



County of Fairfax, Virginia

To protect and enrich the quality of life for the people, neighborhoods and diverse communities of Fairfax County

JUN 12 2015

William P. and Maureen S. Sloan
1090 Cedrus Lane
McLean, VA 22102

Subject: 1090 Cedrus Lane, McLean, VA 22102, PCL C1A, Peacock Station, Tax Map #019-2-0000-C4, Dranesville District

Reference: Resource Protection Area Exception Request #1131-WRPA-006-1 and Water Quality Impact Assessment #1131-WQ-002-1

Dear Mrs. and Mr. Sloan:

Please find enclosed a copy of the Resolution adopted by the Exception Review Committee at its regular meeting held on June 3, 2015 approving 1131-WRPA-006-1 and 1131-WQ-002-1 under Section 118-6-9 of the Chesapeake Bay Preservation Ordinance (CBPO); a General Resource Protection Area (RPA) Encroachment, to allow a pond with paved area and pergola, patio, garage, driveway and pool to remain in the 1993 RPA.

Please be advised that the decision of the Exception Review Committee may be appealed to the Board of Supervisors in accordance with Article 8 of CBPO within 30 days from the date of the resolution.

If further assistance is desired, please contact Camylyn Lewis, Senior Engineer III (Stormwater), Environmental and Site Review Division at 703-324-1720 or Camylyn.lewis@fairfaxcounty.gov.

Sincerely,

Shahab Baig
Clerk to the Exception Review Committee

Enclosure

cc: Anne Kanter, Chairman, Exception Review Committee
Diane Johnson-Quinn, Chief, Zoning Administration Division, Department of Planning and Zoning
Susan Langdon, Chief, Special Permit & Variance Evaluation Section, DPZ
Exception File



**COUNTY OF FAIRFAX
EXCEPTION RESOLUTION OF THE EXCEPTION REVIEW COMMITTEE**

William P. and Maureen S. Sloan, 1131-WRPA-006-1 under Section 118-6-9 of the Chesapeake Bay Preservation Ordinance (CBPO) and 1131-WQ-002-1, 1090 Cedrus Lane, McLean. Exception to allow a pond with paved area and pergola, patio, and garage, driveway and pool to remain in a 1993 RPA. Dranesville District. Tax Map #019-2-09-0000 C4. At a regular meeting of the Exception Review Committee on June 3, 2015, Mr. Schnare moved that the Exception Review Committee adopt the following resolution:

WHEREAS, the Committee has made the findings that:

- a) The requested exception, as conditioned, is the minimum necessary to afford relief;
- b) Granting the exception will not confer upon the applicant any special privileges that are denied to other property owners who are similarly situated;
- c) The exception, as conditioned, is in harmony with the purpose and intent of the CBPO and is not of substantial detriment to water quality;
- d) The exception request is not based upon conditions or circumstances that are self-created or self-imposed; and
- e) Reasonable and appropriate conditions will be imposed that will prevent the allowed activity from causing a degradation of water quality.
- f) The water quality benefits resulting from the proposed facility or improvement exceed the associated water quality detriments.

Now, therefore, be it resolved that the Exception Review Committee **APPROVE** Exception Request 1131-WRPA-006-1 under Section 118-6-9 of the CBPO and 1131-WQ-002-1 to allow the encroachment into the RPA for a pond with paved area and pergola, patio, garage, driveway and pool subject to the conditions dated May 14th 2015, as follows:

1. This RPA Exception is granted for and runs with the land indicated in this application and is not transferable to other land.
2. This RPA Exception is granted only for the purposes, structures and/or uses indicated on the Plat approved with the application, as qualified by these development conditions.
3. Any plan submitted pursuant to this RPA Exception shall be in substantial conformance with the Plat titled "RPA Exception Plan, Peacock Station" prepared by Charles P. Johnson, Inc, signed and sealed April 1st 2015, which shows the improvements already added to the lot, and planting details (Plat), and the "RPA Delineation & Water Quality Impact Assessment Plan" prepared by Charles P. Johnson, Inc, signed and sealed April 3rd 2015, and these exception conditions.
4. In order that the project is in harmony with the purpose and intent of the CBPO, does not have a substantial detriment to water quality, and meets the additional performance criteria for RPAs, vegetated buffer area(s) using native vegetation shall be established in the disturbed areas within the RPA on the lot and shall be of a combined area of at least 7,530 square feet. The size, species, density and locations

