



CLERK'S BOARD SUMMARY

REPORT OF ACTIONS

OF THE FAIRFAX COUNTY BOARD OF SUPERVISORS

This does not represent an official transcript of the Board Meeting, and is subject to minor change.

MONDAY
JULY 23, 1990

20-90

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The meeting was called to order at 10:10 a.m. with all members being present and with Chairman Moore presiding.

Others present were J. Hamilton Lambert, County Executive; David T. Stitt, County Attorney; Theodore Austell, III, Executive Assistant to the County Executive; William Howland, Assistant to the County Executive; Viki L. Lester, Deputy Clerk to the Board of Supervisors; and Patti M. Hicks, Deputy Clerk to the Board of Supervisors.

2. RESOLUTION COMMENDING PARTICIPANTS OF THE 1990 NORTHERN VIRGINIA PROJECT GRADUATION PROGRAM (Tape 1)

Supervisor Hanley moved adoption of the Resolution commending, on behalf of all of the citizens of Fairfax County, the participants involved in the 1990 Northern Virginia Project Graduation -- All Night Alcohol/Drug-Free Celebrations, and urging community support to the success of this innovative and loving program. This motion was seconded by Supervisor Davis and carried by unanimous vote.

3. CERTIFICATE OF RECOGNITION TO FAITH CINQUEGRANA FOR EFFORTS STUDYING ENVIRONMENTAL PROBLEMS (Tapes 1-2)

Supervisor Richards moved approval of the presentation of the Certificate of Recognition, presented to Ms. Faith Cinquegrana, for her genuine concern for the environment in Fairfax County and dedicated efforts in studying environmental problems in the community. This motion was seconded by Supervisor Pennino and carried by unanimous vote.

Chairman Moore suggested that the County Arborist might be interested in Ms. Cinquegrana's research on the effects of construction on the growth of surrounding trees.

Supervisor Hyland invited Ms. Cinquegrana to present her project on the sediment run-off at construction sites to the conference relating to the Chesapeake Bay Preservation Act scheduled for August 14, 1990 in Richmond, Virginia.

4. PRESENTATION OF THE NATIONAL ASSOCIATION OF COUNTIES (NACO) ACHIEVEMENT AWARDS (TAPE 2)

The following individuals accepted, on behalf of their agencies, the 1990 National Achievement awards from the National Association of Counties (NACO) for innovative programs. These awards were presented to Fairfax County during NACO's 55th Annual Conference held in Dade County (Miami), Florida, July 14-17, 1990:

- Department of Animal Control for the Human Education Program:

Accepting:

- * Barbara Snow, Director, Department of Animal Control; and
- * Carol Taylor, Human Education Specialist.

- Office for Children (OFC) and the Fairfax-Falls Church Community Services Board (FFCCSB) for Respite Care for Families with Special Needs:

Accepting:

- * Roberta Owens, Director, Training Department, OFC;
- * Nellie Bagley, Trainer, OFC;
- * Ellen Gillespie, Director, Mental Retardation Programs, FFCCSB; and
- * Mary Phelps, Staff Member, Mental Retardation Programs, FFCCSB.

- FFCCSB for Crossroads Therapeutic Community Drug Treatment Program:

Accepting:

- * Jody Krekel, Member, Community Services Board, and Chairman, Alcohol and Drug Committee;

- * Laura Cambern, Vice-Chairman, Community Services Board;
- * Karen Washington, Crossroads Staff; and
- * Steve Grossman, Crossroads Staff.

- Office of Personnel and the Department of Public Works (DPW) for the Enclave Program to Hire the Severely Disabled:

Accepting:

- * Suzanne Cardwell, Personnel Analyst, Office of Personnel;
- * John diZerega, Director, DPW; and
- * Allen Hogge, Director, Waste Treatment Division, DPW.

- Office of Personnel for Negotiation Skills Training for Front-Line Staff:

Accepting:

- * Tom Mauter, Training Administrator, Office of Personnel; and
- * Frank Blechman, Associate, Conflict Clinic, George Mason University.

- Department of Consumer Affairs for the Homeowner Association Workshops:

Accepting:

- * Pat Devlin, Chief, Special Services Division, Department of Consumer Affairs.

- Juvenile and Domestic Relations District Court for Support Services for Parents of Juvenile Offenders:

Accepting:

- * Vincent Picciano, Director, Court Services;

- * Ron Hutchison, Probation Counselor, Central County Services; and
- * Mary Brantley, Assistant Director, Girls Probation House.

- Department of Environmental Management (DEM) for the Critical Structures Program and Video Training Films for Site Construction Code Enforcement:

Accepting:

- * Sophie Zager, Director, Division of Inspection Services, DEM;
- * Edward Jankiewicz, Director, Division of Design Review, DEM; and
- * Diane J. Brown, Director of Administration, DEM.

- DPW for the Public Works Sewer Tracking System:

Accepting:

- * John diZerega, Director, DPW; and
- * Richard Gozikowski, Director, Office of Waste Management, DPW; and
- * Jimmie Jenkins, Director, Systems Engineering and Monitoring Division, Office of Waste Management, DPW.

5. 10:00 A.M. - BOARD WORK SESSION ON THE PROPOSED FISCAL YEAR (FY) 1991-1995 CAPITAL IMPROVEMENT PROGRAM (CIP) (TAPES 2-3)

[NOTE: The Board of Supervisors held its first workshop on the advertised Capital Improvement Program (CIP) on March 19, 1990 and a public hearing on March 26, 1990. The Planning Commission adopted the Advertised CIP on March 22, 1990. The Board was originally scheduled to adopt the CIP on April 30, 1990, however, that date was deferred.]

The following staff participated in the work session and provided input in response to queries by Board Members:

- J. Hamilton Lambert, County Executive;

- Anthony H. Griffin, Deputy County Executive for Planning and Development;
- James P. McDonald, Deputy County Executive for Management and Budget;
- James P. Zook, Director, Office of Comprehensive Planning (OCP); and
- David B. Marshall, Assistant Director, Planning Division, OCP.

Following considerable Board discussion, Chairman Moore expressed her personal appreciation to Supervisor Hanley for her diligent efforts on the compilation and prioritization of the projects listed in the CIP.

BOARD MATTERS

6. COMMENTS REGARDING THE NUMBER OF SPEAKERS
SCHEDULED FOR PUBLIC HEARING ON THE
PROPOSED 1990 FALL BOND REFERENDA (TAPE 3)

Noting the large number of speakers scheduled to speak at the public hearing on the proposed 1990 Fall Bond Referenda scheduled for 7:30 p.m. this evening, Supervisor Pennino suggested that it might be in everyone's best interest to split the list in half for this evening's hearing and continue the public hearing until the evening of Tuesday, July 24, 1990, to hear the remaining speakers.

Following discussion, with input from J. Hamilton Lambert, County Executive, Chairman Moore relinquished the Chair to Vice-Chairman Pennino and asked unanimous consent that the Board:

- Direct the Clerk's office to provide each Board Member with an updated Speakers' List for this evening's public hearing; and
- Direct Board Members to review the Speakers' List in an effort to consolidate the list by requesting organizations, which have signed up several speakers, to designate only one speaker to present testimony for that organization.

Without objection, it was so ordered.

VLL:VLL

7. DEATH OF MR. JAMES MILTON GOINS (TAPE 4)

With deep regret, Supervisor Moore announced the recent death of Mr. James Milton Goins, who passed away on Thursday, July 18, 1990. She called to the Board's attention Mr. Goins' outstanding contributions to Fairfax County:

- Active in helping the residents of Zion Drive, one of the oldest black communities in Fairfax County, obtain sewer and water hookups and a community center; and
- Establishment of the Goins Manor Subdivision, a housing development for the Zion Drive Community.

Supervisor Moore asked unanimous consent that the Board direct staff to invite the Goins family to appear before the Board of Supervisors in the early fall to receive special recognition for Mr. Goins' outstanding contributions to Fairfax County. Without objection, it was so ordered.

8. REQUEST FROM FAIRFAX/FALLS CHURCH COMMUNITY SERVICES BOARD (CSB) FOR TRANSPORTATION SERVICES TO THE WHITE HOUSE (TAPE 4)

Supervisor Moore called to the Board's attention the fact that Cheryl Smith, Fairfax/Falls Church Community Services Board (CSB), is coordinating housing and transportation for individuals from across the country, many of whom are disabled, so that these individuals may be present at the White House when President George Bush signs the "Americans with Disabilities Act" on Thursday, July 26, 1990.

Supervisor Moore asked unanimous consent that the Board direct staff to review and consider Ms. Smith's request that the County assist the CSB in providing transportation services to the White House on July 26, 1990 for the participants. Without objection, it was so ordered.

9. OBJECTION THAT THE ELIMINATION OF STATE AND LOCAL INCOME TAX DEDUCTIONS BE CONSIDERED AS A MEANS FOR REDUCING THE FEDERAL BUDGET DEFICIT (TAPE 4)

Supervisor Moore announced that she had received an alert from the National Association of Counties (NACo) regarding the ongoing negotiations on Capitol Hill aimed at reducing the federal budget deficit. She stated that NACo reports that budget negotiators are strongly considering eliminating the state and local income tax deductions as a means for raising revenues and that such a change may hurt Fairfax County taxpayers.

Supervisor Moore asked unanimous consent that the Board direct staff to:

- Immediately draft letters expressing the Fairfax County Board of Supervisors' strong objection to the elimination of the deduction for state and local taxes; and
- Following review, facsimile (fax) the letter today to Fairfax County's Congressional Delegation and Members of the House and Senate Budget and Tax Writing Committees.

Following discussion, without objection, the request was so ordered.

10. SUPPORT REQUESTED FOR EXTENSION OF INTERSTATE
I-66 HIGH-OCCUPANCY-VEHICLE (HOV) LANES (TAPE 4)

Supervisor Moore called the Board's attention to the fact that the Senate is currently considering the recently approved House of Representatives Transportation Appropriation Bill. Thanks to Congressman Frank R. Wolf and Thomas J. Bulger, Government Relations, Legislative Liaison (Lobbyist), she stated the House Bill now includes \$10.5 million to extend Interstate I-66 High-Occupancy-Vehicle (HOV) lanes.

Supervisor Moore asked unanimous consent that the Board direct staff to draft letters, under the Chairman's signature, to Senators Charles Robb and John W. Warner, expressing the Board of Supervisors' support and soliciting the Senators support for this critical extension. Without objection, it was so ordered.

11. FAIRFAX COUNTY AIRPORTS ADVISORY COMMITTEE'S
(FCAAC) CONCERN REGARDING THE TRANSPORTATION
ELEMENT OF THE PROPOSED POLICY PLAN (TAPE 4)

Supervisor Moore asked unanimous consent that the Board direct staff to:

- Review the letter received from Larry Palmer, Vice-Chairman, Fairfax County Airports Advisory Committee (FCAAC), regarding the FCAAC's concern that the transportation element of the Proposed Policy Plan does not adequately address the impact of airport-related traffic on the County's transportation network; and
- Place this issue on the agenda for discussion at the Board's work session scheduled for Thursday, August 2, 1990 on the Proposed Policy Plan.

Supervisor Hanley called to the Board's attention an article appearing in today's edition of The Washington Post that stated that the proposed location of the Smithsonian Institute's Air and Space Museum extension at Dulles International Airport may be jeopardized because of traffic generation. She asked that the request be amended to include that the Board direct staff to place this issue on the agenda for discussion at the Board's work session, and this was accepted.

Without objection, the amended request was so ordered.

(NOTE: Later in the meeting, an additional issue was placed on the agenda for discussion at the Board's work session scheduled for Thursday, August 2, 1990 on the Proposed Policy Plan. See Clerk's Summary Item CL#13.)

12. ABSENCE OF SUPERVISOR ELAINE MCCONNELL,
SPRINGFIELD DISTRICT (TAPE 4)

Chairman Moore announced that Supervisor McConnell had to leave the Board meeting because of a medical appointment, however, she would be returning later in the day.

13. CHANGE IN THE NOISE CONTOURS IN THE PROPOSED
POLICY PLAN (TAPE 4)

(NOTE: Earlier in the meeting, additional issues were placed on the agenda for discussion at the Board's work session scheduled for Thursday, August 2, 1990 on the Proposed Policy Plan. See Clerk's Summary Item CL#11.)

Supervisor Moore stated that during the public hearing held on the Proposed Policy Plan on July 9 and July 10, 1990, an individual had expressed a community-wide concern regarding the change in the noise contours in the proposed Plan. She asked unanimous consent that the Board direct staff to place this issue on the agenda for discussion at the Board's work session scheduled for Thursday, August 2, 1990 on the Proposed Policy Plan. Without objection, it was so ordered.

14. STATEMENT REGARDING THE ARTICLE IN THE JOURNAL
NEWSPAPER ENTITLED, "LORTON LANDFILL GROWTH
RAPPED" (TAPE 4)

Supervisor Moore distributed to Board Members a Memorandum regarding her statement in response to the article appearing in The Fairfax Journal on July 20, 1990 entitled, "Lorton Landfill Growth Rapped." In summary and for the record, she stated that she has never discussed the need to expand the I-95 Landfill with any District of Columbia (D.C.) official.

Supervisor Moore briefed Board Members on the actions taken regarding the I-95 Landfill:

- December 7, 1987: Board approval of the following documents regarding the I-95 Landfill:
 - * Supplemental Agreement to the Memorandum of Understanding for the I-95 Resource/ Recovery and Reclamation and Recreation Complex;
 - * Waste Disposal Agreement with D.C.;

[NOTE: Essentially this document provided for an expansion of the existing landfill to be funded from a reserve (the money for which would come from the landfill fee), and also stipulated that "The District shall make available additional land at the D.C. Penal Institute to serve the solid waste disposal needs represented in Schedule 3 during the term of this agreement." The Agreement also provided for a study to identify the expansion's optimal location on the Lorton facility; the details of the actual implementation and operation of the new landfill would be the subject of a separate amendment or agreement.]

- July 18, 1988: Board approval of a contract award to the consultant CH2M Hill to scope possible expansion sites (all within the Lorton Complex); and
- July 10, 1989: Board received preliminary results of that study which indicated a need to add at least 565 acres to the existing facility.

[NOTE: It was recommended that the consultant study Options A and C in more depth and that staff begin to schedule necessary actions by the Planning Commission (456 hearing) and Board of Supervisors.]

Following discussion, with input from J. Hamilton Lambert, County Executive, Supervisor Hanley asked unanimous consent that the County Executive summarize his comments in writing for distribution to the Board regarding steps taken by County staff.

The County Executive responded that he would forward to Board Members copies of the memoranda sent to D.C. officials that tried to define "waste treatment," and Supervisor Hanley accepted this.

