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January 8, 2010

VIA HAND DELIVERY

Marchant Schneider, Project Manager
Loudoun County Department of Planning
1 Harrison Street, Third Floor
Leesburg, VA 20177

RE: SPEX 2009-0020/SPEX 2009-0033/SPMI 2009-0009/CMPT 2009-0006
Loudoun Water Storage Facility, Response to Second Referral Comments

Dear Mr. Schneider:

I am writing on behalf of the applicant, Loudoun Water, to respond to staff's second referral comments. The responses below are only to those agencies who had unresolved issues.

COMMUNITY PLANNING – response to memo dated November 20, 2009

Water Supply Protection

***Comment.** Staff recommends a development condition of approval that the applicant will only withdraw water during normal to high flows. Additionally, staff recommends a condition of approval that the applicant will coordinate with the USACE regarding the Middle Potomac River Watershed Assessment.*

***Applicant Response.** State law has already been established to control future withdrawals by Loudoun Water from the Potomac River during low flow periods. The provisions of 9VAC25-210-110 para.A2 require a water withdrawal permit condition mandating a reduction in withdrawals when the restriction or emergency stage is declared under the provisions of the Potomac River Low Flow Allocation Agreement. A similar condition on this Special Exception application would unnecessarily duplicate existing state law and could create conflicts between conditions.*

Regarding a condition requiring Loudoun Water to coordinate with the United States Army Corps of Engineers (USACE) relative to the Middle Potomac River Watershed Assessment, Loudoun Water is already part of the coordination process through its participation with the Interstate Commission on the Potomac

ATTACHMENT 3

A-77

January 8, 2010

Page 2

River Basin (ICPRB).

It should also be noted that Loudoun Water has begun and will continue to coordinate with the Corps with regard to its water withdrawal permit application. The Corps is one of the agencies working with VA DEQ in the review/approval process.

Floodplain Delineation

Comment. Staff recommends that the applicant complete a formal study of the current floodplain so that this information can be considered as the application moves forward.

Applicant Response. The Applicant is willing to commit that a floodplain study will be completed and, for the reasons stated in the first response, commits that it will be completed prior to final site plan approval for the proposed water storage use in accordance with the Zoning Ordinance and Facility Standards Manual standards.

Visual Access

Comment. Staff recommends that the applicant commit to single points of discrete visual access along current or future trails to aid in the interpretation of the site, following coordination with Luck Stone Corporation, the County Parks, Recreation and Community Services Department, and the Northern Virginia Regional Park Authority.

Applicant Response. As previously stated, the design of the Quarry A water storage facility does not lend itself to public visual access. The water storage elevation within the quarry pit is anticipated to be over twenty feet below the rim of the quarry and at least sixty feet below the elevation of the W&OD Trail. Quarry walls are steep and a ten foot tall barbed wire fence at the quarry rim is proposed for the purpose of preventing public access for both safety and security reasons. Should future trail access be provided by others in proximity to the proposed water storage facility, however, the open weave wire fencing around the use will not thwart visual access to it.

Vegetation & Screening

Comment. Staff recommends that the applicant commit to a condition of approval regarding the revegetation with appropriate indigenous vegetation of areas not inundated with water, with the exception of visual access points from adjacent trails.

A-78

Applicant Response. The Virginia Dept. of Mines, Minerals and Energy will require Luck Stone to follow reclamation standards as a precondition to the release of the quarry permit when mining operations have ceased, and these standards include provision for revegetation in areas that are capable of being graded and resoiled.

ZONING – response to memo dated December 11, 2009

A. Critical Issues

1. *Section 6-1310(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. Staff reiterates the need to revise the limits of special exception to include the access road from Belmont Ridge Road to the water storage facility. (Prior comment B.4.) Staff does not agree with the October 20, 2009 response letter (p. 8), which states that the access road should not be included in the special exception area because it may be used by others for access. By-right users can continue to use the road even though it is part of the special exception area. Additionally, per Article 8, the access road shown is a "driveway," not a "private access easement." Staff is agreeable to a condition and/or note on the plat which allows for relocation of the access road to address the applicant's concern regarding the relocation of Jackpit Lane. It is recommended that any such relocation occur outside of the floodplain, otherwise a floodplain alteration will be required.*

Applicant Response. The limits of the special exception area have been revised to include vehicular access from Belmont Ridge Road to the water storage facility. A note has also been added to the plat which indicates that the vehicular access may be relocated by others in the future.

B. Other Issues

1. *Section 4-1507, Standards for a Special Exception. In considering applications for a special exception in the floodplain, the Board of Supervisors must be satisfied that the standards of Section 4-1507 have been met. To that end, staff concurs with the Environmental Review Team (ERT) recommendation for a condition of approval requiring a floodplain study of Goose Creek proximate to the location of the quarry and a study of the tributary within the subject property that drains into Goose Creek and contains minor floodplain and major floodplain. Staff recommends the floodplain study be completed prior to site plan approval for the water storage facility.*

Applicant Response. The Applicant is willing to commit that a floodplain study will be completed and, for the reasons stated in the first response,

commits that it will be completed prior to final site plan approval for the proposed water storage use in accordance with the Zoning Ordinance and Facility Standards Manual standards.

3. *Section 5-621, Public Utilities. Section 5-621(B) requires public utilities to have a minimum type 4 buffer yard. The applicant seeks approval of a minor special exception to modify this requirement, requesting that existing vegetation be permitted in lieu of a standard type 4 buffer. The response letter (p. 8) indicates that the statement of justification has been revised to include a justification for the modified buffer yard. However, the statement has not been revised to include such justification. Please incorporate the justification provided in the response letter into the statement of justification. Further, as noted above, staff is supportive of the use of existing vegetation. However, the existing tree line is difficult to see on the special exception plat and no specific areas of tree save are noted. Staff suggests these matters be clarified. Staff reiterates that a condition of approval is needed to ensure that the existing landscaping will continue to meet or exceed type 4 buffer yard standards when the use is established in 8 to 11 years. (Prior comment B.10.)*

Applicant Response. The Statement of Justification has been modified to include justification for the modified buffer yard. As noted in the Statement, the concept of water storage is usually associated with above ground structures rising up to 175 feet above ground rather than within a quarry pit where water storage will largely be unseen. Existing vegetation will provide effective screening for the proposed use.

The Applicant has conservatively calculated that a total of 7 acres of tree canopy coverage exists between the proposed water storage facility and the parcel's northern, southern and western boundaries. Submitted as part of the special exception plat package is an exhibit which outlines an area within which this existing coverage is located. Some of this area is within the special exception boundaries and some of the area is immediately adjacent to it. At the time of site plan approval, the Applicant will work with the Urban Forester to insure that seven acres of tree canopy coverage will be maintained within the designated area to satisfy buffer yard requirements.

