

STAFFORD COUNTY PLANNING COMMISSION

June 23, 2021

The meeting of the Stafford County Planning Commission of Wednesday, June 23, 2021, was called to order at 4:30 PM by Vice Chairman Barton Randall, in the Board of Supervisors Chambers of the George L. Gordon, Jr., Government Center and at remote locations throughout the County.

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

MEMBERS ABSENT: Steven Apicella, Dexter Cummings

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

Mr. Randall: I would like to have a motion made so that Mr. McPherson, who is virtual, will be able to attend virtually.

Mr. Bain: So moved.

Ms. Barnes: Second.

Mr. Randall: All in favor?

All Commissioners: Aye.

DECLARATIONS OF DISQUALIFICATION

Mr. Randall: Thank you. Do I have any declarations of disqualification concerning any items on the agenda today? Seeing none, Ms. Barnes, do you have a motion for us about the agenda?

Ms. Barnes: Yes, Chairman Randall, I'd like to make a motion to move item 1, the Amendment to the Subdivision and Zoning Ordinances, to item 3 instead, and move the Vulcan Quarry items up to 1 and 2.

Mr. Randall: Do we have a motion to that effect?

Mr. Bain: So moved.

Mr. English: Second.

Mr. Randall: All in favor say aye.

All Commissioners: Aye.

Mr. Randall: Any opposed? Alright, voting is unanimous. So, with that, we will first of all, have our Public Presentations. This is an opportunity for any member of the public to speak on any item, or any topic whatsoever, other than the items listed for public hearing on the record. There will be another opportunity for the public to speak on those items later. If anybody would like to come forward to speak on any item for public presentations, they may do so at this time. Again, when you come forward for public presentations, it is your opportunity to present items to the Planning Commission as a whole, and

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not to be addressed to any specific member of the Planning Commission. You will have 3 minutes. Please state your name and address when you come forward. A green light will come on that you'll see on the podium that will indicate 3 minutes. A yellow light will indicate you have a minute left, and then the red light would mean that you would need to wrap up your comments. Would anybody like to please come forward? Please.

PUBLIC PRESENTATIONS

Ms. Prokus: My name is Elena Prokus. I live with my husband, Jeff Eastland. We have lived on Toluca Road for 22 years...

Mr. Randall: Ma'am? Excuse me. Is this about the Vulcan Quarry?

Ms. Prokus: Absolutely. Why would it not be?

Mr. Randall: Alright. It would not be because this is the Public Presentation time, not the Public Hearing time.

Ms. Prokus: Oh, okay.

Mr. Randall: Alright, so.

Ms. Prokus: I raised my hand and you called on me.

Mr. Randall: Well, I said because if anybody has anything other than those things on the Public Hearings for tonight. Yes, I figured it was you and many of your close neighbors are here to speak on the Vulcan Quarry, so...

Ms. Prokus: We are.

Mr. Randall: ... we will definitely have an opportunity for everyone to speak. Is there anyone in the audience that would like to speak on something other than the Vulcan Quarry and the Amendment to the Subdivision and Zoning Ordinances? Alright, that was good. Thank you. Alright, we will now open up our Public Hearings, and the first one will be the Vulcan Quarry, and I'd like to turn the time over to Mr. Harvey.

PUBLIC HEARINGS

1. Amendment to the Subdivision and Zoning Ordinances - Proposed Ordinance O21-26 would amend the Subdivision Ordinance, Stafford County Code Sec. 22-166, "Parks, schools and public land;" Sec. 22-167, "Right-of-way additions;" and Sec. 22-221, "Curb, gutter and sidewalks, where required;" and the Zoning Ordinance, Stafford County Code Sec. 28-38, "Performance regulations;" Sec. 28-106, "Right-of-way protection;" and Sec. 28-256, "Required standards and improvements generally" to delete certain requirements and provisions relating to dedication of land and improvements to the County and to establish restrictions applicable to development of land within planned right-of-way areas. **(Time Limit: July 23, 2021)**

Discussed after item 3.

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2. 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) (History: May 12, 2021 Public Hearing Continued to June 23, 2021)**

3. 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) (History: May 12, 2021 Public Hearing Continued to June 23, 2021)**

Mr. Harvey: Thank you Mr. Chairman. Mike Zuraf will give a brief update from staff.

Mr. Zuraf: Okay, if I could have the computer please? Good evening, Mike Zuraf...

Mr. Randall: Excuse me, Mr. Zuraf. Could you just summarize for the people that are here, could you summarize quickly, the – as you are going through the presentations, those things that are different, or may have changed from those presentations you’ve made in the past, please?

Mr. Zuraf: Yes.

Mr. Randall: Thank you.

Mr. Zuraf: Yes, so, Mike Zuraf with the Planning and Zoning Department here to provide a summary on items 1 and 2 for the Vulcan Quarry. It’s the reclassification and conditional use permit. Since this is a continued public hearing, I will provide an abbreviated summary of the proposal; much of it will cover a lot of the same information that I did cover last time, but in a more abbreviated fashion. I’ll have more, new information at the end of this presentation. So first we have a zoning reclassification requests. This includes rezoning 23 acres from A-1, Agricultural to M-2, Heavy Industrial, and also amending proffers on 558 acres that is currently zoned M-2, Heavy Industrial. The conditional use permit request would request to allow heavy industrial and heavy manufacturing uses not otherwise listed; specifically, stone extraction, asphalt manufacturing, and concrete manufacturing in the M-2 zone on 601 acres. The site’s in the Rock Hill District and Glen Cobb from Vulcan Lands is the applicant. Combining these requests 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 located at the northern terminus of Dun Rovin Lane. It’s approximately 2,800 feet north of Garrisonville Road and along Vulcan Quarry Road. The area subject to rezoning are the areas highlighted in blue and red, and then the conditional use permit area includes

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the area highlighted in blue, red, and gray. This is the zoning map that we have in the area. The portions subject to the proffer amendment and rezoning are outlined in blue and red on this map. The proffer amendment area is already zoned M-2, Heavy Industrial, and the rezoning area in red is zoned A-1, Agricultural. Regarding zoning history, the Vulcan Quarry has been in operation since 1976. This is the original rezoning and special use permit area that was approved on this property, right here. And then so, subsequently, the quarry expanded onto adjacent properties under subsequent rezoning and conditional use permit approvals. In 1988, there's an expansion in this direction onto parcel 20-2. In 1991, an expansion on this property, that's where the Hampton Pit is located. And in 2010, a rezoning for a future expansion onto that property to the west. Excuse me. So, the Generalized Development Plan illustrates the proposed full extent of the quarry area for the Original Pit and Hampton Pit, that's the light green shading; the undisturbed buffers are the dark green area; and berms are highlighted in the light brown shading; the current and future location of the asphalt manufacturing plant; and location of the future concrete manufacturing plant. Access to the site will remain in its present location via Vulcan Quarry Road. The proposal does not change the planned relocation of the asphalt plant which was approved in 2010. Operations that are presently occurring and approved would continue into the future without the rezoning. The rezoning actions would affect the following changes: it would expand the limits of both the quarry pits, highlighted onto properties or areas highlighted in yellow; and add a concrete manufacturing plant on the site in the area highlighted in blue. So, there are several proffers. It adds proffers to the area proposed to be rezoned, parcel 20-3A. And then amends and consolidates existing proffers that apply to all the different other portions of the site that we've already highlighted. It replaces the original concept plan with a new proposed concept plan that I just showed you. It allows for expanded mining areas onto parcel 20-3A. And it allows for expanded mining areas onto parcel 20-2. It does delete the requirement to enclose active quarry operations on a portion of the property with chain link fence. And, as you're aware, retention of the fencing requirement has been discussed, and the manner of that enclosure has been discussed; and that's ongoing. Also, it deletes hours of operation restrictions, but this basically transfers those hours of operation over to the conditional use permit and deletes several other previously satisfied proffers. With the conditional use permit, there's several proposed conditions. Those are provided in Proposed Resolution R21-176. There are proposed amendments to the prior conditional use permit approvals. The revised list of conditions were initially proposed by the applicant and modified in response to comments from staff. Ultimately, the County has the ability to impose the conditions upon the approval of the application. There are 48 proposed conditions, divided into sections. There's a general condition, stone extraction, asphalt manufacturing, and concrete batch plant conditions. The general conditions permit stone extraction and the installation of earthen berms. They limit access to the site to the current entrance that is currently in place. And permits only one asphalt plant and one concrete batch plant. The conditions for the specific uses, they address times and location of operations, include operations standards to limit sound impacts, maintain air quality and safety, and increase community outreach. There are some key changes to the proposed conditions. There's some changes relative to parcel 20-2 that would delete a 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 the 400 and 300-foot natural tree buffer, and removes fencing requirements. The changes relative to the Original Pit and Hampton Pit would delete blasting hour limitations that are currently in place. In doing so, the blasting would be permitted during any permitted operating hours. Also, it deletes the requirement that blasting not exceed a sound level of 128 decibels. On the last point, staff did discover a State Code provision that prohibits localities from enforcing local noise ordinance or requirements on any sound emanating from quarry activities. The restriction would not apply to the concrete plant. The regulation and enforcement of any of the sounds emanating from the quarry would be regulated by the State Department of Mines, Minerals, and Energy. So, this is the application timeline status. May 12th was the initial Planning Commission Public Hearing; last Wednesday we had the community meeting at North Stafford High School; today we have the continued Planning Commission Public Hearing; and for reference, the 100-day deadline for Planning Commission action falls on August 20th. So, at the May 12th public hearing, there were several requests and comments from the Planning Commission. The next few slides groups those comments into different categories. Staff and the applicant are still working

