NUMBER:	/45//37//WELL/
MCPI:	454-20-8349

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MAR 24 2010
LOUDOUN COUNTY
DEPARTMENT OF PLANNING

The special exception is to allow a well and its accessory structure on the 1.3 acre parcel as a "structure or use for federal, state, County, or local governmental purposes, not otherwise listed" as determined by a letter (ZCOR 2010-0029) dated February 23, 2010. The Property is split zoned Joint Land Management Area -3 (JLMA-3) and Agricultural Residential -3 (A-3), governed under the *Revised 1993 Loudoun County Zoning Ordinance* ("Ordinance"). The Property is not within the Floodplain Overlay District, Mountainside Development Overlay District, but according to County mapping, does contain moderately steep slope; however, no steep slope is within the area of the special exception. The use requires special exception approval per 2-403(Y) and Table 2-1203 of the Ordinance. Staff reviewed the Statement of Justification, dated March 17, 2010 ("SOJ") and the Special Exception (SPEX) Plat, dated March 2010, and has the following comments:

I. CONFORMANCE WITH JLMA-3 ZONING REGULATIONS (§2-1200):

1. Per Section 2-1204(F), building height is restricted to no more than 40-feet. State the maximum height of the existing control building on the SPEX plat to demonstrate compliance or provide a note that no building will exceed the 40-height limitation.

II. CONFORMANCE WITH BUFFERING AND SCREENING REGULATIONS (§5-1400):

2. A Type 2 buffer yard and screening is required around the Property, adjacent to residential lots. On the SPEX plat, state that landscaping will be provided in accordance with the Zoning Ordinance at the time of site plan or zoning permit, unless the applicant seeks to modify the landscaping requirements as part of this application per Section 5-1403(C).

III. OTHER:

3. Revise Site Note 1 to provide the MCPI number.
4. Add to Site Note 5 that the proposed use is a "structure or use for federal, state, County, or local government purposes, not otherwise listed".

ATTACHMENT 1a

A-1

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DEPARTMENT OF BUILDING AND DEVELOPMENT

COUNTY OF LOUDOUN

MEMORANDUM

RECEIVED
MAR 2 6 2010
LOUDOUN COUNTY
DEPARTMENT OF PLANNING

DATE: March 26, 2010

TO: Rodion Iwanczuk, Department of Planning

FROM: William Marsh, Environmental Review Team Leader

CC: Theresa Stein, Zoning Administration
Kelly Williams, Department of Planning

SUBJECT: SPEX-2010-0005 Well 14 Stone Eden Property

The Environmental Review Team (ERT) reviewed the special exception application. Staff provides the following comments:

1. Staff recommends attenuation of the noise produced by the proposed generator to ensure that adjacent parcels are not adversely affected, in order to address Revised 1993 Zoning Ordinance (ZO) Section 6-1310(C).

2. Staff recommends a commitment to secondary containment of any diesel gasoline or other hydrocarbon source that is stored on site, including but not limited to fuel used for the back-up generator. Secondary containment is required by Facility Standards Manual (FSM) Section 5.320.E.4.b and addresses issue for consideration in ZO Section 6-1310 (H).

Please contact me if you need any additional information.

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County of Loudoun

Office of Transportation Services

MEMORANDUM

RECEIVED
APR - 2 2010
LOUDOUN COUNTY
DEPARTMENT OF PLANNING

DATE: April 2, 2010

TO: Rodion Iwanczuk, Project Manager
Department of Planning

FROM: Lou Mosurak, AICP, Senior Coordinator LM

SUBJECT: **SPEX 2010-0005—Well 14 Stone Eden Property**
First Referral

Background

This Special Exception (SPEX) application seeks approval to utilize an existing well for water supply purposes by the Town of Hamilton. The 1.3-acre site (Well Lot 14) is zoned JLMA-3 and A-3 and is located within the Stone Eden Farm subdivision, southwest of the Town of Hamilton, on the west side of Stone Eden Drive. Access is proposed via an existing 12-foot-wide gravel access road from the existing temporary cul-de-sac at the end of Stone Eden Drive. A vicinity map is provided as *Attachment 1*.

In its consideration of this application, the Office of Transportation Services (OTS) reviewed materials received from the Department of Planning on March 22, 2010, including (1) a statement of justification/narrative, prepared by the Applicant, dated March 17, 2010; (2) a traffic statement, prepared by the Applicant, dated March 8, 2010; and (3) a special exception plat (plan set), prepared by Stantec Consulting Services, Inc., dated March 2010. OTS also reviewed the approved subdivision plat for Phase 5 of the Stone Eden Farm subdivision (HAML 1999-0004) approved in 2000.

Existing, Planned and Programmed Transportation Facilities

The site is within the Hamilton Joint Land Management Area (JLMA), on the west side of Stone Eden Drive. Stone Eden Drive is described in further detail below. OTS' review of existing and planned transportation facilities is based on the *2001 Revised Countywide Transportation Plan (2001 Revised CTP)* and the *2003 Bicycle & Pedestrian Mobility Master Plan (2003 Bike & Ped Plan)*.

Stone Eden Drive is a local secondary road that serves as the sole point of access to the Stone Eden Farm subdivision from Sands Road (Route 709) (to and from the east). As a local road, Stone Eden Drive is not part of the CTP network. Stone Eden Drive has been built to public road standards but has not yet been accepted for maintenance by the Virginia Department of Transportation (VDOT). The roadway consists of an approximately 22-foot paved shoulder and ditch section within a 50-foot right-of-way (ROW). A 30-foot emergency access easement (consisting of a gravel roadway) is in place from the existing temporary cul-

de-sac at the end of Stone Eden Drive south to Sands Road. A review of the SPEX plat and approved subdivision plats indicate that Stone Eden Drive may be extended southwest to provide a second connection to Sands Road in the future.

The *2003 Bike & Ped Plan* does not reference Stone Eden Drive. Currently, there are no bicycle and pedestrian facilities along this roadway.

Review of Applicant's Traffic Statement

The Applicant's traffic statement indicates that the well facility would generate only one (1) vehicle trip per day for routine maintenance and monitoring purposes. The statement notes that traffic impact will be minimal, and that there are no traffic safety issues related to Stone Eden Drive. A copy of the traffic statement is provided as *Attachment 2*.

Transportation Comment

1. OTS notes that Stone Eden Drive is in the process of being accepted into the VDOT secondary road system. The Applicant should ensure that the existing gravel entrance onto Stone Eden Drive meets or will be improved to meet applicable VDOT entrance standards.

Conclusion

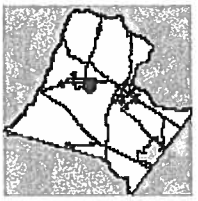
Provided that the proposed access to the facility is acceptable to VDOT, OTS would have no objection to the approval of this application.

