

**MINUTES OF  
FAIRFAX COUNTY PLANNING COMMISSION  
THURSDAY, FEBRUARY 27, 2014**

PRESENT: Frank A. de la Fe, Hunter Mill District  
Earl L. Flanagan, Mount Vernon District  
Janet R. Hall, Mason District  
James R. Hart, Commissioner At-Large  
Janyce N. Hedetniemi, Commissioner At-Large  
Ellen J. Hurley, Braddock District  
John L. Litzenberger, Jr., Sully District  
James T. Migliaccio, Lee District  
Peter F. Murphy, Springfield District  
Timothy J. Sargeant, Commissioner At-Large  
John C. Ulfelder, Dranesville District

ABSENT: Kenneth A. Lawrence, Providence District

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The meeting was called to order at 8:20 p.m., by Chairman Peter F. Murphy, in the Board Auditorium of the Fairfax County Government Center, 12000 Government Center Parkway, Fairfax, Virginia 22035.

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COMMISSION MATTERS

Commissioner Migliaccio stated that the Planning Commission's Parks Committee met earlier that evening to discuss a variety of issues, noting that they also met the newly appointed director of the Fairfax County Park Authority, Kirk Kincannon. He added that the Committee would meet again on Thursday, May 1, 2014, at 7:00 p.m. in the Board Conference Room of the Fairfax County Government Center.

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Commissioner Hart announced that the Planning Commission's Environment Committee would meet on Thursday, March 6, 2014, at 7:00 p.m. in the Board Conference Room of the Fairfax County Government Center to discuss with staff issues regarding electrical vehicle charging infrastructure and invited the public to attend. He also stated that the Environment Committee would meet again in the Board Conference Room at 7:00 p.m. on the following dates:

- Thursday, March 20, 2014
- Wednesday, June 18, 2014
- Thursday, July 10, 2014

In addition, Commissioner Hart said that the Environment Committee would conduct a workshop regarding electrical vehicle charging infrastructure on Thursday, May 8, 2014 at a location to be determined.

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Commissioner Sargeant announced that the Planning Commission's Residential Studio Unit Committee would meet on Monday, March 3, 2014 at 7:00 p.m. in Conference Rooms 4/5 of the Fairfax County Government Center and welcomed the public to attend.

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Commissioner Ulfelder stated that the Planning Commission would hold a public hearing for Comprehensive Plan Amendment S13-II-M1, 6862 Elm Street, at its next meeting on Thursday, March 6, 2014. He noted that this public hearing had been delayed on numerous occasions and had to be re-advertised. He also indicated that revisions had been made to the proposed language for the amendment after meetings with various community groups. He then said that these revisions would be distributed to the Commission prior to the public hearing.

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Commissioner de la Fe announced that Jane Seeman, the former Mayor of the Town of Vienna, had recently passed away. He noted her service to her community, adding that she frequently coordinated with the Planning Commission. In addition, he pointed out that she had coordinated extensively with the Commission as Tysons Corner was re-planned. Chairman Murphy echoed Commissioner de la Fe remarks, commending Ms. Seeman for her service to her community.

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Commissioner Migliaccio MOVED THAT THE PLANNING COMMISSION INDEFINITELY DEFER THE PUBLIC HEARING FOR PCA 2004-LE-042 AND SE 2012-LE-008, VILC, LLC-NGUYEN H.T. VUONG VILC, LLC-ALEX VUONG.

Commissioner Sargeant seconded the motion which carried by a vote of 11-0. Commissioner Lawrence was absent from the meeting.

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Commissioner Flanagan MOVED THAT THE PLANNING COMMISSION DEFER THE PUBLIC HEARING FOR COMPREHENSIVE PLAN AMENDMENT S13-IV-LP1, VULCAN QUARRY, TO A DATE CERTAIN OF THURSDAY, MARCH 13, 2014.

Commissioner Sargeant seconded the motion which carried by a vote of 11-0. Commissioner Lawrence was absent from the meeting.

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RZ 2013-LE-013 – EASTWOOD PROPERTIES, INC. (Decision Only)

(The public hearing on this application was held on February 19, 2014. A complete verbatim transcript of the decision made is in the date file.)

Commissioner Migliaccio MOVED THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS APPROVE RZ 2013-LE-013, EASTWOOD PROPERTIES INC., SUBJECT TO THE EXECUTION OF PROFFERS DATED FEBRUARY 24, 2014.

Commissioner Sargeant seconded the motion which carried by a vote of 9-0-2. Commissioners Litzenberger and Murphy abstained. Commissioner Lawrence was absent from the meeting.

Commissioner Migliaccio MOVED THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS APPROVE THE FOLLOWING WAIVERS AND MODIFICATIONS:

- A WAIVER OF THE MINIMUM DISTRICT SIZE FOR THE R-8 DISTRICT TO ALLOW 1.795 ACRES INSTEAD OF 5 ACRES;
- A DEVIATION FROM THE REQUIRED TREE PRESERVATION TARGET PERCENTAGE;
- A MODIFICATION OF THE TRANSITIONAL SCREENING AND BARRIER REQUIREMENTS TO ALLOW THE SCREENING AND BARRIERS SHOWN ON THE GENERALIZED DEVELOPMENT PLAN; AND
- A WAIVER OF THE TRAIL REQUIREMENT ALONG FRANCONIA-SPRINGFIELD PARKWAY.

Commissioner Sargeant seconded the motion which carried by a vote of 9-0-2. Commissioners Litzenberger and Murphy abstained. Commissioner Lawrence was absent from the meeting.

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#### ORDER OF THE AGENDA

On behalf of Secretary Hall, Chairman Murphy announced that there would only be one public hearing this evening for the following concurrent applications:

1. PCA 2000-MV-034, SEA 80-L/V-061-02, 2232-V13-18, AND 2232-V13-17 – FURNACE ASSOCIATES, INC.

This order was accepted without objection.

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PCA 2000-MV-034 – FURNACE ASSOCIATES, INC. – Appl. to amend the proffers for RZ 2000-MV-034 previously approved for mixed waste reclamation facility to permit electrical generating facilities and associated modifications to proffers and site design with an overall Floor Area Ratio (FAR) of 0.013. Located on the W. side of Furnace Rd., approx. 2,693 ft. S. of Lorton Rd. and 2,693 ft. N. of I-95 underpass on approx. 8.86 ac. of land zoned I-6. Comp. Plan Rec: Industrial. Tax Map 113-1 ((1)) 12 and 13. (Concurrent with SEA 80-L/V-061-02, 2232-V13-17, and 2232-V13-18.) MOUNT VERNON DISTRICT.

SEA 80-L/V-061-02 – APPLICANT TITLE FURNACE ASSOCIATES, INC. – Appl. under Sects. 3-104, 9-201, 9-301 and 9-501 of the Zoning Ordinance to amend SE 80-L/V-061 previously approved for a landfill to permit landfill expansion, electrical generating facilities, private club/public benefit association, golf driving range and/or outdoor baseball hitting range and associated modifications to site design and development conditions. Located at 10001, 10201, 10209, 10215, 10219, and 10229 Furnace Rd., Lorton, 10001, 10201, 10209, 10215, 10219, and 10229 Furnace Rd., Lorton, 22079, on approx. 249.82 ac. of land zoned R-1. Tax Map 113-1 ((1)) 5pt., 7, 8; 113-3 ((1)) 1, 2, and 4. (Concurrent with PCA 2000-MV-034, 2232-V13-17 and 2232-V13-18.) MOUNT VERNON DISTRICT.

2232-V13-18 – FURNACE ASSOCIATES, INC. – Appl. under Sects. 15.2-2204 and 15.2-2232 of the *Code of Virginia* to permit wind turbine and solar panel electrical generating facilities. Located at 10001, 10201, 10209, 10215, 10219 and 10229 Furnace Rd., Lorton, 22079, on approx. 249.82 ac. of land zoned R-1. Tax Map 113-1 ((1)) 5pt., 7, 8; 113-3 ((1)) 1, 2, and 4. (Concurrent with PCA 2000-MV-034, SEA 80-L/V-061-02, and 2232-V13-17.) MOUNT VERNON DISTRICT.

2232-V13-17 – FURNACE ASSOCIATES, INC. – Appl. under Sects. 15.2-2204 and 15.2-2232 of the *Code of Virginia* to permit a solar energy park. Located at 10018 and 10100 Furnace Rd., Lorton, 22079, on approx. 8.86 ac. of land zoned I-6. Tax Map 113-1 ((1)) 12 and 13. (Concurrent with PCA 2000-MV-034, SEA 80-L/V-061-02, and 2232-V13-18.) MOUNT VERNON DISTRICT. JOINT PUBLIC HEARING.

Francis McDermott, Esquire, Applicant's agent, Hunton & Williams, LLP, reaffirmed the affidavits for PCA 2000-MV-034 and SEA 80-L/V-061-02 dated February 12, 2014.

Commissioner Sargeant disclosed that he was an employee of Dominion Virginia Power, which was referenced in a letter from the Sierra Club in the staff report addendum for SEA 80-L/V-061-02 and 2232-V13-18; however, he indicated that there were no business or financial interests in these applications and his ability to participate in this case would not be affected.

Chairman Murphy requested that staff present one presentation for each concurrent application in order to streamline the procedure for this joint public hearing. He also asked the Commissioners to withhold questions until after the presentation of the staff report and the applicant's presentation.

Commissioner Flanagan announced his intent to defer the decisions only on these applications at the close of the public hearing.

Chairman Murphy added that speakers that needed to leave the meeting early could submit their statement to the Clerk for inclusion in the public record.

Mary Ann Tsai, Zoning Evaluation Division (ZED), Department of Planning and Zoning (DPZ), presented the staff report, a copy of which is in the date file. She noted that staff recommended approval of applications PCA 2000-MV-034 and SEA 80-L/V-061-02. She also said that staff recommended that the Planning Commission find that the provisions in 2232-V13-18 and 2232-V13-17 satisfies the criteria for location, character, and extent, as specified in Section 15.2-2232 of the *Code of Virginia* and were in accord with the Comprehensive Plan.

