

STAFFORD COUNTY PLANNING COMMISSION
May 12, 2021

The meeting of the Stafford County Planning Commission of Wednesday, May 12, 2021, was called to order at 4:32 PM by Chairman Steven Apicella, in the Board of Supervisors Chambers of the George L. Gordon, Jr., Government Center and at remote locations throughout the County.

MEMBERS PRESENT: Steven Apicella (remote), Darrell English, Barton Randall, Albert Bain, Kristen Barnes, Dexter Cummings, Fillmore McPherson (remote)

MEMBERS ABSENT: None

STAFF PRESENT: Jeff Harvey, Lauren Lucian, Stacie Stinnette, Mike Zuraf, Brian Geouge, Denise Knighting

Mr. Apicella: This is Steven Apicella, Chairman of the Stafford Planning Commission. I call this meeting to order. I request that Mr. Fillmore McPherson and I be authorized to participate today from a remote location here in Stafford, and would ask the Commission to approve our electronic participation – if someone will make a motion to that effect.

Mr. Bain: So moved.

Mr. Randall: Second.

Mr. Apicella: Great. Just take a quick voice vote. All those in favor say aye.

All members: Aye.

Mr. Apicella: Opposed? Motion carries, thank you. Two more points to make. Voting on motions will be conducted by voice vote, and if we have any technical issues, the Vice Chairman, Mr. Randall, will take over as Chairman. Are there any declarations of disqualification on any agenda item?

DECLARATIONS OF DISQUALIFICATION

Mr. Bain: Yes, Mr. Chairman, just a declaration to... closer, sorry. I attended a tour of the Vulcan Quarry last week. It was a guided tour by Mr. Cobb and Aaron; I can't remember your last name, sorry, and Mr. Fillmore accompanied me on that tour.

Mr. Apicella: Great, thank you. That's not a declaration of disqualification but, nonetheless, we appreciate your letting us know.

Mr. Bain: Mr. McPherson, not Mr. Fillmore, sorry. Sorry Fillmore.

PUBLIC PRESENTATIONS

Mr. Apicella: Thanks, thanks for that clarification Mr. Bain. Are there any changes to the agenda? Alright, seeing none, I'll now open the Public Presentations portion of the today's meeting. This is an opportunity for the public to comment on any matter, except the one public hearing item. And speakers will have up to 3 minutes. Before starting your comments, please state your name and address. The clock starts when the green light appears. Yellow means there's 1 minute left. Red means your time is up. And again, just to reiterate, if you're here to speak to items 1 or 2, there will be a separate comment period for those two items when we do the one public hearing on those. So, again, if anybody has any

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public comments on any other matter who wants to come forward, feel free to do so now. Alright, seeing no one rush the podium, I'm going to close the Public Presentations portion of today's meeting and move onto the next agenda item. Before staff gets started, I just want to explain the process for items 1 and 2 regarding the Vulcan Quarry. Staff will start by providing their briefing on item 1, the Vulcan Quarry rezoning. I think somebody's got their mic on, if they can shut it off. Thank you. Again, so staff will provide their briefing on item 1, Vulcan Quarry rezoning application. Commissioners will have an opportunity to ask their questions on that specific item. Then the applicant will conduct their presentation on item 1 with Commissioner Q and A. Then we'll do the same process for item 2, the Vulcan Quarry conditional use permit. And once Commissioners have finished with their questions to staff, and the applicant on both items, I will open the public hearing covering both items 1 and 2. Mr. Harvey?

PUBLIC HEARINGS

1. RC19152912; Reclassification – Vulcan Quarry - A proposed zoning reclassification from the A-1, Agricultural Zoning District to the M-2, Heavy Industrial Zoning District on 23.02 acres, consisting of portions of Tax Map Parcel Nos. 20-3A (18.63 acres) and 20-4A (4.39 acres); and a proposed proffer amendment on 558.36 acres zoned M-2, on Tax Map Parcel Nos. 19-64 (99.64 acres), 19-65 (239.41 acres), 19-67T (16.13 acres), 20-2 (56.65 acres), and a portion of 20-4A (146.53 acres) (collectively, "Property"). The zoning reclassification and associated proffer amendments would expand the area where stone extraction is permitted, allow for a new concrete manufacturing use, and provide a consistent series of development standards across the Property. The Property is subject to a concurrent conditional use permit ("Proposed Conditional Use Permit") request. The Property is located at the northern terminus of Dun Rovin Lane, approximately 2,800 feet north of Garrisonville Road, and along Vulcan Quarry Road, within the Rock Hill Election District. **(Time Limit: August 20, 2021)**
2. CUP19152911; Conditional Use Permit – Vulcan Quarry - A request for a conditional use permit (CUP) to allow heavy industrial and heavy manufacturing uses not otherwise listed, specifically stone extraction, asphalt manufacturing and concrete manufacturing, in the M-2, Heavy Industrial Zoning District, on Tax Map Parcel Nos. 19-64 (99.64 acres), 19-65 (239.41 acres), 19-67T (16.13 acres), 20-2 (56.65 acres), 20-3A (21.91 acres), 20-4A (150.92 acres), and a portion of 20-3 (17.28 acres) (collectively, the "Property"). The Property is subject to a concurrent reclassification and proffer amendment request. The Property consists of 601.94 acres in total, located at the northern terminus of Dun Rovin Lane, approximately 2,800 feet north of Garrisonville Road, and along Vulcan Quarry Road, within the Rock Hill Election District. **(Time Limit: August 20, 2021)**

Mr. Harvey: Thank you Mr. Chairman. Mike Zuraf will lead the presentation.

Mr. Zuraf: Good evening Mr. Chairman, members of the Planning Commission; Mike Zuraf with the Planning and Zoning Department. So, I'm here to present the staff report and summary on these two items for Vulcan Quarry; first the Reclassification and second a conditional use permit for this project. So, the zoning reclassification, that would rezone 23 acres from the A-1, Agricultural zoning district to M-2, Heavy Industrial zoning, but also amend proffers on 558 acres that's currently zoned M-2. The conditional use permit request, that is a request to allow heavy industrial and heavy manufacturing uses that are not otherwise listed in the Zoning Ordinance; specifically, for stone extraction, asphalt manufacturing, and concrete manufacturing in the M-2 zoning district. That's on a total of 601 acres. This is in the Rock Hill Election District. Vulcan Lands is the application, with Clark Leming as the

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agent. I'm going to... so, combined, these requests would expand the area where stone extraction is permitted; would allow for a new concrete manufacturing use; and provide a consistent series of development standards across the property. So, in this presentation, I will summarize the two cases separately, and pause between the two cases for discussion. The property is located at the northern terminus of Dun Rovin Lane, approximately 2,800 feet north of Garrisonville Road, and also along Vulcan Quarry Road, also north of Garrisonville Road. The area subject to the zoning reclassification are the blue and red shaded areas. The blue area covers the proffer amendment, and the red area is the area proposed for the rezoning. The conditional use permit covers those two areas plus the gray area just below the red area. So, the conditional use permit is all areas combined. So, first, looking at the zoning reclassification. So, the portions subject to the proffer amendment are outlined in blue and the rezoning is outlined in red. This is the zoning map. The proffer amendment area is zoned M-2, as mentioned, and the rezoning area is zoned A-1 currently. Surrounding zoning districts include R-1, Suburban Residential and A-1, Agricultural to the south and east; A-1, Agricultural to the west, and to the north is Quantico Marine Corps Base, which is un-zoned federal land. For the zoning history, the Vulcan Quarry has been in operation since 1976, when the initial rezoning and special use permit were approved. And that was on Parcel 19-65. So, I'll point that out; 19-65 is this central parcel. It's in the center of the current overall quarry property. It includes the original quarry pit and operations area. In the next slide, you'll see an aerial view which will make that more clear. The quarry was expanded onto adjacent parcels under subsequent rezoning and use permit approvals. In 1988, Parcel 20-2 was rezoned with a conditional use permit to the southeast of the original site. The use of this land is limited to quarry operations; it does not include mining as a permitted use. In 1991, Parcel 20-4A was rezoned with a use permit. This includes the second quarry pit which is actively being mined. It's referred to as the Hampton Pit. I'll use that reference within this presentation. And in 2010, parcels to the west, these two pieces, were rezoned with a use permit also to allow for future expansion of the original pit. No activity has occurred on this western property to date. So, here's a better view of the overall site in looking at this aerial photo. The site is generally bounded by Aquia Creek and Quantico to the north. The area, areas of the site that have not been developed include both wooded areas with mature trees and open meadows. To the south and east are Suburban Residential neighborhoods within the designated Urban Services Area. And to the west are more Rural Residential uses along Toluca Road. Those are on generally 3 to 5-acre sized lots. The existing Vulcan Quarry includes a site entrance off of Garrisonville Road, an operations area where stone is processed to be shipped offsite, and two quarry pits. The original pit is filled partially with water and is not actively being mined. The Hampton Pit is a location where current mining operations are happening. Earthen berms screen the operations area and Hampton Pit from properties to the south and east. And the site also includes a separate asphalt manufacturing plant in the middle of the property, in this location. The rezoning area, in red, includes one single-family residential dwelling. Full build-out of that site under the current A-1 zoning district rules would have the potential of up to 3 residential lots under the average 6-acre lot size, under A-1. So, the generalized development plan submitted by the applicant illustrates the full extent of the quarry area for the original pit and Hampton Pit. That is the light green shading. The undisturbed buffers are in dark green, and berms are in light brown. The current future location of the asphalt manufacturing plant and location of a future concrete manufacturing plant is also shown. The, um, access to the site would remain in its present location via Vulcan Quarry Road. The proposal does not change the planned western expansion of the original pit or relocation of the asphalt plant which was approved in 2010.

Mr. Bain: Mr. Zuraf, I'm sorry to interrupt, but would you say again what the light yellow or light green is, the predominant color there?

Mr. Zuraf: That is areas that would be permitted for mining operation.

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Mr. Bain: With the application approved.

Mr. Zuraf: Yes.

Mr. Bain: Okay. Thank you.

Mr. Zuraf: So, the yellow area... so, the rezoning actions would affect the following primary changes. It would expand the limits of both of the quarry pits; those areas are highlighted in yellow. This would extend the time horizon for mining operations in the future, and I'll get into more detail on that. And then adds a concrete manufacturing plant on the site; that area's highlighted in blue. So, the future phasing of the quarry operations are best described in the Illustrative Plan that was submitted with the proposal. The Illustrative Plan is not proffered; it's provided for... generally for informational purposes. But to generally describe the phasing of what was related to the County as far as how the operation would continue into the future, the applicant would continue with current mining of the Hampton Pit in this location. As they continue on, they would install new berms in this general location. They would expand the Hampton Pit onto the adjacent property that's subject to rezoning. As the operations of the pit are nearing completion, then the operation would pursue creating in getting the original pit ready for mining by adding and installing the berms along the western side of the site. And then pursue expansion of the mining in this location. And as the... once they're done, also once the Hampton Pit is complete, then that pit would be dedicated... the intention is to dedicate it to the County for use as a water reservoir and for recreational purposes. Then, as the applicant is expanding mining in the original pit, the existing asphalt plant in this location would be relocated further to the upper northwest corner, which was part of the 2010 approval, and then they expand their mining operations through this area. And then again, once the original pit is complete, then that also would be dedicated over to the County for water reservoir use and recreation. So, looking at the concrete manufacturing plant, the entire blue hatched area is designated as potential concrete manufacturing plant area. However, a smaller area is marked closer to the entrance of the complex, in this approximate location, as a concrete plant location. So, I don't think the intent is to use that entire area; probably cover a smaller portion of this overall designated area. The plant proposed on the site would result from the relocation of the current Vulcan concrete plant near the courthouse on Courthouse Road. The current plant was impacted by the reconstruction of Courthouse Road which reduced the usable area of the, of the plant and property. The plant would include a, on this site, would include a mixing silo approximately 50 feet tall. It'd be approximately 650 from the closest property in Eastern View Subdivision. There are existing mature trees generally in this location between the closest residence and the site, but there is no guarantee that those trees would be retained in the future. This new use would slightly increase the truck trips generated. The applicant submitted a traffic analysis that shows there'd be 32 daily truck trips associated with the concrete plant; however, the next increase would be 26. Currently 6 daily truck trips are attributed to delivering rock from the quarry over to the current concrete plant on Courthouse Road. So, those trucks would no longer need to leave the site to deliver the raw product to the concrete plant. So, the effect of the zoning reclassification allows for the Hampton Pit to be expanded to the south on the parcel 20-3A, that's this location here. In doing so, the berm would be relocated to surround the new quarry limits. The following images from the Illustrative Plan help describe first the existing conditions with the proposed rezoning area hatched out, and then the proposed future conditions with the expanded quarry limits onto Parcel 20-3A. A minimum 300-foot buffer will be provided along the eastern property line in this location. This would include 150 feet of undisturbed buffer, the green shaded area, and then internal to that an earthen berm approximately 35 feet tall. Additional berms would be added to the southwest of the parcel in this location, on Parcel 20-3; that's the area subject to the concurrent conditional use permit. Soil that's removed to access the stone would be stockpiled in this location and it would include a larger berm. Proffer 2 limits the height of that berm to no taller than 80 feet as measured from the adjacent property lines. So, the... also, the

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proffer amendments would allow for the expansion of the original quarry pit. Currently, the proffers that apply to Parcel 22-2 limit the use to non-mining quarry activities that do not create adverse impacts and prohibits the extraction of minerals or stones and other uses permitted by-right or by special use permit in the M-1 and M-2 districts. The amendments would remove this restriction. It would allow for the expansion of the original pit onto this property. So, these images from the Illustrative Plan again show the existing, um, conditions with the portion of 22-2 that's under consideration to permit mining, and then the proposed conditions with the expanded mining should this request be approved. The existing buffer and berm would be retained in accordance with Proffer 2 which requires the buffers and berms that are existing and exterior to the mining areas to be maintained. In this location, a 300 to 400-foot buffer is... would be left which includes the existing 100-foot undisturbed buffer in dark green and existing berm in the remaining 200 to 300-foot area the light brown area. Okay, so the new and amended proffers would amend existing proffers applicable to various portions of the property. And just kind of running down some of the changes, it deletes the requirements to enclose active quarry operations on a portion of the property with a chain link fence; it deletes the requirement to dedicate a 23-acre public park site from Parcel 20-4A from the Hampton Pit area – that is an actual proffer that has since expired. It also extends the required deadline to dedicate the Hampton Pit to the County from no later than 2035 to no later than 2055. This would be resulting from the ability to extract mineral resources from the pit, basically extending the lifespan of the quarry. Also, extending the required deadline to dedicate the original pit area to the County from 2085 out to 2135. And then replacing the original concept plan with a new proposed concept plan for the entire site. The GDP includes expansion of the mining operations under the two locations as I've outlined. And deletes hours of operation restrictions. Those restrictions actually are transferred over to the conditional use permit as conditions there. And then deletes several previously satisfied proffers. Those include some subdivision of property requirements and required surveys regarding cultural resources that were over on the western side of the site. And those have previously been satisfied. So, several proffers carry over from the existing proffers, and there are some new proffers in this new Proffer Statement. This would specify the permitted uses, which would add the concrete batch plant as a new permitted use; establishes the new GDP identifying limits of the permitted uses and buffers; it establishes the width and height requirements for undisturbed areas also and berms; also, it limits access to the existing entrance that already exists into the site; requires all travelways and parking areas to be paved that would be used by the public; requires secondary emergency access along Dun Rovin Lane; requires conformance with the reclamation plan that's provided in conjunction with the applicant's Mines, Minerals, and Energy application and approval through the state. Also, once mining the original pit begins, the Hampton Pit mining has to cease within 5 years. So, Vulcan cannot come in and be mining both pits at the same time or for an extended amount of time. Also, require 30-days advance notice to all property owners within 500 feet of any land disturbance prior to beginning such work.

Mr. Randall: *Inaudible, microphone not on.*

Mr. Zuraf: Which one?

Mr. Randall: Maintenance of liability. It's not any of it; it's in our staff report.

Mr. Zuraf: Okay. Okay, then, looking at the evaluation of impacts with environment, there are two drainage channels and a pond that would be impacted by the expansion of the Hampton Pit. Those are on Parcels 20-3A and 3. there are no streams located on Parcel 20-2 where the original pit is proposed to be expanded. Overall, any land disturbance would need to ensure proper drainage to avoid impacts to adjacent properties. With noise, lighting, and visual, the proposal expands the mining operation closer to the existing Suburban Residential neighborhoods to the south and east of the quarry. There may be

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potential for increased noise impacts from the proposed trucks and mining operations, in addition to visual impacts from the structures and facility lighting. The quarry operations include the use of heavy hauling equipment; processing equipment; occasional use of explosives; blasting within the quarries required to be in compliance with rules and regulations of the Department of Mines, Minerals, and Energy, otherwise known as DMME. Their operations occur during daytime hours with limited nighttime operations permitted. And the residential uses are typically on a quarter acre... on quarter acre lots typical of development patterns on the eastern side of the quarry. Mitigation adjacent to the Hampton Pit is... includes a 300-foot buffer, which includes a 150-foot undisturbed buffer and 150-foot, uh, berm, and then that would be 35 feet high. Also, staff notes that the prevailing winds from west to east may carry noise and dust emissions from the quarry to the residential areas. Staff would note also that DMME does require the quarry to employ dust suppression measures to try to minimize that type of impact. So, looking at the Comprehensive Plan and the Future Land Use, it identifies the property within the Agricultural/Rural land use – that’s the light green in the rezoning area – mining in the currently zoned M-2 area, and Resource Protection which includes the resource protection streams adjacent to and within the site. The parcel proposed to be rezoned, again designed Agricultural/Rural on the Land Use Plan, staff notes that although it’s discouraged, residential development should have a maximum density of no more than one unit per 6 acres; that’s what’s recommended in the Comp Plan for Agricultural/Rural. The existing residential use in this location meets the recommended density restrictions. The proposed mining use would not be consistent with the recommendations of this specific land use district; however, the proximity of adjacent mining areas should be considered in the overall evaluation of future land use conformance. The existing mining operation and land currently designated M-2 is designated for mining on the Land Use Plan. The mining land use designation supports mining and extraction activities and associated processing uses such as asphalt, sand, and gravel manufacturing. The Comp Plan does recommend these uses should be well buffered from residential uses as previously noted. Buffers and berms do range from 300 to 400 feet, and those are existing and proposed between the expanded mining area and the adjacent Suburban Residential neighborhoods to the south and east. the adjacent neighborhoods do not include perimeter subdivision buffers as part of their development.

Mr. Bain: Mr. Zuraf, sorry to interrupt again. Looking at that, so the Comprehensive Plan, at least the most recent one, did anticipate mining in the area that Vulcan is asking to expand as far as the original pit area. Do you know how long ago that was delineated that way? The Comp Plan gets updated every 5 years but has that been designated as mining...?

Mr. Zuraf: That designation... like, the mining designation was new in 2016 I believe; that’s when that came about.

Mr. Bain: Twenty-sixteen, okay. And then, up to the northeast of the brown mining area, there’s still some green area that... is that inside the boundary of Vulcan’s land?

Mr. Zuraf: This area?

Mr. Bain: Yes.

Mr. Zuraf: Yes, it is. That’s an area outside of where the current pit is located. And that was the area where the 23 acres was envisioned when it was originally zoned.

Mr. Bain: Okay, so that, that remains as I won’t say undisturbed land but it could potentially still be offered as a park area?

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Mr. Zuraf: Yeah, and... yes. So, under the general development plan that we've shown that they do not show under that plan expanding the mining operation into that location, now there is the proffer that after mining is complete, that all of the property could be dedicated to the County and could be used for park.

Mr. Bain: Alright, thank you.

Mr. Zuraf: So, the Comprehensive Plan does include several mining extraction goals and policies. Those are listed here on the screen. They include allowing mineral extraction to incur only in areas of known geologic reserves; encouraging existing mining and extraction operations to fully utilize adjoining areas that have suitable mineral resources by relocating... by relocation of existing operations at the appropriate time, rather than relocating to other sites within the County; requiring berms or other screening measures to minimize visual intrusions restricting operating hours to preclude disturbances from vehicles and equipment; and appropriate reuse may include dedication of portions of the reclaimed site for public infrastructure needs such as park and/or reservoirs. So, the proposal does meet many of the mineral extraction objectives and policies. What is unknown is the potential impacts on the adjacent residents and if a 300-foot buffer is adequate given the proximity of the residents to the quarry. So, on the rezoning, looking at the overall evaluation, there are several positives. It's generally consistent with the Comp Plan recommendations for mining land uses. On the rezoning parcel, the mining uses are more consistent with Quantico Marine Corps Base rather than residential uses due to noises that Quantico generates. Proffers would ensure buffers and berms are provided around all mining operation areas. The presence of mineral resources supports the proposed expansion of mining. It allows for the access to available mineral resources delaying the need to open new mining operations in other parts of the County. And the single set of proffers for the entire complex would limit confusion regarding zoning restrictions across the site. There are several negative aspects. The proposal is not consistent with the land use recommendations in the Comp Plan for Ag/Rural land uses. It's uncertain if the existing proposed buffers and berms would be adequate to mitigate impacts to adjacent residents. There's potential for visual impacts from the concrete plant to the closest residential uses. The proposal delays the dedication of the quarry pits to the County by up to 20 to 50 years. And provides amendments... and proffer amendments delete requirements to fence the quarry pits. And the applicant I believe is okay with adding some provisions to allow for fencing, and we can pursue that as we go along. Overall, staff recommends deferral of the reclass and proffer amendment application. Although there are several positive aspects, there are several issues that should be explored further and addressed. Some of the issues I've raised include the proximity of the mining on... proximity of mining on Parcels 20-2 and 23A to the southeast residential neighborhoods. And the overall question, are the existing and proposed buffers and berms adequate to mitigate impacts to these residential areas? Potential for visual impacts from the concrete plant. There's no assurance of protection of existing trees. It delays the dedication of the two quarry pits to the County. And the requirements to fence the quarry pits should be maintained. And, at this point, I'll pause and open it up for some questions.

Mr. Apicella: So, again, just to reiterate, Mike's concluded his presentation on the rezoning application. Please feel free to ask questions of Mike on that specific application. When you're done with that, we'll bring up the applicant, give them a chance to make their presentation on item 1, then you can ask your questions of them as well. And then we'll circle back and go to item 2, the conditional use permit, and follow the same process. So, with regard to the reclassification, please feel free to ask your questions of Mike.

Ms. Barnes: Chairman Apicella, I can start this off if you will indulge me a couple of minutes. I have a small list of questions I'd like to ask staff.

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Mr. Apicella: Yes, please feel free to ask your questions and take some time to do so.

Ms. Barnes: So, Mike, just to keep you exactly where I'm going, I'm using the staff report as my, as my template for the questions that kind of went along on the staff report. I want to kind of emphasize and, uh, talk about the zoning history first. The Pollard tract, which is the tract that's to the south and the east, that was the 1988 rezoning, correct?

Mr. Zuraf: Correct.

Ms. Barnes: So...

Mr. Randall: Ms. Barnes... could you pull those up for us and as she's going through those and circle those so everybody's aware of what she's talking about?

Ms. Barnes: That'd be great, thank you.

Mr. Randall: Yeah, thank you.

Mr. Zuraf: Okay.

Ms. Barnes: That's a good idea, thank you. There's a lot of squiggly... okay.

Mr. Zuraf: I'll go to a different map.

Ms. Barnes: And the reason why I'm doing this, I know it could be... there's a lot of moving parts here so I just want to kind of hit the high notes of the... exactly what has been going on over the years with these particular parcels.

Mr. Apicella: Hey Mike?

Mr. Zuraf: Yes.

Mr. Apicella: Is there any chance you could erase that and maybe identify the specific sections as they... *inaudible, being talked over...*

Mr. Randall: I think he's trying to.

Mr. Apicella: ... as 1, 2, 3, 4, and 5? Okay, gotcha.

Mr. Randall: Yeah, I think he's trying to make that... *inaudible*. I think he's called for help.

Mr. Apicella: Yeah. Again, and all I'm suggesting is rather than do an X, maybe if there's some other way he can identify, again, the original pit maybe as 1 and then as it progressed forward, number 2, number 3, number 4; that might be helpful to understand the sequence of events.

Mr. Randall: Did you hear that?

Mr. Zuraf: No. I was busy erasing.

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Mr. Randall: Go ahead, Steve, say that again.

Mr. Apicella: Yeah, again, instead of doing like an X marks the spot, because they kind of mean the same thing, if you could just maybe identify with a number, like a 1 for the original pit and then a 2 for something else that happened. And as the sequence of events change, just put a different number in that spot. So, maybe, we could follow it a little bit easier.

Ms. Barnes: I can start with the original pit; that was 1976 and the original pit in the center part.

Mr. Zuraf: Yes, sir.

Ms. Barnes: Okay.

Mr. Zuraf: Yes, ma'am.

Ms. Barnes: And then, in 1988, that was the, um, the Pollard tract that's to the south and the east. And that was rezoned in 1988, but limited to quarry operations that do not include mining. So, that parcel has never been planned to be mined on as far as, um, I would say the neighbors go. That is a piece of land that is owned by the mine, but never had a condition to allow mining. Is that correct?

Mr. Zuraf: Correct.

Mr. Bain: Is, is the boundary that straight line that kind of goes from the northeast to the southwest? Yeah? Okay.

Mr. Randall: It's right there; just that.

Mr. Bain: Yep.

Ms. Barnes: Okay. And the same with the newest piece of land that we're looking at, which is, um, which is... I would...

Mr. Zuraf: 20-3A?

Ms. Barnes: Yeah, 20-3A, that is, has been zoned A-1 for a very long time as well. And, what I'm trying to get at here is, um, I'm trying to understand from a perspective of the homeowners around them, what they expected when they moved in. What they expected was there was A-1 behind them in one area and land that was mined... owned by the mine in the other area but not necessarily to be mined. That was...

Mr. Zuraf: Correct.

Ms. Barnes: ... that was the parameter, that was the goalpost at that time.

Mr. Zuraf: Yes.

Ms. Barnes: Okay. As far as the reclassification goes, um, the overall GDP mining... in the GDP, the mining will expand into the areas that were previously not zoned for or allowed through conditions.

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Specifically, mining operations will occur on the Pollard parcel and the 20-3A parcel. And these are new operations, not historically allowed.

Mr. Zuraf: Correct.

Ms. Barnes: Okay. This will also extend operations into the future another 20 and 50 years, to the year 2055 and 2135.

Mr. Zuraf: Correct.

Ms. Barnes: Is there any idea how this will impact our water supply? I know that we're going to be using that in the future as, um, and another question I have is, when we get it, it's going to be a "reservoir" and used for recreation. If we don't... if we put those, the dates of the land being conveyed back to the County off for 20 to 50 years, what exactly is that going to do to our infrastructure? Will it create a deficit? Do we need that for water supply?

Mr. Zuraf: Yeah, I had a brief discussion with, um, Public Works about this and they were familiar with this, uh, you know, this was part of a prior approval and they evaluated this several years ago. And based on that prior evaluation, they did not believe that they would really need this until that outer year, until 2055, so, around there. But they've not looked at it in several years, so.

Ms. Barnes: So, we don't know that if in 2135, if we don't get that central parcel there, if we don't get that until 2135, we don't know what that's going to do to impact what we're planning to have... what we originally were planning to have in 2085.

Mr. Zuraf: Right. I cannot speak to that. I mainly was speaking to the first one, the Hampton Pit.

Ms. Barnes: Mm-hmm. Alright. Okay.

Mr. Zuraf: I'm not certain...

Ms. Barnes: And that's being put off by 20 years and that's not going to cause any kind of an infrastructure deficit for us as far as water supply goes?

Mr. Zuraf: Not as far as we're aware of.

Ms. Barnes: When you talk about the County taking over this, um, obviously in this case it'd be 2135, way, way in the future, um, what do you mean by recreation when it comes to using this area as recreation? It's my understanding that these are not good for swimming, boating, things... activities like that, for active...

Mr. Zuraf: It would likely be more, you know, and I'm sure many years from now either way, and it would likely be more passive. I don't know if there would really be any use of the quarry pit itself in that regard, but maybe more so the surrounding lands for passive recreation, trails, or that sort.

Ms. Barnes: But, as far as the water goes, I mean where is the water going to... when this is completely mined out, and where is the water going to come to? It always looked to me like the water's going to come right up to the very edge of the entire property. It doesn't sound like there would be a whole heck

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of a lot land surrounding it. It would just be a big... actually, won't it be one big lake? Or is it going to be two?