Supervisor Hanley referred to the documentation distributed, Handwritten Page Eight, Section Three "Unacceptable Wastes," "...the District shall not deliver to the facility..." She amended her request to include that staff also respond on how Fairfax County is currently enforcing "unacceptable wastes" and whether the County has had any difficulties with this enforcement, and this was accepted.

Without objection, the amended request was so ordered.

(NOTE: Later in the meeting, there was additional discussion regarding the I-95 Landfill. See Clerk's Summary Items CL#20, CL#39, and CL#63.)

15. REQUEST THAT FAIRFAX COUNTY INSTITUTE DARE (DRUG ABUSE RESISTANCE EDUCATION) PROGRAM IN SCHOOLS
(TAPE 4)

Supervisor Moore referred to a letter that she had received from PANDAA (Parents Association to Neutralize Drug and Alcohol Abuse) urging the County's initiation of the DARE (Drug Abuse Resistance Education) Program in Fairfax County Schools. She stated that Fairfax County is the only jurisdiction in the Commonwealth of Virginia that does not use this program. She called to the Board's attention the fact that the federal government provides funding for the DARE Program.

Supervisor Moore moved that the Board request the Police Department and the School Board to give consideration to adopting the DARE Program for the Fairfax County School system. This motion was seconded by Supervisor Davis and carried by a vote of eight, Supervisor McConnell being out of the room.

16. DISTRIBUTION OF FEDERAL MONEY - FUTURE USE OF INTER-STATE 4R FEDERAL FUNDING (TAPE 4)

Supervisor Moore announced that Fairfax County received the federal distribution of funding for Interstate I-95 (approximately \$213 million) when the federal government was closing out the interstate spending for the past five years and gave Fairfax County the funding towards I-95. This additional funding means that the High-Occupancy-Vehicle (HOV) lanes will be completed by 1994 and that individuals from the Lorton area, Pohick Road, and Route 123 will be able to utilize these HOV lanes if they are willing to use public transportation or carpool.

Supervisor Moore briefed Board Members that one of the reasons that Fairfax County received the funding had been because it had been the final distribution of interstate monies and Fairfax County had not received the monies ahead of time.

As a result, Supervisor Moore stated, \$50 million in this year's appropriation for I-95 of Inter-State 4R Federal funding has been "freed-up." She stated that she felt that money should stay and be used in Fairfax County specifically for the design for either Interstate I-66 or the Bellway. Fairfax County cannot obtain funding, without the design, for either of those interstate projects which are considered transit projects, because they need HOV and will have room for rail.

Supervisor Moore moved that the Board direct staff to prepare letters, under the Chairman's signature, to Governor L. Douglas Wilder and Fairfax County's General Assembly Delegation requesting that efforts be made to ensure that this funding be reserved for the design of I-66 and the Bellway. This motion was jointly seconded by Supervisor Alexander and Supervisor Hyland.

In response to comments by J. Hamilton Lambert, County Executive, Supervisor Moore amended her request to include that letters also be sent to the Secretary of Transportation and the Members of the Commonwealth Transportation Board, and this was accepted.

The question was called on the motion, and as amended, carried by a vote of eight, Supervisor McConnell being out of the room.

Vice-Chairman Pennino returned the gavel to Chairman Moore.

17. SUPPORT REQUESTED TO OPPOSE INCREASE IN FLIGHTS
AT WASHINGTON NATIONAL AIRPORT (TAPE 4)

Supervisor Hyland called to the Board's attention the recent legislation proposed by the United States (U.S.) Senate which would remove federal limits on the number of airline flights per hour at Washington National Airport. He stated that supporters of this legislation purport that the 37 flights per hour currently permitted at the Washington National Airport curtail "free competition in a deregulated industry" and cause passengers to pay higher fares nationwide as a result.

Supervisor Hyland moved that the Board immediately convey to both the House and Senate its opposition to the proposed increase in the number of flights into Washington National Airport. This motion was seconded by Supervisor Pennino and carried by a vote of eight, Supervisor McConnell being out of the room.

18. DEFERRAL OF FEES ASSOCIATED WITH SITE
PLAN #3440-SP-01, BETHLEHEM BAPTIST
CHURCH (MOUNT VERNON DISTRICT) (TAPE 4)

At the request of the applicant, Supervisor Hyland moved that the Board direct staff to defer the payment of \$8,028.08 fees (soil report) associated with Site Plan #3440-SP-01, Bethlehem Baptist Church, Parcel 102-1-001-65, 67A, and 68A in the Gum Springs area of Mount

Vernon District, until the completion of construction and prior to the issuance of the occupancy permit when all outstanding fees would be settled with County agencies. This motion was seconded by Supervisor Pennino and carried by a vote of eight, Supervisor McConnell being out of the room.

19. ACKNOWLEDGEMENT CEREMONY REQUESTED FOR FAIRFAX COUNTY FIRE AND RESCUE DEPARTMENT'S TECHNICAL RESCUE OPERATIONS TEAM ASSISTING IN RELIEF EFFORTS IN THE PHILIPPINES (TAPE 4)

Supervisor Hyland referred to the Memorandum distributed from J. Hamilton Lambert, County Executive, dated July 17, 1990, announcing that six members of the Fairfax County Fire and Rescue Department's Technical Rescue Operations Team had been dispatched to the Philippines to assist in the disaster relief efforts.

Because the nature of risk and danger associated with this type of activity is considerable, Supervisor Hyland moved that the Board direct staff to schedule a recognition ceremony before the Board of Supervisors for the Technical Rescue Operations Team, upon their return, to express the County's appreciation and acknowledge the Team's courageous efforts. This motion was seconded by Supervisor Pennino and carried by a vote of eight, Supervisor McConnell being out of the room.

20. REQUEST FOR PUBLIC HEARING TO RECEIVE CITIZEN COMMENT ON THE EXPANSION OF THE I-95 LANDFILL (TAPE 4)

(NOTE: Earlier in the meeting, there was additional discussion regarding the I-95 Landfill. See Clerk's Summary Item CL#14.)

Supervisor Hyland referred to the Board's earlier discussion regarding the expansion of the I-95 Landfill. He distributed to Board Members copies of a letter that he had received from Neal McBride, Representative, South Run Creek Coalition, dated July 12, 1990, requesting that the Board of Supervisors schedule a public hearing on the expansion of the I-95 landfill.

Because of the significance of the issues, Supervisor Hyland moved that the Board direct staff to schedule an evening public hearing to be held before the Board of Supervisors on September 24, 1990 to receive citizen comment on the proposed expansion of the I-95 landfill following the Planning Commission's 456 hearing. This motion was seconded by Supervisor Davis.

Following Board discussion, with input from J. Hamilton Lambert, County Executive, the question was called on the motion which FAILED by a recorded vote of five, Supervisor Davis, Supervisor Hyland, and Chairman Moore voting "AYE," Supervisor McConnell being out of the room.

(NOTE: Later in the meeting, there was additional discussion regarding the I-95 Landfill. See Clerk's Summary Items CL#39 and CL#63.)

21. ECONOMIC IMPACTS REGARDING THE CHESAPEAKE BAY
(TAPE 4)

For informational purposes, Supervisor Hyland distributed to Board Members a report prepared by the Maryland Department of Economic and Employment Development entitled, "Economic Importance of the Chesapeake Bay." In addition to its environmental estuary performance value, the Bay has tremendous economic value to Virginia, Maryland, the District of Columbia, and Pennsylvania. The estimated current financial value of the Bay is approximately \$678 billion which encompasses the number of jobs the fishing industry provides in harvesting its healthy living resources, the real estate values, commercial shipping, tourism, and recreational activities. In summary, he stated that the report highlights why it is imperative that all jurisdictions remain committed to the clean-up effort, even though that commitment may mean state and local governments may have to provide more of their own funding.

Chairman Moore relinquished the Chair to Vice-Chairman Pennino and asked unanimous consent that the Board direct staff to forward to her office a copy of the Chesapeake Bay Law and Regulations. Without objection, it was so ordered.

Vice-Chairman Pennino returned the gavel to Chairman Moore.

22. INVITATION TO LOCAL GOVERNMENT OFFICIALS WORKING
CONFERENCE ON THE CHESAPEAKE BAY PRESERVATION ACT
(TAPE 4)

Supervisor Hyland distributed to Board Members Governor L. Douglas Wilder's letter of invitation to government officials to attend a conference relating to the Chesapeake Bay Preservation Act. The conference, which is being sponsored by the Virginia Association of Counties (VACo), Virginia Municipal League (VML), Virginia Planning District Commissions (PDCs), and the Local Assistance Board, will include work sessions on implementation guidelines, economic and legal issues, as well as available resources to local governments. He urged all Board Members to attend the conference scheduled for August 14, 1990 at the Omni Hotel in Richmond, Virginia.

23. PUBLIC HEARING SCHEDULED BY THE VIRGINIA DEPARTMENT
OF GAME AND INLAND FISHERIES ON PROPOSED LANGUAGE
FOR MANAGEMENT OF THE DUCK BLINDS ALONG THE GEORGE
WASHINGTON PARKWAY IN THE POTOMAC RIVER (TAPE 4)

Supervisor Hyland announced that the Virginia Department of Game and Inland Fisheries will hold a public hearing on July 27, 1990 at 9:30 a.m. in its Richmond office regarding the proposed language for

management of the duck blinds along the George Washington Parkway in the Potomac River. Accordingly, he moved that the Board direct staff to prepare a letter for submission to the Virginia Game and Inland Fisheries stating Fairfax County's support for the proposed language changes. This motion was seconded by Supervisor Pennino and carried by a vote of seven, Supervisor Davis and Supervisor McConnell being out of the room.

24. FORT BELVOIR'S PUBLIC BRIEFING REGARDING
PROPOSED EXPANSION (TAPE 4)

Supervisor Hyland briefed Board Members that on Thursday, July 12, 1990, Fort Belvoir invited the public to participate in its quarterly briefings with the Board of Supervisors. He stated that the replanning of Fort Belvoir and the Engineering Proving Grounds is a direct result of Public Law 101-189, Section 2821, mandating base realignment and closure which is aimed at reducing the military budget. This will bring significant increases in population to Fairfax County because lease agreements on office space used by the Army will be expiring causing those agencies to relocate to Fort Belvoir.

Accordingly, Supervisor Hyland moved that the Board direct staff to invite Brigadier General Arvid E. West, Deputy Commander, Military District of Washington; Maury Crallee, Jr., Assistant Deputy Commander for Development; and Colonel Robert R. Hardiman, Program Manager for the Total Development in the National Capital Region, to make a presentation before the Board of Supervisors on the proposed future development of Fort Belvoir and the Engineering Proving Grounds site. This motion was seconded by Supervisor Bulova.

Following discussion, with input from J. Hamilton Lambert, County Executive, who announced that the presentation would be scheduled before the Board of Supervisors at its meeting scheduled for September 17, 1990 at 10:00 a.m., the question was called on the motion which carried by a vote of seven, Supervisor Davis and Supervisor McConnell being out of the room.

25. REQUEST FOR STATUS OF BOARD MATTERS CONCERNING
FINDINGS OF THE BOARD OF EQUALIZATION (TAPE 4)

Supervisor Hyland stated that at the Board of Supervisors' meeting held on June 25, 1990, action was taken to direct staff to review the findings of the Board of Equalization (BOE) and report with recommendations within 30 days. Because he had indicated in an interview subsequent to that action that securing compliance by commercial property owners to submit income and tax data was a problem, Senator Robert L. Calhoun (30th Senatorial District) had contacted him concerning the Code of Virginia, Section 58.1-3294, which appears to require the submission of income and expense data. Because the code requirements are somewhat unclear, Senator Calhoun sought enactment of Senate Bill SB#143 to put more "teeth" into the law.

Accordingly, Supervisor Hyland asked unanimous consent that the Board direct staff to review SB#143 as it appears to strengthen the Code of Virginia, Section 58.1-3294, concerning the County's ability to require income and expense data from commercial property owners and forward its reaction to Board Members, as well as Senator Calhoun. Without objection, it was so ordered.

26. "GRAB A CLAW AND LEND A HAND," TO BENEFIT
DR. PAUL J. PECKAR (TAPE 4)

Supervisor Hyland announced that a benefit to provide support to Dr. Paul J. Peckar and his family has been scheduled for Saturday, August 25, 1990 from 3:00 p.m. until 8:00 p.m. at the Oronoco Bay Park in Old Town Alexandria. He stated that on June 1, 1990, Dr. Peckar was the victim of an anonymous parcel bomb that has left him in critical condition, suffering from massive internal injuries and burns over 60 percent of his body.

The benefit, "Grab a Claw and Lend a Hand," provides a lobster/clam dinner for adults and pizza/hotdogs for children and proceeds will be used to provide support for the family. Additional information can be obtained by contacting Supervisor Hyland's office or:

Paul J. Peckar Fund
c/o John Crouch, Tobacconist
The Scottish Merchant
215 King Street
Old Town Alexandria, VA 22314
Telephone: 703/548-2900

PMH:PMH

27. EXPEDITED PUBLIC HEARING FOR THE VACATION
OF PRIVATE LANE (TAPE 4)

- (A) Supervisor Bulova stated that for some time a developer has been attempting to subdivide by right several large parcels off of Private Lane. She said that as the name implies, Private Lane is, for the most part, a privately-owned and maintained road. She added that there is one section that was dedicated, but never constructed. Supervisor Bulova said that, under the new configuration, this dedicated portion should be vacated.

Supervisor Bulova said that there has been some controversy associated with the proposed vacation and she said that she agrees with the Department of Environmental Management (DEM) and the County Attorney's Office that a public hearing should be held. Given the length of time that has been devoted to resolving this issue, Supervisor Bulova asked

unanimous consent that the Board direct staff to expedite the review and public hearing for the vacation of Private Lane. Without objection, it was so ordered.

28. 456-A90-12 - FAIRFAX VILLA PARK (TAPE 4)

Supervisor Bulova pointed out that on May 17, 1990, the Planning Commission took action on planning determination 456-A90-12, concerning the expansion of Fairfax Villa Park. She said that Fairfax Villa Park is a stream valley park which protects headwaters of Popes Head Stream Valley, located near the center of the County and just west of Fairfax City. She noted that in its May 17, 1990 action, the Planning Commission approved the proposed 21.910 acre addition to Fairfax Villa Park as substantially in accord with the Comprehensive Plan for Fairfax County.

Supervisor Bulova stated that thereafter, in a letter dated May 31, 1990, an appeal of the Planning Commission decision to the Board of Supervisors was noted on behalf of Mr. and Mrs. Robert I. Pizzano, owners of the parcel of land which was included in the proposed expansion of Fairfax Villa Park.

