



AGENDA
CLOSED SESSION & REGULAR MEETING
FREDERICK CO. BOARD OF SUPERVISORS
WEDNESDAY, MARCH 14, 2018 * 6:00 and 7:00 P.M.
BOARD ROOM, COUNTY ADMINISTRATION BUILDING
107 NORTH KENT STREET, WINCHESTER, VIRGINIA

6:00 P.M. – Closed Session:

The Board of Supervisors will convene in closed session pursuant to Section 2.2-3711 A (7) and (8) of the Code of Virginia, 1950, as Amended, for Consultation with Legal Counsel and Briefing by Staff Members Pertaining to a Litigation Matter, Stonewall Industrial Investors, LLC v. Frederick County, Virginia, currently pending in the Frederick County Circuit Court, Where Such Consultation or Briefing in an Open Meeting Would Adversely Affect the Negotiating or Litigating Posture of the Public Body, and for Consultation with Legal Counsel Employed or Retained by a Public Body Regarding the Matter, Requiring the Provision of Legal Advice by Such Counsel.

7:00 P.M. Regular Meeting Call To Order

Invocation

Pledge of Allegiance

Adoption of Agenda

Consent Agenda

Attachment

Minutes-----	A
Budget Work Session of February 28, 2018	
Regular Meeting of February 28, 2018	
Committee Reports	
Parks and Recreation Commission-----	B
Public Works Committee-----	C
Transportation Committee-----	D
Proclamation of Local Government Education Week: April 1-7, 2018-----	E
Proclamation of National Telecommunicators' Week: April 8-14, 2018-----	F
Resolution Honoring Employee of the Month Travis Mitchell-----	G

Consent Agenda - continued

Closing of County Offices for Annual Apple Blossom Festival----- H

Resolution to Request that the Comprehensive Plan and Programs Committee (CPPC) Consider an Amendment to the 2035 Comprehensive Plan Outside of the Annual Amendment Process for St. Paul’s on the Hill Episcopal Church Located on Senseny Road----- I

Citizen Comments

Board of Supervisors Comments

County Officials

Presentation of Resolution of Appreciation to Joseph G. Dove

Presentation of Employee of the Month Resolution to Travis R. Mitchell

Committee Appointments----- J

Handley Regional Library Board

One unexpired 4-year term ending 11/30/21, **2 applications received**

Social Services Board

Red Bud District Representative -
One unexpired 4-year term ending 06/30/20

Board of Building Appeals

One unexpired 5-year term ending 11/10/2018, **No applications received**

Frederick Water Board of Directors

4-year term of Christopher Collins ends 04/15/18

Parks and Recreation Commission

Red Bud District Representative –
4-year term of Christopher Fordney ends 4/28/18

Committee Business

Public Works Committee

- 1. Adoption of Revised Charter for the Shawneeland Sanitary District Advisory Committee

The committee recommends approval of the revised Charter.

(See Tab _C_ for additional information)

Committee Business – continued

2. Adoption of Proposed Vehicle Replacement Program

The committee recommends approval of the use of the proposed model.

(See Tab _C_ for additional information)

3. Disposition of the old Frederick County Middle School

The committee recommends approval of advertising and receiving bids on the property.

(See Tab _C_ for additional information)

Transportation Committee

1. Revenue Sharing Agreement-Northern Y (see attached):

An agreement governing revenue sharing funds and match for the Tevis Extension from the roundabout north and east to Route 522. Staff is seeking a recommendation to the Board of Supervisors on whether to execute the agreement and authorize Staff to proceed to approximately 30% design and the associated updated cost estimate. It is noted that regardless of the amount of the cost estimate, Staff will bring the agreement back before the Committee and Board of Supervisors. Staff recommends approving the agreement to allow 30% design.

(See Tab _D_ for additional information)

2. SmartScale Applications Recommendation

The following is the list recommended by the Committee for projects that Frederick County should apply for through the SmartScale application process and the MPO projects to be promoted at the Regional Commission level:

- | | |
|--|------------------|
| • Exit 317 and Redbud Road | Frederick County |
| • Route 11 North (lane widening) | Frederick County |
| • Route 522 Costello Drive left turns | Frederick County |
| • Route 11 South-Stars or Route 11 Shawnee | Frederick County |
| • Exit 313 Bridge | MPO/RC |
| • Exit 307 | MPO/RC |
| • Greater I-81 include Exit 317 NB on-ramp | MPO/RC |

(See Tab _D_ for additional information)

Public Hearings (Non Planning Issues)

**Twelve Month Outdoor Festival Permit Request: ----- K
Trumpet Vine Farm (DeMarchi Spears)**

Pursuant to the Frederick County Code, Chapter 86, Festivals; Section 86-3, Permit Required; Application; Issuance or Denial; Fee; Paragraph D, Twelve Month Permits. All Events to be Held on the Grounds of Trumpet Vine Farm, 266 Vacluse Road, Stephens City, Virginia, Back Creek Magisterial District. Property Owned by DeMarchi Spears.

**Outdoor Festival Permit Request: ----- L
Tyler Wakeman – Peak Leaf Music & Brewers Festival**

Pursuant to the Frederick County Code, Chapter 86, Festivals; Section 86-3, Permit Required; Application; Issuance or Denial; Fee, for an Outdoor Festival Permit. Festival to be Held on Saturday-Sunday, October 20 and October 21, 2018, from 9:00 A.M. October 20, 2018 Until 12:00 P.M. October 21, 2018 on the Grounds of 7180 Valley Pike, Middletown, Virginia, Back Creek Magisterial District. Property Owned by Wakeland Manor, Inc.

**Outdoor Festival Permit Request: ----- M
Grove’s Winchester Harley-Davidson–Battle of the Bands & Vintage Bikes.**

Pursuant to the Frederick County Code, Chapter 86, Festivals; Section 86-3, Permit Required; Application; Issuance or Denial; Fee, for an Outdoor Festival Permit. Festival to be Held on Saturday, May 19, 2018, from 10:00 A.M. to 5:00 P.M., (Rain Date to be Held on Saturday, June 9, 2018, from 10:00 A.M. to 5:00 P.M.), on the Grounds of Grove’s Winchester Harley-Davidson, 140 Independence Drive, Winchester, Virginia, Shawnee Magisterial District. Property Owned by Jobalie, LLC.

**Outdoor Festival Permit Request: ----- N
Grove’s Winchester Harley-Davidson – Rhett Rotten’s Wall of Death.**

Pursuant to the Frederick County Code, Chapter 86, Festivals; Section 86-3, Permit Required; Application; Issuance or Denial; Fee, for an Outdoor Festival Permit. Festival to be Held on Saturday and Sunday, June 16 and June 17, 2018, from 9:30 A.M. to 3:30 P.M. Each Day, on the Grounds of Grove’s Winchester Harley-Davidson, 140 Independence Drive, Winchester, Virginia, Shawnee Magisterial District. Property Owned by Jobalie, LLC.

**Proposed School Bond Financings by the Board of Supervisors----- O
of the County of Frederick, Virginia.**

Notice is Hereby Given that the Board of Supervisors (The "Board") of the County of Frederick, Virginia (the "County") will Hold a Public Hearing in Accordance with Section 15.2-2606 of the Code Of Virginia of 1950, as Amended, on the Issuance of General Obligation School Bonds (the "Bonds") of the County in an Aggregate Principal Amount Not to Exceed \$27,000,000 to Finance Certain Capital Projects for Public School Purposes, Consisting Primarily of the Construction and Equipping of the 12th Elementary School Located at Snowden Bridge. A Resolution Authorizing the Issuance of the Bonds will be Considered by the Board of Supervisors at Its Meeting on Wednesday, March 14, 2018. All Interested Parties are Invited to Attend and Present Oral or Written Comments.

Planning Commission Business

Public Hearings

**Rezoning #05-17 for O-N Minerals (Chemstone)----- P
d/b/a Carmeuse Lime & Stone**

Submitted by Lawson and Silek, PLC., to Amend the Proffers for this Property; Rezoning 394.2 Acres from the EM (Extractive Manufacturing) District with Proffer to the EM (Extractive Manufacturing) District with Revised Proffers. The Properties are Situated Generally West of the Town of Middletown. Specifically, the Middle Marsh Property is Located East of Belle View Lane (Route 758), and West and Adjacent to Hites Road (Route 625) and is Further Traversed by Chapel Road (Route 627). The Northern Reserve is Bounded to the South by Cedar Creek and is West and Adjacent to Meadow Mills Road (Route 624). The Properties are Identified with Property Identification Numbers 83-A-109 and 90-A-23 in the Back Creek Magisterial District.

**Conditional Use Permit #09-17: Gregory A. Bishop----- Q
(Shenandoah Mobile, LLC) Commercial Telecommunication Facility**

Submitted to Construct a Wireless Commercial Telecommunication Monopole Tower with Supporting Equipment in a Fenced Compound. The Property is Located at 219 Round Hill Road, Winchester, Virginia and is Identified with Property Identification Number 52-A-254 in the Back Creek Magisterial District.

**Proposed Springdale Road Truck Restriction – Proposal----- R
to Close Route 649 to Trucks from Route 11 to Route 651.**

The Proposed Alternative Route is Route 651 and Route 11. This Restriction Will Apply to Commercial Vehicles Exceeding 30 Feet in Length.

2018-2023 Capital Improvement Plan (CIP)----- S

The CIP is a Prioritized List of Capital Projects Requested by Various County Departments and Agencies. The Plan is Created as an Informational Component of the 2035 Comprehensive Plan.

Board Liaison Reports

Citizen Comments

Board of Supervisors Comments

Adjourn

A

MINUTES
Frederick County Board of Supervisors
Budget Work Session
Wednesday, February 28, 2018
6:00 p.m.
Board Room, 107 North Kent Street, Winchester, VA

ATTENDEES

Board of Supervisors: Chairman Charles S. DeHaven, Jr.; Vice-Chairman Gary A. Lofton; Blaine P. Dunn; Judith McCann-Slaughter; J. Douglas McCarthy; Robert W. Wells and Shannon G. Trout were present. Staff present: Kris C. Tierney, County Administrator; C. William Orndoff, Jr., Treasurer; Jay E. Tibbs, Deputy County Administrator; Roderick B. Williams, County Attorney; Ellen Murphy, Commissioner of the Revenue; Cheryl B. Shiffler, Finance Director; Jennifer Place, Budget Analyst; Sharon Kibler, Assistant Finance Director; and Ann W. Phillips, Deputy Clerk to the Board of Supervisors.

Finance Committee Members present: Jeffrey Boppe; Angela Rudolph

CALL TO ORDER

Chairman DeHaven called the meeting to order at 6:00 p.m.

DISCUSSION

Budget Scenarios

Mr. Tierney explained the revised budget scenario spreadsheet highlighting the differences between the two proposed scenarios.

Supervisor Trout said the need for funding for additional deputy positions is concerning with recent public safety issues around the country. She said she has discussed the issue with Sheriff Millholland and noted the increase in call volume. Vice Chairman Lofton questioned the call volume number saying that elective services such as security checks for businesses should

not take a deputy away from a real call for help. He inquired whether Board members would support an increase in the aircraft tax and proposed raising the tax from one cent to 50 cents. The Board members were open to such an increase. Finance Committee member Jeff Boppe questioned where the proposed airplane tax rate falls in comparison to other localities. Commissioner of the Revenue Ellen Murphy said the airport's biggest competitor is Leesburg which currently has no tax.

Vice Chairman Lofton proposed that inspection fees administered by the Fire Marshal be instituted. He said such fees for annually inspecting local businesses could raise between \$150,000 and \$180,000. Mr. Tierney said the issue had been discussed previously and there was not much interest, but it could be studied again.

Supervisor Dunn said there are two competing groups of citizens on either side of the tax increase question. He said he would like to approach the state legislature about increasing the County meals tax rate and providing more tax relief for the elderly. He said he is not in favor of a .03 cent tax increase.

In response to Supervisor McCarthy's question about budgeting without appropriating funds, Ms. Shiffler said that the entire budget amount must be appropriated, but the Board could ask staff to hold certain funds until more information is gathered.

Chairman DeHaven said the last thing he wants to see is a tax increase, but an increase is necessary to meet funding needs.

Vice Chairman Lofton said he does not want to see any tax increase.

Supervisor Trout said she is concerned about the lack of funding for needs, and a 3 cent increase now would be better than a 6 or 8 cent increase next year.

Supervisor McCarthy said he is not convinced the needs are real and that staff is not incentivized to spend money wisely. He said he does not think staff are wise stewards of the funds.

Supervisor Slaughter said she wants to see 12 firefighters added to upstaff the stations requested. She added that huge strides have been made in increasing revenues.

Supervisor Wells said he has wrestled with the issue and feels a tax increase is necessary either this year or next year.

Ms. Shiffler discussed the changes in the debt service schedule provided by the schools.

Mr. Tierney said the County has limited sources of revenue including fees and taxes and is always looking for economic development. Regarding expenses, he said the only way to get a reduction in expenses is to cut either people or programs.

Finance Committee member Angela Rudolph cautioned the Board against using the fund balance for operating funds saying it is not sustainable. She compared it borrowing from your own savings account, adding that a small tax increase would be better than no tax increase.

By consensus, the Board agreed to have the Finance Director advertise a proposed budget based upon scenario H with a one cent real estate tax increase, an airplane tax rate of 50 cents, and the use of \$2.5 million from fund balance.

By consensus, the Board decided against the \$1.4 million transfer from debt service which had been requested by the School Board.

ADJOURN

There being no further business, the meeting was adjourned at 6:53 p.m.

**MINUTES
REGULAR MEETING
FREDERICK COUNTY BOARD OF SUPERVISORS
WEDNESDAY, FEBRUARY 28, 2018
7:00 P.M.
BOARD ROOM, COUNTY ADMINISTRATION BUILDING
107 NORTH KENT STREET, WINCHESTER, VIRGINIA**

ATTENDEES

Board of Supervisors: Charles S. DeHaven, Jr., Chairman; Blaine P. Dunn; Gary A. Lofton; J. Douglas McCarthy; Judith McCann-Slaughter; Shannon G. Trout; and Robert W. Wells were present.

Staff present: Kris C. Tierney, County Administrator; Jay E. Tibbs, Deputy County Administrator; Roderick B. Williams, County Attorney; Karen Vacchio, Public Information Officer; Michael T. Ruddy, Director of Planning and Development; Mark Cheran, Zoning & Subdivision Administrator; and Ann W. Phillips, Deputy Clerk to the Board of Supervisors were present.

CALL TO ORDER

Chairman DeHaven called the meeting to order at 7:03 p.m.

INVOCATION

Supervisor Dunn delivered the invocation.

PLEDGE OF ALLEGIANCE

Vice Chairman Lofton led the Pledge of Allegiance.

ADOPTION OF AGENDA - APPROVED

Upon motion of Supervisor Slaughter, seconded by Supervisor Wells, the agenda was adopted on a voice vote.

ADOPTION OF CONSENT AGENDA – APPROVED

Vice Chairman Lofton moved that the Consent Agenda be approved. Supervisor Dunn seconded the motion. The Consent Agenda was approved on a voice vote.

-Minutes: Budget Work Session of February 14, 2018 -CONSENT AGENDA APPROVAL

-Minutes: Regular Meeting of February 14 2018 -CONSENT AGENDA APPROVAL

-Minutes: School Board Joint Work Session of February 21, 2018 -CONSENT AGENDA APPROVAL

-Minutes: Budget Work Session of February 21, 2018 -CONSENT AGENDA APPROVAL

-Finance Committee Report (Appendix 1) - CONSENT AGENDA APPROVAL

-Parks and Recreation Committee Report (Appendix 2) - CONSENT AGENDA APPROVAL

-Resolution honoring David W. Ganse - CONSENT AGENDA APPROVAL

**RESOLUTION OF APPRECIATION HONORING THE LIFE OF
DAVID "DAVE" W. GANSE**

WHEREAS, David “Dave” W. Ganse was born in 1954 in Lancaster, Pennsylvania, to Marjorie A. Ganse and the late Robert G. Ganse, and

WHEREAS, Dave graduated from James Wood High School as a member of the Class of 1972 before attending Virginia Tech, and

WHEREAS, Dave was a respected architect in the Winchester and Frederick County community and established his own firm, David W. Ganse, AIA Architect, which he maintained until his retirement in 2017, and

WHEREAS, Dave was inducted into the James Wood Hall of Fame in 2012 for his high school prowess in football, wrestling and track, and was also an avid guitarist and performed with several bluegrass bands throughout his life and

WHEREAS, Dave unselfishly gave back to his community by offering to share his time and expertise serving as a member of the Frederick County Board of Building Appeals from November 1993 through January 2018 and the Frederick County Public Works Committee from May 2013 through January 2018, and

NOW, THEREFORE BE IT RESOLVED, that the Frederick County Board of Supervisors extends its sincerest thanks and appreciation for David Ganse and honors his life of leadership, dedication, and contribution to the community.

ADOPTED this 28th day of February 2018.

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-Resolution honoring Jim Wilson - CONSENT AGENDA APPROVAL

**RESOLUTION OF APPRECIATION HONORING THE LIFE OF
JAMES THOMAS “JIM” WILSON**

WHEREAS, James Thomas “Jim” Wilson was born on July 30, 1933 in Clarke County, Virginia, son of the late Raymond Thomas Wilson, Sr. and Virginia Dora Hughes Wilson, and

WHEREAS, Jim served in the U. S. Army, was a lifetime member 33 Degree Mason and attended Fairview United Methodist Church in Stephens City, and

WHEREAS, Jim was the original owner and operator of Valley Redi-Mix in Stephens City, Virginia, and

WHEREAS, Jim unselfishly gave back to his community by offering to share his time and expertise serving as a member of the Frederick County Public Works Committee from January 1992 through December 2017 and the Frederick County Landfill Oversight Committee from September 1997 through April 2006, and

WHEREAS, Jim provided valuable insight when the Committees discussed projects involving solid waste and recycling issues and offered the businessman’s perspective,

NOW, THEREFORE BE IT RESOLVED, that the Frederick County Board of Supervisors extends its sincerest thanks and appreciation for James Wilson and honors his life of leadership, dedication, and contribution to the community.

ADOPTED this 28th day of February 2018.

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**-FCPS request to participate in the Spring 2018 VPSA Bond Sale and set a public hearing
for March 14, 2018 - CONSENT AGENDA APPROVAL**

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CITIZEN COMMENTS

Joan Thorp, Back Creek District, said that her daughter is a student at Aylor Middle School, suffers with headaches and nausea because of the air quality at Aylor, and has missed more than 30 school days this year. She said the County has a responsibility to fix the issue of the sick building.

BOARD OF SUPERVISORS COMMENTS - None

COUNTY OFFICIALS:

COMMITTEE APPOINTMENTS

**APPOINTMENT OF JEFF BOPPE TO LORD FAIRFAX COMMUNITY
COLLEGE BOARD - APPROVED**

Upon motion of Supervisor Slaughter, seconded by Supervisor Wells, Jeff Boppe was appointed on a voice vote to the Lord Fairfax Community College Board to serve out an unexpired term ending June 30, 2019.

**RE-APPOINTMENT OF BRYAN J. GREEN TO THE CONSERVATION
EASEMENT AUTHORITY - APPROVED**

Upon motion of Vice Chairman Lofton, seconded by Supervisor Wells, Bryan J. Green was re-appointed on a voice vote to the Conservation Easement Authority for a three-year term ending March 14, 2021.

**APPOINTMENT OF HARVEY E. STRAWSNYDER TO THE FREDERICK
COUNTY PUBLIC WORKS COMMITTEE AND THE FREDERICK COUNTY
PUBLIC SCHOOLS BUILDING AND GROUNDS COMMITTEE AS THE
BOARD OF SUPERVISORS LIAISON – APPROVED**

Chairman DeHaven said he had appointed Harvey E. “Ed” Strawsnyder as a citizen member of the Public Works Committee and as the Board of Supervisors liaison to the Frederick County Public Schools Building and Grounds Committee.

**APPOINTMENT OF GARY R. OATES TO THE FREDERICK COUNTY
TRANSPORTATION COMMITTEE – APPROVED**

Chairman DeHaven said he had appointed Gary R. Oates as a citizen member of the Transportation Committee.

GFOA AWARD

Chairman DeHaven said the Government Finance Officers Association of the United States and Canada (GFOA) has awarded Frederick County, Virginia the GFOA’s Distinguished Budget Presentation Award for its budget. He said the Government Finance Officers Association established the Distinguished Budget Presentation Award Program in 1984 to encourage and assist state and local governments to prepare budget documents of the highest quality that reflect best practices on budgeting and to recognize individual governments that succeed in achieving that goal. He continued saying that documents submitted are reviewed by GFOA professionals and by outside reviewers with each reviewer rating the budget document in regard to 27 specific categories. Chairman DeHaven said the award is given for documents rated proficient or

outstanding, and Frederick County has been a recipient of this award for 32 consecutive years. He recognized Cheryl Shiffler, Finance Director, and Jennifer Place, Budget Analyst, for their leadership in earning the County the Distinguished Budget Presentation Award for the past 27 years.

REQUEST FROM THE COMMISSIONER OF THE REVENUE FOR REFUNDS – APPROVED

Mr. Tierney explained the request saying the refund is for overestimated business license tax fees for 2017. Upon motion of Supervisor Slaughter, seconded by Supervisor Wells, the request for a supplemental appropriation and refund to Integrity Staffing Solutions Inc. of \$5228.76 was approved on a roll call vote as follows:

| | | | |
|--------------------------------|------------|--------------------------------|------------|
| Blaine P. Dunn | Aye | Shannon G. Trout | Aye |
| Gary A. Lofton | Aye | Robert W. Wells | Aye |
| J. Douglas McCarthy | Aye | Charles S. DeHaven, Jr. | Aye |
| Judith McCann-Slaughter | Aye | | |

DISCUSSION – SUPPLEMENTAL APPROPRIATION FOR NEW AYLOR MIDDLE SCHOOL - REQUEST FOR MEETING WITH SUPERINTENDENT OF FREDERICK COUNTY SCHOOLS

Supervisor Trout stated she wants to disclose for the record, relative to this item and pursuant to the State and Local Government Conflict of Interests Act, that she is employed by Frederick County Public Schools as a teacher and therefore is a member of a group who is or may be affected by the item, and that she is able to participate in the transaction fairly, objectively, and in the public interest.

Supervisor Dunn suggested that the Board meet with Dr. Sovine, Superintendent of Frederick County Public Schools for further discussion regarding Aylor Middle School.

Supervisor McCarthy noted that Dr. Sovine had offered to meet again and agreed with Supervisor Dunn’s suggestion. Supervisor Wells said he agreed with the suggestion also.

Mr. Tierney said he would schedule the work session with Dr. Sovine and the School Board.

COMMITTEE BUSINESS

FINANCE COMMITTEE:

GENERAL FUND SUPPLEMENTAL APPROPRIATIONS - APPROVED

Supervisor Slaughter moved that items 1 through 3 on the Finance Committee Report (see Appendix 1) and the supplemental appropriations be approved. Supervisor Dunn seconded the motion which carried on a roll call vote as follows:

| | | | |
|--------------------------------|------------|--------------------------------|------------|
| Blaine P. Dunn | Aye | Shannon G. Trout | Aye |
| Gary A. Lofton | Aye | Robert W. Wells | Aye |
| J. Douglas McCarthy | Aye | Charles S. DeHaven, Jr. | Aye |
| Judith McCann-Slaughter | Aye | | |

Supervisor Slaughter moved for approval of a General Fund budget transfer in the amount of \$25,000 from salaries to client services as requested by the VJCCA. Supervisor

Wells seconded the motion which carried on a roll call vote as follows:

| | | | |
|--------------------------------|------------|--------------------------------|------------|
| Blaine P. Dunn | Aye | Shannon G. Trout | Aye |
| Gary A. Lofton | Aye | Robert W. Wells | Aye |
| J. Douglas McCarthy | Aye | Charles S. DeHaven, Jr. | Aye |
| Judith McCann-Slaughter | Aye | | |

PLANNING COMMISSION BUSINESS:

PUBLIC HEARING

CONDITIONAL USE PERMIT #01-18 for BRYAN M. HENRY - DENIED

Submitted for Establishment of a Landscaping Contracting Business in the RA (Rural Areas) Zoning District. The Property is Located at 639 Reliance Road, Middletown, Virginia and is Identified with Property Identification Number 91-A-77 in the Opequon Magisterial District.

Mark Cheran, Zoning & Subdivision Administrator, explained the request for a Conditional Use Permit for the making and selling of mulch on site to the public and is classified as a landscape contracting business. He said this proposed use will take place on a 73+/- acre tract of land located in the RA (Rural Areas) Zoning District and that a landscape contracting business is allowed use within the RA Zoning District with an approved Conditional Use Permit.

Mr. Cheran said the Health Department has no objections to the proposed wood waste recycling business and the dwelling and the office are currently served by a private water supply (well). He continued saying the proposed business will use a tub grinder to make, store, and sell mulch to the public, and highlighted the following items based on the description of the use provided by the Applicant:

- the hours of operation for the business will be Monday-Saturday from 7:00 a.m. to 7:00 p.m.
- two (2) storage bays will be used to store mulch,
- there will be no more than four (4) employees on-site,
- the site will not have more than four (4) business vehicles on the premises.
- the business office for this proposed use will be within an accessory structure with customer and employee parking
- there will be one (1) monument sign to be five (5) foot in height and no more than fifty (50) square foot sign at the site entrance facing Route 627 (Reliance Road)
- the Applicant has agreed to the conditions assigned to the CUP.

Mr. Cheran said should the Board of Supervisors find this application for a landscaping contracting business to be appropriate, the Planning Commission recommends that the following conditions be attached to the CUP:

1. All review agency comments and requirements shall be complied with at all times.
2. An illustrative sketch plan shall be submitted to and approved by Frederick County and all improvements completed prior to the establishment of the use.
3. One, non-illuminated, freestanding monument business sign is allowed with this Conditional Use Permit that is no more than five (5) feet in height and no more than fifty (50) square feet in area.
4. Hours of operation shall be Monday-Saturday 7:00 a.m. to 7:00 p.m.

5. The Tub Grinder to operate Monday–Friday 9:00 a.m. to 5:00 p.m.
6. The commercial entrance must be constructed prior to operation.
7. The site should have no more than four (4) employees with Winchester-Frederick County Health Department approval.
8. Any expansion or change of use shall require a new Conditional Use Permit.

Chairman DeHaven opened the public hearing. The public hearing speakers were as follows:

Robbie Molden, Opequon District, said his residence is 0.2 miles from the proposed business. He said the increase in truck traffic concerns him, and the tub grinder is a manufacturing function that should be in a manufacturing area.

Shawn Graber, Back Creek District, said his taxes have gone up 30% in the last few years. He said Mr. Henry has agreed to many rules to start his business and is a tax payer also. He said the Board should consider that Mr. Henry is a tax payer.

Nadine Pelfer(?) said she owns a horse farm one property away from the proposed business site. She said the possible 50 trucks a day means a truck every 14 minutes coming by the houses which are close to the road. She said this will ruin the lives of the residents on the road. She noted that mulch piles are dangerous because of fires and are better suited to industrial areas where water is accessible.

Tammy Bresinski said she represented her father who has lived across the road from the proposed business site for 58 years. She noted her concerns of dust, debris, and noise. She said the business will have an impact on the community and should be located elsewhere.

Charles Madigan, Opequon District, said he lives across the road from the proposed business and is concerned about air and water quality. He noted the road is being considered for truck restriction in adjoining Warren County. He added that the use should be located in an industrial area.

John Pike, Opequon District, said he is next door to the proposed business. He said noise and traffic are big concerns, and he does not wish to see the area go from rural to industrial.

(No name given) stated concerns about truck traffic and fire safety and agreed with the previous speakers who were opposed to the business locating at the proposed site.

Chairman DeHaven closed the public hearing.

The applicant, Bryan Henry, said that he anticipated only five to ten trucks per day rather than the 50 that VDOT had suggested for the upper limit allowed. He said the mulch piles would not be large and that he has two ponds on the property for use as water supplies. He concluded saying that he lives on the property, wants it to be peaceful and does not want to affect the community.

In response to Supervisor Trout's question about dyes, Mr. Henry said he will not be using dyes. Supervisor Dunn inquired about the business use for clearing the property or as an outlet for others. Mr. Henry said the business will be used for both.

Supervisor Slaughter asked about the type of trucks that will be coming and going from the business. Mr. Henry said that eventually dump trucks would be used. Supervisor Dunn asked for clarification on the possible truck restriction on Reliance Road. Mr. Cheran said that any restriction would be for through traffic, but if the trucks were destined for the business location, then the restriction would not apply.

Supervisor Slaughter asked if the use is more typical in an industrial zone. Mr. Cheran said there are currently three or four similar businesses in the RA zone.

Supervisor Wells said he visited the site and is concerned about the proposal. He said that the use is not appropriate for the area and he moved for denial of Conditional Use Permit #01-18. Supervisor McCarthy seconded the motion. Vice Chairman Lofton said the area should be able to support the use. Supervisor Trout agreed. The motion for denial carried as follows:

| | | | |
|--------------------------------|------------|--------------------------------|------------|
| Blaine P. Dunn | No | Shannon G. Trout | No |
| Gary A. Lofton | No | Robert W. Wells | Aye |
| J. Douglas McCarthy | Aye | Charles S. DeHaven, Jr. | Aye |
| Judith McCann-Slaughter | Aye | | |

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**COMPREHENSIVE PLAN AMENDMENT FOR MULTIFAMILY BUILDING OFF
SENSENY ROAD – APPROVAL TO BEGIN THE AMENDMENT PROCESS**

Upon motion of Supervisor Dunn, seconded by Supervisor McCarthy, the Board approved the commencement of the comprehensive plan amendment process as initiated by a Board member for a property located behind St. Paul’s on the Hill Episcopal Church on Senseny Road on a voice vote.

CITIZEN COMMENTS

Shawn Graber, Back Creek District, thanked Supervisors Dunn, Lofton, and Trout for their vote on the conditional use permit. He said his taxes have gone up 28.47% in three years. Mr. Graber said the schools have requested millions in spending, and he is concerned about the spending on design rather than on the real needs.

Derek Rinker, Opequon District, thanked Supervisor Dunn for the recent Town Hall meeting. He thanked the Board for considering his plan for a tax credit for county residents. Mr. Rinker continued comparing Fredrick County’s tax rate of .60 to Fauquier County’s tax rate is .975. He said growth does not lower taxes, it raises them. He said localities need to plan. Mr. Rinker said as a parent, he learned of a boy who is afraid to go to Aylor to because of his health. He asked the Board to take the issue seriously and do what needs to be done.

Keith Howard, Opequon District, said he had taught at Aylor 28 years and replacing the building needs to be the top priority. He said the building is woefully behind in improvements and the children are made to feel like second class citizens. He urged the Board to consider the tax rate and fully fund the replacement.

Joy Kirk, Back Creek District, said she is president of the Frederick County Educational Association. She noted her day spent with pre-kindergarten and kindergarten students and their enthusiasm for learning. She thanked the Board for allowing good things to happen in the County. She said she also engaged some middle school students, finding it a positive experience, and assured the Board that good things are happening in the schools.

Ainsley Rucker, Opequon District, said she is a junior at Sherando High School and is member of the principal’s advisory committee. She said she has learned that the school resource officer is not able to stay at school all day. She said funds should be increased at the sheriff’s office to allow an officer to be at school all day to protect the students.

Darrell Velt, Opequon District, hopes the Board is considering the possibility of growth for the area. He said new businesses are drawing residents looking for strong schools and services. He said the more people that come, the lower the taxes will be.

Walter Ouzts, Shawnee District, suggested that the work session regarding Aylor be held after business hours to allow more resident to attend. He said the most important investment needs to be in the children and that the Aylor building needs to be replaced.

Mara said she is a parent of an Aylor student and she knows the building has been on the list for improvement. She cited several maintenance issues including some classroom doors that do not lock, and safety is her biggest concern. She noted an earlier incident where an intruder was reported and teachers and students were not able to lock the classroom doors.

Jessica and Sophia said they are eighth grade students representing the Aylor Middle School Student Council Association, and the building needs attention. They said the CO2 levels are a concern and asked that the Board not overlook the needs at Aylor.

Dana Newcomb, Gainesboro District, said there is a question of the life of a building. He said he is concerned about the school board asking for millions for new buildings when the maintenance of the existing buildings is not up to standard. He said the maintenance of the buildings is the responsibility of the Board of Supervisors as well as the School Board. He said it is time for serious discussions with the School Board and if maintenance is not being done, those responsible should be fired.

Shawn Graber, Back Creek District, said he is also concerned about the millions spent by the schools and where the money has been spent if not on maintenance. He suggested that the County explore arming school staff to protect students. Mr. Graber said he has heard that the school internet is being used to gather support for school related or other political issues. He said if this is happening, those involved should be fired.

BOARD OF SUPERVISORS COMMENTS

Supervisor Dunn said that the Board is truly trying to look for solutions to the Aylor school issue.

Supervisor Trout thanked Miss Rucker for speaking on the school safety issue and all the speakers for taking the time to address the Board.

ADJOURN

On motion of Vice Chairman Lofton, seconded by Supervisor Trout, the meeting was adjourned at 8:17 P.M.

TO: Board of Supervisors

FROM: Finance Committee

DATE: February 21, 2018

SUBJECT: Finance Committee & Budget Work Session Report and Recommendations

A Finance Committee meeting was held in the First Floor Conference Room at 107 North Kent Street on Wednesday, February 21, 2018 at 3:45 p.m. All members were present. Items 1, 2, and 3 were approved under consent agenda. A budget work session followed at 4:00 p.m.

FINANCE COMMITTEE

1. The Sheriff requests a General Fund supplemental appropriation in the amount of \$1,000. This amount represents a DARE donation. No local funds required. See attached memo, p. 3.
2. The Sheriff requests a General Fund supplemental appropriation in the amount of \$5,051.12. This amount represents an auto claim reimbursement. No local funds required. See attached memo, p. 4.
3. The Deputy County Administrator requests a General Fund supplemental appropriation in the amount of \$6,996. This amount represents a property claim reimbursement for water damage at Millwood Fire Station. No local funds required. See attached memo, p. 5.
4. The VJCCA requests a General Fund budget transfer in the amount of \$25,000 from salaries to client services. No local funds required. See attached memo, p. 6. The committee recommends approval.

BUDGET WORK SESSION

1. Discussions were held on the FY 2019 budget. The Frederick County Public Schools Superintendent presented the school's proposed FY2019 budget.

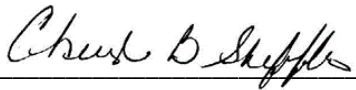
INFORMATION ONLY

1. The Deputy County Administrator provides information regarding the Triennial Applications for Real Property Tax Exemptions. See attached information, p. 7 – 52.
2. The Finance Director provides a Fund 10 Transfer Report for January 2018. See attached, p. 53.
3. The Finance Director provides financial statements ending January 31, 2018. See attached, p. 54 – 64.
4. The Finance Director provides an FY 2018 Fund Balance Report ending February 15, 2018. See attached, p. 65.
5. Frederick County has received the Distinguished Budget Presentation Award for the fiscal year 2018 budget from the Government Finance Officers Association of the United States and Canada (GFOA) for the 31st consecutive year. See the attached award letter, p. 66 – 67.

Respectfully submitted,

FINANCE COMMITTEE

Judith McCann-Slaughter, Chairman
Charles DeHaven
Gary Lofton
Angela Rudolph
Jeffrey Boppe

By 

Cheryl B. Shiffler, Finance Director



COUNTY of FREDERICK

Parks and Recreation Department

540/665-5678

Fax: 540/665-9687

E-mail: fcprd@fcva.us

www.fcprd.net

MEMO

To: Jay Tibbs, Deputy County Administrator for Human Services
From: Jason L. Robertson, Director, Parks & Recreation Department
Subject: Parks and Recreation Commission Action
Date: February 21, 2018

The Parks and Recreation Commission met on February 20, 2018. Members present were: Randy Carter, Christopher Fordney, Natalie Gerometta, Gary Longerbeam, Ronald Madagan, Amy Strosnider, and Robert Wells (Board of Supervisors' Non-Voting Liaison). Members absent: Guss Morrison, Charles Sandy, Jr.

Items Requiring Board of Supervisors Action:

None

Submitted for Board Information Only:

1. Buildings & Grounds Committee – Frederick Heights Plan – The Buildings and Grounds Committee recommended submitting the Frederick Heights Plan with the Preserved Open-Space option, then once bids are received, consider moving to the BMP filtration option if project budget allows, second by Mr. Fordney, motion carried unanimously (6-0).
2. Youth Sports Committee – Youth Sports Partners Agreements – The Youth Sports Committee recommended to accept the YSP Agreements with Blue Ridge Youth Soccer, Frederick County National Little League and Frederick County American Little League, second by Mr. Longerbeam motion carried unanimously (6-0).

cc: Randy Carter, Chairman
Robert Wells, Board of Supervisors' Non-Voting Liaison

B



MEMO

To: Jay Tibbs, Deputy County Administrator for Human Services
From: Jason L. Robertson, Director, Parks & Recreation Department
Subject: Parks and Recreation Commission Action
Date: February 21, 2018

The Parks and Recreation Commission met on February 20, 2018. Members present were: Randy Carter, Christopher Fordney, Natalie Gerometta, Gary Longerbeam, Ronald Madagan, Amy Strosnider, and Robert Wells (Board of Supervisors' Non-Voting Liaison). Members absent: Guss Morrison, Charles Sandy, Jr.

Items Requiring Board of Supervisors Action:

None

Submitted for Board Information Only:

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cc: Randy Carter, Chairman
Robert Wells, Board of Supervisors' Non-Voting Liaison

C



MEMORANDUM

TO: Board of Supervisors

FROM: Joe C. Wilder, Director of Public Works *JCW*

SUBJECT: Public Works Committee Report for Meeting of February 27, 2018

DATE: February 28, 2018

The Public Works Committee met on Tuesday, February 27, 2018, at 8:00 a.m. All members were present. The following items were discussed:

Chairman McCarthy began the meeting with an acknowledgment of the great service of committee member Dave Ganse who recently and suddenly passed away. Mr. Ganse had served on this committee for four (4) years. A resolution honoring Mr. Ganse and recently deceased committee member James T. Wilson will be acknowledged at the February 28, 2018 Board of Supervisors meeting.

*****Items Requiring Action*****

1. Adoption of the revised charter for the Shawneeland Sanitary District Advisor Committee:

At the request of Supervisor Lofton, Back Creek District Supervisor, staff was tasked with reviewing and updating the Shawneeland Advisory Committee procedures and guidance document that was most recently updated in 2005. Mr. Lofton felt that an update to this document could assist county staff in working with the Advisory Committee better and providing more structure to the committee. Over the last couple of years, there has been a decline in receiving adequate committee meeting agendas, lack of reporting, poor communication with advisory members and the fact that information wasn't being reported out of the advisory committee to county staff.

Recently, Supervisor Lofton, along with District Manager Kevin Alderman, Assistant County Attorney Erin Swisshelm and myself met to review the older document and make edits and updates to the procedure document. Through several edits, a proposed charter is being recommended for consideration by the Board of Supervisors. The revised charter outlines a much cleaner outline of how the Advisory Committee should function and how the advisory committee will be a part of the Public Works Committee structure.

County Staff will provide additional direction to the advisory committee and will provide draft agenda documents and ensure meeting minutes are reported to the Public Works Committee for passage onto the Board of Supervisors. The charter also assists Frederick County to ensure the advisory committee members are engaged and attend the quarterly advisory committee meetings.

After some additional discussions, it was recommended that the attached charter for the Shawneeland Sanitary District Advisory Committee be forwarded on to the Board of Supervisors for consideration and approval. Supervisor Wells recommended approval of the motion and Supervisor Lofton seconded the motion. The committee unanimously approved the motion.

(Attachment 1)

2. Adoption of the Proposed Vehicle Replacement Program:

Jay Tibbs, Deputy County Administrator led a discussion about a proposed vehicle replacement program for vehicles owned by Frederick County. In the past, it has been difficult to know when a vehicle should be replaced. Staff has developed a model input/points system to evaluate vehicles and determine in a more systematic way when a vehicle should be replaced. Attached is a summary of the current vehicles that are proposed to be replaced in order to see how the model works.

There was wide support from the committee about the proposed vehicle replacement model and the committee endorsed the program. The committee recommended that the Vehicle Replacement Program Model be forwarded to the Board of Supervisors for their consideration and approval. Supervisor Wells recommended approval of the motion and committee member Gene Fisher seconded the motion. The committee unanimously approved the motion.

(Attachment 2)

3. Disposition of the old Frederick County Middle School:

Recently, the Frederick County School Board conveyed back to the Frederick County Board of Supervisors the old Frederick County Middle School located at 441 Linden Drive within the City of Winchester, Virginia. It is the intent of Frederick County to attempt to sell the property and the building. To fully know all the issues related to the property and the building, Frederick County engaged the services of Marsh & Legge Land Surveyors to perform a boundary survey, as-built survey, a review of all utilities and easements, etc. Scot Marsh, L.S. discussed his findings with the committee and provided a summary report and exhibit map that shows the entire property and improvements.

The entire tract of land is 22.7960 acres with the building being two stories with 64,000 square feet each floor. We discussed the status of all the utilities on the property and adjacent property owners. In summary, the property is valuable and there have been several inquiries from local companies with a strong interest in purchasing the property.

Therefore, it is the committee's recommendation that we place an advertisement to accept bids for the purchase of the old Frederick County Middle School. We have provided a draft advertisement that would be placed in the local papers to receive bids from companies. The committee recommends that the Board of Supervisors allow staff to receive bids for the property and buildings. It is noted that Frederick County has the right to reject any and all bids as so noted in the advertisement. Committee member Whit Wagner recommended approval of the motion to advertise for bid and Supervisor Wells seconded the motion. The committee unanimously approved the motion.

(Attachment 3)

*****Items Not Requiring Action*****

1. Update on the new Stephenson Convenience Site:

Mike Stewart, Senior Project Manager gave an update on construction activities at the new site. Wet soil conditions have slowed grading operations at the site, however, some progress is being made. The lower parking area and slab have been graded to final elevations. All topsoil has been removed and grading along the entrance road has been on-going. Placing a new water main will begin this week and utility movements are on-going. We are anticipating that the project will be completed on-time.

2. Update on use of the existing Clearbrook Convenience Site:

We reported to the committee that in further discussions with Carmeuse, they have extended the date on use of the existing site. Their concern is that they have to perform blasting operations every day in close proximity to the existing site. They usually blast every day around 4:30 pm. Therefore, we have agreed to close the existing Clearbrook site at 4:00 pm each day starting on March 19, 2018. This will allow them to blast each day and not create a safety issue. The weekend hours will remain unchanged. By performing the early closing, we will be able to operate our existing site till the end of May 2018. We should be able to operate at the new Stephenson Convenience Site by then and cease operations at the Clearbrook site.

3. Update on Frederick County's Glass Recycling Program:

Staff gave an update on the status of glass recycling for Frederick County. We gave the committee a brief summary of why we stopped glass recycling in November 2016. Our only option was to pay a very expensive tipping fee with no guarantee that the material would be recycled. Under this option, there still would be a possibility that Frederick County would have to pick up and haul the material to the landfill.

Since that time, staff have continued to look for markets to recycle glass but there is still no viable market. Gloria Puffinburger, Solid Waste Manger has done additional research looking at local glass recycling markets. She has discussed options with the Department of Environmental Quality (DEQ), the Glass Recycling Institute, Virginia Recycling Association and Virginia Association of Counties (VACO). The attached memorandum from Ms. Puffinburger describes her research along with charts describing the local market options and what adjacent localities are doing.

In summary, there are no viable cost-effective options for the glass recycling program for Frederick County. Due to our remote location, there are no glass processors in the region that would allow our glass to be marketable. The committee took no additional action and we will continue to not recycle glass at this time. We will continue to look for possible markets and if something becomes available, we will inform the Board of Supervisors.

(Attachment 4)

Public Works Committee Report

Page 4

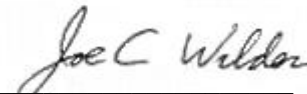
February 28, 2018

4. Miscellaneous Reports:
- a) Tonnage Report
(Attachment 5)
 - b) Recycling Report
(Attachment 6)
 - c) Animal Shelter Dog Report
(Attachment 7)
 - d) Animal Shelter Cat Report
(Attachment 8)

Respectfully submitted,

Public Works Committee

J. Douglas McCarthy, Chairman
Gary A. Lofton
Robert W. Wells
Whitney "Whit" L. Wagner
Gene E. Fisher

By 

Joe C. Wilder
Public Works Director

JCW/kco

Attachments: as stated

cc: Kris Tierney, County Administrator
Jay Tibbs, Deputy County Administrator
Ron Kimble, Landfill Manager
Gloria Puffinburger, Solid Waste Manager
Kevin Alderman, Shawneeland Sanitary District Manager
Mike Stewart, Senior Project Manager
file

Shawneeland Sanitary District Advisory Committee CHARTER

I. Organization

There shall be a committee, appointed by the Board of Supervisors (“Board”) of Frederick County, Virginia (“County”), known as the Shawneeland Sanitary District Advisory Committee (“Advisory Committee”). The Advisory Committee shall be Comprised of five (5) members, who shall be appointed by the Board, and who shall be resident property owners in Shawneeland Sanitary District. Members shall be appointed for terms not to exceed two (2) years each, and may be appointed for multiple terms. All members shall serve without compensation.

The Advisory Committee shall elect its own Chairman each calendar year. Should the position become vacant prior to the end of the year, the Advisory Committee may elect a new Chairman within the same calendar year. The Chairman, in addition to duties laid out below, is authorized, within his/her discretion, to form subcommittees of the Advisory Committee to address specific areas of concern. Such subcommittees shall be considered working groups, and shall make recommendations or reports to the Advisory Committee. Subcommittees shall not have the authority to make recommendations to the Shawneeland Sanitary District Manager (“Manager”) or Board without action of the Advisory Committee.

II. Member Responsibilities; Vacancies

Members are expected to participate in all meetings and activities of the Advisory Committee with usual exceptions for illness, family emergency, and related matters. Should a member fail to attend three (3) consecutive meetings, s/he will be deemed to have resigned the position, and the Board shall appoint a replacement member.

When vacancies arise on the Advisory Committee, an announcement of the vacancy and request for application(s) shall be posted at the mailbox houses by the Manager. The Manager shall receive applications from qualified persons, and shall forward them to the Back Creek Supervisor, who will review the same for consideration and appropriate action by the Board.

III. Purpose

The Advisory Committee serves to provide input and suggestions to the Board regarding issues affecting Shawneeland Sanitary District. While the Advisory Committee serves an important role, the ultimate authority and decision-making power for Shawneeland Sanitary District operations rests with the Board.

The Advisory Committee welcomes input from property owners on issues which are important to the health, safety, economic vigor, and well-being of the community. However, the Advisory Committee is not a forum for issues which are clearly beyond the authority of County Officials to resolve. Rather, the Advisory Committee provides a forum for property owners to discuss issues which may be of concern to the Sanitary District community, and for which remedies from County Officials may be reasonably expected.

IV. Meetings

The Committee shall meet at least quarterly to permit and encourage participation by Shawneeland property owners. Such meetings shall be set by the Advisory Committee on an annual basis. The fall and/or winter meetings of each year shall be scheduled to be in phase with the Frederick County budgeting process, and shall have the Shawneeland budget as an agenda item. The Advisory Committee is encouraged to work cooperatively with the Manager to develop a draft budget for consideration. While the Manager or his designee is encouraged to attend all Advisory Committee meetings, his or her attendance shall be required at all meetings scheduled to discuss the Shawneeland budget, as well as the mid-year quarterly meeting as set by the Advisory Committee.

In addition to regularly scheduled quarterly meetings, the Chairman may call special meetings to address issues which affect the property owners when consideration of those matters cannot be delayed until the next regularly scheduled quarterly meeting.

Regular meetings shall be advertised in advance. Such advertisement shall include, at a minimum, posting notices on the bulletin board of the Shawneeland mail houses, on the official bulletin board at the Frederick County Administrator's office, and on the Frederick County website Calendar. Notices shall include the date, time, and location of the meeting, and shall be posted no later than seven (7) calendar days prior to the scheduled meeting. Should the Advisory Committee call a special meeting, advertisement shall take place as soon as possible after the meeting is called.

The Advisory Committee may only act to recommend matters to the Board if a quorum, which shall be defined as three (3) members, is in attendance. Meetings may take place if a quorum is not in attendance, but the members may only hear and discuss issues, and may not vote or take official action.

V. Agendas, Minutes, and Written Requests

At least ten (10) days prior to each regularly scheduled meeting, the Advisory Committee Chairman will distribute a proposed agenda to the Advisory Committee members, as well as the Manager. This agenda shall contain specific topics that require discussion and/or action by the Advisory Committee.

No later than seven (7) days prior to each regularly scheduled meeting, the Manager shall cause a copy of the proposed agenda to be posted on the Frederick County bulletin board at the County Administrator's Office, as well as on the bulletin board(s) at the mail houses.

Should the Advisory Committee require a special meeting, the agenda shall be distributed and posted as indicated above as soon as is possible after the meeting is called by the Advisory Committee.

All meetings, both regularly scheduled and specially called, shall be documented in minutes. Such minutes will contain, at a minimum, a list of members present, the agenda and additional topics of conversation, and a description of the Advisory Committee's actions and recommendations. Copies of the minutes shall be provided to the Advisory Committee members, the Manager, and the Back Creek Supervisor. The Manager shall forward a copy of the minutes

to the Director of Public Works, or his designee, for inclusion in the Public Works Committee agenda. A copy of the minutes shall also be filed in the Advisory Committee files.

VI. Requests to and from the Sanitary District Manager

Requests or recommendations from the Advisory Committee to the Manager shall be in writing, separate from any recordation of the request that may be documented in the minutes. The Manager shall respond to the Advisory Committee in writing, and include descriptions of any action taken, identification of additional discussions that may be necessary, and/or reasons that the request or recommendation is rejected. Should a request or recommendation still be pending by the time of the next regular Advisory Committee meeting, the Manager shall provide an interim report at all meetings until the matter has been resolved.

The Manager may also make written requests to the Advisory Committee for input on operations. Should the Advisory Committee not respond in a timely manner, the Manager is authorized to proceed without the Advisory Committee's input where immediate action is needed to address time-sensitive issues where failure to act would cause risk to the health, safety, or economic viability of the Sanitary District. In such cases, the Manager shall update the Advisory Committee of the action taken in writing.

VII. Clerical Duties; Maintenance of Files

The Advisory Committee files shall be primarily retained by the Chairman, who shall be responsible for ensuring the safekeeping of the files, and ensuring their content is accurate. Official files shall include meeting agendas and minutes, Advisory Committee actions and recommendations, correspondence, and other documentation that is sufficient to provide a meaningful historical record of Advisory Committee activities. These files will be housed in space provided by the Manager, and shall be considered public files.

The Chairman shall bear primary responsibility for ensuring that the Advisory Committee's clerical activities, such as preparation and distribution of agendas, preparing minutes, and documenting Advisory Committee actions, are carried out. The Chairman may delegate specific clerical tasks to other Advisory Committee members at his/her discretion. The Manager is not obligated to provide clerical support to the Advisory Committee, but may do so if mutually agreed among the members and Manager.



COUNTY of FREDERICK

Jay E. Tibbs


Deputy County Administrator

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E-mail:

jtibbs@fcva.us

| | |
|-----------------|---|
| TO: | Public Works Committee |
| FROM: | Jay E. Tibbs, Deputy County Administrator  |
| SUBJECT: | Vehicle Replacement Policy/Model |
| DATE: | February 21, 2018 |

Staff was tasked with developing a methodology for evaluating vehicles to be replaced. Attached please find a summary of the model inputs/points system which are used as part of this model. The methodology is based upon the American Public Works Association guidelines but have been modified to be more reflective of Frederick County's vehicle fleet.

Staff will be present at the meeting to go over the model/inputs. Following staff's presentation, if the Committee is comfortable with the proposed model, staff is seeking a recommendation to the Board of Supervisors to approve the use of the model for evaluating requests for replacement vehicles.

Attachment

VEHICLE REPLACEMENT ASSESSMENT MODEL

| DEPT | Year | Make | Model | Serial # | Purchase Date | Purchase Price | ASSIGNED TO,
TAKEN HOME (Y/N)
& TAG NUMBER | YEAR | COLOR | TOTAL | YEARLY | Type | Reliability | Repair Cost | Condition | Score | Result | |
|------|---------------|------|-------|--------------|---------------|----------------|--|-----------------------------------|----------|---------|---------|--------|-----------------------------------|-----------------------|-----------|-----------|--------|-------------------------------|
| | | | | | | | | FOR CALCULATIONS ONLY | | Mileage | MILEAGE | | (# times in shop) | (yearly) | | | | |
| 1 | SHERIFF | 2014 | FORD | TAURUS | 4874 | 7/31/2014 | 24,949 | JACOB CRITES; 179-630L | 1/1/2014 | WHITE | 78,533 | 22,333 | Severe Duty - Police | 1 time every 4 months | \$ 1,115 | Fair | 21 | Good |
| 2 | SHERIFF | 2015 | FORD | TAURUS | 4877 | 7/28/2014 | 24,949 | AARON JETER; 179-622L; Y | 1/1/2015 | WHITE | 72,540 | 21,690 | Severe Duty - Police | 1 time every 4 months | \$ 1,517 | Fair | 21 | Good |
| 3 | SHERIFF | 2014 | FORD | TAURUS | 8661 | 10/1/2013 | 24,875 | ALISSA SINGHAS; WTH-8886 | 1/1/2014 | WHITE | 76,872 | 11,383 | Severe Duty - Police | 1 time every 4 months | \$ 900 | Fair | 21 | Good |
| 4 | SHERIFF | 2014 | FORD | TAURUS | 4875 | 7/28/2014 | 24,949 | DANIEL CHESHIRE; 179-620L; Y | 1/1/2014 | WHITE | 92,807 | 35,230 | Severe Duty - Police | 1 time every 4 months | \$ 1,299 | Fair | 23 | Good |
| 5 | SHERIFF | 2014 | FORD | TAURUS | 6458 | 3/26/2014 | 25,461 | JEREMIAH HACKETT; 182-244L; Y | 1/1/2014 | WHITE | 83,918 | 22,086 | Severe Duty - Police | 1 time every 4 months | \$ 1,488 | Fair | 23 | Good |
| 6 | SHERIFF | 2014 | FORD | TAURUS | 6462 | 5/7/2014 | 25,461 | JERRY CLARK; 179-611L; Y | 1/1/2014 | WHITE | 75,826 | 15,656 | Severe Duty - Police | 1 time every 4 months | \$ 1,774 | Fair | 23 | Good |
| 7 | SHERIFF | 2014 | FORD | TAURUS | 6468 | 4/25/2014 | 25,461 | HERMAN MALCOLM; 179-608L; Y | 1/1/2014 | WHITE | 78,310 | 19,728 | Severe Duty - Police | 1 time every 4 months | \$ 1,913 | Fair | 23 | Good |
| 8 | PARKS | 2005 | GMC | K1500 PICKUP | 9377 | 9/27/2004 | 14,152 | CLEARBROOK; 125-009L; N | 1/1/2005 | BLUE | 67,577 | 3,551 | Regular Use | 1 time per year | \$ 41 | Good | 24 | Good |
| 9 | FIRE & RESCUE | 2013 | CHEVY | TAHOE | 5687 | 3/19/2013 | 29,374 | KEITH JENKINS TR-10; 152-333L; Y | 1/1/2013 | WHITE | 139,297 | 17,340 | Regular Use | 1 time every 4 months | \$ 1,098 | Fair | 24 | Good |
| 10 | SHERIFF | 2013 | FORD | TAURUS | 2718 | 4/16/2013 | 25,224 | 177-193L | 1/1/2013 | WHITE | 85,480 | 10,789 | Severe Duty - Police | 1 time every 4 months | \$ 1,351 | Fair | 24 | Good |
| 11 | SHERIFF | 2014 | FORD | TAURUS | 4911 | 7/2/2014 | 24,845 | DAVID CULLERS | 1/1/2014 | WHITE | 77,364 | 20,193 | Severe Duty - Police | 1 time every 4 months | \$ 2,393 | Fair | 24 | Good |
| 12 | SHERIFF | 2014 | FORD | CROWN VICTOI | 6460 | 2/27/2014 | 25,461 | 182-212L | 1/1/2014 | WHITE | 87,000 | 25,495 | Severe Duty - Police | 1 time every 4 months | \$ 2,001 | Fair | 24 | Good |
| 13 | SHERIFF | 2014 | FORD | TAURUS | 6461 | 4/25/2014 | 25,461 | TRAVIS BRIDGEFORTH; 179-609L; Y | 1/1/2014 | WHITE | 77,037 | 17,417 | Severe Duty - Police | 1 time every 6 months | \$ 6,891 | Fair | 24 | Good |
| 14 | SHERIFF | 2014 | FORD | TAURUS | 6465 | 3/26/2014 | 25,461 | JOSEPH FLETCHER; 182-246L; Y | 1/1/2014 | WHITE | 72,340 | 21,152 | Severe Duty - Police | 1 time every 6 months | \$ 6,236 | Fair | 24 | Good |
| 15 | SHERIFF | 2014 | FORD | TAURUS | 6466 | 4/25/2014 | 25,461 | JAMES BENTLEY; 179-607L; Y | 1/1/2014 | WHITE | 85,207 | 21,130 | Severe Duty - Police | 1 time every 4 months | \$ 2,270 | Fair | 24 | Good |
| 16 | SHERIFF | 2013 | FORD | F150 PICKUP | 8821 | 3/4/2013 | 23,460 | HEATHER FLANAGAN; 176-754L; Y | 1/1/2013 | WHITE | 120,135 | 23,555 | Severe Duty - Police | 1 time every 6 months | \$ 1,570 | Fair | 25 | Qualifies for Replacement |
| 17 | SHERIFF | 2013 | FORD | TAURUS | 2713 | 4/16/2013 | 25,224 | JEFFREY BINGAMAN; 177-188L; Y | 1/1/2013 | WHITE | 98,054 | 15,401 | Severe Duty - Police | 1 time every 6 months | \$ 1,998 | Fair | 25 | Qualifies for Replacement |
| 18 | SHERIFF | 2013 | FORD | TAURUS | 2720 | 4/16/2013 | 25,224 | 177-195L | 1/1/2013 | WHITE | 88,514 | 16,514 | Severe Duty - Police | 1 time every 4 months | \$ 1,874 | Fair | 25 | Qualifies for Replacement |
| 19 | SHERIFF | 2014 | FORD | TAURUS | 4867 | 7/30/2014 | 24,949 | STEPHEN GREGORY; 179-624L; Y | 1/1/2014 | WHITE | 82,694 | 21,031 | Severe Duty - Police | 1 time every 6 months | \$ 8,079 | Fair | 25 | Qualifies for Replacement |
| 20 | SHERIFF | 2014 | FORD | TAURUS | 4873 | 7/28/2014 | 24,949 | SAMANTHA FUNKHOUSER; 179-6119L; Y | 1/1/2014 | WHITE | 72,206 | 23,941 | Severe Duty - Police | 1 time every 4 months | \$ 3,492 | Fair | 25 | Qualifies for Replacement |
| 21 | SHERIFF | 2014 | FORD | TAURUS | 6463 | 5/7/2014 | 25,461 | MARLISA EMBRY; 179-874L; Y | 1/1/2014 | WHITE | 94,500 | 13,134 | Severe Duty - Police | 1 time every 6 months | \$ 3,568 | Fair | 25 | Qualifies for Replacement |
| 22 | SHERIFF | 2014 | FORD | TAURUS | 6469 | 4/9/2014 | 25,461 | WILLIAM COMSTOCK; 179-605L; Y | 1/1/2014 | WHITE | 87,792 | 21,702 | Severe Duty - Police | 1 time every 4 months | \$ 2,799 | Fair | 25 | Qualifies for Replacement |
| 23 | SHERIFF | 2013 | FORD | TAURUS | 2715 | 4/16/2013 | 25,224 | WILLIAM LOCKE; 177-190L; Y | 1/1/2013 | WHITE | 90,755 | 18,201 | Severe Duty - Police | 1 time every 6 months | \$ 4,141 | Fair | 26 | Qualifies for Replacement |
| 24 | SHERIFF | 2013 | FORD | TAURUS | 2716 | 4/16/2013 | 25,224 | ANTHONY KENDRA; 177-191L; Y | 1/1/2013 | WHITE | 96,156 | 27,903 | Severe Duty - Police | 1 time every 4 months | \$ 2,409 | Fair | 26 | Qualifies for Replacement |
| 25 | SHERIFF | 2013 | FORD | TAURUS | 2717 | 4/16/2013 | 25,224 | GARY GANOE; 177-192L; Y | 1/1/2013 | WHITE | 101,770 | 20,916 | Severe Duty - Police | 1 time every 4 months | \$ 2,346 | Fair | 26 | Qualifies for Replacement |
| 26 | SHERIFF | 2014 | FORD | F150 PICKUP | 4791 | 2/27/2014 | 23,250 | EMMA DOWNING; 182-211L; Y | 1/1/2014 | WHITE | 91,972 | 24,981 | Severe Duty - Police | 1 time every 4 months | \$ 4,486 | Fair | 26 | Qualifies for Replacement |
| 27 | SHERIFF | 2014 | FORD | TAURUS | 4876 | 7/28/2014 | 24,949 | 179-621L; Y | 1/1/2014 | WHITE | 98,375 | 20,265 | Severe Duty - Police | 1 time every 6 months | \$ 8,774 | Fair | 26 | Qualifies for Replacement |
| 28 | MAINTENANCE | 2007 | FORD | F150 PICKUP | 8821 | 5/23/2007 | 20,213 | TONY RILEY; 139-476L; N (PSB) | 1/1/2007 | WHITE | 109,634 | 3,709 | Regular Use | 1 time per year | \$ 663 | Poor | 27 | Qualifies for Replacement |
| 29 | SHERIFF | 2013 | FORD | TAURUS | 2714 | 4/16/2014 | 25,224 | 177-189L; Y | 1/1/2013 | WHITE | 100,406 | 22,498 | Severe Duty - Police | 1 time every 6 months | \$ 4,076 | Fair | 27 | Qualifies for Replacement |
| 30 | SHERIFF | 2014 | FORD | TAURUS | 6464 | 3/26/2014 | 25,461 | INSURANCE SALVAGE; 182-148L | 1/1/2014 | WHITE | 99,983 | 27,522 | Severe Duty - Police | 1 time per year | \$ 10,000 | Very Poor | 27 | Qualifies for Replacement |
| 31 | INSPECTIONS | 2006 | CHEVY | COLORADO | 2331 | 11/29/2005 | 14,387 | POOL VEHICLE; 131-636L; N | 1/1/2006 | WHITE | 133,968 | 9,043 | Administrative Sedan/Pool Vehicle | 1 time every 4 months | \$ 259 | Fair | 28 | Needs Immediate Consideration |
| 32 | PLANNING | 2006 | CHEVY | COLORADO | 6958 | 12/7/2005 | 14,387 | 131-639L; N; FROM INSPECTIONS | 1/1/2006 | WHITE | 124,301 | 5,186 | Administrative Sedan/Pool Vehicle | 1 time every 4 months | \$ 653 | Fair | 28 | Needs Immediate Consideration |
| 33 | ENGINEERING | 2004 | DODGE | DAKOTA | 7310 | 6/28/2004 | 21,987 | MIKE STEWART; 118-685L; N | 1/1/2004 | BLUE | 107,124 | 3,675 | Regular Use | 1 time per year | \$ 600 | Fair | 29 | Needs Immediate Consideration |
| 34 | FIRE & RESCUE | 2006 | CHEVY | SILVERADO | 9653 | 2/20/2006 | 22,786 | RICK CATLETT; 132-239L; Y | 1/1/2006 | WHITE | 104,243 | 8,035 | Regular Use | 1 time every 6 months | \$ 1,718 | Poor | 30 | Needs Immediate Consideration |
| 35 | PARKS | 1998 | GMC | PICK UP | 9156 | 2/19/1998 | 21,823 | SHERANDO; 371-52L; N | 1/1/1998 | BLUE | 52,942 | 2,312 | Regular Use | 1 time per year | \$ 393 | Fair | 31 | Needs Immediate Consideration |
| 36 | PARKS | 1998 | GMC | PICKUP | 9841 | 2/19/1998 | 21,823 | CLEARBROOK; 271-51L; N | 1/1/1998 | BLUE | 59,920 | 2,662 | Regular Use | 1 time per year | \$ 1,482 | Good | 32 | Needs Immediate Consideration |
| 37 | INSPECTIONS | 2007 | CHEVY | COLORADO | 333 | 2/6/2007 | 14,700 | KIM DELLINGER; 139-451L; N | 1/1/2007 | WHITE | 136,167 | 13,464 | Medium Duty | quarterly | \$ 550 | Fair | 32 | Needs Immediate Consideration |
| 38 | FIRE & RESCUE | 2004 | CHEVY | TAHOE | 9136 | 3/11/2004 | 27,329 | FMO - PART TIMERS; 115-013L; N | 1/1/2004 | WHITE | 166,650 | 6,750 | Regular Use | 1 time every 6 months | \$ 936 | Poor | 35 | Needs Immediate Consideration |

TOTALED

Vehicle Replacement Model Legend

Points are accumulated based on the following criteria.

Points assigned for each year of age (e.g. 5 years = 5 points)

| |
|-------------------------------|
| 1 point for every year of age |
|-------------------------------|

Points assigned based on the type of vehicle.

| Type | |
|-----------------------------------|---|
| Administrative Sedan/Pool Vehicle | 1 |
| Administrative 4-wheel Drive | 2 |
| Regular Use | 3 |
| Medium Duty | 4 |
| Severe Duty - Police | 5 |

Total Vehicle Mileage divided by 15,000.

Points assigned based on result. (e.g.

30,000 miles/15,000 = 2 points.)

| | |
|----------------------|-------|
| Total Mileage | 15000 |
|----------------------|-------|

Number of times vehicle has been in the shop for repairs, exclusive of regular maintenance (e.g. oil change, tires, etc.)

| Reliability | |
|---------------------------------|---|
| 1 time per year | 1 |
| 1 time every 6 months | 2 |
| 1 time every 4 months quarterly | 3 |
| quarterly | 4 |
| monthly | 5 |

Points assigned for interior and exterior condition of vehicle.

| Condition | |
|-----------|---|
| Excellent | 1 |
| Good | 2 |
| Fair | 3 |
| Poor | 4 |
| Very Poor | 5 |

Points assigned for annual repair expenditures. \$500 was a baseline to capture routine maintenance (e.g. oil changes, tire rotations, etc.)

| Repair & Maintenance Costs (annual) | | | | |
|-------------------------------------|-------|--------|-------|---|
| | | <\$500 | | 0 |
| \$ | 500 | \$ | 1,124 | 1 |
| \$ | 1,125 | \$ | 1,749 | 2 |
| \$ | 1,750 | \$ | 2,374 | 3 |
| \$ | 2,375 | \$ | 2,999 | 4 |
| \$ | 3,000 | + | | 5 |

Score represents the total amount of points accrued based on all of the above categories.

| Score | | |
|-------------------------------|----|----|
| Excellent | 0 | 17 |
| Good | 18 | 24 |
| Qualifies for Replacement | 25 | 27 |
| Needs Immediate Consideration | | 28 |

-DRAFT-**INVITATION FOR BIDS****#2018-Old****Sale of Old Frederick County Middle School**

The Frederick County Board of Supervisors, pursuant to Section 15.2-1800, Code of Virginia, is seeking bids for the sale of the county property and buildings comprising the former Frederick County Middle School located at **441 Linden Drive** in the City of Winchester and comprised of approximately 22.78 acres. The property will be sold as is, together with all appurtenances and rights of way belonging thereto. The property is zoned LR- Residential.

A site visit and walk-through of the buildings for potential interested bidders will be held on [REDACTED] from [REDACTED] to [REDACTED]. Pertinent documents; including but not limited to a site plan for the property, asbestos inspection report and original construction drawings are on file with the **County's Public Works Department**. Parties interested in viewing this information should contact [REDACTED] to schedule a time to do so. Questions regarding the former school buildings should be referred to [REDACTED] at 540-[REDACTED]. Any questions regarding the zoning of the property and/or specific permitted uses of same should contact the City of Winchester Planning and Zoning Department at 540.667.1815.

All bids should be in a specific dollar amount, good for a minimum of 90 days and must be submitted in a sealed envelope, clearly marked "Old Frederick County Middle School Property" and sent to the Frederick County Finance Department, ATTN: Julie Cotterell, 107 North Kent Street, 3rd floor, Winchester, Virginia 22601. Bids must be received no later than **2:00 p.m.** on [REDACTED].

Respondents who are mailing bids should allow for normal mail delivery time to ensure timely receipt by Frederick County. Bidders assume the risk for method of delivery chosen. Frederick County assumes no responsibility for delays or failure of any delivery service to meet the submission deadline or failure to deliver to the designated recipient. Submittals may not be faxed or otherwise electronically submitted.

Frederick County reserves the right to reject any and all bids. Any contract that may result from a bid in response to this IFB is subject to approval by the Board of Supervisors, following a public hearing, pursuant to the requirement of Section 15.2-1800, Code of Virginia.

Notification of Award will be posted on the eVa website at www.virginia.gov.

Cheryl B. Shiffler, Finance Director

FREDERICK COUNTY MIDDLE SCHOOL SUMMARY REPORT

February 26, 2018

The Frederick County Middle School is a parcel in the City of Winchester, Virginia, designated as PIN 130-01-1, with an address of 441 Linden Drive, and contains by current field survey 22.7960 acres. Frederick County acquired the property by deed dated September 10, 1965 and recorded in Deed Book 316 at Page 62 in the Frederick County Clerk's Office. The subject property is a portion of the land that was annexed into the City of Winchester in the late 1970's, and the property currently has city zoning of Low Density Residential (LR). Attached is a copy of the City of Winchester Zoning Ordinance relating to the LR district. The subject property has significant frontage along Linden Drive, a 60-foot wide right of way with a city maintained roadway. The adjacent property to the west is owned by the Winchester Medical Center and this property is zoned MC (Medical Center). A portion of the Winchester Medical Center land on the north side of the subject property is zoned HS (Health Services) to allow for the Shenandoah University Pharmacy School. In August 2017, an 8-acre parcel was conveyed to Shenandoah University for the pharmacy school building, which includes direct access ways. The Frederick County Middle School completed a boundary line adjustment with the adjacent medical center land that conveyed 0.5766 acres to the medical center, which is a portion of the land in the rear of the school property. Attached is a survey map with an aerial overlay that shows the current boundaries of the middle school property and the adjacent land.

The middle school is accessed by Caroline Street, which intersects Fox Drive to the east, and Linden Drive, which accesses Amherst Street to the south. The original survey for the school property provided for an extension of Caroline Street that was never built. This right of way area of Caroline Street was vacated by the City of Winchester and conveyed to the Winchester Medical Center in 2009. Recently, an emergency access strip was conveyed to Shenandoah University for the pharmacy school.

The middle school property is served by public water from an 8-inch water main located in the intersection of Linden Drive and Caroline Street. Sanitary sewer is also provided by the City of Winchester through an 8-inch gravity line on the north side of the property, which flows to the city sewer system along Caroline Street. The school property has a direct natural gas service line that crosses the property behind the school for connection at the mechanical room area. Power is provided to the school from an overhead power line that extends across the northerly portion of the property to a power pole that drops the electric service to underground and extends to the meter connection behind the school building. Additionally, the school has a steam heating system and an aboveground 2,500-gallon fuel oil tank for the system boiler. The attached survey map delineates these utility lines that serve and surround the school property. Other easements that burden the property are also shown on the survey exhibit, which includes an overhead electric transmission main with an 80-foot easement that crosses the westerly side of the property.

The property is improved with the school building that was built in the mid-1960's and an asphalt parking lot and separate asphalt entrance and student drop-off area directly in front of the school building. The school property is also improved with a cinder quarter-mile track and an athletic field. Additional athletic open space areas surround the rear portion of the school and these areas are maintained in grass. The original school building is supported by eight additional temporary mobile classrooms that are positioned directly behind the school, and have walkway access and electric service.

The Frederick County Middle School property falls within the northwest geographic area of the City of Winchester Comprehensive Plan. This area of the comprehensive plan also includes the medical center and the residential properties east to Route 522. Attached with this report is the comprehensive plan information for the northwest geographic area. The comprehensive plan would suggest that the future use of the middle school property would be to link the site to Route 37 via connection to the Winchester Medical Center private roadway network, which would also make the site attractive for mixed-use zoning. Non-residential uses would need to be buffered to the single-family homes being constructed along the east side of Linden Drive. The comprehensive plan indicates that the proximity to the regional medical center and Shenandoah University's Pharmacy School makes this site very marketable, and could be considered a key parcel for the mixed-use transition area.

Summary of Existing Features

Address: 441 Linden Drive, Winchester, Virginia

PIN: 130-01-1

Area: 22.7960 Acres

Zoning: LR (Low Density Residential)

Land Acquired: September 10, 1965 Deed Book 316, Page 62 (Frederick County)

School Built: 1966

Building: Two-Story (64,000 square feet)

Additional: Eight Mobile Classrooms of 24' x 38' (900 square feet each; 7,200 square feet total)

Public Sewer and Water: City of Winchester (8" water line; 8" gravity sanitary sewer)

Parking Lot: Asphalt (166 spaces total)

Overhead Electric Line to Underground Service

Natural Gas Service (4" line)

Heating Oil Tank: 2,500 gallons (not in use)

Steam Heating System

Direct Access to Linden Drive, City of Winchester Public Street

Athletic Fields: 0.25-mile cinder track and football field
 Score Board with Electric Service
 Field Irrigation System
 Two Additional Open Area Athletic Field Areas

VA. NAD 83
NORTH ZONE STATE GRID

WINCHESTER MEDICAL CENTER

**ZONED MC
(MEDICAL CENTER)**

80' ELEC. ESMT

FREDERICK COUNTY MIDDLE SCHOOL

**ZONED LR
(LOW-DENSITY RESIDENTIAL)**

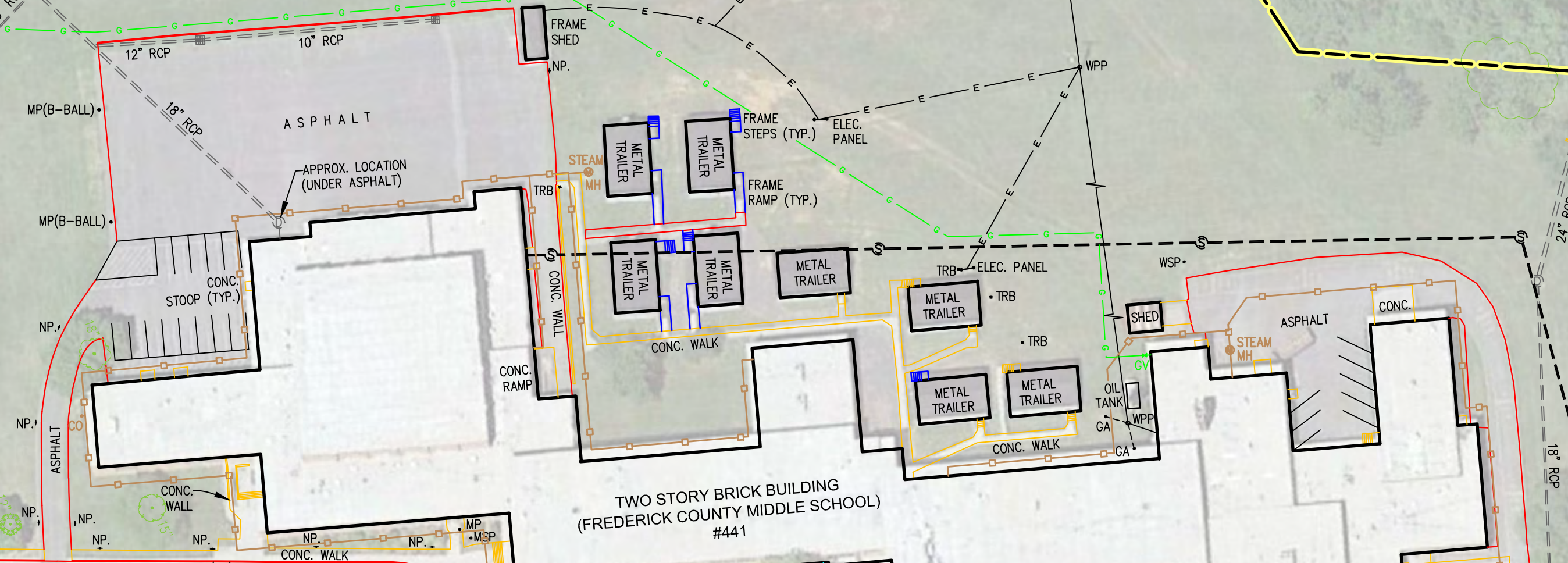
22.796 AC.

**ZONED HS
(HEALTH SERVICES)**

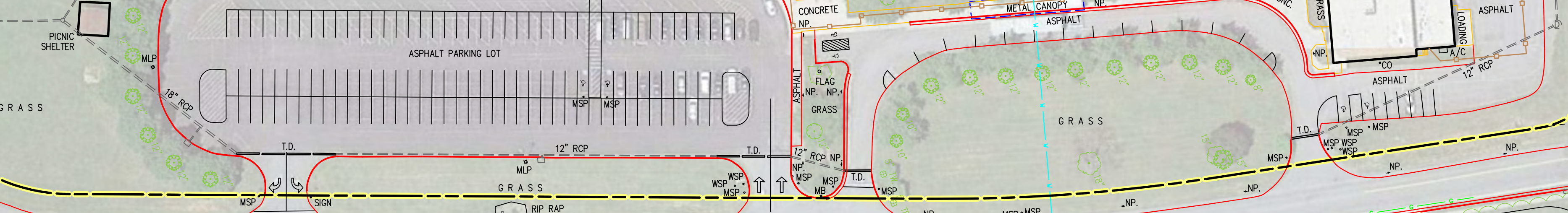
**SHENANDOAH
UNIVERSITY
PHARMACY SCHOOL**

PIN 149-03-1
WINCHESTER MEDICAL CENTER
DB 206 PAGE 147

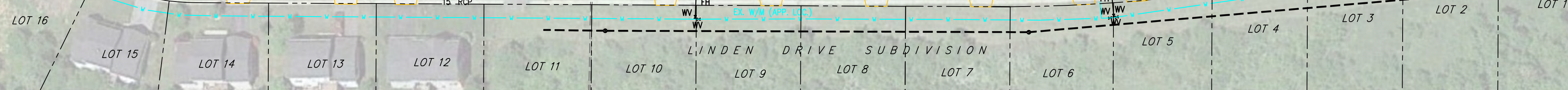
TAX MAP 130-01-1
COUNTY SCHOOL BOARD OF FREDERICK COUNTY, VIRGINIA
DB 284 PG 328



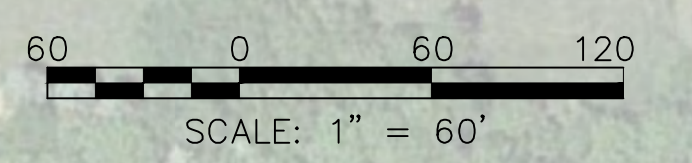
TWO STORY BRICK BUILDING
(FREDERICK COUNTY MIDDLE SCHOOL)
#441



LINDEN DRIVE - 60' R/W



**ZONED LR
(LOW-DENSITY RESIDENTIAL)**



www.marshandlegge.com

**Marsh & Legge Land
Surveyors, P.L.C.**

560 NORTH LOUDOUN STREET
WINCHESTER, VIRGINIA 22601
PHONE (540) 667-0468 ~ FAX (540) 667-0469

**COUNTY of FREDERICK**

Department of Public Works

540/665-5643

FAX: 540/678-0682

MEMORANDUM

TO: Public Works Committee

FROM: Gloria M. Puffinburger
Solid Waste Manager

RE: Update on Glass Markets

DATE: February 22, 2018

Following please find two charts depicting my research on the status of glass recycling and available markets in Frederick County and the surrounding areas. One lists various jurisdictions and details how each recycles or reuses post-consumer glass containers. The second explores various alternatives and costs available to Frederick County for managing its glass should a collection program be reinstated.

Although nearly 500 tons of glass was eliminated from the county's recycling program in November 2016 due to declining markets and a spike in costs, Frederick is still exceeding the state's mandated recycling rate of 25 percent. Commodities such as cans, paper and textiles experienced a decline in the past fiscal year, however, the overall recycling rate remains strong at 52.5 percent.

At the time, the Public Works Committee determined that expending funds to haul glass in separate loads to the landfill only to have it end up in the landfill under the guise of alternative daily cover was a waste of taxpayer dollars and would tend to undermine the integrity of the recycling program. Furthermore, it is not a recommendation of staff to haul and stockpile glass at the landfill for the purpose of recycling. As shown, transporting glass out of the area requires considerable expense, and an investment in new equipment by the landfill in addition to staff time.

I would like to point out that a bottle bill or container redemption legislation could resolve Virginia's glass recycling woes. Bottle bills work according to the Virginia Department of Environmental Quality. In the ten U.S. states with bottle bills, glass recycling makes money, there is a reduction in litter and redemption centers for the collection of glass bottles creates jobs. Furthermore, the system provides a reliable stream of clean glass for cullet makers.

There exists a strong demand for glass by the two glass plants in Virginia. However, the material must meet high specifications and the challenges of transportation costs and contamination overcome. There is a need to attract a cullet processor to clean up the glass before it goes to glass plants.

I contacted the Glass Recycling Institute, Virginia Recycling Association and the Virginia Association of Counties. None of these organizations were able to provide guidance. I will point out that the State of North Carolina ties issuance of ABC licenses to glass recycling. Stores are required to offer a glass recycling drop-off for customers.

Since legislation to institute a bottle bill in Virginia has failed numerous times, I would suggest that the feasibility of a measure similar to the one in place in North Carolina be explored through the legislative process.

**SURVEY OF GLASS RECYCLING IN FREDERICK & SURROUNDING AREAS
FEB. 2018**

| <i>Jurisdiction</i> | <i>Accepts
Glass/Residents</i> | <i>Recycle</i> | <i>Reuse</i> | <i>Status</i> | <i>Impact</i> |
|----------------------------|---|-----------------------|--|---|---|
| <i>Fairfax</i> | Yes | Yes | Purchased glass crusher to pull glass residue from three processing facilities for reuse at landfill; remainder marketed by recycling facilities | Six mo. Delay on set-up and not receiving loads from outside area to date; tipping fee to Frederick would be \$35/T, delivered | Goal is to capture residue from single-stream recycling process; provide aggregate for internal road uses at landfill; manage county's glass and pay through avoided costs and tip fees |
| <i>Fauquier</i> | Yes | No | Crushed and mixed w/some soil and concrete to construct privacy berms at landfill | On-going; DEQ approved use; counts as PRM; will plant grass and trees | Reduces cost of buying soil |
| <i>Loudoun</i> | Yes | Yes | | Private single-stream and county drop-offs; six processing facilities in region accept glass | |
| <i>Page</i> | Yes | No | Used as daily cover at landfill | On-going for 5 yrs; approved by DEQ as PRM | Provides beneficial use of glass & contributes to PRM or DEQ diversion rate |
| <i>Prince William</i> | Yes | Yes | | Six processing facilities in region accept glass from county drop-offs and private single-stream; Manassas facility landfills glass | |

**SURVEY OF GLASS RECYCLING IN FREDERICK & SURROUNDING AREAS
FEB. 2018**

| | | | | | |
|---------------------|-----|-----|--|--|--|
| <i>Shenandoah</i> | Yes | No | Used as daily cover at landfill | On-going for at least 3 yrs; approved by DEQ as PRM | When mixed with clay; aids soil mix; contributes to DEQ diversion totals |
| <i>Warren</i> | Yes | No | Hauled to Page County Landfill | Used as daily cover approved by DEQ as PRM | Provides beneficial use of glass & contributes to PRM or DEQ diversion rate |
| <i>Winchester</i> | Yes | Yes | Hauled to local processor as dual-stream material | On-going search for alternative markets since 1/17; no contract with Southern Scrap, local processor | Single stream processors in Hagerstown/Manassas Will not process glass; No glass rebate at Southern; pays \$16/T tip fee for glass, cans, plastics |
| <i>Berkeley WV</i> | Yes | Yes | Hauled to cullet processor in PA from 3 drop-offs; curbside glass recycling ended 9/17 | Started hauling glass when Zuckerman closed | Rebate received for clear offsets hauling costs; costly to haul green/brown |
| <i>Hampshire WV</i> | No | No | | Discussion of curbside in Romney by private hauler; no glass included | |
| <i>Jefferson WV</i> | Yes | Yes | Hauled to cullet processor in PA | | Rebate for clear glass |
| <i>Morgan WV</i> | No | No | Program ended 12/17 | Due to increased hauling costs | |

**GLASS RECYCLING/REUSE ALTERNATIVES IN FREDERICK COUNTY
FEB. 2018**

| <i>Market</i> | <i>Location</i> | <i>Use</i> | <i>Cost to Co.</i> | <i>Impact</i> |
|--------------------------------------|------------------------|--|--|--|
| <i>Southern Scrap</i> | Frederick County | Glass bottles; cullet processor in PA | \$72/T plus unknown cost of retrieving any unsold material (per contract); \$36,000 per year tip fee to processor; no rebate | Material recycled; contributes to recycling rate; 500 T/yr; additional \$42,000/yr in hauling costs to move glass from drop-offs to recycler |
| <i>Fairfax Crushing</i> | I-95 Complex | Crushing operation; roads, aggregate at landfill | \$36,040/yr to haul, can rental and tipping fee to Fairfax; reimburse Local landfill for logistics | Not yet operational and open to outside glass; material reused in construction; contributes to Frederick's recycling rate; requires staging, loading and equipment by local landfill |
| <i>Materials Recovery Facilities</i> | Hagerstown & Manassas | Hagerstown stopped processing glass 9/17; Manassas accepts in co-mingled loads but landfills glass | Hagerstown will accept our materials, but no glass | Contract with Southern to process; additional hauling costs; tipping fees |
| <i>Cullet Processors</i> | Pennsylvania | Two cullet processors | \$48,220/yr to haul, can rental. No tip fee; no rebate; reimburse local landfill for logistics | Cullet sold to make new bottles, construction and industrial uses; contributes to Frederick's recycling rate |

**GLASS RECYCLING/REUSE ALTERNATIVES IN FREDERICK COUNTY
FEB. 2018**

| | | | | |
|--------------------------------|------------------------------|---|--|--|
| <i>Sand Blasting</i> | Shenandoah County | Grind to create sand blasting material | \$56,000/yr for hauling and trailer rental; undetermined tipping fee | Operation still stockpiling glass for eventual operation; material reuse; contributes to Frederick's PRM or diversion rate |
| | <i>VDOT</i> Frederick County | Embankments, earthwork, base, crushed for pipe backfill | | Glass must meet state specs; contractors made aware of its availability for reuse; approved by DEQ as PRM; contributes to diversion rate; requires stockpiling |
| <i>Alternative Daily Cover</i> | Regional Landfill | Crush loads of glass with existing equipment; mix with soils as daily cover in operations | Loss of efficiency in how metal cans collected; \$172 per pull due to dropping part of cans/glass load at Southern (cans) and remainder (glass) at landfill; otherwise, purchase 11 30-yd containers at \$99,000; reimburse landfill for logistics | Material considered beneficial use by DEQ as PRM; contributes to Frederick's diversion rate |


COUNTY of FREDERICK

Department of Public Works

540/665-5643

FAX: 540/678-0682

MEMORANDUM

TO: Public Works Committee
FROM: Joe C. Wilder, Director of Public Works *JCW*
SUBJECT: Monthly Tonnage Report - Fiscal Year 16/17
DATE: February 20, 2018

The following is the tonnage for the months of July 2017, through June 2018, and the average monthly tonnage for fiscal years 03/04 through 17/18.

| | | |
|------------------|---------------------------|--------------------------------------|
| FY 03-04: | AVERAGE PER MONTH: | 16,348 TONS (UP 1,164 TONS) |
| FY 04-05: | AVERAGE PER MONTH: | 17,029 TONS (UP 681 TONS) |
| FY 05-06: | AVERAGE PER MONTH: | 17,785 TONS (UP 756 TONS) |
| FY 06-07: | AVERAGE PER MONTH: | 16,705 TONS (DOWN 1,080 TONS) |
| FY 07-08: | AVERAGE PER MONTH: | 13,904 TONS (DOWN 2,801 TONS) |
| FY 08-09: | AVERAGE PER MONTH: | 13,316 TONS (DOWN 588 TONS) |
| FY 09-10: | AVERAGE PER MONTH: | 12,219 TONS (DOWN 1,097 TONS) |
| FY 10-11: | AVERAGE PER MONTH: | 12,184 TONS (DOWN 35 TONS) |
| FY 11-12: | AVERAGE PER MONTH: | 12,013 TONS (DOWN 171 TONS) |
| FY 12-13: | AVERAGE PER MONTH: | 12,065 TONS (UP 52 TONS) |
| FY 13-14: | AVERAGE PER MONTH: | 12,468 TONS (UP 403 TONS) |
| FY 14-15: | AVERAGE PER MONTH: | 13,133 TONS (UP 665 TONS) |
| FY 15-16: | AVERAGE PER MONTH: | 13,984 TONS (UP 851 TONS) |
| FY 16-17: | AVERAGE PER MONTH: | 14,507 TONS (UP 523 TONS) |
| FY 17-18: | AVERAGE PER MONTH: | 15,410 TONS (UP 903 TONS) |

| MONTH | FY 2016-2017 | FY 2017-2018 |
|------------------|---------------------|---------------------|
| JULY | 13,391 | 15,465 |
| AUGUST | 15,724 | 17,694 |
| SEPTEMBER | 14,649 | 16,813 |
| OCTOBER | 14,160 | 15,853 |
| NOVEMBER | 13,834 | 16,109 |
| DECEMBER | 16,821 | 12,644 |
| JANUARY | 12,520 | 13,295 |
| FEBRUARY | 12,542 | |
| MARCH | 13,216 | |
| APRIL | 14,252 | |
| MAY | 16,105 | |
| JUNE | 16,873 | |

JCW/gmp

RECYCLING REPORT - FY 17/18

| <u>MONTH</u> | <u>GLASS</u> | <u>PLAST</u> | <u>AL</u>
<u>CANS</u> | <u>STEEL</u>
<u>CANS</u> | <u>PAPER</u> | <u>OCC</u> | <u>SHOES/TEX</u> | <u>ELEC</u> | <u>SCRAP</u> | <u>TOTAL</u> |
|-----------------|--------------|--------------|--------------------------|-----------------------------|--------------|------------|------------------|-------------|--------------|--------------|
| JUL | | 34,060 | 3,410 | 7,330 | 76,060 | 89,540 | 6,560 | 85,340 | 289,600 | 591,900 |
| AUG | | 37,820 | 4,370 | 7,770 | 100,380 | 95,140 | | 40,420 | 269,640 | 555,540 |
| SEP | | 35,820 | 2,205 | 4,175 | 69,480 | 83,597 | 4,860 | 37,520 | 333,060 | 570,717 |
| OCT | | 33,620 | 3,760 | 8,870 | 78,340 | 82,240 | | 39,960 | 242,741 | 489,531 |
| NOV | | 36,120 | 3,705 | 9,315 | 82,840 | 77,620 | 7,800 | 38,980 | 232,809 | 489,189 |
| DEC | | 35,860 | 2,710 | 6,750 | 81,060 | 104,000 | | 38,460 | 181,040 | 449,880 |
| JAN | | 51,520 | 3,545 | 8,515 | 100,820 | 97,550 | 6,160 | 43,760 | 155,156 | 467,026 |
| FEB | | | | | | | | | | 0 |
| MAR | | | | | | | | | | 0 |
| APR | | | | | | | | | | 0 |
| MAY | | | | | | | | | | 0 |
| JUN | | | | | | | | | | 0 |
| TOTAL | 0 | 264,820 | 23,705 | 52,725 | 588,980 | 629,687 | 25,380 | 324,440 | 1,704,046 | 3,613,783 |
| FY 16-17 | 372,600 | 430,435 | 41,002 | 89,976 | 1,082,737 | 1,009,153 | 37,220 | 495,500 | 2,687,241 | 6,245,864 |
| FY 15-16 | 919,540 | 428,300 | 52,077 | 97,252 | 1,275,060 | 974,493 | 48,820 | 480,400 | 2,376,344 | 6,652,286 |
| FY 14-15 | 895,600 | 407,703 | 40,060 | 97,515 | 1,272,660 | 893,380 | 49,440 | 532,283 | 1,890,729 | 6,079,370 |
| FY 13-14 | 904,780 | 417,090 | 39,399 | 99,177 | 1,281,105 | 902,701 | 37,800 | 611,580 | 1,639,225 | 5,932,937 |
| FY 12-13 | 913,530 | 410,338 | 45,086 | 102,875 | 1,508,029 | 878,450 | 39,700 | 502,680 | 1,321,938 | 5,722,626 |
| FY 11-12 | 865,380 | 398,320 | 43,884 | 99,846 | 1,492,826 | 840,717 | 37,920 | 484,600 | 1,432,678 | 5,696,171 |
| FY 10-11 | 949,185 | 378,452 | 42,120 | 98,474 | 1,404,806 | 824,873 | 41,700 | 467,920 | 1,220,107 | 5,427,637 |
| FY 09-10 | 1,123,671 | 370,386 | 42,844 | 96,666 | 1,235,624 | 671,669 | 21,160 | 435,680 | 1,348,398 | 5,346,098 |
| FY 08-09 | 762,810 | 322,928 | 23,473 | 55,246 | 1,708,302 | 564,957 | 28,780 | 404,760 | 1,097,151 | 4,968,407 |
| FY 07-08 | 794,932 | 284,220 | 15,783 | 40,544 | 1,971,883 | 545,692 | 0 | 498,110 | 1,172,880 | 5,324,044 |
| FY 06-07 | 600,464 | 200,720 | 11,834 | 29,285 | 1,684,711 | 441,321 | 0 | 382,574 | 550,070 | 3,900,979 |
| FY 05-06 | 558,367 | 190,611 | 12,478 | 28,526 | 1,523,162 | | | 381,469 | 204,220 | 2,898,833 |
| FY 04-05 | 549,527 | 193,224 | 11,415 | 27,525 | 1,552,111 | | | 273,707 | 25,080 | 2,632,589 |
| FY 03-04 | 541,896 | 174,256 | 11,437 | 31,112 | 1,443,461 | | | 156,870 | 336,230 | 2,695,262 |
| FY 02-03 | 413,627 | 146,770 | 9,840 | 23,148 | 1,381,195 | | | 62,840 | 171,680 | 2,209,100 |
| FY 01-02 | 450,280 | 181,040 | 10,565 | 25,553 | 1,401,206 | | | 54,061 | 58,140 | 2,180,845 |
| FY 00-01 | 436,615 | 198,519 | 10,367 | 24,988 | 1,759,731 | | | | 9,620 | 2,439,840 |
| FY 99-00 | 422,447 | 177,260 | 10,177 | 22,847 | 1,686,587 | | | | 44,180 | 2,363,498 |
| FY 98-99 | 402,192 | 184,405 | 9,564 | 22,905 | 1,411,950 | | | | 48,810 | 2,079,826 |
| FY 97-98 | 485,294 | 136,110 | 13,307 | 29,775 | 1,830,000 | | | | | 2,494,486 |
| FY 96-97 | 373,106 | 211,105 | 23,584 | 46,625 | 1,690,000 | | | | | 2,344,420 |
| FY 95-96 | 511,978 | 167,486 | 28,441 | 44,995 | 1,553,060 | | | | | 2,305,960 |
| TO DATE | 14,247,821 | 6,009,678 | 548,737 | 1,234,855 | 33,150,206 | 8,547,406 | 342,540 | 6,225,034 | 17,634,721 | 87,941,078 |

FREDERICK COUNTY ESTHER BOYD ANIMAL SHELTER FY 2017-2018

DOG REPORT

| MONTH | ON HAND AT
FIRST OF MONTH | RECEIVED
AT KENNEL | BROUGHT IN
BY ACO | BITE
CASES | BORN AT
KENNEL | ADOPTED | RECLAIMED | DISPOSED | DIED AT
KENNEL | ESCAPED/
STOLEN | CARRIED OVER
NEXT MONTH |
|-------|------------------------------|-----------------------|----------------------|---------------|-------------------|---------|-----------|----------|-------------------|--------------------|----------------------------|
| JULY | 50 | 28 | 47 | 4 | 0 | 38 | 39 | 8 | 0 | 0 | 44 |
| AUG | 44 | 25 | 51 | 2 | 0 | 43 | 44 | 7 | 0 | 0 | 28 |
| SEP | 28 | 21 | 38 | 1 | 0 | 24 | 32 | 3 | 1 | 0 | 28 |
| OCT | 28 | 36 | 43 | 2 | 0 | 39 | 30 | 3 | 0 | 0 | 37 |
| NOV | 37 | 35 | 33 | 1 | 0 | 28 | 28 | 2 | 0 | 0 | 48 |
| DEC | 48 | 24 | 24 | 3 | 0 | 44 | 26 | 1 | 0 | 0 | 28 |
| JAN | 28 | 26 | 32 | 1 | 0 | 26 | 27 | 1 | 0 | 0 | 33 |
| FEB | | | | | | | | | | | |
| MAR | | | | | | | | | | | |
| APR | | | | | | | | | | | |
| MAY | | | | | | | | | | | |
| JUN | | | | | | | | | | | |
| TOTAL | 263 | 195 | 268 | 14 | 0 | 242 | 226 | 25 | 1 | 0 | 246 |

In the month of January - 87 dogs in and out of kennel. 3 dogs transferred to rescue.

FREDERICK COUNTY ESTHER BOYD ANIMAL SHELTER FY 2017-2018

CAT REPORT

| MONTH | ON HAND AT
FIRST OF MONTH | RECEIVED
AT KENNEL | BROUGHT IN
BY ACO | BITE
CASES | BORN AT
KENNEL | ADOPTED | RECLAIMED | DISPOSED | DIED AT
KENNEL | ESCAPED/
STOLEN | CARRIED TO
NEXT MONTH |
|-------|------------------------------|-----------------------|----------------------|---------------|-------------------|---------|-----------|----------|-------------------|--------------------|--------------------------|
| JULY | 101 | 135 | 23 | 2 | 6 | 28 | 2 | 143 | 0 | 0 | 94 |
| AUG | 94 | 183 | 24 | 2 | 8 | 43 | 1 | 150 | 2 | 0 | 115 |
| SEP | 115 | 171 | 28 | 1 | 0 | 24 | 4 | 152 | 2 | 1 | 132 |
| OCT | 132 | 153 | 14 | 1 | 0 | 26 | 3 | 167 | 2 | 0 | 102 |
| NOV | 102 | 102 | 14 | 0 | 0 | 28 | 6 | 75 | 1 | 0 | 108 |
| DEC | 108 | 69 | 7 | 0 | 0 | 53 | 7 | 61 | 0 | 0 | 63 |
| JAN | 63 | 46 | 30 | 1 | 0 | 39 | 1 | 43 | 1 | 0 | 56 |
| FEB | | | | | | | | | | | |
| MAR | | | | | | | | | | | |
| APR | | | | | | | | | | | |
| MAY | | | | | | | | | | | |
| JUN | | | | | | | | | | | |
| TOTAL | 715 | 859 | 140 | 7 | 14 | 241 | 24 | 791 | 8 | 1 | 670 |

In the month of January - 140 cats in and out of shelter.

D



MEMORANDUM

TO: Board of Supervisors
FROM: John A. Bishop, AICP, Assistant Director - Transportation *JB*
RE: Transportation Committee Report for Meeting of February 26, 2018
DATE: March 1, 2018

The Transportation Committee met on Monday, February 26, 2018 at 8:30 a.m.

Members Present

Gary Lofton Chairman (voting)
Judith McCann-Slaughter (voting)
James Racey (voting)
Barry Schnoor (voting)
Gary Oates (liaison PC)
Lewis Boyer (liaison Stephens City)

Members Absent

Mark Davis (liaison Middletown)

*****Items Requiring Board Action*****

1. Revenue Sharing Agreement-Northern Y (see attached):

An agreement governing revenue sharing funds and match for the Tevis Extension from the roundabout north and east to Route 522. The current project cost estimate is \$3,500,000.00. The state revenue sharing funds awarded \$2,193,145.00. The exit clause is at 30% design if the cost estimate is unacceptable. Glaze Development will provide up to \$1.2 million in matching funds. The County will have the option to cover the shortfall or end the project upon the update of the cost estimate at 30% design.

Staff is seeking a recommendation to the Board of Supervisors on whether to execute the agreement and authorize Staff to proceed to approximately 30% design and the associated updated cost estimate. It is noted that regardless of the amount of the cost estimate, Staff will bring the agreement back before the Committee and Board of Supervisors. Staff recommends approving the agreement to allow 30% design.

Upon a motion by Mr. Schnoor, seconded by Mr. Racey to forward ratification of the Revenue Sharing Agreement -Northern Y for the purposes of reaching 30% and to authorize Staff to proceed with 30% design to the Board of Supervisors for recommendation of approval. The motion was unanimously approved.