Mr. McDermott said that the subject property had been utilized as a Construction and Demolition Debris (CDD) landfill since the 1970s. He pointed out that the site had been the subject of a Special Exception application in 1981 (SE 80-L/V-061) and a Special Exception Amendment in 2007 (SEA 80-L/V-061). He then explained that SEA 80-L/V-061 permitted an increase in the maximum height of the landfill from 290 feet to 412 feet and required the landfill be closed by January 1, 2019 to accommodate a public park constructed on land dedicated to Fairfax County Park Authority (FCPA) by the applicant, after the Virginia Department of Environmental Quality (DEQ) releases the applicant from their obligation to monitor and maintain the site. In addition, Mr. McDermott noted that the applicant would permit public access to certain portions of the landfill prior to closing the landfill, provided that the FCPA accepted the dedication after the applicant had been released from their liability and protected the applicant from liability from public access. However, he indicated that the FCPA had informed the applicant in March 2009 that the dedication would not be accepted and could only provide limited liability protection. Mr. McDermott then listed the following associates who were present with him:

- Conrad Mehan, Director of Governmental Relations and Community Affairs for the Applicant;
- Dr. Jeremy Morris, Environmental Engineer, Geosyntec Consultants, Inc., an expert regarding renewable energy and issues with wildlife; and
- Scott Sheridan, Civil Engineer, Geosyntec Consultants, Inc., an expert in landfill and berm design.

Mr. McDermott pointed out that Mr. Morris reviewed the concerns regarding the proposed berm and its longevity. He also noted that Geosyntec Consultants, Inc. designed the landfill and the berm, adding that there were similar landfills throughout the country that utilized a similar berm. He added that there had only been two minor failures of these berms, but these failures did not incur any environmental degradation. Mr. McDermott acknowledged the public opposition towards extending the operation of the landfill on the site, indicating that they favored closing the landfill and shifting towards increased recycling for CDD materials. Referring to the County's Solid Waste Management Plan, as published in 2004, he stated that the County had an annual need of approximately 945,000 tons of CDD capacity.

Referring to a memorandum found in Appendix 10 of the staff report for SEA 80-L/V-061-02, Mr. McDermott said that Joyce Doughty, Assistant Director, Fairfax County Solid Waste Management Program, had indicated that the proposal would address the County's CDD landfill needs for next 27 years. He stated that the County needed the capacity provided by the landfill, since not all the CDD materials could be recycled. He pointed out that CDD materials were recycled on the site at a 75 percent success rate.

In addition, Mr. McDermott addressed a concern raised by the owner of an industrial park located near the subject property regarding truck traffic through their property, stating that the truck traffic only utilized public roads. He pointed out that the entrance to the western portion of this industrial park was also the entrance to another County-operated landfill along I-95 and an incinerator facility. Mr. McDermott added that the aforementioned County-operated landfill recently had its permit extended to 2042 without incurring significant opposition. He also said that the incinerator facility located near the subject property was permitted to operate until 2040, which would continue to incur truck traffic. He then pointed out that the truck traffic for the existing landfill on the subject property utilized routes from the south along Furnace Road, either by following I-95 or Route 123 to enter Route 1, to access the site. In addition, he stated that the presentations given by the public would contain assertions that were not factually based. He added that the applicant had addressed the concerns of staff and various organizations throughout the surrounding community. Mr. McDermott then gave a presentation where he explained the following:

- The subject property was located in an area with various industrial uses;
- The subject property included an area designated by the Board of Supervisors as the "Green Energy Triangle;"
- The applicant's green energy proposal included facilities for both the interim and ultimate use, which included 3 wind turbines for the interim use and 12 turbines for the ultimate use;
- The 10-acre area on the southern portion of the site would accommodate a solar power facility in Phase 4 of the proposed development;

- The portion of land located west of Furnace Road would accommodate a three acre solar power facility during Phase 1 of the development;
- The power-generating capacity of each green energy facility was listed on Slide 3 of his presentation;
- The four elements of the applicant's proposed green energy plan, which included wind, solar, methane, and geothermal power, would be installed during Phase 1 of the development;
- The applicant had not committed to provide the 12 wind turbines and 40 acres of solar power facilities in later phases of development, but this option was being sought for inclusion after the closure of the landfill;
- The Phase 1 portion of the development included a vegetated berm along the southern border of the subject property;
- The applicant sought to retain the right to develop whatever portion of the existing landfill deemed necessary because flexibility was necessary to utilize different locations due to the impact of weather and debris on the land; and would allow truck traffic to deposit debris to appropriate areas without changing routes;
- The proposal included a new right-turning entrance, which would improve on-site queuing capacity, landfill operations, and internal circulation patterns;
- Phase 1 of the proposed development included an observation point, which members of the community could access through shuttles provided by the applicant; The observation point would include education materials on the green energy facilities on the site and the other facilities located near the site;
- Phase 2 of the proposed development would expand the berm along Furnace Road;
- Phase 3 of the proposed development would expand the berm along the eastern portion of the subject property;
- Phase 4 of the proposed development would expand the berm across the northern border of the subject property and relocate the observation point and the three wind turbines to allow this portion of the site to reach its permitted elevation;
- The proposal included stormwater management provisions that were consistent with the Public Facilities Manual and all proposed stormwater management facilities would be installed by the end of Phase 4;
- Phase 5 would finalize the development at the top of the site and permit the relocation of the observation point and the installation of a baseball batting cages;

- The design of the observation point and baseball range would accommodate a second portion within the same location;
- Phase 6 of the development would continue the uses included in Phase 5, finalize the closure of the landfill, and install active recreation facilities;
- The currently approved site-plan for a mixed waste reclamation facility located on the western portion of Furnace Road was designed to conduct its operations outdoors on a paved area;
- The operator of the mixed waste reclamation facility had an approved site-plan for a larger facility that would permit its operations to be conducted indoors and the applicant had advised the operator to begin construction by July 1, 2014;
- The applicant would utilize the mixed reclamation facility and direct truck traffic to this facility should the subject applications be denied;
- The truck traffic accessing the mixed reclamation facility would come from the north because the restrictions for trucks accessing the existing landfill would no longer apply;
- The Proffered Condition Amendment portion of the proposal would eliminate the use of the mixed waste reclamation facility and permit the installation of three acres of solar panels and a geothermal facility;
- The northeast portion of the existing landfill, was the highest elevation at 360 feet and also contained the LEED sorting and LEED recycling facility, which recycled approximately 75 percent of the material received by the facility;
- The concrete stockpile at the existing landfill, was utilized on-site for constructing roads to various portions of the site as operations shifted;
- The clearing debris, stored at the existing landfill was recycled;
- The aerial photograph on Slide 21 of the presentation depicted the existing vegetation along the slopes of the existing landfill, the open face along the top portion of the landfill, and the active areas of the landfill;
- The photograph on Slide 22 of the presentation depicted a typical vegetated berm as follows:
  - The debris would flow into Giles Run in the event the berm failed;
  - The proposed vegetated berm would strengthen the stability of the landfill because it would force moisture out of the ground, compact the soil underneath it,

function as a buffer between the existing slope and the inner face of the berm, and provide a resistant force against the natural movement of debris outward from the landfill;

- The resistant force provided by the proposed berm would be approximately twice of that exerted by the debris;
  - The proposed berm would require approval by the County's Geotechnical Review Board (GRB) and DEQ;
  - The proposed berm would be required to pass numerous stability tests;
  - The memorandum in Appendix 2E of the staff report for SEA 80-L/V-061-02 from Mr. Sheridan detailed the tests that the berm would be required to pass;
  - The proposed berm was designed to enhance the vegetation to make it visually appealing;
  - The proposed berm would be approximately 70 feet tall, which was necessary to support the mass of the landfill;
  - The proposal would not increase the height of the landfill;
  - The proposed berm would also support the 40-acre platform on the existing landfill, which would contain the proposed green energy facilities;
  - The proposed berm include a synthetic liner instead of a clay liner and a strong cap on the landfill;
  - The cost of the proposed berm, the synthetic liner, and the cap was approximately \$100 million, which justified extending the operation of the landfill because it would provide additional revenue to meet this cost;
  - The proposed berm would better protect Giles Run and the associated resource protection area (RPA) than the existing landfill provisions; and
  - The construction of the proposed berm would begin as soon as the necessary approvals were obtained and would be completed in approximately three to four years;
- The landfill would be shut down around 2040, followed by 10 years of post-closure testing and inspection;
  - The geosynthetic reinforcing materials had been tested by outside agencies and these tests had concluded that the tensile strength would decrease by approximately 33 percent over a 100-year period and by approximately 40 percent over 120,000 years;

- The concerns raised regarding the degradation of the welded wire baskets were unfounded because these baskets were designed to biodegrade and facilitate the soil and vegetation;
- The staff report for SEA 80-L/V-061-02 described on page 40 the role of DEQ in permitting the proposed development if the subject applications were approved, which included a requirement for the applicant to have sufficient funds to maintain the existing landfill prior to closure and the subsequent post-closure monitoring of the landfill;
- The landscaping plan which was installed in Fall of 2013, for the subject property had been revised under the direction of the Fairfax County Urban Forest Management Division to ensure the success of future plantings;
- The revised landscaping plan in the proposal would increase the number of trees from approximately 1,610 to include an additional 800 trees to improve the screening, buffering of the existing landfill and the visual impact along I-95;
- The applicant had planted approximately 1,620 shrubs on the site and an additional 1,400 in Fall 2014;
- The applicant would plant a total of 8,787 trees under the proposal and 5,178 shrubs by the end of Phase 5 of the proposed development;
- The proposal would include groundwater monitoring, an enhanced leachate system that would connect to the public sewer system, and gas monitoring; and
- The applicant had conducted a study of migration patterns for birds which concluded that the proposal would not negatively affect migratory birds, which was supported by the United States Fish and Wildlife Services (USFWS);

In conclusion, Mr. McDermott said that the proposal would promote energy conservation and sustainability while providing additional landfill capacity that was necessary to the redevelopment and revitalization of the County. He added that the County's landfill capacity needs had been projected prior to the re-planning of various areas such as Tysons Corner and Springfield. He then pointed out that the Board of Supervisors had concluded in its determinations for both SE 80-L/V-061 and SEA 80-L/V-061 that the landfill was consistent with the Comprehensive Plan. In addition, Mr. McDermott stated that the landfill was consistent with the industrial character of the surrounding area. He also pointed out that the 12 wind turbines that would be permitted in Phase 5 of the proposed development would only be visible from the east side of I-95, as shown in Appendix 9 of the staff report for SEA 80-L/V-061-02. (A copy of Mr. McDermott's presentation is in the date file.)