Supervisor Bulova said that this appeal was not noticed until 14 days after the Planning Commission's action. Virginia Code Section 15.1-456 allows appeals of such commission decisions to the governing body only within 10 days of the action. Therefore, in adherence to the State law, Supervisor Bulova moved that the Board dismiss this appeal of the Pizzanos as not timely filed.

Supervisor Bulova noted for the Board and the citizens that since the Planning Commission's May 17, 1990 approval, the Park Authority has determined not to acquire three of the parcels of land approved for the expansion of Fairfax Villa Park, including the parcel owned by the Pizzanos.

This motion was seconded by Supervisor Alexander and carried by a vote of six, Supervisor Davis, Supervisor McConnell, and Supervisor Pennino being out of the room.

29. FAIRFAX COUNTY PARK AUTHORITY LIABILITY POLICY (TAPE 5)

Supervisor Alexander stated that the Fairfax County Park Authority has caused some concern to organized teams utilizing County recreation centers. He said that the Park Authority is now requiring an additional liability policy which makes it almost impossible for these groups to utilize the facilities. He pointed out that this is an example of the County's inability to allow the citizens of Fairfax County to use its multi-million dollar facilities without being charged high fees.

Therefore, because the County has liability insurance, Supervisor Alexander moved that the Board:

- Direct the County Executive or the County Attorney to review this issue with the Park Authority as expeditiously as possible to determine why the Park Authority is requesting this "tremendously increased liability policy"; and
- Direct staff to determine what can be done to relieve this problem.

This motion was seconded by Supervisor Hyland.

Chairman Moore relinquished the Chair to Acting-Chairman Hyland and asked that the motion be amended to direct the "Risk Management" staff to participate in this review, and this was accepted.

Acting-Chairman Hyland returned the gavel to Chairman Moore.

The question was called on the motion, and as amended, carried by a vote of seven, Supervisor Pennino and Supervisor McConnell being out of the room.

30. REQUEST FOR AN OUT-OF-TURN PLAN AMENDMENT
(TAPE 5)

Supervisor Alexander moved that the Board direct staff to accept an Out-of-Turn Plan Amendment for a small site located off of Route 1. He said that this 2.4 acre site is currently zoned in the C-8 and R-3 Districts and is planned for a trailer park. He said that the small developer would like to rezone the property for townhouses. He added that he and the community support the proposal. This motion was seconded by Chairman Moore.

Following discussion, Supervisor Alexander withdrew the motion and stated that he would bring this issue up for further discussion on August 2, 1990 at the Board's scheduled work session on the Proposed Policy Plan.

(NOTE: Earlier in the meeting, additional issues were placed on the agenda for discussion at the Board's work session on the Proposed Policy Plan. See Clerk's Summary Items CL#11 and CL#13.)

31. EXPEDITED HEARING FOR A PROFFER CONDITION
AMENDMENT APPLICATION FOR KINGSTOWNE PARK
(TAPE 5)

Supervisor Alexander moved that the Board direct staff to expedite the public hearing for the recently filed Proffer Condition Amendment Application for Kingstowne Park. He said that the developer has worked closely with staff on a necessary amendment to change the phasing schedule which is critical. He added that the applicant understands that this neither provides him with a vested right, plan approval nor relieves him from the responsibility of any plan modifications as a result of Board review. This motion was seconded by Supervisor Hanley and carried by a vote of eight, Supervisor McConnell being out of the room.

32. SIMULTANEOUS PROCESSING OF THE PLAN AMENDMENT
APPLICATION AND THE REZONING APPLICATION FOR
THE PRICE CLUB AT THE VIRGINIA 95 BUSINESS
PARK (TAPE 5)

Supervisor Alexander moved that the Board direct staff to simultaneously process the Plan Amendment Application and the Rezoning Application for the Price Club at the Virginia 95 Business Park. He said that the applicant understands that this neither provides him with a vested right plan approval nor relieves him from the responsibility of any plan modifications as a result of Board review. This motion was seconded by Supervisor Davis and carried by unanimous vote.

33. CITIZENS COMMITTEE ON THE DULLES CORRIDOR TRANSIT
STUDY (TAPE 5)

(BACs)

Supervisor Pennino stated that the new Citizens Committee on the Dulles Corridor Transit Study has not met yet. She said that the Committee was formerly chaired by Mr. Bill Ament. Therefore, Supervisor Pennino moved that the Board:

- Appoint Mr. Bill Ament as Acting-Chairman of the Citizens Committee on the Dulles Corridor Transit Study; and
- Request Mr. Ament to schedule an early meeting of the Committee so that it can begin a review of the Dulles Corridor which will allow the Committee to provide the Board with a timely recommendation.

This motion was seconded by Supervisor Richards and carried by a vote of eight, Chairman Moore being out of the room.

34. GYPSY MOTH PROGRAM (TAPE 5)

Supervisor Pennino asked unanimous consent that the Board direct the County Executive to review the recommendation of the Gypsy Moth staff for the Gypsy Moth Program with the idea of the County adopting the Program. Without objection, it was so ordered.

35. ECONOMIC DEVELOPMENT AUTHORITY RECOMMENDATIONS (TAPE 5)

Supervisor Pennino announced that Board Members had received a letter from Jim Hughes, Chairman, Fairfax County Economic Development Authority (EDA). She said that Mr. Hughes had recommended that the Board assign the EDA the additional role of facilitating full and stable employment for individuals by attracting new businesses to the County while retaining existing businesses. She added that the Board should direct the EDA to assist businesses in harnessing their technology and human talent to compete in the non-defense sector.

Therefore, Supervisor Pennino moved that the Board endorse the recommendation by the EDA and direct the EDA to proceed. This motion was seconded by Supervisor Hanley and carried by a vote of eight, Chairman Moore being out of the room.

36. MINORITY SEAT ON THE FAIRFAX COUNTY HISTORY COMMISSION (TAPE 5)

(BACs)

(APPT)

(R) Supervisor Pennino stated that staff had reported that there are no provisions preventing the Board from expanding the membership of the History Commission to include a "Minority" seat. Therefore, Supervisor Pennino moved that the Board direct staff to:

- Amend the April 9, 1969 Resolution which established the Fairfax County History Commission to expand the regular membership from nine members to 10; and
- Include one member to be an Afro-American so that recognition can be given to the contributions of the black citizens to the history of Fairfax County.

This motion was seconded by Supervisor Hanley and carried by a vote of eight, Chairman Moore being out of the room.

37. TYSONS CORNER TASK FORCE (TAPE 5)

(BACs)

(APPT)

Supervisor Pennino stated that Mr. Gary Hevey raised the issue of the inclusion of representatives of the business community on the Tysons Corner Task Force. Supervisor Pennino moved the appointment of Mr. Robert Dix, Jr. to replace Mr. Colton Montague. The second to this motion was inaudible.

Supervisor Hanley pointed out that the Dranesville and Providence District representatives have not yet been appointed.

The question was called on the motion and carried by a vote of eight, Chairman Moore being out of the room.

38. TAX RELIEF DEADLINES (TAPE 5)

Supervisor McConnell stated that she had recently heard from two individuals regarding Fairfax County's deadline for filing an application on tax relief for the handicapped and the land use assessment application. She asked unanimous consent that the Board direct staff to review the proration system whereby tax relief would be retroactive to the date that the form had been accepted and verified by the County. She said that currently if the deadline is missed an individual must wait until the following year to receive any relief. Without objection, it was so ordered.

39. REQUEST TO RECORD VOTE ON I-95 LANDFILL ACTION (TAPE 5)

(NOTE: Earlier in the meeting, action was taken regarding the I-95 Landfill. See Clerk's Summary Items CL#14 and CL#20.)

Supervisor McConnell asked unanimous consent that the Board direct staff to record her as voting "AYE" on the motion regarding holding a public hearing on the expansion of the I-95 Landfill. Without objection, it was so ordered.

(NOTE: Later in the meeting, there was additional discussion regarding the I-95 Landfill. See Clerk's Summary Item CL#63.)

AR:AR

40. A-5 - AMENDMENT TO SEWERAGE SERVICE AGREEMENT BETWEEN FAIRFAX COUNTY AND THE TOWN OF HERNDON (DRANESVILLE DISTRICT) (TAPE 6)

Supervisor Richards called the Board's attention to Action Item Five - Amendment to Sewerage Service Agreement Between Fairfax County and the

Town of Herndon, Dranesville District, and moved that the Board concur in the recommendation of staff and:

- Approve the proposed amendment to the Sewerage Service Agreement between Fairfax County and the Town of Herndon; and
- Authorize Chairman Moore to execute the Agreement on behalf of the Board.

This motion was seconded by Supervisor Hyland and carried by a vote of seven, Supervisor Alexander and Chairman Moore being out of the room.

Supervisor Richards expressed her appreciation to J. Hamilton Lambert, County Executive, and his staff for their efforts with regard to this item.

(NOTE: Later in the meeting, Chairman Moore asked unanimous consent to be recorded as voting "AYE" on this item and without objection, it was so ordered. See Clerk's Summary Item CL#69.)

41. I-16 - 456 REVIEW APPROVAL OF 36-INCH WATER MAIN, CORBALIS WATER TREATMENT PLANT TO LOUDOUN COUNTY (DRANESVILLE DISTRICT) (TAPE 6)

(NOTE: Later in the meeting, additional action was taken regarding this item. See Clerk's Summary Item CL#91.)

Supervisor Richards called the Board's attention to Information Item 16-456 Review Approval of 36-Inch Water Main, Corbalis Water Treatment Plant to Loudoun County, Dranesville District contained in the Memorandum to the Board dated July 23, 1990. She stated that this is a good example of cooperation on a regional basis between the counties and noted that this extension is expected to have a favorable effect on the water rates within the County of Fairfax.

(NOTE: At its meeting of July 11, 1990, the Fairfax County Planning Commission approved, under the provisions of Virginia Code Section 15.1-456, the extension of a 36-inch water transmission main from the Corbalis Water Treatment Plant to the Loudoun County line. The proposed main will be approximately 9,600 feet in length and will be located in the existing 70-foot Water Authority easement located in the access road between the water plant and Sugarland Road, and in a new 24-foot wide easement along Sugarland and Centreville Roads.)

The Board next considered an Information Item contained in the Memorandum to the Board dated July 23, 1990 presenting for 456 review approval the extension of a 36-inch water transmission main from the Corbalis Water Treatment Plant to the Loudoun County line.

42. JOINT TASK FORCE ON GROWTH AND TRANSPORTATION GOALS STATEMENT (TAPE 6)

Supervisor Richards called the Board's attention to the Joint Task Force on Growth and Transportation Goals Statement from the conference of

November 15, 1989, and stated that she had extra copies available for Board Members.

43. NOTIFICATION PROCEDURES PRIOR TO DEMOLITION
OF BUILDINGS WITHIN AN HISTORIC OVERLAY
DISTRICT (TAPE 6)

Supervisor Richards stated that within the Langley Fork Historic District there was an abandoned building which has been torn down quite recently. She noted that neither her office, the Heritage Resources Branch, nor the citizens of the surrounding community, who are quite upset by this action, had received prior notification of this demolition.

Therefore, Supervisor Richards asked unanimous consent that the Board direct staff to review its procedures to ensure that proper notification procedures are followed prior to taking such action within an Historic Overlay District. Without objection, it was so ordered.

44. REPLACEMENT OF GREAT FALLS POST OFFICE
(TAPE 6)

Supervisor Richards stated that the effort to replace the Great Falls Post Office is once again underway. She noted that this action is necessary because Great Falls is quietly, but inexorably, growing and that more space is needed within the facility to expand, plus additional parking for the mail delivery vehicles.

Supervisor Richards noted the importance of keeping this facility downtown and stated that she wanted to put the public on notice that this effort is again underway just in case someone has an available site to recommend.

45. PUBLIC/PRIVATE PARTNERSHIP EFFORT IN HERNDON
(TAPE 6)

Supervisor Richards moved that the Board direct the County Executive and his staff to provide assistance to the town of Herndon in starting a public/private partnership effort to assist in the building of a municipal center and parking garage in downtown Herndon. This motion was seconded by Supervisor Bulova and carried by a vote of seven, Supervisor Alexander and Chairman Moore being out of the room.

46. RESOLUTION PASSED BY TOWN OF HERNDON
(TAPE 6)

Supervisor Richards asked unanimous consent that the Board refer to the planning staff for its review a resolution recently passed by the town of Herndon entitled: "To Request Fairfax County to Recognize Towns Within the County and to Collaborate with them in Comprehensive Planning." Without objection, it was so ordered.

47. COUNTY REVENUES AND EXPENDITURES ATTRIBUTABLE TO THE TOWN OF HERNDON (TAPE 6)

Supervisor Richards noted that two years ago the County Executive provided an analysis of the types and amounts of County revenues and expenditures attributable to the town of Herndon.

Noting that Herndon officials have reviewed the report and requested an annual update, Supervisor Richards moved that the Board direct staff to provide an update on this information, to include a more refined estimation of the revenue and expenditure data than the rough approximations provided in the 1988 report. This motion was seconded by Supervisor Davis and carried by a vote of seven, Supervisor Alexander and Chairman Moore being out of the room.

48. LANGLEY HIGH SCHOOL ACCESS TO SANDY KNOLL COURT (TAPE 6)

Supervisor Richards stated that the School Board had recently declared as surplus the Langley High School access way to Sandy Knoll Court [Tax Map 21-4 ((18)), Parcel D]. She noted that the initial request for abandoning this walkway was made by the residents of the Langley Oaks Subdivision. Since an alternative walkway was available to the students, the School Board concurred with this request.

Since the ownership of this walkway has now been transferred to the Board of Supervisors, Supervisor Richards moved that the Board direct staff to review the parcel in question for purposes of abandonment or vacation. This motion was seconded by Supervisor Hanley and carried by a vote of seven, Supervisor Alexander and Chairman Moore being out of the room.

49. GROUP RESIDENTIAL FACILITIES COMMISSION (TAPE 6)

Supervisor Richards called the Board's attention to a paper from the Dranesville representative on the soon to be dissolved Group Residential Facilities Commission.

Supervisor Pennino asked unanimous consent that the Board direct staff to invite the members of the Group Residential Facilities Commission to appear as a group before the Board to receive recognition for the outstanding and courageous work which they have accomplished while serving on this commission. Without objection, it was so ordered.

50. NATIONAL BUSINESS AIRCRAFT ASSOCIATION AIRPORT HANDBOOK (TAPE 6)

Supervisor Richards referred to the National Business Aircraft Association Airport Handbook which she distributed to each Board

Member. She referred to the comments on Page 11 of the report regarding the description of the whole issue of aviation noise and asked unanimous consent that the Board refer this handbook to staff for its information and review. Without objection, it was so ordered.