2. SmartScale Applications Recommendation:

Frederick County is allowed four (4) SmartScale applications. The Transportation Committee in coordination with VDOT Staff had provided a list of thirteen (13) projects to the Committee with one (1) added during the January meeting. The following are seven (7) potential projects on the Frederick County shortlist based on Committee feedback. The list is not in priority order:

- *Route 11 South-Stars* *Frederick County*
- *Exit 317 and Redbud Road* *Frederick County*
- *Exit 317 Northbound on ramp* *Frederick County*
- *Route 522 Costello Drive-left turn* *Frederick County*
- *Route 37 (Lenoir Drive slip ramps)* *Frederick County*
- *Route 11 North (4 lane widening)* *Frederick County*
- *Exit 307 Improvements* *Frederick County*

The proposed project recommendations for Frederick County four (4) applications with the VDOT Staff evaluation for competitiveness and appropriateness were narrowed down to the following:

- *Exit 317 and Redbud Road* *Frederick County*
- *Exit 317 Northbound on ramp* *Frederick County*
- *Route 522 Costello Drive left turns* *Frederick County*
- *Route 11 South-Stars* *Frederick County*

The proposed project recommendations for MPO applications are as follows:

- *Exit 313 Bridge* *MPO*
- *Exit 307* *MPO*
- *Greater I-81* *MPO*

The proposed recommendation for the Winchester application is as follows:

- *Route 11 South-Shawnee area* *Winchester*

The proposed projects recommended not to proceed are as follows:

- *Route 37 (Lenoir Drive slip ramps)*
- *Route 11 North (4 lane widening)*
- *Route 7*
- *Inverlee Way*
- *Route 277 (Sherando Park Entrance)*

The Committee thoroughly discussed the proposed recommendation list of SmartScale applications for Frederick County. The Committee recommended substituting the Exit 317-Northbound on-ramp with the Route 11 North (scope to be determined). Also, recommended was to include the Exit 317-Northbound on-ramp into the Greater I-81 project for the MPO applications. The following is the list recommended by the Committee for projects that Frederick County should apply for through the SmartScale application process and the MPO projects to be promoted at the Regional Commission level:

- *Exit 317 and Redbud Road* *Frederick County*
- *Route 11 North (lane widening)* *Frederick County*
- *Route 522 Costello Drive left turns* *Frederick County*
- *Route 11 South-Stars or Route 11 Shawnee* *Frederick County*

- *Exit 313 Bridge* *MPO/RC*
- *Exit 307* *MPO/RC*
- *Greater I-81 include Exit 317 NB on-ramp* *MPO/RC*

- *Note: If the City does not apply for Route 11 South-Shawnee area, the County would apply for this project and move Route 11 South-Stars to the MPO/Regional Commission list.*

Upon motion by Mr. Racey and seconded by Mrs. McCann-Slaughter the Committee forwarded the above list of SmartScale applications and MPO projects to be promoted at the Regional Commission to the Board of Supervisors for recommendation of approval. The motion was unanimously approved.

*****Items Not Requiring Board Action*****

3. County Project Updates

Tevis Street Extension/Airport Road/I-81 Bridge:

Staff is in discussions with VDOT regarding roundabout design and expects to get key guidance this week that will impact that portion of the project. Airport Road design plans are moving forward from the 60% comments. The Northern Y is connected to this project and is on the earlier portion of the agenda.

Renaissance Drive:

Survey work on the site is nearly complete and discussions are ongoing with First Energy regarding powerline adjustments needed to accommodate the bridge. Bridge designer has provided some preliminary options. Staff is awaiting response from CSX regarding the design review agreement.

Coverstone Drive:

No activity at this time.

Jubal Early Drive Extension and Interchange with Route 37:

Staff has recently received phone calls from the private partner with questions on details and timelines.

4. Upcoming Agenda Items:

March

MPO Route 11 South-Stars Study

Oakdale Crossing Traffic Calming Study

April

Begin Interstate, Primary, and Secondary Road Plan updates (dependent on VDOT projections becoming available)

5. Other Business:

JAB/ks

REVENUE SHARING AGREEMENT

THIS AGREEMENT, made and dated this ___ day of _____, 2018, is made by and between the **COUNTY OF FREDERICK, VIRGINIA** (the “County”), a political subdivision of Virginia, and **FLG RESIDUAL TRUST PROPERTIES, LLC (“FLG”) and CAMPFIELD LLC (“Campfield”)** (collectively, FLG and Campfield are referred to as “Glaize”), a Virginia limited liability company.

RECITALS:

1. Glaize is the owner of tax parcel numbers 64-A-9 and 64B-A-73B (the “Property”).
2. The Virginia Department of Transportation (“VDOT”) administers the Revenue Sharing Program (“Revenue Sharing Program”), in cooperation with participating localities, under the authority of Section 33.2-357, effective Oct. 1, 2014, of the *Code of Virginia*.
3. The County and Glaize intend to fund the Project (defined below) using funds from Glaize and matching revenue sharing funds that the County has obtained from the Commonwealth’s Revenue Sharing Program.
4. The parties desire to arrange for the design and construction a street section as follows (the “Project”):

Tevis Street Extension, as a segment from the shared property boundary with parcel 64-A-10 to Route 522, relocation of the Elks lodge entrance, required upgrades to Route 522 as needed to accommodate the new intersection, right of way acquisition, VDOT approved entrance to the adjoining parcels with turn lanes, bicycle and pedestrian accommodations consistent with County requirements and within VDOT standards, required landscaping and streetlights allowable within the scope of the Revenue Sharing Program, and any unforeseen required items to implement the roadway. This segment shall be designed and constructed in a form mutually agreed upon by the County and Glaize that meets or exceeds VDOT standards that are in force at the time of final road design plan approval.
5. The parties desire to finance the Project using funds of up to \$1,200,000.00 Glaize will provide which can be matched on a dollar for dollar basis with VDOT revenue sharing funds (the “Matching Funds”) to be provided by VDOT within the rules and scope of the VDOT Revenue Sharing Program. In addition, the County shall provide such additional funds (the “County Funds”), which can be matched on a dollar for dollar basis by VDOT revenue sharing funds as available, as may be necessary in the event costs for the Project

exceed \$2,400,000.00. Expenditure of the County Funds will become applicable only after the Glaize Funds have been fully expended.

6. The Glaize Funds, County Funds, and the Matching Funds are collectively referred to herein as the "Project Funds."

NOW, THEREFORE, WITNESSETH: That for and in consideration of the sum of Ten Dollars, (\$10.00), cash in hand paid by each of the parties hereto unto the other, the receipt and sufficiency of which is hereby acknowledged, the parties do agree as follows:

1. **RECITALS:** The Recitals are made a material part hereof and incorporated herein by reference as if set out in full.

2. **THE PROJECT:**
 - a. The Glaize Funds, County Funds, and the Matching Funds shall be applied and expended in order to design and construct the Project described in the Recitals.

 - b. In the event that unforeseen design, engineering, right of way, environmental, and/or construction issues are encountered that exceed a project budget of \$2,400,000 (\$1,200,000 in Glaize funds and \$1,200,000 in Matching funds), the County agrees to expend such additional funds as are necessary in order to address such unforeseen design, engineering, right of way, environmental, and/or construction issues.

3. **COUNTY RESPONSIBILITIES:**
 - a. The County shall act as fiscal agent and project manager for the Project. The County's responsibilities as fiscal agent and project manager shall include management and oversight of all roadway design, approvals and permitting, construction management, and right-of-way acquisition, as well as invoicing of Project costs to VDOT and to Glaize.

 - b. The County shall give notice to Glaize of the intended commencement of construction of the Project not less than fifteen (15) days prior to the commencement of construction.

 - c. The County shall arrange for use of Matching Funds once the Glaize \$1,200,000.00 is expended and 100% of project funding after all available VDOT funds are expended.

 - d. Upon receipt of the bids for the Project, if the bids show that the Project cost will exceed \$2,400,000.00, the County may elect not to proceed with the Project, in which

case this Agreement shall be deemed terminated and the parties shall have no further obligations to each with respect to the subject matter of this Agreement.

- e. The County may enter into agreements, if necessary, with utility companies, VDOT, or unforeseen others as may be necessary in relation to the Project.
- f. As project manager, the County shall supervise all aspects of the Project, which shall be done in a good and workmanlike fashion in accordance with applicable VDOT standards.
- g. In the event that a mechanic's lien or other claim is filed against the Property arising from or in connection with the Project, the County agrees to promptly bond off any such mechanic's lien or claim with a portion of the Project Funds, to the extent permissible under applicable law.
- h. The County shall return all unspent Glaize Funds to Glaize at the conclusion of the Project.
- i. The County shall request the new roadway to be adopted into the State system within 30 days of receiving final paperwork and clearances required for adoption from VDOT.

4. GLAIZE'S RESPONSIBILITIES:

- a. Glaize shall provide all required right of way dedication of property it controls, permanent grading and drainage easements, and temporary construction easements to the County prior to County award of the construction contract. Costs for provision of these items will be borne by Glaize and not be reimbursable with Matching Funds.
- b. The County shall undergo the design process in two phases, with Phase I being complete at the conclusion of approximately 60% of the design and associated updated cost estimate. Phase II shall be the completion of the design and subsequent bidding and construction of the project. The County will not proceed to Phase II without prior written consent of Glaize. In the event that Glaize fails to authorize Phase II within 45 days of County request, such lack of response shall be deemed a denial to proceed and the County shall have the ability to cancel the Project.
- c. Glaize's contribution to the total amount of incurred for Phase I road design services shall not exceed \$70,000.00. Glaize will pay the County \$35,000.00 toward Phase I costs upon execution of this Agreement. In the event the Project does not proceed to

Phase II, Glaize shall pay the County an additional \$35,000.00 for a total payment of \$70,000.00 for Phase I costs, within 10 days of receipt of written notice terminating this Agreement for failure to proceed to Phase II. Upon payment by Glaize in response to such notice, this Agreement shall thereupon be terminated.

- d. Upon issuing approval to proceed to Phase II of the project, Glaize shall provide to the County a letter of credit payable to the County in the amount of \$1,165,000.00 to secure the payments due from Glaize under the terms of this Agreement. In no event shall any institution issuing a letter of credit on behalf of Glaize be liable to the County for any amount greater than the amount to which Glaize may be liable to the County pursuant to the terms of this Agreement on the date the County makes claim for payment under the terms of any such letter of credit. Upon payment in full of all amounts due from Glaize under the terms of this Agreement the County consents to the release of any such letter of credit without further action from the County.
- e. Subject to the terms and conditions of this Agreement and so long as the County is not in default, Glaize shall remit one-half of the total amounts properly incurred by the County in the prior calendar month for the performance of services within the project description outlined in the recitals of this Agreement, up to \$1,200,000.00, within 30 days of receipt of an invoice for the same.
- f. Glaize shall provide full access to the Property for the purposes of construction, surveys, geotechnical work, or any other tasks related to design, engineering, environmental, and construction needs of the Project.

5. **NOTICES:** All notices, demands, or other communications that may be necessary or proper hereunder shall be deemed duly given if personally delivered, or when deposited in the United States mail, postage prepaid, first class, registered or certified, return receipt requested, addressed respectively as follows:

County: Department of Planning and Development
107 North Kent Street, Suite 202
Winchester, VA 22601
Attn: John A. Bishop, AICP

With a copy to: Roderick Williams, Esquire
County Attorney
107 North Kent Street
Winchester, VA 22601

Glaize: J.P. Carr, President
Glaize Developments, Incorporated
112 E. Piccadilly Street
Winchester, VA 22601

With a copy to:

Stephen L. Pettler, Jr.
Harrison and Johnston, PLC
21 South Loudoun Street
Winchester, VA 22601

6. ENTIRE AGREEMENT; AMENDMENTS; TIME:

- a. This Agreement constitutes the entire agreement of the parties and supersedes any prior understandings, whether oral or written, of the parties regarding the subject matter of the Agreement and no amendment to this Agreement shall be effective unless made in writing and signed by both parties.
- b. Time is of the essence with respect to all matters set forth in this Agreement.
- c. This Agreement shall be binding upon and the obligations and benefits hereof shall accrue to the parties hereto and their successors and assigns.

7. GOVERNING LAW; VENUE: This Agreement shall be governed by and interpreted according to the laws of the Commonwealth of Virginia and any dispute hereunder shall be heard only in the Circuit Court of Frederick County, Virginia.

WITNESS the following signatures and seals:

COUNTY OF FREDERICK, VIRGINIA

By _____ (SEAL)

FLG RESIDUAL TRUST PROPERTIES, LLC

By _____ (SEAL)

CAMPFIELD LLC

By _____ (SEAL)

E



PROCLAMATION

APRIL 1-7, 2017 AS LOCAL GOVERNMENT EDUCATION WEEK

WHEREAS, since the colonial period, the Commonwealth of Virginia has closely held the institutions of local government; and

WHEREAS, local governments throughout the Commonwealth provide valuable services to the citizens of the communities they serve; and

WHEREAS, citizen services such as, law enforcement, public health and safety, recreational opportunities, and educating local children, are most often delivered at the local level; and

WHEREAS, in recognition of the work performed by local governments, the Virginia General Assembly, on February 29, 2012, designated the first week in April as Local Government Education Week in Virginia; and

NOW, THEREFORE BE IT PROCLAIMED, by the Board of Supervisors of the County of Frederick, Virginia, that April 1-7, 2017 is hereby designated as Local Government Education Week; and

BE IT FURTHER PROCLAIMED, that the Board of Supervisors of the County of Frederick, Virginia will promote civic education and engagement in an effort to educate citizens about their local government, strengthen the sense of community, and engage the next generation of local government managers.

ADOPTED this 14th day of March, 2018.

Charles S. DeHaven, Jr., Chairman

F



PROCLAMATION

APRIL 8-14, 2018, AS NATIONAL TELECOMMUNICATORS WEEK

WHEREAS, emergencies can occur at any time that require police, fire or emergency medical services; and

WHEREAS, when an emergency occurs, the prompt response of police officers, firefighters and paramedics is critical to the protection of life and preservation of property; and

WHEREAS, the safety of our police officers and firefighters is dependent upon the quality and accuracy of information obtained from citizens who telephone the Frederick County Department of Public Safety Communications Center; and

WHEREAS, Public Safety Dispatchers are the first and most critical contact our citizens have with emergency services; and

WHEREAS, Public Safety Dispatchers are the single vital link for our police officers and firefighters by monitoring their activities by radio, providing them information and ensuring their safety; and

WHEREAS, Public Safety Dispatchers of Frederick County, Virginia, have contributed substantially to the apprehension of criminals, suppression of fires and treatment of patients; and

WHEREAS, each dispatcher has exhibited compassion, understanding and professionalism during the performance of his or her job in the past year,

NOW THEREFORE BE IT RESOLVED, that the Board of Supervisors of Frederick County, Virginia, does hereby proclaim the week of April 8-14, 2018, to be National Telecommunicators Week in Frederick County, in honor of the men and women whose diligence and professionalism keep our county and citizens safe.

Adopted this 14th day of March 2018

Charles S. DeHaven, Jr., Chairman

G

Employee of the Month Resolution

Awarded to:

Travis R. Mitchell

WHEREAS, the Frederick County Board of Supervisors recognizes that the County's employees are a most important resource; and,

WHEREAS, on September 9, 1992, the Board of Supervisors approved a resolution which established the Employee of the Month award and candidates for the award may be nominated by any County employee; and,

WHEREAS, the Board of Supervisors upon recommendation by the Human Resources Committee selects one employee from those nominated; and,

WHEREAS, Travis R. Mitchell who serves as a Deputy with the Frederick County Sheriff's Department was nominated for Employee of the Month; and,

WHEREAS, early in 2017, Deputy Travis Mitchell who is assigned as a School Resource Officer at Frederick County Middle School and the Director of Bright Futures began exploring the idea of a "Lunch Buddy" program. The goal was to create a mentoring program with elementary students to develop stronger relations between the community and law enforcement, all while providing students with a positive role model. The program requires a Deputy to have lunch with students 1 or 2 times a month. Deputy Mitchell began a trial run in three elementary schools with great success. At the end of the 2017 school year, the program was expanded to all eleven elementary schools in Frederick County. Deputy Mitchell has recruited and mentored fellow officers as well as officers from Middletown and Stephens City Police Departments. Deputy Mitchell continues to monitor the involvement of officers and has created an on-line tracking system to effectively monitor participation. So far during this school year, over 20 officers have participated in the program with positive results. It is Deputy Mitchell's proactive approach and leadership that has made this program successful; and,

NOW, THEREFORE BE IT RESOLVED, by the Frederick County Board of Supervisors this 14th day of March 2018, that Travis R. Mitchell is hereby recognized as the Frederick County Employee of the Month for March 2018; and,

BE IT FURTHER RESOLVED that the Board of Supervisors extends gratitude to Travis R. Mitchell for his outstanding performance and dedicated service and wishes him continued success in future endeavors; and,

BE IT FURTHER RESOLVED, that Travis R. Mitchell is hereby entitled to all of the rights and privileges associated with his award.

County of Frederick, VA Board of Supervisors

Charles S. DeHaven, Jr., Chairman

H



COUNTY of FREDERICK


Kris C. Tierney
County Administrator

540/665-6382

Fax: 540/667-0370

E-mail: ktierney@fcva.us

MEMORANDUM

TO: Board of Supervisors
FROM: Kris C. Tierney, County Administrator 
DATE: March 5, 2018
RE: Closing of County Offices for Annual Apple Blossom Festival

As in the past, the Board of Supervisors will need to take action on the closing of county offices on Friday, May 4, 2018, for the 91st Shenandoah Apple Blossom Festival. This is a regularly scheduled holiday for county employees; however, the court offices need official action by the Board in order to close their offices for this day. Action at the March 14, 2018 meeting will give the courts time to arrange their schedules accordingly.

Thank you.

KCT/tjp


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I



MEMORANDUM

TO: Board of Supervisors

FROM: Michael T. Ruddy, AICP, Director. 

RE: Resolution requesting the consideration of an amendment to the 2035 Comprehensive Plan outside of the annual amendment process for St. Paul's on the Hill Episcopal Church

DATE: March 8, 2018

Attached for the Board's consideration is a resolution requesting that the Planning Commission and the Comprehensive Plans and Programs Committee (CPPC) consider an amendment to the 2035 Comprehensive Plan outside of the annual amendment process for St. Paul's on the Hill Episcopal Church for its property located on Senseny Road. The property is identified by Property Identification Number 54-A-128.

Supervisor Dunn (Redbud District) sponsored the request of St. Paul's on the Hill Episcopal Church to proceed outside of the annual amendment process at the Board's February 28, 2018 meeting. St. Paul's on the Hill Episcopal Church is located in the Redbud Magisterial District.

The Board of Supervisors expressed their support of Supervisor Dunn's sponsorship of St. Paul's on the Hill's request at your February 28, 2018 meeting.

Please let me know if there are any additional questions.

MTR
Attachment



BOARD OF SUPERVISORS

FREDERICK COUNTY BOARD OF SUPERVISORS RESOLUTION TO REQUEST THAT THE PLANNING COMMISSION AND COMPREHENSIVE PLAN AND PROGRAMS COMMITTEE (CPPC) CONSIDER AN AMENDMENT TO THE 2035 COMPREHENSIVE PLAN OUTSIDE OF THE ANNUAL AMENDMENT PROCESS FOR ST. PAUL’S ON THE HILL EPISCOPAL CHURCH LOCATED ON SENSENY ROAD

WHEREAS, the Frederick County Board of Supervisors has an approved protocol for the initiation of requests for an amendment of the Frederick County Comprehensive Policy Plan outside of the annual amendment process; and

WHEREAS, St. Paul’s on the Hill Episcopal Church, located on Senseny Road in the Redbud Magisterial District, has requested an amendment, outside of the annual amendment process, to the Comprehensive Plan; and

WHEREAS, the Supervisor for the Redbud District, Supervisor Dunn, sponsored the request of St. Paul’s on the Hill Episcopal Church to proceed outside of the annual amendment process; and

WHEREAS, the Frederick County Board of Supervisors expressed their support of Supervisor Dunn’s sponsorship of St. Paul’s on the Hill’s request to proceed outside of the annual amendment process.

NOW, THEREFORE, BE IT RESOLVED, that the Frederick County Board of Supervisors does hereby request that the Planning Commission and the Comprehensive Plans and Programs Committee (CPPC) consider an amendment to the 2035 Comprehensive Plan outside of the annual amendment process for St. Paul’s on the Hill Episcopal Church for its property located on Senseny Road, further identified by Property Identification Number 54-A-128.

Passed this 14th day of March 2018 by the following recorded vote:

| | | | |
|-----------------------------------|-------|-------------------------|-------|
| Charles S. DeHaven, Jr., Chairman | _____ | Gary A. Lofton | _____ |
| J. Douglas McCarthy | _____ | Judith McCann-Slaughter | _____ |
| Shannon G. Trout | _____ | Blaine P. Dunn | _____ |
| Robert W. Wells | _____ | | |

A COPY ATTEST

Kris C. Tierney
Frederick County Administrator

J




Kris C. Tierney
County Administrator

540/665-6382

Fax: 540/667-0370

E-mail: ktierney@fcva.us

MEMORANDUM

TO: Board of Supervisors
FROM: Kris C. Tierney, County Administrator 
DATE: March 8, 2018
RE: Committee Appointments

Listed below are the vacancies/appointments due through April, 2018. As a reminder, in order for everyone to have ample time to review applications, and so they can be included in the agenda, please remember to submit applications prior to Friday agenda preparation. Your assistance is greatly appreciated.

VACANCIES/OTHER

Handley Regional Library Board

Gary A. Wygal – Frederick County Representative
311 Caroline Avenue
Stephens City, VA 22655
Term Expires: 11/30/21
Four year term

(See Attached Application of Amy Gray as Recommended by the Library Board/Staff and Application of Patricia L. Smith.) *(Mr. Wygal has resigned.) (The County has five seats on the Handley Regional Library Board. As stated in the library by-laws, members serve a four year term and are limited to two consecutive terms.)*

Social Services Board

Maximillion J. Press – Red Bud District Representative
117 Monticello Square
Winchester, VA 22602
Phone: (540)303-9404
Term Expires: 06/30/20
Four year term

(Staff has been notified that Mr. Press will be moving from the Red Bud District in February, 2018.)

Board of Building Appeals

David W. Ganse – Frederick County Representative
231 Soldiers Rest Lane
Winchester, VA 22602
Term Expires: 11/10/18
Five year term.

*(Vacancy Due to the Passing of Mr. Ganse.) (FYI - There are seven members on the Board of Building Appeals. One member serves as an alternate. Members serve a five year term. **Members should, to the extent possible, represent different occupational or professional fields of the building industry. At least one member should be an experienced builder and one other member should be a licensed professional engineer or architect.**)*

MARCH 2018

No remaining appointments due.

APRIL 2018

Frederick Water Board of Directors

Christopher E. Collins – County Representative
105 Whistler Court
Winchester, VA 22602
Home: (540)722-4115
Term Expires: 04/15/18
Four year term

(Frederick Water Board of Directors is composed of five members as stated in their Articles of Incorporation.)

Parks and Recreation Commission

Christopher Fordney – Red Bud District Representative
104 Rebels Circle
Winchester, VA 22602
Phone: (540)331-1995

Memorandum – Board of Supervisors
March 8, 2018
Page 3

Term Expires: 04/28/18
Four year term

KCT/tjp

Attachments

U:\TJP\committeeappointments\WmosLettrs\BoardCommitteeAppts(031418BdMtg).docx

**INFORMATIONAL DATA SHEET
FOR
FREDERICK COUNTY BOARD OF SUPERVISORS
COMMITTEE APPOINTMENTS**

Back Creek District Supervisor would like to
nominate you to serve on the Handley Regional Library Board.
As a brief personal introduction to the other Board members, please fill out the information requested below for
their review prior to filling the appointment. (Please Print Clearly. Thank You.)

Name: Amy K. Gray Home Phone: 540 533 2721
Address: 697 Clark Rd. Office Phone: 540 536 4728
Stephens City, VA Cell/Mobile: 540 533 2721
22655 Fax: _____
Employer: Valley Health Sys. Email: akgray66@gmail.com
Occupation: Construction Project Coordinator
Civic/Community Activities: Sherando High School warrior club

Will You Be Able To Attend This Committee's Regularly Scheduled Meeting On:

Yes No: _____

Do You Foresee Any Possible Conflicts Of Interest Which Might Arise By Your Serving On
This Committee? Yes: _____ No Explain: _____

Additional Information Or Comments You Would Like To Provide (If you need more space, please
use the reverse side or include additional sheets):

Very long-time member of Bowman Library
along with my children. Hope to be able to
contribute with project management and
construction knowledge.

Applicant's Signature: A K Gray Date: 02/27/18

Nominating Supervisor's Comments: _____

Please submit form to:
Frederick County Administrator's Office
107 North Kent Street
Winchester, VA 22601
or email to: tprice@fcva.us or jtibbs@fcva.us

**INFORMATIONAL DATA SHEET
FOR
FREDERICK COUNTY BOARD OF SUPERVISORS
COMMITTEE APPOINTMENTS**

Gary Lofton, Back Creek District Supervisor, would like to nominate you to serve on the
Handley Regional Library Board

As a brief personal introduction to the other Board members, please fill out the information requested below for their review prior to filling the appointment. **(Please Print Clearly. Thank You.)**

Name: Patricia L. Smith Home Phone: (540) 667-5256
Address: 144 Royal Ave Office Phone: _____
Winchester Cell/Mobile: _____
Virginia 22602 Fax: _____
Employer: Retired Email: _____
Occupation: _____
Civic/Community Activities: _____

Will You Be Able To Attend This Committee's Regularly Scheduled Meeting On:
Third Tuesday of each month at 4:30 p.m. Yes: No:

Do You Foresee Any Possible Conflicts Of Interest Which Might Arise By Your Serving On This Committee? Yes: No: Explain: _____

Additional Information Or Comments You Would Like To Provide (If you need more space, please use the reverse side or include additional sheets):

Having retired from Bank of Clarke County, working for the President and Board of Directors I am interested in serving my community and being involved. I would enjoy serving in the capacity of being a member of the Handley Regional Library Board.
Applicant's Signature: Patricia L. Smith Date: 2-21-18

Nominating Supervisor's Comments:

Please submit form to:
Frederick County Administrator's Office
107 North Kent Street
Winchester, VA 22601
or email to: tprice@fcva.us or jtibbs@fcva.us

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APPLICATION FOR OUTDOOR FESTIVAL PERMIT COUNTY OF FREDERICK, VIRGINIA

(Please Print Clearly)

| APPLICANT INFORMATION | | | | |
|--|---|----------|---|------------------------------------|
| Name of Applicant: <u>Trumpet Vine Farm - DeMarchi Spears</u> | | | | |
| Telephone Number(s): <u>540-868-1413</u> <input checked="" type="checkbox"/> home <input type="checkbox"/> office <input type="checkbox"/> cell <u>540-664-8079</u> <input type="checkbox"/> home <input type="checkbox"/> office <input checked="" type="checkbox"/> cell | | | | |
| Address: <u>266 Vauclose Rd. Stephens City Va 22655</u> | | | | |
| Contact Email: <u>demarchispears@yahoo.com</u> | | | | |
| FESTIVAL EVENT ORGANIZATIONAL INFORMATION | | | | |
| Festival Event | Name of Festival: _____ | | | |
| Cost of Admission to Festival: <u>N/A</u> | Business License Obtained: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | | | |
| Date(s) | Start Time | End Time | Maximum No. of Tickets Offered For Sale Per Day | Estimated No. of Attendees Per Day |
| | | | | |
| | | | | |
| | | | | |
| Location | Address: <u>266 Vauclose Rd Stephens City Va 22655</u> | | | |
| Owner of Property | Name(s): <u>DeMarchi Spears</u> | | | |
| | Address: <u>266 Vauclose Rd Stephens City Va 22655</u>
<small>(*NOTE: Applicant may be required to provide a statement or other documentation indicating consent by the owner(s) for use of the property and related parking for the festival.)</small> | | | |
| Promoter | Name(s): <u>N/A</u> | | | |
| | Address: _____
<small>(*NOTE: For festivals other than not-for-profit, promoter may need to check with the Frederick County Commissioner of Revenue to determine compliance with County business license requirements; in addition, promoters who have repeat or ongoing business in Virginia may be required to register with the VA State Corporation Commission for legal authority to conduct business in Virginia.)</small> | | | |
| Financial Backer | Name(s): <u>N/A</u> | | | |
| | Address: _____ | | | |
| Performer | Name of Person(s) or Group(s): <u>Different For Each Event</u> | | | |
| | <u>usually a D.J. or small Band</u>
<small>(*NOTE: Applicant may need to update information as performers are booked for festival event.)</small> | | | |

FESTIVAL EVENT LOGISTICS INFORMATION AND DOCUMENTATION

1. ^{NA} Attach a copy of the printed ticket or badge of admission to the festival, containing the date(s) and time(s) of such festival (may be marked as "sample"). copy attached OR copy to be provided as soon as available

2. Provide a plan for adequate sanitation facilities as well as garbage, trash, and sewage disposal for persons at the festival. This plan must meet the requirements of all state and local statutes, ordinances, and regulations, and must be approved by the VA Department of Health (Lord Fairfax Health District).

Porta Potties or Bathroom trailers are provided and Ample
Trash cans for All Garbage

3. Provide a plan for providing food, water, and lodging for the persons at the festival. This plan must meet the requirements of all state and local statutes, ordinances, and regulations, and must be approved by the VA Department of Health (Lord Fairfax Health District).

Events are catered by licensed caterers

4. Provide a plan for adequate medical facilities for persons at the festival. This plan must meet the requirements of all state and local statutes, ordinances, and regulations, and must be approved by the County Fire Chief or Fire Marshal and the local fire and rescue company.

2 Fire departments less than 2 miles away (Stephens City & Middletown)

5. Provide a plan for adequate fire protection. This plan must meet the requirements of all state and local statutes, ordinances, and regulations, and must be approved by the County Fire Chief or Fire Marshal and the local fire and rescue company.

Same as above #4

6. Provide a plan for adequate parking facilities and traffic control in and around the festival area. (A diagram may be submitted.)

This event is being held on a farm parking will be
on premises around Event area.

7. State whether any outdoor lights or lighting will be utilized: YES NO

If yes, provide a plan or submit a diagram showing the location of such lights and the proximity relative to the property boundaries and neighboring properties. In addition, show the location of shielding devices or other equipment to be used to prevent unreasonable glow beyond the property on which the festival is located.

8. State whether alcoholic beverages will be served: YES NO

If yes, provide details on how it will be controlled.

(NOTE: Evidence of any applicable VA ABC permit must also be provided and posted at the festival as required. Applicant may need to confirm with the VA ABC that a license is not required from that agency in order for festival attendees to bring their own alcoholic beverages to any event that is open to the general public upon payment of the applicable admission fee.)

FESTIVAL PROVISIONS

Applicant makes the following statements:

- A. Music shall not be rendered nor entertainment provided for more than eight (8) hours in any twenty-four (24) hour period, such twenty-four (24) hour period to be measured from the beginning of the first performance at the festival.
- B. Music shall not be played, either by mechanical device or live performance, in such a manner that the sound emanating therefrom exceeds 73 decibels at the property on which the festival is located.
- C. No person under the age of eighteen (18) years of age shall be admitted to any festival unless accompanied by a parent or guardian, the parent or guardian to remain with such person at all times. (NOTE: It may be necessary to post signs to this effect.)
- D. The Board, its lawful agents, and/or duly constituted law enforcement officers shall have permission to go upon the property where the festival is being held at any time for the purpose of determining compliance with the provisions of the County ordinance.

CERTIFICATION

I, the undersigned Applicant, hereby certify that all information, statements, and documents provided in connection with this Application are true and correct to the best of my knowledge. In addition, Applicant agrees that the festival event and its attendees shall comply with the provisions of the Frederick County ordinance pertaining to festivals as well as the festival provisions contained herein.



Signature of Applicant



Printed Name of Applicant

Date: 1/24/18

THE BOARD SHALL HAVE THE RIGHT TO REVOKE ANY PERMIT ISSUED UNDER THIS ORDINANCE UPON NON-COMPLIANCE WITH ANY OF ITS PROVISIONS AND CONDITIONS.

Weddings for 2018

April 14 -Mcwhorter wedding

April 28 - Christiandem college spring gala

May 19 Legare wedding

May 26 – Mees wedding

June 23 – Woods wedding

June 30 – Holly Wedding

Sept 1 – Bailey wedding

Sept 22 – Neff wedding

Sept 29 – Hill wedding

Oct 6 – Spears wedding

Oct 13 – Shillingburg wedding

Oct 27 – Oliver wedding

L

Jay Tibbs

From: Peak Leaf <peakleafmusic@gmail.com>
Sent: Tuesday, January 30, 2018 5:16 PM
To: Jay Tibbs
Subject: Peak Leaf Music & Brewers Festival - Middletown, VA - 10/20/2018
Attachments: Peak Leaf Music & Brewers Festival Application - Signed.pdf; 7180valleypike (1) (1).png

Hi - Hope all is well. Please see the attached application for an outdoor festival in Middletown, VA. I have sent in paperwork to start the non-stock corporation with the VA Corp commission. Once that comes back approved, I will apply for non-profit status. A portion of the proceeds from this 1 day event will provide school lunches for children in the Frederick County area. All paperwork has been prepared by Jared Truban of Owen and Truban in Winchester.

Quick rundown of the event.

Gate opens for camping at 9:00 AM

Gate opens to day parking at 11:00 AM

Event gate opens at 12:00 PM (free beer tasting begins)(music via ipod begins)

Live music (4 bands) starts at 2:00 PM

Free beer tasting ends at 3:00 pm (Beer now available for purchase from breweries)

Live Music ends at 8:00 pm

Day parking gate closes at 9:00 pm

Campers must be gone by 12:00 pm 10/21/18

Please call if any you have any questions or need a site visit. I have attached a rough site map also.

Thank you for your time,

--

Tyler Wakeman
Peak Leaf Music & Brewers Festival
(540) 686-2038



**APPLICATION FOR OUTDOOR FESTIVAL PERMIT
COUNTY OF FREDERICK, VIRGINIA**

(Please Print Clearly)

| APPLICANT INFORMATION | | | | |
|---|--|--|---|------------------------------------|
| Name of Applicant: <u>Tyler Wakeman</u> | | | | |
| Telephone Number(s): <u>540-686-2038</u> <input type="checkbox"/> home <input type="checkbox"/> office <input checked="" type="checkbox"/> cell _____ <input type="checkbox"/> home <input type="checkbox"/> office <input type="checkbox"/> cell | | | | |
| Address: <u>7328 Valley Pike, Middletown, VA 22645</u> | | | | |
| Contact Email: <u>peakleafmusic@gmail.com</u> | | | | |
| FESTIVAL EVENT ORGANIZATIONAL INFORMATION | | | | |
| Festival Event | Name of Festival: <u>Peak Leaf Music & Brewers Festival</u> | | | |
| Cost of Admission to Festival: <u>\$35</u> | | Business License Obtained: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | | |
| Date(s) | Start Time | End Time | Maximum No. of Tickets Offered For Sale Per Day | Estimated No. of Attendees Per Day |
| October 20th, 2018 | 9:00 AM | | 500 | 500 |
| October 21st, 2018 | | 12:00 PM | 0 | |
| | | | | |
| Location | Address: <u>7180 Valley Pike, Middletown, VA 22645</u> | | | |
| Owner of Property | Name(s): <u>Wakeland Manor, Inc.</u> | | | |
| | Address: <u>300 Craig Dr, Stephens City, VA 22655</u> | | | |
| <small>(*NOTE: Applicant may be required to provide a statement or other documentation indicating consent by the owner(s) for use of the property and related parking for the festival.)</small> | | | | |
| Promoter | Name(s): <u>Peak Leaf Music & Brewers Festival - Tyler Wakeman</u> | | | |
| | Address: <u>7328 Valley Pike, Middletown, VA 22645</u> | | | |
| <small>(*NOTE: For festivals other than not-for-profit, promoter may need to check with the Frederick County Commissioner of Revenue to determine compliance with County business license requirements; in addition, promoters who have repeat or ongoing business in Virginia may be required to register with the VA State Corporation Commission for legal authority to conduct business in Virginia.)</small> | | | | |
| Financial Backer | Name(s): <u>Tyler Wakeman</u> | | | |
| | Address: <u>7328 Valley Pike, Middletown, VA 22645</u> | | | |
| Performer | Name of Person(s) or Group(s): <u>Town Mountain, Drunken Hearts, The Trainjumpers</u> | | | |
| | <u>(Performance fee has been negotiated and date has been held with all three bands)</u> | | | |
| <small>(*NOTE: Applicant may need to update information as performers are booked for festival event.)</small> | | | | |

FESTIVAL EVENT LOGISTICS INFORMATION AND DOCUMENTATION

1. Attach a copy of the printed ticket or badge of admission to the festival, containing the date(s) and time(s) of such festival (may be marked as "sample"). copy attached OR copy to be provided as soon as available
2. Provide a plan for adequate sanitation facilities as well as garbage, trash, and sewage disposal for persons at the festival. This plan must meet the requirements of all state and local statutes, ordinances, and regulations, and must be approved by the VA Department of Health (Lord Fairfax Health District).

Numerous trash cans with attendant monitoring. 8 johnny blues, 1 wheel chair accessible johnny blue, 2 handwashing sinks. Food trucks to work under their own permits w/ VA Dept of Health.

3. Provide a plan for providing food, water, and lodging for the persons at the festival. This plan must meet the requirements of all state and local statutes, ordinances, and regulations, and must be approved by the VA Department of Health (Lord Fairfax Health District).

Food- 2-3 food trucks.

Water for sale at non alcoholic tent.

Lodging - Camping available at \$40/ticket. Camper must provide own tent and camping needs.

4. Provide a plan for adequate medical facilities for persons at the festival. This plan must meet the requirements of all state and local statutes, ordinances, and regulations, and must be approved by the County Fire Chief or Fire Marshal and the local fire and rescue company.

First aid tent staffed by licensed EMT.

5. Provide a plan for adequate fire protection. This plan must meet the requirements of all state and local statutes, ordinances, and regulations, and must be approved by the County Fire Chief or Fire Marshal and the local fire and rescue company.

Fire extinguishers on hand at stage.

6. Provide a plan for adequate parking facilities and traffic control in and around the festival area. (A diagram may be submitted.)

Entrance to site off Cougill Rd (300 ft from route 11). Parking on site. Traffic can use right shoulder of Rt. 11 - southbound, center lane of rt. 11 for northbound traffic.

7. State whether any outdoor lights or lighting will be utilized: YES NO

If yes, provide a plan or submit a diagram showing the location of such lights and the proximity relative to the property boundaries and neighboring properties. In addition, show the location of shielding devices or other equipment to be used to prevent unreasonable glow beyond the property on which the festival is located.

8. State whether alcoholic beverages will be served: YES NO

If yes, provide details on how it will be controlled.

Obtain a banquet special events permit from VA ABC. 20-30 breweries will set up tents and pour 5 oz samples for patrons from 12 pm - 3 pm for free. Afterwards, beer is available for sale by same breweries.

(NOTE: Evidence of any applicable VA ABC permit must also be provided and posted at the festival as required. Applicant may need to confirm with the VA ABC that a license is not required from that agency in order for festival attendees to bring their own alcoholic beverages to any event that is open to the general public upon payment of the applicable admission fee.)

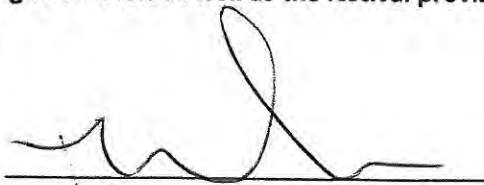
FESTIVAL PROVISIONS

Applicant makes the following statements:

- A. Music shall not be rendered nor entertainment provided for more than eight (8) hours in any twenty-four (24) hour period, such twenty-four (24) hour period to be measured from the beginning of the first performance at the festival.
- B. Music shall not be played, either by mechanical device or live performance, in such a manner that the sound emanating therefrom exceeds 73 decibels at the property on which the festival is located.
- C. No person under the age of eighteen (18) years of age shall be admitted to any festival unless accompanied by a parent or guardian, the parent or guardian to remain with such person at all times. (NOTE: It may be necessary to post signs to this effect.)
- D. The Board, its lawful agents, and/or duly constituted law enforcement officers shall have permission to go upon the property where the festival is being held at any time for the purpose of determining compliance with the provisions of the County ordinance.

CERTIFICATION

I, the undersigned Applicant, hereby certify that all information, statements, and documents provided in connection with this Application are true and correct to the best of my knowledge. In addition, Applicant agrees that the festival event and its attendees shall comply with the provisions of the Frederick County ordinance pertaining to festivals as well as the festival provisions contained herein.



Signature of Applicant

TYLER WAKEMAN

Printed Name of Applicant

Date: 1.30.18

THE BOARD SHALL HAVE THE RIGHT TO REVOKE ANY PERMIT ISSUED UNDER THIS ORDINANCE UPON NON-COMPLIANCE WITH ANY OF ITS PROVISIONS AND CONDITIONS.



Meadow Brook

Camping

Backstage

Stage

Food/Beer/Merchants

Day Parking

















Vallenc

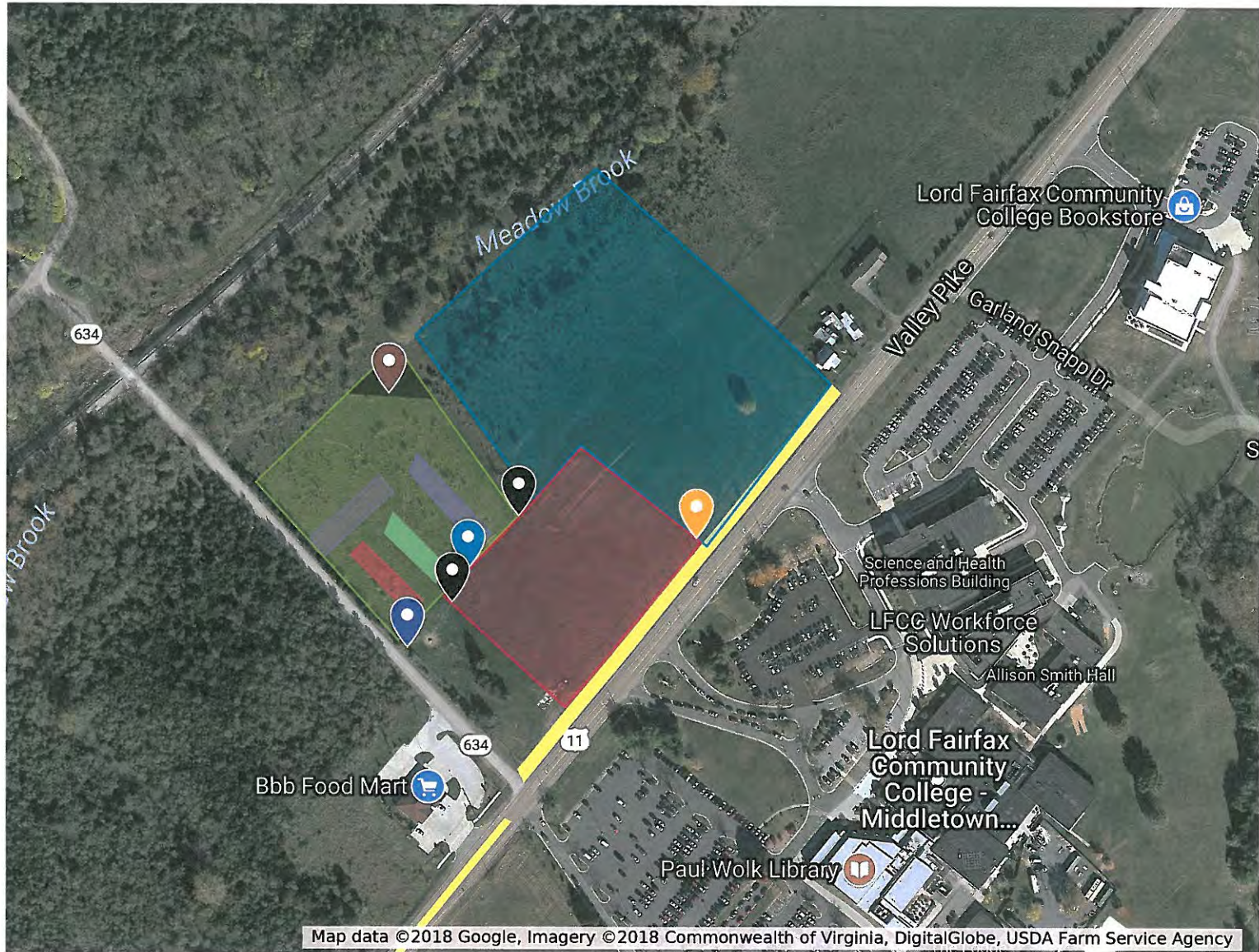
Science &
Professional

Lord Fairfax Small

Peak Leaf Music & Brewers Festival

Festival Layout

-  Festival Field
-  Day Parking
-  Overnight Camping
-  Main Gate - Festival Field
-  Camping Site Gate
-  Beer Tents
-  Beer Tents 2
-  Merchants
-  Food Trucks
-  Stage/Production
-  Production Gate
-  Production Gate 2
-  Stage w/ Sound and Lights
-  MAIN GATE
-  Southbound Traffic Relief (shoulder)
-  Northbound Traffic Relief (Center/Turning Lane)



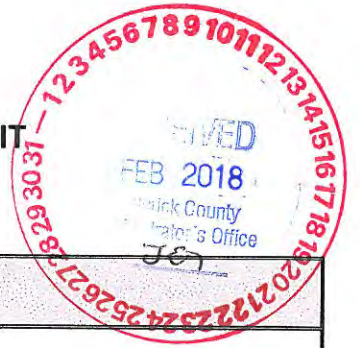
10/20/2018

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APPLICATION FOR OUTDOOR FESTIVAL PERMIT COUNTY OF FREDERICK, VIRGINIA

(Please Print Clearly)



APPLICANT INFORMATION

Name of Applicant: GROVE'S WINCHESTER HARLEY-DAVIDSON

Telephone Number(s): (540) 662 - 4468 home office cell _____ home office cell

Address: 140 INDEPENDENCE DRIVE, WINCHESTER, VA 22602

Contact Email: BARBARA@WINCHESTERHARLEY.COM

FESTIVAL EVENT ORGANIZATIONAL INFORMATION

| | |
|-----------------------|--|
| Festival Event | Name of Festival: <u>BATTLE OF THE BANDS AND VINTAGE BIKES</u> |
|-----------------------|--|

| | |
|--|--|
| Cost of Admission to Festival: <u>\$10</u> | Business License Obtained: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
|--|--|

| Date(s) | Start Time | End Time | Maximum No. of Tickets Offered For Sale Per Day | Estimated No. of Attendees Per Day |
|--------------------------|------------|----------|---|------------------------------------|
| MAY 19, 2018 | 10:00 AM | 5:00 PM | N/A | 500 |
| JUNE 9, 2018 (RAIN DATE) | 10:00 AM | 5:00 PM | N/A | 500 |
| | | | | |

| | |
|-----------------|--|
| Location | Address: <u>140 INDEPENDENCE DRIVE, WINCHESTER, VA 22602</u> |
|-----------------|--|

| | |
|--------------------------|--|
| Owner of Property | Name(s): <u>BARBARA GROVE - JOBALIE, LLC</u>
Address: <u>190 BALLYGAR DRIVE, WINCHESTER, VA 22602</u>
<small>(*NOTE: Applicant may be required to provide a statement or other documentation indicating consent by the owner(s) for use of the property and related parking for the festival.)</small> |
|--------------------------|--|

| | |
|-----------------|---|
| Promoter | Name(s): <u>GROVE'S WINCHESTER HARLEY-DAVIDSON</u>
Address: <u>140 INDEPENDENCE DRIVE, WINCHESTER, VA 22602</u>
<small>(*NOTE: For festivals other than not-for-profit, promoter may need to check with the Frederick County Commissioner of Revenue to determine compliance with County business license requirements; in addition, promoters who have repeat or ongoing business in Virginia may be required to register with the VA State Corporation Commission for legal authority to conduct business in Virginia.)</small> |
|-----------------|---|

| | |
|-------------------------|---|
| Financial Backer | Name(s): <u>BARBARA GROVE</u>
Address: <u>190 BALLYGAR DRIVE, WINCHESTER, VA 22602</u> |
|-------------------------|---|

| | |
|------------------|--|
| Performer | Name of Person(s) or Group(s): <u>BATTLE OF THE BANDS AND VINTAGE BIKES</u>

<small>(*NOTE: Applicant may need to update information as performers are booked for festival event.)</small> |
|------------------|--|

FESTIVAL EVENT LOGISTICS INFORMATION AND DOCUMENTATION

1. Attach a copy of the printed ticket or badge of admission to the festival, containing the date(s) and time(s) of such festival (may be marked as "sample"). copy attached OR copy to be provided as soon as available

2. Provide a plan for adequate sanitation facilities as well as garbage, trash, and sewage disposal for persons at the festival. This plan must meet the requirements of all state and local statutes, ordinances, and regulations, and must be approved by the VA Department of Health (Lord Fairfax Health District).

WE HAVE SUFFICIENT BATHROOM AND GARBAGE DISPOSAL ON SITE AT THE DEALERSHIP.

3. Provide a plan for providing food, water, and lodging for the persons at the festival. This plan must meet the requirements of all state and local statutes, ordinances, and regulations, and must be approved by the VA Department of Health (Lord Fairfax Health District).

WE HAVE LOCAL FOOD VENDOR AND SUBMITTED FORMS FOR HEALTH PERMITS. NO LODGING IS REQUIRED.

4. Provide a plan for adequate medical facilities for persons at the festival. This plan must meet the requirements of all state and local statutes, ordinances, and regulations, and must be approved by the County Fire Chief or Fire Marshal and the local fire and rescue company.

MILLWOOD STATION VOLUNTEER FIRE AND RESCUE WILL BE NOTIFIED ABOUT THE EVENT.

5. Provide a plan for adequate fire protection. This plan must meet the requirements of all state and local statutes, ordinances, and regulations, and must be approved by the County Fire Chief or Fire Marshal and the local fire and rescue company.

MILLWOOD STATION VOLUNTEER FIRE AND RESCUE WILL BE NOTIFIED ABOUT THE EVENT.

6. Provide a plan for adequate parking facilities and traffic control in and around the festival area. (A diagram may be submitted.)

WE HAVE SUFFICIENT PARKING AVAILABLE FOR THE EVENT.

7. State whether any outdoor lights or lighting will be utilized: YES NO

If yes, provide a plan or submit a diagram showing the location of such lights and the proximity relative to the property boundaries and neighboring properties. In addition, show the location of shielding devices or other equipment to be used to prevent unreasonable glow beyond the property on which the festival is located.

8. State whether alcoholic beverages will be served: YES NO

If yes, provide details on how it will be controlled.

(NOTE: Evidence of any applicable VA ABC permit must also be provided and posted at the festival as required. Applicant may need to confirm with the VA ABC that a license is not required from that agency in order for festival attendees to bring their own alcoholic beverages to any event that is open to the general public upon payment of the applicable admission fee.)

FESTIVAL PROVISIONS

Applicant makes the following statements:

- A. Music shall not be rendered nor entertainment provided for more than eight (8) hours in any twenty-four (24) hour period, such twenty-four (24) hour period to be measured from the beginning of the first performance at the festival.
- B. Music shall not be played, either by mechanical device or live performance, in such a manner that the sound emanating therefrom exceeds 73 decibels at the property on which the festival is located.
- C. No person under the age of eighteen (18) years of age shall be admitted to any festival unless accompanied by a parent or guardian, the parent or guardian to remain with such person at all times. (NOTE: It may be necessary to post signs to this effect.)
- D. The Board, its lawful agents, and/or duly constituted law enforcement officers shall have permission to go upon the property where the festival is being held at any time for the purpose of determining compliance with the provisions of the County ordinance.

CERTIFICATION

I, the undersigned Applicant, hereby certify that all information, statements, and documents provided in connection with this Application are true and correct to the best of my knowledge. In addition, Applicant agrees that the festival event and its attendees shall comply with the provisions of the Frederick County ordinance pertaining to festivals as well as the festival provisions contained herein.


Signature of Applicant

BARBARA GROVE
Printed Name of Applicant

Date: JANUARY 18, 2018

**THE BOARD SHALL HAVE THE RIGHT TO REVOKE ANY PERMIT ISSUED UNDER THIS ORDINANCE
UPON NON-COMPLIANCE WITH ANY OF ITS PROVISIONS AND CONDITIONS.**

N



APPLICATION FOR OUTDOOR FESTIVAL PERMIT COUNTY OF FREDERICK, VIRGINIA

(Please Print Clearly)



APPLICANT INFORMATION

Name of Applicant: GROVE'S WINCHESTER HARLEY-DAVIDSON

Telephone Number(s): (540) 662 - 4468 home office cell _____ home office cell

Address: 140 INDEPENDENCE DRIVE, WINCHESTER, VA 22602

Contact Email: BARBARA@WINCHESTERHARLEY.COM

FESTIVAL EVENT ORGANIZATIONAL INFORMATION

| | |
|-----------------------|---|
| Festival Event | Name of Festival: <u>RHETT ROTTEN'S WALL OF DEATH</u> |
|-----------------------|---|

| | |
|--|--|
| Cost of Admission to Festival: <u>FREE</u> | Business License Obtained: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
|--|--|

| Date(s) | Start Time | End Time | Maximum No. of Tickets Offered For Sale Per Day | Estimated No. of Attendees Per Day |
|---------------|------------|----------|---|------------------------------------|
| JUNE 16, 2018 | 9:30 AM | 3:30 PM | N/A | 500 |
| JUNE 17, 2018 | 9:30 AM | 3:30 PM | N/A | 500 |
| | | | | |

| | |
|-----------------|--|
| Location | Address: <u>140 INDEPENDENCE DRIVE, WINCHESTER, VA 22602</u> |
|-----------------|--|

| | |
|--------------------------|--|
| Owner of Property | Name(s): <u>BARBARA GROVE - JOBALIE, LLC</u>
Address: <u>190 BALLYGAR DRIVE, WINCHESTER, VA 22602</u>
<small>(*NOTE: Applicant may be required to provide a statement or other documentation indicating consent by the owner(s) for use of the property and related parking for the festival.)</small> |
|--------------------------|--|

| | |
|-----------------|---|
| Promoter | Name(s): <u>GROVE'S WINCHESTER HARLEY-DAVIDSON</u>
Address: <u>140 INDEPENDENCE DRIVE, WINCHESTER, VA 22602</u>
<small>(*NOTE: For festivals other than not-for-profit, promoter may need to check with the Frederick County Commissioner of Revenue to determine compliance with County business license requirements; in addition, promoters who have repeat or ongoing business in Virginia may be required to register with the VA State Corporation Commission for legal authority to conduct business in Virginia.)</small> |
|-----------------|---|

| | |
|-------------------------|---|
| Financial Backer | Name(s): <u>BARBARA GROVE</u>
Address: <u>190 BALLYGAR DRIVE, WINCHESTER, VA 22602</u> |
|-------------------------|---|

| | |
|------------------|---|
| Performer | Name of Person(s) or Group(s): <u>RHETT ROTTEN'S WALL OF DEATH</u>

<small>(*NOTE: Applicant may need to update information as performers are booked for festival event.)</small> |
|------------------|---|

FESTIVAL EVENT LOGISTICS INFORMATION AND DOCUMENTATION

1. Attach a copy of the printed ticket or badge of admission to the festival, containing the date(s) and time(s) of such festival (may be marked as "sample"). copy attached OR copy to be provided as soon as available

2. Provide a plan for adequate sanitation facilities as well as garbage, trash, and sewage disposal for persons at the festival. This plan must meet the requirements of all state and local statutes, ordinances, and regulations, and must be approved by the VA Department of Health (Lord Fairfax Health District).

WE HAVE SUFFICIENT BATHROOM AND GARBAGE DISPOSAL ON SITE AT THE DEALERSHIP.

3. Provide a plan for providing food, water, and lodging for the persons at the festival. This plan must meet the requirements of all state and local statutes, ordinances, and regulations, and must be approved by the VA Department of Health (Lord Fairfax Health District).

THERE WILL BE NO VENDORS AT THIS EVENT.

4. Provide a plan for adequate medical facilities for persons at the festival. This plan must meet the requirements of all state and local statutes, ordinances, and regulations, and must be approved by the County Fire Chief or Fire Marshal and the local fire and rescue company.

MILLWOOD STATION VOLUNTEER FIRE AND RESCUE WILL BE NOTIFIED ABOUT THE EVENT.

5. Provide a plan for adequate fire protection. This plan must meet the requirements of all state and local statutes, ordinances, and regulations, and must be approved by the County Fire Chief or Fire Marshal and the local fire and rescue company.

MILLWOOD STATION VOLUNTEER FIRE AND RESCUE WILL BE NOTIFIED ABOUT THE EVENT.

6. Provide a plan for adequate parking facilities and traffic control in and around the festival area. (A diagram may be submitted.)

WE HAVE SUFFICIENT PARKING AVAILABLE FOR THE EVENT.

7. State whether any outdoor lights or lighting will be utilized: YES NO

If yes, provide a plan or submit a diagram showing the location of such lights and the proximity relative to the property boundaries and neighboring properties. In addition, show the location of shielding devices or other equipment to be used to prevent unreasonable glow beyond the property on which the festival is located.

8. State whether alcoholic beverages will be served: YES NO

If yes, provide details on how it will be controlled.

(NOTE: Evidence of any applicable VA ABC permit must also be provided and posted at the festival as required. Applicant may need to confirm with the VA ABC that a license is not required from that agency in order for festival attendees to bring their own alcoholic beverages to any event that is open to the general public upon payment of the applicable admission fee.)

FESTIVAL PROVISIONS

Applicant makes the following statements:

- A. Music shall not be rendered nor entertainment provided for more than eight (8) hours in any twenty-four (24) hour period, such twenty-four (24) hour period to be measured from the beginning of the first performance at the festival.
- B. Music shall not be played, either by mechanical device or live performance, in such a manner that the sound emanating therefrom exceeds 73 decibels at the property on which the festival is located.
- C. No person under the age of eighteen (18) years of age shall be admitted to any festival unless accompanied by a parent or guardian, the parent or guardian to remain with such person at all times. (NOTE: It may be necessary to post signs to this effect.)
- D. The Board, its lawful agents, and/or duly constituted law enforcement officers shall have permission to go upon the property where the festival is being held at any time for the purpose of determining compliance with the provisions of the County ordinance.

CERTIFICATION

I, the undersigned Applicant, hereby certify that all information, statements, and documents provided in connection with this Application are true and correct to the best of my knowledge. In addition, Applicant agrees that the festival event and its attendees shall comply with the provisions of the Frederick County ordinance pertaining to festivals as well as the festival provisions contained herein.


Signature of Applicant

BARBARA GROVE
Printed Name of Applicant

Date: JANUARY 18, 2018

THE BOARD SHALL HAVE THE RIGHT TO REVOKE ANY PERMIT ISSUED UNDER THIS ORDINANCE UPON NON-COMPLIANCE WITH ANY OF ITS PROVISIONS AND CONDITIONS.

O



COUNTY of FREDERICK

Jay E. Tibbs


Deputy County Administrator

540/665-5666

Fax 540/667-0370

E-mail:

jtibbs@fcva.us

| | |
|-----------------|---|
| TO: | Board of Supervisors |
| FROM: | Jay E. Tibbs, Deputy County Administrator  |
| SUBJECT: | VPSA Bond Issuance for 12 th Elementary aka Snowden Bridge Elementary School |
| DATE: | March 8, 2018 |

Attached please find a resolution authorizing the issuance of bonds for the 12th elementary school along with supporting documentation from Frederick County Public Schools. The resolution authorizes the issuance of General Obligation School Bonds in an amount not to exceed \$28,350,000. As you might recall, the Board of Supervisors previously appropriated \$27,000,000 for completion of this project. In speaking with bond counsel regarding the higher number, staff was advised that the additional money, which equates to approximately 5%, is to allow for fluctuation in the bond market so the county can secure the funding needed to do the project.

The term "Proceeds Requested" is the phraseology that governs the amount of money being borrowed. In this resolution, that amount is \$27,000,000. Bond counsel has confirmed that the total borrowing for this project can only go up to \$27,000,000.

At the conclusion of the public hearing on this matter, staff and the schools are seeking Board action on the authorization resolution.

Should you have any questions or need additional information, please do not hesitate to contact me.

Attachments



RESOLUTION

Action:

BOARD OF SUPERVISORS: March 14, 2018 APPROVED DENIED

**RESOLUTION AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$28,350,000
GENERAL OBLIGATION SCHOOL BONDS OF THE COUNTY OF FREDERICK,
VIRGINIA, TO BE SOLD TO THE VIRGINIA PUBLIC SCHOOL AUTHORITY AND
PROVIDING FOR THE FORM AND DETAILS THEREOF.**

WHEREAS, the Board of Supervisors (the "Board") of the County of Frederick, Virginia (the "County"), has determined that it is necessary and expedient to borrow an amount not to exceed \$28,350,000 and to issue one or more general obligation school bonds (as more specifically defined below, each a "Local School Bond") for the purpose of financing certain capital projects for public school purposes, consisting primarily of the construction and equipping of an elementary school in Snowden Bridge (collectively, the "Project");

WHEREAS, the County held a public hearing, duly noticed, on March 14, 2018, on the issuance of the Local School Bonds in accordance with the requirements of Section 15.2-2606, Code of Virginia 1950, as amended (the "Virginia Code");

WHEREAS, the School Board of the County has, by resolution, requested the Board to authorize the issuance of the Local School Bonds and consented to the issuance of the Local School Bonds;

WHEREAS, Virginia Public School Authority ("VPSA") has offered to purchase a Local School Bond along with the local school bonds of certain other localities with a portion of the proceeds of certain bonds to be issued by VPSA in the spring of 2018 or a future bond sale (the "VPSA Bonds");

WHEREAS, the Bond Sale Agreements (as defined below) shall indicate that \$27,000,000 is the amount of proceeds requested (the "Proceeds Requested") from VPSA (in the aggregate) in connection with the sale of the Local School Bonds;

WHEREAS, VPSA's objective is to pay the County a purchase price for the Local School Bond which, in VPSA's judgment, reflects each Local School Bond's market value (the "VPSA Purchase Price Objective"), taking into consideration of such factors as the amortization schedule the County has requested for the specific Local School Bond relative to the amortization schedules requested by other localities, the purchase price to be received by VPSA from the sale of the VPSA Bonds and other market conditions relating to the sale of the VPSA Bonds; and

WHEREAS, such factors may result in a Local School Bond having a purchase price other than par and consequently (i) the County may have to issue one or more Local School Bonds in a principal amount that is greater than or less than the Proceeds Requested in order to receive an amount of proceeds that is substantially equal to the Proceeds Requested, or (ii) if the maximum authorized principal amount of the Local School Bonds set forth in section 1 below does not exceed the aggregate Proceeds Requested by at least the amount of any discount, the purchase price to be paid to the County, given the VPSA Purchase Price Objective and market conditions, will be less than the Proceeds Requested.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF FREDERICK, VIRGINIA:

1. Authorization of Local School Bond and Use of Proceeds. The Board hereby determines that it is advisable to contract a debt and issue and sell its general obligation school bonds, on more than one occasion, in an aggregate principal amount of no more not to exceed \$28,350,000 (each a "Local School Bond") for the purpose of financing the Project. The Board hereby authorizes the issuance and sale of one or more Local School Bonds in the form and upon the terms established pursuant to this Resolution.

2. Sale of the Local School Bond. The sale of each Local School Bond, within the parameters set forth in paragraph 4 of this Resolution, to VPSA is authorized. Given the VPSA Purchase Price Objective and market conditions, the County acknowledges that the limitation on the maximum aggregate principal amount of all Local School Bonds issued under this Resolution set forth in paragraph 1 of this Resolution restricts VPSA's ability to generate the Proceeds Requested, however, each Local School Bond may be sold for a purchase price not lower than 95% of the Proceeds Requested. The Chairman of the Board, the County Administrator, or either of them (each a "Delegate") and such other officer or officers of the County as either may designate are hereby authorized and directed to enter into an agreement with VPSA providing for the sale of each Local School Bond to VPSA (each a "Bond Sale Agreement"). The Bond Sale Agreements shall be in substantially the form required by VPSA as it may be approved by the County officer executing the Bond Sale Agreement.

3. Details of the Local School Bond. Each Local School Bond shall be dated a date designated by VPSA; shall be designated "General Obligation School Bond, Series 20___"; (or such other designation as the County Administrator may approve) shall bear interest from its dated date payable semi-annually on each January 15 and July 15 (each an "Interest Payment Date"), at the rates established in accordance with paragraph 4 of this Resolution; and shall mature on July 15 in the years (each a "Principal Payment Date") and in the amounts acceptable to a Delegate (the "Principal Installments"), subject to the provisions of paragraph 4 of this Resolution. The Interest Payment Dates and the Principal Payment Dates are subject to change at the request of VPSA.

4. **Interest Rates and Principal Installments.** Each Delegate is hereby authorized and directed to accept the interest rates on each Local School Bond established by VPSA, provided that each interest rate shall be five one-hundredths of one percent (0.05%) over the interest rate to be paid by VPSA for the corresponding principal payment date of the VPSA Bonds, a portion of the proceeds of which will be used to purchase the Local School Bond, and provided further that the true interest cost of each Local School Bond does not exceed five and fifty one-hundredths percent (5.50%) per annum. The Interest Payment Dates and the Principal Installments are subject to change at the request of VPSA. Each Delegate is hereby authorized and directed to accept changes in the Interest Payment Dates and the Principal Installments at the request of VPSA based on the final term to maturity of the VPSA Bonds, requirements imposed on VPSA by the nationally-recognized rating agencies and the final principal amount of such Local School Bond; provided, however, that the principal amount of all Local School Bonds shall not exceed the amount authorized by this Resolution and the final maturity of each Local School Bond shall not exceed 31 years from the date of the issuance and delivery of such Local School Bond. The execution and delivery of each Local School Bond as described in paragraph 8 hereof shall conclusively evidence the approval and acceptance of all of the details of such Local School Bond by the Delegate as authorized by this Resolution.

5. **Form of the Local School Bond.** Each Local School Bond shall be initially in the form of a single, temporary typewritten bond substantially in the form attached hereto as Exhibit A.

6. **Payment; Paying Agent and Bond Registrar.** The following provisions shall apply to each Local School Bond:

(a) For as long as VPSA is the registered owner of each Local School Bond, all payments of principal, premium, if any, and interest on a Local School Bond shall be made in immediately available funds to VPSA at, or before 11:00 a.m. on the applicable Interest Payment Date, Principal Payment Date or date fixed for prepayment or redemption, or if such date is not a business day for Virginia banks or for the Commonwealth of Virginia, then at or before 11:00 a.m. on the business day next succeeding such Interest Payment Date, Principal Payment Date or date fixed for prepayment or redemption.

(b) All overdue payments of principal and, to the extent permitted by law, interest shall bear interest at the applicable interest rate or rates on such Local School Bond.

(c) The County Administrator is hereby authorized and directed to engage a financial institution to serve as Bond Registrar in accordance with VPSA's requirements. The County may, in its sole discretion, replace at any time the Bond Registrar with another qualified bank or trust company as successor Bond Registrar and Paying Agent for any Local School Bond. The County shall give prompt notice to VPSA of the appointment of any successor Bond Registrar and Paying Agent.

7. **Prepayment or Redemption.** With respect to any Local School Bond sold to VPSA in the spring 2018 sale, the Principal Installments of the Local School Bond held by VPSA coming due on or before July 15, 2028, and the definitive bond for which the Local School Bond held by VPSA may be exchanged that mature on or before July 15, 2028, are not subject to prepayment or redemption prior to their stated maturities. The Principal Installments of the Local

School Bond held by VPSA coming due on or after July 15, 2029, and the definitive bond(s) for which the Local School Bond held by VPSA may be exchanged that mature on or after July 15, 2029, are subject to prepayment or redemption at the option of the County prior to their stated maturities in whole or in part, on any date on or after July 15, 2028, upon payment of the prepayment or redemption prices (expressed as percentages of Principal Installments to be prepaid or the principal amount of the Local School Bond to be redeemed) set forth below plus accrued interest to the date set for prepayment or redemption:

| <u>Dates</u> | <u>Prices</u> |
|-------------------------------------|---------------|
| July 15, 2028 through July 14, 2029 | 101% |
| July 15, 2030 through July 14, 2031 | 100½ |
| July 15, 2032 and thereafter | 100 |

Provided, however, that the Principal Installments of the Local School Bond shall not be subject to prepayment or redemption prior to their stated maturities as described above without first obtaining the written consent of VPSA or other registered owner of the Local School Bond. Notice of any such prepayment or redemption shall be given by the Bond Registrar to VPSA or other registered owner by registered mail not more than ninety (90) and not less than sixty (60) days before the date fixed for prepayment or redemption.

If VPSA refunds the VPSA Bonds in the future and such refunding causes the Local School Bond to be deemed refunded, the prepayment or redemption of the Local School Bond will be subject to VPSA approval and subject to similar prepayment or redemption provisions as set forth above that correspond to the call period of the VPSA bonds issued in part to refund the Local School Bond.

With respect to any Local School Bond sold to VPSA in a subsequent sale, the Principal Installments of such Local School Bond will be subject to similar prepayment or redemptions provisions as may be set forth by VPSA at the time of such sale.

8. Execution of the Local School Bond. The Chairman or Vice Chairman and the Clerk or any Deputy Clerk of the Board are authorized and directed to execute and deliver each Local School Bond and to affix the seal of the County thereto.

9. Pledge of Full Faith and Credit. For the prompt payment of the principal of, premium, if any, and the interest on each Local School Bond as the same shall become due, the full faith and credit of the County are hereby irrevocably pledged, and in each year while any portion of such Local School Bond shall be outstanding there shall be levied and collected in accordance with law an annual ad valorem tax upon all taxable property in the County subject to local taxation sufficient in amount to provide for the payment of the principal of and premium, if any, and the interest on such Local School Bond as such principal, premium, if any, and interest shall become due, which tax shall be without limitation as to rate or amount and in addition to all other taxes

authorized to be levied in the County to the extent other funds of the County are not lawfully available and appropriated for such purpose.

10. Use of Proceeds Certificate and Tax Compliance Agreement. The Chairman of the Board, the County Administrator and such other officer or officers of the County or the School Board as either may designate are hereby authorized and directed to execute and deliver on behalf of the County a Use of Proceeds Certificate and Tax Compliance Agreement (the "Tax Compliance Agreement") setting forth the expected use and investment of the proceeds of a Local School Bond and containing such covenants as may be necessary in order to show compliance with the provisions of the Internal Revenue Code of 1986, as amended (the "Code"), and applicable regulations relating to the exclusion from gross income of interest on the VPSA Bonds. The Board covenants on behalf of the County that (i) the proceeds from the issuance and sale of each Local School Bond will be invested and expended as set forth in such Tax Compliance Agreement and that the County shall comply with the other covenants and representations contained therein and (ii) the County shall comply with the provisions of the Code so that interest on the VPSA Bonds will remain excludable from gross income for federal income tax purposes.

11. State Non-Arbitrage Program; Proceeds Agreement. The Board hereby determines that it is in the best interests of the County to authorize and direct the County Treasurer to participate in the State Non-Arbitrage Program in connection with each Local School Bond. The Chairman of the Board, the County Administrator and such officer or officers of the County as either may designate are hereby authorized and directed to execute and deliver a Proceeds Agreement with respect to the deposit and investment of proceeds of each Local School Bond by and among the County, the other participants in the sale of the VPSA Bonds, VPSA, the investment manager and the depository, substantially in the form submitted to the Board at this meeting, which form is hereby approved.

12. Continuing Disclosure Agreement. The Chairman of the Board, the County Administrator and such other officer or officers of the County as either may designate are hereby authorized and directed to execute a Continuing Disclosure Agreement, as set forth in Appendix D to the Bond Sale Agreement, setting forth the reports and notices to be filed by the County and containing such covenants as may be necessary in order to show compliance with the provisions of the Securities and Exchange Commission Rule 15c2-12, under the Securities Exchange Act of 1934, as amended, and directed to make all filings required by Section 3 of the Bond Sale Agreement should the County be determined by VPSA to be a MOP (as defined in the Bond Sale Agreement).

13. Refunding. The Board hereby acknowledges that VPSA may issue refunding bonds to refund any bonds previously issued by VPSA, including the VPSA Bonds issued to purchase a Local School Bond, and that the purpose of such refunding bonds would be to enable VPSA to pass on annual debt service savings to the local issuers, including the County. Each of the Delegates is authorized to execute and deliver to VPSA such allonge to the Local School Bond, revised debt service schedule, IRS Form 8038-G or such other documents reasonably deemed necessary by VPSA and VPSA's bond counsel to be necessary to reflect and facilitate the refunding of a Local School Bond and the allocation of the annual debt service savings to the County by VPSA. The Clerk to the Board of Supervisors is authorized to affix the County's seal on any such documents and attest or countersign the same.

14. **Filing of Resolution.** The appropriate officers or agents of the County are hereby authorized and directed to cause a certified copy of this Resolution to be filed with the Circuit Court of the County.

15. **Election to Proceed under Public Finance Act.** In accordance with Section 15.2-2601 of the Virginia Code, the Board elects to issue the Local School Bond pursuant to the provisions of the Public Finance Act of 1991, Chapter 26 of Title 15.2 of the Virginia Code.

16. **Further Actions.** The members of the Board and all officers, employees and agents of the County are hereby authorized to take such action as they or any one of them may consider necessary or desirable in connection with the issuance and sale of the Local School Bond and otherwise in furtherance of this Resolution and any such action previously taken is hereby ratified and confirmed.

17. **Effective Date.** This Resolution shall take effect immediately.

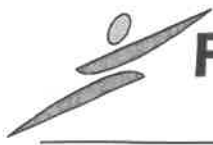
* * *

The undersigned Clerk of the Board of Supervisors of the County of Frederick, Virginia, hereby certifies that the foregoing constitutes a true and correct extract from the minutes of a meeting of the Board of Supervisors held on March __, 2018, and of the whole thereof so far as applicable to the matters referred to in such extract. I hereby further certify that such meeting was a regularly scheduled meeting and that, during the consideration of the foregoing resolution, a quorum was present. Members present at the meeting were: _____. Members absent from the meeting were: _____. Members voting in favor of the foregoing resolution were: _____. Members voting against the foregoing resolution were: _____. Members abstaining from voting on the foregoing resolution were: _____.

WITNESS MY HAND and the seal of the Board of Supervisors of the County of Frederick, Virginia, this ___ day of March, 2018.

Clerk, Board of Supervisors of the County of Frederick, Virginia

[SEAL]



Frederick County Public Schools

... to ensure all students an excellent education

Patty D. Camery, Executive Director of Finance

cameryp@fcpsk12.net

DATE: February 21, 2018
TO: Jay Tibbs, Deputy County Administrator
FROM: Patty D. Camery, Executive Director of Finance
SUBJECT: 2018 Spring VPSA Bond Sale

The School Board requests, by way of the attached resolution, participation in the Virginia Public Authority (VPSA) bond sale program for the 12th elementary school located at Snowden Bridge. The resolution for \$27 million will cover participation in the spring 2018 sale in the amount of \$6,750,000 as well as participation in the fall 2018 for a projected \$10,800,000, spring 2019 for a projected \$8,100,000 and fall 2019 for a projected \$1,350,000 bond sale.

To begin the governing body approval process, a public hearing is required and is requested to be set for March 14, 2018 after which an approving resolution can be considered by the Board of Supervisors. The approving resolution is being prepared by bond counsel and will be provided in advance of the March 14 agenda packet deadline.

Please do not hesitate to contact me should you have any questions. Thank you.

Attachment (1)

cc: David T. Sovine, Ed.D., Superintendent
Kris C. Tierney, County Administrator
Cheryl Shiffler, Frederick County Finance Director
Bond Counsel

**RESOLUTION REQUESTING THE BOARD OF SUPERVISORS
TO ISSUE GENERAL OBLIGATION SCHOOL BONDS FOR
SCHOOL PURPOSES AND CONSENTING TO
THE ISSUANCE THEREOF**

BE IT RESOLVED:

1. The School Board of the County of Frederick (the "School Board") hereby (i) requests, pursuant to Section 15.2-2640 of the Code of Virginia, 1950, as amended (the "Code"), that the Board of Supervisors of the County of Frederick (the "County") cause the County to issue one or more series of its general obligation school bonds (the "Bonds") in an aggregate principal amount not in excess of \$27,000,000 to finance the construction of the 12th elementary school located at Snowden Bridge which constitutes a capital project for public school purposes and (ii) consents, pursuant to Section 15.2-2638.B(iii) of the Code and Article VII, Section 10(b) of the Constitution of Virginia, to the issuance of the Bonds.

2. Further, the School Board consents to and authorizes an application to the Virginia Public School Authority (the "VPSA") for the purchase of the Bonds by the VPSA as part of its 2018 Spring Pooled Bond Sale or as part of a future VPSA pooled bond sale. The Chairman of the School Board, the Superintendent of the schools of Frederick County School Division (the "Schools"), and such other officer or officers of the School Board or the Schools as either may designate (the "Authorized Officers") are hereby authorized to decrease the amount of proceeds requested to the extent the County and such Authorized Officers deem it necessary to issue the Bonds in an amount less than provided in paragraph 1 above.


3. The Authorized Officers are hereby authorized and directed to execute and deliver on behalf of the School Board a Use of Proceeds Certificate and Tax Compliance Agreement (the

"Tax Compliance Agreement") setting forth the expected use and investment of the proceeds of the Bonds and containing such covenants as may be necessary for the bonds issued by VPSA in the Spring of 2018 (the "VPSA Bonds") to show compliance with the provisions of the Internal Revenue Code of 1986, as amended (the "Tax Code"), and the applicable regulations. The School Board covenants on behalf of itself and the Schools under its governance that the School Board and the Schools shall comply with the provisions of the Tax Compliance Agreement and the Tax Code so that the interest on the VPSA Bonds is excludable from gross income under the Tax Code.

4. This resolution shall take effect immediately.

**ADOPTED BY THE FREDERICK COUNTY SCHOOL BOARD THIS 20TH DAY OF
FEBRUARY, 2018**

| Member | Vote | Member | Vote |
|--------------------|----------|-----------------------|----------|
| John J. Lamanna | <u>Y</u> | Frank E. Wright | <u>Y</u> |
| Michael A. Lake | <u>Y</u> | Jay W. Foreman | <u>Y</u> |
| Seth T. Thatcher | <u>Y</u> | Shontyá C. Washington | <u>Y</u> |
| Kali C. Klubertanz | <u>Y</u> | | |

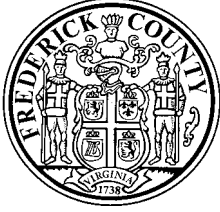


 Chairman
 Frederick County School Board



 Clerk
 Frederick County School Board

P



REZONING APPLICATION #05-17

O-N MINERALS/dba CARMEUSE LIME & STONE

Staff Report for the Board of Supervisors

Prepared: March 5, 2018

Staff Contact: Candice E. Perkins, AICP, CZA, Assistant Director

| | <u>Reviewed</u> | <u>Action</u> |
|-----------------------|-----------------|--|
| Planning Commission: | 11/15/17 | Public Hearing Held; Postponed for 90 Days |
| Planning Commission: | 02/21/18 | Public Hearing Held; Recommended Denial |
| Board of Supervisors: | 03/14/18 | Pending |

PROPOSAL: To rezone 394.2+/- acres from the EM (Extractive Manufacturing) District with proffers to the EM (Extractive Manufacturing) District with revised proffers. The Middletown site was originally rezoned to the EM (Extractive Manufacturing) District with Rezoning #03-06 for O-N Minerals (Chemstone) which was approved in 2008. The Applicant is seeking to revise the proffers pertaining to viewshed plans, berms, landscaping and cemetery access.

LOCATION: The properties are located west of the Town of Middletown. Specifically, the Middle Marsh Property is located east of Belle View Lane (Route 758), and west and adjacent to Hites Road (Route 625) and is further traversed by Chapel Road (Route 627). The Northern Reserve is bounded to the south by Cedar Creek and is west and adjacent to Meadow Mills Road (Route 624).

EXECUTIVE SUMMARY & CONCLUSION FOR THE 03/14/18 BOARD OF SUPERVISORS MEETING:

The purpose of this application is to request a proffer amendment to Rezoning #03-06 for O-N Minerals (Chemstone) which was approved in 2008. Rezoning #03-06 rezoned 394.2+/- acres from the EM (Extractive Manufacturing) District with proffers. This proffer amendment proposes to remove the previously proffered Overall Plan, Phasing I, II, III and IV Plans and six of the twelve viewshed plans. The amended proffer proposes to utilize a Generalized Development Plan and nine viewshed plans.

This amendment seeks to revise the timing of the installation of the berms, revise the heights of the berms, seeks to remove the landscaping exhibit for the berms, revises the access for one of the two cemeteries and removes the water supply and reclamation proffers. All other proffers remain generally consistent with the 2006 approved rezoning and proffer statement.

The Planning Commission at their February 21, 2018 meeting unanimously recommended denial of this application. Staff would note that the Applicant submitted revised proffers following review by the Planning Commission (dated March 2, 2018). Elements of the rezoning application have been identified that should be carefully evaluated to ensure that they fully address the impacts associated with this amendment. Specifically, elements pertaining to the timing of Berms C and D, the berm heights for Berm D and the cemetery access should be evaluated.

Following the required public hearing, a decision regarding this rezoning application by the Board of Supervisors would be appropriate. The Applicant should be prepared to adequately address all concerns raised by the Board of Supervisors.

This report is prepared by the Frederick County Planning Staff to provide information to the Planning Commission and the Board of Supervisors to assist them in making a decision on this application. It may also be useful to others interested in this zoning matter. Unresolved issues concerning this application are noted by staff where relevant throughout this staff report.

| | <u>Reviewed</u> | <u>Action</u> |
|------------------------------|-----------------|--|
| Planning Commission: | 11/15/17 | Public Hearing Held; Postponed for 90 Days |
| Planning Commission: | 02/21/18 | Public Hearing Held; Recommended Denial |
| Board of Supervisors: | 03/14/18 | Pending |

PROPOSAL: To rezone 394.2+/- acres from the EM (Extractive Manufacturing) District with proffers to the EM (Extractive Manufacturing) District with revised proffers. The Middletown site was originally rezoned to the EM (Extractive Manufacturing) District with Rezoning #03-06 for O-N Minerals (Chemstone) which was approved in 2008. The Applicant is seeking to revise the proffers pertaining to the to viewshed plans, berms, landscaping and cemetery access.

MAGISTERIAL DISTRICT: Back Creek

PROPERTY ID NUMBERS: 83-A-109 and 90-A-23 (portions of)

PROPERTY ZONING: EM (Extractive Manufacturing) District

PRESENT USE: Quarry and Undeveloped

ADJOINING PROPERTY ZONING & PRESENT USE:

| | |
|--------------------------------------|-------------------------------|
| North: RA (Rural Areas) | Use: Residential |
| South: EM (Extractive Manufacturing) | Use: Shenandoah County |
| East: RA (Rural Areas) | Use: Residential/Agricultural |
| West: RA (Rural Areas) | Use: Residential/Agricultural |

PROPOSED USES: Quarry

REVIEW EVALUATIONS:

Planning & Zoning:

1) **Site History:**

The original Frederick County zoning map (U.S.G.S. Middletown Quadrangle) identifies the subject parcels as being zoned A-2 (Agricultural General). The County's agricultural zoning districts were subsequently combined to form the RA (Rural Areas) District upon adoption of an amendment to the Frederick County Zoning Ordinance on May 10, 1989. The corresponding revision of the zoning map resulted in the re-mapping of the subject property and all other A-1 and A-2 zoned land to the RA District. The subject properties were rezoned to the EM (Extractive Manufacturing) District with the approval of Rezoning #03-06 on May 28, 2008 (see attached original proffers).

2) **Comprehensive Plan:**

The 2035 Comprehensive Plan is the guide for the future growth of Frederick County.

The 2035 Comprehensive Plan is an official public document that serves as the Community's guide for making decisions regarding development, preservation, public facilities and other key components of Community life. The primary goal of this plan is to protect and improve the living environment within Frederick County. It is in essence a composition of policies used to plan for the future physical development of Frederick County.

The Area Plans, Appendix I of the 2035 Comprehensive Plan, are the primary implementation tool and will be instrumental to the future planning efforts of the County.

Land Use

The subject properties are located within the Rural Areas of Frederick County and are outside of the limits of the Urban Development Area (UDA) and the Sewer and Water Service Area (SWSA). The Rural Areas land use designation is defined in the Comprehensive Plan as all areas outside of the designated Urban Development Area. The primary land uses in the Rural Areas are agriculture and forests. The primary growth pattern consisting of widely scattered, large lot residential development.

Transportation and Access.

The Eastern Road Plan of the Comprehensive Policy Plan does not cover this portion of the County. Per the 2006 rezoning, site access continues to be via the existing quarry entrance on McCune Road (Route 757) – See proffer 2.1

3) **Historic:**

The Historic Resources Advisory Board (HRAB) reviewed the original 2006 rezoning application on December 20, 2005. This rezoning does not increase the historic impacts from the original rezoning application. Staff would note that the Applicant has completed the 8-acre land dedication to the Cedar Creek Battlefield Foundation as stated in proffer 3.1, as well as, the

Phase I Archeological Survey per proffer 3.2.

4) **Proffer Statement – Dated June 13, 2005; revised January 31, 2018; revised February 14, 2018; revised March 2, 2018:**

Proposed revisions from the approved proffer statement (please see attached redline copy of the proffer statement):

- **Proffer Introduction:** This proffer amendment proposes to remove the previously proffered Overall Plan, Phasing I, II, III and IV Plans and six of the twelve viewshed plans. The amended proffer proposes to utilize a Generalized Development Plan and nine viewshed plans (Viewshed 1A Viewshed 1B, Viewshed 2, Viewshed 3, Viewshed 4A, Viewshed 5A, North Viewshed 1, North Viewshed 2 and North Viewshed 3).
 - The Phasing I, II, III and IV Plans of the GDP from the approved rezoning show a phasing sequence for the mining of the property. While the phasing plans that were part of the proffered GDP are proposed to be removed with this amendment, the phasing text has been retained (see revised proffer 13).
- **Site Development – Proffer 2.2 - Berms-** This proffer amendment proposes to change the text pertaining to the berms, revises the timing of the installation of the berms, removes the landscaping exhibit and changes the approval of the landscaping utilized on the berms.
 - ***Berm Installation Timing:***
 - Berms A and Berm B (original Phase I) were to be installed within 10 years of the approval of the proffer (2018).
 - Berms C and Berm D (original Phase II) were to be installed no later than 10 years prior to the commencement of mining north of Chapel Road.
 - The proffer amendment proposes to remove timing of the construction of Berm D (south of Chapel Road) which was proffered to be installed no later than 10 years prior to the commencement of mining north of Chapel Road. There is no timing proposed with Berm D under the proposed amendment.
 - The proffer amendment removes the requirement that the berms be installed 10 years prior to mining north of Chapel Road. The proposed amendment states that the berms would be installed after permitting and one year prior to the extraction of material for processing.
 - The amendment removes original Exhibit 3 which pertained to the description of the plants to be installed on the berms. The approved proffer statement requires the berm plantings to “a mix of deciduous and coniferous plantings placed in a random manner to be consistent with existing vegetation patterns” and would be subject to reasonable approval by the Zoning Administrator and the state forester. The proposed proffer states “plantings will include a seed mix recommended

by the National Park Service that is currently in use at the adjacent Cedar Creek and Bell Grove National Historic Park”.

Staff Comments:

- ***Berms C&D as indicated in the original proffer included 10’ berms north and south of Chapel Road that were to be installed 10 years prior to mining north of Chapel Road. There is no timing proposed with Berm D (south of Chapel Road) under the proposed amendment.***
- ***It appears that this proffer amendment would allow for a large amount of earthwork and excavating prior to any berms being installed.***
- ***The approved proffer provided time for the plantings to become established on the berms prior to mining activities. This proffer revises the timing to include one year prior to extraction of materials, which reduces the established timeline that would provide additional established landscaping protection for adjacent properties.***

○ ***Berm Heights:***

- **Proffer 2.2 – Berm Heights.** Berms were proffered with a maximum height of 30 feet and a minimum height of 10 feet as depicted on the twelve viewshed plans. The proposed proffer includes nine proposed viewshed plats and proposes text that states, “a combination of landscaping, earthen berms and fencing shall either be maintained or installed as depicted and described on the amended GDP”.
- **Proffer 2.2 Berm D - Section 1** – Berm section 1 is the section south of the Westernview Subdivision. The viewshed from the quarry to the adjacent Subdivision was originally proffered at a 30’ height as depicted on Viewshed 7 from the approved proffer but is proposed to be reduced to 15’ in height.
- **Proffer 2.2 Berm D - Section 2** – this revision proposes a 30’ berm which is consistent with the approved proffers, however; the revision includes a statement that the berm could be reduced due to cemetery or stream encroachment – this berm could potentially be reduced to 10’.
- **Proffer 2.2 Berm D - Section 3** – The northern section of Chapel Road shows a 10’ berm which is consistent with the approved proffer; however, the proffer removes the timing for this berm (Berm D).
- **Proffer 2.2 Berm D - Section 4** – This berm is consistent with the approved proffers (see viewshed 6 from the approved proffer and the Section 4 berm on the GDP. This berm is proposed to be 20’ in height.

Staff Comments:

- *The reduction in berm heights and the elimination of the viewshed plan for the Chapel Road area could greatly impact the surrounding residential properties as well as the viewshed and appearance of the Chapel Road area.*
- *Berm Section 2 should be placed in an area that would not encroach on the cemetery and the stream to ensure that a definitive berm height is provided.*
- **Historic Resources – Proffer 3.3** – This proposed amendment seeks to relocate the access for the second cemetery located on parcel 109. Access to this cemetery is currently provided via Marsh Book Lane which is a private right-of-way. The approved rezoning stated that the Applicant would improve this right-of-way once the cemetery restoration is complete and within 12 months of VDOT approval.
 - This proffer amendment seeks to eliminate the Marsh Brook Lane access and provide a new right-of-way that would provide access to the cemetery to Chapel Road. The proposed revision states that the owner would relocate the ROW within 12 months of VDOT approval.

Staff Comment: *This proffer does not commit to building an actual access road for the cemetery, only the relocation of the ROW which could potentially only relocate the easement but not actually build the access. This revision also contains no timing for applying for the Chapel Road entrance. Potentially this access could not be built if the owner never applies for a VDOT entrance.*

- **Rights to Water Supply – Original Proffer 5.** This proffer is proposed to be eliminated.
- **Reclamation – Original Proffer 10** This proffer is proposed to be eliminated.

All other proffers remain generally consistent with the 2006 approved rezoning and proffer statement.

PLANNING COMMISSION SUMMARY AND ACTION FROM THE 11/15/17 MEETING:

Staff reported this is a request to amend the proffers associated with Rezoning #03-06 which was approved in 2008. Staff continued, at that time 394 acres was rezoned from RA (Rural Areas) District to EM (Extractive Manufacturing) District. Staff noted the Applicant is seeking to revise the proffers pertaining to: Viewshed Plans, Berm heights; and installation timing, landscaping exhibit removal, and cemetery access. A location map of the property was presented. Staff reported the amendment seeks to remove the previously proffered Overall Plan, Phasing I, II, III and IV Plans, and the twelve (12) Viewshed Plans which were all components of the General Development Plan (GDP). This amendment seeks to eliminate these components and only utilize one (1) GDP. Staff presented the GDP which is generally consistent with the outline of the previously approved GDP in regard to the Berm locations on the properties. Staff reviewed the proffer revisions:

Viewshed Plans, Berm Heights, and Berm Installation Timing:

- The viewshed plans from the approved rezoning depicted the proposed berm heights that would provide screening and protection for surrounding properties.
- Berm heights ranged from 10' to 30' as depicted on the viewshed plans.
- Berm timing – Berms A and B were to be installed within 10 years of rezoning approval (installation by 2018). Berms C and D were to be installed no later than 10 years before the commencement of mining north of Chapel Road.
- This amendment removes all minimum/maximum heights and timing is now prior to the commencement of any extraction of materials.

Cemetery Access:

- Amendment seeks to eliminate the Marsh Brook Lane access and provide a new right-of-way that would provide access to the cemetery via Chapel Road. (the approved rezoning stated that the Applicant would improve the Marsh Brook Lane access within 12 months of completion of the cemetery restoration)
- The proposed amendment does not contain a timeline for the installation of this accessway and does not contain a backup if agency approval cannot be obtained for the new access point on Chapel Road.

Staff noted it appears this proposed proffer amendment will have a great impact on the surrounding residential properties and the Applicant has not provided justification that the berm revisions and the changes requested would mitigate the impacts on the surrounding properties.

A Commissioner inquired about the rights to water supply in paragraph 4.1 of the proffers. Staff explained that a proffer amendment was received from Mr. Ty Lawson prior to the meeting. Staff and the County Attorney were not able to review these prior to this meeting and cannot comment on them at this time. A Commissioner asked how long the Applicant has been working with Staff on these revisions. Staff noted in June 2017 comments were provided to the Applicant. A Commissioner inquired, in the original proffers there were commitments as far as pre-blast surveys of the properties surrounding the quarry; who was responsible in making sure the Applicant performed those commitments that were agreed to in the original rezoning; is the County involved in that, specifically the surveys concerning property conditions, water well conditions, and seismic monitoring. Staff reported it is the Applicant's responsibility to make sure they are fulfilling their proffers; should it arise that those proffers are not being fulfilled or there is a complaint, that proffer compliance would be investigated and determined if the proffers are being met or not. A Commissioner asked if Staff had received comments from residents that the proffers were not implemented as originally agreed to. Staff commented no, not at this time. A Commissioner commented that if the proposed amendment were approved, that the height of the berms would be up to the Applicant. Staff stated that is correct, under the proposed amendment the berm height would be at the Applicants discretion and they eliminated the landscaping detail. The Commissioner commented the current approval offers more to work with; the

new proposal has no specificity. A Commissioner commented for clarity and should ignore what was submitted just a few hours ago and focus on what is in the agenda. A Commissioner asked how close the berms on the north end are from the residential strip of community housing there. Staff deferred this question to the Applicant as to if they have an exact distance planned for the old and new proffers.

Mr. Thomas (Ty) Moore Lawson, P.C. with Lawson & Silek, P.L.C representing the Applicant came forward. Mr. Lawson reported this proffer amendment is to specifically address the berms; on the north end of the property. In response to a Commissioner, Mr. Lawson noted when this exercise was started it was written in a way to just focus on things they wanted to change, as things developed it was pointed out with this rezoning being relatively old that a lot has been completed, therefore what has been accomplished should be considered. Mr. Lawson continued, 36+ acres has been conveyed to the Cedar Creek Battlefield and Article 4 references two old agreements that existed with the Sanitation Authority in 2005; those agreements were terminated, and a new agreement was put in place. Mr. Lawson reviewed the proffer update that was sent to Staff just prior to this meeting: 8-acre historical reserve grew to 36 acres; Phase I archeological study; Two (2) cemeteries were restored; ground water labeled as completed but under way; pre-blast surveys are ongoing (have contacted 105 families); noise requirements are the same; well monitoring is ongoing; phasing of berms A and B are complete. Regarding the berms Mr. Lawson explained the intent now is to have irregular berms in height and different vegetation. Mr. Lawson provided photos of existing berms and of new proposed berms placing berms behind vegetation. Mr. Lawson addressed the question of timing for the berms; the existing proffers states the berms be installed ten (10) years prior to mining activities, this has been removed and replaced with commencement and behind the tree lines so there is less disturbance. Mr. Lawson provided photos of the viewshed and the GDP. A Commissioner inquired why the berms are being located behind the vegetation. Mr. Lawson commented the Applicant has a better idea where most of the stone is underground therefore the point is to be able to install the berms 100 ft. off the property line in turn making the impacts less severe. The Commissioner commented, to simplify; relocating the berms now depends on where the high-quality mineral is to be mined. Mr. Lawson stated that is partially correct; the other part is a fresh set of eyes reviewed this and determined relocation would be better for neighbors. The Commissioner noted relocating the berms have no bearing on the height of the berms. Mr. Lawson explained there was not a requirement to make the berms 30 ft., but somehow became part of the public process; this is not something the company wanted, and the intent is to vary the berm sizes.

A Commissioner requested clarification that the 85 property owners within the property boundary have been contacted regarding pre-blast surveys. Mr. Lawson noted the Applicant contacted all property owners, also offered pre-blast surveys and well monitoring at the Applicant's expense; some have taken advantage of this and others have not. The Commissioner asked if someone comes forth years down the road with problems on their property or structure, how would Chemstone defend this. Mr. Lawson explained the property owners should take advantage of these offers in advance therefore having something to go by. Mr. Lawson noted the existing proffers do not change obligations to one another. Complaints and questions are addressed by the company at all times. The Commissioner asked how often seismic waves are monitored for the 85 properties. Mr. Lawson stated the monitoring is ongoing. Mr. Mark Basel, Site Production Manager at the Middletown, Virginia operation came forward. He reported the operation at Chemstone monitors every blast. They have permanent seismic graphs at three (3) different residences toward the southern end of the property. Mr. Basel noted currently there are no

monitors at the northern end where there is no mining yet; they do place mobile units if necessary. A Commissioner inquired has there been any reported impacts/damages from blasting. Mr. Basel commented to his knowledge they have not been out of compliance; they do get calls if the blast is felt stronger than normal. He reiterated, they do monitor all blasts.

There were nine (9) citizens that spoke in opposition of this rezoning. The concerns shared were similar: delay action on this item, no contact from the Applicant regarding well and pre-blast surveys, berms would not provide enough protection and language in the proffers very ambiguous.

Mr. Lawson responded to comments: the drawings/maps are scaled, it is approximately 100 feet from the property line under the existing proffers, the Applicant has copies of notifications/letters that were sent to property owners for pre-blast surveys and well monitoring.

A Commissioner reminded everyone this item is not about the current land use which was previously approved; it pertains to the proffers being amended. He commented, he is agreeable to a delay on this and noted community engagement is extremely important. A Commissioner commented, this item must be acted on in a timely manner and cannot be moved to Spring 2018; he agrees to a postponement. The Commissioner continued, he urges the citizens to take advantage of the offer made by Carmeuse for pre-blast surveys and well monitoring so there can be a base starting point down the road. He concluded, the language is very ambiguous and vague, the Applicant needs to put back in the drawings and examples and put things in writing so that it is very clear.

A motion was made, seconded, and unanimously passed to recommend postponement for 90 days.

(Note: Commissioners Unger and Cline were absent from the meeting)

PLANNING COMMISSION SUMMARY AND ACTION FROM THE 02/21/18 MEETING:

Staff reported this is a request to amend the proffers associated with Rezoning #03-06 which was approved in 2008. Ms. Perkins continued, this request was postponed for 90 days at the Planning Commission's November 15, 2017 meeting to provide the Applicant additional time to discuss the proposal with neighbors. Staff explained the Applicant is seeking to revise the proffers pertaining to: Viewshed Plans; Berm heights and installation timing; Landscaping exhibit removal; and Cemetery access. Staff compared the proffers that have been approved to the amended proffers, dated February 14, 2018:

- The approved proffer required berms that ranged in height from 10' to 30' based on the 12 proffered viewshed plans. The revision includes 3 viewshed plats that only show proposed berm details north of Chapel Road.
- Berm Heights – Berm D (north of Chapel Road); berm adjacent to the Westernview Subdivision was proffered to be 30'. The revision proposes to reduce this berm to 15'.
- Berm Heights – Berms C & D; removes the berm detail south of Chapel Road and the Northern berm is still shown at 10'.

- Berm Timing – Berms C & D were proffered to be installed no later than 10 years prior to the commencement of mining north of Chapel Road. The revision proposes Berms C & D to be installed after the permitting process of the properties for mining and before any extraction of material for processing.
- Proffer 2.2 – Site Development: The November 2017 proffer stated, “a combination of landscaping, earthen berms and fencing shall be installed”; the February 2018 proffer states “earthen berms or fencing shall be installed”. This language is ambiguous and appears to allow for the complete elimination of all berms and only fencing provided.
- Cemetery Access: Seeks to relocate the Marsh Brook Lane access to Chapel Road. The approved proffer stated that the Applicant would “improve” the ROW so it can be used for access and that the Applicant would provide continued maintenance. The proposed proffer states that the owner would relocate the ROW; this proffer is ambiguous as to whether the Applicant will be building a ROW for access or just relocating the ROW. It was noted this also removes the timeline (12 months from cemetery restoration) therefore this is no trigger for the completion of this relocation.
- Site Access – Clarification: Staff noted the approved proffers state “access via public secondary roads shall be limited to the quarry entrance on McCune Road”. Staff has received several questions regarding site access directly via Chapel Road; Proffer 2.1 prohibits access to Chapel Road for quarry operations. The proffered GDP indicates a proposed tunnel under Chapel Road.

Staff concluded it appears this proposed proffer amendment will have a great impact on the surrounding residential properties and the Applicant has not provided justification that the berm revisions and the changes requested would mitigate the impacts on the surrounding properties.

Mr. Michael Wilmoth from Carmeuse presented a brief overview of what has transpired since the November meeting: held two community meetings; had face to face meetings with residents; handled numerous phone calls. He provided a presentation of the revised proffers and various mapping.

A Commission Member inquired if the open field on the combined comparison will be mined in the future. Mr. Wilmoth stated not at this time. A Commission Member suggested possibly zoning this piece back to RA. Mr. Ty Lawson, representing the Applicant noted there is no intent at this time. A Commission Member suggested, if the berms are behind the tree line, why not include map or protection in the proffers for residents’ years down the road and could be include in proffer 2.2. The Commissioner noted the wording in proffer 2.2 can be easily misinterpreted. A Commission Member suggested the wording be changed to offer protection to residents in the future. Mr. George McKotch of Carmeuse came forward and provided information pertaining to the berms and future mining. A Commission Member reminded everyone that is what is presented in the agenda is what is to be voted on this evening.

The Public Hearing was opened and six (6) residents came forward and shared their opposition to this rezoning siting concerns such as: requests not fully addressed by Carmeuse; community meetings did not involve everyone; truck traffic on roads; all berms to be 30 feet; residents losing property value. A Commission Member commented the items presented tonight are not acceptable, he sees no reason to reduce the height of the berms and the residents are not satisfied with any of the changes. Mr. Lawson noted the mission was to meet with neighbors; the berm height was the majority of the discussion and they received conflicting requests from neighbors. Mr. Lawson concluded this item needs to move forward and there is no time for a delay request.