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on compiling responses to these comments, but I'll run through these as quickly as possible. There were general information requests for staff to address. There was a request to get a spreadsheet to outline every existing proffer and condition and how it's specifically changing under the proposal. Also, identifying any best practices or studies regarding mine buffer widths. Any studies on the effect of mining on property values. And then requests for any noise complaints against the quarry that were received by the County over the last 5 years. On the last point, I was in contact with the Sheriff's Office and they let me know that they have not received any noise complaints over the last 5 years against the quarry. Next grouping of comments could be classified as requests for the applicant. Requesting limits of blasting inside the berms to be demarcated. Also requesting a topographic map with cross-section illustrations of berms leading down to the benching, and better identifying where that blasting would begin. Because what the discussion kind of led to is that the actual blasting is further in than right up against the berm, because you have to grade down to the point where the rock is located. Also, requested a noise study to identify the sound levels resulting from production blasts and normal operations, and that those sound levels were being measured inside and outside of the berms. Data on the amount of rock from the mine that's exported out of the County versus used inside the County. Request a list of locations where quarries have been transferred to localities for water reservoir use. Regarding the proffers, requesting a modification of the proffer that requires liability insurance to increase that amount from \$1 million to \$5 million. Also for proffers, requesting clarification that the existing trees on parcel 20-2 would be retained. The next grouping of comments can be classified as conditional use permit conditions. Request that a condition limiting the permitted hours of blasting to be retained; that's proposed to be removed. Request that a condition that requires fencing be provided around the operational areas and also consideration be given to wildlife corridors through the site. Preferring the decibel level limits be maintained. And then, as we noted, that the condition is proposed to be removed based on State Code requirements. Also, regarding the condition that permits 100 days of nighttime operation, better define nighttime hours and parameters that would allow for such request. Then there were general comments on the concrete plant. There were concerns with the lighting impacts from the use, specifically the concrete plant. Concern was expressed with the potential for concrete operations starting at 5 AM, potentially resulting in louder noise levels than permitted by the County Code. Also, a request to move the location of the concrete plant farther into the middle of the site, farther away from the adjacent residential uses. There were other general comments suggesting the buffers on the western expansion area be increased; a 300 to 400-foot buffer was suggested to account for uncertainties related to future land uses several decades down into the future when that area is actually being mined. Request that trees in the vicinity of the entrance of the quarry and adjacent to the proposed concrete plant be retained via a proffer or condition. Also, consider sound walls near the entrance where homes are closest to the exiting and entering truck traffic. And consider clarification of dust through remediation methods referenced in the conditions. Then also, last Wednesday, at the community meeting, there were a few requests from the Planning Commission. From that meeting, there was a question or asked if there were any other studies or reports on air quality around quarries, and if offsite air quality testing could be done. Requested blast information from this use regarding the location of those blast distance to the nearest homes and depth of blast, etcetera. Enhancing transitional buffers with additional landscaping around the perimeter. And also requesting an archeological study to attempt to identify the cemeteries on parcel 20-2. Given all these issues that still need to be addressed, staff still recommends deferral of both the rezoning reclassification and use permit. And I'll turn it back to you, Mr. Chairman.

Mr. Randall: Thank you very much, Mr. Zuraf. What we're going to do is we're going to hold on the Planning Comments and questions. We're going to hear from the applicant at this point in time. And then we'll turn the time over to the public so they can do their public presentations and they can speak. And then after that's all done, then we will, the Planning Commission will ask our questions. Mr. Leming.

Mr. Leming: Good evening, sir. Just working out the stage directions here.

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Mr. Randall: No worries, take your time.

Mr. Leming: Alright, good afternoon members of the Planning Commission. I'm Clark Leming and I'm here on behalf of Vulcan Materials. And what we intend to do, and it'll be fresh in your minds because Mike just went through the responses to the questions and issues that we've raised, that have been raised by yourselves May 12th, some more last week, some more in a meeting that we had with Mr. Randall and Ms. Barnes earlier. Now I don't have them in the same... I didn't know Mike was going to group them... but we will go through, we'll address each one of them that are applicable to us. But what I'd like to start off with, I think probably we agree that the most important thing that you've asked us to do is the impact study, the sound impact study. And that is well under way and we will have results on that momentarily. But I wanted to take a few minutes this afternoon and let you hear from the engineer that is working on the sound study. And what we're gonna ask that he do is to explain to you the methodology that is being used. And he will go through that in enough detail so that you can appreciate what we believe the objectives are and how he believes the study should be carried out. And then you, if there's any input on that then now's the time to know that. But we think we followed pretty closely what needs to be done. So, Chris? If you would come on up and I'll ask you just to introduce yourself and tell us, tell us a little something about your firm and your experience with this kind of work.

Mr. Karner: Sure. Hi, my name is Chris Karner, I'm with Polysonics. We're a acoustical and AV engineering firm. Polysonics has been around since the '50s about when acoustics as a whole began. I have a Bachelor of Arts from Columbia College Chicago in Acoustics, and I've been working in acoustics noise and vibration control for about 18 years now. We, like you said, the study is already underway. We're still working on the models and discussing on what we want to look at, and so it is important for us to be here and before we, you know, turn something in that's not useful or to anybody, we just want to make sure everyone knows what to expect and the direction that we started at. So we, we were hired by Vulcan to take a look at the existing conditions and at the future conditions. We were basing, our guidelines are both the County standard, which I understand they're, they're not held to but just as a 55 at night, 60 during the day for residential, but we also want to know how loud the community is already because those standards could be in more urban space from a rural space. So, the way we began the project is by setting up some community sound level meters and measure for a few days. I think we did 2 to 6 days at the locations to see what the actual noise levels are around the community. I don't know if we have a map or anything of that. So then the next thing we did was measure all the equipment on the existing plant.

Mr. Randall: Chris, let me stop you there for – how many, how many monitoring stations did you set up to?

Mr. Karner: We set up four monitoring locations.

Mr. Randall: And generally, where were those located, do you know? I don't need GPS coordinates, I need, you know, streets type thing.

Mr. Karner: I'm from Warrenton, so I don't know the streets that well. So we set up to the west I think along Toluca Road by the church.

Mr. Randall: How many were there?

Mr. Karner: There was one there.

Mr. Randall: Okay.

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Mr. Karner: One north by... or sorry, south of the site. Sorry, someone was murmuring the street names. We did 3 south of the site. One southeast, and then...

Mr. Randall: That's what I would expect. Southeast, south, and then west. Okay, thank you.

Mr. Karner: Yeah, so, so where the communities were.

Mr. Randall: That's fine, that's fine. So there were four of them?

Mr. Karner: Yeah, and, and that's all... *inaudible*.

Mr. Randall: Yeah, no, no, I understand. Not everybody is going to read the report so those types of things I want to make sure everybody understands. Thank you.

Mr. Karner: Okay. Yeah, so, yeah. If there was a picture of the quarry, I could mark it up but I don't know how to this thing. So, we set up the measuring sites, and they, you know, they have noise during the day so we will present that data and we can compare that to what a model shows. So, the next step for us is to take... oh, I'm sorry, we didn't do it. I was measuring at the quarry. We measure each piece of equipment there. The sound levels went around and measured everything so we could take that data and put it into a 3D noise model, whereas we could just drop the sound sources in and propagate it over the terrain. Both the existing terrain, the proposed terrain, with any future berms, with tree zones in there, with any other kind of thing that affects the sound levels. So we use SoundPlan to do that. There's probably only 2 or 3 3D environmental noise models so that, that's a big one, that's what we use, it's called SoundPlan, one word. We modeled the pla... there was a... we're still working on it as we said and we plan to hand the report you know before the next you know final results by July 28th. We have some internal reviews to do, so we were looking at everything within the existing plant, everything in the proposed concrete plant. We drove out to Culpeper where they have an existing Culpeper plant, or concrete plant, and we measured the noise sources there.

Mr. English: I've got one question.

Mr. Karner: Sure.

Mr. English: When you do, when you do the noise, do you do vibrations, too, or just the noise?

Mr. Karner: Just the noise.

Mr. English: Okay, that's it.

Mr. Randall: Okay. One more question as far as that's concerned.

Mr. Karner: Sure.

Mr. Randall: So, why did you go to, you said Culpeper?

Mr. Karner: Yeah, so the...

Mr. Randall: We have one right here. Did you do this one?

Mr. Karner: It's, it's not Vulcan's, I don't think.

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Mr. Randall: Okay. So you... yeah, but you don't need permission to stand...

