

**ENCROACHMENT EXCEPTION REQUEST
WAIV-2023-00514
WATER QUALITY IMPACT ASSESSMENT
#009820-WQ-003-1**

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Oak Hill, VA 20171

Engineer: Curt Crouch, P.E
March 6, 2024

ENCROACHMENT EXCEPTION REQUEST

Purpose

- The purpose of this RPA Encroachment Exception Request is to all for allow an 800 square foot sports court within the Resource Protection Area.

Violation

- A notice of violation. #202200244 was issued for land disturbance in the RPA without an approved Water Quality Impact Assessment in violation of Fairfax County Code, Section 118-4-2 and Section 118-3-2(a) and (b).

STATEMENT OF JUSTIFICATION

- Purchased the home in 2010 with the seller representing that all features met county code.
- There was an existing playground within the RPA that consisted of pea gravel and railroad ties
- In 2017, homeowner replace the deteriorating playground with a sport court in the exact footprint
- The violation was discovered during the submission of a conservation plan (#9820-CON-002) for a proposed pool.
- The violation was unintentional and as a homeowner did not realize the sports court was within an RPA. It was the opinion of the homeowner that this particular location was the best location due to no additional grading and it was away from the house when shooting hockey pucks.
- A Water Quality Impact Assessment was prepared and to mitigate the impacts the homeowner is proposing to plant 1.5 times the required plants in accordance with the public facility manual for PRA establishment and restoration

WATER QUALITY IMPACT ASSESSMENT

GENERAL NOTES:

- ALL PLANT MATERIALS SHALL BE SPECIFIED TO BE EQUAL TO OR BETTER THAN THE STANDARDS FOR NURSERY STOCK BY THE AMERICAN NURSERY AND LANDSCAPERS ASSOCIATION (ANLA).
- TREES AND SHRUBS SHALL BE NURSERY GROWN, UNLESS OTHERWISE APPROVED. TREES SHALL BE HEALTHY AND VIGOROUS PLANTS, FREE FROM DEFECTS, DECAY, DISFORMING ROOTS, BURSTING OR CRACKING OF THE BARK, PLANT DISEASES, INSECT PEST EGGS, BORERS AND ALL FORMS OF WEEDS OR UNDESIRABLE DISFIGUREMENTS AS DETERMINED BY THE DIRECTOR OF PUBLIC WORKS. PLANTS SHALL BE IN COMPLIANCE WITH THE CURRENT AMERICAN NURSERY AND LANDSCAPE ASSOCIATION AND COMPLY IN GENERAL TO REPRESENTATIVE SPECIES.
- PLANT MEASUREMENTS: ALL PLANTS SHALL CONFORM TO THE MEASUREMENTS SPECIFIED IN THE PLANT SCHEDULE OF THE LANDSCAPE PLAN. ALL PLANT SIZES SPECIFIED IN THE PLANT SCHEDULE SHALL BE THE MEAN FOR THE SIZE RANGES INDICATED IN THE ANLA STANDARDS AND, AT A MINIMUM, SHALL COMPLY WITH THE FOLLOWING:
 - QUALITY MEASUREMENTS SHALL BE TAKEN SIX (6) INCHES ABOVE GRADE FOR TREES UNDER FOUR (4) INCHES CALIPER AND TWELVE (12) INCHES ABOVE GRADE FOR TREES FOUR (4) INCHES IN CALIPER AND OVER.
 - MINIMUM BRANCHING HEIGHT FOR ALL SHADE TREES SHALL BE SIX (6) FEET.
 - MINIMUM SIZE FOR PLANTING LARGE DECIDUOUS TREES SHALL BE TWO TO TWO AND ONE-HALF (2-1.5) HIGH CALIPER, TWELVE (12) FEET TO FOURTEEN (14) FEET IN HEIGHT.
 - MINIMUM SIZE FOR PLANTING ALL OTHER DECIDUOUS TREES SHALL BE ONE TO ONE AND ONE-HALF (1-1.5) HIGH CALIPER, SIX (6) FEET TO EIGHT (8) FEET IN HEIGHT.
 - MINIMUM SIZE FOR PLANTING EVERGREEN TREES SHALL BE SIX (6) FEET TO SEVEN (7) FEET IN HEIGHT.
 - MINIMUM SIZE FOR PLANTING SHRUBS SHALL BE EIGHTEEN (18) TO TWENTY-FOUR (24) INCHES IN HEIGHT OR SPREAD, EXCEPT FOR QUALITY DWARF VARIETIES.
- PLANTS SHALL BE PROTECTED DURING DELIVERY TO PREVENT DESICCATION OF LEAVES.
- INsofar AS IS PRACTICABLE TREES AND SHRUBS SHALL BE PLANTED ON DAY OF DELIVERY. IF THIS IS NOT POSSIBLE, THE CONTRACTOR SHALL PROTECT UNPLANTED TREES BY KEEPING THEM IN SHADE, WELL PROTECTED WITH SOIL MULCH OR OTHER ACCEPTABLE MATERIAL, AND SHALL KEEP TREES WELL WATERED. TREES AND SHRUBS SHALL NOT REMAIN UNPLANTED FOR MORE THAN TWO (2) WEEKS.
- ALL TREES AND SHRUBS SHALL BE PLANTED IN SUCH A MANNER AS TO ENSURE THEIR SURVIVAL. PROCEDURES INCLUDE THE PLANTING OF INTACT BALLS, PLANTING AND PROPER DEPTH, PROPERLY BACKFILLING AND WATERING, AND CONSTRUCTION OF A PLANTING SAUCER. ALL PLANTING AREAS SHALL CONTAIN ADEQUATE MULCH FOR PLANTING. SOILS SHALL BE CLEAN AND FREE OF ALL CONSTRUCTION MATERIAL. BEST PRACTICES PROCEDURES FOR TREES AND PLANTING PROCEDURES FOR SHRUBS IN THE LATEST EDITION OF LANDSCAPE SPECIFICATION GUIDELINES FOR BALTIMORE, WASHINGTON METROPOLITAN AREA, PREPARED BY THE LANDSCAPE SPECIFICATION ASSOCIATION OF METROPOLITAN WASHINGTON AND AMERICAN SOCIETY OF LANDSCAPE ARCHITECTS FOR ADEQUATE SPECIFICATIONS.
- ANY ROPE OR WIRE BINDING THE BALL SHALL BE CUT PRIOR TO THE COMPLETION OF BACKFILLING OPERATIONS TO PREVENT GRINDING OF THE TREE TRUNK.
- IF A NONBIODEGRADABLE MATERIAL IS USED AROUND THE BALL, IT SHALL BE COMPLETELY REMOVED PRIOR TO BACKFILLING.
- THE OWNER OF FEE TITLE TO ANY PROPERTY ON WHICH PLANT MATERIAL HAS BEEN ESTABLISHED IN ACCORDANCE WITH AN APPROVED LANDSCAPE/PLANTING PLAN SHALL BE RESPONSIBLE FOR THE MAINTENANCE, REPAIR AND REPLACEMENT OF THE APPROVED PLANT MATERIALS AS REQUIRED BY THE ORDINANCE.
- THE PROPERTY OWNER SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF ALL BUFFER AREAS, LANDSCAPING, AND SCREENING INCLUDING REPLACING OR REPAIRING ANY DYING PLANT MATERIAL, AND THE UPRKEEP OF ANY BENCH, WALLS, OR FENCES.
- NO TREES SHALL BE LOCATED WITHIN STORM DRAIN EASEMENTS UNLESS A WAIVER OF THIS REQUIREMENT HAS BEEN APPROVED BY THE PRINCE WILLIAM COUNTY DEPARTMENT OF PUBLIC WORKS.
- NO DRY UTILITIES SHALL BE LOCATED WITHIN LANDSCAPE AREAS WITH THE EXCEPTION OF PERPENDICULAR CROSSINGS.

TREE PROTECTION REQUIREMENTS:

- THE PERMITTEE SHALL BE RESPONSIBLE FOR THE PROTECTION OF TOPS, TRUNKS AND ROOTS OF ALL EXISTING TREES. PROTECTIVE DEVICES SHALL BE INSTALLED ON THE SITE AFTER VEGETATION HAS BEEN REMOVED WITHIN THE AREA DETERMINED TO BE CLEARED. PROTECTIVE DEVICES SHALL BE INSTALLED ALONG THE LIMITS OF CLEARING AND GRADING. PROTECTIVE DEVICES SHALL BE MAINTAINED UNTIL ALL WORK IN THE PRESERVATION AREA IS COMPLETED AND SHALL NOT BE REMOVED WITHOUT THE CONSENT OF THE DIRECTOR OF PUBLIC WORKS. PROTECTIVE DEVICES ARE INSUFFICIENT TO PROTECT THE VEGETATION REMOVED FROM THE SITE. ADDITIONAL PROTECTIVE DEVICES SHALL BE INSTALLED TO INSURE ADEQUATE PROTECTION.
- ONCE CLEARING IS COMPLETED AND PROTECTIVE DEVICES INSTALLED, AN INSPECTION SHALL BE REQUESTED TO APPROVE THESE ITEMS PRIOR TO COMMENCING FURTHER CONSTRUCTION.
- BARRICADES WITH APPROPRIATE SIGNS TO IDENTIFY TREE PRESERVATION AREAS SHALL BE LOCATED ALONG THE LIMITS OF CLEARING LINE. THE LIMITS OF CLEARING AND GRADING SHALL BE LOCATED AT THE TRUNK OF THE TREE TO BE RETAINED OR SPACED FROM THE EDGE OF THE TRUNKS EQUIVALENT TO ONE FOOT FOR EVERY INCH IN THE DIAMETER OF THE TREES AT BREAST HEIGHT (DBH). WHEREVER OPERATING THE FOLLOWING STANDARDS SHALL APPLY TO THE AREA WITHIN THE ESTABLISHED LIMITS OF CLEARING AND GRADING LINE.
 - THE SOIL SHALL NOT BE DISTURBED OR COMPACTED.
 - NEW EQUIPMENT, VEHICLES, TRAILERS, STOCKPILING OF ANY MATERIALS, OR DEPOSITION OF SEDIMENT, SHALL NOT BE PERMITTED.
 - TREES BEING REMOVED SHALL NOT BE FILLED, PUSHED OR PULLED INTO TREES BEING RETAINED. EQUIPMENT OPERATORS SHALL NOT CLEAR ANY PART OF THEIR EQUIPMENT BY CLEARING IT AGAINST THE TRUNKS OF TREES TO BE RETAINED.
 - NO TOXIC MATERIALS SHALL BE STORED WITHIN FIFTY (50) FEET OF THE LIMITS OF CLEARING AND GRADING.
 - BURN PITS SHALL NOT BE PERMITTED WITHIN ONE HUNDRED (100) FEET OF VEGETATED AREA RETAINED, UNLESS APPROVED BY THE DIRECTOR OF PUBLIC WORKS. THEY SHALL BE LIMITED IN SIZE SO AS TO NOT ADVERSELY AFFECT THE VEGETATION.
 - NO PROTECTIVE DEVICES, SIGNS, UTILITY BOXES, OR OTHER OBJECTS SHALL BE NAILED TO THE TREES TO BE RETAINED ON SITE.
 - ADDITIONAL TREES MAY BE LEFT STANDING AS PROTECTION BETWEEN THE TRUNKS OF THE TREES TO BE RETAINED AND THE LIMITS OF GRADING. THE TRUNKS OF TREES IN THIS PRESERVATION AREA ARE MORE THAN SIX (6) FEET AWAY. ADDITIONAL PROTECTIVE DEVICES MAY BE REQUIRED TO PREVENT PASSAGE OF EQUIPMENT AND MATERIAL THROUGH THE TREES. WHEN ADDITIONAL TREES ARE USED AS PROTECTION, THE LIMITS OF CLEARING SHOWN ON THE APPROVED PLAN SHALL BE CLASSIFIED IN THE FIELD SO THAT THE ADDITIONAL PRESERVATION AREA IS DELINEATED. WHEN THIS METHOD OF PROTECTION IS USED, THESE ADDITIONAL TREES SHALL BE REMOVED PRIOR TO COMPLETION OF THE PROJECT IF REQUIRED BY THE DIRECTOR OF PUBLIC WORKS.
 - SEDIMENT-LADEN RUNOFF SHALL BE DIVERTED AWAY FROM THE PRESERVATION AREA. WHEN THE EDGE OF A PARKING LOT ABUTS A TREE PRESERVATION AREA, CURB AND GUTTER ROLLED ASPHALT OR SIMILAR TYPE OF OUTSILING MATERIAL SHALL BE USED TO DIVERT CONCENTRATED RUNOFF AWAY FROM THE TREE PRESERVATION AREA.

PLANTING NOTES:

FOR AREAS DISTURBED WITHIN THE RESOURCE PROTECTED AREA (RPA), THE AMOUNT OF VEGETATION SHALL AS STATED BELOW IN ACCORDANCE WITH THE PUBLIC FACILITY MANUAL SECTION 12-8316, TABLE 12.130 PLANTING DENSITY PER ACRE FOR RPA ESTABLISHMENT OR RESTORATION.