51. SIMULTANEOUS PROCESSING OF REZONING APPLICATION
RZ 89-P-056 (TAPE 6)

Supervisor Hanley moved that the Board direct the Director of the Department of Environmental Management (DEM) to approve the simultaneous processing and review of the preliminary plat and construction site plans for Rezoning Application RZ 89-P-056. Supervisor Hanley noted that the intent of this motion is to accelerate the review process so that the much needed road improvement proffered in this case can be constructed as quickly as possible. This motion was seconded by Supervisor Hyland and carried by a vote of seven, Supervisor Alexander and Chairman Moore being out of the room.

52. EXPEDITED PUBLIC HEARING FOR SPECIAL EXCEPTION
APPLICATION SE 90-P-026 (TAPE 6)

Supervisor Hanley moved that the Board direct staff to expedite the public hearings scheduled for Special Exception Application SE 90-P-026. This motion was seconded by Supervisor McConnell and carried by a vote of seven, Supervisor Alexander and Chairman Moore being out of the room.

53. REFERRAL OF APPLICANTS WITH ZONING CHANGES
TO THE OFFICE OF PUBLIC AFFAIRS (TAPE 6)

Supervisor Hanley stated that at the present time applicants with zoning changes are referred to the Office of Assessments for contacts within the community. She asked unanimous consent that the Board direct staff to also refer these applicants to the Office of Public Affairs which has a current list of civic associations. Without objection, it was so ordered.

54. LOW WATER PRESSURE IN THE DUNN LORING AREA
(TAPE 6)

Supervisor Hanley stated that the Dunn Loring area, bounded by Gallows Road on the west and the Capital Beltway on the east, which is serviced by the Falls Church Water Department, is experiencing serious problems with low water pressure. She further stated that Falls Church cites a need to find a water tower site, but in the meantime, Falls Church is signing off on proposed development applications and saying that water service is sufficient.

Supervisor Hanley moved that the Board direct the County Executive to arrange a meeting as soon as possible with the Falls Church Water Department, the Fairfax County Water Authority, citizens in the area,

representatives from the Fairfax County Office of Comprehensive Planning and Fire and Rescue Department, and the Providence District Supervisor in an effort to resolve this issue. This motion was seconded by Supervisor Hyland and carried by a vote of seven, Supervisor Alexander and Chairman Moore being out of the room.

55. EXPANSION OF THE BRIARWOOD RESIDENTIAL PERMIT
PARKING DISTRICT (RPPD) (TAPE 6)

Supervisor Hanley referred to her previous request on July 9, 1990, for an expansion of the Briarwood Residential Permit Parking District (RPPD). She moved that the Board direct staff to waive the size criteria and the fees in connection with this RPPD expansion. This motion was seconded by Supervisor Bulova and carried by a vote of seven, Supervisor Alexander and Chairman Moore being out of the room.

56. NEXT YEAR'S CAPITAL IMPROVEMENT PLAN (CIP)
(TAPE 6)

Supervisor Hanley reminded Board Members and staff that it is not too soon to begin working on next year's Capital Improvement Plan (CIP).

57. CONSIDERATION OF REMOVAL OF THE JEFFERSON
VILLAGE SHOPPING CENTER FROM THE COUNTY
LEAF COLLECTION DISTRICT (TAPE 6)

Supervisor Hanley moved that the Board direct staff to begin the process for consideration of removal of the Jefferson Village Shopping Center from the County Leaf Collection District. This motion was seconded by Supervisor Bulova and carried by a vote of seven, Supervisor Alexander and Chairman Moore being out of the room.

58. GENERAL ASSEMBLY APPROVAL OF AUTHORITY FOR
FAIRFAX COUNTY TO GRANT LOANS TO VOLUNTEER
FIRE DEPARTMENTS (TAPE 6)

Supervisor Hanley moved that the Board direct staff to develop a procedure for implementation of the new authority granted by the General Assembly for Fairfax County to grant loans to Volunteer Fire Departments. The motion was seconded by Supervisor Hyland and carried by a vote of seven, Supervisor Alexander and Chairman Moore being out of the room.

PMH:PMH

59. DEFENDING GROWTH MANAGEMENT (TAPE 6)

Supervisor Hanley stated that she had attended a seminar entitled "Defending Growth Management: Defining the Legal Limits of Creative Land

Use Tools under the 'Takings' Clause" held at the National Association of Counties (NACo) Conference. She said that the presenter of the seminar indicated a recent case, in the last three or four months in the 11th Circuit that dealt with the issue of developers and their right to due process in zoning decisions. She added that it had to do with candidates or elected officials announcing how they would vote on a zoning case at a point early in the process that could deprive the applicant of due process. She added that the case involved the town of Alabaster.

Therefore, Supervisor Hanley asked unanimous consent that the Board direct the County Attorney to research this case and advise the Board of its implications, if any.

Supervisor McConnell asked that the request be amended to include a review of the issue of whether Board Members can initially advise a potential applicant that they will not support the application, and this was accepted.

Without objection, the amended request was so ordered.

60. LEGISLATIVE SUBCOMMITTEE (TAPE 6)

Supervisor Hanley announced that a Legislative Subcommittee meeting had been held earlier in the day. She said that the Subcommittee agreed that it would address the "body of its recommendations in final" before the Board on September 17, 1990. She added that there would be an opportunity for additional input and review.

Supervisor Hanley moved approval of the first part of the Legislative Subcommittee package which dealt with the issue of structure and location of the legislative effort. This motion was seconded by Supervisor Bulova and carried by unanimous vote.

61. EXTENSION OF A RESIDENTIAL PERMIT PARKING DISTRICT (RPPD) (TAPE 6)

Supervisor Davis stated that residents of the Culmore area have recently submitted a petition for an application to the Office of Transportation for residential permit parking on Glenmore Drive from Vista Drive to Route 7. Since this is an extension of an already established Residential Permit Parking District (RPPD), Supervisor Davis moved that the Board waive the application fee and the Office of Transportation's requirement that there be a minimum of 100 contiguous parking spaces which may be preceded, and if so, direct staff to report to the Board. This motion was seconded by Supervisor Hanley and carried by unanimous vote.

62. REPORT ON THE NATIONAL ASSOCIATION OF COUNTIES
(NACO) CONFERENCE (TAPE 6)

Supervisor Davis stated that he had attended the National Association of Counties (NACO) Conference. He briefed the Board on the issues discussed at the Conference.

Supervisor Davis distributed to Board Members a copy of a Resolution regarding Wetlands which the Transportation Steering Committee approved and forwarded to NACO.

Following discussion, Supervisor Hanley asked unanimous consent that the Board direct staff to provide the Board with a copy of "what actually passed" regarding wetlands prior to the Board of Supervisors next scheduled meeting.

Chairman Moore relinquished the Chair to Vice-Chairman Pennino and asked that the request be amended to direct staff to provide additional background information regarding the wetlands issue, and this was accepted.

Without objection, the amended request was so ordered.

63. STATEMENT REGARDING THE ARTICLE IN THE JOURNAL
NEWSPAPER ENTITLED, "LORTON LANDFILL GROWTH
RAPPED" (TAPE 7)

(NOTE: Earlier in the meeting, there was additional discussion on this issue. See Clerk's Summary Items CL#14, CL#20, and CL#39.)

Chairman Moore clarified that one of the reasons that she had raised the issue regarding the article in The Fairfax Journal had been to set the record straight. She reiterated that she has never had any discussion with any District of Columbia (D.C.) officials regarding the I-95 Landfill.

Supervisor McConnell stated that had she known that the item contained in the Memorandum to the Board dated December 7, 1987 contained an agreement concerning the expansion of the landfill she would not have supported the item.

SBE:SBE

64. ADMINISTRATIVE ITEMS (TAPE 8)

Supervisor Hanley moved approval of the Administrative Items. This motion was seconded by Supervisor Pennino.

Following discussion, the question was called on the motion which carried by unanimous vote.

ADMIN 1 - APPROVAL OF KINGSTOWNE VILLAGE PARKWAY -
MANCHESTER LAKES "NEIGHBORHOOD 13-INCH" WATER MAIN
(LEE DISTRICT)

Approved the request for the installation of approximately 355 feet of eight-inch water main in the Manchester Lakes "Neighborhood 13." The proposed main will provide adequate domestic and fire protection pursuant to Fairfax County Ordinances.

ADMIN 2 - CONNECTION TO THE UPPER OCCOQUAN
SEWAGE AUTHORITY SYSTEM (UOSA) (SPRINGFIELD
DISTRICT)

- (R) Approved the recommendation that the Board of Supervisors request the Upper Occoquan Sewage Authority (UOSA) Board to permit the following connections, which are within the County's approved limits of sewer service, to be made to the UOSA System.

- High Grove Hills Outfalls One and Two:

One eight-inch connection to the UOSA Rocky Run Interceptor at the following manholes:

High Grove Hills One	MH #42-6
High Grove Hills Two	MH #43-2

65. A-1 - PROPOSED ALLOCATION OF SURPLUS FISCAL YEAR
(FY) 1990 VIRGINIA DEPARTMENT OF TRANSPORTATION
(VDOT) REVENUE SHARING PROGRAM FUNDS AND MATCHING
FAIRFAX COUNTY FUNDS (COUNTYWIDE) (TAPE 8)

- (R) On motion of Supervisor Pennino, seconded jointly by Supervisor Hanley and Supervisor Hyland, and carried by unanimous vote, the Board concurred in the recommendation of staff and adopted the Resolution contained in Attachment I of the Memorandum to the Board dated July 23, 1990, designating \$15,020 in County funds from Subfund 446 (Project Reserve) to equally match Virginia Department of Transportation (VDOT) funds for a total of \$30,040 to supplement existing funds in the amount of \$182,000 for the construction of turn lanes at the Route 123/Burke Lake Road/Clifton Road intersection.

66. A-2 - VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT)
PROJECTS FOR IMPROVEMENTS TO LAWYERS ROAD
(ROUTE 602) AND WEST OX ROAD (ROUTE 608)
BETWEEN FOX MILL ROAD AND PENDERBROOK DRIVE
(CENTREVILLE DISTRICT) (TAPE 8)

On motion of Supervisor Pennino, seconded by Supervisor Hanley, and carried by unanimous vote, the Board concurred in the recommendation of

staff and endorsed the Virginia Department of Transportation (VDOT) design plans to improve Lawyers Road and West Ox Road between Fox Mill Road and Penderbrook Drive, including the provision of an eight-foot trail on the west side of Lawyers Road and West Ox Road, as presented at the June 26, 1990 design public hearing, subject to the provision that VDOT consider the following actions to address concerns expressed by citizens at the public hearing:

- Consider extending the roadway improvements on West Ox Road west of the Lawyers Road intersection to Timberwood Way; and
- Consider advance land acquisitions for total acquisitions involving relocation on the currently unfunded West Ox Road project.

67. A-3 - DENSITY CREDIT FOR ADVANCE DEDICATION OF LAND FOR PUBLIC STREET PURPOSES (PORTER ROAD) (PROVIDENCE DISTRICT) (TAPE 8)

(DC)
(R)

On motion of Supervisor Hanley, seconded by Supervisor Davis, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved density credit for the portion of the following lots or parcels that are to be dedicated for public use and for public street purposes in accordance with the deed of dedication which is to be recorded. Based on the information available at this time, the following approximate amounts of land are to be dedicated from the following Tax Map Parcels:

<u>Tax Map Reference</u>	<u>Density Credit</u>
49-4((1))54A	15,143.6 square feet

68. A-4 - RECIPROCAL AGREEMENTS BETWEEN THE TOWN COUNCIL OF VIENNA, VIRGINIA AND THE BOARD OF SUPERVISORS OF FAIRFAX COUNTY, VIRGINIA; AND THE TOWN COUNCIL OF HERNDON, VIRGINIA AND THE BOARD OF SUPERVISORS OF FAIRFAX COUNTY, VIRGINIA (TAPE 8)

On motion of Supervisor Pennino, seconded by Supervisor Hyland, and carried by unanimous vote, the Board concurred in the recommendation of

staff and authorized the County Executive to enter into two reciprocal agreements, one with the Town of Vienna and one with the Town of Herndon, regarding authority, responsibility, and liability of the town governments, as related to narcotics investigators on assignment to the Fairfax County Police Department.

69. A-5 - AMENDMENT TO SEWERAGE SERVICE AGREEMENT
BETWEEN FAIRFAX COUNTY AND THE TOWN OF HERNDON
(DRANESVILLE DISTRICT) (TAPE 8)

(NOTE: Earlier in the meeting during Board Matters, action was taken to approve the proposed amendment to the Sewerage Service Agreement between Fairfax County and the Town of Herndon; and authorize Chairman Moore to execute the Agreement on behalf of the Board. See Clerk's Summary Item CL#40.)

Because she had not been present in the Board Room when action was taken on Action Item Five, Chairman Moore relinquished the Chair to Vice-Chairman Pennino and asked unanimous consent to be recorded as voting "AYE," on the approval of the proposed amendment to the Sewerage Service Agreement between Fairfax County and the Town of Herndon. Without objection, it was so ordered.

Chairman Moore returned the gavel to Vice-Chairman Pennino.

70. A-6 - OFFICE FOR CHILDREN APPLICATION OF
HEALTH AND HUMAN SERVICES FOR LOW INCOME
FAMILY DAY CARE HOMES DEMONSTRATION
PROJECT: P.L. 101-147: STRATEGY A AND
STRATEGY C (TAPE 8)

On motion of Supervisor Hanley, seconded by Supervisor Hyland, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved the submission of the applications for the Low Income Family Day Care Home Demonstration Projects: Strategy A in the amount of \$15,000 in Fiscal Year (FY) 1991 and Strategy C in the amount of \$40,000 in FY 1991. Each grant supports operating costs associated with demonstrating and documenting the permitting and participation of the providers in the Child and Adult Care Food Program (CACFP). No local match is required for either grant. Additionally, Strategy C grant supports a grant exempt, limited term Family Day Care Coordinator in the Office for Children.

71. A-7 - ESTABLISHMENT OF COMPUTER SYSTEM MANAGER
(MANAGEMENT ANALYST II) AT THE RESTON COMMUNITY
CENTER (CENTREVILLE DISTRICT) (TAPE 8)

On motion of Supervisor Pennino, seconded by Supervisor Davis, and carried by unanimous vote, the Board concurred in the recommendation of staff and established one regular position, Computer System Manager

(Management Analyst II) in support of the Reston Community Center, Centreville District.