A motion was made to deny this request, seconded, and unanimously recommended for denial. (Commissioner Mohn was absent from the meeting)

EXECUTIVE SUMMARY & CONCLUSION FOR THE 03/14/18 BOARD OF SUPERVISORS MEETING:

The purpose of this application is to request a proffer amendment to Rezoning #03-06 for O-N Minerals (Chemstone) which was approved in 2008. Rezoning #03-06 rezoned 394.2+/- acres from the EM (Extractive Manufacturing) District with proffers. This proffer amendment proposes to remove the previously proffered Overall Plan, Phasing I, II, III and IV Plans and six of the twelve viewshed plans. The amended proffer proposes to utilize a Generalized Development Plan and nine viewshed plans.

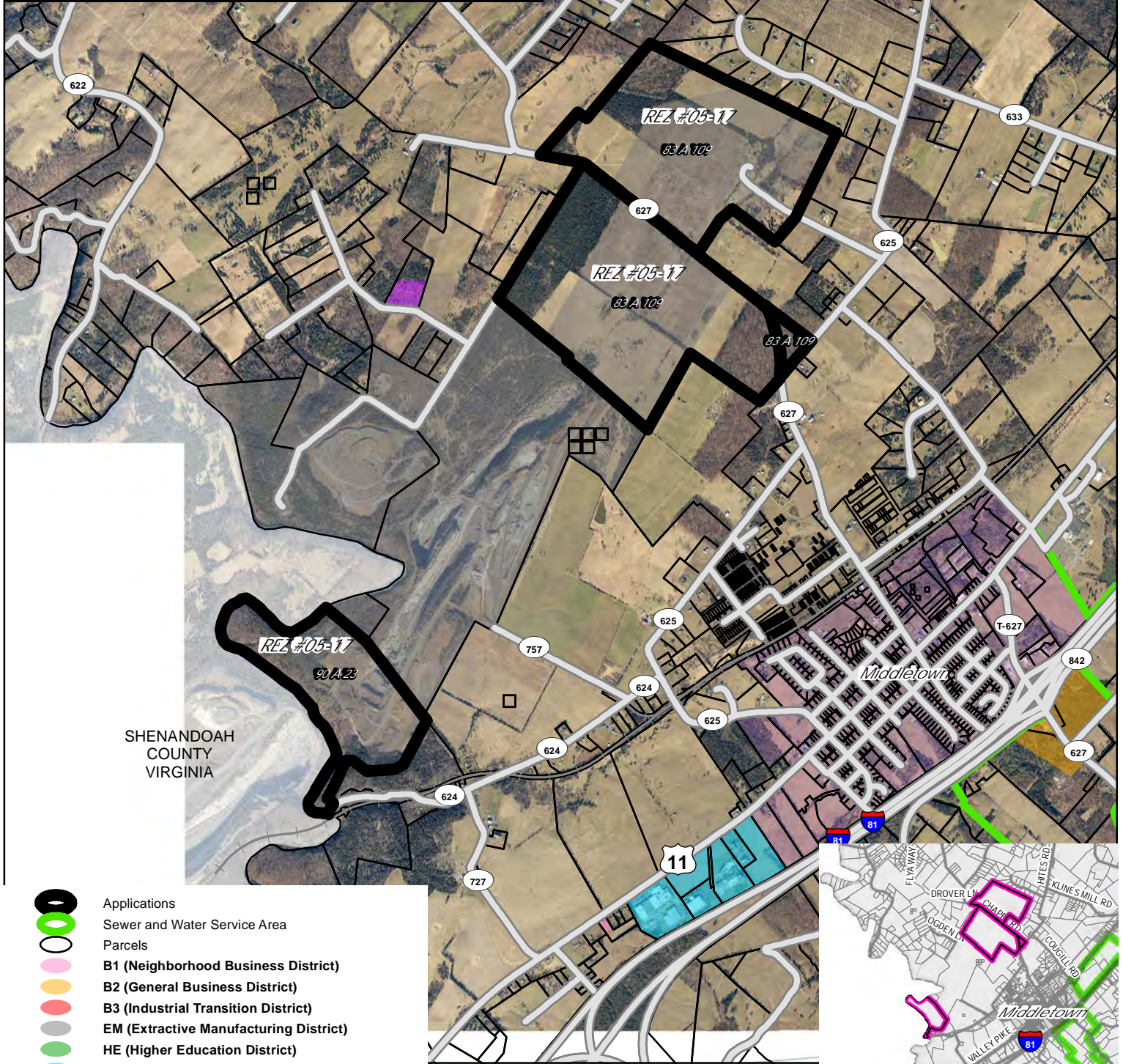
This amendment seeks to revise the timing of the installation of the berms, revise the heights of the berms, seeks to remove the landscaping exhibit for the berms, revises the access for one of the two cemeteries and removes the water supply and reclamation proffers. All other proffers remain generally consistent with the 2006 approved rezoning and proffer statement.

The Planning Commission at their February 21, 2018 meeting unanimously recommended denial of this application. Staff would note that the Applicant submitted revised proffers following review by the Planning Commission (dated March 2, 2018). Elements of the rezoning application have been identified that should be carefully evaluated to ensure that they fully address the impacts associated with this amendment. Specifically, elements pertaining to the timing of Berms C and D, the berm heights for Berm D and the cemetery access should be evaluated.

Following the required public hearing, a decision regarding this rezoning application by the Board of Supervisors would be appropriate. The Applicant should be prepared to adequately address all concerns raised by the Board of Supervisors.

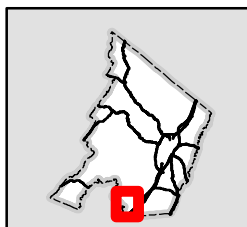
REZ # 05 - 17 O-N Minerals (Chemstone) Co.

PINs:
83 - A - 109, 90 - A - 23
Rezoning from EM to EM
Zoning Map



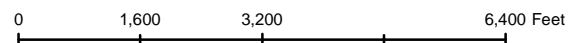
SHENANDOAH
COUNTY
VIRGINIA

-  Applications
-  Sewer and Water Service Area
-  Parcels
-  B1 (Neighborhood Business District)
-  B2 (General Business District)
-  B3 (Industrial Transition District)
-  EM (Extractive Manufacturing District)
-  HE (Higher Education District)
-  M1 (Light Industrial District)
-  M2 (Industrial General District)
-  MH1 (Mobile Home Community District)
-  MS (Medical Support District)
-  OM (Office - Manufacturing Park)
-  R4 (Residential Planned Community District)
-  R5 (Residential Recreational Community District)
-  RA (Rural Areas District)
- RP (Residential Performance District)



REZ # 05 - 17
O-N Minerals
(Chemstone) Co.
PINs:
83 - A - 109, 90 - A - 23
Rezoning from EM to EM
Zoning Map

Note:
Frederick County Dept of
Planning & Development
107 N Kent St
Suite 202
Winchester, VA 22601
540 - 665 - 5651
Map Created: October 18, 2017
Staff: cperkins



REZ # 05 - 17

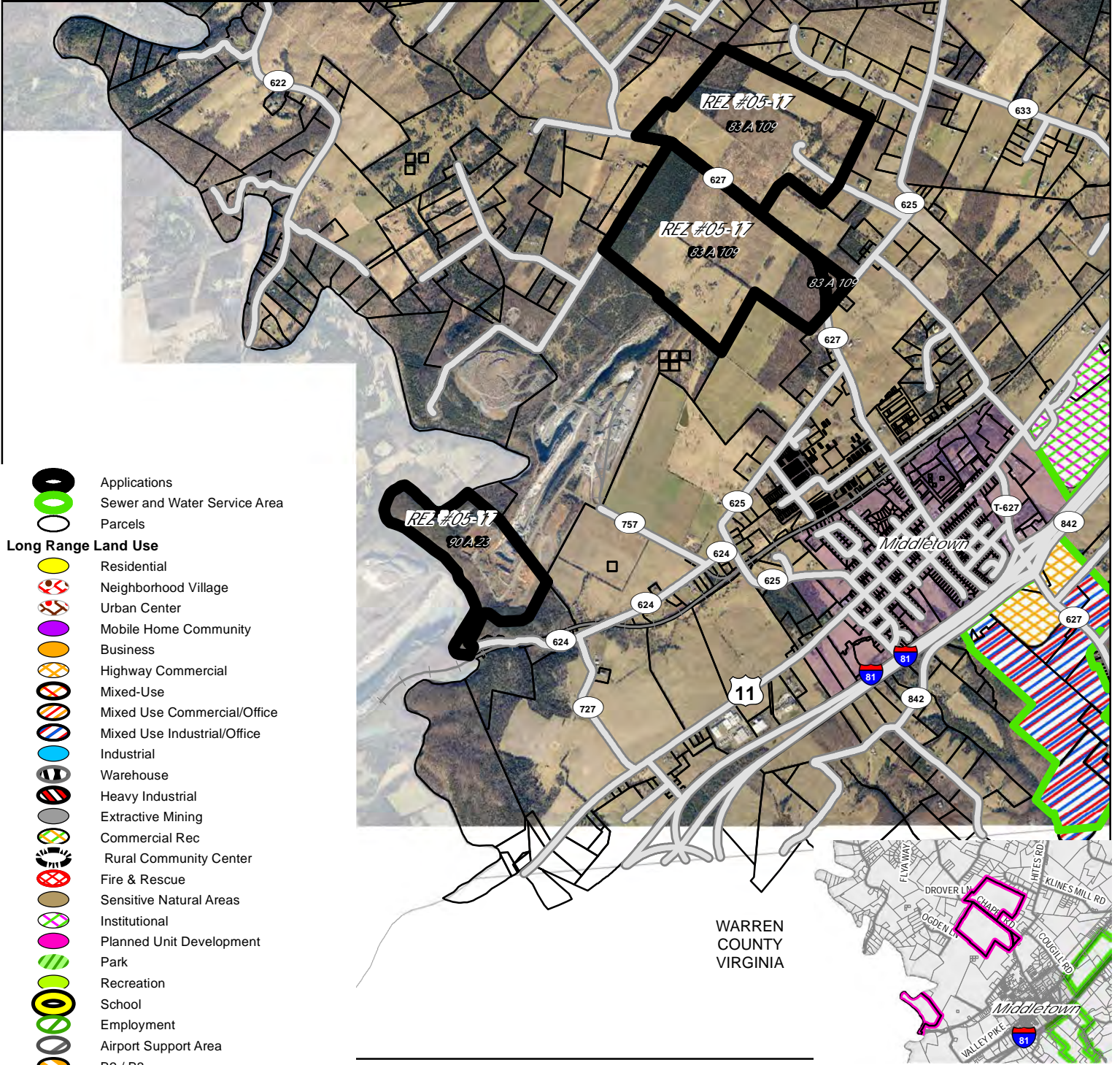
O-N Minerals (Chemstone) Co.

PINs:

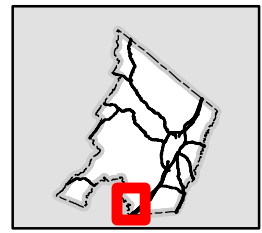
83 - A - 109, 90 - A - 23

Rezoning from EM to EM

Long Range Land Use Map

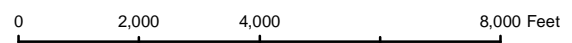


-  Applications
-  Sewer and Water Service Area
-  Parcels
- Long Range Land Use**
-  Residential
-  Neighborhood Village
-  Urban Center
-  Mobile Home Community
-  Business
-  Highway Commercial
-  Mixed-Use
-  Mixed Use Commercial/Office
-  Mixed Use Industrial/Office
-  Industrial
-  Warehouse
-  Heavy Industrial
-  Extractive Mining
-  Commercial Rec
-  Rural Community Center
-  Fire & Rescue
-  Sensitive Natural Areas
-  Institutional
-  Planned Unit Development
-  Park
-  Recreation
-  School
-  Employment
-  Airport Support Area
- B2 / B3
- Residential, 4 u/a
- High-Density Residential, 6 u/a
- High-Density Residential, 12-16 u/a
- Rural Area
- Interstate Buffer
- Landfill Support Area
- Natural Resources & Recreation
- Environmental & Recreational Resources



REZ # 05 - 17
 O-N Minerals
 (Chemstone) Co.
 PINs:
 83 - A - 109, 90 - A - 23
 Rezoning from EM to EM
 Long Range Land Use Map

Note:
 Frederick County Dept of
 Planning & Development
 107 N Kent St
 Suite 202
 Winchester, VA 22601
 540 - 665 - 5651
 Map Created: October 18, 2017
 Staff: cperkins



AMENDED PROFFER STATEMENT

| REZONING: RZ# ~~03-06~~
Rural Areas (RA) to Extractive Manufacturing (EM)

PROPERTY: 394.2Acres +/-;
Portions of Tax Map Parcels 83-A-109 (“parcel 109”) and 90-A-23
 (“parcel 23”) (the “Properties”)

| RECORD OWNER: O-N Minerals (Chemstone) Company (~~“Owner”~~)

| APPLICANT: O-N Minerals (Chemstone) Company (~~“Applicant”~~)

PROJECT NAME: Chemstone - Middletown

ORIGINAL DATE
OF PROFFERS: June 13, 2005

| REVISION DATE(S): February 24, 2017, ~~June 5, 2017, September 25, 2017, November 15, 2017, January 31, 2018, February 14, 2018, March 2, 2018~~

| The undersigned ~~Applicant-Owner~~ hereby proffers that the use and development of the portions of the above-referenced parcels, which are requested to be rezoned, the portions requested to be rezoned being shown on the attached and incorporated plat identified as “Exhibit 1”, shall be in strict conformance with the following conditions, which shall supersede all other proffers on the Properties that may have been made prior hereto. In the event that the above-referenced EM conditional rezoning is not granted as applied for by the ~~Applicant-Owner~~, these proffers shall be deemed withdrawn and shall be null and void. Further, these proffers are contingent upon final rezoning of the Properties with “final rezoning” defined as that rezoning which is in effect on the day following the last day upon which the Frederick County Board of Supervisors’ (the “Board”) decision granting the rezoning may be contested in the appropriate court. If the Board’s decision is contested, and the ~~Applicant-Owner~~ elects not to submit development plans until such contest is resolved, the term rezoning shall include the day following entry of a final court order affirming the decision of the Board which has not been appealed, or, if appealed, the day following which the decision has been affirmed on appeal.

| The headings of the proffers set forth below have been prepared for convenience or reference only and shall not control or affect the meaning or be taken as an interpretation of any provision of the proffers. The improvements proffered herein shall be provided at the time of development of that portion of the Properties adjacent to or including the improvement or other proffered requirement, unless otherwise specified herein. Any proffered conditions that would prevent the ~~Applicant-Owner~~ from conforming ~~with-to~~ State and/or Federal regulations shall be considered null and void. The term “~~Applicant-Owner~~” as referenced herein shall include within its meaning all future owners and successors in interest. When used in these proffers, the

“Generalized Development Plan,” shall refer to the plan entitled “Generalized Development Plan, O-N Minerals (Chemstone)” dated May, 2008 and revised February 14, 2018, and which includes that document entitled Generalized Development Plan Attachment bearing the same date, February 14, 2018 (the “Amended GDP”). Exhibit 1. The ~~Applicant-Owner~~ attaches and incorporates the Amended GDP and 93 viewshed plats titled Viewshed 1, Viewshed 2 and Viewshed 3. ~~The aforementioned viewshed plats are and shall be incorporated by reference herein as “Exhibit 2.”, which includes a plan titled “Generalized Development Plan”; a plan titled “Overall Plan”; four plans titled “Phase I Plan”, “Phase II Plan”, “Phase III Plan”, and “Phase IV Plan”; and twelve viewshed plats titled “Viewshed 1A, Viewshed 1B, Viewshed 2, Viewshed 3, Viewshed 4A, Viewshed 4B, Viewshed 5A, North Viewshed 1, North Viewshed 2 and North Viewshed 3. Viewshed 5B, Viewshed 6, Viewshed 7, and Viewshed 8”.~~ The aforementioned ~~documents-viewshed plats~~ are and shall be incorporated by reference herein as “Exhibit 2”. The ~~Applicant-Owner~~ proffers that its development of the Properties will be in substantial conformity with the Amended GDP. The Generalized Development Plan included in the Proffer Statement approved on May 28, 2008 (“GDP”) is hereby replaced as it relates to the installation and location of berms and viewsheds. All other aspects of the GDP remain the same and in full force and effect.

1. Land Use

1.1 The Properties shall be developed with extractive manufacturing land uses pursuant to the mining permit approved by the Division of Mineral Mining (“DMM”) of the Virginia Department of Mines, Minerals and Energy (“VDMME”), and shall therefore conform to the Mineral Mining Law and Reclamation Regulations for Mineral Mining of the Commonwealth of Virginia.

1.2 The ~~Applicant-Owner~~ hereby proffers not to engage in the following uses on the Properties:

- Oil and natural gas extraction;
- Asphalt and concrete mixing plants;
- Brick, block and precast concrete products;
- Cement and lime kilns; and
- Coal and natural gas-fired power plants or facilities which sell power to the local utility or power grid*

*This is not to be interpreted as a restriction against using power plants on the Properties as necessary to support extractive mining activities.

2. Site Development

2.1 Properties’ access via public secondary roads shall be limited to the existing quarry entrance on McCune Road (Route 757). Access by vehicles needed for periodic maintenance of the Properties shall not be limited. [ONGOING]

2.2 A combination of landscaping, Earthen berms and of and fencing - shall be either maintained or installed as depicted and described on the Amended GDP around the Properties in the areas depicted on the Amended GDP. The berms for Berm D

~~shall have a maximum height of 30 feet and a minimum height of 10 feet. As depicted on the GDP Attachment Amended GDP, the berms for Berm D shall be installed at specified heights. The Amended GDP Attachment designates the berms for Berm D in four numbered sections. Section 1 shall be installed to a height of 15 feet. Section 2 shall be installed to a height of 30 feet provided the berm installation does not encroach on the cemetery and/or stream. If the 30 foot berm does encroach on the cemetery and/or the stream then the berm shall be built to the maximum height possible and so as not to encroach on the aforementioned features. Section 3 shall be installed to a height of 10 feet. Section 4 shall be installed to a minimum height of 20 feet. active quarry pits in the location show on the GDP. The berms shall have a maximum height of 30 feet and a minimum height of 10 feet. The berms (Berm A and Berm B) depicted on the Phase I Plan of the GDP shall be installed within 10 years of the approval of the rezoning. The berms (Berm C and Berm D) depicted on the Phase II Plan of the GDP shall be installed no later than 10 years prior to the commencement of mining north of Chapel Road. The berms shall be landscaped to minimize impacts to the viewshed of the surrounding community and shall be installed after at the commencement of permitting of the Properties for mining but and before any extraction of material for processing, and at least one year (365 days) prior to the extraction of material for processing and in the locations depicted on the Amended GDP. The Such landscaping shall have consist of a mix of deciduous and coniferous plantings placed in a random manner to be consistent with existing vegetation patterns. Plantings will include a seed mix recommended by the National Park Service that is currently in use at the adjacent Cedar Creek and Belle Grove National Historical Park. Owner will maintain all plantings and landscaping for survivability. Owner will make reasonable efforts to see to the survival of the landscaping. The description of the plants to be installed on the berms are more specifically described in the attached and incorporated "Exhibit 3."~~—The landscaping shall be subject to reasonable approval of the Zoning Administrator of Frederick County and upon consultation with the State Forester. With respect to Berm A, located on Tax Parcel 90-A-2, not owned by the Applicant Owner, the berm will be constructed by the Applicant Owner as the tenant under a 100-year lease of Parcel 90-A-2, with authority under the lease to construct Berm A.

- 2.3 The existing overburden stock pile on the southeast corner of the current Middletown plant site shall be reduced in height to the greater of 30 feet or the height of the adjacent tree line (lying to the east) within 5 years of the approval of the rezoning. [COMPLETED]

3. Historic Resources

- 3.1 The Applicant Owner shall create an 8 acre historic reserve as shown on the GDP, within which archeological resources and other historic activities have been identified. Further, the Applicant Owner shall place restrictions on the reserve land for how the reserve will be used by the Properties' owner and future owners. A copy of said restrictions are attached and incorporated as "Exhibit 324". Said

reserve land shall be dedicated to the Cedar Creek Battlefield Foundation, Inc. within 60 days of final rezoning. [NOTE: the aforementioned 8 acre historic reserve property is not to be included in the property to be rezoned.]
[COMPLETED]

3.2 The Applicant-Owner shall complete a Phase I Archaeological Survey of parcels 23 and 109. The Phase I Archaeological Survey of parcel 23 shall be completed within 12 months of the approval of the rezoning. For the remaining tracts of land, the Applicant-Owner shall complete a Phase I Archaeological Survey of particular tract of land before any mining activities commence on that property. The Applicant-Owner may commence mining activities on a particular portion of the Properties before the completion of the Phase I survey for all of the Properties, but under any and all circumstances, no mining operations shall commence on any portion of the Properties until after the Phase I Archeological Survey has been completed on said portion of the Properties. Said survey shall locate, identify, and comprehensively record all historic sites, buildings, structures, and objects on the parcels. Such survey shall be conducted in accordance with the guidelines for a Phase 1 Survey as defined in the Virginia Department of Historic Resources “GUIDELINES FOR CONDUCTING CULTURAL RESOURCE SURVEY IN VIRGINIA - Chapter 7: Guidelines for Archaeological Investigations in Virginia,” 1999 (Rev. Jan. 2003). [COMPLETED]

3.3 Two cemeteries have been identified on the Properties. The first cemetery is located adjacent to Chapel Road and is in an area that is not designated for mining and is also outside of the berming area. That cemetery is currently undergoing a historical restoration. After the historical restoration, the Applicant-Owner will follow the recommendations of the Owner'sApplicant's historian.
[COMPLETED]

The second cemetery is located in the area where berming is slated to be installed. The Applicant-Owner proffers the berming will be located in such a way as to not encroach on the cemetery. This cemetery is also currently undergoing a historical restoration. After the historical restoration, the Applicant-Owner will follow the recommendations of the Applicant's-Owner's historian. In addition, the cemetery is accessed through a right-of-way which is of record providing access to the cemetery from Route 625. The Owner agrees to build-relocate the right-of-way to access which accesses the second cemetery in the general location depicted on the Amended GDP and which shall have an entrance on Chapel Road. The Owner proffers to relocate said right-of-way within 12 months of VDOT approval. The primary purpose of the right-of-way shall be for access by the descendants of those in the cemetery and shall be conditioned upon and subject to all applicable agency approvals, including, but not limited to, the approval by the Virginia Department of Transportation of an entrance (to the extent the same is required) on the public road. The Applicant proffers to improve said right-of-way so that it can be used for access by the descendants of those in the cemetery within 12 months of completion of the cemetery restoration. Once said right-of-

~~way has been improved, the Applicant will provide continued maintenance and have use of same.~~

~~4. Rights to Water Supply~~

~~4.1 The Applicant shall guarantee the Frederick County Sanitation Authority ("FCSA") rights to the water resources available on the Properties in accordance with the existing agreements between the Applicant and FCSA.~~

~~45. Ground Water – [COMPLETED ONGOING]~~

~~45.1~~ The Applicant-Owner shall install a minimum of three monitoring wells to effectively establish and monitor the groundwater level in order to avoid detrimental impacts to surrounding properties. Said wells shall be installed prior to any land disturbance of the portion of the Properties identified as parcel 109 by the GDP, and shall be located within 500 feet of the Properties' boundaries. A minimum of one monitoring well shall be installed within 500 feet of the parcel 109 Properties' boundary. The exact location of the monitoring wells is depicted on the Overall Plan of the GDP.

~~45.2~~ Subject to and consistent with the provisions of paragraph 9.2, the Applicant-Owner shall remediate any adverse impacts to wells located on surrounding properties caused by mining operations on the Properties. Costs associated with any required remediation shall be borne by the Applicant-Owner.

Furthermore, the Applicant-Owner agrees to participate in a pre-blast survey and well monitoring survey, as further described herein. The intent of the aforementioned surveys is to provide a mechanism to remediate any adverse impacts to wells and/or structures, which are caused by the mining operations on the Properties.

~~56. Dust Control – [ONGOING]~~

~~56.1~~ Dust from drills, muck piles, material handling, screens, crushers, conveyors, feeders, hoppers, stockpiles, load-outs, and traffic areas shall be controlled by wet suppression or equivalent, and controlled by and consistent with the terms of the Department of Environmental Quality ("VDEQ") general air permit. The Applicant-Owner shall remediate any adverse impacts to surrounding properties caused by dust associated with the mining operations on the Properties.

~~67. Blasting Control – [ONGOING]~~

~~67.1~~ All blasting associated with mining operations on the Properties shall be limited by the mining permit approved by the DMM of the VDMME. Peak Particle Velocities (PPV) associated with blasting on the Properties shall not exceed the levels stipulated by said permit. In addition, the Applicant-Owner agrees to have an approved blasting plan in place at all times. An example of the current blasting

plan is attached. Further, in addition, the Applicant-Owner agrees that there will be no block holing or adobe blasting conducted on the Properties. Any damage to surrounding properties caused by blasting on the Properties shall be remediated at the Applicant's-Owner's expense.

78. Traffic – [ONGOING]

78.1 The Applicant's-Owner's current number of truck loads leaving the site on a daily basis is approximately 63, and the Applicant-Owner has had higher numbers of recorded truck loads leaving the plant to a total of 114 truck loads per day. The Applicant-Owner, in its proffer, is agreeing to restrict truck traffic to the Properties to 86 truck loads per day averaged over the prior 30 days, but intends to also have an ability to increase the number of truck loads in the event of an emergency or circumstances, which could be caused by issues driven by the Applicant's-Owner's customers, suppliers, and/or carriers. Examples of such shall include, but are not limited to, an interruption of rail service to the site and/or any sites that are serviced by rail from the Applicant's-Owner's Properties and/or any other interruption of the ability to deliver materials at the Applicant's-Owner's site or any other sites which are owned, controlled, or by business relationship connected with the Applicant's-Owner's site. To that end, and in any circumstance, the Applicant-Owner agrees to restrict truck traffic to the Properties to a maximum of 200 truck loads per day averaged over the prior 30 days through the scale house hauling mined materials on and/or off the proposed quarry site from the existing quarry entrance. The maximum number of truck loads will be regulated by the Applicant-Owner and its successors and/or assigns. A record of the actual number of truck loads per day shall be kept current (and maintained for one year) by the Applicant-Owner at its scale house office. Said record shall be made available in a form which confirms the number of trips and the form will be produced to Frederick County officials upon demand with reasonable notice. The Applicant-Owner proffers there will be no truck loads from the Properties on Sundays and the hours of truck loading on Saturdays will be no later than 7:00 p.m. The Applicant-Owner further proffers it will instruct all truckers as to the proper route of travel from the Properties to Route 11, which shall exclude both Belle Grove and Chapel Roads.

89. Pre-Blast Surveys – [ONGOING]

89.1 The Applicant-Owner will offer voluntary pre-blast surveys of properties that are within 1,500 feet of the boundaries of parcel 23 and parcel 109. The aforementioned surveys will be conducted by an independent engineering firm, which will investigate and document the pre-blast conditions of the participants' residences and/or outbuildings. The Applicant-Owner and its successors and assigns will contact all citizens who have property within 1,500 feet of the boundaries of parcel 23 and parcel 109, and monitor the tax roles for Frederick County on an annual basis in order to contact any citizens who have recently purchased the aforementioned property. This contact will be made by the Applicant-Owner and its successor and assigns to invite citizens who have

property within 1,500 feet of the boundaries of parcel 23 and parcel 109 to participate in the pre-blast surveys. Contact will be made by registered return-receipt letters, mailed annually from the time of the rezoning. All citizens who have property within 1,500 feet of the boundaries of parcel 23 and parcel 109 can, and are encouraged to, participate in the survey by contacting the Applicant Owner and scheduling a mutually agreeable time for the independent engineering firm to visit the party's residence to document and survey the pre-blast condition of the party's residences/outbuildings following the procedures set forth in the attached and incorporated "Exhibit 435". If the property owner agrees to participate, the Applicant's Owner's and/or its engineering firm shall visit and inspect the party's residences/outbuildings to monitor the condition of the same. A record of those pre-blast conditions will be kept by the independent engineering firm with copies retained by the Applicant Owner and the participating property owner. In the event of a change in condition, which is alleged by the participating property owner as a result of mining operations, the engineering firm will then conduct a follow-up visit and investigation and use the pre-blast information as a control and basis for subsequent analysis. Said analysis shall be used to determine the cause of any negative change in condition. If it is determined there is a change in condition in the residences/outbuildings, which has been caused by the Applicant's Owner's mining activities on the Properties, then the Applicant Owner agrees to remediate and/or repair said negative change in condition to restore it to its status prior to blasting operations. In addition, the Applicant Owner agrees to establish seismic monitoring of the proposed quarry site to monitor all blasting activities and keep records of said seismic monitoring as required by the VDMME.

89.2 The Applicant Owner will offer voluntary well monitoring surveys of properties that are within 1,500 feet of the boundaries of parcel 23 and parcel 109. The aforementioned surveys will be conducted by an independent well drilling firm or hydrogeologist, which will investigate and document the pre-mining conditions of the participants' wells. The Applicant Owner and its successors and assigns will contact all citizens who have property within 1,500 feet of the boundaries of parcel 23 and parcel 109, and monitor the tax roles for Frederick County on an annual basis in order to contact any citizens who have recently purchased the aforementioned property. This contact will be made by Applicant the Owner and its successor and assigns to invite citizens who have property within 1,500 feet of the boundaries of parcel 23 and parcel 109 to participate in the well monitoring surveys. Contact will be made by sending annually registered return-receipt letters. All citizens who have property located within 1,500 feet of the boundaries of parcel 23 and parcel 109 can and are encouraged to participate in the survey by scheduling a mutually agreeable time for the independent well drilling firm to visit the party's residence to document and survey the pre-blast condition of the party's well following the procedures set forth in the attached and incorporated "Exhibit 546A and 546B". A record of these pre-mining conditions will be kept by the independent well drilling firm, with copies retained by the Applicant Owner and the participating property owner. In the event a change of condition is alleged by the property owner as a result of mining operations, the Applicant

Owner will provide an interim replacement water supply as necessary to supply the property owner with water. The well drilling firm will then conduct a follow-up visit and investigation and use pre-blast information as a control and basis for subsequent analysis. If it is determined that the status of the neighboring property owner's well has deteriorated from the condition it was in at the time of the pre-blast survey, then the Applicant-Owner agrees to restore the well to its condition existing at the time of the pre-blast survey and/or provide the adjoining property owner a replacement well of the same condition (or better) of that which existed at that time of the pre-blast survey.

89.3 In addition to the above, the Applicant-Owner agrees to maintain in force an insurance policy or other sufficient security for the period of time covering the active mining operations on the Properties and to maintain in effect for a period of one year from the date of cessation of said mining operations, and to cover the costs of any remediation and/or repair, which is required pursuant to the terms of sections 9.1 and 9.2 above. Said policy or surety shall be in the amount of no less than One Million and 00/100 Dollars (\$1,000,000.00) per occurrence. Frederick County may review from time to time the amount of the policy or surety to evaluate whether the minimum amount of \$1,000,000.00 is sufficient to protect the cost of any remediation and/or repair, which is required pursuant to the terms of sections 9.1 and 9.2. In the event Frederick County believes that the amount of the policy or surety needs to be increased for the reasons set forth above, then the Applicant-Owner and Frederick County shall reach an agreement as to the proper amount of policy or surety. The approval of said increase shall not be unreasonably withheld, conditioned or denied by either party. The Applicant-Owner shall annually provide to the County a Certificate of Insurance from the insurance carrier.

~~10. — Reclamation~~

~~10.1 — It is intended that pursuant to the terms of the agreement reached with the FCSA that at the time of cessation of mining activities, the Properties' quarry pits shall be used by the FCSA as water reservoirs. The control of the water levels in the quarry pits shall be handed over to the FCSA. It is intended that the quarry pits at that time will contain quantities of water monitored and directed by the FCSA, and which will be conducive to the general betterment of natural habitat.~~

~~911. Noise Abatement – [ONGOING]~~

~~911.1 Operations on the Properties will not exceed the VDMME Engineering's decibel guidelines. The Applicant-Owner will make all reasonable efforts to locate mining machinery in the quarry pit or behind berms.~~

~~102. Lighting – [ONGOING]~~

~~102.1 There shall be no affixed lighting structures above-ground on the berms other than as may be required for or provided by regulations that affect the plant operations,~~

including but not limited to, Mine Safety Health Administration (“MSHA”), VDMME, and any other governmental or regulatory body that oversees mining operations. Lighting used for devices or machines that convey materials or for pit crushing facilities and other mining activities is permitted. Conveying and pit crushing facilities shall also be interpreted as including such other devices or activities that perform similar or related functions that may come into use and/or existence at some time in the future while the extractive mining use is still in effect on the Properties. In addition to the above, all lighting will be installed in such a manner that there will be no spillover beyond any property line of the Applicant Owner onto adjacent properties not owned by the Applicant Owner.

113. Air Permit – [ONGOING]

113.1 The Applicant Owner shall maintain its existing general air permit controlling emissions in accordance with the VDEQ standards and also see that the existing general air permit covers all activities conducted on the rezoned Properties.

124. Environment – [ONGOING]

124.1 In addition to compliance with the VPDES water discharge permit already in place, the Applicant Owner agrees to work with a recognized environmental entity of the Applicant’s Owner’s choosing during its operations to ensure that the water emissions from water flowing from the quarry operations on the Properties is of a quality consistent with the water quality in Cedar Creek so as to maintain an environment conducive to natural habitats. No additional water discharge points will be added.

124.2 The Applicant Owner agrees that all areas currently in trees on property owned by the Owner Applicant, which is outside of the rezoned Properties and identified on the GDP as “Middletown Woods”, shall be maintained using best management practices. The Owner also agrees that the existing fence line will remain and be maintained using best management and farm practices.

124.3 The Applicant Owner proffers to keep its mining operations at least 200 feet from the edge of Cedar Creek.

135. Phasing

135.1 The Applicant agrees that mining activities on the Properties shall occur with the following phasing and as set forth on the Phasing Plans of the GDP:

After the rezoning is approved, the Applicant will start creating berms on the newly rezoned Properties and the Applicant shall start quarrying in the area identified as parcel 23. Mining in parcel 23 shall occur from the time period commencing with the approval of the rezoning for a period of time which is estimated to be twenty years. [COMPLETED IN PART – The berm referenced is installed and mining is continuing but not yet completed.]

For the newly zoned area, which is north of the existing EM zoned property, and south of Chapel Road, mining activities will commence no earlier than ten years from the date that the rezoning referenced herein is approved.

For the newly zoned area, which lies north of Chapel Road, mining will commence no earlier than twenty years from the date that the rezoning referenced herein is approved.

Respectfully submitted,

O-N MINERALS (CHEMSTONE) COMPANY

By: Ian Karkaria

Its: Area Operations Manager/Director of Operations, Eastern Region

COMMONWEALTH OF VIRGINIA, AT LARGE
FREDERICK COUNTY, To-wit:

The foregoing instrument was acknowledged before me this _____ day of _____, 2017/2018, by Ian Karkaria, Area Operations Manager/Director of Operations, Eastern Region of O-N Minerals (Chemstone) Company.

NOTARY PUBLIC

My commission expires: _____
Registration number: _____

AMENDED PROFFER STATEMENT

REZONING: RZ#
Rural Areas (RA) to Extractive Manufacturing (EM)

PROPERTY: 394.2Acres +/-;
Portions of Tax Map Parcels 83-A-109 (“parcel 109”) and 90-A-23
 (“parcel 23”) (the “Properties”)

RECORD OWNER: O-N Minerals (Chemstone) Company (“Owner”)

APPLICANT: O-N Minerals (Chemstone) Company

PROJECT NAME: Chemstone - Middletown

ORIGINAL DATE
OF PROFFERS: June 13, 2005

REVISION DATE(S): February 24, 2017, June 5, 2017, September 25, 2017, November
15, 2017, January 31, 2018, February 14, 2018, March 2, 2018

The undersigned Owner hereby proffers that the use and development of the portions of the above-referenced parcels, which are requested to be rezoned, the portions requested to be rezoned being shown on the attached and incorporated plat identified as “Exhibit 1”, shall be in strict conformance with the following conditions, which shall supersede all other proffers on the Properties that may have been made prior hereto. In the event that the above-referenced EM conditional rezoning is not granted as applied for by the Owner, these proffers shall be deemed withdrawn and shall be null and void. Further, these proffers are contingent upon final rezoning of the Properties with “final rezoning” defined as that rezoning which is in effect on the day following the last day upon which the Frederick County Board of Supervisors’ (the “Board”) decision granting the rezoning may be contested in the appropriate court. If the Board’s decision is contested, and the Owner elects not to submit development plans until such contest is resolved, the term rezoning shall include the day following entry of a final court order affirming the decision of the Board which has not been appealed, or, if appealed, the day following which the decision has been affirmed on appeal.

The headings of the proffers set forth below have been prepared for convenience or reference only and shall not control or affect the meaning or be taken as an interpretation of any provision of the proffers. The improvements proffered herein shall be provided at the time of development of that portion of the Properties adjacent to or including the improvement or other proffered requirement, unless otherwise specified herein. Any proffered conditions that would prevent the Owner from conforming to State and/or Federal regulations shall be considered null and void. The term “Owner” as referenced herein shall include within its meaning all future owners and successors in interest. When used in these proffers, the “Generalized Development

Plan,” shall refer to the plan entitled “Generalized Development Plan, O-N Minerals (Chemstone)” dated May, 2008 and revised February 14, 2018, and which includes that document entitled Generalized Development Plan Attachment bearing the same date, February 14, 2018 (the “Amended GDP”). Exhibit 1. The Owner attaches and incorporates the Amended GDP and 9 viewshed plats titled “Viewshed 1A, Viewshed 1B, Viewshed 2, Viewshed 3, Viewshed 4A, Viewshed 5A, North Viewshed 1, North Viewshed 2 and North Viewshed 3. The aforementioned viewshed plats are and shall be incorporated by reference herein as “Exhibit 2”. The Owner proffers that its development of the Properties will be in substantial conformity with the Amended GDP. The Generalized Development Plan included in the Proffer Statement approved on May 28, 2008 (“GDP”) is hereby replaced as it relates to the installation and location of berms and viewsheds. All other aspects of the GDP remain the same and in full force and effect.

1. Land Use

1.1 The Properties shall be developed with extractive manufacturing land uses pursuant to the mining permit approved by the Division of Mineral Mining (“DMM”) of the Virginia Department of Mines, Minerals and Energy (“VDMME”), and shall therefore conform to the Mineral Mining Law and Reclamation Regulations for Mineral Mining of the Commonwealth of Virginia.

1.2 The Owner hereby proffers not to engage in the following uses on the Properties:

Oil and natural gas extraction;
Asphalt and concrete mixing plants;
Brick, block and precast concrete products;
Cement and lime kilns; and
Coal and natural gas-fired power plants or facilities which sell power to the local utility or power grid*

*This is not to be interpreted as a restriction against using power plants on the Properties as necessary to support extractive mining activities.

2. Site Development

2.1 Properties’ access via public secondary roads shall be limited to the existing quarry entrance on McCune Road (Route 757). Access by vehicles needed for periodic maintenance of the Properties shall not be limited. [ONGOING]

2.2 A combination of landscaping, earthen berms and fencing shall be either maintained or installed as depicted and described on the Amended GDP around the Properties in the areas depicted on the Amended GDP. The berms for Berm D shall have a maximum height of 30 feet and a minimum height of 10 feet. As depicted on the Amended GDP, the berms for Berm D shall be installed at specified heights. The Amended GDP designates the berms for Berm D in four numbered sections. Section 1 shall be installed to a height of 15 feet. Section 2 shall be installed to a height of 30 feet provided the berm installation does not encroach on the cemetery and/or stream. If the 30 foot berm does encroach on the

cemetery and/or the stream then the berm shall be built to the maximum height possible and so as not to encroach on the aforementioned features. Section 3 shall be installed to a height of 10 feet. Section 4 shall be installed to a minimum height of 20 feet. The berms shall be landscaped to minimize impacts to the viewshed of the surrounding community and shall be installed after permitting of the Properties for mining and before any extraction of material for processing, and at least one year (365 days) prior to the extraction of material for processing and in the locations depicted on the Amended GDP. The landscaping shall have a mix of deciduous and coniferous plantings placed in a random manner to be consistent with existing vegetation patterns. Plantings will include a seed mix recommended by the National Park Service that is currently in use at the adjacent Cedar Creek and Belle Grove National Historical Park. Owner will maintain all plantings and landscaping for survivability. The landscaping shall be subject to reasonable approval of the Zoning Administrator of Frederick County and upon consultation with the State Forester. With respect to Berm A, located on Tax Parcel 90-A-2, not owned by the Owner, the berm will be constructed by the Owner as the tenant under a 100-year lease of Parcel 90-A-2, with authority under the lease to construct Berm A.

- 2.3 The existing overburden stock pile on the southeast corner of the current Middletown plant site shall be reduced in height to the greater of 30 feet or the height of the adjacent tree line (lying to the east) within 5 years of the approval of the rezoning. [COMPLETED]

3. Historic Resources

- 3.1 The Owner shall create an 8 acre historic reserve as shown on the GDP, within which archeological resources and other historic activities have been identified. Further, the Owner shall place restrictions on the reserve land for how the reserve will be used by the Properties' owner and future owners. A copy of said restrictions are attached and incorporated as "Exhibit 3". Said reserve land shall be dedicated to the Cedar Creek Battlefield Foundation, Inc. within 60 days of final rezoning. [NOTE: the aforementioned 8 acre historic reserve property is not to be included in the property to be rezoned.] [COMPLETED]
- 3.2 The Owner shall complete a Phase I Archaeological Survey of parcels 23 and 109. The Phase I Archaeological Survey of parcel 23 shall be completed within 12 months of the approval of the rezoning. For the remaining tracts of land, the Owner shall complete a Phase I Archaeological Survey of particular tract of land before any mining activities commence on that property. The Owner may commence mining activities on a particular portion of the Properties before the completion of the Phase I survey for all of the Properties, but under any and all circumstances, no mining operations shall commence on any portion of the Properties until after the Phase I Archeological Survey has been completed on said portion of the Properties. Said survey shall locate, identify, and comprehensively record all historic sites, buildings, structures, and objects on the parcels. Such survey shall be conducted in accordance with the guidelines for a

Phase 1 Survey as defined in the Virginia Department of Historic Resources “GUIDELINES FOR CONDUCTING CULTURAL RESOURCE SURVEY IN VIRGINIA - Chapter 7: Guidelines for Archaeological Investigations in Virginia,” 1999 (Rev. Jan. 2003). [COMPLETED]

- 3.3 Two cemeteries have been identified on the Properties. The first cemetery is located adjacent to Chapel Road and is in an area that is not designated for mining and is also outside of the berming area. That cemetery is currently undergoing a historical restoration. After the historical restoration, the Owner will follow the recommendations of the Owner’s historian. [COMPLETED]

The second cemetery is located in the area where berming is slated to be installed. The Owner proffers the berming will be located in such a way as to not encroach on the cemetery. This cemetery is also currently undergoing a historical restoration. After the historical restoration, the Owner will follow the recommendations of the Owner’s historian. In addition, the cemetery is accessed through a right-of-way which is of record providing access to the cemetery from Route 625. The Owner agrees to relocate the right-of-way which accesses the second cemetery in the general location depicted on the Amended GDP and which shall have an entrance on Chapel Road. The Owner proffers to relocate said right-of-way within 12 months of VDOT approval. The primary purpose of the right-of-way shall be for access by the descendants of those in the cemetery and shall be conditioned upon and subject to all applicable agency approvals, including, but not limited to, the approval by the Virginia Department of Transportation of an entrance (to the extent the same is required) on the public road.

4. Ground Water – [ONGOING]

- 4.1 The Owner shall install a minimum of three monitoring wells to effectively establish and monitor the groundwater level in order to avoid detrimental impacts to surrounding properties. Said wells shall be installed prior to any land disturbance of the portion of the Properties identified as parcel 109 by the GDP, and shall be located within 500 feet of the Properties’ boundaries. A minimum of one monitoring well shall be installed within 500 feet of the parcel 109 Properties’ boundary. The exact location of the monitoring wells is depicted on the Overall Plan of the GDP.

- 4.2 Subject to and consistent with the provisions of paragraph 9.2, the Owner shall remediate any adverse impacts to wells located on surrounding properties caused by mining operations on the Properties. Costs associated with any required remediation shall be borne by the Owner.

Furthermore, the Owner agrees to participate in a pre-blast survey and well monitoring survey, as further described herein. The intent of the aforementioned surveys is to provide a mechanism to remediate any adverse impacts to wells and/or structures, which are caused by the mining operations on the Properties.

5. Dust Control – [ONGOING]

5.1 Dust from drills, muck piles, material handling, screens, crushers, conveyors, feeders, hoppers, stockpiles, load-outs, and traffic areas shall be controlled by wet suppression or equivalent, and controlled by and consistent with the terms of the Department of Environmental Quality (“VDEQ”) general air permit. The Owner shall remediate any adverse impacts to surrounding properties caused by dust associated with the mining operations on the Properties.

6. Blasting Control – [ONGOING]

6.1 All blasting associated with mining operations on the Properties shall be limited by the mining permit approved by the DMM of the VDMME. Peak Particle Velocities (PPV) associated with blasting on the Properties shall not exceed the levels stipulated by said permit. In addition, the Owner agrees to have an approved blasting plan in place at all times. An example of the current blasting plan is attached. Further, in addition, the Owner agrees that there will be no block holing or adobe blasting conducted on the Properties. Any damage to surrounding properties caused by blasting on the Properties shall be remediated at the Owner’s expense.

7. Traffic – [ONGOING]

7.1 The Owner’s current number of truck loads leaving the site on a daily basis is approximately 63, and the Owner has had higher numbers of recorded truck loads leaving the plant to a total of 114 truck loads per day. The Owner, in its proffer, is agreeing to restrict truck traffic to the Properties to 86 truck loads per day averaged over the prior 30 days, but intends to also have an ability to increase the number of truck loads in the event of an emergency or circumstances, which could be caused by issues driven by the Owner’s customers, suppliers, and/or carriers. Examples of such shall include, but are not limited to, an interruption of rail service to the site and/or any sites that are serviced by rail from the Owner’s Properties and/or any other interruption of the ability to deliver materials at the Owner’s site or any other sites which are owned, controlled, or by business relationship connected with the Owner’s site. To that end, and in any circumstance, the Owner agrees to restrict truck traffic to the Properties to a maximum of 200 truck loads per day averaged over the prior 30 days through the scale house hauling mined materials on and/or off the proposed quarry site from the existing quarry entrance. The maximum number of truck loads will be regulated by the Owner and its successors and/or assigns. A record of the actual number of truck loads per day shall be kept current (and maintained for one year) by the Owner at its scale house office. Said record shall be made available in a form which confirms the number of trips and the form will be produced to Frederick County officials upon demand with reasonable notice. The Owner proffers there will be no truck loads from the Properties on Sundays and the hours of truck loading on Saturdays will be no later than 7:00 p.m. The Owner further

proffers it will instruct all truckers as to the proper route of travel from the Properties to Route 11, which shall exclude both Belle Grove and Chapel Roads.

8. Pre-Blast Surveys – [ONGOING]

8.1 The Owner will offer voluntary pre-blast surveys of properties that are within 1,500 feet of the boundaries of parcel 23 and parcel 109. The aforementioned surveys will be conducted by an independent engineering firm, which will investigate and document the pre-blast conditions of the participants' residences and/or outbuildings. The Owner and its successors and assigns will contact all citizens who have property within 1,500 feet of the boundaries of parcel 23 and parcel 109, and monitor the tax roles for Frederick County on an annual basis in order to contact any citizens who have recently purchased the aforementioned property. This contact will be made by the Owner and its successor and assigns to invite citizens who have property within 1,500 feet of the boundaries of parcel 23 and parcel 109 to participate in the pre-blast surveys. Contact will be made by registered return-receipt letters, mailed annually from the time of the rezoning. All citizens who have property within 1,500 feet of the boundaries of parcel 23 and parcel 109 can, and are encouraged to, participate in the survey by contacting the Owner and scheduling a mutually agreeable time for the independent engineering firm to visit the party's residence to document and survey the pre-blast condition of the party's residences/outbuildings following the procedures set forth in the attached and incorporated "Exhibit 4". If the property owner agrees to participate, the Owner's and/or its engineering firm shall visit and inspect the party's residences/outbuildings to monitor the condition of the same. A record of those pre-blast conditions will be kept by the independent engineering firm with copies retained by the Owner and the participating property owner. In the event of a change in condition, which is alleged by the participating property owner as a result of mining operations, the engineering firm will then conduct a follow-up visit and investigation and use the pre-blast information as a control and basis for subsequent analysis. Said analysis shall be used to determine the cause of any negative change in condition. If it is determined there is a change in condition in the residences/outbuildings, which has been caused by the Owner's mining activities on the Properties, then the Owner agrees to remediate and/or repair said negative change in condition to restore it to its status prior to blasting operations. In addition, the Owner agrees to establish seismic monitoring of the proposed quarry site to monitor all blasting activities and keep records of said seismic monitoring as required by the VDMME.

8.2 The Owner will offer voluntary well monitoring surveys of properties that are within 1,500 feet of the boundaries of parcel 23 and parcel 109. The aforementioned surveys will be conducted by an independent well drilling firm or hydrogeologist, which will investigate and document the pre-mining conditions of the participants' wells. The Owner and its successors and assigns will contact all citizens who have property within 1,500 feet of the boundaries of parcel 23 and parcel 109, and monitor the tax roles for Frederick County on an annual basis in order to contact any citizens who have recently purchased the aforementioned

property. This contact will be made by the Owner and its successor and assigns to invite citizens who have property within 1,500 feet of the boundaries of parcel 23 and parcel 109 to participate in the well monitoring surveys. Contact will be made by sending annually registered return-receipt letters. All citizens who have property located within 1,500 feet of the boundaries of parcel 23 and parcel 109 can and are encouraged to participate in the survey by scheduling a mutually agreeable time for the independent well drilling firm to visit the party's residence to document and survey the pre-blast condition of the party's well following the procedures set forth in the attached and incorporated "Exhibit 5A and 5B". A record of these pre-mining conditions will be kept by the independent well drilling firm, with copies retained by the Owner and the participating property owner. In the event a change of condition is alleged by the property owner as a result of mining operations, the Owner will provide an interim replacement water supply as necessary to supply the property owner with water. The well drilling firm will then conduct a follow-up visit and investigation and use pre-blast information as a control and basis for subsequent analysis. If it is determined that the status of the neighboring property owner's well has deteriorated from the condition it was in at the time of the pre-blast survey, then the Owner agrees to restore the well to its condition existing at the time of the pre-blast survey and/or provide the adjoining property owner a replacement well of the same condition (or better) of that which existed at that time of the pre-blast survey.

- 8.3 In addition to the above, the Owner agrees to maintain in force an insurance policy or other sufficient security for the period of time covering the active mining operations on the Properties and to maintain in effect for a period of one year from the date of cessation of said mining operations, and to cover the costs of any remediation and/or repair, which is required pursuant to the terms of sections 9.1 and 9.2 above. Said policy or surety shall be in the amount of no less than One Million and 00/100 Dollars (\$1,000,000.00) per occurrence. Frederick County may review from time to time the amount of the policy or surety to evaluate whether the minimum amount of \$1,000,000.00 is sufficient to protect the cost of any remediation and/or repair, which is required pursuant to the terms of sections 9.1 and 9.2. In the event Frederick County believes that the amount of the policy or surety needs to be increased for the reasons set forth above, then the Owner and Frederick County shall reach an agreement as to the proper amount of policy or surety. The approval of said increase shall not be unreasonably withheld, conditioned or denied by either party. The Owner shall annually provide to the County a Certificate of Insurance from the insurance carrier.

9. Noise Abatement – [ONGOING]

- 9.1 Operations on the Properties will not exceed the VDMME Engineering's decibel guidelines. The Owner will make all reasonable efforts to locate mining machinery in the quarry pit or behind berms.

10. Lighting – [ONGOING]

10.1 There shall be no affixed lighting structures above-ground on the berms other than as may be required for or provided by regulations that affect the plant operations, including but not limited to, Mine Safety Health Administration (“MSHA”), VDMME, and any other governmental or regulatory body that oversees mining operations. Lighting used for devices or machines that convey materials or for pit crushing facilities and other mining activities is permitted. Conveying and pit crushing facilities shall also be interpreted as including such other devices or activities that perform similar or related functions that may come into use and/or existence at some time in the future while the extractive mining use is still in effect on the Properties. In addition to the above, all lighting will be installed in such a manner that there will be no spillover beyond any property line of the Owner onto adjacent properties not owned by the Owner.

11. Air Permit – [ONGOING]

11.1 The Owner shall maintain its existing general air permit controlling emissions in accordance with the VDEQ standards and also see that the existing general air permit covers all activities conducted on the rezoned Properties.

12. Environment – [ONGOING]

12.1 In addition to compliance with the VPDES water discharge permit already in place, the Owner agrees to work with a recognized environmental entity of the Owner’s choosing during its operations to ensure that the water emissions from water flowing from the quarry operations on the Properties is of a quality consistent with the water quality in Cedar Creek so as to maintain an environment conducive to natural habitats. No additional water discharge points will be added.

12.2 The Owner agrees that all areas currently in trees on property owned by the Owner, which is outside of the rezoned Properties and identified on the GDP as “Middletown Woods”, shall be maintained using best management practices. The Owner also agrees that the existing fence line will remain and be maintained using best management and farm practices.

12.3 The Owner proffers to keep its mining operations at least 200 feet from the edge of Cedar Creek.

13. Phasing

13.1 The Applicant agrees that mining activities on the Properties shall occur with the following phasing:

After the rezoning is approved, the Applicant will start creating berms on the newly rezoned Properties and the Applicant shall start quarrying in the area identified as parcel 23. Mining in parcel 23 shall occur from the time period commencing with the approval of the rezoning for a period of time which is estimated to be twenty years. [COMPLETED IN PART – The berm referenced is installed and mining is continuing but not yet completed.]

For the newly zoned area, which is north of the existing EM zoned property, and south of Chapel Road, mining activities will commence no earlier than ten years from the date that the rezoning referenced herein is approved.

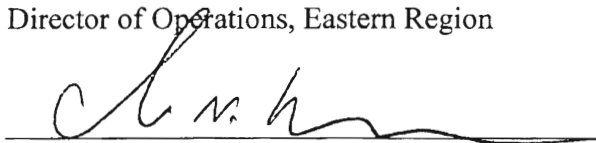
For the newly zoned area, which lies north of Chapel Road, mining will commence no earlier than twenty years from the date that the rezoning referenced herein is approved.

Respectfully submitted,

O-N MINERALS (CHEMSTONE) COMPANY

By: Ian Karkaria

Its: Director of Operations, Eastern Region

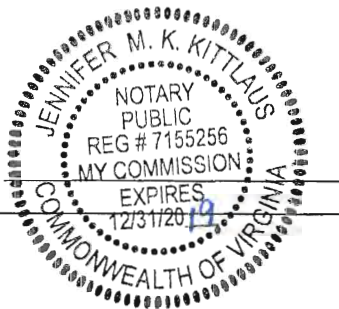


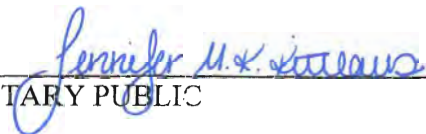
COMMONWEALTH OF VIRGINIA, AT LARGE
FREDERICK COUNTY, To-wit:

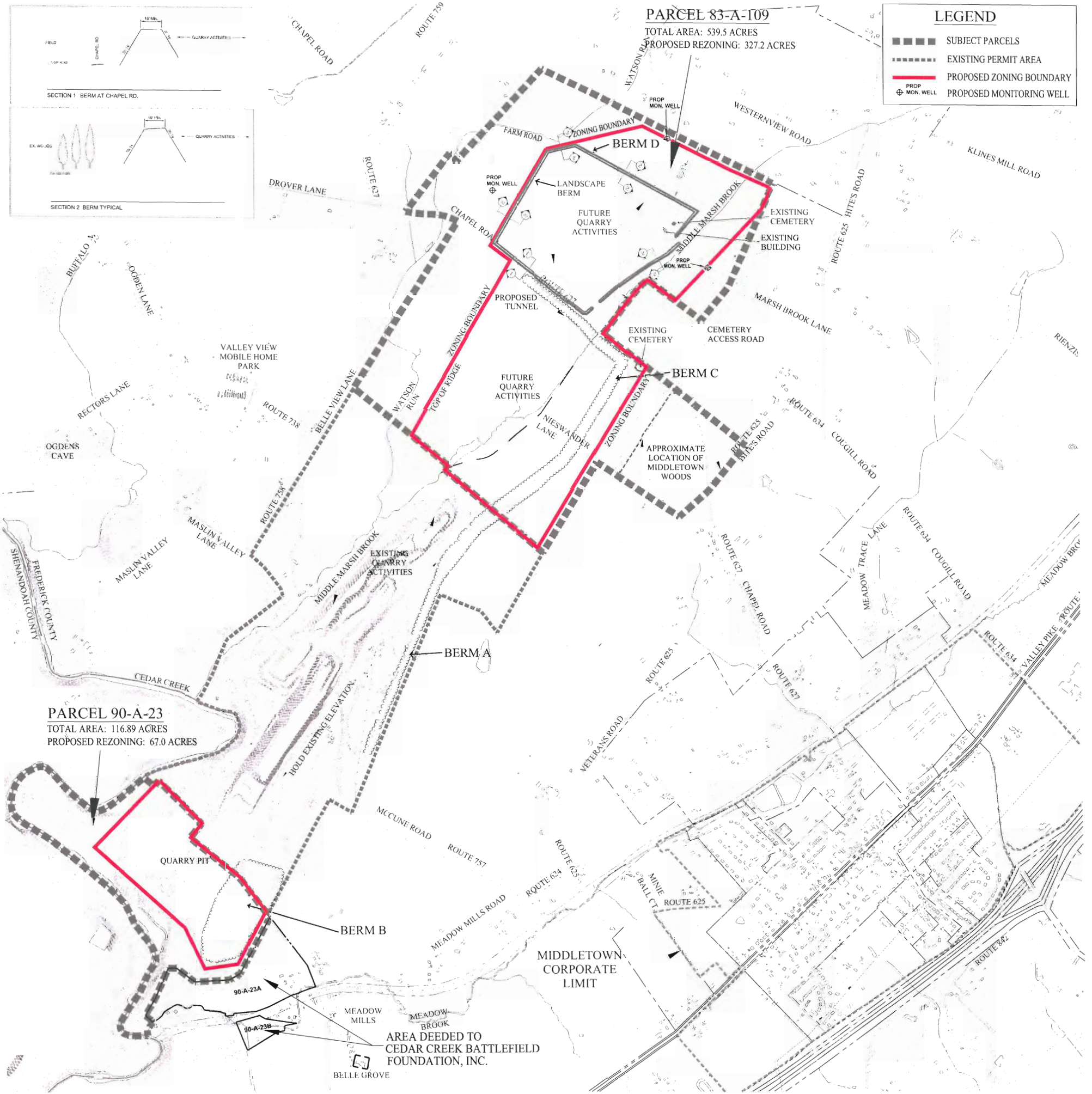
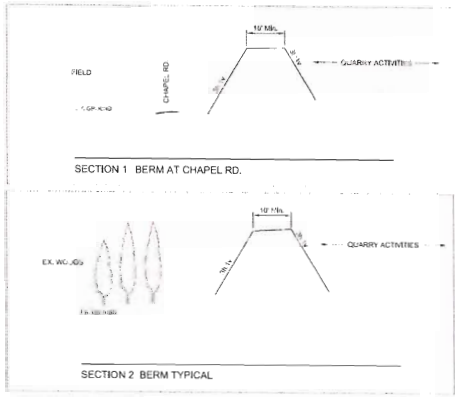
The foregoing instrument was acknowledged before me this 2nd day of March, 2018, by Ian Karkaria, Director of Operations, Eastern Region of C-N Minerals (Chemstone) Company.

My commission expires:

Registration number:




NOTARY PUBLIC



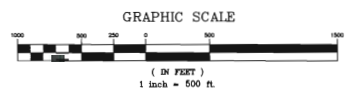
| LEGEND | |
|--------|--------------------------|
| | SUBJECT PARCELS |
| | EXISTING PERMIT AREA |
| | PROPOSED ZONING BOUNDARY |
| | PROPOSED MONITORING WELL |

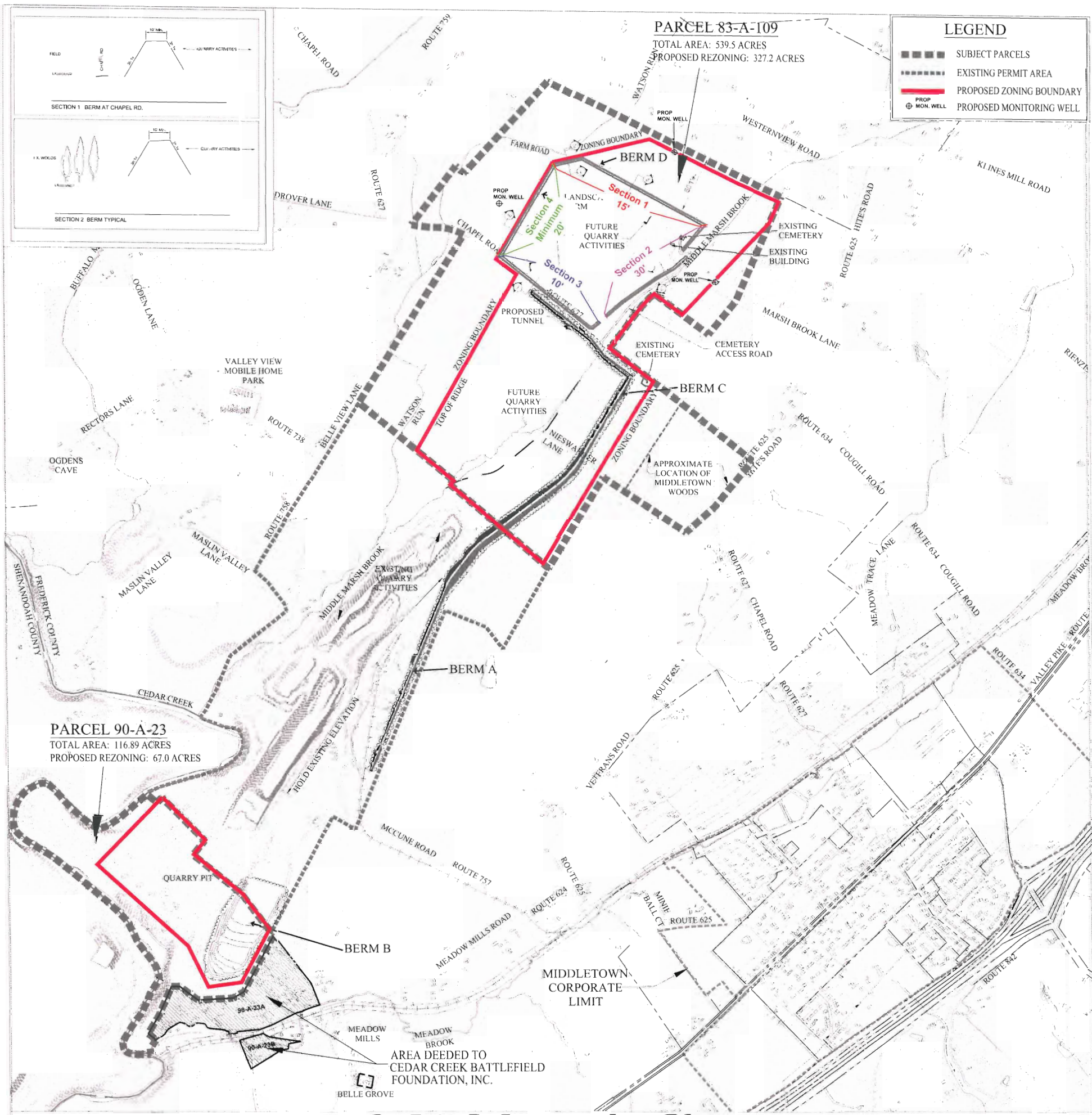
PREPARED BY
PENNONI ASSOCIATES INC.
 117 East Piccadilly Street
Winchester, VA 22601
T 540.667.2139
F 540.665.0493

O-N Minerals Chemstone

GENERALIZED DEVELOPMENT PLAN

FREDERICK COUNTY, VIRGINIA
MAY 2008
REVISED February 14, 2018





PARCEL 90-A-23
 TOTAL AREA: 116.89 ACRES
 PROPOSED REZONING: 67.0 ACRES

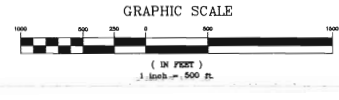
PARCEL 83-A-109
 TOTAL AREA: 539.5 ACRES
 PROPOSED REZONING: 327.2 ACRES

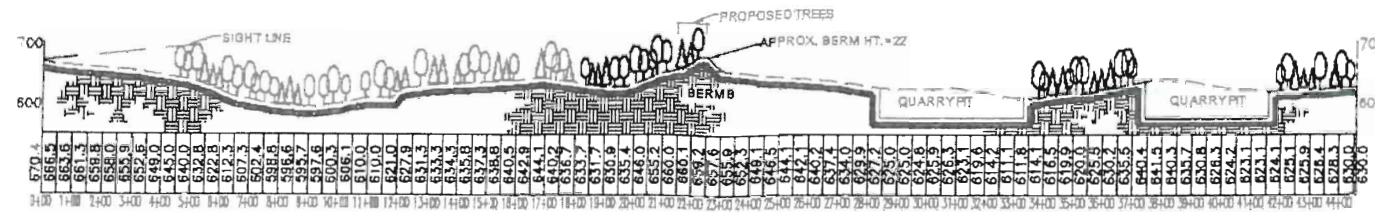
| LEGEND | |
|--------|--------------------------|
| | SUBJECT PARCELS |
| | EXISTING PERMIT AREA |
| | PROPOSED ZONING BOUNDARY |
| | PROPOSED MONITORING WELL |

PREPARED BY
PENNONI ASSOCIATES INC.

 117 East Piccadilly Street
 Winchester, VA 22601
 T 540.667.2139
 F 540.665.0493

O-N Minerals Chemstone
 GENERALIZED DEVELOPMENT PLAN ATTACHMENT
 FREDERICK COUNTY, VIRGINIA
 MAY 2008
 REVISED FEBRUARY 14, 2018

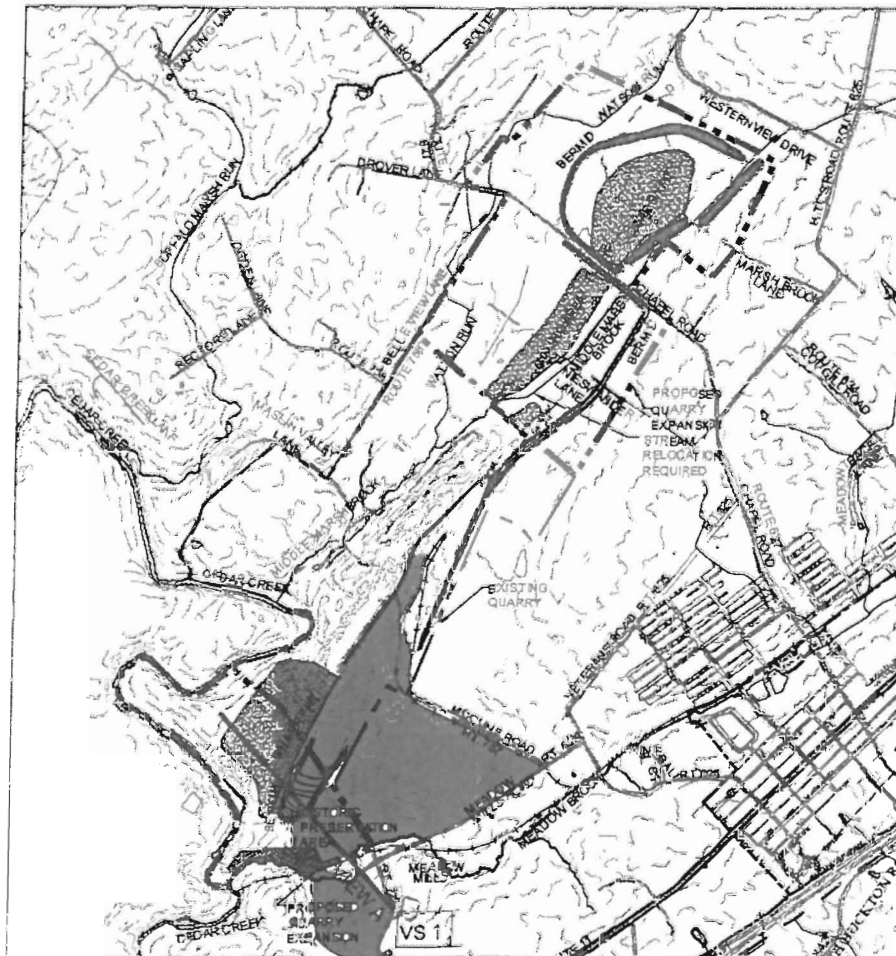




• VEGETATION SHOWN IS EXISTING UNLESS OTHERWISE NOTED.

VIEWSHED 1A

HORIZONTAL SCALE: 1" = 600'
 VERTICAL SCALE: 1" = 300'



KEY MAP

NO SCALE

O-N Minerals Chemstone

Frederick County, Virginia

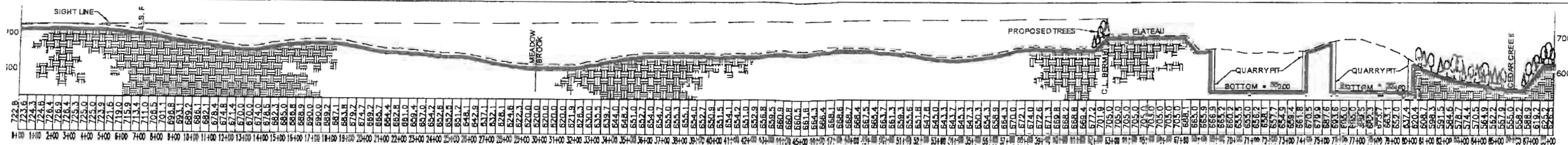
MAY 2008

Patton Harris Rust & Associates, pc
 Engineers, Surveyors, Planners, Landscape Architects.



117 East Floodly Street
 Winchester, VA 22601
 T 540-667-2139
 F 540-865-0493

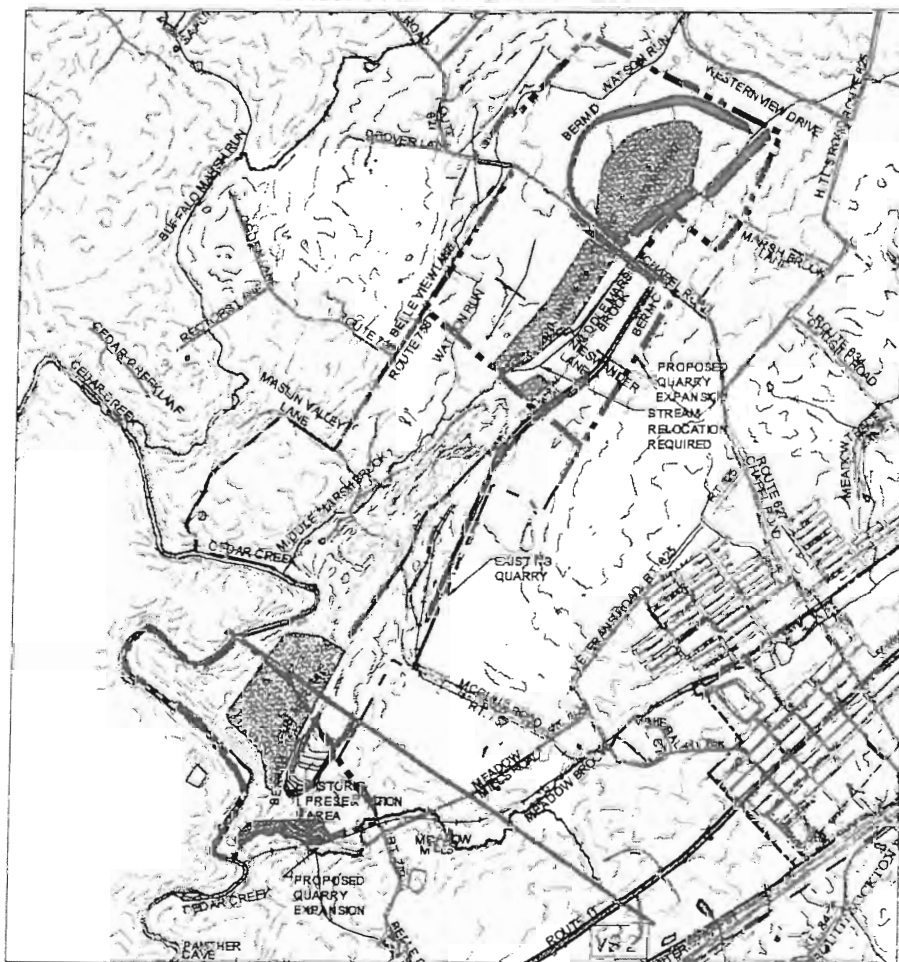




* VEGETATION SHOWN IS EXISTING UNLESS OTHERWISE NOTED.

VIEWSHED 2

HORIZONTAL SCALE: 1" = 600'
VERTICAL SCALE: 1" = 300'



KEY MAP

NO SCALE

O-N Minerals Chemstone

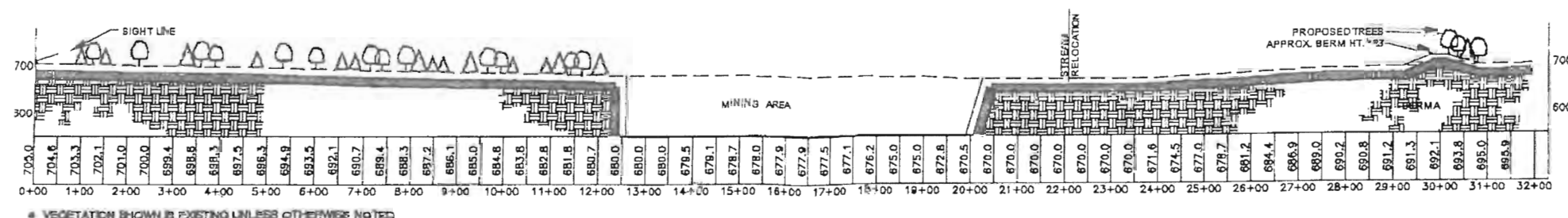
Frederick County, Virginia

MAY 2008

Patton Harris Ruoff & Associates, PC
Engineers, Surveyors, Planners, Landscape Architects.

PHRA 117 East Piccadilly Street
Wichester, VA 22601
T 540-667-2139
F 540-665-0493





* VEGETATION SHOWN IS EXISTING UNLESS OTHERWISE NOTED.

VIEWSHED 5A

SCALE: 1" = 300'



KEY MAP

NO SCALE

O-IN Minerals Chemstone

Frederick County, Virginia

MAY 2008

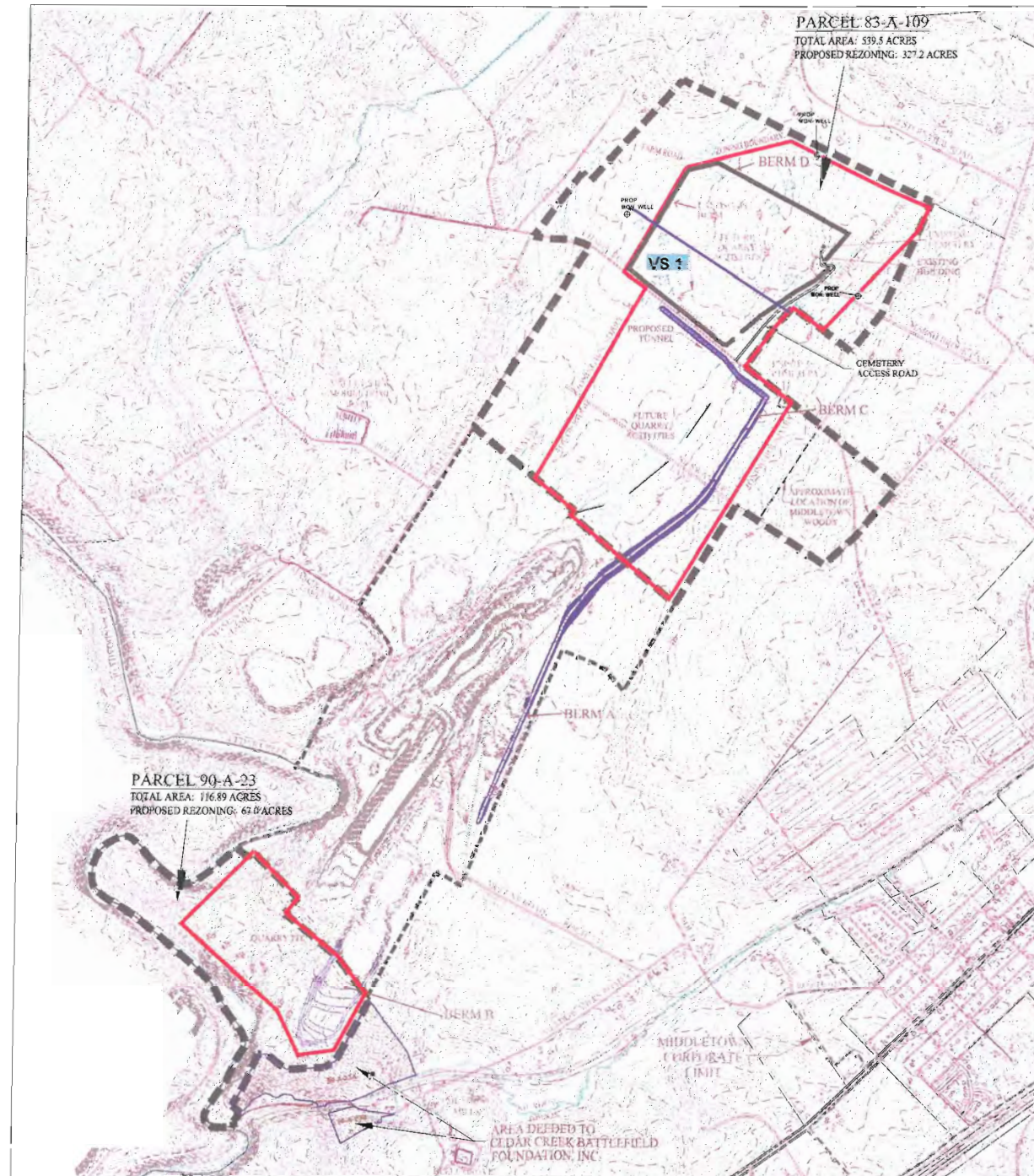
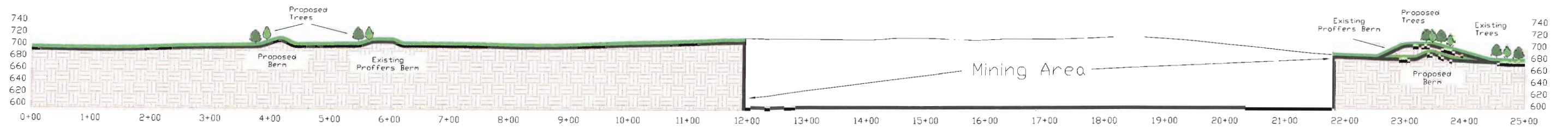
Puller Harris Rust & Associates, PC
Engineers, Surveyors, Planners, Landscape Architects.



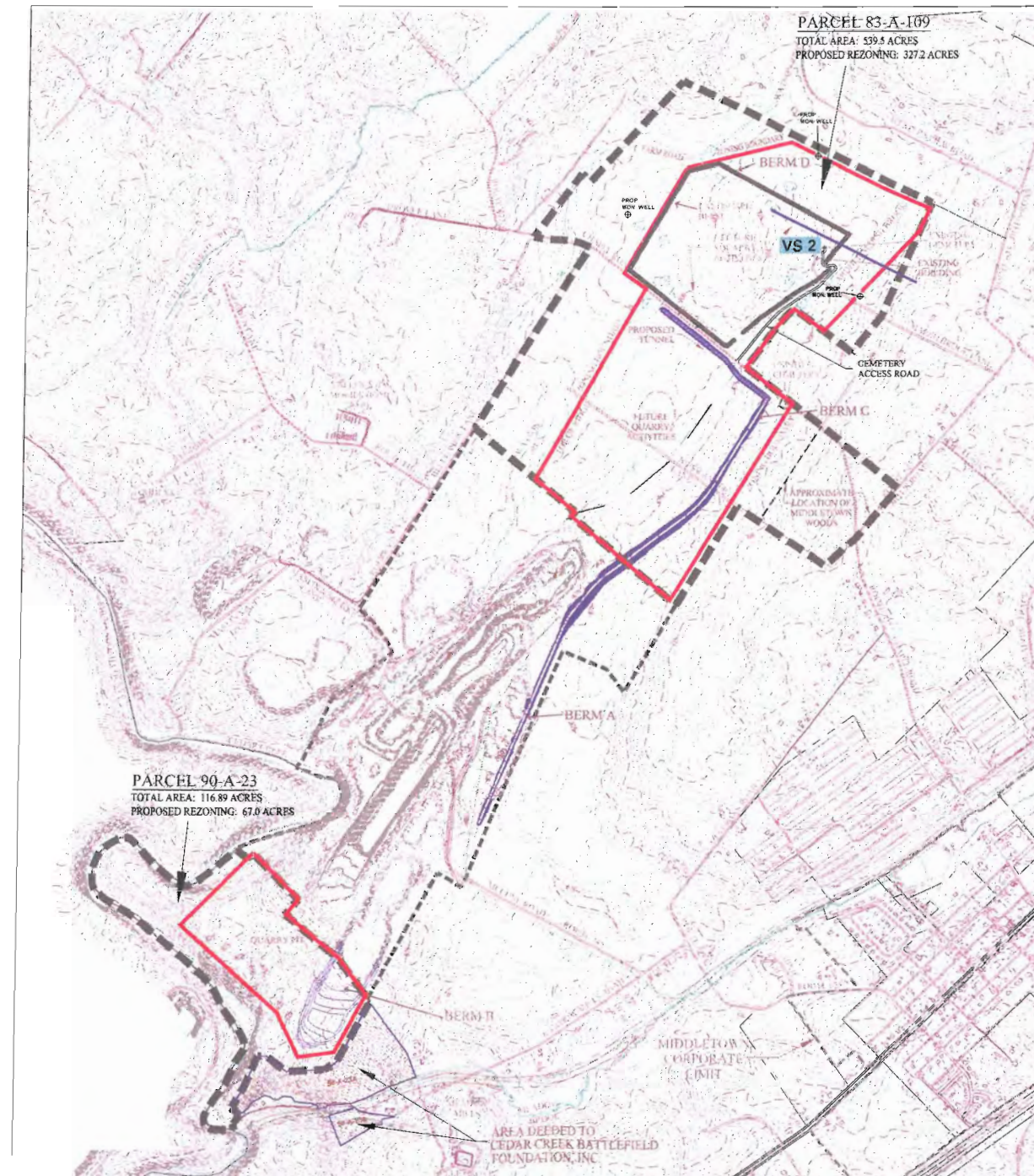
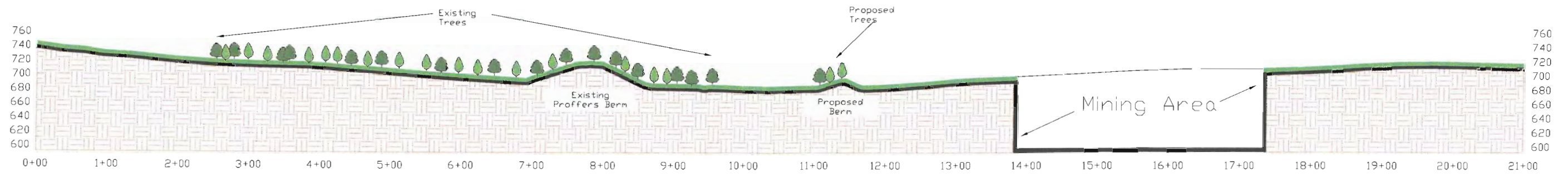
117 East Plover Street
Winchester, VA 22601
T 334-667-2139
F 540-865-0493



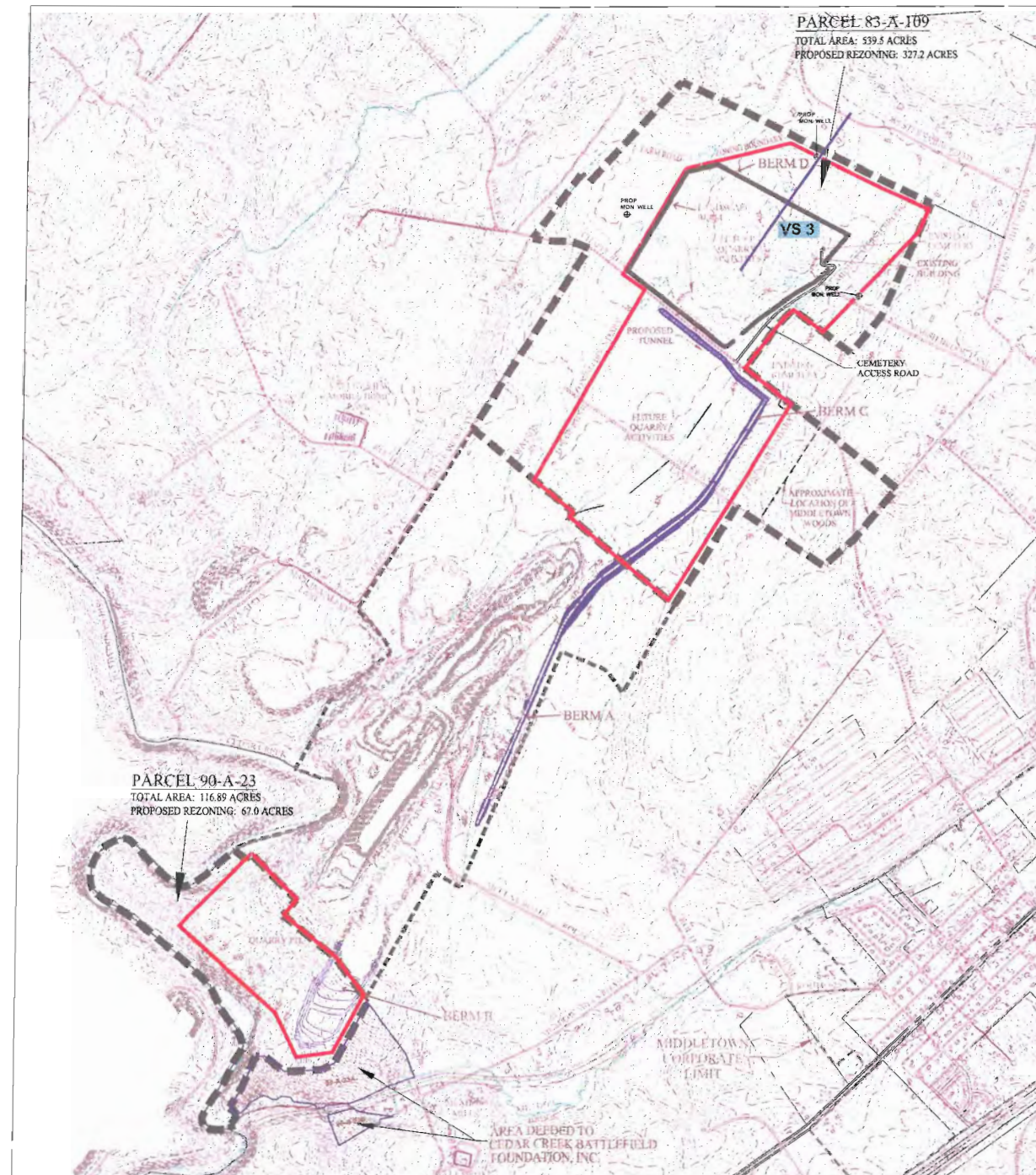
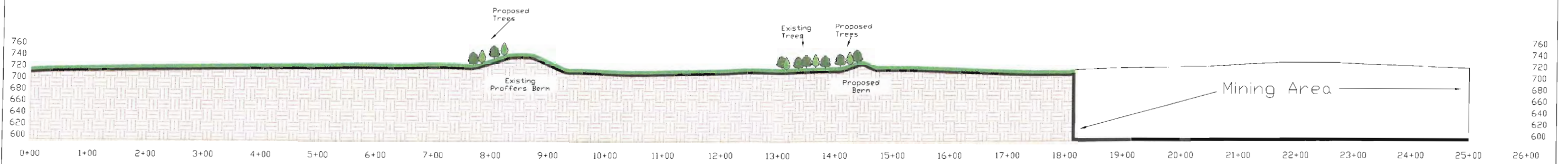
North Viewshed 1



North Viewshed 2



North Viewshed 3



080008915

0241

DEED OF GIFT

THIS DEED OF GIFT is made and dated this 25th day of July, 2008 by and between O-N MINERALS (CHEMSTONE) COMPANY, a Delaware Corporation, whose address is P.O. Box 71, Strasburg, Virginia 22657, hereinafter referred to as GRANTOR, and CEDAR CREEK BATTLEFIELD FOUNDATION, INC., a Virginia corporation, whose address is P.O. Box 229, Middletown, Virginia 22645, hereinafter referred to as GRANTEE.

WITNESSETH:

That for and in consideration of the conveyance hereby made, and other good and valuable considerations, the receipt of which is hereby acknowledged, Grantor hereby does grant, bargain, convey and sell with Special Warranty of Title, unto the Grantee all the Grantor's right, title, and interest in those certain tracts or parcels of real property having the following Legal Description:

All that certain tract or parcel of land with all easements and appurtenances thereunto belonging, lying, and being in the Back Creek Magisterial District, Frederick County, Virginia, containing 8 acres more or less, the metes and bounds whereof are shown on a certain plat of survey by Carl J. Rinker & Associates dated July 9, 2008, which plat shall be recorded with this Deed of Gift as "Exhibit A" thereto ("Property").

Reference is hereby made to "Exhibit A" and the attachments and references therein contained for a further and more particular description of the Property hereby conveyed.

This conveyance is made subject to all duly recorded and enforceable restrictions, easements, and rights of way and is also subject to the following conditions:

Document prepared by:
Thomas Moore Lawson, Esquire
P.O. Box 2740
Winchester, VA 22604

Return to:
Thomas Moore Lawson, Esquire
P.O. Box 2740
Winchester, VA 22604

Tax Map No. portion of 90-A-23
Consideration: \$0.00

Grantee's Address:
P.O. Box 229
Middletown, VA 22645

This deed is exempt from all recordable taxes by virtue of Section 58.1-811 (D) of the Code of Virginia.



- There shall be no structures built on the Property unless first approved by Grantor;
- The Property shall be maintained in a neat and orderly condition at all times and any trees maintained using best management practices;
- Grantor further reserves the right to take any action reasonably required to maintain the Property in the event the Grantee fails to do so. This right shall include, but not be limited to, the right to enter upon the Property to do such work on the Property as may be required to effect the conditions on the Property described herein.

In addition, this conveyance is made subject to the following first right of refusal. With the agreement of Grantee as evidenced by its signature below, Grantor hereby reserves a first right of refusal for any future sale, transfer or conveyance of the Property (or portion thereof) by the Grantee except a sale, transfer or conveyance to an entity that is (a) related to the Grantee and (b) a charitable entity established for the preservation of historic properties.

In the event that Grantee receives a bona fide offer or tenders a bona fide offer for the sale, transfer or conveyance of the Property (or any portion thereof) to any person or entity, then Grantee shall forthwith send to Grantor a notice in writing of its desire or intention to sell, transfer or convey the Property (or a portion thereof) accompanied by a copy of the offer. Upon receipt of that notice, Grantor shall have thirty (30) days from the date of its receipt of the notice to notify Grantee of its desire and agreement to purchase the Property (or the portion thereof) under the terms and conditions as contained in that offer. If Grantor gives Grantee notice of its intent to purchase the Property (or a portion thereof) as described above, Grantee shall sell the Property (or portion thereof) to Grantor under the terms and conditions contained in the offer.

If Grantor elects not to purchase the Property (or portion thereof) or does not respond to the notice and offer from the Grantee, then Grantee may sell the Property (or portion thereof), but only in accordance with the terms and conditions contained in the bona fide offer.

If the transaction contemplated by the bona fide offer is not completed within ninety (90) days after the expiration of the last day upon which Grantor has the right to give notice of its intent to purchase, then Grantee shall not thereafter sell or offer the Property (or any portion thereof) unless and until it again complies with the above requirements.

WITNESS the following signatures and seals:

GRANTOR:

O-N MINERALS (CHEMSTONE) COMPANY

James E. Bottom
By: James E. Bottom
Its: Area Operations Manager

COMMONWEALTH OF VIRGINIA

~~CITY~~/COUNTY of FREDERICK, to-wit:

The foregoing instrument was acknowledged before me this 25th day of July, 2008, by James E. Bottom, Area Ops. Mgr. of O-N Minerals (Chemstone) Company.

[Handwritten signature]
Notary Public

My commission expires _____
Registration No. _____



0244

CEDAR CREEK BATTLEFIELD FOUNDATION, INC.

By: Stanley M. Hirschberg, M.D.
Its: Stanley M. Hirschberg, M.D.
President

COMMONWEALTH OF VIRGINIA

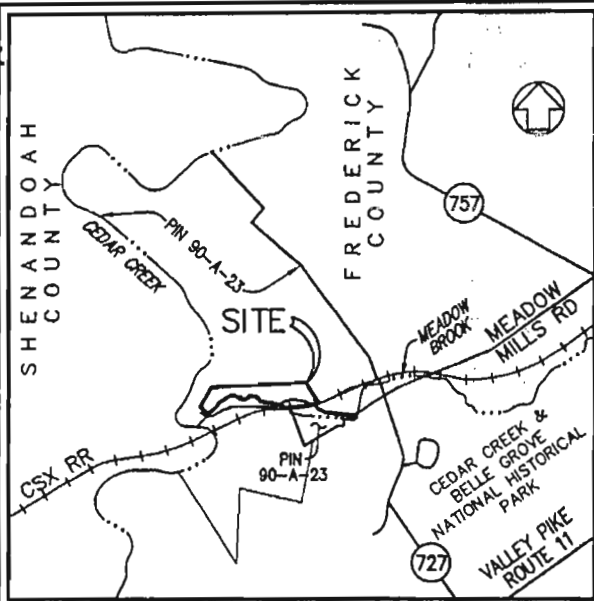
CITY/COUNTY of Frederick, to-wit:

The foregoing instrument was acknowledged before me this 24th day of July, 2008, by Stanley Hirschberg, M.D. President of Cedar Creek Battlefield Foundation, Inc.

Sharon I. Hausenfluck
Notary Public

My commission expires: 4.30.09
Registration No.: 357188





VICINITY MAP
SCALE: 1" = 2,000'

SURVEYOR'S CERTIFICATION:
I, CARL J. RINKER, A DULY LICENSED LAND SURVEYOR IN THE COMMONWEALTH OF VIRGINIA, HEREBY CERTIFY TO THE BEST OF MY KNOWLEDGE AND BELIEF, THAT THE PROPERTY CONTAINED IN THIS SUBDIVISION IS THE SAME PROPERTY CONVEYED TO O-N MINERALS (CHEMSTONE) COMPANY BY DEED RECORDED IN DEED BOOK 582 AT PAGE 122 AMONG THE LAND RECORDS OF FREDERICK COUNTY, VIRGINIA.



APPROVED BY:
FREDERICK COUNTY SUBDIVISION ADMINISTRATOR [Signature] 22 July 09

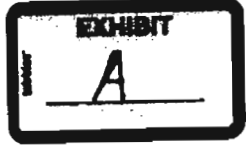
NOTES:

1. FREDERICK COUNTY TAX MAP: 90-A-23. CURRENT OWNERSHIP: O-N MINERALS (CHEMSTONE) COMPANY, DB 582, PG 122. CURRENT ZONING: RA.
2. MERIDIAN AND BOUNDARY INFORMATION SHOWN HEREIN ARE BASED ON THAT CERTAIN BOUNDARY SURVEY ATTACHED TO THE DEED RECORDED IN DB 582, PG 122.
3. THIS PLAT WAS PREPARED WITHOUT BENEFIT OF A TITLE REPORT AND THEREFORE DOES NOT NECESSARILY SHOW ALL ENCUMBRANCES OR OTHER MATTERS AFFECTING THE PROPERTY.
4. PURSUANT TO AN EXAMINATION OF HUD FLOOD INSURANCE RATE MAP, COMMUNITY PANEL 510063 0175B, EFFECTIVE JULY 17, 1978, A PORTION OF THE SUBJECT PROPERTY LIES IN ZONE A (AREAS OF 100-YEAR FLOOD; BASE FLOOD ELEVATIONS AND FLOOD HAZARD FACTORS NOT DETERMINED). 100 YEAR FLOODPLAIN LIMITS SHOWN HEREIN HAVE BEEN DIGITALLY SCALED FROM THE REFERENCED FIRM PANEL.
5. THIS PARCEL HAS NOT BEEN APPROVED FOR SANITARY WASTE DISPOSAL, APPROVAL MUST BE OBTAINED PRIOR TO BUILDING PERMITS FOR STRUCTURES REQUIRING SUCH FACILITIES.
6. EXISTING SUBJECT AND ADJOINING PROPERTY AREAS REPRESENTED HEREIN ARE DERIVED FROM INFORMATION OBTAINED FROM THE FREDERICK COUNTY GIS WEBSITE MAY 20, 2008.
7. REFERENCE IS HEREBY MADE TO THE "RIGHT-OF-WAY AND TRACK MAP, THE WINCHESTER AND STRASBURG RAILROAD COMPANY" (ORIGINAL DATE JUNE 30, 1918), CURRENTLY (UP)DATED JUNE 10, 2008, FILE NUMBER V08641 (V-321/8) PROVIDED BY CSX REAL PROPERTY, INC. GIS DEPARTMENT AND REVIEWED IN CONJUNCTION WITH PREPARATION OF THIS PLAT.

OWNER'S CONSENT:

THE ABOVE AND FOREGOING SUBDIVISION OF THE PROPERTY OF O-N MINERALS (CHEMSTONE) COMPANY AS APPEARS ON THE ACCOMPANYING PLATS, IS WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNERS, PROPRIETORS AND TRUSTEES, IF ANY.

[Signature]
SPENCER C. STINSON, General Manager
PRINTED NAME & TITLE



NOTARY PUBLIC
STATE OF Virginia
CITY/COUNTY OF Frederick

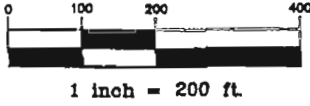
THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE
ON 7-18-09 BY Spencer Stinson
(DATE) (NAME)
[Signature]
(NOTARY PUBLIC)

O-N MINERALS (CHEMSTONE) COMPANY
RURAL SUBDIVISION OF THE LAND OF
BACK CREEK MAGISTERIAL DISTRICT
FREDERICK COUNTY, VIRGINIA
SCALE: AS SHOWN DATE: JUNE 25, 2008
REVISED: JULY 9, 2008

MY COMMISSION EXPIRES 4-30-2009
Registration No 357188 (DATE)

Carl J. Rinker & Associates
74 Philips Court
Strasburg, VA
540-459-4715

GRAPHIC SCALE



AREA TABULATION:

| | |
|---------------------|------------|
| (OLD) 90-A-23 | 153.50 AC |
| (SEE NOTE 6) | |
| PARCEL A | -8.0139 AC |
| (REMAINDER) 90-A-23 | 145.486 AC |

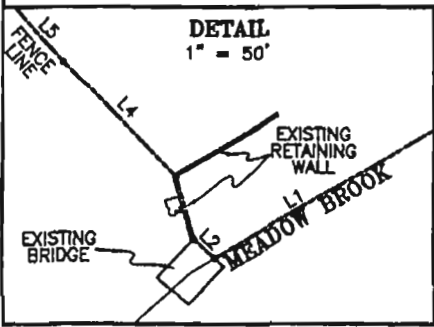
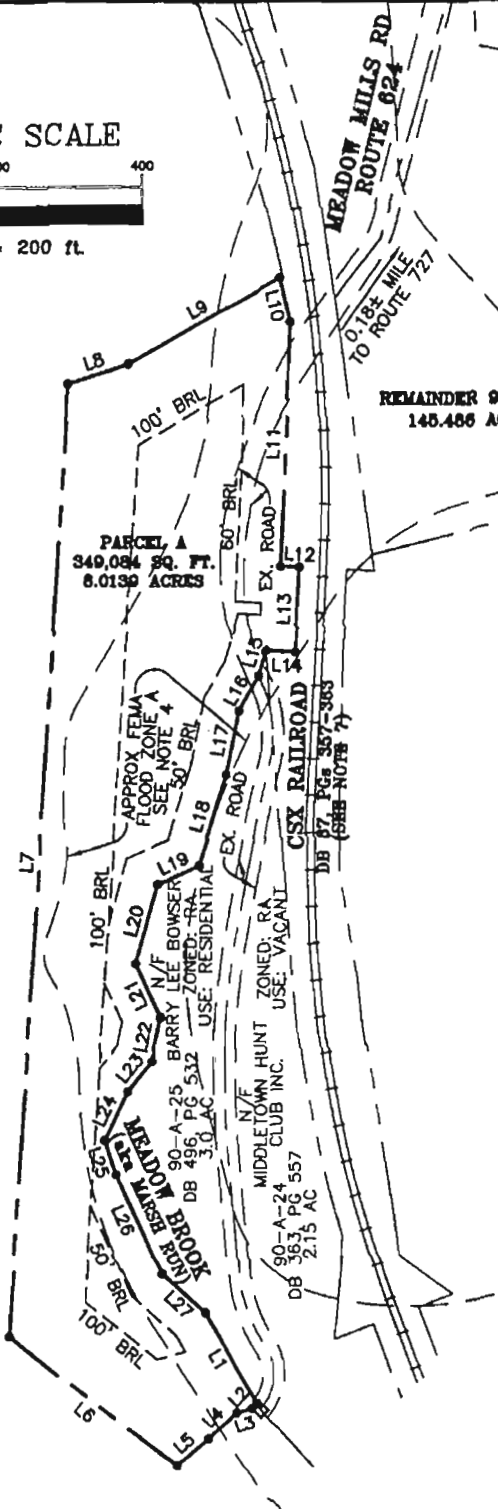


REMAINDER 90-A-23
145.486 ACRES

PARCEL A
349,084 SQ. FT.
8.0139 ACRES

REMAINDER 90-A-23
145.486 ACRES

| LINE | BEARING | DISTANCE |
|------|-------------|----------|
| L1 | S59°38'45"W | 142.52' |
| L2 | N47°42'49"W | 9.59' |
| L3 | N15°52'44"W | 22.16' |
| L4 | N44°25'50"W | 53.96' |
| L5 | N42°01'49"W | 57.18' |
| L6 | N37°55'35"E | 292.45' |
| L7 | S86°35'28"E | 1303.64' |
| L8 | S18°05'05"E | 87.01' |
| L9 | S29°06'54"E | 236.43' |
| L10 | S76°09'02"W | 61.82' |
| L11 | N87°47'09"W | 328.51' |
| L12 | S02°43'57"W | 26.00' |
| L13 | N87°05'42"W | 116.90' |
| L14 | N02°54'34"E | 41.00' |
| L15 | N73°35'59"W | 34.99' |
| L16 | N61°11'46"W | 55.17' |
| L17 | N79°13'29"W | 88.69' |
| L18 | N73°10'45"W | 129.48' |
| L19 | N24°46'35"W | 63.00' |
| L20 | N74°55'35"W | 111.16' |
| L21 | S64°37'31"W | 81.52' |
| L22 | N78°12'17"W | 61.62' |
| L23 | N51°30'49"W | 52.51' |
| L24 | N64°44'51"W | 73.52' |
| L25 | S71°26'56"W | 50.03' |
| L26 | S62°38'51"W | 151.36' |
| L27 | S41°51'08"W | 79.70' |



MINOR RURAL SUBDIVISION
OF THE LAND OF
O-N MINERALS (CHEMSTONE) COMPANY
BACK CREEK MAGISTERIAL DISTRICT
FREDERICK COUNTY, VIRGINIA
SCALE: AS SHOWN DATE: JUNE 25, 2008
REVISED: JULY 9, 2008

Carl J. Rinker & Associates
74 Phillips Court
Strasburg, VA
540-459-4715

VIRGINIA: FREDERICK COUNTY.SCT.