Commissioner Flanagan noted previous efforts to reduce truck traffic in the Lorton area. He then identified the following facilities:

- The Vulcan Quarry located to the west of the site;
- The Fairfax County Landfill Incinerator, and the Landfill Energy Systems located to the northeast of the site;
- The Norman Cole Sewage Treatment Plant located to the northeast of the site; and
- The Rainwater Landfill located to the east of the site.

Commissioner Flanagan then pointed out that the truck traffic generated by these facilities and the routes they utilized, adding that routes for facilities like the incinerator were intended to ensure that vehicles would not be visible by the community.

James Patteson, Director, Department of Public Works and Environmental Services, confirmed the truck routes as described by Commissioner Flanagan. In addition, Commissioner Flanagan pointed out the location of the Mason Neck National Wildlife Refuge was located south of the subject property and this refuge contained a population of bald eagles. He then indicated that the truck traffic generated by these sites would continue if the landfill were closed.

Commissioner Flanagan said that John Byers, the former Planning Commissioner for the Mount Vernon District, supported the closure of the landfill on the subject property by 2018 and the Planning Commission had also voted in favor of this closure. He then asked staff to clarify the extent to which the proposal would expand the landfill, noting numerous references in the staff report for SEA 80-L/V-061-02 to both an expansion and an extension of its operations.

William Mayland, ZED, DPZ, explained that the proposal would extend the lifetime of the landfill, which would subsequently expand its capacity. He also noted that the height of the existing landfill would not be increased. Mr. Mayland added that the footprint of the existing landfill would not be significantly increased, pointing out that the only increase would come from the construction of the proposed berm. He then explained that the berm would further increase the capacity of the existing landfill. A discussion ensued between Commissioner Flanagan and Mr. Mayland regarding the capacity increase for the landfill wherein Mr. Mayland said that the applicant had not provided staff with information regarding the amount of debris that would be deposited at the landfill over its extended lifetime, but staff had determined that the subject applications could be reviewed without this information.

Referring to the image on page 3 of the Feasibility Study for Renewable Energy Technologies in Appendix 2B of the staff report for SEA 80-L/V-061-02, Commissioner Flanagan pointed out that the proposed berm was located beyond the existing footprint of the landfill. A discussion ensued between Commissioner Flanagan and Ms. Tsai regarding the extent of the berm wherein Ms. Tsai clarified that while the proposed berm would be located beyond the footprint of the existing landfill, the footprint of the landfill would not be changed. She also confirmed that the surface area at the top of the landfill would be increased and the height of the berm would be approximately 70 feet. In addition, she indicated that additional CDD would be placed between the berm and the existing slope of the landfill.

When Commissioner Flanagan asked for additional information on the geogrid, Ms. Tsai explained that the lining of the landfill would consist of a synthetic material.

A discussion between Commissioner Flanagan and Ms. Tsai ensued regarding the possibility that the proposed berm could fail and the site's proximity to Giles Run wherein Ms. Tsai said that the berm would be reviewed by the GRB and the DEQ to ensure its stability and confirmed the location of RPA near Giles Run.

A discussion ensued between Commissioner Flanagan and Ms. Tsai, with input from Mr. Mayland, regarding the footprint of the landfill in the absence of the proposed berm wherein Mr. Mayland said that staff did not evaluate the effect on the slope of the area near Giles Run in the absence of the berm.

Commissioner Flanagan asked whether the proposed expansion of the existing landfill changed its permitting requirements for DEQ. Mr. Mayland confirmed that the applicant would be required to obtain the necessary permits from DEQ and this process was described in Appendix 2E of the staff report for SEA 80-L/V-061-02. A discussion ensued between Commissioner Flanagan and Mr. Mayland regarding what affects defining the proposal as an expansion if the landfill verses an extension of the landfill would have on the permitting process. Mr. Mayland indicated that neither definition would affect this process, reiterating the means by which the capacity and the lifespan of the landfill would be expanded. In addition, Mr. Patteson stated that due to the extent of the proposed expansion, the criteria that DEQ would utilize for obtaining a permit would be similar to a full review. Commissioner Flanagan then noted the importance of clarifying that the capacity of the existing landfill would be expanded because the applicant would be liable if the berm were to fail.

In response to questions from Commissioner Sargeant, Mr. McDermott said that Mr. Sheridan had informed him that the depth of the proposed berm was approximately 100 feet. He also stated that the property owner would be responsible for maintenance of the berm.

Referring to Development Condition Number 32, which required the maintenance of a 50-foot wide continuous transitional screening buffer, Commissioner Sargeant asked whether this condition would be implemented despite the presence of a second gas transmission line easement in the area. Mr. McDermott pointed out that the gas transmission lines were not located in the same area, noting that the two easements overlapped and were located below the location of the proposed berm. He then indicated that these transmission lines would not impact this development condition. A discussion ensued between Commissioner Sargeant and Mr. McDermott regarding the impact of the 50-foot transitional screening buffer on the existing vegetation in the Lorton Valley Homeowners Association (LVHOA) wherein Mr. McDermott pointed out that the transitional screening buffer was north of the gas transmission lines and was located uphill from the area.

Commissioner Sargeant pointed out that trees were not permitted on a gas transmission line easement and suggested that the applicant modify any depictions to reflect as such.

Referring to page 31 of the staff report for SEA 80-L/V-061-02, Commissioner Sargeant pointed out that the Comprehensive Plan recommended the closure of the landfill and the installation of recreation areas, which was consistent with the proposal. He then asked when the rezoning for the LVHOA was approved, noting that it was zoned Planned Development Housing 4 and located

approximated 430 feet from the proposed berm. Mr. McDermott stated that this development was approved in approximately 2003, which was prior to the approval of SEA 80-L/V-061.

Referring to pages 19 and 20 of the staff report for SEA 80-L/V-061-02, Commissioner Sargeant read the following excerpt, “[T]he applicant only has committed to providing the methane gas and geothermal infrastructures; as well as, the installation of three wind turbines in Phase 1. The applicant has indicated that the 12 wind turbines and/or solar panels proposed in Phases 4 and 5 could be provided by the applicant/owner and/or by others.” When he asked that the applicant clarify this quote, Mr. McDermott explained that the applicant’s original plans for a green energy park, including the 12 wind turbines, was to install the green energy facilities after the closure of the landfill. However, he said that members of the community and the Board of Supervisors wanted to incorporate green energy facilities at an earlier stage of development, which led to a subsequent modification that implemented four green energy technologies during Phase 1 of the proposed development. He then noted that while the applicant was seeking to incorporate 12 wind turbines and 40 acres of solar power, the applicant had not committed to installing these facilities because the funds originally reserved for this development had been reallocated to construct the green energy facilities during the earlier phases of development. Mr. McDermott added that this reallocation of funds included \$15 million, in \$750,000 annual installments to the Board of Supervisors for local community needs in the Lorton/South County area over the extended lifespan of the landfill. A discussion ensued between Commissioner Sargeant and Mr. McDermott regarding the green energy facilities that would be installed during Phase 1 of the proposed development and the green energy facilities that would be constructed in later phases wherein Mr. McDermott confirmed that the applicant would provide the three wind turbines outlined in Phase 1, but the green energy facilities proposed for later phases could be provided by either the applicant or other organizations.

Chairman Murphy called the first listed speaker and recited the rules for public testimony.

Jim Corcoran, 8230 Old Courthouse Road, Suite 350, representing the Fairfax County Chamber of Commerce, spoke in favor of the proposal because it would support the development of renewable energy, create economic opportunities for the County, and foster a more business-friendly environment. He listed the following negative impacts that would occur if the landfill’s operations were not extended:

- The disposal of CDD would be redirected to transfer facilities that might not effectively discern recyclable material before transport;
- The cost of transporting CDD would increase the cost of construction and redevelopment in the County;
- The transportation of CDD would have significant traffic and environmental impacts;
- The process of obtaining LEED certification would be more difficult because of limitations on the distance traveled for the disposal of CDD;

- The loss of economic activity from the landfill would negatively impact the county and decrease revenue.

In addition, Mr. Corcoran said that the proposal was consistent with the goals and objectives of the County's Private Sector Energy Task Force, which was approved by the Board of Supervisors in 2013. He also said that the energy generated by the proposed green energy facilities would support the growing demand for energy in the County, adding that the subject property had the necessary features to accommodate green energy facilities. (A copy of Mr. Corcoran's statement is in the date file.)

When Commissioner Flanagan asked Mr. Corcoran whether he would be in favor of the proposal if it did not obtain the support of USFWS or DEQ for the green energy facilities, Mr. Corcoran indicated that he would favor appropriate modifications to ensure that other sources of green energy were pursued at the site.

Lawrence Zaragoza, 3001 Indian Court, Alexandria, voiced opposition to the proposal. He noted that the previously-approved commitment in SEA 80-L/V-061 to close the landfill and construct a park had been supported by the surrounding community. He also echoed remarks made by Commissioner Flanagan regarding the extent of the expansion of the landfill and the height of the proposed berm. In addition, Mr. Zaragoza stated that while he supported green energy initiatives, he indicated that he favored constructing a park on the subject property and pointed out successful park developments at other sites throughout the County. He also expressed concern regarding the viability of the proposed wind turbines and their impact on wildlife in the surrounding area, namely the population of bald eagles. In addition, Mr. Zaragoza said he favored increasing recycling efforts at the site instead of expanding the operations of the landfill. (A copy of Mr. Zaragoza's statement is in the date file.)

Greg Budnik, P.O. Box 1214, Newington, representing NewingtonVA.org, spoke in opposition to the proposal. He noted his experience in constructing recreation facilities over landfills, but expressed concern regarding the viability of the proposed green energy facilities and their impact on the surrounding area. He stated that the proposal was not sufficient because it did not significantly improve the character of the surrounding community. Mr. Budnik also indicated that he favored alternative methods of pursuing green energy facilities in the County. (A copy of Mr. Budnik's statement is in the date file.)