PLANT SPECIES SHALL CONFORM WITH THE FAIRFAX COUNTY PUBLIC FACILITIES MANUAL PLANT LISTS.

PLANTINGS PER ACRE (43,560 SF):

- 184 OVERSTORY TREES AT 3/4" CALIPER
- 218 UNDERSTORY TREES AT 3/4" CALIPER
- 654 SHRUBS AT 12"-24" TALL
- 30 POUNDS PERMANENT HERPACIOUS SEED MIX
- 40 POUNDS ANNUAL HERPACIOUS COVER CROP SEED MIX

REQUIRED PLANTING WITHIN RESOURCE PROTECTED AREA

RPA DISTURBANCE

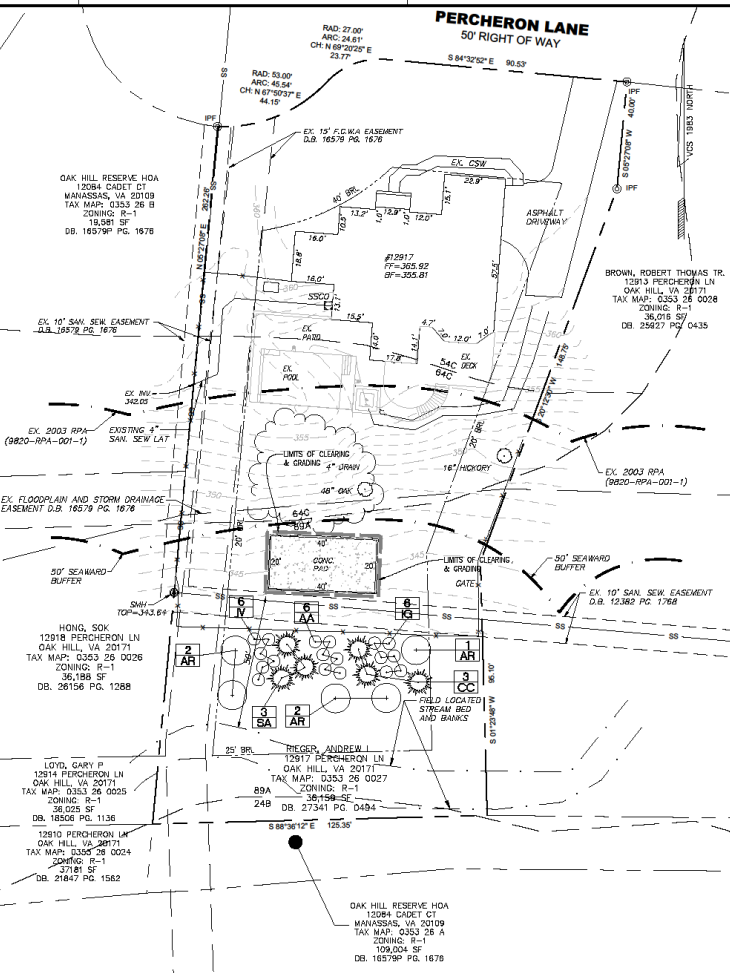
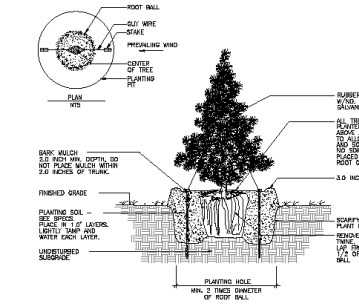
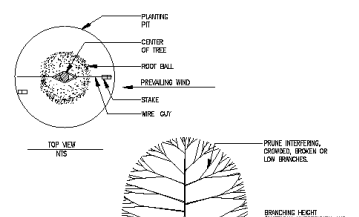
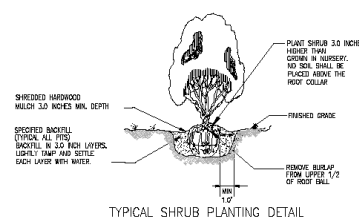
DISTURBED AREA WITHIN BUFFER = 800 SF

TYPE OF PLANTING	REQUIRED	PROVIDED
OVERSTORY TREE	3 TREES	5 TREES
UNDERSTORY TREE	4 TREES	9 TREES
SHRUBS	12 SHRUBS	18 SHRUBS
HERPACIOUS SEED MIX	0.6 LBS	0.9 LBS
ANNUAL HERPACIOUS COVER CROP SEED MIX	1.1 LBS	1.7 LBS