Mr. Karner: He's saying it's a different kind of plant.

Mr. Randall: It's a different kind of plant. More relevant, okay.

Mr. Karner: Yeah, so we want to find something parallel.

Mr. Randall: Okay. So, so this one's not, this one's not applicable then concerning the noise and everything related to what's going to be on the Vulcan site.

Mr. Karner: I'm not familiar the other concrete plant.

Mr. Randall: Alright, alright. No problem. I'll ask the applicant. Thank you.

Mr. Karner: Okay. As far as I know, you know, I just followed what they had said, this is the parallel. We're also going to be looking at the trucks driving throughout the site. And then the loading truck noise. And then we'll also be looking at the traffic noise from the, from the roadway beneath just to kind of show what the community noise is at the site, because if we only look at one noise source, it doesn't really tell the full story. So we, you know, based on the measurements, the noise that we measure, right now is below the County standard. We have some preliminary results that we've been looking at for the concrete plant and with the berming and everything, it's also not expected to exceed.

Mr. Randall: But you're not making official results now, correct?

Mr. Karner: No. We're, it's still ongoing, but...

Mr. Randall: Right, let's stick with methodology and we'll talk about results when the time comes, okay?

Mr. Karner: Okay. So, those are the...

Mr. Randall: I have, I have one more, one more question for you.

Mr. Karner: Sure, yeah.

Mr. Randall: Are we doing those noise studies on all noise producing operations at the plant? Including rock crushing and concrete crushing, and those types of things? Are you being restricted to certain types of noise gener... noise producing activities? Or is this all...

Mr. Karner: We're looking at everything and we will present different things. Because there's some noises going all day and some noise as it happens is occasional.

Mr. Randall: Absolutely, no, but I would expect that when you have the, when we, when we get the official report that it will include all types of noise producing activities on the site.

Mr. Karner: Correct. We are looking at everything that we found on the site that makes noise. We had a meeting ahead of time identifying exactly all the things that are, are, significant noise source.

Mr. Randall: Do you have a quick list of what those could, what those would be?

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Mr. Karner: Yeah.

Mr. Randall: In case we think we're missing something.

Mr. Karner: Sure. So, I'm just going to go in the order that I measured them.

Mr. Randall: Please. As fast as you can. We're good.

Mr. Karner: Okay. There's Pug Mill vibrators, there's crushers, there's... I'm sorry if I give the wrong names to the thing... there's shakers, loading stockpiling, the pit loading, pit haul truck on a flat surface, pit haul truck on a angled service – because they have to accelerate more – customer truck loading, the loading truck itself. And then a customer truck driving by on the roadway, and then, of course, traffic noise.

Mr. Randall: And all the blasting that occurs is correct?

Mr. Karner: Yes, we did measure a blast as well.

Mr. Randall: Okay, that wasn't on your list. I just want to make sure that was on the list.

Mr. Karner: Well, we measured one blast from the neighborhood and we could hear it but I wouldn't say that I measured it because the noise level didn't change. So that is something we'll need to look more into, but no I'm not sure if we're looking into the blasting.

Ms. Barnes: Do you know what neighborhood you were in when you were listening. Was that Eastern View? Was that...

Mr. Karner: It was just south of...

Ms. Barnes: That's Eastern View then, okay.

Mr. Bain: It was Eastern View, I was at the site...

Mr. Karner: Yeah, that's right...

Ms. Barnes: Okay. Because I was up, I was up farther north during that blast.

Mr. Bain: And part of the problem during the measuring, the sewage pump station turned on and you couldn't hear anything over the sewage pump station. So...

Mr. Karner: Yeah, so we will...

Ms. Barnes: Are you, do you plan on doing any other measuring because it was, the blast was significantly more noticeable up, I think it's Oakridge Drive, I'm not, I don't remember. Does that sound right? I was, I was almost to the most north, probably the closest to the Hampton Pit. And that might be...

Mr. Karner: Sure so...

Mr. Leming: The answer is yes, they will be looking into other areas.

Ms. Barnes: Thank you, thank you.

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Mr. Karner: Yeah, yeah. It's, it's on-going so we will do whatever is needed.

Mr. Bain: I think it would be good if you would do monitoring at the 2 locations; one up north and the one at East View on the same blasts so that we get a comparison of the effects of those blasts to the local neighbors.

Mr. Karner: Okay.

Mr. Bain: Definitely.

Mr. Leming: Let me ask you to address one other thing. You also are going to be looking at, as I understand it, the sound levels at different points. At the... on the inside of the berm, at the outside of the berm, basically you are going track the noise from its source to the inside of the berm, the outside of the berm, to specific properties, correct?

Mr. Karner: That is correct. Sure, the way the model's going to look and in the end it'll be a map of the area, a satellite photograph and you will see the little points of where the sound is occurring and they'll be noise contours coming out of that, of that, and it'll interact with the terrain so you will see it grouping up at a berm or just radiating outward if there's nothing there. So yes, it'll be of an area more so than a point.

Mr. Randall: Yeah, okay. So, let me just make sure I'm clear and I want to make sure this is, we're clear to everyone here and, and listening. So you are not actually standing at somebody's property waiting for noise to happen, taking noise readings. What you're doing... correct?

Mr. Karner: It sounds like that we are now doing that. So, for the blasting, there will be.

Mr. Randall: Okay. So this is where I wanted to clear up the misconception, okay.

Mr. Karner: Uh, huh.

Mr. Randall: So here's, and again, I, I personally don't know if it changes, right. You have currently a 3D model that is a standard for what you do – noise acoustics. You put in all of the variables considering the berms, the size of the berms, the vegetation, the type of vegetation, the length of the vegetation, the height of the berm, the height of the vegetation, and you measure all those. You put them into an algorithm, and then the 3D model that is used extensively throughout all engineering today then spits out what the sound levels are at each of the areas based on a level of distance away from that blast or the noise producing area, or source. Is that, is that correct?

Mr. Karner: Yeah, I think you've got it.

Mr. Randall: Can I summarize that fairly well?

Mr. Karner: Yes.

Mr. Randall: Okay. Alright. So, it doesn't necessarily require you to go out unless you've just been asked to go out and take actual noise readings at particular levels because the model... what's the level of accuracy of this model? That you've used obviously in hundreds of applications throughout the country.

Mr. Karner: Yeah, we calibrated it and normal calibration is within 3dB.

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Mr. Randall: 3dB is what?

Mr. Karner: 3 decibels.

Mr. Randall: 3 decibels., okay.

Mr. Karner: Which is considered just barely noticeable.

Mr. Randall: Yep, absolutely. Alright. And that's what you use throughout the work that your company does throughout the country?

Mr. Karner: Correct.

Mr. Randall: Okay. So, have you ever done actual sound readings standing at somebody's... standing at a location with a sound meter in your hand to validate your 3D model?

Mr. Karner: Usually the measurement comes first, followed by a model.

Mr. Randall: Either way.

Mr. Karner: Yeah. I can drop a receiver at that location and say run the model and does it match...

Mr. Randall: How many times have you done the validity of that model based on actual sound readings?

Mr. Karner: Hundreds of times.

Mr. Randall: What's the variable that you found from one to the other?

Mr. Karner: 3dB is a good, acceptable...

Mr. Randall: So 3dB is a normal discrepancy between your 3D model and an actual noise reading at that location.

Mr. Karner: Yeah, we always aim for better, but that's the acceptable range. And that's typically what we see.

Mr. Randal: Okay, do you have something in writing talking to that?

Mr. Karner: Not on me today.

Mr. Randall: I don't need you to pull it out of your back pocket and take it out of your wallet.

Mr. Karner: Sure.

Mr. Randall: I would like, I would like to have that presented as something that said here's what we've done as a 3D model, here's some validity checks we've done based on actual tests that we've done. And then to be able to compare those so that, you know, the first time you get pulled over by a police officer, what do you say, you know, what is the first thing he says because 30 years ago, nobody ever thought to ask was – you know, when was the last time your radar gun was calibrated?

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Mr. Karner: Mm-hmm.

Mr. Randall: Right? You ask that question so that everybody knows it was calibrated within this timeframe, the validity is this, we check it every month, this is what it says. And we have some sense of... some sense of confidence that the radar gun got you over the speed limit.

Mr. Karner: Sure.

Mr. Randall: So this is what I'm looking for is some type of validity check to your sound plan 3D model that we can then, with some sense of confidence, say that if we use that model with the appropriate variables that the algorithm tells us what we need to know throughout the aspects around Vulcan Quarry. Is that a fair statement? Can we make that?

Mr. Karner: Yeah... that's a fair... *inaudible*.

Mr. Randall: Okay, this is what I'm looking for at the end of the day, when you present that to us, is that confidence level and that ability for us to say, the model works, right. And so now the model just doesn't work now as a baseline. But that if we needed to, we could then bring you back every 5 years to continue that same validity and the same model production and to ensure that nothing's changed. Fair enough?

Mr. Karner: Fair enough.

Mr. Randall: Is that something that we could do?

Mr. Karner: Yeah. I understand.