4. *Conditions of Approval. Staff requests the opportunity to review draft conditions of approval for these applications. Per the response letter (p. 4), the applicant has agreed to a condition requiring downward directed lighting. A condition should also address the period of validity for the special exceptions, as a period of 15 years has been requested.*

Applicant Response. Acknowledged.

5. *The Loudoun County Mapping System indicates the presence of an open space easement on the subject parcel. However, staff has been unable to locate a recorded easement in the County Land Records. Staff requests that the presence of an open space easement be confirmed, and that any such easement be submitted to ensure its consistency with the proposed use.*

Applicant Response. A Goose Creek Scenic Easement is designated along Luck Stone's quarry located to the south of the W&OD Trail. However no easement exists north of the trail, i.e. on Quarry A.

6. *The statement of justification (multiple references) and general note 3 (sheet 1) specify different time frames for the quarry operations. The statement of justification states 2017-2020, while the plat note states 2015-2020. Please reconcile these differences. (Prior comment B.13.)*

Applicant Response. Differences between the special exception plat and the Statement of Justification have been reconciled to ensure all references portray a timeframe of 2017-2020.

7. *The statement of justification (p. 9) includes a "floodplain study waiver request." Please be advised that such request cannot be approved with the subject applications. This request should be submitted to the Department of Building and Development prior to or concurrent with the submission of a site plan.*

Applicant Response. Acknowledged.

8. *The statement of justification (p. 9) indicates that no crossings or encroachments in the floodplain are proposed. However, the proposed parking area appears to encroach slightly into minor floodplain. Staff recommends that the parking area be relocated wholly outside the limits of minor floodplain*

Applicant Response. The location of the parking on the Special Exception plat has been modified to be located outside of the minor floodplain as presently mapped.

9. *On sheet 3, in the title, please change "1993 Loudoun County Zoning Ordinance, As Revised" to "Revised 1993 Loudoun County Zoning Ordinance" to be consistent with sheet 1.*

Applicant Response. The requested revision has been completed.

10. *On sheet 3, under the required column for Section 5-621(C), revise the word "shall" to "may." Section 5-621(C) states "Such utilities may be accessed by*

private access easement."

Applicant Response. The requested revision has been completed.

11. *On sheet 3, under the required column for Section 5-900, revise letter "(A)" to "(A)(9)." This will clarify that the setbacks listed are for Route 659, which is an "Other Arterial Road" per Section 5-900(A)(9).*

Applicant Response. The requested revision has been completed.

12. *Revise sheet 1 to add the following application numbers: SPEX 2009-0033 and SPMI 2009-0009.*

Applicant Response. The requested revision has been completed.

13. *Staff recommends the plat sheets be numbered 1 through 6 (as opposed to adding sheets 2A and 4A). Revise the sheet index on sheet 1 accordingly.*

Applicant Response. The sheets have been numbered as recommended.

ENVIRONMENTAL REVIEW – response to memo dated November 20, 2009

1. *Staff continues to recommend a commitment to reforestation adjacent to Goose Creek that does not interfere with existing power line easements and road access widths. Reforestation may also compliment Type IV buffer requirements per Revised 1993 Zoning Ordinance (ZO) Section 5-621(B).*

Applicant Response. As previously mentioned, the special exception area which is proposed as a water storage facility does not include the area adjacent to Goose Creek. However, a commitment has been made to maintain existing vegetation in order to satisfy a proposed tree canopy coverage standard as set forth on Sheet 4 of the SPEX plat. Appropriate areas along Goose Creek may be revegetated to meet this standard as determined by the Urban Forester at the time of site plan approval.

2. *Staff recommends a condition of approval that the applicant and/or property owner complete a floodplain study of Goose Creek proximate to the location of the quarry and a study of the tributary within the subject property that drains into Goose Creek and contains minor floodplain and major floodplain. Said floodplain study shall depict updated topography and flood elevations prior to use of the quarry site as a water storage reservoir. This recommendation supports the fourth purpose and intent per ZO Section 4-*

1501, to "comply with Federal and State laws and regulations that address the need for floodplain management and protection..." The study would update flood hazards to reflect topography that has been adjusted during quarry operations. The study will be reviewed and approved by the County consistent with Zoning Ordinance and Facility Standards Manual standards.

Applicant Response. For the reasons stated in the first response, the Applicant is willing to commit that a floodplain study will be completed prior to final site plan approval for the proposed water storage use in accordance with the Zoning Ordinance and Facility Standards Manual standards.

3. *Staff continues to encourage water conservation efforts that were recommended in the September 2008 report and further consideration of re-use of water from the Town of Leesburg. Staff is also in communication with the Town of Leesburg and the power plant applicant regarding water re-use options.*

Applicant Response. Acknowledged.

VDOT – response to memo dated November 18, 2009

1. *The applicant's response to our first submission has been noted. We continue to recommend that the County consider our first submission comments dated August 19, 2009.*

Applicants Response. As previously noted, right-of-way dedication for improvement on Belmont Ridge Road was addressed in the special exception for the quarrying activity in this area. The Applicant notes that an anticipated trip generation of one trip daily to the proposed water storage use does not warrant a monetary contribution for road improvements.

2. *Noting the applicant's response, at the very least, Condition # 5 of SPEX 1990-0019 referencing the requisite right of way dedication of 60' from centerline along Belmont Ridge Road, Route 659 should be made now, if it has not already been dedicated.*

Applicant Response. The Applicant notes that a trigger mechanism for right-of-way dedication by Luck Stone Corporation has already been established in SPEX 1990-0019, Condition 5.

HISTORIC PRESERVATION - response to memo dated December 1, 2009

Comment. To meet the County's objective to protect and preserve significant historic and archaeological resources, staff recommends that any approval of the

January 8, 2010
Page 8

subject SPEX application include a condition that a Phase 1 archaeological survey will be conducted within the area of ground disturbance for the construction of the intake and pumping station and the extension of the water utility line to the existing quarry site which is the subject of this SPEX application. Further, staff recommends that approval of the subject application include a condition that the applicant will mitigate impacts to archaeological and historic resources identified during the survey through avoidance, conservation and/or further evaluation and excavation if warranted, in consultation with the County Archaeologist or appropriate staff prior to approval of Site Plans.

Applicant Response. The referenced intake, pumping station and water lines are not located within the special exception area, but they are components of Loudoun Water's Central Water Supply Program which must be reviewed and approved by state and federal agencies before a Potomac River water withdrawal permit can be issued. Staff concerns will be addressed during this separate review/approval process which involves the VA Dept. of Environmental Quality and the Army Corps of Engineers, as well as the VA Dept. of Historic Resources. Phase I archeological surveys will be required for all program components and mitigation/avoidance measures will have to be addressed if archeological/historic resources are identified.