Christine Morin, 8121 American Holly Road, Lorton, representing the Laurel Hill Homeowners Association (LHHOA), voiced opposition to the proposal. She presented a brief history of the Laurel Hill community, noting the growth of this area over the previous 10 years and the development of various features such as schools, medical complexes, and recreation facilities. Ms. Morin said that the LHHOA had coordinated with the applicant on the amenities for the proposed park in SEA 80-L/V-061 and indicated that while she did not object to green energy facilities, she did not support extending the operations of the landfill. She added that she favored retaining the provisions in SEA 80-L/V-061. (A copy of Ms. Morin's statement is in the date file.)

Nick Firth, 9344 Occoquan Overlook Drive, Lorton, representing the South County Federation (SCF), spoke in opposition to the proposal and asked for those who shared his opposition in the audience to stand and be recognized. He pointed out the various changes that had occurred in Lorton, such as the closing of a prison facility, the widening of Route 1, the construction of Lorton Station, and the implementation of various recreational and residential developments. He then noted future improvements to the Lorton area, such as road widening initiatives and additional recreation facilities. Mr. Firth stated that he supported the original commitments articulated in SEA 80-L/V-061 because it would close the existing landfill, create a visually appealing park facility for the South County area, and construct a new recycling facility near the site. He said that this recycling facility would reduce truck traffic throughout the area and redirect CDD from areas outside the County to other facilities. Mr. Firth indicated that he opposed extending the operations of the landfill and removing the requirement for the applicant to construct a park upon its closure. He also expressed concern regarding the applicant's commitments to the proposed green energy facilities, noting that the proposal included buy-out options for these facilities. He added that extending the operation of the landfill would have a negative impact on the surrounding community because it would increase truck traffic and maintain a visually unappealing structure. Mr. Firth stated that the SCF voted unanimously to oppose the proposal. (A copy of Mr. Firth's statement is in the date file.)

Susan Fremit, 7650 Grayson Mill Lane, Lorton, voiced opposition to the proposal and indicated that she favored retaining the commitments articulated in SEA 80-L/V-061. She added that her community had coordinated with the applicant on SEA 80-L/V-061. She noted the visibility of the existing landfill from the Lorton Station neighborhood. Ms. Fremit pointed out that the depictions of the surrounding communities in the staff report were inaccurate.

Martin Rizer, 8822 Lake Hill Drive, Lorton, spoke in opposition of the proposal. He addressed the applicant's remarks regarding FCPA's unwillingness to accept the applicant's land dedication for a park, saying that by accepting this land the FCPA would incur full liability. He added he did not support the conditions prescribed by the applicant for this dedication. He also noted that the FCPA had not provided sufficient information about their coordination with the applicant in pursuing the plan articulated in SEA 80-L/V-061. Mr. Rizer stated that he did not support extending the operation of the existing landfill, adding that the SCF voted to close the landfill even if a park were not possible. He also expressed concern that the proposal would set a precedent for further extensions to the landfill's operations. (A copy of Mr. Rizer's statement is in the date file.)

Neal McBride, 8105 Winter Blue Court, Springfield, representing the Newington Forest Civic Association and South Run Coalition (NFCASRC), voiced support for the proposal because it would reduce the amount of truck traffic in the area and improve the surrounding community. He described the existing truck traffic around the subject property and pointed out that this traffic would persist under SEA 80-L/V-061 because the traffic would be redirected to the recycling facility that would be installed under this application. He addressed the SCF's opposition, stating that it had considered the construction of a new recreation facility in exchange for extending the lifespan of the existing landfill. In addition, Mr. McBride stated that pursuing SEA 80-L/V-061 would have a negative impact on the environment and pursuing the subject applications would provide additional revenue for community needs, recreational facilities, and the County tax base.

He added the closure of the landfill would reduce tax revenue and have a negative economic impact on the surrounding community. Mr. McBride pointed out that some of those opposed to the proposal had distributed inaccurate information about it, the applicant, and those that supported it. He added that no technical analysis had been provided by opponents of the proposal to contest staff's recommendation for approval. He also noted that GRB and DEQ would ensure that the applicant's provisions for the proposed development were sufficient. (A copy of Mr. McBride's statement is in the date file.)

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The Commission went into recess at 10:48 p.m. and reconvened in the Board Auditorium at 11:08 p.m.

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Amy Gould, 7718 Lafayette Forest Drive, Unit 32, Annandale, voiced support for the proposal. She said she was the Chair of the Fairfax County Reclamation Partnership, which promoted the restoration of ecosystems throughout the County. She also stated that the proposal would have a positive impact on the surrounding environment and promote the development of green energy technology, noting the environmental concerns of older energy technologies, such as oil, coal, and gas. In addition, she indicated promoting green energy initiatives would have a positive economic impact on the County and the design of the facilities on the subject property was consistent with the recommendations prescribed by the Board of Supervisors.

Julie Hickman, 1703 Bushrod Road, Alexandria, representing SUNN Unlimited, LLC, voiced support for the proposal. She indicated that her organization had developed solar energy facilities and described her experience with developing solar power throughout the Washington DC metropolitan area. She then described her organization and noted the lack of opportunities to develop solar power in Fairfax County. She said the proposal would encourage the growth of solar power in the County, adding that neighboring counties had been more proactive at pursuing solar power. Ms. Hickman pointed out that the demand for energy would continue to grow and noted the environmental impacts of meeting that demand. She then stated that solar energy would mitigate the impact on the County's energy grid. In addition, she indicated that the proposed green energy facilities would increase job opportunities and have a positive economic impact on the Lorton area.

Eric Goplerud, 1564 Regatta Lane, Reston, representing the Faith Alliance for Climate Solutions (FACS), spoke in support of the proposal because it would encourage the development of green energy technology and address concerns regarding climate change. He said that the FACS had adopted a resolution regarding the importance of addressing climate change, which was included with his written statement. He added that he believed the County had not sufficiently promoted policies regarding climate change and green energy development. Mr. Goplerud stated that the FACS had reviewed the County's various green energy and climate change initiatives and indicated that he supported efforts to create additional opportunities to implement green energy facilities. He also stated that the proposal was consistent with the County's environmental improvement goals, such as the Cool Counties Initiative, which encouraged the development of

alternative energy and the implementation of new environmental standards. In addition, he said that the proposal would result in a positive economic impact, create educational opportunities regarding green energy and climate change, and encourage the growth of businesses. Mr. Goplerud added that the proposed green energy facilities would reduce the County's carbon footprint, reduce truck traffic, and promote the development of green energy technology. (A copy of Mr. Goplerud's statement is in the date file.)

Ivy Main, 1331 Merchant Lane, McLean, stated that she was Chair of the Virginia chapter of the Sierra Club, which had expressed support for the proposed green energy facilities. She indicated that the Sierra Club had not taken a position on the extension for the existing landfill, but noted that it was aware of the community's opposition regarding this extension. She also echoed Mr. Goplerud's remarks regarding the County's insufficient efforts to promote green energy policies compared to neighboring jurisdictions. Ms. Main then addressed concerns raised regarding the proposal's impact on wildlife, stating that wind turbines did not adversely impact wildlife as much as other structures such as power lines, building windows, and other energy-producing facilities that utilized fossil fuels. She added that newer-generation wind turbines further mitigated the impact on wildlife. Ms. Main indicated that she supported the proposal's provisions to protect local wildlife, such as bald eagles. However, she noted that she favored other alternatives should it be determined the wind turbines were too disruptive, such as redirecting funds to the development of solar power facilities on County property. She then indicated that the applicant supported this modification and requested that it be incorporated into the proposal. (A copy of Ms. Ivy's statement is in the date file.)

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Chairman Murphy left the meeting temporarily; therefore, he relinquished the Chair to Vice Chairman de la Fe.

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Steven McPherson, 8320 Riverside Road, Alexandria, voiced support for the proposal because it would encourage the development of green energy. He echoed remarks from previous speakers regarding the County's insufficient efforts at developing green energy compared to neighboring jurisdictions. He indicated that the applicant's proposal for the landfill was an appropriate use of the subject property and would promote the growth of solar energy throughout the County. In addition, Mr. McPherson said that the proposal would increase job opportunities and create a positive economic impact for the area. He also said that the proposal would create a model for future developments to follow.

Steven Williams, 12825 Tournament Drive, Reston, representing the Fairfax Coalition for Smarter Growth, spoke in support of the proposal because it would promote the development of green energy and encourage economic growth. He also stated that extending the use of the landfill was an appropriate use of the subject property. In addition, he pointed out the various opportunities for green energy in the South County area, noting that the proposed green energy facilities would provide useful information for future developments utilizing similar facilities. Mr. Williams said the energy produced by the green energy facilities would provide additional

revenue for the County without substantially increasing the burden on taxpayers. He then indicated that the proposal would have a positive impact on the environment and the quality of life of the surrounding communities.

Leo Schefer, 44701 Propeller Court, Suite 100, Dulles International Airport, Dulles, representing the Washington Airports Task Force, spoke in support of the proposal because it encouraged the use of green energy. He noted that he had chaired the County's Private Sector Energy Task Force and the recommendations of this task force had been adopted by the Board of Supervisors in September 2012. He then said that this task force had recommended the implementation of pilot projects to demonstrate the use of local alternative energy sources that did not require substantial legislative changes or changes to County policy, would not create a financial burden for the County, and could be implemented within a 24-month period. Mr. Schefer indicated that the proposal was consistent with these recommendations. He added that the proposed development was an appropriate use for the subject property and the green energy facilities would create a positive economic development. (A copy of Mr. Schefer's statement is in the date file.)

David Howard, 7307 Sunset Ridge Court, Fredericksburg, voiced support for the proposal. He said that he was an employee at the existing landfill and noted that the landfill employed 34 people and conducted business with various organizations. He stated that extending the use of the landfill would preserve jobs and create additional economic opportunities, adding that closing the landfill would have a negative economic impact. In addition, he indicated that the proposed recycling center included in SEA 80-L/V-061 would not provide as many job opportunities as the existing landfill.

