

Exception Review Committee Public Hearing

#7996-WRPA-002-1

&

Water Quality Impact Assessment (WQIA) #7996-WQ-001-2

1008 Springvale Road,
Great Falls, Virginia

Camylyn Lewis, PE., CFM, Senior Engineer III

June 7, 2023

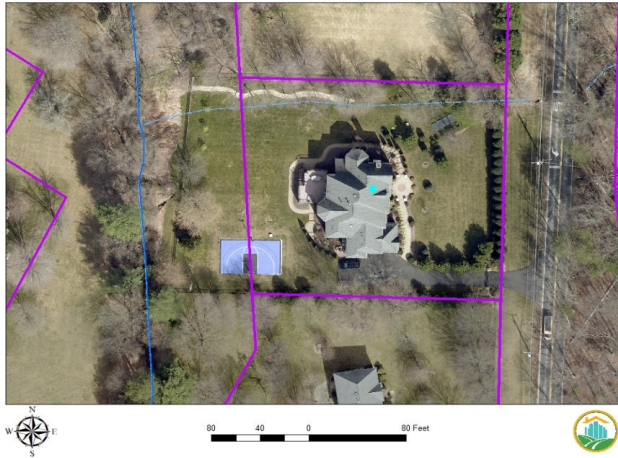
Staff - Summary of the issues

- The applicant installed a sport court in the resource protection area (RPA). Half is on their property and half on the HOA property.
- The applicant wishes to keep the half of the sport court (24.6x30 square feet) on their property.
- The application is submitted under 118-6-9.



Staff - Summary of the issues (2)

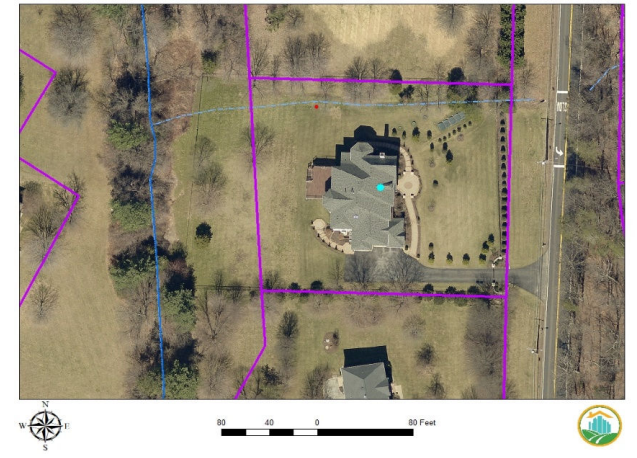
1008 Springvale Road - 2021 Image



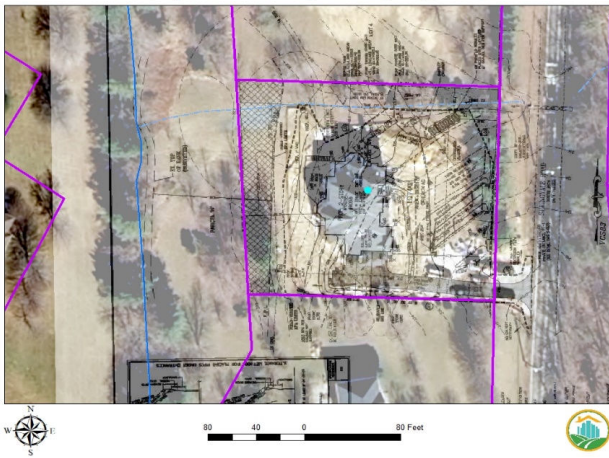
1008 Springvale Road - 2017 Image



1008 Springvale Road - 2015 Image



1008 Springvale Road - 2011 Image - with the grading plan and RPA



1008 Springvale Road - 2009 Image



1008 Springvale Road - 2007 Image



Staff - Summary of the issues (3)

11/18/2003	RPA designated on the lot
06/07/2004	Lot created
11/3/2010	Infill Lot Grading Plan approved
09/08/2011	House constructed
9/19/2011	Wilson's purchased the property
7/7/2020	Notice of Violation
10/8/2020	Floodplain Use Determination denied
01/17/2023	Water Quality Impact Assessment deemed complete
04/04/2023	Exception request accepted for public hearing

Applicant – Statement in Support

- 5 minutes

Statements – other interested parties

- Supporting Statements

- Opposing Statements

3 minutes each

Position of the Director (Staff) Section 118-6-6. Required Findings

1008 Springvale Road - 2021 Image

(a) The requested exception to the criteria is the minimum necessary to afford relief;

- 3 alternative locations outside the RPA.
- No need for an exception.
- Request not the minimum necessary to afford relief.
- The request does not meet this required finding.



