

COUNTY OF LOUDOUN
DEPARTMENT OF PLANNING
MEMORANDUM

DATE: May 18, 2010
TO: Loudoun County Planning Commission
FROM: Rodion Iwanczuk, AICP, Project Manager *RI*
SUBJECT: **SPEX 2010-0005 – HAMILTON WELL 14, STONE EDEN PROPERTY, REVISED CONDITIONS OF APPROVAL**

Attached are Revised Conditions of Approval dated May 19, 2010. Condition Numbers 2 and 5 have been revised to reflect requests made by Commissioners at the April 28, 2010 public hearing. Condition Number 2 concerns monitoring of adjacent private wells and Condition Number 5 concerns site lighting. Please note that underlined portions of the Revised Conditions are the revisions.

Staff recommend that Condition Number 2 require monitoring of adjacent wells for two years beyond a severe hydrological drought occurring locally. The parameters listed in the condition are objective and would establish that a drought of such magnitude is occurring. Effects from such a drought may take up to two years to be apparent. Severe droughts have a 1-in-10 chance of occurring each year, while moderate droughts have a 1-in-5 chance of such occurrence, and would provide a more robust test on the effects of Well 14 pumping on private wells. The Applicant has not agreed to the condition requiring monitoring through a severe drought and suggests instead for monitoring to continue through a moderate drought.

Responding to other requests made by Planning Commissioners and at a community meeting with adjacent property owners, County staff and Hamilton officials have been working cooperatively to establish regular communication concerning monitoring results with nearby property owners, including at the community meeting. Further communication could consist of posting electronic copies of the quarterly monitoring reports. The County and the Town are also discussing ways to establish and implement a system in which investigation and evaluation would be made as to whether an impact on a private well is due to operation of Well 14.

The Applicant has agreed to install a motion sensor to operate site lighting, which will be full cutoff and fully shielded in accordance with the Revised 1993 Zoning Ordinance.

SUGGESTED MOTIONS

1. I move that the Planning Commission forward SPEX 2010-0005, Hamilton Well 14, Stone Eden Farm, to the Board of Supervisors with a recommendation of approval,

subject to the Conditions of Approval dated May 19, 2010, and based on the attached Findings, and including the modification of the required Type Two (2) buffer yard and screening adjacent to residential lots to eliminate such landscaping along the front, side, and rear yards, except as specified by the Conditions of Approval.

OR

2. I move that SPEX 2010-0005, Hamilton Well 14, Stone Eden Farm, be sent to a future Planning Commission Worksession.

OR

3. I move that the Planning Commission forward SPEX 2010-0005, Hamilton Well 14, Stone Eden Farm, to the Board of Supervisors with a recommendation of denial.

ATTACHMENTS:

1. Conditions of Approval dated May 19, 2010
2. Findings for Approval

Hamilton Well 14, Stone Eden Property, SPEX 2010-0005
Planning Commission Worksession, May 19, 2010

CONDITIONS OF APPROVAL, May 19, 2010

1. **Special Exception Plat** The property 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 April 28, 2010. 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 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 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 two years beyond the next one-year period October 1-September 30 that exhibits severe 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 to 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.** A generator test lasting for one half-hour per week shall be scheduled 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.

**Hamilton Well 14, Stone Eden Property, SPEX 2010-0005
Planning Commission Worksession, May 19, 2010**

SPECIAL EXCEPTION FINDINGS, May 19, 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.