ATTACHMENTS

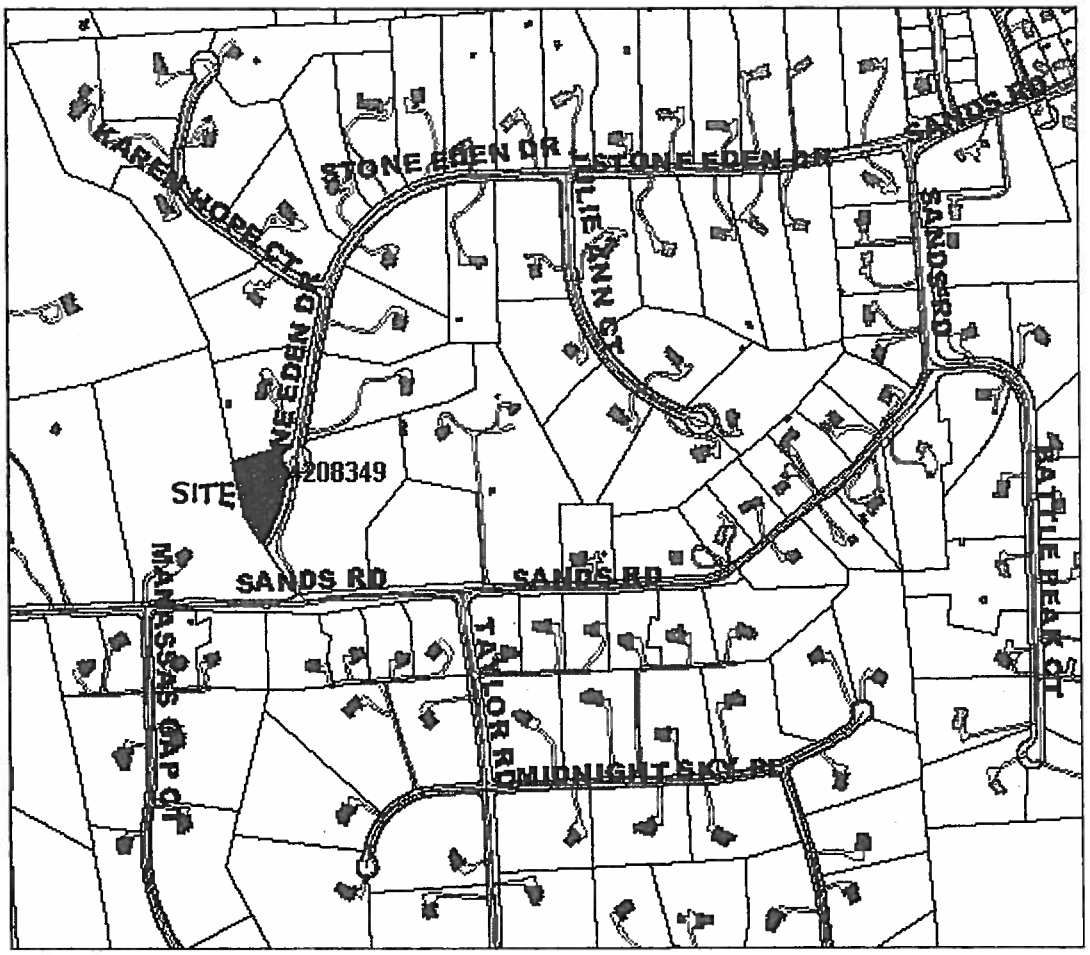
1. Site Vicinity Map
2. Applicant's Traffic Statement (March 8, 2010)

cc: Andrew Beacher, Assistant Director, OTS

Loudoun County Mapping System



7,095,168



7,091,288

11,713,945 Map Width=4,436 feet 11,718,382

Created on 3/24/2010 12:13:55 PM

PIN	Address
454208349	38146 Stone Eden Dr Hamilton 20158

A-7

ATTACHMENT 1

Traffic Statement for Town of Hamilton Well Site
Special Exception Application, MCPI 454-20-8349
March 8, 2010

The purpose of this letter is to provide a description of the proposed Town of Hamilton Well Site, the access and the projected trips associated with this use.

The Town of Hamilton seeks approval of a special exception to utilize an existing well for Town water supply purposes. Well 14 is located on a 1.3 acre well lot in the Stone Eden Subdivision, MCPI 454-20-8349. The property is split zoned A-3 and JLMA-3 and is located on Stone Eden Drive to the southwest of and less than one mile from the Town limits, within the Blue Ridge Election District.

The well facilities are within a fenced are of approximately 2100 SF in size include the well, a control building, and an emergency generator. A gravel drive from Stone Eden Drive provides access to the fenced facilities. All but the concrete pad for and the emergency generator are in place. The development of Well 14 is critical to meet the Health Department requirements for service to Town water subscribers including Harmony Intermediate and Kenneth W. Culbert Elementary Schools.

Access to the well site will be from Stone Eden Drive, a paved subdivision street. The traffic anticipated from the proposed well site will be minimal. It is projected that no more one round trip per day will be made to the site. The purpose of the trips will be to monitor the facility and to make certain the facility is operating properly. There will be no full time employees at the site, only the daily service checks. There are no safety related issues regarding Stone Eden Drive. There is a short unpaved section of Sands Road (Route 709)/St. Paul's Street (Route 710) west of South Hughes Street that is traversed in order to reach Stone Eden Drive. Stone Eden Drive is a recently constructed rural subdivision street in the State Maintained Roads system, meeting VDOT standards.

RECEIVED
MAR 17 2010
LOUDOUN COUNTY
DEPARTMENT OF PLANNING

A-8

ATTACHMENT 2

COMMONWEALTH of VIRGINIA

DEPARTMENT OF TRANSPORTATION

GREGORY A. WHIRLEY
ACTING COMMISSIONER

14685 Avion Parkway
Chantilly, VA 20151
(703) 383-VDOT (8368)

April 2, 2010

Mr. Rodion Iwanczuk **MSC#62**
County of Loudoun
Department of Planning
1 Harrison Street, S.E.
Leesburg, Virginia 20177-7000

RECEIVED
APR - 7 2010
LOUDOUN COUNTY
DEPARTMENT OF PLANNING

Re: SPEX 2010-0005 Well 14 Stone Eden Property
Loudoun County

Dear Mr. Iwanczuk:

I have reviewed the above plan as requested in your submittal dated March 22, 2010, and received on March 29, 2010. The following comment is offered:

1. A minimum 20' wide paved apron for the entrance should be provided.

If you have any questions, please call me at (703)383-2424.

Sincerely,

Kevin Nelson
Transportation Engineer

cc: Mr. Imad Salous
spex2010-005se1Well14StoneEden4-2-10RI

ATTACHMENT 1d

A-9

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Loudoun County Health Department

P.O. Box 7000
Leesburg VA 20177-7000

Environmental Health
Phone: 703 / 777-0234
Fax: 703 / 771-5023

Community Health
Phone: 703 / 777-0236
Fax: 703 / 771-5393

March 22, 2010

RECEIVED
MAR 26 2010
LOUDOUN COUNTY
DEPARTMENT OF PLANNING

MEMORANDUM TO: Rodion Iwanczuk
Department of Planning MSC #62

FROM: Jeff Widmeyer REHS , MSC #68
Sr. Env. Health Specialist
Division of Environmental Health

SUBJECT: SPEX 2010-0005, Well 14 Town of Hamilton
PIN# **454208349**

The above referenced project meets the requirements of Section 1245.10 of the LSDO for:

		Yes	No	N/A
a.	Proposed Drainfield Sites	___	___	_X___
b.	Proposed Wells	___	___	_X___

The locations on the plats, submitted by Stanton Consulting Services, Inc., dated **March 2010**, are correct as shown:

a.	Wells (existing and proposed)	_X_	___	___
b.	Drainfield Sites	___	___	_X_

Health Department staff recommends: Approval__X_____ Denial_____

Approval with conditions_____

Items that are incorrect/deficient are listed on the attached page.

Attachments Yes _____ No___X_____

If further information or clarification on the above project is required, please contact Jeff Widmeyer at 777-0642.

VDH VIRGINIA DEPARTMENT OF HEALTH
Protecting You and Your Environment

A-11

ATTACHMENT 1e

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COMMONWEALTH of VIRGINIA

DEPARTMENT OF CONSERVATION AND RECREATION

217 Governor Street
Richmond, Virginia 23219-2010
(804) 786-7951 FAX (804) 371-2674

March 2, 2010

Sara Howard
Loudoun County Public Schools
Department of Planning
21000 Education Court
Ashburn, VA 20148

RECEIVED
MAR 17 2010
LOUDOUN COUNTY
DEPARTMENT OF PLANNING

Re: Hamilton Well Site

Dear Ms. Howard:

The Department of Conservation and Recreation's Division of Natural Heritage (DCR) has searched its Biotics Data System for occurrences of natural heritage resources from the area outlined on the submitted map. Natural heritage resources are defined as the habitat of rare, threatened, or endangered plant and animal species, unique or exemplary natural communities, and significant geologic formations.