Position of the Director (Staff) Section 118-6-6. Required Findings

(b) Granting the exception will not confer upon the applicant any special privileges that are denied by this part to other property owners who are subject to its provisions and who are similarly situated;

- There is no record of a case for a court in the RPA.
- There are several exception requests for accessory structures submitted under 118-6-8, and several cases submitted under 118-6-9.
- In the opinion of staff, granting approval would not give the applicant something that has been denied to others.

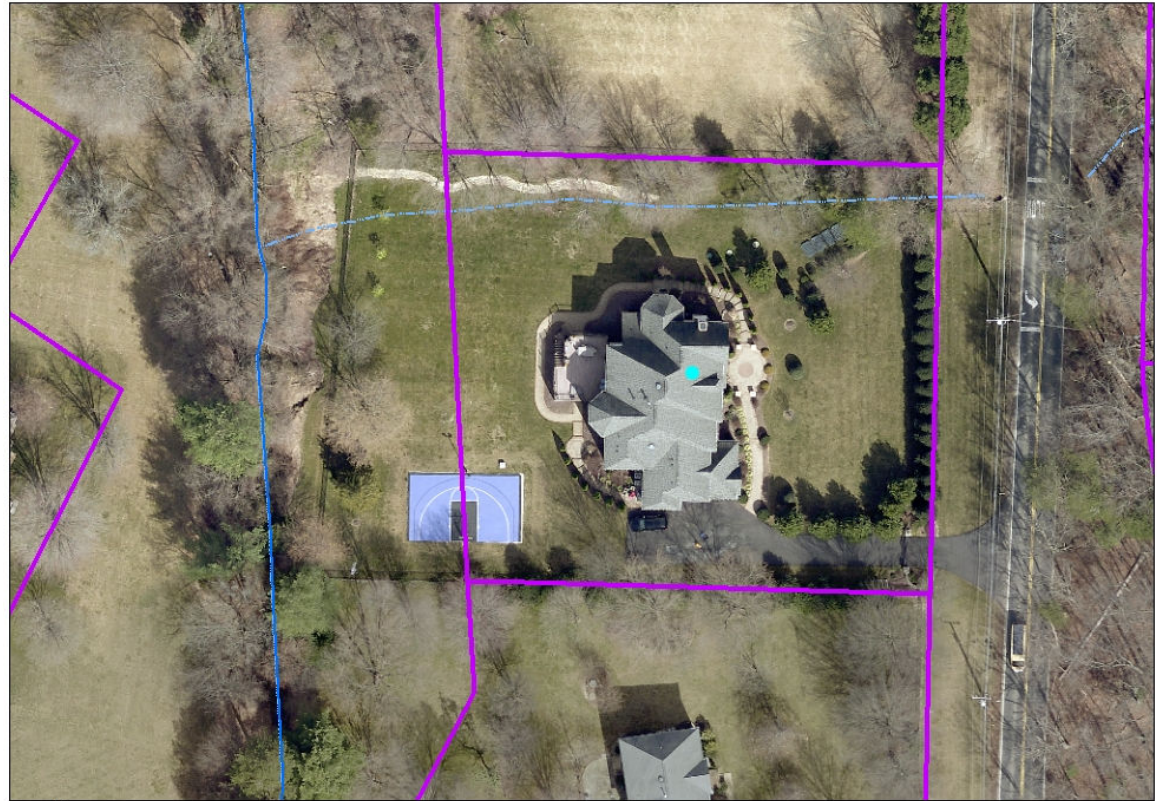
Requested	Resolution Approved / Dissaproved/ Other	Date
to permit an existing accessory structure to remain in a 2003 Resource Protection Area (RPA)	Approved	4-Apr-12
Shed: Request to permit an existing 506 square feet accessory structure built in 2000 to remain in the RPA	Approved	1-Jul-09
Exception to allow encroachment into the 2003 RPA, for an additional parking area and construction of an infiltration trench within the RPA	Deny	5-Apr-06
to subdivide, by right, a 1.55-acre site; Requests, to construct three access entrances and driveways, a temporary road, a sidewalk, and four biofiltration systems (raingardens), for new singlefamily subdivision	Defered	7-Sep-05
Redevelopment, larger house	Approved	6-Apr-16
to construct a two story dwelling and associated structures	Approved	6-Oct-10
Construction of a swimming pool with concrete patio	Approved	7-Feb-18
Construction of a playground, drop-off aisle and parking; SEA-85-L-059-6	Approved	6-Mar-09
Redevelopment	Approved by the BOS (ERC denied)	6-Apr-16

Position of the Director (Staff) Section 118-6-6. Required Findings

1008 Springvale Road - 2021 Image

(c) The exception is in harmony with the purpose and intent of this Chapter and is not of substantial detriment to water quality;

- WQIA does not demonstrate a water quality benefit.
- To resolve the notice of violation (NOV) on the subject property, 16 trees must be planted to replace the 8 trees removed.
- Staff estimates 1,800 sq ft of buffer restoration is needed for mitigation (2.6 x the portion of the ball court proposed to remain).
- Must restore HOA property.