Mr. Randall: Alright. So I need to see that baseline on the 25th... or the 23rd when you present that to us so that we have some validity and level of confidence in that model.

Mr. Karner: Okay.

Mr. Randall: Alright? Thank you.

Mr. English: I'm going to get back to my vibration question. I don't think, maybe the noise might be a bigger concern. It's not as concerning as the vibrations because I think the vibrations was causing the problems in the peoples' houses. Is it any way you could set that up because I feel like that's more of a concern than noise. The noise goes away, the vibrations there it causes damage to the house. And I would like to know if there's a possibility that you could put some sort of monitor into somebody's house... a couple houses, to know when that thing goes off the vibration goes through the house and we know this is causing the problems in these houses.

Mr. Karner: Mm-hmm.

Mr. English: Because I think, I think that, I think...

Mr. Bain: Wasn't... weren't they monitoring that as part of their explosion?

Mr. English: Well, I'm asking that something be put in the house.

Mr. Bain: Not, not from...not from the sound guy. No.

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Mr. Leming: We have a blast guy, too, who gave you some of that evidence last week and he'll address that.

Mr. English: Right. But I'm... if we're putting these monitors in these subdivisions for noise, why can't we put something in people's houses for vibrations because I think that, from what I gather, what I'm hearing from everybody, the vibrations are the main concern of these peoples' houses because their houses are, the walls' cracking and things like that. So I think this, you've got to look into deeper than just the noise. I think the noise goes away just like that, but your vibrations continue and causes more of extensive problems.

Mr. Leming: So our vibration guy can address that and do that. But, he's the sound guy.

Mr. Randall: Yeah. Chris, you were here just for the sound, correct?

Mr. Karner: That's correct. Just the airborne noise...

Mr. Randall: Just the airborne noise. Alright. And we'll, we'll talk. We'll have plenty of time for the vibration part of it. Alright, anyway, go ahead, finish, finish what you have for us. Thank you.

Mr. Karner: I believe I'm all set if there, unless there were further questions.

Mr. Randall: No. You're clear on what we're looking for on the 23rd when you present?

Mr. Karner: Yes.

Mr. Randall: Okay, thank you.

Mr. Karner: Okay.

Mr. Leming: Let me make a correction to the... Yes sir.

Mr. Bain: *Inaudible, microphone not on.* I'm sorry, your report will have a significant calibration description section?

Mr. Karner: Yes

Mr. Bain: And I think that's what Mr. Randall's asking for?

Mr. Karner: Yes

Mr. Bain: Will you also have some comparisons for other quarries that you might have studied? Can you include that?

Mr. Karner: I, can you, can you clarify what you mean by that?

Mr. Bain: If you've done similar studies for other quarries, just give us some examples of places where you have done quarry studies. That this isn't the only quarry study you've ever done.

Mr. Karner: Okay. Just examples of other quarry... yeah, okay.

Mr. Bain: Yes, yes, just...

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Mr. Karner: I, I don't think the results are anything would apply, but just as an example of experience, I think that's fair.

Mr. Bain: Oh, no, no, absolutely not. Just a little experience with quarries so that we know. Thank you.

Mr. Karner: Okay. Sure, thank you. Any further questions? Okay, thank you.

Mr. Leming: Let me clarify one thing. I think we, we have access to some other comparable studies.

Unknown speaker: Same study done at our quarry in Fairfax.

Mr. Leming: Okay. At the Fairfax quarry.

Mr. Randall: Was it by the same company?

Unknown speaker: Yes.

Mr. Randall: Okay. Thank you.

Mr. Leming: On the dates, it is our intention, he said the 28th, it is our intention to have this study completed within fewer than 2 weeks it needs to be reviewed. But our intention is to provide it to you the week of July the 11th so that you have it well in advance of the next Planning Commission meeting which I think is the 28th, I believe.

Mr. Randall: The 28th, yes.

Mr. Leming: So, that's the plan to provide it to you.

Mr. Randall: That would be definitely preferred.

Mr. Leming: Alright. Now, Mr. English... would you like to address the vibration issue and the measurement of that? Are you able to do that, okay? Okay, we'll bring up our blast vibration guy. He'll tell you, I think what's feasible in response to your question.

Mr. Bain: I'm sorry, I got sidelined. Mr. Karner, in the list of things that you were measuring, I don't, I don't believe... yeah... I don't believe I heard you say that you were going to measure the noise generated by the concrete crushing operation. Are you? It was there? Okay, I'm sorry. Thank you.

Mr. Leming: Remember he did the one in Culpeper so he'd have a base, a baseline.

Mr. Bain: Not the concrete plant. Crushing of the recycling of the concrete. Where they bring slabs of concrete to the site and they crush them.

Mr. Leming: Yes. Yes, we'll look at that, too.

Mr. Bain: Okay. I don't think it was on his list.

Mr. Leming: No, it wasn't. But it is now.

Mr. Bain: Thank you.

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Mr. Leming: Okay. Travis?

Mr. Tindall: Travis Tindall, General Blasting Manager with Vulcan Materials, Mid-East Division. Just in reference to the measuring of the ground vibration, we are, by regulation, required to measure that. And we have to measure it, you know, closer to the source of the ground vibration than any of the structures. The science behind that is it does dissipate with distance similar to the noise study. Not the same thing as noise to your point, but again, it dissipates with distance. So we have to measure closer to the source than the structures and we're required to do that, so we do on every blast.

Mr. English: I understand that but my question to you would be, is it possible that you could put some sort of device in some, a couple houses, in that area to measure the vibrations because again, what I kept hearing, the same theme over and over and what I've been hearing is the people are having issues in their houses as far as cracks and pictures falling off the wall, windows breaking, and stuff like that. Is there a device that can be put into a couple of houses in the surrounding areas for the vibration?

Mr. Tindall: Are you referring to additional seismographs further away than the seismographs we have?

Mr. English: Yes, sir. Yes, sir. Is that doable?

Mr. Tindall: I imagine we could. We would need permission on where we place those.

Mr. English: I'm sure you have some permission out there from somebody who would take that on.

Mr. Tindall: Sure

Mr. English: Alright, thank you. That's what I'm asking.

Mr. Tindall: And, to be clear, again, we don't do our own monitoring so that would be through a third party as well, that would be... *inaudible*.

Mr. English: I think that would be satisfying.

Mr. Bain: Could we get a summary report of the monitoring again by the 11th?

Mr. Leming: You mean of the present monitoring?

Mr. Bain: Of the present monitoring, not...

Inaudible, several talking at the same time.

Mr. Bain: You had some slide information...

Mr. Tindall: Yes, sir. So that's the summary report there. Up till now...

Mr. Bain: Okay, if we could get that submitted...

Mr. Tindall: The scheduling, now again, for blast vibration, again, we're averaging about 2 blasts per month. They have about ½ second duration. So, this isn't something that happens all of the time. It's roughly within an entire year...

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Mr. English: It would still be some data that we could use.

Mr. Tindall: ... 20 seconds of duration. Right. Logistically, trying to... we just have to schedule that when we blast. So there's going to be a little coordination that would be involved there and again, it's... I'm not sure about the date.

Mr. Randall: Alright. So let's talk a little about your third party. How long have you been working with them?

Mr. Tindall: Deep Earth Logic, gosh... 2013, thank you.

Mr. Randall: Okay, and they're obviously well known, I could look them up on the internet?

Mr. Tindall: Yes, you can look them up on the internet. They do monitoring not just in quarry blasting, but construction blasting, you know, any kind of vibration monitoring related to industrial work.

Mr. Randall: And they do this throughout the country?

Mr. Tindall: Yes.

Ms. Barnes: Can you repeat that name of that company?

Mr. Tindall: Deep Earth Logic.

Mr. Randall: Deep Earth Logic, okay. And so they're the ones, so do they follow national standards when they do their reports or is this something that you ask them to do based on your standards and your requirements for the quarry?

Mr. Tindall: No, I got a letter from them that outlines where they follow the national standards so that's from the International Society of Explosives Engineers actually has guidelines on how to mount that and when to calibrate those geophones as well. So, they, they follow that. We don't give them any guidance on how to mount or what instruments to use.

Mr. Randall: So you've, you hire, so, so, just to be correct, just to be clear then. So you hire them as a third party company and you basically your statement of work says – come in and monitor our blasting and vibrations based on the national standards and the industry standards set throughout the country.

Mr. Tindall: Yes.

Mr. Randall: It's really no more than that. And they come in and they do everything they need to do to meet the national standards that have been set, and you have no say in that.

Mr. Tindall: The only say we have is we have to tell them where the blasting locations are so that they can monitor closer for the regulations.

Mr. Randall: Right, absolutely. Okay, so, when you mentioned at our Town Hall at North Stafford High School you mentioned that the depth of these monitors were 6 inches, right?

Mr. Tindall: I do have that and then a letter from them, it's 6 to 12 inches depending on soil conditions. That is in line with those international guidelines.

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Mr. Randall: Okay. Could you inquire from them if there's a possibility of getting at least one or 2 more that are deeper than that? I mean I don't know what the possibility is. Again, if we're concerned about deep vibrations, is there a possibility of something maybe 6-foot deep?