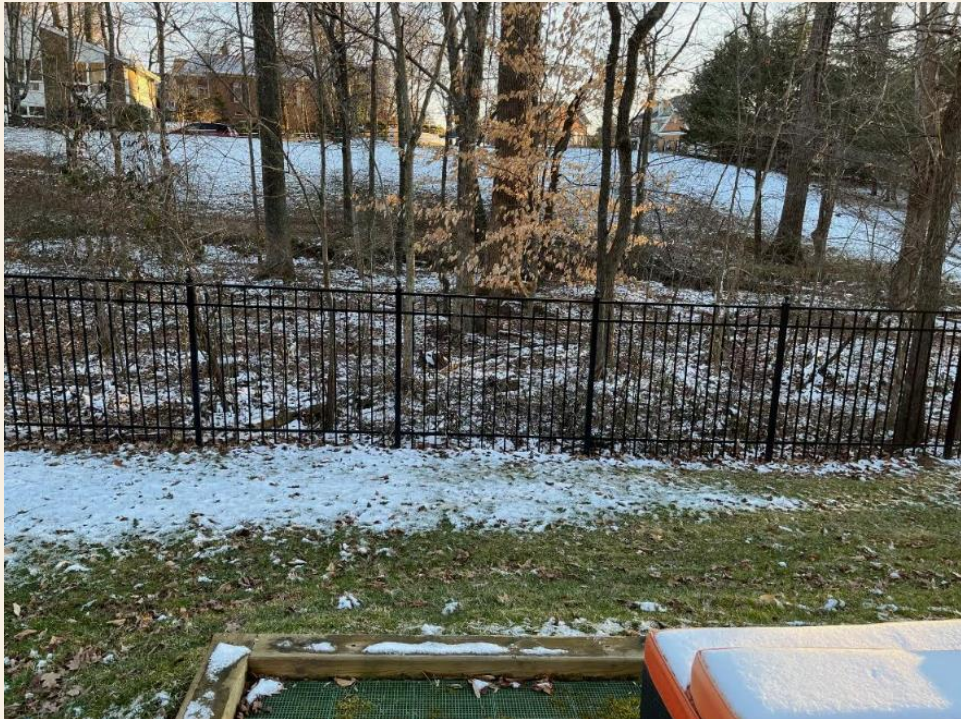
* PROVIDING 1.5x REQUIRED PLANTINGS

KEY	BOTANICAL NAME	COMMON NAME	QTY	Stock Size	Stock Type	15-YR Canopy	Total Canopy
OVERSTORY TREES							
OR	Red Maple		2	3 1/4" Cal.	Code	150 S.F.	750 S.F.
UNDERSTORY TREES							
CC	Coronilla canadensis	Eastern Peonies	2	3 1/4" Cal.	Code	75 S.F.	225 S.F.
EA	Euonymus alatus	Sp. Dogwood	3	2 1/4" Cal.	Code	75 S.F.	225 S.F.
SHRUBS							
12	Illicium floridanum	Sp. Spicebush	6	18-24"	SAB	0 S.F.	0 S.F.
AA	Amelanchier canadensis	Red Chokeberry	6	18-24"	SAB	0 S.F.	0 S.F.
10	Illex glabra	Waxberry Holly	6	18-24"	SAB	0 S.F.	0 S.F.
HERPACIOUS SEED MIX							
	HERPACIOUS SEED MIX		0.6 LBS			0 S.F.	0 S.F.
	ANNUAL HERPACIOUS COVER CROP SEED MIX		1.1 LBS			0 S.F.	0 S.F.
	TOTAL					1,200.00 S.F.	8,025.00 S.F.

THE ENGINEER SHALL NOT HAVE CONTROL OVER OR CHARGE OF AND SHALL NOT BE RESPONSIBLE FOR CONSTRUCTION METHODS, MATERIALS, TECHNIQUES, SEQUENCES OR PROCEDURES OF CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE CONSTRUCTION OF THE PROJECT AND SHALL NOT BE RESPONSIBLE FOR ANY ACTS OR OMISSIONS OF THE CONTRACTOR, SUBCONTRACTORS, OR THEIR AGENTS OR EMPLOYEES. THE ENGINEER IS NOT RESPONSIBLE FOR ANY ACTS OR OMISSIONS OF THE CONTRACTOR, SUBCONTRACTORS, OR THEIR AGENTS OR EMPLOYEES. THE ENGINEER IS NOT RESPONSIBLE FOR ANY ACTS OR OMISSIONS OF THE CONTRACTOR, SUBCONTRACTORS, OR THEIR AGENTS OR EMPLOYEES.