Mr. Zuraf: Two. It'd be two separate lakes.

Ms. Barnes: Two separate lakes, okay.

Mr. Barnes: Yeah. And it would go to, um, it'd cover much of the area. Yeah, there would be... and that's why the idea of more so trails might be the limitation to the... *inaudible, being talked over.*

Mr. Randall: Kristen, if...

Ms. Barnes: Go ahead, Bart.

Mr. Randall: Show the overhead, if you don't mind. So, how long has the original pit not been mined?

Mr. Zuraf: I would have to defer to the applicant on that.

Mr. Randall: Okay, so, okay. So, the question would be, I guess to answer your question then, it would be how long that pit's not been mined and how deep that water is currently, and that will give you some indication of how that gathers water, how that keeps water...

Mr. Zuraf: And I know that...

Mr. Randall: ... for the future moving forward.

Mr. Zuraf: ... they probably can speak more to the water. I think part of it is they do use the water for part of their dust suppression. So, they draw water from it so it's a little bit... and also it kind of serves as a big large stormwater management pond, too, for their activities. So, it's not just... it's just not... some of its natural rain runoff and everything, but there is some impacts to that.

Mr. Randall: Okay, thank you.

Ms. Barnes: So, hopefully, Mr. Leming, you're taking notes on our questions that Mike can't answer and hopefully you'll remember those questions that we asked when it's your turn. Um, next, the asphalt plant is being relocated to the northwest corner, and I seem to remember that regardless of all of this being conveyed over to the County at those future dates, that asphalt plant, um, is planned to be there in perpetuity. That's not going to be turned over. The asphalt plant is moved up to the northwest corner, correct?

Mr. Zuraf: Right. There's nothing that would say that that has to end. Yeah, that could stay there in perpetuity.

Ms. Barnes: So, we would have a par, but we'd also have an asphalt plant right in the middle of a park.

Mr. Zuraf: Potentially. And maybe the applicant can speak to the reality of once the area's complete, finished mining, the reality of being able to use that as an asphalt plant might be limited if there's not product to supply the asphalt plant, so.

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Ms. Barnes: Okay. As far as the concrete plant goes, is there an exact location yet? Is that an applicant question again?

Mr. Zuraf: I asked the applicant to confirm, to see the specific area kind of marked out but, in general, it's the entire blue shaded area is identified.

Ms. Barnes: Okay. One of my biggest concerns, and you mentioned this earlier, is the existing mature trees between Garfield and the concrete site, and there's no guarantee that those will remain. I don't know if you can kind of circle that area. The entrance there, as you kind of drive in to the right, it's beautiful. There's a park-like setting, there's a lot of beautiful mature trees; that right there. And there's no guarantee that that's going to stay. Because that is a primary buffer between those closest houses I think that you said were, what, about 650, 635 feet – I don't remember exactly – between the closest house there on Garfield or on that little court on the end and the proposed concrete plant. Why are we not asking for something, or why are we not considering putting something in those proffers about that area will be undisturbed and the trees will be replaced only as needed with the natural life cycle of the trees? Is there any way we can get something from, you know, that says hey, those trees are going to stay there, that's going to remain a really nice buffer between that area?

Mr. Zuraf: We would have to ask the applicant if they'd be willing to make that proffer.

Ms. Barnes: Okay.

Mr. Apicella: Mike, alternatively, is that a condition that we could, uh, ask for?

Ms. Barnes: Yeah, it could be a condition or proffer? I don't know which one.

Mr. Zuraf: Yes, that could be...

Mr. Apicella: A proffer comes from the applicant; a condition is imposed by the County.

Ms. Barnes: Thank you.

Mr. Zuraf: That could be a condition, yes.

Ms. Barnes: Okay. Um, now as far as the extension into 20-3A, it says that the minimum 300-foot buffer with a 100-foot as an undisturbed buffer. What does undisturbed mean? Is it trees? Is it pasture? Is it a mud bog? What exactly does undisturbed mean?

Mr. Zuraf: It... well, it's got to be retaining existing trees, and I think we did ask and I believe they proffered to ensure that if the area is limited with existing trees that they would, um, they would supplement the undisturbed buffer with planting additional trees.

Mr. Randall: Show me the area that you're talking about please, sorry.

Ms. Barnes: So, there will be something in there that says that those... that undisturbed means that the trees that are there are going to stay there?

Mr. Zuraf: Yes, yes.

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Ms. Barnes: Alright. The berm for 20-3A says it will be 35 feet. Is that correct?

Mr. Zuraf: Yes.

Ms. Barnes: And the additional berm on 20-3, which is just south of that and slightly west, you said is going to be up to 80 feet. Why is there such a huge difference there between 35 and 80 feet? That's going to be a heck of a back turn.

Mr. Zuraf: Because it's basically a very wide area and so it just basically provides that width where it can... it's a wider area where the, uh, Vulcan could stockpile the dirt and build it up.

Ms. Barnes: Okay.

Mr. Zuraf: They do have to meet 2:1 slope requirements, but even with the 2:1 slope requirement, they could go up to 80 feet.

Ms. Barnes: Okay. So, that buffer there, next to 20-3A, is going to be 300 feet. I noticed that the buffer to the north on the Hampton tract, up a little higher here where that little park is, that is a much... that is a significantly larger buffer. Why is the buffer that's going to be on 20-3A so much narrower than the one that we have up in the Hampton tract? Because the Hampton tract has got a really nice buffer; I think it's what, 400 feet with 200 feet of undisturbed space? This is only 150 feet and it seems to me that if we're going to be moving in towards, um, towards residences that we should offer maybe a better buffer similar to the one that we have to the north on the Hampton tract?

Mr. Randall: Could you identify that on your drawing?

Mr. Zuraf: So, here's the...

Mr. Randall: Right there. And that's what she's talking about. So, that's the minimum of what? What is that saying there, 400 feet? Minimum of approximately 410 wide buffer, right there. And so, the question is, if that's 410 feet and that's adequate today, why is 300 adequate moving forward?

Mr. Zuraf: I would defer to the applicant.

Mr. Randall: No, no, I just want to clarify the question.

Ms. Barnes: Okay. I'm going through my questions here and I'm trying to figure out which ones are going to be for the applicant, which ones are for you. As far as extending the deadline to 2055 and 2135 for the Hampton and the original pit, you mentioned that we had heard from Utilities but we don't really have any projected water supply needs for those dates, if I'm recalling correctly. And the reason why I'm going back into this is because this is the, um, the staff report kind of went in this direction as well.

Mr. Zuraf: It was that they... from their last time they evaluated it, they thought the extension would be okay.

Ms. Barnes: So, my question is, and this may be an overall question, if we don't need the water supply necessarily, what would be the benefit of the County for taking it? It seems like we're taking on quite a bit of maintenance in a very large area, and an area that we may not possibly need.

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Mr. Zuraf: That was mentioned as a concern is not wanting to take on the responsibility of a quarry pit too long before it's needed because there's the overall maintenance costs.

Ms. Barnes: Okay. Now, going back to and looking at some of the prior rezonings, I noticed that the original Hampton Pit in 1976, one of the, um, I think actually back then it was called a special use permit instead of a conditional use permit, that they required liability insurance of 1 million dollars in 1976. And in 2021 that figure is the same.

Mr. Zuraf: Yes, it is.

Ms. Barnes: Yes. That seems like there would have been some inflation or maybe a need for a little bit more – 1976 to 2021, so, a pretty big difference.

Mr. Zuraf: Yeah, that's another applicant question I guess as to why.

Ms. Barnes: I'm going to highlight that. Under the environmental impacts, 20-3A specifically, the drainage area in the ponds. And I know we've discussed this here. The 20-3A is that new area. In that current area, there's a pond and I think you said there were two drainage areas. If we go in there and we pile up an 80... I think it's up to... up to an 80-foot berm, what's going to happen with... I have a lot of concerns what's going to happen with the drainage. And it says that we have to ensure proper drainage to avoid impacting those neighbors. How are we going to ensure that?

Mr. Zuraf: I think that would be through stormwater management review. And typically any grading plan, it goes through stormwater management review to make sure that water courses and drainages is positively addressed.

Ms. Barnes: Okay. Some of the proffers that I was looking at, I think it was one of the proffers said that there's going to a hundred feet of undisturbed buffering abutting Aquia Creek. Isn't Aquia Creek a CRPA?

Mr. Zuraf: Yes.

Ms. Barnes: Okay. So, isn't that required by law regardless?

Mr. Zuraf: Yeah, that's, uh... yes, it is, and...

Ms. Barnes: So, why would that, um... is it a proffer or is it a requirement? It seems like it's... we're offering this up but we're kind of required to do that anyway.

Mr. Zuraf: Right. It is a requirement and, you know, it is a kind of a carryover from the previous original proffers.

Ms. Barnes: So, one of the things that really, um, that really struck me towards the end I think of the staff report is this quote: "what is unknown is the potential impacts of the adjacent residents and if a 300-foot buffer is adequate given the proximity of the residents to the quarry." Do we have any precedent? Do we have any studies? Do we have any way... I mean, because this is, um, this is a big operation that's going to be moving in closer to folks who did not have that previously in their back yards, and we have no way of knowing whether or not any of these mitigations is actually going to be effective.

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Mr. Zuraf: Right. Yeah, we do not have any specific kind of studies to help guide, you know, give us an... *inaudible, being talked over*... specific measurement.

Ms. Barnes: So, we're talking about a big unknown here for some of these folks.

Mr. Zuraf: Yes.

Ms. Barnes: Okay. And I think this is probably one of my last questions. One of the things that we talked about I think with the Comp Plan is the proposed development should not have any negative effect on property values. How did you come to that conclusion that there's not going to be any negative effect of property values surrounding the what's going to be an active mine?

Mr. Zuraf: With the fact that the... there'd be undisturbed buffers and berms placed. Generally, that type of... *inaudible, being talked over*.

Ms. Barnes: Yeah, to me, that's, you know, that's a little counter-intuitive. How can an active mine in your back yard not necessarily impact property values? I'm not sure that there's... is there any grand study any place else that talks about mining operations that move towards, that move towards, and this is what's happening here. We don't have neighbors moving in next to a mining operation. We have a mining operation moving in next to neighbors.

Mr. Zuraf: Right.

Ms. Barnes: And that's what I'd like to, you know, I'd like to see if we have any, um, anything that we could look at that talks about what this could possibly do to these peoples' health and their property values.

Mr. Zuraf: Okay.

Ms. Barnes: And my general question: what exactly is the economic benefit on a yearly basis for approving this application? If we don't approve this application, what are we missing out on? What's going to be the big, you know, benefit for us on a yearly basis for this? It's kind of a big overall question, but I'll end it that way.

Mr. Zuraf: Well, the, the mining operation will continue. You know, I guess the... it's my understanding that whether this gets approved or not, the mining operation will continue basically at the same pace, drawing in the same I guess revenues. It's just basically, it extends it out for a longer period of time.

Ms. Barnes: I know that there were a lot of charts and a lot of numbers on some of those in the staff report. Is there, is there a real easy number that you can come up with that the economic benefit for Stafford County is on a yearly basis?

Mr. Zuraf: It's mentioned in the Impact Statement. Okay, so the applicant did kind of pull out the kind of County tax benefits on the last 5, or the last 5... well, the 5 years from 2013 to 2018. In 2018, personal property tax of \$4,315 per year; real property tax \$84,000 approximately per year; and Stafford's share of state sales tax \$43,891 per year.

Ms. Barnes: Okay. And I think you uncovered, you know... that was basically you already said what would happen if the County did not agree to take the property in the end, what would happen to that

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property because what happens to these mines when they reach end of life if they don't turn it over to the County or to whatever governing body it is. What do the mines generally do to clean this up?

Mr. Zuraf: There's a whole reclamation plan requirement to basically stabilize everything, and the applicant can get into more of the specifics as to what they're required to do.

Ms. Barnes: Okay. Thank you. That's all for me for now.

Mr. Randall: Mr. Zuraf, what...

Mr. Apicella: Hey, Mike, can I just piggyback off that last question on the economic impacts? So, the real property tax, and to some extent the personal property tax, would remain stable for much of the outyears regardless of what the County decides to do on this application, right?

Mr. Zuraf: Correct.

Mr. Apicella: Okay. Um, I heard somebody jumping in. Was that Mr. Randall?

Mr. Randall: Yeah, that's, yeah. Yeah, I wanted to make sure that you highlighted the same point... make sure you highlighted the same point that I did. Based on the changes that we're making, there is no additional economic development, economic impact for the County. Um, okay, Mike, I'm going to ask you...

Mr. Apicella: Why don't we do it... Mr. Randall, why don't we do it this way. I'm sure folks have a lot of questions. Why don't you take about, you know, 5 or 10 minutes and ask your questions, and then I'll move onto the next person. Not that everybody can't ask all their questions, but just to kind of keep the flow going. So, I imagine you've got a few questions.

Mr. Randall: Why would you think that? [Laughter] So, Mike, if I could go back, Kristen asked a couple of questions. Could you go back to page 7 of 16 in your staff report please? And you're looking at the picture, but I want to actually go to the, to the phrasing. Staff report, 7 of 16?

Mr. Zuraf: Right.

Mr. Randall: Okay. It says that the future phasing of the quarry operations are best described in the Illustrative Plan submitted with the proposal, right. It also says this is provided for informational purposes. So, what we're saying then, based on this, and correct me if I'm wrong Mike – I want you to correct me – is that this whole plan that we've been looking at is illustrative. It is not proffered. It is not in stone. They can do whatever they want based on the fact that this is just a, a guess of what they may or may not do with the land that they currently have. Is that... am I overgeneralizing that?

Mr. Zuraf: Sorry, if I didn't clarify. So, this, this is still the Generalized Development Plan, which is separate. They submitted a separate Generalized Development Plan from the Illustrative Plan.

Mr. Randall: Sure.

Mr. Zuraf: This, on the screen, is the Generalized Development Plan which I just used for purposes.

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Mr. Randall: Then show me, show me... let's go to, what, attachment... show me what's the illustrative, what's the informational purposes part of.

Mr. Zuraf: That is basically Attachment 6 in your package, which...

Mr. Randall: You don't have a copy of that you can show.

Mr. Zuraf: Not on the screen, no.

Mr. Randall: Okay. Alright.

Mr. Zuraf: And that shown as several slides basically that shows different phases that generally follow what I tried to explain as far as how the quarries and operation will continue... *inaudible, being talked over.*

Mr. Randall: Okay, but's, right, but that's not... that's by their Attachment 6 that we have in our report, it's not set in stone, it's not proffered. They can really do it any way they wanted.

Mr. Zuraf: Right. So, they could stop – I'm sure they won't but they could stop tomorrow and go and start quarrying the original mine, the original pit. But, you know, what was explained to us is they would continue with the Hampton Pit and which they're working there now...

Mr. Randall: Right. Do you know any reason why they wouldn't proffer that part of it?

Mr. Zuraf: I would have to defer to the applicant.

Mr. Randall: You don't know of any reason thought.

Mr. Zuraf: I wouldn't think so.

Mr. Randall: Okay.

Mr. Bain: If I could, just real quick...

Mr. Randall: Please.

Mr. Bain: ... to clarify. But there is a proffer that says if they stop the Hampton Pit and move to the original pit, they can only operate Hampton for 5 more years. So, that would be a cut-off for them. If they were to move tomorrow, they could only do Hampton for 5 more years.

Mr. Zuraf: Right. There's limitations.

Mr. Bain: So, it's probably unreasonable for, for that to occur.

Mr. Zuraf: I would think not. I would think it would be unreasonable to just stop and switch back and forth.

Mr. Randall: Is there currently a fence on, uh, throughout the quarry, around the quarry?

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Mr. Zuraf: There's fencing; I can't speak to the exact location of all the fencing. But I know at least around the southern and eastern sides, and I'd probably ask for the applicant to maybe clarify...

Mr. Randall: Sure, sure.

Mr. Zuraf: ... where those fences are located.

Mr. Randall: I wasn't sure. So, we're clear they're proffer change was to remove all the fencing and not require any new fencing; is that correct?

Mr. Zuraf: Well, yeah, and it was the previous proffer talked about fencing, placing a fence on top of the berm which, uh, they mentioned that's not necessarily the best place for it. And I guess really, from a staff perspective, as long as they provide fencing, that's the main thing. And so...

Mr. Randall: Right. But they weren't proffering moving the fencing. They wanted to just not to have the fencing requirement at all.

Mr. Zuraf: Right. And I don't know if that was... I don't believe it was for the purpose of being able to remove the fence, because they may still have those types of requirements under... through the DMME.

Mr. Randall: I wasn't here in '77 and 2001 and 2010, so I don't know what the intent was at the time.

Mr. Zuraf: Right.

Mr. Randall: But my guess would be that if they're interested in... alright, I won't, I won't necessarily guess. So, let's talk about, um, let's talk about blasting. It was in here and I am not able to put my hands on it right away. It says that blasting will be allowed during normal hours of operation, with some nighttime limited operations allowed. Tell me what that means to staff.

Mr. Zuraf: Not for the blast. That would be for the overall operations, not the blasting.

Mr. Randall: Okay. The quarry operations include the use of heavy hauling equipment, processing equipment, and the occasional use of explosives. Blasting with the quarry is required to be in compliance. Their operations occur during nighttime hours with limited nighttime provisions permitted. So, it seems to me that they talk about quarry operations, processing, and occasional use of explosives. It is not clear in that proffer that nighttime operations of explosives is not prohibited. And so, I would necessarily require that that would need to be specifically excluded. We can also talk about that when we talk about the conditional use permit during the removing the hours of blasting, but that's for another time, a couple of hours from now. Um, policy 4-6.5, this is from our Comprehensive Plan, straight out of the Comprehensive Plan. It's on page 13 of our staff report. And I believe you used... I believe it was part of your staff report as well, if you want to go to that so we can show the public.

Mr. Zuraf: I have it, yes.

Mr. Randall: Can you pull that up so people can see it please? It says restrict... so, it's the 1, 2, 3, 4th one down. Restrict operating hours to preclude disturbances from vehicles and equipment. Alright, so, this is from our Comprehensive Plan. So, who would you think that we're trying to preclude disturbances from? Is it... what do you... I mean, we're doing a Comprehensive Plan update right now, and I'm

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wondering if I need to go back here and be more specific on who it is that we're speaking to when we're trying to preclude disturbances.

Mr. Zuraf: That would be...

Mr. Randall: Is it the local wildlife? Is it... ?

Mr. Zuraf: Residents.

Mr. Randall: Residents.

Mr. Zuraf: Or it'd be some property owners.

Mr. Randall: Property owners. So, the intent of the Comprehensive Plan, although it's not written to say that, would be such that we would restrict operating hours to preclude disturbances to residents from vehicles and equipment. So, what are the current operating hours of the quarry? I'm assuming operating hours of the quarry also means operating hours of the big trucks that they run through there.

Mr. Zuraf: Right. The requirement is 6 AM to 6 PM Monday through Friday.

Mr. Randall: So, 6 AM to 6 PM.

Mr. Zuraf: Yes.

Mr. Randall: Okay. So, so, when this was first done, the proffers were first approved, I don't know how... I guess I would need to go back to an old time... an older Comprehensive Plan to see if this has been added since then; but the determination at that time was a 6 o'clock truck running through that road was not disturbing any of the residents that lived close to that, whether it was on the road, whether it was on 610, wherever that truck is running, that it was not disturbing those residents. Is that a fair statement?

Mr. Zuraf: I'd say so.

Mr. Randall: Okay. The question would be is whether or not that's... whether that's, whether that's the current statement and whether or not that is applicable today as much as it was maybe in '77 or, you know, '89. Alright, Steven, that's all I have for staff at this time. I've got several for the applicant, but I'll turn it over...

Mr. Apicella: Thanks. Thanks Mr. Randall. Anybody else? Mr. Bain, do you have any questions?

Mr. Bain: Yes sir, I do. Um, let me get my computer to turn on again; hold on. One general question – there seem to be a good bit of concern that we're rezoning Agricultural land to an industrial operation. Has the County rezoned any other land anywhere in the County to Industrial from Agricultural?

Mr. Zuraf: Uh, yes.

Mr. Bain: Yeah, so it's not an uncommon activity.

Mr. Zuraf: Right.

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Mr. Bain: And were any of those close to residential areas?

Mr. Zuraf: Without looking at a map, I would assume that they would be.

Mr. Bain: How about to commercial operations?

Mr. Zuraf: Close to commercial operations or... ?

Mr. Bain: Rezoning for commercial operations that were close to residential areas.

Mr. Zuraf: Yes.

Mr. Bain: I can think of one right down the road here for Publix...

Mr. Zuraf: Right.

Mr. Bain: ... that would have a significant impact on traffic and congestion for nearby residents. And noise and possibly, certainly dust during construction. You know, these things are relative. You let 'em happen in parts of the County and all of a sudden you don't want it here. Um, the berms – and this might be one for the applicant – you have let's say it was a hundred feet of undisturbed land. Then you have a berm that's going up at 2:1; gets to a top and comes down at 2:1. The total length of the buffer area then is 300 feet, let's say. I'm just... it varies. I understand it varies. At that point, at that 300-foot point, would you then have a 200-foot cliff going down to the bottom of a quarry? No, I don't think you would. You would continue a 2:1 slope, I'm assuming, and again the applicant could, could confirm, 2:1 slope of the overburden until you get to the rock surface, or at least sufficient slope to maintain that ground. So that could be, if the rock is 20 feet down, that could be another 40 feet, and then you're going to have steps going down into the pit. So, distances, um, as the operation continues and you're stepping down into the pit, you're getting further and further away from the residences.

Mr. Zuraf: Correct.

Mr. Bain: On my tour of the quarry last week, we went to the residential area there towards the southwest of the quarry and stopped with the windows open, looking in one short spot you could occasional see one of the trucks leaving the quarry. You could not hear any of the truck movement; could not hear. And I admit, the trees have leaves on them; maybe in the winter with bare trees you could hear something. But I know on that day, and the quarry was fully operational, you could not hear that, you could not hear the equipment that crushes the rocks at that location. So, I don't think the noise is that big of an issue. The visibility is even less. Like I say, there was only about a 5-foot area looking through the trees where you could see over the top of the berm and just see the top of a truck going by. So, visually, I don't see that there's any problem. I think I would like the applicant to explain how that berm ends and then to get down into the quarry operations. How much further would it be before they actually mine rocks? Let me get back to my questions here. Aww, shoot, hold on; something happened. There we go. The number of trucks coming and going to the quarry, I think we've said it but I just want to confirm. For all intent and purposes, that's not going to change very much as the quarry continues to be mined, unless there's suddenly a significant demand for more stone. And, you know, nobody knows that that's going to happen, but I don't think there's any plans for it. But the stone that the quarry mines, I would be willing to bet that the County purchases it for the road work. I know the State must for their road work. So there's economic benefit associated with that. And then the rest of the stone is being used by contractors, developers in the County that's promoting further economic development for roads,

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sidewalks, pathways, what have you. So, I see significant economic impact, beneficial impact to this quarry. Let's see. You had commented about turning over the pits for water storage. Those pits do not fill up on their own. Rainwater would not fill them up. If the County was going to use them for water supply, they'd have to pump the water in and then they'd have to pump it out again. There's no benefit to the pressure in our water systems because they're below ground. The water becomes very stagnant, especially if they filled the pit up; there's no movement. I just don't see an advantage to having those pits for water supply.

Mr. Zuraf: The intent that was explained to me is the, basically the pits would serve as a reserve to supplement Smith Lake Reservoir. So, they have... they're allowed the County can hold back a certain amount of water when there's times of higher water flow. All that water has to be kind of released over, you know, the dam and sent down Aquia Creek. I guess, in those situations, when there's more rainfall, they'd be able to pump the water and hold it in the reservoir pit. Because, yes, you would have to pump it to get it in because there's not enough drainage area. And then if there's periods of drought, they can then release that water to go back down to Smith Lake Reservoir to fill it back up if levels are low. But then, also, to provide for future growth needs as well, like kind of a combination of the two.

Mr. Bain: Sure, sure. But they could just as easily and probably more realistically establish a withdrawal from either the Potomac or Rappahannock River where they could get fresh water that they wouldn't have to worry about stagnant conditions and that type of thing.

Mr. Zuraf: What was mentioned there was the cost to get it from the Potomac River, to pump it all the way back to Smith Lake Reservoir would be kind of... it'd be very expensive.

Mr. Bain: Wouldn't have to pump it to Smith Lake Reservoir. You'd pump it directly to the treatment plant.

Mr. Zuraf: Which is at Smith Lake.

Mr. Bain: It's below... it's down below, yeah. Okay. Let me see. The fencing – that does bother me. I think the applicant needs to explain if there is a fence all the way around the quarry property and, if not, why not, because these quarry pits are attractive nuisances. I know from experience. And if the property were turned over to the County, I can well imagine that the County would require fencing around the perimeter of the pits themselves in addition to any other fencing that was out there, again, for the nuisance problems. I know there was one other question that I had and I can't find it in my list here. Okay, I'll pass to whoever else is next.

Ms. Barnes: Mr. Chairman, can I add a point of clarification about one of Al's points, if I may?

Mr. Apicella: Sure.

Ms. Barnes: We talked about the trucks going in and out of the entrance and that they're really not visible and the noise isn't terribly loud. Regardless of whether or not, you know, the residents feel that way, that's a known commodity. I think what the major concern that I've been hearing about is not necessarily about the trucks, it's about the concrete plant being put right there at the beginning and the noise generated from that. And perhaps this is a question that we can have for the applicant later about running that concrete plant. I believe it said that it can run up to 120 nights per year. And I did drive by the concrete plant on the way in and rolled down my window and stopped to listen for a while, and it's pretty loud. So, I'd like to know what the plan is for the, um, to mitigate the impact of the noise, you

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know. The trucks, yeah, the residents probably don't like it but it's a known commodity; that's not going to change. It's the concrete plant that's the new part I think that is the concern moving in there.

Mr. Apicella: Thank you Ms. Barnes. Other questions for staff?

Mr. Bain: Steve, just one moment. I will comment on what I was told by the applicant concerning the concrete plant. It's not in the proffers but, and I think it's something we could institute in the CUP. They said there would be 6 trucks servicing the concrete plant and that they would make usually 2 trips a day. That's 12 truck trips. So, if... I don't know where the other number, 30-some, came up, 32 or so, but if they're willing to revise that proffer or if we want to make that a condition under the CUP, we could restrict some of that traffic or perhaps allow for occasional extensions during peak demand times or something. Okay.

Mr. Apicella: Thank you Mr. Bain. Other questions for staff? Mr. Cummings? Mr. English? Mr. McPherson? Do you have any questions?

Mr. English: I'll hold my questions for the applicant.

Mr. Apicella: Okay. Mr. Cummings?

Mr. Cummings: I, too, am going to hold my questions for the applicant.

Mr. Apicella: Okay. Mr. McPherson?

Mr. McPherson: I'll withhold as well, thank you.

Mr. Apicella: Okay. So, last call for questions of staff on item 1 for now. Alright, seeing none, would the applicant like to come forward and make their presentation.

Mr. Leming: Good afternoon Mr. Chairman, members of the Planning Commission; I'm Clark Leming. I'm counsel for Vulcan Materials, and we appreciate the opportunity to, uh, share with you the points that we think area critical to this application and answer your questions. I have a team here with me, so I want to introduce them. First, Mr. Steven Render, he is Vulcan's Vice President and General Manager, and he's going to speak to you in just a moment. We have Mr. Aron Keesecker... where did Aron go? Well, he was there. Aron is the local Superintendent. If you have visited the quarry, as some of you have, Aron is the one that would give you the tour. Incidentally, we want all of you to come visit the, uh, the quarry. I think Ms. Barnes has been there, let's see, Mr. Fillmore, Mr. Bain, and Mr. Apicella I think has indicated an interest, Mr. English is coming, Mr. Cummings, and Mr. Randall. I've tried to send you emails at two email addresses and they both got kicked back. So, and one got kicked back from you, Mr. Cummings, so something is doing... not working right. But please let us know if you'd like to come and have a tour. It's about a 90 minute tour. Now, back to the introductions, James Cooper; Coop has worked with Vulcan for 38 years and he's the area's Operations Manager. Mr. Glen Cobb, seated right here; he's the Government and Community Relations Manager. And if you've gone on the tours, Mr. Cobb has been involved in that. And then we have Mr. Walter Beck who is the Environmental Manager. And Walter's been with Vulcan for 27 years. In 1985, I moved next to Vulcan Materials. They were there. They were established. Tricia and I checked it out very carefully and decided they were a good neighbor. And they have been. And my interaction with Vulcan has continued throughout a 36-year period now, and I've been involved in all of Vulcan's rezonings since we, since we moved there, including the Hampton. We'll come back to that in just a moment. And Tricia's here somewhere;

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Tricia is back here. Okay, I don't think I left anybody out. Now, what I'd like to do for a few moments is to turn the mic over to Mr. Render and he would like to address you on behalf of Vulcan Materials. And he can tell you a lot about who Vulcan is and how long Vulcan has been here and what Vulcan's corporate objectives may be.