This instrument of writing was produced to me on

7-25-08 at 4:28 Pm
and with certificate acknowledgement thereto annexed
was admitted to record. Tax imposed by Sec. 58.1-802 of

\$ Exempt, and 58.1-501 have been paid, if assessable.

Rebecca P. Hogan, Clerk

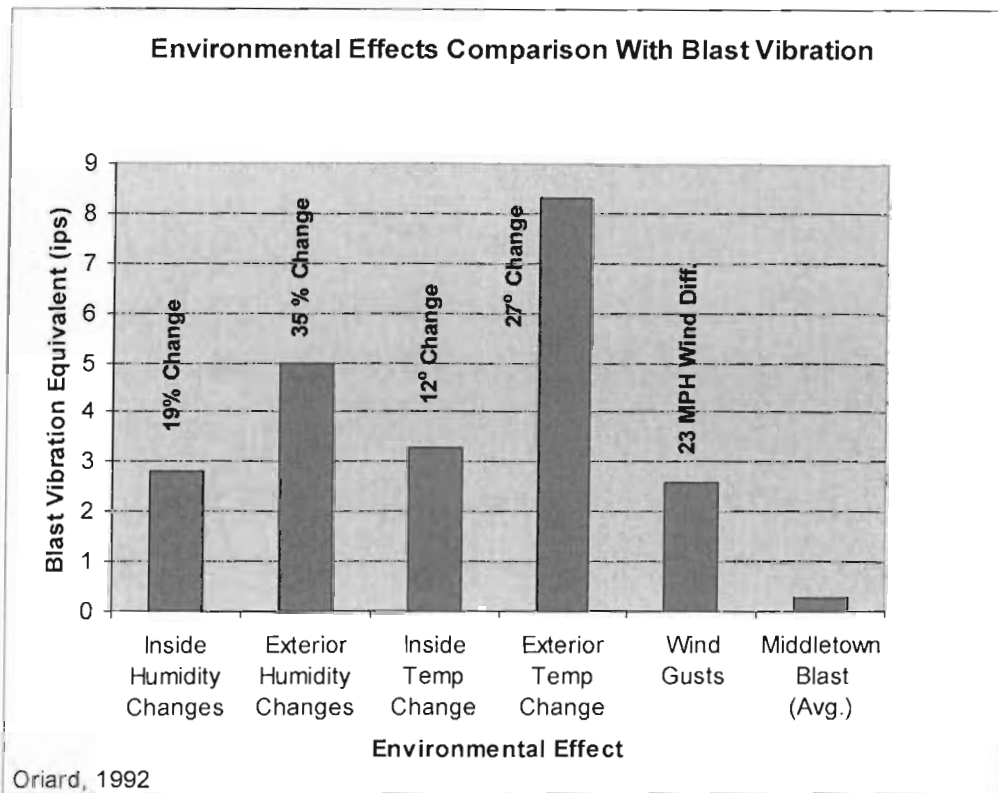
Methodology and Purpose of Pre-Blast Surveys at the Middletown Operation

WHAT IS THE PURPOSE OF A PRE-BLAST SURVEY?

As the name implies, the pre-blast survey is a visual inspection of selected structures located adjacent to proposed blasting activities. While off-site effects of commercial blasting such as that proposed for the Middletown expansion are expected to pose no threat to existing structures, it has been historically documented that when the perception of blasting reaches new or additional property owners, it is human nature to pay additional attention to one's property.

Decades of research performed by the US Bureau of Mines as well as other investigative groups, have fully documented not only the impact of blasting on structures, but also the impact of ambient environmental conditions. While blast effects typically remain well below the effects of various environmental forces, stress caused by everyday exposure to various weather events regularly places strain on construction materials above their ability to resist impact. In other words, these studies have documented what every homeowner already knows, houses, over time, will develop cracks and defects.





With the property owner paying close attention to the structure upon the perception of blasting operations, minor, threshold cracks that may have previously gone unnoticed now become the focus of attention. The question becomes; "were they there before the blasting started"?

The pre-blast survey has become a standard practice for mine and quarry expansion to remove as much doubt regarding the effect, or lack of effect, of blasting on the community as possible. By documenting the condition of a structure before it is exposed to transient ground vibration energy from blasting, a baseline of condition can be developed to aid both the property owner, as well as the mine operator, in determining cause and effect associated with blasting.

HOW IS A PRE-BLAST SURVEY CONDUCTED?

The pre-blast survey is a relatively simple process requiring no effort on behalf of the property owner other than providing access to his or her home for about one to two hours. The inspector will ask to be given access to both exterior and interior walls, floor and ceiling surfaces, looking for any observable cracks, separations, settlement or other feature that would be considered a change from standard building conditions. Most of the cracks found in residential structures are easily observed at window and door openings, wall junctions and ceiling tape joints.

Whenever a crack is found, the inspector will document the location of the crack and its characteristics by taking a photograph or videotape of each observed area. In addition to the photograph, a written

description of each crack will be made, providing the location of the crack, length/width features and any other observations deemed of interest.

After reviewing all interior surfaces, a similar survey of the exterior of the structure will be performed, using the same simple technique of inspecting observable surfaces and documenting any change in condition with photographs and or videotape. In addition, basic information regarding the structure (age, additions, major repairs, etc.) will be requested similar to what is done for a home purchase inspection.

At the conclusion of the survey, the inspector will create a written report containing all of the photographic documentation, as well as the written narrative identifying the location and characteristics of each photograph. A copy of this report will be provided to the property owner. For a typical 3,000 ft² residential home, a complete survey can be completed in less than two hours.

HOW MANY TIMES WILL MY PROPERTY BE SURVEYED?

In most cases, a single survey is performed when it is projected that approaching blast operations will become perceptible to the property owner. Because of the impact of environmental forces on any structure over time, it is not appropriate to survey structures if prolonged periods of time will elapse prior to the commencement of blasting in the area.

In operations such as Middletown, it would be expected that perception of blasting activities would occur when blasting operations are at a distance of approximately 3,000 feet from blasting operations. Given the phasing of mining activities at Middletown, this would mean that some existing and future structures might not require a pre-blast survey for many years.

Sometimes arrangements are made with property owners to have all adjoining properties surveyed upon the receipt of the new mine permit as a means of providing everyone with a general baseline of structure condition at the commencement of general mining activities associated with the permit. An agreement is then made to allow for a second survey when blasting activities reach perceptible levels if a time period greater than six months has elapsed since the initial survey.

As all blasting operations are monitored with approved seismic monitoring equipment, no additional surveys will be required.

HOW DO I KNOW THE SURVEY IS IMPARTIAL?

This is one of the cases where anything that is done with regard to the pre-blast survey that is substandard or incorrectly done will aid the property owner. The primary error that is made with regard to a survey is to miss an existing crack or condition that should be documented. Logic would indicate that this only works in the property owner's favor as, in essence, the structure contains pre-existing cracks that have not been documented, leaving the possibility that they may be claimed as blast related at a later date. I know of no manipulation of a pre-blast survey that can be done that would aid the mine operator in any way.

The pre-blast survey is an effective tool in providing the property owner and the mine operator with a baseline reference for the condition of the community prior to blasting. While it needs to be stressed that

continued exposure to environmental forces will, over time, show some change in the condition of any structure, the pre-blast survey is still an effective means of establishing guidelines prior to blasting activities.

WELL GUARANTEE AGREEMENT

Carmeuse Lime & Stone, its successors or assigns (hereinafter referred to as "MINE OWNER") guarantees to the undersigned Owner that it will replace or replenish the Owner's existing privately owned domestic-use water well(s) under the following circumstances:

Any water well negatively impacted in such a way as to render it unsuitable for its existing use, on property within 1,500 feet of any parcels being actively quarried and dewatered by MINE OWNER located at its Middletown plant (hereinafter referred to as the MINE OWNER Facility) by depleting a well, lowering the water surface below the pump or negatively intercepting the groundwater flow to the well. If at some future date MINE OWNER expands the MINE OWNER Facility and the active mining operations into other adjoining properties not currently zoned for earth materials extraction, then this Well Guarantee Agreement will be automatically expanded to include all parcels within 1,500 feet from those areas.

MINE OWNER will repair the problem by lowering the pump, deepening the well, drilling a replacement well, and/or installing an appropriate water quality treatment system at no cost to the Owner.

The undersigned Owner, in accepting this guarantee, agrees to the following conditions:

The Owner grants permission to MINE OWNER or its representative to inspect and evaluate the current condition of the well as part of a baseline water well inspection survey.

The Owner grants permission to MINE OWNER or its representative to perform water level measurements of the well or collect water quality samples (in addition to the baseline water well inspection survey) on an as needed basis for the purpose of creating background data for the well, and to assess potential complaints.

The Owner agrees to notify within twenty-four (24) hours of discovery of the reduction of water supply, depletion of the well or degradation in water quality so that MINE OWNER and a third-party hydrogeologist (as a Licensed Professional Geologist in the State of Virginia) can verify and/or document any occurrences noted during quarrying at the MINE OWNER Facility that may have contributed to the reduction of water supply or well depletion.

The third-party hydrogeologist shall document the reduction of water supply, depletion of the well or degradation in water quality. Further, the hydrogeologist will make a determination as to the cause of the reduction of water supply, depletion of the well or degradation in water quality only for purposes of determining the appropriate repair or remediation. MINE OWNER shall be responsible for supplying temporary potable water for human consumption, and potentially, water hauling for other uses (as appropriate) until the problem is corrected. MINE OWNER shall be allowed by the Owner to evaluate the well and conduct such reasonable tests as it deems necessary to verify the cause of the reduction of water supply, depletion of the well or degradation in water quality.

MINE OWNER agrees to bear all reasonable expenses that result from said reduction of water supply or well depletion; including, but not limited to temporary potable water supply for human consumption, household use, water hauling for other potential uses (as appropriate), well and pump modification, new well construction, and legal fees expended in implementing this Well Guarantee Agreement. The owner shall notify MINE OWNER prior to undertaking remedial activities or incurring expenses that later may be borne by MINE OWNER.

Repair costs due to worn or defective pumps, electrical cabling, and piping are specifically



excluded from this guarantee.

The terms of the Well Guarantee Agreement are binding during the active life of the said MINE OWNER Facility, including one year following cessation of mining activities. Upon the expiration of one year following completion of quarrying activities at the MINE OWNER Facility, this Well Guarantee Agreement shall be considered null and void.

Owner:
Date:
MINE OWNER:
Title:
Date:

Local homeowners within 1,500 feet of the property line of the proposed expansion will be invited to take part in a pre-expansion survey of their domestic water wells.

Within ___ days after rezoning is approved, each property owner within the 1,500 ft. radius of the proposed expansion will be sent an informational newsletter explaining the purpose of the Survey. A second letter, which will include a short scheduling form for owners to fill out and return to Carmeuse Lime & Stone, will be sent out within ___ days after the newsletter, and a public information meeting will be held as a follow up. As the scheduling forms are received, the property owners will be contacted by Carmeuse personnel to coordinate a day and time that is convenient to conduct the survey.

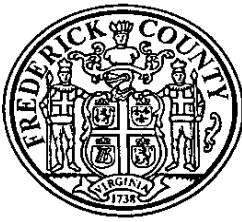
The Survey generally will consist of a short, in-person or phone, interview with the resident, property owner, or other knowledgeable party to gain information on the history of their well. The interview will followed by a physical inspection of the well. This includes obtaining the water level, pump setting depth and total depth. Existing driller's logs will also be examined. All sampling will be conducted in accordance with _____ governing approved testing procedures for potable water wells.

Field parameters measured at the time of collection include pH, Specific Conductance, Temperature, and Turbidity. The samples will be packed in ice and transported under chain-of-custody to a third party, accredited analytical laboratory for analysis. The samples will be analyzed at the laboratory for pertinent biological and chemical constituents. These include Total Coliform, Alkalinity, Chloride, Sulfate, Nitrate, Phosphorus, Potassium, Sodium, Magnesium, Calcium, Iron, and Manganese.

Each well will also be tested to determine its Specific Capacity, which will be used as a baseline for well yield estimations at that particular location. Well water at each respective well will be purged at a measured flow rate (variable for each well) for a specific time interval (also variable for each well) using the existing pumping system currently in place. The water level in each well will be measured during the testing period. Typically the well will be purged at a flow rate of less than 5 to 10 gallons per minute for approximately 30 minutes or less. The Specific Capacity for each test will be calculated using the average pumping rate during the test divided by the water level drawdown incurred at the well during the test.

Copies of the resulting reports will be provided to the property owner, as well as being maintained by Carmeuse and the designated third party performing the evaluation.





ORDINANCE

Action:

PLANNING COMMISSION: November 15, 2017 Public Hearing Held; Postponed for 90 days
February 21, 2018 Recommended Denial

BOARD OF SUPERVISORS: March 14, 2018 - APPROVED DENIED

AN ORDINANCE AMENDING

THE ZONING DISTRICT MAP

REZONING #05-17 O-N MINERALS/dba CARMEUSE LIME & STONE

WHEREAS, REZONING #05-17, submitted O-N Minerals (Chemstone) Company to rezone 394.2± acres from the EM (Extractive Manufacturing) District with proffers to the EM (Extractive Manufacturing) District with revised proffers. The Middletown site was originally rezoned to the EM (Extractive Manufacturing) District with Rezoning #03-06 for O-N Minerals (Chemstone) which was approved in 2008. The Applicant is seeking to revise the proffers pertaining to viewshed plans, berms, landscaping and cemetery access with a final revision date of March 2, 2018 was considered. The subject properties are located west of the Town of Middletown. Specifically, the Middle Marsh Property is located east of Belle View Lane (Route 758), and west and adjacent to Hites Road (Route 625) and is further traversed by Chapel Road (Route 627). The Northern Reserve is bounded to the south by Cedar Creek and is west and adjacent to Meadow Mills Road (Route 624). The properties are located in the Back Creek Magisterial District and are identified by Property Identification Nos. 83-A-109 and 90-A-23 (portions of); and

WHEREAS, the Planning Commission held a public hearing on this rezoning on November 15, 2017 which was postponed for 90 days and ; the Planning Commission then held a public hearing on this rezoning on February 21, 2018 and recommended denial; and

WHEREAS, the Board of Supervisors held a public hearing on this rezoning on March 14, 2018; and

WHEREAS, the Frederick County Board of Supervisors finds the approval of this rezoning to be in the best interest of the public health, safety, welfare, and in conformance with the Comprehensive Plan;

NOW, THEREFORE, BE IT ORDAINED by the Frederick County Board of Supervisors, that Chapter 165 of the Frederick County Code, Zoning, is amended to rezone two (2) parcels of land, 394.2± acres from the EM (Extractive Manufacturing) District with proffers to the EM (Extractive Manufacturing) District with revised proffers with a final revision date of March 2, 2018. The conditions voluntarily proffered in writing by the Applicant and the Property Owner are attached.

This ordinance shall be in effect on the date of adoption.

Passed this 14th day of March 2018 by the following recorded vote:

| | | | |
|-----------------------------------|-------|-------------------------|-------|
| Charles S. DeHaven, Jr., Chairman | _____ | Gary A. Lofton | _____ |
| J. Douglas McCarthy | _____ | Robert W. Wells | _____ |
| Shannon G. Trout | _____ | Judith McCann-Slaughter | _____ |
| Blaine P. Dunn | _____ | | |

A COPY ATTEST

Kris C. Tierney
Frederick County Administrator

PROPOSED PROFFER STATEMENT

REZONING: RZ# 03-06
Rural Areas (RA) to Extractive Manufacturing (EM)

PROPERTY: 394.2 Acres +/-;
Portions of Tax Map Parcels 83-A-109 ("parcel 109") and 90-A-23
("parcel 23") (the "Properties")

RECORD OWNER: O-N Minerals (Chemstone) Company

APPLICANT: O-N Minerals (Chemstone) Company ("Applicant")

PROJECT NAME: Chemstone - Middletown

ORIGINAL DATE
OF PROFFERS: June 13, 2005

REVISION DATE(S): January 16, 2006 February 8, 2006 August 28, 2006
March 18, 2008 April 18, 2008 May 14, 2008
May 20, 2008 May 22, 2008 May 27, 2008

The undersigned Applicant hereby proffers that the use and development of the portions of the above-referenced parcels, which are requested to be rezoned, the portions requested to be rezoned being shown on the attached and incorporated plat identified as "Exhibit 1," shall be in strict conformance with the following conditions, which shall supersede all other proffers on the Properties that may have been made prior hereto. In the event that the above-referenced EM conditional rezoning is not granted as applied for by the Applicant, these proffers shall be deemed withdrawn and shall be null and void. Further, these proffers are contingent upon final rezoning of the Properties with "final rezoning" defined as that rezoning which is in effect on the day following the last day upon which the Frederick County Board of Supervisors' (the "Board") decision granting the rezoning may be contested in the appropriate court. If the Board's decision is contested, and the Applicant elects not to submit development plans until such contest is resolved, the term rezoning shall include the day following entry of a final court order affirming the decision of the Board which has not been appealed, or, if appealed, the day following which the decision has been affirmed on appeal.

The headings of the proffers set forth below have been prepared for convenience or reference only and shall not control or affect the meaning or be taken as an interpretation of any provision of the proffers. The improvements proffered herein shall be provided at the time of development of that portion of the Properties adjacent to or including the improvement or other proffered requirement, unless otherwise specified herein. Any proffered conditions that would prevent the Applicant from conforming with State and/or Federal regulations shall be considered null and void. The term "Applicant" as referenced herein shall include within its meaning all future owners and successors in interest. When used in these proffers, the "Generalized

Development Plan,” shall refer to the plan entitled “Generalized Development Plan, O-N Minerals (Chemstone)” dated May, 2008 (the “GDP”). The Applicant attaches and incorporates the GDP, which includes a plan titled “Generalized Development Plan”; a plan titled “Overall Plan”; four plans titled “Phase I Plan”, “Phase II Plan”, “Phase III Plan”, and “Phase IV Plan”; and twelve viewshed plats titled “Viewshed 1A, Viewshed 1B, Viewshed 2, Viewshed 3, Viewshed 4A, Viewshed 4B, Viewshed 5A, Viewshed 5B, Viewshed 6, Viewshed 7, Viewshed 8 and Viewshed 9”. The aforementioned documents are and shall be incorporated by reference herein as “Exhibit 2.” The Applicant proffers that its development of the Properties will be in substantial conformity with the GDP.

1. Land Use

1.1 The Properties shall be developed with extractive manufacturing land uses pursuant to the mining permit approved by the Division of Mineral Mining (“DMM”) of the Virginia Department of Mines, Minerals and Energy (“VDMME”), and shall therefore conform to the Mineral Mining Law and Reclamation Regulations for Mineral Mining of the Commonwealth of Virginia.

1.2 The Applicant hereby proffers not to engage in the following uses on the Properties:

Oil and natural gas extraction;
Asphalt and concrete mixing plants;
Brick, block and precast concrete products;
Cement and lime kilns; and
Coal and natural gas-fired power plants or facilities which sell power to the local utility or power grid*

*This is not to be interpreted as a restriction against using power plants on the Properties as necessary to support extractive mining activities.

2. Site Development

2.1 Properties’ access via public secondary roads shall be limited to the existing quarry entrance on McCune Road (Route 757). Access by vehicles needed for periodic maintenance of the Properties shall not be limited.

2.2 Earthen berms shall be installed around the active quarry pits in the location shown on the GDP. The berms shall have a maximum height of 30 feet and a minimum height of 10 feet. The berms (Berm A and Berm B) depicted on the Phase I Plan of the GDP shall be installed within 10 years of the approval of the rezoning. The berms (Berm C and Berm D) depicted on the Phase II Plan of the GDP shall be installed no later than 10 years prior to the commencement of mining north of Chapel Road. The berms shall be landscaped to minimize impacts to the viewshed of the surrounding community. Such landscaping shall consist of a mix of deciduous and coniferous plantings placed in a random manner to be consistent with existing vegetation patterns. The description of the plants to be

installed on the berms are more specifically described in the attached and incorporated "Exhibit 3." The landscaping shall be subject to reasonable approval by the Zoning Administrator of Frederick County and upon consultation with the State Forester. With respect to Berm A, located on Tax Parcel 90-A-2, not owned by the Applicant, the berm will be constructed by the Applicant as the tenant under a 100-year lease of Parcel 90-A-2, with authority under the lease to construct Berm A.

- 2.3 The existing overburden stock pile on the southeast corner of the current Middletown plant site shall be reduced in height to the greater of 30 feet or the height of the adjacent tree line (lying to the east) within 5 years of the approval of the rezoning.

3. Historic Resources

- 3.1 The Applicant shall create an 8 acre historic reserve as shown on the GDP and on Exhibit 1, within which archaeological resources and other historic activities have been identified. Further, the Applicant shall place restrictions on the reserve land for how the reserve will be used by the Properties' owner and future owners. A copy of said restrictions are attached and incorporated as "Exhibit 4." Said reserve land shall be dedicated to the Cedar Creek Battlefield Foundation, Inc. within 60 days of final rezoning. [NOTE: the aforementioned 8 acre historic reserve property is not to be included in the property to be rezoned.]
- 3.2 The Applicant shall complete a Phase I Archaeological Survey of parcels 23 and 109. The Phase I Archaeological Survey of parcel 23 shall be completed within 12 months of the approval of the rezoning. For the remaining tracts of land, the Applicant shall complete a Phase I Archaeological Survey of a particular tract of land before any mining activities commence on that property. The Applicant may commence mining activities on a particular portion of the Properties before the completion of the Phase I survey for all of the Properties, but under any and all circumstances, no mining operations shall commence on any portion of the Properties until after the Phase I Archeological Survey has been completed on said portion of the Properties. Said survey shall locate, identify, and comprehensively record all historic sites, buildings, structures, and objects on the parcels. Such survey shall be conducted in accordance with the guidelines for a Phase 1 Survey as defined in the Virginia Department of Historic Resources "GUIDELINES FOR CONDUCTING CULTURAL RESOURCE SURVEY IN VIRGINIA - Chapter 7: Guidelines for Archaeological Investigations in Virginia," 1999 (Rev. Jan. 2003).
- 3.3 Two cemeteries have been identified on the Properties. The first cemetery is located adjacent to Chapel Road and is in an area that is not designated for mining and is also outside of the berming area. That cemetery is currently undergoing a historical restoration. After the historical restoration, the Applicant will follow the recommendations of the Applicant's historian.

The second cemetery is located in the area where berming is slated to be installed. The Applicant proffers the berming will be located in such a way as to not encroach on the cemetery. This cemetery is also currently undergoing a historical restoration. After the historical restoration, the Applicant will follow the recommendations of the Applicant's historian. In addition, the cemetery is accessed through a right-of-way which is of record providing access to the cemetery from Route 625. The Applicant proffers to improve said right-of-way so that it can be used for access by the descendants of those in the cemetery within 12 months of completion of the cemetery restoration. Once said right-of-way has been improved, the Applicant will provide continued maintenance and have use of same.

4. Rights to Water Supply

4.1 The Applicant shall guarantee the Frederick County Sanitation Authority ("FCSA") rights to the water resources available on the Properties in accordance with the existing agreements between the Applicant and FCSA.

5. Ground Water

5.1 The Applicant shall install a minimum of three monitoring wells to effectively establish and monitor the groundwater level in order to avoid detrimental impacts to surrounding properties. Said wells shall be installed prior to any land disturbance of the portion of the Properties identified as parcel 109 by the GDP, and shall be located within 500 feet of the Properties' boundaries. A minimum of one monitoring well shall be installed within 500 feet of the parcel 109 Properties' boundary. The exact location of the monitoring wells is depicted on the Overall Plan of the GDP.

5.2 Subject to and consistent with the provisions of paragraph 9.2, the Applicant shall remediate any adverse impacts to wells located on surrounding properties caused by mining operations on the Properties. Costs associated with any required remediation shall be borne by the Applicant.

Furthermore, the Applicant agrees to participate in a pre-blast survey and well monitoring survey, as further described herein. The intent of the aforementioned surveys is to provide a mechanism to remediate any adverse impacts to wells and/or structures which are caused by the mining operations on the Properties.

6. Dust Control

6.1 Dust from drills, muck piles, material handling, screens, crushers, conveyors, feeders, hoppers, stockpiles, load-outs, and traffic areas shall be controlled by wet suppression or equivalent, and controlled by and consistent with the terms of the Department of Environmental Quality ("VDEQ") general air permit. The Applicant shall remediate any adverse impacts to surrounding properties caused by dust associated with the mining operations on the Properties.

7. Blasting Control

7.1 All blasting associated with mining operations on the Properties shall be limited by the mining permit approved by the DMM of the VDMME. Peak Particle Velocities (PPV) associated with blasting on the Properties shall not exceed the levels stipulated by said permit. In addition, the Applicant agrees to have an approved blasting plan in place at all times. An example of the current blasting plan is attached. Further, in addition, the Applicant agrees that there will be no block holing or adobe blasting conducted on the Properties. Any damage to surrounding properties caused by blasting on the Properties shall be remediated at the Applicant's expense.

8. Traffic

8.1 The Applicant's current number of truck loads leaving the site on a daily basis is approximately 63, and the Applicant has had higher numbers of recorded truck loads leaving the plant to a total of 114 truck loads per day. The Applicant, in its proffer, is agreeing to restrict truck traffic to the Properties to 86 truck loads per day averaged over the prior 30 days, but intends to also have an ability to increase the number of truck loads in the event of an emergency or circumstances, which could be caused by issues driven by the Applicant's customers, suppliers, and/or carriers. Examples of such shall include, but are not limited to, an interruption of rail service to the site and/or any sites that are serviced by rail from the Applicant's Properties and/or any other interruption of the ability to deliver materials at the Applicant's site or any other sites which are owned, controlled, or by business relationship connected with the Applicant's site. To that end, and in any circumstance, the Applicant agrees to restrict truck traffic to the Properties to a maximum of 200 truck loads per day averaged over the prior 30 days through the scale house hauling mined materials on and/or off the proposed quarry site from the existing quarry entrance. The maximum number of truck loads will be regulated by the Applicant and its successors and/or assigns. A record of the actual number of truck loads per day shall be kept current (and maintained for one year) by the Applicant at its scale house office. Said record shall be made available in a form which confirms the number of trips and the form will be produced to Frederick County officials upon demand with reasonable notice. The Applicant proffers there will be no truck loads from the Properties on Sundays and the hours of truck loading on Saturdays will be no later than 7:00 p.m. The Applicant further proffers it will instruct all truckers as to the proper route of travel from the Properties to Route 11, which shall exclude both Belle Grove and Chapel Roads.

9. Pre-Blast Surveys

9.1 The Applicant will offer voluntary pre-blast surveys of properties that are within 1,500 feet of the boundaries of parcel 23 and parcel 109. The aforementioned surveys will be conducted by an independent engineering firm, which will

investigate and document the pre-blast conditions of the participants' residences and/or outbuildings. The Applicant and its successors and assigns will contact all citizens who have property within 1,500 feet of the boundaries of parcel 23 and parcel 109, and monitor the tax roles for Frederick County on an annual basis in order to contact any citizens who have recently purchased the aforementioned property. This contact will be made by the Applicant and its successor and assigns to invite citizens who have property within 1,500 feet of the boundaries of parcel 23 and parcel 109 to participate in the pre-blast surveys. Contact will be made by registered return-receipt letters, mailed annually from the time of the rezoning. All citizens who have property within 1,500 feet of the boundaries of parcel 23 and parcel 109 can, and are encouraged to, participate in the survey by contacting the Applicant and scheduling a mutually agreeable time for the independent engineering firm to visit the party's residence to document and survey the pre-blast condition of the party's residences/outbuildings following the procedures set forth in the attached and incorporated "Exhibit 5." If the property owner agrees to participate, the Applicant's and/or its engineering firm shall visit and inspect the party's residences/outbuildings to monitor the condition of the same. A record of those pre-blast conditions will be kept by the independent engineering firm with copies retained by the Applicant and the participating property owner. In the event of a change in condition, which is alleged by the participating property owner as a result of mining operations, the engineering firm will then conduct a follow-up visit and investigation and use the pre-blast information as a control and basis for subsequent analysis. Said analysis shall be used to determine the cause of any negative change in condition. If it is determined there is a change in condition in the residences/outbuildings, which has been caused by the Applicant's mining activities on the Properties, then the Applicant agrees to remediate and/or repair said negative change in condition to restore it to its status prior to blasting operations. In addition, the Applicant agrees to establish seismic monitoring of the proposed quarry site to monitor all blasting activities and keep records of said seismic monitoring as required by the VDMME.

- 9.2 The Applicant will offer voluntary well monitoring surveys of properties that are within 1,500 feet of the boundaries of parcel 23 and parcel 109. The aforementioned surveys will be conducted by an independent well drilling firm or hydrogeologist, which will investigate and document the pre-mining conditions of the participants' wells. The Applicant and its successors and assigns will contact all citizens who have property within 1,500 feet of the boundaries of parcel 23 and parcel 109, and monitor the tax roles for Frederick County on an annual basis in order to contact any citizens who have recently purchased the aforementioned property. This contact will be made by Applicant and its successor and assigns to invite citizens who have property within 1,500 feet of the boundaries of parcel 23 and parcel 109 to participate in the well monitoring surveys. Contact will be made by sending annually registered return-receipt letters. All citizens who have property located within 1,500 feet of the boundaries of parcel 23 and parcel 109 can and are encouraged to participate in the survey by scheduling a mutually agreeable time for the independent well drilling firm to visit the party's residence

to document and survey the pre-blast condition of the party's well following the procedures set forth in the attached and incorporated "Exhibit 6A and 6B." A record of these pre-mining conditions will be kept by the independent well drilling firm, with copies retained by the Applicant and the participating property owner. In the event a change of condition is alleged by the property owner as a result of mining operations, the Applicant will provide an interim replacement water supply as necessary to supply the property owner with water. The well drilling firm will then conduct a follow-up visit and investigation and use pre-blast information as a control and basis for subsequent analysis. If it is determined that the status of the neighboring property owner's well has deteriorated from the condition it was in at the time of the pre-blast survey, then the Applicant agrees to restore the well to its condition existing at the time of the pre-blast survey and/or provide the adjoining property owner a replacement well of the same condition (or better) of that which existed at that time of the pre-blast survey.

- 9.3 In addition to the above, the Applicant agrees to maintain in force an insurance policy or other sufficient security for the period of time covering the active mining operations on the Properties and to maintain in effect for a period of one year from the date of cessation of said mining operations, and to cover the costs of any remediation and/or repair, which is required pursuant to the terms of sections 9.1 and 9.2 above. Said policy or surety shall be in the amount of no less than One Million and 00/100 Dollars (\$1,000,000.00) per occurrence. Frederick County may review from time to time the amount of the policy or surety to evaluate whether the minimum amount of \$1,000,000.00 is sufficient to protect the cost of any remediation and/or repair, which is required pursuant to the terms of sections 9.1 and 9.2. In the event Frederick County believes that the amount of the policy or surety needs to be increased for the reasons set forth above, then the Applicant and Frederick County shall reach an agreement as to the proper amount of policy or surety. The approval of said increase shall not be unreasonably withheld, conditioned or denied by either party. The Applicant shall annually provide to the County a Certificate of Insurance from the insurance carrier.

10. Reclamation

- 10.1 It is intended that pursuant to the terms of the agreement reached with the FCSA that at the time of cessation of mining activities, the Properties' quarry pits shall be used by the FCSA as water reservoirs. The control of the water levels in the quarry pits shall be handed over to the FCSA. It is intended that the quarry pits at that time will contain quantities of water monitored and directed by the FCSA, and which will be conducive to the general betterment of natural habitat.

11. Noise Abatement

- 11.1 Operations on the Properties will not exceed the VDMME Engineering's decibel guidelines. The Applicant will make all reasonable efforts to locate mining machinery in the quarry pit or behind berms.

12. Lighting

12.1 There shall be no affixed lighting structures above-ground on the berms other than as may be required for or provided by regulations that affect the plant operations, including but not limited to, Mine Safety Health Administration (“MSHA”), VDMME, and any other governmental or regulatory body that oversees mining operations. Lighting used for devices or machines that convey materials or for pit crushing facilities and other mining activities is permitted. Conveying and pit crushing facilities shall also be interpreted as including such other devices or activities that perform similar or related functions that may come into use and/or existence at some time in the future while the extractive mining use is still in effect on the Properties. In addition to the above, all lighting will be installed in such a manner that there will be no spillover beyond any property line of the Applicant onto adjacent properties not owned by the Applicant.

13. Air Permit

13.1 The Applicant shall maintain its existing general air permit controlling emissions in accordance with the VDEQ standards and also see that the existing general air permit covers all activities conducted on the rezoned Properties.

14. Environment

14.1 In addition to compliance with the VPDES water discharge permit already in place, the Applicant agrees to work with a recognized environmental entity of the Applicant’s choosing during its operations to ensure that the water emissions from water flowing from the quarry operations on the Properties is of a quality consistent with the water quality in Cedar Creek so as to maintain an environment conducive to natural habitats. No additional water discharge points will be added.

14.2 The Applicant agrees that all areas currently in trees on property owned by the Applicant, which is outside of the rezoned Properties and identified on the GDP as “Middletown Woods”, shall be maintained using best management practices.

14.3 The Applicant proffers to keep its mining operations at least 200 feet from the edge of Cedar Creek.

15. Phasing

15.1 The Applicant agrees that mining activities on the Properties shall occur with the following phasing and as set forth on the Phasing Plans of the GDP:

After the rezoning is approved, the Applicant will start creating berms on the newly rezoned Properties and the Applicant shall start quarrying in the area identified as parcel 23. Mining in parcel 23 shall occur from the time period

commencing with the approval of the rezoning for a period of time which is estimated to be twenty years.

For the newly zoned area, which is north of the existing EM zoned property, and south of Chapel Road, mining activities will commence no earlier than ten years from the date that the rezoning referenced herein is approved.

For the newly zoned area, which lies north of Chapel Road, mining will commence no earlier than twenty years from the date that the rezoning referenced herein is approved.

SIGNATURES APPEAR ON THE FOLLOWING PAGES

Respectfully submitted,

O-N MINERALS (CHEMSTONE) COMPANY

By: Spencer C. Stinson

Its: General Manager

Spencer C. Stinson

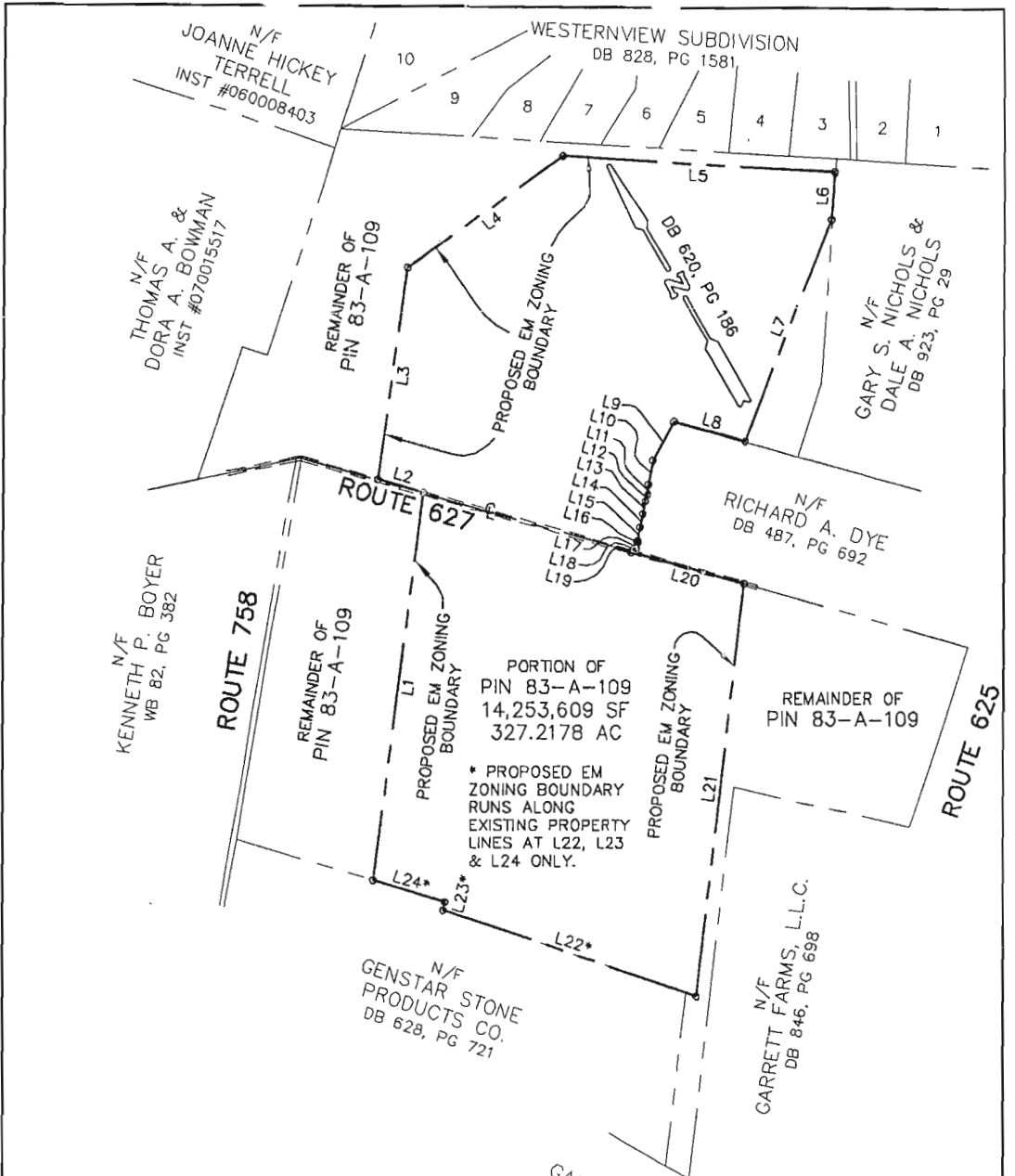
COMMONWEALTH OF VIRGINIA, AT LARGE
FREDERICK COUNTY, To-wit:

The foregoing instrument was acknowledged before me this 28th day of May,
2008, by Spencer C. Stinson.

Jennifer M. K. Kittlaus
NOTARY PUBLIC

My commission expires:
Registration number:

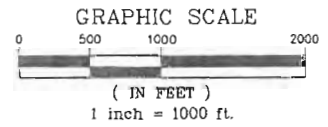




| LINE TABLE | | |
|------------|-------------|----------|
| LINE | BEARING | LENGTH |
| L1 | N37°20'21"E | 2908.33' |
| L2 | N44°12'04"W | 353.46' |
| L3 | N37°45'19"E | 1587.57' |
| L4 | N83°55'47"E | 1427.97' |
| L5 | S56°50'54"E | 2031.06' |
| L6 | S33°19'31"W | 359.18' |
| L7 | S51°08'46"W | 1771.57' |
| L8 | N44°54'24"W | 547.10' |
| L9 | S57°53'12"W | 326.61' |
| L10 | S40°29'59"W | 180.07' |
| L11 | S34°14'59"W | 75.78' |
| L12 | S50°29'59"W | 52.91' |
| L13 | S39°59'45"W | 100.50' |
| L14 | S42°59'56"W | 100.41' |
| L15 | S41°44'59"W | 101.79' |
| L16 | S08°30'00"W | 15.91' |
| L17 | S44°44'59"W | 48.70' |
| L18 | N60°27'01"W | 19.00' |
| L19 | S70°47'59"W | 33.21' |
| L20 | S44°23'32"E | 873.66' |
| L21 | S36°28'58"W | 3079.05' |
| L22 | N41°30'31"W | 1997.30' |
| L23 | N42°39'21"E | 62.27' |
| L24 | N43°20'04"W | 558.68' |

NOTES:

- FREDERICK COUNTY PIN: 83-A-109
- PROPERTY OUTLINE AND MERIDIAN SHOWN HEREON ARE BASED ON THE PLAT ATTACHED TO DEED OF BARGAIN AND SALE RECORDED IN DB 620, PG 186 AMONG THE LAND RECORDS OF FREDERICK COUNTY, VIRGINIA. INFORMATION SHOWN HEREON IS NOT BASED ON A CURRENT FIELD RUN SURVEY. ADJOINING PROPERTY OWNERS ARE BASED ON INFORMATION OBTAINED FROM FREDERICK COUNTY GIS WEBSITE, MAY, 2008.
- NO TITLE REPORT.



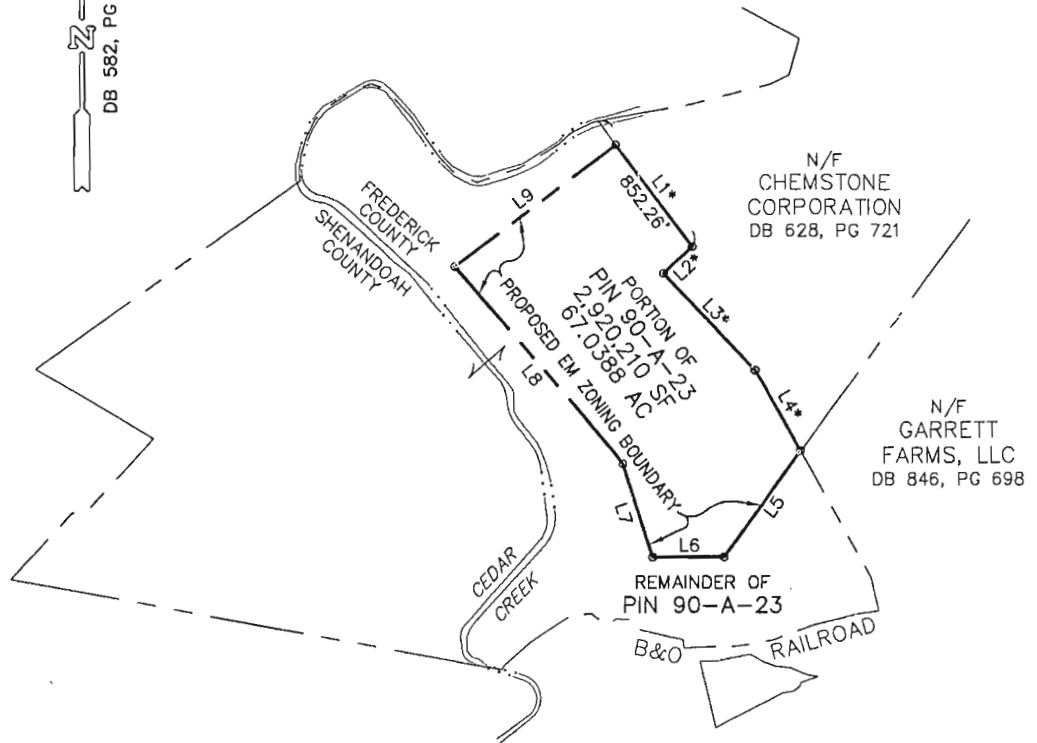
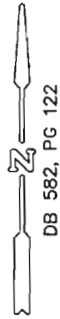
"ZONING BOUNDARY EXHIBIT A"
 A PORTION OF THE
 PROPERTY CONVEYED TO
CHEMSTONE CORPORATION
 DEED BOOK 620, PAGE 186
 BACK CREEK MAGISTERIAL DISTRICT
 FREDERICK COUNTY, VIRGINIA

SCALE: 1" = 1000'
 DATE: FEB. 15, 2006
 REVISED: MAY 20, 2008
Patton Harris Rust & Associates, pc
 Engineers. Surveyors. Planners. Landscape Architects.



117 East Plccadilly Street, Suite 200
 Winchester, Virginia 22601
 T 540.667.2139
 F 540.665.0493

PROJECT\11279\2-0\SURVEY\WORK AREA\1127920_EXHA.DWG



*PROPOSED EM ZONING BOUNDARY RUNS ALONG EXISTING PROPERTY LINES AT L1, L2, L3 & L4 ONLY.

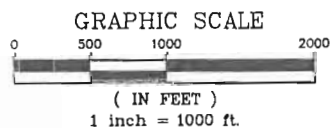
| LINE TABLE | | |
|------------|-------------|----------|
| LINE | BEARING | LENGTH |
| L1 | S37°00'10"E | 1046.22' |
| L2 | S46°56'50"W | 262.12' |
| L3 | S43°05'07"E | 889.86' |
| L4 | S29°32'22"E | 615.38' |
| L5 | S35°51'02"W | 863.68' |
| L6 | S89°56'36"W | 475.26' |
| L7 | N17°59'22"W | 645.46' |
| L8 | N40°11'14"W | 1720.29' |
| L9 | N52°18'45"E | 1336.75' |

NOTES:

1. FREDERICK COUNTY PIN: 90-A-23.
2. PROPERTY OUTLINE AND MERIDIAN SHOWN HEREON ARE BASED ON THE PLAT ATTACHED TO DEED RECORDED IN DB 582, PG 122 AMONG THE LAND RECORDS OF FREDERICK COUNTY, VIRGINIA. INFORMATION SHOWN HEREON IS NOT BASED ON A CURRENT FIELD RUN SURVEY. ADJOINING PROPERTY OWNERS ARE BASED ON INFORMATION OBTAINED FROM FREDERICK COUNTY GIS WEBSITE, MAY, 2008.
3. NO TITLE REPORT.

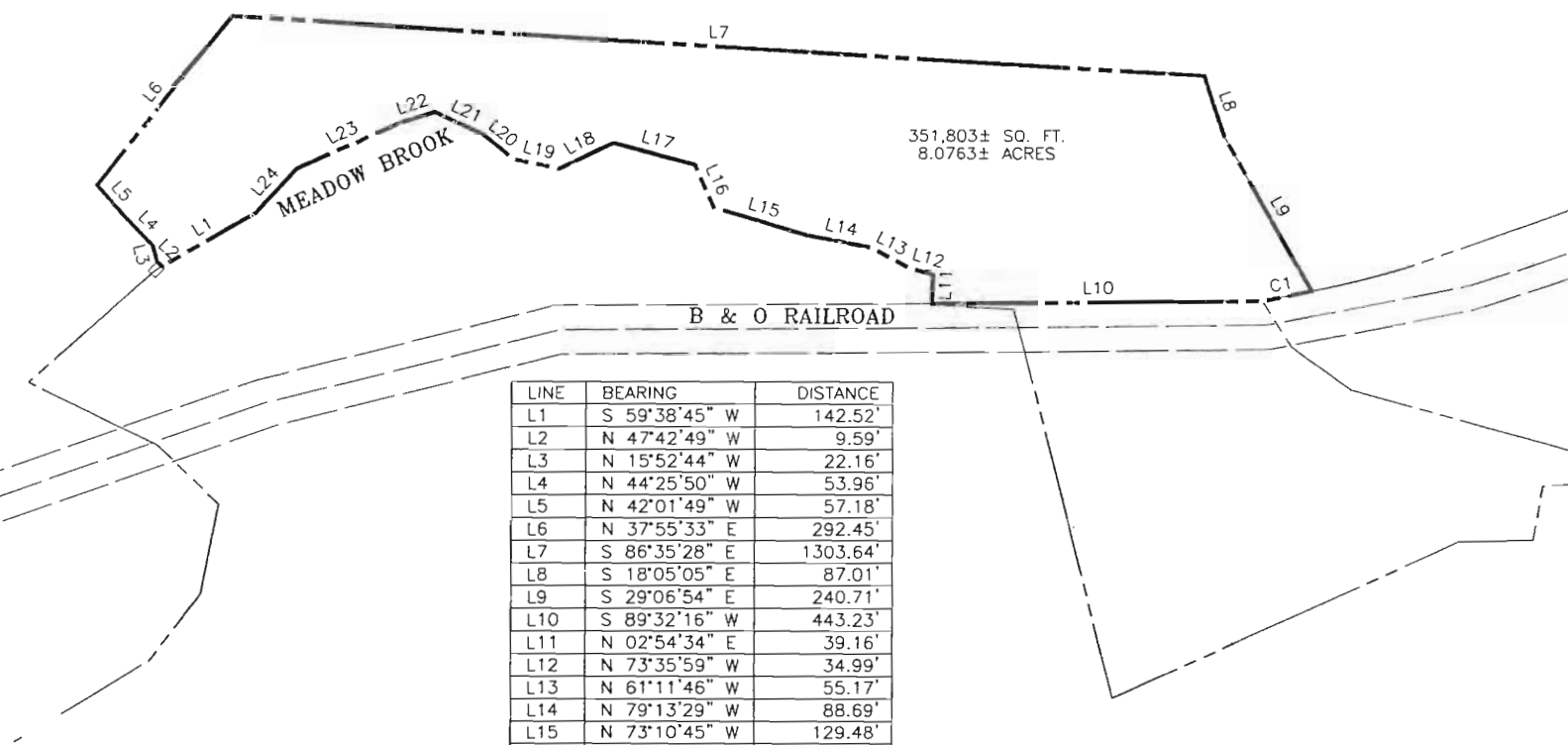
"ZONING BOUNDARY EXHIBIT B"
 A PORTION OF THE
 PROPERTY CONVEYED TO
CHEMSTONE CORPORATION
 DEED BOOK 582, PAGE 122
 BACK CREEK MAGISTERIAL DISTRICT
 FREDERICK COUNTY, VIRGINIA

SCALE: 1" = 1000' DATE: MAY 20, 2008
Patton Harris Rust & Associates, pc
 Engineers. Surveyors. Planners. Landscape Architects.

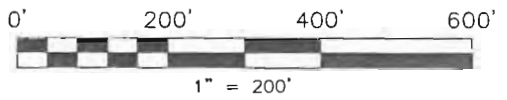
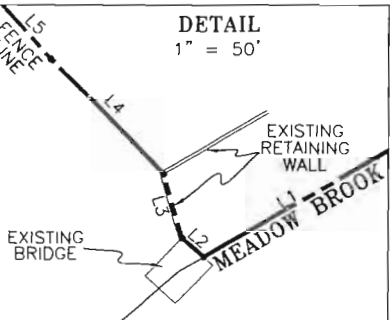


117 East Piccadilly Street, Suite 200
 Winchester, Virginia 22601
 T 540.667.2139
 F 540.665.0493

| CURVE | RADIUS | ARC LENGTH | DELTA ANGLE | CHORD BEARING | CHORD LENGTH |
|-------|----------|------------|-------------|---------------|--------------|
| C1 | 1876.78' | 66.33' | 02°01'30" | S 78°41'59" W | 66.33' |



| LINE | BEARING | DISTANCE |
|------|---------------|----------|
| L1 | S 59°38'45" W | 142.52' |
| L2 | N 47°42'49" W | 9.59' |
| L3 | N 15°52'44" W | 22.16' |
| L4 | N 44°25'50" W | 53.96' |
| L5 | N 42°01'49" W | 57.18' |
| L6 | N 37°55'33" E | 292.45' |
| L7 | S 86°35'28" E | 1303.64' |
| L8 | S 18°05'05" E | 87.01' |
| L9 | S 29°06'54" E | 240.71' |
| L10 | S 89°32'16" W | 443.23' |
| L11 | N 02°54'34" E | 39.16' |
| L12 | N 73°35'59" W | 34.99' |
| L13 | N 61°11'46" W | 55.17' |
| L14 | N 79°13'29" W | 88.69' |
| L15 | N 73°10'45" W | 129.48' |
| L16 | N 24°46'35" W | 63.00' |
| L17 | N 74°55'35" W | 111.16' |
| L18 | S 64°37'31" W | 81.52' |
| L19 | N 78°12'17" W | 61.62' |
| L20 | N 51°30'49" W | 52.51' |
| L21 | N 64°44'51" W | 73.52' |
| L22 | S 71°26'56" W | 50.03' |
| L23 | S 65°36'51" W | 151.36' |
| L24 | S 41°51'08" W | 79.70' |



**CHEMSTONE
PROPOSED
OFF-CONVEYANCE**
8.076 ACRES ±

BACK CREEK MAGISTERIAL DISTRICT
FREDERICK COUNTY, VIRGINIA
SCALE: AS SHOWN DATE: DECEMBER 2003
URBAN ENGINEERING & ASSOCIATES, INC.

CIVIL ENGINEERS • LANDSCAPE ARCHITECTS • LAND SURVEYORS
600 PEGASUS COURT, SUITE 101
WINCHESTER, VIRGINIA 22602 (540) 450-0211

DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS
AND RIGHT OF FIRST REFUSAL

THIS DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS AND RIGHT OF FIRST REFUSAL (the "Declaration") is made as of the ____ day of _____, 2008, by and between O-N MINERALS (CHEMSTONE COMPANY), a Delaware corporation, its successors and assigns (the "Declarant") (Grantor for indexing purposes), and CEDAR CREEK BATTLEFIELD FOUNDATION, INC., a Virginia corporation, its successors and assigns (the "Association") (Grantee for indexing purposes).

RECITALS:

A. The Declarant is the owner of certain real property, which is intended to be a historical reserve and to be conveyed to Grantee as such and with the following covenants, conditions and restrictions and also be subject to a right of first refusal.

NOW, THEREFORE, the Declarant, for and in consideration of the premises and the covenants contained herein, grants, establishes and conveys to Grantee a certain tract of land, which is further described in the attached and incorporated plat ("Property"), which shall be maintained as a historic reserve and further establishes the following covenants:

1. There shall be no occupied dwellings on the Property;
2. The Property shall be maintained with all grass neatly mowed at all times and any trees maintained using best management practices;



3. The Declarant further reserves the right to take any action reasonably required to maintain the Property in the event the Grantee fails to do so. This right shall include but not be limited to the right to enter upon the Property to do such work on the Property as may be required to effect the provisions of this Declaration.

IT IS FURTHER agreed and understood that the Property shall be conveyed with the Grantor retaining a right of first refusal to purchase the Property in the event the Grantee conveys or sells all or a portion of the Property to an entity, which is not related to the Grantee and which is not a charitable entity established for the preservation of historic properties. The parties do agree to execute any and all such other documents as may be required to effect provisions of this agreement, including but not limited to, a memorandum confirming the right of first refusal to be recorded in the land records of Frederick County, Virginia.

[REMAINDER OF THE PAGE LEFT INTENTIONALLY BLANK]

WITNESSETH, the following signatures and seals:

O-N MINERALS (CHEMSTONE COMPANY)
a Delaware corporation

By: _____ (Seal)

Its: _____

COMMONWEALTH OF VIRGINIA
CITY/COUNTY OF _____, TO WIT:

The foregoing instrument was acknowledged before me this _____ day of _____,
2008 by _____, _____ of O-N Minerals (Chemstone
Company).

Notary Public

My Commission expires: _____.
Registration No.: _____

CEDAR CREEK BATTLEFIELD FOUNDATION, INC.
a Virginia corporation

By: _____ (Seal)

Its: _____

COMMONWEALTH OF VIRGINIA
CITY/COUNTY OF _____, TO WIT:

The foregoing instrument was acknowledged before me this ____ day of _____,
2008 by _____, _____ of Cedar Creek Battlefield Foundation,
Inc.

Notary Public

My Commission expires: _____.
Registration No.: _____

BERM PLANTING (as recommended by the Virginia State Forester)

EXISTING BERMS: Where existing berms do not have adequate ground cover to prevent them from eroding, they should be planted with various native grasses, shrubs, and trees. A successful mixture of buckwheat, rye and other grasses has been developed by quarry employees that has proven to be effective in vegetating these slopes. In spots where prior vegetating efforts have failed, it is recommended that erosion control methods such as landscape fabric and jute mats be installed prior to revegetating these spots. It may also be necessary to reshape the berm in these spots to retard water movement down the slope and to hold water for vegetation survival and growth by constructing planting terraces with existing rock and soil.

RECOMMENDED TREE AND SHRUB SPECIES: Native species should be chosen to provide optimum survival, the least maintenance, and to further blend into the existing landscape. A list of suggested trees and shrubs for landscape plantings in the Shenandoah Valley is included. Actual species chosen need to be selected for the specific location they are to be planted, and their availability. Not all of these are available for purchase through nurseries.

In general, these species should be intermixed to provide more of a camouflage effect along the face and ridgeline of the berms. Coniferous species should be planted where year-round screening is desired. Coniferous species, with their ability to survive better on hot dry slopes, should also be chosen for screening on south and west facing slopes.

PLANTING RECOMMENDATIONS: Where possible, the topsoil removed in the initial stages of new quarry construction should be spread to the depth of 6 – 12 inches over all level surfaces that will be planted. For instance, the tops of the berms. The recommended planting terraces along the face of the berms should also be filled with topsoil prior to planting with trees and shrubs. Bare rooted plants are recommended because of their low cost, ease of planting, and good survivability. They should be planted in March or April of each year.

INVASIVE SPECIES: Numerous invasive species now threaten native plants in eastern forests. If allowed to grow and spread unimpeded, they will crowd out native trees and have a negative impact on wildlife populations that depend on the native trees and shrubs for their food.

Ailanthus (tree of heaven, paradise tree), paulownia, autumn olive and multiflora rose are the most common non-native invasive shrubs and trees in this locality.





Ailanthus
Has a distinct rancid odor
in the leaves, twigs, and bark.



Paulownia
Large leaves 8" – 14" in diameter.



Autumn Olive
Aluminum sheen to the
Underside of the leaves.
Large crop of red berries each fall.



Multiflora Rose
Multiple stems from each plant.
Numerous, short curved thorns.

RECOMMENDATIONS: Once every 2 – 3 years, inspect all berms and associated land for invasive species.

Where found, individual plants of these species should be either dug or pulled out of the ground, or deadened with herbicide applications to prevent the spread of their seed to these spots.

One such herbicide recommended is RoundUp®. Cutting the tree down and painting concentrated RoundUp® herbicide on the stump within 2-3 minutes of cutting is very effective with invasive trees and requires a very little amount of herbicide.

Very large trees can be girdled with a chainsaw or a hatchet, and a mixture of RoundUp® and water can be applied to the girdle to deaden the tree. This will also have the benefit

of creating wildlife snags until the trees rot down. A foliar spray of RoundUp® can effectively control individual small stems and clumps of small stems.

Instructions for timing of herbicide applications and mixing for the various methods of application will be found on the herbicide label. These instructions should be followed precisely to obtain the desired results and to protect the environment.

NATIVE TREES (mostly) SUGGESTED FOR LANDSCAPING IN THE NORTHERN SHENANDOAH VALLEY OF VIRGINIA

No particular order of preference

Gerald R. Crowell, Va. Dept. of Forestry 2/2008

Not all of these will grow on every site. First, decide why you want a tree; shade, screening, to enhance the landscape, fall coloration, flowering, wildlife food, etc. Second, choose the final mature height you want the tree to reach. Then, research each species as to the desirability of planting in a particular location with regard to purpose, soil type, and available sunlight.

DECIDIOUS:

LITTLE ‘UNS (TO 20 FEET)

Alder, Hazel *Alnus serrulata*
Hawthorn *Crataegus* sps.
Serviceberry *Amelanchier* sps.
Viburnum *Viburnum* sps
Buckthorn, European *Rhamnus cathartica*
Fringetree *Chionanthus virginicus*
Elderberry *Sambucus canadensis*
Burningbush *Euonymus atropurpureus*
Redbud, Eastern *Cercis canadensis*

MEDI ‘UM’S (20 – 40 FEET)

Hornbeam, American *Carpinus caroliniana*
Hophornbeam, Eastern *Ostrya virginiana*
Chinkapin *Castanea pumila*
Pawpaw *Asimina triloba*
Sassafras *Sassafras albidum*
Persimmon *Diospyros virginiana*

BIG ‘UNS (40 – 80+ FEET)

Willow, black *Salix nigra*
Hickory *Carya* sps.
Birch, yellow *Betula alleghaniensis*

DECIDIOUS BIG 'UNS (continued)

Birch, black, sweet *Betula lenta*

Birch, River *Betula nigra*

Oak *Quercus* sps. Except for *Q. falcata*, *Q. nigra*, *Q. phellos*, *Q. virginiana*

Hackberry *Celtis occidentalis*

Poplar, yellow, tulip *Liriodendron tulipifera*

Sycamore *Platanus occidentalis*

Maple, sugar *Acer saccharum*

Maple, red *Acer rubrum*

Basswood *Tilia Americana*

Blackgum *Nyssa sylvatica*

EVERGREEN:

LITTLE 'UNS (to 20 feet)

Rhododendron *Rhododendron maximum*

Mountain Laurel *Kalmia latifolia*

MEDI 'UM'S (20-40 FEET)

NONE

BIG 'UNS (40 – 80+ FEET)

Pine, Pitch *Pinus rigida*

Pine, shortleaf *Pinus echinata*

Pine Table Mountain *Pinus pungens*

Baldcypress *Taxodium distichum*

Arborvitae, Northern whitecedar *Thuja occidentalis*

Eastern red cedar *Juniperus virginiana*

Norway spruce *Picea abies*

Leyland Cypress *Cupressocyparis leylandii*

NOT RECOMMENDED FOR LANDSCAPE TREES:

Ash (*Fraxinus* sps), due to Emerald Ash Borer

White pine (*Pinus strobus*); be careful, it is off-site on many shale soils and limestone clay soils in the Valley

Elm (*Ulmus* sps), due to elm yellows and Dutch Elm Disease

DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS
AND RIGHT OF FIRST REFUSAL

THIS DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS AND RIGHT OF FIRST REFUSAL (the "Declaration") is made as of the ____ day of _____, 2008, by and between O-N MINERALS (CHEMSTONE COMPANY), a Delaware corporation, its successors and assigns (the "Declarant") (Grantor for indexing purposes), and CEDAR CREEK BATTLEFIELD FOUNDATION, INC., a Virginia corporation, its successors and assigns (the "Association") (Grantee for indexing purposes).

RECITALS:

A. The Declarant is the owner of certain real property, which is intended to be a historical reserve and to be conveyed to Grantee as such and with the following covenants, conditions and restrictions and also be subject to a right of first refusal.

NOW, THEREFORE, the Declarant, for and in consideration of the premises and the covenants contained herein, grants, establishes and conveys to Grantee a certain tract of land, which is further described in the attached and incorporated plat ("Property"), which shall be maintained as a historic reserve and further establishes the following covenants:

1. There shall be no occupied dwellings on the Property;
2. The Property shall be maintained with all grass neatly mowed at all times and any trees maintained using best management practices;



3. The Declarant further reserves the right to take any action reasonably required to maintain the Property in the event the Grantee fails to do so. This right shall include but not be limited to the right to enter upon the Property to do such work on the Property as may be required to effect the provisions of this Declaration.

IT IS FURTHER agreed and understood that the Property shall be conveyed with the Grantor retaining a right of first refusal to purchase the Property in the event the Grantee conveys or sells all or a portion of the Property to an entity, which is not related to the Grantee and which is not a charitable entity established for the preservation of historic properties. The parties do agree to execute any and all such other documents as may be required to effect provisions of this agreement, including but not limited to, a memorandum confirming the right of first refusal to be recorded in the land records of Frederick County, Virginia.

[REMAINDER OF THE PAGE LEFT INTENTIONALLY BLANK]

WITNESSETH, the following signatures and seals:

O-N MINERALS (CHEMSTONE COMPANY)
a Delaware corporation

By: _____ (Seal)

Its: _____

COMMONWEALTH OF VIRGINIA
CITY/COUNTY OF _____, TO WIT:

The foregoing instrument was acknowledged before me this ____ day of _____,
2008 by _____, _____ of O-N Minerals (Chemstone
Company).

Notary Public

My Commission expires: _____.
Registration No.: _____

CEDAR CREEK BATTLEFIELD FOUNDATION, INC.
a Virginia corporation

By: _____ (Seal)

Its: _____

COMMONWEALTH OF VIRGINIA
CITY/COUNTY OF _____, TO WIT:

The foregoing instrument was acknowledged before me this ____ day of _____,
2008 by _____, _____ of Cedar Creek Battlefield Foundation,
Inc.

Notary Public

My Commission expires: _____.
Registration No.: _____

Methodology and Purpose of Pre-Blast Surveys at the Middletown Operation

WHAT IS THE PURPOSE OF A PRE-BLAST SURVEY?

As the name implies, the pre-blast survey is a visual inspection of selected structures located adjacent to proposed blasting activities. While off-site effects of commercial blasting such as that proposed for the Middletown expansion are expected to pose no threat to existing structures, it has been historically documented that when the perception of blasting reaches new or additional property owners, it is human nature to pay additional attention to one's property.

Decades of research performed by the US Bureau of Mines as well as other investigative groups, have fully documented not only the impact of blasting on structures, but also the impact of ambient environmental conditions. While blast effects typically remain well below the effects of various environmental forces, stress caused by everyday exposure to various weather events regularly places strain on construction materials above their ability to resist impact. In other words, these studies have documented what every homeowner already knows, houses, over time, will develop cracks and defects.



WELL GUARANTEE AGREEMENT

Carmeuse Lime & Stone, its successors or assigns (hereinafter referred to as "MINE OWNER") guarantees to the undersigned Owner that it will replace or replenish the Owner's existing privately owned domestic-use water well(s) under the following circumstances:

Any water well negatively impacted in such a way as to render it unsuitable for its existing use, on property within 1,500 feet of any parcels being actively quarried and dewatered by MINE OWNER located at its Middletown plant (hereinafter referred to as the MINE OWNER Facility) by depleting a well, lowering the water surface below the pump or negatively intercepting the groundwater flow to the well. If at some future date MINE OWNER expands the MINE OWNER Facility and the active mining operations into other adjoining properties not currently zoned for earth materials extraction, then this Well Guarantee Agreement will be automatically expanded to include all parcels within 1,500 feet from those areas.

MINE OWNER will repair the problem by lowering the pump, deepening the well, drilling a replacement well, and/or installing an appropriate water quality treatment system at no cost to the Owner.

The undersigned Owner, in accepting this guarantee, agrees to the following conditions:

The Owner grants permission to MINE OWNER or its representative to inspect and evaluate the current condition of the well as part of a baseline water well inspection survey.

The Owner grants permission to MINE OWNER or its representative to perform water level measurements of the well or collect water quality samples (in addition to the baseline water well inspection survey) on an as needed basis for the purpose of creating background data for the well, and to assess potential complaints.

The Owner agrees to notify within twenty-four (24) hours of discovery of the reduction of water supply, depletion of the well or degradation in water quality so that MINE OWNER and a third-party hydrogeologist (as a Licensed Professional Geologist in the State of Virginia) can verify and/or document any occurrences noted during quarrying at the MINE OWNER Facility that may have contributed to the reduction of water supply or well depletion.

The third-party hydrogeologist shall document the reduction of water supply, depletion of the well or degradation in water quality. Further, the hydrogeologist will make a determination as to the cause of the reduction of water supply, depletion of the well or degradation in water quality only for purposes of determining the appropriate repair or remediation. MINE OWNER shall be responsible for supplying temporary potable water for human consumption, and potentially, water hauling for other uses (as appropriate) until the problem is corrected. MINE OWNER shall be allowed by the Owner to evaluate the well and conduct such reasonable tests as it deems necessary to verify the cause of the reduction of water supply, depletion of the well or degradation in water quality.

MINE OWNER agrees to bear all reasonable expenses that result from said reduction of water supply or well depletion; including, but not limited to temporary potable water supply for human consumption, household use, water hauling for other potential uses (as appropriate), well and pump modification, new well construction, and legal fees expended in implementing this Well Guarantee Agreement. The owner shall notify MINE OWNER prior to undertaking remedial activities or incurring expenses that later may be borne by MINE OWNER.

Repair costs due to worn or defective pumps, electrical cabling, and piping are specifically



excluded from this guarantee.

The terms of the Well Guarantee Agreement are binding during the active life of the said MINE OWNER Facility, including one year following cessation of mining activities. Upon the expiration of one year following completion of quarrying activities at the MINE OWNER Facility, this Well Guarantee Agreement shall be considered null and void.

Owner:

Date:

MINE OWNER:

Title:

Date:

Local homeowners within 1,500 feet of the property line of the proposed expansion will be invited to take part in a pre-expansion survey of their domestic water wells.

Within ___ days after rezoning is approved, each property owner within the 1,500 ft. radius of the proposed expansion will be sent an informational newsletter explaining the purpose of the Survey. A second letter, which will include a short scheduling form for owners to fill out and return to Carmeuse Lime & Stone, will be sent out within ___ days after the newsletter, and a public information meeting will be held as a follow up. As the scheduling forms are received, the property owners will be contacted by Carmeuse personnel to coordinate a day and time that is convenient to conduct the survey.

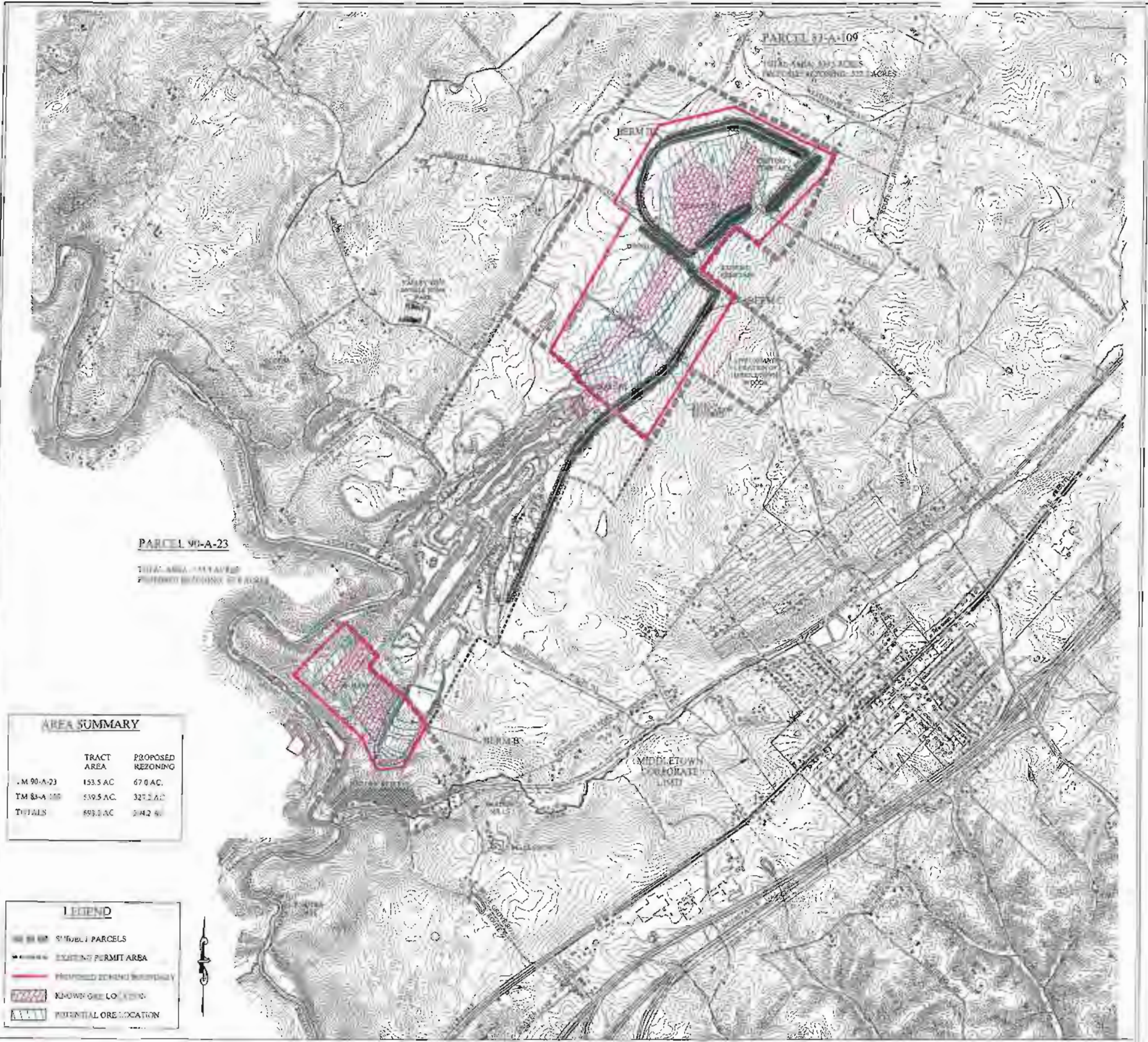
The Survey generally will consist of a short, in-person or phone, interview with the resident, property owner, or other knowledgeable party to gain information on the history of their well. The interview will followed by a physical inspection of the well. This includes obtaining the water level, pump setting depth and total depth. Existing driller's logs will also be examined. All sampling will be conducted in accordance with _____ governing approved testing procedures for potable water wells.

Field parameters measured at the time of collection include pH, Specific Conductance, Temperature, and Turbidity. The samples will be packed in ice and transported under chain-of-custody to a third party, accredited analytical laboratory for analysis. The samples will be analyzed at the laboratory for pertinent biological and chemical constituents. These include Total Coliform, Alkalinity, Chloride, Sulfate, Nitrate, Phosphorus, Potassium, Sodium, Magnesium, Calcium, Iron, and Manganese.

Each well will also be tested to determine its Specific Capacity, which will be used as a baseline for well yield estimations at that particular location. Well water at each respective well will be purged at a measured flow rate (variable for each well) for a specific time interval (also variable for each well) using the existing pumping system currently in place. The water level in each well will be measured during the testing period. Typically the well will be purged at a flow rate of less than 5 to 10 gallons per minute for approximately 30 minutes or less. The Specific Capacity for each test will be calculated using the average pumping rate during the test divided by the water level drawdown incurred at the well during the test.

Copies of the resulting reports will be provided to the property owner, as well as being maintained by Carmeuse and the designated third party performing the evaluation.





PARCEL 90-A-23
 TOTAL AREA: 144.4 ACRES
 PROPOSED ZONING: 67.0 ACRES

AREA SUMMARY

| | TRACT AREA | PROPOSED REZONING |
|-------------|------------|-------------------|
| TM 90-A-23 | 144.4 AC. | 67.0 AC. |
| TM 83-A-109 | 519.5 AC. | 327.2 AC. |
| TOTALS | 663.9 AC. | 394.2 AC. |

LEGEND

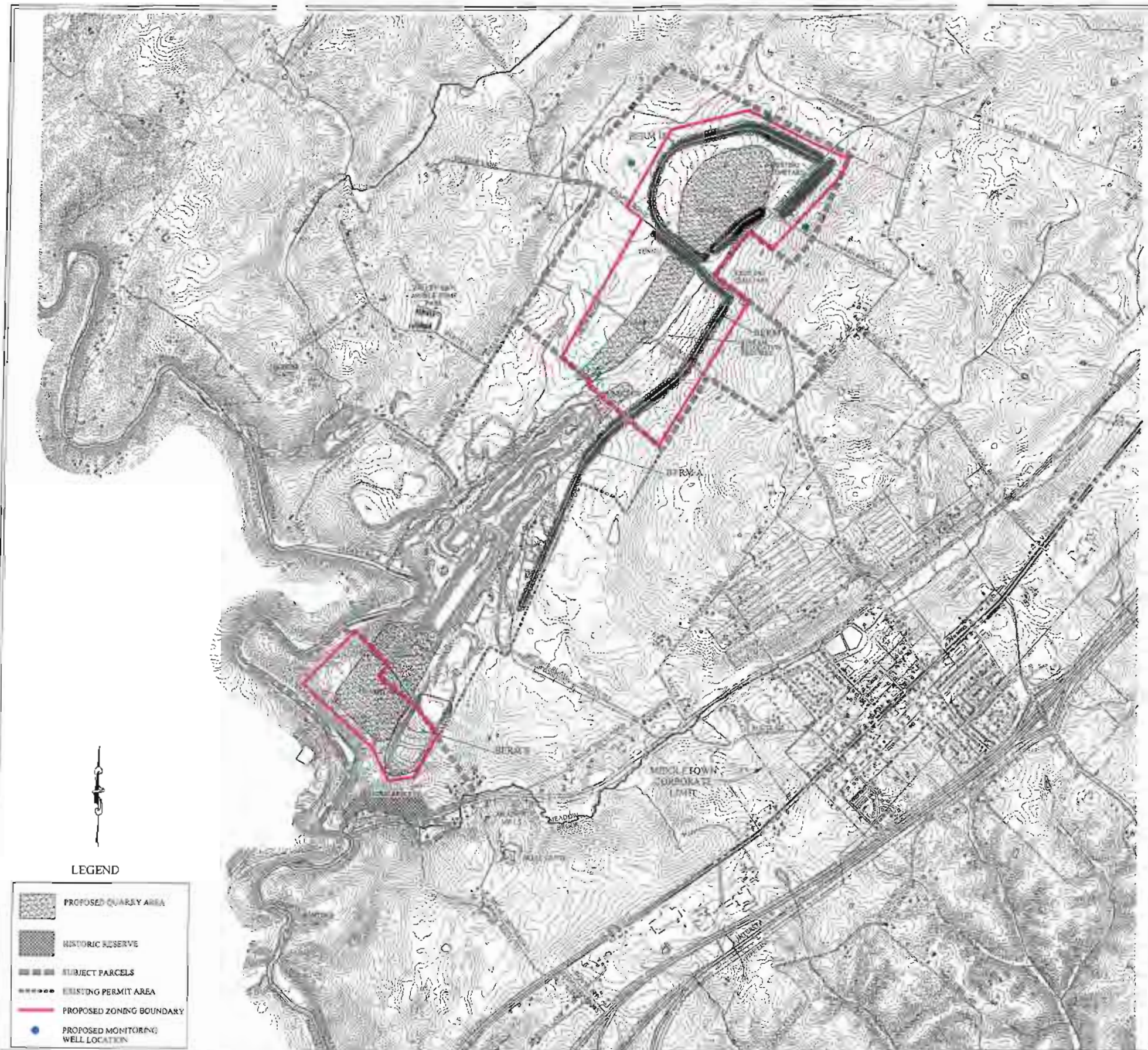
- 50' BOUNDARY PARCELS
- EXISTING PERMIT AREA
- PROPOSED ZONING BOUNDARY
- KNOWN OR LOCATED
- POTENTIAL ORE LOCATION

Patten Harris West & Associates, PC
 Engineers, Surveyors, Planners, Landscape Architects
P-H-R-A
 117 East Plentiful Street
 Frederick, MD 21701
 T 301-667-2138
 F 301-667-9955

O-N Minerals Chemstone
GENERALIZED DEVELOPMENT PLAN
 FREDERICK COUNTY, VIRGINIA
 MAY 2008



EXHIBIT
 2



LEGEND

-  PROPOSED QUARRY AREA
-  HISTORIC RESERVE
-  SUBJECT PARCELS
-  EXISTING PERMIT AREA
-  PROPOSED ZONING BOUNDARY
-  PROPOSED MONITORING WELL LOCATION

O-N Minerals Chemstone

OVERALL PLAN
 FREDERICK COUNTY, VIRGINIA

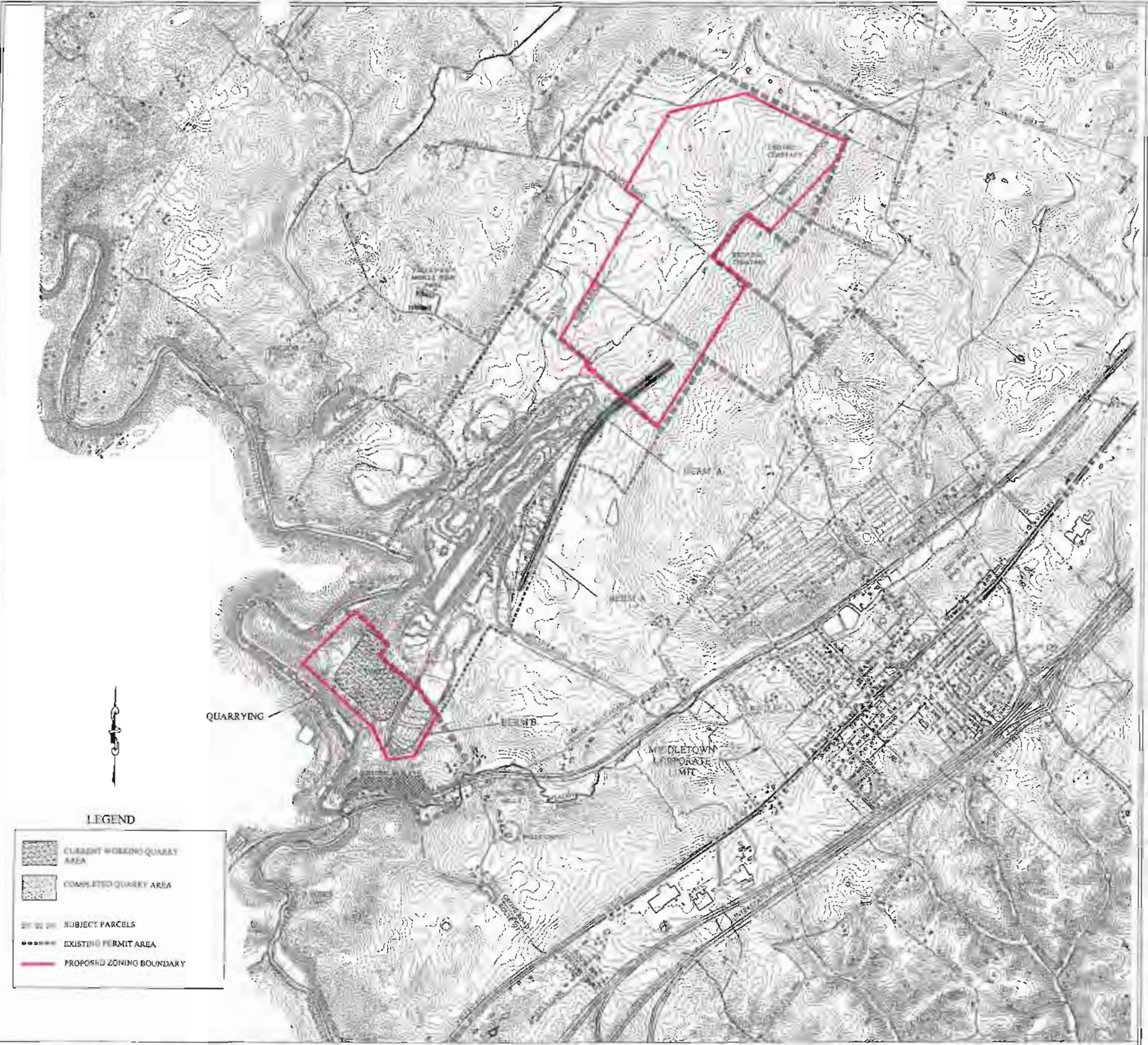
MAY 2008

Patten Harris Rust & Associates, PC
 Engineers, Surveyors, Planners, Landscape Architects

PHRA
 117 East Plowville Street
 Winchester, VA 22391
 T 540-667-2131
 F 540-665-0493

GRAPHIC SCALE



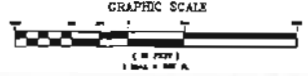


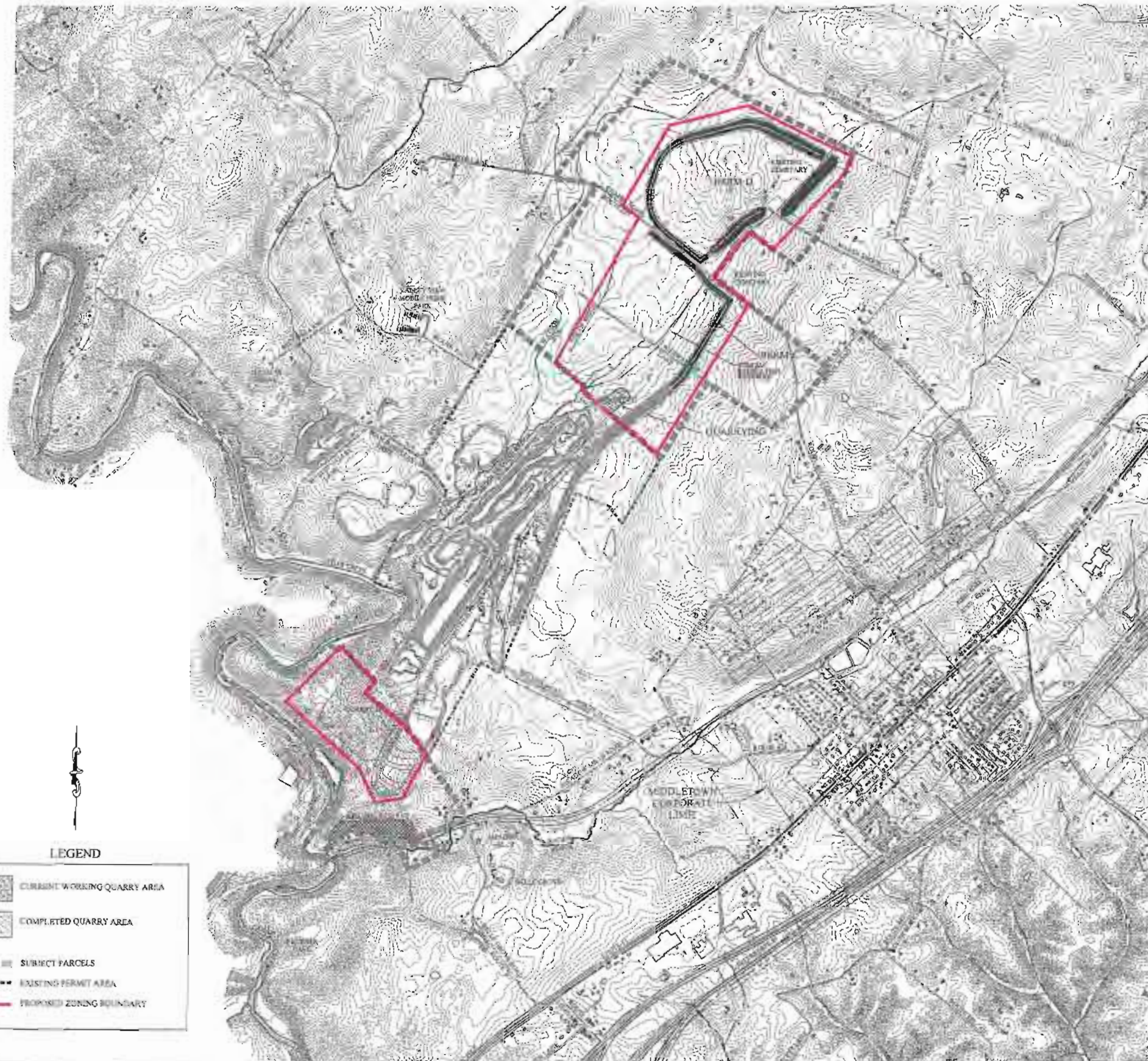
O-N Minerals Chemstone

PHASE I PLAN
 FREDERICK COUNTY, VIRGINIA
 MAY 2008

Patton Harris Rust & Associates, pc
 Engineers, Surveyors, Planners, Landscape Architects

PHRA
 117 East Placidly Street
 Washington, VA 22601
 T 540-897-2139
 F 540-855-8955





LEGEND

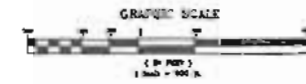
-  CURRENT WORKING QUARRY AREA
-  COMPLETED QUARRY AREA
-  SUBJECT PARCELS
-  EXISTING PERMIT AREA
-  PROPOSED ZONING BOUNDARY

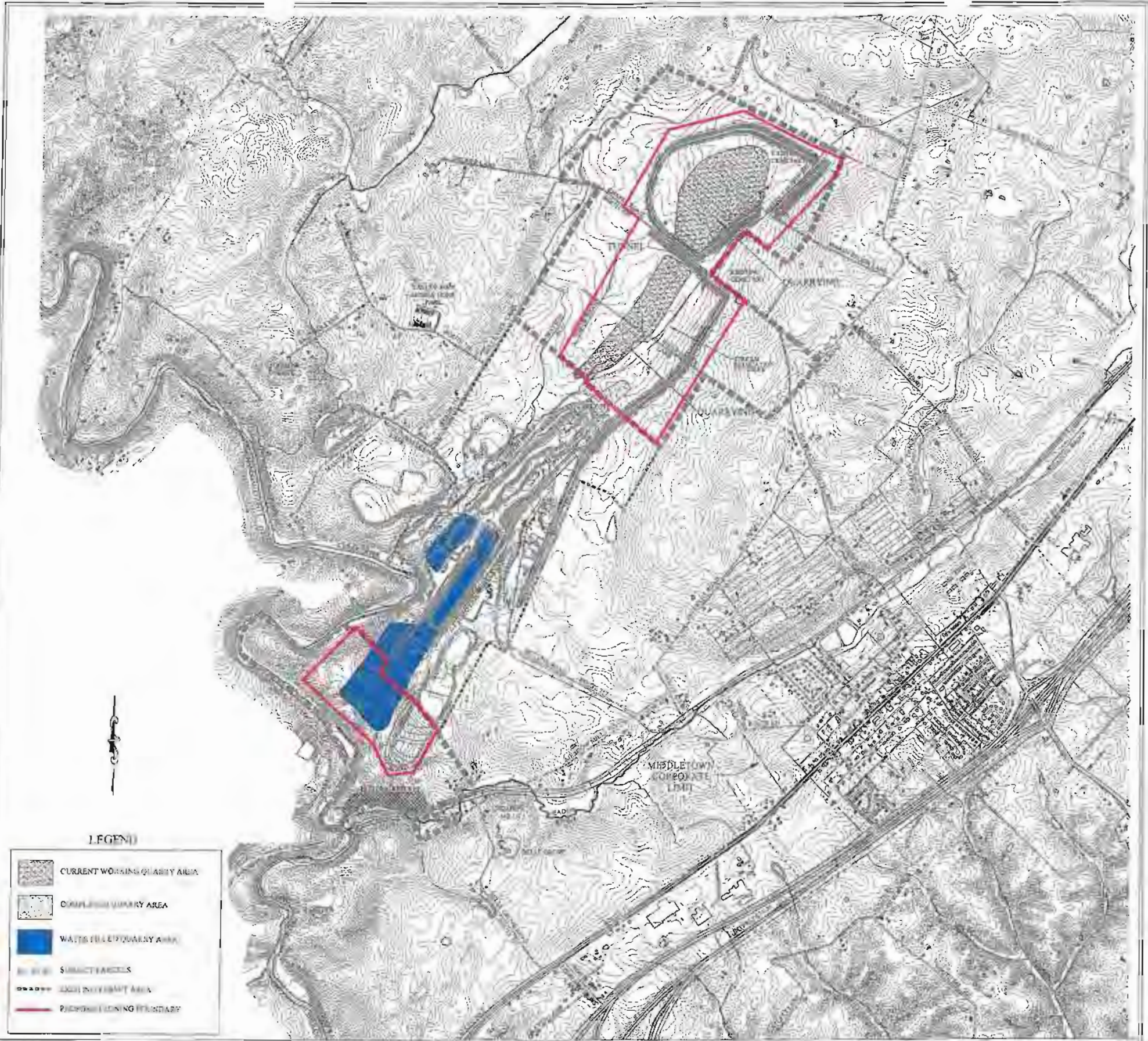
O-N Minerals Chemstone

PHASE II PLAN
 FREDERICK COUNTY, VIRGINIA

MAY 2008

Paton Harkin Rupp & Associates, PC
 Engineers, Surveyors, Planners, Landscape Architects
PHRA 111 East Riverside Street
 Washington, VA 22602
 703-667-2100
 703-667-0488





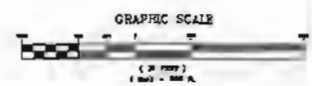
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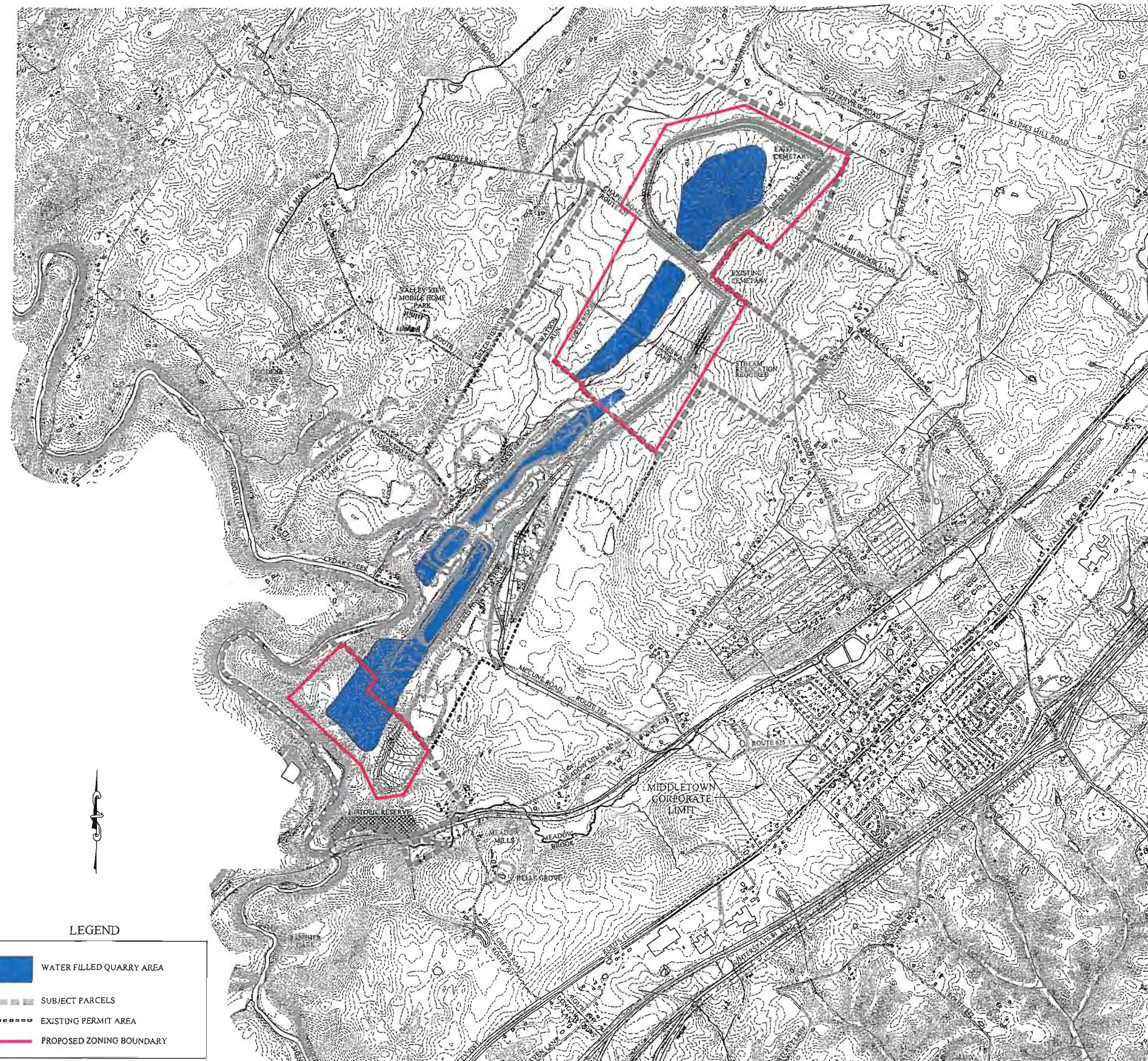
-  CURRENT WORKING QUARRY AREA
-  COMPLETE QUARRY AREA
-  WATER FILL ESTIMATED AREA
-  SUBTRACT AREAS
-  EXISTING INFRASTRUCTURE
-  PROPOSED ZONING BOUNDARY

O-N Minerals Chemstone

PHASE III PLAN
 FREDERICK COUNTY, VIRGINIA
 MAY 2008

Patton Harris Rust & Associates, PC
 Engineers, Surveyors, Planners, Landscape Architects
PHRA
 117 801 Highway Street
 Alexandria, VA 22301
 Telephone: 703-219-
 7540-865-0463





LEGEND

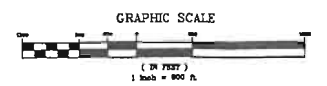
- WATER FILLED QUARRY AREA
- SUBJECT PARCELS
- EXISTING PERMIT AREA
- PROPOSED ZONING BOUNDARY

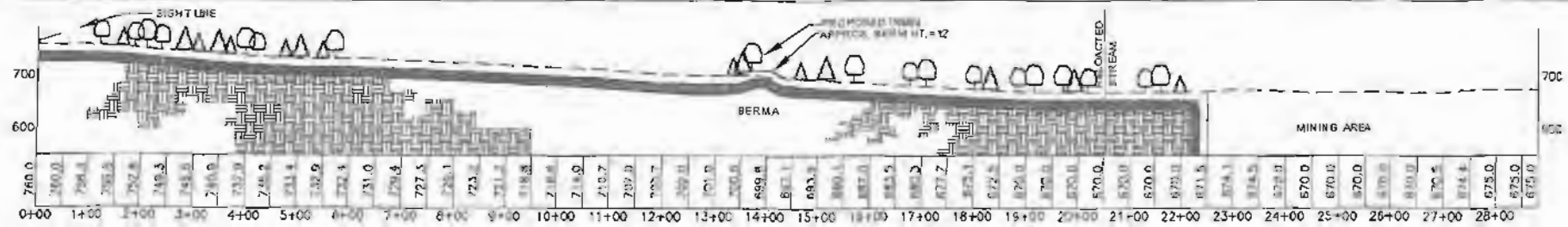
O-N Minerals Chemstone

PHASE IV PLAN
 FREDERICK COUNTY, VIRGINIA
 MAY 2008

Patton Harris Rust & Associates, pc
 Engineers, Surveyors, Planners, Landscape Architects

PHRA 117 East Piccadilly Street
 Winchester, VA 22601
 T 540-667-2139
 F 540-665-0493





• VEGETATION SHOWN IS EXISTING UNLESS OTHERWISE NOTED.