Resource Protection Area Exception Request #1131-WRPA-006-1 and
Water Quality Impact Assessment #1131-WQ-002-1

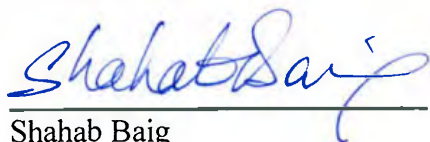
shall be consistent with the planting requirements of CBPO Section 118-3-3(f), or a vegetation plan that is equally effective in retarding runoff, preventing erosion, and filtering non-point source pollution from runoff, as determined by the Department of Public Works and Environmental Services (DPWES). The vegetation shall be randomly placed to achieve a relatively even spacing throughout the buffer. Notwithstanding any statements on the Plat and in the Water Quality Impact Assessment (WQIA), the size, species, density, and locations of the trees, shrubs, and groundcover will be subject to approval of the Director of the DPWES, and Urban Forest Management Division.

5. In order that the disturbed area within the RPA is the minimum necessary to afford relief, indigenous vegetation shall be preserved to the maximum extent possible. Any further encroachment into, and/or disturbance of, the RPA not shown on the approved Plat will be considered a violation of the CBPO and is subject to the penalties of the CBPO Article 9.
6. This RPA Exception shall automatically expire, without notice, 12 months after the date of approval, unless the necessary vegetated buffers have been established.

This approval, contingent on the above noted conditions, does not relieve the applicant from compliance with the provisions of any applicable Federal, State or County ordinances, regulations, or adopted standards. The applicant shall be responsible for obtaining the approval of any required plans and permits through established procedures, and this RPA Exception shall not be valid until this has been accomplished.

Anne Kanter seconded the motion which was carried by the committee members present: Howard Green, Glorinda Banister, Stephen Kirby, Jim Chesley, Mary Cortina, and Frank Crandall.

A Copy Teste:



Shahab Baig

Clerk to the Exception Review Committee

CEDRUS LANE
 ROUTE # 5797
 (50' WIDE RIGHT OF WAY)

N/F
 27
 DAVID & LISA DANIEL
 D.B. 11183 PG. 588

N/F
 C-2
 GAYLE & TERRY MAHN
 D.B. 4647 PG. 535

N/F
 C-3
 INDER & PRABHA BHAMBRI
 D.B. 5863 PG. 1782

N/F
 21-A
 RICHARD & LOIS NICHOLSON
 D.B. 9861 PG. 1848

N/F
 22-A
 ROBERT BORRIS
 D.B. 8823 PG. 432

N/F
 23-A
 TYLER & MARITZA BIGGS
 D.B. 10145 PG. 531

N/F
 48-C
 STEPHEN & DEBORAH FRELICH
 D.B. 7981 PG. 1323

N/F
 26
 STAN MOORTENSON
 D.B. 7043 PG. 24

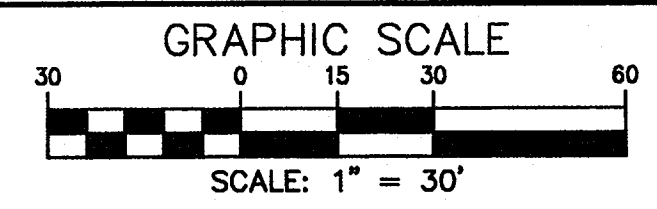
N/F
 3
 CLAYSON & BARBARA HILGEMAN
 D.B. 9120 PG. 1323