Mr. Render: Thank you Clark. Good afternoon Mr. Chairman, Commissioners, staff, and everyone participating today. As Clark said, my name is Steven Render. I am the Vice President and General Manager for Vulcan's operations in Maryland, Pennsylvania, Delaware, the District of Columbia, and in Virginia. I'd like to start off today by thanking our neighbors, staff, Commissioners who have provided feedback on our plans to develop the most beneficial use of this site for the County. Through our website, through 24/7 community lines, through email, and at in-person community information sessions, we've heard your feedback. We are committed to growing our investment in Stafford County, and operating in a safe, socially, and environmentally responsible manner as we will continue to listen and work with you to make our plans even better. As you know, we've been operating here since 1978. We produce vital, high-quality construction materials that have helped build and maintain Stafford County. If you drive, live, work, or go to school in this area, you're either using or benefiting from our materials. Think roads, bridges, churches, medical facilities, businesses, and government projects. We are also responsive to the community and in partnering with non-profits, schools, churches, and various other community organizations to play our small world in helping Stafford County to make Stafford County a great place to live. And we are an economic engine for the County. We produce millions in total annual economic output and spend with local businesses. We support 68 employees and retirees living in Stafford County. And in the last 5 years, we generated more than 17½ million dollars in tax revenues for local government and state services, including road construction and maintenance, schools, and public safety. As we mine here, we're also creating a future public asset that will serve the people of Stafford County for generations to come. In partnership with the County, we are actively planning and developing our site to eventually transition to a drinking water reservoir and recreation area to serve the future needs of the community. This beneficial reuse of the land gives the County a cost-effective facility to continue to ensure a stable and reliable drinking water source to meet the long-term needs of the area. It will also create new public outdoor space for our residents to enjoy. We're talking about billions of dollars in long-term benefit for the County and taxpayers. I'd like to take a moment to explain how we mine in Stafford. The 556-acre site consists of two mining areas; our east pit and our west pit. Our mining is focused in the east pit. Following detailed and engineered mine plans, licensed and trained technicians adhering to specific depths and patterns drill holes into the rock. East blast is individually designed and engineered to account for the geology, geometry, and location. Our engineers use laser profile and digital modeling to predict specific shot behavior that is within ranges far below the proven State safety limits. In a blast, we precisely remove a specific amount of rock from the ground. These are highly controlled events that happen less than a second. Since May of 2017, we conducted 82 safe blasts, averaging about 2 per month. We are in 100% compliance and within range is far below permitted safety limits that are scientifically proven to be safe. This means the structural damage potential from blasting is zero. Each blast is monitored by an independent third party through a network of offsite seismographs and the data is reported to the State. We also publish blasting data to our website. The rock is then transported and processed in our plant located by the west pit. Keep in mind we're only mining, actively mining in a small portion of the entire site at any one time. The site also contains open space, berms, and undisturbed areas. We serve customers via Vulcan Quarry Road, as well as our onsite customer, Virginia Paving. In addition to County rules and regulations, we are required to maintain compliance with State and Federal permits and regulations that dictate specific operating conditions to safeguard our employees, neighbors, community, and the environment. These oversight bodies include Virginia Department of Mines, Minerals, and Energy; Virginia Department of Environmental Quality; US Mine Safety and Health Administration; US Environmental Protection Agency; and the US Army

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Corps of Engineers. These regulations are determined by governmental agencies to be protective of public health, safety, and the environment on our property, at the property line, and in the community. We are also 100% in compliance with County proffers. Our safety and environmental compliance track record is solid. The results are clear. Our water quality is controlled and tested, and confirmed to be the highest quality when it leaves our facility and joins the creeks and rivers that lead to the Chesapeake Bay. We protect air quality for employees and neighbors meeting the strict air quality standards imposed by the Commonwealth to protect the environment and the people. And our team at Stafford has gone 3 years injury free. We also work in harmony with the go... with the environment. In fact, Stafford County was one of the first wildlife habitat council certified habitats in the nation. And our team has maintained that certification since 1991. In fact, we have abundant wildlife in and around the site. Our approach assures the community that local ordinances and operating conditions are being met so that residential and businesses can co-exist and work together. And in that spirit we are committed to continually improving our operation. Clark will walk us through the application in a few minutes. But first, it is important to understand how we got here today. We are committed to doing to right thing and we're committed to Stafford County. That is why we went above and beyond the public notice and participation requirements of the County ordinance. We shared information and engaged with our neighbors on plans to update Stafford Quarry. In fact, we provided more than 60 days of active communications before day one of the issuance of the County public notice. Our proactive approach has generated significant awareness about the project and given neighbors the opportunity to learn more, provide feedback, and ask questions. We mailed letters, launched a website, and ran Google search ads, all making it very convenient for anyone and everyone to contact us. We also offered two days of in-person meetings. In all, we've heard from a total of 21 people, including the comments shared with the County that were forwarded to us. We answered questions and, for those who chose to, we hosted one-on-one quarry tours. While we may not agree on everything, we have and continue to engage in productive conversations. Based on feedback we've received, we have committed to incorporating that feedback into this plan, including: providing additional screening setbacks and preserving existing trees; adjusting new berm design and adding vegetation; transitioning to low sound safety backup alarms on all our mobile equipment; and adjusting nighttime lighting where permitted by safety regulators; maintaining a pre-blasting call and email list for neighbors who wish to be notified before we blast; and expanding our seismic monitoring network. We believe our proposal is responsive and provides for an efficient use of known mineral reserves for the future needs of Stafford County, and enables us to better prepare the east pit to provide a more usable storage facility for our future water needs. Thank you for your attention, and I will turn the podium back to Clark for further comment.

Mr. Leming: Thank you very much Steven. Alright, back to the land use presentation. A couple of issues I'd like you to try to keep in mind as we work through this process, first, the justification for the applications, which operate to extend the life of both of the present quarries ultimately for the combined pits by 50 years. Why is that important? Think about what it takes to start a quarry. Uh, a large tract of land, good access, an awful lot of removal of dirt to get to that quality rock. I guess the first step is finding the quality rock. Well, the quality rock is in this location. And Vulcan checks these things out very carefully. There's a certain kind of granite, sometimes called blue stone, that's what they're mining here. And the history of, of Vulcan in Stafford County has been one of expansion of this mining area within certain parameters that we'll talk about since the very beginning. They actually started mining in 1978; '76 rezoning and conditional use permit application; then we go to the Pollard Tract in 1988. They didn't need additional rock reserves at that point, but they needed storage space. So that's why the particular restrictions are on that property. Then in 1992 comes the Hampton Pit, which has an interesting history. Hampton was originally proposed as a large residential subdivision in 1988 and 1989. Tricia and I and some others, believe it or not, opposed it. It was very dense. It was about 300 units. It was on the creek. Not a bad place to put houses, but not at that density. And so we opposed it

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and, and won. It was a narrow 4 to 3 vote on the Board of Supervisors, withstood a court challenge that we participated in. When that was done, I went to Vulcan through Jim... *inaudible*... the then Vice President I believe and I persuaded them to buy the Hampton tract. So, that was... they checked it out,, they did their testing, the same stone is there, and it addressed some of their long-term interests. Now, the overall parameters of the mining area, remember that to the north is Quantico and you can't go any more... any further that way. To the east you have some older subdivisions like, uh, Raintree and Deborah Drive and that area. To the west we have Toluca Road, some large lots and then Mt. Ararat Church so no further that way. To the, to the south, of course, is Eastern View and there's one large tract that you may have noticed that's in a conservation easement; right there on 610 that runs back up against Vulcan and along, alongside Eastern View. Nothing's going to happen with that tract. So, those are the parameters of even potential mining where you can continue to get to this, to this quality rock. So, Vulcan, and this is all very futuristic. I mean, bear in mind that under the current applications, which are a hodge-podge, I'm going to talk about that a little bit, because they occurred at different points in time over Vulcan's history here in Stafford. But that is the, the objective is to tap into as much of that granite as is possible within this area without going to another location. But under the current approvals, you know, we're talking about still a very far time down the road; we're talking about 2085 before they're supposed to be finished. And incidentally, just to clear up one point, the reservoirs, the reservoir dedications. The County doesn't have to accept those. This is something that was offered. It was Mr. Gibbons' idea back in the early '90s with Hampton. You know, it makes some sense there. Other areas where the reservoirs and, and Vulcan has set them up and turned them over to the localities. And some places, the circumstances are different in each location. This is a little unusual here because it's right beside existing creeks, and Mr. Bain talked about some of the, the difficulties in trying to orchestrate the collection of that water and integrating it into the system. But, um, but it's there. We're happy to offer. It's worked well in some other areas. So, 2085 is the current expiration. We're talking about extending the ability to operate at this location and not open another quarry until now 2135. Now, there's a lot to be said for that from a policy standpoint from the County. Because you have a continuous supply of rock in this vicinity that's close by, that keeps the cost down because the trucking is not great. So, quarries goes with development. Quarries, if not this one, it's going to be another one somewhere else and, as Mr. Bain indicated, somewhere else is going to be somewhere in the vicinity of where other people live. I hope everybody knows that Vulcan was here 8 years, almost 10 years, before Eastern View came onto the scene. Eastern View was approved by the Board of Supervisors as a subdivision that would be placed next to a rock quarry. It was owned by a Mrs., the land owned by a Mrs. Barkus; had some financial difficulties and the Board of Supervisors worked it out, rezoned the property, and boom, you got Eastern View. Now, what I'd like to do is to share with you a couple of things about the dimensions here. Let me be sure I can operate this correctly. Okay. Let's start with this and there's a cursor here but don't worry yet. This is the Hampton Pit. And there's one very important thing here that some of you have already picked up on. This larger green area to the north and the east of the Hampton Pit. As Mike told you, that's a park area that was dedicated to the County back in 1992 when Hampton was approved, but the County had to accept it, they chose not to accept it, and the time period for accepting it has expired. But that's why that wall is there. And that's why that green space is still there. The Hampton proffer for the berm, the Hampton proffer for the berm in place right now is 200 feet; 50 feet of undisturbed buffer and 200 feet total including the berm. So that's what we can operate under now. So, all of this land, and the same rock is over here. Now, there are some curvature issues. It makes more sense to Vulcan to continue south on a straight line, but that same rock is over there. But the way we've set it up under the GDP is that that area would stay as it is. Now, but, that rock is there and that wall can be expanded under the current Hampton proffers to up to 200 feet from that property line. I want to make sure that everybody understands that when they're talking about a 400-foot buffer, that's what we're now proposing in the GDP for that area up there.

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Mr. Randall: Excuse me. Show us where you're talking about. Show me, show me where the park is, show me where...

Mr. Leming: Do you... can I mark with this? Okay. This thickest area up here is the park area, okay? There's an accessway that comes down through here, because the only way to get to the park was through this subdivision here.

Mr. Randall: Sure.

Mr. Leming: There's one little out-parcel that was set up right here; somebody in that subdivision wanted to set up a little 3-acre lot there and Vulcan set that aside for him. So that, all of that area is governed up until the, this is the property line right here, so up until that point. What we're governed by under the current Hampton proffer is a 200-foot buffer requirement with 50 feet in undisturbed. Now, they put the berm in place. They were ready to go. We were waiting for the County to make a decision on the, uh, on the park. It went on and on. Finally, the County said no. Now, so, that wall would have to come down. But the same thing is going to have to happen, the same kind of thing if we come down to the south in terms of the berms.

Mr. Randall: So, Mr. Leming, just so I'm clear. The area of the large undisturbed green space, directly across from the developmental, the residential area, staff told us that that was a 410-foot buffer.

Mr. Leming: Yes. It is under our GDP. That's what it will be in the future under the current...

Mr. Randall: That's what it is currently right now.

Mr. Leming: No, no, uh-uh. It measures that but only because Vulcan has not expanded in that direction because of the park proffer. Vulcan has the right to expand in that direction.

Mr. Randall: So, you're going to change those buffers, is that what you're telling us?

Mr. Leming: No, we're going to leave them... if, if we come south, we're not going to go east. Okay? That simple. And the only thing that I point out is that there's all this talk about a 400-foot buffer in that area and why don't you have it further south. Well, it's not under the proffers, a 400-foot buffer, it's a 200-foot buffer. We are willing to leave all this alone. Our GDP is proffered. So this will be what you will get in the future with the approval of this GDP and this zoning application. Okay? But that's not what it is right now under the proffers.

Mr. Randall: Interesting.

Mr. Leming: Okay?

Mr. Randall: But, that's not what you're proposing south of that area, is that correct?

Mr. Leming: No, no we're not. Because...

Mr. Randall: Okay.

Mr. Leming: ... every, every 50 feet of additional buffer means 5 million additional tons of rock. These bump-outs, and another reason for showing you this illustration, and I want to be sure you understand,

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this is the area of the expansion, so that you have some sense of that in proportion to the overall Hampton quarry operation right now. So, that's the bump-out. That bump-out obtains for Vulcan another 14 million tons of rock. Now, another misnomer about all of this, and we use terms like pit. Well, there's a pit floor, and those of you who have been to the property understand this better, the operation and the way they're required to set up the quarry is best described as what we call an inverse wedding cake, because we do have the steps. And if you've been to the Hampton property, you see... or to the main pit... you see the steps coming down to the pit floor which is where the mining operation ultimately takes place. Now, they have to get there, but the width of those steps within a quarry is 200, 250, maybe 300 feet. So that's that much further away from the adjacent properties. And that's in addition to the proffered buffer. Now, to be sure, the steps have to be put into place. And if on the way down they find rock, they won't find it at the upper levels but on the way down they're certainly going to use it. But once those steps are in place, then that is that much further away that the quarry activity occurs.

Ms. Barnes: Mr. Leming, could I ask a quick question? Maybe it's an engineer question and I'm not understanding it very well. In that, in that area that you have outlined there, the 20-3A, you've got the blue outline there...

Mr. Leming: Yes.

Ms. Barnes: ... will there be any active mining explosions in that specific area that's going to be closer to the neighbors than there is now?

Mr. Leming: The best way to understand both of these what we'll call bump-outs is that what Vulcan wants to do is to pick up its step structure from where it is right now and move that step structure south. Now, why do they want to do that? Because, that let's them get to that 14 million tons of rock underneath the existing step structure. That's what they're trying to get to. That's what they don't want to leave on the table. So, yes, the answer to your question is, what's coming onto 3A are the steps. Okay? And the same is true with regard to the expansion onto Pollard. We're not talking about having the pit floor there, or on 3A. We're talking about taking the existing steps that are on the present site, the main site, the original site, and moving those steps to the east so that Vulcan can mine the rock that is currently unmineable beneath those present steps. And those of you who have been there have a much greater appreciation for this, I say steps. These are gigantic steps. I mean, what, 15 feet, 20 feet? More? Fifty? Okay, they're enormous steps. Even somebody as large as Coop.

Mr. English: When you say steps, is that that they drive on? Tiered...

Mr. Leming: Yes, they're tiered.

Mr. English: ... for driving, for the trucks that drive. *Inaudible*.

Mr. Leming: Yes, uh-huh. They're over and down and over and down...

Mr. English: But it's like it's a... it's a driving area for the trucks to go down.

Mr. Leming: Yes, the truck... yes, the trucks on many of them, the trucks can't travel. Yes, that's exactly right. And they're required to set things up that way for safety reasons as well. So, um, that is, that's what's being planned for these other... and the best way to understand what's being proposed here – and incidentally, there's somewhere in excess of 20 million tons of rock over beneath the original steps that we could get to with the bump-out onto Pollard. Now, what's the significance of those numbers?

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Well, look at the extensions here. With Hampton, what it does effectively is to buy another 20 years of, of mining for the Hampton Pit, so that that turnover, that offer to the County to turn over the reservoir goes from 2035 to 2055. For the other, uh, property, for the original property, it's even longer because we've still got Martin Jones to mine to the west there, too. So that means the life of that mine extends out now to 2135. So, that's a long, long way down the road. But, that's how Vulcan operates. And they look that far down the road because of the expense and the difficulty establishing new quarries. Now, now we've talked about the two, uh, bump-outs; the Hampton bump-out to the south and the Pollard, or the original quarry, bump-out to the east. Now, let me, if you can just barely see on this one, the... now here is the, this is the edge of the current mine where the steps start incidentally right there, you can see the distance to the, to the homes there. The homes that will be, uh, impacted most directly are these right here. And there are, I believe, six lots – I think we own two of those? We own some of them. Anyway, those are the lots most immediately affected by the bump-out to 3A, and that's, the mitigation that is proposed there is exactly what Vulcan does uniformly. We did expand and request to, in response to Mr. Zuraf's request, we did expand it by 50 feet, the undisturbed area. But, bear in mind, for every additional 50 feet, you're losing 5 tons of rock. So, that's why it's set up, it's effective we think. Now, let's go to the... now, oh, and let me talk a little about this parcel here. This parcel, which technically Tricia and I do still own, is, this was the overburden. Why is overburden such a big issue? If you're not familiar with mining, what is this? Well, it's certainly helpful to create berms but, in the event when you get to reclamation, in the event that something else doesn't happen with these pits, guess where that overburden goes? Back in the hole. Okay? So, Vulcan is required to hold onto that overburden. It's not like we can just ship it off somewhere. If indeed we went into full reclamation, then that overburden would be needed again, okay, to finish off the site. Now, we talk about 80 feet but, I think, I can't remember who it was, maybe it was Mike that gave the explanation as to what the contours were. It's all, it's all regulated by DMME, but that's how you get there, because it's a very wide berm on that parcel. But, it's a berm and it's covered with vegetation, you know. For 36 years as I look off into the west toward the original pit, what I see are trees and what looks like a mountain, which is an enormous berm, coincidental, with the original pit. That won't be the berm line any more if this all happens. But, you know, this is an agricultural piece of property. I could pile dirt up on it if I wanted to do so. So, that's why this is not part of the zoning. There's no mining on this parcel; it's simply for the, for the berm and for the overburden. But, it will be a very effective noise and visual buffer. Now, let's see, let me see if I can get to something else here. That's the first one. Okay, I should have four on here. Okay, this is, yes, this is the other side of the operation. And this area, you know, this is the, the Pollard bump-out, okay, coming to the east. And this area, again, this is, you know, what would go into this area are the benches that are now over in here. And you can see the benches all the way around the original quarry there. So, that's the rock that they're trying to get to. The, and while we're looking at it here, I think those are the main things that I wanted to talk, but just in terms of operations, that's what Vulcan's trying to accomplish here. Now, the concrete batch plant – this is, I don't know if all of you know the story on this, but of course, this is the one presently situated right here at the courthouse. It lost some land and that's some now issues with safety and access because of the interchange. Both the County and the State have been trying to find a new location for the concrete batch plant. It is a very effective location right where it is now for purposes of access; we're right at the interstate. And, if you know something about concrete, and I don't know very much but I know that you've got to get it to the job quick. It has a lifespan on it that requires prompt action. So, it's in a very good location right now. Now, it's not for that, it's not in a particularly good location for revamping the pit or... I mean, revamping the plant or doing something to enhance the operation. So, Vulcan has been, ever since the condemnation, there was some land that was taken by the State for the interchange, but ever since that Vulcan's been looking for another location. Now, we can't be shut down because we're there, we're non-conforming and it goes on. The quarry made sense to us a location for the concrete batch plant because the rock is there, so you eliminate some of those daily trips. It's not a bad location on Route

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610. The asphalt plant came in to the quarry location, the quarry hadn't been operating that long when they first came in, in fact in the late 80's too. It's gone through a couple of ownerships but it makes a lot of sense to have that there for the same reason; the rock supply that they need is right there. Now, I think Ms. Barnes asked about the future location of the asphalt plant. I think it's, it's not, uh, reasonable to speculate that if the quarry closes down, the asphalt plant is going to live on. The reason we don't do anything about that and the reason it's not part of the offer and dedication to the County is we don't own it. You know, that land has been sold to the – and that land was sold when the whole reservoir issue came up – to the asphalt plant. Now, we did persuade them to move with Martin Jones, so when we start mining Martin Jones, they go back further. But, they still own that in fee simple. So they're not, that's why that's not part of that. But I, I think it's hard for any of us to envision that the asphalt plant would continue operation without the quarry. Alright, now, so that's the background on the concrete batch plant. One good thing about this application, this issue of the concrete batch plant didn't come along until we were two years into the planning for these bump-outs. We've been working on this now since 2018. In fact, I think it was in 2017 that we met with the utilities people about the whole reservoir issue. And, so that's how long this has been in the plan. But the concrete batch plant really didn't become an issue until the condemnation and the inability to find another satisfactory M-2 location in Stafford County. So, it stayed where it is. Now, the good thing about these applications is these are all component parts. You know, you've got three separate pieces and, you know, you can mix and match you know however you want. It's not like this is all tied together except the bump-outs have the same common theme. But the concrete batch plant is really a separate issue and has separate issues associated with it, as some of you have articulated. Now, the, um, I'm sorry, I have... I did remember a lot of your questions, but I've sort of rambled through. What I intended to do, I think you all appreciate enough about the history of the zonings that have occurred. The other helpful thing, both from our standpoint and from the County's standpoint, is that right now you have three sets of separate and distinct proffers running with these parcels, and you have four sets of conditions running with the parcels. The only reason you don't have four sets of proffers is because in 1976 when the original quarry was approved, you didn't have proffer authority. So, those are all conditions. So, you've got proffers and conditions on Pollard, on Hampton, and on Martin Jones. So, what we've tried to do is pull all of them together in one governing document. And the good thing is that, and I'm the one that set these up, we used, as our master, we used Martin Jones, because they're the most recent and the most sophisticated proffers and conditions. So all the previous ones are really subsets of what we did in 2010 with Martin Jones. Um, so those, that is a helpful thing I think across the board. Now, I think you're aware, and with your questions, these were supposed to be two separate presentations and you've asked a lot of questions about things that are actually covered by the CUP rather than the proffers. But I predicted that that would be the case even with the separate presentations. Now, what are the challenges here, and just going back to the, um, the issues that I would ask you to look at, the benefits of what we're asking the County to do here. We talked about the need for the rock, the difficulty of establishing new pits, the need to go where the rock is. So, you can look at this in a very narrow sense as I think some of you were inclined to do on the tax issues, although I think Mr. Render shared with you some pretty impressive numbers there. But you're right, they'll continue regardless whether this goes through or not. But the major benefit of all this is that it keeps the quarry in the location that it is now or years and years to come, an available, handy, and qualitative source of stone for Stafford County. And finally, the issue, and I've asked you to... emphasizing one part of this, what are the new, the new impacts of this, of what we'll call the pit enhancement? That would be the bump-outs, moving the steps to the south and to the east. What are the new impacts and where are they situated? And I tried to tell you, I think that there's a small group of homes that will be, you know, bear this in mind, we're talking about a 200, maybe at most 300, feet of these, for these steps... so we're talking about any current home being 300 feet closer to the operation than it is right now, okay. Now that doesn't count for any of the buffers, it doesn't count for the steps going down, the distance that's created by that. But that's the worst case scenario here is that even those

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properties right along 3A, they're going to be approximately 300 feet closer to the mine than they are right now at this moment and to the pit floor over at Hampton right now.

Ms. Barnes: Can you possibly show us that on the map?

Mr. Leming: Sure, mm-hmm.

Ms. Barnes: We might get a good visualization.

Mr. Leming: Let's see... okay, sure, mm-hmm. I was trying to do this, um, you know, I mean right now, what you have, you have the steps in here. So, I mean, the mine floor I'd say is right there and that's the distance between where the current mining is going on and the residences over here in Country Ridge, the residences this way. So, you know, what we're talking about is moving that mining floor. Oh, this is not... what, what I marked is not showing up? That's... oh. Okay, make that go away. Oh, you're going to mess it all up Mike. Okay. Can you see those blue lines?

Ms. Barnes: Yeah. Can you explicitly show me on map where the closest, what do you call them; I remember you called them... oh, I don't remember what it was. It was a specific term.

Mr. Leming: I'm going to mark this again. Can you see that mark? Okay, that is the current pit floor. Okay? That's behind... approximately... it's even further than that.

Unknown speaker: Yeah.

Mr. Leming: Okay, alright. Then, these are benches here?

Unknown speaker: Correct.

Mr. Leming: Alright, so the mine floor is where, over here? Here? There?

Unknown speaker: There we go.

Mr. Leming: Okay, okay. Okay, alright; almost to the mine floor. Well, you see how extensive this bench work is and all of the rock that is underneath that. So, I mean, basically, these ripples that you see in here, those are the, the benches. They're going to come south. They're going to come over here. They're going to come over here. So, what that means is that the mine floor, this is where perhaps your closest point right now, is the mine floor is going to come to a location that would be around here? Is that... does that look right Walter? Right about there?

Mr. Beck: I'd say it's going to be a little farther back... *inaudible, not at microphone.*

Mr. Leming: Okay. Even further back than that. But, that gives you some appreciation for the scope and the dimension of what we're talking about. You know, the current mine floor is a long, is far away from these. And when the benches are installed on 3A, it's still gonna be a long, long way away. Just if you measure the width of the benches, that's why I'm saying 300 feet. The maximum width of all these, all these benches. So you're shifting 300 feet.

Mr. Randall: So, Mr. Leming, when you cut those tiers, you're doing it blasting, using blasting, correct?

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Mr. Leming: You do have to start with the blasting, yes, as you work down the tiers.

Mr. Randall: So you'll blast pretty close to that 300-foot line initially, to cut that first tier, and then you'll continue to back up all the way through. What's the size of the floor right now for your current pit, Hampton Oaks?

Mr. Leming: Do we know that?

Mr. Randall: Do you know the size of that? What's the square... what's the acreage of that bottom?

Mr. Leming: Where's Aron? Well...

Mr. Randall: Okay, thank you.

Mr. Leming: Do you know the size, approximate size of the current pit floor?

Unknown speaker: *Inaudible, not at microphone.*

Mr. Randall: Aww, come on, give me a good guess. You're an engineer, right.

Ms. Barnes: Compare it to a football field.

Mr. Leming: Let me ask you... come up here just a minute, Aron, if you would. Let's embarrass Aron.

Ms. Barnes: And Mr. Leming, if you could... and I don't think we answered my question... could you point out specifically on 20-3A where those first shots, I remember the term now, you guys called them shots, will take place and how close those will be to those, specifically those houses that you looked at on Deborah Lane.

Mr. Leming: Well, as the benches go in, I'm drawing possible bench locations here, as the benches go in, then there will be shots that will remove that overburden and work down. And then it'll be 50 feet lower, and then 50 feet lower, and then 50 feet lower.

Mr. Bain: Just to clarify a second. I don't think you need to blast the overburden. The overburden is excavated, right? So, so the first bench, or even the second bench, where you're removing overburden would not require blasting, is that right?

Mr. Leming: Do you agree with that?

Unknown speaker: Right.

Mr. Leming: Okay.

Mr. Bain: So, if you look at this drawing, the first two benches that are shown there are overburden removal.

Mr. Leming: Right, mm-hmm.

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Mr. Bain: And so you're still an additional I'm going to say from this, 200 feet from where the blasting would start.

Mr. Leming: So the blasts may... we may get low enough where the blasts would start about there.

Unknown speaker: How do you erase all this here?

Mr. Leming: Oh, okay. Why do you want to erase my lines?

Mr. Keesecker: Yeah, so currently we are removing overburden in this portion of the pit. To reiterate off of what Clark said, the berm extension would be here and extend onto this one which, Walter, correct me if I'm wrong here, but the outer to inner toe there, you're looking at what, 300-foot on that berm when you get to your 2:1 at 35 feet?

Mr. Beck: Umm, yeah.

Mr. Keesecker: So, as Albert said there, you... here you've got a 35-foot berm, then you've probably got 20, depends on after we dig down to see how far the overburden goes, you remove that dirt in this area until you get to your reserves. So you could be looking from the height of the berm down to you get to your reserves, you could be looking anywhere from 50 to 60 feet before you actually have to perform the blast.