72. A-8 - EMERGENCY ORDINANCE TO AMEND THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 82 (MOTOR VEHICLES AND TRAFFIC), SECTION 82-10-10, SUBSECTION (B), RELATED TO DISPLAY OF FAIRFAX COUNTY MOTOR VEHICLE LICENSE (TAPE 8)

(E0)

(A) Following discussion, with input from Richard A. King, Deputy County Executive for Public Safety, Supervisor Davis moved that the Board concur in the recommendation of staff and:

- Enact, on an emergency basis, an amendment to the Code of the County of Fairfax, Chapter 82 (Motor Vehicles and Traffic), Section 82-10-10(b) (Display of License, License Required for Operation); and
- Authorize the advertisement of a public hearing to be held before the Board of Supervisors on September 17, 1990 at 3:30 p.m. to adopt the amendment on a permanent basis.

This motion was seconded by Supervisor Pennino and carried by unanimous vote.

73. A-9 - AMENDED PARKING REDUCTION FOR GUINEA ROAD INDUSTRIAL PARK/TRINITY ASSEMBLY OF GOD CHURCH AND CORNERSTONE CHRISTIAN CHURCH (ANNANDALE DISTRICT) (TAPE 8)

On motion of Supervisor Bulova, seconded by Supervisor Pennino, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved two conditions in lieu of one condition previously imposed by the Board on June 4, 1990 in conjunction with an approved 18.0 percent parking reduction for Guinea Road Industrial Park, Tax Map Reference 77-2-001-29C, Annandale District:

- Delete the following condition:

"The Church will be permitted to share only 40 parking spaces which represents a portion of the 80 parking spaces required for the 320

seats the Church will have. An increase in seating requirements will require a revised or amended parking study subject to Board approval."

- Approve the following conditions in place of the above-stated deleted condition:

"A total of 20 parking spaces will be permanently allocated on the approved parking tabulation to serve the weekday parking demand of both Churches currently located in the Guinea Road Industrial Park. The 20 parking spaces are to meet Churches staff and visitor parking requirements only. All major weekday Churches functions which require more than four visitor parking spaces must be held after 6:00 p.m. on weekdays."; and

"Cornerstone Christian Church shall be limited to 160 seats and Trinity Assembly of God shall be limited to 320 seats. Any increase in seating requirements will require a revised or amended parking study subject to Board approval."

74. A-10 - SUPPLEMENTAL APPROPRIATION RESOLUTION
(SAR) AS91009 FOR DEPARTMENT OF RECREATION
AND COMMUNITY SERVICES' 1990 SUMMER LUNCH
PROGRAM FOR CHILDREN (TAPE 8)

- (SAR) Supervisor Hanley moved that the Board concur in the recommendation of staff and approve the Supplemental Appropriation (SAR) AS91009 in the amount of \$58,126 for the Summer Lunch Program for children during the grant period May 30, 1990 to September 8, 1990. The Supplemental Appropriation includes \$4,963 in local cash support. This motion was seconded by Supervisor Pennino.

In response to a query by Supervisor Davis, W. Michael Kendrick, Director, Department of Recreation and Community Services, responded that both Bailey's Elementary and Elm Tree Apartments (Culmore area) had not met the 50 percent requirement by the United States Department of Agriculture (USDA) for the summer lunch program for children. He stated that Bailey's Elementary had only seven out of 45 children eligible for the program and 23 children were needed to serve the site.

Supervisor Davis asked Mr. Kendrick to schedule a meeting with him to review the USDA criteria to determine whether a summer lunch program could be established in the Culmore area.

The question was called on the motion which carried by unanimous vote.

75. C-1 - MONTHLY PAYMENT PROGRAM FOR REAL ESTATE TAXES (TAPE 8)

- (A) The Board next considered an Item contained in the Memorandum to the Board dated July 23, 1990 presenting an evaluation of the Monthly Payment Program for Real Estate Taxes and requesting expansion of the program to include all properties rather than continue to limit it to owner-occupied, principal residences.

Supervisor Davis moved that the Board authorize the advertisement of a public hearing to be held before the Board on September 17, 1990 at 3:30 p.m. on proposed amendments to the Code of the County of Fairfax, Chapter 4 (Taxation and Finance), Article 10, Section 4-10-4, to include all properties in the program permitting voluntary prepayment of local real estate taxes. This motion was seconded by Supervisor Hanley and carried by unanimous vote.

76. I-1 - ROAD BOND PROGRAM - QUARTERLY FINANCIAL SUMMARY FOR JUNE 1990 (TAPE 8)

The Board next considered an Information Item contained in the Memorandum to the Board dated July 23, 1990 presenting the Road Bond Program - Quarterly Financial Summary for June 1990.

77. I-2 - STAFF SUMMARIES OF JUNE, 1990 TRANSPORTATION ADVISORY COMMISSION MEETINGS (COUNTYWIDE) (TAPE 8)

(BACs)

The Board next considered an Information Item contained in the Memorandum to the Board dated July 23, 1990 presenting staff summaries of the Transportation Advisory Commission (IAC) for June 1990.

78. I-3 - TRANSPORTATION ADVISORY COMMISSION RECOMMENDATIONS TO THE BOARD REGARDING THE TRANSPORTATION ELEMENTS OF THE PROPOSED POLICY PLAN (COUNTYWIDE) (TAPE 8)

(BACs)

The Board next considered an Information Item contained in the Memorandum to the Board dated July 23, 1990 presenting the Transportation Advisory Commission (IAC) recommendations regarding the transportation elements of the proposed (revised as of June 1990) Policy Plan.

79. I-4 - THIRD QUARTERLY REPORT [FISCAL YEAR (FY) 1990]
ON REVENUE ENHANCEMENT (TAPE 8)

The Board next considered an Information Item contained in the Memorandum to the Board dated July 23, 1990 presenting the Third Quarterly Report [Fiscal Year (FY) 1990] on the Revenue Enhancement Pilot Program, an Office of Assessments and Office of Finance project, to achieve the goals of discovery, identification of new sources of revenue, enforcement, verification of compliance in reporting revenue, and collection of delinquent accounts.

There was brief discussion, with input from James P. McDonald, Deputy County Executive for Management and Budget, and David Stitt, County Attorney.

80. I-5 - NOTIFICATION OF APPROVAL OF FEDERAL RENTAL
REHABILITATION PROGRAM DESCRIPTION (TAPE 8)

The Board next considered an Information Item contained in the Memorandum to the Board dated July 23, 1990 announcing that the United States Department of Housing and Urban Development (HUD) has notified Fairfax County that its submittal of a Program Description for federal Fiscal Year (FY) 1990 Rental Rehabilitation funds has been approved. The County will receive \$168,000.

81. I-6 - PRINCIPLES AND GUIDELINES TO PREVENT
AND REMEDY HOMELESSNESS IN FAIRFAX COUNTY
(TAPE 8)

The Board next considered an Information Item contained in the Memorandum to the Board dated July 23, 1990 presenting the document, Principles and Guidelines to Prevent and Remedy Homelessness in Fairfax County, which sets forth policy recommendations for the future direction of services to the County's homeless population.

Supervisor Hyland requested, because of the amount of public scrutiny and review, that the document, Principles and Guidelines to Prevent and Remedy Homelessness in Fairfax County, be returned to the Board for action at its meeting scheduled for August 6, 1990.

Supervisor Hanley called to the Board Members attention, Page Six contained in the Memorandum to the Board, Numbers Two and Three:

- "Prevention of the loss of permanent housing is critical to homeless service in society"; and
- "An increase of the supply of affordable housing is crucial to the alleviation of homelessness in Fairfax County."

Supervisor Hanley asked unanimous consent that the Board, prior to the public hearing scheduled for later in the meeting on the Affordable Dwelling Unit Ordinance, review how "homelessness" should be addressed in Fairfax County. Without objection, it was so ordered.

[NOTE: Later in the meeting, the public hearing was held and various actions taken to adopt the proposed amendments to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance) and Chapter 101 (Subdivision Ordinance), to implement Affordable Dwelling Unit Program. See Clerk's Summary Item CL#126.]

82. I-7 - ADDITIONAL REQUIREMENTS RELATED TO THE
MONDLOCH HOUSE EXPANSION AND REHABILITATION
(LEE DISTRICT) (TAPE 8)

The Board next considered an Information Item contained in the Memorandum to the Board dated July 23, 1990 requesting authorization for staff to amend the contract with Sumter Construction and proceed with additional design services with Anderson Architects as outlined in the Memorandum regarding the expansion and rehabilitation of the Mondloch House, Lee District.

The staff was directed administratively to proceed as proposed.

83. I-8 - APPROVAL OF THE COMMERCIAL REVITALIZATION
PROJECT SCOPE FOR ROUTE 1 (LEE AND MOUNT VERNON
DISTRICTS) (TAPE 8)

The Board next considered an Information Item contained in the Memorandum to the Board dated July 23, 1990 requesting authorization for staff to proceed to implement the Route 1 Streetscape program as outlined in the Memorandum for the Commercial Revitalization Program (CRP) for Route 1, Lee and Mount Vernon Districts.

Supervisor Hyland asked unanimous consent that the Board defer action on this item until its meeting scheduled for August 6, 1990 to allow him additional time to work with staff.

Chairman Moore relinquished the Chair to Vice-Chairman Pennino and asked that the request be amended to include that the Board direct staff to review the concept of requiring the private sector to provide plantings as an incentive and report to the Board with recommendations, and this was accepted.

Vice-Chairman Pennino returned the gavel to Chairman Moore.

Supervisor Hanley asked that the request be amended to include that the Board direct staff to also report with information regarding other locations where irrigation systems in the median had been installed for this type of program, and this was accepted.

Without objection, the amended request was so ordered.

84. I-9 - CONTRACT AWARD - ARCHITECTURAL AND CONSULTANT SERVICES FOR THE REPLACEMENT OF CORE FACILITIES AT LAKE FAIRFAX PARK (CENTREVILLE DISTRICT) (TAPE 8)

The Board next considered an Information Item contained in the Memorandum to the Board dated July 23, 1990 requesting authorization for staff to award a contract to DLP and Associates, P.C., in the amount of \$474,201 for architectural and consultant services for the replacement of core facilities at Lake Fairfax Park, Projects 004525 and 474788, Centreville District.

The staff was directed administratively to proceed as proposed.

85. I-10 - CONTRACT AWARD - I-95 LANDFILL PERIMETER FENCE (MOUNT VERNON DISTRICT) (TAPE 8)

The Board next considered an Information Item contained in the Memorandum to the Board dated July 23, 1990 requesting authorization for staff to award a contract to Aluminum Specialties Company, Incorporated in the amount of \$61,226 for the construction of perimeter fence at I-95 Landfill, Project 186455, I-95 Landfill Perimeter Fence Construction, Mount Vernon District.

The staff was directed administratively to proceed as proposed.

86. I-11 - CONTRACT AWARD - VIRGINIA HILLS PHASE I STORM DRAINAGE IMPROVEMENTS (LEE DISTRICT) (TAPE 8)

The Board next considered an Information Item contained in the Memorandum to the Board dated July 23, 1990 requesting authorization for staff to award a contract to E.E. Lyons Construction Company, Incorporated in the amount of \$765,808, Project X00078, Virginia Hills Storm Drainage Improvements, Lee District.

The staff was directed administratively to proceed as proposed.

87. I-12 - ENGINEERING CONTRACT AWARD TO WOODWARD-CLYDE CONSULTANTS FOR INSPECTION AND ENGINEERING SERVICES DURING CONSTRUCTION OF VIRGINIA HILLS PHASE I STORM DRAINAGE IMPROVEMENTS (LEE DISTRICT) (TAPE 8)

The Board next considered an Information Item contained in the Memorandum to the Board dated July 23, 1990 requesting authorization for staff to award a contract to Woodward-Clyde Consultants in the amount of \$42,906.92, Project X00078, Virginia Hills Storm Drainage Improvements Phase I, in Subfund 470, Storm Drainage Bond Construction for geotechnical inspection services during the construction of approximately 2,780 linear feet of groundwater interceptor trench and

underdrain system and pre-construction inspections of 13 residences (including two residences in Phase II of Virginia Hills), Lee District.

The staff was directed administratively to proceed as proposed.

88. I-13 - CONTRACT AWARD - HUNTINGTON METRO STATION
PARKING STRUCTURE (MOUNT VERNON DISTRICT)
(TAPE 8)

The Board next considered an Information Item contained in the Memorandum to the Board dated July 23, 1990 requesting authorization for staff to award a contract to Harvey Construction Company, Incorporated in the amount of \$6,468,000, Project 009173, Huntington Metro Station Parking Structure, in Subfund 461, Mount Vernon District. This contract award will be contingent upon settlement of the Parking Bond sales.

The staff was directed administratively to proceed as proposed.

89. I-14 - CONTRACT AWARD - SEVEN CORNERS II - ROAD
IMPROVEMENTS (PROVIDENCE DISTRICT) (TAPE 8)

The Board next considered an Information Item contained in the Memorandum to the Board dated July 23, 1990 requesting authorization for staff to:

- Award a contract to Century Concrete Services, Incorporated in the amount of \$209,612, Project 064101, Seven Corners II - Road Improvements, in Subfund 463, Primary and Secondary Road Bond Construction, Contract Number CN63168 for the construction of a fourth lane on the south side of westbound Arlington Boulevard, between Wilson Boulevard and Leesburg Pike, Providence District; and

Reallocate funds in the amount of \$270,530.00 from Project 006490 (Construction Reserve) TO Project 064101 (Seven Corners II - Road Improvements).

The staff was directed administratively to proceed as proposed.

Supervisor Davis stated, for the record, that while the actual improvements for this project were in the Providence District, the project also concerned the Mason District.

90. I-15 - AMENDMENT TO THE ARCHITECTURAL CONTRACT WITH WARD/HALL ASSOCIATES AIA, FOR THE DESIGN OF THE CLIFTON FIRE STATION (SPRINGFIELD DISTRICT) (TAPE 8)

The Board next considered an Information Item contained in the Memorandum to the Board dated July 23, 1990 requesting authorization for staff to proceed with an architectural contract amendment to Ward/Hall Associates, AIA, Fairfax, Virginia in the amount of \$43,168 for the design and construction of the Clifton Fire Station, Project 009071, Subfund 476, Public Safety Construction, Springfield District.

The staff was directed administratively to proceed as proposed.

91. I-16 - 456 REVIEW APPROVAL OF 36-INCH WATER MAIN, CORBALIS WATER TREATMENT PLANT TO LOUDOUN COUNTY (DRANESVILLE DISTRICT) (TAPE 8)

(NOTE: Earlier in the meeting during Board Matters, the Board reviewed this item. See Clerk's Summary Item CL#41.)

(NOTE: At its meeting of July 11, 1990, the Fairfax County Planning Commission approved, under the provisions of Virginia Code Section 15.1-456, the extension of a 36-inch water transmission main from the Corbalis Water Treatment Plant to the Loudoun County line. The proposed main will be approximately 9,600 feet in length and will be located in the existing 70-foot Water Authority easement located in the access road between the water plant and Sugarland Road, and in a new 24-foot wide easement along Sugarland and Centreville Roads.)