VIEWSHED 4A

SCALE: 1" = 300'



KEY MAP

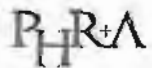
NO SCALE

O-N Minerals Chemstone

Frederick County, Virginia

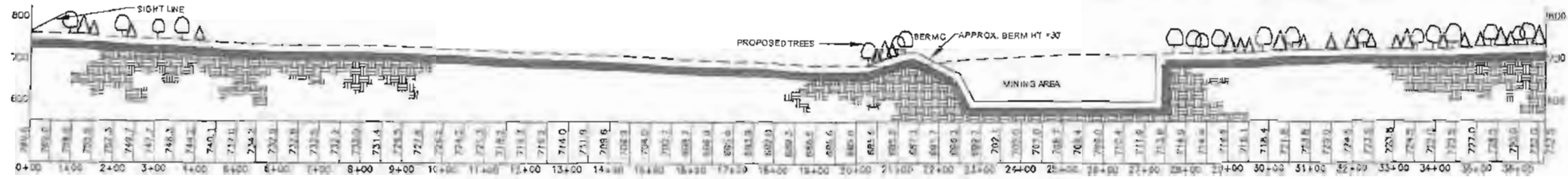
MAY 2008

Patton Harris Rust & Associates, pc
Engineers, Surveyors, Planners, Landscape Architects



117 East Pinecreek Street
Winchester, VA 22601
T 540-367-2139
F 540-365-0493

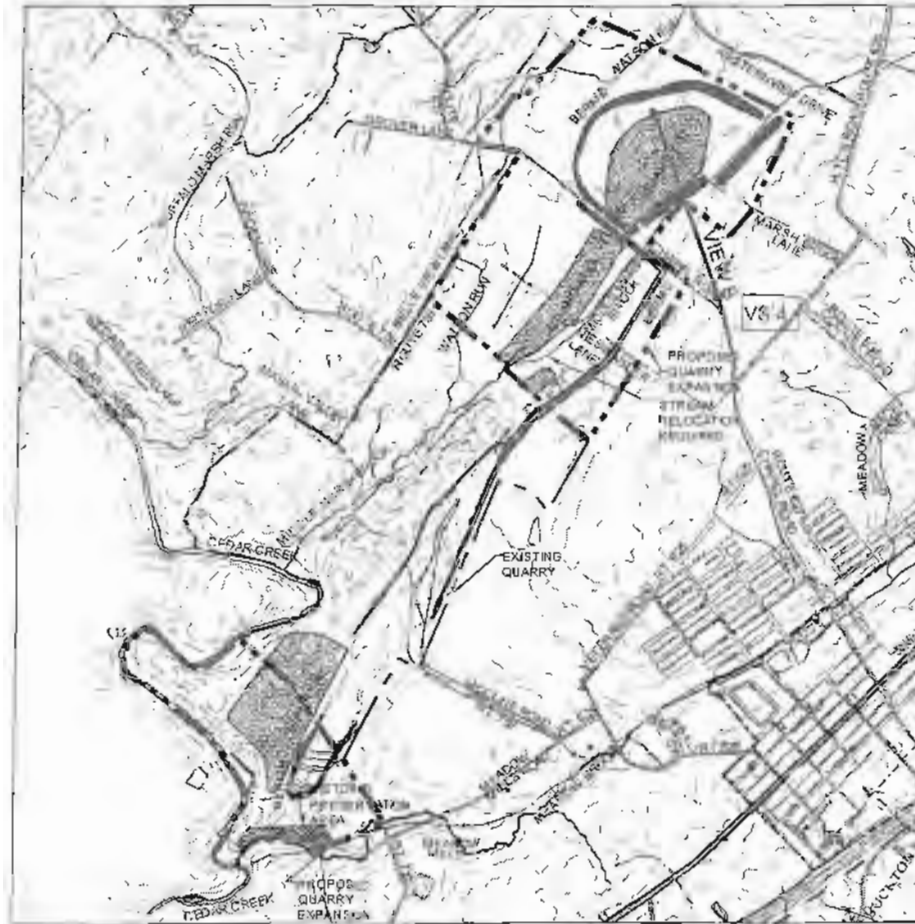




• VEGETATION SHOWN IS EXISTING UNLESS OTHERWISE NOTED.

VIEWSHED 4B

SCALE: 1" = 300'



KEY MAP

NO SCALE

O-N Minerals Chemstone

Frederick County, Virginia

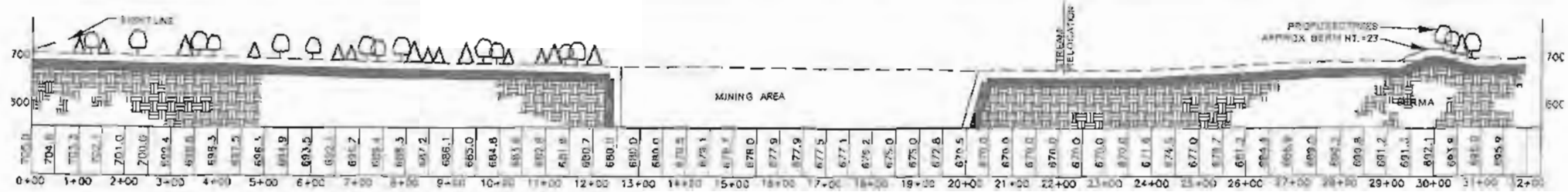
MAY 2008

Patton Harris Rust & Associates, pc
Engineers, Surveyors, Planners, Landscape Architects.

PHRA

117 East Piccadilly Street
Winchester, VA 22301
T 540-667-5139
F 540-585-0493





• VEGETATION SHOWN IS EXISTING UNLESS OTHERWISE NOTED.

VIEWSHED 5A

SCALE: 1" = 300'



KEY MAP

NO SCALE

O-N Minerals Chemstone

Frederick County, Virginia

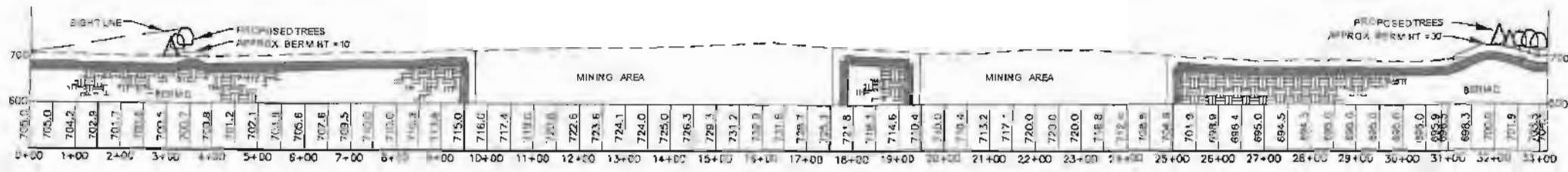
MAY 2008

Patton Harris Rust & Associates, pc
 Engineers, Surveyors, Planners, Landscape Architects

PHRA

117 East Fluvanna Street
 Winchester, VA 22601
 T: 540-887-2118
 F: 540-885-1183

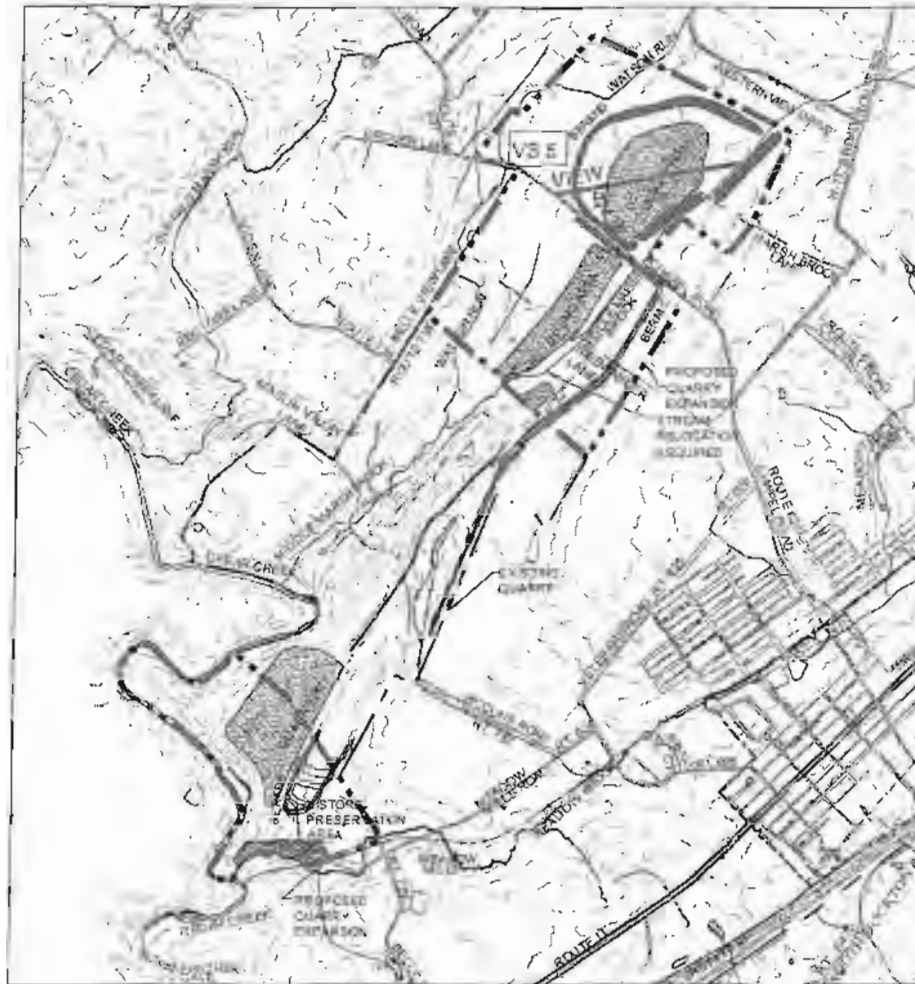




• VEGETATION SHOWN IS EXISTING UNLESS OTHERWISE NOTED.

VIEWSHED 5B

SCALE: 1" = 300'



KEY MAP

NO SCALE

O-N Minerals Chemstone

Frederick County, Virginia

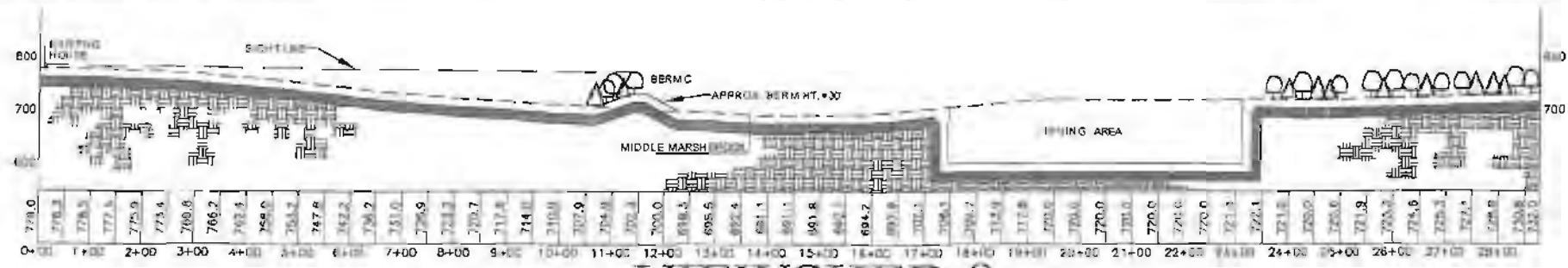
MAY 2008

Patton Harris Rust & Associates, PC
Engineers, Surveyors, Planners, Landscape Architects

PHRA

117 East Potomac Street
Winchester, VA 22601
T 540-697-2139
F 540-697-0103

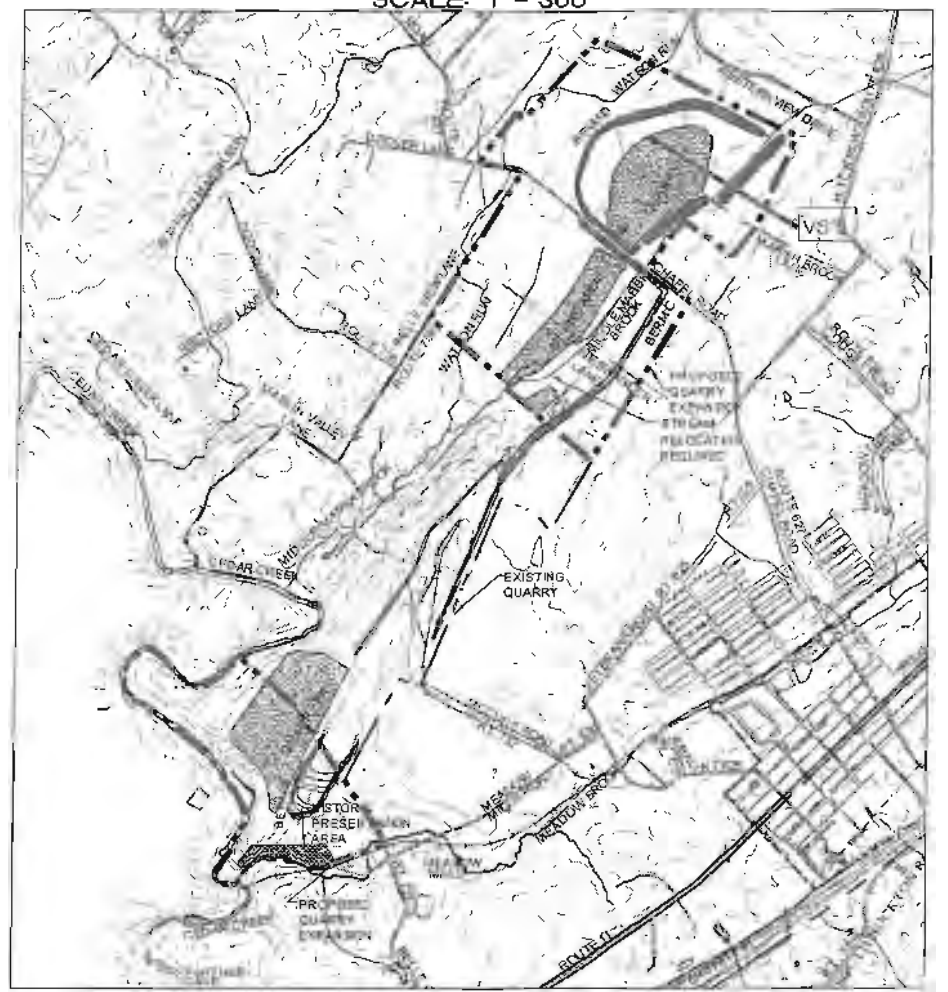




• VEGETATION SHOWN IS EXISTING UNLESS OTHERWISE NOTED.

VIEWSHED 8

SCALE: 1" = 300'



KEY MAP

NO SCALE

O-N Minerals Chemstone

Frederick County, Virginia

MAY 2008

Palton Harris Hunt & Associates, pc
 Engineers, Surveyors, Planners, Landscape Architects.
PHRA
 117 East Floodkill Street
 Winchester, VA 22091
 T 540-487-4159
 F 540-487-0493



**REZONING APPLICATION FORM
FREDERICK COUNTY, VIRGINIA**

To be completed by Planning Staff:

| | | | |
|-------------------------|-----------------|------------------|-------------------------------|
| Zoning Amendment Number | <u>05-17</u> | Fee Amount Paid | \$ <u>10,000⁰⁰</u> |
| PC Hearing Date | <u>11/15/17</u> | Date Received | <u>10/17/17</u> |
| | | BOS Hearing Date | <u>12/13/17</u> |

The following information shall be provided by the applicant:

All parcel identification numbers, deed book and page numbers may be obtained from the **Office of the Commissioner of Revenue, Real Estate Division, 107 North Kent Street, Winchester.**

1. Applicant:

O-N Minerals (Chemstone) Company

Name: d/b/a Carmeuse Lime & Stone Telephone: 540-465-6802

Address: 11 Stanwix Street, 21st Floor
Pittsburgh, PA 15222

2. Property Owner (if different than above):

Name: _____ Telephone: _____

Address: _____

3. Contact person if other than above:

Name: Thomas Moore Lawson, Esq. Telephone: (540) 665-0050

4. Property Information:

- a. Property Identification Number(s): 83-A-109 & 90-A-23
- b. Total acreage to be rezoned: 394.2
- c. Total acreage of the parcel(s) to be rezoned (if the entirety of the parcel(s) is not being rezoned): _____
- d. Current zoning designation(s) and acreage(s) in each designation: Extractive Manufacturing (EM) 394.2 Acres
- e. Proposed zoning designation(s) and acreage(s) in each designation: Extractive Manufacturing (EM) 394.2 Acres
- f. Magisterial District(s): Back Creek

5. Checklist: Check the following items that have been included with this application.

| | | | |
|--|-------------------------------------|---------------------------|-------------------------------------|
| Location map | <input checked="" type="checkbox"/> | Agency Comments | <input checked="" type="checkbox"/> |
| Plat | <input checked="" type="checkbox"/> | Fees | <input checked="" type="checkbox"/> |
| Deed to property | <input checked="" type="checkbox"/> | Impact Analysis Statement | <input checked="" type="checkbox"/> |
| Verification of taxes paid | <input checked="" type="checkbox"/> | Proffer Statement | <input checked="" type="checkbox"/> |
| Plat depicting exact meets and bounds for the proposed zoning district | <input type="checkbox"/> | | <input type="checkbox"/> |
| Digital copies (pdf's) of all submitted documents, maps and exhibits | <input type="checkbox"/> | | <input type="checkbox"/> |

6. The Code of Virginia allows us to request full disclosure of ownership in relation to rezoning applications.

Please list below all owners or parties in interest of the land to be rezoned:

O-N Minerals (Chemstone) Company d/b/a Carmeuse Lime & Stone

7. Adjoining Property: See Attached

| <u>PARCEL ID NUMBER</u> | <u>USE</u> | <u>ZONING</u> |
|-------------------------|------------|---------------|
| <hr/> | <hr/> | <hr/> |
| <hr/> | <hr/> | <hr/> |
| <hr/> | <hr/> | <hr/> |
| <hr/> | <hr/> | <hr/> |
| <hr/> | <hr/> | <hr/> |

8. Location: The property is located at (give exact location based on nearest road and distance from nearest intersection, using road names and route numbers):

The subject parcels are situated generally west of the Town of Middletown. Specifically, the Middle Marsh Property is

located east of Belle View Lane (Route 758), and west and adjacent to Hites Road (Route 625), and is further traversed by Chapel

Road (Route 627). The Northern Reserve is bounded to the south by Cedar Creek, and is west and adjacent to Meadow Mills Road (Route 624).

9. The following information should be provided according to the type of rezoning proposed:

Number of Units Proposed

Single Family homes: _____ Townhome: _____ Multi-Family: _____
 Non-Residential Lots: _____ Mobile Home: _____ Hotel Rooms: _____

Square Footage of Proposed Uses

Office: _____ Service Station: _____
 Retail: _____ Manufacturing: _____
 Restaurant: _____ Warehouse: _____
 Commercial: _____ Other: 78 Acres - quarry pits

10. Signature:

I (we), the undersigned, do hereby respectfully make application and petition the Frederick County Board of Supervisors to amend the zoning ordinance and to change the zoning map of Frederick County, Virginia. I (we) authorize Frederick County officials to enter the property for site inspection purposes.

I (we) understand that the sign issued when this application is submitted must be placed at the front property line at least seven days prior to the Planning Commission public hearing and the Board of Supervisors public hearing and maintained so as to be visible from the road right-of-way until the hearing.

I (we) hereby certify that this application and its accompanying materials are true and accurate to the best of my (our) knowledge.

Applicant(s): Mauli D. Basile Date: 01/18/2017

_____ Date: _____

Owner(s): Mauli D. Basile Date: 01/18/2017

_____ Date: _____

ADJOINING PROPERTY OWNERS

Owners of property adjoining the land will be notified of the Planning Commission and the Board of Supervisors meetings. For the purpose of this application, **adjoining property is any property abutting the requested property on the side or rear or any property directly across a public right-of-way, a private right-of-way, or a watercourse from the requested property.** The applicant is required to obtain the following information on each adjoining property including the parcel identification number which may be obtained from the office of the Commissioner of Revenue. *The Commissioner of the Revenue is located on the 2nd floor of the Frederick County Administrative Building, 107 North Kent Street.*

| Name and Property Identification Number | Address |
|---|-------------------------|
| Name SOMPANDH WANANT | 4834 GAINSBOROUGH DRIVE |
| Property # 84-6-1 | FAIRFAX, VA 22032 |
| Name WILLIAM AND LAURIE HUNTER | 151 WESTERNVIEW DRIVE |
| Property # 84-6-2 | MIDDLETOWN, VA 22645 |
| Name KEVIN AND ELIZABETH BARRINGTON | 205 WESTERNVIEW DRIVE |
| Property # 84-6-3 | MIDDLETOWN, VA 22645 |
| Name DANIEL E. TAYLOR, JR. | 241 WESTERNVIEW DRIVE |
| Property # 84-6-4 | MIDDLETOWN, VA 22645 |
| Name MARK AND NATASHA HOWARD | 277 WESTERNVIEW DRIVE |
| Property # 84-6-5 | MIDDLETOWN, VA 22645 |
| Name DONALD AND DONNA HOPKINS | 325 WESTERNVIEW DRIVE |
| Property # 84-6-6 | MIDDLETOWN, VA 22645 |
| Name MICHAEL AND SANDRA SWIGER | 357 WESTERNVIEW DRIVE |
| Property # 84-6-7 | MIDDLETOWN, VA 22645 |
| Name BARBARA J. BASILE | 379 WESTERNVIEW DRIVE |
| Property # 84-6-8 | MIDDLETOWN, VA 22645 |
| Name JAMES AND SHARON SANTMYERS | 411 WESTERNVIEW DRIVE |
| Property # 84-6-9 | MIDDLETOWN, VA 22645 |

| Name and Property Identification Number | Address |
|---|-----------------------|
| Name KEITH AND LINDA MCNEELY | 443 WESTERNVIEW DRIVE |
| Property # 84-6-10 | MIDDLETOWN, VA 22645 |
| Name HAROLD F. STALCUP | 3458 ZEPP ROAD |
| Property # 84-6-11 | MAURERTOWN, VA 22644 |
| Name PAUL J. CLEVINGER | 451 WESTERNVIEW DRIVE |
| Property # 84-6-12 | MIDDLETOWN, VA 22645 |
| Name LYNNETTE C. DALTON | 430 WESTERNVIEW DRIVE |
| Property # 84-6-13 | MIDDLETOWN, VA 22645 |
| Name JOHN AND MEGAN HANSEN | 342 WESTERNVIEW DRIVE |
| Property # 84-6-14 | MIDDLETOWN, VA 22645 |
| Name SYLVIA A. BOTTOMLY | 300 WESTERNVIEW DRIVE |
| Property # 84-6-15 | MIDDLETOWN, VA 22645 |
| Name EDWIN AND ELIZABETH STREUN | 276 WESTERNVIEW DRIVE |
| Property # 84-6-16 | MIDDLETOWN, VA 22645 |
| Name KURT AND DENISE BORGOYN | 210 WESTERNVIEW DRIVE |
| Property # 84-6-17 | MIDDLETOWN, VA 22645 |
| Name WILLIAM BENSON HANMER III | 120 WESTERNVIEW DRIVE |
| Property # 84-6-18 | MIDDLETOWN, VA 22645 |
| Name GARY S. & DALE A. NICHOLS | 216 MARSH BROOK LANE |
| Property # 84-A-7 | MIDDLETOWN, VA 22645 |
| Name RICHARD A. & JANET S. DYE | 11310 VALE ROAD |
| Property # 84-A-12 | OAKTON, VA 22124 |
| Name H & E, LC | 1832 CHAPEL ROAD |
| Property # 84-A-17 | MIDDLETOWN, VA 22645 |
| Name WILLIAM AND MELYNDA HOEMMEN | 1875 HITES ROAD |
| Property # 84-A-17A | MIDDLETOWN, VA 22645 |
| Name PATRICIA HUDGINS AND ROBERT RENNER | 1786 CHAPEL ROAD |
| Property # 91-A-7 | MIDDLETOWN, VA 22645 |

| Name and Property Identification Number | Address |
|---|-------------------------------------|
| Name JOHN S. SCULLY IV AND WINCHESTER WAREHOUSING | 114 NORTH CAMERON STREET |
| Property # 84-6-22 | WINCHESTER, VA 22601 |
| Name DENNIS F. BOYER | 165 DROVER LANE |
| Property # 83-A-107; 83-A-108; 83-A-108B | MIDDLETOWN, VA 22645 |
| Name THOMAS AND DORA BOWMAN | 1115 CHAPEL ROAD |
| Property # 83-A-106 | MIDDLETOWN, VA 22645 |
| Name JEAN SINGH | 190 NEWELL DRIVE |
| Property # 83-A-103B | MIDDLETOWN, VA 22645 |
| Name GARRETT FARMS, LLC | 224 MEADOW MILLS ROAD |
| Property # 90-A-20; 84-A-16 | MIDDLETOWN, VA 22645 |
| Name MILDRED G. BRUMBACK | 420 BELLE GROVE ROAD |
| Property # 90-A-26 | MIDDLETOWN, VA 22645 |
| Name BARRY L. BOWSER | P.O. BOX 21 |
| Property # 90-A-25 | MIDDLETOWN, VA 22645 |
| Name CEDAR CREEK BATTLEFIELD FOUNDATION INC. | P.O. BOX 229 |
| Property # 90-A-23A | MIDDLETOWN, VA 22645 |
| Name BLUEGRASS MATERIALS COMPANY LLC | 200 WEST FORSYTH STREET, SUITE 1200 |
| Property # 90-A-22 | JACKSONVILLE, FL 32202 |
| Name MIDDLETOWN HUNT CLUB INC. | P.O. Box 121 |
| Property # 90-A-24 | MIDDLETOWN, VA 22645 |
| Name | |
| Property # | |
| Name | |
| Property # | |
| Name | |
| Property # | |
| Name | |
| Property # | |



February 22, 2018

Mr. Thomas Moore Lawson
Lawson and Silek, PLC
P.O. Box 2740
Winchester, Virginia 22604

**RE: Rezoning for O-N Minerals (Chemstone) Company
Property Identification Numbers (PINs): 83-A-109 and 90-A-23**

Dear Mr. Lawson:

Staff has reviewed the proffer statement dated February 14, 2018. Staff's comments are listed below for your consideration.

1. **Generalized Development Plan.** The proffers make reference to one GDP, there were two GDP's submitted with the proffer statement. The inclusion of the GDP that shows the berm construction (Sections 1-4) should be utilized.
2. **Exhibit 2 – Viewshed Plats.** This proffer does not reference the viewshed plats as Exhibit 2. Reference should be made in the proffer statement to the exhibit number. Staff also recommends removing the existing proffered berm details from the viewshed plats and only depicting the 2018 proposed changes.
3. **Site Development – Proffer 2.**
 - Proffer 2.2 states that “a combination of landscaping, earthen berms or fencing shall be installed”. This proffer wording would allow for the berms to be eliminated in lieu of fencing.
 - Proffer 2.2 should provide details for the berm south of Chapel Road.
 - Proffer 2.2 should reference that the revisions (Sections 1-4) only pertain to Berm D.
 - Proffer 2.2 reduces the berm adjacent to the Westernview development from 30' to 15' and proposes to adjust the distance from the residences. This revision could have potentially negative impacts on these residences.

Page 2
Mr. Thomas Moore Lawson
RE: O-N Minerals (Chemstone) Company
February 22, 2018

- Proffer 2.2 berm Section 2 states that the berm could be reduced due to cemetery or stream encroachment – this berm could potentially be reduced to 10'. The berm should be placed in an area that would not encroach on the cemetery and the stream to ensure that a definitive berm height is provided.
- The proffer removes the requirement that the berms be installed 10 years prior to mining north of Chapel Road. The proposed amendment states that the berms would be installed after permitting and one year prior to the extraction of material for processing. It appears that this proffer amendment would allow for a large amount of earthwork and excavating prior to any berms being installed. This could be worded to clarify that the berm would be installed prior to any earthwork/mining operations commencing on the property. Also, approved 10-year provision would have provided timing for the plantings to become established. One year does not appear to provide adequate timing for the berm landscaping to become established.
- A detail for the proposed planting revision should be provided.

4. Proffer 3 – Historic Resources. The approved proffer states that the owner would improve the cemetery ROW once the cemetery restoration is complete. The proposed revision states that the owner would relocate the ROW within 12 months of VDOT approval. This proffer does not commit to building an actual access road for the cemetery, only the relocation of the ROW which could potentially only relocate the easement but not actually build the access. This revision also contains no timing for applying for the Chapel Road entrance. Potentially this access could not be built if the owner never applies for a VDOT entrance.

Please note that this rezoning is scheduled for the Board of Supervisors March 14, 2018 meeting. If you propose to submit amended proffers based on the above comments and the comments received at the Planning Commission's February 21, 2018 meeting, please submit any proposed revisions by March 1, 2018 for inclusion in the Board of Supervisors agenda. Please feel free to contact me with questions regarding this application.

Sincerely,



Candice E. Perkins, AICP, CZA
Assistant Director

CEP/pd

Q



CONDITIONAL USE PERMIT #09-17
GREGORY A. BISHOP- 219 Round Hill Road
Shenandoah Mobile LLC
Staff Report for the Board of Supervisors
Prepared: March 2, 2018
Staff Contact: Mark Cheran, Zoning Administrator

This report is prepared by the Frederick County Planning Staff to provide information to the Planning Commission and the Board of Supervisors to assist them in making a decision on this request. It may also be useful to others interested in this zoning matter.

| | <u>Reviewed</u> | <u>Action</u> |
|-----------------------|-----------------|---|
| Planning Commission: | 02/21/18 | Public Hearing Held; Recommended Approval |
| Board of Supervisors: | 03/14/18 | Pending |

EXECUTIVE SUMMARY & PLANNING COMMISSION RECOMMENDATION FOR THE 03/14/18 BOARD OF SUPERVISORS MEETING:

This is a request for a Conditional Use Permit to enable the construction of a 138-foot Monopole-Type Commercial Telecommunications Facility. Should the Board of Supervisors find the use to be appropriate, the Planning Commission recommended the following conditions:

1. All review agency comments and requirements shall be complied with at all times.
2. The tower shall be available for collocating personal wireless services providers.
3. A minor site plan shall be approved by Frederick County.
4. The tower shall be removed by the Applicant or property owner within twelve (12) months of abandonment of operation.
5. In the event a telecommunications tower is not erected within twelve (12) months of the approval of this Conditional Use Permit, the CUP will be deemed invalid.
6. Any expansion or modification of this use will require a new Conditional Use Permit.

In addition, should the Board of Supervisors find the waiver to the required setback is acceptable, a motion to recommend approval of the setback reduction of 69' to allow the tower to be 134' from the identified property would be appropriate.

Following this public hearing, a decision regarding this Conditional Use Permit application by the Board of Supervisors would be appropriate. The Applicant should be prepared to adequately address all concerns raised by the Board of Supervisors.

LOCATION: This property is located at 219 Round Hill Road, Winchester, Virginia.

MAGISTERIAL DISTRICT: Back Creek

PROPERTY ID NUMBER: 52-A-254

PROPERTY ZONING & PRESENT USE: Zoned: RA (Rural Areas)
Land Use: Auto Salvage Yard

ADJOINING PROPERTY ZONING & PRESENT USE:

| | |
|----------------------------------|--------------------------------|
| North: RA (Rural Areas) | Use: Residential |
| South: RA (Rural Areas) | Use: Utility Sub-station |
| East: RA (Rural Areas) | Use: Golf Course |
| West: B3 (Industrial Transition) | Use: VDOT Maintenance Facility |

PROPOSED USE: This is a request for a Conditional Use Permit to enable the construction of A 138-foot Monopole-Type Commercial Telecommunications Facility.

REVIEW EVALUATIONS:

Virginia Department of Transportation: The application for a conditional use permit for this property appears to have little measurable impact on Route 803, the VDOT facility which would provide access to the property. Existing entrance is adequate for the proposed use. However, should use ever expand in the future, the entrance may have to be upgraded to VDOT commercial standards.

Frederick County Inspections: Structure shall comply with The Virginia Uniform Statewide Building Code and Section 312, Use Group U (Utility and Miscellaneous) of The International Building Code 2012.

Per the Section 102.3 of The Virginia Uniform Statewide Building Code, 2012 Edition, Section 102.3 VUSBC exempts equipment, related wiring, and poles and towers supporting the related wiring installed by a provider of publicly regulated utility service. The exemption shall apply only if under applicable federal and state law the ownership and control of the equipment and wiring is by the service provider or its affiliates. Such exempt equipment and wiring shall be located on either public right-of-way or private property for which the service provider has the rights of occupancy and entry; however, the structures, including their service equipment, housing, or supporting such exempt equipment and wiring shall be subject to the USBC. The installation of equipment and wiring exempted by this section shall not create an unsafe condition prohibited by the USBC.

Construction of the Pre-Engineered Modular shelter requires a building permit. Plans submitted shall be sealed by a Virginia Registered Design Professional.

An electrical permit is required for the generator and any additional electric or alteration thereof.

Please note the requirements in Chapter 17 of the IBC for special inspections for this type of structure. (soil, concrete, bolts, etc.)

Winchester-Frederick County Health Department: The Frederick County Health Department has reviewed the request for comments for a Conditional Use Permit to construct a Telecommunications tower and related ground support equipment in a fenced compound, to be located at 219 Round Hill Road, Winchester, VA 22602; Tax Map# 52-A-254. Based upon information provided to this Health Department by the Applicant, Shenandoah Mobile, LLC, the proposed construction does not appear to encroach on any existing sewage disposal systems or existing private water supplies. Therefore, this Health Department has no objections to the issuance of the Conditional Use Permit. Applicant is advised to pay particular attention to Item #18 of the General Notes of the Engineered Plans, which indicate that the portable toilets required for the duration of the project are to be removed within five (5) business days of completion of construction.

Frederick County Sanitation Authority: Since the proposed tower will not utilize our water and sewer services, Frederick Water has no comments.

Frederick County Fire Marshall: A site plan will be required. Based on the plan that was included with CUP there will be somethings to keep in mind. The fire department turnaround will need to be changed to meet Appendix D of the Frederick County Fire Prevention Code. Also, the entire fire department access road shall be 20' wide and rated for the fire apparatus to drive on it as per the Frederick County Fire Prevention Code.

City of Winchester: No comments.

Winchester Regional Airport: *Please see attached letter from Serena Manuel, Executive Director dated December 7, 2017.*

Historic Resources Advisory Board: *Please see attached letter from Candice E. Perkins, AICP, Assistant Director/Staff to HRAB, dated January 22, 2018.*

Planning and Zoning: The 2035 Comprehensive Policy Plan of Frederick County ("Comprehensive Plan") provides guidance when considering any land use action. This proposed 138-foot monopole-type commercial telecommunication facility is located on a 7+/- acre property that is zoned RA (Rural Areas) Zoning District. The property is located outside Urban Development Area (UDA) and Sewer Water Service Area (SWSA) as identified within the

Comprehensive Plan and is located within the Round Hill Area Plan. This plan identifies this area to be residential and commercial in character.

The Frederick County Zoning Ordinance allows for commercial telecommunication facilities in the RA (Rural Areas) Zoning District with an approved Conditional Use Permit (CUP) (Section 165-204-.19). The properties immediately adjacent to this proposed CUP are currently zoned RA (Rural Areas) Zoning District.

The zoning ordinance requires that all proposed telecommunication facilities be subject to additional performance standards in order to promote orderly economic development and mitigate the negative impacts to adjoining properties, residential properties, land use patterns, scenic areas and properties of significant historic value. Furthermore, the Frederick County Zoning Ordinance requires an Applicant to provide confirmation that an attempt was made to collocate on an existing telecommunication facility, and possible collocation structures. The Applicant has provided an inventory of existing telecommunication facilities, and no other telecommunication facility or possible collocation opportunity structures exist in this area. Should this facility be approved this commercial telecommunication facility will be positioned to provide the existing and future land uses in this area of the County with telecommunication needs.

Waiver: The Applicant is requesting a waiver to reduce the required setback as set forth in Section 165-204.19 of the zoning ordinance. This waiver of the setback requirement is from the eastern and western property lines. This proposed telecommunication tower will be 134' from the eastern and western property lines. The required setback from the property line is 100 ft. and the tower is 138 ft. in height and the RA Zoning District height maximum is 35', ($138' - 35' = 103'$). The normal setback 100' in RA Zoning District when the adjoining parcel over 6 acres or more. The normal setback of 100' plus is one foot for every foot over the maximum height of the district (35'). The site plan notes this tower is placed 134' from the property line and the setbacks cannot be met. The resulting computation is ($203' - 134' = 69'$) resulting in a waiver request of 69'. The property adjacent to the setback waiver request is a utility sub-station.

The Applicant has provided documentation from a certified Virginia engineer with verification that the tower is designed and will be constructed in a manner that, should the tower collapse for any reason, the collapsed tower will be contained in an area around the tower, with a radius equal to or lesser than the setback, measured from the center line of the base of the tower. Should this waiver be granted, the result will be a 69' setback reduction. ($203' - 134' = 69'$).

STAFF CONCLUSIONS FOR THE 02/21/18 PLANNING COMMISSION MEETING:

Should the Planning Commission find this use appropriate, Staff would suggest the following conditions be placed on the CUP:

1. All review agency comments and requirements shall be complied with at all times.
2. The tower shall be available for collocating personal wireless services providers.
3. A minor site plan shall be approved by Frederick County.
4. The tower shall be removed by the Applicant or property owner within twelve (12) months of abandonment of operation.
5. In the event a telecommunications tower is not erected within twelve (12) months of the approval of this Conditional Use Permit, the CUP will be deemed invalid.
6. Any expansion or modification of this use will require a new Conditional Use Permit

In addition, should the Planning Commission find the waiver to the required setback is acceptable; a motion to recommend approval of setback reduction of 69' to allow the tower to be 134' from the identified property would be appropriate.

PLANNING COMMISSION SUMMARY AND ACTION OF THE 02/21/18 MEETING:

Staff reported this application is submitted to construct a wireless commercial telecommunication monopole tower with supporting equipment in a fenced compound. Staff continued, the property is currently zoned RA (Rural Areas) Zoning District and the current land use is Automobile Salvage Yard. The proposed use is for a 138' Commercial Telecommunication Tower which is to be located on a 7+/- acre property. Staff noted, the Zoning Ordinance allows for commercial telecommunication facilities in the RA (Rural Areas) Zoning District with an approved Conditional Use Permit.

Staff reported the Applicant is requesting a waiver to reduce the required setbacks for the eastern and western property lines. This proposed tower is to be 134' from the eastern and western property lines. The required setback from the property line is 100'. The tower is 138' in height and the RA Zoning District height maximum is 35', ($138' - 35' = 103'$). Staff explained the normal setback of 100' in the RA District when the adjoining parcel is over 6 acres or more; the normal setback of 100', plus one foot for every foot over the maximum height of the district (35'); the site plan notes this tower is placed 134' from the property line and the setbacks cannot be met, thus resulting in a computation of ($203' - 134' = 69'$) resulting in a waiver request of the 69'. Mr. Cheran noted the property adjacent to the setback waiver request is a utility substation. Staff presented the following conditions recommended:

1. All review agency comments and requirements shall be complied with at all times.

2. The tower shall be available for collocating personal wireless services providers.
3. A minor site plan shall be approved by Frederick County.
4. The tower shall be removed by the Applicant or property owner within twelve (12) months of abandonment of operation.
5. In the event a telecommunications tower is not erected within twelve (12) months of the approval of this Conditional Use Permit, the CUP will be deemed invalid.
6. Any expansion or modification of this use will require a new Conditional Use Permit.

In addition, the Planning Commission found the waiver to the required setback is acceptable; recommended setback reduction of 69' to allow the tower to be 134' from the identified property.

Mr. Lynn Koerner, representing Shentel came forward and provided a brief overview of the proposal and the history of this property.

Mr. Dan Turnbull of Diamond Communications came forward and noted he has been working on an adjacent site with AT&T that is about 100 yards from this proposed tower; and agreement has been met with First Energy.

A motion was made, seconded, and unanimously passed to recommend approval of CUP #09-17.

(Note: Commissioner Mohn was absent from the meeting)

EXECUTIVE SUMMARY & PLANNING COMMISSION RECOMMENDATION FOR THE 03/14/18 BOARD OF SUPERVISORS MEETING:

This is a request for a Conditional Use Permit to enable the construction of a 138-foot Monopole-Type Commercial Telecommunications Facility. Should the Board of Supervisors find the use to be appropriate, the Planning Commission recommended the following conditions:

1. All review agency comments and requirements shall be complied with at all times.
2. The tower shall be available for collocating personal wireless services providers.
3. A minor site plan shall be approved by Frederick County.

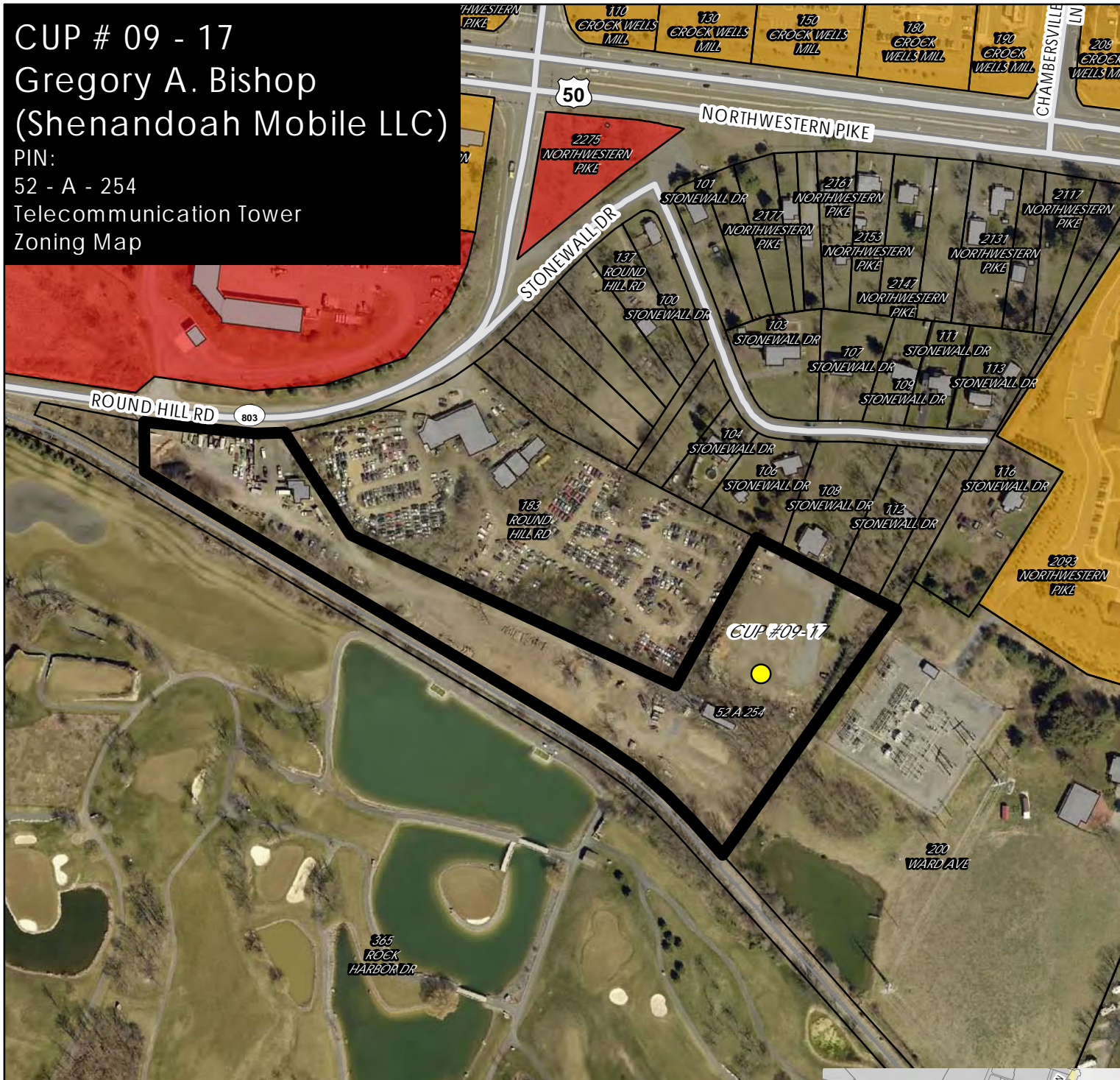
4. The tower shall be removed by the Applicant or property owner within twelve (12) months of abandonment of operation.
5. In the event a telecommunications tower is not erected within twelve (12) months of the approval of this Conditional Use Permit, the CUP will be deemed invalid.
6. Any expansion or modification of this use will require a new Conditional Use Permit.










In addition, should the Board of Supervisors find the waiver to the required setback is acceptable, a motion to recommend approval of the setback reduction of 69' to allow the tower to be 134' from the identified property would be appropriate.

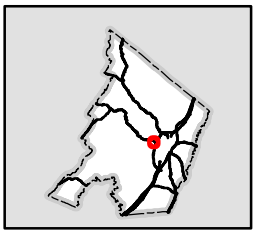
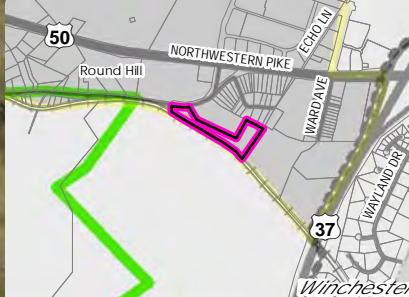
Following this public hearing, a decision regarding this Conditional Use Permit application by the Board of Supervisors would be appropriate. The Applicant should be prepared to adequately address all concerns raised by the Board of Supervisors.

CUP # 09 - 17 Gregory A. Bishop (Shenandoah Mobile LLC)

PIN:
52 - A - 254
Telecommunication Tower
Zoning Map

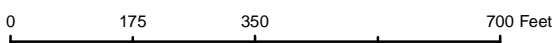


-  Cell Tower
-  Applications
-  Parcels
-  Building Footprints
-  B1 (Neighborhood Business District)
-  B2 (General Business District)
-  B3 (Industrial Transition District)
-  EM (Extractive Manufacturing District)
-  HE (Higher Education District)
-  M1 (Light Industrial District)
-  M2 (Industrial General District)
-  MH1 (Mobile Home Community District)
-  MS (Medical Support District)
-  OM (Office - Manufacturing Park)
-  R4 (Residential Planned Community District)
- R5 (Residential Recreational Community District)
- RA (Rural Areas District)
- RP (Residential Performance District)



CUP # 09 - 17
Gregory A. Bishop
(Shenandoah Mobile LLC)
PIN:
52 - A - 254
Telecommunication Tower
Zoning Map

Note:
Frederick County Dept of
Planning & Development
107 N Kent St
Suite 202
Winchester, VA 22601
540 - 665 - 5651
Map Created: December 13, 2017
Staff: mcheran





*Lynn Koerner – 540-335-0030
Site Acquisition and Project Development
Contractor for Shentel*

November 21, 2017

Zoning and Subdivision Administrator
107 North Kent
Suite 202
Winchester, VA 22601

Re: Shenandoah Mobile LLC – Shentel) – Site 15149 – Amherst – Conditional Use Permit

Dear Sir:

Shenandoah Mobile LLC (Shentel) is seeking a Conditional Use Permit under the Frederick County Zoning Ordinance for an unmanned wireless telecommunications facility. The facility will consist of a new 140' tall monopole structure with 4' lightning rod, with a 50' x 50' equipment compound within a 60' x 60' lease area. Shentel proposes to place their antenna and remote radios at a RAD center of 135'. Pursuant to the Zoning Ordinance, Shentel has designed the facility to accommodate a minimum of three (3) additional carriers. The northern side of the compound area will be surrounded by a 6' tall board fence with additional vegetative landscaping planting. The remainder of the compound to be secured with a chainlink fence. Access to the facility will be from a 20' access drive from 219 Round Hill Road and then to the left of the building. The access drive is an existing access that will require a minimal amount of dressing up to be an adequate access route for this facility.

The telecommunications facility will have no impact on the air quality, water quality, radiation exposure, light pollution, noise pollution, or traffic congestion. The site will be routinely maintained with a minimum of one monthly visit. The facility will have limited access and parking for a standard size vehicle and will provide adequate turn around area for fire apparatus.

The Property consists of approximately 7 acres and is zoned RA, Rural Area. Adjoining properties are also zoned RA, Rural Area.

The Property is owned by Mr. Gregory A. Bishop, 108 Stonewall Drive and is currently used as an office for Advantage Property Management and parking of their equipment. The parcel also has a rental trailer owned by Mr. Bishop. The monopole and associated compound will be sited on the northeast side portion of the Property.

Requirements:

This Facility will be part of Shentel's telecommunications network as illustrated on the engineering plans and propagation maps included with this application. Shentel currently operates a site that is collocated on a transmission pole in the VDOT right-of-way on the south bound off ramp of Highway 37. The transmission pole and current requirements for mounting antennas does not afford us the opportunity to upgrade this site to provide the necessary services to match the surrounding network. The proposed new monopole tower will allow Shentel to add the 800 MHz spectrum and the 2500 MHz spectrum which will enhance 4G-LTE data service to residences in the surrounding area. This proposed tower will enhance the coverage at the hospital and surrounding complexes. Currently due to the high demand of high-speed data, the existing surrounding cell sites do not support the capacity needs for the area.

Zoning:

In accordance with the requirements of Section 165-204.19 (1)-(5), Shentel submits the following information.

1. Propagation maps depicting the need for improved service in the target area
2. The search area map
3. Shentel confirms that a complete search of the area was conducted and that no existing infrastructure is available on which to co-locate. Upon making the determination that no other structures were available in this area, Shentel then sought a rawland site to develop this proposal.
4. Radio Frequency Engineer's letter documenting compliance with Federal Communications Commission ANSI/IEEE Standards.
5. The Site Agreement signed by both Shentel and Mr. Bishop addresses the information that both parties are aware of the requirements as stated in paragraph 165-204.19B(7) regarding tower removal.

Section 165-204.19 of the Zoning Ordinance provides the performance standards for telecommunication uses. The proposed facility complies with the performance standards as follows:

The Board of Supervisors may reduce the required setback distance for commercial telecommunications facilities as required by 165-201.03B(8) of this chapter if it can be demonstrated that the location is of equal or lesser impact. When a reduced setback is requested for a distance less than the height of the tower, a certified Virginia engineer

shall provide verification to the Planning Commission that the tower is designed, and will be constructed, in a manner that if the tower collapses for any reason the collapsed tower will be contained in an area around the tower with a radius equal to or lesser than the setback, measured from the center line of the base of the tower. In no case shall the setback distance be reduced to less than ½ the distance of the tower height. Commercial telecommunications facilities affixed to existing structures shall be exempt from setback requirements, provided that they are located no closer to the adjoining property line from the existing structure.

Response: Shentel is seeking a waiver of the setback requirement from the eastern and western property line. The monopole setback will be 134' from the eastern and western boundary line of the parcel (tower is 138' in height and the RA Zoning District height maximum is 35', $(138' - 35' = 103')$ The normal setback is (100') in the RA Zoning District when the adjoining parcel is 6 acres or more. The normal setback of 100' plus one foot for every foot over the maximum height (35') $100' + 103' = 203'$. The site plan indicates that the tower is placed 134' from the property line and the setbacks cannot be met. The resulting computation is $(203' - 134' = 69')$ resulting in a waiver request of 69'. The setback is less than the height of the proposed structure and verification from a certified engineer from Valmont Structures is provided with the application concerning this matter.

(2) Monopole-type construction shall be required for new commercial telecommunications towers. The Board of Supervisors may allow lattice-type construction for new telecommunications tower when existing or planned residential areas will not be impacted and when the site is not adjacent to identified historical resources.

Response: The proposed tower will be a monopole type construction.

(3) Advertising shall be prohibited on commercial telecommunications facilities except for signage providing ownership identification and emergency information. No more than two signs shall be permitted. Such signs shall be limited to 1.5 square feet in area and shall be posted no higher than 10 feet above grade.

Response: There will be no signs or advertising on the facility other than permitted by this paragraph.

(4) When lighting is required on commercial telecommunications facility towers, dual lighting shall be utilized which provides daytime white strobe lighting and nighttime red pulsating lighting unless otherwise mandated by the Federal Aviation Administration or the Federal Communications Commission. Strobe lighting shall be shielded from ground

view to mitigate illumination to neighboring properties. Equipment building and other accessory structures operated in conjunction with commercial telecommunications facility towers shall utilize infrared lighting and motion detector lighting to prevent continuous illumination.

Response: The tower will not be lighted unless required by the FAA or as provided as a condition of approval by the Board of Supervisors. If lighting of the tower is required that lighting will be in accordance with the FAA circular and this paragraph. All other associated lighting will comply with the requirements of this paragraph.

(5) Commercial telecommunications facilities shall be constructed with materials of a galvanized finish or painted a non-contrasting blue or gray unless otherwise mandated by the Federal Aviation Administration or the Federal Communications Commission.

Response: The tower will be of a galvanized, gray finish

(6) Commercial telecommunications facilities shall be adequately enclosed to prevent access by persons other than employees of the service provide. Appropriate landscaping and opaque screening shall be provided to ensure that equipment buildings and other accessory structures are not visible from adjoining properties, road or other rights-of-way.

Response: All associated equipment at the base of the monopole structure will be within a 50' x 50' compound area surrounded by a 6' tall wood fence with a tree planting proposed around the northern side of the compound. The remainder of the fence will be chain link fence.

(7) Any antenna or tower that is not operated for a continuous period of 12 months shall be considered abandoned, and the owner of such tower shall remove same within 90 days of receipt of notice from the Frederick County Department of Planning and Development. Removal includes the removal of the tower, all tower and fence footers, underground cables and support buildings. If there are two or more users of a single tower, then this provision shall not become effective until all users cease using the tower. If the tower is not removed within the ninety-day period, the County will remove the facility and a lien may be placed to recover expenses.

Response: If the tower facility is not used for a continuous period of 12 months it will be removed along with all associated equipment and fencing as defined in the lease agreement with the underlying property owner.

Zoning and Subdivision Administrator

November 21, 2017

Page 5:

Compliance with the Frederick County Comprehensive Plan:

Although telecommunications facilities are not specifically addressed, Shentel feels that this proposed facility is in accordance with the design principals of the Urban Area. Many people are replacing their landline phones with wireless phones and devises. This area of the county is built up and is heavily used as an entrance to the City of Winchester and the Medical Center. Shentel seeks to improve service in this area where there is existing demand and where future growth is anticipated. This site has been sited to improve service for the residents and visitors of this portion of Frederick County and to ensure reliable coverage for emergency response personnel and those who depend upon them.

Shentel is sensitive to the importance of preserving the natural and historic resources of the County. Shentel is required, as part of the Conditional Use Permit Application process to provide documentation of review pursuant to the National Environmental Policy Act (NEPA), Section 106 of the National Historic Preservation Act and the State Historic Preservation Office (SHPO). Our consultant has conducted his evaluation and the final report indicates no adverse effects of surrounding historic resources.

Included in this packet also, are photo simulations of the proposed tower. These simulations were taken from various intersections and public gathering area surrounding the proposed site.

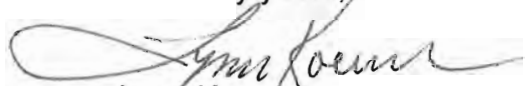
Shentel submits that the proposed tower is in keeping with the core values and principals outlined for this area of Frederick County.

Conclusion:

We respectfully request that the conditional use permit be approved as it is in compliance with the standards of the Frederick County Zoning Ordinance, with the exception of the setback requirement from the eastern and western property lines from which we are requesting a waiver, as outlined above.

Please contact me at (540)335-0030 should you have any questions.

Sincerely yours,



Lynn Koerner
Site Acquisition
and Project Development
Contractor for Shentel

Attachments
as

Shentel Site 15149



Map showing Photo Simulation points

Location #1

From Wal-Mart Parking Lot



Sim #1

From Wal-Mart Parking Lot



Location #2

Stop light at Highway 50 Exiting Wal-Mart



Sim #2

Stop light at Highway 50 Exiting Wal-Mart



Location #3

Near Courtyard by Marriott



Sim #3

Near Courtyard by Marriott



Location #4

Spring Arbor Retirement



Sim #4

Spring Arbor Retirement



Location #5

324 Round Hill Road



Sim #5

324 Round Hill Road



Pic #6

Front Porch of Walnut Grove (DHR 34-98)



Pic #7

Front yard of Walnut Grove (DHR 34-98)



SITE NUMBER: 15149

SITE NAME: AMHERST

ADDRESS: 219 ROUND HILL RD WINCHESTER, VA 22602 (NOT TOWER E911 ADDRESS)

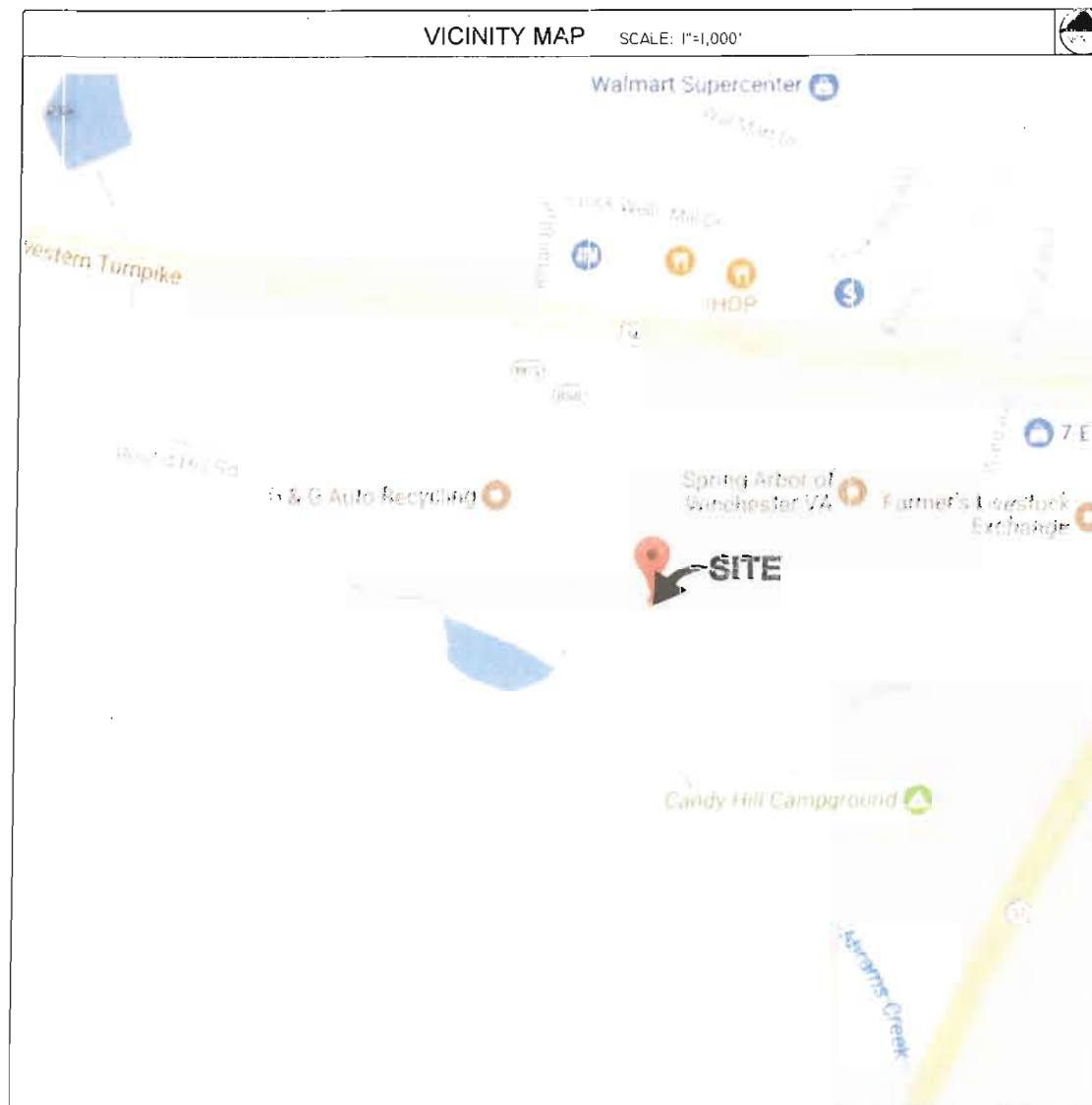
PROJECT TYPE: NEW EQUIPMENT AND NEW ANTENNAS ON A NEW 138' MONOPOLE W/ 4' LIGHTNING ROD

500 SHENTEL WAY
P.O. BOX 459
EDINBURG, VA 22824-0280
(540) 984-5123

4500 HIGHLAND ROAD, SUITE 201
HERMITAGE, PA 16148
WWW.T-SQUARED.COM

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| PROJECT SUMMARY | |
|----------------------------|--|
| SITE NUMBER: | 15149 |
| SITE NAME: | AMHERST |
| SITE ADDRESS: | 219 ROUND HILL RD
WINCHESTER, VA 22602 |
| TOWER OWNER/
DEVELOPER: | SHENANDOAH MOBILE, LLC
500 SHENTEL WAY
EDINBURG, VA 21740
PHONE: 800-768-5200 |
| ZONING JURISDICTION: | FREDERICK COUNTY |
| ZONING : | RA |
| PROPERTY ID NUMBER: | 52 A 254 |
| PROPERTY AREA: | 7 ACRES |
| PROPERTY OWNER: | GREGORY A BISHOP
108 STONEWALL DR
WINCHESTER, VA 22602 2276 |
| POWER PROVIDER: | SHENANDOAH VALLEY ELEC |
| TELCO PROVIDER: | SHENTEL FIBER |



| APPLICANT INFORMATION | |
|-----------------------|--|
| APPLICANT: | SHENTEL
SHENANDOAH MOBILE, LLC.
500 SHENTEL WAY
P.O. BOX 459
EDINBURG, VA 22824
PHONE: 540-984-5123 |

| ARCHITECT/ENGINEER INFORMATION | |
|--------------------------------|--|
| ENGINEER: | T-SQUARED SITE SERVICES
2500 HIGHLAND ROAD, SUITE 201
HERMITAGE, PA 16148
PHONE: 724.308.7855
CONTACT: MARK THOMPSON |

| PROJECT DESCRIPTION | |
|---|--|
| THIS PROJECT CONSISTS OF THE INSTALLATION OF PCS EQUIPMENT, PLATFORM, SUPPORT FRAMES, ICE BRIDGES, AND ANTENNA FRAMES AND CABLES ON A NEW 138' MONOPOLE W/ 4' LIGHTNING ROD WITHIN A NEW FENCED COMPOUND. | |

| BUILDING CODE | |
|---|--|
| USE GROUP: U (UTILITY)
CONST. TYPE: TOWER - 20 | FIRE CODE: NFPA 241 & NFPA 1 (CHPT 16) |

| HANDICAP REQUIREMENTS | |
|---|--|
| FACILITY IS UNMANNED AND NOT FOR HUMAN HABITATION. HANDICAP ACCESS IS NOT REQUIRED. | |

| DRIVING DIRECTIONS | |
|---|--|
| FROM EDINBURG PROCEED TO EXIT 310 (HWY 37). AT THE END OF THE RAMP TURN LEFT AND PROCEED APPROXIMATELY 8 MILES TO HWY 50. EXIT AND AT THE END OF THE RAMP TURN LEFT. PROCEED 1/2 MILE TO ROUND HILL ROAD AND TURN LEFT. PROCEED APPROXIMATELY 1000 FEET AND TURN LEFT INTO DRIVEWAY BEAR LEFT TO GATE AND PROCEED ON GRAVEL DRIVE PAST TRAILER HOUSE AND TURN LEFT TO TOWER (TOWER COORDINATES) 39.1885200, -78.2077250 | |
| ACCESS DRIVE COORDINATES (NAD 83)
LATITUDE: 39.189520° N LONGITUDE: -78.21118° W | |

DO NOT SCALE DRAWINGS

CONTRACTOR SHALL VERIFY ALL PLANS & DIMENSIONS & CONDITIONS ON THE JOB SITE & SHALL IMMEDIATELY NOTIFY THE ARCHITECT IN WRITING OF ANY DISCREPANCIES BEFORE PROCEEDING WITH THE WORK OR BE RESPONSIBLE FOR THE SAME.

| APPROVAL LIST | |
|--------------------|-------|
| SITE AC | _____ |
| ZONING | _____ |
| R.F. | _____ |
| CONSTR. MANAGER | _____ |
| NETWORK-TELCO | _____ |
| NETWORK-POWER | _____ |
| PROPERTY OWNER/REP | _____ |
| OPERATIONS | _____ |
| G.C. | _____ |

| SHEET INDEX | |
|-------------|--------------------------------------|
| SHEET | DESCRIPTION |
| T-1 | TITLE SHEET |
| 1 of 2 | SITE SURVEY (BY APEX LAND SOLUTIONS) |
| 2 of 2 | SITE SURVEY (BY APEX LAND SOLUTIONS) |
| GN-1 | GENERAL NOTES |
| GN-2 | GENERAL NOTES |
| A-1 | FIRE ACCESS TURNAROUND LAYOUT |
| A-2 | ADJOINING PROPERTIES MAP |
| A-3 | OVERALL SITE PLAN |
| A-4 | COMPOUND PLAN |
| A-5 | ELEVATION & EQUIPMENT PLAN |
| D-1 | ANTENNA DETAILS |
| D-2 | SITE DETAILS |
| D-3 | MISC. DETAILS |
| D-4 | WOOD FENCE DETAILS |
| D-5 | CHAIN LINK FENCE DETAILS |
| E-1 | ELECTRICAL DETAILS |
| E-2 | SINGLE LINE AND PANEL SCHEDULE |
| E-3 | EQUIPMENT DETAILS |
| G-1 | GROUNDING PLAN AND DETAILS |
| G-2 | GROUNDING DETAILS |
| G-3 | GROUNDING DETAILS |
| L-1 | GENERAL LANDSCAPING |
| L-2 | GENERAL LANDSCAPING |

| SUBMITTALS | | | |
|------------|----------|------------------|----|
| 3 | 11.09.17 | REDLINE REVISION | KE |
| 2 | 9.25.17 | REDLINE REVISION | KE |
| 1 | 9.22.17 | REDLINE REVISION | KE |
| 0 | 9.22.17 | PRELIM CDS | KE |

PROJ. NO.: 10019

CHECKED BY: G.W.Clower, P.E.

SITE INFORMATION:

AMHERST
SITE NO. 15149

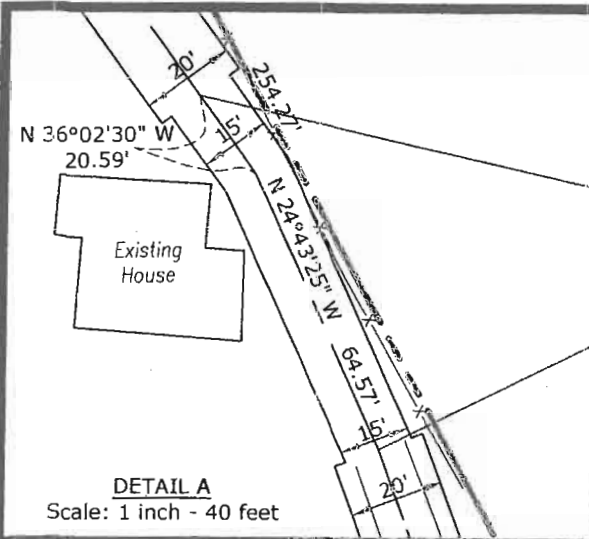
219 ROUND HILL RD
WINCHESTER, VA 22602

SHEET TITLE:

TITLE SHEET

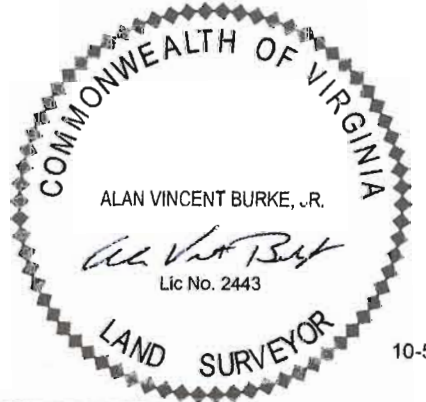
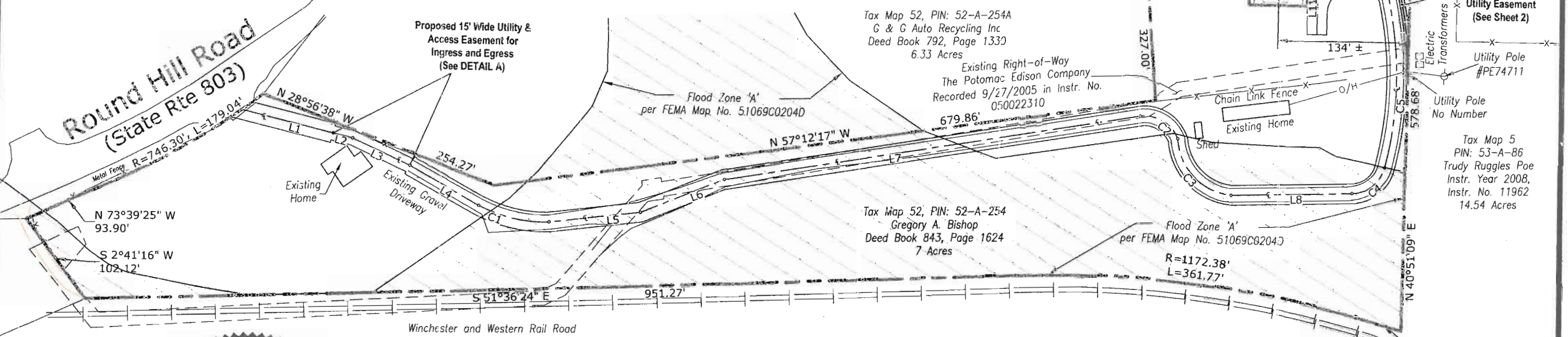
SHEET NUMBER:

T-1



| UTILITY & ACCESS EASEMENT LINE TABLE | | |
|--------------------------------------|-------------|---------|
| LINE # | DIRECTION | LENGTH |
| L1 | N36°02'30"W | 96.43' |
| L2 | N36°02'30"W | 20.59' |
| L3 | N24°43'25"W | 64.57' |
| L4 | N20°40'29"W | 82.15' |
| L5 | N56°09'15"W | 93.60' |
| L6 | N71°23'34"W | 91.35' |
| L7 | N58°31'03"W | 429.11' |
| L8 | N50°52'12"W | 123.48' |
| L9 | S7°20'32"W | 24.64' |
| L10 | S49°08'51"E | 68.53' |
| L11 | N40°51'09"E | 60.00' |

| UTILITY & ACCESS EASEMENT CURVE TABLE | | | | | | |
|---------------------------------------|---------|---------|-----------|--------------|-------------|--|
| CURVE # | LENGTH | RADIUS | DELTA | CHRD BEARING | CHRD LENGTH | |
| C1 | 74.50' | 143.32' | 29°46'59" | N36°52'41"W | 73.67 | |
| C2 | 48.47' | 37.03' | 74°59'45" | N19°30'01"W | 45.08 | |
| C3 | 86.57' | 61.97' | 80°02'28" | N3°49'12"W | 79.70 | |
| C4 | 45.99' | 35.00' | 75°17'09" | N88°30'46"W | 42.75 | |
| C5 | 175.41' | 378.83' | 26°31'45" | S40°38'30"W | 173.84 | |



10-5-2017

PLAN NOTES (cont.):

- The boundary lines shown below are derived from available Deeds, Tax Maps, and Plans of Record, and does not represent an actual boundary survey. See current deed book 792 page 1330 for reference.
- Site Address is 219 Round Hill Road, Winchester, Virginia 22602 (Frederick County)
- This plan is subject to all easements and restrictions of record.
- The proposed facility will cause "De Minimis" Increase in Storm water Runoff. Therefore, no structures are proposed.
- No significant noise, smoke, dust, or odor will result from this facility.
- The facility is unmanned and is not intended for human habitation, there is no handicap access required.

PLAN NOTES (cont.):

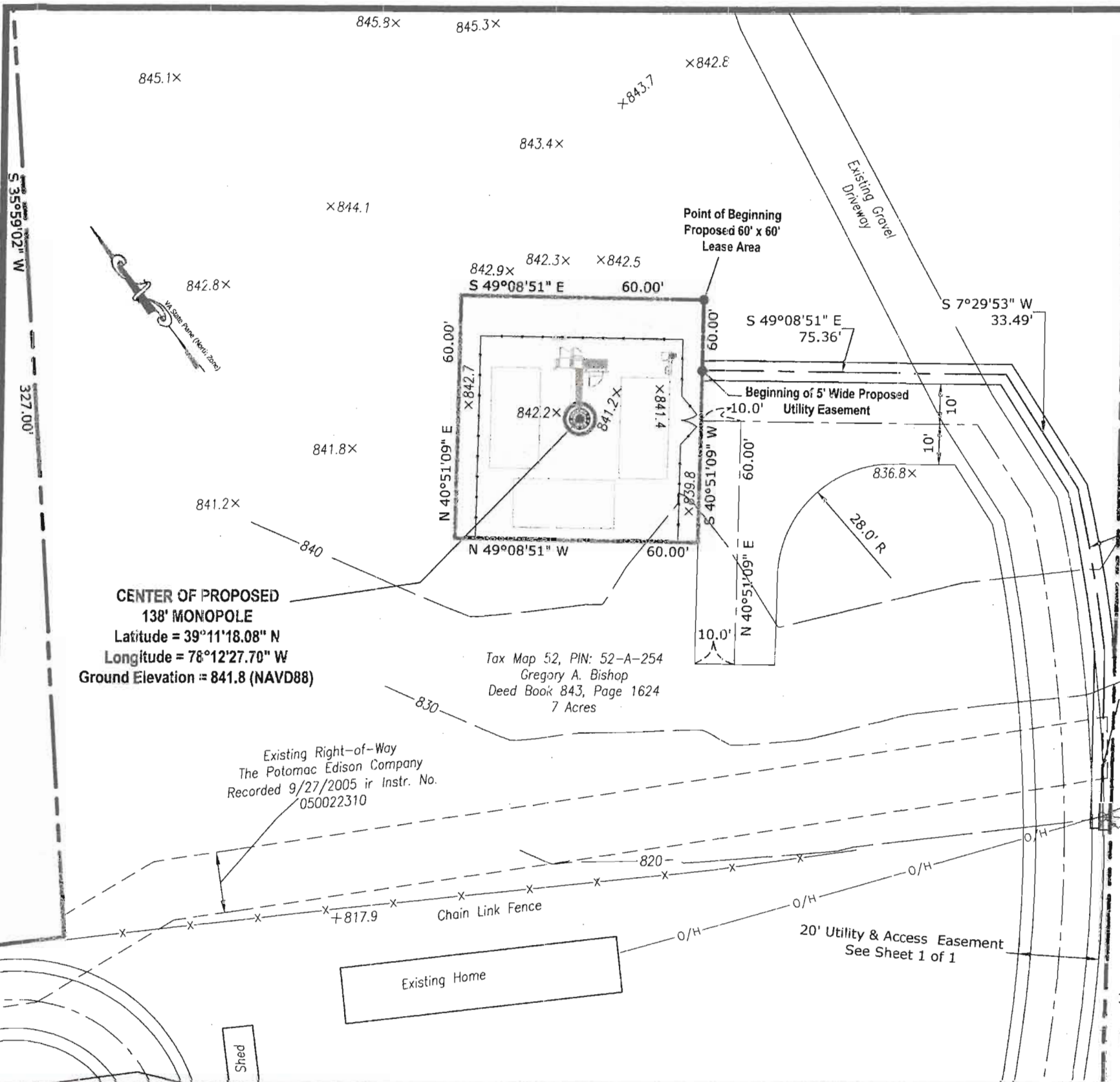
- The facility is unmanned and does not require potable water or sanitary service.
- The proposed development does not include street signs of any type, and outdoor storage or any solid waster receptacles.
- Power to the facility will be monitored by a separate meter.
- According to FEMA flood insurance rate map community panel number: 51069C0204D, effective September 2, 2009. The Proposed facility is not in a 100 year flood plain. and is in Zone - X, Other Areas. However, portions of the Access road are within the Flood Zone 'A', area of 1% chance of 100 Year Flood, as shown on the plan.
- One light is proposed at the facility for work while on site.
- Contractor to Test Pit Existing Electric Easement Crossing

Apex Land Solutions, LLC
223 N. Prospect Street - Suite 304
Hagerstown, Maryland 211740
phone: (240) 455-5209
fax: (866) 914-0344
info.apexlandsolutions@gmail.com

| ISSUE | | | |
|-------|---|-----|---------|
| NO. | DESCRIPTION | BY | DATE |
| 1 | Initial Submission | SML | 9-6-17 |
| 2 | Revised Per Agency Comments | SML | 9-20-17 |
| 3 | Changed Access Easement to Access and Utility | SML | 10-5-17 |

**SITE SURVEY OF PROPOSED EASEMENTS AND LEASE AREA AT:
THE PROPERTY OF GREGORY A. BISHOP FOR:
SHENTEL
SHENANDOAH PERSONAL COMMUNICATIONS, LLC
SITE # 15149 - AMHERST
Tax Map 52, PIN: 52 A 254 - Frederick County, VA**

Drawn: M. L. Mowen
Checked: S. M. Landis
Date: September 6, 2017
Project Number: 17-056
Scale: 1 inch = 100 feet



PLAN NOTES (cont.):

1. The boundary lines shown below are derived from available Deeds, Tax Maps, and Plans of Record, and does not represent an actual boundary survey. See. current deed book 792 page 1330 for reference.
2. Site Address is 219 Round Hill Road, Winchester, Virginia 22602 (Frederick County)
3. This plan is subject to all easements and restrictions of record.
4. The proposed facility will cause "De Minimis" Increase in Storm water Runoff. Therefor, no structures are proposed.
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7. The facility is unmanned and is does not require potable water or sanitary service.
8. The proposed development does not include street signs of any type, and outdoor storage or any solid waster receptacles.
9. Power to the facility will be monitored by a separate meter.
10. According to FEMA flood insurance rate map community panel number: 51069C0204D , effective September 2, 2009. The Proposed facility is not in a 100 year flood plain. and is in Zone - X, Other Areas. However, portions of the Access road are within the Flood Zone 'A', area of 1% chance of 100 Year Flood, as shown on the plan.
11. One light is proposed at the facility for work while on site.
12. Contractor to Test Pit Existing Electric Easement Crossing.

**CENTER OF PROPOSED
138' MONOPOLE**
Latitude = 39°11'18.08" N
Longitude = 78°12'27.70" W
Ground Elevation = 841.8 (NAVD88)

Tax Map 52, PIN: 52-A-254
Gregory A. Bishop
Deed Book 843, Page 1624
7 Acres

Existing Right-of-Way
The Potomac Edison Company
Recorded 9/27/2005 in Instr. No.
050022310

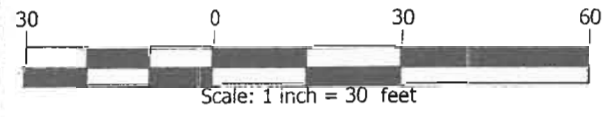
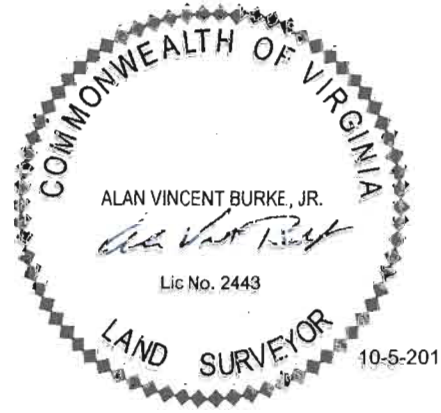
S 40°50'41" W
42.91'

Electric Transformers

Utility Pole #PE74711

Utility Pole No Number

Tax Map 53, PIN: 53-A-86
Trudy Ruggles Poe
Instr. Year 2008, Instr. No. 11962
14.54 Acres



Apex Land Solutions, LLC
223 N. Prospect Street - Suite 304
Hagerstown, Maryland 211740
phone: (240) 455-5209
fax: (866) 914-0344
info.apexlandsolutions@gmail.com

| ISSUE | | | |
|-------|---|-----|---------|
| NO. | DESCRIPTION | BY | DATE |
| 1 | Initial Submission | SML | 9-6-17 |
| 2 | Revised Per Agency Comments | SML | 9-20-17 |
| 3 | Changed Access Easement to Access and Utility | SML | 10-5-17 |

**SITE SURVEY OF PROPOSED EASEMENTS AND LEASE AREA AT:
THE PROPERTY OF GREGORY A. BISHOP FOR:
SHENTEL
SHENANDOAH PERSONAL COMMUNICATIONS, LLC
SITE # 15149 - AMHERST
Tax Map 52, PIN: 52-A-254 - Frederick County, VA**

Drawn: M. L. Mowen
Checked: S. M. Landis
Date: September 6, 2017
Project Number: 16-095
Scale: 1 inch = 30 feet

ELECTRICAL:

1. THE CONTRACTOR IS RESPONSIBLE FOR ALL PERMITTING, FILING, AND FEES IN CONJUNCTION WITH THE PROJECT.
2. THE CONTRACTOR SHALL SCHEDULE ALL NECESSARY INSPECTIONS WITH THE PROPER AUTHORITIES AND INFORM THE OWNER'S REPRESENTATIVE 24-HOURS IN ADVANCE. ALL TICKETS AND INSPECTION VERIFICATIONS WILL BE SUBMITTED TO THE OWNER'S REPRESENTATIVE WITHIN 24-HOURS AFTER THE INSPECTION HAS TAKEN PLACE.
3. ALL LABOR AND MATERIAL SHALL CONFORM TO ALL LOCAL, STATE AND NATIONAL CODES, RULES, REGULATIONS, AND STANDARDS.
4. ALL EQUIPMENT, WIRING, AND MATERIALS MUST HAVE A UL LABEL.
5. ALL WORK SHALL BE DONE BY QUALIFIED AND EXPERIENCED JOURNEYMEN AND PERFORMED IN A WORKMANLIKE MANNER AND SHALL PROCEED IN AN ORDERLY MANNER SO AS NOT TO HOLD UP THE PROGRESS OF THE PROJECT.
6. THOROUGHLY TEST ALL LINES, FEEDERS, EQUIPMENT, AND DEVICES WITH MAXIMUM LOADS TO ASSURE PROPER OPERATION.
7. CONDUITS AND FITTINGS FOR OUTSIDE APPLICATIONS SHALL BE RIGID OR NON-METALLIC UNLESS OTHERWISE NOTED. CONDUITS AND FITTINGS FOR INSIDE BUILDING RUNS ABOVE CEILINGS SHALL BE EMT. SUPPORT ALL CONDUITS WITHIN 3 FEET OF ALL JUNCTION BOXES AND AT 8-FOOT INTERVALS OR LESS AS NEEDED WITH APPROVED ANCHORING DEVICES.
8. ALL WIRES SHALL BE COPPER; USE OF ALUMINUM CONDUCTORS WILL NOT BE PERMITTED. SEE ELECTRICAL PLANS FOR SIZING AND LOCATIONS. USE PROPER SIZE CONNECTORS PER THE LOCAL, STATE, AND NATIONAL CODES.
9. CONDUCTOR LENGTHS SHALL BE CONTINUOUS FROM TERMINATION TO TERMINATION WITHOUT SPLICES.
10. PROVIDE PULL BOXES WHERE SHOWN AND WHERE REQUIRED BY CODES AND UTILITY COMPANIES.
11. ALL CONDUIT ROUGH IN SHALL BE COORDINATED WITH THE MECHANICAL EQUIPMENT TO AVOID LOCATION CONFLICTS. CONTRACTOR SHALL VERIFY ALL LOCATIONS.
12. ALL WIRES SHALL BE TAGGED AT ALL PULL BOXES, J-BOXES, EQUIPMENT BOXES, AND CABINETS WITH APPROVED PLASTIC TAGS.
13. ALL BREAKERS IN PANEL BOXES SHALL BE IDENTIFIED WITH TYPE WRITTEN LABELS NEATLY PLACED ALONG SIDE OF THE BREAKER.
14. ALL GROUND BUS PLATES SHALL BE 1/4"x4"x20" AND SHALL BE TINNED COPPER AND LARGE ENOUGH TO ACCOMMODATE THE REQUIRED NUMBER OF GROUNDING CONNECTIONS. THE HARDWARE SECURING THE MGB, AND ALL LOWER BUS BARS, SHALL INSULATE THEM FROM ANY STRUCTURE TO WHICH THEY ARE FASTENED (IF APPLICABLE).
15. ANY PENETRATIONS THROUGH WALLS, CEILINGS, FLOORS, ROOFS OR ANY OTHER SURFACE SHALL BE CORE DRILLED AND CLOSED WITH A UL RATED FIRE SAFING ASSEMBLY. IF A FIRE RATING IS NOT REFERRED TO ON THE DRAWINGS, THEN THE CONTRACTOR SHALL ASSUME A 2-HOUR RATING.
16. THE MATERIALS AND EQUIPMENT INFORMATION ON THESE DRAWINGS IS BASED ON THE BEST AVAILABLE INFORMATION AT THE TIME THAT THE DRAWINGS WERE ISSUED. CHANGES MAY OCCUR AND THE CONTRACTOR SHALL VERIFY ALL ITEMS PRIOR TO PLACEMENT AND MAKE ANY CORRECTIONS WITHOUT FURTHER COST TO THE OWNER.
17. ALL UNDERGROUND CONDUITS SHALL BE SCHEDULE 40 PVC AND SWEEPS OR BENDS AND ABOVE GROUND CONDUITS SHALL BE RIGID GALVANIZED STEEL. ALL CONDUITS NOT TERMINATING INTO A CLOSED AREA MUST BE SEALED TO PREVENT ENTRY OF ANY MOISTURE OR FOREIGN OBJECTS.

GROUNDING:

1. THE CONTRACTOR SHALL VERIFY WITH THE OWNER'S REPRESENTATIVE THAT ALL CONDUIT SYSTEMS, EQUIPMENT, DEVICES, PANELS, LINES, TRAYS, BRIDGES, PLATFORMS, AND ANY AND ALL ITEMS ARE GROUNDED PROPERLY.
2. THE GROUNDING SYSTEM CONNECTIONS SHALL BE MADE WITH HYGROUND COMPRESSION CONNECTORS BELOW GRADE AND MECHANICAL TWO LUG COMPRESSION CONNECTORS ABOVE GRADE. USE ONLY STAINLESS STEEL SCREWS, BOLTS, WASHERS, AND NUTS FOR FASTENING.
3. CLEAN SURFACES THOROUGHLY BEFORE APPLYING GROUND LUGS OR CLAMPS. IF SURFACE IS COATED, THE COATING MUST BE REMOVED DOWN TO THE BARE METAL. AFTER THE COATING HAS BEEN REMOVED, APPLY A NON-CORROSIVE APPROVED COMPOUND TO THE CLEANED SURFACE AND INSTALL LUGS OR CLAMPS. WHERE GALVANIZING IS REMOVED FROM METAL, IT SHALL BE PAINTED OR TOUCHED UP WITH COLD GALVANIZING PAINT SUCH AS GLAVMOX OR EQUAL.
4. ALL CLAMPS, SLEEVES, AND SUPPORTS USED TO SUPPORT OR CHANNEL THE GROUNDING SYSTEM CONDUCTORS AND PVC CONDUITS SHALL BE PVC TYPE NON-CONDUCTIVE. DO NOT USE METAL BRACKETS OR SUPPORTS, WHICH WOULD FORM A COMPLETE RING AROUND ANY GROUNDING CONDUCTOR.
5. ALL GROUNDING CONNECTIONS SHALL BE COATED WITH AN ANTI-CORROSIVE AGENT SUCH AS T&B KOPR SHIELD, NO-OXY, NOALOX, PENETROX OR EQUAL. VERIFY THE PRODUCT WITH THE OWNER'S REPRESENTATIVE PRIOR TO USAGE.
6. GROUND THE ANTENNA BASES, FRAMES, CABLE TRAYS AND RACKS, AND ANY OTHER METALLIC COMPONENTS WITH #2 GROUNDING CONDUCTORS AND CONNECT TO THE INSULATED SURFACE MOUNTED GROUND BARS UNLESS OTHERWISE NOTED IN CONSTRUCTION DRAWINGS. CONNECTION DETAILS TO BE PERFORMED PER THE MANUFACTURER'S SPECIFICATIONS AND RECOMMENDATIONS.
7. THE ANTENNA CABLES SHALL BE GROUNDED AT THE TOP AND BOTTOM OF THE VERTICAL RUN FOR LIGHTNING PROTECTION. THE ANTENNA CABLE SHIELD SHALL BE BONDED TO A COPPER GROUND BUS AT THE LOWERMOST POINT OF A VERTICAL RUN JUST BEFORE IT BEGINS TO BEND TOWARD THE HORIZONTAL PLANE. WIRE RUNS TO GROUND SHALL BE KEPT AS STRAIGHT AND SHORT AS POSSIBLE. THE ANTENNA CABLE SHIELD SHALL BE GROUNDED JUST BEFORE ENTERING THE CELL CABINET. ANY ANTENNA CABLES OVER 200 FEET IN LENGTH SHALL ALSO BE EQUIPPED WITH ADDITIONAL GROUNDING AT MIDPOINT.
8. THE CONTRACTOR, UPON COMPLETION OF THE GROUNDING SYSTEM, SHALL SCHEDULE A TEST OF THE SYSTEM WITH AN INDEPENDENT LABORATORY AS SELECTED BY THE OWNER. THE OWNER'S REPRESENTATIVE WILL BE INFORMED 24-HOURS IN ADVANCE OF THE TEST.
9. STORE REDLINED DRAWINGS ON SITE AT ALL TIMES IN CAPPED PVC CONDUIT
10. CONTRACTOR TO PROVIDE PHOTO'S OF ANTENNA INSTALL (PUNCHLIST ITEMS) AT TIME OF PUNCHWALK.
11. CONTRACTOR TO PERFORM PRE AND POST GROUNDING TEST FROM SHENTEL TEST WELL TO SHENTEL TEST WELL. SHENTEL TO PROVIDE MOST RECENT OHM TEST.
12. GROUND TEST TO BE PERFORMED AFTER INSTALLATION OF EQUIPMENT. CONNECTION TO GROUND RING MUST BE LESS THAN OR EQUAL TO 5 OHMS.

STRUCTURAL:

1. ALL MATERIALS, LABOR, AND METHODS SHALL CONFORM TO ALL APPLICABLE ASTM AND ACI STANDARDS AND REQUIREMENTS. IT IS THE CONTRACTOR'S RESPONSIBILITY TO INSURE THAT ALL STANDARDS ARE MET AND BE ABLE TO PRODUCE THE VERIFICATION OF THESE ITEMS UPON REQUEST.
2. ALL EQUIPMENT SHALL BE INSTALLED PLUMB AND LEVEL.
3. ALL STRUCTURAL STEEL SHALL BE FABRICATED AND ERECTED IN ACCORDANCE WITH THE LATEST AISC CODE AND ASTM SPECIFICATION. STEEL SHALL CONFORM TO ASTM A992 FOR W-MEMBERS, ASTM A36 FOR M, S, C, MC, AND L MEMBERS, ASTM A500 GR. B FOR HSS MEMBERS, AND ASTM A53 GR.B FOR PIPES.
4. ALL CONNECTION OF STRUCTURAL STEEL MEMBERS SHALL BE MADE USING SPECIFIED WELDS WITH WELDING ELECTRODES E-70XX OR SPECIFIED HIGH STRENGTH BOLTS TO BE ASTM A325, THREAD EXCLUDED FROM SHEAR PLANE.
5. ALL STEEL EXPOSED TO MOISTURE, SHALL BE HOT DIPPED GALVANIZED AFTER FABRICATION PER ASTM A-123.
6. ALL DAMAGED SURFACES, WELDED AREAS AND AREAS AUTHORIZED NON-GALVANIZED MEMBERS OR PARTS (EXISTING OR NEW) SHALL BE PAINTED WITH 2 COATS OF ZRC COLD GALVANIZING COMPOUND MANUFACTURED BY ZRC CHEMICAL PRODUCTS CO. OR USE THERMAL SPRAYING WITH PLATTZINC 85/15 AS MANUFACTURED BY PLATT.
7. ALL SHOP AND FIELD WELDING SHALL BE DONE BY WELDERS QUALIFIED AS DESCRIBED IN THE "AMERICAN WELDING SOCIETY'S STANDARD QUALIFICATION PROCEDURE" TO PERFORM THE TYPE OF WORK REQUIRED.
8. CONTRACTOR SHALL MEASURE AND VERIFY ALL EXISTING CONDITIONS AND DIMENSIONS IN FIELD. ANY UNUSUAL CONDITIONS SHALL BE BROUGHT TO THE ATTENTION OF THE ARCHITECT AND ENGINEER PRIOR TO THE PURCHASE, FABRICATION AND ERECTION OF ANY MATERIAL.
9. INCORRECTLY FABRICATED, DAMAGED, OTHERWISE MIS-FITTING, OR NON-CONFORMING MATERIALS AND CONDITIONS SHALL BE REPORTED TO THE OWNER, ENGINEER, AND CONSTRUCTION MANAGER PRIOR TO ANY REMEDIAL OR CORRECTIVE ACTION. ALL ACTIONS SHALL REQUIRE THE APPROVAL OF THE OWNER.
10. CONTRACTOR SHALL EXECUTE ALL WORK PREVENTING ANY DAMAGE TO EXISTING STRUCTURES, ESPECIALLY TO THE ROOF. ANY ROOF WORK INVOLVING ATTACHMENT, REMOVAL OF FINISH SURFACE OR PENETRATION SHALL BE PERFORMED TO PRESERVE EXISTING ROOFING GUARANTEES AND WARRANTIES. ROOF SHALL BE RESTORED TO COMPLETE WATER TIGHTNESS WITH THE APPROVED MATERIAL AND BY A SUB CONTRACTOR PRE-APPROVED BY THE OWNER IN WRITING.
11. MASONRY PENETRATIONS SHOULD USE ROTARY ACTION ONLY. (NO HAMMERING ACTION)
12. ALL PENETRATIONS TO BE PROPERLY FIRE-STOPPED WITH 3M F.S.195 WRAP STRIP FIRE STOP AND C925 NON-SHRINKING PUTTY FIRE BARRIER SEALANT. MAINTAIN FIRE RATING OF ALL PENETRATED SURFACES.
13. ALL MOUNTS TO WALLS TO BE SEALED AT TOP AND SIDES WITH DOW CORNING CLEAR SILICONE SEALANT OR APPROVED EQUAL. SILICONE APPLICATIONS ARE TO BE TOOLED TO MAINTAIN A FINISHED APPEARANCE.
14. CONTRACTOR SHALL PROMPTLY REMOVE ANY AND ALL DEBRIS FROM SITE.

FAA REGULATIONS FOR ANTENNA TOWER AMHERST 15149:

1. FAA FORM 7460-2 IS REQUIRED TO BE FILED NO MORE THAN 5 DAYS AFTER CONSTRUCTION REACHES MAX HEIGHT.
2. MARKING AND LIGHTING ARE NOT NECESSARY FOR AVIATION SAFETY. HOWEVER, IF MARKING/LIGHTING ARE ACCOMPLISHED ON A VOLUNTARY BASIS, IT IS TO BE INSTALLED IN ACCORDANCE WITH FAA ADVISORY CIRCULAR 70/7460-1 L CHANGE 1.
3. ANY EQUIPMENT USED DURING CONSTRUCTION SHALL NOT EXCEED THE OVERALL HEIGHTS AS INDICATED ON THE AERONAUTICAL STUDY NO. 2017-AEA-9803-OE DATED 9/25/17 TO THE STRUCTURE ANTENNA TOWER AMHERST 15149. EQUIPMENT WHICH HAS A HEIGHT GREATER THAN THE STUDIED STRUCTURE REQUIRES SEPARATE NOTICE TO THE FAA.



500 SHENTEL WAY
P.O. BOX 1569
EDINBURG, VA 22824-0260
(540) 984-5123



2500 HIGHLAND ROAD, SUITE 201
HERMITAGE, PA 15148
www.t-sqrd.com

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SUBMITTALS

| NO. | DATE | DESCRIPTION | STATUS |
|-----|----------|------------------|--------|
| 3 | 11.09.17 | REDLINE REVISION | KE |
| 2 | 9.25.17 | REDLINE REVISION | KE |
| 1 | 9.22.17 | REDLINE REVISION | KE |
| 0 | 9.22.17 | PRELIM CDS | KE |

PROJ. NO.: 10019

CHECKED BY: G.W.Clower, P.E.

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SITE INFORMATION:

AMHERST
SITE NO. 15149

219 ROUND HILL RD
WINCHESTER, VA 22602

SHEET TITLE:

GENERAL NOTES

SHEET NUMBER:

GN-2



500 SHENTEL WAY
P.O. BOX 459
EDINBURG, VA 22824-0280
(540) 984-5123



T-SQUARED SITE SERVICES, LLC

2300 HIGHLAND ROAD, SUITE 201
HERMITAGE, PA 16149
www.t-squared.com

CO. COPYRIGHT © 2016 T-SQUARED SITE SERVICES, LLC

SUBMITTALS

| NO. | DATE | DESCRIPTION | BY |
|-----|----------|------------------|----|
| 3 | 11 09.17 | REDLINE REVISION | KE |
| 2 | 9.25.17 | REDLINE REVISION | KE |
| 1 | 9.22.17 | REDLINE REVISION | KE |
| 0 | 9.22.17 | PRELIM CDS | KE |

PROJ. NO.: 10019

CHECKED BY: G.W. Clower, P.E.

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NOTES:
1. ALL CONDUIT SHALL BE INSTALLED IN ACCORDANCE WITH THE NATIONAL ELECTRICAL CODE (NEC) AND THE NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) STANDARDS.
2. ALL TURNAROUNDS SHALL BE CONCRETE AND SHALL BE INSTALLED IN ACCORDANCE WITH THE INTERNATIONAL FIREMARTIN CODE (IFM) AND THE INTERNATIONAL FIREMARTIN CODE (IFM) STANDARDS.
3. ALL TURNAROUNDS SHALL BE INSTALLED IN ACCORDANCE WITH THE INTERNATIONAL FIREMARTIN CODE (IFM) AND THE INTERNATIONAL FIREMARTIN CODE (IFM) STANDARDS.

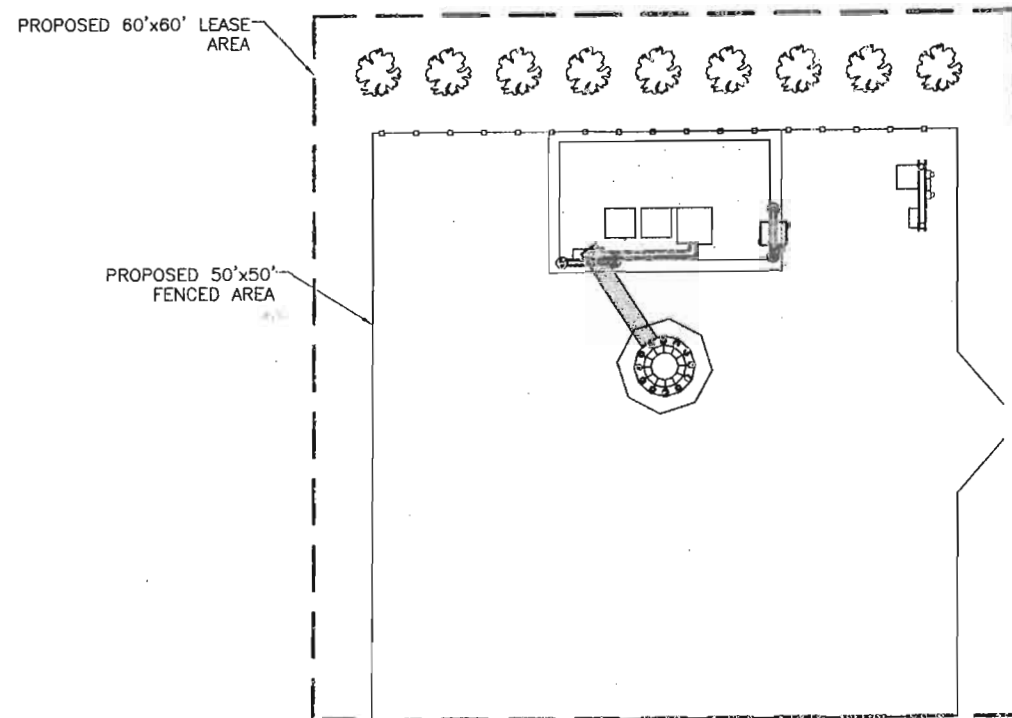
SITE INFORMATION:

AMHERST
SITE NO. 15149

219 ROUND HILL RD
WINCHESTER, VA 22602

SHEET TITLE:
FIRE ACCESS
TURNAROUND
LAYOUT

SHEET NUMBER:
A-1



EXISTING GRAVEL ROAD

PROPOSED 5' WIDE UTILITY EASEMENT

PROPOSED 20' WIDE ACCESS EASEMENT AND FIRE ACCESS TURNAROUND

R2B'

PROPOSED FIRE ACCESS TURNAROUND

70'

20'

EXISTING RIGHT-OF-WAY (THE POTOMAC EDISON COMPANY)

NOTE:
IF ANY CONDUIT IS ROUTED UNDER TURNAROUND IT IS TO BE ENCASED IN CONCRETE.

****NOTE****
THIS PAGE REFERS TO FIRE DEPARTMENT REQUESTED TURNAROUND ONLY. FOR SITE PLAN LAYOUT AND INFORMATION PLEASE REFER TO PAGE Z-6.