Ms. Barnes: Okay, but where you drew that berm is very different than what is shown on the map.

Mr. Keesecker: Yeah, I'm just... yeah.

Ms. Barnes: You drew it way farther in.

Mr. Keesecker: Yeah, I'm sorry.

Ms. Barnes: The berm is actually way back there. Okay, thank you.

Mr. Keesecker: Yes, I'm sorry.

Mr. Leming: Incidentally, Mr. Beck just mentioned that the closest that any blast would be to the adjacent property would be 500 feet. So I think...

Mr. Apicella: Mr. Leming, could you just let us know, for the record, for the minutes, who the previous gentleman was?

Mr. Leming: Yes. That was, this is... I'm sorry, to introduce you, you weren't here when we started, Aron Keesecker. And Aron is the Superintendent of the current Vulcan plant. Okay?

Mr. Keesecker: Yes, correct.

Mr. Apicella: Thanks.

Mr. Leming: Alright. Alright, now, we've already gotten into this. But, the issue here is mitigation. And there are three specific things: sound and noise and somebody has said also dust possibly. So, of

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those three, in our view, the most important one is sound, for this reason. The, the berms, where they are placed, are very effective visual barriers. I mean, you're not going to see. If the objective of the berm is not to see the operation, then, then they are almost 100% effective. We've talked about the dust suppression requirements that they utilize. And, if you visited the site, you see how that works. Now, so, sound. Vulcan, in many... in a number of context, has done sound studies to demonstrate the effectiveness of the berm, but the berm absorbs, because it's at an angle it absorbs the sound. And who would be... maybe Walter would be the best one to talk just a little bit about the effectiveness of berms for sound attenuation.

Mr. Beck: It'd be best just to answer questions about it.

Mr. Leming: Alright, okay. Well, somebody ask him a question.

Mr. Randall: Sure, I'll ask him.

Mr. Leming: This is Walter Beck and he is the Environmental Manager for Vulcan.

Mr. Randall: Mr. Beck?

Mr. Beck: Yes sir.

Mr. Randall: Here's your question. So, how far away from the blast area do we do sound analysis to determine the decibel levels? Do we do decibel levels at 100-foot, 200-foot, 300-foot away from the prospective blast?

Mr. Beck: I guess you're talking about when we're blasting, because the decibel levels that we're getting when we're blasting are different than sound levels. *Inaudible, being talked over.*

Mr. Randall: What's the worst sound levels there? Is it during blasting or during normal operations?

Mr. Beck: Um, I guess it would have to depend on where you are. You know, I mean, that's a loaded question.

Mr. Randall: Okay.

Mr. Beck: I mean, you can ask me a specific location and I could tell you the answer, but.

Mr. Randall: So, 300 feet from local... from normal operations, 300 feet, what's the decibel level?

Mr. Beck: With a berm or without a berm?

Mr. Randall: With a berm. Have you... well, I guess the question is, to the point that Mr. Leming was making, what's the decibel level in front of the berm, and then on the other side of the berm what's the decibel level?

Mr. Beck: And it's going to be totally different because it depends. The biggest thing for sound is attenuation. Is distance. Distance attenuation is the biggest thing. So, the further you get away from the source, the less you're gonna hear it. Um, now, if you've got a massive structure in between you and a sound source, then the sound can't go through it; it's got to go over it. So, if you're on one side of

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the berm and there's sound going on on the other side and, obviously, it totally depends on how loud that sound is, you... a very good likely that you're not gonna hear... *inaudible, being talked over.*

Mr. Randall: I want to know what the level... I want to know what the dissipation level is and what the dissipation percentage is from in front of the berm to after the berm.

Mr. Beck: I mean, I can't tell you that. We can obviously go study for it.

Mr. Randall: Okay. Well, then we don't know. Okay, that's what I need. I need I don't know, we've not tested it. Okay. That would be interesting to know... I understand, I understand. I appreciate that you're doing that for... but I understand, right. There's going to be a level at the location of the blast. There's going to be a decibel level 100 feet as it attenuates at the time, right. There will be a decibel level right next to the berm. There'll be a decibel level on the other side of the berm.

Mr. Beck: Yes.

Mr. Randall: And so, what I want to know is, what the decibel level is on the other side of the berm. And then I would take it one step farther and say what's the decibel level in a resident's property, right. You know when you're doing your blasts. So, you take your meter, you wait for the blast, you have the blast, you read the meter and go oh, that decibel level's at 27. Oh, okay. But without that empirical data, what do I have? I got nothing. I got I think, maybe, it could, but I don't have the empirical data to state that I do the blasting, here's what my level is. In front of, behind it, and at a resident's level, at a resident's location. Okay? I understand all of the time, I understand the distance, I understand attenuation, I understand all of those things. Alright? But I think having that data would, would go a long way to minimize the concerns that some may have about, alright, normal operations, here what those four places are. Blasting. Here's what those four places are. I have now empirical data to show what I want to tell people, rather than just telling them. Thank you.

Mr. Leming: Actually, you have... we have some of that, in fact, on my property. There is a we call it a seismograph.

Mr. Beck: It's a different, it's a different type of...

Mr. Leming: Well, but it measures sound specifically, specifically the explosion.

Mr. Randall: It deals with tremors, it deals with ground. I don't necessarily need to deal with ground; I want noise, right. And so I think, in the future, you're doing normal operations now. I believe... I don't know when the next blast is planned... you probably could do the necessary steps to have that available for any future meeting we may have or a town hall that may currently be, may need to be planned. But you have the ability to put that information together and make it available to the residents, right.

Mr. Beck: Yes, yes.

Mr. Bain: A question. Have you done any noise monitoring on, for the operation?

Mr. Beck: Well, you typically are not as worried about... *inaudible, being talked over.*

Mr. Bain: Get a little closer to that so.

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Mr. Beck: Can you hear me?

Mr. Bain: Yes.

Mr. Beck: You're typically not as worried about it with a blast. Um, I think they mentioned earlier that we've shot 82 times, you know, in a certain period of time. The blast lasts about a second or two seconds. So, we're literally talking about 82 seconds of sound over a whole year's period of time. So, I'm not sure that's the sound you want to be concerned with.

Mr. Randall: Alright. So here's what I would tell you, alright. And my profession provides me some information, some experience with sound, okay. If I had, if I take a gunshot that happens in a millisecond and I do it next to your ear, although it only happened for a millisecond, it would blow your eardrum out. Okay. It doesn't have to be long to be intense and to be damaging. All it has to do is be to a certain level, alright. So, I need to know what the level is, even for that one split second, at all of those points, okay. I think we'd say yes, we'll do that. I don't think if we don't have it, we should have it. You put it on the spreadsheet, you have it available, and we move on.

Mr. Beck: Yeah, we can definitely do that.

Mr. Randall: Okay. Okay, that's what I need to hear.

Mr. Cobb: I'm Glenn Cobb. And I'm hearing the question that we don't have a sound attenuation study and that's what we're trying to get our hands on.

Mr. Randall: Okay, if you would, please, I think that would go a long way to answering some of the questions and mitigating some of the concerns that many people have.

Mr. Cobb: Yes sir.

Mr. English: Are you louder than Quantico?

Mr. Leming: Not from my standpoint.

Ms. Barnes: Mr. Cobb, if you could also do that, I would really be interested in hearing that exact kind of information about the concrete plant, because the concrete plant, that's a different set of parameters. That's, you know, basic noise; it has nothing to do with the tremors. I would really be interested in hearing what the, um, you know, what the decibels are and where you're going to put it and how that's going to impact the neighbors who are now going to be hearing that new, that's a whole new set of noises that they're going to have to be dealing with. I'd like to hear that.

Mr. Leming: Okay. We can, we can do that. There was a question...

Mr. Cummings: I'm sorry, since we're on the cement plant, can we talk about some of the health, um, impacts potentially, and then what the mitigation strategy is and what you guys are actually using?

Mr. Leming: Okay, sure. Mitigation strategy? I missed the first thing that you said.

Mr. Cummings: With respect to health impacts, potentially...

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Mr. Leming: Health impacts?

Mr. Cummings: Yes, from a cement plant in an urban environment, and then also, um, what sort of mitigation you guys are utilizing to...

Mr. Leming: I'm told...

Mr. McPherson: I have a question, too.

Mr. Leming: ... the Vice President knows a lot about concrete batch plants. We'll see.

Mr. McPherson: Hi, this is Commissioner McPherson. I have a question, can you hear me?

Mr. Apicella: Hey, Fillmore, just wait one second and let them answer Dexter's question, and then you can...

Mr. McPherson: I'm sorry, I thought they were done.

Mr. Render: Is there a specific issue you want me to address? Or how do you want us to approach that?

Mr. Cummings: Just generally about the health concerns or potential health concerns with cement plants as a whole, and how you guys address them; scrubbers, etcetera.

Mr. Render: Well, the, probably the biggest concern would be dust, and it would be cement dust in the, in the batching operation. And so, in our concrete plants we have bag houses or dust collectors, which are big vacuums, and they are installed on top of the silos so when cement product is brought into the plant and blown up into the plant, it's, there's no visible dust coming out. It's collected and the pressure is released through those bag houses. And then, at the loading point, we have the back of the truck where the products are introduced into the truck, there's a shroud that controls the dust and then a big vacuum sucks it all up from there. And so all of the dust is contained and then it, it's filtered and then it's actually reused back into the operation. And then from a yard... *inaudible*... dust, we do the same thing that we do in the quarries with dust suppression from that... *inaudible*.

Mr. Cummings: The compliance record of this... well, you guys haven't had this issue but it would be something you guys have to deal with now in terms of transport or from the factory, right, to the trucks, right, and leading out from this area. Correct?

Mr. Render: I'm not sure I'm following that. Yeah, so this is concrete, not cement.

Mr. Cummings: Okay.

Mr. Render: It's not a cement manufacturing facility, and I won't do cement/concrete 101 but cement is the dust, concrete is what cement is part of and it makes cement aggregates; water makes concrete.

Mr. Cummings: Okay. Alright, thank you.

Mr. Render: So. And the trucks are just the mixing trucks.

Mr. Cummings: Right, right. Thank you.

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Mr. Leming: Mr. Cummings, you also asked about mitigation. Did you mean of the health, for the health issue or generally?

Mr. Cummings: No, I think he...

Unknown speaker: *Inaudible, not at microphone.*

Mr. Leming: Okay, thank you. I think Mr. McPherson had a question?

Mr. Apicella: Yeah, he's going to hold off for now, so if you had more that you wanted to present, Clark.

Mr. Leming: No. Just whatever question I'll answer unless you all have more questions. There was a question about the hours of the concrete batch plant and the asphalt plant. They mirror each other. The asphalt hours were extended I believe in 2003/2004 because of nighttime interstate road projects and they needed the asphalt. So they were permitted to operate a certain number of nights per year under those circumstances. We set up the same arrangement for the concrete batch plant because there could be a demand for that 24 hours a day with major building projects, particularly roads. So, that's where those hours come from. But the quarry hours are what they have always been since the quarry opened, which is 6:00 to 6:00 on weekdays, closed Sunday, closed holidays, Saturday 6:00 to 1:00. Right? One o'clock Aron?

Mr. Keesecker: On Saturday?

Mr. Leming: Saturday.

Mr. Keesecker: Correct.

Mr. Leming: Yeah. So, those are the hours they have there.

Ms. Barnes: Mr. Leming, that's correct. But aren't you, and we'll get to this later, aren't you actually changing the hours for the blasting?

Mr. Leming: Uh, there's no intent to change the hours for the blasting. No. I'm sure what your...

Ms. Barnes: Yeah, yeah, it's in the CUP. Okay, we'll talk about that when we get there.

Mr. Leming: We're not trying to change them, no. We have a pretty narrow window when we can do the blasts, and once the materials are there on site, it needs to be used within a certain period of time. Okay. We've bled very much into the conditional use permit but, if you all don't have any more questions, then I will sit down.

Mr. Apicella: Well, let me ask. Are there any more questions for the applicant on the rezoning application?

Mr. English: I think Kristen wants to start first.

Ms. Barnes: Yeah, let me lead us off, thank you.

Mr. Leming: Oh, you mean there's more questions.

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Ms. Barnes: No, this is on... just a couple of questions that I've written down for the applicant and maybe a couple of those that I ask Mike that were suited for you. And I do want to say that I did take a tour and I believe Aron was my tour guide and he was wonderful. And it was a very impressive tour and a very impressive operation. And especially the entrance, I think, to the operation. It's beautiful. It almost felt like I was driving the front part right into a park in that area that's kind of behind Garfield and there's a lot of trees there. And that's one of my concerns and we'll get into that later about making sure that that stays there.

Mr. Leming: The answer is yes, we will keep them.

Ms. Barnes: Well, I'd like to see that as part of the conditions, too.

Mr. Leming: They're on the GDP.

Ms. Barnes: Okay. Um, now you did mention a couple of times that, you know, if this, if this application doesn't go through, you know, we're going to have this plan around until 2085 anyway. Actually, the earliest date that we could see turned over as 2035 for the Hampton Pit. And that's actually within, I'd like to think it's within my lifetime. So that's kind of a light at the end of the tunnel. So we are significantly moving back this operation into out of most of our lifetimes, and I think that that's something that should be made clear; 2035 is the earliest date that I think for the Hampton Pit. And that's not as far away as the other dates that you've got. So, I just wanted to make that clear.

Mr. Leming: Wait, was there a question that you want me, something you want me to respond to or is that a statement?

Ms. Barnes: Well, you had a statement saying that it was 2085 and I believe that it's actually 2035 as the earliest possible turnover date that's correct.

Mr. Leming: 2035 is Hampton.

Ms. Barnes: Yes.

Mr. Leming: The whole operation will go on until 2085. But Hampton, under the current Hampton proffers, then that pit, uh, we're required to offer to the County in 2035.

Ms. Barnes: Okay.

Mr. Leming: And, you know, then the County has the option of accepting it or not.

Ms. Barnes: Okay.

Mr. Leming: Now, but in response to your question, what would be the, if the County does not have a pressing need, and that was the first thing that we checked out, in 2035 for the reservoir, then why would we leave rock in the Hampton Pit? So, that's from Vulcan's perspective. I mean, that's really what it comes down to. Yes, if the County had a water shortage, if we didn't have a brand new reservoir on the Rappahannock, if we didn't have it appears water sufficient to take us well into the 2050's, yeah, unless for some reason that's the County's changed its position on that and we're not aware of that, then, you know, there wouldn't appear to be any compelling reason to move out of an area where we continue to mine quality rock.

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Ms. Barnes: But as it stands right now, I just want to make sure, make that clear to everybody that it is 2035.

Mr. Leming: 2035 under the Hampton proffers. The County would have to decide whether it wants the pit at that time.

Ms. Barnes: Now, you discussed some of those... *inaudible*... some of those houses that are there on Deborah Lane and those are the ones that are, and I do remember in touring the property that those are the ones that would probably be the most impacted. I think you circled like six houses.

Mr. Leming: Well, they were... they're in here because this is the mining area.

Ms. Barnes: Well, my question is, is have you spoken to or communication with or gotten any feedback from any of those people that I think that those are going to be the most impacted residents in that particular area.

Mr. Leming: Yeah, these right in here.

Ms. Barnes: Yes, that.

Mr. Leming: Where was the... you visited one just yesterday, yes? Yes. Mr. Cobb went and visited with one of those residents just this...

Unknown speaker: *Inaudible, not at microphone.*

Mr. Leming: Yeah, that's the only one we've heard from. Now, they got the same notices and, uh, invitations as everybody else. Now, the good thing about that area is that that does have an existing fairly dense vegetated buffer. That is one that can be largely maintained as it is. It's all, all of 3A along the property line is woods. It's only when you get over to 3 and where you have the pond that the vegetation line narrows and that's... it's this area where the tree stand would be enhanced. We did have a very nice bamboo stand right over here at one point, but...

Ms. Barnes: I remember, yeah.

Mr. Leming: ... that was spreading and the neighbor didn't like it and so we got rid of it. But, it was quite dense. But these are the, just in terms of... now we talked about the distances from where the operations are going to be, where the pit floor it, where the nearest explosion would ever occur, those would be the group, you know, that would change the most.

Ms. Barnes: Okay. And you say that you have talked to this... I would be interested to hear from some of those people and what they think about this.

Mr. Leming: Well, as I say, there are basically six lots and part of them are on a cul-de-sac there.

Ms. Barnes: Okay. When it comes to the concrete plant, we've talked about a lot of the impacts. But one we haven't talked about is the light impacts. We talk about that concept called light pollution. What kind of lighting is going to go on? And it says, if I remember correctly, that that plant will be able to run 120 nights a year. What exactly does that mean? Is it overnight? Is it lit up like an Embrey Mill soccer field? I mean, what are the lighting impacts of that? Even I think if the residents on Garfield

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Lane are adequately shielded, if we've got lighting back there and everything lit up like the, you know, like the middle of the day, that could be an impact that we need to talk about mitigating.

Mr. Leming: Okay. Well, specifically there were lighting questions. Let me point out thought that that is... those hours are controlled by your conditions. Okay? Now, the asphalt plant conditions are already set. But, on the lighting, who's the best one to talk about lighting at the concrete batch plant?

Mr. Cobb: I'm Glenn Cobb with Vulcan. The proposal for the concrete batch plant would have to meet all the County standards for shielded lighting, be pointing downward. There are safety standards that obviously we have to meet that we would not be able to pollute the night sky according to your own standards. So, we'd certainly abide by that and we wouldn't want any external light that we don't need.

Ms. Barnes: So, I'm unclear about the hours. With 120 nights a year maybe, is this something maybe we should cover under the CUP?

Mr. Cobb: Yeah, probably.

Ms. Barnes: Okay. We'll wait for that then. I think, I think everything else we're going to cover under the CUP. Thank you.

Mr. Apicella: Thank you Ms. Barnes. Other questions for the applicant?

Mr. English: I've got a couple, Steven.

Mr. Apicella: Please go ahead Mr. English.

Mr. English: In reference to the, um, has Vulcan ever turned over land to a County for parks before and who did it and where was it?

Mr. Leming: Who knows the most about what happened at Occoquan? Glenn?

Mr. Cobb: The answer is yes. A lot of different occasions...

Mr. Leming: Come up to the mic please.

Mr. Cobb: I'm sorry.

Mr. Randall: We can hear you. Not everybody on television may be able to hear you.

Mr. Cobb: I'm sorry. Glenn Cobb with Vulcan. The answer to your question is yes, we have throughout our footprint.

Mr. English: Who was it?

Mr. Cobb: I mean, there have been lots.

Mr. English: Can you give us a list of who it was and maybe some pictures?

Mr. Cobb: My offer was going to be if you'd like me to research that for you...

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Mr. English: I would.

Mr. Cobb: ... I'd be glad to.

Mr. English: I would.

Mr. Cobb: We have a great park down in North Carolina in Winston-Salem. We have land that we've worked with Fairfax County on just right up the street at Occoquan. So, we have a pretty good list.

Mr. English: Yeah, I would like to know that.

Mr. Cobb: I'll be glad to do that, yes sir.

Mr. Leming: And just on Occoquan, because that's the one I do know something about, if you've been to Old Occoquan, that mound right across the street, right across the river, is a quarry.

Mr. English: Right.

Mr. Leming: And what Vulcan has done there, because the County did want the extra reservoir space, is to actually divide up one of their quarries, because they wanted it sooner than Vulcan was going to be done with the mining. And they actually partitioned off a portion of the pit that could be used for the quarry. So, that's the, I believe, the closest example of quarry locality cooperation on a reservoir water storage is right there in Occoquan.

Mr. English: Is Vulcan in charge... did they have anything to do with the pit, the quarry pit right there when you go across 95, the Rappahannock Bridge? Were they responsible, or are they not involved, they weren't involved?

Unknown speaker: Never.

Mr. English: Okay, never, I was just questioning. And other thing is, if this blasting going to be 500 feet, you said 500 feet from the closest residence with the berm, right?

Mr. Leming: That's... yes, that's...

Mr. English: Would they, would Vulcan be open to if, I don't know how many houses are going to be involved, but I've heard from different occasions where the blasting has caused some damage to the house and I don't know what. Would they be open to do or split or something if somebody wanted to do a home inspection prior to the starting? Hey, my house was like this, the blasting started a year ago and now my house is like this. Is anything that that can be done or to speak of for the resident?

Mr. Cobb: Glenn Cobb with Vulcan. What we refer to that as is a pre-blast survey where we'll actually go and assess a property for someone and get the current conditions.

Mr. English: Okay.

Mr. Cobb: And then we're able to measure whatever they like us to measure. But, we may have mentioned earlier in the comments, I don't know if you heard it or not, but the way the State designs

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their standards, when you're performing within those standards of the... inaudible... structural damage from a blast is zero.

Mr. English: Oh, okay. But I'm just saying at ease for the resident, if I've got a house and I want you to come, okay, we're going to do a home inspection at my house and not have any cracks or anything like that, and then you start blasting and all of a sudden I've got cracks, who's going to be responsible for that?

Mr. Cobb: Right. And we have seismographs like the Lemings have had at their house that we're able to offer, too. *Inaudible, being talked over.*

Mr. English: Okay, so that is the thing you can offer to a resident?

Mr. Cobb: Yes sir.

Mr. English: Okay.

Mr. Leming: And I am the closest neighbor. The seismograph is on my property and, you know, I have a lap pool, a long lap pool. Never been any cracks, foundation, windows, pool, nothing. But the seismograph is there to measure just in case.

Mr. English: When you do your blasting, how many times... is one or two times a day that's happened, or just once a day?

Mr. Leming: What's your frequency now Aron?

Mr. Keesecker: Aron Keesecker. Right now it's scheduled twice a month.

Mr. English: Twice a month.

Mr. Keesecker: Yes.

Mr. English: And is it morning, afternoon, or when do you usually do that?

Mr. Keesecker: Typically between 11:00 and 1:00. We can't shoot after 3 o'clock.

Mr. English: Alright. You're saying... do you notify the Sheriff, Fire and Rescue, or anything, hey, we're doing a blasting, in case you get a call on it?

Mr. Keesecker: Yes, we report to the Fire Marshal.

Mr. English: Oh, you report to the Fire Marshal so he knows I'm doing the blasting so we know that. Okay.

Mr. Keesecker: Yes.

Mr. English: Like Quantico, when they get ready, they send a public notice out, hey, we're getting ready to do a blasting... I mean, we're getting ready to do maneuvers and we get a warning about that. I think everybody in the north end gets that. But you let the Fire Marshal know but you don't let the residents

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know or anybody around you or nothing; you don't do like a, like a public service announcement, hey, we're going to be doing blasting this day or nothing like that. Nothing like that's done.

Mr. Leming: We're required under the new proffers, under the new conditions...

Mr. English: To do that.

Mr. Leming: ... to do that.

Mr. English: Okay.

Mr. Leming: Yes.

Mr. Keesecker: Yes, and we have a blasting procedure that we go through. There's three sirens that are 10 seconds on, 10 seconds off, and that pretty much lets anybody in the surrounding area know when we are blasting.

Mr. English: Okay. One more question and then I'm going to move on because I know it's getting late. The... in reference to the concrete plant and the asphalt plant with the noise and stuff like that, would you guys, and I guess it's going to go back to the CUP, probably that's going to... I'll ask that later. Thank you.

Mr. Leming: Oh, oh, Aron, one other question. For how long, the frequency of the blast, two per month; for how long has that been the case since you've been the superintendent there?

Mr. Keesecker: I've been the superintendent since 2017 and it's been two shots a month since I've been there at the quarry.

Mr. Leming: Okay. One shot produces a lot of, a lot of rock.

Mr. Keesecker: And Clark...

Mr. Leming: Yes.

Mr. Keesecker: We also agreed to keep the volunteer blast list for people that want that going forward.

Mr. Leming: Yeah, with the condition of the proffer, the condition is a volunteer blast list. So people that want to be notified, you know, we would give them an email alerting to a coming blast.

Mr. Apicella: Mr. Leming, this is Mr. Apicella.

Mr. Leming: Yes sir.

Mr. Apicella: Ms. Barnes asked the question about the liability insurance being the same amount, a million dollars, since 1976... *inaudible, being talked over.*

Mr. Leming: I think the only thing that stayed the same is the condition. How much liability insurance do you have now?

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Unknown speaker: *Inaudible, not at microphone...* company and we have a huge liability protection... *inaudible.*

Mr. Leming: A lot more than one million.

Unknown speaker: Yeah.

Mr. Leming: Okay, yeah. I mean, they do that if you... well, if they wanted to change the condition to increase that amount, you wouldn't have any problem with that.

Mr. Randall: So, a quick analysis probably puts it about 5 million for 77 one million to today's dollars. I think it's about 5. Would you have a problem adding that? We can talk about it later.

Unknown Speaker: Yeah.

Mr. Randall: Oh, okay. I think that's something that we need to make a note of when we get to the CUP.

Ms. Barnes: Thank you for reminding me, Steven.

Mr. Apicella: I don't think it's the CUP. I'm looking at item 1. It's mentioned under item 1, which is the rezoning. So it would be a proffer issue, not a CUP issue. I mean, we can make it a CUP issue.

Mr. Randall: No, no, no, fair enough, fair enough. There's lots of different things, lots of different places. So I think if we can make that a 5 million versus a 1 million, that, you know, not to exceed... I shouldn't say that. Just to put the 5 million in there.

Mr. Leming: No, Mr. Apicella's correct, it's proffer 6b and since it's ours, we're okay with 5. Yes?

Mr. Cobb: Well, I have to go through our risk people... *inaudible, being talked over and not at microphone.*

Mr. Leming: Okay, yeah, we don't see any problem with that.

Mr. Apicella: Okay, Ms. Barnes, did you have any more questions?

Ms. Barnes: Not at this point.

Mr. Apicella: Mr. Randall, do you have any questions?

Mr. Randall: Yeah, I have a couple of questions. In regards to what the proffers we're talking about, could you go, could you go to 6 Charlie for me on the current proffers.

Mr. Leming: The ones we're proposing?

Mr. Randall: Nope.

Mr. Leming: Which ones? Which property?

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Mr. Randall: I'm just looking at the current proffers. I'm seeing the current proffers, operation of the quarry, 6 Charlie. It talks about public notification of commencement of uses. And I wondered if that's something that we do...

Mr. Leming: The proposed proffers, okay. Um, I think that's that last one in that book that you have there.

Mr. Randall: Attachment 3.

Unknown speaker: I'm sorry?

Mr. Randall: Attachment 3 of the staff report. Attachment 3, 6 Charlie.

Mr. Leming: You can read it to me.

Mr. Randall: It says Charlie... and I'm assuming that these are the current proffers that we're operating under because you just mentioned 6 Bravo which talks about the liability insurance; 6 Charlie talks about public notification of commencement. The applicant and/or the current operator shall notify all adjacent property owners of record within 500 feet of any land disturbance on any portion of the property 30 days prior to the beginning of each land disturbance.

Mr. Leming: Yes.

Mr. Randall: Do we do that?

Mr. Leming: Yes.

Mr. Randall: That's current right now, right?

Mr. Leming: Well, well let's be sure that we understand. Mr. Randall, you say current. They are the proposed proffers with this application. They are not in effect at this time. *Inaudible, being talked over.*

Mr. Randall: Okay, so what do you do now?

Mr. Leming: We don't have a proffer like that.

Mr. Randall: You don't have anything that notification of, of land owners prior to any disturbance?

Mr. Leming: No.

Mr. Bain: When you're saying...

Mr. Leming: There's no proffer to that effect.

Mr. Bain: When you're saying land disturbance, are you really trying to say the blasting? Or if they're going in with a dozer and moving dirt around – give it some clarification Bart. What's the importance here?

Mr. Randall: I'm just reading it as I see it.

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Mr. Bain: Or maybe that needs to be clarified.

Mr. Randall: That's fine.

Mr. Bain: Okay.

Mr. Randall: I'm not, I'm not making it up. I'm reading it as it's in here so. If we think that there's some clarification to that, then I'm good with that.

Mr. Leming: Sure. Glenn has a response for you Mr. Randall.

Mr. Randall: Please.

Mr. Cobb: And I'm going from memory. There was a DMME type of requirement when we first started...

Mr. Randall: Okay.

