

Daniel C. Lucey, P.E.  
ENCROACHMENT EXCEPTION #5072-WRPA-001-1 &  
WATER QUALITY IMPACT ASSESSMENT #5072-WQ-001-1

**Appendix A**

**February 5, 2014**

**PROPOSED DEVELOPMENT CONDITIONS**

**5072-WRPA-001-1 and 5072-WQ-001-1**

If it is the intent of the Board of Supervisors to approve Resource Protection Area (RPA) Encroachment Exception #5072-WRPA-001-1 and Water Quality Impact Assessment #5072-WQ-001-1 for the property located at Tax Map #0893 01 0039 and 42 to allow encroachment in the RPA pursuant to Section 118-6-9 of the Fairfax County Chesapeake Bay Preservation Ordinance (CBPO), staff recommends the following development conditions:

1. This RPA Encroachment Exception is granted for and runs with the land indicated in this application and is not transferable to other land.
2. This RPA Encroachment Exception is granted only for the purposes, structures or uses indicated on the plat approved with the application, as qualified by these development conditions.
3. Any plan submitted pursuant to this RPA Exception shall be in substantial conformance with the approved plat entitled *Park pointe RPAE Plat* prepared by Wetland Studies and Solutions, Inc., dated November 13, 2013.
4. In order that the land disturbed within the RPA can be considered to be the minimum necessary to afford relief for the proposed construction, indigenous vegetation shall be preserved to the maximum extent possible, the limits of clearing and grading must be clearly shown on any development plan, and adequate access and areas for stockpiles must be included. Any development plan will be subject to approval by the Department of Public Works and Environmental Services (DPWES). The limits of clearing and grading must be strictly observed and enforced. Any encroachment into, and/or disturbance of, the RPA not shown on the approved plan will be considered a violation of the CBPO and is subject to the penalties of CBPO Article 9.
5. In order that the project is in harmony with the purpose and intent of the CBPO, does not have a substantial detriment to water quality, and meets the additional performance criteria for RPAs, vegetated buffer area(s) shall be established in the disturbed areas

within the RPA on the property and shall be of a total area of at least 23,958 square feet (0.55 acre). 17 additional trees (2" caliber or greater) that are not counted towards tree canopy or RPA reforestation requirements will be planted within outside of RPA. The size, species, density and locations shall be consistent with the planting requirements of CBPO Section 118-3-3(f), or a vegetation plan that is equally effective in retarding runoff, preventing erosion, and filtering non-point source pollution from runoff, as determined by the Department of Public Works and Environmental Services (DPWES). The vegetation shall be randomly placed to achieve a relatively even spacing throughout the buffer. Notwithstanding any statements on the Plat and in the Water Quality Impact Assessment (WQIA), the size, species, density, and locations of the trees, shrubs, and groundcover will be subject to approval of the Director of the DPWES. In the absence of sufficient area required for the vegetative buffer within the RPA, the applicant may choose to place some buffer outside the RPA.

6. In order that the proposed construction activity does not degrade water quality, adequate erosion and sediment control measures, including, but not limited to, a super-silt fence shall be employed during construction within the RPA, and shall remain in place, and be properly maintained, for the duration of the land disturbing activity within the RPA until such time that the disturbed area is completely stabilized.
7. Detailed hydrologic and hydraulic computations should be included with subdivision plan in support of the proposed SWM/BMP facility that will provide SWM/BMP treatment for the entire 7.72 acre project reducing nonpoint source pollutants by 50.5% and will provide SWM/BMP treatment for the entire 25.3 acre offsite area reducing nonpoint source pollutants by 42%. Proposed wet pond will have a forebay to trap silt and sediment and improve pollutant removal.

This approval, contingent on the above noted conditions, does not relieve the applicant from compliance with the provisions of any applicable Federal, State, or County ordinances, regulations, or adopted standards. The applicant shall be responsible for obtaining the approval of any required plans and permits through established procedures, and this RPA Exception shall not be valid until this has been accomplished.