1 FIRE ACCESS TURNAROUND PLAN
N.T.S.



500 SHENTEL WAY
P.O. BOX 459
EDINBURG, VA 22824-0280
(540) 984-5125



1500 HIGHLAND ROAD, SUITE 309
HERMITAGE, PA 15119
WWW.T-SQUARED.COM

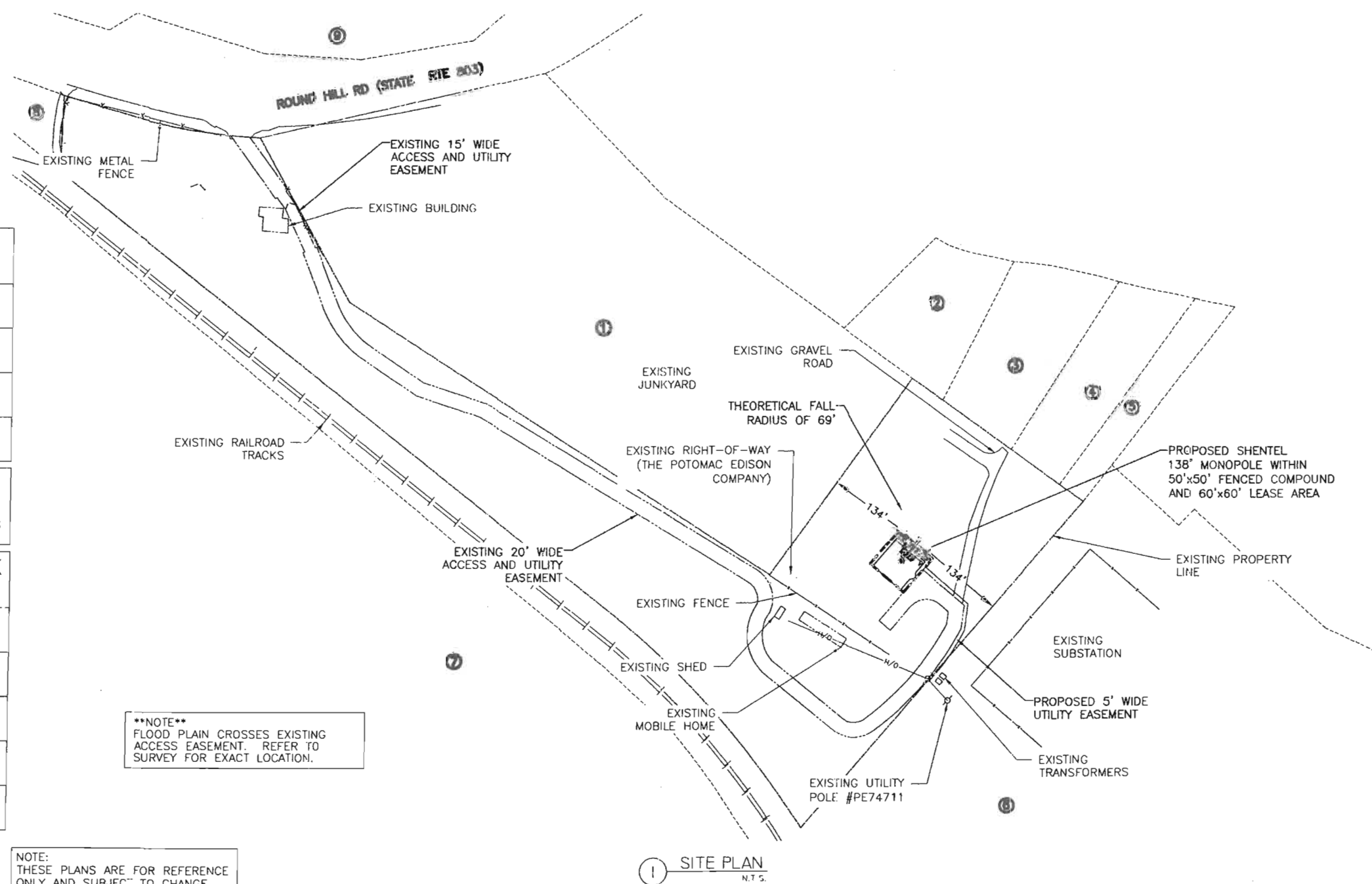
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SUBMITTALS

| NO. | DATE | DESCRIPTION | BY |
|-----|----------|------------------|----|
| 3 | 11.09.17 | REDLINE REVISION | KE |
| 2 | 9.25.17 | REDLINE REVISION | KE |
| 1 | 9.22.17 | REDLINE REVISION | KE |
| 0 | 9.22.17 | PRELIM CDS | KE |

PROJ. NO.: 10019

CHECKED BY: G.W.Clower, P.E.



JURISDICTION SETBACK TABLE

| | |
|------------|------|
| FRONT YARD | 60' |
| REAR YARD | 100' |
| SIDE YARD | 100' |
| HEIGHT | 35' |

****NOTE****
ABOVE TABLE BASED ON FREDERICK COUNTY, VA CODE ARTICLE IV: AGRICULTURAL AND RESIDENTIAL DISTRICTS PART 401: RA RURAL AREAS DISTRICT 165-401.06 PARAGRAPH A

MONOPOLE SETBACK TABLE

| | |
|-------------------|---------|
| FRONT YARD WEST | 1142' ± |
| REAR YARD EAST | 134' ± |
| SIDE YARD NORTH | 203' ± |
| SIDE YARD SOUTH | 327' ± |
| CLOSEST RESIDENCE | 128' ± |

****NOTE****
FLOOD PLAIN CROSSES EXISTING ACCESS EASEMENT. REFER TO SURVEY FOR EXACT LOCATION.

NOTE:
THESE PLANS ARE FOR REFERENCE ONLY AND SUBJECT TO CHANGE.

SURROUNDING PARCELS

| MAP CALLOUT | PIN | OWNER | MAILING ADDRESS | PARCEL ADDRESS | DEED BK/PG | ZONING | AREA (ACRES) |
|-------------|-----------|------------------------------|--|--|------------|--------|--------------|
| 1 | 52 A 254A | G & J AUTO RECYCLING INC | PO BOX 1632, WINCHESTER, VA 22602 | 00183 ROUND HILL RD, WINCHESTER, VA 22602 | 792/1330pg | RA | 6.33 |
| 2 | 53B 2 20A | KELLER HERMAN L AND SHELBY J | 106 STONEWALL DR, WINCHESTER, VA 22602 | SAME | N/A | RA | 0.60 |
| 3 | 53B 2 21 | BISHOP GREGORY A AND NANCY K | 108 STONEWALL DR, WINCHESTER, VA 22602 | SAME | 686/848pg | RA | 0.80 |
| 4 | 53B 2 23 | SCRUGGS AMBER | 112 STONEWALL DR, WINCHESTER, VA 22602 | SAME | N/A | RA | N/A |
| 5 | 53B 2 24 | SCRUGGS AMBER | 112 STONEWALL DR, WINCHESTER, VA 22602 | SAME | N/A | RA | N/A |
| 6 | 53 A 86 | RUGGLES TRUDY POE | 858 FOX DR, WINCHESTER, VA 22603 | 00200 WARD AVE, WINCHESTER, VA 22602 | N/A | RA | 14.54 |
| 7 | 53 A 88 | PERRY STUART M INC | 117 LIMESTONE LN, WINCHESTER, VA 22602 | 00365 ROCK HARBOR DR, WINCHESTER, VA 22602 | 933/1412pg | RA | 297.78 |
| 8 | 52 A 254B | PERRY STUART M INC | 117 LIMESTONE LN, WINCHESTER, VA 22602 | 231 ROUND HILL RD, WINCHESTER, VA 22602 | 933/1412pg | RA | 0.28 |
| 9 | 52-A-71-A | COMMONWEALTH OF VIRGINIA | PO BOX 2249, STAUNTON, VA 22402 | 2275 NORTHWESTERN PIKE, WINCHESTER, VA | N/A | B3 | 14.38 |

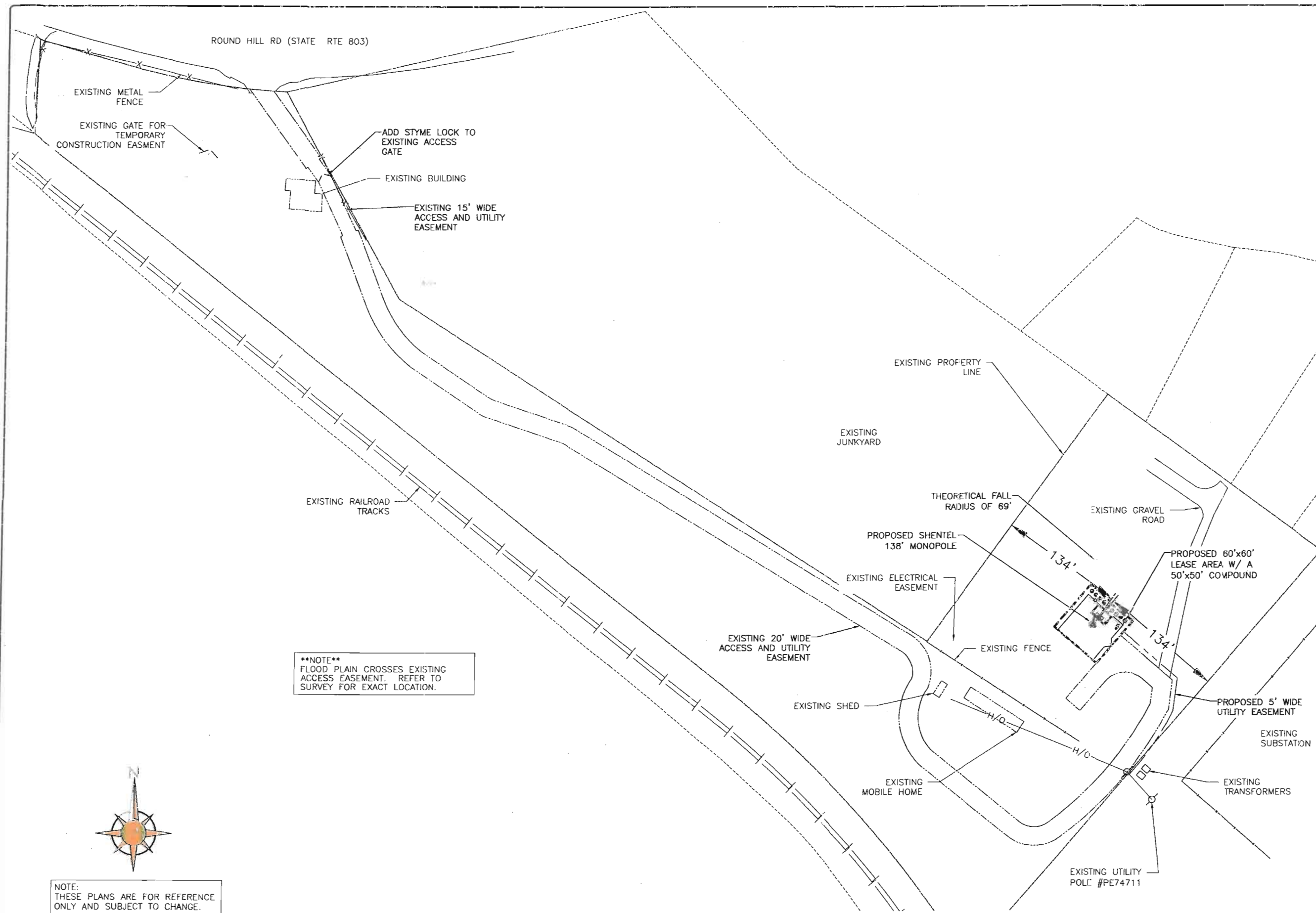
SITE INFORMATION:

AMHERST
SITE NO. 15149

219 ROUND HILL RD
WINCHESTER, VA 22602

SHEET TITLE:
ADJOINING
PROPERTIES MAP

SHEET NUMBER:
A-2



****NOTE****
 FLOOD PLAIN CROSSES EXISTING
 ACCESS EASEMENT. REFER TO
 SURVEY FOR EXACT LOCATION.

NOTE:
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 ONLY AND SUBJECT TO CHANGE.



① OVERALL SITE PLAN
 N.T.S.

SHENTEL
 TRANSMISSION & NETWORK SERVICES

500 SHENTEL WAY
 P.O. BOX 459
 EDINBURG, VA 22824-0280
 (540) 984-5123

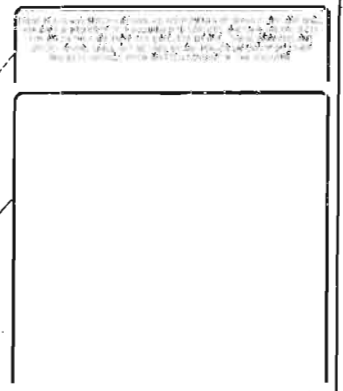
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T-SQUARED SITE SERVICES, LLC

2000 HIGHLAND ROAD, SUITE 203
 HERMITAGE, PA 15118
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| 1 | 9.22.17 | REDLINE REVISION | KE |
| 0 | 9.22.17 | PRELIM CDS | KE |

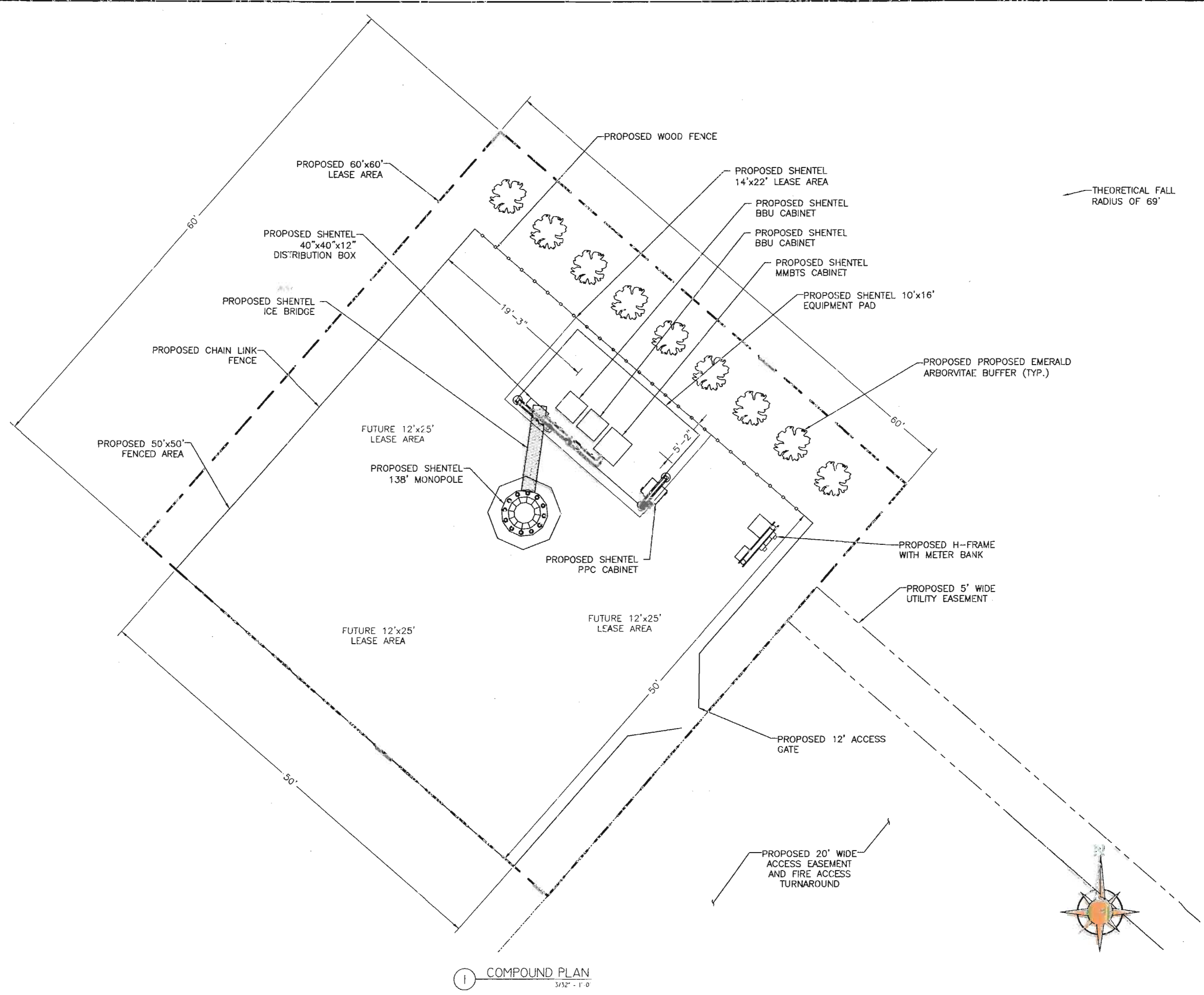
PROJ. NO.: 10019
 CHECKED BY: G.W.Clower, P.E.



SITE INFORMATION:
 AMHERST
 SITE NO. 15149
 219 ROUND HILL RD
 WINCHESTER, VA 22602

SHEET TITLE:
 OVERALL SITE PLAN

SHEET NUMBER:
 A-3



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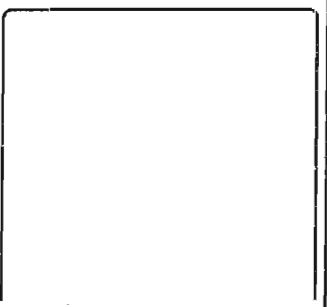
2500 HERMAN ROAD, SUITE 201
 HERMITAGE, PA 15148
 www.t-squared.com

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|------------|----------|---------------------|
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| 2 | 9.25.17 | REDLINE REVISION KE |
| 1 | 9.22.17 | REDLINE REVISION KE |
| 0 | 9.22.17 | PRELIM CDS KE |

PROJ. NO.: 10019

CHECKED BY: G.W. Clower, P.E.

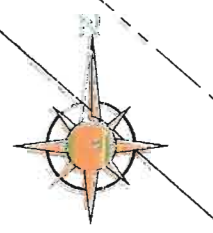


SITE INFORMATION:
 AMHERST
 SITE NO. 15149
 219 ROUND HILL RD
 WINCHESTER, VA 22602

SHEET TITLE:
 COMPOUND PLAN

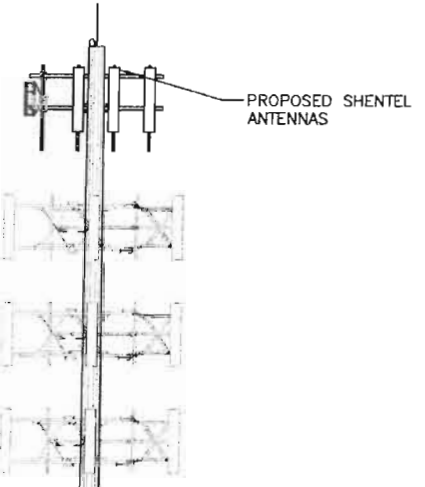
SHEET NUMBER:
 A-4

1 COMPOUND PLAN
 3/32" = 1'-0"



- PROPOSED T.O. LIGHTNING ROD
EL. 142'± A.G.L.
- PROPOSED T.O. TOWER
EL. 138'± A.G.L.
- PROPOSED SHENTEL ANTENNAS RAD. CENTER
EL. 135'± A.G.L.
- FUTURE CARRIER ANTENNA
EL. 123'± A.G.L.
- FUTURE CARRIER ANTENNA
EL. 113'± A.G.L.
- FUTURE CARRIER ANTENNA
EL. 104'± A.G.L.

****NOTE****
TOWER IS TO HAVE LIGHTING IN ACCORDANCE WITH FAA REGULATIONS



PROPOSED SHENTEL 138' MONOPOLE

****NOTE****
WOOD FENCE SECTION NOT SHOWN FOR CLARITY.

PROPOSED SHENTEL EQUIPMENT
PROPOSED CHAIN LINK FENCE

EXISTING GROUND LEVEL
EL. 0'± A.G.L.

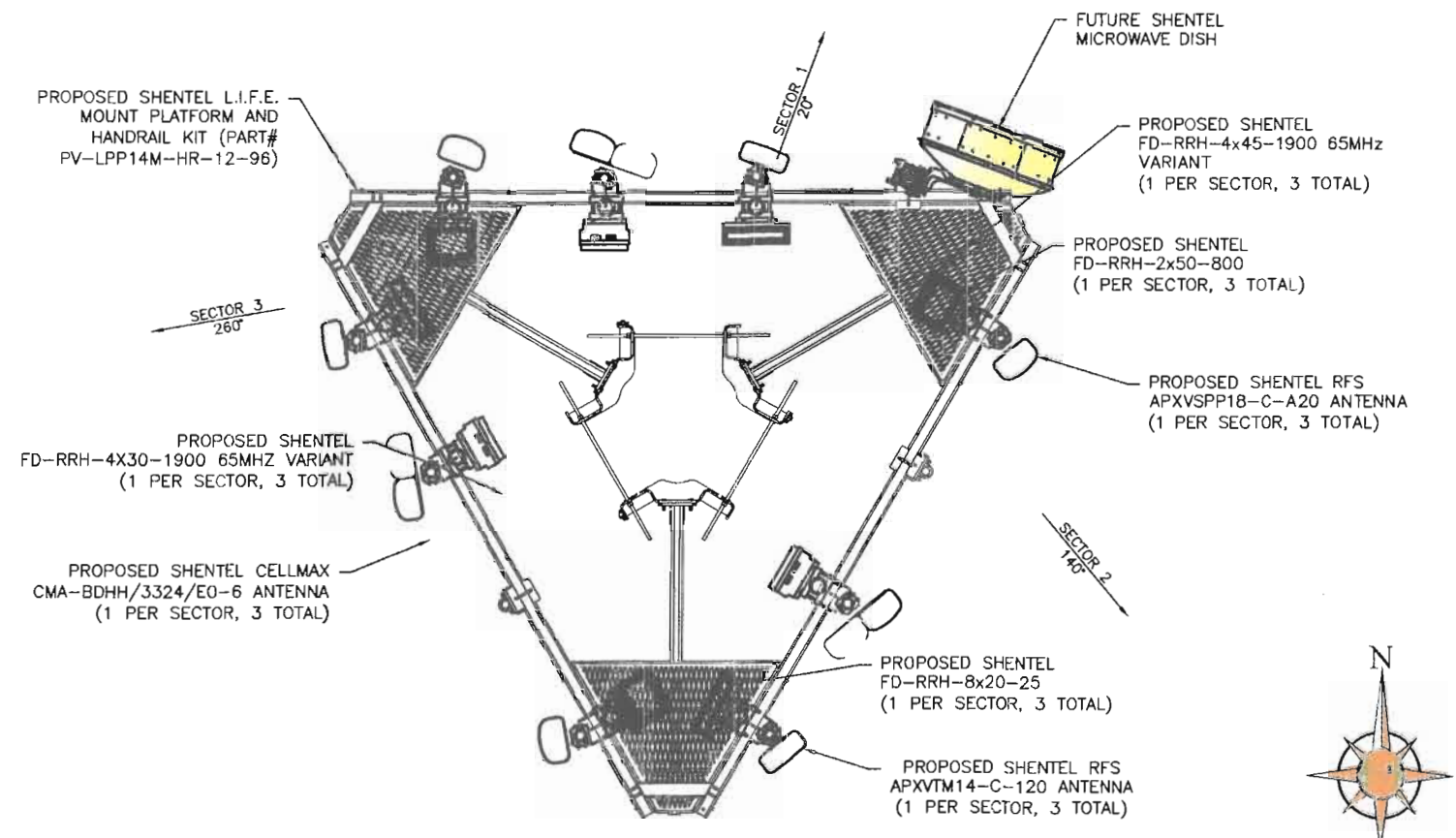
1 ELEVATION
N.T.S.

PROPOSED ANTENNA INFORMATION RFA (REV 1)

| SECTOR | POSITION | STATUS | ANTENNA MANUFACTURER | ANTENNA MODEL | RAD CENTER | AZIMUTH | MECHANICAL DOWN TILT | ELECTRICAL DOWN TILT | RRH MODEL (PLATFORM MOUNTED) | HYBRIFLEX QUANTITY & MODEL | HYBRIFLEX LENGTH & DIAMETER |
|--------|----------|----------|----------------------|--------------------|------------|---------|----------------------|----------------------|------------------------------|----------------------------------|-----------------------------|
| 1 | 1 | PROPOSED | RFS | APXVSP18-C-A20 | 135'-0" | 20° | 0° | 2' | FD-RRH-2x50-800 | Eucahybrid 114-12AWG6-2x12MM5-CP | 170'± (1-1/4") |
| | | | | | | | | FD-RRH-4x45-1900 | | | |
| 1 | 2 | PROPOSED | CELLMAX | CMA-BDHH/3324/E0-6 | 135'-0" | 20° | 0° | 2' | FD-RRH-4x30-1900 | | |
| 1 | 3 | PROPOSED | RFS | APXVTM14-C-120 | 135'-0" | 20° | 0° | 2' | FD-RRH-8X20-2500 | | |
| 1 | 3 | FUTURE | RFS | SB3-W100AMPT | 135'-0" | TBD | | | 9500 MPR MPT-HC-HQAM RADIO | (2) Cat5 | 170'± |
| 2 | 1 | PROPOSED | RFS | APXVSP18-C-A20 | 135'-0" | 140° | 0° | 8'
2' | FD-RRH-2x50-800 | Eucahybrid 114-12AWG6-2x12MM5-CP | 170'± (1-1/4") |
| | | | | | | | | FD-RRH-4x45-1900 | | | |
| 2 | 2 | PROPOSED | CELLMAX | CMA-BDHH/3324/E0-6 | 135'-0" | 140° | 0° | 2' | FD-RRH-4x30-1900 | | |
| 2 | 3 | PROPOSED | RFS | APXVTM14-C-120 | 135'-0" | 140° | 0° | 2' | FD-RRH-8X20-2500 | | |
| 3 | 1 | PROPOSED | RFS | APXVSP18-C-A20 | 135'-0" | 260° | 0° | 6'
1' | FD-RRH-2x50-800 | Eucahybrid 114-12AWG6-2x12MM5-CP | 170'± (1-1/4") |
| | | | | | | | | FD-RRH-4x45-1900 | | | |
| 3 | 2 | PROPOSED | CELLMAX | CMA-BDHH/3324/E0-6 | 135'-0" | 260° | 0° | 1' | FD-RRH-4x30-1900 | | |
| 3 | 3 | PROPOSED | RFS | APXVTM14-C-120 | 135'-0" | 260° | 0° | 2' | FD-RRH-8X20-2500 | | |

- NOTES:**
- CONTRACTOR TO VERIFY PROPOSED ANTENNA INFORMATION IS THE MOST CURRENT DATA AT TIME OF CONSTRUCTION.
 - CONTRACTOR TO CONFIRM CABLE LENGTHS PRIOR TO CONSTRUCTION.
 - ROUTE PROPOSED HYBRIFLEX CABLES INSIDE PROPOSED MONOPOLE.

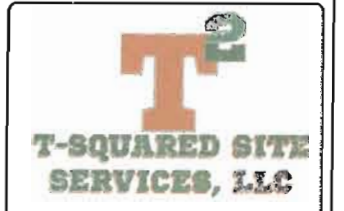
2 ANTENNA INFORMATION
N.T.S.



3 ANTENNA MOUNT
N.T.S.



500 SHENTEL WAY
P.O. BOX 459
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(540) 984-5123



2509 HIGHLAND ROAD, SUITE 201
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| 1 | 9.22.17 | REDLINE REVISION | KE |
| 0 | 9.22.17 | PRELIM CDS | KE |

PROJ. NO.: 10019

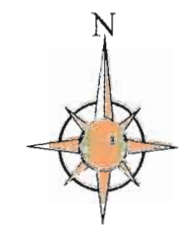
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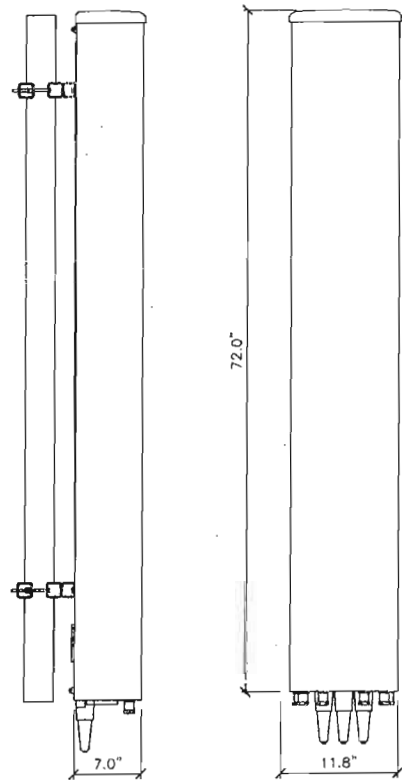
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SITE INFORMATION:
AMHERST
SITE NO. 15149
219 ROUND HILL RD
WINCHESTER, VA 22602

SHEET TITLE:
ELEVATION & EQUIPMENT PLAN

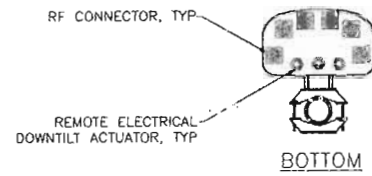
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A-5



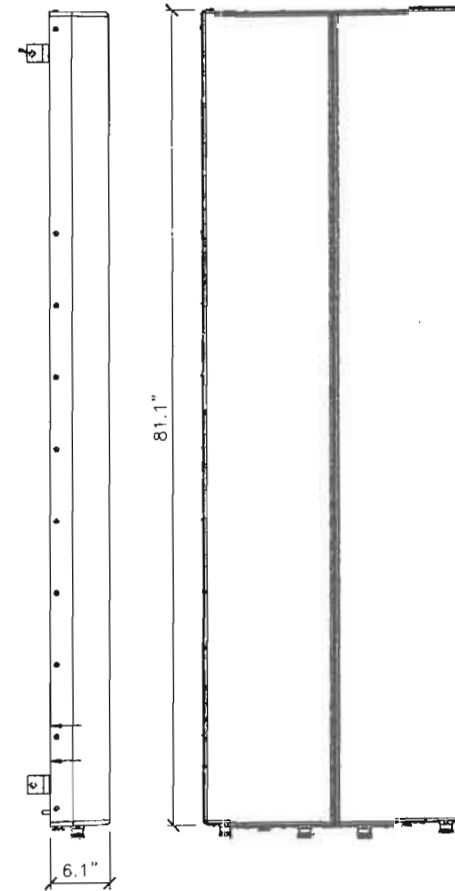


RFS APXVSP18-C-A20

DIMENSIONS, HxWxD: 72.0"x11.8"x7.0"
 WEIGHT, WITH PRE-MOUNTED BRACKETS: 64.5 lbs
 CONNECTOR: (6) 7-16 LONG NECK FEMALE / BOTTOM



① RFS APXVSP18-C-A20 ANTENNA DETAIL
N.T.S.

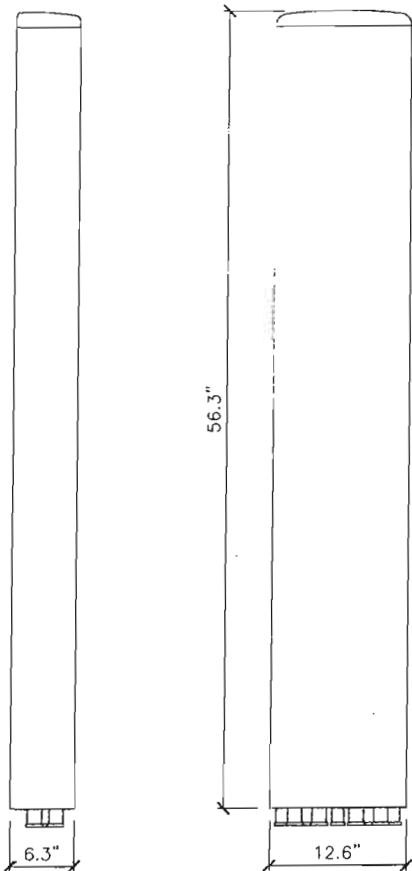


CELLMAX CMA-BDHH/3324/E0-6

DIMENSIONS, HxWxD: 81.1"x22.0"x6.1"
 WEIGHT: 106.7 lbs
 CONNECTOR: (4) 7-16 FEMALE - BOTTOM

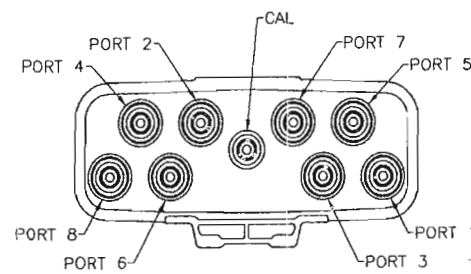


② RFS APXVRR13-C-A20 ANTENNA DETAIL
N.T.S.

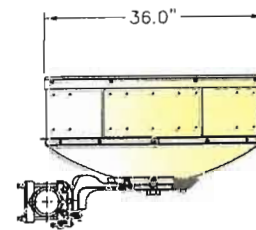


RFS APXVTM14-C-120

DIMENSIONS, HxWxD: 56.3"x12.6"x6.3"
 WEIGHT, WITH PRE-MOUNTED BRACKETS: 56 lbs
 CONNECTOR: (8) 4.19.5 DIN FEMALE / (1) NF - CALIBRATION PORT

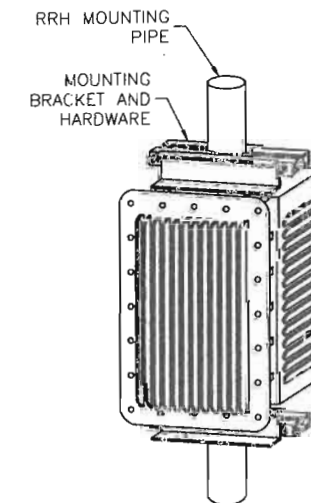


③ RFS APXVTM14-C-120 ANTENNA DETAIL
N.T.S.



| | |
|---|----------|
| RFS MICROWAVE ANTENNA
MODEL NO. SB3-W100AMPT | |
| WEIGHT | 50.7 LBS |
| DIMENSIONS (DIA.) | 36.0" |
| MAX WIND SPEED | 124 MPH |
| Alcatel-Lucent Multipurpose
Outdoor Unit (ODU) | |
| WEIGHT | 11 LBS |

④ MICROWAVE DETAIL
N.T.S.



NOTE:
SEE SHEET A-2 FOR RRH
QUANTITY AND LOCATION.

NOTE:
CONTRACTOR IS RESPONSIBLE FOR
ACQUIRING THE MOST RECENT PLUMBING
DIAGRAMS ONCE SITE IS READY FOR
CONSTRUCTION.

⑤ RRH DETAIL
N.T.S.

| | |
|--|---------------|
| 800 MHz REMOTE RADIO HEAD
FD-RRH-2x50-800 | |
| WEIGHT | 64 LBS. |
| DIMENSIONS (WxHxD) | 13"x19.7"x15" |
| OUTPUT POWER | 100W |
| POWER REQ. | -48VDC |

| | |
|--|---------------|
| 1900 MHz REMOTE RADIO HEAD
FD-RRH-4x45-1900 | |
| WEIGHT | 60 LBS. |
| DIMENSIONS (WxHxD) | 11"x25"x10.7" |
| OUTPUT POWER | 180W |
| POWER REQ. | -48VDC |

| | |
|--|--------|
| 1900 MHz REMOTE RADIO HEAD
FD-RRH-4x30-1900 | |
| WEIGHT | N/A |
| DIMENSIONS (WxHxD) | N/A |
| OUTPUT POWER | 180W |
| POWER REQ. | -48VDC |

| | |
|--|------------------|
| 2500 MHz REMOTE RADIO HEAD
TD-RRH-8x20-2500 | |
| WEIGHT | 66 LBS. |
| DIMENSIONS (WxHxD) | 17.5"x25.4"x5.7" |
| OUTPUT POWER | 80W |
| POWER REQ. | -48VDC |



500 SHENTEL WAY
 P.O. BOX 459
 EDINBURG, VA 22821-0280
 (540) 984-5123



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 HERMITAGE, PA 18448
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| 1 | 9.22.17 | REDLINE REVISION | KE |
| 0 | 9.22.17 | PRELIM CDS | KE |

PROJ. NO.: 10019

CHECKED BY: G.W.Clower, P.E.

SITE INFORMATION:

AMHERST
 SITE NO. 15149

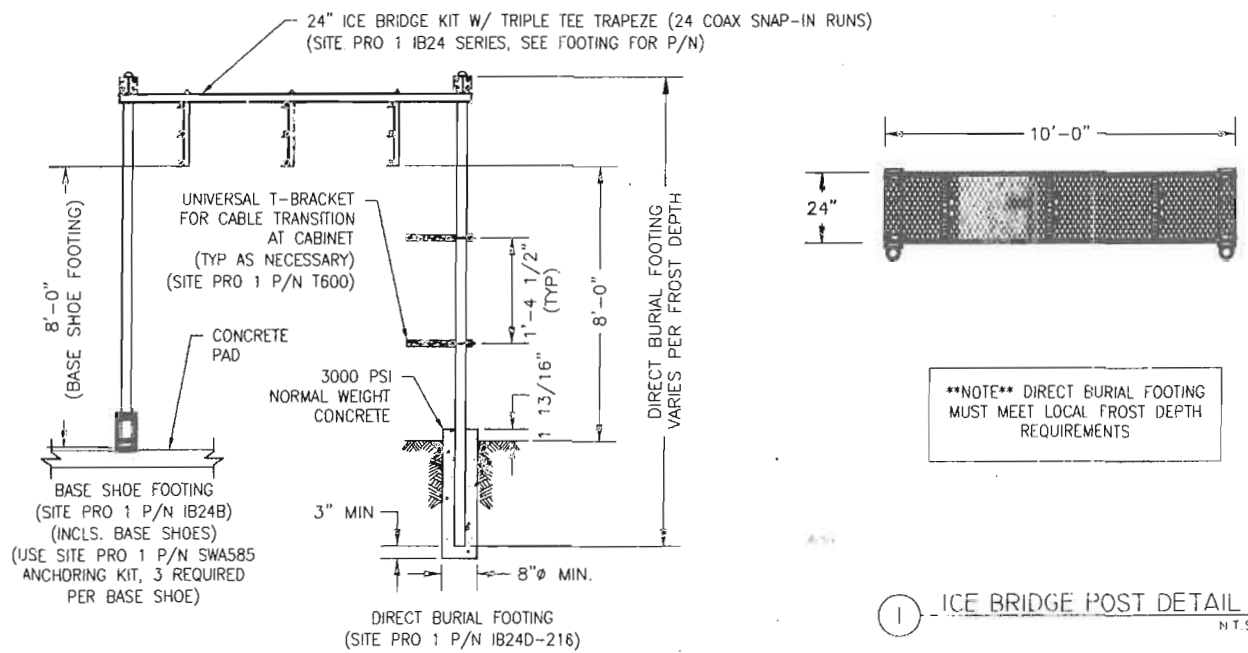
219 ROUND HILL RD
 WINCHESTER, VA 22602

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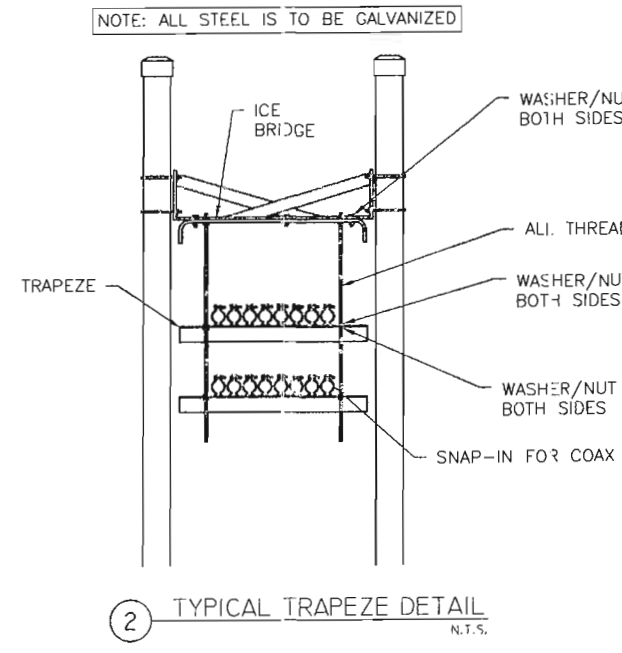
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 DETAILS

SHEET NUMBER:

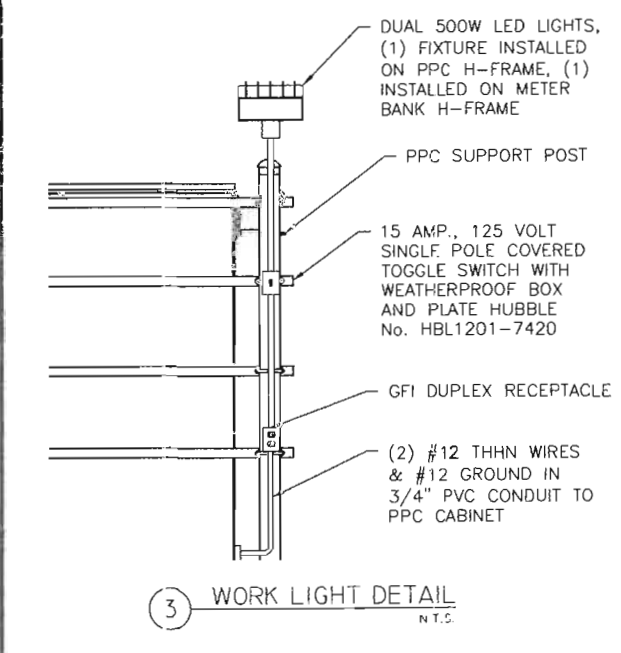
D-1



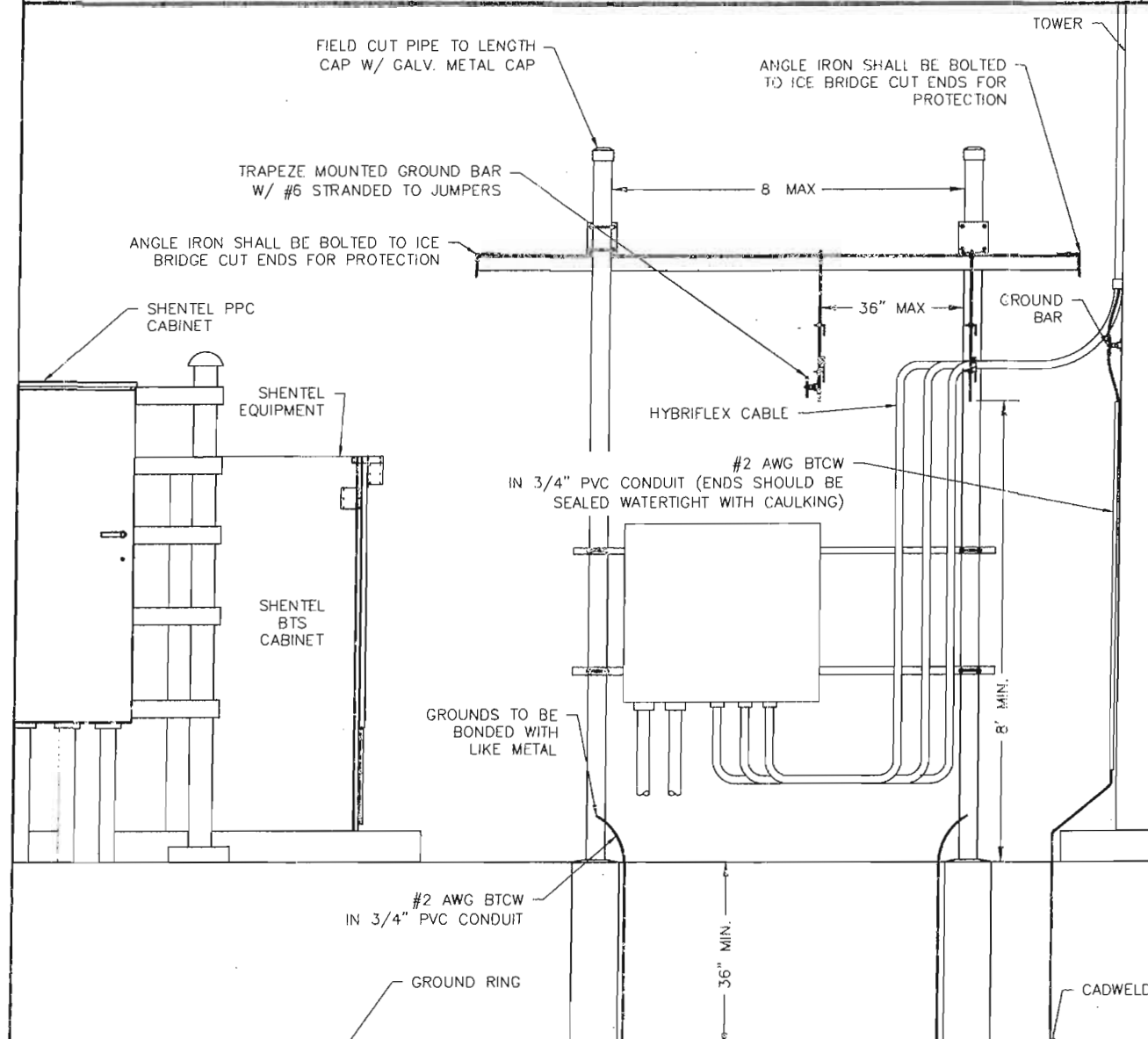
① ICE BRIDGE POST DETAIL
N.T.S.



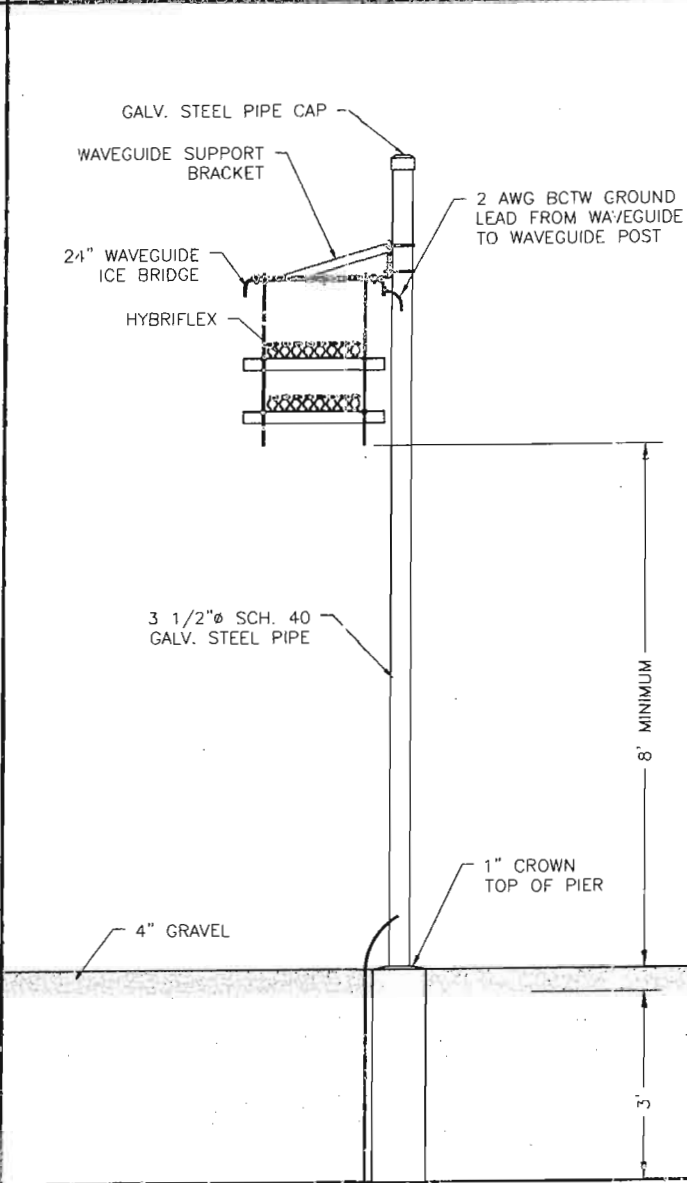
② TYPICAL TRAPEZE DETAIL
N.T.S.



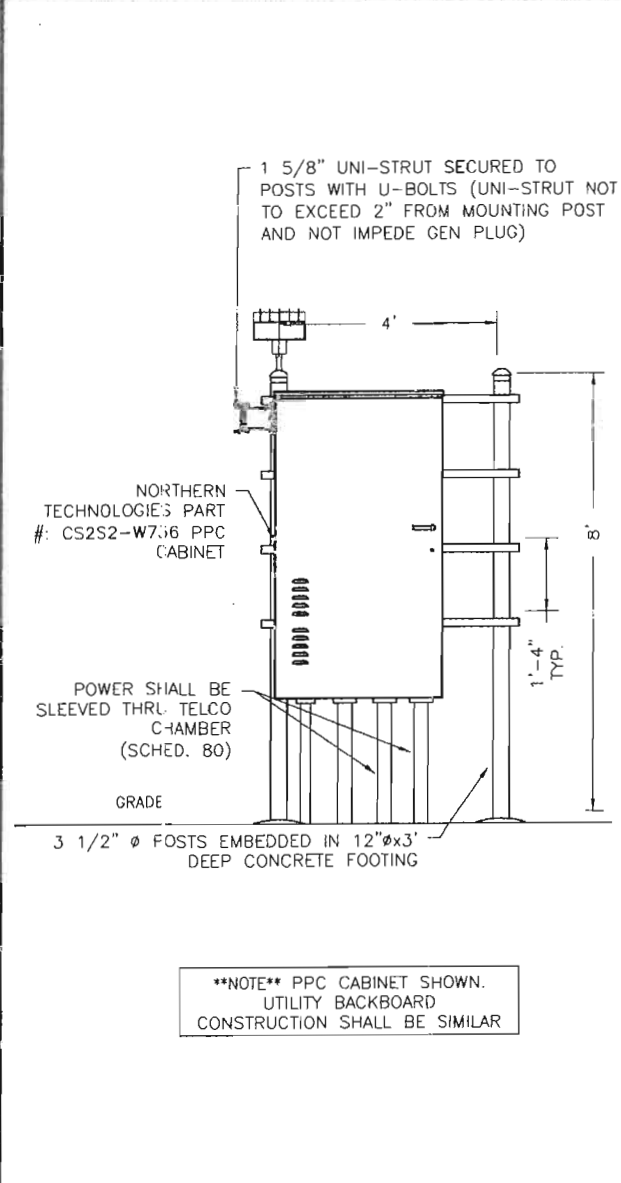
③ WORK LIGHT DETAIL
N.T.S.



④ NOT USED
N.T.S.



⑤ ICE BRIDGE SUPPORT SECTION
N.T.S.



⑥ PPC & BACKBOARD DETAIL
N.T.S.

SHENTEL
General Mobile LLC

500 SHENTEL WAY
P.O. BOX 459
EDINBURG, VA 22824-0280
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PROJ. NO.: 10019
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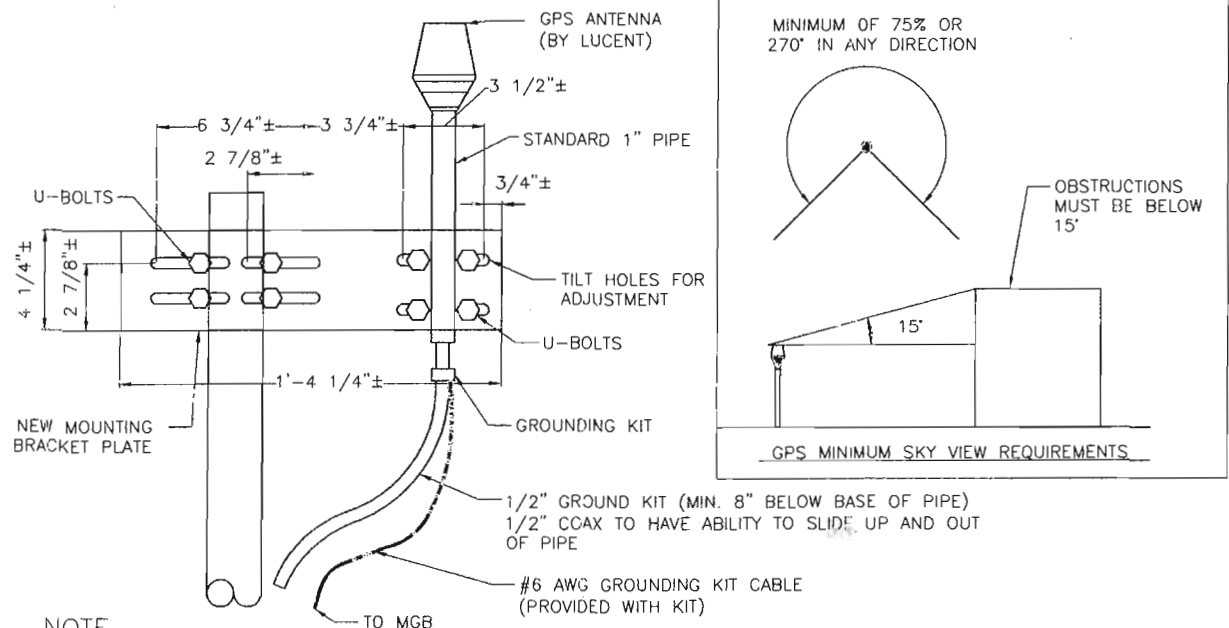
SITE INFORMATION:

AMHERST
SITE NO. 15149

219 ROUND HILL RD
WINCHESTER, VA 22602

SHEET TITLE:
SITE DETAILS

SHEET NUMBER:
D-2



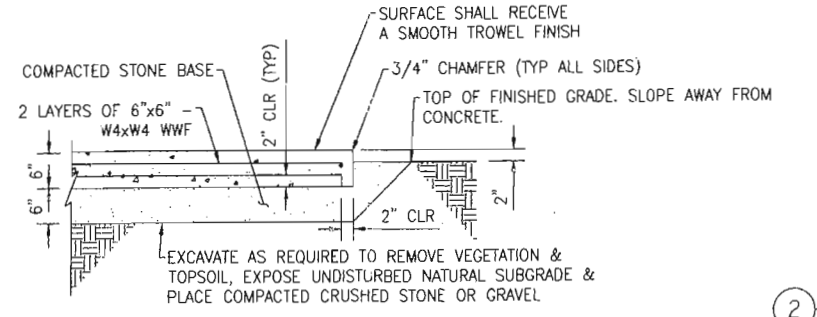
NOTE

1. THE ELEVATION AND LOCATION OF THE GPS ANTENNA SHALL BE IN ACCORDANCE WITH THE FINAL RF REPORT.
2. THE GPS ANTENNA MOUNT IS DESIGNED TO FASTEN TO A STANDARD 1-1/4" DIAMETER, SCHEDULE 40, GALVANIZED STEEL OR STAINLESS STEEL PIPE. THE PIPE MUST NOT BE THREADED AT THE ANTENNA MOUNT END. THE PIPE SHALL BE CUT TO THE REQUIRED LENGTH (MINIMUM OF 18 INCHES) USING A HAND OR ROTARY PIPE CUTTER TO ASSURE A SMOOTH AND PERPENDICULAR CUT. A HACK SAW SHALL NOT BE USED. THE CUT PIPE END SHALL BE DEBURRED AND SMOOTH IN ORDER TO SEAL AGAINST THE NEOPRENE GASKET ATTACHED TO THE ANTENNA MOUNT.
3. IT IS CRITICAL THAT THE GPS ANTENNA IS MOUNTED SUCH THAT IT IS WITHIN 2 DEGREES OF VERTICAL AND THE BASE OF THE ANTENNA IS WITHIN 2 DEGREES OF LEVEL.
4. DO NOT SWEEP TEST GPS ANTENNA.

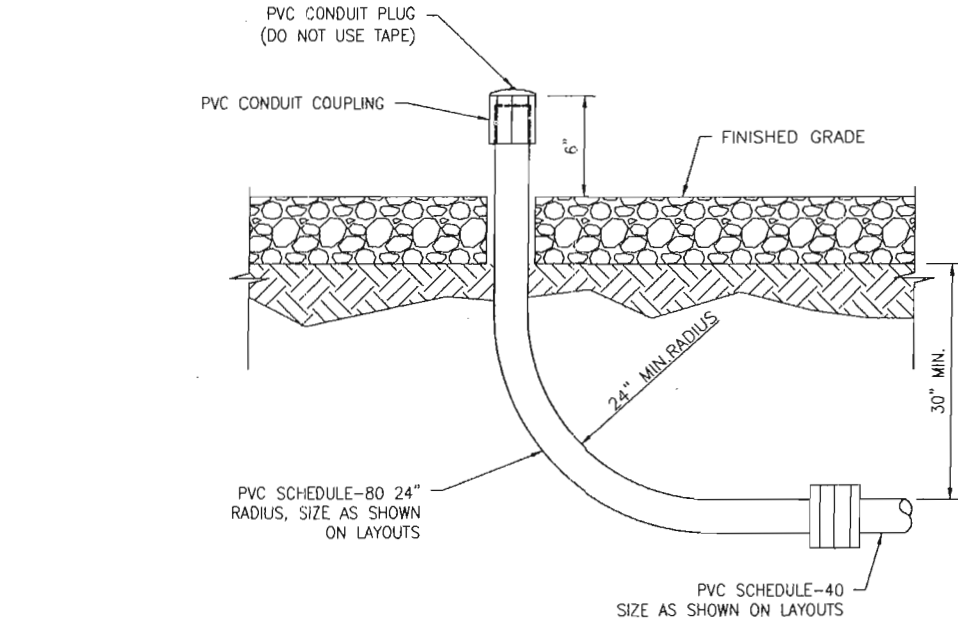
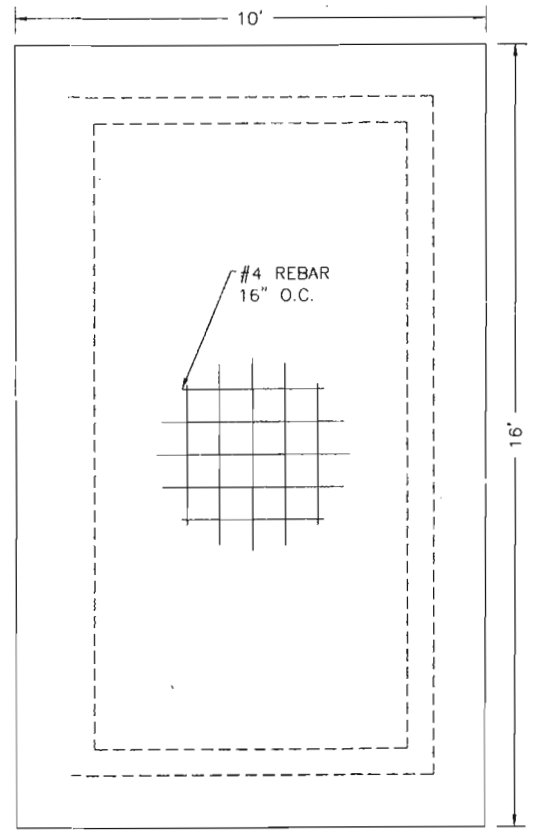
① GPS MOUNTING DETAIL
N.T.S.

STRUCTURAL NOTES:

1. SPECIFICATIONS / CODES:
 - CONCRETE WORK SHALL BE PERFORMED IN ACCORDANCE WITH LATEST EDITION OF THE ACI CODE.
 - CONCRETE SLAB COMPRESSIVE STRENGTH TESTING: CYLINDERS PREPARED IN ACCORDANCE TO ASTM C31. TESTING IN ACCORDANCE TO ASTM C39.
 - STEEL WORK SHALL BE PERFORMED IN ACCORDANCE WITH AISC STEEL CONSTRUCTION MANUAL, 9TH EDITION.
 - WELDING SHALL BE PERFORMED IN ACCORDANCE WITH AMERICAN WELDING SOCIETY (AWS) D1.1-92 "STRUCTURAL WELDING" CODE-STEEL.
 - REINFORCING STEEL SHALL BE PLACED IN ACCORDANCE WITH THE CONCRETE REINFORCING STEEL INSTITUTE (CRSI), "MANUAL OF STANDARD PRACTICE."
2. MATERIALS:
 - CONCRETE: f_c' - 3000psi. (MIN. U.N.O.)
 - REINFORCING STEEL: ASTM A615, GRADE 63.
 - WIRE MESH: ASTM A185.
 - STRUCTURAL STEEL: ASTM A36.
 - ELECTRODES FOR WELDING: E 70xx.
 - GALVANIZING: ASTM A153 (BOLTS) OR ASTM A123 (SHAPES, PLATES).
 - EXPANSION BOLTS: HILTI KWIK BOLT II, STAINLESS STEEL, 3/4"x4 1/4" EMBEDMENT OR AN APPROVED EQUAL.
3. GEO-TECHNICAL:
 - CONCRETE SLAB DESIGN IS BASED ON 2000psf SOIL BEARING CAPACITY. IF OTHER CONDITIONS EXIST, FOUNDATION SHALL BE REDESIGNED CONTRACTOR SHALL HAVE SOIL BEARING CAPACITY VERIFIED BY A LICENSED PROFESSIONAL GEOTECHNICAL ENGINEER PRIOR TO INITIATION OF CONSTRUCTION ACTIVITIES.
 - ALL BACKFILL SHALL BE THOROUGHLY COMPACTED TO A MINIMUM OF 95% MODIFIED PROCTOR DENSITY

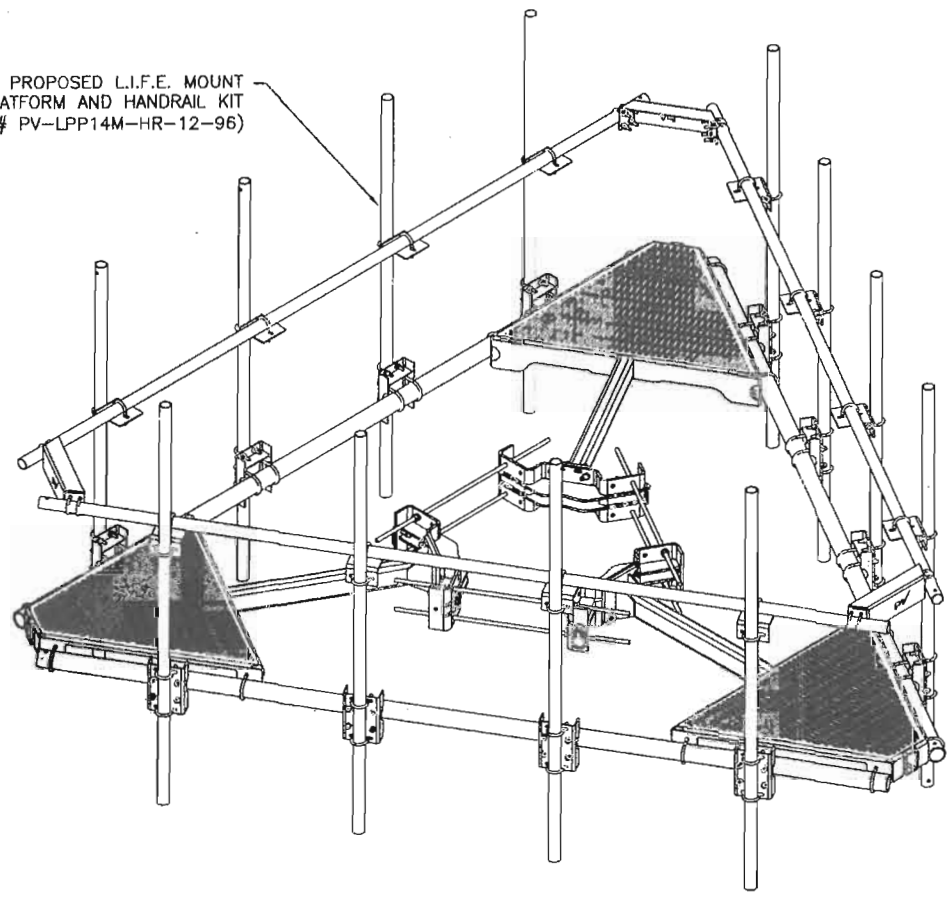


② CONCRETE EQUIPMENT PAD DETAIL
N.T.S.



③ CONDUIT STUB-UP DETAIL
N.T.S.

PROPOSED L.I.F.E. MOUNT PLATFORM AND HANDRAIL KIT (PART# PV-LPP14M-HR-12-96)



④ MOUNT DETAIL
N.T.S.



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EDINBURG, VA 22824-0280
(540) 984-5123



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| 2 | 9.25.17 | REDLINE REVISION | KE |
| 1 | 9.22.17 | REDLINE REVISION | KE |
| 0 | 9.22.17 | PRELIM CDS | KE |

PROJ. NO.: 10019

CHECKED BY: G.W.Clower, P.E.

SHENTEL PROJECT NO. 15149
DATE: 10/12/17
DRAWN BY: G.W.Clower, P.E.
CHECKED BY: G.W.Clower, P.E.
SCALE: AS SHOWN

SITE INFORMATION:

AMHERST
SITE NO. 15149

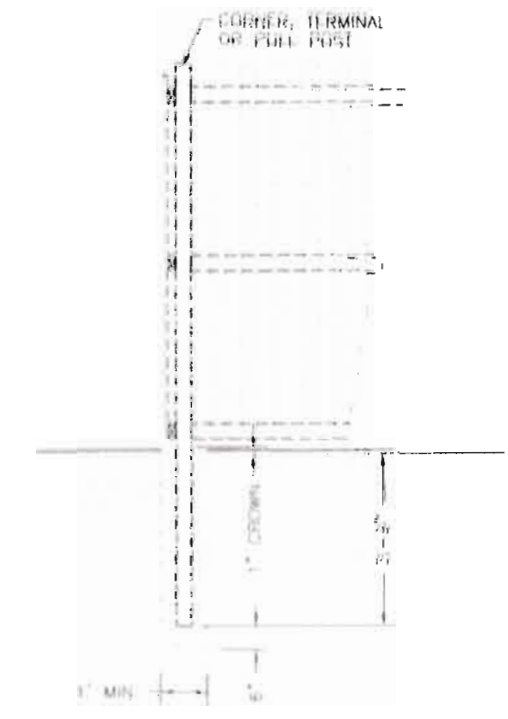
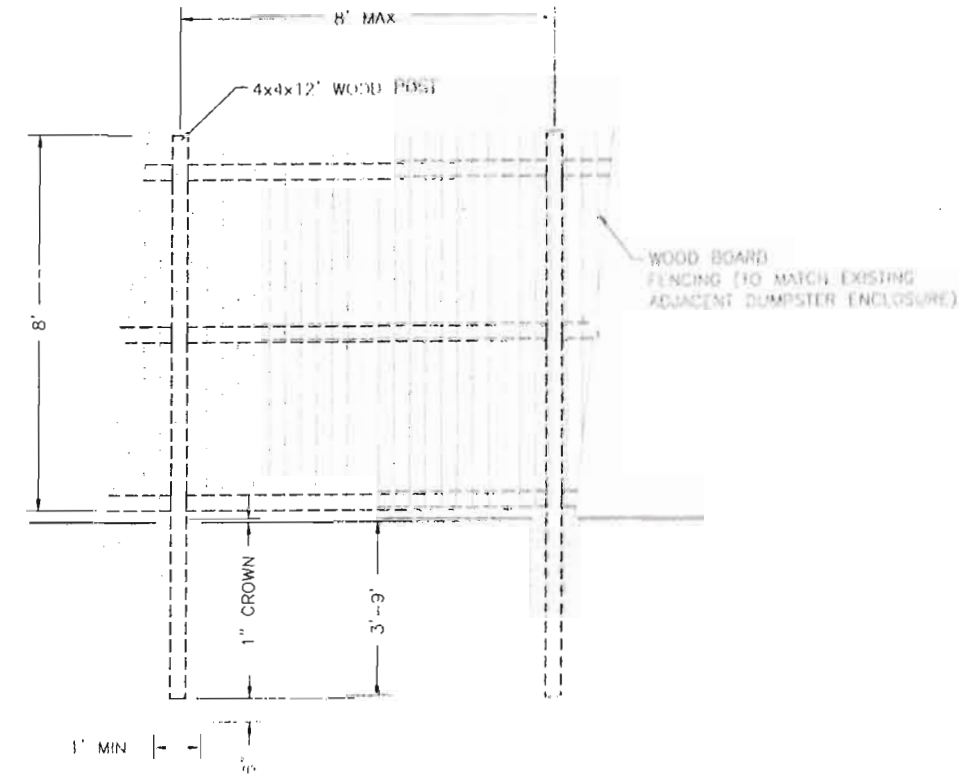
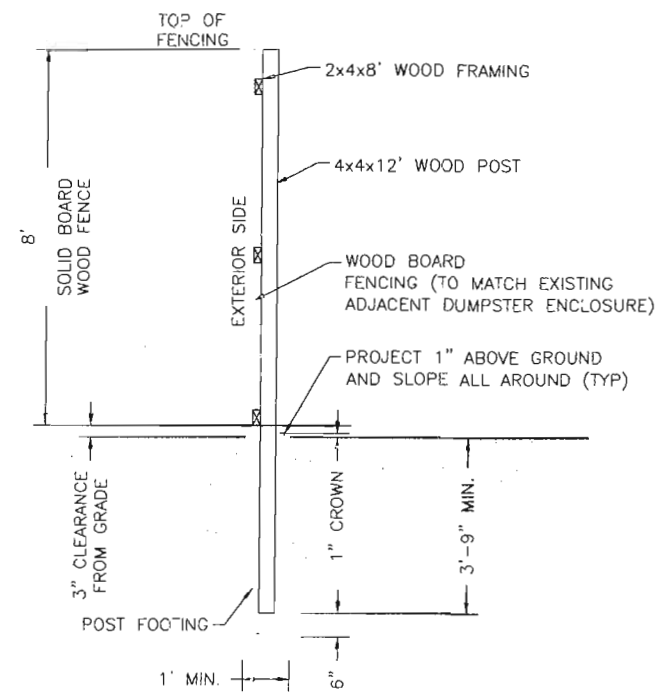
219 ROUND HILL RD
WINCHESTER, VA 22602

SHEET TITLE:

MISC. DETAILS

SHEET NUMBER:

D-3



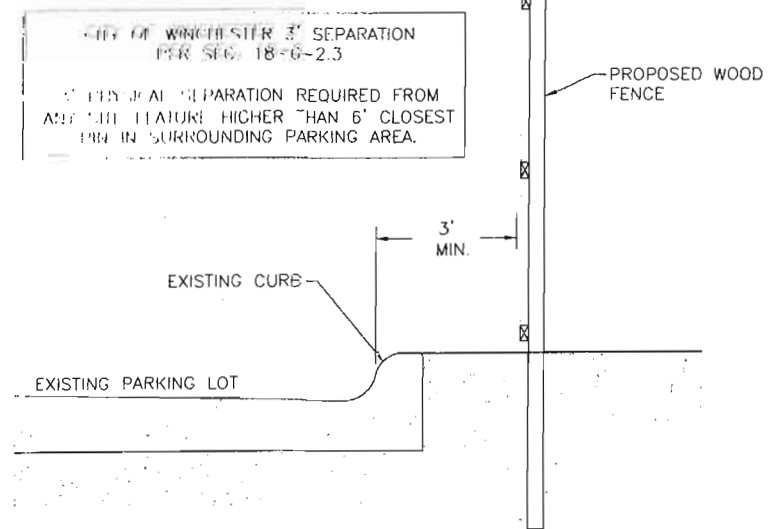
① WOOD FENCE DETAIL
 N.T.S.

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PROJ. NO.: 10019
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② NOT USED
 N.T.S.

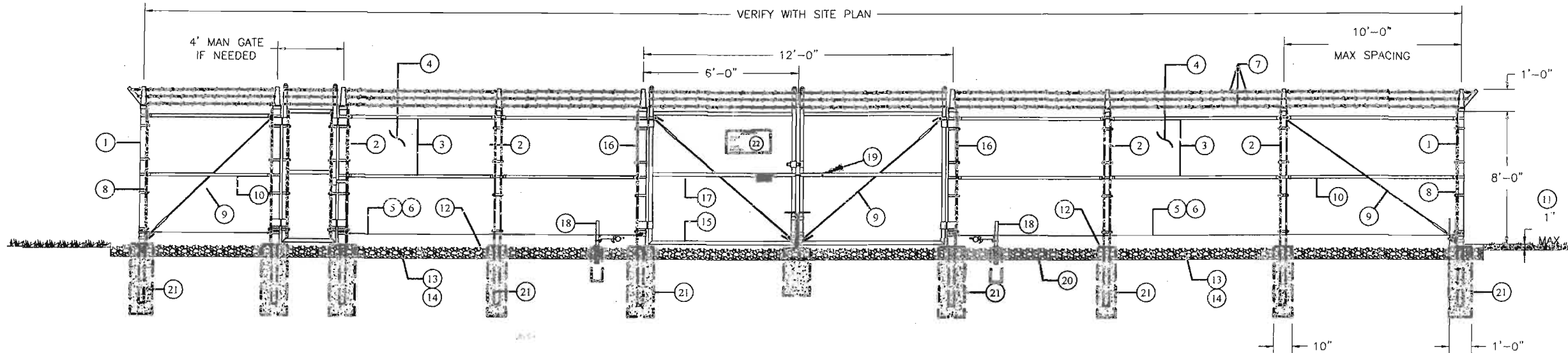
③ SEPARATION REQUIREMENT DETAIL
 N.T.S.



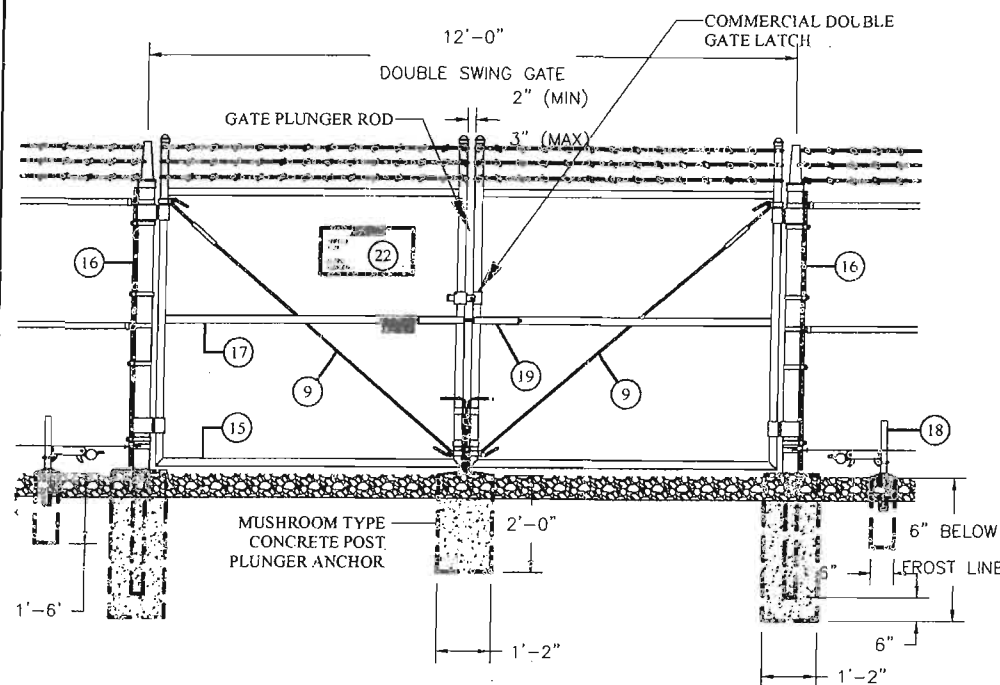
SITE INFORMATION:
 AMHERST
 SITE NO. 15149
 219 ROUND HILL RD
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SHEET TITLE:
 WOOD FENCE
 DETAILS

SHEET NUMBER:
 D-4



1 TYPICAL FENCING DETAIL
N.T.S.



2 DOUBLE-SWING GATE DETAIL
N.T.S.

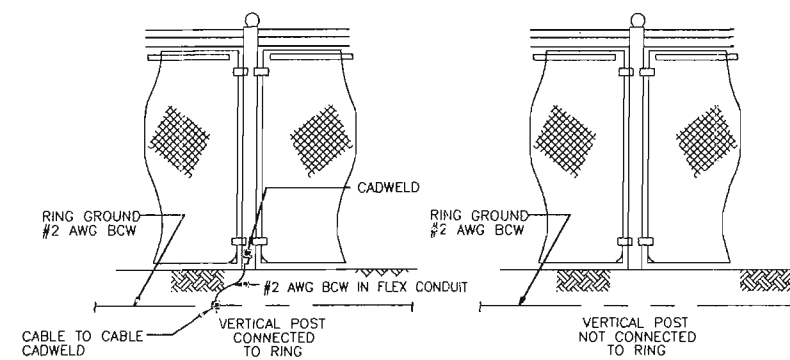
GENERAL NOTES:

1. INSTALL FENCING PER ASTM F-567
2. INSTALL SWING GATES PER ASTM F-900
3. LOCAL ORDINANCE OF BARBED WIRE PERMIT REQUIREMENT SHALL BE COMPLIED IF REQUIRED.
4. POST & GATE PIPE SIZES ARE INDUSTRY STANDARDS. ALL PIPE TO BE GALVANIZED (HOT DIP, ASTM A120 GRADE "A" STEEL). ALL GATE FRAMES SHALL BE WELDED. ALL WELDING SHALL BE COATED WITH (3) COATS OF COLD GALV. (OR EQUAL)
5. ALL OPEN POSTS SHALL HAVE END-CAPS.
6. USE GALVANIZED HOG-RING WIRE TO MOUNT ALL SIGNS.
7. ALL SIGNS MUST BE MOUNTED ON INSIDE OF FENCE FABRIC.

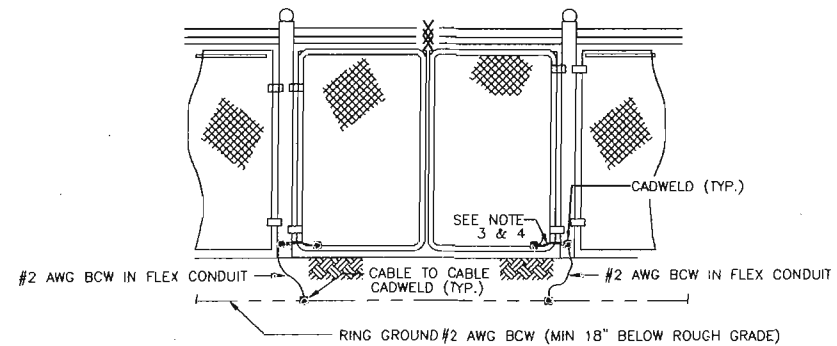
3 FENCING NOTES
N.T.S.

BALLOON REFERENCE NOTES:

- 1 CORNER, END OR PULL POST: 3" O.D. SCHEDULE 40 PIPE.
- 2 LINE POST: 2 1/2" NOMINAL SCHEDULE 40 PIPE, PER ASTM-F1083. LINE POSTS SHALL BE EQUALLY SPACED AT MAXIMUM 10'-0" O.C.
- 3 TOP RAIL & BRACE RAIL. 1-5/8" O.D. STANDARD ROUND PIPE, PER ASTM-F1083.
- 4 FABRIC: 9 GA CORE WIRE SIZE 2" MESH, CONFORMING TO ASTM-A392
- 5 TIE WIRE: 9 GA ALUMINUM. A SINGLE WRAP OF FABRIC TIE AND AT TENSION WIRE BY HOG RINGS SPACED 12" O.C. POSTS/GATES AND 24" RAILS/WIRE.
- 6 TENSION WIRE: 9 GA ALUMINUM
- 7 BARBED WIRE: DOUBLE STRAND 12-1/2" O.D. TWISTED WIRE TO MATCH WITH FABRIC. 14 GA, 4 PT. BARBS SPACED ON APPROXIMATELY 5" CENTERS
- 8 3/16" X 3/4" (MIN) FULL HEIGHT STRETCHER BAR.
- 9 3/8" DIAGONAL ROD WITH GALVANIZED STEEL TURNBUCKLE OR DIAGONAL THREADED ROD
- 10 FENCE CORNER POST BRACE: 1 5/8" NOMINAL PIPE
- 11 1" MAXIMUM CLEARANCE FROM FINISH GRADE
- 12 FENCE POST FOUNDATION TO BE 1" FINISH ABOVE FINISHED GRADE
- 13 6" COMPACTED BASE MATERIAL
- 14 FINISH GRADE SHALL BE UNIFORM AND LEVEL.
- 15 WELDED GATE FRAME: 2" O.D., SCHEDULE 40 PIPE, PER ASTM-F1083.
- 16 GATE POST 4" O.D., SCHEDULE 40 PIPE, PER ASTM-F1083.
- 17 GATE FRAME BRACE RAIL: 1 1/2" NOMINAL PIPE, PER ASTM-F1083.
- 18 DUCK BILL OPEN GATE HOLDER. VERIFY LOCATION IN FIELD PRIOR TO INSTALLATION.
- 19 STYMIE LOCK MULTI-TENANT LOCKING DEVICE (1-5" SLIDE BAR AND 3 SLEEVES)
- 20 GEO-TEXTILE FABRIC
- 21 CONCRETE FOUNDATION (MIN 3000 PSI). MINIMUM DEPTH: 6" BELOW FROST LINE
- 22 10" x 12" SHENTEL SITE INFORMATION SIGN



- NOTE:**
1. VERTICAL POSTS SHALL BE BONDED TO THE RING AT EACH CORNER AND AT EACH GATE POST. AS A MINIMUM ONE VERTICAL POST SHALL BE BONDED TO THE GROUND RING IN EVERY 100 FOOT STRAIGHT RUN OF FENCE.
 2. HORIZONTAL POLES SHALL BE BONDED TO EACH OTHER.
 3. BOND EACH HORIZONTAL POLE / BRACE TO EACH OTHER AND TO EACH VERTICAL POST THAT IS BONDED TO THE EXTERIOR GROUND RING
 4. GATE POST GROUND LEADS AND GATE JUMPERS TO BE IN FLEX CONDUIT



- NOTE:**
1. THE #2 AWG, BCW, FROM THE RING GROUND SHALL BE CADWELDED TO THE POST ABOVE GRADE.
 2. BOND EACH HORIZONTAL POLE / BRACE TO EACH OTHER AND TO EACH VERTICAL POLE BONDED TO THE EXTERIOR GROUND RING
 3. GATE JUMPER SHALL BE #4/0 AWG WELDING CABLE OR FLEXIBLE COPPER BRAID BURNDY TYPE B WITH SLEEVES ON EACH END DESIGNED FOR EXOTHERMIC WELDING.
 4. GATE JUMPER SHALL BE INSTALLED SO THAT IT WILL NOT BE SUBJECTED TO DAMAGING STRAIN WHEN GATE IS FULLY OPEN IN EITHER DIRECTION.
 5. GATE POST GROUND LEADS AND GATE JUMPERS TO BE IN FLEX CONDUIT.

4 GATE & FENCE GROUNDING DETAILS
N.T.S.



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PROJ. NO.: 10019

CHECKED BY: G.W.Clower, P.E.

DATE: 11/09/17

1. ALL DIMENSIONS ARE UNLESS OTHERWISE SPECIFIED.
2. ALL MATERIALS SHALL BE AS SHOWN OR OF EQUAL QUALITY.
3. ALL MATERIALS SHALL BE GALVANIZED UNLESS OTHERWISE SPECIFIED.
4. ALL WELDING SHALL BE TO THE STANDARD SPECIFICATIONS FOR STRUCTURAL STEEL.
5. ALL WELDING SHALL BE COATED WITH (3) COATS OF COLD GALV. (OR EQUAL)

SITE INFORMATION:

AMHERST
SITE NO. 15149

219 ROUND HILL RD
WINCHESTER, VA 22602

SHEET TITLE:
CHAIN LINK FENCE
DETAILS

SHEET NUMBER:
D-5

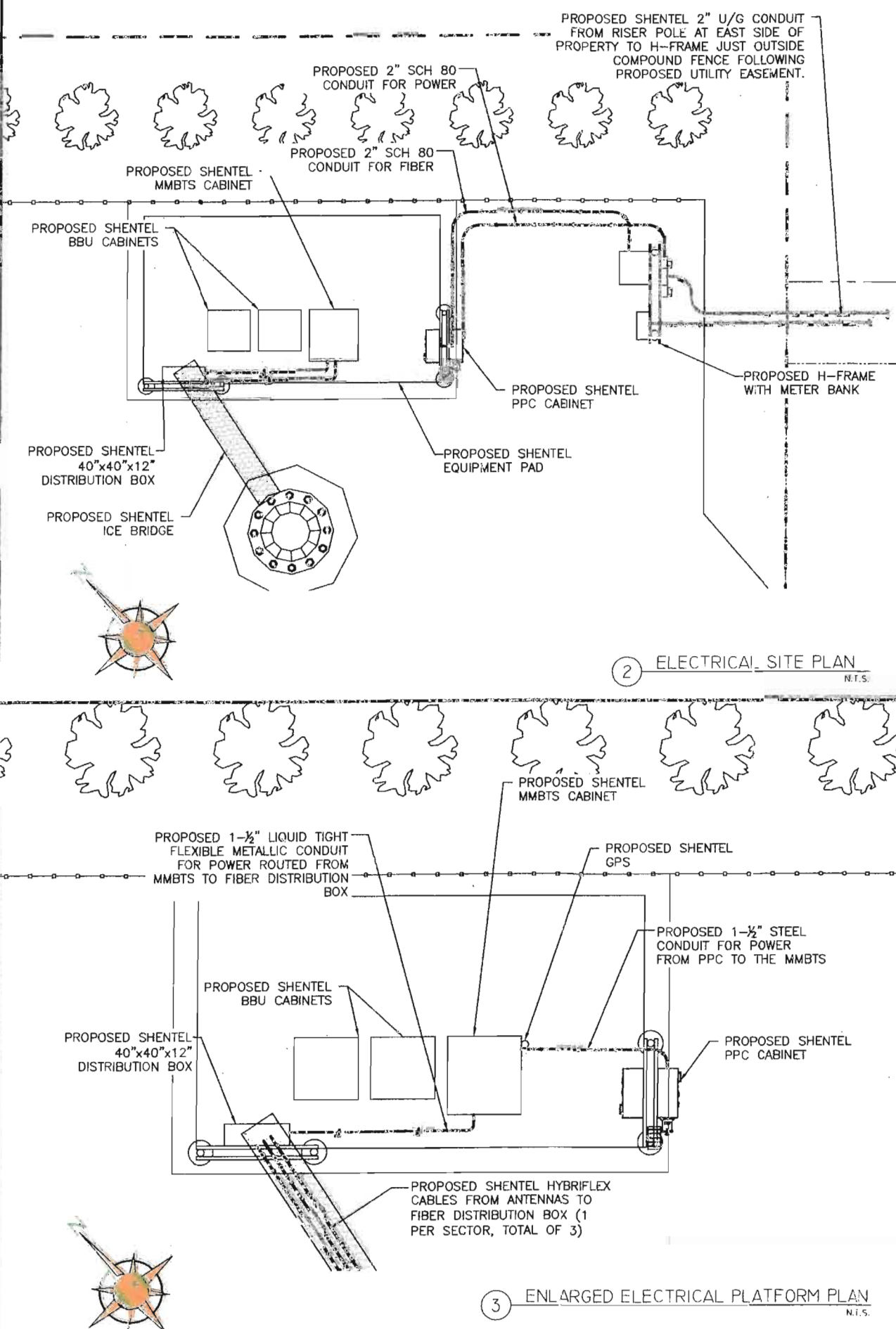
ELECTRICAL & GROUNDING NOTES:

- ALL ELECTRICAL WORK SHALL CONFORM TO THE REQUIREMENTS OF THE NATIONAL ELECTRICAL CODE (NEC) AS WELL AS APPLICABLE STATE AND LOCAL CODES.
- ALL ELECTRICAL ITEMS SHALL BE U.L. APPROVED OR LISTED AND PROCURED PER SPECIFICATION REQUIREMENTS.
- THE ELECTRICAL WORK INCLUDES ALL LABOR AND MATERIAL DESCRIBED BY DRAWINGS AND SPECIFICATION INCLUDING INCIDENTAL WORK TO PROVIDE COMPLETE OPERATING AND APPROVED ELECTRICAL SYSTEM.
- GENERAL CONTRACTOR SHALL PAY FEES FOR PERMITS, AND IS RESPONSIBLE FOR OBTAINING SAID PERMITS AND COORDINATION OF INSPECTIONS.
- ELECTRICAL AND TELCO WIRING AT EXPOSED INDOOR LOCATIONS SHALL BE IN ELECTRICAL METALLIC TUBING OR RIGID NONMETALLIC TUBING (RIGID SCHEDULE 40 PVC OR RIGID SCHEDULE 80 PVC FOR LOCATIONS SUBJECT TO PHYSICAL DAMAGE) (AS PERMITTED BY CODE).
- ELECTRICAL AND TELCO WIRING AT CONCEALED INDOOR LOCATIONS SHALL BE IN ELECTRICAL METALLIC TUBING, ELECTRICAL NONMETALLIC TUBING, OR RIGID NONMETALLIC TUBING (RIGID SCHEDULE 80 PVC AS PERMITTED BY CODE).
- ELECTRICAL AND TELCO WIRING OUTSIDE A BUILDING, ABOVE GRADE AND EXPOSED TO WEATHER SHALL BE IN WATER TIGHT GALVANIZED RIGID STEEL CONDUITS (RGS) AND WHERE REQUIRED IN LIQUID TIGHT FLEXIBLE METAL OR NONMETALLIC CONDUITS.
- BURIED CONDUIT SHALL BE RIGID NONMETALLIC CONDUIT (RIGID SCHEDULE 80 PVC); DIRECT BURIED IN AREAS OF OCCASIONAL LIGHT TRAFFIC, ENCASED IN REINFORCED CONCRETE IN AREAS OF HEAVY TRAFFIC.
- LIQUID-TIGHT FLEXIBLE METALLIC CONDUIT SHALL BE USED INDOORS AND OUTDOORS IN AREAS WHERE VIBRATION OCCURS AND FLEXIBILITY IS NEEDED.
- ELECTRICAL WIRING SHALL BE COPPER WITH TYPE THHN, THWN-2, OR THIN INSULATION, RATED AT 90°C
- RUN ELECTRICAL CONDUIT OR CABLE BETWEEN ELECTRICAL UTILITY DEMARCATION POINT AND PROJECT OWNER CELL SITE PPC AS INDICATED ON THIS DRAWING. PROVIDE FULL LENGTH PULL ROPE. COORDINATE INSTALLATION WITH UTILITY COMPANY.
- RUN TELCO CONDUIT OR CABLE BETWEEN TELEPHONE UTILITY DEMARCATION POINT AND PROJECT OWNER CELL SITE TELCO CABINET AND BTS CABINET AS INDICATED ON THIS DRAWING. PROVIDE FULL LENGTH PULL ROPE IN INSTALLED TELCO CONDUIT. PROVIDE GREENLEE CONDUIT MEASURING TAPE AT EACH END.
- ALL EQUIPMENT LOCATED OUTSIDE SHALL HAVE NEMA 3R ENCLOSURE.
- PPC SUPPLIED BY PROJECT OWNER. PPC SHALL BE RATED 200A, 120/240V, 1φ WITH 24 CIRCUIT PANEL. MAIN CIRCUIT BREAKERS SHALL 200A, RATED 22KAIC MINIMUM AND BE MECHANICALLY INTERLOCKED WITH WALKING BEAM. PPC SHALL INCLUDE TVSS OPTION. GENERATOR RECEPTACLE SHALL BE 200A, 1φ, 3 WIRE. PPC LOAD CENTER SHALL HAVE 24 POSITIONS.
- GROUNDING SHALL COMPLY WITH NEC ART. 250. ADDITIONALLY, GROUNDING AND LIGHTING PROTECTION SHALL BE DONE IN ACCORDANCE WITH METRO MOD CELL SITE GROUNDING STANDARDS.
- GROUND CABLE SHIELDS MINIMUM AT BOTH ENDS USING MANUFACTURERS CABLE GROUNDING KITS SUPPLIED BY PROJECT OWNER.
- USE #6 COPPER STRANDED WIRE WITH GREEN COLOR INSULATION FOR ABOVE GRADE GROUNDING (UNLESS OTHERWISE SPECIFIED) AND #2 SOLID TINNED BARE COPPER WIRE FOR BELOW GRADE GROUNDING AS INDICATED ON THE DRAWING.
- ALL POWER AND GROUND CONNECTIONS TO BE CRIMP-STYLE, COMPRESSION WIRE LUGS AND WIRE NUTS BY HARGER (OR APPROVED EQUAL) RATED FOR OPERATION AT NO LESS THAN 75°C OR CADWELD EXOTHERMIC WELD. DO NOT ALLOW BARE COPPER WIRE TO BE IN CONTACT WITH GALVANIZED STEEL.
- ROUTE GROUNDING CONDUCTORS ALONG THE SHORTEST AND STRAIGHTEST PATH POSSIBLE, EXCEPT AS OTHERWISE INDICATED. GROUNDING LEADS SHOULD NEVER BE BENT AT RIGHT ANGLE. ALWAYS MAKE AT LEAST 12" RADIUS BENDS. #6 WIRE CAN BE BENT AT 6" RADIUS WHEN NECESSARY. BOND ANY METAL OBJECTS WITHIN 6 FEET OF PROJECT OWNER EQUIPMENT OR CABINET TO MASTER GROUND BAR OR GROUNDING RING.
- CONNECTIONS TO GROUND BARS SHALL BE MADE WITH TWO HOLE COMPRESSION TYPE COPPER LUGS. APPLY OXIDE INHIBITING COMPOUND TO ALL LOCATIONS.
- APPLY OXIDE INHIBITING COMPOUND TO ALL MECHANICAL GROUND CONNECTIONS.

- CONTRACTOR SHALL PROVIDE AND INSTALL OMNI DIRECTIONAL ELECTRONIC MARKER SYSTEM (EMS) BALLS OVER EACH GROUND ROD AND BONDING POINT BETWEEN EXISTING TOWER/ MONOPOLE GROUNDING RING AND EQUIPMENT GROUNDING RING.
- CONTRACTOR SHALL TEST COMPLETED GROUND SYSTEM AND RECORD RESULTS FOR PROJECT CLOSE-OUT DOCUMENTATION. 5 OHMS MINIMUM RESISTANCE REQUIRED.
- CONTRACTOR SHALL CONDUCT ANTENNA, CABLE, AND LNA RETURN-LOSS AND DISTANCE-TO-FAULT MEASUREMENTS (SWEEP TESTS) AND RECORD RESULTS FOR PROJECT CLOSE OUT.
- METER CENTER TERMINAL BOX SHALL BE 600A, 240V, 1φ. LUG CONNECTIONS FOR SERVICE LATERAL SHALL BE SIZED TO ACCEPT CONDUCTORS AS SPECIFIED ON ONE-LINE DIAGRAM. SHORT CIRCUIT RATING SHALL BE 65 KAIC MINIMUM. METER CENTER SHALL BE 4 GANG WITH 225A RATED METER SOCKETS. METER SOCKETS SHALL BE EQUIPPED WITH LEVER BYPASS FEATURE.
- ALL CONDUCTORS SHALL BE SIZED AT 75°C AMPACITY.

| ELECTRICAL LEGEND | |
|-------------------|---|
| | NEW PANEL BOARD, SURFACE MOUNTED |
| | EXISTING PANEL BOARD, SURFACE MOUNTED |
| | DRY TYPE TRANSFORMER |
| | METER |
| | CIRCUIT BREAKER |
| | NON-FUSIBLE DISCONNECT SWITCH, MOUNTED 54" A.F.F. |
| | FUSIBLE DISCONNECT SWITCH, MOUNTED 54" A.F.F. |
| | TRANSIENT VOLTAGE SURGE SUPPRESSOR WITH BUILT-IN FUSES, SURFACE MOUNTED |
| | DUPLEX OUTLET, SURFACE MOUNTED, 20 AMPS, 125 VOLTS, SINGLE PHASE |
| | JUNCTION BOX, SURFACE MOUNTED 18" A.F.F. |
| | EXPOSED WIRING |
| | HOME RUNS, MINIMUM 2#10 + 1#10G IN 3/4" CONDUIT U.O.N. |
| A.F.F. | ABOVE FINISHED FLOOR |
| U.O.N. | UNLESS OTHERWISE NOTED |
| WP | WEATHERPROOF |
| GFI | GROUND FAULT INTERRUPTER |
| A | AMPERE |
| V | VOLT |
| KWH | KILOWATT - HOUR |
| C | CONDUIT |
| GRC | GALVANIZED RIGID CONDUIT |
| G | GROUND |
| | GROUND |
| MGB | MASTER GROUND BAR |
| EGB | EQUIPMENT GROUND BAR |
| | GROUND COPPER WIRE, SIZE AS NOTED |
| | EXPOSED WIRING |
| | HYBRIFLEX CABLE |
| | 5/8"x10' COPPER CLAD STAINLESS STEEL GROUND ROD |
| | EXOTHERMIC (CADWELD) OR MECHANICAL (COMPRESSION TYPE) CONNECTION |
| PPC | POWER PROTECTION CABINET |
| | OMNI-DIRECTIONAL ELECTRONIC MARKER SYSTEM (EMS) BALL |

1 ELECTRICAL NOTES & LEGEND N.T.S.



3 ENLARGED ELECTRICAL PLATFORM PLAN N.T.S.

SHENTEL
 500 SHENTEL WAY
 P.O. BOX 459
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 (540) 984-5123

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SITE INFORMATION:
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 SITE NO. 15149
 219 ROUND HILL RD
 WINCHESTER, VA 22602

SHEET TITLE:
 ELECTRICAL
 DETAILS

SHEET NUMBER:
 E-1



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SITE INFORMATION:

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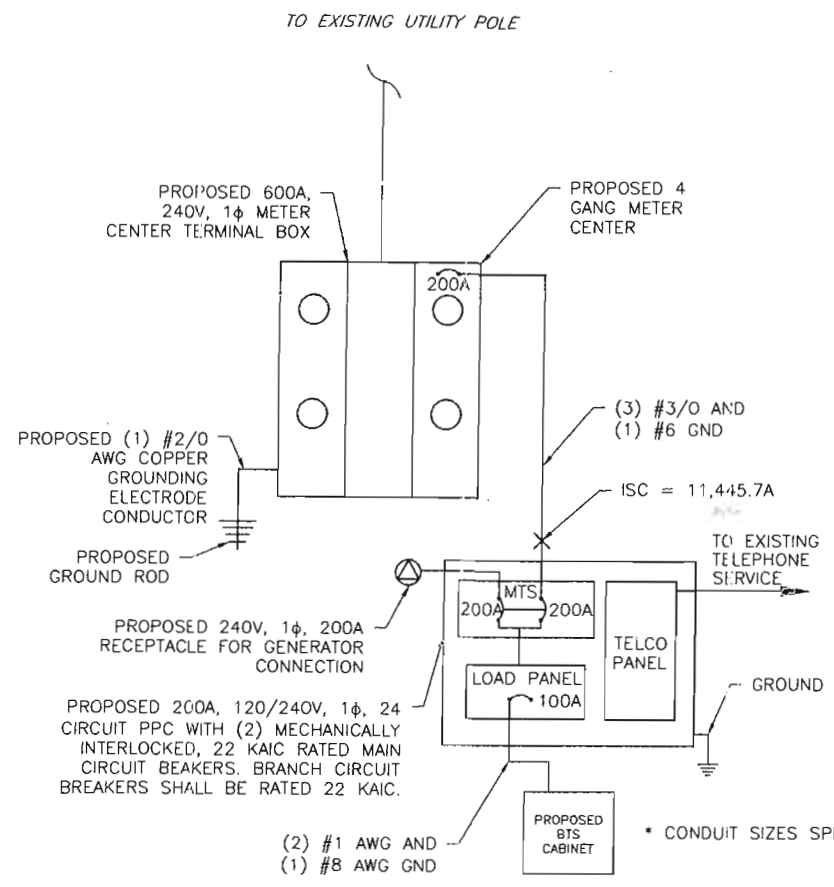
219 ROUND HILL RD
WINCHESTER, VA 22602

SHEET TITLE:
"SINGLE LINE AND
PANEL SCHEDULE

SHEET NUMBER:
E-2

NOTES:

1. FINAL WIRING SIZES TO BE DETERMINED BY LUCENT POWER CABINET REQUIREMENTS.
2. ALL ELECTRICAL WORK SHALL BE DONE IN ACCORDANCE WITH CURRENT NATIONAL ELECTRIC CODES AND ALL LOCAL AND STATE CODES, LAWS AND ORDINANCES.
3. UNDERGROUND POWER AND TELCO SERVICE LINES SHALL BE ROUTED IN A COMMON TRENCH. ALL UNDERGROUND CONDUIT SHALL BE PVC SCHEDULE 80 AND CONDUIT EXPOSED ABOVE GROUND SHALL BE RIGID GALVANIZED STEEL UNLESS OTHERWISE INDICATED. POWER CONDUIT LINES SHALL BE SIZED AS REQUIRED PER CABLE SIZING AND NEC REQUIREMENTS.
4. CONDUITS INSTALLED AT BTS EQUIPMENT THAT ENDS PRIOR TO THE EQUIPMENT INSTALLATION SHALL BE STUBBED AND CAPPED AT 6" ABOVE GRADE OR PLATFORM. IF SERVICE LINES CANNOT BE INSTALLED INITIALLY, PROVIDE NYLON PULL CORD IN CONDUITS.



① ONE-LINE DIAGRAM
N.T.S.

| | | | | | |
|-----------------|----------|-------------------|-----------------------|-------------|-----|
| SITE NUMBER: | 13789 | MODEL NUMBER: | NORTHERN TECHNOLOGIES | WIRE: | 3 |
| VOLTAGE: | 240V/120 | PHASE: | 1 | A/C: | YES |
| MAIN BREAKER: | 200 AMP | BUSS RATING: | 200 AMPS | GROUND BAR: | YES |
| MOUNT: | SURFACE | NEUTRAL BAR: | YES | | |
| ENCLOSURE TYPE: | NEMA 3R | N to GROUND BOND: | YES | | |
| PANEL STATUS: | NEW | INTERNAL TVSS: | YES | | |

| CKT | LOAD DESCRIPTION | BREAKER AMPS | BREAKER POLES | BREAKER STATUS | LOAD (WATTS) | | BREAKER STATUS | BREAKER POLES | BREAKER AMPS | LOAD DESCRIPTION | CKT |
|-------------|------------------|--------------|---------------|----------------|--------------|-------|----------------|---------------|--------------|-------------------------|-----|
| | | | | | L1 | L2 | | | | | |
| 1 | BTS | 100 | 2 | NEW | 7,680 | -- | NEW | 2 | 60 | SURGE SUPPRESSION | 2 |
| 3 | -- | -- | -- | NEW | -- | 7,680 | NEW | -- | -- | -- | 4 |
| 5 | BBU 1 | 20 | 2 | NEW | 1,360 | -- | NEW | 1 | 20 | METER CENTER LIGHT/GFCI | 6 |
| 7 | -- | -- | -- | NEW | -- | 1,500 | NEW | 1 | 20 | WORK LIGHTS | 8 |
| 9 | BBU 2 | 20 | 2 | NEW | 860 | -- | NEW | 1 | 20 | GFCI | 10 |
| 11 | -- | -- | -- | NEW | -- | 500 | N/A | -- | -- | SPACE | 12 |
| 13 | SPACE | -- | -- | N/A | -- | -- | N/A | -- | -- | SPACE | 14 |
| 15 | SPACE | -- | -- | N/A | -- | -- | N/A | -- | -- | SPACE | 16 |
| 17 | SPACE | -- | -- | N/A | -- | -- | N/A | -- | -- | SPACE | 18 |
| 19 | SPACE | -- | -- | N/A | -- | -- | N/A | -- | -- | SPACE | 20 |
| 21 | SPACE | -- | -- | N/A | -- | -- | N/A | -- | -- | SPACE | 22 |
| 23 | SPACE | -- | -- | N/A | -- | -- | N/A | -- | -- | SPACE | 24 |
| PHASE TOTAL | | | | | 9,900 | 9,680 | | | | | |

LOAD CALCULATIONS

| | | | | | |
|----------------------|--------|-------------------|--------|-------------------|----------------|
| LIGHTING RECEPTACLES | 1,500 | VOLTAMPS x 1.25 = | 1,875 | VOLTAMPS | |
| BBU | 720 | VOLTAMPS x 1.00 = | 720 | VOLTAMPS | |
| MMBS | 2,000 | VOLTAMPS x 1.00 = | 2,000 | VOLTAMPS | |
| MOTOR-FAN | 15,360 | VOLTAMPS x 1.25 = | 19,200 | VOLTAMPS | |
| | 0 | VOLTAMPS x 1.25 = | 0 | VOLTAMPS | |
| | | | 23,795 | TOTAL LOAD (VA) | |
| | | | 99.1 | TOTAL LOAD (AMPS) | AT 120/240V 1φ |

- NOTES:
1. BRANCH CIRCUIT BREAKERS SHALL BE RATED 22 KAIC MINIMUM.
 2. ALL CIRCUIT BREAKERS SHALL MATCH DISTRIBUTION PANEL MANUFACTURER. "CLASSIFIED PRODUCT" BREAKERS SHALL NOT BE USED.
 3. ALL WIRE SIZES SHALL BE #12 UNLESS OTHERWISE SPECIFIED.