LEGEND

- 242- EXISTING CONTOUR
- 240- EXISTING INDEX CONTOUR
- - - EXISTING EDGE OF PAVEMENT
- - - EXISTING TREELINE
- - - LIMITS OF CLEARING AND GRADING
- (FD) FOUNDATION DRAIN IDENTIFIER
- o PROPOSED WATER METER
- GV EXISTING GAS VALVE
- PROPOSED STOP SIGN (EXCEPT WHERE NOTED)
- PROPOSED STREET SIGN
- o EXISTING STREET LIGHT
- o PROPOSED STREET LIGHT (RF-3)
- G- EXISTING UNDERGROUND GAS LINE
- UGC- EXISTING UNDERGROUND CABLE
- E- EXISTING UNDERGROUND ELECTRIC
- T- EXISTING UNDERGROUND TELEPHONE
- OH- EXISTING OVERHEAD UTILITY LINE
- ← 0 VEHICLES PER DAY COUNT
- o DENOTES PROPOSED TEST PIT
- - - FIELD LOCATED RPA
- o o o o COUNTY GIS RPA LIMIT
- - - COUNTY GIS FLOODPLAIN LIMIT
- - - FIELD LOCATED WETLAND LIMIT

NOTES:

1. THE PARCEL SHOWN HEREON IS IDENTIFIED AS PARCEL 0192 09 C1 ON FAIRFAX COUNTY TAX MAPS AND COMPRISES APPROXIMATELY 3.49 ACRES OF LAND.
2. THE MAPPED RPA BUFFER IS TAKEN FROM FAIRFAX COUNTY RPA MAP 19-2.
3. THE DELINEATION OF WETLANDS AND WATERS SHOWN HEREON WAS CONDUCTED BY J.E. ENTERPRISES, LLC, T/A PASSAGE CREEK ENVIRONMENTAL DURING AUGUST 2012.
4. THE DELINEATION WAS CONFIRMED AS ACCURATE BY A REPRESENTATIVE OF THE U.S. ARMY CORPS OF ENGINEERS DURING A SITE VISIT CONDUCTED ON OCTOBER 9, 2012. WRITTEN VERIFICATION (0140-2012-02089) IS DATED OCTOBER 17, 2012 AND IS VALID FOR A PERIOD OF FIVE YEARS.
5. THE REVISED RPA BUFFER, BASED ON THE APPROVED DELINEATION, IS ESTABLISHED 100 FEET LANDWARD OF THE TOP OF BANK OF WATER BODIES WITH PERENNIAL FLOW AS DEFINED IN SECTION 118-1-7B OF THE CHESAPEAKE BAY PRESERVATION ORDINANCE OF FAIRFAX COUNTY.



RPA Boundary Location Certification
 (The following certification statement is to be placed on the plan, signed, and sealed by the licensed professional submitting the plan.)

RPA Boundary Location Certification

The lot depicted on this infill lot grading plan includes an RPA. The locations of all RPA features have been verified in the field.

Checklist of RPA features which are present:

- | | | |
|-------------------------------------|-------------------------------------|---|
| YES | NO | (1) A tidal wetland; |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | (2) A tidal shore; |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | (3) A water body with perennial flow; |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | (4) A nontidal wetland connected by surface flow and contiguous to a tidal wetland or water body with perennial flow; |
| (5) A buffer area as follows: | | |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | (i) Any land within a major floodplain; |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | (ii) Any land within 100 feet of a feature listed in (1) through (4). |

Supporting Documents:
 Jurisdictional determination or verification letter from the U.S. Army Corps of Engineers for all Waters of the U.S.

I hereby certify that:

Each of the individual features listed above, which together comprise the RPA, have been reviewed and the locations of the features and final RPA boundary shown on the plan are in conformance with the requirements of the Chesapeake Bay Preservation Ordinance.

Signature: *[Signature]*
 Name: **James E. Irre, PWD**
 Date: **October 15, 2012**
 Virginia license number: **3402 000035**

APPROVED
 COUNTY OF FAIRFAX
 LAND DEVELOPMENT SERVICES
 ENVIRONMENTAL AND SITE REVIEW DIVISION
 BY: *[Signature]*
 DATE: **12/17/12**

Before you start work you are required to notify the site inspector at 703-324-1720. Failure to notify can result in a violation and a charge per the compliance inspection.