David McCarthy, 6603 Rockmont Court, Falls Church, representing Potential Energy DC, spoke in support of the proposal because it would encourage the growth of green energy and create economic opportunities for the County. He added that he was an entrepreneur and the proposal would provide opportunities for a green energy accelerator program that he was pursuing. He then described the features of the green energy accelerator program and noted the economic potential of green energy technology.

Edwin Butterworth, 7109 Rock Ridge Lane, Apt. K, Alexandria, voiced support for the proposal. He described his scientific background and his experience with facilities such as the existing landfill on the subject property. He then pointed out that extending the use of the existing landfill was more viable than redirecting its operations to another site. In addition, he said that the proposal would promote the growth of green energy technology within the County and provide useful information in the implementation of green energy facilities with other developments. Mr. Butterworth also stated that the proposed green energy facilities would contribute to solutions for issues regarding climate change.

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Chairman Murphy returned and resumed the Chair.

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Riley Jacobs, 9212 Wildwood Street, Lorton, stated that he lived in close proximity to the subject property and noted his involvement in the Lorton community, adding that he had been involved in various recreational developments and activities. He also noted that he had a background in planning and had been involved in multiple task forces that had contributed to the development of the Lorton area. Mr. Jacobs stated that the closure of the existing landfill would not eliminate the truck traffic in the area, pointing out that it would be redirected to other locations. He then addressed concerns regarding the stability of the berm, stating that the County's regulations were sufficient to ensure stability. In addition, he said that the proposal would provide numerous benefits for the surrounding community. (A copy of Mr. Jacobs' statement is in the date file.)

When Commissioner Hall asked that Mr. Jacobs clarify his position, he indicated that he was in favor of the proposal.

George Ledec, 2440 Huntington Park Drive, Alexandria, representing the Pavilions at Huntington Metro Community Association, voiced opposition to the proposal, saying that he aligned himself with the resolution adopted by the Mount Vernon Council of Citizens Association (MVCCA). He also noted his experience with wind power. He then stated that expanding the landfill would preclude other methods of disposing CDD that were more environmentally friendly. Mr. Ledec said that if the proposal were approved, then he recommended that it be modified to eliminate the wind turbines from the green energy facilities because the power-generating potential for the subject property was minimal due to the low wind speeds of the area. In addition, he pointed out that wind turbines had a negative impact on wildlife, such as birds and bats. He added that certain species such as bald eagles, were more susceptible to the impacts of wind turbines and cited instances at other wind power facilities where local bird populations had declined. He then explained how wind turbines negatively impacted bat populations. Mr. Ledec stated that if the wind turbines were retained, then he recommended the following modifications to the development conditions:

- Revise the requirement for pre-construction wildlife surveys to be consistent with USFWS guidelines and be subject to review by the Planning Commission;
- Increase provisions for post-construction monitoring of the wind turbines that would gather and publicly disseminate data regarding their impact on wildlife;
- Limit the speed of the wind turbine blades to six meters per seconds; and
- Impose a penalty on the applicant if the wind turbines were not constructed by a certain deadline or if the necessary studies were not conducted.

Mr. Ledec added that while he shared the concerns of previous speakers regarding climate change, he said that the potential benefits of wind power at the subject property were insufficient. (A copy of Mr. Ledec's statement is in the date file.)

Catherine Ledec, 3701 Lockheed Boulevard, Alexandria, representing the Friends of Huntley Meadows Park, spoke in opposition to the proposal, stating that she aligned herself with the

MVCCA's resolution regarding these applications. She echoed previous remarks from Mr. Ledec regarding the viability of wind power on the subject property and also supported modifying the proposal to limit the potential impacts of the wind turbines if it were approved. Ms. Ledec pointed out that the applicant had not provided sufficient data to prove the viability of wind power on the subject property or to ensure that local wildlife would not be adversely affected. Referring to her statement, she indicated that the average annual wind speeds for the State of Virginia was approximately 4.0 to 4.5 meters per second whereas the speeds recommended for viable wind power was 6.0 to 6.5 meters per second. She added that the applicant had not provided any data regarding the average wind speeds at the subject property. Referring to her statement, she then stated that the National Oceanic Atmosphere Administration indicated that wind speeds for the area around the site were approximately 3.7 to 4.2 meters per second. Ms. Ledec also pointed out the guidelines for addressing the proposal's impact on local wildlife, which were listed in her statement, and highlighted the following provisions:

- The provisions of Bird Smart Wind Power had been shown to limit the impact of wind power facilities on local bird populations; and
- Pre-construction assessment should be required to determine whether a potential site for wind power facilities posed a greater risk to bird populations.

Referring to a map of bird migration patterns in her statement, Ms. Ledec indicated that the subject property was located near a bald eagle habitat and migration corridors. She then echoed Mr. Ledec's remarks regarding the negative impacts associated with wind turbines and certain species of birds, such as bald eagles. In conclusion, she reiterated that wind power was not viable at the subject property and favored removing this option from the proposal if it were approved. (A copy of Ms. Ledec's statement is in the date file.)

Cynthia Smith, 6713 Catskill Road, Lorton, representing the Newington Civic Association (NCA), voiced opposition to the proposal, adding that the NCA had met on February 6, 2014, and voted unanimously to oppose the proposal. She explained that the NCA opposed the proposal because it violated the Zoning Ordinance requirements articulated in General Standard Number 3 of Article 9-006, Special Exceptions, which stated, "The proposed use shall be such that it will be harmonious with and will not adversely affect the use or development of neighboring properties in accordance with the applicable zoning district regulations and the adopted comprehensive plan. The location, size and height of buildings, structures, walls and fences, and the nature and extent of screening, buffering and landscaping shall be such that the use will not hinder or discourage the appropriate development and use of adjacent or nearby land and/or buildings or impair the value thereof." Ms. Smith indicated that extending the use of the landfill and implementing the proposed developments would negatively impact the neighboring properties. She added that extending the landfill would negatively impact the property values of the Lorton area. Referring to page 55 of the staff report for SEA 80-L/V-061-02, she said she disagreed with the following statement, "It is difficult to assess whether this application, specifically extending the landfill operation until December 31, 2040, will impair the value of appropriate development and use of adjacent or nearby land and/or buildings." Ms. Smith stated that the staff report did not provide sufficient evidence to conclude that the proposal would not adversely impact development in the surrounding area or reduce property values. She added the

raised tax assessments referenced on page 55 could be attributed to other factors such as the closing of the Lorton prison, additional development in the area, and the construction of new schools. Ms. Smith also stated that the increase in land values would be greater if the landfill were closed. In addition, she pointed out that the applicant had admitted at meetings with the SCF that the landfill was not in conformance with the development conditions articulated in SEA 80-L/V-061. She then pointed out that in lieu of this non-conformance, the applicant was in violation of Section 1 of Article 9-004, Status of Special Exception Uses, of the Zoning Ordinance, which stated that, "Once a special exception has been approved, such use... shall be in substantial conformance with the approved special exception, and no development or use shall be approved by any County official in the absence of such conformance." Ms. Smith added that no waivers could be granted for this requirement and the subject applications could not be approved until the site was brought into substantial conformance with the development conditions for SEA 80-L/V-061. She also noted that this violation had not been addressed in the staff report. Ms. Smith said that Paragraph 2 of Section 9-001, Purpose and Intent, of the Zoning Ordinance stated that, "The Board of Supervisors may approve a special exception under the provisions of this Article when it is concluded that the proposed use complies with all specified standards... Where such cannot be accomplished or it is determined that the use is not in accordance with all applicable standards of this Ordinance, the Board shall deny the Special Exception." She then indicated that under this language, the Board of Supervisors should deny the subject applications. (A copy of Ms. Smith's statement is in the date file.)

Ken Garrison, 8424 Quarry Road, Suite 201, Manassas, voiced support for the proposal because by not extending the use of the landfill on the site, the cost of transporting CDD materials would increase, which would hinder development in the County. He also noted that he was speaking on behalf of the Heavy Construction Contractors Association, stating that its members and the Board of Directors had voted unanimously in support of the proposal. In addition, Mr. Garrison pointed out closure of the landfill would have negative environmental impacts and increase truck traffic along I-95. He also noted that increasing the transportation costs associated with the disposing of CDD would negatively impact the LEED certification process for new development.

Elizabeth Martin, 8707 Stockton Parkway, Alexandria, stated that she was the Chair of the Environment and Recreation Committee for the MVCCA and voiced opposition to the proposal. She added that the MVCCA voted to oppose the application. She then explained that while the community supported the development of green energy facilities, the provisions outlined in the proposal were not sufficient. Ms. Martin pointed out that extending the use of the landfill would increase the amount of methane generated at the site and the proposed methane gas collection systems would only capture approximately 75 percent of the gas. In addition, she said that methane would continue to be produced by the site after the closure of the landfill. She also stated that the proposal was not consistent with the County's Solid Waste Management Plan, which favored alternative methods of waste disposal. She then noted that there were other CDD recycling facilities in the region. Ms. Martin pointed out that Policy b of Public Facilities Objective 34 of the Policy Plan stated, "Prior to the expansion of the Energy/Resource Recovery Facility or other waste management facilities, comprehensively consider the costs, benefits and effects of other alternatives including recycling and waste reduction for the protection of the public health, public safety, the environment, and natural resources." She then indicated that no

analysis had been conducted to determine the environmental, economic, or public health benefits of extending the operations of the landfill. In addition, Ms. Martin said that neither the applicant nor the County had sufficiently demonstrated the need for additional CDD disposal capacity, adding that the extent of increased disposal capacity provided by the proposal had not been articulated. She also stated that the environmental benefits and costs of extending the operations of the landfill versus ceasing operations had not been sufficiently evaluated. In addition, she said the proposal's impact on the rate and viability of recycling CDD materials had not been sufficiently evaluated, adding other jurisdictions favored policies that promoted the recycling of CDD. Ms. Martin then pointed out that other CDD recycling facilities recycled at a higher rate than that of the existing facility on the site. She added that a substantial amount of CDD was transported to the site from other jurisdictions and favored policies that would encourage more localized recycling of CDD. (A copy of Ms. Martin's statement is in the date file.)