② PANEL SCHEDULE
N.T.S.

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PROJ. NO.: 10019

CHECKED BY: G.W. Clower, P.E.

DATE: 11/09/17

SCALE: AS SHOWN

DESIGNED BY: G.W. Clower, P.E.

DRAWN BY: G.W. Clower, P.E.

CHECKED BY: G.W. Clower, P.E.

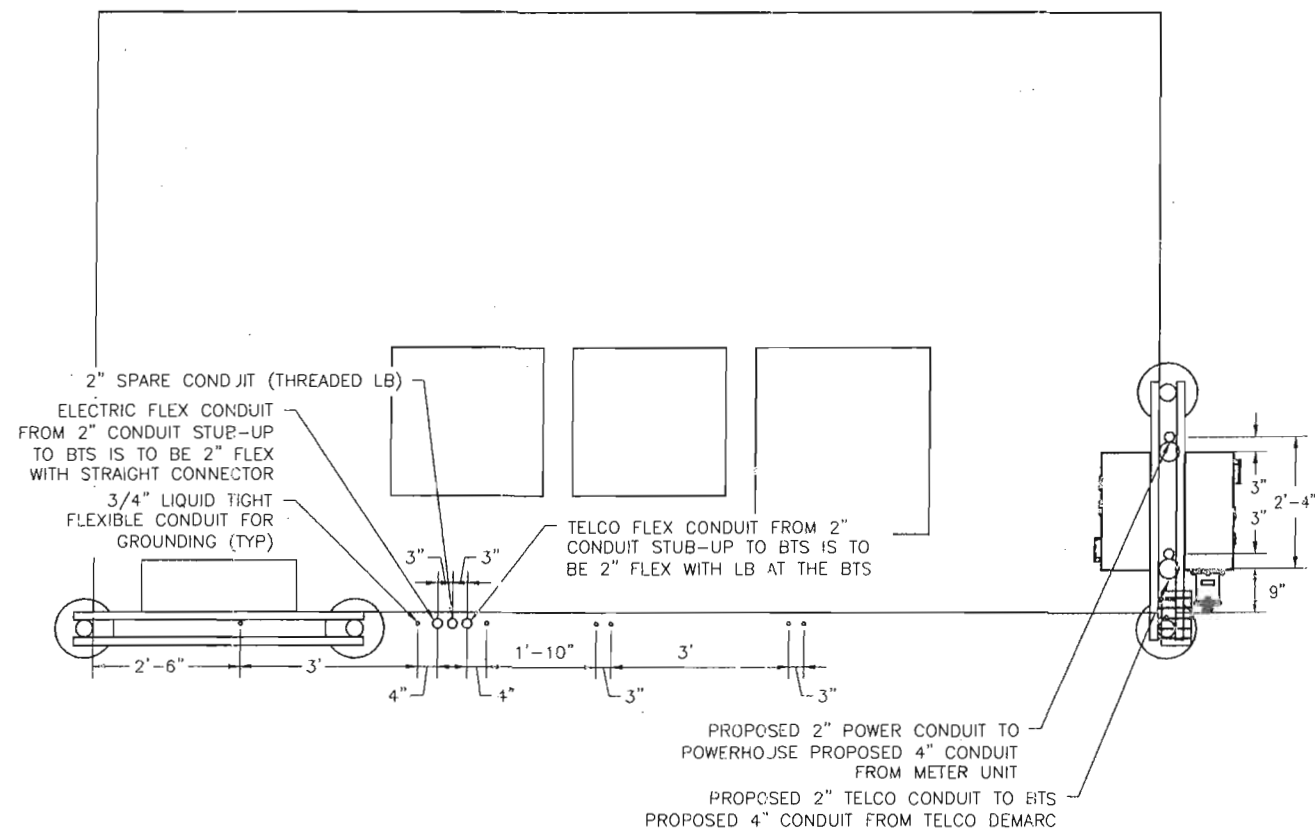
SITE INFORMATION:

AMHERST
SITE NO. 15149

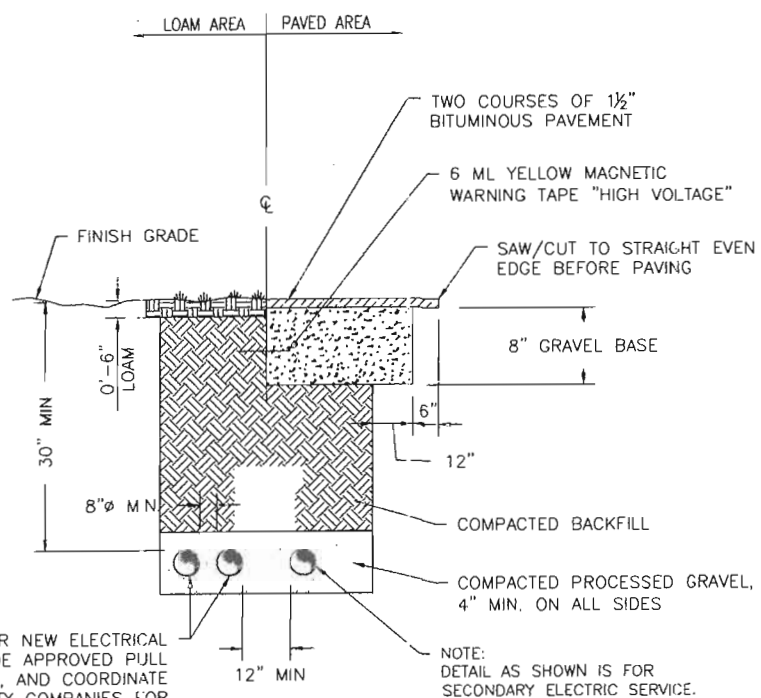
219 POUND HILL RD
WINCHESTER, VA 22602

SHEET TITLE:
EQUIPMENT
DETAILS

SHEET NUMBER:
E-3

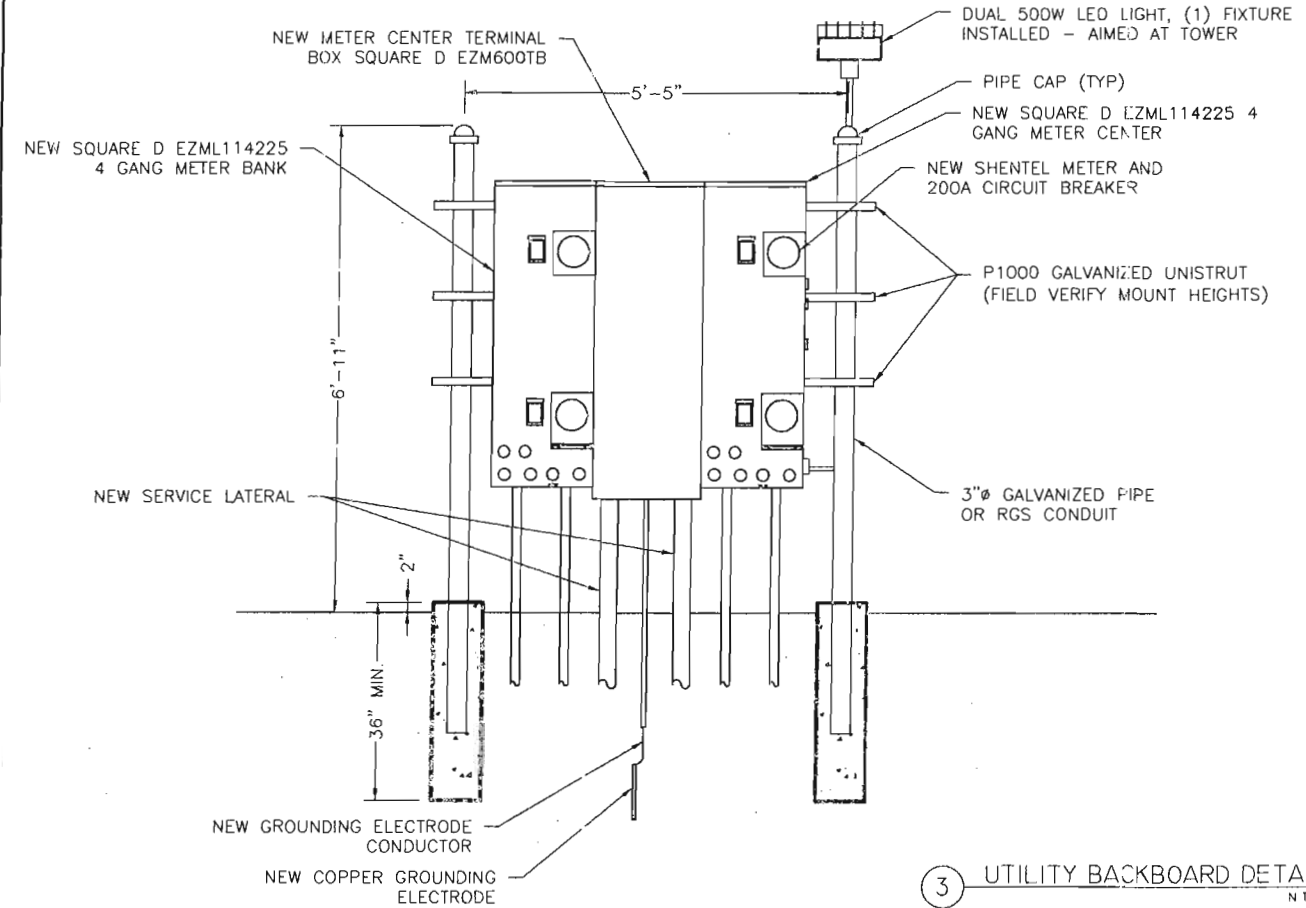


1 TYPICAL MMBTS EQUIPMENT PAD LAYOUT
N.T.S.

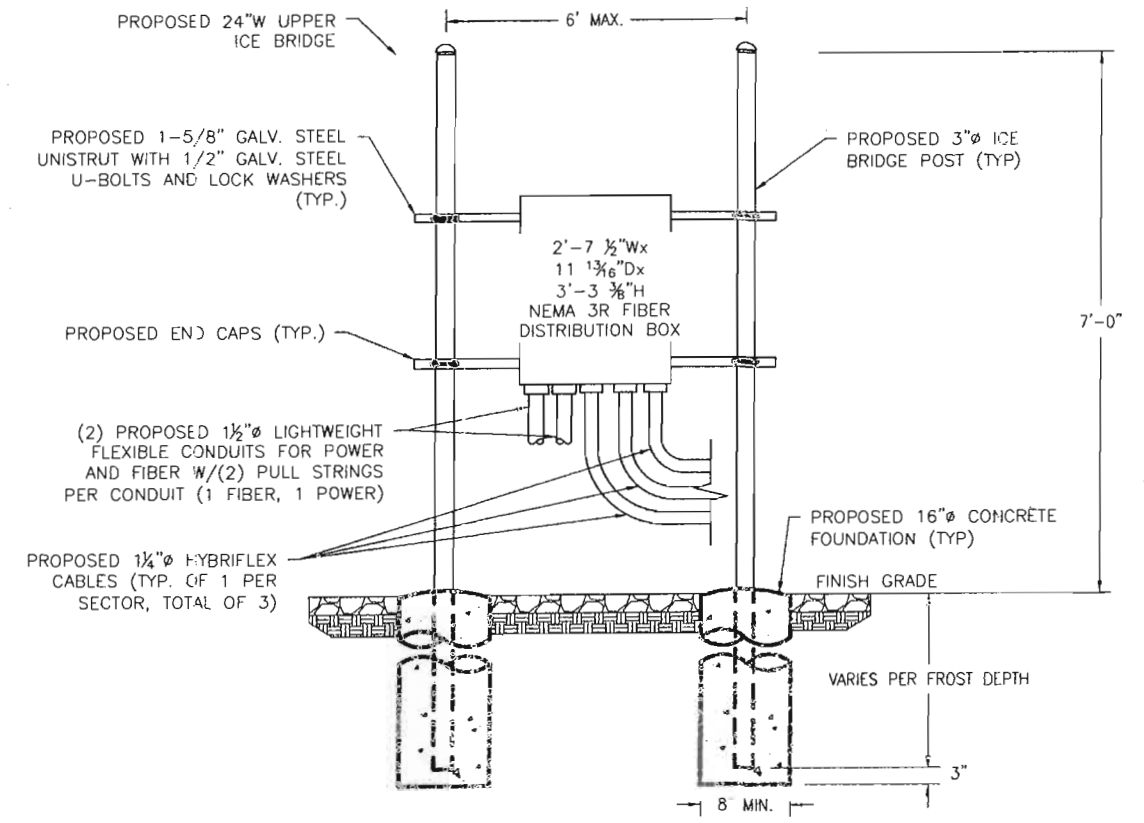


SCHEDULE 80 CONDUITS FOR NEW ELECTRICAL AND FIBER SERVICES. PROVIDE APPROVED PULL BOXES AS REQUIRED, AND COORDINATE INSTALLATION WITH ALL UTILITY COMPANIES FOR INTERFACING AT TERMINATION POINTS. PROVIDE FULL LENGTH PULL ROPES.

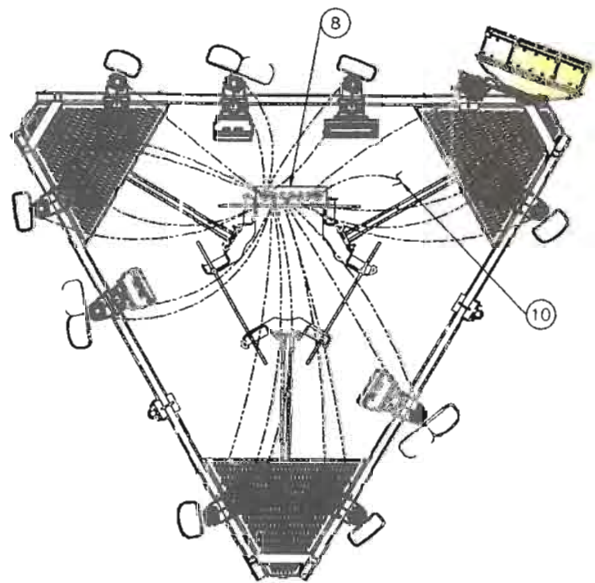
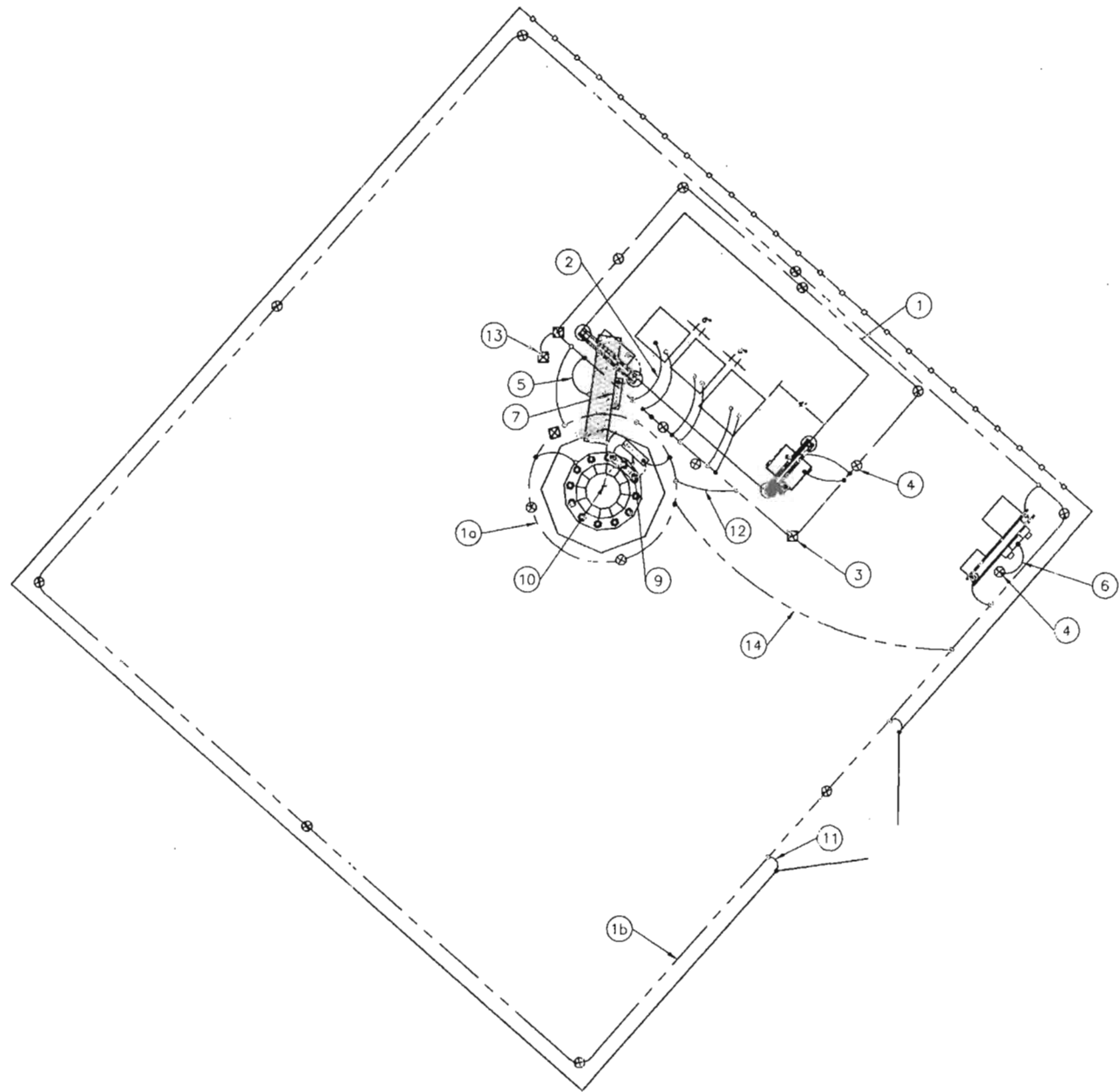
2 BURIED CONDUIT DETAIL
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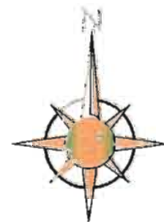
3 UTILITY BACKBOARD DETAIL
N.T.S.



4 DISTRIBUTION BOX H-FRAME DETAIL
N.T.S.



① TYPICAL EQUIPMENT GROUNDING DETAIL
N.T.S.



ELECTRICAL SYMBOLS

- ⊠ GROUND TEST WELL WITH GROUND BAR
- ⊞ GROUND ROD WITH ACCESS
- ⊙ XIT GROUND ROD
- ⊗ GROUND ROD
- ⊠ DISCONNECT SWITCH
- Ⓜ METER ON METER/BREAKER UNIT
- ⚡ CIRCUIT BREAKER
- ⊕ GEN GENERATOR
- ▲ MECHANICAL TYPE CONNECTION
- CADWELD TYPE CONNECTION
- GROUNDING WIRE
- CB INTERLOCKING MECHANISM

ABBREVIATIONS

- AWG AMERICAN WIRE GAUGE
- ECTW BARE COPPER TINNED WIRE
- GPS GLOBAL POSITIONING SYSTEM
- FCS PERSONAL COMMUNICATION SYSTEM
- FPC POWER PROTECTION CABINET
- FRC PRIMARY RADIO CABINET
- FWY RACEWAY
- TYP. TYPICAL
- RGS RIGID GALVANIZED STEEL
- EMT ELECTRICAL METALLIC TUBING
- DWG DRAWING
- I3R INTERIOR GROUND RING (HALO)
- ACCA ANTENNA CABLE COVER ASSEMBLY
- MIGB MASTER ISOLATED GROUND BAR
- CIBGE COAX ISOLATED GROUND BAR EXTERNAL
- BTS BASE TRANSMISSION SYSTEM
- GEN GENERATOR
- GR GROWTH
- SICW STRANDED INSULATED COPPER WIRE

KEYED NOTES:

- ① PROPOSED GROUND RING
- ⑩ PROPOSED TOWER GROUND RING
- ⑩b PROPOSED COMPOUND GROUND RING
- ② #2 AWG INSULATED STRANDED COPPER WIRE EQUIPMENT GROUND TO GROUND RING.
- ③ INSPECTION WELL, VERIFY TYPE AND MODEL WITH CONSTRUCTION MANAGER.
- ④ 5/8" COPPER CLAD GROUND ROD, MAX SPACING: 10'-0" O.C.
- ⑤ #2 AWG COPPER GROUND WIRE. USE CADWELD TYPE CONNECTION TO ICE BRIDGE/FENCE POST.
- ⑥ NEW 3/0 BARE COPPER GROUNDING ELECTRODE CONDUCTOR IN 1" PVC
- ⑦ 1/4" X 4" X 20" TINNED COPPER EQUIPMENT GROUND BAR.
- ⑧ 1/4" X 4" X 20" TINNED COPPER (UPPER) TOWER GROUND BAR.
- ⑨ 1/4" X 4" X 20" TINNED COPPER (LOWER) TOWER GROUND BAR MOUNTED ON TOWER. CADWELD LEADS TO GROUND RING AT TWO(2) PLACES.
- ⑩ #2 AWG COPPER GROUND WIRE TO UPPER TOWER GROUND BAR
- ⑪ #2 AWG INSULATED STRANDED COPPER GROUND GATE JUMPER
- ⑫ #2 AWG SOLID BARE COPPER TINNED WIRE TO TOWER GROUND RING (2 TYPICAL)
- ⑬ TEST WELL WITH GROUND BAR (2 TYPICAL)
- ⑭ #2 AWG SOLID BARE COPPER TINNED WIRE TO TOWER GROUND RING

NOTES:

1. ALL GROUNDING SYSTEM CONDUCTORS AND CONNECTIONS BELOW GRADE SHALL BE THERMAL WELDS AT GROUND RODS AND AT A MINIMUM OF 30" OR 6" BELOW FROST LINE, WHICHEVER IS DEEPER.
2. ALL INSTALLATIONS SHALL BE FIELD VERIFIED.
3. ALL GROUND WIRE SHALL BE #2 AWG SOLID BARE COPPER TINNED UNLESS NOTED OTHERWISE.
4. ALL GROUND WIRES SHALL PROVIDE A STRAIGHT DOWNWARD PATH TO GROUND WITH GRADUAL BEND AS REQUIRED. GROUND WIRES SHALL NOT BE LOOPEO OR SHARPLY BENT.
5. THE CONTRACTOR SHALL COORDINATE INSTALLATION OF GROUND RODS AND GROUND RING WITH FOUNDATION AND UNDERGROUND CONDUIT.
6. EACH EQUIPMENT CABINET SHALL BE CONNECTED TO THE GROUND RING WITH #2 AWG INSULATED STRANDED COPPER WIRE. SEE DETAIL 1 ON SHEET A-1 FOR GROUNDING LEAD LOCATIONS.
7. ANTENNA GROUND KITS SHALL BE FURNISHED BY SHENTEL AND INSTALLED BY CONTRACTOR.
8. KOPR-SHIELD ANTI-OXIDATION COMPOUND SHALL BE USED ON ALL GROUNDING CONNECTIONS.
9. ALL CADWELD CONNECTIONS SHALL BE INSTALLED UTILIZING THE PROPER CONNECTION/TOOL AND MATERIALS FOR THE PARTICULAR APPLICATION.
10. ALL BOLTED GROUNDING CONNECTIONS SHALL BE INSTALLED WITH A LOCK WASHER UNDER THE NUT. HARDWARE FOR BOLTED CONNECTIONS SHALL BE A MINIMUM OF 3/8" DIAMETER AND SHALL BE STAINLESS STEEL.
11. GROUNDING WIRE SHALL NOT BE INSTALLED OR ROUTED THROUGH HOLES IN ANY METAL OBJECTS OR SUPPORTS TO PRECLUDE ESTABLISHING A "CHOKE" POINT.
12. PLASTIC CLIPS OR METAL CLIPS WHICH DO NOT COMPLETELY SURROUND THE GROUNDING CONDUCTORS SHALL BE USED TO FASTEN AND SUPPORT GROUNDING CONDUCTORS. FERROUS METAL CLIPS WHICH COMPLETELY SURROUND THE GROUNDING CONDUCTOR SHALL NOT BE USED.
13. STANDARD BUS BARS (CIBGE AND MIGB) SHALL BE FURNISHED AND INSTALLED. THEY SHALL NOT BE FABRICATED OR MODIFIED IN THE FIELD.
14. THE GROUNDING CONNECTION TO THE POWER AND TELCO SECTIONS OF THE PPC CABINET SHALL BE MADE BY CONNECTING A CONDUCTOR FROM THE GROUND RING TO THE FACTORY FURNISHED BUS BAR IN EACH COMPARTMENT.
15. ALL GROUND LEADS (ABOVE GROUND) WILL BE PLACED IN 3/4" LIQUID TITE FLEXIBLE CONDUIT, WITH THE EXCEPTION OF THE GROUND LEADS GOING TO BOTTOM TOWER BUSS BAR WHICH WILL BE IN RIGID PVC
16. ALL CONDUITS THAT LAY ON EQUIPMENT PAD SHALL BE SECURELY FASTENED DOWN TO CONCRETE PAD.

② GROUNDING NOTES
N.T.S.



500 SHENTEL WAY
P.O. BOX 459
EDINBURG, VA 22824-0280
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| 2 | 9.25.17 | REDLINE REVISION | KE |
| 1 | 9.22.17 | REDLINE REVISION | KE |
| 0 | 9.22.17 | PRELIM CDS | KE |

PROJ. NO.: 10019

CHECKED BY: G.W.Clower, P.E.

DATE: 11/09/17

DESCRIPTION: GROUNDING PLAN AND DETAILS

SITE INFORMATION:

AMHERST
SITE NO. 15149

219 ROUND HILL RD
WINCHESTER, VA 22602

SHEET TITLE:
'GROUNDING PLAN AND DETAILS

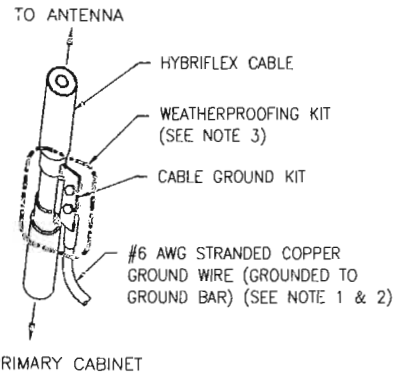
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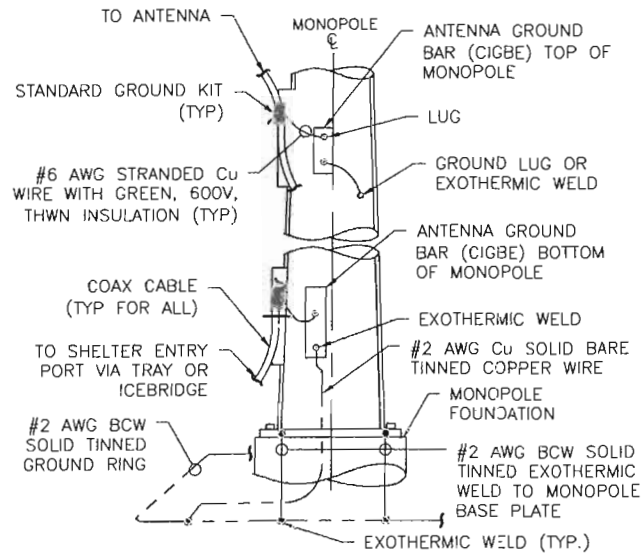
DO NOT INSTALL CABLE GROUND KIT AT A BEND AND ALWAYS DIRECT GROUND WIRE DOWN TO GROUND BAR.

GROUNDING KIT SHALL BE TYPE AND PART NUMBER AS SUPPLIED OR RECOMMENDED BY CABLE MANUFACTURE.

WEATHER PROOFING SHALL BE TWO-PART TAPE SUPPLIED WITH KIT. COLD SHRINK SHALL NOT BE USED.

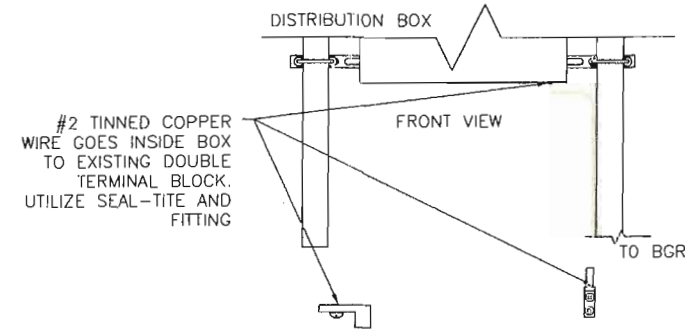
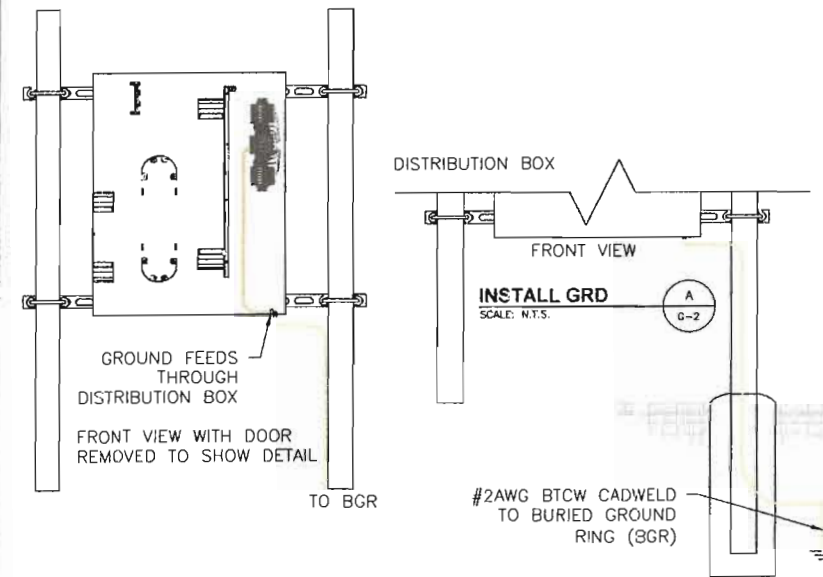


1 CONNECTION OF CABLE GROUND KIT TO ANTENNA CABLE N.T.S.

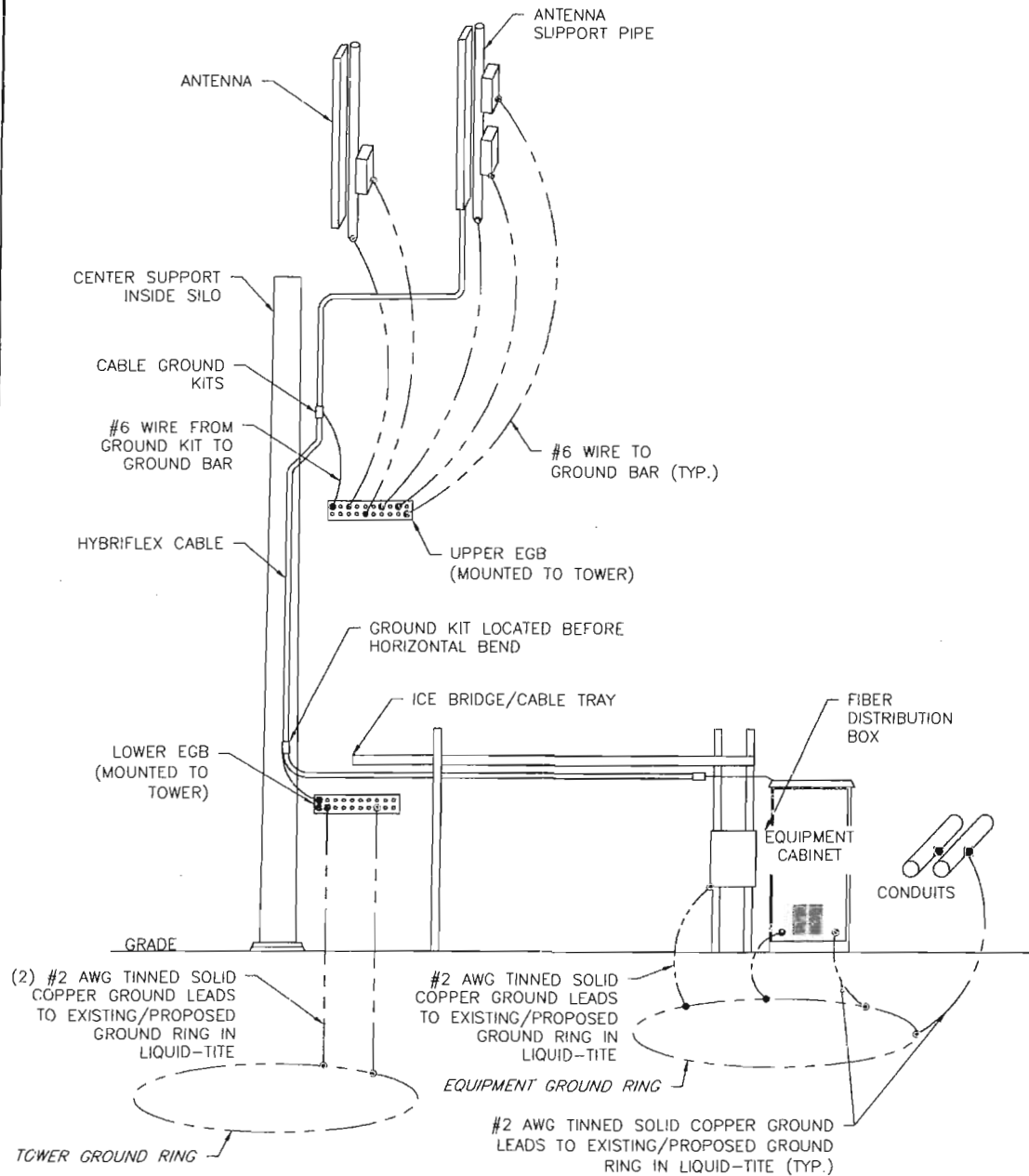


NOTE:
1. NUMBER OF GROUND BARS MAY VARY DEPENDING ON THE TYPE OF MONOPOLE, ANTENNA LOCATION AND CONNECTION ORIENTATION. PROVIDE AS REQUIRED.

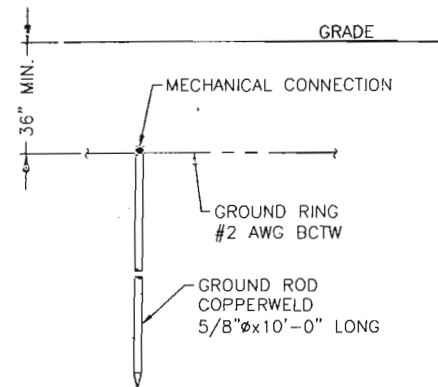
2 ANTENNA CABLE GROUNDING N.T.S.



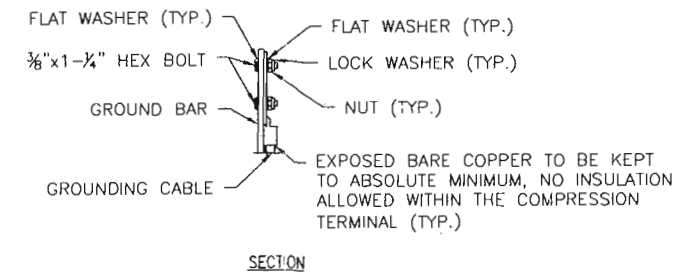
3 FIBER DISTRIBUTION BOX GROUNDING DETAIL N.T.S.



4 TYPICAL GROUNDING RISER DIAGRAM N.T.S.



5 GROUND ROD DETAIL N.T.S.



NOTES:
1. "DOUBLING UP" OR "STACKING" OF CONNECTION IS NOT PERMITTED.
2. OXIDE INHIBITING COMPOUND TO BE USED AT ALL MECHANICAL CONNECTION LOCATIONS.
3. ALL CONNECTIONS TO GROUND BARS INSTALLED ON ONE SIDE ONLY.
4. ALL GROUND LEADS SHALL FLOW IN A "DOWNHILL" DIRECTION TOWARDS THE MAIN GROUND SOURCE.

6 GROUND WIRE TO GROUND BAR N.T.S.

SHENTEL
500 SHENTEL WAY
P.O. BOX 459
EDINBURG, VA 22824-0260
(540) 984-5123

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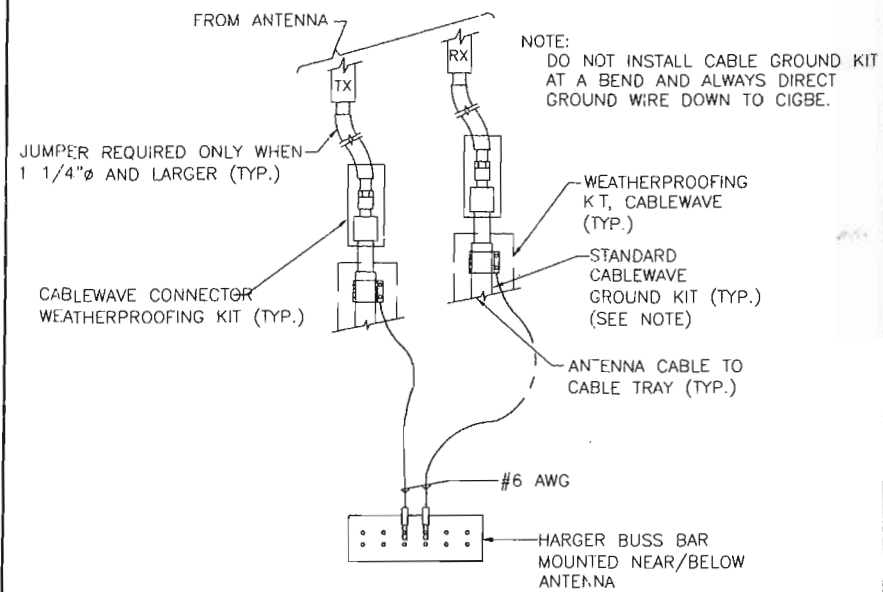
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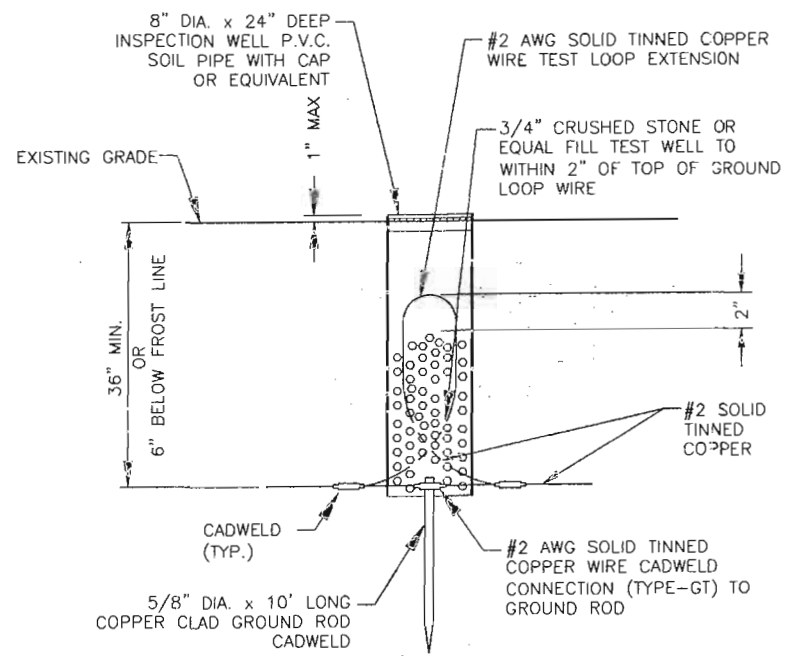
SITE INFORMATION:
AMHERST
SITE NO. 15149
219 ROUND HILL RD
WINCHESTER, VA 22602

SHEET TITLE:
GROUNDING DETAILS

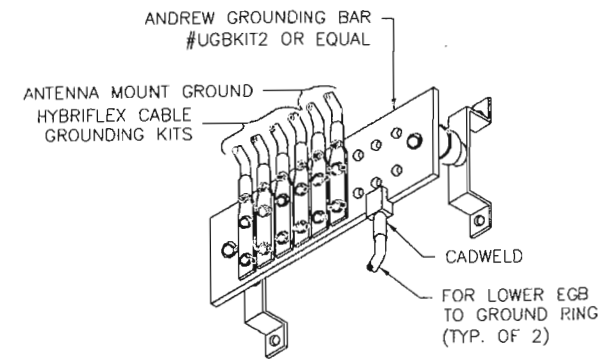
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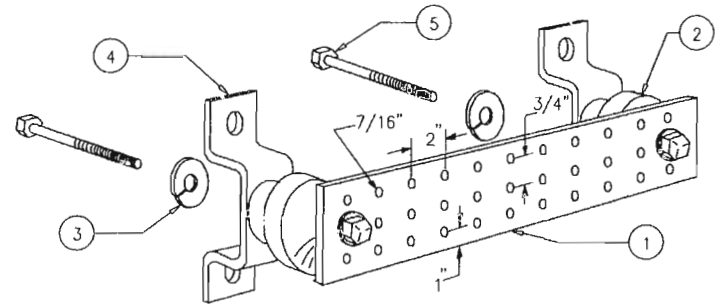
1 GROUNDING DETAIL
N.T.S.



2 GROUND TEST WELL DETAIL
N.T.S.

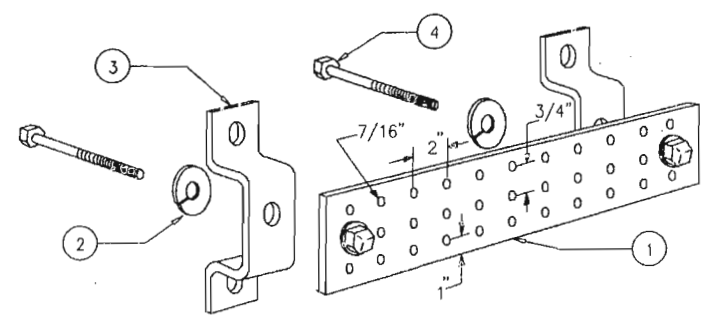


3 EQUIPMENT GROUND BAR
N.T.S.



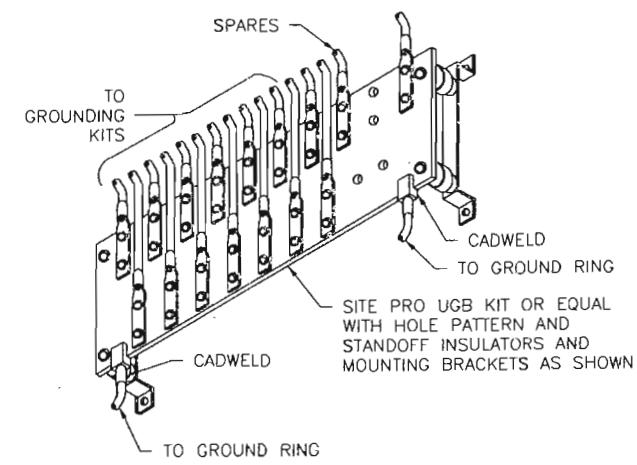
- LEGEND
- 1- COPPER GROUND BAR, 1/4" X 4" X 20". HOLE CENTERS TO MATCH NEMA DOUBLE LUG CONFIGURATION.
 - 2- INSULATORS.
 - 3- 5/8" LOCKWASHERS.
 - 4- WALL MOUNTING BRACKET.
 - 5- 5/8-11 X 1" H.H.C.S.BOLTS.

4 INSULATOR GROUND BAR DETAIL (AS REQUIRED)
N.T.S.



- LEGEND
- 1- COPPER GROUND BAR, 1/4" X 4" X 20". HOLE CENTERS TO MATCH NEMA DOUBLE LUG CONFIGURATION.
 - 2- 5/8" LOCKWASHERS.
 - 3- WALL MOUNTING BRACKET.
 - 4- 5/8-11 X 1" H.H.C.S.BOLTS.

5 UNINSULATED GROUND BAR DETAIL (AS REQUIRED)
N.T.S.



6 MASTER GROUND BAR (MGB)
N.T.S.

SHENTEL
ShenTel Mobile LLC
500 SHENTEL WAY
P.O. BOX 459
EDINBURG, VA 22824-0280
(540) 984-5123

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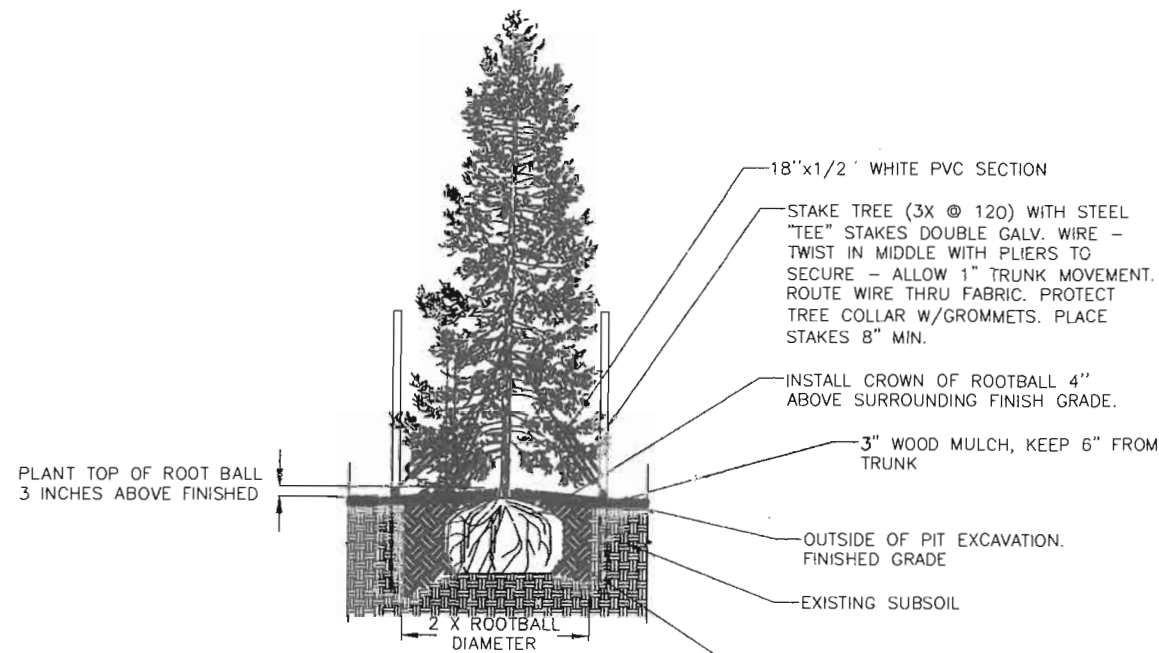
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SITE NO. 15149
219 ROUND HILL RD
WINCHESTER, VA 22602

SHEET TITLE:
GROUNDING DETAILS

SHEET NUMBER:
G-3



NOTE:
 REMOVE ALL WIRE, TWINE & PLASTIC FROM ROOTBALL. AFTER PLANT IS SET, PULL BACK AND REMOVE BURLAP FROM TOP 1/2 OF ROOTBALL. SPLIT REMAINING BURLAP. TREES WITH CRUMBLED OR BROKEN ROOTBALLS WILL BE REJECTED. PRUNE DEAD OR DAMAGED LIMBS. COMPLETELY REMOVE WIRE BASKET.

PROVIDE 6" HIGH WATER RING IN BUBBLER IRRIGATED AREAS.

1 EVERGREEN TREE PLANTING
N.T.S.

EMERALD ARBORVITAE OVERALL DESCRIPTION

PYRAMIDAL ARBORVITAE REACHING 10-15 FT, WITH A SPREAD OF 3-4 FT. BRIGHT, LUSTROUS, DEEP GREEN FOLIAGE WITH LITTLE OR NO DISCOLORING IN WINTER. COMPACT, DENSE GROWTH. EXCELLENT SCREEN OR WINDBREAK WHEN SPACED 2 TO 3 FEET APART. VERY POPULAR TREE - VERY EASY TO GROW WITH A MODERATE GROWTH RATE. MATURE SPECIMENS NOTED TO BE COLD HARDY TO AT LEAST -40 F. INTRODUCED IN 1950 IN POULSEN, DENMARK.

PLANT FACTS & SPECIFICATIONS

- MATURE HEIGHT : 10 - 15 FT
- MATURE WIDTH : 3 - 4 FT
- GROWTH RATE : MODERATE (6" - 12" AVG PER YR)
- HARDINESS ZONES : 4 - 8
- SUN EXPOSURE : FULL TO PARTIAL SUN
- SOIL PREFERENCE : AVERAGE TO SLIGHTLY SANDY & ACIDIC - WELL DRAINED
- FOLIAGE COLOR & TEXTURE : EVERGREEN - SOFT, BRIGHT GREEN, AND ARRANGED IN SOMEWHAT VERTICAL FANLIKE SPRAYS.
- FLOWER, CONE, OR BERRY FACTS : CONES - VERY SMALL CONES NOTED ON OLDER SPECIMENS (6 - 7 YRS & UP). CONES BEGIN AS A GREEN COLOR, AND RIPEN TO A COPPERY BROWN COLOR.
- DISEASES / INSECTS : SUBJECT TO BAGWORMS, LEAF MINER, AND SPIDER MITES. ALSO A KNOWN FAVORITE FOR DEER BROWSING.
- RECOMMENDED SPACING : 3 FT APART RECOMMENDED FOR MOST TYPICAL PRIVACY SCREEN OR BORDER PLANTINGS.
- DEER RESISTANCE RATING : LOWEST RESISTANCE [1 - 2 - 3 - 4 - 5 - 6 - 7 - 8 - 9 - 10] HIGHEST RESISTANCE

FERTILIZATION/FEEDING :

FOR MAXIMUM HEALTH & HARDINESS, WE HIGHLY RECOMMEND POOPEAS FOR USE WITH ALL OF EVERGREEN SPECIES. HOWEVER, EITHER WATER SOLUBLE (MIRACLE GRO, OR EQUIVALENT), OR GRANULAR FERTILIZERS (HOLLY TONE IS EXCELLENT) ARE ALSO GOOD OPTIONS. MOST ANY GRANULAR FERTILIZERS WITH A 6 - 12 - 12, OR 10 - 10 - 10 RATIO ARE ALSO ACCEPTABLE. BEST TO FERTILIZE IN EARLY SPRING, AND AGAIN IN MID FALL - AVOID FEEDING STANDARD CHEMICAL FERTILIZERS DURING HOT SUMMER MONTHS, AND DIRECTLY AFTER TRANSPLANTING. POOPEAS MAY BE USED AT ANYTIME.

2 EMERALD ARBORVITAE OVERALL DESCRIPTION
N.T.S.



500 SHENTEL WAY
 P.O. BOX 459
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CHECKED BY: G.W.Clover, P.E.

DATE: 11/09/17

SITE INFORMATION:
 AMHERST
 SITE NO. 15149
 219 ROUND HILL RD
 WINCHESTER, VA 22602

SHEET TITLE:
 GENERAL LANDSCAPING

SHEET NUMBER:
 L-1

MAINTENANCE OF LANDSCAPING

- ALL LANDSCAPED AREA SHALL BE MAINTAINED IN GOOD CONDITION BY SHENTEL.
- REASONABLE PROVISIONS FOR PROTECTION FROM VEHICLES AND PEDESTRIANS.
- DEAD OR DYING VEGETATION SHALL BE REPLACED AT DIRECTION OF ADMINISTRATOR.
- REPLACEMENT SHRUB SIZE CONSISTENT WITH THAT EXPECTED FOR SPECIES AND TIME SINCE INSTALLATION.
- REPLACEMENT TREES AT 0.5" CALIPER ABOVE 2" FOR EVERY YEAR SINCE INSTALLATION, UP TO 5" CALIPER.



AREA TO BE MULCHED WITH BARK AND PLANTED WITH A MIXTURE OF LOW GROWING SHRUBS

NOTES:

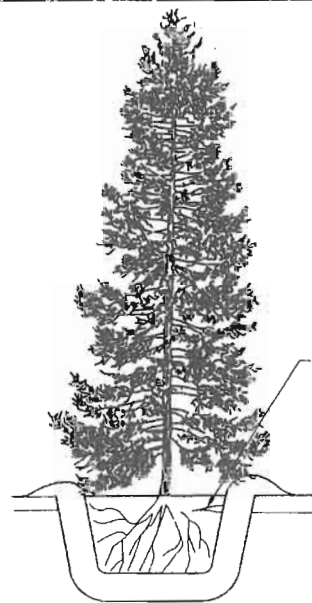
1. FINAL DECISION ON TREE STYLE TO BE MADE BY SHENTEL
2. ALL TREES AND SHRUBS SHALL BE PLANTED IN BARK MULCH BEDS @ 8'-0" O.C.
3. ALL LANDSCAPE AREAS LOCATED ALONG THE PERIMETER OF THE FENCE SHALL SLOPE AWAY FROM THE FENCE.
4. THE PREPARATION OF ALL SEEDBEDS SHALL BE IN ACCORDANCE WITH THE APPROVED EROSION AND SEDIMENTATION CONTROL PLAN.
5. ALL TREES SHALL BE PROPERLY GUYED AND STAKED, AND THE TREE TRUNKS SHALL BE WRAPPED FROM THE GROUND SURFACE UP TO THE LOWEST BRANCHES.
6. MULCH SHALL BE SHREDDED BARK.



EVERGREEN TREE SCREENING
 ARBORVITAE - EMERALD ARBORVITAE
 - 48"-60" TALL @ PLANTING
 - APPROXIMATELY 9 TREES
 - GROWTH RATE - MODERATE
 - MATURE HEIGHT - 10-15 FT
 - MATURE SPREAD - 3-4 FT

3 GENERAL NOTES & SYMBOLS
N.T.S.

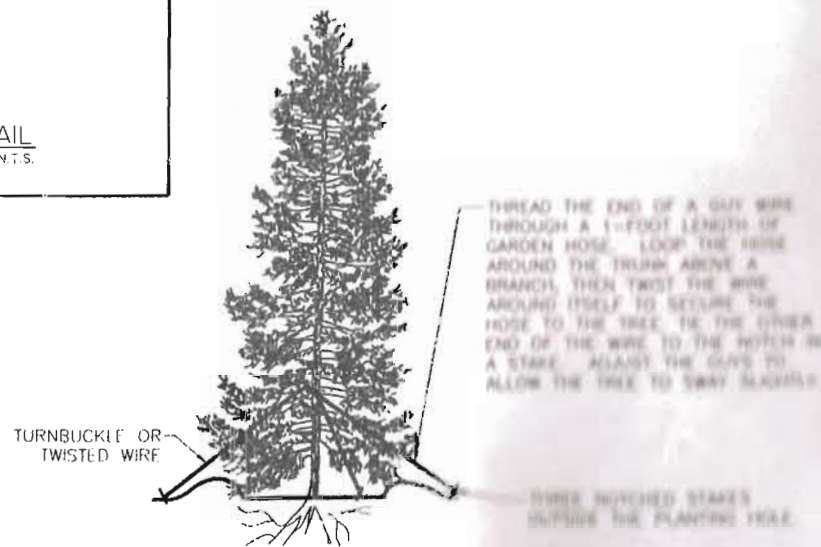
4 LANDSCAPE MAINTENANCE
N.T.S.



TREE PITS SHALL BE AT LEAST 2 FEET GREATER IN DIAMETER THAN BALL SIZE, AND AT LEAST 2 1/2 FEET BELOW FINISH GRADES.

NOTE:
AFTER REMOVAL OF BURLAP, TREE SHALL BE PLANTED IN TOPSOIL. TREE SHALL BE GUYED AND PRUNED. THE SOIL IS GRADED IN THE FORM OF A DISH TO CONSERVE WATER.

1 TRANSPLANTING TREE DETAIL
N.T.S.



2 BRACING LARGE TREES DETAIL (FOR TRUNKS 3 INCHES OR MORE IN DIA.)
N.T.S.

LANDSCAPING NOTES

BEFORE COMMENCING OR INSTALLATION OF THE LANDSCAPE, THE CONTRACTOR SHALL LOCATE ALL UNDERGROUND UTILITIES AND SHALL MARK TO PROTECT THEM. ANY DAMAGE TO UNDERGROUND UTILITIES OR STRUCTURES SHALL BE REPAIRED AT THE CONTRACTOR'S EXPENSE.

WORK OF WORK (TO INCLUDE BUT NOT LIMITED TO):
CLEANING OUT AND LEVELING OF ALL LANDSCAPED AREAS.
CLEANING OUT OF ALL BRUSH AND WEEDS AND ANY OTHER MATERIAL THAT MAY BE OBSTACLE TO OR HINDER THE GROWTH OF THE PLANT MATERIAL.

PROTECTION AND INSTALLATION OF PLANT MATERIAL, ROCK BARRIERS, CURBS, DRIVEWAYS, SIDEWALKS, WALKWAYS, DRIVEWAYS, DRIVEWAYS, DRIVEWAYS AND OTHER ITEMS THAT MAY BE REQUIRED FOR A COMPLETE INSTALLATION.
PROTECTION OF THE LANDSCAPE AREAS DURING THE PERIOD OF CONSTRUCTION.

PROTECTION OF THE SURFACE OF ALL LANDSCAPED AREAS AT THE TIME OF THE INSTALLATION AND THROUGHOUT THE PERIOD OF CONSTRUCTION.

ALL PLANT MATERIAL SHALL CONFORM TO GRADING, TYPE, ETC. AS SPECIFIED ON THE DRAWINGS. ALL PLANT MATERIAL SHALL BE PLANTED IN THE MANNER AND AT THE LOCATION SPECIFIED ON THE DRAWINGS. ALL PLANT MATERIAL SHALL BE PLANTED IN THE MANNER AND AT THE LOCATION SPECIFIED ON THE DRAWINGS.

PROTECTION OF THE SURFACE OF ALL LANDSCAPED AREAS AT THE TIME OF THE INSTALLATION AND THROUGHOUT THE PERIOD OF CONSTRUCTION.

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MATERIAL

- PLANTS:**
1. PLANTS ARE TO BE NURSERY GROWN UNDER CLIMATIC CONDITIONS SIMILAR TO THOSE IN THE PROJECT LOCATION, FREE OF DISEASE, INSECT EGGS, PESTS AND LARVAE.
 2. TREES ARE TO BE FREELY DUG WITH A FIRM NATURAL BALL, LARGE ENOUGH TO INCLUDE ALL FIBROUS AND FEEDING ROOTS.
 3. TREES ARE TO BE CLOSELY MATCHED IN SIZE, SPREAD AND BRANCH STRUCTURE.
 4. BALLED AND BURLAPPED PLANTS, DETERMINED THAT CANNOT BE PLANTED IMMEDIATELY ARE TO BE PROTECTED WITH SOIL, STRAW OR OTHER ACCEPTABLE MEANS FROM EXCESSIVE DRYING.

GRASSES:

1. ALL GRASSES SELECTED SHALL BE OF A TYPE THAT ARE SLOW GROWING, DROUGHT RESISTANT, REQUIRING LOW WATER CONSUMPTION AND COMMONLY FOUND IN THE AREA OF THE PROJECT.
2. SOIL SHALL BE NURSERY GROWN, FREE OF WEEDS, STONES, ROOTS, AND ALL UNDESIRABLE MATTER.
3. SEED SHALL BE PURE, WHITE, FREE FROM DISEASE AND MIXED TO PROPORTION THAT WILL PROVIDE FULL COVERAGE FOR THE GRASS TYPE UTILIZED.

INSTALLATIONS

- SOD:**
1. SOD IS TO BE Laid BROADLY, EDGE TO EDGE AND WITH STAGGERED JOINTS. PRESS FIRMLY INTO CONTACT WITH SOD BED BY TAMPING OR ROLLING. FILL OPEN JOINTS WITH ORGANIC HUMUS.
 2. SOD IS TO BE WATERED AS SOON AS EXCESSIVE DRYING IS EVIDENT. ALL SOOD AREAS ARE TO BE WATERED UNTIL GRASS IS ESTABLISHED. BARE AREAS ARE TO BE RE-SEEDING.
 3. ON SLOPES GREATER THAN 2:1 SOD SHALL BE STAKED IN PLACE UNTIL ROOT SYSTEM IS ESTABLISHED.

SEED:

1. SOD NEED AT THE PROPORTIONS APPROPRIATE FOR THE SEASON AND JOB SPECIFIC CONDITIONS SO AS TO PRODUCE A LAWN WITH FULL AND COMPLETE SOODING.
2. AFTER SEEDING, LIGHTLY RAKE, ROLL AND THOROUGHLY WATER AREA.
3. APPLY LIGHT LAYER OF STRAW MULCH. STRAW MUST BE KEPT WET UNTIL SEEDING IS ESTABLISHED.
4. HYDRO-SEEDING, INCLUDING FERTILIZATION AND LIME APPLICATIONS WILL BE ACCEPTABLE.
5. EXISTING GRASS AREAS ARE TO BE MAINTAINED AND TREATED FOR THE REMOVAL OF WEEDS, GRASS, MOHNS, AND REFUSE. AERATE SOIL AS REQUIRED TO BE SEED INTO TOP SOIL. INFILL SEED AT HALF THE RATE OF NEW SOOD.

TREES AND SHRUBS:

1. PLANT PITS ARE TO BE STAKED PRIOR TO EXCAVATION.
2. PLANT PITS ARE TO BE BACKFILLED WITH A SOIL MIXTURE OF 2/3 CLEAN EXCAVATED SOIL AND 1/3 PEAT MOSS (BY VOLUME) WITH 3% N-P-K FERTILIZER FOR EACH INCH AND 6% OF FERTILIZER FOR EACH SQUARE FOOT. MULCHING IS TO BE EXECUTED IN 6 LAYERS, EACH CAREFULLY TAMPED AND THOROUGHLY WATERED.
3. ALL BALLED AND BURLAPPED PLANTS ARE TO HAVE THE TOP 1/3 OF THE BURLAP CUT BACK FROM THE TOP OF THE BALL AFTER PLANT IS STABILIZED.
4. ORIENTATE BRANCH STRUCTURE TOWARD PUBLIC (STREET AND PARKING AREA) VIEW FOR FINEST APPEARANCE AND SYMMETRICAL FORM.
5. TREE STAKING, TREES AND SHRUBS ARE TO HAVE A 4" HIGH EARTH SAUCER, 4" IN DIAMETER, FORMED AROUND THE PIT AND FILLED WITH MULCH.
6. ALL TREES 2" IN CALIPER OR LARGER ARE TO BE PROPERLY GUYED AND STAKED. TRUNKS ARE TO BE WRAPPED FROM THE GROUND UP TO THE FIRST LOWER BRANCHES.
7. REMOVE ALL DEAD WOOD, SUCKERS, BROKEN OR BADLY DAMAGED BRANCHES. PRUNE APPROXIMATELY 1/3 OF LAST SEASON'S GROWTH BY THINNING OR SHORTENING BRANCHES.
8. MULCH SHALL BE SHREDDED BARK: PINE, HARDWOOD OR OTHER PRODUCT APPROVED BY THE ENGINEER.
9. TREES THAT NEED TO BE "TIMED UP" SHALL BE OF SUFFICIENT Girth AND HEALTH AS TO NOT HAVE GROWTH STRUCTURE AFFECTED. SEAL ALL CUTS OVER 1/4" IN DIAMETER WITH TREE PAINT. PAINT MUST BE WATERPROOF, FREE OF KEROSENE, NEOSATE OR OTHER HARMFUL MATERIALS.

WARRANTY:

1. CONTRACTOR SHALL MAINTAIN UNTIL SUBSTANTIAL COMPLETION IS PAID ALL LANDSCAPING (GRASSES, TREES, SHRUBS, ETC.) INCLUDING WATERING, WEEDING, SPRAYING, PRUNING, CLEANING UP AND OTHER NECESSARY CARE AS IS APPROPRIATE.
2. CONTRACTOR SHALL WARRANT ALL WORK INCLUDING IRRIGATION SYSTEM, GRASS AREAS AND ALL PLANT MATERIALS IN WRITING FOR ONE FULL GROWING SEASON OR ONE FULL CALENDAR YEAR WHICH EVER IS LONGER. THE WARRANTY PERIOD WILL COMMENCE ON THE DATE OF SUBSTANTIAL COMPLETION OF THE INSTALLATION OF THE LANDSCAPE AND IRRIGATION SYSTEM.

CONTRACTOR SHALL NOT BE RESPONSIBLE TO THE OWNER REPLACE WITH LIKE MATERIAL ANY DAMAGED, DEAD OR DEAD PLANT OR GRASS AREAS WHICH OCCUR WITHIN THE WARRANTY PERIOD. ALL REPLACEMENT MATERIAL SHALL BE WARRANTED FOR THE SAME ORIGINAL REQUIREMENTS BEGINNING WITH THE DATE OF ITS INSTALLATION.

SHENTEL
500 SHENTEL WAY
P.O. BOX 459
EDINBURG, VA 22824-0280
(540) 984-5123

T²
T-SQUARED SITE SERVICES, LLC
2500 HIGHLAND ROAD, SUITE 203
HERMITAGE, PA 16148
WWW.T-SQUL.COM

COPYRIGHT © 2016 T-SQUARED SITE SERVICES, LLC

| SUBMITTALS | | | |
|------------|----------|------------------|----|
| NO. | DATE | DESCRIPTION | BY |
| 3 | 11.09.17 | REDLINE REVISION | KE |
| 2 | 9.25.17 | REDLINE REVISION | KE |
| 1 | 9.22.17 | REDLINE REVISION | KE |
| 0 | 9.22.17 | PRELIM CDS | KE |

PROJ. NO.: 10019
CHECKED BY: G.W.Clower, P.E.

THIS DOCUMENT IS THE PROPERTY OF T-SQUARED SITE SERVICES, LLC. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED ON THE DRAWINGS. IT IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF T-SQUARED SITE SERVICES, LLC.

SITE INFORMATION:
AMHERST
SITE NO. 15149
217 ROUND HILL RD
WINCHESTER, VA 22602

SHEET TITLE:
GENERAL LANDSCAPING

SHEET NUMBER:
L-2



RF Brief for Proposed Amherst Site # WA15SH149

Frederick County, VA is a hub to some of Virginia's major highways. Among these, I-81 and Route 37 are the busiest roads carrying traffic north and south through the county to other nearby metropolitan areas. As the county progresses, the neighborhoods surrounding the intersection of Route 37 and Highway 50 are rapidly increasing the amount of data used by wireless devices.

The continued growth in this part of Frederick County has stimulated the need for additional resources and infrastructure for wireless data access. This area is especially important because the existing site serves the many users at Valley Health Winchester Medical Center, Wal-Mart and the recently constructed restaurants, Virginia Department of Transportation Center, the Farmer's Livestock Exchange, and Spring Arbor Senior Living Center. There are also users at the Courtyard by Marriott hotel, as well as Candy Hill Campground, which has 100 plus campsites. Furthermore, the continued expansion of outpatient clinics at the medical center will create an even larger demand.

Shentel currently operates a site collocated on a power pole in the interchange of southbound Hwy 37 off ramp. This installation has severe limitations due to the nature of the structure. This pole is a transmission tower and is not capable of supporting the additional antennas and radios needed for upgrade. The proposed site will increase capacity and improve customer experience inside the buildings that are in this area. This proposed site is in the center of other sites that do provide offloading as well as some coverage to this area. The surrounding sites have all been upgraded with the additional technology and upgrading this location as proposed is extremely important to the network. The attached plots clearly show these surrounding sites and visually represents the need.

Shentel, as well as the entire wireless industry, has seen an increase in data usage over the past few years that doubles every nine months. This is the case for the existing sites surrounding the proposed site location. These neighboring sites have experienced maximum usage resulting in slow data speeds or limited access.

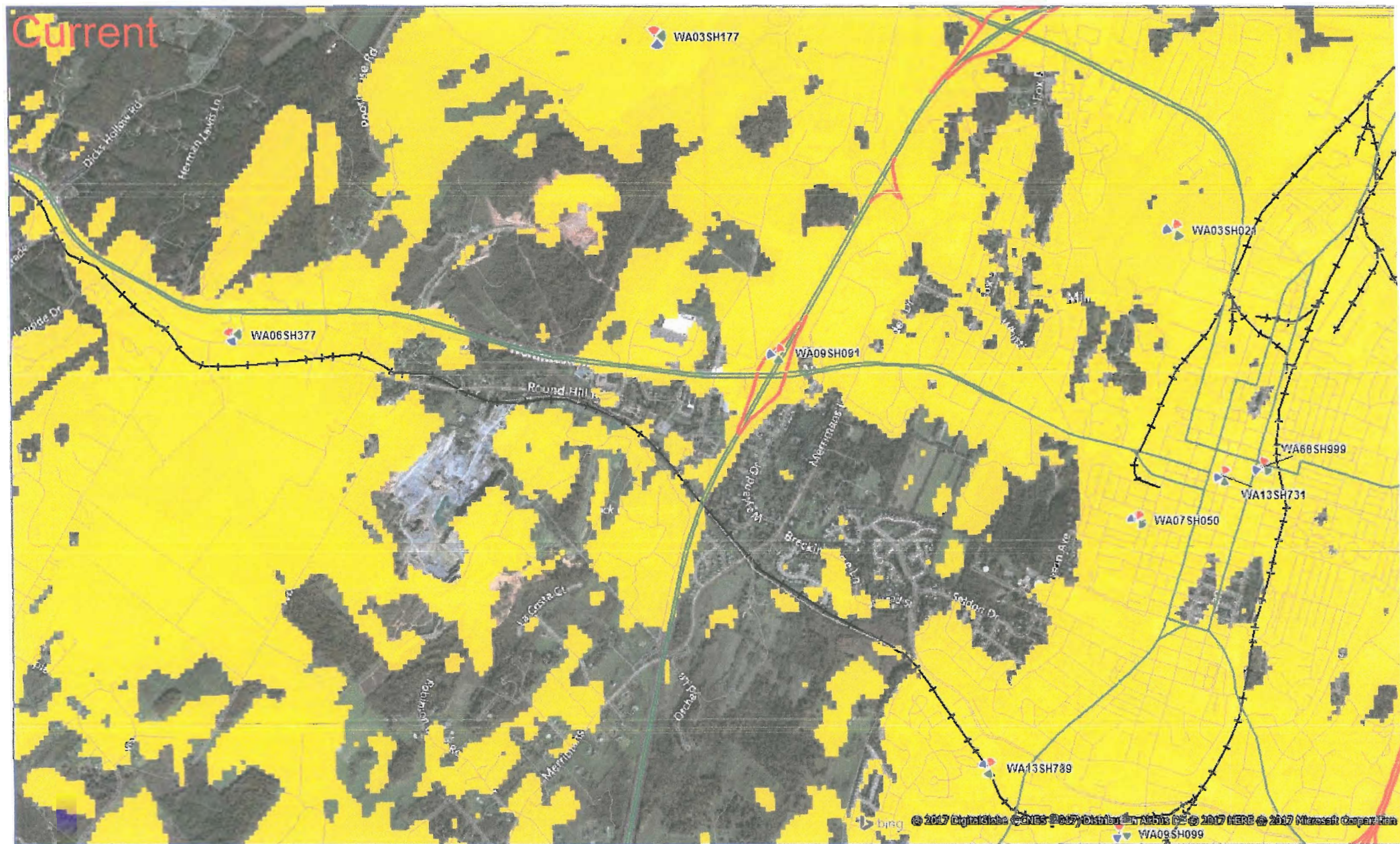
The proposed site (Site Number: WA15SH149) referred to as "Amherst" is located on the Bishop property at 219 Round Hill Road. The tower is to be placed in the rear behind the salvage yard and to the west of the Shenandoah Valley Electric substation.

In conclusion it is evident from the data capacity analysis and the RF simulation map that the proposed replacement site WA15SH149 Amherst will improve data availability and in-building service. The proposed site at 138 feet will provide adequate in-building RF signal in this location and surrounding hospital/residential and commercial areas, thus fulfilling Shentel's desired coverage objective and company standards for reliable wireless service.

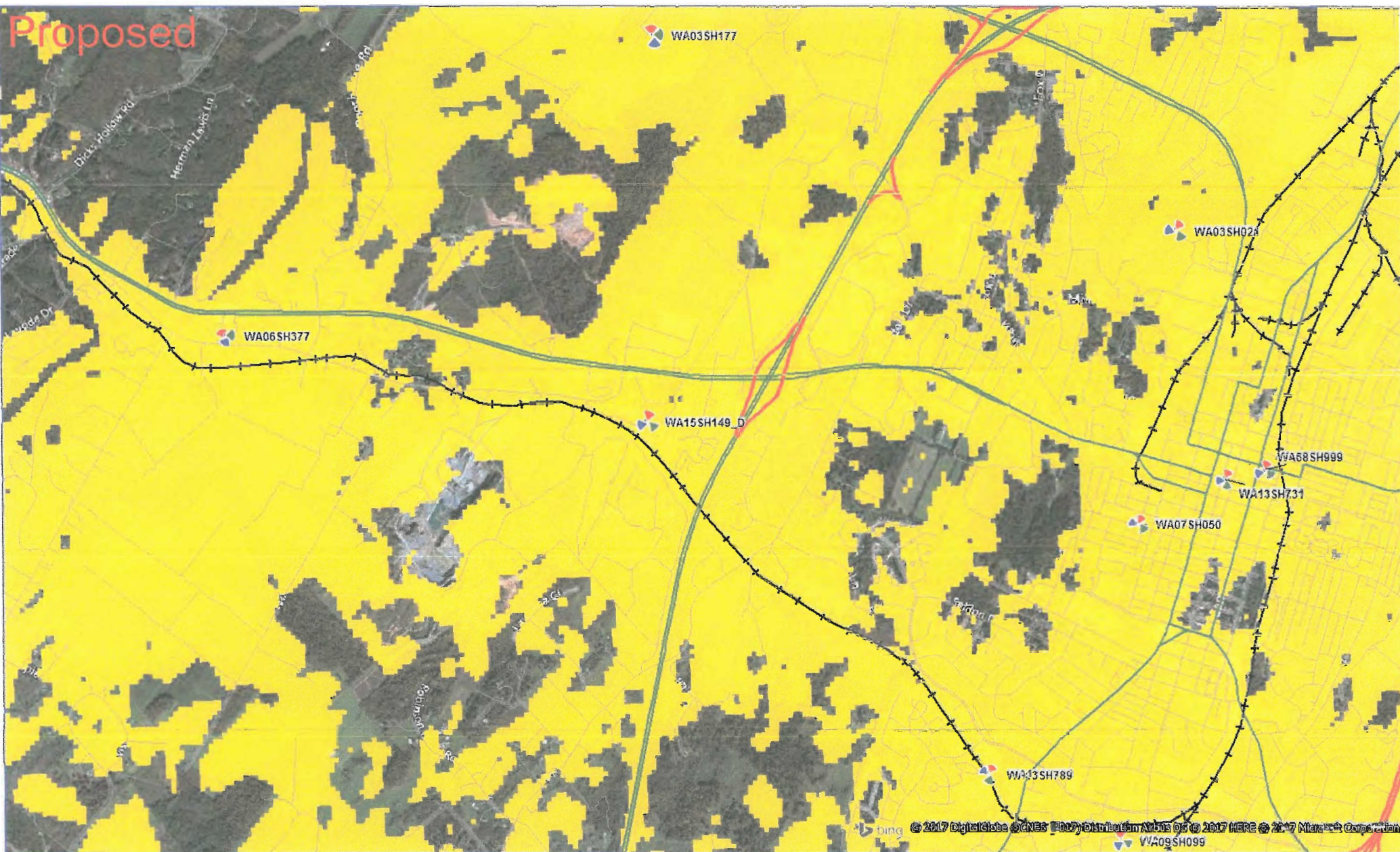
Regards

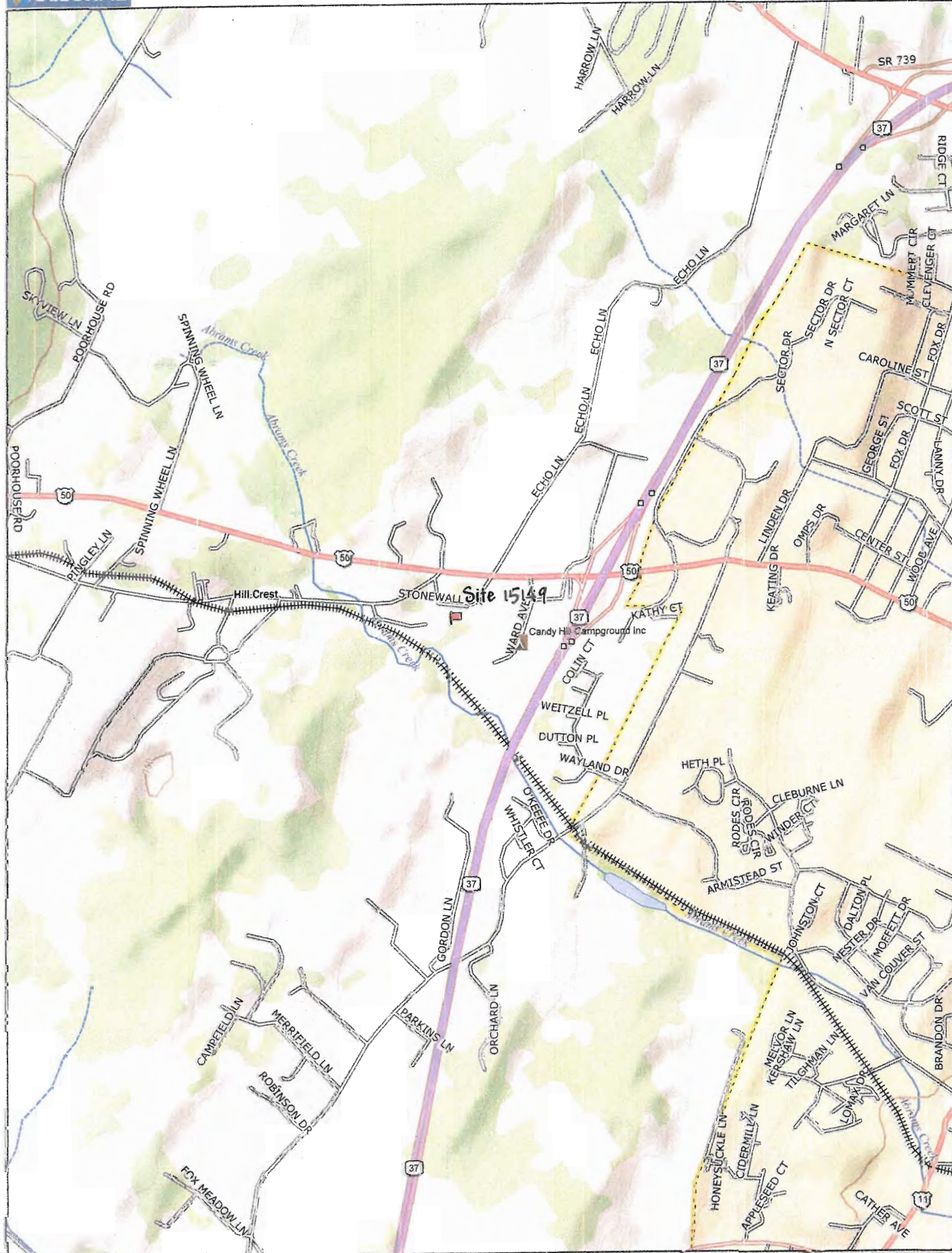
James Boley
RF Engineering

Current



Proposed







WINCHESTER REGIONAL AIRPORT

491 AIRPORT ROAD
WINCHESTER, VIRGINIA 22602
(540) 662-5786

December 7, 2017

Lynn Koerner
Shenandoah Mobile, LLC
3126 South Ox Road
Edinburg, Virginia 22824

VIA EMAIL

Re: Conditional Use Permit
138" AGL Monopole
219 Round Hill Road, Winchester, VA
Back Creek Magisterial District

Dear Mr. Koerner:

On behalf of the Winchester Regional Airport Authority I offer the following comments on the above referenced application for a conditional use permit for construction of a 138' monopole. Based on the specifications included with the application the structure will have a max height of 142' to accommodate wireless equipment.

1. Our office received a copy of the completed aeronautical study your firm filed in accordance with the Code of Virginia, Section 15.2-2294 and Federal Title 14 of the Code of Federal Regulations CFR Part 77, with the Federal Aviation Administration for an airspace study analysis.
2. Cranes and/or temporary construction equipment exceeding the maximum height provided by the applicant will require separate filing with the FAA for review and comment prior to start of construction.
3. Any and all requirements specified by the FAA in the final airspace determination must be complied with at all times and should be included in all construction specification documents.
4. For continued safe and efficient operations of all aircraft and helicopters transitioning through the airspace of the Winchester Regional Airport, the Authority requests all towers be lighted and/or marked in accordance with FAA Advisory Circular 70/7460-1L, Change 1 as a condition of approval by Frederick County as recommended by the FAA.

Provided all conditions are met, the Winchester Regional Airport Authority has no objections to the Conditional Use Permit Application.

Should you have any questions or need additional information, please contact this office (540) 662-5786.

Sincerely,

S. R. Manuel
Executive Director

Em: Chad Carper, FAA/WADO
Scott Denny, VDOA
Adam Switzer, Delta Airport Consultants



January 22, 2018

Mr. Lynn Koener
Shenandoah Mobile LLC
3126 South Ox Road
Edinburg, Virginia 22824

**RE: Request for Historic Resources Advisory Board (HRAB) Comments
Shentel – Conditional Use Permit Application; PIN#: 54-A-254
Zoning District: RA (Rural Area)**

Dear Mr. Koener:

The Frederick County Historic Resources Advisory Board (HRAB) considered the above referenced Conditional Use Permit Application during their meeting on January 16, 2018. The HRAB reviewed information associated with the Rural Landmarks Survey, information from the Virginia Department of Historic Resources (VDHR) and information provided by the Applicant. The proposal seeks to construct a 138-foot commercial telecommunications tower with accessory equipment building on a property located at 219 Round Hill Road, Winchester in the Gainesboro Magisterial District.

Historic Resources Advisory Board Comments:

The Study of Civil War Sites in the Shenandoah Valley published by National Park Service Study of Civil War Sites in the Shenandoah Valley does not identify a core battlefield within this area. The property is located within the study area of the Second Battle of Winchester.

The Rural Landmarks Survey Report for Frederick County Virginia identifies two mapped properties within a one-mile radius of the subject site:

- Walnut Grove (#34-0098) – potentially significant
- Stoney Acres (#34-0088) – potentially significant

After reviewing this information and the Applicant's materials and proposals, the Historic Resources Advisory Board (HRAB) recommended approval of the Conditional Use Permit as presented.

Thank you for the chance to comment on this application. Please call if you have any questions or concerns.

Sincerely,

A handwritten signature in cursive script, appearing to read "Candice Perkins".

Candice Perkins, AICP, CZA
Assistant Director

CEP/pd



| | |
|--------------------|---------|
| Submittal Deadline | 1/26/18 |
| P/C Meeting | 2/21/18 |
| BOS Meeting | 3/14/18 |

**APPLICATION FOR CONDITIONAL USE PERMIT
FREDERICK COUNTY, VIRGINIA**

1. Applicant (check one): Property Owner Other

NAME: Shenandoah Mobile, LLC (Shentel)

ADDRESS: PO Box 459, 500 Shentel Way, Edinburg, VA 22824

TELEPHONE: Lynn Koerner Consultant for Shentel - 540-335-0030

2. Please list all owners, occupants, or parties in interest of the property:

Gregory A. Bishop

3. The property is located at: (please give exact directions and include the route number of your road or street)

219 Round Hill Road. - Proceed west on Amherst Street to Hwy 37. Continue straight on Northwestern Pike (Hwy50) for 1/2 mile.
at the light, turn left and proceed on RT 803, Round Hill Road, for 1000 feet and turn left. Bear left around the building and follow
existing gravel road to eastern edge of property. Turn left and up a slight slope to the tower site on the left.

4. The property has a road frontage of 179.4 feet and a depth of 1320 feet and consists of 7 acres. (Please be exact)

5. The property is owned by Gregory A. Bishop as evidenced by deed from West End Salvage Inc (previous owner) recorded in deed book no. 352 on page 354, as recorded in the records of the Clerk of the Circuit Court, County of Frederick.

6. Property Identification Number (P.I.N.) 52 A 254
Magisterial District Back Creek
Current Zoning RA

7. Adjoining Property:

| | <u>USE</u> | <u>ZONING</u> |
|-------|--------------------------------------|---------------|
| North | Residential | RA |
| East | Sub station - Shenandoah Valley Elec | RA |
| South | Golf Course | RA |
| West | VDOT Maintenance Facility | B3 |

8. The type of use proposed is (consult with the Planning Dept. before completing):
 Telecommunications tower 138 foot monopole and related ground support equipment in a fenced compound

9. It is proposed that the following buildings will be constructed:

No buildings are proposed to be constructed at this site.

10. The following are all of the individuals, firms, or corporations owning property adjacent to both sides and rear and in front of (across street from) the property where the requested use will be conducted. (Continue on back if necessary.)
 These people will be notified by mail of this application:

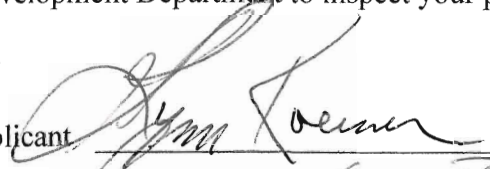
| Name and Property Identification Number | Address |
|---|----------------------|
| Name G&G Auto Recycling Inc | PO Box 1652 |
| Property # 52 A 254A | Winchester, VA 22602 |
| Name Keller, Herman L and Shelby J | 106 Stonewall Drive |
| Property # 53B 2 20A | Winchester, VA 22602 |
| Name Bishop, Gregory A and Nancy K | 108 Stonewall Drive |
| Property # 53B 2 21 | Winchester, VA 22602 |
| Name Scruggs, Amber | 112 Stonewall Drive, |
| Property # 53B 2 23 and 53B 2 24 | Winchester, VA 22602 |
| Name Ruggles, Trudy Poe | 858 Fox Drive |
| Property # 53 A 86 | Winchester, VA 22603 |
| Name Perry, Stuart M. Inc | 117 Limestone Lane |
| Property # 53 A 88 and 53 A 254B | Winchester, VA 22602 |
| Name Commonwealth of Virginia | PO Box 2249 |
| Property # 52 A 71 A | Staunton, VA 22402 |


11. Please use this page for your sketch of the property. Show proposed and/or existing structures on the property, including measurements to all property lines.

SEE INCLUDED DRAWINGS - 15149 - AMHERST

12. Additional comments, if any: NONE

I (we), the undersigned, do hereby respectfully make application and petition the governing body of Frederick County, Virginia to allow the use described in this application. I understand that the sign issued to me when this application is submitted must be placed at the front property line at least seven (7) days prior to the first public hearing and maintained so as to be visible until after the Board of Supervisors' public hearing. Your application for a Conditional Use Permit authorizes any member of the Frederick County Planning Commission, Board of Supervisors or Planning and Development Department to inspect your property where the proposed use will be conducted.

Signature of Applicant 

Signature of Owner 

Owners' Mailing Address 108 Stonewall Drive, Winchester, VA

Owners' Telephone No. 540-533-8107

TO BE COMPLETED BY THE ZONING ADMINISTRATOR:

USE CODE: _____

RENEWAL DATE: _____



**Special Limited Power of Attorney
County of Frederick, Virginia
Frederick Planning Website: www.feva.us**

**Department of Planning & Development, County of Frederick, Virginia
107 North Kent Street, Winchester, Virginia 22601
Phone (540) 665-5651 Facsimile (540) 665-6395**

Know All Men By These Presents: That I (We)

(Name) Gregory A Bishop (Phone) 540-533-8107

(Address) 108 Stonewall Drive, Winchester, VA

the owner(s) of all those tracts or parcels of land ("Property") conveyed to me (us), by deed recorded in the Clerk's Office of the Circuit Court of the County of Frederick, Virginia, by

Instrument No. 532 on Page 354, and is described as

Parcel: 254 Lot: Block: Section: Subdivision:

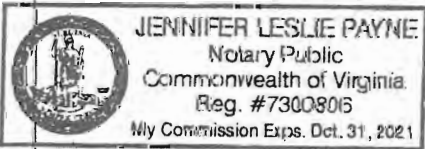
do hereby make, constitute and appoint:

(Name) Lynn Koetner (Consultant for Shental) (Phone) 540-335-0030

(Address) 3126 South Ox Road, Edinburg, VA 22824

To act as my true and lawful attorney-in-fact for and in my (our) name, place and stead with full power and authority I (we) would have if acting personally to file planning applications for my (our) above described Property, including:

- Rezoning (including proffers)
- Conditional Use Permit
- Master Development Plan (Preliminary and Final)
- Subdivision
- Site Plan
- Variance or Appeal



My attorney-in-fact shall have the authority to offer proffered conditions and to make amendments to previously approved proffered conditions except as follows:

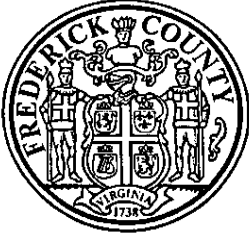
This authorization shall expire one year from the day it is signed, or until it is otherwise rescinded or modified. In witness thereof, I (we) have hereto set my (our) hand and seal this 13 day of Nov, 2017.

Signature(s) *Gregory A Bishop*

State of Virginia, City/County of WINCHESTER, To-wit:

I, JENNIFER LESLIE PAYNE, a Notary Public in and for the jurisdiction aforesaid, certify that the person(s) who signed to the foregoing instrument personally appeared before me and has acknowledged the same before me in the jurisdiction aforesaid this 13 day of NOVEMBER, 2017.

Jennifer Leslie Payne My Commission Expires: OCTOBER 31, 2021
Notary Public



ORDINANCE

Action:

PLANNING COMMISSION: February 21, 2018 Public Hearing Held
Recommended Approval

BOARD OF SUPERVISORS: March 14, 2018 APPROVED DENIED

ORDINANCE

**CONDITIONAL USE PERMIT #09-17
GREGORY A. BISHOP – 219 Round Hill Road
SHENANDOAH MOBILE, LLC**

WHEREAS, Conditional Use Permit #09-17 to enable construction of a 138-foot Monopole-Type Commercial Telecommunications Facility, submitted by Shenandoah Mobile, LLC, was considered. The Property is located at 219 Round Hill Road, Winchester, Virginia and is further identified with Property Identification Number 52-A-254, in the Back Creek Magisterial District; and

WHEREAS, the Frederick County Planning Commission held a public hearing on the Conditional Use Permit on February 21, 2018, and recommended approval of the Conditional Use Permit; and,

WHEREAS, the Frederick County Board of Supervisors held a public hearing on this Conditional Use Permit during their regular meeting on March 14, 2018; and,

WHEREAS, the Frederick County Board of Supervisors finds the approval of this Conditional Use Permit to be in the best interest of the public health, safety, welfare, and in conformance with the Comprehensive Policy Plan;

NOW, THEREFORE, BE IT ORDAINED by the Frederick County Board of Supervisors that Chapter 165 of the Frederick County Code, Zoning, is amended to revise the zoning map to reflect that Conditional Use Permit Application #09-17 to enable construction of a 138-foot Monopole-Type Commercial Telecommunications Facility on the parcel identified by Property Identification Number 52-A-254 with the following conditions:

PDRes #07-18

1. All review agency comments and requirements shall be complied with at all times.
2. The tower shall be available for collocating personal wireless services providers.
3. A minor site plan shall be approved by Frederick County.
4. The tower shall be removed by the Applicant or property owner within twelve (12) months of abandonment of operation.
5. In the event a telecommunications tower is not erected within twelve (12) months of the approval of this Conditional Use Permit, the CUP will be deemed invalid.
6. Any expansion or modification of this use will require a new Conditional Use Permit.

In addition, should the Board of Supervisors find the waiver to the required setback is acceptable, a motion to recommend approval of the setback reduction of 69' to allow the tower to be 134' from the identified property would be appropriate.

Passed this 14th day of March 2018 by the following recorded vote:

| | | | |
|-----------------------------------|-------|-------------------------|-------|
| Charles S. DeHaven, Jr., Chairman | _____ | Gary A. Lofton | _____ |
| J. Douglas McCarthy | _____ | Judith McCann-Slaughter | _____ |
| Shannon G. Trout | _____ | Blaine P. Dunn | _____ |
| Robert W. Wells | _____ | | |

A COPY ATTEST

 Kris C. Tierney
 Frederick County Administrator

R



MEMORANDUM

TO: Board of Supervisors

FROM: John A. Bishop AICP, Assistant Director - Transportation *JAB*

RE: Springdale Road (Route 649) Through Truck Restriction

DATE: March 6, 2018

This is a public hearing item for the Board of Supervisors to consider forwarding the attached resolution to the Virginia Department of Transportation (VDOT) requesting that Springdale Road, from Route 11 to Shady Elm Road (Route 649) be restricted to through truck traffic.

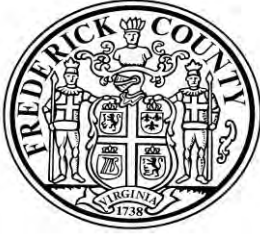
This item was raised by citizen comments at the Planning Commission within the course of the Carbaugh rezoning. A staff evaluation of the facility is as follows:

The section of Springdale Road in question is a rural secondary road. The pavement section is narrow, measuring approximately 20' at the widest location. Staff observed that the roadway is narrower than that along most of its length, resulting in insufficient area for trucks and passenger vehicles to pass without one or the other moving off of the roadway. The roadway is very winding and includes a railroad crossing that is on a significant elevation change. A reasonable alternative route exists in the form of Apple Valley Road to Shady Elm Road and an additional alternative is expected to be implemented in the form of the Renaissance Drive Extension.

The Transportation Committee has considered this item and recommended approval.

Staff is seeking action on the resolution following a public hearing.

JAB/pd



BOARD OF SUPERVISORS

FREDERICK COUNTY BOARD OF SUPERVISORS RESOLUTION TO REQUEST NO THROUGH TRUCK TRAFFIC ON SPRINGDALE ROAD (ROUTE 649) FROM ROUTE 11 TO SHADY ELM ROAD (ROUTE 651)

WHEREAS, Springdale Road (Route 649) is classified as a local road designed to handle residential traffic and is not designed or intended to serve heavy truck traffic; and

WHEREAS, local residents and County Officials are concerned about heavy truck traffic on this road; and

WHEREAS, the Frederick County Board of Supervisors has identified that an alternate transportation route exists via Route 651 to Route 11 to accommodate heavy truck traffic safely and efficiently for the Springdale Road proposed restriction; and

WHEREAS, in accordance with Section 46.2-809 of the *Code of Virginia*, the Frederick County Board of Supervisors has conducted a public hearing on March 14, 2018 to obtain public comments on restricting thru truck traffic on Springdale Road (Route 649); and

WHEREAS, the Frederick County Board of Supervisors will use its good offices for enforcement of the proposed restriction by the appropriate local law enforcement agency.

NOW, THEREFORE, BE IT RESOLVED, that the Frederick County Board of Supervisors does hereby request that the Commonwealth Transportation Board, or its designee, consider restricting thru truck traffic on Springdale Road (Route 649), from Route 11 to Shady Elm Road (Route 651).

Passed this 14th day of March 2018 by the following recorded vote:

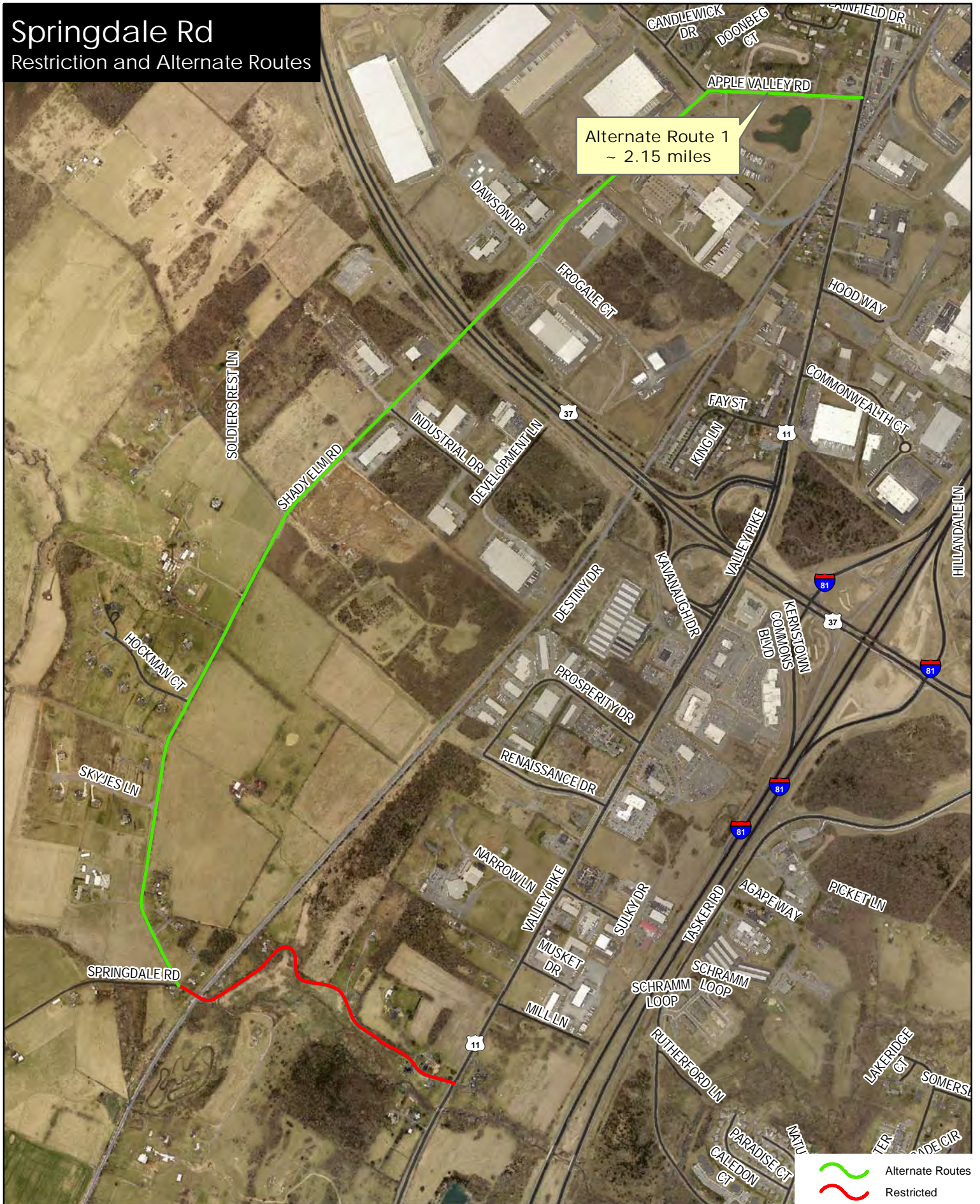
| | | | |
|-----------------------------------|-------|-------------------------|-------|
| Charles S. DeHaven, Jr., Chairman | _____ | Gary A. Lofton | _____ |
| J. Douglas McCarthy | _____ | Judith McCann-Slaughter | _____ |
| Shannon G. Trout | _____ | Blaine P. Dunn | _____ |
| Robert W. Wells | _____ | | |

A COPY ATTEST

Kris C. Tierney
Frederick County Administrator

Springdale Rd

Restriction and Alternate Routes



Frequently Asked Questions -Through Truck Restriction Program



What is a through truck?

For the purposes of through truck restrictions enacted under § [46.2-809](#) of the Code of Virginia, A *through truck* is defined as any truck or truck and trailer or semitrailer combination, except a pickup or panel truck, that travels from one point to another and having no origin or destination along the route(s) traveled.

How does the program work?

The Through Truck Restriction Program allows a local governing body to request that VDOT restrict the use of through trucks on any part of a primary or secondary highway that is under the jurisdiction of VDOT if a reasonable alternate route is provided. The program is governed by § [46.2-809](#) of the Code of Virginia.

How is a request for a restriction evaluated?

The local governing body must hold a public hearing and make a formal request, including the submittal of a resolution, to VDOT. VDOT evaluates requests in accordance with the [Through Truck Restriction Guidelines](#) which lays out the requirements that must be met in making the request as well as criteria for evaluating the appropriateness of the proposed restriction. The criteria consider the reasonableness of the alternate routing and the compatibility of truck traffic with the type of roadway and the character of the affected area. VDOT also solicits and considers public comments on the proposed restriction.

What is the process to request a through truck restriction?