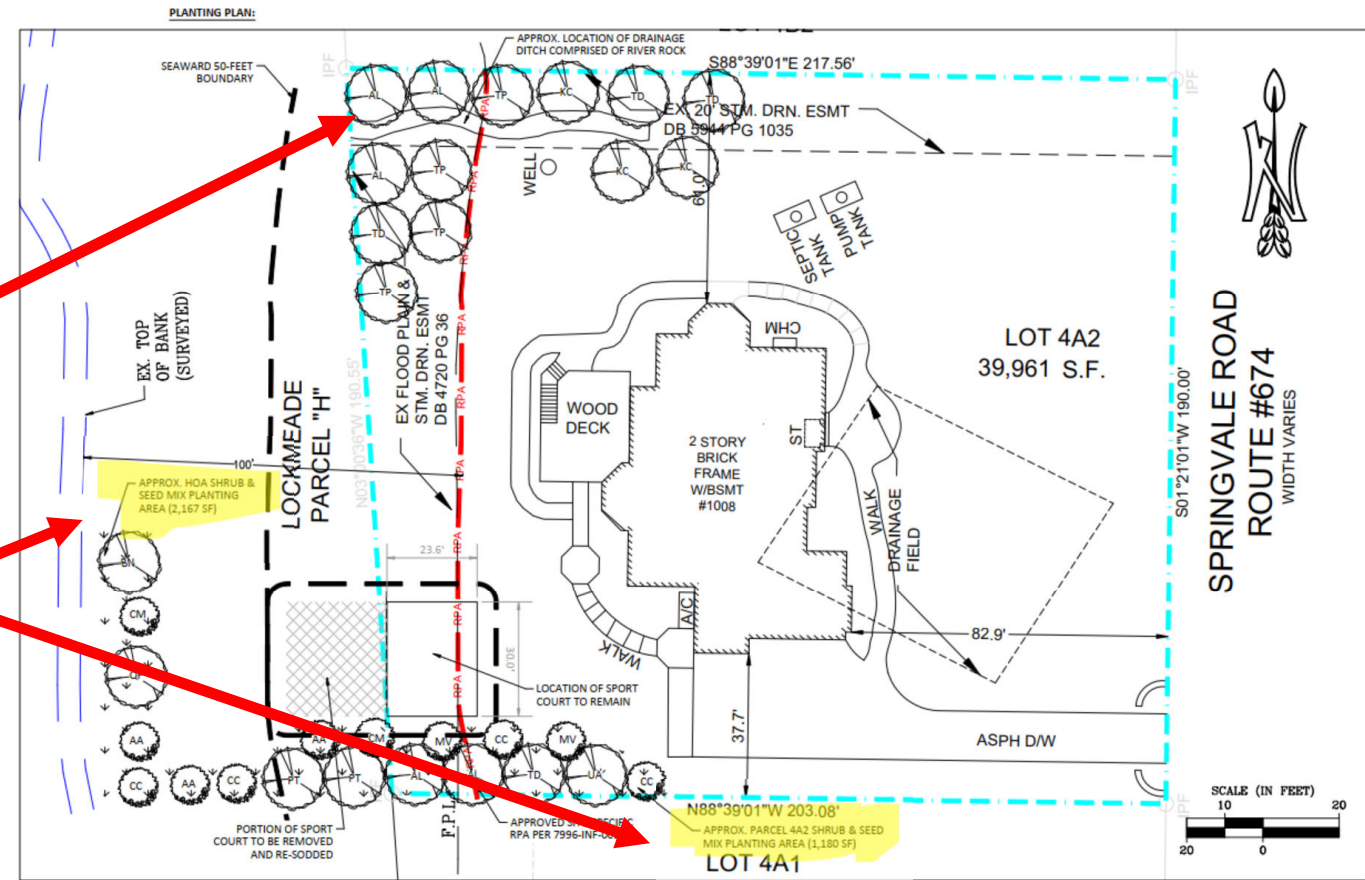
80 40 0 80 Feet



Position of the Director (Staff) Section 118-6-6. Required Findings - continued

(c) The exception is in harmony with the purpose and intent of this Chapter and is not of substantial detriment to water quality;

- Only 13 trees appear to be planted to address the NOV.
- Mitigation is not entirely on the subject property and falls short.
- The request as proposed does not meet this required finding.