Joe Cammarata, 5901 River Drive, Lorton, spoke in opposition to the proposal, saying that he favored retaining the commitments articulated in SEA 80-L/V-061, which would close the landfill by January 1, 2019 and prohibit future expansion. He said approval of the proposal would set a precedent for applicants to modify or abandon previously-approved commitments. In addition, he stated that the majority of the Lorton community favored closing the landfill and the proposal would undermine this sentiment and the public trust in the County's land use process. He also indicated that the proposal would increase truck traffic, generate excessive noise, and incur negative environmental impacts. (A copy of Mr. Cammarata's statement is in the date file.)

Ana Prados, 8339 Moline Place, Springfield, expressed concerns about the proposal's green energy facilities. She indicated that she had a scientific background in climate science and noted her familiarity with the Lorton area. She said that she supported green energy and the educational opportunities it would create, but she did not support including wind power with the proposal because further study was needed to mitigate its effect on local wildlife and ensure compliance with USFWS guidelines. Ms. Prados also expressed concern about the proposed expansion of the landfill and favored exploring alternative means of development, such as:

- Extending its permit only until it reached its current capacity;
- Increasing recycling efforts on the site to improve its recycling success rate; and
- Modifying policies regarding the importation of CDD from outside the County.

Ms. Prados then noted the community and environmental impact of landfills. In addition, she said that the proposal was not consistent with Comprehensive Plan recommendations to favor recycling over using landfills. She added that more time was needed for the County and the applicant to evaluate other means of addressing the outstanding issues associated with the subject property. (A copy of Ms. Prados' statement is in the date file.)

Eleanor Quigley, 7600 Admiral Drive, Alexandria, voiced opposition to the proposal because it was not consistent with the objectives of the Comprehensive Plan to improve the character of the Lorton community, protect neighborhoods from encroachment by disruptive land uses, and

develop the subject property for recreational use. She then referred the Commission to the MVCCA's resolution to oppose the proposal, which was included in Ms. Martin's testimony. She also noted the challenges of planting vegetation on a landfill. She added that the applicant's efforts for improving vegetation on the site under SEA 80-L/V-061 had been insufficient and expressed concern that the same would occur under the subject applications. Ms. Quigley said that installation of the berm would require removing existing vegetation, existing habitat, and multiple ponds on the subject property. In addition, she indicated that the existing landfill was visually unappealing and would continue to be unappealing under the proposal. She added that the MVCCA supported the development of green energy, but the proposal would incur negative environmental impacts, adversely impact the recycling of CDD, and negatively affect local wildlife. (A copy of Ms. Quigley's statement is in the date file.)

Bill Lynch, 5909 River Drive, Lorton, representing the Gunston Commerce Center Owners Association, gave a brief presentation detailing his opposition to the proposal. He cited the development conditions for SEA 80-LV-061, which stated the existing landfill would not be expanded. He then described the development at Gunston Commerce Center and listed the businesses that operated out of this site and their proximity to the landfill. He noted the economic contributions and tax revenue provided by the Gunston Commerce Center and indicated that closing the landfill would have a positive economic impact on the Gunston Commerce Center because it would increase revenues, create new job opportunities, and encourage a more appealing environment for businesses. Mr. Lynch stated that he favored increasing recycling efforts, pointing out that landfills were less economically viable. He added that the growth of LEED certification increased the demand for recycling, noting that other jurisdictions required recycling provisions with every site plan. Referring to a news article that favored recycling efforts over the use of landfills, he pointed out that the applicant and the subject property were mentioned as having insufficient recycling efforts. He then referred to a recycling center located in Manassas that the Gunston Commerce Center utilized, which he said was less costly than shipping its CDD to the landfill. Mr. Lynch pointed out the benefits of recycling facilities, stating that they created a more controlled environment. He also referred to photographs included in his presentation depicting CDD at the existing landfill, noting that these materials could be recycled. In addition, he stated that materials that could not be recycled could be utilized for generating electricity. He added that recycling facilities also provided job opportunities. Mr. Lynch addressed concerns that closure of the landfill would increase truck traffic to Richmond, pointing out that the Ritchie Land Rubble Landfill in Marlboro, Maryland had sufficient capacity. He also noted that extending the lifespan the land fill was not consistent with efforts in neighboring jurisdictions to increase recycling. In addition, he indicated that the Ritchie Land Rubble Landfill was located along the truck traffic routes utilized by the applicant's trucks. Mr. Lynch then referred the Commission to a photograph in his presentation depicting the truck traffic accessing the subject property, adding that over half the CDD transported by these trucks did not originate from within the County. (Copies of Mr. Lynch's statement, presentation, and the news article are in the date file.)

Wayne Klotz, 10501 Furnace Road, Suite 208, Lorton, representing the I-95 Business Parks Management, LLC, voiced opposition to the application. He also aligned himself with Mr. Lynch and utilized his presentation, adding that his organization managed Gunston Commerce Center. He pointed out the County's stringent guidelines on maintaining roads, but noted the poor

condition of Furnace Road. He also indicated that the tenants at the Gunston Commerce Center had complained about the condition of this road. He added that the poor road conditions increased the cost of managing the Gunston Commerce Center. Mr. Klotz said that he had successfully coordinated with the applicant and the Virginia Department of Transportation in September 2013 to improve the condition of Furnace Road, but the condition of the road continued to decline. He then referred the Commission to photographs in Mr. Lynch's presentation depicting the current state of Furnace Road, noting that the applicant did not frequently participate in clearing debris from the road. Mr. Klotz also stated that the poor condition of the road created safety concerns for vehicles that utilized the Gunston Commerce Center. (A copy of Mr. Lynch's presentation is in the date file.)

Tim Rizar, 5905 River Drive, Lorton, representing the South Fairfax Chamber of Commerce (SFCC), spoke in opposition to the proposal. He addressed the applicant's remarks regarding the need for the landfill, pointing out that this was inconsistent with their previous efforts to close it under SEA 80-L/V-061. He also said that while the membership of the SFCC included businesses that specialized in heavy industry, there had been efforts to shift the economic plans for the Lorton area away from such industry. He then stated that the proposal would undermine these efforts. Mr. Rizar cited a lack of certain businesses such as hotels and restaurants in the Lorton area and indicated that extending the use of the landfill would discourage such businesses. He also said that some businesses had been established in Lorton with the expectation that the landfill operations would cease. In addition, he stated that expanding the landfill would reduce property values, which would subsequently off-set the contributions proposed by the applicant. In conclusion, he indicated that he favored closing the landfill, as articulated in SEA 80-L/V-061. (A copy of Mr. Rizer's statement is in the date file.)

Michael Miller, 8300 Ainsley Court, Lorton, representing the Newberry Station Homeowners Association, Inc., voiced opposition to the proposal. He described the development history of Lorton, noting the prevalence of heavy industry and public utility structures. He also pointed out that he had coordinated with the Planning Commission and the Board of Supervisors to oppose the growth of such uses in the area, adding that later developments included residential communities and recreation facilities. He then stated that extending the use of the landfill was inconsistent with this shift away from heavy industry in Lorton. Mr. Miller also expressed concern regarding the viability and educational opportunities associated with the proposed observation tower on the site and the applicant's commitments to developing recreational amenities after the landfill's closure. In addition, he noted that the environmental benefits of the proposed wind turbines would be offset by the extension of landfill operations. Mr. Miller addressed staff's conclusion that the proposal was consistent with the Comprehensive Plan, stating that the prevailing interests of the Lorton community was of greater priority and should be used as the basis for rendering a decision on these applications. (A copy of Mr. Miller's statement is in the date file.)

Mel Garcia, 8431 Whitehaven Court, Lorton, said that while the LVHOA supported the proposal, as articulated in supporting documents that he had included with his statement, he was opposed. He also indicated that the residents of the Lorton Valley community did not unanimously support the proposal, adding that the LVHOA's letter of support had not been distributed to the community. Mr. Garcia said that the community had met with the LVHOA and the applicant in

December 2013. He indicated that the LVHOA might reconsider their support of the proposal, adding that none of the concerns raised from this meeting had been addressed. He then pointed out that the LVHOA had submitted another letter of support for the proposal dated February 19, 2014, but noted that this letter had listed truck traffic, the visual impact of the landfill, and options for developing the landfill after its closure as outstanding issues. Mr. Garcia stated that the applicant had not provided sufficient information about the proposal to the surrounding community and reiterated his opposition to the LVHOA's letter of support. (A copy of Mr. Garcia's statement is in the date file.)

Lawrence Clark, 8946 Yellow Daisy Place, Lorton, representing the Spring Hill Community Association, voiced opposition to the proposal. He pointed out that the implementation of the proposed green energy facilities was contingent on expanding the operations of the existing landfill. He then noted that based on annual solid waste reports from DEQ from 2007 and 2012, the landfill would achieve its capacity at or near the closure date at the end of 2018, as articulated in SEA 80-L/V-061. Mr. Clark said that approval of subject applications undermined the integrity of the land use process. He also pointed out that there were no monitoring, inspection, and long-term maintenance provisions included in the development conditions and recommended additional provisions for periodic maintenance after the closure of the landfill. In addition, he expressed concern about the visual impact, the truck traffic, and the noise generated by the site on the surrounding community if the landfill were to continue its operations. Mr. Clark indicated that he favored increasing recycling efforts at the site. In addition, he indicated the applicant's provisions for monitoring groundwater were insufficient and recommended including additional conditions to address the impact of additional clearing. Mr. Clark also stated that proposed green energy facilities were not sufficient and pointed out that the applicant had not provided enough information on these facilities, noting that the costs and viability associated with geothermal and methane gas facilities had not been determined. He then pointed out that the applicant was only committing to providing three wind turbines during the early phases of the proposed development and the infrastructure for geothermal and methane gas facilities. He added that the monetary penalties for not pursuing portions of the green energy facility outlined in Development Condition Number 47 were insufficient, noting that the revenue generated by the landfill significantly exceeded these amounts. Mr. Clark said that the proposal was not consistent with the Comprehensive Plan because extending the use of the existing landfill would be visually unappealing and would negatively impact the surrounding community. (A copy of Mr. Clark's statement is in the date file.)