Biotics historically documents the presence of natural heritage resources in the project area. However, due to the scope of the activity and the distance to the resources, we do not anticipate that this project will adversely impact these natural heritage resources.

Our files do not indicate the presence of any State Natural Area Preserves under DCR's jurisdiction in the project vicinity.

Under a Memorandum of Agreement established between the Virginia Department of Agriculture and Consumer Services (VDACS) and the Virginia Department of Conservation and Recreation (DCR), DCR represents VDACS in comments regarding potential impacts on state-listed threatened and endangered plant and insect species. The current activity will not affect any documented state-listed plants or insects.

New and updated information is continually added to Biotics. Please contact DCR for an update on this natural heritage information if a significant amount of time passes before it is utilized.

The Virginia Department of Game and Inland Fisheries maintains a database of wildlife locations, including threatened and endangered species, trout streams, and anadromous fish waters that may contain information not documented in this letter. Their database may be accessed from http://vafwis.org/fwis/ or contact Shirl Dressler at (804) 367-6913.

Should you have any questions or concerns, feel free to contact me at 804-371-2708. Thank you for the opportunity to comment on this project.

Sincerely,

S. Rene' Hypes
Project Review Coordinator

LOUDOUN COUNTY PUBLIC SCHOOLS

DEPARTMENT OF PLANNING AND LEGISLATIVE SERVICES

21000 Education Court
Ashburn, Virginia 20148
Telephone: 571-252-1050
Facsimile: 571-252-1101

May 20, 2010

RECEIVED
MAY 21 2010
LOUDOUN COUNTY
DEPARTMENT OF PLANNING

By Hand Delivery

Mr. Rodion Iwanczuk
Department of Planning
County of Loudoun
1 Harrison Street, S.E., 3rd Floor
Leesburg, Virginia 20177-7000

Re: SPEX 2010-0005, Well 14 Stone Eden Property

Dear Rody:

Enclosed is a Reaffirmation of Affidavit in preparation for the June 7, 2010 Board of Supervisors Public Hearing. There have been no changes to the Affidavit since the submission on March 17, 2010.

Please let me know if you have any questions or require additional information.

Sincerely,

Sara

Sara Howard-O'Brien
Land Management Supervisor
LCPS

Enclosure
cc: Sam Adamo, Director, Planning and Legislative Services

S:\Planning\hamilton\Disclosure Cover Ltr - Reaff.doc

ATTACHMENT 2

A-15

E-mail: lcpsplan@loudoun.k12.va.us
Web Site: www.loudoun.k12.va.us

Important! The adopted Affidavit and Reaffirmation of Affidavit forms shall not be altered or modified in any way. Any form that is altered or modified in any way will not be accepted.

REAFFIRMATION OF AFFIDAVIT

In reference to the Affidavit dated March 17, 2010
(enter date of affidavit)

For the Application Well 14, Stone Eden Property, with Number(s) SPEX 2010-0005
[enter Application name(s)] [enter Application number(s)]

I, H. Ray Whitbey, do hereby state that I am an

(check one) _____ Applicant (must be listed in Paragraph C of the above-described affidavit)
√ Applicant's Authorized Agent (must be listed in Paragraph C of the above-described affidavit)

And that to the best of my knowledge and belief, the following information is true:

(check one) √ I have reviewed the above-described affidavit, and the information contained therein is true and complete as of May 20, 2010, or;
(today's date)

_____ I have reviewed the above-described affidavit, and I am submitting a new affidavit which includes changes, deletions or supplemental information to those paragraphs of the above-described affidavit indicated below:

(Check if applicable)

_____Paragraph C-1
_____Paragraph C-2
_____Paragraph C-3
_____Paragraph C-4(a)
_____Paragraph C-4(b)
_____Paragraph C-4(c)

RECEIVED
MAY 21 2010
LOUDOUN COUNTY
DEPARTMENT OF PLANNING

WITNESS the following signature:

Sara Howard-O'Brien
check one: [ ] Applicant or [√] Applicant's Authorized Agent

Sara Howard-O'Brien, Land Management Supervisor
(Type or print first name, middle initial and last name and title of signee)

Subscribed and sworn before me this 20 day of May, 2010, in the State/Commonwealth of Virginia, in the County/City of Loudoun.

Donna M. Torraca
Notary Public

DONNA M. TORRACA
Notary Public
Commonwealth of Virginia
162101
My Commission Expires Apr 30, 2011

My Commission Expires _____

Notary Registration Number: _____

A-16

Revised October 2008

LOUDOUN COUNTY PUBLIC SCHOOLS
DEPARTMENT OF PLANNING AND LEGISLATIVE SERVICES
21000 Education Court
Ashburn, Virginia 20148
Telephone: 571-252-1050
Facsimile: 571-252-1101

April 27, 2010

RECEIVED
APR 27 2010
LOUDOUN COUNTY
DEPARTMENT OF PLANNING

By Hand Delivery

Mr. Rodion Iwanczuk
Department of Planning
County of Loudoun
1 Harrison Street, S.E., 3rd Floor
Leesburg, Virginia 20177-7000

Re: SPEX 2010-0005, Well 14 Stone Eden Property

Dear Rody:

Enclosed is a Reaffirmation of Affidavit in preparation for the May 10, 2010 Board of Supervisors Public Hearing. There have been no changes to the Affidavit since the submission on March 17, 2010.

Please let me know if you have any questions or require additional information.

Sincerely,

Sara Howard-O'Brien
Land Management Supervisor
LCPS

Enclosure
cc: Sam Adamo, Director, Planning and Legislative Services

S:\Planning\hamilton\Disclosure Cover Ltr - Reaff.doc

A-17

E-mail: lcpsplan@loudoun.k12.va.us
Web Site: www.loudoun.k12.va.us

Important! The adopted Affidavit and Reaffirmation of Affidavit forms shall not be altered or modified in any way. Any form that is altered or modified in any way will not be accepted.

REAFFIRMATION OF AFFIDAVIT

In reference to the Affidavit dated March 17, 2010
(enter date of affidavit)

For the Application Well 14, Stone Eden Property, with Number(s) SPEX 2010-0005
[enter Application name(s)] [enter Application number(s)]

I, H. Ray Whitbey, do hereby state that I am an

(check one) _____ Applicant (must be listed in Paragraph C of the above-described affidavit)
√ Applicant's Authorized Agent (must be listed in Paragraph C of the above-described affidavit)

And that to the best of my knowledge and belief, the following information is true:

(check one) √ I have reviewed the above-described affidavit, and the information contained therein is true and complete as of April 27, 2010, or;
(today's date)

_____ I have reviewed the above-described affidavit, and I am submitting a new affidavit which includes changes, deletions or supplemental information to those paragraphs of the above-described affidavit indicated below:

(Check if applicable)

_____Paragraph C-1
_____Paragraph C-2
_____Paragraph C-3
_____Paragraph C-4(a)
_____Paragraph C-4(b)
_____Paragraph C-4(c)

RECEIVED
APR 27 2010
LOUDOUN COUNTY
DEPARTMENT OF PLANNING

WITNESS the following signature:

Sara Howard-O'Brien
check one: [ ] Applicant or [√] Applicant's Authorized Agent

SARA Howard-O'Brien, Land Management Supervisor
(Type or print first name, middle initial and last name and title of signee)

Subscribed and sworn before me this 27 day of April, 20 10, in the State/Commonwealth of Virginia, in the County/City of Loudoun.