Thank you for the opportunity to respond to the specific agency comments. Please give me a call if there are any questions regarding any of the responses.

Best Regards,


Lori Greenlief
McGuireWoods, LLP

cc: Dale C. Hammes, Loudoun Water
Mark E. Peterson, Luck Stone Corporation
J. Randall Minchew, Walsh, Colucci, Lubeley, Emrich & Walsh, P.C.

A-84

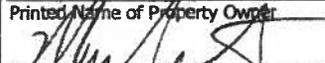


LOUDOUN COUNTY LAND DEVELOPMENT APPLICATION

- (1) This application form must be filled out in its entirety.
- (2) An incomplete application form will result in rejection of the application prior to checklist review.
- (3) If additional space is needed to complete any section of this application, attach a separate sheet containing all the required information and refer to such where appropriate on the form.
- (4) Do not write in shaded areas.
- (5) See attached Instructions for completing the Land Development Application.

PLEASE PRINT IN INK OR USE TYPEWRITER

TYPE OF APPLICATION: CMPT/SPEX (2)/SPMI <input type="checkbox"/> 1972 Zoning Ordinance <input type="checkbox"/> 1993 Zoning Ordinance <input checked="" type="checkbox"/> Revised 1993 Zoning Ordinance		Application Number Assigned _____ Fee Amount Paid _____ Receipt Number _____ Date of Official Acceptance _____	
Calculations of Bond (CPAP, CPAP REVISION, REST, STPL, STPR & STMP)			
Total Number of Cross-Sections (FPAL Type II & FPST)			
Estimated Square Feet of Land Disturbance (SPEX)			
Project Name: "Quarry A" Water Storage Facility		Subdivision Name (if different from project name): Subdivision Section: Lot Numbers:	
Description of Proposed Project: (Must be completed) Seeking Commission Permit and Special Exception Approval to use an existing quarry for water storage once mining operations have ceased, Special Exception for the location of a use required for the operation of a public utility in the floodplain, and Minor Special Exception to modify requirements for required Type 4 buffer			
Number and Types of Proposed Lots		PROPOSED RESIDENTIAL UNITS (This section is to be completed for all residential applications).	
Residential	N/A	Total Units	Quantity Affordable
Non-residential	N/A	Detached	Quantity Elderly
Conservancy	N/A	Semi-detached	
Open Space	N/A	Townhouse	
Other (Specify type)		Multi-family	
		Other (specify)	
Total Lots	1	Total	
		N/A	
PROPOSED NON-RESIDENTIAL SQUARE FOOTAGE This section must be completed for all non-residential applications and non-residential components of residential applications. Describe the type (s) in the appropriated category and the total square footage for the category:			
Category	Description of Use	Square Footage	
Ag-Residential			
Sales & Service			
Office			
Industrial			
Gov't., Utilities & Public Service	Water Storage in Existing Quarry (Water Storage Tank)	N/A	
Recreation & Special Interests			
Transportation & Communications			
Education & Training			
Other (specify)			
Total Square Footage			
PROJECT LOCATION			
Property Address: None	Property Location: North of the W&OD Trail; east side of Goose Creek; approximately 1,140 ft. west of Belmont Ridge Road, Rt. 659	Adjacent Roads Jackpit Lane, Belmont Ridge Rd., Rt. 659	
ELECTION DISTRICT(S) Broad Run District			
PROPERTY TAX MAP, ACREAGE AND ZONING INFORMATION			
Tax Map Number(s) or Pin Number Reference(s)	Zoning District(s)	Acres	Zoning Status Existing Proposed
MCPI 114-25-6156	MR-HI District	34.71 ac - SPEX area; 80.61 ac - Parcel area	MR-HI MR-HI

SURROUNDING LAND USE AND ZONING			
List all surrounding land uses and zoning districts adjacent to the property, including those across roads.			
LAND USE		ZONING	
NORTH	Residential	MR-HI	
SOUTH	W&OD Trail; South of W&OD Trail - vacant	MR-HI	
EAST	Quarry related commercial uses; across Belmont Ridge Rd, Rt. 659 - residential	MR-HI; across Belmont Ridge Rd. - R-1	
WEST	Goose Creek; across Goose Creek - Vacant land	TR-10	
APPLICANT(S)			
Company Name	Loudoun County Sanitation Authority (d/b/a Loudoun Water)	Company Name	
Name of Person & Title	Dale C. Hammes General Manager	Name of Person & Title	
Mailing Address	44865 Loudoun Water Way	Mailing Address	
City, State, Zip Code	Ashburn VA 20146	City, State, Zip Code	
Daytime Telephone	571.291.7700	Daytime Telephone	
E-mail Address	dhammes@loudounwater.org	E-mail Address	
Correspondent?	Yes No <input checked="" type="checkbox"/>	Correspondent?	Yes No
PROPERTY OWNER(S)			
Company Name	Luck Stone Corporation	Company Name	
Name of Person & Title	Mark E. Peterson Manager	Name of Person & Title	
Mailing Address	P.O. Box 29682	Mailing Address	
City, State, Zip Code	Richmond, VA 23242-0682	City, State, Zip Code	
Daytime Telephone	800.898.5825	Daytime Telephone	
E-mail Address	mpeterson@luckstone.com	E-mail Address	
Correspondent?	Yes No <input checked="" type="checkbox"/>	Correspondent?	Yes No
REPRESENTATIVE(S)			
Company Name	McGuire Woods LLP	Company Name	
Name of Person & Title	Jonathan P. Rak Attorney	Name of Person & Title	
Mailing Address	1750 Tysons Boulevard STE 1800	Mailing Address	
City, State, Zip Code	McLean, VA 22102-4215	City, State, Zip Code	
Daytime Telephone	703.712.5411	Daytime Telephone	
E-mail Address	jrak@mcguirewoods.com	E-mail Address	
Correspondent?	Yes <input checked="" type="checkbox"/> No	Correspondent?	Yes No
CERTIFICATIONS			
APPLICANT(S): The information provided is accurate to the best of my knowledge. I acknowledge that any percolation tests, topographic studies, or other requirements of the Health Official, Director of Building and Development, or Zoning Administrator will be carried out at my expense. I understand that the County may deny, approve, or conditionally approve that for which I am applying. I certify that all property corners have been clearly staked and flagged.			
Loudoun County Sanitation Authority, d/b/a Loudoun Water Dale C. Hammes, General Manager Printed Name of Applicant		Printed Name of Applicant	
 Signature of Applicant		Signature of Applicant	
Date 1/8/2016		Date	
PROPERTY OWNER(S) (to be signed by all property owners): I have read this completed application, understand its intent, and freely consent to its filing. Furthermore, I grant permission to the Department of Building and Development and/or Planning and other authorized government agents to enter the property and make such investigations and tests as they deem necessary.			
Mark E. Peterson, Manager Luck Stone Corporation Printed Name of Property Owner		Printed Name of Property Owner	
 Signature of Property Owner		Signature of Property Owner	
Date 1.08.10		Date	

A-86

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October 20, 2009

VIA HAND DELIVERY

Marchant Schneider, Project Manager
Loudoun County Department of Planning
1 Harrison Street, Third Floor
Leesburg, VA 20177

RE: SPEX 2009-0020/CMPT 2009-0006
Loudoun Water Storage Facility, Response to First Referral Comments

Dear Mr. Schneider:

I am writing on behalf of the applicant, Loudoun Water, to respond to staff's first referral comments.