Mr. Tindall: We could, if they can, you know, depending on the ground competency, again, that's a little bit outside of the...

Mr. Randall: Again, that's why I'm asking...

Mr. Tindall: Yeah.

Mr. Randall: I'm not suggesting that it can be done. I'm saying we need to ask the question. Okay.

Mr. Tindall: We will ask the question, yes.

Mr. Randall: Please.

Mr. Tindall: Again, it depends on the ground. If they hit solid rock a foot down, that's going to be difficult.

Mr. Randall: Agreed. Agreed. Alright

Mr. Tindall: Yes sir.

Mr. Randall: And the other question I have for you is when I saw that your map, I believe I saw 3 that were south and wes... south and east...

Mr. Tindall: Yes.

Mr. Randall: ... but I don't believe I saw any that were west.

Mr. Tindall: Right.

Mr. Randall: Is that based on what you suggested to them, based on what you currently are doing as far as blasting is concerned?

Mr. Tindall: That is related to the distance of the blast to the nearest structure that's not owned or occupied by Vulcan Materials. So, there is nothing to the west that is closer than what is to the south and east. We could monitor to the west...

Mr. Randall: Sure.

Mr. Tindall: ... but we...

Mr. Randall: And you make the assumption that...

Mr. Tindall: ... but again, that's a further distance.

Mr. Randall: ... and you make the assumption that the ground composition is the same throughout that area and so that as long as something is east and sou... east and south, is closer than anything to the west, that the west then by nature of being farther away, would be less of an issue?

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Mr. Tindall: A couple of points on that. Distance is the number one factor there, related to general ground composition.

Mr. Randall: Sure.

Mr. Tindall: So, yeah, when we're talking about general ground composition throughout a region, you actually have consistent vibration results, so not just within a few thousand feet, within a region. It's consistent with that. And then again, in our design as well, we talked about that at the last meeting, we have some safety buffers built into our design.

Mr. Randall: Sure.

Mr. Tindall: So we actually kind of, basically would assume, even... I guess stronger conditions, to account for basically applying some buffers to our design. So that is why our levels are so far below the regulatory limit. That's one reason. The other one is, we're trying to minimize vibration as well, and again, as that distance propagates, it's a much lower... it would actually be difficult to pick up a reading up to, you know, maybe over 2,500 feet away, or something like that...

Mr. Randall: Sure.

Mr. Tindall: ... just because of how it would dissipate at that distance.

Mr. Randall: Okay. And this is something that you could put in a report to us as far as they present, I'm sure they provide a report to you periodically based on the contract that you've signed with them?

Mr. Tindall: Yes.

Mr. Randall: How often do they report that back to you?

Mr. Tindall: We get the seismograph information within minutes of every blast.

Mr. Randall: Okay. And is there something you could put together for us so that we can see maybe the last 10 blasts as far as what those seismograph readings are?

Mr. Tindall: Yes, I believe we have a few years' worth of information, which is what's summarized on some of those slides. But, yeah, I have that in a few different ways. I also have distances, as well, of those blasts over time.

Mr. Randall: Yep. Those would all be in that report?

Mr. Tindall: Yeah. And a quick reference on that. You know, the average distance you asked is 1,155 feet over the last 3+ years. That's taking into account year to date this year as well. I did look into that.

Mr. Randall: And that's from the Hampton Pit?

Mr. Tindall: That's from any blast in the pit to the closest seismograph to that blast.

Mr. Randall: Okay.

Mr. Tindall: So that would be on that east pit.

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Mr. Randall: Alright.

Mr. Tindall: Just as an answer to your question from last week.

Mr. Randall: Yep, absolutely. Alright. Anything else with this one? Okay.

Mr. Tindall: And the letter as well does show the geophone mounting, as well... *inaudible, being talked over.*

Mr. Randall: Yep. And if you just include those in the report so we can get them to the public and get them to us so that we have something to look at by our next meeting, that would be great.

Mr. Tindall: Yes. And then, if I understand, so just some additional seismographs further away from the seismographs that we have?

Mr. English: Yeah, if you could pick a couple of residents that would allow that, to keep it in their house so they can... I'm more concerned about the ones that are having their windows broke and their pictures falling off the walls, so I don't know who would be volunteering to let you do that.

Mr. Tindall: I don't know if this is the venue for that discussion. There would be a proxy involved with that. And it would also be monitoring 24/7. So it, and it also needs cell service, but we have done that before; we have properties that we've purchased where we'll set up any home to monitor to verify our own...

Mr. English: Well, I think this is a big, big deal and I think it needs to be done.

Mr. Tindall: Yeah, okay.

Mr. English: Okay?

Mr. Tindall: Yeah.

Mr. English: Okay, thank you.

Mr. Randall: Yes. If you are interested out there, Ms. Barnes. And then Ms. Barnes will make sure that you get the information you need. No. Send it through Ms. Barnes, please.

Mr. Tindall: Thank you.

Mr. Randall: Thank you.

Mr. Leming: Travis, you can have something for them similar to the sound study the week of July the 12th you think?

Mr. Tindall: Yes, we do have the information. Just to be clear, you're asking for distance and summary of the seismograph information.

Mr. Randall: Distance and summary.

Mr. Tindall: Yep.

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Mr. Randall: Okay.

Mr. Bain: In laymen's terms, if you would.

Mr. Randall: Yes. Distance and summary, the blasts that you've done. The average distance we've talked about, average depth we talked about.

Mr. Tindall: Yes.

Mr. Randall: You know, I don't know if all the blastings are the same, same size, right. If they vary in size, what's the highest, what's the lowest, as far as charge is concerned. Those are the types of things I'm interested in. And, again, what you've... what we see from the vibration analysis and I'd prefer not in a chart per se, I'd prefer some type of a summary...

Mr. Tindall: Mm-hmm.

Mr. Randall: You, you get a x-ray... I can look at an x-ray till I'm blue in the face but until the doctor gives me a summary, now I can understand what I'm looking at. So, I need a summary of that, of those graphs, not particularly just the graphs themselves.

Mr. Tindall: We can do that. And I believe, to help with laymen's terms, we may be able to show some relevant comparisons to some of those other natural effects that affects homes and structures. Again it's, you know, 20 to 25 seconds throughout the year, spread out throughout the year duration on the... *inaudible*... versus the temperature changes and soil swell and humidity changes and air and, you know, everything else. So we might be able to provide some relevant comparisons, if that helps? But that would be an ask of Deep Earth Logic from us.

Mr. Randall: Again, those are some things that, those are some things that, you know, we don't know what we don't know until we see it. So, present to us the things that we've asked for, whatever else you think we could be beneficial from. A couple of days, a week, maybe 2 weeks early, or so, we can look at it and then we could be ready to talk about it on the 28th.

Mr. Tindall: Sure.

Mr. Randall: Thank you very much.

Mr. Tindall: Thank you.

Mr. Leming: Okay. Thank you. That, that was very helpful. Now, the rest of it probably is me, but what I'm going to do is to quickly go through the other issues that you've identified and let you know what has been done, what is being done, and what will be done. Now, and I'm just going to go through the, the list that Mr. Zuraf put together but not with his groupings. Outline, and I didn't understand who they were directed to, but, an outline of the proffering condition, a side by side, so in the progression of the proffers, we have put together that went in with the application. So that exists. It will now need to be updated because there are some changes to the proffers. But that's out there. As far as the conditions are concerned, and, you know, staff can do whatever you want them to do, but, the Martin Jones conditions are the key. Recall that with Martin Jones it had been 20 years since a Vulcan CUP for a new area had been issued. So, the Martin Jones list is, at that point in time, that was the definitive list. So, they're detailed, there are more than twice as many Martin Jones conditions as there are Hampton conditions and earlier conditions. So that's the list that we keyed from. And I used that list as a bases, as a model for putting together, which we did in

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consideration for staff's time and provided it to them. So, you know, that analysis was done at the time of Martin Jones, but if you go back to Martin Jones I think you'll see what, if anything, has really changed from that. There are a couple things that I do want to address that did change but we'll come back to that in a moment. There's a question about the best practices of mine buffer widths, I believe that that was, as I understand it now, directed to staff but, I did want to point out that the minimum buffer width that DMME insists upon is 25 feet. And there are examples of, throughout the state, Dinwiddie, south of us is one illustration where we have a 25-foot buffer of vegetation and you go right to the berm. And that's it. And then the pit is immediately on the other side. So there's a wide variation of these kinds of things, and Stafford's berms are already significantly wider than some of those in other parts of the state. But that's the DM... that's the minimum DMME requirement 25-feet. There was question about studies about the effect of mines on property values. We do have one that we'll provide to you, where I'm not going into it at this point, but, some in substance the conclusion of that story which addresses some of the earlier studies and the methodology used which seemed to find that there was some depreciation in value, but this study concludes there's no evidence of that. And basically, there's no evidence of any effect, one way or another, and we'll provide that to you and we'll give that to, to staff, and they can get it out to you, but, this we believe in the industry's considered the definitive study on the, on the subject. I did talk to Mr., I did talk to the Commissioner of the Revenue coming in, he was leaving, I was coming. Do you have any, make any special adjustment in your assessments? And everybody says, well, what assessments, what do they mean? Well, assessments by law are required to reflect the fair market value. But the direct answer to that question is no. The only way it would be reflected, is if there are lower sales values for those properties. But it doesn't affect the assessments, there's nothing built in, but, the house sales are of course something that goes into every assessment in every appraisal. So, that would be the only way to get to that. But the good thing, in Stafford County, I mean Vulcan has been mining since 1978. So, you have over 40 years of data of assessments over that period of time. So, you know, not a hard thing at all to go to the Commissioner and say, you know, any evidence of this? You've got the data. Now, the... I'll also point out that, you know, anybody who feels like their property is assessed too high because, you know, it ought to be lower because your next to a rock quarry, there of course, there's a tax appeal process that you can go through and make that very point. Now, the, the study that we're going to provide you, and, one of the problems with the earlier studies is that we have a scenario in the earlier study that this one disputes, we have a scenario where we have a, a rock quarry coming to a neighborhood, so neighborhood there first, rock quarry then comes. Of course, we have the opposite situation here is Stafford County, at least with regard to Eastern View. Rock quarry first, Eastern View zoned and built out about a decade, a decade and a half later.