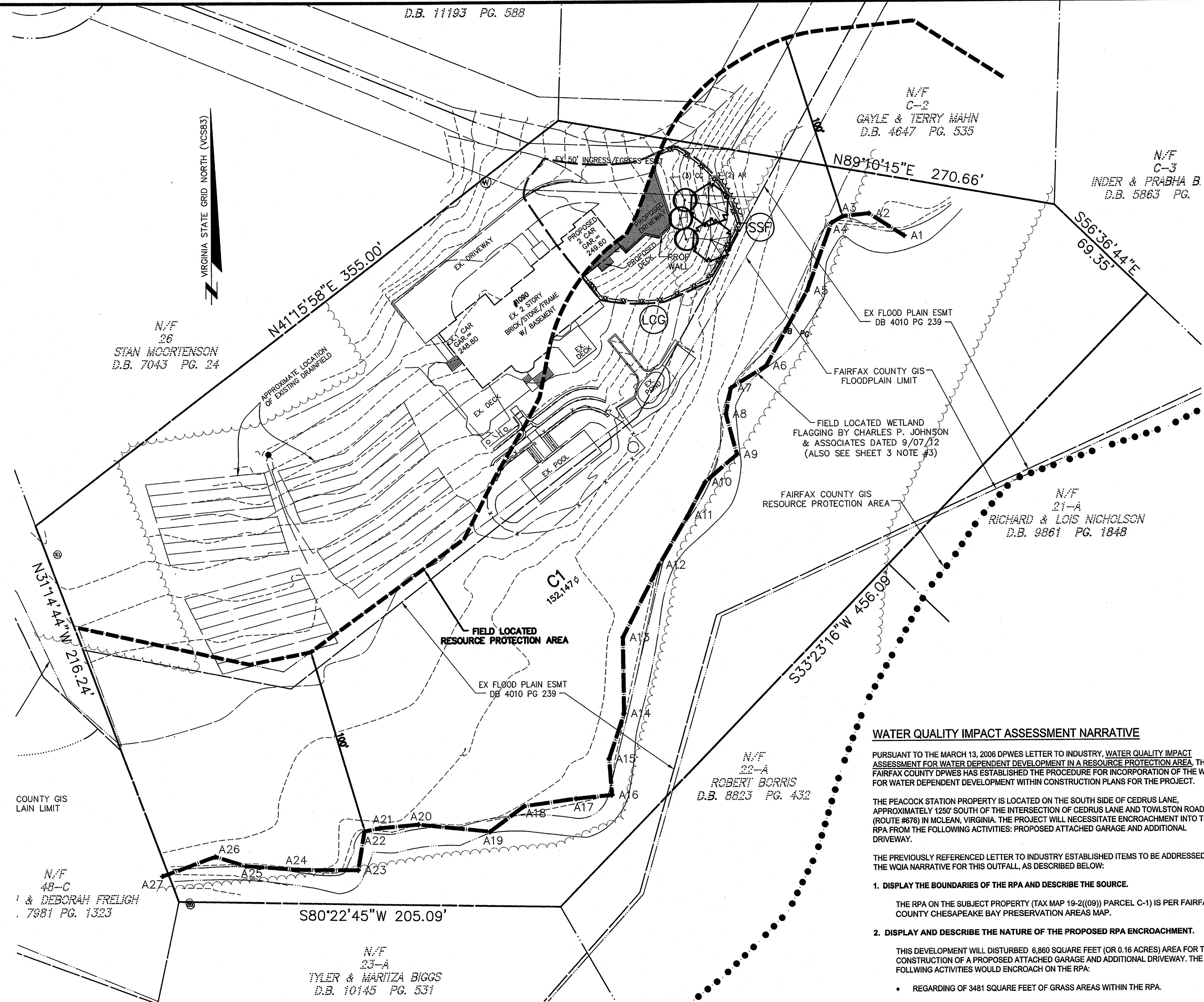
PEACOCK STATION

RPA DELINEATION
 DRANESVILLE DISTRICT
 FAIRFAX COUNTY, VIRGINIA

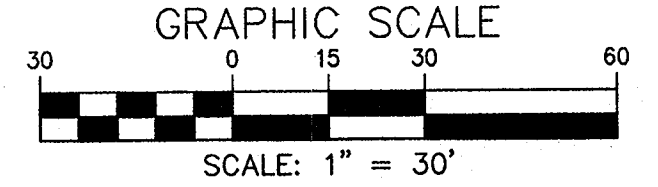


NO.	DATE	REVISION

DESIGN	DATE	SHEET	OF
ATL	JUNE 2012	3	5
SCALE	HORIZ: 1" = 30'	TYPE: CONSERVATION	
PRJ NO:	00581		



WATER QUALITY IMPACT ASSESSMENT MAP
SCALE : 1" = 30'



PLANT SCHEDULE				
SYM.	QTY.	BOTANICAL NAME	COMMON NAME	SIZE
AR	2	Acer rubrum 'October Glory'	October Glory Red Maple	2 1/2" cal. B & B
CC	3	Cercis canadensis	Eastern Redbud	6-8" ht. B & B

LEGEND

- 242— EXISTING CONTOUR
- 240— EXISTING INDEX CONTOUR
- EXISTING EDGE OF PAVEMENT
- EXISTING TREELINE
- PROPOSED TREELINE
- (LCG) LIMITS OF CLEARING AND GRADING
- (FD) FOUNDATION DRAIN IDENTIFIER
- PROPOSED WATER METER
- EX EXISTING GAS VALVE
- PROPOSED STOP SIGN (EXCEPT WHERE NOTED)
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- EXISTING STREET LIGHT
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- ← 0 VEHICLES PER DAY COUNT
- ⊙ DENOTES PROPOSED TEST PIT
- FIELD LOCATED RPA
- COUNTY GIS RPA LIMIT
- COUNTY GIS FLOODPLAIN LIMIT
- FIELD LOCATED WETLAND LIMIT
- ACTIVITIES WITHIN RPA