COMMUNITY PLANNING -- response to memo dated September 17, 2009

Land use

Water & Wastewater Service

Comment. Staff recommends that the applicant demonstrate a commitment to the withdrawal of water only during normal to high flows to help protect the integrity of the Potomac River.

Response. Loudoun Water's commitment to water withdrawal from the Potomac River only during normal to high flows is demonstrated by the fact that "Water Banking" is a key component of its Central Water Supply Program. The whole concept of Water Banking – depositing water into a retired quarry when flows in the Potomac are normal to high, then withdrawing water from the quarry instead of the river in times of low flow or excess turbidity – is based upon Loudoun Water's interest in minimizing impacts to the river and to the water supply needs of other jurisdictions.

As a further commitment, the Interstate Commission on the Potomac River Basin (ICPRB) monitors water flows in the Potomac River. The ICPRB manages low flow withdrawals from the Potomac during times of drought through regional and interstate cooperation and partnerships. Loudoun Water has coordinated with the ICPRB over the last eight years with regard to plans for its Central Water

A-87

Supply Program, and has committed to following ICPRB water withdrawal directives in times of low water flow in the Potomac River.

As with all components of Loudoun Water's Central Water Supply Program, the withdrawal of water from the Potomac River will be subject to approval by the Virginia Department of Environmental Quality and the Army Corps of Engineers as part of the Joint Permit approval process. Protecting the integrity of the Potomac River as a water resource is an objective of the process and will influence the decision of state/federal reviewing agencies.

Green Infrastructure

River and Stream Corridor Resources

***Comment.** Staff recommends that the applicant depict the limits of the floodplain on the plat so that floodplain accurately reflects the topography and hydrology of the area.*

***Response.** Consistent with County requirements, the Applicant has shown a delineation of the topographic and floodplain line based on County data. The Applicant is not proposing any changes to the grading or topography within the special exception area but merely proposing to add water to an existing mined area once mining operations are completed. Further, a current delineation of the floodplain limits based on a formal study of present site conditions would be premature as mining operations are expected to continue for a period of several years. Lines today would no longer be accurate when mining is complete at the quarry.*

Scenic Rivers and Trails

***Comment.** It would be desirable if the applicant would allow visual access to the reservoir from both the W&OD Trail and any future trails along Goose Creek or other portions of the Luck Stone property. The applicant should coordinate with Luck Stone Corporation, the County Parks, Recreation, and Community Services Department, and the Northern Virginia Regional Park Authority regarding visual access to the reservoir from the surrounding trails and the construction of an overlook along each trail, which could include benches and interpretive signage. Interpretive signage could alert people to the presence of the reservoir and explain the history of the quarry, the significance of the mineral resources and other surrounding natural features, and the basic design of the water supply system.*

***Response.** The Applicant will coordinate with Luck Stone Corporation and public agencies if a decision is made by others to provide trails or overlooks in the vicinity of the quarry. However, the design of the Quarry A water storage facility does not lend itself to public access, whether visual or physical. The water*

storage elevation within the quarry pit is anticipated to be over twenty feet below the rim of the quarry and at least sixty feet below the elevation of the W&OD Trail. Quarry walls are steep and a ten foot tall barbed wire fence at the quarry rim is proposed for the purpose of preventing public access for both safety and security reasons. Additionally, other agency comments indicate a desire to retain existing trees and understory vegetation along the boundary of the W&OD Trail, further limiting visual access to the quarry. The Statement of Justification has been corrected to recognize that existing vegetation between the water storage area and the W&OD Trail is to remain and will, therefore, screen rather than provide visual access from the W&OD Trail.

Vegetation

Comment. The conversion of the existing quarry to a reservoir would limit the disruption to the area. To supplement the local habitat, help restore the quarry site, and to protect the water supply staff recommends that areas within the limits of the Special Exception not inundated with water be revegetated with appropriate indigenous vegetation. Staff recommends that any future improvements be constructed in a manner that causes the least environmental risk and visual disruption. Disturbed areas should be stabilized with native vegetation and new facilities screened with trees, berms, and/or shrubs.

Response. The Virginia Department of Mines, Minerals and Energy requires quarries to follow reclamation standards as a precondition to the release of the quarry permit. These standards include provision for regrading, resoiling and revegetation in areas where applicable and Luck Stone will incorporate these provisions as part of the reclamation process. As staff has stated, the addition of water to an already mined area will not create any environmental disruption to the area. The existing mature trees and vegetation just outside of the special exception area, along the embankments of the quarry will not be disturbed.

Steep and Moderately Steep Slopes

Comment. The project area features numerous steep and moderately steep slope areas, which are depicted on the plat. The application does not appear to disrupt any steep or moderately steep slopes.

Response. This statement is true that the application to fill the quarry with water will not disturb any steep or moderately steep slopes as defined by the Ordinance.

OFFICE OF TRANSPORTATION SERVICES - response to memo dated September 8, 2009

The Applicant confirms that the requisite right-of-way dedication along Belmont Ridge Road is a requirement of Luck Stone's special exception, specifically Condition 5 of SPEX 1990-0019. The Applicant also acknowledges VDOT Route 659 Project # 0659-053-262 relocates JackPit Lane to intersect with Builders Lane rather than Belmont Ride Road. The SPEX plat has been revised to indicate that the Applicant's future access easement will co-exist with the relocation of JackPit Lane, if such occurs.

ZONING – response to memo dated September 30, 2009

A. Critical Issues

1. *Section 3-1005(E), Yards.*

Response. The SPEX plat has been revised to show at least 50 feet between the special exception boundary and the property line.

2. *Section 4-1506, Special Exception Uses*

Response. The Statement of Justification has been revised to provide a justification for the proposed public utility use in a Floodplain Overlay District. It is noted that no changes to existing topography of the special exception property are proposed with this application. The steep embankment and access road to the west of the special exception area rises over 20 feet above the Goose Creek waterline and the established 100-year floodplain elevation is below the elevation of this embankment. For this reason and others discussed in the Statement of Justification, the Applicant is requesting a Floodplain Study Waiver pursuant to Section 5.410 of the Facilities Standards Manual.