FACING RPA

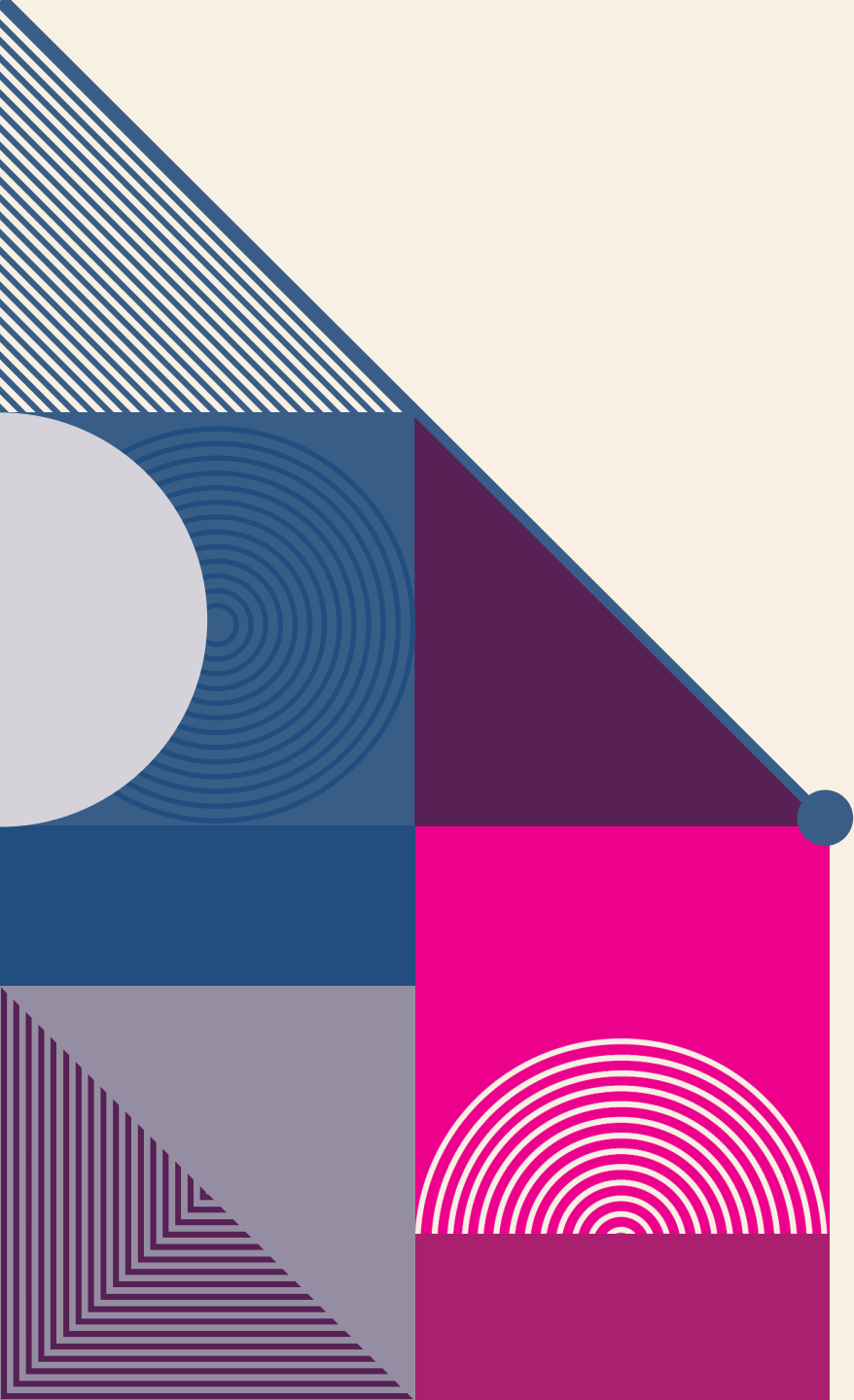


SPORTS COURT

2015 AERIAL



2023 AERIAL



QUESTIONS?

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