Donna M. Torraca
Notary Public

My Commission Expires: DONNA M. TORRACA Notary Public Commonwealth of Virginia 152101 My Commission Expires Apr 30, 2011

Notary Registration Number:

A-18

Revised October 2008

Important! The adopted Affidavit and Reaffirmation of Affidavit forms shall not be altered or modified in any way. Any form that is altered or modified in any way will not be accepted.

REAFFIRMATION OF AFFIDAVIT

In reference to the Affidavit dated March 17, 2010
(enter date of affidavit)

For the Application Well 14, Stone Eden Property, with Number(s) SPEX 2010-0005
[enter Application name(s)] [enter Application number(s)]

I, H. Ray Whitbey, do hereby state that I am an

(check one) _____ Applicant (must be listed in Paragraph C of the above-described affidavit)
√ Applicant's Authorized Agent (must be listed in Paragraph C of the above-described affidavit)

And that to the best of my knowledge and belief, the following information is true:

(check one) √ I have reviewed the above-described affidavit, and the information contained therein is true and complete as of April 12, 2010, or;
(today's date)

_____ I have reviewed the above-described affidavit, and I am submitting a new affidavit which includes changes, deletions or supplemental information to those paragraphs of the above-described affidavit indicated below:

(Check if applicable)

_____Paragraph C-1
_____Paragraph C-2
_____Paragraph C-3
_____Paragraph C-4(a)
_____Paragraph C-4(b)
_____Paragraph C-4(c)

RECEIVED
APR 16 2010
LOUDOUN COUNTY
DEPARTMENT OF PLANNING

WITNESS the following signature:

Sara Howard-O'Brien
check one: [ ] Applicant or [√] Applicant's Authorized Agent

SARA Howard-O'Brien, Land Management Supervisor
(Type or print first name, middle initial and last name and title of signee)

Subscribed and sworn before me this 16th day of April, 2010, in the State/Commonwealth of Virginia, in the County/City of Loudoun.

Donna M. Torraca
Notary Public

My Commission Expires: DONNA M. TORRACA Notary Public Commonwealth of Virginia My Commission Expires Apr 30, 2011

Notary Registration Number: 182101

A-19

Revised October 2008

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LOUDOUN COUNTY PUBLIC SCHOOLS

DEPARTMENT OF PLANNING AND LEGISLATIVE SERVICES
21000 Education Court
Ashburn, Virginia 20148
Telephone: 571-252-1050
Facsimile: 571-252-1101

March 26, 2010

RECEIVED
MAR 26 2010
LOUDOUN COUNTY
DEPARTMENT OF PLANNING

By Hand Delivery

Mr. Rodion Iwanczuk
Department of Planning
County of Loudoun
1 Harrison Street, S.E., 3rd Floor
Leesburg, Virginia 20177-7000

Re: SPEX 2010-0005, Well 14 Stone Eden Property

Dear Rody:

Enclosed is a Reaffirmation of Affidavit in preparation for the April 28, 2010 Planning Commission Public Hearing. There have been no changes to the Affidavit since the submission on March 17, 2010.

Please let me know if you have any questions or require additional information.

Sincerely,

Sara Howard-O'Brien /dr

Sara Howard-O'Brien
Land Management Supervisor
LCPS

Enclosure
cc: Sam Adamo, Director, Planning and Legislative Services

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A-21

E-mail: lcpsplan@loudoun.k12.va.us
Web Site: www.loudoun.k12.va.us

Important! The adopted Affidavit and Reaffirmation of Affidavit forms shall not be altered or modified in any way. Any form that is altered or modified in any way will not be accepted.

REAFFIRMATION OF AFFIDAVIT

In reference to the Affidavit dated March 17, 2010
(enter date of affidavit)

For the Application Well 14, Stone Eden Property, with Number(s) SPEX 2010-0005
[enter Application name(s)] [enter Application number(s)]

I, H. Ray Whitbey, do hereby state that I am an

(check one) _____ Applicant (must be listed in Paragraph C of the above-described affidavit)
√ Applicant's Authorized Agent (must be listed in Paragraph C of the above-described affidavit)

And that to the best of my knowledge and belief, the following information is true:

(check one) √ I have reviewed the above-described affidavit, and the information contained therein is true and complete as of March 26, 2010, or;
(today's date)

_____ I have reviewed the above-described affidavit, and I am submitting a new affidavit which includes changes, deletions or supplemental information to those paragraphs of the above-described affidavit indicated below:

(Check if applicable)

_____Paragraph C-1
_____Paragraph C-2
_____Paragraph C-3
_____Paragraph C-4(a)
_____Paragraph C-4(b)
_____Paragraph C-4(c)

WITNESS the following signature:

Sara Howard O'Brien
check one: [ ] Applicant or [√] Applicant's Authorized Agent

Sara Howard O'Brien on behalf of the Town
(Type or print first name, middle initial and last name and title of signee)

Subscribed and sworn before me this 26 day of March, 20 10, in the State/Commonwealth of Virginia, in the County/City of Loudoun. A-22

Donna M. Torraca
Notary Public

DONNA M. TORRACA
Notary Public
Commonwealth of Virginia
162101
My Registration Expires: Apr 30, 2011

My Commission Expires: _____

Notary Registration: _____

RECEIVED
MAR 26 2010
LOUDOUN COUNTY
DEPARTMENT OF PLANNING

Revised October 2008

I, Sara Howard-O'Brien, do hereby state that I am an

___ Applicant

√ Applicant's Authorized Agent listed in Section C.1. below

in Application Number(s): SPEX 2010-__, Hamilton Well Site

and that to the best of my knowledge and belief, the following information is true:

C. DISCLOSURES: REAL PARTIES IN INTEREST AND LAND USE PROCEEDINGS

1. *REAL PARTIES IN INTEREST*

The following constitutes a listing of the names and addresses of all **APPLICANTS, TITLE OWNERS, CONTRACT PURCHASERS** and **LESSEES** of the land described in the application* and if any of the forgoing is a **TRUSTEE**** each **BENEFICIARY** of such trust, and all **ATTORNEYS,** and **REAL ESTATE BROKERS, and all AGENTS of any of the foregoing.**

All relationships to the persons or entities listed above in **BOLD** print must be disclosed. Multiple relationships may be listed together (ex. Attorney/Agent, Contract Purchaser/Lessee, Applicant/Title Owner, etc.) For a multiple parcel application, list the Parcel Identification Number (PIN) of the parcel(s) for each owner(s).

PIN	*NAME (First, M.I., Last)*	*ADDRESS (Street, City, State, Zip Code)*	*RELATIONSHIP (Listed in bold above)*
454-20-8349	Town of Hamilton H. Ray Whitbey	53 East Colonial Highway Hamilton, VA 20158	Owner and Applicant
	Stantec Consulting Services, Inc. David Bowers	108 Church Street, SE Leesburg, VA 20175	Engineering/Agent
	Sara Howard-O'Brien		Agent
	Loudoun County		
	School Board		

* In the case of a condominium, the title owner, contract purchaser, or lessee of 10% or more of the units in the condominium.

** In the case of a TRUSTEE, list Name of Trustee, name of Trust, if applicable, and name of each beneficiary.

Check if applicable:

___ There are additional Real Parties in Interest. *See* Attachment to Paragraph C-1.

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2. *NAMES OF CORPORATION SHAREHOLDERS*

The following constitutes a listing of the **SHAREHOLDERS** of all corporations disclosed in this affidavit who own 1% or more of any class of stock issued by said corporation, and where such corporation has 100 or fewer shareholders, a listing of all of the shareholders, and if such corporation is an owner of the subject land, all **OFFICERS** and **DIRECTORS** of such corporation (Include sole proprietorships, limited liability companies and real estate investment trusts).