The Board next considered an Information Item contained in the Memorandum to the Board dated July 23, 1990 presenting for 456 review approval the extension of a 36-inch water transmission main from the Corbalis Water Treatment Plant to the Loudoun County line.

Supervisor Richards asked J. Hamilton Lambert, County Executive, to briefly comment on this item.

Following comments by the County Executive, Chairman Moore relinquished the Chair to Vice-Chairman Pennino and asked unanimous consent that the Board authorize Supervisor Richards to forward a letter to Betty W. Tatum, Chairman, Loudoun County Board of Supervisors, regarding this project. Without objection, it was so ordered.

Vice-Chairman Pennino returned the gavel to Chairman Moore.

VLL:VLL

92. DELETION OF EXECUTIVE SESSION FROM BOARD'S AGENDA (TAPE 8)

Supervisor Davis announced that to date, additional information regarding the Court's interpretation of the Freedom of Information Act (FOIA) as provided under Executive Session has not been obtained. Therefore, it was the Board's consensus that the scheduled Executive Session be deleted from the Board's agenda.

93. ACTIONS TAKEN ON ITEMS CONTAINED IN BOARD'S EXECUTIVE SESSION PACKAGE (TAPE 8)A. DENIAL OF CLAIM OF LUCIUS RAY ADAMS

Supervisor Davis moved that the Board of Supervisors deny the claim of Lucius Ray Adams as recommended by the County Attorney in the Memorandum to the Board dated July 23, 1990. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

SBE:SBE

94. RECESS (TAPE 8)

At 2:00 p.m., the Board recessed briefly for lunch and, at 3:35 p.m., Board reconvened in the Board Room with all Members being present, with the exception of Supervisor Alexander, Supervisor Hyland, and Supervisor McConnell, and with Chairman Moore presiding.

DL:DL

95. 3:30 P.M. - PH ON REZONING APPLICATION RZ 89-C-031 (OAKTON LAND CORPORATION) (CENTREVILLE DISTRICT) (TAPE 9)

Mr. William F. Roeder, Jr., reaffirmed the validity of the affidavit for the record.

Supervisor Pennino called to the Board Members attention that the affidavit states that "...within the twelve-month period prior to the

filing of this application..." She stated that even though she had received a campaign contribution in the amount of \$200 it had not been listed on the affidavit because it was prior to the "twelve-month" period. Because Mr. Roeder had reaffirmed the validity of the affidavit for the record, she stated that it was not necessary to disclose this contribution.

Supervisor Davis disclosed the following campaign contributions that he had received:

- In the amount of \$200.00 from Julia R. Richardson, a neighbor and an associate of Verner, Liipfert, Bernhard, McPherson and Hand, Chartered, in 1987; and
- In the amount of \$300.00 from the firm of Verner, Liipfert, Bernhard, McPherson and Hand, Chartered, in 1987.

Supervisor McConnell disclosed the following campaign contribution that she had received:

- In the amount of \$99.00 from Robert L. Sproles, stockholder in the engineering firm of Huntley, Nyce and Associates, P.C., in 1987.

In response to a query by Supervisor Pennino, George A. Symanski, Senior County Attorney, stated, for the record, that Supervisor Pennino was not required to disclose the campaign contribution received in 1987.

Mr. Roeder had filed the necessary notices showing that at least 25 adjacent and/or interested persons had been notified of the date and hour of this public hearing and he proceeded to present his case.

Following the public hearing, Supervisor Pennino moved to waive the reading of the staff and Planning Commission recommendations. This motion was seconded by Supervisor Hanley and carried by a vote of eight, Supervisor Davis out of the room.

Supervisor Pennino moved:

- That Zoning Ordinance as it applied to the property which was the subject of Rezoning Application RZ 89-C-031 be amended from

the R-1 District to the R-2 District subject to the proffers dated January 22, 1990;

- Waiver of the service drive requirement along that portion of the property fronting Chain Bridge Road; and
- Waiver of the trail requirement for the portion of the site fronting Chain Bridge Road in favor of the existing sidewalk.

This motion was seconded by Supervisor Alexander and carried by a recorded vote of seven, Supervisor Hyland voting "NAY," Supervisor Davis being out of the room.

(NOTE: Later in the meeting, Supervisor Hyland referred to his position on land-use applications with proffers attached. See Clerk's Summary Item CL#96.)

ADDITIONAL BOARD MATTERS

96. STATEMENT REGARDING LAND-USE APPLICATIONS WITH PROFFERS ATTACHED (TAPE 9)

Supervisor Hyland stated that at the Board of Supervisors' meeting held on June 25, 1990, during the discussion held on I-1 - Review of Development Regulations, he had stated, for the record, his position regarding land-use applications with proffers attached.

(NOTE: Refer to the Clerk's Board Summary dated June 25, 1990 for this discussion, Clerk's Summary Items CL#102 and CL#104.)

97. AUTHORIZATION AND CONFIRMATION OF COUNTY EXECUTIVE'S ENDORSEMENTS ON THE CONTRACT OF SALE ON TWO LAWSUITS (TAPE 9)

Supervisor McConnell moved that the Board authorize and confirm the County Executive's endorsements on the contract of sale and accompanying settlement agreement regarding two lawsuits, both the contract of sale and settlement agreement, relating to that parcel of land consisting of 1.5956 acres located in the Springfield Magisterial District known as Tax Map Parcel 54-4(1)((1))-60 and owned by Old Centreville Associates. This motion was seconded by Supervisor Pennino and carried by a vote of six, Supervisor Alexander, Supervisor Davis, and Supervisor Hanley being out of the room.

98. 3:30 P.M. - PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 82-V-081 (HUNTINGTON GATEWAY ASSOCIATES) (MOUNT VERNON DISTRICT) (TAPE 9)

Supervisor Hyland moved to defer the public hearing on Proffered Condition Amendment Application PCA 82-V-081 until September 24, 1990 at 5:00 p.m. at the request of the applicant. This motion was seconded by Supervisor Pennino and carried by a vote of eight, Supervisor Hanley being out of the room.

99. 3:30 P.M. - PH ON REZONING APPLICATION RZ 89-C-066 (RONALD G. AND MARGOT B. DOUCETTE) (CENTREVILLE DISTRICT) (TAPE 9)

Ms. Sarah Reifsnyder reaffirmed the validity of the affidavit for the record.

Ms. Reifsnyder had filed the necessary notices showing that at least 25 adjacent and/or interested persons had been notified of the date and hour of this public hearing and she proceeded to present her case.

Following the public hearing, Supervisor Pennino moved to waive the reading of the staff and Planning Commission recommendations. This motion was seconded by Supervisor Alexander and carried by a vote of eight, Supervisor McConnell being out of the room.

Supervisor Pennino moved that Zoning Ordinance as it applied to the property which was the subject of Rezoning Application RZ 89-C-066 be amended from the R-E and R-1 Districts to the R-1 District subject to the executed proffers dated July 23, 1990. This motion was seconded by Supervisor Davis and carried by a recorded vote of seven, Supervisor Hyland voting "NAY," Supervisor McConnell being out of the room.

(NOTE: Earlier in the meeting, Supervisor Hyland referred to his position on land-use applications with proffers attached. See Clerk's Summary Item CL#96.)

100. 3:30 P.M. - PH ON REZONING APPLICATION RZ 89-L-070 (RAYMOND C. SCHUPP ASSOCIATES) (LEE DISTRICT) (TAPE 9)

Ms. Sarah Reifsnyder reaffirmed the validity of the affidavit for the record.

Ms. Reifsnyder had filed the necessary notices showing that at least 25 adjacent and/or interested persons had been notified of the date and hour of this public hearing and she proceeded to present her case.

Following the public hearing, which included testimony by one speaker, Robby Robinson, Staff Coordinator, Zoning Evaluation Division, Office of

Comprehensive Planning, presented the staff and Planning Commission recommendations.

Supervisor Alexander moved that Zoning Ordinance as it applied to the property which was the subject of Rezoning Application RZ 89-L-070 be amended from the R-1, R-2, and Highway Corridor Districts to the R-4 and Highway Corridor Districts subject to the executed proffers received in the Office of Comprehensive Planning on July 18, 1990. This motion was seconded by Supervisor Davis and carried by a recorded vote of seven, Supervisor Hyland voting "NAY," Supervisor McConnell being out of the room.

(NOTE: Earlier in the meeting, Supervisor Hyland referred to his position on land-use applications with proffers attached. See Clerk's Summary Item CL#96.)

101. BOARD RECESS (TAPE 9)

The Board recessed briefly at 3:55 p.m. and, at 4:00 p.m., reconvened in the Board room with all Members present, with the exception of Supervisor Davis and Supervisor McConnell, and with Chairman Moore presiding.

102. 4:00 P.M. - PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 84-P-129-3 (NVRD METROPLACE LIMITED PARTNERSHIP) (PROVIDENCE DISTRICT) (TAPE 9)

Ms. Lynn Strobel reaffirmed the validity of the affidavit for the record.

Ms. Strobel had filed the necessary notices showing that at least 25 adjacent and/or interested persons had been notified of the date and hour of this public hearing and she proceeded to present her case.

Following the public hearing, Theresa Hooper, Staff Coordinator, Zoning Evaluation Division, Office of Comprehensive Planning, presented the staff and Planning Commission recommendations.

Supervisor Hanley moved approval of Proffered Condition Amendment Application PCA 84-P-129-3 subject to the proffered conditions dated July 13, 1990; the Planning Commission having previously approved Final Development Plan Amendment Application FDPA 84-P-129-2 on July 12, 1990. This motion was seconded by Supervisor Alexander and carried by a vote of seven, Supervisor Davis and Supervisor McConnell being out of the room.

103. 4:00 P.M. - PH ON THE ACQUISITION OF A CERTAIN DEDICATION AND EASEMENTS NECESSARY FOR THE CONSTRUCTION OF COUNTY ROAD PROJECT - ROUTE 1/BUCKMAN ROAD (LEE DISTRICT)
(TAPES 9-10)

- (R) Certificates of Publication were filed from the Editors of the Journal and Northern Virginia Sun, showing that notice of said public hearing had been duly advertised in those Newspapers in the issues of July 6 and July 13, 1990.

Following the public hearing, which included testimony by two speakers, Supervisor Alexander moved adoption of the Resolution authorizing the acquisition of the property interests necessary for the construction of County Road Project 064115 - Route 1/Buckman Road, Lee District. This motion was seconded by Supervisor Pennino and carried by unanimous vote.

Supervisor Alexander asked unanimous consent that the Board direct staff to consider the issues contained in the testimony presented by Mr. James Woods (Speaker One):

- That the rear easement to Route 1 not be altered; and
- That the relocation of the utility poles in the slope easement on Buckman Road not impair access to the entrances to the 219 feet of frontage.

In addition, Supervisor Alexander asked unanimous consent that the Board direct staff to consider the comments contained in the testimony presented by Mr. Bernard Fagelson (Speaker Two) regarding impacts on the adjacent property from the slope easement.

Without objection, it was so ordered.

104. ORDERS OF THE DAY (TAPE 10)

Supervisor Davis asked unanimous consent that the Board change its Orders of the Day and, because of the number of speakers scheduled for the public hearing on the Montessori School, proceed with the public hearing on Special Exception Application SE 90-S-007 prior to the public hearing on Special Exception Application SE 90-M-003. Without objection, it was so ordered.

105. 4:00 P.M. - PH ON SPECIAL EXCEPTION APPLICATION
SE 90-M-003 (THE MONTESSORI SCHOOL OF NORTHERN
VIRGINIA, INCORPORATED (MASON DISTRICT) (TAPE 10)

(NOTE: Later in the meeting, the public hearing was held and action taken to defer Board decision until August 6, 1990 at 4:00 p.m. See Clerk's Summary Item CL#107.)

106. 4:00 P.M. - PH ON SPECIAL EXCEPTION APPLICATION
SE 90-S-007 (UPPER OCCOQUAN SEWAGE AUTHORITY
(UOSA) (SPRINGFIELD DISTRICT) (TAPES 10-11)

Mr. Dexler Odin reaffirmed the validity of the affidavit for the record.

Chairman Moore disclosed that the law firm of Odin, Feldman and Pittleman, P.C. had served as her counsel; therefore, she stated she would abstain from any actions regarding this application. She relinquished the Chair to Vice-Chairman Pennino and left the Board Room.

Mr. Odin had filed the necessary notices showing that at least 25 adjacent and/or interested persons had been notified of the date and hour of this public hearing and he proceeded to present his case.

Following the public hearing, Lorrie Kirst, Staff Coordinator, Zoning Evaluation Division, Office of Comprehensive Planning, presented the staff and Planning Commission recommendations.

Following discussion, Supervisor McConnell moved to defer Board decision on Special Exception Application SE 90-S-007 until August 6, 1990 to allow additional time for staff to address the concerns expressed by the residents and herself on how to sewer the community adjacent to the Upper Occoquan Sewage Authority (UOSA) Plant. This motion was seconded by Supervisor Davis for purposes of discussion.

Supervisor Hyland moved a substitute motion that the Board:

- Defer action on this application until later in the meeting; and
- Direct staff to report to the Board later in the meeting with recommendations regarding the provision of sewer for the area adjacent to the UOSA Plant.

This motion was seconded by Supervisor Richards and carried by a recorded vote of six, Supervisor McConnell voting "NAY," Supervisor Alexander and Chairman Moore being out of the room.

The question was called on the main motion, as substituted, which carried by a recorded vote of six, Supervisor McConnell voting "NAY," Supervisor Alexander and Chairman Moore being out of the room.

Supervisor Hanley asked unanimous consent that the Board direct staff to place on the Agenda as the last item prior to the public hearing scheduled on the Fall 1990 Bond Referenda Board decision on this item. Without objection, it was so ordered.

Supervisor McConnell asked unanimous consent that she be recorded as voting "AYE" on the action taken to defer decision on the application until later in the meeting in light of staff reporting at that time with additional information.

Vice-Chairman Pennino ruled that the motion would have to be reconsidered in order for Supervisor McConnell to change her vote; however, hearing no motion to reconsider, the Board proceeded to the next agenda item.

[NOTE: Later in the meeting, action was taken to approve Special Exception Application SE 90-S-007 subject to the proposed development conditions dated July 20, 1990; direct staff to study the area for the possibility of placing a sewer system similar to that in the Lincoln-Lewis Vannoy area; modification to the transitional screening and barrier requirements around the entire site; and direct the Virginia Department of Transportation (VDOT) to move expeditiously to approve or disapprove its location as designated. See Clerk's Summary Item CL#127.]