B. Other Issues

1. *Section 6-1310(D) - Whether glare or light that may be generated by the proposed use negatively impacts uses in the immediate area.*

Response. The Applicant has no objection to the imposition of a condition requiring downward directed lighting.

2. *Section 6-1310(F) - Whether sufficient existing or proposed landscaping, screening and buffering on the site and in the neighborhood to adequately screen surrounding uses.*

Response. As noted below in response to Comment 10, the Applicant has revised the Statement of Justification to request a minor special exception to modify the requirements of Section 5-621 to allow the existing vegetation to satisfy the buffer requirement. Staff has noted that there is mature vegetation surrounding portions of the special exception area and that this vegetation screens the proposed use more intensely than the required Type 4 buffer in some areas. Those areas where vegetation does not exist are to the east, adjacent to other industrial and quarry-related commercial uses that are more intense uses than the proposed water storage use. Sufficient landscaping does exist to screen and buffer the future water storage use to the south, west and north, particularly in light of the fact that the ultimate water level elevation will be considerably below the quarry rim and not visible from Goose Creek, the W&OD Trail, or the properties to the north.

3. *Section 6-1310(H) – Zoning staff deferred to the Environmental Review Team as to whether the proposed special exception will damage existing animal habitat, vegetation, water quality (including groundwater) and air quality.*

Response. Acknowledged.

4. *Section 6-1310(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.*

Response. It is anticipated that the use will generate one trip per day which will not tax the surrounding road system. Section 5-621 allows a public utility to be accessed via a private easement. The SPEX plat has been revised to more clearly depict the proposed access easement to be granted to Loudoun Water in order that the water storage area may be accessed. A note has been added to the SPEX plat which indicates that the future access easement will be co-located with JackPit Lane in its ultimate location. The Applicant has not included this area within the special exception area because adequate access pursuant to Sect. 5-621 is shown, the private road may be used by others for access and thus should not be included in the special exception, and lastly, as indicated in

the OTS and VDOT memorandums, the location of JackPit Lane may change in the future which would mean the SPEX plat would no longer show the correct access point.

The Applicant has no plans to utilize the existing tunnel under the W&OD Trail for secondary or emergency access.

5. *Section 6-1313, Period of Validity. Staff suggests a longer period of validity be approved as part of this special exception.*

Response. The Applicant requests the period of validity be stated as a maximum of 15 years.

6. *Article 8, Definitions. Staff recommends revision of the definition of "Water Supply System, Central".*

Response. Acknowledged.

7. *Section 3-1003, Permitted Uses. Staff questions the future location of the water pump station.*

Response. The future water pumping station will not be located in an area of floodplain or steep slopes and the Applicant has no objection to a condition to that effect.

8. *Section 3-1007(D) Utility Requirements. Revise plat to specify that all utility distribution lines shall be placed underground,*

Response. The SPEX plat has been revised to reflect this provision.

9. *Section 4-1503, Definitions. (G) Utility Lines in the Floodplain.*

Response. Acknowledged.

10. *Section 5-621, Public Utilities. Staff notes that a Type 4 Buffer yard is required for a public utility.*

Response. As staff has indicated, the modification is noted on the SPEX plat. The request for a minor special exception to Section 5-621 has now been included in the application and requests that existing vegetation be

permitted in lieu of a standard Type 4 buffer. There are several factors which have led to the request for a modification to the buffer requirements.

- The buffering requirements in Section 5-621 do not differentiate between a heavy public utility such as a sewage treatment plant and a use as proposed in this application which is storing water in an existing quarry.
- The same buffers that have provided screening for an active quarrying operation will remain in place for the more passive water storage use once the quarry has been retired.
- There are no structures associated with this public utility other than a water pump station which is a permitted use in the MR-HI District. Neither use will be visible to the north, south, or along Goose Creek to the west. To the north and south sufficient landscaping exists to screen and buffer future water storage in the existing quarry from surrounding uses, particularly in light of the fact that ultimate water level elevation of the future water storage facility will be well below the rim of the quarry. Existing vegetation along the northern and western boundaries of the parcel and the fact that the walls of the quarry are at higher elevations than the parcel boundaries in these areas insures that the proposed use will be screened from adjacent properties and Goose Creek. Existing mature trees and vegetation along the parcel boundary to the south will provide screening between the proposed use and the W&OD Trail.
- To the east, very little landscaping exists between the quarry and existing quarry-related commercial and industrial uses that are located on a hill above the quarry. Additional landscaping would be ineffective in screening the quarry from these uses because of the difference in elevation between uses. Water storage as proposed is the more passive use and it also does not seem necessary to screen this use from those that are more intensive. There is also very little activity associated with the proposed water storage use— possibly one vehicle trip per day for maintenance and inspection purposes. The impacts of this type of public utility are far less than those of all other public utility uses, so the Applicant requests that some discretion be used when applying the buffer requirements in Sect. 5-621. Further, as staff has noted, there is adequate vegetation and screening in most areas surrounding the special exception

area, "more intensive than the required type 4 buffer in some areas". The statement has been revised to include the justification for this modification.

11. Section 5-1100, Off-Street Parking and Loading Requirements.

Response. The SPEX plat has been revised to show a parking space in the southeast portion of the Property to accommodate required parking. It is anticipated that one employee may visit the site each day for maintenance purposes.

12. Section 5-1508, Steep Slope Standards. Staff recommends reviewing the locations of any proposed water lines through naturally occurring very steep slope areas for compliance with Section 5-1508.

Response. The Applicant acknowledges that compliance with the steep slope standards of the Zoning Ordinance will be required in the design and development of water line connections to the proposed water storage facility.

13. Reconcile quarry operations time frames noted on SPEX plat and Statement of Justification

Response. The SPEX plat has been corrected to state that quarry operations will be completed in the 2017-2020 timeframe.

14. On the SPEX plat, change the scale to one that can be measured using a standard engineer's scale.

Response. The original scale (1" = 120') was originally used to insure that all submission features could be reflected on a standard size plat sheet. Two additional sheets have been added to the plat (Sheet 2A and Sheet 4A) which provide Existing Conditions and the Special Exception Plat at a standard scale of 1" = 100'.

15. On the SPEX plat, page 3 in regard to Section 3-1007, delete letter (E).

Response. The requested revision has been completed.

A94

16. *Revise SPEX plat, sheet 3, to correct specified references for "Building and Parking Setbacks from Roads" and Building Setback from W&OD Trail", and Access from Major Roads".*

Response. The requested revision has been completed.