Name and Address of Corporation (complete name, street address, city, state, zip)

Stantec Consulting Services Inc., 108 Church Street, Leesburg, Virginia, 20175

Description of Corporation:
_X__ *There are 100 or fewer shareholders and all shareholders are listed below.*

___ *There are more than 100 shareholders, and all shareholders owning 1% or more of any class of stock issued by said corporation are listed below.*

___ *There are more than 100 shareholders but no shareholder owns 1% or more of any class of stock issued by said corporation, and no shareholders are listed below.*

___ *There are more than 500 shareholders and stock is traded on a national or local stock exchange.*

Names of shareholders (first name, middle initial and last name)

SHAREHOLDER NAME (First, M.I., Last)	SHAREHOLDER NAME (First, M.I., Last)
Stantec Holdings (Delaware) III Inc. – 100%	

Names of Officers and Directors (first name, middle initial and last name & title, e.g. President, Secretary, Treasurer, etc.)

NAME (First, M.I., Last)	Title (e.g. President, Treasurer)
See attached lists.	

Check if applicable:

___ Additional shareholder information is continued on an additional copy of *page* B-2

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DIRECTORS

OF

STANTEC CONSULTING SERVICES INC.

NAME	BUSINESS ADDRESS
Robert J. Gomes	10160 - 112th Street, #200 Edmonton AB T5K 2L6
Paul J.D. Alpern	10160 - 112th Street, #200 Edmonton AB T5K 2L6

OFFICERS OF

STANTEC CONSULTING SERVICES INC.

POSITION HELD	NAME	BUSINESS ADDRESS
President	Robert J. Gomes	10160 - 112 Street, #200 Edmonton AB T5K 2L6
CEO, Engineering	Brian Larson	1701 North Street Endicott NY 13760
Senior Vice President & COO	Richard K. Allen	141 Portland Street Boston MA 02114
Senior Vice President	W. Paul Allen	49 Frederick Street Kitchener ON N2H 6M7
Senior Vice President	Carl Clayton	10160 - 112 Street, #200 Edmonton AB T5K 2L6
Senior Vice President	Jeff Kishel	2000 South Colorado Blvd, #2-300 Denver, CO 80222
Senior Vice President	Scott L. Murray	1409 North Forbes Road Lexington KY 40511-2024
Senior Vice President	Eric Nielsen	19 Technology Drive, #200 Irvine CA 92618
Vice President	Frank Aceto	1060 Andrew Drive, Suite 140 West Chester, PA 19380

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Revised October 21, 2008

OFFICERS OF

STANTEC CONSULTING SERVICES INC. (CONT'D)

Vice President	Paul J.D. Alpern	10160 - 112 Street, #200 Edmonton AB T5K 2L6
Vice President	Curt Chapman	6980 Sierra Center Parkway, #100 Reno NV 89511
Vice President	F. Bradford Drake	405 Howard Street, 5th Floor San Francisco CA 94105
Vice President	Joseph Geller	141 Portland Street Boston MC 02114
Vice President	Michael Giaramita	50 West 23rd Street New York, NY 10010
Vice President	Arthur J. Hadnett	290 Conejo Ridge Ave Thousand Oaks CA 91361
Vice President	Thomas L. Higgins, Jr.	50 West 23 Street New York, NY 10010
Vice President	Timothy J. Hinrichs	50 West 23 Street New York, NY 10010
Vice President	Douglas J. Johnson	19 Technology Drive, #200 Irvine CA 92618
Vice President	John W. Johnson	1137 North McDowell Blvd Petaluma CA 94954-1110
Vice President	Gord Johnston	200, 325 – 25 Street SE Calgary AB T2A 7H8
Vice President	Rich Keagy	2127 Ayrsley Town Blvd, #300 Charlotte, NC 28273
Vice President	Stuart E. Lerner	50 West 23 Street New York, NY 10010
Vice President	Tim Lines	8211 South 48th Street Phoenix AZ 85044
Vice President	Jeffrey S. Lloyd	10160 - 112 Street, #200 Edmonton AB T5K 2L6
Vice President	John P. Lortie	30 Park Drive Topsham, ME 04086

OFFICERS OF

STANTEC CONSULTING SERVICES INC. (CONT'D)

Vice President	Francis Meyer	49 Frederick Street Kitchener ON N2H 6M7
Vice President	Dennis J. O'Brien	365 W. Passaic Street Rochelle Park, NJ 07662
Vice President	Dean Palumbo	73733 Fred Waring Drive, #100 Palm Desert CA 92260
Vice President	Troy Peoples	801 Jones Franklin Road, #300 Raleigh, NC 27606
Vice President	Alfonso Rodriguez	2590 Venture Oaks Way Sacramento CA 958333288
Vice President	Todd Rhoads	2590 Venture Oaks Way Sacramento CA 958333288
Vice President	William F. Shelley	482 Payne Road, Scarborough Court, Scarborough, ME 04074
Vice President	Henry Sikorski	135 Engineers Road, #200 Hauppauge NY 11788-4008
Vice President	Robert A. Simm	8211 South 48th Street Phoenix AZ 85044
Vice President & CEO, Surveying	Kenneth J. Stigner	50 West 23 Street New York, NY 10010
Vice President	Harry E. Strate	2250 Keys Ferry Court Mcdonough CA 30253
Vice President	John Take	201 North Bonita Tucson AZ 857452999
Vice President	Mehmet B. Tin	1500 Lake Shore Dr, #100 Columbus, OH 43204
Vice President	Joseph J. Viscuso	Longwood Corporate Center South 425 McFarlan Road, #205 Kennett Square, PA 19348
Vice President	Brian F. Zita	1137 North McDowell Blvd Petaluma CA 94954-1110
Senior Associate	Edwin Mighell	2000 South Colorado Blvd, #2-300 Denver CO 80222

OFFICERS OF

STANTEC CONSULTING SERVICES INC. (CONT'D)

Associate	Alan Warner	2000 South Colorado Blvd, #2-300 Denver CO 80222
Corporate Counsel	William A. Butler	12034 134th Court NE, #102 Redmond WA 98052
Corporate Counsel	Kenna Houncaren	10160 - 112 Street, #200 Edmonton AB T5K 2L6
Corporate Counsel	Christy J. Leonard	2950 E. Harmony Road, #290 Fort Collins CO 80528
Corporate Counsel	William J. Roberts	19 Technology Drive Irvine CA 92618
Corporate Counsel	Jeffrey P. Stone	2060 Brighton-Henrietta Town Line Road Rochester, NY 14623
Corporate Counsel	William J. Edwards	5 Dartmouth Drive, #101 Auburn NH 03032
Secretary	Jennifer A.I. Addison	10160 - 112 Street, #200 Edmonton AB T5K 2L6
Treasurer	Daniel J. Lefaivre	10160 - 112 Street, #200 Edmonton AB T5K 2L6

2. *NAMES OF CORPORATION SHAREHOLDERS*

The following constitutes a listing of the **SHAREHOLDERS** of all corporations disclosed in this affidavit who own 1% or more of any class of stock issued by said corporation, and where such corporation has 100 or fewer shareholders, a listing of all of the shareholders, and if such corporation is an owner of the subject land, all **OFFICERS** and **DIRECTORS** of such corporation (Include sole proprietorships, limited liability companies and real estate investment trusts).

Name and Address of Corporation (complete name, street address, city, state, zip)

Stantec Holdings (Delaware) III Inc., 10160-112 Street, Edmonton, AB T5K2L6

Description of Corporation:
_X__ *There are 100 or fewer shareholders and all shareholders are listed below.*

___ *There are more than 100 shareholders, and all shareholders owning 1% or more of any class of stock issued by said corporation are listed below.*

___ *There are more than 100 shareholders but no shareholder owns 1% or more of any class of stock issued by said corporation, and no shareholders are listed below.*

___ *There are more than 500 shareholders and stock is traded on a national or local stock exchange.*

Names of shareholders (first name, middle initial and last name)

SHAREHOLDER NAME (First, M.I., Last)	SHAREHOLDER NAME (First, M.I., Last)
Stantec Technology International Inc. – 304 common shares	
3102452 Nova Scotia Company – 1,000 Series A Preferred Shares	

Names of Officers and Directors (first name, middle initial and last name & title, e.g. President, Secretary, Treasurer, etc.)