A discussion ensued between Commissioner Flanagan and Mr. Clark regarding the extent of the proposed expansion of the landfill and the amount of CDD that would be imported from outside the County.

Marty Schirmacher, 9534 3rd Place, Lorton, representing the Shirley Acres Civic Association (SACA), spoke in opposition to the proposal. He added that his statement included a document articulating the SACA's unanimous opposition to the proposal. He explained that the community was concerned about the design of the berm, stating that this constituted both an expansion and an extension of the landfill operations. He also expressed concern regarding the environmental impact and the possible impact of a landslide. Referring to his statement, Mr. Schirmacher cited an incident in Kentucky where a landslide had occurred at a landfill that was owned by the

applicant. He then pointed out that a landslide at the subject property would impact the Lorton Valley community, Giles Run, and I-95. He indicated that the proposed design of the berm and the slope of the landfill were not sufficiently stable. In addition, he said that the proposed platform that would be constructed atop the landfill would increase the risk of a landslide. Referring to his statement, Mr. Schirmacher cited photographs depicting landslides that had occurred at landfills in Southern Virginia and Pennsylvania. He also expressed concern about the proposal's impact on the quality of life and property values for the surrounding community. He stated that the community did not object to increasing the height of the landfill because the applicant had committed to close it at the end of 2018, as articulated in SEA 80-L/V-061. He then indicated that permitting the expansion of the landfill in the subject applications and removing the commitment to build a park would undermine the applicant's previous commitments to the community. Referring to Section 9-006, General Standards, of the Zoning Ordinance, Mr. Schirmacher aligned himself with Ms. Smith's remarks regarding the proposal's inconsistency with the Zoning Ordinance. He then referred to a photograph in his statement that depicted a berm similar to the proposed design in the subject applications. He also referred the Commission to an excerpt in his statement from the staff report for SEA 80-L/V-061, which highlighted issues regarding the property values of the surrounding community. Mr. Schirmacher cited additional photographs included within his statement that depicted the height and visibility of the landfill from the surrounding community, adding that the continued operation of the landfill would negatively impact property values and this impact would offset the stated benefits of the proposals. (A copy of Mr. Schirmacher's statement and photographs is in the date file.)

A discussion ensued between Commissioner Flanagan and Mr. Schirmacher regarding the landslides at other sites he referenced in his testimony and whether these developments were approved by a licensed engineer wherein Mr. Schirmacher said he would provide additional information regarding these sites during the deferral period.

Vivian Drake, 8567 Springfield Oaks Drive, Springfield, representing the Springfield Oaks Homeowners Association (SOHOA), voiced opposition to the proposal. She added that SOHOA had voted unanimously in opposition to the proposal. She expressed concern about the existing truck traffic around the subject property and indicated that the proposed expansion of the landfill would increase this traffic.

Irma Clifton, 8912 Ox Road, Lorton, spoke in opposition to the proposal. She echoed remarks from previous speakers regarding the development in the Lorton area, saying that the emphasis had shifted away from heavy industrial uses such as a former prison complex, a quarry, and various public utility facilities. She also noted the more recent developments in the Lorton area, which included new schools, recreation facilities, health facilities, commercial centers, and road networks. She then stated that extending the landfill would have a negative visual impact and was not consistent with the character of the surrounding community or the future development plans for the Lorton area. Ms. Clifton indicated that she supported retaining the commitments articulated in SEA 80-L/V-061, adding that this would also reduce the truck traffic in the area.

Lawrence Rice, 9121 Wood Pointe Way, Fairfax Station, representing the Crosspointe Swim & Raquet, Inc. Homeowners Association (CSRHOA), voiced opposition to the proposal. He noted that the CSRHOA Board of Trustees had voted unanimously to oppose the subject applications

and this ruling had been included in his statement. He described his experience with green energy initiatives and expressed concern that the subject property did not have sufficient resources to accommodate methane, geothermal, and wind power. He added that the applicant had not provided sufficient data to support the viability of such green energy facilities at the site, noting that only solar power was viable. Mr. Rice also expressed concern that the proposal did not contain sufficient penalties for the applicant if certain green energy facilities were not pursued. He then echoed remarks from previous speakers, saying he supported retaining the provisions articulated in SEA 80-L/V-061. (A copy of Mr. Rice's statement is in the date file.)

Robert Lassiter, 8887 White Orchid Place, Lorton, voiced opposition to the proposal. He described his community, stating that it was planned for residential and commercial development. He echoed remarks from previous speakers regarding the negative visual impact of the landfill and also supported retaining the commitments outlined in SEA 80-L/V-061. In addition, Mr. Lassiter expressed concern regarding the applicant's ability to fulfill the commitments outlined in the subject applications. He then said that the proposed green energy facility was inconsistent with the character of the subject property and favored other methods of developing green energy within the County. He also indicated that the proposal would be inconsistent with the planned development for the Lorton area.

Franklin Burroughs, Jr., 8881 White Orchid Place, Lorton, spoke in opposition to the proposal, aligning himself with the members of the surrounding community that shared his opposition. He said that the proposed development was inconsistent with the character of the surrounding community, adding that he favored alternative methods of developing green energy within the County. In addition, he indicated that closing the landfill, as outlined in SEA 80-L/V-061, would have a positive environmental impact on the surrounding area. Mr. Burroughs also aligned himself with previous speakers regarding the importation of CDD from other jurisdictions, saying that such importations should be curtailed. In addition, he stated that he favored increased recycling efforts on the site, noting the greater efficiencies that had been achieved at sites in neighboring jurisdictions. (A copy of Mr. Burroughs' statement is in the date file.)

Gloria Bannister, 9660 Eaton Woods Place, Lorton, representing the Gunston Square Community Association, voiced opposition to the proposal. She noted the visibility of the site from her property and its visibility to the surrounding community. She also indicated that her community opposed increasing the height of the landfill, as articulated in SEA 80-L/V-061, due to concerns about increasing the visibility of the site. She then said that she opposed the proposed wind turbines for the site, saying that this would worsen the visual impact of the site. Ms. Bannister also expressed concern that the wind turbines would create a hazard for aircraft flying over the area. In addition, she said that she favored increasing recycling efforts at the site. (A copy of Ms. Bannister's statement is in the date file.)

Robert Robertory, 8605 Cross Chase Court, Fairfax Station, spoke in opposition to the proposal, aligning himself with previous speakers who had also expressed opposition. In addition, he stated that he supported green energy initiatives, but pointed out that the subject applications did not contain sufficient commitments for providing green energy facilities. He added that he supported the provisions articulated in SEA 80-L/V-061 that would close the existing landfill by the end of 2018, noting that the surrounding community's support for this applicant had been

contingent on this closure. Mr. Robertory then expressed concern regarding the applicant's willingness to abide by the commitments outlined in the proposal. He also expressed concern regarding the accuracy of the applicant's statement regarding truck traffic in the area and the design and safety of the proposed berm. (A copy of Mr. Robertory's statement is in the date file.)

Laurie Wilson, 8950 Hooes Road, Lorton, voiced opposition to the proposal. She noted that she had been an at-large member of the Planning Commission when it initially recommended approval of SEA 80-L/V-061 in 2006. She described her experience with this application, explaining that the surrounding community opposed increasing the height of the landfill and their support of this proposal was contingent on the closure of the landfill. Ms. Wilson then indicated that she favored retaining the commitments outlined in SEA 80-L/V-061. She also aligned herself with remarks from previous speakers regarding the visibility of the landfill, noting the visibility of the site from her property. In addition, she stated that extending the use of the landfill would incur numerous negative impacts on the surrounding community and set a negative precedent for not holding applicants accountable for previously-approved commitments.

Gary Knipling, 11807 Harley Road, Lorton, spoke in opposition to the proposal. He concurred with Commissioner Flanagan's remarks regarding his concerns about the design of the berm. He pointed out that those who spoke in favor of the proposal did not reside near the subject property and noted the close proximity of his home to the site. He also aligned himself with the surrounding community members who opposed the proposal.

Peter Weyland, 5724 Mallow Trail, Lorton, representing the Mason Neck Citizens Association, spoke in opposition to the proposal. He noted the visibility of the landfill from I-95 and indicated that he favored closing the landfill, as articulated in SEA 80-L/V-061.

Sue Heddings, 9450 Fourth Place, Lorton, voiced opposition to the proposal. She aligned herself with remarks from previous speakers regarding the consequences of a landslide at the site, noting that such an event would put her property at risk.

Michael Grogan, 9330 Davis Drive, Lorton, representing the Southpointe Estates, Homeowners Association, spoke in opposition to the proposal. He aligned himself with previous speakers, saying that he favored retaining the commitments articulated in SEA 80-L/V-061. He also pointed out that the community had expressed concern during the discussions regarding SEA 80-L/V-061 that the site would be subject to mining operations, which he noted increased the importance of closing the landfill. In addition, Mr. Grogan noted the poor condition of Furnace Road and the negative impact it had on the community. (A copy of Mr. Grogan's statement is available in the date file.)

When Commissioner Flanagan asked about the possibility that the site could be subject to mining after the closure of the landfill, Mr. Grogan indicated that this had been discussed with SEA 80-L/V-061 and this issue would have to be reassessed. In addition, he reiterated that he favored closing the landfill, as outlined in SEA 80-L/V-061.

Chairman Murphy called for speakers from the audience.

Douglas Fox, 9665 Franklin Woods Drive, Lorton, Spoke in opposition of the proposal. He pointed out the erosion that had occurred at the landfill. In addition, he noted that the applicant had not provided consistent information regarding the size of the proposed solar panels. Mr. Fox echoed remarks from other speakers regarding the importation of CDD from areas outside the County, adding that increases in truck traffic could be abated by imposing additional restrictions on routes and truck sizes. He also expressed concern regarding the applicant's willingness to abide by the proposed green energy commitments.