17. *On SPEX plat, sheet 4, revise legend to show symbols for moderately and very steep slope areas.*

Response. The requested revision has been completed.

18. *Revise Statement of Justification to clarify that a water treatment plant will not be located on the Application Property.*

Response. The requested revision has been completed.

19. *Review Statement of Justification for accuracy in referring to full visibility of the water storage use from the W&OD Trail.*

Response. The Statement of Justification has been reviewed and modified.

ENVIRONMENTAL REVIEW – response to memo dated September 18, 2009

1. *Staff encourages enhancing the forested buffer adjacent to Goose Creek.*

Response. The special exception area which is proposed as a water storage facility does not include any areas outside of the rim of the existing quarry. Mature trees and vegetation just outside of the special exception area, along the embankment that is adjacent to Goose Creek will not be disturbed.

2. *Staff recommends that utility lines associated with the water storage facility be depicted in area where the alignments minimize disturbance to trees, streams and wetlands.*

Response. As with all components of Loudoun Water's Central Water Supply Program, the final alignment of the future water line(s) entering and exiting the water storage area is subject to approval by the Virginia Department of Environmental Quality and the Army Corps of Engineers as part of the Joint Permit approval process. Minimizing environmental

A95

impacts is an objective of the process and will influence the final location that is approved by state/federal reviewing agencies.

3. *Utility lines should avoid the stream and wetland mitigation project along Sycolin Creek.*

Response. Loudoun Water will continue to coordinate with Luck Stone Corp. as the the wetland mitigation project along Sycolin Creek proceeds. As with all components of Loudoun Water's Central Water Supply Program, the final alignment of future water line(s) will be subject to approval by the Virginia Department of Environmental Quality and the Army Corps of Engineers as part of the Joint Permit approval process. Minimizing environmental impacts is an objective of the process and will influence the final water line location that is approved by state/federal reviewing agencies.

4. *Staff recommends that floodplain studies and/or alterations be completed to update flood elevations and limits for Goose Creek, any possible spillage of Goose Creek into the storage area, and for the minor floodplain that drains from Route 659 to the northwestern edge of the property.*

Response. No changes to the contours or topography of the special exception property is proposed with this application. The application is merely a request to add water and ultimately extract water in an existing mined area. The Applicant has shown a delineation of the floodplain based on County data. The steep embankment and access road to the west of the special exception area rises over 20 feet above the Goose Creek waterline. Along the Creek, the established 100-year floodplain elevation (226.30 based on the adjacent cross-section available on the County's GIS website) is below the elevation of this embankment (+/- 235.00 per County GIS topography). Any current study/delineation of the minor floodplain within the quarry limits today would no longer be accurate when mining is complete at the quarry as a result of on-going changes to the topography within the quarry.

5. *Staff recommends thorough and prompt assessment of "Wise Water Use" outcomes to quantify the demand reduction and project this reduction into the two 20 Million Gallon per Day (MGD) phases of the Central Water Supply. There is a similar recommendation on page 25 of the report. Staff recommends a prompter assessment that can be used to possibly reduce the expansion size of each phase and/or elimination of one phase altogether to minimize long term capital and maintenance costs.*

Response. As with all components of Loudoun Water's Central Water Supply Program, the withdrawal of water from the Potomac will be subject to approval by the Virginia Department of Environmental Quality and the Army Corps of Engineers as part of the Joint Permit approval process. Water demand management is considered in the process. Water use projections are based on current County population and employment projections, and reflect anticipated reductions due to Loudoun Water's demand management program that is in its first stage of implementation. The full effect of this demand management program will not be known until the program has been in operation and monitored for at least a period of five years.

Staff recommends that the Applicant consider storage, treatment and use of the Town of Leesburg effluent, currently permitted at 5MGD with a future expansion to 10 MGD. The effluent is treated near Tuscarora Creek and would require less static energy lift to transmit and store than river intake water. It would also be available constantly, not just during normal to high river flow intervals. This option was not considered in the Central Water Supply report.

Response. County staff may want to coordinate their comment with staff of the Town of Leesburg. The discharge of Town effluent within Loudoun County would require the issuance of a permit from the Virginia Department of Environmental Quality and require the Town effluent to meet higher water quality standards mandated by the Dulles Area Watershed Policy. At present the Town effluent is permitted by the State of Maryland for a discharge to the Potomac River which has a lower water quality standard. In addition, discharge of effluent to a public water reservoir (Quarry A) would be considered "indirect potable reuse" and would not be consistent with Virginia's water reuse regulation 99VAC25-740-10) which is based on non-potable reuse of effluent. Additionally, a Leesburg Today newspaper article dated September 17, 2009 indicated that the Town of Leesburg is in discussions with a developer for non-potable use of the Town's effluent.

VDOT – response to memo dated August 19, 2009

1. *Right of way and easements should be dedicated at no cost consistent with listed road improvement projects.*

Response. See response below.

2. *A monetary contribution toward VDOT's Belmont Ridge Road Improvement project should be pursued by the County.*

A97

Response. This special exception for water storage is part of a larger proposal which includes a water treatment plant farther south and on the other side of Goose Creek. At the transportation scoping meeting held prior to the filing of these applications, it was determined that the traffic associated with the water storage in Quarry A was minimal being mostly maintenance visits occurring once a day. As part of the larger traffic analysis, it was determined that the trips generated by the entire proposal, including the water treatment plant with 20 employees, can be accommodated within the existing infrastructure and the intersection studied operate with acceptable levels of service. In addition to not owning the property which fronts on Belmont Ridge Road, the Applicant does not believe that an anticipated trip generation of one trip daily warrants right of way dedication and road improvement contributions. As previously noted, a 60 foot right-of-way dedication along Belmont Ridge Road is a requirement of Luckstone's special exception, specifically Condition 5 of SPEX 1990-0019.

NORTHERN VIRGINIA REGIONAL PARK AUTHORITY - response to memo dated August 28, 2009

Requirements.

1. *The project sponsor shall not encroach onto park property unless the Park Authority approves a permit for the activity. Permission will be necessary for the two encroachments crossing the W&OD Trail.*

Response. Acknowledged. Loudoun Water has worked cooperatively with the Northern Virginia Regional Park Authority in the past to obtain permission and permits for numerous waterline and wastewater line crossings of the W&OD Trail and other Park Authority facilities. The Applicant looks forward to a similar relationship as it implements the Central Water Supply Program.

