

Planning Commission Meeting  
June 17, 2015  
Verbatim Excerpt

SE 2014-MV-073 – SUPERIOR CONCRETE MATERIALS INC.

Decision Only During Commission Matters  
(Public Hearing held on June 10, 2015)

Commissioner Flanagan: Yes, I have a decision only for this evening. It's SE 2014-MV-073, Superior Concrete Materials Incorporated. On June 10, the Commission heard testimony regarding a proposed concrete batching facility on Terminal Road where it intersects with the Fairfax County Parkway in Lorton. During the hearing, the applicant proposed an additional Condition 19 that would prohibit concrete delivery and material trucks from using Lorton Road. Testimony confirmed that staff, the Commission, and the Board of Supervisors have approved conditions that prohibit trucks from using a portion of Lorton Road between Richmond Highway and Furnace Road. Staff, however, stated that they did not recommend the addition of the condition proposed by Superior Concrete and the Commission deferred a decision until tonight to allow Superior to consider revisions of their Condition 19 and also using a suggested side-agreement between Superior and the Lorton neighborhood instead. I have since worked – well – since last Thursday – with the Lorton neighborhood associations and Superior on both options. Since – and I am pleased to report that Superior has provided a revised Condition 19 and a side-agreement, either of which are acceptable to Superior, the Lorton neighborhood, and me. The revised Superior Condition 19 option would now only prohibit Superior trucks from using that portion of Lorton Road in the same way as previously approved by staff on other SE applications. The side-agreement option between Superior and the Lorton community would do the same, but be less bureaucratic, faster, and easier to enforce without the use of police. It is based upon an agreement between the Luck Stone Quarry in Sully District and adjacent communities that prohibited quarry truck drivers from using local roads, such as Pleasant Valley, Stone, and Old Post Office Roads, before such routes were posted by VDOT with “through-truck prohibited” signs. The prior Luck Stone agreement – and now VDOT signs – benefit adjacent neighborhoods, including the homes of Commissioners Hart and Litzenberger. Therefore, Mr. Chairman, I request that the applicant confirm for the record, their agreement to the proposed development conditions without a Condition 19 and dated June 4, 2015.

Chairman Murphy: Mr. Painter.

Andrew Painter, Applicant's Agent, Walsh, Colucci, Lubeley & Walsh, PC: Good evening, Mr. Chairman – Commissioner Flanagan. My name is Andrew Painter, for the record, with the law firm Walsh Colucci. For the record, we have read, understand, and agree to the conditions of approval without Condition 19.

Commissioner Flanagan: And you have given the community a side-agreement, I understand, also as well. Is that right?

Mr. Painter: We have – dated June 16<sup>th</sup> – that's correct.

Commissioner Flanagan: And they've agreed to that?

Mr. Painter: Correct.

Commissioner Flanagan: Okay. Therefore, Mr. Chairman, I MOVE THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF SE 2014-MV-073, SUBJECT TO THE DEVELOPMENT CONDITIONS DATED JUNE 4, 2015.

Commissioner Litzenberger: Second.

Chairman Murphy: Seconded by Mr. Litzenberger. Is there a discussion of the motion? All those in favor of the motion to recommend to the Board of Supervisors that it approve SE 2014-MV-073, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner de la Fe: Abstain – not present.

Chairman Murphy: Mr. de la Fe abstains – not present for the public hearing. Thank you, Mr. Painter.

Mr. Painter: Thank you.

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(The motion carried by a vote of 9-0-1. Commissioner de la Fe abstained. Commissioners Lawrence and Sargeant were absent from the meeting.)

JLC