Mr. Cobb: ... that you have to notify people what you're doing. That's old and was met, was completed, so it was gone and not in effect. Well, we found through, I think we mentioned some of the things we done to outreach to neighbors, we have found that they would like to know (1) more about the blasting so that's why we agreed to start doing the blasting list; the second thing is they would like to know more about what we're doing on the quarry. So, we've agreed with the neighbors to try to start setting up more dialogue specifically for these areas, for Eastern View and for the Oak Ridge/Deborah Drive type folks. So, we're going to have more meetings with them going forward to talk about what the plans are and what we're doing.

Mr. Randall: Okay.

Mr. Cobb: And we're okay with that proffer.

Mr. Randall: Alright, perfect.

Mr. Leming: But I think it would go to grading, and probably the best example recently of that, and some of you may know something about this, that's the berm that has been installed along Eastern View. And that was brought to the County, it was approved by DMME, brought to the County, and was authorized back in 2006 or 2007. They didn't start doing it until about 10 years later. So, at that time, all of a sudden there were trees coming down. There was a disturbance and, way back then, I mean when that first happened, you know, there were complaints that came into the County; what are they doing? So, we unwound all of that and found the authorization and that was that. And they continued with their berm until this past year. And there was another complaint filed on that same exact subject. And the berm work is continuing. But, under this proffer, what would happen is regardless of when it was authorized, when the actual work occurs, land disturbance, then the neighbors would be notified.

Mr. Randall: Sure.

Mr. Leming: Now, that... so, that's the best example recently... *inaudible, being talked over.*

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Mr. Randall: No problem. So, in 2010 you were allowed to expand to the west. Is there a reason why we haven't done that yet?

Mr. Leming: Well, because they're still working in Hampton, and it doesn't make sense to... they want to finish Hampton before they move back. That would be part of the main pit.

Mr. Randall: So, why would... why do we ask for an extension... why did we ask for an extension to the west if we knew we weren't going to be done in Hampton until 2055?

Mr. Leming: Because of the very reason that we started with about, what, four hours ago? Um, because...

Mr. Randall: Not yet, soon.

Mr. Leming: ... Vulcan is always looking down the road. And to operate a quarry, you have to have the rock available, you have to have land available, you know, and within the parameters that land bay was about a hundred acres that belonged to Martin Jones and that fit right within the quarry's schematic. And was valuable rock for some point in the future. So, yeah, I mean, they stockpile not only what they mine, they stockpile what they're going to mine.

Mr. Randall: I understand. So why did they, uh, why did we stop mining in the original pit?

Mr. Leming: Because of the area they had been mining, Martin Jones wasn't approved yet. Remember, Hampton was approved back in the... in 1992. And you moved to Hampton I think about 2000. And, so, they'd gotten to a stopping point – we didn't have Martin Jones yet – but they'd gotten to a stopping point, they had their crushing apparatus on the floor of that pit, too. So, it made all the sense in the world to go over to Hampton and mine that, and then come back to the original pit. And remember, at that point there was not much left to be mined in the original area, but then along comes Martin Jones. And so now there's additional; and this would permit them to get back into the walls to the east of the original pit.

Mr. Randall: Okay, talk to me a little about moving this asphalt plant. You don't own that asphalt plant? Could that asphalt plant move tomorrow?

Mr. Leming: No, the... they own the parcel they're located on right now. The agreement between Vulcan and the asphalt company is that at the time that they do start mining, moving in the direction of Martin Jones...

Mr. Randall: But they could move today if they wanted to?

Mr. Leming: I don't think so. I think the agreement doesn't anticipate a move until Vulcan changes.

Mr. Randall: Okay. Well, alright. My question is they could; they won't because of the agreement, but they could if necessary. Yes, thank you. The answer is yes.

Mr. Leming: I mean, they'd have to work out new access. It's much further away, you know. There's all kinds of operational issues associated with moving now.

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Mr. Randall: I didn't ask all... I can understand that there's all things applied to it, but they could if they needed to tomorrow because they have the properties available for them. Yes, that's what I expected.

Mr. Leming: They have permission to move to the other said, yeah, mm-hmm.

Mr. Randall: Okay. Alright, um...

Mr. Leming: That's under the Martin Jones proffers incidentally. That's not something new; that was something that... *inaudible, being talked over.*

Mr. Randall: No, I understand. But we're talking, we're talking about putting all the proffers into one proffer, correct?

Mr. Leming: Yes, if this is all approved, yes.

Mr. Randall: That's correct. Everything's on the table.

Mr. Leming: Mm-hmm.

Mr. Randall: Right. Regardless of what proffer it came in, it's all on the table because we're looking at approving one proffer list.

Mr. Leming: That's right.

Mr. Randall: Okay, alright. I'm not sure if we want to talk about size of buffers. Yeah, I would be interested to hear about the noise attenuation study, and that will drive my buffer concerns. I understand that additional berm, additional buffer cuts into your ability to get to rock. I understand that. But I also think that there's a fine line between what we need and what we want. And I'm not, I'm not convinced at 300 feet minimum, right. So, I like the 400 feet that we have over on the Hampton Oaks pit now, and so I'd really like to have you look at that. Again, if you show me later, based on your noise attenuation studies, you know, that 300 takes us down you know at a percentage of 80% from start to finish, and here's what it is, I'll be more inclined to jump to the 300 as an acceptable buffer. But now I'm not yet convinced. Talk to me about fencing. Why was the original decision from Vulcan to remove the fencing or to not have fencing around the quarry as originally had been discussed?

Mr. Leming: Well, the short answer to that is this is something that got overlooked in the discussions between Vulcan and staff. And we were quite surprised actually to see that among the negatives. And, and, and... *inaudible...* that I just overlooked it. But, the reason it was taken out of the proffers is because the fencing requirements were, as was the custom back then in the old proffers, along the top of the berm. In fact, the berm that is between my property and Vulcan, at the top of that berm there's an enormous chain link fence. Now, another fence was installed that doesn't work to well next to Eastern View, it was inside the 100-foot buffer. And the problem with that is there have been a number of structures built within that area now. So, Vulcan's current fencing approach, and we're happy for this to be a condition, or proffer, is simply that it's not going to go on tops of the berm, it's not going to go 100 feet in, it's going to be the entire parameter of the property. I think Mr. Bain raised that question and we agree with that. But that's the safe approach for fencing.

Mr. Randall: So, when you say it encloses the entire property, that will be at your property line. Is that what you're saying?

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Mr. Leming: The perimeter. The perimeter, right? The perimeter of the entire property.

Mr. Randall: Okay. And what kind of fence will that be?

Mr. Leming: Chain link is what you've used in the past.

Mr. Randall: Okay. And you said it was 7-foot? Six-foot? Seven-foot? Or 8?

Mr. Leming: Eight, mm-hmm.

Mr. Randall: It won't stop the deer from jumping over it but again, okay.

Mr. Leming: Yeah. But we're completely open to that.

Mr. Randall: Alright, alright.

Mr. Leming: It's just something that fell through the cracks.

Mr. Randall: To be honest, when I saw that I was like, uh, you got... somebody must have missed this somewhere. I can't imagine that that would be something that you'd be...

Ms. Barnes: Bart, can I ask a question about the fence?

Mr. Randall: Please, please.

Ms. Barnes: We're talking about the fencing. I know that in the middle of the property, straight up the middle of the property you called it a wildlife corridor. How does the fencing take place with the wildlife corridor, because you don't want that completely fenced and closed off; you want that wildlife corridor to be continuous. Correct? How is that handled?

Mr. Leming: How do you keep the animals moving?

Unknown speaker: Inaudible, not at microphone.

Ms. Barnes: So wouldn't that then impede the wildlife corridor?

Inaudible, speakers not at microphone.

Mr. Randall: When... what I believe, and I'm sorry sir, I don't remember your name.

Mr. Keesecker: Aron.

Mr. Randall: No, in the back. You had mentioned in your presentation that this is designated as one of the first, one of the only in the country that have... inaudible... as a wildlife...

Unknown speaker: Habitat.

Mr. Randall: ... habitat. And so, I think the question to that wildlife habitat is how does the chain link fence support the establishment of and the maintaining of this wildlife habitat?

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Mr. Keesecker: Let me... can I show you here right now what we have. So, you see this blue...

Mr. Randall: Not yet. I don't see it yet. I will see it soon.

Mr. Keesecker: I'm sorry. So, if you see this blue portion here, that's not going to be disturbed. And there is a stream there, correct?

Mr. Randall: I don't see it.

Mr. Keesecker: I'm sorry.

Mr. Randall: There it is, now I see it.

Mr. Keesecker: There you go. So, this stream crosses underneath a road here and connects down to Aquia Creek.

Mr. Randall: Okay.

Mr. Keesecker: Currently, this is open here where it enters in Aquia Creek. And as the fence line comes around the property out here out back, it runs around and as it comes to this creek, it's wide open here. We have bear, we've got mountain lion. I mean, I don't know if they're mountain lion, but we've got field cams.

Mr. Leming: They're bobcat.

Mr. Keesecker: Bobcat. The wildlife is...

Mr. Randall: So, they get around it through the water, through the creek?

Mr. Keesecker: Yes. They come through there. They actually hang out on the property.

Mr. Randall: Yeah, for sure. That would be a great place for them.

Mr. Keesecker: Yeah, they feel safe there.

Mr. Randall: Yeah, absolutely.

Mr. Keesecker: So they cross through there at Aquia Creek and they cross through on this lower section. When I was there at Stafford in 2008, I had a big hand of the wildlife program and wildlife was aplenty coming through those areas. Because the entire property right now is encased in fencing.

Mr. Randall: Yeah, no doubt, no doubt. Does that answer your question?

Ms. Barnes: Yes, thank you. It was very important to me that we not close off that wildlife corridor with fencing. Thank you.

Mr. Keesecker: I agree.

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Mr. Randall: Alright. A couple of other questions, then I'm done. Um, we talk about local benefits to the community and local benefits, too. How much of that rock that you mine is provided to the local community? Besides going out. Do you have a percentage of what you provide locally versus what goes out of town?

Mr. Leming: *Inaudible*... what's delivered locally and what...? You know, we can get those statistics.

Mr. Randall: I'm sure you had. I just didn't know if you had it with you. That would be interesting to know as well. What's the direct impact to Stafford versus what's the direct impact to neighboring communities out of state, those types of things. I'm sure you do more business than just to Stafford. I'd be interested to see what the percentages would be.

Mr. Leming: We'll get that for you.

Mr. Randall: Yeah, no worries. I figured that you would. Um, when you turn it over to the County – we talk about turning this over to the County – it will already be reclaimed, correct? It will be already put together. It will already be leveled. It will already be in that kind of state, or are you talking about turning it over to the County as a quarry?

Mr. Leming: No, not as a quarry. Can someone talk a little about reclamation in the context of both the quarry and, if there is, what would happen if there is no reservoir if the County doesn't decline to... *inaudible*?

Mr. Cobb: Glenn Cobb with Vulcan.

Mr. Randall: Sure.

Mr. Cobb: So, the reclamation options are really to, if the County says we want to use it as a reservoir...

Mr. Randall: Okay.

Mr. Cobb: ... then we will be in discussions with you guys on how that needs to transfer over. So, if you want us to smooth some things out, fine. But if you want us to leave it as is, fine; but those would be discussions we would have. If you decline, then we go back to our reclamation plan which we have to agree to with DMME which is on file at DMME. And that usually means leveling out berms, some planting options. It just depends on that plan and that plan is on file at DMME right now.

Mr. Randall: Totally understand where you would need to go if the County doesn't become involved in this.

Mr. Cobb: Right.

Mr. Randall: My concern was is that there was an option for the County to somewhat get involved in what they wanted, what they didn't want. If they want the quarry we can do the quarry. If they want some, I want this one leveled so we can put something there. I want this one open. That there's some option that's provided to the County when that time comes to do that.

Mr. Cobb: Yes. And if the County wants it, you know, how they're going to use it is up to the County.

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Mr. Randall: Right. No, absolutely.

Mr. Cobb: So, we definitely have those... *inaudible, being talked over.*

Mr. Randall: I just don't want the County to be on the hook for, you know, a 30 million dollar clean-up job because we want to make it ballfields.

Mr. Leming: Mr. Randall, look at proffer number 4, under Reclamation Procedures. This is the language that has been carried over from the prior reservoir proffers. And you'll see it says the reclamation plan, which is part of the DMME process, proposes that the completion of the mining operation, all debris, scrap metal, concrete foundation, headwalls and other structures will be demolished and removed. All unpaved areas, including the stockpiles, office and plant area will be ripped, graded and sloped back to a natural contour as much as possible, seeded, and stabilized with permanent ground cover. Perimeter screening berms shall be left in place, and stabilized with a permanent ground cover if not already in place. Now, there may be some other things that you want considered there, but that's been the thing... those are the things that have travelled through the proffers to this point that would be done at the conclusion of the operation and when the County has the chance to accept the pits as reservoir water storage.

Mr. Randall: Okay. Thank you. Mr. Chairman, I'm done with my staff comment... or my applicant questions at this time. Thank you.

Mr. Apicella: Okay. Um, any further questions for the applicant? Alright, it's about... almost 7:30, not quite. Would folks be opposed to taking a 10 minute break and restarting let's just say 7... 7:33. Does that work for everybody?

Mr. Bain: I move, yes.

Mr. McPherson: That's fine.

Mr. Apicella: Alright.

Break – 7:23 PM to 7:33 PM.

Mr. Apicella: Okay, this is Chairman Apicella. It's 7:33; I'm going to go ahead and reopen the meeting. Mike Zuraf is coming up next to give a presentation on item 2, the CUP. I know we have several people in the audience who may want to speak as part of our public hearing, and I appreciate their indulgence and patience. I'm just going to ask both Mike and the applicant if you can cover as much ground as you can but in as short a period as you can so we can give these folks a chance to speak up at the public hearing without waiting too much longer. So, Mike, with that, please go ahead.

Mr. Zuraf: Yes, Mr. Chairman, I'll try to be as quick as possible. It won't be as long as the first part. So, just covering the conditional use permit, again, looking at the Zoning Ordinance, the blue shading highlights all the parcels which the conditional use permit covers all properties involved in the project. Again, the existing conditions, you know, the same existing conditions apply as with the rezoning. You have the additional conditional use permit area in the area that I think we've all covered pretty much in prior discussions. The same Generalized Development Plan will apply to the conditional use permit application. It proposes the same quarry expansions and uses, so I won't go over the same general development plan; we've covered that enough I believe. So, I'll get to the meat of the issue. The

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proposed conditions, they were included in Resolution R21-176, Attachment 2. Sometimes we'll write them right into the staff report, but there are 48 conditions so we're just referring you to the resolution where all the conditions are provided in detail. So the amendment to... this is an amendment really to prior conditional use permit approvals. The revised list of conditions were initially proposed by the applicant as part of the application, and then there were modifications that occurred in response to staff comments over the last several months as this was working through the review process. Ultimately, the County has the ability to impose the conditions upon approval of the application. But, what you're seeing is kind of as proposed by the applicant with adjustments as suggested by staff in certain situations. So again, 48 proposed conditions and in those conditions, they are divided up into sections. There are general conditions for the entire site. Conditions that are specific to the stone extraction operation; specific to asphalt manufacturing; and specific to concrete batch plant. The general conditions, they get into permitting the stone extraction and installation of earthen berms as shown on the GDP; limiting access to the current site entrance; and permitting only one asphalt plant and one concrete batch plant on the site. When you get into the stone extraction conditions, um, these require stone crushing equipment to be located a minimum of 600 feet from the southern and eastern property lines. Currently, their stone crushing equipment is 700... approximately 720 feet from the closest property line, I believe in Eastern View. The equipment is much farther from the subdivisions farther to the east. It restricts quarry activities on certain holidays and those are specifically stated as you see here. It establishes the permitted hours of operation to 6:00 AM to 6:00 PM, Monday through Friday, and Saturday, 7:00 to 1:00. There's the ability to request a waiver in the event of an emergency; that's kind of a carryover of prior approved conditions regarding this specific issue.

Mr. Apicella: Mike, what would constitute an emergency?

Mr. Zuraf: Let me look at the language, the full language of the resolution; one second. The condition is not specific, but it says the County Administrator may waive this provision in the event of an emergency or... inaudible... circumstances requiring the operation of the quarry for a longer period of time.

Mr. Apicella: Yeah, I've got to tell you, I think we need to tighten that up.

Mr. Randall: Mike, how long has that been in the current proffers, or the current CUP conditions?

Mr. Zuraf: Those have been carried over from the current ones, and I have to look.

Mr. Randall: Okay. I'd be interested to hear from the applicant when the applicant's turn is available to find out how many times they've used that waiver request in the time they've had that condition, and what they've used it for. Thank you. And then, and then, Steven, to your point, and maybe worthy to relook at that language and see if there's some way we can be more specific to that. Thank you.

Mr. Bain: I can think of a recent issue where quarries were required to operate 24-hours a day. Out west during those severe floods and the dam embankments were starting to collapse, the quarries provided stone to dump into the eroding areas. So, that could be the type of thing that would be an emergency situation I would think.

Mr. Zuraf: I will have to look and maybe tie back into the proffers for the Hampton Pit.

Mr. Randall: No, that's fine. I think it's more of an applicant question when they come up and, and then if, if based on what they, you know, tell us maybe there's some value in tightening up that language.

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Mr. Zuraf: Okay. Also, the conditions limit the frequency and intensity of blasting in accordance with DMME regulations; require use of sound-deadening features on all equipment; establishes blast monitoring standards and safe storage of explosives; and establishes a series of depth suppression standards in the use of, in the operation of the quarry. So, there's some additional stone extraction conditions that requires a reclamation in accordance with the reclamation plans that are approved by DMME. Prohibits overnight vehicle maintenance; upon request by the County, requires documentation be provided that no asbestos is present in the rock to be mined; requires the application provide electronic notification of scheduled production blasts to any residents electing to receive such notifications – that's a new condition that was mentioned in the last discussion; and maintain contact information, phone directory for citizen inquiries – that's a condition that's been in for years. So the conditions for the asphalt manufacturing and concrete plant are pretty much identical, but they are separated out I guess for, just for ease of... since there are, there's a slight difference so they do have them separated out. But, in general, they both limit both uses to the areas identified on the general development plan; limit the hours of operation with no operation on Sundays – the operation would be 6 AM to 7 PM, Monday to Friday, and Saturday between 7:00 and 1:00. Again, they have the same ability to request a waiver in the event of an emergency, but I will note the concrete plant does have the request to be able to operate beginning at 5 AM; that's the one difference. Restricts quarrying activities on certain holidays – well, restricts the operation of these plants, of these uses, on certain holidays; it's just the same as the stone extraction condition. Also allowing for nighttime hours on up to 120 calendar days per year; requiring access roads and storage interior to perimeter berms; requiring paving of roads, travelways, and parking areas that are used by the public; and limit access to the site to the current entrance. Also requiring appropriate stormwater control designed to remove contaminants; maintaining existing landscape buffers along the entrance road. Along the entrance road there are large evergreens that provide a good screening from the adjacent properties along the road. And then also requiring 10-foot setbacks from any retaining walls that are adjacent to Resource Protection Area buffers. Some of the key changes to the conditions – so, condition changes relative to parcel 20-2, that's the Pollard Tract, it does delete the condition that permits only non-mining quarry activities or other accessory uses that do not create adverse noise impacts. It deletes the requirement to maintain 400- and 300-foot natural tree buffers, and then removes fencing – the fencing requirements we've discussed and that will come back in some form, either a condition or a proffer. Then the changes relative to the original pit and Hampton Pit does delete blasting hour limitations that are currently in place, 10 to 3, so basically blasting would be permitted during any operating hours, which is the 6 to 7...

Mr. Randall: This is... Mike, if I could, this is I think, to the applicant, this is what we were talking about is that I'm not sure the intent is being met by what you mentioned before when we talked about blasting hours. But if you intended to continue to keep 10 AM to 3 PM as your blasting hours, then I would not recommend removing this as a condition of the CUP, and that we keep the blasting hours identified from 10 to 3. And we can speak more to it if you have an issue in a discussion that we need to talk to when it's your turn, but I think this is what we're talking about. So, I think we need to keep this back in, keep the fencing back in, as an init... to begin the discussion on new conditions. Thank you.

Mr. Zuraf: And the last point is deleting a requirement that blasting not exceed a sound level of 128 decibels. The... basically, the new conditions don't have any specific decibel level restriction, so basically they fall back to the State Code requirements which permit a sound level up to 133 decibels. So, the overall evaluation of the use permit, and the staff report goes into the same similar evaluation as with the rezoning, where there are several positives. A lot of the same positives – consistent with the Comp Plan for recommendations for mining; the mining uses are more consistent with the Quantico Marine Corps Base; conditions would place limitations on operating hours, location of uses, access, and

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overall safety practices to minimize impacts on adjacent properties; the presence of the mineral resources supports the expansion; it does allow for the access to available mineral resources that delay the need to open new mining operations in other locations. And then a single set of conditions limits confusion regarding overall zoning restrictions. Negatives – similar. The proposal is not consistent with the land use recommendations in the Ag/Rural Future Land Use; it's uncertain if the existing proposed buffers and berms would be adequate to mitigate impacts to adjacent properties and residences. And then there's potential for visual impacts from the concrete plant to the residential uses, and potential for increased sound levels, and timeframe for blasting events. And the proposal deletes the fencing issue again. So, again, staff recommends deferral of this as well. You know, there's several positive aspects, but issues that should be explored further and addressed. And just issues to point out – this does delete the condition to permit only 9 mining quarry activities, so it expands quarry activities onto parcel 20-2; it expanded permitted blasting hours; and then also increases potential blasting sound levels. And the same points are made in the staff report regarding the rezoning... similar to the rezoning regarding the adequacy of the buffers, visual impacts from the concrete plant, and fencing of the quarry pits. And we'll turn it back to you, Mr. Chairman.

Mr. Apicella: Thanks Mr. Zuraf. I just want to advise that I've asked Mike, if this does wind up getting deferred, if staff has recommended on both the rezoning and on the CUP applications to provide us a side-by-side of the proffers and conditions to identify what's unchanged, what's changed, what's new, and what's been deleted. So, just as a point of reference. Um, I'm going to go kind of in the same order as before. Ms. Barnes, do you have any questions for staff?

Ms. Barnes: Yes, I'll start us off. Again, one of my biggest concerns, that there's no guarantee that the trees will be retained at the beginning there in between the concrete plant and the closest house at 650 feet. I'd really like to see something in there that has some language that requires that to be maintained so that the visual impact is addressed permanently. I also noticed that there was a condition removed from the Pollard Tract that deletes the natural tree buffer requirement. Why would we want to do that? The tree buffers are some of the best and most visually appealing buffers that we have.

Mr. Zuraf: That was removed... it was resulting from the placement of the berm in that area.

Ms. Barnes: And so there's no room at all for any kind of a tree buffer now that that berm is there?

Mr. Zuraf: Yeah.

Mr. Randall: We can reference what we're discussing and we can show it to everyone. I think the other one was better... right there.

Mr. Zuraf: So, the discussion point is basically this.

Ms. Barnes: My question is... inaudible... we've got that big buffer there now and we have no room to... the green area there that's directly behind Garfield, that's "undisturbed area." However, I remember that we drove on it; it's a road. We drove around there. So, there is no, there's no tree buffer back there at all. And I'd like that to be part of the discussion. I think that could be an important aspect to add. The hours of operation, you had 6 to 6 and 7 to 1. What, if anything, can happen outside of those hours? Does that mean... that's mean they would lights off, shut down, everything's done? Because there was another, I believe, condition in there that vehicles couldn't be maintained overnight. Well, how could they be maintained overnight if it's closed? I don't understand the condition.

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Unknown speaker: *Inaudible, not at microphone.*

Ms. Barnes: Overnight mainte... how can you do overnight maintenance if you're not, if it's not open, if you close down at 6?

Mr. Zuraf: There could be... well...

Ms. Barnes: So that means that's there activities going on after they close?

Mr. Zuraf: There could be some, and I may defer to the applicant as to what other kind of miscellaneous maintenance issues might be happening that are not related to mining, you know, the actual job of pulling the...

Unknown speaker: *Inaudible, not at microphone.*

Mr. Apicella: And, Ms. Barnes, I don't have the words in front of me but I thought I just saw under the conditions that they could operate at night... *inaudible, being talked over...*

Ms. Barnes: A hundred and twenty days... *inaudible.*

Mr. Apicella: ... for 120 days. So, theoretically, they could do some maintenance during those 120 day night operations, if and when they occur.

Ms. Barnes: So basically, it's not... the entire operation does not shut down at 6, lights off, everybody's gone. It's going... there's other things that are going on.

Mr. Zuraf: There's likely the potential of that.

Ms. Barnes: Okay.

Mr. Zuraf: I'll defer to the applicant as to really what else happens.

Ms. Barnes: Okay. And the concrete plant, the hours are 5 AM to 7 PM. What are our County noise ordinances start? Is that 7 AM? The noise ordinance? So, we have between the hours of 5 AM and 7 AM in which there could be some significantly loud noises if we've got a concrete plant going. That may cause a problem with noises with those hours. I mean, it seems like that, you know, you can open at 5 but you can't make a sound because of the noise ordinance. I'm not sure how productive that is. Do we have any idea over, and this might be something we have to check with other departments, the County noise ordinance – do we know how many noise complaints that we've received over the last 5 years? I'd be interested to see that, to see if there has been a continuing problem and if we're going to add to it. I'm trying to go very quickly here guys. Um, the original pit, 1965 and 20-4A, the Hampton Pit, so one of my biggest concerns when I saw this is deleting the blasting hours. Currently you can only blast between 10 AM and 3 PM, and that condition allows blasting during all operating hours which would drastically increase the amount of time that you can blast.

Mr. Zuraf: Yes.

Ms. Barnes: So we're actually loosening up restrictions on that. The current sound level is 128 decibels; that the max but we're moving that new condition to 133 decibels.

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Mr. Zuraf: Well, it's basically...

Ms. Barnes: I don't remember why that was.

Mr. Zuraf: It removes the condition entirely basically and falls back to the State requirements.

Ms. Barnes: Why would we do that? Um, 128 decibels, I'm not sure, maybe one of the engineer friends here can tell me the difference between 128 and 133. Once again, if I think that if we're moving closer to residential areas, why again are we loosening up the parameters? It seems like when you move towards the residences, which we are, in two of these... two of the properties, then we need to be tightening up those restrictions and it really looks like we're loosening those restrictions to me. And I have a great amount of concern about that. Okay, I'll yield and let the other guys get in here for now.

Mr. Apicella: Again, just to give... going back to the same order, Mr. Randall, do you have any questions or comments?

Mr. Randall: Yeah, just a couple of minor things. I think, I think we fixed the blasting. I think you guys are going to take care of that for us. I think that was probably one of those fencing oversight things that needs to be fixed; they're going to fix that. Um, as we look through, and I guess if you have the staff report, if you're looking at the staff report on page 12 of 17 on the staff report, if somebody has it you can look through it and follow down with me. Mike, do you have the staff report with you? I don't know if you have it available on the PowerPoint.

Mr. Zuraf: No.

Mr. Randall: Okay. Alright. So we'll just talk to these as we go through them. Do you have that Mr. ... *inaudible*? Alright. General conditions, we talk about requiring fencing on top of the berm. We fixed that, right? We don't want the fencing on the top of the berm, we want the fencing on the, on the property perimeter, right.

Mr. Zuraf: Right.

Mr. Randall: So we need to... I'm not here to wordsmith it for you, I'll let you wordsmith it. But that needs to be fixed. One asphalt plant, one concrete plant, water quality. Allow access for water quality monitoring in Aquia Creek. I would like to add, allow unlimited access – not that that changes anything, but I think we need to bound access so we understand what that means. We can even put, to the County, if we need to. I don't know who else would be doing the water monitoring quality... water quality monitoring, but I think that that lends some... Stone extraction, we talked about the timeframe. Steven, to your point, I think maybe if we added County emergency; with the ability to request a waiver in the event of a County emergency. You know, if they needed to do some work for the County, and the County needed some rock that we needed immediately that we could definitely move them to a 24/7, we would ask them nicely for... to continue their operations to help in an event of a County emergency. Does that help, Steven? Chairman? Sorry.

Mr. Apicella: I think it's just some negotiation and discussion with the applicant. I don't know what it's supposed to mean and, uh, there's some back and forth on what was intended there.

Mr. Randall: Alright. And I think...

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Mr. Bain: I would be opposed...

Mr. Apicella: *Inaudible, being talked over...* just to put some reasonable parameters. I think Mr. Bain mentioned a set of circumstances. I'm not opposed to the, to the, um, to the construct; I just think we need some parameters around it.