NAME (First, M.I., Last)	Title (e.g. President, Treasurer)
Robert J. Gomes	President and Director
Jennifer A. I. Addison	Secretary
Daniel J. Lefaivre	Treasurer
Paul J. D. Alpern	Director

Check if applicable:

___ Additional shareholder information is continued on an additional copy of *page* B-2

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Name and Address of Corporation (complete name, street address, city, state, zip)

Stantec Technology International Inc., 10160-112 Street, Edmonton, AB T5K2L6

Description of Corporation:
_X__ *There are 100 or fewer shareholders and all shareholders are listed below.*

___ *There are more than 100 shareholders, and all shareholders owning 1% or more of any class of stock issued by said corporation are listed below.*

___ *There are more than 100 shareholders but no shareholder owns 1% or more of any class of stock issued by said corporation, and no shareholders are listed below.*

___ *There are more than 500 shareholders and stock is traded on a national or local stock exchange.*

Names of shareholders (first name, middle initial and last name)

SHAREHOLDER NAME (First, M.I., Last)	SHAREHOLDER NAME (First, M.I., Last)
Stantec Inc. – 100%	

Names of Officers and Directors (first name, middle initial and last name & title, e.g. President, Secretary, Treasurer, etc.)

NAME (First, M.I., Last)	Title (e.g. President, Treasurer)
Robert J. Gomes	President and Director
Paul J. D. Alpern	Vice President and Director
Jeffrey S. Lloyd	Vice President
Jennifer Addison	Secretary
Daniel J. Lefaivre	Treasurer

Check if applicable:

___ Additional shareholder information is continued on an additional copy of *page* B-2

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Name and Address of Corporation (complete name, street address, city, state, zip)

3102452 Nova Scotia Company, 10160-112 Street, Edmonton, AB T5K2L6

Description of Corporation:
_X__ *There are 100 or fewer shareholders and all shareholders are listed below.*

___ *There are more than 100 shareholders, and all shareholders owning 1% or more of any class of stock issued by said corporation are listed below.*

___ *There are more than 100 shareholders but no shareholder owns 1% or more of any class of stock issued by said corporation, and no shareholders are listed below.*

___ *There are more than 500 shareholders and stock is traded on a national or local stock exchange.*

Names of shareholders (first name, middle initial and last name)

SHAREHOLDER NAME (First, M.I., Last)	SHAREHOLDER NAME (First, M.I., Last)
Stantec Holdings Ltd. – 100%	

Names of Officers and Directors (first name, middle initial and last name & title, e.g. President, Secretary, Treasurer, etc.)

NAME (First, M.I., Last)	Title (e.g. President, Treasurer)
Robert J. Gomes	President and Director
Paul J. D. Alpern	Vice President and Director
Jeffrey S. Lloyd	Vice President
Jennifer A. I. Addison	Secretary
Daniel J. Lefaivre	Treasurer
Kenna Houncaren	Corporate Counsel

Check if applicable:

___ Additional shareholder information is continued on an additional copy of *page* B-2

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Name and Address of Corporation (complete name, street address, city, state, zip)

Stantec Holdings Ltd., 10160-112 Street, Edmonton, AB T5K2L6

Description of Corporation:
_X__ *There are 100 or fewer shareholders and all shareholders are listed below.*

___ *There are more than 100 shareholders, and all shareholders owning 1% or more of any class of stock issued by said corporation are listed below.*

___ *There are more than 100 shareholders but no shareholder owns 1% or more of any class of stock issued by said corporation, and no shareholders are listed below.*

___ *There are more than 500 shareholders and stock is traded on a national or local stock exchange.*

Names of shareholders (first name, middle initial and last name)

SHAREHOLDER NAME (First, M.I., Last)	SHAREHOLDER NAME (First, M.I., Last)
Stantec Inc. – 100%	

Names of Officers and Directors (first name, middle initial and last name & title, e.g. President, Secretary, Treasurer, etc.)

NAME (First, M.I., Last)	Title (e.g. President, Treasurer)
Robert J. Gomes	President and Director
Paul J. D. Alpern	Vice President and Director
Jeffrey S. Lloyd	Vice President
Jennifer A. I. Addison	Secretary
Daniel J. Lefaivre	Treasurer
Kenna Houncaren	Corporate Counsel

Check if applicable:

___ Additional shareholder information is continued on an additional copy of *page* B-2

2. *NAMES OF CORPORATION SHAREHOLDERS*

The following constitutes a listing of the **SHAREHOLDERS** of all corporations disclosed in this affidavit who own 1% or more of any class of stock issued by said corporation, and where such corporation has 100 or fewer shareholders, a listing of all of the shareholders, and if such corporation is an owner of the subject land, all **OFFICERS** and **DIRECTORS** of such corporation (Include sole proprietorships, limited liability companies and real estate investment trusts).

Name and Address of Corporation (complete name, street address, city, state, zip)

Stantec Inc., 10160-112 Street, Edmonton, AB T5K2L6

Description of Corporation:

___ *There are 100 or fewer shareholders and all shareholders are listed below.*

___ *There are more than 100 shareholders, and all shareholders owning 1% or more of any class of stock issued by said corporation are listed below.*

___ *There are more than 100 shareholders but no shareholder owns 1% or more of any class of stock issued by said corporation, and no shareholders are listed below.*

_X__ *There are more than 500 shareholders and stock is traded on a national or local stock exchange.*

Names of shareholders (first name, middle initial and last name)

SHAREHOLDER NAME (First, M.I., Last)	SHAREHOLDER NAME (First, M.I., Last)
Public	

Names of Officers and Directors (first name, middle initial and last name & title, e.g. President, Secretary, Treasurer, etc.)

NAME (First, M.I., Last)	Title (e.g. President, Treasurer)
Ronald P. Triffo	Chairman of the Board and Director
Robert J. Gomes	President & CEO and Director
Senior Vice President & Chief Operating Officer	Richard K. Allen
Senior Vice President & Chief Financial Officer	Daniel J. Lefaivre
Vice President, Secretary & General Counsel	Paul J. D. Alpern
Aram H. Keith	Director
Robert J. Bradshaw	Director
(Argeo) Paul Cellucci	Director
David L. Emerson	Director
Anthony P. Franceschini	Director
Susan E. Hartman	Director
Ivor M. Ruste	Director

Check if applicable:

___ Additional shareholder information is continued on an additional copy of *page* B-2

3. *PARTNERSHIP INFORMATION*

The following constitutes a listing of all of the **PARTNERS**, both **GENERAL** and **LIMITED**, in any partnership disclosed in the affidavit.

Partnership name and address: (complete name, street address, city, state, zip)

Town of Hamilton, 53 East Colonial Highway, P. O. Box130, Hamilton, VA 20158

√ (check if applicable) The above-listed partnership has no limited partners.

Names and titles of the Partners:

NAME (First, M.I., Last)	*Title (e.g. General Partner, Limited Partner, etc)*
H. Ray Whitbey	Mayor
John Unger	Vice Mayor
Brent Campbell	Town Council Member
Michael Snyder	Town Council Member
James T. Rollins, Jr.	Town Council Member
Gregory K. Wilmoth	Town Council Member
Kenneth C. Wine	Town Council Member

Check if applicable:

_____ Additional Partnership information attached. *See* Attachment to Paragraph C-3.

3. *PARTNERSHIP INFORMATION*

The following constitutes a listing of all of the **PARTNERS**, both **GENERAL** and **LIMITED**, in any partnership disclosed in the affidavit.