Upon her return to the Board Room, Vice-Chairman Pennino returned the gavel to Chairman Moore.

107. 5:00 P.M. - PH ON SPECIAL EXCEPTION APPLICATION
SE 90-M-003 (THE MONTESSORI SCHOOL OF NORTHERN
VIRGINIA, INCORPORATED (MASON DISTRICT) (TAPES 11-13)

Ms. Betsy Mitchell reaffirmed the validity of the affidavit for the record.

Ms. Mitchell had filed the necessary notices showing that at least 25 adjacent and/or interested persons had been notified of the date and hour of this public hearing and she proceeded to present her case.

For the record, Supervisor Davis stated his intent, at the conclusion of the public hearing, to defer Board decision until August 6, 1990 at 4:00 p.m.

Because of the lateness of the hour and in order to accommodate the number of individuals presenting testimony in this case, Supervisor Davis asked unanimous consent that the Board waive its procedures and adopt the following time allotments agreed upon by those individuals:

- 10 minutes opening presentation by a representative from The Montessori School of Northern Virginia, Incorporated;
- 10 minutes rebuttal presentation by a representative from the adjacent neighborhood;
- 45 minutes of continuous testimony to be presented by neighborhood representatives;
- 45 minutes of continuous testimony to be presented by representatives for The Montessori School;
- 5 minutes closing by a neighborhood representative; and
- 5 minutes closing presentation by a representative from The Montessori School.

Without objection, it was so ordered.

Following the public hearing, which included testimony by 24 speakers, Kevin Guinaw, Senior Staff Coordinator, Zoning Evaluation Division, Office of Comprehensive Planning, presented the staff and Planning Commission recommendations.

Supervisor Davis moved to defer Board decision on Special Exception Application SE 90-M-003 until August 6, 1990 at 4:00 p.m. This motion was seconded by Supervisor Pennino.

Following discussion, Supervisor Davis amended his motion to include that the record would be held open for written testimony only until Board decision on August 6, 1990 at 4:00 p.m., and this was accepted.

Supervisor Hyland asked unanimous consent that the Board direct the Zoning Administrator, prior to Board decision on August 6, 1990, to provide to Board Members copies of her pending interpretation regarding The Montessori School. Without objection this was so ordered.

Following further discussion, Chairman Moore relinquished the Chair to Vice-Chairman Pennino and asked unanimous consent that the Board direct staff to work with The Montessori School to explore the possibility of establishing a location, properly supervised, to serve as a pick-up point for the school children to alleviate some of the traffic impacts on the neighborhood. Without objection, it was so ordered.

Vice-Chairman Pennino returned the gavel to Chairman Moore.

The question was then called on the motion, and as amended, carried by unanimous vote.

108. DEFERRAL OF PH ON PROFFERED CONDITION AMENDMENT APPLICATIONS PCA 89-C-025, PCA 85-C-088-2, PCA 86-C-119-2, AND PCA 86-C-121-2 (BOARD OF SUPERVISORS, OWN MOTION) (CENTREVILLE DISTRICT) (TAPE 13)

Supervisor Pennino moved to defer the public hearing on Proffered Condition Amendment Applications PCA 89-C-025, PCA 85-C-088-2, PCA 86-C-119-2, and PCA 86-C-088-2 until September 24, 1990 at 3:30 p.m. This motion was seconded by Supervisor Hyland and carried by a vote of eight, Supervisor Davis being out of the room.

109. ORDERS OF THE DAY (TAPE 13)

Because of the lateness of the hour, Supervisor Bulova asked unanimous consent that the Board change its Orders of the Day and proceed with the public hearing scheduled on Special Exception Amendment Application SEA 78-S-089 (Centreville Volunteer Fire Department, Incorporated); however, following discussion, it was the Board's consensus to continue with its scheduled Agenda rather than changing its Orders of the Day.

110. 4:30 P.M. - PH ON A PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 82 (MOTOR VEHICLES AND TRAFFIC), ARTICLE 5A (RESIDENTIAL PERMIT PARKING DISTRICTS (RPPD)) TO ESTABLISH A RPPD IN THE VICINITY OF ANNANDALE HIGH SCHOOL (ANNANDALE DISTRICT) (TAPE 13)

- (0) Certificates of Publication were filed from the Editors of the Journal and Northern Virginia Sun, showing that notice of said public hearing had been duly advertised in those Newspapers in the issues of July 6 and July 13, 1990.

Following the public hearing, which included testimony by eight speakers, Supervisor Bulova called to the Board's attention that she had received telephone calls from constituents requesting that their streets also be included in the Residential Permit Parking District (RPPD) for the vicinity of Annandale High School. She clarified that, in order to be included, a petition must be filed by the constituents and, as soon as the petition was received, staff could initiate the process to include the additional streets.

With regard to the problem of parking adjacent to the church, Supervisor Bulova stated that the church has not signed a petition to restrict

parking on their side of the street, however, she stated that the suggestion by Mr. Michael Stahl (Speaker Five) regarding "No Loitering" signs may be helpful. She stated that she would be glad to pursue that suggestion.

Supervisor Bulova referred to the comments made by Mr. Raymond Nordlund (Speaker Four) regarding which side of the street would be designated for parking. She stated that, if there is a consensus among the residents as to which side of the street is preferred, she would pursue the matter with the County's Traffic Safety Officers.

Supervisor Bulova moved adoption of the proposed amendment to the Code of the County of Fairfax, Chapter 82 (Motor Vehicles and Traffic), Article 5A [Residential Permit Parking Districts (RPPD)], establishing residential permit parking restrictions on the following streets: Erie Street (Route 2629) between Manion Street and Newcastle Drive; Newcastle Drive (Route 2055) between Erie Street and Bristow Drive; and Bristow Drive (Route 2784) between Newcastle Drive and Rocart Drive. This motion was seconded by Supervisor Hanley and carried by a vote of six, Supervisor McConnell, Supervisor Richards, and Chairman Moore being out of the room.

111. DEFERRAL OF PH ON REZONING APPLICATIONS RZ 88-P-012
(TYSONS III ASSOCIATES LIMITED PARTNERSHIP)
(PROVIDENCE DISTRICT) (TAPE 13)

Supervisor Hanley moved to defer the public hearing on Rezoning Application RZ 88-P-012 until August 6, 1990 at 3:30 p.m. This motion was seconded by Supervisor Davis and carried by a vote of five, Supervisor Bulova, Supervisor McConnell, Supervisor Richards, and Chairman Moore, being out of the room.

112. DEFERRAL OF PH ON REZONING APPLICATIONS RZ 88-P-119
(BRAR ASSOCIATES - DUNN LORING LIMITED PARTNERSHIP)
(PROVIDENCE DISTRICT) (TAPE 13)

Supervisor Hanley moved to defer the public hearing on Rezoning Application RZ 88-P-119 until August 6, 1990 at 4:00 p.m. This motion was seconded by Supervisor Davis and carried by a vote of five, Supervisor Bulova, Supervisor McConnell, Supervisor Richards, and Chairman Moore being out of the room.

113. 4:30 P.M. - PH ON PROFFERED CONDITION AMENDMENT
APPLICATIONS PCA 89-C-025, PCA 85-C-088-2,
PCA 86-C-119-2, AND PCA 86-C-121-2 (BOARD
OF SUPERVISORS, OWN MOTION) (CENTREVILLE
DISTRICT) (TAPE 13)

(NOTE: Earlier in the meeting action was taken to defer the public hearing on Proffered Condition Amendment Applications PCA 89-C-025,

PCA 85-C-088-2, PCA 86-C-119-2, and PCA 86-C-121-2 until September 24, 1990 at 3:30 p.m. See Clerk's Summary Item CL#108.)

114. 4:30 P.M. - PH ON REZONING APPLICATION RZ 88-L-082
(WINCHESTER HOMES, INCORPORATED) (LEE DISTRICT)
(TAPES 13-14)

Mr. Stephen K. Fox reaffirmed the validity of the affidavit for the record.

Mr. Fox had filed the necessary notices showing that at least 25 adjacent and/or interested persons had been notified of the date and hour of this public hearing and he proceeded to present his case.

Following the public hearing, which included testimony by seven speakers, Kris Abrahamson, Senior, Staff Coordinator, Zoning Evaluation Division, Office of Comprehensive Planning, presented the staff and Planning Commission recommendations.

Supervisor Alexander moved DENIAL of Rezoning Application RZ 88-L-082 to the requested PDH-12 District. This motion was seconded by Supervisor Hanley and carried by a vote of five, Supervisor Bulova, Supervisor Davis, Supervisor McConnell, and Chairman Moore being out of the room.

Supervisor Alexander moved that the Zoning Ordinance as it applied to the property which was the subject of Rezoning Application RZ 88-L-082 be amended from the R-3 District to the PDH-8 District subject to the revised proffers dated June 25, 1990. This motion was seconded by Supervisor Pennino and carried by a recorded vote of four, Supervisor Hyland voting "NAY," Supervisor Bulova, Supervisor Davis, Supervisor McConnell, and Chairman Moore being out of the room.

(NOTE: Earlier in the meeting, Supervisor Hyland referred to his position on land-use applications with proffers attached. See Clerk's Summary Item CL#96.)

Supervisor Alexander moved approval of the Conceptual Development Plan CDP 88-L-082; the Planning Commission having previously approved Final Development Plan FDP 88-L-082 on June 21, 1990. This motion was seconded by Supervisor Pennino and carried by a vote of five, Supervisor Bulova, Supervisor Davis, Supervisor McConnell, and Chairman Moore being out of the room.

Supervisor Alexander moved modification of the transitional screening requirement along all lot lines as shown on the CDP/FDP and waiver of the barrier requirement, except for the fencing shown on the CDP/FDP along the northern lot line and the northeastern corner of the site. This motion was seconded by Supervisor Hanley and carried by a vote of five, Supervisor Bulova, Supervisor Davis, Supervisor McConnell, and Chairman Moore being out of the room.

Supervisor Alexander moved waiver of the requirement that tot-lots be located at least 100 feet from dwellings. This motion was seconded by Supervisor Hyland and carried by a vote of five, Supervisor Bulova, Supervisor Davis, Supervisor McConnell, and Chairman Moore being out of the room.

115. 4:30 P.M. - PH ON PROPOSED AMENDMENT TO THE
CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112
(ZONING ORDINANCE) REGARDING GROUP
RESIDENTIAL FACILITIES (TAPE 14)

(BAC)

(NOTE: The public hearing was held on July 9, 1990 and Board decision deferred until July 23, 1990.)

Certificates of Publication were filed from the Editors of the Journal and Northern Virginia Sun, showing that notice of said public hearing had been duly advertised in those Newspapers in the issues of June 22 and June 29, 1990.

Because of the lateness of the hour, Supervisor Hanley moved to defer Board decision on the proposed amendments to the Code of The County of Fairfax, Chapter 112 (Zoning Ordinance) regarding group residential facilities until August 6, 1990 at 4:30 p.m. This motion was seconded by Supervisor Hyland.

Supervisor Hyland asked that the motion be amended to include that the Board direct staff to report on August 6, 1990 with recommendations on the future role of the Group Residential Facilities Commission, and this was accepted.

Supervisor Hanley amended her motion to include that the Board direct staff to report on August 6, 1990 on whether the numbers stated in the proposed amendment included the requirement for counselors, and this was accepted.

Supervisor Hyland asked that the motion be amended to include that the Board direct staff to report on August 6, 1990 with copies of the legal decision made on a recent case in the midwest concerning a local jurisdiction's ordinance that prohibited the location of a group home within a certain distance from a school, and this was accepted.

George A. Symanski, Senior Assistant County Attorney, distributed to Supervisor Hyland a copy of the decision.

The question was called on the motion, and as amended, carried by a vote of six, Supervisor Davis, Supervisor McConnell, and Supervisor Pennino being out of the room.

116. 4:30 P.M. - BOARD DECISION ON ORDERING IMPROVEMENTS
AND SETTING ASSESSMENTS TO BROOKLAND-BUSH HILL,
PHASE I (LEE DISTRICT) (TAPE 14)

- (R) (NOTE: The public hearing was held on July 9, 1990 and Board decision deferred until July 23, 1990.)

Certificates of Publication were filed from the Editors of the Journal and Northern Virginia Sun, showing that notice of said public hearing had been duly advertised in those Newspapers in the issues of June 22 and June 29, 1990.

Supervisor Alexander moved adoption of the Resolution ordering improvements and setting assessments for Brookland-Bush Hill, Phase I. This motion was seconded by Supervisor Hyland and carried by a vote of six, Supervisor Davis, Supervisor McConnell, and Supervisor Pennino being out of the room.

CM:CM

117. 5:00 P.M. - PH ON SPECIAL EXCEPTION AMENDMENT
APPLICATION SEA 78-S-089 (CENTREVILLE VOLUNTEER
FIRE DEPARTMENT, INCORPORATED) (SPRINGFIELD
DISTRICT) (TAPE 14)

Mr. William A. Schmidt reaffirmed the validity of the affidavit for the record.

Mr. Schmidt had filed the necessary notices showing that at least 25 adjacent and/or interested persons had been notified of the date and hour of this public hearing and he proceeded to present his case.

Following the public hearing, Carol Dickey, Staff Coordinator, Zoning Evaluation Division, Office of Comprehensive Planning, presented the staff and Planning Commission recommendations.

Supervisor McConnell moved approval of Special Exception Amendment Application SEA 78-S-089 subject to the revised development conditions dated July 20, 1990. This motion was seconded by Supervisor Hanley and carried by a vote of six, Supervisor Alexander, Supervisor Davis, and Supervisor Pennino being out of the room.

Supervisor McConnell moved waiver of the barrier requirements and modification of the transitional screening as shown on the Special Exception Application Plat dated February 12, 1990 and in accordance with development conditions contained in Appendix One of the Staff Report. This motion was seconded by Supervisor Hanley and carried by a vote of six, Supervisor Alexander, Supervisor Davis, and Supervisor Pennino being out of the room.

118. 5:00 P.M. - PH ON REZONING APPLICATION RZ 88-P-012
(TYSONS III ASSOCIATES LIMITED PARTNERSHIP)
(PROVIDENCE DISTRICT) (TAPE 14)

(NOTE: Earlier in the meeting action was taken to defer Rezoning Application RZ 88-P-012 until August 6, 1990 at 3:30 p.m. See Clerk's Summary Item CL#111.)

119. 5:00 P.M. - PH ON REZONING APPLICATION RZ 88-P-119
(BRAR ASSOCIATES - DUNN LORING LIMITED PARTNERSHIP)
(PROVIDENCE DISTRICT)
(TAPE 14)

(NOTE: Earlier in the meeting action was taken to defer Rezoning Application RZ 88-P-119 until August 6, 1990 at 4:00 p.m. See Clerk's Summary Item CL#112.)