Mr. Bain: Yeah. I would be opposed to limiting it to the County specifically because who knows what the emergency is going to be. It could be on I-95 and VDOT needs stone all of a sudden because of a sinkhole that opened up. Limiting it to the County I think is...

Mr. Randall: Okay, that's right. We're going to talk about it...

Mr. Bain: As long as the County has to approve it, I think that is sufficient.

Mr. Randall: Maybe that's how we... maybe that's the language we add.

Mr. Bain: Yeah.

Mr. Randall: With County approval, you know, that's up to staff. Okay. So, much of what we're gonna... much of what we've talked about today I think revolves around your noise attenuation study. Sound deafening equipment. You know, your sound deafening equipment doesn't help anybody if your decibel levels are too high at the property line, right. If the property line levels are good, then your sound deafening equipment is good, right. So, that's where, that's where those sound deafening equipment's going to apply, right. If it's good at the property line, then obviously you've taken the necessary mitigation steps. If it's not, then we need to, we need to tighten that up and we won't know until you do your study and we find that information. Blast monitoring standards the same way. So, for this one, establishes, establishes; I'm assuming those are already established, right? There's no reason to put in here that we are going to establish one if it's already established. Its continue, continued use of or continued efforts with, continued following – it sounds, based on this if you read it as a lay person, you read it as you don't have it currently and we're going to establish it, which is, which is disingenuous I think... *inaudible, two talking at once.*

Mr. Zuraf: Well, that's just my summarizing the condition, so it may have been the way I wrote it.

Mr. Randall: I totally agree, Mike. I'm not laying any blame anywhere; I'm just going through and making sure that they're tightening up as what we... No limits, prohibit overnight vehicle maintenance, we talked about that. Upon request by the County, requires documentation to be provided that indicates no asbestos is present in the rock to be mined. And again, we can talk to the applicant about it; I don't want to get too much about it. But I think... rather than the County forcing an action, I would like to see the conditions state the action that says, semi-annually Vulcan will provide documentation that shows, that indicates no asbestos is present in the rock to be mined, right. And make that a, make that an action that will be done to the County rather than the County having to request that report, right. And I think if that just gets, if they get in the habit of doing that, again, some discussion with the applicant will be determined whether or not that's amenable to them. Um, health screen of employees; you're on your own for that. Seven to seven. This is the asphalt. Alright, nighttime hours. Um, what do we mean by nighttime hours? Right. Is this midnight to 5? Is this a 2 to 4? Is this a 8 in the evening to 8 in the morning? So, again, we need to bound that nighttime hour asphalt plant condition to be specific to the process, you know. I'm not sure what we can do with 120 calendar days. I'm not sure how we track that; whether or not they give notification to the County, whether they require permission from the

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County to use one of those nighttime hour days, the allotment of the 120 days. But I think we need to tighten that one up a little bit regarding the nighttime hours and the number of days and how those days are tracked. Access to the site. Setbacks. Landscape buffers. Concrete plant. Again, I have an issue with...

Mr. Bain: Could I just ask real quick – does the current asphalt plant operate at night?

Unknown speakers: No.

Mr. Bain: Anybody know?

Mr. Zuraf: I'm not certain.

Mr. Bain: No, that's the concrete plant. The asphalt plant that's onsite. Does it operate at night?

Unknown speaker: They leave before that would occur, but they don't have any awareness... *inaudible, being talked over.*

Mr. Randall: It's a separate operation.

Mr. Bain: Okay. Okay, thank you.

Mr. Randall: Okay. The concrete plant, 5 o'clock. I have an issue with the... Again, I think this goes to your noise attenuation, right. If we do the concrete plant at 5 o'clock and you do your noise attenuation and we get all the way through the berms and we get past wherever we get to when we get to the local residents, and it's a lawnmower versus a normal speech, I think that goes away. But I think that that only is going to be determined based on your noise monitoring study. Alright, deletions. Okay. Again buffers, at least... I'm a big one of the 400-foot buffers, so I think wherever possible I think we need to stick with the 400-foot buffer. Mike, I think you need to talk and discuss that and have that discussion with them. Fencing, we talked about fencing. Delete the blasting hours, we talked about that. Again, whether we take is from 128 to 133 will be dependent upon that noise attenuation study. I don't have a problem going to the State Code if that doesn't have any impact on the residents 500 feet away or however many feet based on where they stand. Okay. And the lighting we've talked about; you're following the standard code. Alright, Steven, I'm good. Thank you.

Mr. Apicella: Thank you Mr. Randall. Mr. Bain, did you have any questions?

Mr. Bain: It'll be really for the applicant, but I'll go on and voice it right now. We've talked about, Bart keeps referring to a noise study, but we haven't officially asked the applicant to perform a study. And so I'd like to do that and I would like to have that study evaluate both normal day operations and blasting specifically. I presume you've got a blast scheduled for this month? So, I would like to get that study to show, um, on both sides of the berm, not... I don't need it right at the blast point, but on both sides of the berm and at the property line. So, I think that would be, uh, if you're, if they're willing. I don't know if... we can't demand it, but it's a request.

Mr. Apicella: Thank you Mr. Bain. Other questions for staff? Alright, I'm not seeing any other questions, so we're going to move on to the applicant. Again, Mr. Leming, just I would ask you to cover as much ground as you can as quickly as you can.

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Mr. Leming: Yes sir. Alright, well let me just put away this folder then. That was the CUP presentation. I'm kidding. No, I think we've covered a lot of ground here. I want the, I want the Commission to know that the preparation of the conditions was done by the applicant as a way to try to facilitate the process. What we tried to do was to take four lists of previous conditions and we actually had a spreadsheet that we set up so that we could be sure that we were accounting for all of them or they didn't get deleted. So we didn't intentionally delete anything. And we didn't change language. But we put them all together so that staff, it's the County that imposes the conditions, provided there's a lawful nexus between the condition and the development. So, that's how that came about. But ordinarily, the conditions are things that are supplied to the applicant then we comment on them, and that's it. But they're conditions, okay. Now, that's, that's really the only thing that I wanted to do except, because we covered so much ground before, except to answer questions that you wanted to address to the applicant that were specifically related to the conditions. We've got the... we understand about the noise story... study and we're on that. Um, I did want to point out to Ms. Barnes that in the Pollard proffers, there's a provision, it's at the very end of the proffers, that says that the Board of Supervisors, with regard to that 400-foot undisturbed buffer, and this is what the whole thing turned on, can substitute a berm in thought to be a better noise and site barrier than the vegetation. Now, the trees that are there now, and you toured the property, but basically everything from the fence, 100-yard toward Eastern View, that is the 100-foot undisturbed buffer that was left after the decision was made to install the berm there.

Ms. Barnes: And that doesn't include that road, that kind of access road that we meant? So the hundred feet starts...

Mr. Leming: A hundred feet is inside the fence that you saw there. And that's another reason we want the fence on the perimeter of the property because I think we had several discussions about some confusion that had evolved as to where the property lines were, and some structures and things. So...

Ms. Barnes: Okay, and let me ask you, one of them said that you don't have to have those trees. It was removed, the condition you removed and I believe that was on the Pollard Tract...

Mr. Leming: Yes, uh-huh.

Ms. Barnes: ... remove the trees. Why is that? If there are trees there, why is there deleting the natural tree buffer requirement?

Mr. Leming: Okay, what the, what the conditions say, and they're several conditions for Pollard that go to the width of the buffer areas, and they're all tree buffered areas including between my property and, uh, Vulcan on the Pollard Tract. Number 4 is the one that pertains to Eastern View. But then at number 9, and this is what was done, the Board of Supervisors may, at its discretion, require the establishment of an earthen berm on the interior portion, interior portion of the buffer yard, the 400-foot yard, upon finding the buffer to be adequate for the purpose...

Mr. Randall: Will you speak into the mic?

Mr. Leming: I'm sorry?

Mr. Randall: Yes, please use the microphone.

Mr. Leming: Um, upon finding that the buffer to be inadequate... or finding the buffer to be inadequate, that's the tree buffer, for the purpose of noise attenuation and/or visual screening. So that's what the

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plan was... the plan was presented in conjunction with that provision and reviewed by the County and that's why the berm is there. So, but it was consistent with that condition. And I wanted you to understand that there is still a hundred foot undisturbed area, it's everything a hundred feet from the fence inward to the subdivision.

Ms. Barnes: And that... is there anything in there that you have to maintain the trees on that?

Mr. Leming: Uh, I don't think you do anything to maintain them, but I...

Ms. Barnes: Well, you can't remove them. I mean, you could remove them at this point if you wanted to.

Mr. Leming: No. I don't think we can remove anything else and have no plans to do so. No, I mean, the adjustment's been made, the berm's been put in. That's, that's the end of that... *inaudible, being talked over.*

Ms. Barnes: And I'm talking about the trees that are left over. The ones that are buffering Eastern View right now, you said there are a still a whole stand of trees in between.

Mr. Leming: Yes.

Ms. Barnes: What I'm getting is, is I'd like to see something that says that that natural tree buffer will stay.

Mr. Leming: Oh, sure, yeah, yeah. Yeah, we have no issue with that at all.

Ms. Barnes: Okay.

Mr. Leming: Okay, so, other questions; I just wanted to come back to that so that you knew exactly where that... what that was based on.

Mr. Apicella: Ms. Barnes, do you have any other questions for the applicant?

Ms. Barnes: Not at this time.

Mr. Apicella: Okay, Mr... anybody else have any other questions for the applicant?

Mr. Bain: I'd like to step in again and just get confirmation, first about the noise study. Is that something that you're willing to do?

Mr. Leming: Yes sir, mm-hmm.

Mr. Bain: Okay. The other thing I would like to request and, from my engineering background I can... this means something to me. Can you do a topographic map showing the berms, showing where the steps would be for the overburden removal, and then where the rock removal would start. And show on there a line that would say this is the closest that our blast holes, bore holes, would be to... for removing that rock, for both the expansion of both pits, so that we can lock it in for the residents that it's going to be 500 feet or it'll be 600 feet or it'll be... on a map that we can see and understand so that the issue of that blasting...

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Mr. Leming: You mean rather than having me put little X's on the map.

Mr. Bain: Yeah, yeah.

Mr. Leming: It's a good point and one that we're aware of, the relationship between the benching and where the blasting starts and the additional distance that that creates in between the residents and the actual mining operation. We will come up something, yes.

Mr. Bain: I think that would be helpful.

Mr. Leming: I think that would be helpful.

Mr. Bain: Thank you.

Mr. Apicella: Okay, any other questions for staff? Mr. Randall? Mr. English? Mr. Cummings?

Mr. Leming: Oh, Ms. Barnes, the trees... inaudible, two talking at once... you put a condition in about the trees? Yeah, we're fine.

Mr. Bain: I have, I have one other thing, Steve, since we were talking about the concrete plant location, first, at what time is that going to be decided? I mean, I think from our perspective, we would like that to be settled as part of this application to know exactly where it's going to be. And my other question related to that is, what are the parameters that you're trying to evaluate to decide where to put it? If I recall, as you come in that road, you've got a nice paved road right on past that entire little blue circle that you drew. So, what would be the issue that would prevent you from moving it further up the road and therefore further away from the residences? Can you provide some clarification on that?

Mr. Leming: Okay, more specificity on the concrete batch location?

Mr. Bain: Yeah.

Mr. Leming: We can do that, can't we? Yes, we're going to have to do that so.

Mr. Bain: Okay, yeah, yeah. Alright. I think that's all. Thank you.

Mr. Apicella: Thank you Mr. Bain. Anybody else?

Mr. Randall: Yeah, just a quick couple of things. I went through those conditions fairly quickly. Mike took some notes. Any major issues... you were following along when we went through. Any major issues with discussions to the County to work on rewording, rephrasing those particular identified conditions?

Mr. Leming: I think you sort of went full circle on the additional operation. The approval to be authorized by the County Administrator seems to me, you know, I agree with what Mr. Bain said. I'm not sure it makes sense to limit it to County projects, because you don't know what... inaudible... circumstances, but the County Administrator has to authorize the waiver. So it's, you know, you have to... inaudible, being talked over.

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Mr. Apicella: Right. But I'd prefer for it not to be arbitrary and capricious when it goes to the County Administrator, so again, some parameters that put boundaries around it I think would be helpful to all parties.

Mr. Leming: Well, we're happy to work with staff on...

Mr. Apicella: *Inaudible, two talking at once...* just for a County use might not make sense but, just keeping it open ended also doesn't make sense to me.

Mr. Randall: Right. And again, it's an issue of we've had this proffer... I'm sorry, we've had this condition since 1977 when it first came. One of the homework is have we ever used it before; what have we used it for; how many times; and if we have some defining characteristics of that waiver, we can use that maybe to found the language associated with that. So, anyway, any other major questions or concerns you had about the condition changes?

Mr. Leming: Back to that issue, we're, in the entire life of Vulcan, we're not aware of instances where that's been invoked. Once exception was when the airport was being constructed and, you know, we had to... we went... we had a special application that time's expired but we actually went before the Commission and the Board to get that through.

Mr. Randall: Sure.

Mr. Leming: But that's the only exception.

Mr. Randall: Well, yeah, if you were helping to build the County's airport, the County I'm sure was more than happy to let you operate as long as you needed to get that airport built.

Mr. Leming: Whatever you want, it's... inaudible, being talked over... is not a big issue.

Mr. Randall: So, no, I understand. Again, it's an informational thing. Let's get some information and let's... we can use our next meeting then to bound that.

Mr. Leming: Okay.

Mr. Randall: So, I do have one last thing, if you'll go to the map, if you can get back to the map that you were talking to with Ms. Barnes.

Mr. Leming: Get me back to the map, please, Mike.

Mr. Randall: Sorry. I should have just asked Mike.

Mr. Leming: Here we go. Okay?

Mr. Randall: Alright, to the, as I'm looking at it, I think it's to the west. Talk to me about those buffers to the west and what's going on with that to the west. I see a creek running through there. Is that correct?

Mr. Leming: There's a creek and there will be a new access road when the asphalt plant moves.

Mr. Randall: Sure.

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Mr. Leming: This was a relocated stream that we went through the appropriate Federal and State approvals to, to do. So, what we did was to establish the earthen berm on the outside of the, of the newly located stream. So that's what you see there.

Mr. Randall: And how big is that berm?

Mr. Leming: That's not a particularly big one under the current Martin Jones proffers. I believe 15 feet?

Unknown speaker: Twenty.

Mr. Leming: Yeah, 20? Yeah, okay. That's a 20-foot berm.

Mr. Randall: Alright. Thank you. That's all I have, Mr. Chairman.

Ms. Barnes: Mr. Leming, is that the reason why you have the "undisturbed area" on the inside of the berm, on this side? Because usually you have undisturbed... the green area that goes all around the edge over there on the western side, there's no undisturbed area on the outside of the berm on that side.

Mr. Leming: That's correct in that case, because of the close proximity of the stream.

Ms. Barnes: Okay.

Mr. Leming: And because of where that had to be established.

Ms. Barnes: So you just kind of reversed the order there because of the stream.

Mr. Leming: And it's not really, you say a green area, but it's really a, it's a stream. Now there is some vegetation along the stream, or there will be, but that's, that hasn't even been relocated yet. That's not even done yet.

Mr. Randall: Right. But then, to the point, alright, so this is a futuristic process, right. You're talking about 2055, you're talking about 2135. So, conceivably, we could have a residential development that is established on the west side of that quarry, correct?

Mr. Leming: If you subdivided those large lots...

Mr. Randall: Sure.

Mr. Leming: ... it would, under, yeah, you would get a few more, a few more... *inaudible*.

Mr. Randall: Okay. How far... so, right now, the stream is a hundred feet wide? Twenty feet?

Mr. Leming: No. No, do we have any idea?

Mr. Randall: So, you have a 20-foot, so you have a 20-foot stream...

Unknown speaker: We're not re-establishing the stream. We... *inaudible, not at microphone...* mitigation...

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Mr. Randall: You need to come to the podium, if you can help us answer the question.

Mr. Leming: Come on up. Alright, let's get the stream story.

Mr. Randall: I don't need a whole story. I just need the cliff notes.

Mr. Beck: What's happening is a berm on the outside, right next to the berm is a pipe that'll, that'll take the water to the creek, and then next to that is an overflow channel for the, uh, floodplain. So, if the pipe can't handle the water, it runs through a channel down to the stream. So, there is no new stream. The DEQ... inaudible... did not think that we could create stream, so we mitigated for it and we'll build a diversion.

Mr. Randall: Alright, so here's my question. On the east and the west... on the east and the south, from residents to the quarry, we have approximately 300- to 400-foot buffer, right? How do I determine, how do I ensure a 300- to 400-foot buffer on the west 50 years from now when we build a residential unit... a residential development over there? How do I get 300- to 400-foot of a buffer over to the west?

Mr. Beck: Well, keep in mind that eventually this is all pit. And so...

Mr. Randall: That's what I'm talking about. I understand that.

Mr. Beck: It's a quarry pit and so...

Mr. Randall: I understand that.

Mr. Beck: ... you're going to be down in the ground.

Ms. Barnes: That would increase the need for... *inaudible, several talking at once.*

Mr. Randall: But I'm going to need... I'm going to need a 300-foot buffer the entire perimeter from quarry to residential. There currently isn't residential, I understand that. But if, futuristically, there is, will it be on the County to say, okay, they've quarried all the way up to the stream and now we're not going to be able to allow anybody to build within 300 feet of that because there needs to be a buffer? Or will that be on Vulcan to say, I have a 20-foot buffer, I have a stream, and now I have to generate 150-foot additional berm to provide some noise attenuation from that, from the quarry to any new residential that I have on the west portion of the quarry. It's probably not you that will be answering, but somebody in the team will probably need to, to answer the question so we can have that as part of our discussion.

Mr. Beck: The only thing I can say is, this has been reviewed by you guys in 2010 and you approved this exact...

Mr. Randall: It would have been nice if I was here in 2010.

Mr. Leming: Mr. Harvey, what is the arrangement under the ordinance when we have different land uses coming in at the same time? How do the buffer requirements work, or if you have one that comes in first and then another that comes in later? How are those buffers handled?

Mr. Harvey: Buffer requirements are made to separate uses. So, a quarry use versus a residential use would require a buffer. The buffer standards can vary based upon if a berm is used or a fence is used to

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help screen the uses. But also, trees and shrubs and other vegetation will be required. The buffer standard, if I remember right, is at least 60 feet in width.

Mr. Randall: I totally agree that the County has a buffer requirement, and it, and surely Vulcan understands that you're far exceeding your buffer requirement when you do your buffering as we've shown from 300 to 400 feet all along the south and all along the east portion of the property. So, we need to be thinking about how we're going to make that 3 to 400-foot buffer along the west portion if the time comes when that, all that area becomes residential. Or, do you not worry about the buffer and then it becomes inherent on the County and the developer who wants to build there to figure out how he's going to buffer all that, all that noise from his new homes.

Mr. Leming: We understand the concern, and I'm sorry Jeff, I wasn't a little clearer. There are certain instances where there are shared requirements, just where the County required buffers. And I realize we're a different animal here, but when do the shared buffer requirements... I mean, we've got large lots over there now, it's A-1, so that's the... nobody had any issue with what was proposed here. But, if as Mr. Randall says you have, after Vulcan is established, you have a more dense residential subdivision that comes in there, I'm not sure the County would approve another dense subdivision next to a quarry but, assuming that that happened, then what portion of the buffer requirement falls on the new development that comes in later?

Mr. Harvey: The buffer requirement usually kicks in when the first party to develop presents itself. So, it would, it would depend on what's being proposed and any more dense development in this area would require a rezoning. So, likely, through the rezoning process, there would be a negotiation of a buffer probably more intense than what the code requires.

Mr. Randall: Okay. So, at that point in time, then it would be on the... it would be inherent on the developer to figure out his, his expanded buffering requirements based on that we have such a smaller buffer on the east side... I'm sorry, on the west side of the quarry. Is that what you're saying?

Mr. Harvey: Yes. And some of it's a matter of timing, too.

Mr. Randall: Sure. No, no, agree.

Mr. Harvey: If the quarry is built-out first and they cease their operations and a hundred years from now someone rezones for an apartment complex there, it would be a different situation.

Mr. Randall: Right. No, no, let me give you a scenario. Sorry, Mr. Chairman, but I think this is important. We are talking currently about the Hampton Oak Pit being built until 2055, being operated until 2055, right? And then we're going to move over to the original pit. Well, that's 20 years and I'm not sure, I'm not convinced at this point in time that 2055 is going to be the end date, that there will probably come a time down the road when you'll want to move that as well, right. So, let's say it's 20... let's say the worst case scenario it's 2055. So that's 24 years from now, right. So, 24 years from now you decide... 34 years from now, you decide you... you haven't touched that land at all because you're all in the Hampton Oaks Pit, right. A developer comes in, rezones that property to R-1. Well, you guys haven't done anything with that. You're still in the Hampton Oaks Pit. You haven't even started blasting over there. Do we still require that the developer will need to put a 200-foot buffer of his own property to mitigate the potential in 2097 that they're eventually now going to build that out and quarry that out all the way to the creek? They own the land but they're not quarrying around that land, that area at all.

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Why would the developer now be required to put in a, put a 200-foot of their own buffer when they're still working in the Hampton Oak Pit? That's my question.

Ms. Barnes: I have to say, I agree with Bart on that. I don't understand why there isn't a wider buffer on that side. It seems like the west side of the quarry kind of got the short end of the stick with a buffer, and I'd like to see... I know that that means you might lose some, some space or some, you know, area that you could possibly mine. But even if they don't develop that, I mean, just put those residents there on the Toluca, on that road that back up to there, on the west side. You know, I think that having a buffer the same as we have around the rest of it would be, would be preferable.

Mr. Randall: So, again, this isn't something we're going to solve tonight. I think this is a discussion point that needs to be made with you and the County. We need to figure out I think a better mitigated, mitigation process for the west side. Being that... now, if this was happening on the east side and you were already currently quarrying, yeah, to some extent the developer would know that that's already actively... No, we're talking about 50 years. You can conceivably still not be to that, that property line. And so, I think there's some discussion that needs to happen with the County to see what we can do about mitigating the buffers on the, on the west side of that. So, thank you, that's all I have Mr. Chairman.

Mr. Bain: If I could just jump in a second and ask a question. Did you say that that had already been permitted for that berm and pipe relocation?

Mr. Leming: Well, the relocation is what had to go through the Corps... *inaudible, being talked over.*

Mr. Bain: Right, right. So it's already been permitted by the County.

Mr. Leming: *Inaudible, being talked over...* that's going to be... yes. Well, the whole thing was... *inaudible...*

Mr. Bain: Yeah, yes.

Mr. Leming: ... the County at this location.

Mr. Bain: So I don't know how can we...

Mr. Leming: This has already...

Mr. Randall: *Inaudible, several talking at once.*

Mr. Bain: We can't reject... we can't...

Mr. Leming: Well, here's what Mr. Randall... he's saying that, well, there's a proffer amendment before you, so theoretically, all the proffers could change.

Ms. Barnes: Correct.

Mr. Leming: But, yes, this is... what you see is how Martin Jones was approved by the County and by DEQ and, of course...

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Mr. Bain: And that was not a proffer.

Mr. Randall: No, it's a condition and we could potentially put in there that says I want a hundred foot buffer on the inside of that creek to help mitigate any development that could potentially happen outside or the current... *inaudible*... now. I want something on the inside of the creek, right, that would help alleviate that noise from a quarry into the outside development. That's what would need to happen.

Mr. Leming: *Inaudible, several speaking at once.*

Mr. Bain: What I'm asking is, can we legally require them to change an approved permit?

Mr. Randall: I'm not changing a permit. The permit's... *inaudible, being talked over*...

Mr. Bain: Yeah you are.

Mr. Randall: ... the creek.

Ms. Barnes: We're coming up with new conditions. I mean, that's the whole point of this exercise is we're coming up with new conditions.

Inaudible, several speaking at once.

Mr. Apicella: I'm going to jump in here. I think that the issue is, because the applicant's done it themselves, they've decided that they want to open up the proffers and put it across the entire site, as well as put the conditions across the entire site, although there's some conditions specific to different kinds of uses. So, I'm not sure what the answer is here. I appreciate what both Mr. Randall is saying and Ms. Barnes is saying, as well as what Mr. Bain is saying. So I think we need staff to take a look at it. Does the County have any options here with respect to the western side given that, given the scope of what's in front of us today, with the application for the proffer changes as well as the application for the CUP? So can we just leave it there for now because we can...

Mr. Randall: Yeah, no, no, absolutely. I knew it wasn't going to be solved tonight. It's just something that I think needs to be a part of a discussion that needs to be worked out with the County and then, the next time we meet, bring that to us and we'll talk about it. Thank you.

Mr. Apicella: Okay, um, last call for questions of the applicant. Alright, thank you Mr. Leming... *inaudible, being talked over*...

Mr. Leming: Okay, thank you all.

Mr. Apicella: ... from Vulcan. I'm going to open up the public hearing on this matter. This is an opportunity for the public to comment on these two items, both the Conditional Use Permit and the rezoning application. Before starting your comments, please state your name and address. The clock starts when the green light appears; yellow means there's 1 minute left; red means please wrap up your comments. So, if there's anyone who would like to speak, please come forward now.

Ms. Raftery: Well, I was going to say good afternoon...

Mr. Randall: You can take your mask off if you'd like.

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Ms. Raftery: ... but now it's evening, late evening. My name is Mary Terese Raftery and I reside in Eastern View subdivision, which is right on the corner... we face the cul-de-sac that part of this conversation has talked about, where I can actually see trucks going by. Um, so I'm here to express my grave concern for this proposed plan to expand the quarry by adding the concrete facility. From the diagrams that I've seen, it appears it will be built directly behind my corner of the subdivision. My home is in the back section of the neighborhood closest to the access road to the quarry. I see those trucks any given time of day, any day, 365 days a year; I see those trucks through the trees, summer, winter, fall, spring. Um, I hear the rumbling; it's not a horrible sound but, I mean, it does go on. They are visible and I can hear them. The trees don't block it. Um, in addition to that, I see the trucks drive by, I hear the shifting, I hear the gears, I hear the rumbling. Um, also I see the lights as I go down Joyce Street from Garrisonville; I see the lights behind the berm. I can see them going down the hill at night. Um, so, we bought our house 18 years ago. We had no clue there was even a quarry there; we had a great real estate agent. Um, but it's really not been that much of an issue. But now that I learned that this concrete facility is going in, it really causes me concern because that one area that supposedly... there's no berm there, it's trees, but there's no sound. Yes, there is. So, if the quarry... the concrete facility is going to be right beyond that area, we're going to hear it. It's, it's very disconcerting. Furthermore, I can hear the conveyor that carries the rocks to the crusher; I can hear it. That's on the other side of our street. I'm at 2 Garfield on the other end. Where this, this equipment is, I can hear it. It's a, it's a rumble. We hear it. Um, I have a front porch. I enjoy sitting on it. I like to read, watch the... we have a bird feeder there, and I like to watch the birds. I have a little fountain by my garage; I like to listen to that. I'm going to hear that mixed in with the sounds of this, of this concrete facility. So, um, we're going to see more dump trucks on that road, I think; I'm not that well versed on it. But, um, please consider the noise pollution that our neighborhood's going to have to endure with this new facility being put there. It's got me, um, pretty upset. Thank you.

Mr. Apicella: Thank you ma'am.

Mr. Randall: You can pull it down to you. You can take your mask off, my friend.

Mr. Shifflett: My name is Matthew Shifflett. I'm 11 years old. We pass many large trucks on my way to school that are going to and from the Vulcan Quarry. I'm worried that more trucks will make the roads more dangerous. Many of my friends from school live in neighborhoods down Shelton Shop Road. That is a 2-lane road. I'm worried more trucks will drive here, too. How many accidents have there been in the area surrounding Vulcan or along Shelton Shop Road involving big trucks? Yesterday there was an accident on Shelton Shop with a dump truck and another vehicle. Can Stafford County do a study to see how many more trucks would come in and out of Vulcan if Vulcan moves its concrete plant to the quarry? Will trucks be allowed to go in and out on Dun Rovin Lane, too? What would the County do to keep this from becoming a new traffic problem? There isn't even a stop light there. Also, I'm planning to live in Stafford when I grow up. I will want to take my kids to the park near their grandparents' house. I think Vulcan needs to give the land back to the County when they said they would so it can be a park. I think parks should come before pits.

Mr. Apicella: Thank you.