Partnership name and address: (complete name, street address, city, state, zip)

Loudoun County School Board, 21000 Education Court, Ashburn, VA 20148

√ (check if applicable) The above-listed partnership has no limited partners.

Names and titles of the Partners:

NAME (First, M.I., Last)	*Title (e.g. General Partner, Limited Partner, etc)*
Robert F. Dupree, Jr.	Dulles District
Thomas E. Reed	At-Large
Tom Marshall	Leesburg District
Priscilla B. Godfrey	Vice Chairman, Blue Ridge District
John Stevens	Chairman, Potomac District
Bob Ohneiser, Esq.	Broad Run District
J. Warren Geurin	Sterling District
Jennifer K. Bergel	Catoctin District
Dr. Joseph M. Guzman	Sugarland Run District

Check if applicable:

_____ Additional Partnership information attached. *See* Attachment to Paragraph C-3.

4. *ADDITIONAL INFORMATION*

a. One of the following options **must** be checked:

____In addition to the names listed in paragraphs C. 1, 2, and 3 above, the following is a listing of any and all other individuals who own in the aggregate (directly as a shareholder, partner, or beneficiary of a trust) 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE of the land:

√__Other than the names listed in C. 1, 2 and 3 above, no individual owns in the aggregate (directly as a shareholder, partner, or beneficiary of a trust) 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE of the land:

Check if applicable:
____Additional information attached. *See* Attachment to Paragraph C-4(a).

b. That no member of the Loudoun County Board of Supervisors, Planning Commission, Board of Zoning Appeals or any member of his or her immediate household owns or has any financial interest in the subject land either individually, by ownership of stock in a corporation owning such land, or though an interest in a partnership owning such land, or as beneficiary of a trust owning such land.

EXCEPT AS FOLLOWS: (If none, so state).

Check if applicable:
____Additional information attached. *See* Attachment to Paragraph C-4(b).

c. That within the twelve-month period prior to the public hearing for this application, no member of the Loudoun County Board of Supervisors, Board of Zoning Appeals, or Planning Commission or any member of his immediate household, either individually, or by way of partnership in which any of them is a partner, employee, agent or attorney, or through a partner of any of them, or through a corporation (as defined in the Instructions at Paragraph B.3) in which any of them is an officer, director, employee, agent or attorney or holds 10% or more of the outstanding bonds or shares of stock of a particular class, has or has had any business or financial relationship (other than any ordinary customer or depositor relationship with a retail establishment, public utility, or bank), including receipt of any gift or donation having a value of $100 or more, singularly or in the aggregate, with or from any of those persons or entities listed above.

EXCEPT AS FOLLOWS: (If none, so state).

Check if applicable:
____Additional information attached. *See* Attachment to Paragraph C-4(c).

D. COMPLETENESS

That the information contained in this affidavit is complete, that all partnerships, corporations (as defined in Instructions, Paragraph B.3), and trusts owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, OR LESSEE of the land have been listed and broken down, and that prior to each hearing on this matter, I will reexamine this affidavit and provide any changed or supplemental information, including any gifts or business or financial relationships of the type described in Section C above, that arise or occur on or after the date of this Application.

WITNESS the following signature:

Sara Howard-O'Brien for Town of Hamilton

check one: [ ] Applicant or [√] Applicant's Authorized Agent

Sara Howard-O'Brien for Town of Hamilton

(Type or print first name, middle initial and last name and title of signee)

Subscribed and sworn before me this 17 day of March 2010, in the State/Commonwealth of Virginia, in the County/City of Loudoun.

Donna M. Torraca

Notary Public

My Commission Expires: _____

Notary Registration Number: _____

DONNA M. TORRACA
Notary Public
Commonwealth of Virginia
152101
My Commission Expires Apr 30, 2011

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Town of Hamilton
Addendum
Special Exception Statement of Justification
Well 14, Stone Eden Property
March 24, 2010

LANDSCAPE BUFFER MODIFICATION REQUEST

Well 14 and its accessory structures are permitted by Special Exception in the JLMA-3 Zoning District as a "structure or use for federal, state, County, or local governmental purposes, not otherwise listed". Section 5-1400, Buffering and Screening, of the Zoning Ordinance requires a Type 2 buffer around the Property. Section 5-1403 (C) provides that the Board of Supervisors may modify the requirements of Section 5-1400 as a part of an approval action of a special exception. The proposed use is a well for the Town of Hamilton's water supply. In order to ensure visibility of the well for security purposes it is requested that the Type 2 buffer be waived by the Board of Supervisors. As a practical matter, the use is small and unobtrusive on the landscape. It is situated at the end of a public residential subdivision street. There have been no complaints from the surrounding residents regarding the facility. It is desirable to maintain a view of the facility for security purposes. As a part of the Virginia Department of Health's guidelines for security vulnerability for water systems, one of the criteria is whether the water system can be easily seen. It is recommended that "fence lines around small water facilities be cleared of all vegetation and that landscaping should be avoided that would permit trespassers to hide or conduct unnoticed suspicious activities".

(Reference http://www.vdh.state.va.us/drinkingwater/operators/)

Therefore, it is respectfully requested that the landscaping requirement be waived for this public use. Thank you for your consideration.

RECEIVED
MAR 25 2010
LOUDOUN COUNTY
DEPARTMENT OF PLANNING

A-39

ATTACHMENT 3

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Town of Hamilton
Special Exception Statement of Justification
Well 14, Stone Eden Property
March 17, 2010

PROPOSAL

The Town of Hamilton seeks approval of a special exception to utilize a well for Town water supply purposes. Well 14 is located on a 1.3 acre well lot in the Stone Eden Subdivision, MCPI 454-20-8349. The property is split zoned A-3 (.2 acres) and JLMA-3 (1.1 acres) and is located on Stone Eden Drive to the southwest of and less than one mile from the Town limits, within the Blue Ridge Election District.

The Town relies on underground wells for its water supply. As a part of the Stone Eden preliminary subdivision approval (HAML 1999-0004) in August of 2000, the property owner designated a well site within the subdivision for the Town's municipal water supply system. Well 14 was drilled in 2000. The record plat was approved February 2002. The Virginia Department of Health approved plans for the work necessary to connect Well 14 to the Town's public water system in March 2004. The well was tested for public water supply purposes in 2006. Well 14 has a design capacity of 300 gallons per minute and a pump test capacity of over 400 gallons per minute. The water from Well 14 will be treated at the Town of Hamilton water treatment plant located adjacent to the Harmony school site property on the north side of Business Route 7. The Special Exception (SPEX 2007-0022) for the water treatment plant and associated water storage tanks was approved by the Board of Supervisors in December of 2007. Well 14 was discussed as a part of SPEX 2007-0022, including the development of a Pumping, Monitoring and Mitigation Plan. The MCPI number for the well lot was not included in the application nor associated notices. The purpose of this request is to secure a special exception for the well. The JLMA-3 District provides that a special exception is required for governmental uses not otherwise listed in the District. The well is situated in the JLMA-3 portion of the lot. The development of Well 14 is critical to meet the Health Department requirements for service to Town water subscribers including Harmony Intermediate and Kenneth W. Culbert Elementary Schools.

The well facilities are within a fenced area of approximately 2,100 square feet and include the well, a control building, and an emergency generator. A gravel drive provides access to the fenced facilities. All but the concrete pad for and the emergency generator are in place. The total disturbed area, including the access drive, is approximately 4,050 square feet.

SPECIAL EXCEPTION FACTORS FOR CONSIDERATION:

Section 6-1310 of the Zoning Ordinance outlines various factors for consideration in the review of a special exception request. The following is an analysis of these factors in relation to the Town of Hamilton Well 14:

Town of Hamilton Well 14
Stone Eden Property
Statement of Justification
SPEX 2010-____
March 17, 2010

(A) Whether the proposed special exception is consistent with the Comprehensive Plan.