2. *The Applicant must demonstrate that water storage will not impact the W&OD Trail property and Goose Creek. Proposed methods to seal the existing tunnel underneath the W&OD Trail should also be provided.*

Response. The Property has been a quarry since the 1880's and it became an unintended water impoundment area when Hurricane Agnes caused Goose Creek to overflow its boundaries and flood the quarry in 1972. The water remained in the quarry, above the elevation of Goose Creek, for approximately twenty-one years until Luck Stone Corporation pumped the water out in order to resume mining operations. No impacts to Goose Creek or to the W&OD Trail were experienced during the time that water remained in the quarry. Once the Luck Stone completes mining

operations in the 2017-2020 timeframe, water will again be stored in the quarry but the maximum water surface level will not exceed that of the current elevation of Goose Creek. Water levels will not exceed the elevation of the existing tunnel until the tunnel is sealed in a manner that is satisfactory to the Northern Virginia Regional Park Authority.

3. *The plans should be revised to add a note that there will be no access via the existing driveway crossings of the W&OD Trail.*

Response. The plans will be revised to reflect this note.

Recommendations.

1. *Existing trees and understory vegetation along the park boundary and within the Scenic Creek Valley Buffer should be supplemented where appropriate.*

Response. The special exception area which is proposed as a water storage facility does not include any areas beyond of the rim of the quarry. The existing mature trees and vegetation just outside of the special exception area, along the southern and western boundary lines, will not be disturbed and they screen the proposed use from the W&OD Trail and Goose Creek. The amount of screening and buffering required for this use should be commensurate with its impacts which appear to be minimal, if any.

2. *The Applicant should consider allowing public recreational use of the water feature as part of this application.*

Response. The use of Quarry A for water storage does not lend itself to public access within or around, whether visual or physical. The maximum surface elevation of water within the quarry is anticipated to be over twenty feet below the quarry rim and at least sixty feet below the elevation of the W&OD Trail. Quarry walls are generally straight and steep, and the proposed 10 foot tall barbed wire fence at the quarry rim is proposed for the purpose of preventing public access for both safety and security reasons. The use of a quarry for water storage purposes differs greatly from a water reservoir where steep slopes are not such an issue, where an actual shoreline exists and access to the water by the public may be much easier and safer.

PARKS, RECREATION AND COMMUNITY SERVICES

1. *As a Condition of Approval, PRCS requests that the Applicant consider dedicating the proposed area for the "300-foot Permanent Conservation Easement" to the County for the purposes of a linear park along Goose Creek. This project property is vital for extending a trail along Goose Creek to connect with established portions of the Potomac Heritage National Scenic Trail and its trailhead at Keep Loudoun Beautiful Park downstream.*

Should the Applicant be unwilling to dedicate the property, PRCS requests a condition that the Applicant construct a 4-foot wide natural trail within a 30-foot wide public access easement along Goose Creek within the 300-foot buffer, to be field located by PRCS Staff, similar to the Conditions approved with Play to Win Sports (SPEX 2007-0056). In addition, PRCS requests that the Applicant condition to provide pedestrian connections from the W&OD Trail.

Response. The area of the 300 foot buffer which is not actually within the quarry pit, is outside of the special exception area and not under the control of the Applicant for dedication or trail construction purposes.

2. *PRCS recommended coordinating with the Northern Virginia Regional Park Authority (NVRPA) to provide a wayside (benches, etc.) along the W&OD Trail adjacent to the quarry with interpretive signage of the quarry history and water impoundment purpose and process.*

Response. The Applicant will coordinate with Luck Stone Corporation and public agencies if a decision is made by others to provide overlooks or signage in the vicinity of the quarry. However property beyond the quarry rim is not part of the special exception application area. Further, the Applicant cannot commit to provide such improvements on property that it does not own. The statement of justification originally indicated that the quarry will provide a predominant visual element that can be enjoyed from the trail. More detailed investigation of future water storage plans revealed that the ultimate water level of the storage facility will be substantially lower than the top of the quarry rim, and this combined with existing vegetation effectively screens the proposed use from the W&OD Trail.

3. *Staff requests the opportunity to explore potential recreational opportunities, within and around the reclaimed quarry, with the Applicant.*

A-100

Response. The use of Quarry A for water storage does not lend itself to public access, whether visual or physical. The water storage elevation within the quarry pit is anticipated to be over twenty feet below the rim of the quarry and at least sixty feet below the elevation of the W&OD Trail. Quarry walls are steep and the proposed 10 foot tall barbed wire fence at the quarry rim is proposed for the purpose of preventing public access for both safety and security reasons. Additionally, other agency comments indicate a desire to retain existing trees and understory vegetation along the boundary of the W&OD Trail, further limiting visual access to the quarry. The Statement of Justification has been corrected to recognize that existing vegetation between the water storage area and the W&OD Trail is to remain and will therefore limit visual access from the W&OD Trail. The use of a quarry for water storage purposes differs greatly from a water reservoir where steep slopes are not such an issue, where an actual shoreline exists and access to the water by the public may be much easier and safer.

4. *Please add a note to the Cover Sheet to reference the previously-approved Special Exception(s), including SPEX 1990-0019 and SPEX 1999-0006.*

Response. These applications did not involve Quarry A. They were associated with the other quarries operated by Luckstone in the area. The only zoning action applicable to this property is a special permit approval in 1971. When the special exception for water storage becomes active, the quarrying activity will have ceased and thus, the 1971 permit will be null and void.

TOWN OF LEESBURG – response to comments dated August 28, 2009

The Applicant acknowledges that the Town of Leesburg has indicated that the current special exception and commission permit cover the use of Quarry A for water storage only and the Town has no objection to the use of Quarry A for water storage.

GOOSE CREEK SCENIC RIVER ADVISORY COMMITTEE – response to comments dated August 5, 2009

The Applicant acknowledges and agrees that both Loudoun Water and Luck Stone have coordinated with the Goose Creek Scenic River Advisory Committee and will continue that coordination throughout this project.

DEPARTMENT OF FIRE, RESCUE AND EMERGENCY MANAGEMENT- response to comments dated August 17, 2009

A101

October 20, 2009
Page 16

The Applicant will demonstrate adequate access and circulation for emergency vehicles at the appropriate time when the special exception is implemented.

DEPARTMENT OF GENERAL SERVICES – response to comments dated August 19, 2009 via email

Acknowledged.

LOUDOUN COUNTY HEALTH DEPARTMENT – response to comments dated August 6, 2009

Comments acknowledged.

Thank you for the opportunity to respond to the specific agency comments. Please give me a call if there are any questions regarding any of the responses.

Best Regards,



Lori Greenlief
McGuireWoods, LLP

cc: Dale C. Hammes, Loudoun Water
Mark E. Peterson, Luck Stone Corporation
J. Randall Minchew, Walsh, Colucci, Lubeley, Emrich & Walsh, P.C.