Mr. Randall: Very nice.

Ms. Shifflett: Good evening, my name is Kate Shifflett. I'm a homeowner in Eastern View since 2011. A group of concerned citizens in Eastern View submitted via the Public Comment email a petition signed by 121 Stafford citizens, including myself, urging the Planning Commission and the County Board of

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Supervisors to hold Vulcan to its current proffers. We believe with the proposed removal of ordinances, reclassification and rezoning of property, and the addition of the concrete facility, the proposal removes all safeguards for the residents adjacent to the quarry. Thank you in advance of reading the full petition and signed names submitted via email into the public comment. Now my comments. In the current proffers, Vulcan turns back land to the County for park space and a water reservoir in 2035. We talked about this a little bit tonight. But in the Stafford County Department of Public Works, Water and Sewer System Master Plan, revised May 28th, it states the current reservoirs and... *inaudible*... water supply infrastructure are projected to be sufficient to meet present and current demands through 2045. The plan includes the option to use the land scheduled to be turned back over to Vulcan as a reservoir. "This option has the advantage of being close to the existing customer water demands and the Smith Lake Water Treatment Plant." Can Stafford County afford to discount this option for access to water? Are we able to wait until 2055 when we will need access to water in 2045? I had the opportunity to tour the quarry last month. One of the staff members who provided the tour said, you're not going to live next to a quarry and not see us, hear us, or feel us. That became even more true for us when the tree line was bulldozed and the berm was built. Sitting on my front porch I hear blasting, the conveyor belt, rock being crushed, and trucks backing up, both with the white noise updates and the traditional honk. The staff report from today notes, it is uncertain if the existing and proposed buffers and berms will be adequate to mitigate impacts to adjacent residential uses. From my vantage point, the current berm fails to do so. I don't want this for my neighborhood and I don't want it to be allowed to happen for my neighbors in Oak Ridge and Raintree either. While on the tour at Vulcan, staff shared that there are sand shortages and not many places to get natural sand, and that Vulcan was producing manufactured sand. Is this sand used to make the concrete onsite? Does Vulcan have plans for growing its concrete production? I wonder if since there weren't many places to get sand, if this would mean more traffic from concrete and sand trucks. Is sand a new production avenue for the quarry? Would selling sand affect truck traffic? Are the trucks bringing in the concrete to be recycled counted in the traffic study? All things to consider. I'm concerned that this mining and production activity creeps closer to my house and those around me that our property values will decrease. Has the County researched the impact of mining and concrete production on residential home prices? Vulcan's proposal has some quarry property not being conveyed to the County until 2135. That's 114 more years of quarry operation. Vulcan says they plan in decades. The County needs to make sure it does this, too. How do the concerns addressed today impact life in the County for all of us, our grandkids, and our great-grandkids? Thank you.

Mr. Apicella: Thank you ma'am.

Ms. Rys: Good evening, my name is Lori Rys, and I live in Eastern View subdivision. We, along with our neighbors in Oak Ridge, Raintree, are the Sheriff's Deputies, firemen, school teachers, nurses, and retail associates. Our neighborhoods are the workforce housing, spoken of the policy of the Stafford County's Comprehensive Plan. The County, according to the Comprehensive Plan, should promote the conservation of stable neighborhoods, revitalization of older neighborhoods, and maintenance of quality housing and property values. It is also County policy to promote a better quality of life in a secure and attractive environment. How does this proposal to any of that? Is a 40 to 80-foot berm attractive? Does a 20-foot berm still allow us... which still allows us to see processing equipment 600 feet away and hear its noise secure our property values? What about crushing concrete 300 feet away? The Eastern View berm, which did not go through public hearing, is ineffective for noise attenuation, dust suppression, and visual screening. We hear the quarry, we see the quarry, we get their dust. We've been told that we should expect that, except, in the last 4 months of talking with both County officials and State agencies, I found we should not. According to the Comprehensive Plan, I should not see the lights or the equipment, yet I do every time I enter the neighborhood. According to the Virginia DEQ, the quarry's emissions are calculated by self-reporting of production on machinery equipped with dust suppression

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devices. I should not see black quarry dust on my white house. According to County code, the open pit mine should not wake me at 6 AM with a 69 decibel noise. Noise does not echo... should not echo through my neighborhood. I invite you to come to our beautifully cared for neighborhood to see how the berm, the dirt pile where nothing grows, tapers to non-existent along Garfield Street adjacent to parcel 19-65 which will also be quarry. Come see the 13 old growth trees which have fallen in the save tree area next to my house because their roots were disturbed by the building of the berm. Look behind the cul-de-sac at Kelly Way at the sparse tree line where every truck that passes can be seen and heard. The concrete plant would be built 650 feet from the property line. There is no planned screening, no planned berm. The Comprehensive Plan says that as residents locate nearer areas of mineral deposits, extraction of these resources may threaten their safety and well-being. Can the County accept the liability of allowing extractions of these resources to locate next to long established neighborhood residential areas, and possible threaten the inhabitants' safety and well-being? The County staff report says it is uncertain berms are enough. Eastern View says no, it's not compatible. Thanks.

Mr. Apicella: Thank you very much. Would anybody else like to come forward and provide a public comment?

Mr. Baber: Good evening Mr. Chairman and Commission members. My name is Ashby Baber; that's A-S-H-B-Y B-A-B-E-R. I live in Suburban Estates, which I think has been referred to several times as Raintree, but it's Suburban Estates. My property backs up to Mr. Leming's property. Um, one thing I want to say is, we moved there in excess of 30 years ago, so I'm not a family that just moved into to work at a government entity close by and then going to be gone 3 or 4 years later. My wife and I looked around quite a bit to find some place that we could raise our children, and we moved here from Alexandria, Virginia, and bought a newly built house at 134 Debra Drive that backed up to a farm that had cows and horses and chickens and other farm animals, which was something really nice to us. Mr. Bridges, who originally owned that property, passed away and I don't know if that was at the time that Mr. Leming purchased it or what have you. But, in any event, we have tolerated Vulcan Materials because they were there when we moved there, and there are some noises and things occasionally that you get from there. Our number one problem is the shots, blasting, dynamiting, whatever they refer to it as. I understand it goes on twice a month. Um, in 30 years, that comes up to 720 times. I'm not sure if they have been keeping track of anything other than, like I said, they can give you some numbers on what happened the last 4 or 5 years, what happened maybe in the last 10 years, whatever. I have 30 years of research that I've done and that's the cracked ceiling in my living room from the blasting. That's with what's being done now. Now you're talking about locating it closer to my house. It's a joke in the neighborhood; we go around and straighten our pictures up on the wall about once a month. Each time they blast we spend an hour to two hours trying to get our dogs out from under the bed because they're scared to death. Um, if any of you were around here, um, 2011 when they had the earthquake, experience two earthquakes a month and then see what you think of the shots or the blasting, because that's what it boils down to. So, I would like to say, we can tolerate on Debra Drive pretty much what's been going on, what we've been tolerating for the last several years, but we cannot deal with it getting any closer to us than where it is now. Like I said, we're not so much concerned about home values; we bought the house and planned on like I said raising our family there and staying there till retirement and staying there pretty much after that, so we're happy with Stafford County and love the area that we live in. And we'd just like to be able to deal with it the same way we've been dealing with it, which has been acceptable to this point. But I said, we don't need anything any closer to us than what it is now. So, we would like to ask you to deny any conditional use permits or any rezoning to that agricultural land that's to the rear of our home. Thank you for your time and we appreciate it.

Mr. Apicella: Thank you sir.

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Mr. Rys: Good evening. My name is Jeff Rys. I have lived in Eastern View for almost 18 years. I'm a retired US Army Veteran who served 22 years active duty service. In 1976, the Vulcan Materials Company, a multi-million dollar corporation headquartered in Birmingham, Alabama, received permission to begin open pit mining off of Garrisonville Road. There was considerable resistance from the local residents against the 240-acre facility. In August 1976, the Planning Commission and the Board of Supervisors, your predecessors, jointly put in place a number of restrictions and safeguards to protect the citizens of Stafford County. In the years since, the Vulcan's open pit mine has repeatedly come to the County to request to expand their operation, increase the mine footprint, and rezone areas in and around the mine. Each of these expansion requests have included the illusion and/or removal of some of the safeguards put in place to protect the residents of Stafford County. The mine operation area is now 556 acres, more than twice the original size. The Vulcan Material now comes to you with a... the Planning Commission to request to expand even further, rezone even more land, and remove almost all the existing safeguards. The hours of operation will be... of the overall property will be increased with some operations being allowed to begin at 5 AM in the morning. The blasting hours will be drastically increased. This, in conjunction with the removal of the ordinance on parcel 20-2, will allow excavation within a hundred yards of the property line adjoining Eastern View. Originally, 20-2 was zoned A-1. Then it became M-2 with a 400-foot wooded buffer. The wooded buffer's now gone, and an ineffective berm has been put in its place. What safeguard... all these safeguards are gone. Exactly how close to Stafford homes does the County think is okay? I was unable to find out what the original planned life of the Garrisonville Vulcan open pit mine was. But the average open pit mine has a life expectancy of 40 years. With expansions already granted to the Vulcan Mine by Stafford County Board of Supervisors, the life of the mine will be more than double that today. Today, Vulcan comes to you and Stafford County with a plan to keep them operational for at least over a hundred years. Even without the new expansion, Vulcan open pit mine will remain open and producing for decades. I believe it's time for you to stand up for the people of Stafford County and say no more. No more expansions for the Mulcan Vine. No more rezoning for the multi-million dollar out-of-state company. And no more removing proffers and safeguards put in place to protect the residents of Stafford County. Thank you.

Mr. Apicella: Thank you sir. Is there anybody else in the chambers who'd like to speak on this item?

Mr. Randall: Yeah, Steven, we have about 20 people standing outside and waiting for the ability to come inside so, yeah, they will continue to come in piecemeal.

Mr. Apicella: Great.

Mr. Craft: My name is Alan Craft. I live in the Eastern View neighborhood. I've been here since you started at 4:30 with many of my neighbors who had to be out in the hall because they couldn't be accommodated in the chamber here with you. I, I have to say I was astonished early on in the discussions that the gentleman I could not see, I didn't have access to the video out in the hall where I was, made the assertion that rolling down the window in the neighborhood the quarry could not be seen. You've heard from many of my neighbors and they've all refuted that. I have no confidence in the assertions from Vulcan that they will mitigate noise, dust, or any of the other visual issues or, you know, any of the impacts. Because my current actual experience, day after day, is that all of those things are not mitigated. I hear, like my neighbors, the noise at night. I see the operations as I enter my neighborhood. The berm is at the foot of the hill. The neighborhood goes up the hill. If you're up the hill, there's a clear line of sight over the berm, and the sound can travel that line just as well as the light can travel that line, and it does. I was, um, you know, I have no confidence in the dust mitigation because I see the dust coming off the trucks. Earlier this week, I drove up Vulcan Quarry Drive, approached the entrance, turned around, came back, and you can see that the lane where the trucks enter was the color you'd expect for

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pavement and the lane where the trucks exited was dust gray. And it goes in an arc out of 610 because most of the trucks goes eastbound from Vulcan Quarry Drive on 610. So then, when three trucks came out, I turned my car around, queued up with them at the light and, as they drove out, as I've observed many times in the past years, they drove out in a cloud of dust and they went eastbound down 610. And I followed those three dump trucks loaded from Vulcan's quarry, and they continued to generate dust clouds all the way past North Stafford High School. So I don't have confidence in these assertion that the hazards will be mitigated because day in and day out, like my neighbors, I experience the failure of the current mitigations. Now there's a proposal to add additional impacts. So, this, this proposal is all win for Vulcan. They get to continue the existing benefits they've accrued. They get to have more. And it's a lose for the County and a win for Vulcan.

Mr. Randall: Sir, if you could wrap up your comments, thank you.

Mr. Craft: Yes, thank you for bearing with me. I expect our County government to serve the citizens of the County, not one corporation. I expect you to do the right thing; hold Vulcan to the original agreements and not expand benefits for them while accruing additional burdens to the citizens of this County. Thank you.

Mr. Apicella: Thank you sir.

Ms. Anderson: Um, my name is... my name is Karen Anderson. My property is directly behind the rock crushing area. And I'm just basically here to tell you my experience. We moved in 23 years ago in 1998 when the trees were still there. And, um, there's... since the berm has come in, I just wanted to tell you that it really hasn't helped too much. Um, in fact, from my second floor I can still see the crusher when the leaves are off the tree in the wintertime. So, the visual is still there of the equipment. Um, and also, um, the noise is about the same. I, I... it's not unlike me to work in my yard 8 hours a day; I'm an avid gardener. So, I noticed that the same dust that's on my house, the quarry dust, is also on the leaves of my plants and it's, um, concerning to me to have that much dust in the air and that I breath while I'm working out there. Um, I also am just concerned that, um, that there's got to be a line drawn like, you know, how big can the quarry get. There's, there's so much built up around them that there's got to be a line drawn. And so, I'd like to see that they will have limits onto how big that this can get. And, um, anyway, that's all I wanted to say. Thank you.

Mr. Apicella: Thank you very much.

Ms. Lofiego: Good afternoon... or I should say evening now. My name is Jessica Lofiego, and I'm the closest resident of Eastern View to the proposed concrete plant. The current plant has the... the current plan has the plant within 650 feet of my home.

Mr. Bain: Can you tell us your address?

Mr. Randall: What's your address?

Ms. Lofiego: 59 Kelly Way.

Mr. Randall: Thank you.

Ms. Lofiego: As of now, the rock quarry and the asphalt plant are each permitted to work 120 overnights respectfully. Adding the concrete plant with overnight operation with 120 nights would mean they are

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permitted to have 360 nights a year of heavy industrial work, noise, in our backyard. When we purchased the home almost 10 years ago, what was behind us was a road. We could hear the trucks come through. We could hear the chains. We can hear it overnight whether you go out at 2 AM, 3 AM. It is limited on the number of nights, but now it's pretty much every... gonna be every night. And now they want to have this concrete plant. In addition to the added noise, we will have a 50-foot silo in our backyard. From my understanding, the Comprehension Plan limits industrial buildings to a height of 40 feet in our subdivision. Why would this be permitted to go above this? This is an eyesore, light pollution, and noise. Right now there's no berm to be added to block the noise, the site, or heavy industrial work. You're talking about removing even the mature trees that we have out there. The residents of this neighborhood are hard-working citizens, and we spend decades of our lives paying for our modest homes. Unlike Vulcan that has substantial funds and can easily purchase land, we don't have the \$600,000 to move to another neighborhood. What will happen to our property values? In addition to what happens in our backyards, what about traffic? Vulcan has so many vehicles going in and out of the property, this will add even more. I know they're saying there's a limited amount, but a lot of these companies are other companies coming into their property. They may only have a certain number, but there's more actually coming in. I have two children that walk to North Stafford High School. That's crossing 610, and with these additional large trucks, I'm concerned about their safety. I feel as though Vulcan is the mouse in the book, *If You Give a Mouse a Cookie*. They keep asking for more, making revisions, doing what's best for them. When will enough be enough? When will you look out for the citizens and not just the quarry? Thank you.

Mr. Apicella: Thank you ma'am.

Miss Lofiego: Hi. My name is Maria Lofiego. I spend my free time playing in my backyard. I don't want to spend my time breathing in fumes and dust from the quarry, asphalt and concrete plants, and trucks. Please don't take my trees away. As Dr. Seuss said in *The Lorax*, unless someone like you cares a whole lot, nothing is going to get better. It's not. Please care. Thank you.

Mr. Apicella: Thank you.

Mr. Johnson: Good evening, my name's Mike Johnson. On the map, in the other room, we got to look at that for the first two hours so we couldn't see who was talking. But my house is right where the berm tapers off. So, the gentleman that drove by our neighborhood and, uh, couldn't hear or see anything, it's like driving by a house of a murder and there couldn't be a murder happening because you didn't hear or see anything. Um, six months of the year there's no leaves on those trees. I have a photo; I could show you. It's on an SD card so I can't pop it up on the screen. Um, I see every truck from the back of my house, from my deck, that goes in and out. I hear them honk to each other when they, you know, say hello. I mean, they're not being mean, but I hear that. Um, they park sometimes. I hear the conveyor. So, Vulcan will tell you, let's focus on the new impacts, right, not the old impacts. But this berm, this tree, doesn't stop the old impacts. So, I want to be clear I'm not complaining about Vulcan. I knew what I was getting into when I bought. Our realtor pulled the proffers, pulled all of that. I knew what I was getting into. Um, so I just wanted to be really clear about that when I talk. So, uh, essentially, I see every truck that enters and exits through the main gate. I hear their horn... honk their horns as they courteously say hello to each other. Um, I have no personal issue with Vulcan. I don't blame them for attempting to modify their proffers to allow expansion. They're trying to do what's best for them. Um, when my wife and I purchased the home in 2014, we had long talks with the realtor about who owned the property, what it was used for, how long it would be used. To say I made an educated decision before purchasing it. Um, so now I hear the noise from Vulcan and I've never complained. Somebody asked about noise complaints; I've never complained about a quarry behind me because I knew it was there.

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You should have heard the other room when we heard that. We were supposed to complain? Who should we complain to? Again, we knew what we were getting into. Um, I also see the conveyor. I'm not a mining expert. I watch Gold Rush. I'm guessing it's a conveyor. And you do see the lights that have been mentioned; they leave them on all night. I mean, they can't be energy efficient. I don't think they're working, but they leave them on all hours of the night. Um, and so all of these noise complaints again are to the future homes, right. These folks should be opposing these things because, again, this mining operation has been going on at least since I've lived there. You hear it. You see it. Um, the quarry is proposing an expansion – my major issue is the concrete plant. I'm not far from that. Uh, the increased hours, increased blasting. That's absolutely insane. I think some of you kind of mentioned that. A couple of other... so I have a whole bunch of notes of things that were talked about today and I'm on yellow already. Uh, someone asked about decibel level. Google rock concerts, 115. It's an exponential increase. I'm seeing a nodding head. 133 is a jet take-off. I'm not saying that's what it feels like in my house, but I'm saying just for reference. Huge difference. I also heard what sounded like a threat from Vulcan; I don't know if it was intended that way. That they now want to move the fence. So my property line, I have about 50 feet of woods – 8-foot fence, road, and tapering berm. They now want to move that fence to the trees. So, what's the point of a visual barrier if I'm going to look at an 8-foot chain link fence which I'm curious how they're going to build without impacting the trees. Uh, I've got 4 seconds. I think I'm out guys. But I appreciate everyone coming here and I want to say thanks to all the kids. I appreciate you. Thank you.

Ms. Johnson: We're sharing germs. Hi, my name's Rachel Johnson. I live with him. My husband and I have lived in our current home almost 7 years. When we purchased our home we did ask our realtor about adjacent properties. We were informed that berming was required by proffers and existed to protect us from sound and visibility, and that Vulcan would likely be there longer than we would. But they had short term plans to provide the County with a water reservoir and longer term plans to provide the community with parkland or sports fields that our end of the County really lacks. Like most people in the area, house hunting took place in the evening and weekends due to 95 commutes up north and it was also late summer with full trees blooming. Um, when we moved into our house, we quickly realized that in addition to the blasting that shakes your home and the sound of the conveyors, the trucks were also super frequent and quite loud, because the berming ends abruptly in the middle of our backyard, or in the property behind our backyard. And there's actually no berming any further between Eastern View and the entrance. Um, we also realized that when the leaves came off the trees, and the berm has no trees on top which I'm pretty sure they were supposed to have trees on top in the proffers but I could have read that wrong. Um, we also realized that our home, like most of the homes that surround the quarry, is older, it's more modest, it has older windows, not noise-insulated like newer homes would be, and if I knew about the noise and visibilities now I may have made different choices. So I worry for my neighbors in Oak Ridge and Toluca Road who are going to be affected by Vulcan's proposed expansion. Is their berm going to be maintained over the years with trees on top? Is the berm on Debra going to be enough to block the noise and visibility of the mining operations? Are the people on Toluca going to be staring at a 60-foot concrete plant like some of us in Eastern View will be doing? It's only 659 feet; I believe someone measured it for us. All of this on property that was originally supposed to be parkland for the County but now, as best as I can tell, is at least going to have the concrete portion excluded because concrete can go on forever even after the mining is done. I can't imagine adding truck traffic, concrete plant noise, overnight production, light pollution, increased hours of operation, blasting, to an already loud operation. They also have signage bragging about being a wildlife habitat, but this expansion has them doing even more deforestation in addition to what they did in the past two years. I don't see any studies on the water impact, for the water ponds that are there and Aquia Creek. And one last thing – I personally feel like the quarry knew the adjacent neighbors were older and had no organized homeowners associations, and they thought they could make these changes without anyone noticing.

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We noticed. And, I do have, if I can play, if you can hear... my phone hates me... I did take an audio of... Sorry, it might not be working right... there it goes, the beeping. *[Played audio of noise.]* We hear that beeping all day, 10 to 12 hours a day. And it's mixed in with heavier, louder, deeper noises that I couldn't get my phone to pick up, but it's all day. Constant beeping, constant trucks, constant backing up, constant honking, all day. So the berm on Debra, not enough.

Mr. Apicella: Thank you.

Mr. Rosario: Hello, good evening. My name is Jesus Rosario. I'm the head of household, representing my wife, Lourdes, and my two children, Sophie Rosario and Fernando Rosario. My house is very much adjacent to the west quarry. Um, the question I want the County to look long and hard is what will happen when the west quarry gets to its end state? Will 200, 300, perhaps 400 feet buffer suffice with our current location? When you look at that map, you see where it ends. I understand they're approved for that, but this is the moment for you to consider what will work. So, as they kick around ideas of 200, 300, 400, representing a lot of my neighbors, the more feet we get the better it is, because they already said it in today's, um, hearing. What are they doing? They're going step and they're bumping. And where they're bumping? South, towards our community, our, you know, our community, like my street, 27 Garfield Street. It's very touching for me. It's a dear issue. I heard Ms. Kristen Barnes; I loved everything you said. I invite you, I invite Mr. Barton Randal, everyone in here, I invite you all to go see my property. I have a wonderful German short-haired pointer; he runs around and when he runs around, I have a video of it. I can show you exactly those trees that keep talking about, those famous forestation. They call it forestation. I call it deforestation. I mean, we used to have what looked to me 200 meters, now it's like 30. I'm a golfer. I have a, I actually have a range finder. I lasered it. From my backyard to the first fence it was like 30 yards. That's like a chip for me. I could probably take my 9-iron and get over to the berm. When you look at that berm? Again, I invite you – please, come to my house, 27 Garfield Street, I invite you to see there. That berm is just decrepit. The trees on the top, it was a failed experiment. It's like they didn't know what they were doing. They put in some cypress trees. They somehow thought that you can get rock that was waste, put it in there, and grow something! Any farmer knows you can't do that! Maybe we should invest and get them Miracle Grow! They have deep pockets. Get some Miracle Grow. Put the right type of trees in there. But that's a question I want you to think about. There's a lot of things that have been said here today, but I want you to really think – what has been presented? What's the impact? Because from what I can see, again, I invite you to come to my house. The maps you're reviewing are not accurate. So, as you're making a decision, as I start, I please implore you to look at the feet, the yards. The more, the better, because at 40, 50, 60 years, that's what we're gonna get. And we all know they're gonna come back again and again and again and they're gonna ask for changes, rezoning. So, please, this is your one opportunity you have to do us right. Thank you very much for your time. And again, you have an open invitation. My name is Jesus Rosario. Thank you.

Ms. Kuzma: Good evening. My name is Bridgette Farrell-Kuzma. My husband and I have lived in our home in the Eastern View neighborhood for almost 21 years. We live across the street from the land that is adjacent to parcel 20-2. I believe that this proposal by Vulcan is intentionally multi-faceted, lengthy, and confusing. I would like to address some of the points that I find most concerning. With the concrete plant proposal as already stated tonight, it says that there are existing mature trees and there is no guarantee that those trees would retain in the future. So, those words seem to be Vulcan's way of allowing the removal of the old growth trees, the same thing that has already happened on parcel 20-2. I want to speak from experience in saying that no berm will be the same buffer in any way as mature trees. In the traffic analysis with this proposal, it is mentioned that Vulcan Quarry Road is the sole access to the Vulcan Stafford Quarry. As part of the proposal being submitted, Vulcan plans to create a

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secondary emergency access along Dun Rovin Lane. Is this really an emergency access? If an emergency access is necessary, how has the Quarry functioned all these years without one? Dun Rovin Lane is described as a private gravel road. That road is not suitable for any trucks and neither is its intersection with Garrisonville Road. Is there a longer range plan to make this another access to the Vulcan facilities? When addressing Comprehensive Plan consistency, it is stated that designation of the property as Heavy Industrial is desirable because heavy industrial uses are compatible with the existing neighborhood. It is made compatible by vegetated buffers and berms which address both screening and sound, as well as establishing a vegetative vista for the adjacent properties. Our neighborhood says that heavy industrial use is non compatible with what already exists in our residential area. Heavy industrial use directly adjacent to our neighborhood is certainly not desired by us, the residents. The buffers and berms, as has already been stated, are hardly vegetated and I would not describe any of it as a vista, which is defined as a pleasing view. Finally, I am perplexed by what is happening with land parcels 20-3 and 20-3A. As a resident who lives and works in Stafford County, I find it interesting that the County is okay with even the appearance of this business deal. That the lawyer who represents Vulcan Stafford Quarry owns so much land adjacent to Vulcan. Mr. Leming and Ms. Healy sold parcel 20-3A to Vulcan 2 years ago. They still reside on that property. That would seem to me to understand that they reside on Vulcan property. An owner's consent form has already been submitted by Mr. Leming and Ms. Healy allowing Vulcan to apply for a CUP for 20-3. Vulcan has stated that they do plan to acquire parcel 20-3. 20-3 is zoned Agricultural, yet it will have industrial use with berms and stockpiles and it is adjacent to residential property. Please consider every word of this proposal and its negative impacts for so many residents. As Vulcan's neighbors we say no to this proposed expansion. Thank you.

Ms. Kortman: Good evening. My name is Carrie Kortman and we live at the other end of the quarry, which is in Eastern View subdivision. We purchased our home in 2008 and due to military orders, we moved out of the area and rented out our home for a couple years. But returned 2014. So, I have a different perspective; I left during this creation of this berm. So when I came back, it was appalling to me. I, I didn't know what was happening. We were not in the area. So we returned to this site so as I come into our neighborhood coming down Joyce Street, that's what I saw. So, sorry. So, I know there's a lot of money involved with this for many people. It doesn't involve the residents. We're not benefiting from this whatsoever. I know there's benefits for the County as well, as far as being provided with concrete from this situation. But I hope, as you listen to Mike Zuraf, as he introduced the plan to everybody tonight, that you have the obvious thought – I would not want to live near all of that because I know that anybody listening would have had that thought. So... let me just say, like I say, we moved back in 2014, I was shocked and appalled to see a huge berm as I entered the subdivision on Joyce Street and feared about our home value because we are military, we eventually will retire or get orders again and who knows if we'll sell and if we do, I don't think our value is going to be as good as it will be if there was not all this concrete building going on. Alright, so, needless to say, I am against the proposal for Vulcan Quarry expansion due to the unsightly berm that built up and increased noise that removing the trees and adding the berm created. Additionally, there is already what sounds like crushing occurring on parcel 20-2, which is in violation of the current conditional use proffers in Ordinance 88-83. As I stand on my deck every morning, I can hear directly down our road, crushing, and that is 20-2. So, it sounds very close to our neighborhood or very close to me. Now, instead of removing the current restrictions that prevents the mining activities on tax parcel number 20-2, they should be held accountable for the violations and forced to come into compliance, not be permitted to remove the restrictions they are violating. Instead of granting the request to change more A-1 property to heavy industrial, they should be held to the previously established timeline. I did submit a formal complaint to the Zoning Commission initially on February 21st due to a DMME inspection that reported there is concrete crushing activity on parcel 20-2 and confirmed Vulcan is not in compliance... which confirms to us that they're not in compliance with 88-83. Now, that's not against what DMME says, it's not

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against their regulations. But it is against Ordinance 88-83. Sorry, I guess I'm out of time? Sorry, thank you.

Mr. Apicella: Thank you ma'am.