- (SSF) SUPER SILT FENCE (PFM PLATE 11-11)

NOTE:
A REQUEST FOR EXCEPTION FOR LOSS OF BUILDABLE AREA IN A RESOURCE PROTECTION AREA WAS APPROVED BY FAIRFAX COUNTY, VIRGINIA DATED JULY 23, 1998 (EXCEPTION #019805). THE EXISTING HOUSE AND DRIVEWAY WAS CONSTRUCTED UNDER A NON-BONDED LOT GRADING PLAN (SEE FAIRFAX COUNTY PLAN # 1131-SO-3, LGP PARCEL C1), AND THE POOL WAS CONSTRUCTED UNDER A SEPARATE NON-BONDED LOT GRADING PLAN (FAIRFAX COUNTY PLAN # 1131-LV-001-2).

WATER QUALITY IMPACT ASSESSMENT NARRATIVE

PURSUANT TO THE MARCH 13, 2006 DPWES LETTER TO INDUSTRY, WATER QUALITY IMPACT ASSESSMENT FOR WATER DEPENDENT DEVELOPMENT IN A RESOURCE PROTECTION AREA, THE FAIRFAX COUNTY DPWES HAS ESTABLISHED THE PROCEDURE FOR INCORPORATION OF THE WOIA FOR WATER DEPENDENT DEVELOPMENT WITHIN CONSTRUCTION PLANS FOR THE PROJECT.

THE PEACOCK STATION PROPERTY IS LOCATED ON THE SOUTH SIDE OF CEDRUS LANE, APPROXIMATELY 1250' SOUTH OF THE INTERSECTION OF CEDRUS LANE AND TOWLSTON ROAD (ROUTE #878) IN MCLEAN, VIRGINIA. THE PROJECT WILL NECESSITATE ENCROACHMENT INTO THE RPA FROM THE FOLLOWING ACTIVITIES: PROPOSED ATTACHED GARAGE AND ADDITIONAL DRIVEWAY.