A102



LOUDOUN COUNTY LAND DEVELOPMENT APPLICATION

- (1) *This application form must be filled out in its entirety.*
- (2) *An incomplete application form will result in rejection of the application prior to checklist review.*
- (3) *If additional space is needed to complete any section of this application, attach a separate sheet containing all the required information and refer to such where appropriate on the form.*
- (4) *Do not write in shaded areas.*
- (5) *See attached Instructions for completing the Land Development Application.*

PLEASE PRINT IN INK OR USE TYPEWRITER

TYPE OF APPLICATION: CMPT/SPEX (2)/SPMI <input type="checkbox"/> 1972 Zoning Ordinance <input type="checkbox"/> 1993 Zoning Ordinance <input checked="" type="checkbox"/> Revised 1993 Zoning Ordinance		Application Number Assigned _____ Fee Amount Paid _____ Receipt Number _____ Date of Official Acceptance _____	
<i>Calculations of Bond (CPAP, CPAP REVISION, REST, STPL, STPR & STMP)</i>			
<i>Total Number of Cross-Sections (FPAL Type II & FPST)</i>		<div style="border: 2px solid black; padding: 5px; display: inline-block;"> RECEIVED OCT 20 2009 PLANNING DEPARTMENT </div>	
<i>Estimated Square Feet of Land Disturbance (SPEX)</i>			
Project Name: "Quarry A" Water Storage Facility		Subdivision Name (if different from project name): Subdivision Section: Lot Numbers:	
Description of Proposed Project: (Must be completed) Seeking Commission Permit and Special Exception Approval to use an existing quarry for water storage once mining operations have ceased, Special Exception for the location of a use required for the operation of a public utility in the floodplain, and Minor Special Exception to modify requirements for required Type 4 buffer			
Number and Types of Proposed Lots		PROPOSED RESIDENTIAL UNITS (This section is to be completed for all residential applications).	
Residential	N/A	Total Units	Quantity Affordable
Non-residential	N/A	Quantity Elderly	
Conservancy	N/A	Detached	
Open Space	N/A	Semi-detached	
Other (Specify type)		Townhouse	
		Multi-family	
		Other (specify)	
Total Lots	1	Total	N/A
PROPOSED NON-RESIDENTIAL SQUARE FOOTAGE <i>This section must be completed for all non-residential applications and non-residential components of residential applications. Describe the type (s) in the appropriated category and the total square footage for the category:</i>			
Category	Description of Use	Square Footage	
Ag-Residential			
Sales & Service			
Office			
Industrial			
Gov't., Utilities & Public Service	Water Storage in Existing Quarry (Water Storage Tank)	N/A	
Recreation & Special Interests			
Transportation & Communications			
Education & Training			
Other (specify)			
Total Square Footage			
PROJECT LOCATION			
Property Address: None	Property Location: North of the W&OD Trail; east side of Goose Creek; approximately 1,140 ft. west of Belmont Ridge Road, Rt. 659	Adjacent Roads Jackpit Lane, Belmont Ridge Rd., Rt. 659	
ELECTION DISTRICT(S) Broad Run District			
PROPERTY TAX MAP, ACREAGE AND ZONING INFORMATION			
Tax Map Number(s) or Pin Number Reference(s) MCPI 114-25-6156	Zoning District(s) MR-HI District	Acres 33.68 ac - SPEX area; 80.61 ac - Parcel area	Zoning Status Existing: MR-HI Proposed: MR-HI

SURROUNDING LAND USES AND ZONING

List all surrounding land uses and zoning districts adjacent to the property, including those across roads.

LAND USE		ZONING
NORTH	Residential	MR-HI
SOUTH	W&OD Trail; South of W&OD Trail - vacant	MR-HI
EAST	Quarry related commercial uses; across Belmont Ridge Rd, Rt. 659 - residential	MR-HI; across Belmont Ridge Rd. - R-1
WEST	Goose Creek; across Goose Creek - Vacant land	TR-10

APPLICANT(S)

Company Name	Loudoun County Sanitation Authority (d/b/a Loudoun Water)	Company Name	
Name of Person & Title	Dale C. Hammes General Manager	Name of Person & Title	
Mailing Address	44865 Loudoun Water Way	Mailing Address	
City, State, Zip Code	Ashburn VA 20146	City, State, Zip Code	
Daytime Telephone	571.291.7700	Daytime Telephone	
E-mail Address	dhammes@loudounwater.org	E-mail Address	
Correspondent?	Yes No <input checked="" type="checkbox"/>	Correspondent?	Yes No

PROPERTY OWNER(S)

Company Name	Luck Stone Corporation	Company Name	
Name of Person & Title	Mark E. Peterson Manager	Name of Person & Title	
Mailing Address	P.O. Box 29682	Mailing Address	
City, State, Zip Code	Richmond, VA 23242-0682	City, State, Zip Code	
Daytime Telephone	800.898.5825	Daytime Telephone	
E-mail Address	mpeterson@luckstone.com	E-mail Address	
Correspondent?	Yes No <input checked="" type="checkbox"/>	Correspondent?	Yes No

REPRESENTATIVE(S)

Company Name	McGuire Woods LLP	Company Name	
Name of Person & Title	Jonathan P. Rak Attorney	Name of Person & Title	
Mailing Address	1750 Tysons Boulevard STE 1800	Mailing Address	
City, State, Zip Code	McLean, VA 22102-4215	City, State, Zip Code	
Daytime Telephone	703.712.5411	Daytime Telephone	
E-mail Address	jrak@mcguirewoods.com	E-mail Address	
Correspondent?	Yes <input checked="" type="checkbox"/> No	Correspondent?	Yes No

CERTIFICATIONS

APPLICANT(S):
The information provided is accurate to the best of my knowledge. I acknowledge that any percolation tests, topographic studies, or other requirements of the Health Official, Director of Building and Development, or Zoning Administrator will be carried out at my expense. I understand that the County may deny, approve, or conditionally approve that for which I am applying. I certify that all property corners have been clearly staked and flagged.

Loudoun County Sanitation Authority, d/b/a Loudoun Water Dale C. Hammes, General Manager	Printed Name of Applicant
Printed Name of Applicant <i>Dale C. Hammes</i>	Signature of Applicant
Signature of Applicant <i>Dale C. Hammes</i>	Date <i>10/19/09</i>

PROPERTY OWNER(S) (to be signed by all property owners):
I have read this completed application, understand its intent, and freely consent to its filing. Furthermore, I grant permission to the Department of Building and Development and/or Planning and other authorized government agents to enter the property and make such investigations and tests as they deem necessary.

Mark E. Peterson, Manager Luck Stone Corporation	Printed Name of Property Owner
Printed Name of Property Owner <i>Mark E. Peterson</i>	Signature of Property Owner
Signature of Property Owner <i>Mark E. Peterson</i>	Date <i>10-19-09</i>

A104