

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:

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(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.

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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.

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(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.

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(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.

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(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

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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.