THE PREVIOUSLY REFERENCED LETTER TO INDUSTRY ESTABLISHED ITEMS TO BE ADDRESSED IN THE WOIA NARRATIVE FOR THIS OUTFALL, AS DESCRIBED BELOW:

- 1. DISPLAY THE BOUNDARIES OF THE RPA AND DESCRIBE THE SOURCE.**
THE RPA ON THE SUBJECT PROPERTY (TAX MAP 19-2(09) PARCEL C-1) IS PER FAIRFAX COUNTY CHESAPEAKE BAY PRESERVATION AREAS MAP.
- 2. DISPLAY AND DESCRIBE THE NATURE OF THE PROPOSED RPA ENCROACHMENT.**
THIS DEVELOPMENT WILL DISTURB 6,860 SQUARE FEET (OR 0.16 ACRES) AREA FOR THE CONSTRUCTION OF A PROPOSED ATTACHED GARAGE AND ADDITIONAL DRIVEWAY. THE FOLLOWING ACTIVITIES WOULD ENCROACH ON THE RPA:
 - REGARDING OF 3481 SQUARE FEET OF GRASS AREAS WITHIN THE RPA.
 - CONSTRUCTION OF ATTACHED GARAGE DISTURBS 106 SQUARE FEET AREA WITHIN THE RPA.
 - CONSTRUCTION OF ADDITIONAL PARKING AREA DISTURBS 551 SQUARE FEET AREA WITHIN THE RPA.
- 3. PROVIDE A JUSTIFICATION STATEMENT FOR THE PROPOSED ENCROACHMENT:**
THE SITE CONSISTS 3.49 ACRES. HOWEVER, MORE THAN 1/2 OF THE SITE AREA (2.49 ACRES) LOCATED WITHIN THE RPA. AND THE EXISTING DRAINFIELD OCCUPIES MORE THAN HALF OF THE REMAINING BUILDABLE AREAS OUTSIDE OF THE RPA. MOREOVER, PORTION OF THE EXISTING HOUSE AND SWIMMING POOL ARE ALREADY LOCATED WITHIN THE RPA. THE PROPOSED DEVELOPMENT ONLY DISTURBED NECESSARY FOR THE RESIDENTIAL ACCESS PURPOSE. THERE IS ONLY 657 SQUARE FEET OF IMPERVIOUS AREA ADDED TO THE RPA. SUPER SILT FENCE HAS BEEN PROVIDED DURING THE CONSTRUCTION TO PREVENT SILT FROM THE RPA.
- 4. DISPLAY THE EXTENT AND NATURE OF ANY PROPOSED IMPACTS TO WETLANDS AND WATERS OF THE UNITED STATES (WOUS):**
THE CONSTRUCTION OF THIS DEVELOPMENT WILL NOT HAVE ANY IMPACTS TO THE EXISTING WETLANDS AND WATERS OF THE UNITED STATES. THE PROPOSED DISTURBED AREA HAS BEEN MAINTAIN OUTSIDE OF THE EXISTING FLOODPLAIN EASEMENT LIMITS.
- 5. DISPLAY AND DISCUSS THE BMPs TO MITIGATE FOR THE PROPOSED ENCROACHMENT:**
THERE IS NO BMPs NECESSARY FOR THIS DEVELOPMENT. SUPER SILT FENCE HAS BEEN PROVIDED TO MITIGATE THE PROPOSED ENCROACHMENT.

6. COORDINATE WITH APPLICABLE PERFORMANCE CRITERIA:

ANALYSIS OF COMPLIANCE RELATIVE TO SECTION 118-3-2 OF THE ORDINANCE, GENERAL PERFORMANCE CRITERIA:

- ACKNOWLEDGED.
- THE PLAN HAS BEEN GRADED TO AS MINIMUM AS POSSIBLE TO MINIMIZE THE DISTURBANCE TO THE EXISTING VEGETATION.
- THIS CRITERIA IS NOT APPLICABLE TO THIS PROJECT.
- PROPOSED RETAINING WALL HAS BEEN PROVIDED TO MINIMIZE IMPERIOUS AREA AS POSSIBLE.
- THIS CRITERIA IS NOT APPLICABLE TO THIS PROJECT.
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- THIS CRITERIA IS NOT APPLICABLE TO THIS PROJECT.