120. 5:00 P.M. - PH ON REZONING APPLICATION RZ 89-P-056
(THE MILTON COMPANY, A VIRGINIA CORPORATION)
(PROVIDENCE DISTRICT) (TAPE 14)

Mr. William B. Lawson reaffirmed the validity of the affidavit for the record.

Mr. Lawson had filed the necessary notices showing that at least 25 adjacent and/or interested persons had been notified of the date and hour of this public hearing and he proceeded to present his case.

Following the public hearing, which included testimony by one speaker, Mary Ann Godfrey, Staff Coordinator, Zoning Evaluation Division, Office of Comprehensive Planning, presented the staff and Planning Commission recommendations.

Supervisor Hanley moved that the Zoning Ordinance as it applied to the property which was the subject of Rezoning Application RZ 89-P-056 be amended from the R-1 and R-5 Districts to the R-4 and R-5 Districts subject to the revised proffers dated July 9, 1990. This motion was seconded by Supervisor Bulova and carried by a recorded vote of three, Supervisor Hyland voting "NAY," Chairman Moore abstaining, Supervisor Alexander, Supervisor Davis, Supervisor McConnell, and Supervisor Pennino being out of the room.

(NOTE: Earlier in the meeting, Supervisor Hyland referred to his position on land-use applications with proffers attached. See Clerk's Summary Item CL#96.)

Supervisor Hanley moved:

- Modification of the transitional screening requirements to reduce the number of plants and to allow existing vegetation to be used to satisfy screening requirements as shown on the Generalized Development Plan (GDP); and
- Waiver of the barrier requirements as shown on the GDP.

This motion was seconded by Supervisor Bulova and carried by a recorded vote of four, Chairman Moore abstaining, Supervisor Alexander, Supervisor Davis, Supervisor McConnell, and Supervisor Pennino being out of the room.

121. 5:00 P.M. PH ON REZONING APPLICATION RZ 89-S-064
(FAIRLAND DEVELOPMENT AND INVESTMENT CORPORATION,
A VIRGINIA CORPORATION (SPRINGFIELD DISTRICT)
(NO TAPE)

(NOTE: Later in the meeting action was taken to defer indefinitely the public hearing on Rezoning Application RZ 89-S-064. See Clerk's Summary Item CL#123.)

122. 5:00 P.M. - PH ON REZONING APPLICATION RZ 86-V-072
(ALLAN H. GASNER, TRUSTEE) (MOUNT VERNON DISTRICT)
(TAPES 14-15)

Mr. Randolph Sutliff reaffirmed the validity of the affidavit for the record.

Mr. Sutliff had filed the necessary notices showing that at least 25 adjacent and/or interested persons had been notified of the date and hour of this public hearing and he proceeded to present his case.

Following the public hearing, which included testimony by 12 speakers, Supervisor Hyland moved to defer Board decision on Rezoning Application RZ 86-V-072 until August 6, 1990 at 4:30 p.m. However, due to the applicant's request for a decision today, Supervisor Hyland withdrew his motion.

Supervisor Hyland moved to waive the reading of the staff and Planning Commission recommendations. This motion was seconded by Supervisor Pennino and carried by a vote of five, Supervisor Davis voting "NAY," Supervisor Alexander, Supervisor Hanley, and Supervisor Richards being out of the room. Even though the motion carried, staff proceeded to read the recommendations because of Supervisor Davis' desire to hear them.

Supervisor Hyland then moved that the Board DENY Rezoning Application RZ 86-V-072 to the PDH-4 District. This motion was seconded by Supervisor Bulova and carried by a vote of six, Supervisor Alexander, Supervisor Hanley, and Supervisor Richards being out of the room.

123. 5:00 P.M. PH ON REZONING APPLICATION RZ 89-S-064
(FAIRLAND DEVELOPMENT AND INVESTMENT CORPORATION,
A VIRGINIA CORPORATION (SPRINGFIELD DISTRICT)
(TAPE 15)

Supervisor McConnell moved to defer indefinitely the public hearing on Rezoning Application RZ 89-S-064 because of notification problems by the applicant. This motion was seconded by Supervisor Pennino and carried by a vote of six, Supervisor Alexander, Supervisor Hanley, and Supervisor Richards being out of the room.

Supervisor McConnell also moved that the Board extend the time for the Planning Commission decision on 456-S-90-11 until September 20, 1990. This motion was seconded by Supervisor Pennino and carried by a vote of six, Supervisor Alexander, Supervisor Hanley, and Supervisor Richards being out of the room.

124. 5:00 P.M. - PH ON REZONING APPLICATION RZ 89-L-027
(NAZIR BHAGAT) (LEE DISTRICT) (TAPES 15-16)

Mr. Keith Martin reaffirmed the validity of the affidavit for the record.

Mr. Martin had filed the necessary notices showing that at least 25 adjacent and/or interested persons had been notified of the date and hour of this public hearing and he proceeded to present his case.

Following the public hearing, Kul Sandhu, Staff Coordinator, Zoning Evaluation Division, Office of Comprehensive Planning, presented the staff and Planning Commission recommendations.

Supervisor Alexander moved that the Zoning Ordinance as it applied to the property which was the subject of Rezoning Application RZ 89-L-027 be amended from the R-1 District to the R-2 District subject to the revised proffers dated July 10, 1990. This motion was seconded by Supervisor Davis and carried by a recorded vote of five, Supervisor Hyland voting "NAY," Supervisor Bulova, Supervisor Hanley, and Supervisor Richards being out of the room.

(NOTE: Earlier in the meeting, Supervisor Hyland referred to his position on land-use applications with proffers attached. See Clerk's Summary Item CL#96.)

(NOTE: The Planning Commission also requested that, prior to the scheduled Board hearing, the proffer pertaining to parkland dedication be changed to indicate that such dedication be made to the Park Authority instead of the Board of Supervisors. It was felt that this change would ensure that such land remain in park use.)

125. 5:00 P.M. - PH ON REZONING APPLICATION RZ 88-C-015
(JOHN E. COWLES, TRUSTEE) (CENTREVILLE DISTRICT)
(TAPE 16)

Mr. Keith Martin reaffirmed the validity of the affidavit for the record.

Mr. Martin had filed the necessary notices showing that at least 25 adjacent and/or interested persons had been notified of the date and hour of this public hearing and he proceeded to present his case.

Following the public hearing, which included testimony by three speakers, Lorrie Kirst, Staff Coordinator, Zoning Evaluation Division, Office of Comprehensive Planning, presented the staff and Planning Commission recommendations.

Supervisor Pennino moved:

- That the Zoning Ordinance as it applied to the property which was the subject of Rezoning Application RZ 88-C-015 be amended from the R-1 District to the PDH-2 District subject to the revised proffers dated July 19, 1990; and

Approval of the Conceptual Development Plan CDP 88-C-015; the Planning Commission having previously approved Final Development Plan FDP 88-C-015 on July 18, 1990.

This motion was seconded by Supervisor Davis and carried by a recorded vote of eight, Supervisor Hyland voting "NAY."

(NOTE: Earlier in the meeting, Supervisor Hyland referred to his position on land-use applications with proffers attached. See Clerk's Summary Item CL#96.)

Supervisor Pennino further moved that in order to expedite the construction of the Ashburton Bridge, the Preliminary Plans and the Site Plans for Rezoning Application RZ 88-C-015 be processed concurrently by the Department of Environmental Management (DEM). This motion was seconded by Chairman Moore and carried by unanimous vote.

Supervisor Pennino asked unanimous consent that the Board direct staff to work with the White family and Mr. Fox regarding the problem of storm drainage as it applies to their particular properties to determine if an agreement can be reached. Without objection, it was so ordered.

126. 5:00 P.M. - PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE) AND CHAPTER 101 (SUBDIVISION ORDINANCE) REGARDING AFFORDABLE DWELLING UNIT (ADU) DEVELOPMENTS (TAPE 16)

(NOTE: Earlier in the meeting during Board Matters, staff was requested to report with additional information regarding "homelessness." See Clerk's Summary Item CL#81.)

- (0) Certificates of Publication were filed from the Editors of the Journal and Northern Virginia Sun, showing that said notice of public hearing had been duly advertised in those Newspapers in the issues of June 22 and June 29, 1990.

Following the public hearing, which included testimony by three speakers, Supervisor Davis moved approval of staff recommendations to the proposed amendments to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance) and Chapter 101 (Subdivision Ordinance), as follows:

- Amend Articles 2, 3, 6, 9, 11, 13, 17, and 20 of the Zoning Ordinance; and
- Amend Article 2 of the Subdivision Ordinance, to implement the Affordable Dwelling Unit Program set forth in Part 8 of Article 2 of the Zoning Ordinance, as amended by the Virginia General Assembly in the 1990 session.

[These amendments propose fundamental changes to dwelling unit types, Lot Size Requirements and Bulk Regulations in several zoning districts in order to accommodate Affordable Dwelling Unit (ADU) developments.]

to become effective at 12:01 a.m. on July 31, 1990. This motion was seconded by Supervisor Hanley.

Chairman Moore relinquished the Chair to Vice-Chairman Pennino and moved a substitute motion to reduce the number of townhouses in the R-2, R-3, and R-4 Districts from 25, 35, and 40 percent to 25, 30, and 35 percent. This motion was seconded by Supervisor Bulova and FAILED by a recorded vote of five, Supervisor Bulova, Supervisor Richards, and Chairman Moore voting "AYE," Supervisor McConnell being out of the room.

Supervisor Moore then moved a substitute motion to amend the R-2, R-3, and R-4 Districts, Sections 3-210, 3-310, and 3-410 by revising new paragraph 7 as recommended by the Planning Commission to read as follows:

- Single-family attached dwelling units shall be located so as to minimize their impact on single-family detached dwelling unit developments located adjacent to the ADU development. Except as may be modified by the Board in conjunction with the approval of a proffered rezoning or a special exception. A single-family attached dwelling unit shall not be located at the perimeter boundary of the

ADU development at the land abutting or immediately across the street from the perimeter boundary as (A) planned for and developed as single-family detached dwelling units or (B) as planned for single-family detached dwelling units but undeveloped. This limitation shall not apply if the intervening street is a principal arterial or if there is open space with a width of fifty feet or more between the attached units and the perimeter boundary or the ADU development or if there is open space at the width of fifty feet or more in the land abutting or immediately across the street as described in paragraphs A and B above.

This motion was seconded by Supervisor Bulova and FAILED by a recorded vote of six, Supervisor Bulova and Chairman Moore voting "AYE," Supervisor McConnell being out of the room.

The question was called on the main motion which carried by a recorded vote of seven, Supervisor Moore abstaining, Supervisor McConnell being out of the room.

Vice-Chairman Pennino returned the gavel to Chairman Moore.

Supervisor Richards moved that the Board direct staff to report with information regarding the Planning Commission's suggestion to allow quadruplexes in the ADU Ordinance. This motion was seconded by Supervisor Davis and carried by a vote of eight, Supervisor McConnell abstaining.

127. SPECIAL EXCEPTION APPLICATION SE 90-S-007
UPPER OCCOQUAN SEWAGE AUTHORITY (UOSA)
(SPRINGFIELD DISTRICT) (TAPE 16)

(NOTE: Earlier in the meeting the public hearing was held and decision deferred until later in the meeting. See Clerk's Summary Item CL#106.)

Following discussion, Supervisor Hyland moved approval of Special Exception Application SE 90-S-007 subject to the proposed development conditions dated July 20, 1990. This motion was seconded by Supervisor Richards and carried by a recorded vote of four, Supervisor McConnell voting "NAY," Supervisor Alexander, Supervisor Davis, Supervisor Hanley, and Chairman Moore being out of the room.

Supervisor McConnell moved that the Board direct staff to study the area for the possibility of placing a sewer system similar to that in the Lincoln-Lewis Vanoy area. This motion was seconded by Supervisor

Pennino and carried by a vote of five, Supervisor Alexander, Supervisor Davis, Supervisor Hanley, and Chairman Moore being out of the room.

Supervisor Hyland moved to modify the transitional screening requirements along the north and west boundaries and modify the barrier requirements around the entire site in accordance with that shown on the most recently dated special exception plan. This motion was seconded by Supervisor Richards and carried by a recorded vote of four, Supervisor McConnell abstaining, Supervisor Alexander, Supervisor Davis, Supervisor Hanley, and Chairman Moore being out of the room.

Supervisor McConnell moved that the Board request the Virginia Department of Transportation (VDOT) to expeditiously approve or disapprove its location as designated. This motion was seconded by Supervisor Hyland and carried by a vote of six, Supervisor Alexander, Supervisor Davis, and Chairman Moore being out of the room.

128. 7:30 P.M. - PH TO RECEIVE CITIZEN COMMENT ON
ISSUES OF CONCERN (TAPE 16)

Certificates of Publication were filed from the Editors of the Journal and Northern Virginia Sun, showing that notice of said public hearing had been duly advertised in those Newspapers in the issues of July 6 and July 13, 1990.

Citizens of Fairfax County are encouraged to present their views on issues of concern. The Board will hear public comment on any issue except: Issues under litigation, issues which have been scheduled for public hearing before the Board (this date and future dates), or comments regarding individuals. Each speaker may have up to three minutes and a maximum of 10 speakers will be heard. Citizens must call the Office of the Clerk to the Board to register to speak and provide their names, addresses, phone numbers, and topics they wish to address.

The public hearing was held and included testimony by seven speakers.

129. 7:30 P.M. - PUBLIC HEARING ON THE PROPOSED 1990
FALL BOND REFERENDA FOR SCHOOLS (\$169.26 MILLION),
HUMAN SERVICES FACILITIES (\$30.3 MILLION), HOUSING
(\$52.58 MILLION), PUBLIC SAFETY AND MAINTENANCE
FACILITIES (\$112.34 MILLION), SIDEWALKS (\$10.0
MILLION), STORM DRAINAGE IMPROVEMENT (\$20.0
MILLION), TRANSPORTATION FACILITIES
(\$125.0 MILLION), AND TRANSPORTATION
FACILITIES (\$330.0 MILLION) (TAPES 16-20)

Certificates of Publication were filed from the Editors of the Journal and Northern Virginia Sun, showing that notice of said public hearing had been duly advertised in those Newspapers in the issues of July 6 and July 13, 1990, and July 9, July 13, and July 16, 1990 (Human Services Facilities only).

The public hearing on the Fall Bond Referenda was held and included testimony by 36 speakers. Board decision is scheduled for August 6, 1990 at 10:00 a.m.

130. BOARD ADJOURNMENT (TAPE 20)

At 1:30 a.m., the Board adjourned.