Ms. Barnes: Mr. Leming, can I make a comment on that?

Mr. Leming: I'm sorry?

Ms. Barnes: Rock quarry first, but the Pollard Tract isn't a rock quarry currently.

Mr. Leming: That's true. That's true, and we'll get into...

Ms. Barnes: Just, just clarifying that. Thank you.

Mr. Leming: ... you know, what, what effect if at all there is on the, because of that bump out that's being requested. You know, the immediate answer to your question is that any blast would be even further away than the ones that can happen now under the current proffers. And we'll show you that on a map. But I've got my list that I'm trying to stick with it. Okay, now, eliminating the current condition on hours of blasting, there's no intent on our part at all, I'm not sure, we're not sure exactly where that came from, but, we are fine generally with 2 to 3; we would ask as a back-up, we could 10 to 2, but I think it makes sense if there is a, a do over, or if something's not quite ready by 2 o'clock, it were to be 10 to 3, but nobody's asking for there

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to be, remember this is a condition,, this is controlled by the County, it's not a proffer. So, you know, 10 to 3 is fine with us.

Mr. Randall: So, so, let it be written, Mr. Zuraf.

Mr. Leming: Yes, let it be written, yes.

Mr. Randall: So let it be done. Alright everybody, 10 to 3 blasting hours.

Mr. Leming: Okay.

Mr. Randall: Alright. So, there's no more concern about blasting hours happening the entire hours of operation. So, alright, 10 to 3. Thank you.

Mr. Leming: Now, we, and then the, Ms. Barnes, the next one, it does go. Now in my, in my sequence here, we're back to your question here. And we showed you some slides last week, of the, of the 2 bump-outs and let's see, can we, can we pull up number 17 from last week? Is that doable? Okay. Good. Now. And, you know, forgive my mechanical inability, there's probably a way to do this. Can I point to something on here? Does this help me do that? I can write on this? Ok, wow. Okay. Alright. Now, calling your attention to this area here. You know, right now, right now. You see it? Right now, to that point, that, see that little, looks like a little rat, a skinny rat that I drew with a tail end? To that point, that's where blasting can occur, you know, all the way up to the berm right now. Now, now the dotted area, then again, we went over this next week, you see the dashed area, the light dashes, that's the bump out. That's what they're asking for here. Now, that, the edge of that, as you can see is 600 feet to rock extraction. Now that is considerably, it appears about twice as far away as where they ultimately can mine under the current authorizations. Okay? Which is where that black, little black line that I provided to you is. So, and we also show the saved trees area, that's that first 100 feet. So, you know...

Mr. Bain: I'm sorry Mr. Leming, I'm not following you.

Mr. Leming: Okay.

Mr. Bain: Okay. The black line you drew...

Mr. Leming: Yes, sir.

Mr. Bain: ...is where they currently...

Mr. Leming: ...are authorized...

Mr. Bain: ...are authorized to blast. But where does that line go after it hits the orangish, yellow area?

Mr. Leming: Oh, it doesn't go, because that's the Pollard Tract.

Mr. Bain: Okay. So it goes straight along that orange border, the straight line border that goes up, I'll say, to the northeast.

Mr. Leming: Yes, it's immediately in the back of the berm, which you can see shaded in there. Okay?

Mr. Bain: No, I'm not...

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Unknown speaker: It follows the property line. You're correct.

Mr. Bain: Okay, it follows the property line, which is that straight edge of the orange yellow.

Mr. Leming: Yes.

Mr. Bain: Okay.

Mr. Leming: That's right.

Mr. Bain: Good.

Mr. Leming: And, and the point, Mr. Bain, simply is that that area we're blasting can, where mining can occur now, is closer to that side of Eastern View than, significantly closer, than what's being requested here. Which is within that hatched area.

Mr. Bain: Alright, good. Thank you. Thank you.

Mr. Leming: Alright, now, if we could go, Mike, to the other one? This is number 13. And it's the, it's the same illustration over on the other side at the east pit. Okay, now, similarly here, and I'll try my art work again, but, you know, what you, what you see here is, you know, the current blast. That's, that's where the mining, that's basically the line of the mining right now. So, that's, that's... and you see the distance from that to the neighborhood, to the to the east. Now, again, the white dashed area, that's where the bump out is to, is to occur, you know, so that would be where the new mining, and as you indicated I think way back in May Mr. Bain, that's where the steps will begin. And, you know, at some point you hit rock and, you know, so that would be the, one of your questions was the closest point of blasting. So, erring on the side of caution, it would be the white hash line. And same thing for over at the Pollard Tract. Okay? But it may not even be that close. Now so, you know, I hope that that is responsive to the question. Now, fencing. There have been some debate about fencing and I think we've reached a point, and there's been some discussion since then, where I think most understand that, from a safety standpoint, Vulcan seeks to fence this entire property. And we think it's important to have the fence for new areas on the outside of the buffer area, on the, on the boundary line, on the, on the property lines. We're not going to change any fencing. As you recall along Eastern View, it's behind that first 100-foot vegetated area, but that's created some problems. So, that is the, that is the plan to put it in that location.

Ms. Barnes: Mr. Leming, will that be included in the proffers? Or will that be in writing someplace that that fence will not change?

Mr. Leming: Yes. Yes. Yeah, if, now there's some debate as to whether that belongs in the proffers or the conditions, but, me and staff will get that worked out. But yes, if I tell you we're gonna do something like that, you've already, you know, given your... *inaudible*... to Mr. Zuraf on the hours of blasting so, yes. We will decide whether that goes in the conditions or the proffers, okay?

Mr. Randall: It's probably best as a condition. So, I, I would be interested whether it's now or whether it's somebody else who can speak to it, how that fencing will work with the wild life corridors?

Mr. Leming: Yes, mm-hmm, yes, I was on the verge of that...

Mr. Randall: Well, you're welcome, you're welcome.

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Mr. Leming: Yes, okay. Yes. We're looking at, to see what can be done. I mean, obviously, there's, it's a balancing act, you want safety. You know, is there a way to impose the fencing, you know, that doesn't block animals? And, you know, we don't know. So, we're seeking expertise that we don't have in that, in that area. I think as was indicated way back on May 12th, there is no fencing along Aquia Creek. That remains an open corridor which leads, and it's a wide one, which leads all the way down to Aquia Creek and then that is the crossing point. The creek is shallow enough at that point, and, and I have seen, the animals cross the creek at that particular point. Now, the question, I think, is in what happens when they get onto the property, and everything else is fenced? Do they, is it a one way in, one way out deal? So, that's the kind issue that we're looking at to see if there's a way for an accommodation to be made. Okay? So that's where we are. We don't know exactly at this point how that issue would be addressed.

Mr. Randall: Have you considered the fact that there is several areas of acreage. I think it was mentioned that there's a conservation easement...

Mr. Leming: Yes, mm-hmm.

Mr. Randall: ...that butts up against the property, of not fencing that area? Is that a possibility that that would be, you know, I wouldn't need miles, but, you know, 4, 5, 600 feet of unfenced area through that conservation easement would sure meet, what I would consider, a wildlife corridor from all the north Quantico through your property, into the area to the land south and then back up into Quantico.

Mr. Leming: Yeah, yes, certainly, we'll take a look at that. What we want to understand better or really what the existing corridors are?

Mr. Randall: Sure. Absolutely.

Mr. Leming: And of course, I said, well, why can't Don Rovin Lane be a wildlife corridor? That's not going to be anything, anything else possibly at some point in the future but, I understand your point, there is that... and we talked with the occupants that tract, our neighbors, after the meeting last week.

Mr. Randall: Sure. Okay.

Mr. Leming: And, you know, we understand what they would like to see.

Mr. Randall: Yeah, no, I would just think that that would be a consideration to meet both of those requirements. Alright. Thank you.