ANALYSIS OF COMPLIANCE RELATIVE TO SECTION 118-3-3 OF THE ORDINANCE, ADDITIONAL PERFORMANCE CRITERIA FOR RPAS:

- A WATER QUALITY IMPACT ASSESSMENT IS PROPOSED WITH THIS PLAN.
- (1) THE CONSTRUCTION ACTIVITIES WILL NOT CONFLICT WITH THE COMPREHENSIVE PLAN.
- ACKNOWLEDGED.
- THIS CRITERIA IS NOT APPLICABLE TO THIS PROJECT.
- THE DEVELOPMENT HAS ONLY ONE SINGLE POINT OF ACCESS AS SHOWN ON THE PLAN.
- THIS CRITERIA IS NOT APPLICABLE TO THIS PROJECT.
- THE REGRADING AREA WITHIN THE RPA WILL BE PROVIDED WITH LANDSCAPES FOR STABILIZATION.
- THIS CRITERIA IS NOT APPLICABLE TO THIS PROJECT.
- SEE CRITERIA D.

7. DESCRIBE THE 2-YEAR AND 10-YEAR RUNOFF FLOW RATE AND VELOCITY:

THIS CRITERIA IS NOT APPLICABLE TO THIS PROJECT.

8. DESCRIBE, QUANTIFY AND DISPLAY ANY EROSION PROTECTION MEASURES USED IN THE CHANNEL TO PROTECT THE RPA BUFFER FROM DEGRADATION DUE TO POINT DISCHARGE OR SHEET FLOW DISCHARGE:

THIS CRITERIA IS NOT APPLICABLE TO THIS PROJECT.

9. PROVIDE AN ADEQUATE OUTFALL CHANNEL PROFILE, CROSS-SECTION AND INFORMATION CONSISTENT WITH CHAPTER 5 OF THE VIRGINIA EROSION AND SEDIMENT CONTROL HANDBOOK UNDER THE "DETERMINATION OF ADEQUATE CHANNEL" SECTION:

THIS CRITERIA IS NOT APPLICABLE TO THIS PROJECT.

AFTER CONSIDERING THE EVALUATION PROCEDURE OUTLINED IN FAIRFAX COUNTY DPWES MARCH 13, 2006 LETTER TO INDUSTRY, AND ANALYZING THE APPLICABLE PERFORMANCE CRITERIA, IT IS OUR OPINION THAT THE VALUE OF THE NATURAL PROCESSES AND ECOLOGICAL RELATIONSHIPS ASSOCIATED WITH THE RPA ON THE SITE WILL NOT BE ADVERSELY IMPACTED BY THE PROPOSED ALLOWED USE. THIS WOIA DEMONSTRATES OVERALL COMPLIANCE WITH THE ORDINANCE AND SUBSTANTIATES THAT OVERALL WATER QUALITY WILL NOT BE DETERIORATED BY THE PROPOSED STORMWATER OUTFALL, AND THAT APPROVAL OF THE SUBJECT WOIA IS WARRANTED.

WATER QUALITY IMPACT ASSESSMENT

PEACOCK STATION

DRANESVILLE DISTRICT
FAIRFAX COUNTY, VIRGINIA

Charles P. Johnson & Associates, Inc.
PLANNERS ENGINEERS LANDSCAPE ARCHITECTS SURVEYORS
3959 FENNER DRIVE SUITE 210 FAIRFAX, VIRGINIA 22030
(703)857-7558
FAX (703)273-8895

NO. DATE REVISION PRIOR TO APPROVAL

DESIGN APPROVED DATE SCALE HORIZ. VERT.

SHEET OF

PRJ NO: 00581
TYPE: CONSERVATION

11-5-12

ANTHONY T. OWENS
Lic. No. 034522

REVISIONS

NO. DESCRIPTION DATE

00-0301/00-00407/00-10530