Requests for through truck restrictions are made to the local governing body, generally the Board of Supervisors (BOS). The BOS holds a public hearing for any proposed restriction it desires to consider. Following the public hearing, the BOS must make a formal request to VDOT for any restriction it has determined to move forward. The request to VDOT is generally through the Residence Administrator (In Fairfax, Prince William, and Loudoun Counties the request is made to the VDOT Regional Traffic Engineer) in accordance with various requirements. From this point VDOT has 9 months to respond to the formal request. VDOT evaluates and considers the request, conducts a study, and solicits public comments on the proposed restriction. For primary routes, the Commonwealth Transportation Board approves or denies the request. For secondary routes, the Commissioner of Highways (VDOT) approves or denies the request. VDOT then notifies the local governing body of the decision.

How is a through-truck restriction funded?

VDOT incurs all installation and maintenance costs out of its operating budgets.

Which routes are currently restricted?

Click [here](#) for a map of restricted routes.

S



MEMORANDUM

TO: Frederick County Board of Supervisors

FROM: Candice E. Perkins, AICP, CZA, Assistant Director *CAP*

DATE: March 1, 2018

RE: **Public Hearing: 2018-2023 Capital Improvements Plan (CIP)**

The Capital Improvements Plan (CIP) is a document that consists of a schedule of major capital expenditures for the County for the ensuing five-year period, as well as, a category for long term projects (6 + years out). The CIP is intended to assist the Board of Supervisors in preparation of the County budget. In addition to determining priorities for capital expenditures, the County must also ensure that projects contained within the CIP conform to the Comprehensive Plan. Specifically, the projects are reviewed with considerations regarding health, safety, and the general welfare of the public, and the policies of the Comprehensive Plan. When the CIP is adopted, it becomes a component of the Comprehensive Plan.

The inclusion of projects on the CIP is in no way an indication that Frederick County will be undertaking these projects. The CIP is strictly advisory; it is intended for use as a capital facilities planning document, not for requesting funding allocations. Once adopted, project priorities and cost estimates may change throughout the year based on changing circumstances. It is also possible that particular projects may not be funded during the year that is indicated in the CIP. The status of any project becomes increasingly uncertain the further in the future it is projected. The CIP is also updated annually, and projects are removed from the plans as they are completed or as priorities change.

CIP Components

The CIP provides project recommendations from various County Agencies and tables that outline the projects and cost estimates for the projects. Within the tables, columns for each year show the funding needs that would be requested in the corresponding budget cycle. In addition, those projects that are long range projects have been placed at the end of the CIP table, outside of the five-year window. The CIP includes three separate tables; the first table shows County funded projects and the second and third tables cover Transportation projects and Airport projects which are primarily funded through other sources. This updated CIP format was endorsed by the Board of Supervisors with the approval of the 2017-2022 CIP.

2018-2023 CIP

March 1, 2018

Page 2

The CIP includes a total of 81 projects, including several new projects. Projects within the CIP are for: Schools, Parks and Recreation, Regional Library, County Administration, Fire and Rescue, Transportation and Winchester Regional Airport.

Background – Discussions

On December 11, 2017, the Comprehensive Plans and Programs Committee (CPPC) discussed the 2018-2023 CIP capital improvement project requests, including new projects and modifications to previous requests, associated with the 2017-2022 CIP. The role of the CPPC in the CIP process was to ensure that the various departmental project requests are in conformance with the 2035 Comprehensive Plan. Following the CPPC discussion, the Committee endorsed the CIP and endorsed its conformance with the County's Comprehensive Plan. The CPPC forwarded the CIP to the Planning Commission for discussion. The Planning Commission discussed the CIP at their meeting on January 17, 2018. The Planning Commission confirmed that the CIP is in conformance with the 2035 Comprehensive Plan and recommended approval of the plan. At the Board of Supervisors February 14, 2018 meeting the 2018-2023 CIP was scheduled for public hearing.

Conclusion

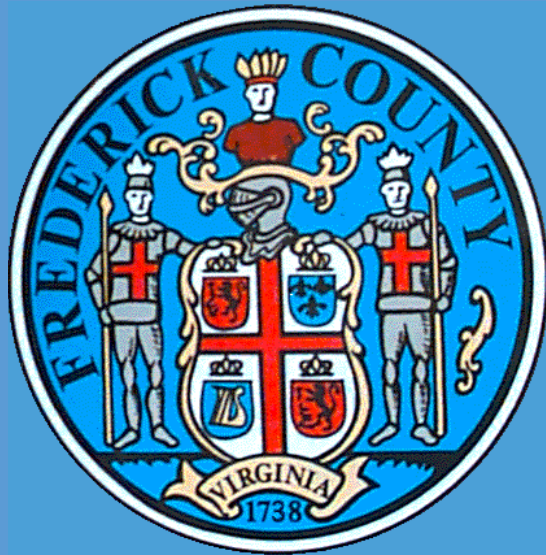
Staff is seeking a decision from the Board of Supervisors on the adoption of the 2018-2023 Capital Improvements Plan. Please find attached the draft 2018-2023 CIP with applicable text, tables and maps. If adopted, the CIP and included maps will become a component of the Comprehensive Plan, which would satisfy the review requirement of Section 15.2-2232 of the Code of Virginia, which states that no public facility shall be constructed unless said facility is a "feature shown" within a jurisdiction's comprehensive plan

Please contact the Planning Department should you have any questions regarding this information.

CEP/pd

Attachment

FREDERICK COUNTY, VIRGINIA 2018-2023 CAPITAL IMPROVEMENT PLAN



Adopted by the
Frederick County
Board of Supervisors
TBD, 2018

Recommended by the
Frederick County
Planning Commission
January 17, 2018

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**CAPITAL IMPROVEMENTS PLAN
FREDERICK COUNTY
FY 2018-2023**

INTRODUCTION

Section §15.2-2239 of the Code of Virginia assigns the responsibility for preparation of plans for capital outlays to the local Planning Commissions. The Capital Improvements Plan (CIP) consists of a schedule for major capital expenditures for the County for the ensuing five years.

The CIP is updated annually. Projects are removed from the plans as they are completed or as priorities change. The plan is intended to assist the Board of Supervisors in preparation of the County budget. In addition to determining priorities for capital expenditures, the County must also ensure that projects contained within the CIP conform to the Comprehensive Plan. Specifically, the projects are reviewed with considerations regarding health, safety, and the general welfare of the public, and the policies of the Comprehensive Plan. Once the CIP is adopted, it becomes a component of the 2035 Comprehensive Plan and provides a link between the documents and potential proffered contributions made with future rezoning projects.

The inclusion of projects to the CIP is in no way an indication that Frederick County will be undertaking these projects. The CIP is strictly advisory; it is intended for use as a capital facilities planning document, not for requesting funding allocations. Once adopted, project priorities may change throughout the year based on changing circumstances. It is also possible that particular projects may not be funded during the year that is indicated in the CIP. The status of any project becomes increasingly uncertain the further in the future it is projected.

PROJECT RECOMMENDATIONS

Frederick County Public Schools

Frederick County Public Schools continue to commence and complete capital projects that have been priorities from previous years. The top capital improvement priority for the Schools is the replacement of Robert E. Aylor Middle School. Construction of the New High School is the second highest priority, followed by the Armel Elementary School addition and renovation. Other schools included for renovation and addition projects include James Wood High School and Sherando High School.

Parks & Recreation

The top capital improvement priority for Parks and Recreation is the Abrams Creek Greenway Trail. This facility would provide recreational opportunities for residents of this corridor along with the surrounding communities and was emphasized in the Senseny/Eastern Frederick Urban Areas Plan completed during 2012. Other top priorities include parking at Clearbrook Park, restroom construction at NW Sherando Park and the Indoor Aquatic Facility. Other requests include projects for Sherando Park, pool upgrades at both regional parks and new community and district parks.

Handley Regional Library

The Handley Regional Library recommends three projects. The library's top priority is a new library branch in the Gainesboro area. The two remaining projects request that funding be provided for new library branches throughout the County which include the areas of Route 522 South and Senseny/Greenwood Road; both of which are anticipated to be located within the UDA (Urban Development Area) in locations consistent with the approved area plans - the Senseny/Eastern Frederick Area Plan, and the Southern Frederick Area Plan.

County Administration

The two requests from Public Works are for the relocation of the Albin Citizen Convenience Site and the expansion of the Gore Citizen Convenience Site. The joint County Administration and School Administration Building and the future replacement of the Joint Judicial Center remain in the CIP.

General Government Capital Expenditures is also included in the CIP – this item enhances the connection between the CIP and proffered contributions made to mitigate the impacts of development projects. This item addresses those general government capital expenditures that may fall below the established \$100,000 departmental threshold. This is similar to the approach taken for Fire and Rescue Capital Equipment (see Fire and Rescue descriptions).

Fire and Rescue

The top project for the Fire and Rescue is the construction of the Regional Public Safety Training Center. The construction of Fire & Rescue Station #22 in the vicinity of Route 277, with the ability to provide an annex facility for other County-related offices. Fire and Rescue has also included a project which provides for the capital apparatus needs of this facility. Project four includes the construction of Station #23, a new facility located in the vicinity of Crosspointe that would also provide the ability for an annex facility for other County-related offices.

Fire and Rescue Volunteer Company Capital Equipment Requests

The revolving fund in the amount of \$1,000,000 for the benefit of Fire and Rescue Services was established remains a component of the CIP. This capital expenditure fund is for purchasing additional and replacement capital equipment fire and rescue vehicles and equipment that may fall below the guidelines established by the Finance Committee. It was determined that the inclusion of such a project would be beneficial in ensuring that this significant capital expense is identified in the County’s capital planning and budget process. This project is primarily for the benefit of the individual Volunteer Fire and Rescue Companies. Individual Fire and Rescue Companies previously identified their own capital requests which have been added to the CIP in a lump sum amount. Each of the capital requests meet the \$100,000 guideline established by the Finance Committee.

Greenwood Fire Station has included two company capital requests. These requests include the fire station living quarters renovation and expansion and a request for a replacement ambulance.

Transportation Committee

The Transportation Committee continues to provide project requests for the CIP. Virginia State Code allows for transportation projects to be included within a locality's CIP. Funding for transportation project requests will likely come from developers and revenue sharing. Implementation of transportation projects does not take away funding for generalized road improvements.

The Transportation Committee has requested funding for 22 projects. The 22 requests include projects that entail Interstate 81 Exit 310 Improvements, widening of major roads; key extensions of roads that help provide better networks, and the addition of turn lanes at current unsafe intersections. The inclusion of the Eastern Road Plan Improvements item once again emphasizes the connection between the CIP and potential proffered contributions made with rezoning projects which are aimed at mitigating potential transportation impacts identified in the Comprehensive Plan.

Winchester Regional Airport

Funding for airport projects is derived through a complex formula where the federal and state governments contribute a majority of the funding, with Frederick County and the other jurisdictions providing the remaining funding. The construction of a new general aviation terminal to support future airport operations and associated parking improvements continues to be number one in the CIP, followed by the Taxiway "A" Relocation (design/construction). A number of other projects focus on land acquisition in support of airport development to meet Federal Aviation requirements for general aviation facilities. The vast majority of the funding for these improvements came from the FAA and VDA.

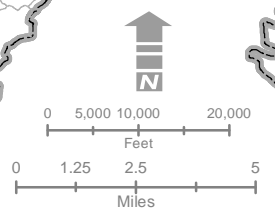
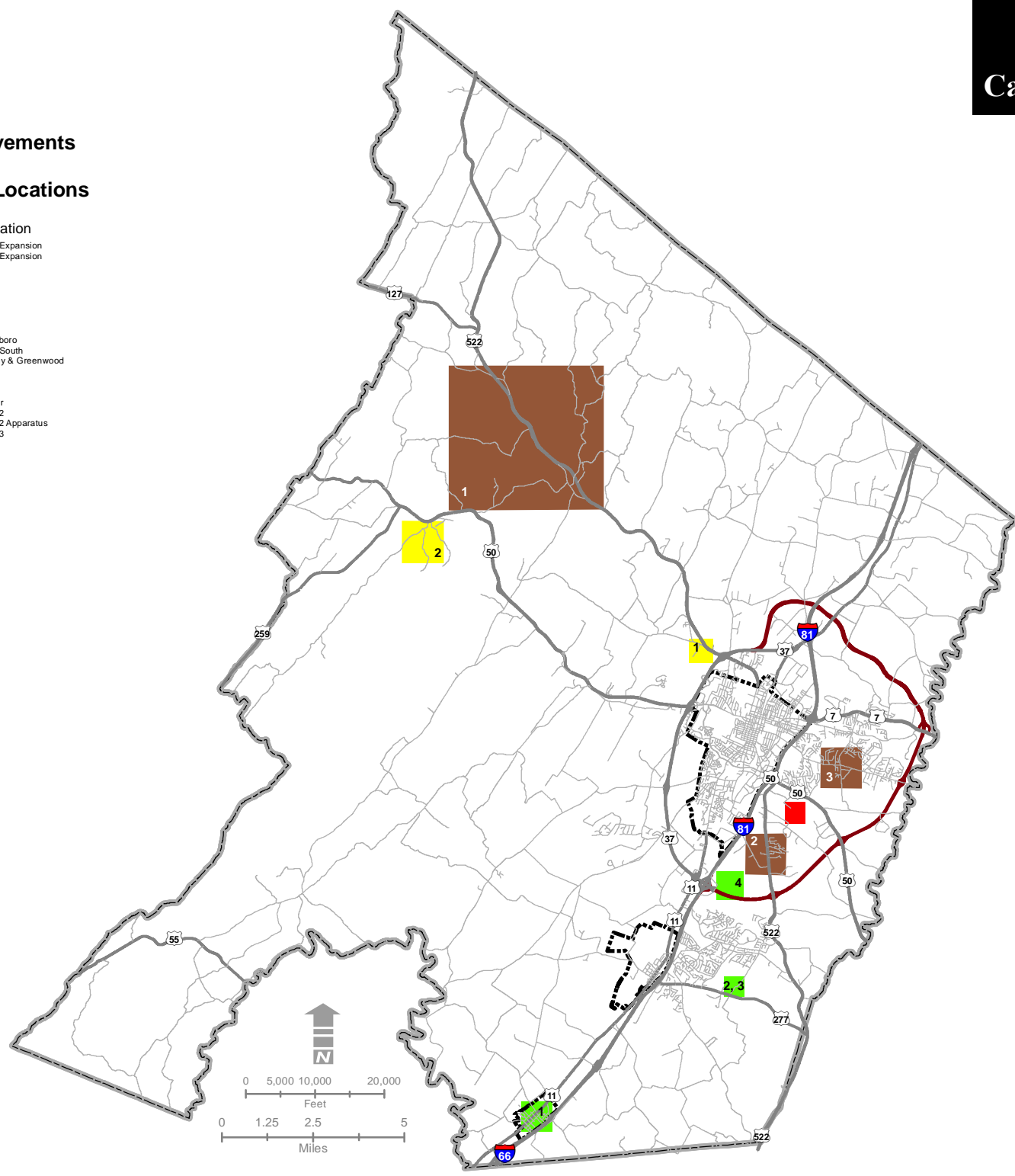
**2018 - 2023
Capital Improvements
Specific or
Approximate Locations**

- County Administration**
 - 1 Albin Convenience Site Expansion
 - 2 Gore Convenience Site Expansion

- Airport**

- Library**
 - 1 Library Branch - Gainesboro
 - 2 Library Branch - Rt 522 South
 - 3 Library Branch - Senseny & Greenwood

- Fire & Rescue**
 - 1 Regional Training Center
 - 2 Fire & Rescue Station 22
 - 3 Fire & Rescue Station 22 Apparatus
 - 4 Fire & Rescue Station 23



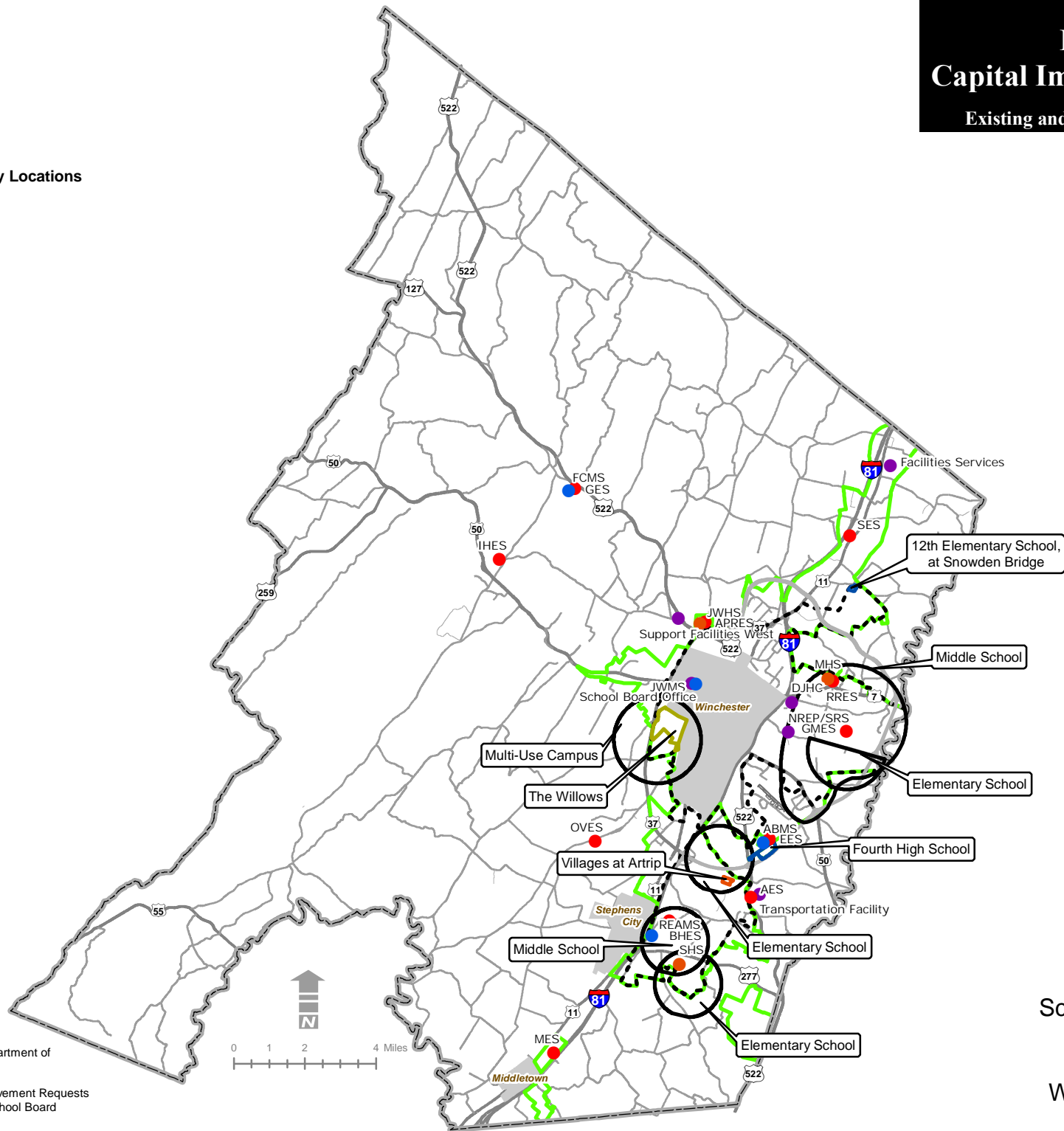
2018 - 2023 Frederick County Capital Improvements Plan

Existing and Potential School Locations

- High Schools
- Middle Schools
- Elementary Schools
- Support Facilities

Potential School Facility Locations

- Potential School Locations
- Purchased Land
- Proffered Land
- Potential Proffer
- Urban Development Area
- SWSA







Note:
Created by Frederick County Department of
Planning & Development

Map represents the Capital Improvement Requests
submitted by Frederick County School Board
11/27/17




School Locations
Are Most
Appropriate
Within the UDA

2018 - 2023 Frederick County Capital Improvements Plan New Parks/Rec Locations

Proposed Parks

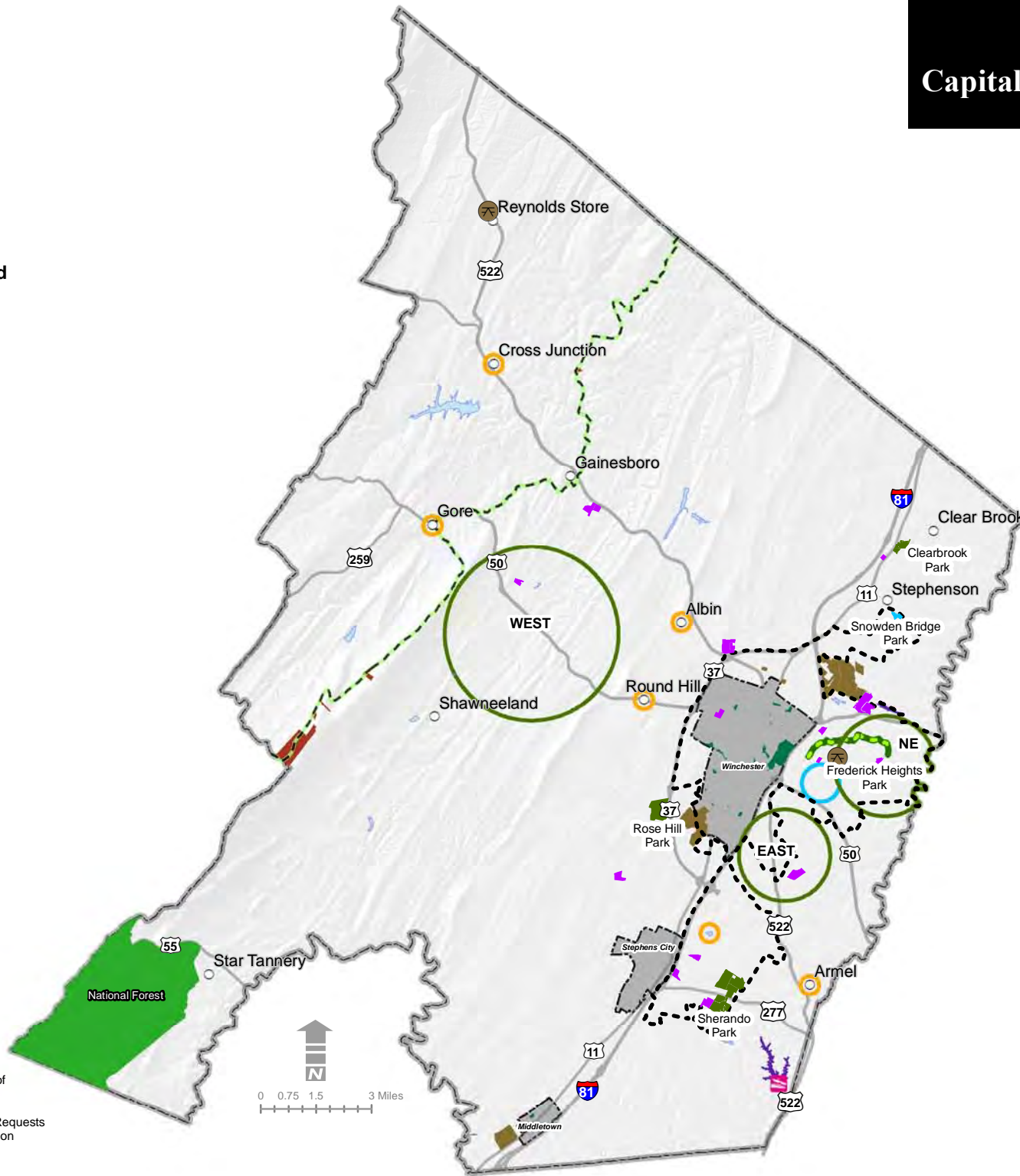
-  District
-  Community
-  Neighborhood
-  Abrams Creek Trail

Existing County Parks

-  District Park
-  Community Park
-  Neighborhood Park

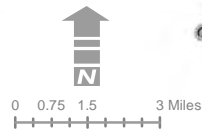
Publicly Accessible Land

-  Federal
-  State
-  Battlefield
-  Non-Profit
-  Local Park
-  Tuscarora Trail
-  School
-  Public Boat Launch
-  Urban Development Area



Note:
Created by Frederick County Department of
Planning & Development

Map represents the Capital Improvement Requests
submitted by The Dept of Parks & Recreation
11/28/2017



2018 - 2023 Frederick County Capital Improvement Plan Transportation Projects

2018 - 2023 Capital Improvement Plan Transportation Projects

Funded Priorities



1. I-81 EXIT 310 IMPROVEMENTS



2. ROUTE 277 WIDENING & SAFETY IMPROVEMENTS (PH 1)



3. EAST TEVIS ST EXTENSION & BRIDGE OVER I-81



4. RENAISSANCE DR, PHASE 2



5. SULPHUR SPRINGS RD IMPROVEMENT FROM ROUTE 50 TO LANDFILL



6. FOX DR; INSTALL TURN LANES ONTO ROUTE 522



7. ROUTE 277; RT TURN LANE EXTENSION AT WARRIOR DR



8. PAPERMILL RD; RT TURN LANE EXTENSION AT ROUTE 522

Unfunded Priorities



9. CONTINUE ROUTE 37 PLANNING & ENGINEERING WORK



10. I-81 EXIT 307 RELOCATION



11. ROUTE 277 WIDENING & SAFETY IMPROVEMENTS (PH 2)



12. REDBUD RD & EXIT 307 RAMP REALIGNMENTS



13. ROUTE 11 N WIDENING FROM SNOWDEN BRIDGE BLVD TO OLD CHARLESTOWN RD



14. WARRIOR DR EXTENSION TO NEW EXIT 307



15. CHANNING DR EXTENSION TO ROUTE 50



16. BRUCETOWN RD/ HOPEWELL RD; ALIGNMENT AND INTERSECTION



17. ROUTE 11 N OF WINCHESTER WIDENING TO WV LINE



18. SENSENY RD WIDENING



19. INVERLEE WAY; CONNECTION FROM SENSENY RD TO ROUTE 50



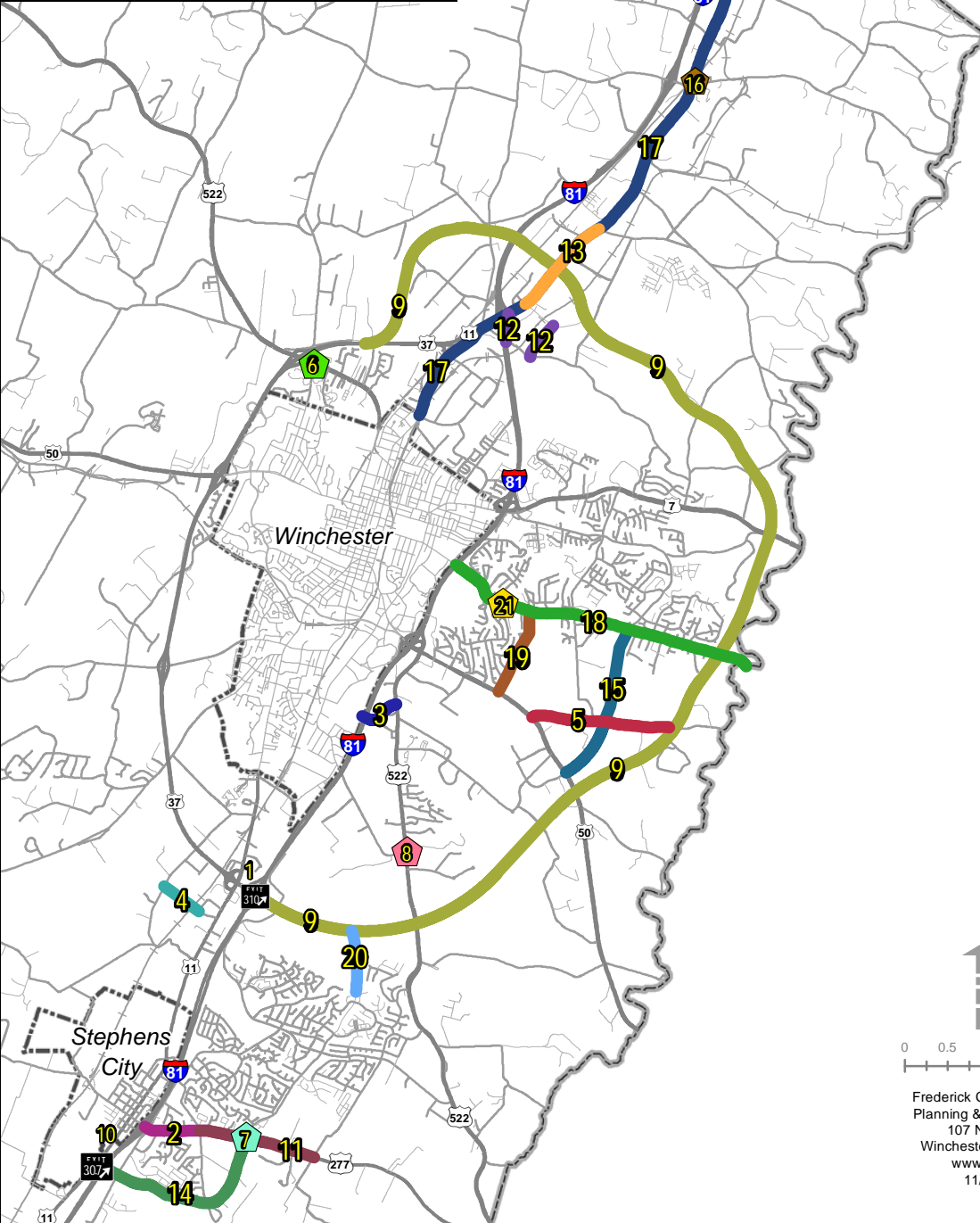
20. WARRIOR DR EXTENSION FROM ROUTE 37



21. SENSENY RD; TURN LANES AT CRESTLEIGH DR



22. EASTERN ROAD PLAN IMPROVEMENTS



Frederick County Dept of
Planning & Development
107 N Kent St
Winchester, VA 22601
www.fcva.us
11/28/17

THE CIP TABLES - CONTENT DESCRIPTIONS

The Capital Improvements Plan tables, on the following four pages, contains a list of the capital improvement projects proposed for the ensuing five years. A description of the information in this table is explained below.

Projects Ranked by Department - The priority rating assigned by each agency or department for their requested projects.

County Contribution - The estimated dollar value that will be contributed for each project. This value is listed by individual fiscal years and by total contributions over the five-year period. The total contribution column, located to the right of the fiscal year columns, does not include debt service projections.

Notes - Indicates the footnotes that apply to additional funding sources for particular projects.

Total Project Costs - The cost for each project, including the County allocations and other funding sources.

PROJECT FUNDING

The projects included in Table 1 have a total projected cost to the County of \$544,206,269 this figure excludes Airport request and transportation projects as these are primarily funded through other sources.

While the CIP is primarily used to cover the next five years, much of the project costs have been identified beyond the next five years.

- School projects are funded through a combination of loans from the Virginia Public School Authority and the Virginia Literary Fund.
- Funding for Parks and Recreation Department projects will come from the unreserved fund balance of the County. The Parks and Recreation Commission actively seeks grants and private sources of funding for projects not funded by the County.
- The inclusion of transportation projects to the CIP is in no way an indication that Frederick County will be undertaking these projects. Funding projects will continue to come from a combination of state and federal funds, developer contributions, and revenue sharing.
- Airport projects will be funded by contributions from the federal, state, and local governments. The local portion may include contributions from Frederick, Clarke, Shenandoah, Warren Counties, and the City of Winchester.

Table 1 - 2018-2023 Capital Improvement Plan Requests

| Table 1 - 2018-2023 Capital Improvement Plan Requests | | | | | | | | | | | |
|---|---|------------------------------|---------------------|---------------------|---------------------|---------------------|----------------|---|----------------------|-------|----------------------|
| | | Contribution Per Fiscal Year | | | | | | | | | |
| | Projects - Ranked by Department | 2018-2019 | 2019-2020 | 2020-2021 | 2021-2022 | 2022-2023 | 2023+ | Long Range Comprehensive Plan Projects | County Contributions | Notes | Total Project Costs |
| Department | | Ensuing Fiscal Year | Year 2 | Year 3 | Year 4 | Year 5 | Beyond Year 6+ | | | | |
| Public Schools | | | | | | | | | | | |
| | | | | | | | | <i>Please refer to the map identifying future school sites for additional school sites located throughout the County.</i> | | | |
| | Robert E. Aylor Middle School | \$15,600,000 | \$20,800,000 | \$15,600,000 | | | | | \$52,000,000 | | \$52,000,000 |
| | New High School | | \$16,600,000 | \$24,900,000 | \$24,900,000 | \$16,600,000 | | | \$83,000,000 | | \$83,000,000 |
| | Armel Elementary School addition and renovation | | | \$2,000,000 | \$3,900,000 | \$3,900,000 | | | \$9,800,000 | | \$9,800,000 |
| | James Wood High School Upgrades | | | | | \$1,500,000 | | \$53,500,000 | \$55,000,000 | | \$55,000,000 |
| | Sherando High School renovations and addition | | | | | \$1,500,000 | | \$58,000,000 | \$59,500,000 | | \$59,500,000 |
| | Joint Administrative Offices | | | | | | | \$14,000,000 | \$14,000,000 | | \$14,000,000 |
| | Apple Pie Ridge Elementary School Phase 2 Renovation | | | | | | | \$10,000,000 | \$10,000,000 | | \$10,000,000 |
| | Bass-Hoover Elementary School Phase 2 Renovation | | | | | | | \$10,000,000 | \$10,000,000 | | \$10,000,000 |
| | Dowell J. Howard Center Replacement | | | | | | | \$35,000,000 | \$35,000,000 | | \$35,000,000 |
| | Indian Hollow Elementary School Renovation and Addition | | | | | | | \$10,000,000 | \$10,000,000 | | \$10,000,000 |
| | Relocation of Facilities Services | | | | | | | \$5,000,000 | \$5,000,000 | | \$5,000,000 |
| | 5th Middle School | | | | | | | \$52,000,000 | \$52,000,000 | | \$52,000,000 |
| | 13th Elementary School | | | | | | | \$34,000,000 | \$34,000,000 | | \$34,000,000 |
| | Total | \$15,600,000 | \$37,400,000 | \$42,500,000 | \$28,800,000 | \$23,500,000 | \$0 | | \$429,300,000 | | \$429,300,000 |
| Parks & Recreation | | | | | | | | | | | |
| | Abrams Creek Greenway Trail | \$500,000 | \$500,000 | \$1,200,000 | \$1,200,000 | | | | \$3,400,000 | | \$3,400,000 |
| | Clearbrook Clearbrook Parking | \$257,000 | | | | | | | \$257,000 | | \$257,000 |
| | Sherando Sherando NW Restroom | \$275,000 | | | | | | | \$275,000 | | \$275,000 |
| | Sherando/Clearbrook Indoor Aquatic Facility | \$480,000 | \$10,820,000 | | | | | | \$11,300,000 | | \$11,300,000 |
| | Sherando/Clearbrook Water Slide/Spray Ground | \$624,000 | | | | | | | \$624,000 | | \$624,000 |
| | Sherando HS Softball Complex | \$176,000 | \$1,473,000 | | | | | | \$1,649,000 | | \$1,649,000 |
| | Sherando Snowden Bridge Park Development | \$300,000 | \$4,250,000 | | | | | | \$4,550,000 | | \$4,550,000 |
| | Sherando Sherando HS Baseball Field Lighting | | \$720,000 | | | | | | \$720,000 | | \$720,000 |
| | Sherando Sherando Park Area 3 Development | | \$2,150,000 | | | | | | \$2,150,000 | | \$2,150,000 |
| | Community Center | | | \$672,000 | \$8,395,000 | | | | \$9,067,000 | | \$9,067,000 |
| | Community Park | | | \$990,000 | \$1,100,000 | | | | \$2,090,000 | | \$2,090,000 |
| | Neighborhood Parks (6) | | | \$831,000 | | | | \$4,155,000 | \$831,000 | | \$4,986,000 |
| | District Parks (3) | | | | \$3,934,000 | | | \$7,869,000 | \$11,803,000 | | \$11,803,000 |
| | Sherando S Sherando Park Development | | | | | | | \$2,035,000 | \$2,035,000 | | \$2,035,000 |
| | Sherando Fleet Trip Vehicles | | | | | | | \$307,000 | \$307,000 | | \$307,000 |
| | Sherando Sherando Park Area 1 Development | | | | | | | \$2,220,000 | \$2,220,000 | | \$2,220,000 |
| | Sherando Sherando Park Area 2 Development | | | | | | | \$2,273,000 | \$2,273,000 | | \$2,273,000 |
| | Indoor Ice Rink | | | | | | | \$6,180,000 | \$6,180,000 | | \$6,180,000 |
| | Total | \$2,612,000 | \$19,913,000 | \$3,693,000 | \$14,629,000 | \$0 | \$0 | \$25,039,000 | \$58,074,000 | | \$65,886,000 |

| | | Contribution Per Fiscal Year | | | | | | | | | |
|---|--|------------------------------|---------------------|---------------------|---------------------|--------------------|--------------------|--|----------------------|-------|----------------------|
| | Projects - Ranked by Department | 2018-2019 | 2019-2020 | 2020-2021 | 2021-2022 | 2022-2023 | 2023+ | Long Range Comprehensive Plan Projects | County Contributions | Notes | Total Project Costs |
| Regional Library | Gainesboro Library | | \$165,023 | \$1,475,736 | \$128,275 | | | | \$1,749,034 | | \$1,769,034 |
| | Route 522 South Library | | | | | \$306,765 | \$2,736,470 | | \$3,043,235 | | \$3,043,235 |
| | Senseny/Greenwood Library | | TBD | | | | | | TBD | | TBD |
| | Total | \$0 | \$165,023 | \$1,475,736 | \$128,275 | \$306,765 | \$2,736,470 | | \$4,792,269 | | \$4,812,269 |
| County Administration | Albin Convenience Site | \$135,000 | \$1,224,000 | | | | | | \$1,359,000 | E | \$1,359,000 |
| | Gore Convenience Site Expansion | | \$30,000 | \$624,000 | | | | | \$654,000 | | \$654,000 |
| | General Government Capital Expenditures | \$200,000 | \$200,000 | \$200,000 | \$200,000 | \$200,000 | | | \$1,000,000 | E | \$1,000,000 |
| | County/School Board Administration Building | | | | | | TBD | | TBD | E | TBD |
| | Joint Judicial Center New Facility | | | | | | TBD | | TBD | | TBD |
| Total | \$335,000 | \$1,454,000 | \$824,000 | \$200,000 | \$200,000 | \$0 | | \$3,013,000 | | | \$3,013,000 |
| Fire & Rescue | Regional Training Center | \$75,000 | \$100,000 | \$1,250,000 | \$10,000,000 | \$9,500,000 | | \$10,250,000 | \$31,175,000 | | \$31,175,000 |
| | Fire Station 22 | \$400,000 | \$1,500,000 | \$1,500,000 | | | | | \$3,400,000 | | \$3,400,000 |
| | Station 22 Apparatus | | \$250,000 | \$850,000 | | | | | \$1,100,000 | | \$1,100,000 |
| | Fire Station 23 | \$550,000 | \$2,150,000 | \$1,000,000 | | | | | \$3,700,000 | | \$3,700,000 |
| | Total | \$1,025,000 | \$4,000,000 | \$4,600,000 | \$10,000,000 | \$9,500,000 | \$0 | \$10,250,000 | 39,375,000 | | |
| Fire & Rescue Company Capital Requests | Fire & Rescue Capital Equipment | \$200,000 | \$200,000 | \$200,000 | \$200,000 | \$200,000 | | | \$1,000,000 | E | \$1,000,000 |
| | Greenwood Fire Station Living Quarters Expansion | 610,000 | | | | | | | | | \$610,000 |
| | Greenwood Fire Station - Ambulance Replacement | 210,000 | | | | | | | | | \$210,000 |
| Total | \$19,572,000 | \$62,932,023 | \$53,092,736 | \$53,757,275 | \$33,506,765 | \$2,736,470 | | \$534,554,269 | | | \$544,206,269 |

Other Funding Sources:

E= Partial funding anticipated through development & revenue sources
TBD= To be Determined

Table 2 - Transportation Projects - CIP Requests

| Table 2 - Transportation Projects - CIP Requests | | | | | | | | | | | |
|--|---|------------------------------|------------|------------|------------|------------|----------------|--|-----------------------------------|-------|------------------------|
| | | Contribution Per Fiscal Year | | | | | | | | | |
| | Projects - Ranked by Agency | 2018-2019 | 2019-2020 | 2020-2021 | 2021-2022 | 2022-2023 | 2023+ | Long Range Comprehensive Plan Projects | County/VDOT/Private Contributions | Notes | Total Project Costs |
| | | Ensuing Fiscal Year | Year 2 | Year 3 | Year 4 | Year 5 | Beyond Year 6+ | | | | |
| Funded Priorities | | | | | | | | | | | |
| | I-81 Exit 310 Improvements | | | | | | | | \$54,200,000 | E | \$54,200,000 |
| | Route 277, Fairfax Pike, Widening and Safety Improvements (ph 1) | \$35,944,878 | | | | | | | \$35,944,878 | E | \$35,944,878 |
| | Airport Road Extension, East Tevis Street Extension and Bridge over 81 | \$24,703,788 | | | | | | | \$24,703,788 | E | \$24,703,788 |
| | Renaissance Drive, Phase 2 | \$5,791,500 | | | | | | | \$5,791,500 | E | \$5,791,500 |
| | Sulpher Springs Road Improvement project | \$11,946,091 | | | | | | | \$11,946,091 | E | \$11,946,091 |
| | Fox Drive | \$650,996 | | | | | | | \$650,996 | E | \$650,996 |
| | Route 277 right turn extension Warrior Drive | \$476,644 | | | | | | | \$476,644 | E | \$476,644 |
| | Paperrmill Road right turn lane extension Route 522 | \$507,262 | | | | | | | \$507,262 | E | \$507,262 |
| Unfunded Priorities | | | | | | | | | | | |
| | Route 37 Engineering & Construction | | | | | | | \$750,000,000 | \$750,000,000 | E | \$750,000,000 |
| | I-81 Exit 307 Relocation with 4 In connection to Double Church and Stephens City Bypass | | | | | | | \$234,255,469 | \$234,255,469 | E | \$234,255,469 |
| | Route 277, Fairfax Pike, Widening and Safety Improvements (ph 2) | | | | | | | \$25,428,550 | \$25,428,550 | E | \$25,428,550 |
| | Redbud Road Realignment and Exit 317 Ramp realignment | | | | | | | \$11,239,132 | \$11,239,132 | E | \$11,239,132 |
| | Widening of Route 11 North (ph 1) | | | | | | | \$28,346,120 | \$28,346,120 | E | \$28,346,120 |
| | Warrior Drive Extension (south) | | | | | | | \$47,000,000 | \$47,000,000 | E | \$47,000,000 |
| | Channing Drive Extension | | | | | | | \$45,000,000 | \$45,000,000 | E | \$45,000,000 |
| | Brucetown/Hopewell Realign. | | | | | | | \$3,800,000 | \$3,800,000 | E | \$3,800,000 |
| | Widening of Route 11 North (ph2) | | | | | | | \$192,000,000 | \$192,000,000 | E | \$192,000,000 |
| | Senseny Road Widening | | | | | | | \$67,000,000 | \$67,000,000 | E | \$67,000,000 |
| | Inverlee Way | | | | | | | \$27,300,000 | \$27,300,000 | E | \$27,300,000 |
| | Warrior Drive Extension (Crosspointe south) | | | | | | | \$33,500,000 | \$33,500,000 | E | \$33,500,000 |
| | Senseny Road turn lanes/improvements Crestleigh Drive | | | | | | | \$2,548,579 | \$2,548,579 | E | \$2,548,579 |
| | Eastern Road Plan Improvements | | | | | | | TBD | TBD | E | TBD |
| Total | | \$80,021,159 | \$0 | \$0 | \$0 | \$0 | \$0 | \$1,467,417,850 | \$1,601,639,009 | | \$1,601,639,009 |

Other Funding Sources: E= Partial funding anticipated through development & revenue sources

The inclusion of transportation projects to the CIP is in no way an indication that Frederick County will be undertaking these projects. Funding projects will continue to come from a combination of state and federal funds, developer contributions, and revenue sharing

| Table 3 - Winchester Reginal Airport CIP Requests | | | | | | | | | | |
|---|------------------------------|--------------------|--------------------|--------------------|--------------------|--------------------|--|----------------------|-------|---------------------|
| Projects - Ranked by Agency | Contribution Per Fiscal Year | | | | | | Long Range Comprehensive Plan Projects | County Contributions | Notes | Total Project Costs |
| | 2018-2019 | 2019-2020 | 2020-2021 | 2021-2022 | 2022-2023 | 2023+ | | | | |
| | Ensuing Fiscal Year | Year 2 | Year 3 | Year 4 | Year 5 | Beyond Year 6+ | | | | |
| New General Aviation Terminal | \$1,782,000 | \$3,650,000 | \$90,400 | | | | | | A,B | \$5,522,400 |
| Taxiway "A" Relocation Design/Construction | \$300,000 | \$3,130,000 | \$3,140,000 | 6,000,000 | \$3,700,000 | | | | A,B | \$16,270,000 |
| Land Parcel 64B-A-51 (Moreland) | \$175,000 | | | | | | | | A,B | \$175,000 |
| Land Parcel 64B-A-33A (Beaver) | \$125,000 | | | | | | | | A,B | \$125,000 |
| Land Parcel 64B-A-40 (Rosenberger) | \$175,000 | | | | | | | | A,B | \$175,000 |
| Land Parcel 64-A-69 (Robertson) | | \$160,000 | | | | | | | A,B | \$160,000 |
| Land Parcel 64-A-60 (Cooper) | | \$200,000 | | | | | | | A,B | \$200,000 |
| Land Parcel 64-A-64 (Hott) | | \$160,000 | | | | | | | A,B | \$160,000 |
| Land Parcel 64-A-59 (Kyle) | | | \$175,000 | | | | | | A,B | \$175,000 |
| Fuel Storage Facility Design/Build | | | | \$1,000,000 | | | | | A,B | \$1,000,000 |
| North Side Internal Access Road | | | | | \$700,000 | | | | A,B | \$700,000 |
| North Side Access (Coverstone) | | | | | | \$1,300,000 | | | A,B | \$1,300,000 |
| Land Parcel 64B-A-52 (Lee) | | | | | | \$175,000 | | | A,B | \$175,000 |
| Total | \$2,557,000 | \$7,300,000 | \$3,405,400 | \$7,000,000 | \$4,400,000 | \$1,475,000 | | | | \$26,137,400 |

A= Partial funding from VA Dept. of Aviation

B= Partial funding from FAA

*Airport projects will be funded by contributions from the federal, state, and local governments. The local portion may include contributions from Frederick, Clarke, Shenandoah, and Warren Counties, and the City of Winchester.

APPENDIX

PROJECT DESCRIPTIONS

Frederick County Public Schools Project Priority List

PRIORITY 1 - Robert E. Aylor Middle School Replacement

Description: Because of the expense of renovations necessary to the existing Robert E. Aylor Middle School building, we propose construction of a replacement school. The new middle school will serve students grades 6-8 and have a program capacity of 900 students. The school will be designed for collaborative education, with a variety of learning spaces to meet the needs of a variety of learning styles and to impart skills necessary in today's working world.

Capital Cost: \$52,000,000

Justification: Robert E. Aylor Middle School is 48 years old, was constructed as a junior high in which the school was arranged by department (middle school arrangement is now by grade), and 85% of interior walls are load bearing. The age of the facility's infrastructure, the school's outdated arrangement, and its expensive-to-move walls make replacement of the facility a fiscally sound choice. 85% of HVAC systems, 82% of plumbing components, 73% of electrical components, 52% of finishes, and 50% of site elements have reached their average useful life and should be replaced or refurbished. The roof is low compared to modern buildings, making it expensive to install all of the infrastructure necessary between the roof and the drop ceiling.

Construction Schedule: 54 Months

PRIORITY 2 - New High School

Description: The new high school project will serve students grades 9-12, have a program capacity of 1,725 students, and will address anticipated growth in high school student enrollment in the school division. The site is located at the end of Justes Drive behind Admiral Byrd MS. This school is designed for collaborative education, with a variety of learning spaces to meet the needs of a variety of learning styles and to impart skills necessary in today's working world.

Capital Cost: \$83,000,000

Justification: This project will address expected growth in high school student enrollment in the school division over the next several years. We project that enrollment in the high schools by the fall of 2023 will be 5,063 students. High school program capacity is currently 3,785 students. To relieve overcrowding in the high schools, we need to construct the new high school in Frederick County to open within that time frame.

Construction Schedule: Construction will take 48 months

PRIORITY 3 - Armel Elementary School Addition and Renovation

Description: Armel ES opened in 1991 and has served continuously as a K-5 elementary school since that time. The school contains 70,281 square feet and has a program capacity of 590 students. As of October 31, 2016, the school has 606 students. Eight classrooms will be added to Armel ES, to accommodate the additional growth at Lake Frederick. The existing facility will be updated as needed and core areas partially renovated to serve the additional students.

Capital Cost: \$9,800,000

Justification: Armel Elementary School is in good condition; however, growth in the attendance zone will need to be addressed through the addition of classrooms to the facility. An attendance rezoning was completed three years ago as part of the implementation of full-day kindergarten. Addressing the growth issue at Armel was studied as a part of this rezoning. Four areas were identified to be rezoned to another school to offset the additional growth at Lake Frederick. None of the four options provided a complete and satisfactory solution. One option would have put Armel outside of its own attendance zone. A second would have split a neighborhood and sent some of the neighborhood to a school further away. A third would have simply relocated the growth issue to another school. The fourth option was adopted, but only moved ~50 students, a temporary reprieve from growth pressures.

Construction Schedule: 30 months

PRIORITY 4 - James Wood High School Renovations and Addition

Description: James Wood High School opened in 1980 and has served as a high school since that time. The school contains 234,095 square feet and has a program capacity of 1,200 students. Currently, the building serves grades 9-12. This school will be renovated to support collaborative education, with a variety of learning spaces to meet the needs of a variety of learning styles and to impart skills necessary in today's working world.

Capital Cost: \$55,000,000

Justification: James Wood High School is 36 years old. Renovations, additions, and technological upgrades are needed to a number of areas to ensure effective, economical, and efficient operation of the school for years to come. The building is in good condition; however, several major areas need to be addressed in a renovation. Major areas to be included in this renovation project are increased electrical service and distribution to support technology, technology cabling, hardware and its installation, upgrade of plumbing and mechanical systems, and modification of instructional areas to support modern instructional delivery.

Construction Schedule: 36 Months

PRIORITY 5 – Sherando High School Renovations and Addition

Description: Sherando High School opened in 1993. The facility contains 239,517 square feet and has a program capacity of 1,285 students serving grades 9-12. Several major areas need to be addressed in a renovation, including reorganization and addition of classroom and storage space to better equip the building to support collaborative education. Because we want the facility to last another 30 years, facility infrastructure will be renewed and updated, and finishes will be refreshed. Other areas to be addressed are security, traffic safety, and gender equity in athletic facilities.

Capital Cost: \$59,500,000

Justification: Sherando is 24 years old and will be at least 29 years old by the time we renovate it. Renovations are needed to ensure the economical, efficient, and effective operation of the school for years to come. Modern instruction requires that a variety of learning spaces be provided, including collaborative spaces of varying sizes and project labs (similar to maker spaces). Transportation safety concerns exist on and around the school site at Sherando during arrival and dismissal. Sherando does not have a softball field on site, instead using a softball field in Sherando Park. This represents an equity issue between boys and girls sports and is contrary to FCPS' policy of equity between boys and girls sports.

Construction Schedule: 48 Months

Long Range Projects:

- Joint Administrative Offices (\$14,000,000)
- Apple Pie Ridge Elementary School Phase 2 Renovation
- Bass-Hoover Elementary School Phase 2 Renovation
- Dowell J. Howard Center Replacement
- Indian Hollow Elementary School Renovation and Addition
- Relocation of Facilities Services
- 5th Middle School
- 13th Elementary School

Parks & Recreation Department Project Priority List

PRIORITY 1 – Abrams Creek Trail

Description: 10' wide, asphalt, shared-use trail along Abrams Creek from Senseny Road to Channing Drive. It is estimated the trail will have six bridge stream crossings, and will be approximately 3 miles in length. As outlined below, the project is envisioned in three phases of approximately 1 mile each. Each phase will have logical beginning and ending points and be usable trail sections in themselves. Phase 1 from Senseny Road to Woodstock Lane. Phase 2 from Woodstock Lane to Woody's Place, and Phase 3 from Woody's Place to Channing Drive.

Capital Cost: \$3,500,000

Justification: This facility would provide recreational opportunities for residents and provide an alternate means of entering and exiting the City of Winchester from Eastern Frederick County. This project is intended to meet the needs of the community as identified in the 2017 Frederick County Parks and Recreation Community Survey, and the 2012 Virginia Outdoors Plan Survey.

Construction Schedule: Completion in FY 19-20.

PRIORITY 2 – Clearbrook Park Parking

Description: This project expands the existing pool parking lot by approximately 141 spaces. Parking lot to be asphalt paved.

Capital Cost: \$257,000

Justification: This parking expansion is required due to the anticipated loss of parking on the south side of the park. The south parking is on leased land, and FCPRD has been notified that the lease expiration is imminent. Parking is required to meet the needs of park amenity users during peak pool use times. Currently all pool parking is used during peak pool time.

Construction Schedule: Completion in FY 18-19.

PRIORITY 3 – Sherando Park NW Restroom

Description: This restroom installation includes a restroom building and required utilities. The restroom will need to serve the population utilizing the planned amenities at the NW area of Sherando Park. This includes planned items including; shared-use trail, shelter, outdoor gym, mountain bike trails, and bicycle skills park.

Capital Cost: \$275,000

Justification: This project is needed to serve users of the NW amenities. The nearest restroom facility to this location is approximately 1/2 mile away.

Construction Schedule: Completion in FY 18-19.

PRIORITY 4 - Indoor Swimming Pool

Description: The Parks and Recreation Commission has engaged in conversation with FCPS to site the facility at the 4th High School campus. Land on the site has been set aside for this purpose. The approximately 35,000 sq.ft. building will likely house a 10 lane competitive pool, 6 lane warm water teaching pool, meeting rooms, shower and changing rooms, and facilities support areas. The above facility would meet the swimming needs of the community, including HS level swim teams.

Capital Cost: \$11,300,000

Justification: There are no public indoor public pools in Frederick County. By constructing the indoor pool, it would permit the department to meet competition needs, instructional needs, citizen programming provide a nucleus to attract new businesses to the community. This project is intended to meet the needs of the community as identified in the 2017 Frederick County Parks and Recreation Community Survey. This facility would be available to all area residents. The construction of this project will provide a facility to offer competitive scholastic programs and year-round recreational programming for the residents of Frederick County.

Construction Schedule: Completion in FY 19-20

PRIORITY 5 - Water Slide and Spray Ground

Description: Upgrade the outdoor swimming pools at both Clearbrook and Sherando Parks. Upgrade would involve the removal of the diving boards and the installation of one 50' water slide and one 75' water slide at each pool. The upgrade would also include the addition of a spray ground with 10-12 features at each pool.

Capital Cost: \$624,000

Justification: To provide recreational opportunities for the Clearbrook Park and Sherando Park service area. Frederick County Parks and Recreation Department operates two outdoor swimming pools at the regional parks. These facilities are over 20 years old and were constructed with two diving boards as the main feature for each pool. Swimming pool attendance has trended decline in recent years and users are requesting different water features. The addition of two water slides and a spray ground to each pool facility will appeal to families and younger children, increasing pool attendance by an estimated 30%. With the increase in attendance and potentially fees to comparable facilities, the County could realize an additional \$24,000 in revenue annually. Clearbrook and Sherando Parks, currently owned by Frederick County, offer the best site and location for the development of this

facility. With the upgrade to the existing swimming pool facilities, the County would not have to incur costs for property acquisition or infrastructure development and increase the recreational opportunities at the regional parks.

Construction Schedule: Completion in FY 18-19

PRIORITY 6 - Sherando Park North - Softball Complex

Description: This project completes the development vision for the SE area of Sherando Park located north of Rt 277. This vision is expressed in the 2016 North Sherando Park Master Plan update. Included are softball fields to complete the complex, a shared use trail segment, roadway and parking.

Capital Cost: \$1,649,000

Justification: This facility would provide recreational opportunities for the entire Frederick County area. In addition to its use as a recreational facility, it will be used by the Frederick County School System. Presently, there are ten softball/baseball fields within the County's regional park system. Eight of ten existing fields must serve a dual purpose of facilitating youth baseball as well as youth and adult softball programs. With the increased usage of these fields, it has become more difficult to facilitate these programs. This project is needed in order for the Parks and Recreation Department to accommodate the existing demand of youth baseball and adult softball programs. This project is intended to meet the needs of the community as identified in the 2012 Frederick County Parks and Recreation Community Survey.

Sherando Park, currently owned by Frederick County, represents the very best site for softball field development. The fact that the County will not have to acquire property for this facility means that the most costly aspect of this development has already been completed. Sherando Park also provides a location that is situated in the fastest growing area of the County and is adjacent to Sherando High School. Joint use of facilities between the park and school system has facilitated school activities and recreation programs.

Construction Schedule: Completion in FY 19-20

PRIORITY 7 - Snowden Bridge Park Development

Description: Snowden Bridge Park, situated on land proffered by the Snowden Bridge development utilizes park and school land for the provision of an active recreation park. The above park is to include athletic fields suitable for league play. Lighting, restroom and parking are part of the park concept.

Capital Cost: \$4,550,000

Justification: The overall park design is informed by the Snowden Bridge (formerly Stephenson Village) rezoning proffer of 2003. The proffer indicates the provided land to be used for baseball and/or soccer field development in anticipation of the population increase generated by the development.

Construction Schedule: Completion in FY 19-20

PRIORITY 8 - Sherando Ballfields Lighting Replacement

Description: Upgrade the ballfield lighting at Sherando Parks Baseball facilities. The upgrade would involve the removal of the 30/20 FC (footcandle) level fixtures, lamps, and wood poles and replace with 50/30 FC (footcandle) level fixtures, lamps and steel poles on (4) four fields at Sherando Park. This standard is required by Little League International on all little league fields.

Capital Cost: \$720,000

Justification: The Parks and Recreation Commission is recommending the ballfield light system be upgraded to achieve the recommended 50/30 footcandle level lighting on the playing surface. This will facilitate the provision of recreational opportunities at Sherando Park for the service areas which include all Frederick County residents. The field light fixtures are over twenty-five years old and are affixed to poles.

Construction Schedule: Completion in FY 19-20

PRIORITY 9 - Sherando Park North – Area 3 Development

Description: This project completes the development vision for the SW area of Sherando Park located north of Rt 277. This vision is expressed in the 2016 North Sherando Park Master Plan update. Included are rectangular play fields, a shared use trail segment, roadway and parking, playground, restroom, and maintenance building.

Capital Cost: \$2,150,000

Justification: This facility would provide recreational opportunities for the entire Frederick County area. In addition to its use as a recreational facility, it will be used by the Frederick County School System. With the development of N Sherando Softball Complex (CIP item #6) two rectangular play fields will be displaced. The development of area 3 not only addresses this direct result, but also addresses additional identified needs of the community.

Construction Schedule: Completion in FY 19-20

PRIORITY 10 - Community Center

Description: The Field House project would be approximately 44,000 square feet and include an indoor area large enough to accommodate a 1/16 mile track and a minimum of two basketball courts. This court area would also be designed for utilization by indoor soccer, baseball, softball, wrestling, volleyball, tennis and badminton with the installation of in-floor sleeves and drop curtains or partitions. This area could also be used for special events such as dances, proms, music festivals, garden and home, outdoor, craft, antique, quilt, or boat shows, thus providing a flexible facility for a multitude of activities to take place at one time. The facility would also house a fitness center, multi-purpose rooms, office, storage, and locker rooms.

Capital Cost: \$ 9,067,000

Justification: Since its inception, the Parks and Recreation Department has relied significantly on the use of the County public schools to house recreation programs. This arrangement was adequate when the department first started out, however the department currently offers over 250 sections of programs, creating a situation where the department is limited in its ability to meet the programming and facility needs of the County residents. A Community Center facility will facilitate the department to meet citizen programming demands and provide the area with a facility to attract new businesses to the community. This facility would be available to all area residents and is intended to meet the needs of the community as identified in the 2017 Frederick County Parks and Recreation Community Survey. The Department and the community has benefited from the co-location of recreation and school facilities; however community size warrants a separate facility dedicated to recreation use. The construction of this project will provide a facility the Department will be able to offer year-round recreational programming to the residents of Frederick County. This facility could be built in conjunction with or as an attachment to the Indoor Aquatic Facility, or in the Stonewall District if full size gymnasiums are no longer included with new elementary schools.

Construction Schedule: Completion in FY 21-22

PRIORITY 11 - Community Park

Description: The Community Park project includes the acquisition of approximately thirty-five acres. Developed amenities will ultimately be determined by the specific site, however typical development would include:

Acquisition of Parkland (35 acres)

- Paved & Gravel Paths
- Playground
- Tot lot
- Shelters

- Lighted Basketball & Tennis Courts
- Open Play Fields
- Toilets
- Parking
- Shade Trees & Turf

Capital Cost: \$2,090,000

Justification: Potential acreage for parkland would be located close to population density, east of Winchester, Redbud / Shawnee district area. The location of this project would provide developed parkland to create more accessible recreational facilities and opportunities to the residents Frederick County.

Construction Schedule: Completion in FY 21-22

PRIORITY 12 – Neighborhood Parks

Description: The Neighborhood project includes the acquisition of six sites of approximately ten acres and the subsequent development of these sites. Developed amenities will ultimately be determined by the specific site, however typical development would include:

Acquisition of Parkland (10 acres per site)

- Paved Path
- Playground
- Shelter
- Hard Surface Courts
- Open Play Fields
- Parking

Capital Cost: \$4,986,000

Justification: To reduce the gap between the amount of existing parkland and the amount of parkland needed to meet the minimum standard for our service area, as recommended by the 2013 Virginia Outdoors Plan. This project is intended to meet the needs of the community as identified in the 2017 Frederick County Parks and Recreation Community Survey. Potential acreage for parkland would be located in the Urban Development Area or Rural Community Centers. The location of this project would provide parkland developed to create more accessible recreational facilities and opportunities to the residents of Frederick County.

Construction Schedule: Completion in FY 21-22

PRIORITY 13 – District Parks

Description: Acquisition of Parkland:

- Northeastern Frederick County 150-200 acres
- Western Frederick County 150-200 acres
- Eastern Frederick County 150-200 acres

Capital Cost: \$11,803,000

Justification: This project would meet the recreation needs of the Frederick County population.

Construction Schedule: Land acquisition FY 21/22 with the remainder beyond FY 23

PRIORITY 14 – S. Sherando Park Development

Description: This project completes the development vision for the area of Sherando Park located south of Route 277. This vision is expressed in the 2002 Sherando Park Master Plan update. Included are rectangular play fields, skate park, roadway and parking, and restroom.

Capital Cost: \$2,035,000

Justification: This facility would provide recreational opportunities for the entire Frederick County area. In addition to its use as a recreational facility, it will be used by the Frederick County School System.

Construction Schedule: Long range planning objective – beyond FY23

PRIORITY 15 - Fleet Trail Vehicles

Description:

Bus #1 – 40-50 Passenger Bus

Bus #2 – 30-40 Passenger Bus

Van #1 – 12 Passenger Van

Capital Cost: \$307,000

Justification: To offer a comprehensive package of trips where the population of Frederick County could begin to rely on the Parks and Recreation Department to meet their trip needs.

Construction Schedule: Long range planning objective – beyond FY23

PRIORITY 16 - N Sherando Park - Area 1 Development

Description: This project completes the development vision for the NW area of Sherando Park located north of Route 277. This vision is expressed in the 2016 North Sherando Park Master Plan update. Included are multi-use trail, mountain bike trails, pavilions, bike pump track, dog parks, roadway and parking.

Capital Cost: \$2,220,000

Justification: This facility would provide recreational opportunities for the entire Frederick County area. In addition to its use as a recreational facility, it will be used by the Frederick County School System. This project is intended to meet the needs of the community as identified in the 2017 Frederick County Parks and Recreation Community Survey.

Construction Schedule: Long range planning objective – beyond FY23

PRIORITY 17 – N Sherando Park Area 2 Development

Description: This project completes the development vision for the NE area of Sherando Park located north of Route 277. This vision is expressed in the 2016 North Sherando Park Master Plan update. Included are multi-use trail, mountain bike trails, restrooms, pavilions, roadway and parking.

Capital Cost: \$2,273,000

Justification: This facility would provide recreational opportunities for the entire Frederick County area. This project is intended to meet the needs of the community as identified in the 2017 Frederick County Parks and Recreation Community Survey.

Construction Schedule: Long range planning objective – beyond FY23

PRIORITY 18 – Indoor Ice Rink

Description: The Ice Rink project would be approximately 40,000 square feet and include an indoor area large enough to accommodate a single 200' x 85' ice rink, locker rooms, party/meeting rooms, and concession area and would need approximately 10 acres to construct. This facility should be located on property owned or proffered to the County. The above ice rink may be collocated with other compatible uses should opportunities arise, reducing the acreage demand.

Capital Cost: \$6,180,000

Justification: There are no public indoor ice rinks in Frederick County and County residents currently must travel over one hour to use an indoor ice facility. By constructing the indoor ice rink, it would permit the department to meet competition needs,

instructional needs, citizen programming and leisure demands as well as provide a nucleus to attract new businesses to the community. This facility would be available to all area residents. The construction of this project will provide a facility to offer year-round recreational programming for the residents of Frederick County. This project is intended to meet the needs of the community as identified in the 2017 Frederick County Parks and Recreation Community Survey. The Indoor Ice Rink facility should be located in an area convenient to the major transportation corridors of the County. However, as an alternative, one of the two county regional parks could be used to house the facility, since these locations are already identified as centers for recreation programs and activities.

Construction Schedule: Long range planning objective – beyond FY23

Handley Regional Library Project Priority List

PRIORITY 1 - Frederick County Library Branch - Gainesboro

Description: Construction of a 4,000 to 5,000 sq.ft. branch library, either as a standalone facility or co-located with a planned Frederick County facility (the new middle school). Initial parking should be for at least 50 vehicles. The proposed location would be on school grounds on Route 522 in the Gainesboro District, but this could change depending on patterns of library use and on whether donated land could be located or if co-located with a Frederick County project already in the early planning stage. This projected branch would fit per discussions with FCPS on existing property and a preliminary study was done a few years ago.

Capital Cost: \$1,749,034

Justification: This branch would serve citizens living in this growing area. In 2016-2017 Frederick County citizens of all ages checked out 474,664 items. 37,426 Frederick County residents have library cards and averaged 63.68% of all materials checked out of the regional system. 3,018 Frederick County residents, adults and children, registered for library cards for the first time in 2016-2017. Of Frederick County residents over five years of age (when you can get a library card), approximately 47% of the total have library cards. This population group is not close to a library in the regional system. The Library will provide materials and programming for citizens from toddlers to senior citizens. It will provide recreational and educational materials. It will be a prime source for homework help since it will be open nights and on weekends when school libraries are closed. The library will supply computer access via Wi-Fi and via desktop/laptop computers for word processing, other office applications and for internet usage. There will be a meeting room of 425 square feet in which area groups can meet.

Construction Schedule: Completion in FY 21/22

PRIORITY 2 - Frederick County Library Branch - South Library

Description: Construction of a 10,000 sq.ft. branch library. Initial parking should be for a minimum of 35 vehicles. The proposed location is yet to be determined and is dependent on future development. The first step of the project would be the acquisition of the land of 3 to 4 acre or collocated with the new High School projected to be built in the same area.

Capital Cost: \$3,043,235

Justification: This branch would serve citizens living in this growing area. In 2016-2017 Frederick County citizens of all ages checked out 474,664 items. 37,426 Frederick County residents have library cards and averaged 63.68% of all materials checked out of the regional system. 3,018 Frederick County residents, adults and children, registered for library cards for the first time in 2016-2017. Of Frederick County residents over five years of age (when you can get a library card), approximately 47% of the total have

library cards. This population group is not close to a library in the regional system. This area also lacks a community center that a library with meeting room could help fill this need. The Library will provide materials and programming for patrons from toddlers to senior citizens. It will provide recreational and educational materials. It will be a prime source for homework help since it will be open nights and on weekends when school libraries are closed. The library will supply computer access via Wi-Fi and via desktop/laptop computers for word processing, other office applications and for Internet usage. There will be a meeting room of 425 square feet in which area groups can meet.

Construction Schedule: Long range planning objective – beyond FY23

PRIORITY 3 - Frederick County Library Branch - Senseny/Greenwood

Description: Construction of a 10,000 sq.ft. branch library with expansion possible to 15,000 square feet. Initial parking should be for a minimum of 65 vehicles. The proposed location is yet to be determined and is dependent on future development. The first step of the project would be the acquisition of the land of 5 to 8 acres.

Capital Cost: TBD

Justification: This branch would serve citizens living in this growing area. In 2016-2017 Frederick County citizens of all ages checked out 474,664 items. 37,426 Frederick County residents have library cards and averaged 63.68% of all materials checked out of the regional system. 3,018 Frederick County residents, adults and children, registered for library cards for the first time in 2016-2017. Of Frederick County residents over five years of age (when you can get a library card), approximately 47% of the total have library cards. This population group is not close to a library in the regional system. This area also lacks a community center that a library with meeting room could help fill this need. The Library will provide materials and programming for patrons from toddlers to senior citizens. It will provide recreational and educational materials. It will be a prime source for homework help since it will be open nights and on weekends when school libraries are closed. The library will supply internet, Wi-Fi, and desktop/laptop access for word processing and other office applications for job searching, business, entertainment, etc. usage. There will be a meeting room of 500 square feet in which area groups can meet.

Construction Schedule: Long range planning objective – beyond FY23

County Administration Project Priority List

PRIORITY 1 - Albin Citizens Convenience Site

Description: The relocation of the Albin citizens' convenience site to property located within the Sunnyside/Albin community is projected for FY 19/20. A fenced two-acre site is proposed in close proximity to the existing site. Property has not been secured for relocation. The project will require several months to complete including fencing, earthwork, retaining walls, electric, equipment, lighting, paving and landscaping.

Capital Cost: \$1,359,000

Justification: During August of 2017, 17,006 vehicles visited the Albin facility, making it the single most utilized solid waste facility outside of the landfill. This represents a five percent increase in usage over 2016. Each year, traffic counts continue to rise as the site serves a geographic area extending from Sunnyside to Cedar Creek Grade westward to Gainesboro. It is easily accessible from Route 37 and North Frederick Pike.

The total number of vehicles using the facility, an average of 654 per day. On weekends, this number can approach almost 900 vehicles. As trash disposal and the resulting traffic continue to increase, the present infrastructure will be unable to safely serve the public. During holidays, the site requires two attendants in order to efficiently move traffic. However, lines still back out onto Indian Hollow Road during holidays and some weekends, creating a hazard noted several times by the Sheriff's Office.

For residents living between Cedar Creek Grade and Apple Pie Ridge Road, curbside pickup is costly, prompting heavy utilization of the convenience site which attracts a mix of users from the suburbs and rural community. A number of users are those from the more western end disposing of their trash when traveling into Winchester. Avid recyclers from Westminster-Canterbury, Shenandoah University, Shenandoah's Pharmacy School and SU students living in nearby townhomes also frequent the facility.

Construction Schedule: Completion in FY 19-20

PRIORITY 2 - Gore Citizens Convenience Site

Description: The project will expand refuse capacity in the Gore community by installing a surplus trash compactor. Installation of a compactor at Gore will drive down collection costs at the site where trash is now collected in 10 8-yard boxes. In order to accomplish this, and account for improved traffic flow and the construction of compactor and recycling staging areas, the site will be expanded onto an adjoining parcel already owned by the County.

Capital Cost: \$645,000

Justification: A total of 3,056 vehicles utilized the facility during the month of August 2017. On a typical Saturday, usage peaks at 151 vehicles.

The project will pay for itself in lower refuse collection costs through compaction of solid waste before transport. Also, with a compactor in place, refuse will be contained in an enclosed receiver can, reducing blowing litter and odor and vectors, all of which can be a challenge when using open collection cans.

The project will also provide much-needed capacity during heavy flow times such as weekends and holidays. All 10 containers now fill to capacity during Saturdays and Sundays. Numerous times, the site has closed early on Sundays when capacity is reached. A 40-yard roll-off container is used during holidays to contain excess trash and pulled multiple times, another additional expense. An upgraded site will meet the current and future solid waste needs of the Gore community.

Construction Schedule: Completion in FY 20-21

PRIORITY 4 - General Government Capital Expenditures

Description: This project consists of a revolving fund in the amount of \$1,000,000 for the benefit of General Governmental Capital Expenditures. It is the intention of this capital expenditure fund to be for the purpose of purchasing capital equipment for governmental agencies and to allow for improvements to general governmental facilities. Such expenditures may be less than the established \$100,000 departmental threshold. It was determined that the inclusion of such a project would be beneficial in ensuring that this significant capital expense is identified in the County's capital planning and budget process. This project is for the benefit of the County Governmental Entities participating in the CIP but does not include individual Volunteer Fire and Rescue Companies.

Capital Cost: \$1,000,000

Justification: The inclusion of this capital expenditure fund for the purpose of purchasing capital equipment for governmental agencies and to allow for improvements to general governmental facilities will enable the County to meet the requirements of the Code of Virginia with regards to the collection and disbursement of cash proffers accepted on behalf of the governmental entities.

Construction Schedule: N/A

PRIORITY 5 - County/School Board Administration Building

Description: This project consists of a County/School Board Administration Building, to be located generally in the County’s Urban Development Area. The Joint Administrative Office Complex project is for a new 150,000 square foot office building shared with the County Schools Administration. The Schools’ portion would be 50,000 square feet.

Capital Cost: TBD

Justification: The inclusion of this capital facility will allow for improvements to general governmental facilities and services for the benefit of the residents of Frederick County and will meet the increasing need for office space, meeting space, and government services in an accessible location.

Construction Schedule: TBD

PRIORITY 6 - Joint Judicial Center New Facility

Description: This new project consists of a new future Joint Judicial Center Facility to be located generally in the City of Winchester or in the County’s Urban Development Area.

Capital Cost: TBD

Justification: The inclusion of this capital facility will allow for improvements to general governmental facilities and services for the benefit of the residents of Frederick County and will meet the increasing need for office space, meeting space, and government services in an accessible location. The need for this project has been established through ongoing communication with the court system and the City of Winchester.

Construction Schedule: TBD

Fire & Rescue Project Priority List

PRIORITY 1- Shenandoah Valley Regional Public Safety Training Center

Description: Construct a Regional Public Safety Training Center potentially consisting of an administrative building, multi-story burn building, multi-story training tower, vehicle driving range, shooting range, and numerous other training props. This project will incorporate emergency medical services, fire, hazardous materials, rescue, law enforcement, industrial, and educational institutions located in Clarke County, Frederick County, Shenandoah County, Warren County, Winchester City, State Agencies, Federal Agencies, and potentially jurisdictions within the State of West Virginia.

The Training Center will be located in the area central to the region which is the Middletown area of Frederick County. This area will facilitate necessary access by all participating agencies and jurisdictions, as well as, be incorporated into the existing facilities of the Lord Fairfax Community College and the Rappahannock Regional Criminal Justice Academy – Middletown Campus. The Training Center will require between eighty (80) to one hundred (100) acres to facilitate the required buildings, associated props, and other training areas.

The determination for the exact buildings, associated props, and training areas will be determined by the agencies needs assessed by the Public Safety Training Center Questionnaire that was distributed in July 2007. The proposed Training Center will be developed in a phased approach based on the strategic needs of the Northern Shenandoah Valley Region. The exact size, square footage, and capacity of the buildings, associated props, and training areas will also be determined by the agencies as well as designed the meet the specifications of the regulatory authorities within the Commonwealth of Virginia.

Capital Cost: \$31,175,000

Justification: This project will facilitate realistic training in today's modern environment for emergency services and industrial personnel located throughout the Northern Shenandoah Valley and expanding into the State of West Virginia. This project will reinforce existing training programs in those respective agencies and jurisdictions as well as facilitate training that is currently not available within the Northern Shenandoah Valley which causes students and instructors to travel into the Washington Metropolitan region. The number of potential personnel being trained at this Training Center is potentially in the thousands based upon training statistics provided in July 2007 by the participating agencies.

Construction Schedule: Completion in FY 22-23

PRIORITY 2 - Frederick County Fire & Rescue Station 22

Description: Construct a two bay Fire and Rescue Station with satellite Sheriff's Office and County office space for Treasure, Commissioner of the Revenue, and BOS office with meeting room. The station will be located in the area of Fairfax Pike, White Oak Road and Tasker Road to provide service for the heavy growth area east of Stephens City. An approximate three-acre site will be needed to accommodate this facility. The fire station will be approximately a 10,000 sq.ft. facility to house an engine and ambulance. Those who would occupy the facility will determine the size of the satellite offices.

Capital Cost: \$3,400,000

Justification: This development is scheduled to be an active adult resort gated community with age restrictions on 80% of the homes above 55 and the other 20% above 45. The developer's master plan will allow for 2130 individual dwelling units using a mix of housing types.

Construction Schedule: Completion in FY 21-22

PRIORITY 3 - Frederick County Fire and Rescue Station 22 Apparatus

Description: Purchase one (1) custom pumper equipped and one (1) custom Type I Advanced Life Support (A.L.S.) capable ambulance equipped to be assigned to Fire and Rescue Station 22.

Capital Cost: \$1,100,000

Justification: This fire and rescue apparatus will be assigned to Fire and Rescue Station 22 located on Fairfax Pike East in the Stephens City area of Frederick County. The pumper will be built to N.F.P.A. 1901 specifications and equipped with all of the required and necessary equipment to function as a Class A Pumper. The ambulance will be built to the Federal KKK-A-1822E specifications and equipped with all of the required and necessary equipment to function as an Advanced Life Support ambulance. This fire and rescue apparatus is needed due to the fact that the Fire and Rescue Department currently owns one (1) pumper and one (1) ladder truck that are twenty (20) plus years of age and already assigned to other functions. The currently owned fire and rescue apparatus would not endure the demands placed on it while being assigned to a high call volume.

Construction Schedule: Completion in FY 21-22

PRIORITY 4 - Fire and Rescue Station 23 / Annex Facilities

Description: This project consists of a 10,000 square foot fire station to accommodate 4 pieces of emergency equipment, and to house living and sleeping areas for staff. This project could also include satellite offices for the Frederick County Sheriff's Office, Treasurers Office, and Commissioner of Revenue as well as a meeting room for County Supervisor meetings with their constituents

with an additional 2000 square feet of building area. A two and ½ acre parcel should be sufficient for building, parking and amenities for approximately 20 to 30 persons.

The project is located at Crosspointe Center at the end of current Route 37 South, an area of proposed high density residential development, and commercial development.

Capital Cost: \$3,700,000

Justification: As commercial and residential developments continue to expand in this area of Frederick County, and with the increased traffic on Route 37 and I-81, the calls for emergency services increases as well. To address the needs of the growing community and to maintain efficient response times, the addition of a new fire and rescue station is needed.

Construction Schedule: Completion in FY 21-22

Fire & Rescue Company Capital Project Requests

Capital Equipment Fire & Rescue – Vehicles & Equipment

Description: This new project consists of a revolving fund in the amount of \$1,000,000 for the benefit of Fire and Rescue Services. It is the intention of this capital expenditure fund to be for the purpose of purchasing additional and replacement capital equipment fire and rescue vehicles and equipment. It was determined that the inclusion of such a project would be beneficial in ensuring that this significant capital expense is identified in the County's capital planning and budget process. This project is primarily for the benefit of the individual Volunteer Fire and Rescue Companies.

Capital Cost: \$1,000,000

Justification: The inclusion of this capital expenditure fund for the purpose of purchasing additional and replacement capital equipment fire and rescue vehicles and equipment will enable the County to meet the requirements of the Code of Virginia with regards to the collection and disbursement of cash proffers accepted on behalf of the fire and rescue companies.

Construction Schedule: N/A

Individual Fire & Rescue Company Capital and Capital Equipment Requests.

PRIORITY 1- Greenwood Fire Station – Living Quarters Expansion and Upgrade

Description: The Upgrade / Expand Living Quarters project will include remodeling approximately 4,638 sq.ft. of living space. The project will upgrade the bunk rooms to accommodate up to 12 individuals, expand the day room to accommodate up to 12

individuals, expand the male and female bathrooms to accommodate up to 6 individuals each, upgrade the kitchen facilities and add a training room.

Capital Cost: \$610,000

Justification: Greenwood will be remodeling the day room, bunk rooms, and work areas to accommodate the additional Staff and Volunteers that are providing fire and rescue service. The existing space is outdated and will not accommodate the potential additional staff that will be assigned to our Station.

Construction Schedule: Completion in FY 18-19

PRIORITY 2- Greenwood Fire Station – Ambulance Replacement

Description: Purchase a replacement ambulance that will meet the current OEMS requirements and to meet the needs of the community.

Capital Cost: \$210,000

Justification: With the call volume of our Station we will be replacing an ambulance. The replacement ambulance will meet the current KKK 1822 ambulance standards.

Construction Schedule: FY 18-19

Transportation Committee Project Priority List

Funded Priorities

PRIORITY 1 - Interstate 81, Exit 310 Improvements

Description: Construct improvements to Exit 310 interchange.

Capital Cost: \$54,200,000

Justification: This is a regional transportation improvement that will address congestion in many areas of the County and address coming development to the surrounding areas.

Construction Schedule: TBD

PRIORITY 2 - Route 277 Widening and Safety Improvements (Ph 1)

Description: Construct a 4-lane divided roadway beginning at I-81 and continuing to Double Church Road. Project would include realignment of Aylor Road to align with Stickley Drive.

Capital Cost: \$35,944,878

Justification: This is a regional transportation improvement that will address congestion in the Southern Frederick area and address development to the surrounding areas.

Construction Schedule: TBD

PRIORITY 3 -Airport Road Extension, East Tevis Street Extension and Bridge over I-81

Description: Construct a 4-lane divided roadway beginning at Route 522 and going west approximately 0.2 miles to connect to the road network being constructed by the Russell 150 Development. Construct Airport Road from Route 522 to a roundabout intersection with the Tevis Extension on the east side of I-81. Project includes bridge over Interstate 81.

Capital Cost: \$24,703,788

Justification: This is a regional transportation improvement that will address congestion in many areas of the County and address development to the surrounding area. The location is as identified by joint planning efforts between the County, VDOT, and the developer.

Construction Schedule: TBD

PRIORITY 4 - Renaissance Drive, Phase 2

Description: Construct a connector road and Railroad Crossing between Route 11 and Shady Elm Drive.

Capital Cost: \$5,791,500

Justification: This is a transportation improvement that will address congestion at key points along Route 11 and Apple Valley Drive. This project is identified in Secondary Road Improvements Plan.

Construction Schedule: TBD

PRIORITY 5 - Sulphur Springs Road Intersection Improvement and Widening from Route 50 to the Landfill

Description: Widen Sulphur Spring Road from the intersection with Route 50 to the regional landfill, add paved shoulders for pedestrians and bicycles, improve the intersection at Route 50.

Capital Cost: \$11,956,091

Justification: This project will address capacity and safety improvements to the corridor. This project is identified in Secondary Road Improvements Plan.

Construction Schedule: Entering design and right-of- way underway.

PRIORITY 6 - Fox Drive

Description: Add additional turning lane(s) to Fox Drive where it intersects with Route 522 North.

Capital Cost: \$650,996

Justification: This is a transportation improvement that will address congestion at this intersection.

Construction Schedule: TBD

PRIORITY 7 - Route 277 Right Turn Lane Extension at Warrior Drive

Description: Extend right turn lane for eastbound 277 at the intersection of Route 277 and Warrior Drive. Installation of sidewalk for pedestrian safety and installation of pedestrian pedestal.

Capital Cost: \$476,644

Justification: This improvement would be a significant safety upgrade to this intersection.

Construction Schedule: TBD

PRIORITY 8- Papermill Road Right Turn Lane Extension at Route 522

Description: Extend right turn bay of Papermill Road (Route 644) where it intersects with Route 522 to alleviate turn bay spillover that is taking place.

Capital Cost: \$507,262

Justification: This improvement would be a significant safety upgrade to this intersection.

Construction Schedule: TBD

Unfunded Priorities

PRIORITY 9 - Planning, Engineering, Right-of-Way and Construction Work for Route 37

Description: This project would be to continue work on the Eastern Route 37 extension. More specifically, to update the Environmental Impact Statement to the point of a new Record of Decision and to update the 1992 design plans to address the current alignment, engineering guidelines, and possible interchange improvements. In addition, this allows for advanced engineering, right-of-way purchase and construction.

Capital Cost: \$750,000,000

Justification: This project moves the County closer to completion of a transportation improvement that would benefit the entire County and surrounding localities.

Construction Schedule: TBD

PRIORITY 10- Interstate 81, Exit 307 Relocation

Description: Construct a relocated Exit 307 interchange.

Capital Cost: \$234,255,469

Justification: This is a regional transportation improvement that will address congestion in many areas of the County and address coming development to the surrounding areas.

Construction Schedule: TBD

PRIORITY 11 - Route 277 Widening and Safety Improvements (Ph 2)

Description: Construct a 4-lane divided roadway beginning at I-81 and continuing to Sherando Park. Project would include realignment of Aylor Road to align with Stickley Drive.

Capital Cost: \$25,428,550

Justification: This is a regional transportation improvement that will address congestion in the Southern Frederick area and address development to the surrounding areas.

Construction Schedule: TBD

PRIORITY 12- Redbud Road Realignment and Exit 317 Ramp Realignment

Description: Realign Redbud Road from its current location through development land in the vicinity of Route 11 North and Snowden Bridge Boulevard and Relocate the I-81 Exit 317 NB ramp to the current location of the Redbud Road/Route 11 intersection.

Capital Cost: \$11,239,132

Justification: This is a transportation improvement that will have significant impact on Eastern Frederick County. This project is identified in the adopted Eastern Road Plan.

Construction Schedule: TBD

PRIORITY 13 - Route 11 North Widening to 6 Lanes from Snowden Bridge Boulevard to Old Charlestown Road

Description: Route 11 North of Snowden Bridge Boulevard is currently primarily a two-lane roadway. This project would widen that facility to a 6-lane divided roadway with turn lanes where appropriate.

Capital Cost: \$28,346,120

Justification: This is a transportation improvement that will provide a significant capacity upgrade to address congestion on the Route 11 Corridor. This project is identified in the adopted Eastern Road Plan.

Construction Schedule: TBD

PRIORITY 14- Warrior Drive Extension

Description: Construct a 4-lane divided roadway beginning at Route 277 where Warrior Drive intersects from the north and continuing that roadway south and west to intersect with I-81 at the location of the relocated Exit 307 interchange.

Capital Cost: \$47,000,000

Justification: This is a regional transportation improvement that will address congestion in the Southern Frederick area and address development to the surrounding areas.

Construction Schedule: TBD

PRIORITY 15 - Channing Drive Extension

Description: Construct a 4-lane divided roadway beginning at Senseny Road where Channing Drive intersects from the north and continuing that roadway south to intersect with Route 50 East at Independence Drive.

Capital Cost: \$45,000,000

Justification: This project has been identified in the Eastern Road Plan, and will address congestion in Eastern Frederick County and address development to the surrounding areas.

Construction Schedule: TBD

PRIORITY 16 - Brucetown Road/Hopewell Road Alignment and Intersection Improvements

Description: Realign Brucetown Road to meet Hopewell Road at Route 11. Improvements to this intersection will address comprehensive planned development's traffic generation in the area.

Capital Cost: \$3,800,000

Justification: This is a transportation improvement that will have significant impact on the Route 11 corridor. The location is identified by joint planning efforts between the County and VDOT.

Construction Schedule: TBD

PRIORITY 17- Widening of Route 11 North to the West Virginia State Line

Description: Improve Route 11 to a divided 4 and 6-lane facility as detailed in the Eastern Road Plan.

Capital Cost: \$192,000,000

Justification: This is a regional transportation improvement that will address congestion over a large area of the County and address development to the surrounding area. This project improves the safety for the traveling public by reducing congestion and improving the flow of traffic.

Construction Schedule: TBD

PRIORITY 18 - Senseny Road Widening

Description: Widen Senseny Road to a 4-lane divided roadway. This project is not dependent upon, but is being coordinated with the implementation of Route 37, Channing Drive, and development in the area.

Capital Cost: \$67,000,000

Justification: This is a transportation improvement that will have significant impact on Eastern Frederick County. This project is identified in the adopted Eastern Road Plan.

Construction Schedule: TBD

PRIORITY 19 - Inverlee Way

Description: Construct a 4-lane divided roadway beginning at Senseny Road and going south to Route 50 East. This project is being planned in conjunction with improvements to Senseny Road and surrounding development.

Capital Cost: \$27,300,000

Justification: This is a regional transportation improvement that will address congestion and provide an additional needed link between Senseny Road and Route 50 East.

Construction Schedule: TBD

PRIORITY 20 - Warrior Drive Extension from Route 37 Crosspointe South to Existing Terminus

Description: 4-lane roadway from the Route 37 extension in the Crosspointe Development south to the existing terminus of Warrior Drive.

Capital Cost: \$33,500,000

Justification: This improvement would be concurrent with a Route 37 extension and would provide significant congestion relief at Exit 307 as well as Tasker Road at Exit 310

Construction Schedule: TBD

PRIORITY 21 - Senseny Road Turn lanes at the Intersection of Senseny Road and Crestleigh Drive

Description: Improvements to the intersection of Senseny Road (657) and Crestleigh Drive to include turn lanes and potential signalization. This project would add left and right turn lanes to Senseny Road at the intersection of Crestleigh and potentially a full signalization of the intersection.

Capital Cost: \$2,548,579

Justification: This improvement would be a significant safety upgrade to this intersection.

Construction Schedule: TBD

PRIORITY 22 - Frederick County Eastern Road Plan

Description: This project is intended to address all of the planned transportation improvements in the County Comprehensive Plan, Eastern Road Plan that are not noted individually above.

Capital Cost: TBD

Justification: This project prepares the County for future development by addressing the projects needed to support that development in a manner consistent with the Comprehensive Plan.

Construction Schedule: N/A

Winchester Regional Airport Project Priority List

PRIORITY 1 - New General Aviation Terminal Building, Site Work and Parking Lot – Design and Build

Description: The Winchester Regional Airport proposes construction of a new general aviation terminal building. The new facility will be constructed in a new location slightly south of the existing terminal building.

Capital Cost: \$5,522,400

Justification: Since its opening in the early 1990s, the general aviation terminal building for the Winchester Regional Airport has had only limited interior work completed. Interior repairs are necessary due to extensive usage and some damage from water leaking from the roof prior to its replacement in the Spring of 2006 by necessity. The heating and cooling systems are approaching 25 years in age and are nearing the end of their useful life. The exterior of the terminal building is made from drivet that has failed in many areas and is generally in fair to poor condition and is costly to repair or maintain. In addition, the windows are not energy efficient and several of the window seals have failed. In 2008, a preliminary study was completed to examine needs and costs to renovate the existing terminal building. After review of the study, the WRAA determined it would be more economical to build a new energy efficient building slightly east of the existing terminal. The proposed location of the project will allow enough room to build out a new transient apron during the taxiway relocation project.

Construction Schedule: Completion in FY 21-22

PRIORITY 2 – Taxiway “A” Relocation – Design and Construction (Multiyear)

Description: The relocation of Taxiway A is part of the overall Airport upgrade to meet safety design standards for a Group III aircraft. This relocation will improve the serviceability and safety of the airport in regards to ground operations for larger jet aircraft. Due to the complex task of relocating the entire 5,500’ taxiway, the project has been broken down into two phases – Phase I will begin at the 32 approach end of the runway and continue to the terminal building located midfield. Phase II will continue from the terminal building to the approach end of runway 14. The project will be broken down into sections within the phases based on pavement conditions, demand and availability of funding from the Federal Aviation Administration.

Capital Cost: \$16,270,000

Justification: The relocation of Taxiway A is to meet FAA safety design standards for larger aircraft currently using the airport. This project also will improve the serviceability of the Airport for larger aircraft wishing to use the airport.

Construction Schedule: Completion in FY 22-23

PRIORITY 3 – Land Parcel 64B-A-51 (Moreland)

Description: The Winchester Regional Airport Authority proposes to acquire Parcel 64B-A-51 (Moreland) on Bufflick Road to meet FAA design standards for Runway 14 Safety Area. These parcels are critical to airport development because of the close proximity within or near the airport primary surfaces.

Capital Cost: \$175,000

Justification: Under the FAA Part 77 Surface Requirements and the Code of Virginia 15.2e, the airport is required to own fee simple property located within the Primary Surfaces. There are currently more than 120 aircraft based at the Winchester Regional Airport. The owners and passengers of these aircraft will have the benefit of increased safety on the airport once the parcels are acquired and vertical obstructions are minimized.

Construction Schedule: Completion in FY 18-19

PRIORITY 4 – Land Parcel 6B-A-33A (Beaver)

Description: The Winchester Regional Airport Authority proposes to acquire Parcel 6B-A-33A (Beaver) on Bufflick Road to meet FAA design standards for Runway 14 Safety Area. These parcels are critical to airport development because of the close proximity within or near the airport primary surfaces.

Capital Cost: \$125,000

Justification: Under the FAA Part 77 Surface Requirements and the Code of Virginia 15.2e, the airport is required to own fee simple property located within the Primary Surfaces. There are currently more than 120 aircraft based at the Winchester Regional Airport. The owners and passengers of these aircraft will have the benefit of increased safety on the airport once the parcels are acquired and vertical obstructions are minimized.

Construction Schedule: Completion in FY 18-19

PRIORITY 5 – Land Parcel 64B-A-40 (Rosenberger)

Description: The Winchester Regional Airport Authority proposes to acquire Parcel 64B-A-40 (Rosenberger) on Bufflick Road to meet FAA design standards for Runway 14 Safety Area. These parcels are critical to airport development because of the close proximity within or near the airport primary surfaces.

Capital Cost: \$175,000

Justification: Under the FAA Part 77 Surface Requirements and the Code of Virginia 15.2e, the airport is required to own fee simple property located within the Primary Surfaces. There are currently more than 120 aircraft based at the Winchester Regional Airport. The owners and passengers of these aircraft will have the benefit of increased safety on the airport once the parcels are acquired and vertical obstructions are minimized.

Construction Schedule: Completion in FY 18-19

PRIORITY 6 – Land Parcel 64-A-69 (Robertson)

Description: The Winchester Regional Airport Authority proposes to acquire Parcels 64-A-69 (Robertson) on Bufflick Road to meet FAA design standards for Runway 14 Safety Area. These parcels are critical to airport development because of the close proximity within or near the airport primary surfaces.

Capital Cost: \$160,000

Justification: Under the FAA Part 77 Surface Requirements and the Code of Virginia 15.2e, the airport is required to own fee simple property located within the Primary Surfaces. There are currently more than 120 aircraft based at the Winchester Regional Airport. The owners and passengers of these aircraft will have the benefit of increased safety on the airport once the parcels are acquired and vertical obstructions are minimized.

Construction Schedule: Completion in FY 19-20

PRIORITY 7 – Land Parcel 64-A-60 (Cooper)

Description: The Winchester Regional Airport Authority proposes to acquire Parcels 64-A-60 (Cooper) on Bufflick Road to meet FAA design standards for Runway 14 Safety Area. These parcels are critical to airport development because of the close proximity within or near the airport primary surfaces.

Capital Cost: \$200,000

Justification: Under the FAA Part 77 Surface Requirements and the Code of Virginia 15.2e, the airport is required to own fee simple property located within the Primary Surfaces. There are currently more than 120 aircraft based at the Winchester Regional Airport. The owners and passengers of these aircraft will have the benefit of increased safety on the airport once the parcels are acquired and vertical obstructions are minimized.

Construction Schedule: Completion in FY 19-20

PRIORITY 8 – Land parcel 64-A-64 (Hott)

Description: The Winchester Regional Airport Authority proposes to acquire Parcels 64-A-64 (Hott) on Bufflick Road to meet FAA design standards for Runway 14 Safety Area. These parcels are critical to airport development because of the close proximity within or near the airport primary surfaces.

Capital Cost: \$160,000

Justification: Under the FAA Part 77 Surface Requirements and the Code of Virginia 15.2e, the airport is required to own fee simple property located within the Primary Surfaces. There are currently more than 120 aircraft based at the Winchester Regional Airport. The owners and passengers of these aircraft will have the benefit of increased safety on the airport once the parcels are acquired and vertical obstructions are minimized.

Construction Schedule: Completion in FY 19-20

PRIORITY 9 – Land Parcel 64-A-59 (Kyle)

Description: The Winchester Regional Airport Authority proposes to acquire Parcels 64A-59 (Kyle) on Bufflick Road to meet FAA design standards for Runway 14 Safety Area. These parcels are critical to airport development because of the close proximity within or near the airport primary surfaces.

Capital Cost: \$175,000

Justification: Under the FAA Part 77 Surface Requirements and the Code of Virginia 15.2e, the airport is required to own fee simple property located within the Primary Surfaces. There are currently more than 120 aircraft based at the Winchester Regional Airport. The owners and passengers of these aircraft will have the benefit of increased safety on the airport once the parcels are acquired and vertical obstructions are minimized.

Construction Schedule: Completion in FY 20-21

PRIORITY 10 – Bulk Fuel Storage Facility – Design and Build

Description: Construct a new fuel storage facility for expansion and to meet current DEQ and EPA regulations.

Capital Cost: \$100,000,000

Justification: When taxiway “A” midfield section is relocated to meet current FAA safety design standards it will cause an encroachment into the current fuel farm site. The current site does not allow for future expansion or upgrades to meet DEQ and/or EPA regulations.

Construction Schedule: Completion in FY 21-22

PRIORITY 11 – North Side Internal Access Road

Description: This project proposes to construct a two lane service road around the end of Runway 14. The road, will be approximately ½ to ¾ miles in length so that vehicles stay clear of navigational aid critical areas. It's proposed that the road will be two lanes.

Capital Cost: \$700,000

Justification: The approved airport layout plan shows new development occurring on the north side of the runway. By having aircraft ground operations and storage on both sides of the airfield (north and south), ground vehicle traffic requiring access to both sides of the airfield will be generated. The traffic will include fueling truck operations and personnel activities for general maintenance. The FAA encourages the construction of service roads around aircraft activity areas, especially the runways, to prevent unauthorized ground vehicle access to aircraft movement areas and to promote safer operating environment. The service road, located on the west side of the airport (Runway 14 end) will accomplish these goals.

Construction Schedule: Completion in FY 22-23

PRIORITY 12 – North Side – Public Access Road and Utilities (Coverstone)

Description: This project proposes to construct a two-lane public access road for the northside future development area.

Capital Cost: \$1,300,000

Justification: The approved airport layout plan shows new development occurring on the north side of the runway. Access to the development site by future tenants and/or the public will have to be from Coverstone Drive. In addition, utilities will be relocated during the project. The only way to access the airport property on the north side is from Coverstone Drive. FAA regulations prohibit vehicle movement through aircraft operating areas by non-airport staff that are trained to follow all federal regulations.

Construction Schedule: Long range planning objective – beyond FY23

PRIORITY 13 – Land Parcel 64B-A-52 (Lee)

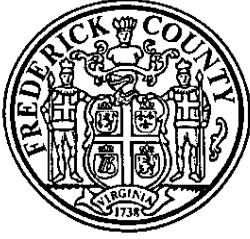
Description: The Winchester Regional Airport Authority proposes to acquire Parcel 64-A-52 (Lee) on Bufflick Road to meet FAA design standards for Runway 14 Safety Area. These parcels are critical to airport development because of the close proximity within or near the airport primary surfaces.

Capital Cost: \$175,000

Justification: Under the FAA Part 77 Surface Requirements and the Code of Virginia 15.2e, the airport is required to own fee simple property located within the Primary Surfaces. There are currently more than 120 aircraft based at the Winchester Regional Airport. The owners and passengers of these aircraft will have the benefit of increased safety on the airport once the parcels are acquired and vertical obstructions are minimized.

Construction Schedule: Long range planning objective – beyond FY23

(This information may be found on the County's website www.fcva.us/planning)



RESOLUTION

Action:

PLANNING COMMISSION: January 17, 2018 Recommended Approval

BOARD OF SUPERVISORS: March 14, 2018 APPROVED DENIED

ORDINANCE

2018 - 2023 CAPITAL IMPROVEMENTS PLAN (CIP)

WHEREAS, the Frederick County Planning Commission discussed the 2018-2023 Capital Improvements Plan (CIP) at their regular meeting on January 17, 2018. The Planning Commission recommended approval of the CIP and affirmed that the projects contained within the CIP are in conformance with the 2035 Comprehensive Plan; and

WHEREAS, the Frederick County Board of Supervisors discussed the CIP at their regular meeting on February 14, 2018 and forwarded the CIP for public hearing; and

WHEREAS, the Frederick County Board of Supervisors held a public hearing on the CIP at their regular meeting on March 14, 2018; and,

WHEREAS, the Frederick County Board of Supervisors supports the priorities for capital expenditures contained in the Capital Improvements Plan (CIP) and has affirmed the determination of the Planning Commission that the projects contained in the Capital Improvements Plan (CIP) conform to the Frederick County Comprehensive Plan;

NOW, THEREFORE, BE IT ORDAINED by the Frederick County Board of Supervisors as follows:

The Frederick County Board of Supervisors hereby approves the 2018-2023 Capital Improvements Plan (CIP) for Frederick County, Virginia as an element of the 2035 Comprehensive Plan.

Passed this 14th day of March 2018 by the following recorded vote:

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|-----------------------------------|-------|-------------------------|-------|
| Charles S. DeHaven, Jr., Chairman | _____ | Gary A. Lofton | _____ |
| J. Douglas McCarthy | _____ | Judith McCann-Slaughter | _____ |
| Shannon G. Trout | _____ | Blaine P. Dunn | _____ |
| Robert W. Wells | _____ | | |

A COPY ATTEST

Kris C. Tierney
Frederick County Administrator