Mr. Bain: I think, I think the other thing to keep in mind with fencing and to me it's a much more important one, wildlife's nice, but I don't want 10-year-old boys...

Mr. Leming: Yes, sir.

Mr. Bain: ... to be able to get in there and fall off that face cliff.

Mr. Leming: Yes, sir.

Mr. Bain: I think the fencing needs to stress that. If the wildlife have to go around the quarry to do something, that's fine, but I don't want those children in there. I don't want that risk on anybody's minds.

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Mr. Leming: And we agree with that completely. There needs to be safety of the adjacent residents or others that might come into the area, have gotta be first priority, well, which I am seeing if there's a way that the two can be accommodated.

Ms. Barnes: Mr. Leming, can you, can you clarify who you said you spoke to about that wild, you said you spoke to somebody, after that last meeting?

Mr. Leming: Oh, the occupant of the conservation easement parcel. The big parcel...

Ms. Barnes: The Gallahan property.

Mr. Leming: Yes, uh huh, yes. Which is not the... the one... it's the same woman that spoke at the meeting.

Ms. Barnes: Thank you, okay.

Mr. Leming: Yes, uh huh. Yes. I just, I just went and introduced myself and because I didn't know she lived there.

Ms. Barnes: Thank you.

Mr. Leming: Okay. Alright, now. If we've, lighting from the ready-mix plant, the lighting, of course, there's some safety issues there too, but, all the lighting... if this concrete batch plant comes to this location, it'll be state-of-the art plant. This is not going to be the ready-mix that you see around the corner here. And yes, the lighting is all directed downward to shield it and minimize the migration of the light off of the property. And of course, the County has lighting standards, as Mr. Harvey and Mr. Zuraf can confirm that, you know, impose some significant restrictions there on light... candlefeet at the property line and so we have to comply with all of that.

Mr. English: Mr. Leming, Mr. Leming, one question in reference to the concrete plant. Do they have another one? A newer, newer version of a concrete plant? Local?

Mr. Leming: Not around here, do you?

Mr. English: Nothing? I thought you said up here near Dulles Airport was one?

Mr. English: In Culpeper.

Mr. Leming: Culpeper.

Mr. English: So that's...

Unknown speaker: *Inaudible, not at microphone.*

Mr. English: Okay. So that's got... that can adjust to the sound, and the noise, and the lighting and all that stuff and everything is compacted, it's up to date? How new is that one in Culpeper, do you know? And you don't have to give the answer to me right now, just let me know.

Mr. Leming: That's the plant our sound guy used because it's going to be more like this plant than the one down here at the courthouse. Okay. Let's see – locations where land has been transferred to localities... we talked about this some last week. And the best illustration of this is just north of here in Fairfax and in

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Occoquan. And that's a significant development and interestingly, bear in mind, we have proffers here where Vulcan is going to donate these pits to the County for use as backup supply water reservoirs. In Fairfax County, the county purchased the pits. Now, of course, they didn't have a proffer, but they purchased the pits and Vulcan is now leasing some areas back. So they've worked with the county in Fairfax, which of course, is as you understand, has very significant water concerns. The pit area that is being provided for the reservoir, this is a primary reservoir, this is like our Smith Lake or Lake Abel or Rocky Run. These are, these are primary reservoirs, not back-up supply reservoirs. So, and Vulcan has worked with them on that, that's where, I think, we talked about how they divided a portion of their pit, they continue with their work, they set up the reservoir, and off they go with Fairfax, but it's worked very well there. Now, there had been a question, and you raised this Mr. Randall, about some checkpoints to see where we are along the way between now and say, 2055 or even later. The 2135 date, you know, just to see what the county's needs are and see whether adjustments need to be made to that turnover date. And yes, we will propose, and they'll be with the, with the new, this a, this is a proffer, so we will look at adjusting and gives you some language for adjusting the proffer that attempts to address your concerns and have that to you well in advance also with the, of the next meeting. Alright, now, liability insurance. I think Mr. Cobb has already indicated that Vulcan has no problem at all going from the one million to the 5 million, so that will be a change in the proffer. Um, so, no...

Unknown speaker: *Inaudible, not at microphone.*

Mr. Leming: Okay. We will have something for you with explanation. But yes, we are addressing that. Okay. Now, there was, there's been some concern on the, about the, expressed about the buffers on the western side. The Martin Jones buffers. Now, these were negotiated way back in 2009 and 2010. And redeemed satisfactory at that time. So first question is, what are they? And, what we have is a property line, and then, we have the berm comes first and then the stream, Glen?

Mr. Randall: Mr. Leming, can we pull that up on the screen so we can look at, see what all we're looking at?

Mr. Leming: Sure. Yeah, see if there's something that, is there something? Can you pull up the GDP? Because that actually has, if you can pull up the GDP. What you're talking about is the old Martin Jones GDP but we have property line and then buffer and then stream... stream on the outside and buffer on the inside, right, Vern?

Unknown speaker: Yeah.

Mr. Leming: Okay. Alright, so if we look at the GDP...

Mr. Randall: We're getting there.

Mr. Leming: Okay.

Mr. Randall: Just a second.

Mr. Leming: Okay.

Ms. Barnes: Mr. Leming, while we're waiting on that GDP, I am looking at the original...

Mr. Randall: There it is.

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Ms. Barnes: ... I think there's proffers, buffers and berms and at minimum the applicant shall supply and maintain a buffer of at least 75 feet along the boundary of the property. And then further provide a 100-foot undisturbed buffer on the property. That is for the Martin Jones.

Mr. Leming: Yes. Those, those are, that is what's in place now. And that's what's proposing to stay in place.

Ms. Barnes: Okay.

Mr. Leming: Okay. Now, part of the reason for that is that one of the things that is being done there is the relocation of a stream. And that's going to hug the... you see what's proposed as the location there.

Mr. Randall: No, I don't see it. Could you draw on there where you're going to relocate that stream?

Mr. Leming: Okay. A diversion is what it's called.

Mr. Randall: Please.

Mr. Leming: Yeah. It's going to be right along the outside of the property line here. Right. Right on the outside here. Okay.

Unknown speaker: *Inaudible, not at microphone.*

Mr. Leming: Yeah, is, this was...

Mr. Randall: Yeah, yeah, yeah. No, no, I understand. I just am not sure everybody understands what that stream's going to look like when they're done.

Mr. Leming: Yes.

Mr. Randall: Diverting...

Mr. Leming: Alright, so it'll be underground. kay.

Mr. Randall: Okay. So that's what you're doing.

Mr. Leming: Yes.

Mr. Randall: It's going to end there and it's going to be underground from that point forward.

Mr. Leming: We have the option of putting it underground...

Unknown speaker: *Inaudible, not at microphone.*

Mr. Randall: No, no. You need to come up if you're going to answer for us.

Mr. Leming: Yeah. He's just explaining that there's part of its pipe and part of its (inaudible). Yeah.

Mr. Randall: Okay.

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Mr. Leming: Now, that's already, we already have the corps permit on that. You may have heard at the last meeting an explanation, somebody asked from Toluca Road, when things were going to happen along that corridor. And that's the first thing that needs to happen and that's driven by the permit which is good until 2024. So, we need to take care of that diversion, but, you have the diversion, you have the berm, and then there's also an access road for the new asphalt plant location that will hug that perimeter also. Now, that's, that's what is in place now, that's what was negotiated back at that time. Now, I think one of the main reasons... Yeah, yeah, we do have a, there is a buffer yard requirement that we have to... I think it's a buffer yard c. And that's shown on the Martin Jones GDP and we will show it on this GDP as well. So there is a standard that we have to adhere to for that vegetation.

Ms. Barnes: Mr. Leming, I do have some questions about that, but I think we're going to try to wait for the majority of the questions after and let these folks... but if we can come back to that later, I do have a couple questions about that.

Mr. Leming: Okay. Alright.

Ms. Barnes: Thank you.

Mr. Leming: Now, there's a request that trees be saved between Eastern View and the proposed concrete plant. Yes, we agree to that. It's already shown on the GDP. That will be something that we will add that to the proffers. I think that's a proffer, rather than a condition.

Ms. Barnes: And I believe that we discussed at the last meeting about discussing densities and possible replacement of trees as they go through their natural life cycle?

Mr. Leming: Yes, yes.

Ms. Barnes: Is that under consideration too?

Mr. Leming: Well, and there's another question that goes more to that point, but...

Ms. Barnes: Okay. We can get to that.

Mr. Leming: ... let's talk about what we talked about. First, there are some areas, Eastern View, that I think everybody agreed would benefit from some additional vegetation. And, along parcel 3 on the other side, 20-3. Not 3A, but 3 is pretty open. So, there would have to be vegetation planted there and we're... Mr. Zuraf is going to give us his recommendation for what buffer yard would be appropriate for that and then that will be built into the proffers. And I think that will be the standard for both Eastern View and the area along 3 so that there would be a specific number and density of vegetation and trees that would be required.

Ms. Barnes: I think we did, we discussed having a row of evergreens behind everything so that once those leaves go they still have a nice little wall.