The Well lot is designated as Rural-JLMA under the policies of the Revised General Plan (The Plan). The Rural Policy Area encompasses all of the western part of the County outside of the Towns and Joint Land Management Areas. The JLMA Area represents those areas proximate to the Towns that are designated for joint planning responsibility by both the County and Towns. The JLMA provides for potential expansion areas around the Towns for compatible development and establishes the limits for public utilities. Under Chapter 9 of The Plan – The Towns, the public utilities policies provide that the Towns will be the providers of public sewer and water in the Town's JLMA's unless a different provider is agreed upon by the County and the Town. Further, the County will encourage and support the expansion of existing Town sewer and water facilities that encourage a coordinated development pattern and further the goals and policies of The Plan. Chapter 2 of The Plan states that the County will work with officials of Towns to ensure timely provision of sewer and water in accord with the land use policies of The Plan. The County is to permit the extension of municipal water service to serve Town owned and operated public facilities in the JLMA. The General Water Policies and General Wastewater Policies also provide that the extension of central water and wastewater service into the Rural Policy Area is not permitted except to serve County and Town owned and operated public facilities immediately adjacent to a Town or its JLMA. The Town of Hamilton Plan identifies the Stone Eden well site for municipal purposes. The well is critical to meet the fundamental service needs of the population. The well is situated on a lot specifically designated and dedicated for municipal water use.

For new facilities, the Plan states that facilities should be constructed in a manner that causes the least environmental risk and visual disruption. Disturbed area should be stabilized with native vegetation. Infrastructure at the well site is minimal including the control building and an emergency generator which is required by the State Health Department. There is minimal disruption associated with the development of the well lot. The Plan provides guidelines for development in accord with Conservation Design. Chapter 5 of the Plan identifies four components of the Green Infrastructure to be considered as a part of Conservation Design:

Group One/Natural Resource Assets. The 1.3 acre property does not contain any floodplain, steep slopes (25% or greater), or wetlands based on the County's Land Mapping Information System (LMIS). There is also minimal forest cover.

The Department of Conservation and Recreation (DCR) has reviewed the proposed use for potential impacts to natural heritage resources including rare and endangered species. In a letter dated March 2, 2010, DCR advised that they do not anticipate the project will result in any adverse impacts to these resources.

The property is not adjacent to any scenic rivers, does not possess limestone conglomerate area or mineral resources. No adverse impact to groundwater is anticipated. The use of the well will be regulated by the State Health Department permitting process. In addition, a Pumping, Monitoring, and Mitigation Plan is in place for Well 14. Development is in accord with the County regulations and development standards.

Group Two/Heritage Resource Assets. There are no known historical or archaeological resources on the property. The well was drilled in 2000 and the facilities to utilize the well are already in place. A waiver of the Phase I investigation has been approved.

Group Three/Open Space Assets. The development of this water supply will not impact the County's open space assets.

Group Four/Complementary Elements. Development will comply with the County's standards for air quality, light and noise. The only lighting is located at the door of the control building. It is a small shielded light. No adverse impacts are anticipated.

In summary, Well 14 and its associated facilities are consistent with the Plan policies and will meet a critical need.

(B) Whether the proposed special exception will adequately provide for safety from fire hazards and have effective measures of fire control.

Well 14 and the associated facilities are/will be constructed to meet building codes. Fire protection services will be provided by the volunteer fire companies serving the area.

(C) Whether the level and impact of any noise emanating from the site, including that generated by the proposed use, negatively impacts the uses in the immediate area.

There are minimal noises associated with the use. No adverse impacts are anticipated.

(D) Whether the glare or light that may be generated by the proposed use negatively impacts uses in the immediate area.

The only light on the property is a small, shielded light above the door to the control building. No adverse impact is anticipated.

(E) Whether the proposed use is compatible with other existing or proposed uses in the neighborhood, and adjacent parcels.

Well 14 is located in a residential subdivision. Surrounding lots have developed homes. The well and its associated facilities will be compatible with the surrounding uses. The small size of the control building (120 SF) and emergency generator on a 32 SF pad will be barely noticeable to the larger area. The Stone Eden neighborhood is served by Town water.

(F) Whether sufficient existing or proposed landscaping, screening and buffering on the site and in the neighborhood will adequately screen surrounding uses.

The property possesses minimal vegetation. The structures on the land are also minimal and located a significant distance (over 200 feet) from the closest residential structure.

(G) Whether the proposed special exception will result in the preservation of any topographic or physical, natural, scenic, archaeological, or historic feature of significant importance.

There are no significant physical, scenic, archaeological or historic features associated with the site.

(H) Whether the proposed special exception will damage existing animal habitat, vegetation, water quality (including groundwater) or air quality.

The proposed use will alter the existing natural environment. The area disturbed for this use, including the gravel access road is approximately 4,050 SF. Areas disturbed, outside of construction, will be seeded and mulched. No adverse impact is anticipated. The well will be operated in accord with State Health Department requirements.

(I) Whether the proposed special exception at the specified location will contribute to or promote the welfare or convenience of the public.

Yes, Well 14 will contribute to the welfare and convenience of the public. As noted previously, the well site was provided as a part of the Stone Eden Subdivision and is designated for the development of a municipal water supply needed for the uses of the Town's water system.

(J) Whether the traffic expected to be generated by the proposed use will be adequately and safely served by roads, pedestrian connections and other transportation services.

The traffic associated with the proposed use is minimal. One trip to the well site a day for routine maintenance and to ensure the system is fully operational is projected. The existing gravel drive and Stone Eden Drive will provide adequate and safe access to the site. No pedestrian connections are needed for this use.

(K) Whether, in the case of existing structures proposed to be converted to uses requiring a special exception, the structures meet all code requirements of Loudoun County.

Not applicable.

(L) Whether the proposed special exception will be served adequately by essential public facilities and services.

This use will provide public water to the users of the Town's water system. The site is accessed by Stone Eden Drive. Fire and Rescue Services will be provided by both the volunteer system and the County.

(M) The effect of the proposed special exception on groundwater supply.

No adverse impact to groundwater supply is anticipated. The water supply will be regulated by the State Health Department and a Pumping, Monitoring, and Mitigation Plan is in place.

(N) Whether the proposed use will affect the structural capacity of the soils.

Construction in compliance with the requirements of the County's Facilities Standards Manual will ensure adequate structural capacity is maintained for the use.

(O) Whether the proposed use will negatively impact orderly and safe road development and transportation.

Safe road access will be available to the proposed use. Traffic to this use is minimal.

(P) Whether the proposed special exception use will provide desirable employment and enlarge the tax base by encouraging economic development activities consistent with the Comprehensive Plan.

Not applicable.

(Q) Whether the proposed special exception considers the needs of agriculture, industry, and businesses in future growth.

The water needs of the Town are being taken into consideration as a part of the proposed expansion to the Town's water supply. Inasmuch as treated water is needed for future growth, the proposed Special Exception does address these growth needs.

(R) Whether adequate on and off-site infrastructure is available.

The infrastructure needs for the proposed water supply are minimal. Good road access is available to the property.

(S) Any anticipated odors which may be generated by the uses on site and which may negatively impact adjacent uses.

Not applicable.

(T) Whether the proposed special exception uses sufficient measure to mitigate the impact of construction traffic on existing neighborhoods and school areas.

The impact of construction traffic to surrounding neighborhoods will be minimal. In fact, construction is minimal. Well 14 is in place. The emergency generator on a 32 square

foot pad needs to be added, and the gravel access extended. No adverse impacts are anticipated.

SUMMARY

The proposed use is consistent with the Plan policies, is a feature identified in the Town Plan and was approved as a part of the Stone Eden Subdivision, is compatible with the surrounding land uses and complies with the zoning standards of the JLMA-3 Zoning District. Favorable consideration for this special exception is respectfully requested.

LUFORMS/Outline.SOJ

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