

**PCA 2000-MV-034
FURNACE ASSOCIATES, INC.
PROFFER STATEMENT**

**September 11, 2013
October 7, 2013
December 10, 2013
January 22, 2014
February 4, 2014
February 10, 2014**

Pursuant to Section 15.2-2303(A) of the Code of Virginia, as amended, and subject to the Board of Supervisors' approval of this Application and Special Exception Amendment application SEA 80-L/V-061-2, as proposed, Furnace Associates, Inc. (the "Applicant"), for itself and its successors and assigns, hereby proffers that development of Tax Map Parcels 113-1-((1))-12 and -13 (the "Property") containing approximately 8.86 acres shall be in accordance with the following proffered conditions:

1. **Substantial Conformity.** Subject to provisions of Section 18-204 of the Zoning Ordinance, the Property shall be developed in substantial conformance with the Generalized Development Plan Amendment prepared by BC Consultants, Inc., dated June 7, 2013 as revised through January 22, 2014 (the "GDPA"), as further modified by these proffered conditions.
2. **Minor Modifications to Design.** Pursuant to Paragraph 5 of Section 18-204 of the Zoning Ordinance, the Applicant may make minor adjustments which may be required as a result of final engineering to modify the layout, if such changes are in substantial conformance with the GDPA and these proffers, and if the changes do not decrease the distance to property lines as shown on this GDP or reduce open space.
3. **Limits of Clearing and Grading.** The Applicant shall conform to the limits of clearing and grading shown on the GDPA, subject to the installation of utilities, trails, and stormwater management facilities, if necessary, as approved by the Department of Public Works and Environmental Services ("DPWES"). Any such installation shall occur in the least disruptive manner practicable, considering cost and engineering, as determined in consultation with DPWES.
4. **Density Credit.** All intensity of use (i.e., density credit) attributable to land areas dedicated and conveyed to the Board of Supervisors pursuant to these proffers shall be subject to the provisions of Paragraph 4 of Section 2-308 of the Zoning Ordinance and is hereby reserved to the residue of the Property.
5. **Stormwater Management.** Unless waived by DPWES, the Applicant shall implement stormwater management techniques to control the quantity and quality of stormwater runoff from the Property as determined by DPWES. The Applicant shall provide

stormwater management facilities for the Property in accordance with the PFM standards, as generally depicted on the GDPA.

6. **Fencing.** The Applicant shall have an option to either repair and maintain the existing six-foot (6') board-on-board fence around the perimeter of the site, or to replace it with alternative security fencing, as shown on the GDPA. Along the Furnace Road frontage, however, the Applicant may, in its discretion, provide any combination of fencing, berming and/or landscaping in addition to the landscaping shown on the GDPA in order to screen utility uses from the roadway, as approved by DPWES; the landscaping shown on the GDPA along the Furnace Road frontage shall be provided in any event.
7. **Lighting.** All on-site lighting shall be directed downward and inward, to prevent light spilling onto adjacent properties. In order to provide maximum security, energy efficiency and quality ambient lighting, full cut-off light fixtures shall be used for all parking lot and outdoor security lighting.
8. **Loudspeakers.** No outdoor loudspeakers shall be permitted.
9. **Permitted Uses.** The site shall be utilized solely for solar and geothermal-related electrical generating facilities and for off-site vehicle parking provided to serve the Observation Point use located on the adjacent landfill on Parcels 113-1-((1))-5(pt.), -7 and -8, and 113-3-((1))-1, -2 and -4. An easement shall be provided, but only for the duration of the Observation Point use, for parking related to the off-site Observation Point, including the one van-accessible parking space which shall be provided. Use of the property for mixed waste reclamation, including recycling and a wheelchair collection facility, shall be permitted to continue until construction commences for the "Permitted Uses" referenced above or January 1, 2019, whichever occurs earlier.
10. **Solar Renewable Energy.** Within 24 months of receipt of all local, state and Federal necessary approvals required to implement the landfill use approved as requested in SEA 80-L/V-061-2, the Applicant shall provide at least a one-half megawatt peak (0.5MW peak) generating solar infrastructure on three acres of Parcel 12 for distribution and sale on the electrical grid. All costs associated with the purchase, installation, operation, and electricity distribution of the solar infrastructure shall be the responsibility of the Applicant. The solar infrastructure will be operated by the Applicant for its useful life. Fifty percent of any revenue, in excess of 2.5 cents per kilowatt hour, the Applicant receives from the sale of the electricity produced by this solar infrastructure shall be donated to the County. Notwithstanding Proffer 9 above, remaining surface area on this I-6 site, as identified on the GDPA, may also be used for additional solar infrastructure, or other renewable energy operations, should the Applicant elect to build out additional renewable energy capacity.
11. **Geothermal Renewable Energy.** Within 24 months after having received all local, state and Federal necessary approvals required for implementation of the landfill use as requested in SEA 80-L/V-061-2, the Applicant shall begin to install geothermal recovery infra-structure at the landfill with capacity to support one million square feet of building structure(s) and shall provide an access point for hook-up to such system by the County

at the County's cost, on the boundary of the Property. There shall be no charge to the County for use of said geothermal energy. The Applicant shall maintain the geothermal recovery infra-structure and related access point until DEQ Release.

12. **Potential Payment Penalty.** In the event the solar infra-structure cannot be provided within the 24-month time-frame committed to in Proffer 10, then \$3,000,000.00 shall be paid by the Applicant to the Fairfax County Board of Supervisors for local community uses with preference given to the Lorton area, as determined by the Board of Supervisors.
13. **Successors and Assigns.** Each reference to "Applicant" in this proffer statement shall include within its meaning, shall inure to the benefit of, and shall be binding upon, Applicant's successor(s) in interest and/or developer(s) of the site or any portion of the site.

[SIGNATURE ON FOLLOWING PAGE]

FURNACE ASSOCIATES, INC.
Applicant and Title Owner

By: 
Name: Eric K. Wallace
Title: President