There being no more speakers, Chairman Murphy called for a rebuttal statement from Mr. McDermott, who deferred to Mr. Morris. Mr. Morris addressed the concerns raised regarding the design and stability of the proposed berm. He explained that the depiction of the berm in Figure 2A on page 7 of the staff report for SEA 80-L/V-061-02 was not an accurate depiction of the berm and indicated that the berm would improve the stability of the landfill by strengthening the foundation, which would make landslides less likely to occur. He then stated that the proposed berm would be constructed of soil and geosynthetics, which provided sufficient stability. He added that the berm would require annual maintenance to ensure stability over a long period of time. Mr. Morris said that DEQ would determine the extent and duration of the maintenance for the berm, adding that the property owner would be responsible for providing this maintenance. In addition, he explained that the intent of the earlier phases of the proposed green energy facilities was to establish a strong commitment to providing a diverse array of green energy options. He also said that the energy potential of the site was not large, but it was significant. He then pointed out the following:

- The proposed wind turbines would provide power for approximately 35 homes;
- The proposed solar facility would provide power for approximately 50 homes; and
- The proposed methane generation facility, once fully implemented, would provide power for approximately 1,500 homes.

Mr. Morris explained that the proposed wind turbines that would be installed in the early phases of the proposed development would demonstrate the viability of green energy at the subject property. In addition, he stated that the applicant was committed to reducing greenhouse gas emissions at the site, which would be achieved by capturing and utilizing the methane generated at the site. He also indicated that the early phases of the development would provide information about green energy facilities, noting that the proposed wind turbines were smaller than what the land could accommodate. He added that these smaller turbines would address community concerns about the impact on visibility and local wildlife. Mr. Morris acknowledged that the Lorton area did not contain abundant wind resources, but pointed out that the change in elevation at the subject property and the wind patterns around the Occoquan River produced a significant concentration of wind power potential. In addition, he said that the information provided by the proposed wind turbines that would be implemented during the early phases of the proposed development could also be utilized to minimize the impact on local wildlife. He also indicated that he did not object to shutting down the wind turbines at night to protect local bat populations, modifying the lighting patterns on the wind turbines, or adopting best management practices to

minimize the impact on local bird populations. Mr. Morris acknowledged that the methane generated by CDD was lower than other types of waste, but noted that there was insufficient information regarding the volume of methane generated by CDD landfills. He also noted that the design of the landfill would increase the efficiency of collecting methane gas. He then referred the Commission to the feasibility study in Appendix 2B of the staff report for SEA 80-L/V-061-02, which depicted the expected energy output of the green energy facilities, and indicated that the output during the early phases would be limited, but this would increase during later phases of development.

Mr. McDermott addressed concerns about the extent of the expansion of the landfill, saying that the proposal would increase the area permitted for disposing CDD by approximately 2.1 percent and the overall area of the landfill would increase by approximately 7.8 percent. He then added that this increase was attributed primarily to the footprint of the berm. Mr. McDermott addressed remarks made by speakers regarding the liability of the previously proposed park dedication for SEA 80-L/V-061, clarifying that the applicant requested that the County accept liability related to public access and did not request that the County accept full liability for the park. He then noted that the County did not accept this request. He also addressed remarks made by speakers' statements regarding the applicant's commitment to maintain the proposed park in SEA 80-L/V-061 in perpetuity, stating that the applicant reserved the right to permanently close the public access areas after being released from post-closure monitoring and bonding requirements by DEQ. Mr. McDermott indicated that the proposed green energy facilities would be implemented prior to the closure of the landfill. He then referred to Page 48 of his presentation, which listed the following positive economic impacts of the proposal:

- Provided for the County's long-term disposal and recycling capacity requirements for CDD, as articulated in the County's Solid Waste Management Plan;
- Supported County's redevelopment and revitalization goals by avoiding increases in disposal costs for CDD;
- Reduced cost of home construction and remodeling by reducing cost of disposing of CDD;
- Created foundation for green energy development within the County; and
- Established Fairfax County as leader in green energy development at no cost to the County.

Referring to Page 49 of his presentation, Mr. McDermott said the proposal would have the following positive impacts on the quality of life for the community:

- Removes the in-perpetuity, unrestricted mixed-waste reclamation facility;
- Removes additional truck traffic from Lorton Road and northern neighborhoods;

- Reduces truck traffic on I-95;
- Improves the landscape of the subject property; and
- Installation of a controlled access system for proposed recreation facilities during later phases of proposed development, which includes liability coverage retained by the operator of these facilities.

Referring to Page 50 of his presentation, Mr. McDermott listed the following environmental benefits of the proposal:

- Provides green energy facilities from solar, wind, and methane resources within two years of approval;
- Provides solar facility on site previously planned for an unrestricted mixed-waste reclamation facility;
- Provides a platform for 12 wind turbines and 50 acres of solar panels.

Referring to Page 51 of his presentation, Mr. McDermott listed the applicant's following commitments to the County and community:

- Provides \$15 million in funding for local community needs;
- Provides \$3.2 million for local recreation and baseball fields;
- Provides \$7 million in electricity generated from methane gas, which was donated for use at local County facilities;
- Provides \$2.5 million in shared revenues from sale of wind and solar generated electricity during the Phase 1 portion of the proposed development; and
- Reserves 50 percent of the net profit from electricity sales from the green energy facilities for the County after the closure of the landfill.

Mr. McDermott addressed remarks by speakers regarding the applicant's willingness to maintain its commitments, stating that the applicant had upheld its commitments from SEA 80-L/V-061 to provide contributions to local community organizations and recreational facilities. He added that the applicant had also upheld its commitments to improve the landscaping on the site, stating that a full-time horticulturist had been hired to oversee and maintain the landscape. He then stated that the proposal would provide opportunities for green energy facilities that would contribute to the economic development and revitalization efforts throughout the County. He added that staff had determined that subject applications were consistent with the Comprehensive Plan and the Zoning Ordinance.

Chairman Murphy called for concluding staff remarks from Ms. Tsai and Mr. Mayland, who declined.

Replying to questions from Commissioner Flanagan, Mr. McDermott indicated that the applicant's associates from Geosyntec Consultants, Inc. had been in contact with USFWS. He also stated that the USFWS had acknowledged that their guidelines for wind turbines, such as applying for a permit in the event of an impact on local bird populations, were voluntary. He then pointed out that the applicant was committed to pursuing the green energy facilities, as outlined in the multiple phases of development. Mr. McDermott added that the applicant had obtained a self-certification from the USFWS, which indicated that the proposed development would not adversely impact local migratory bird populations. Commissioner Flanagan stated that he would like these issues to be addressed in greater detail during the deferral period.

Referring to the depiction of the proposed wind turbines in Appendix 2A of the staff report, Commissioner Flanagan asked for clarification on the design of the 120-foot piles that would support the turbines. Mr. McDermott explained that the depiction displayed only one of the possible designs for supporting the wind turbines and the purpose of the piles was to ensure the stability of the platform. He added that other possible designs would be required to provide the same degree of stability for the platform. A discussion ensued between Commissioner Flanagan and Mr. McDermott regarding which design for the wind turbine platform would be implemented if the applications were approved and whether the design in Appendix 2A would puncture the cap membrane of the landfill wherein Mr. McDermott clarified that the GRB and DEQ would review the design, he indicated that the piles would go into the landfill, but noted that the design depicted in Appendix 2A was consistent with other functional platforms at other sites. Mr. McDermott also pointed out that the piles would not affect the integrity of the landfill.

In reply to questions from Commissioner Flanagan, Mr. McDermott said that DEQ's assessment of the site would not begin until the applicant submitted an application. In addition, he stated that the applicant would be required to submit a Major Permit Amendment, which he noted would involve two public hearings by DEQ.

Commissioner Sargeant asked Mr. McDermott whether the applicant was aware of the applicable regulations regarding the gas transmission pipelines and suggested that the applicant ensure there were no conflicts with these pipelines. Mr. McDermott said that the applicant had coordinated with the owners of the pipelines and no issues had been raised, adding that maintenance of the pipelines would not be affected by the proposal.

Commissioner Hart said that he had submitted questions for staff and the applicant offline and would follow up with additional questions during the deferral period. He then pointed out that the Commission had voted to approve SEA 80-L/V-061 and indicated that the volume of speakers incurred by these applications was due to unrealized expectations. He stated that the lack of a commitment by the FCPA to accept the applicant's dedication at the time SEA 80-L/V-061 was approved created significant complications. Commissioner Hart also noted that there were other pending cases throughout the County that included a similar park feature and encouraged more effective coordination with the FCPA to ensure their commitments would be upheld. In addition, he recommended that these pending cases include more detailed contingency

plans. Mr. McDermott said that the FCPA had originally adopted a resolution to request the dedication of the land from the applicant in the summer of 2006 and added that there were also multiple referrals for this dedication. Commissioner Hart suggested that these issues be addressed for other developments in areas such as Tysons Corner.

Chairman Murphy thanked the speakers for their participation. He also thanked Mr. McDermott, the representatives of the applicant, and staff for their work.

There were no further comments or questions from the Commission; therefore, Chairman Murphy closed the public hearing and recognized Commissioner Flanagan for action on these cases. (A verbatim excerpt is in the date file.)

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Commissioner Flanagan MOVED THAT THE PLANNING COMMISSION DEFER THE DECISION ONLY FOR SEA 80-L/V-061-02 AND 2232-V13-18 TO A DATE CERTAIN OF THURSDAY, MARCH 13, 2014.

Commissioner Sargeant seconded the motion which carried by a vote of 11-0. Commissioner Lawrence was absent from the meeting.

Commissioner Flanagan MOVED THAT THE PLANNING COMMISSION DEFER THE DECISION ONLY FOR PCA 2000-MV-034 AND 2232-V13-17 TO A DATE CERTAIN OF THURSDAY, MARCH 13, 2014.

Commissioners Hall and Sargeant seconded the motion which carried by a vote of 11-0. Commissioner Lawrence was absent from the meeting.

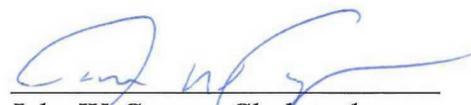
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The meeting was adjourned at 3:04 a.m.  
Peter F. Murphy, Chairman  
Janet R. Hall, Secretary

Audio and video recordings of this meeting are available at the Planning Commission Office, 12000 Government Center Parkway, Suite 330, Fairfax, Virginia 22035.

Minutes by: Jacob Caporaletti

Approved on: September 18, 2014



John W. Cooper, Clerk to the  
Fairfax County Planning Commission