Ms. Grabner: Good evening, my name is Petra Grabner. I've live across from parcel 20-2 in the Eastern View subdivision since 2001. I did not know there was an open pit mine close to our neighborhood. Mostly, I couldn't tell. Sometimes blasts would rattle the house, there was some dust, but I could not hear or see the daily operations as there was a 500-foot natural tree buffer in place. In 2013, a berm was installed along Garfield Street. On the berm, new plants failed to thrive or they died. Has the County asked what trees or vegetative planting the DMME requires for the berms? Within the 100-foot buffer of undisturbed plantings along the outside of the berm, trees keep falling down. Driving down Joyce Street I can now have a good view of the quarry equipment. Because of the neighborhood stadium-like setting, I can hear the daily operations noise from more than one direction as it bounces around. At times, quarry noise decibels... *inaudible*... and occur earlier than noise ordinances for the residential areas allowed. There are days when my house and car get covered up with quarry dust. With this proposal, most safeguards that are in place to protect the residents will be deleted and replaced by a berm. Is a berm going to work? Conditions and ordinances are in place to protect the Stafford County residents. When a homeowner is told their house is worth less or won't sell because there's an active quarry next door or because of an unattractive berm, what liability will the County have? Is it okay to have no restrictions on blasting hours and lasting for 12 hours instead of 5? Is it okay to raise the acceptable decibel levels for blasting? Why is the notification area for blasts limited to 2,000 feet? That does not include my entire neighborhood. Why would the County allow a concrete plant next to my neighborhood when there's no screen or berm in place or planned? Truck traffic would begin at 5 AM and last until 7 PM, with 120 days of overnight. These are peoples' homes. This is where people live. Is the concrete plant operational at its current location, or did operations cease after the rezoning of that area passed last month? Why is the use of portable crushers for concrete crushing not mentioned in either the staff report or the proposal? Where would the crushers be allowed to operate? Is there asbestos in the concrete brought in to be crushed? Where is the closest DEQ Monitoring Station for particulate matter? How does this, um, allowing this adjacent to neighborhoods promote a safe and attractive environment? And how does all of this affect the quality of life for us, your Stafford County residents? Thank you.

Ms. Thompson: Hi, good evening. My name's Lauren Thompson. And, well, since we know COVID's been happening, my family, we had to move from 29 Palms, California, to here and we had to buy a house like in one day because... and without seeing it and stuff. So, when we moved to this neighborhood, we didn't know that there was a quarry and that there was a big berm right there. Because if you know about the housing market, which I'm sure everyone does, you've got to buy really fast or you lose a house. And we put offers on other homes and couldn't. So, not being able to travel because of COVID, because of military restrictions, we needed to buy a home. What we did know – we did know what was great about Stafford. That they had a good special needs program and they had a good school system. So we wanted to move to Stafford. But, what I found pretty interesting is that Stafford doesn't have a lot of parks; but, you know, so a park would be really great. And I was looking over, you know, all this about Vulcan and obviously it's not a bad company; it helps create jobs. In fact, I have a son that likes the idea of being a miner. But some of these restrictions being removed just doesn't make sense. You know, any time of day, um, deleting proffers, regulating hours of days of operations, that just doesn't make sense. I don't know how many businesses can do that. So, there is noise with Vulcan across from us. So, we live on Garfield. I see the barrier; it's not in my back yard, it's in front of me. So from my bedroom door, from my bedroom I can see what used to... what's supposed to be trees but

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is that berm. So, it's not nice; you still can hear it. So, no I'm not really for them expanding and coming closer into our neighborhood. I just thought I'd tell you that. I came here to just support my neighbors. Didn't expect to talk or I would have looked a little bit better for you, but, there we go. But thank you for listening. Again, I love the idea of people creating more jobs. I can understand the idea of, you know, wanting to use the land for a longer period of time, but... I mean, 2055 instead of 2035? Like, man, I don't ever get that much leeway but, anyway, thank you for listening and have a wonderful night.

Mr. Bain: What was your house number?

Ms. Thompson: 22 Garfield. And I have an orange cat in my family so there's something special about having an orange cat and living on Garfield. It's kinda neat, yeah.

Mr. Apicella: Thank you ma'am.

Mr. Randall: Steven, we're checking right now for any additional...

Mr. Apicella: Okay, thanks.

Mr. Randall: We're getting the no sign.

Mr. Apicella: Okay. So, last call for public comments? Alright, seeing none, Mr. Leming, do you have any responses to the comments that were made?

Mr. Harvey: Mr. Chairman, we did have some email comments.

Mr. Apicella: Okay.

Mr. Harvey: If you'd like me to read those into the record or wait till after Mr. Leming.

Mr. Apicella: Uh, how about if you read those into the... how about if you read those into the record and then we'll bring Mr. Leming up. Sorry sir.

Mr. Leming: That's alright.

Mr. Harvey: The first email is from Mary Bowling @yahoo.com. *This has to be stopped. Vulcan is affecting the property values of all the homes it abuts. Not only clearing all the trees which should have been required as a proffer when it was approved for the first phase. The noise from trucks going in and out starting early in the morning and going all day certainly will dissuade prospective buyers. The people are entitled to live in a peaceful and quiet environment and this is not it. I vote NO.*

Another email came in from Duane Kortman. It says, *To the Planning Commission: I live in Eastern View and have been a homeowner here since 2008. Coming down Joyce Street, we can see lights and equipment where there previously was a treeline. The berm doesn't block the visual impact on the community, nor does it stop sound or dust from settling on our streets. The staff report notes, "It is uncertain if the existing and proposed buffers and berms will be adequate to mitigate impacts to adjacent residential use. "What will our neighbors in Raintree and Oakridge be able to see if Vulcan expands? What more will we be able to see coming down Joyce Street and Kelly Way in Eastern View as production encroaches closer to the neighborhood? The proposed plan would put a concrete plant 650 feet away from our neighbor's property line in the Kelly Way cul de sac without plans for a berm. The staff report*

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notes, "There is a potential for visual impacts from the concrete plant to the closest residential uses. "Our neighbors already see and hear quarry traffic all day. Is it acceptable to bring more production to this location when there is no current or planned protection for these residents? I encourage you to vote NO on this proposal. Sincerely, Duane Kortman.

The next message is from Charlene Kelly. To Whom it may concern: I am a homeowner in the Eastern View neighborhood living on 1 Garfield St Stafford VA. I am writing this email to state my concerns with the current Vulcan expansion project. The Vulcan expansion project will have a large impact on our neighbor by increasing the noise level as well as increasing the probability of property damage from the blasting vibrations. I currently have a large crack in my living room wall which is the result of the vibrational movement that is received from the routine blasting at the Vulcan site. A portion of my property is on the cul de sac of Kelly Way and in the morning I can hear and see the traffic from the quarry. The vulcan expansion will increase the level of production productivity, however as a resident this will result in further noise, further property damage and a further eye sore for our community. As a Virginia tax payer and homeowner I am requesting to dismiss the expansion proposal for Vulcan. Respectfully, Charlene Kelly.

The next message is from Duane Grabner. I am not able to attend the public hearing regarding the Vulcan Quarry expansion. However, as a 20 year Eastern View resident, I would like to express my concerns regarding the expansion. In my opinion Vulcan Quarry should not be allowed to expand their mining operations or establish a new concrete plant. Their actions portray untrustworthiness, and show disregard for our neighborhood. Here are examples to support my opinion, along with some questions of concern. Prior to removing the buffer of trees and replacing them with a berm, representatives of Vulcan Quarry spoke with some of my neighbors. They explained that the berm would provide a more effective barrier against noise in our neighborhood. However, now that the trees have been removed, we can hear more noise from the quarry, and it seems that there has been an increase of dust. In addition, the berm is unsightly, and we can see some of the taller equipment from the quarry, which include lights in the evening. I was never bothered by the noise, dust, or appearance of the quarry prior to removal of the natural buffer of trees. I recently met with Vulcan Quarry representatives along with some other neighbors to express our concerns. When we mentioned the fine dust that covers furniture, cars, and other outdoor items, the representatives said that dust can come from anywhere. One representative mentioned that it could be coming from the construction project on Rt 610. However, the dust turns a white cleaning cloth dark gray. This shade is consistent with the gray stone from the quarry. It would be brown if the dust came from a construction project. What assurances do we have that the dust is not hazardous? What measures will Vulcan Quarry implement to prevent the spread of more dust during and after the expansion? At the same meeting we discussed the excessive noise from their operations. Since the removal of the natural buffer of trees and construction of the berm to replace them, there has been more noise in the neighborhood. The noise is sometimes loud, but I find the increase of noise to be more bothersome. Our neighborhood slopes upward from Vulcan Quarry to Garrisonville Road. This creates a stadium like effect, in which the noise bounces around. It often sounds as if the quarry noises are coming from the direction of Garrisonville Road rather than directly from the quarry. I suspect that the reflective characteristics of sound were not considered when Vulcan Quarry designed and constructed the berm. What assurances do we have that the quarry expansion will not generate more noise? What measures are going to be implemented to control noise? Based on the experiences that I have mentioned here, I do not support Vulcan Quarry mining expansion, or the new concrete plant. I do not have confidence that appropriate actions are being implemented concerning the impact of this expansion on public health and wellbeing of our community. Very respectfully, Duane Grabner.

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The next message is from Randy Shifflett. *To the Planning Commission, Please accept the following submission of a petition signed by 121 concerned Stafford citizens who request that Stafford County hold Vulcan Stafford Quarry to its current proffers. The petition can be viewed and signed online at tiny.cc/saynotovulcanexpansion. The text of the petition reads: “We as a community say that the Garrisonville Road Vulcan Quarry should not be allowed to expand its operations. Stafford County is no longer the rural county it was in 1978 when the quarry began. Open pit mining is no longer an appropriate use of land amidst our suburban landscape. With its removal of ordinances, reclassification and rezoning of property, and the addition of the concrete facility, the proposal removes all safeguards for the residents adjacent to the quarry. The increase in dust and noise would have a detrimental effect on the character and use of the adjacent properties and of the North Stafford community as a whole. Instead, we ask Stafford County to hold Vulcan to its proffers. Turn over the East Pit in 2035 to the County for the reservoir which will be needed no later than 2045 and provide much needed parkland to North Stafford. Do not remove the ordinances from adjacent land which would allow quarrying within 150 feet of homes; preserve the health, standard of living and property values of adjacent residents. Do not reclassify or rezone any property to allow new quarrying activity. Do not allow an increase in heavy truck traffic along Garrisonville Road and Shelton Shop Road to mix with our commuters and our school busses from at least 9 county schools. Do not allow Vulcan to operate for the next 114 years! Not in our backyard!” The following concerned citizens signed the petition. These are also attached as a PDF downloaded from Change.org that hosted the petition. Mr. Chairman, would you like me to read all the names on the petition?*

Mr. Apicella: No, Mr. Harvey, how about if you make sure we get a copy of the petition?

Mr. Harvey: Yes sir. Staff will provide that to the Commission as well as the applicant. And that concludes the emailed comments.

Mr. Apicella: Thank you, Mr. Harvey. Again, Mr. Leming, would you like to address the public comments?

Mr. Leming: Good evening again. This started in the afternoon, didn't it? Um, just a couple of clarifications and one general comment, so I'll be very brief. First, I've represented Vulcan for 30 years. This is nothing recent. I'm right now a tenant of Vulcan. That's just the way it is. So, I'm not sure why that was brought up, but I want everybody here to understand what that is. Dun Rovin Lane is a private road. There is no truck traffic planned for Dun Rovin Lane. It is what the conditions say it is; it is an emergency access. It was requested by the County. That's its sole purpose. Now, distance of the crushing equipment from the adjacent properties, staff has asked us to provide a number. Right now it's about 700 feet. We've said no closer than 600 feet. That's part of the conditions now. Now, one general comment. Most of the comments, with maybe one or two exceptions, come from residents of Eastern View. And we understand that they're... they have a problem with some of Vulcan's operations, or a perception that there are problems with Vulcan's operations and we want to address those. And there's an opportunity to do so. However, if these applications don't go forward, if we retain the status quo and the existing zonings, what happens is that none of that affect the changes unless they are violations. Vulcan returns to the main pit, the one next to Eastern View in 2035. And, so, what I see is an opportunity here. There are some issues that we're more than happy to discuss with you and try to resolve and try to explain better. But, in order for that to happen, we've got to move forward with something. So, status quo is what it is. But what is offered here I think is an opportunity that works to Vulcan's interest in terms of the additional tonnage that is there and available for the, for the taking, if we're permitted to do that, but there's also an opportunity to address these concerns including those of Eastern View. Now, the concrete batch plant stands on its own. I mean, that's basically its own CUP so whatever's going on with there, we defend it, we say this is what it is, we'll do the best we can to address it, but there's a whole host of other issues with the Eastern View residents that do not get addressed at all except through the negotiation of these applications. They all stay exactly as they are. So, we're more than happy to work with you and, uh, you know, look forward to the next opportunity to talk with you, and we will follow through on the specific things that you've asked us to do, specifically the noise study – I know that's important – but also the other things that Mr. Bain has requested that we look into. So thank you all. I

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know it's been a long evening and we appreciate your patience and, uh, don't envy your... uh, the consideration and the, uh, thought that you're going to have to put into this. Thank you very much.

Mr. Apicella: Thank you Mr. Leming. So, so just for the record, I'm keeping the, uh, public hearing open and bringing it back to the Commission. Ms. Barnes, this is in your district; how would you like to proceed on items 1 and/or 2?

Mr. Randall: Mr. Chairman?

Mr. Apicella: Yes.

Mr. Randall: Can I ask one question of the applicant?

Mr. Apicella: Uh, sure.

Mr. Leming: Yes sir.

Mr. Randall: Do you have any intention of meeting with some of these, uh, residents to discuss their concerns individually?

Mr. Leming: It seems like the major discussion is necessary with the Eastern View people, uh, residents. I think you are aware that we have sent out two letters at this point to all residents, including everybody in the proximity of the quarry, not just the street, not just Garfield, but throughout the event. Opportunities/invitations to meet with us, we did try to set up individual meetings. It may be that it would be... I think we understand what the issues are, but I think what we're looking for is additional to address their concerns, part of which we'll be working on. But, we're certainly open to meeting, uh, with residents in a forum that is mutually beneficial, where there's fair give and take, where there are questions that are posed that we have an opportunity to respond to, and try to work towards some kind of... *inaudible, being talked over.*

Mr. Randall: I guess my question should be more direct then. Do you intend to go to their houses and talk to them individually in a non, in a non-public environment where you can talk to them about their concerns, listen to them in a way that they see you and understand you and you can talk to them? That's the question I have. Not that we're going to do a town hall or not that we're going to, you know, talk to them across a podium, but are you interested... I mean, I've got 15 addresses, that would take you an afternoon, maybe two afternoons, most of it being concerned about the berm that was built in place of the trees that were removed.

Mr. Leming: Right.

Mr. Randall: You know, that should be a fairly easy discussion on how you think you can mitigate it and to see what there's the possibility exists, what your plans are for the concrete plant, can we assure that the trees that are there aren't going anywhere. You know, that's what you need to have, a face-to-face with them about so that they feel that you have some concerns for them as residents, as people, not as, you know, a ledger, a check-mark on a piece of paper. So, that's what I'm asking.

Mr. Cobb: So, the short answer is yes sir. This is Glenn Cobb with Vulcan. We have already met with a number of those folks on multiple occasions...

Mr. Randall: Sure.

Mr. Cobb: ... and talked about a number of these issues, and we look forward to continuing to talk with them and see what we can work out.

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Mr. Randall: So, do you think there's some way we can mitigate the berm issue and the removing of the trees for the berm that doesn't seem like it helps or has fixed the problem that they've, that they've, I don't know, that they were pretty clear in explaining to us?

Mr. Cobb: We hear you.

Mr. Randall: Okay. Alright. It was a common theme amongst probably 70% of the conversations that we had tonight.

Mr. English: I got, I got one thing and then we can get on with it. Have you all looked at putting up a, you know how they have the 95 barriers that they have? Have you all looked into something like that?

Mr. Cobb: *Inaudible...* walls?

Mr. English: Yeah, that's something to keep in consideration.

Mr. Bain: Mr. Cobb, would it be possible for you or Aron to email me the date and time of your next blast? I think I'd like to be in the neighborhood...

Mr. Cobb: Certainly.

Mr. Bain: ... when that occurs. So, maybe the next two. I'd appreciate that, thank you.

Mr. Apicella: How about if they let everybody know on the Commission?

Mr. McPherson: Agreed.

Mr. Cummings: And, can I just ask, since we're making requests, uh, I'd like to find out about the dust mediation and, because that seems to again be a recurring thing. And the health... *inaudible...* potentially.

Mr. Leming: You'll come to the quarry?

Mr. Cummings: I'm sorry? Oh, yeah, absolutely, I'll be there.

Mr. Leming: Mr. Randall?

Mr. Randall: *Inaudible... microphone not on.* Did you get my card?

Mr. Leming: Yes, uh-huh.

Mr. Randall: *Inaudible... microphone not on.*

Mr. Leming: Okay, good. Okay. Alright, we'll take care of that.

Mr. Apicella: Alright. Again, thank you everybody for their patience and indulgence. We've been at this now for about 5 hours. Ms. Barnes, again, these two items are in your district. What would you like to do on item 1?

Ms. Barnes: Thank you Chairman. Um, I think this has been a good start tonight. I'm very glad that we are setting up this town hall and I'm, I'm very glad that we've got the restrictions that are going to be removed on the 15th, I think that's going to really help out with, um, encouraging more people to come out. I know there were a lot more folks, I've been told, that were out there that couldn't stay late and couldn't participate. So, because of that, Steven, I would like to keep the public hearing open. I'd like to make a motion that we defer item... do you want me to do these one at a time or could I do them both?

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Mr. Apicella: Yeah, we need to them one at a time.

Ms. Barnes: Okay. I'd like to make a motion to defer item RC19152912, Reclassification of Vulcan Quarry, and I'd like to defer that to our second meeting in June which I believe is June 23rd. I think that could give us a time for the town hall and I think we've asked you for a lot of information, too.

Mr. Randall: I will second that motion.

Mr. Apicella: Okay. There's been a motion and second to defer RC19152912...

Ms. Barnes: And keep the public hearing open.

Mr. Apicella: ... to the June 23rd meeting. I've already kept the public hearing open...

Ms. Barnes: Thank you.

Mr. Apicella: ... so I think we're good there. Any further comments Ms. Barnes?

Ms. Barnes: No.

Mr. Apicella: Mr. Randall?

Mr. Randall: Yeah, just to say that we have a lot of work... we've done a lot of work, we have a lot of work left to do, there's a lot of discussion that needs to happen between staff and the applicant and I look forward to seeing the fruits of their labors. Thank you.

Mr. Apicella: Thank you Mr. Randall. Anybody else? Okay, just for staff, more of a comment, and the applicant. There are a lot of get backs; I didn't keep an inventory so hopefully between the two of you, you can identify all the things that Commissioners asked for during the last 5 hours. Okay, on the motion to defer, Mr. Bain, how do you vote?

Mr. Bain: Aye.

Mr. Apicella: Ms. Barnes?

Ms. Barnes: Aye.

Mr. Apicella: Mr. Cummings?

Mr. Cummings: Aye.

Mr. Apicella: Mr. English?

Mr. English: Yes.

Mr. Apicella: Mr. McPherson?

Mr. McPherson: Yes.

Mr. Apicella: Mr. Randall?

Mr. Randall: Yes.

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Mr. Apicella: And Mr. Apicella votes aye. Okay, Ms. Barnes, the second item is also in your district. How would you like to proceed on that one?

Ms. Barnes: Thank you Mr. Chairman. I'd also like to make a motion to defer Conditional Use Permit 19152911, from Vulcan Quarry, and keep the public hearing open. I'd like to defer that to the second meeting in June on the 23rd.

Mr. McPherson: Second.

Mr. Apicella: Okay, motion and second to defer CUP19152911, Conditional Use Permit Vulcan Quarry and keep the public hearing open. Any further comments Ms. Barnes?

Ms. Barnes: Yes, I do. I look forward to that town hall meeting. I hope that we can get that scheduled and that we can encourage the community and that maybe we can have a little bit more give and take. These public hearings tend to be a little one-sided because we really can't talk to people. So I look forward to that and I'm glad we're going to set that up. Thank you.

Mr. Apicella: Thank you Ms. Barnes. Mr. McPherson?

Mr. McPherson: No. I just agree with what Commissioner Barnes said.

Mr. Apicella: Okay. Anybody else? Alright, thank you everybody. On the motion to defer this item until the meeting scheduled for June 23rd, Mr. Bain, how do you vote?

Mr. Bain: Aye.

Mr. Apicella: Ms. Barnes?

Ms. Barnes: Aye.

Mr. Apicella: Mr. Cummings?

Mr. Cummings: Yes.

Mr. Apicella: Mr. English?

Mr. English: Yes.

Mr. Apicella: Mr. McPherson?

Mr. McPherson: Yes.

Mr. Apicella: Mr. Randall?

Mr. Randall: Yes.

Mr. Apicella: And Mr. Apicella votes aye. Okay, thank you everybody. Moving onto the next agenda item, item number 3, Mr. Harvey.

UNFINISHED BUSINESS

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3. Amendment to the Zoning Ordinance - Amend Stafford County Code Sec. 28-35, Table 3.1 “District Uses and Standards” for the purpose of exempting family subdivisions from the density requirements of the A-1, Agricultural zoning district. **(Time Limit: June 9, 2021)**

Mr. Harvey: Mr. Chairman, Brian Geouge is here to give the update from the staff.

Mr. Geouge: Good evening Mr. Chairman, members of the Commission, Brian Geouge with the Planning and Zoning Department. I’ll try to make this quick. So, at the April 28 Planning Commission meeting you actually took a vote on this item; this is consideration of amendments for family subdivisions. With that motion there were some changes to the ordinance that were made, the most significant of which was to include aunts, uncles, nieces, and nephews as eligible grantees. That change is reflected in the attachments. There was also a request to look into the 18 year age restriction that we currently have in the ordinance. We were advised that minors cannot hold property voluntarily so staff thinks it would be best to keep that provision in there just to make it clear who is eligible, and another minor edit to remove only, the word only, from Section 22-5A. Again, that’s reflected in the attachments. It was also noted that there’s a section of state code that talks about family trusts, it’s Section 15-22 44.2, and it states that, well first this is an optional provision that localities can adopt and incorporate into their ordinance but basically it states that you can provide for family subdivisions involving trusts, however there are some parameters that the state code section identifies... We do note that here the state code references the parent parcel, or the original parcel being held in trust, not a parcel being subdivided to be held in trust so the code section states that in order for this to happen the parcel needs to be under ownership of the trust for 15 years. So if we were to incorporate that that is a provision that we would need to include. It was also noted that if we incorporate this provision relating to trusts we would need to apply the 15 year restriction to all family subdivisions, not just those that involve trusts. So in light of that staff, it’s staff’s opinion that implementing this may be difficult in general just because you have to do a lot more research to identify who the beneficiaries are, that each of them are family members and you have to verify that they all agree to the subdivision which is much more complex than the current process of just checking land records to verify ownership also we think that imposing that 15 year restriction on all family subdivisions would be too restrictive considering the current five year requirement so we are recommending approval of Attachment 1 which is the version of the ordinance that does not incorporate the language relating to trusts and I’ll take any questions.

Mr. Apicella: Thank you Mr. Geouge. Questions for staff? Is there a motion to recommend that the Board, that we send to the Board Ordinance 21-24 as contained in Attachment 1?

Mr. Bain: So moved.

Mr. Randall: Second.

Mr. Apicella: I didn’t catch who did the second.

Mr. Randall: That was me.

Mr. Apicella: Okay thank you Mr. Randall. Okay, any further comments?

Mr. Randall: No.

Mr. Bain: No.

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Mr. Apicella: Okay, so there's a motion to recommend Attachment 1 of the draft Ordinance O21-24 to the Board. Mr. Bain, how do you vote?

Mr. Bain: Aye.

Mr. Apicella: Ms. Barnes?

Ms. Barnes: Aye.

Mr. Apicella: Mr. Cummings?

Mr. Cummings: Aye.

Mr. Apicella: Mr. English?

Mr. English: Yes.

Mr. Apicella: Mr. McPherson?

Mr. McPherson: Yes.

Mr. Apicella: Mr. Randall?

Mr. Randall: Yes.

Mr. Apicella: And Mr. Apicella votes aye. Thanks for everybody's work on this one. Alright, moving on, um, amending the County Ordinances, Right-of-Way Land Dedication; how about if we cover that under Committee Reports? New Business, 2022 Stafford Legislative Agenda. Can we go through that one pretty briefly Mr. Harvey?

4. Amendment to the Subdivision Ordinance and Zoning Ordinance - Amend Stafford County Code Sec. 22-166, "Parks, schools and public land," and Sec. 22-167, "Right of way additions," of the Subdivision Ordinance and Sec. 28-256, "Required standards and improvements generally," of the Zoning Ordinance, require dedication of land and public street right-of-way to the County as a condition of approval of site plans and subdivision plats (Dedications). **(In Subcommittee)**
(Time Limit: July 15, 2021)
(Authorize for Public Hearing by: May 26, 2021)
(Potential Public Hearing Date: June 23, 2021)

NEW BUSINESS

5. 2022 Legislative Agenda

Mr. Harvey: Yes, Mr. Chairman. This is an issue for the Planning Commission's consideration whether you want to make recommendations to the Board of Supervisors for potential changes to state law dealing with planning and zoning related matters. Included in your background report was the most recent request forms that were sent for consideration. Also, staff provided the Commission with a summary of the requests that have been made since 2014 when we started this practice. You can see by that chart several items have been requested multiple years and still have not been brought for our consideration

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by the General Assembly. So, staff would be seeking some recommendations from the Commission. Given the hour we may want to consider deferring this for more discussion to your next meeting.

Mr. Apicella: I like that idea, Mr. Harvey. We've got some time on this one, right?

Mr. Harvey: Yes sir.

Mr. Apicella: So, just by consent, does anybody oppose pushing this off until our next meeting on May 26? Alright, seeing no one protesting, Mr. Harvey, just make sure that we get another shot at this in two weeks.

Mr. Harvey: Yes sir.

PLANNING DIRECTOR'S REPORT

Mr. Apicella: Planning Director's Report; Mr. Harvey?

Mr. Harvey: I have no report for tonight, thank you.

COUNTY ATTORNEY'S REPORT

Mr. Apicella: County Attorney's report?

Ms. Lucian: I have no report.

COMMITTEE REPORTS

6. Comprehensive Plan 5-Year Update Subcommittee
*Subcommittee Reports – April 22, 2021 & April 29, 2021
Meeting – May 6, 2021
Next Meeting – May 13, 2021 @ 3:00 PM; Activities Room & Virtual*

Mr. Apicella: Alright committee reports, Comp Plan Update Committee, Mr. Randall?

Mr. Randall: Yes just a quick update, we have had two meeting-, a meeting every week for the last couple of weeks, we have a meeting tomorrow scheduled at 3 o'clock here in the Government Center Activities Room. We are through Chapter 4, we've had some, the staff has been tied up with some things and so hopefully now that tonight's over we'll be able to move forward with a couple of other things but we are through Chapter 4 and working on Chapter 5 to adjudicate all of our comments, thank you.

Mr. Apicella: Thank you Mr. Randall, Land Dedication Right of Way Committee, Mr. McPherson?

7. Land Dedication/Right-of-Way Subcommittee
*Subcommittee Report – May 5, 2021
Next Meeting – May 12, 2021 @ 2:30 PM; Board Chambers & Virtual*

Mr. McPherson: We've already had two subcommittee meetings one last Wednesday, one today before the, this meeting and we're having our next one next Wednesday. We've gotten a lot of input from staff, comparisons from what other counties do regarding right of way dedication and reservation. We do

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anticipate that in our meeting next Wednesday we'll finalize our recommendation so that on our May 26 meeting we'll be able to make our recommendation to the Board.

Mr. Apicella: Great thank you Mr. McPherson. I have nothing under Chairman's Report, there's no Other Business.

CHAIRMAN'S REPORT

OTHER BUSINESS

8. New TRC Submissions - *NONE*

APPROVAL OF MINUTES

9. April 14, 2021

Mr. Apicella: Approval of minutes. Is there a motion to approve the April 14, 2021 minutes?

Ms. Barnes: So moved.

Mr. Apicella: Is there a second?

Mr. McPherson: Second.

Mr. Apicella: Okay, let's do a quick roll call vote, everybody in favor say aye.

All: Aye.

Mr. Apicella: Opposed? Motion carries.

ADJOURNMENT

With no further business to discuss, the meeting was adjourned at 9:54 PM.