Applicant's plat – Planting plan

Position of the Director (Staff)
Section 118-6-6. Required Findings

(d) The exception request is not based upon conditions or circumstances that are self-created or self-imposed;

- Footprint & Impervious area are among the largest within 500 feet.
- Sufficient area outside the RPA.
- Self-created situation.
- The request does not meet this required finding.

1008 Springvale Road - 2011 Image - Properties within 500 ft



Position of the Director (Staff) Section 118-6-6. Required Findings

(e) Reasonable and appropriate conditions are imposed, as warranted, that will prevent the allowed activity from causing a degradation of water quality;

- Water quality benefit demonstrated is inadequate.
- Buffer restoration on the HOA property and the subject property are inadequate.
- The request does not meet this required finding.

DCQ Virginia Runoff Reduction Method Re-Development Compliance Spreadsheet - Version 3.0											
2011 BMP Standards and Specifications				012013 Draft BMP Standards and Specifications							
Project Name:				Date:				CLEAR ALL		date input cells	
Site Information				Linear Development Project?				No		constant values	
Post-Development Project (Treatment Volume and Load)				Enter Total Disturbed Area (acres) ->				0.03		Check:	
				Maximum reduction required:				10%		BMP Design Specifications List: N13 Draft Side & Space	
				The site's net increase in impervious cover (acres)/yr:				0.015325976		linear project? No	
				Post-Development TP Load Reduction for Site (lb/yr):				0.01		land cover areas entered correctly? <input checked="" type="checkbox"/>	
										total disturbed area entered? <input checked="" type="checkbox"/>	
Pre-Development Land Cover (acres)											
Post-Development Land Cover (acres)											
Area Check											
* Forest/Open Space areas must be protected in accordance with the Virginia Runoff Reduction Method											
Constants											
Runoff Coefficients (ft)											
Annual Runoff (inches)											
Total Impervious (TP) ILMC (length)											
Total Impervious (TP) ILMC (length)											
Impervious Cover											
% Land Use Conversion Factor											
LAND COVER SUMMARY - PRE-REDEVELOPMENT						LAND COVER SUMMARY - POST DEVELOPMENT					
Land Cover Summary-Pre						Land Cover Summary-Post					
Pre-Development						Post-Development					
Forest/Open Space Cover (acres)						Forest/Open Space Cover (acres)					
Wetland (acres)						Wetland (acres)					
% Forest						% Forest					
Managed Full Cover (acres)						Managed Full Cover (acres)					
Wetland (acres)						Wetland (acres)					
% Managed Full						% Managed Full					
Impervious Cover (acres)						Impervious Cover (acres)					
% Impervious						% Impervious					
Total Site Area (acres)						Total Site Area (acres)					
Site Irv						Site Irv					
Treatment Volume and Nutrient Load						Treatment Volume and Nutrient Load					
Pre-Development Treatment Volume (acre-ft)						Post-Development Treatment Volume (acre-ft)					
Pre-Development TP Load (lb/yr)						Post-Development TP Load (lb/yr)					
Pre-Development TP Load per Acre (lb/acre-yr)						Post-Development TP Load per Acre (lb/acre-yr)					
Annual TP Load (lb/yr)						Annual TP Load (lb/yr)					
TP Load Reduction Required for New Impervious Area (lb/yr)						TP Load Reduction Required for New Impervious Area (lb/yr)					

Position of the Director Required Findings

- The request does not meet 5 out of the 6 findings.
- Staff recommends denial of the RPA encroachment Exception request.



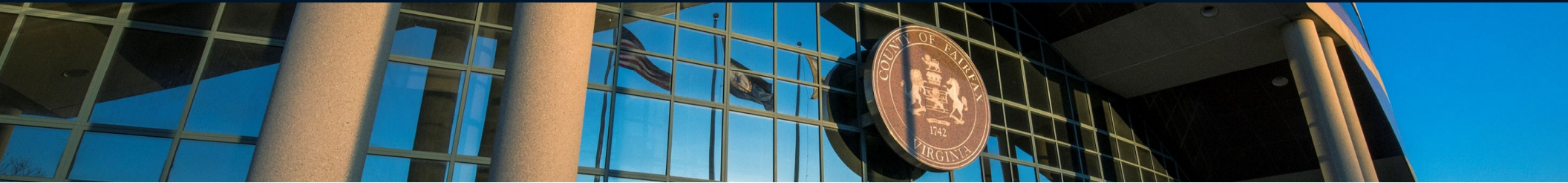
Position of the Director – Summary of Attachment A

Rebuttal by the Applicant

3 minutes

Surrebuttal by Staff

2 minutes



Close Public Hearing

Committee discussion

Motion

Vote