Mr. Leming: Yes, and yes, the importance of evergreens is significant here I think, not just to what we're talking about here but, you know, if you're looking even at the effectiveness, and, you know, berm versus trees, you know, we don't have any evergreen buffers out there right now, period. Okay. And as the trees go, they're more effective, but, yes, with regard to the new ones, I believe that the buffer yard standard Mr. Zuraf is going to suggest would include a mix of evergreens and deciduous trees. So, we're sensitive to that and that it really what you're looking for is year-round visual mitigation. Not just 6 months or 7 months a year. Alright, so the trees, the trees will be maintained, let's see, you wanted a topographical map with cross

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section illustrations of berms leading down to the benching and demarcation of the closest blast areas. Now we've tried to show you that in response to an earlier question where the nearest blast sights would be. That's what those 2 illustrations of the bump out areas with the hatched white lines purport to illustrate.

Mr. Bain: So, the hatched white lines would be the limit of the blasting lines.

Mr. Leming: And conservatively so.

Mr. Bain: Okay, okay

Mr. Leming: Because of what you said. That's the top, you're going down.

Mr. Bain: Sure

Mr. Leming: But yes, conservatively. Alright, now, the concrete plant. There's a request to move that back as far as possible and Glen, do you want to address the, any adjustment that's been made to that? So, we've heard you on that and let us show what we're doing and why we're doing it.

Mr. Cobb: Glen Cobb with Vulcan Materials. The initial proposal, I think you can see this on the screen. The initial proposal, those of you that have been on site may remember when the asphalt road makes that little curve and you get to that open spot, there's actually an entrance into that field. And the original proposal was to have the site as close up to that end as possible so it would eliminate the amount of time that the trucks were going up and down that road. The residents at Eastern View were concerned about any potential sight lines and some noise issues that may, may be from it being that close so we've moved it as far back, down that asphalt road as we can...

Mr. Randall: So, show me on this map that we're looking at. Draw on there where... just make a little dot where you had it initially planned, everybody can see that and...

Mr. Cobb: I think you can see the block.

Mr. Randall: Right there is where it was initially planned.

Mr. Cobb: Go away

Mr. Randall: Uh oh. Don't hit it.

Mr. Leming: Look what you've done, Mr. Cobb.

Mr. Cobb: I've got fat palms. There we go. What we're looking at now is back up here and the reason we've gone with that location, it's still in that very flat area so it wouldn't take as nearly as much prep and clearing as some of the more elevated and densely treed areas. There are a lot of trees, I think you've seen the, either by being onsite or from aerials, a lot of trees that go from that point back. So, we pushed it as far back from any residences as it can be. If you measure that out, that's where that spot is but we also don't have to clear out a lot of that existing vegetation so to the Toluca residents that would be up to the north and to the west, they would still have those trees around that area. So that's why we pushed it further back that way.

Ms. Barnes: Mr. Cobb, are those trees eventually going to be cleared anyway when you, when you come back over to that mine, that area?

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Mr. Cobb: When we get, probably...

Ms. Barnes: So, if they're going to be cleared anyway, why is that a concern?

Mr. Cobb: ... 90 years, 80 or 90 years from now. That's when.

Ms. Barnes: Did you say 8 or 9 or 80 or 90?

Mr. Cobb: Eighty or 90 years...

Mr. Randall: What trees are you looking at? Again, I need references on the map as to what trees you are referring to please.

Mr. Cobb: All through this area right in here. Lots of trees.

Mr. Randall: Okay.

Mr. Leming: If you've been on the site, you'll notice – Ms. Barnes was at this particular location – you can't see the asphalt plant from that location because of the density of the vegetation. So, you know, that's we're seeking to avoid removing the vegetation until, you know, it becomes imperative.

Ms. Barnes: So, it sounds like it's kind of a catch 22. If you move that concrete plant all the back and remove all those trees, you're actually reducing a lot of buffer...

Mr. Leming: Yes.

Ms. Barnes: ... but you're getting it farther away, but it's a double edge sword on that.

Mr. Leming: Further away but you're cutting down trees, so, you know...

Unknown speaker: *Inaudible, not at microphone.*

Mr. Leming: Yeah in Toluca...

Ms. Barnes: You are going to put it in there in the GDP, some, so we get that...

Mr. Leming: Yes, we're going to, more precisely locate, give you a location area. Yes, uh huh.

Mr. Bain: Is there any reason that the concrete plant could not go where the current asphalt plant is?

Mr. Leming: Well, because that will be mined. That will be in the middle of the mining area.

Mr. Bain: I'm sorry.

Mr. Leming: That's why the asphalt plant's moving.

Mr. Bain: Alright, I see. I'm sorry. I forgot that. Yes.

Mr. Leming: Yeah. Oh, you mean could it be co-located? It's not enough, well first that's a ... if you're talking about now, they own the parcel. And I don't think there's room for both facilities at that location.

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Mr. Bain: I assume that that's going to be resolved. They won't own the parcel when you go to mine it.

Mr. Leming: Yes, uh-huh.

Mr. Bain: But if it's going to be mined, that's, that's the answer.

Mr. Leming: Yeah.

Mr. Bain: Okay.

Mr. Leming: Okay. Alright now. Nighttime hours. The, you know, as far as we're concerned, and then again, these are controlled by your conditions. So it really, you know, is within your discretion here, but, we're perfectly content with the condition right now that says, if there's an emergency or exigent circumstances, the County Attorney decides whether or not Vulcan can operate at night. That's the quarry operation. Now, if you want to add, I think Mr. Randall, you said well but we want some more parameters to that, you know, it's fine with us but I'm not sure what they would be. I mean, emergency, emergency exigent circumstances within the discretion of the County Administrator certainly tilts the balance toward your control. So, we don't have any problem with it the way it is right now, but it's a condition....

Mr. Randall: Yeah, I just haven't talked to the County Administrator yet.

Mr. Leming: Okay.

Mr. Randall: No, I'm kidding. What's... so let's make sure we're clear, everybody's clear on this. The asphalt plant has its own conditions.

Mr. Leming: Yes.

Mr. Randall: And the quarry has its own conditions.

Mr. Leming: That's correct, yes.

Mr. Randall: Okay. Because it's a separate entity, the quarry or the asphalt plant works independently of anything that you're doing. Is that correct?

Mr. Leming: That's correct. Yes, uh-huh.

Mr. Randall: Alright, so what they have, not necessarily should or should not implicate anything that you're doing, okay?

Mr. Leming: Well...

Mr. Randall: You should have the right to set those nighttime hours.

Mr. Leming: Yes. With regard to the quarry operations and nighttime hours, and the concrete batch plant.

Mr. Randall: Sure.

Mr. Leming: You know, that's within your control.

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Mr. Randall: Absolutely. So where is it currently?

Mr. Leming: Well, what we have, we just mirrored for the concrete batch plant, you know where the quarry hours are right now, the hours are what they've always been, the operational hours, and we can only operate at night if the county tell us we can do so. Now, with regard to the concrete batch plant, what we did, because of the nature of that product, and more similar to asphalt than to rock, what we did was to mirror the conditions for the asphalt plant as far as nighttime operation. Now, right now, it's at, there's an option of 120 days of operation at night. Vulcan doesn't believe that that's ever going to happen and can live with a smaller number there. You know, there, in all likelihood, there will be at times, a need for that nighttime operation when certain road work is being done. But, you know, it's not a big plant. So, we don't think, you know, 120, nights is necessary.

Ms. Barnes: But you are amenable to reducing that to say, 60?

Mr. Leming: Did you say 60?

Ms. Barnes: Yeah. I think, I mean...

Mr. Leming: Yes, mm-hmm.

Ms. Barnes: Okay. And I do want to clarify something. You said that the asphalt manufacturing plant is a completely separate entity; however, it is included in the conditions.

Mr. Leming: Well, they're reflected there. We have no authority to change anything about that asphalt plant.

Ms. Barnes: So, they're the exact same and they're just kind of put in there for informational purposes?

Mr. Leming: I don't represent the asphalt plant and neither does Vulcan., okay.

Ms. Barnes: Okay.

Mr. Leming: Now, so, nighttime hours is fine. Now the other issue here was commencement time. It is important to the concrete batch plant because, again, because of the nature of their work that they be able start early. So that's why we've asked for the 5 o'clock start up time. Now, this, the significance of that is that this plant has 5, 6 trucks? And any given truck could only possibly come in and make 1 trip out during that period of time. And probably even that would take longer. So, but because of the nature of what they're doing, what the concrete is needed for, and because of the short shelf life, you know, there needs, Vulcan believes there needs to be some flexibility there. So, they would like... they're okay with the nighttime reduction but they would like to retain that 5 o'clock start time. Which would be 1 hour earlier than the rock quarry opens. Okay? And, and we're talking about the mixer trucks that would be leaving during that period of time. And that's what they do now. That's what if you go over here at 5 o'clock to the to the concrete plant, you'll see that's what they're doing.

Ms. Barnes: Mr. Leming, I'll probably want to discuss that one after the public comments too, if we can make sure we keep, keep that information fresh in our mind.

Mr. Leming: You want me to keep something fresh or you're going to keep something fresh?

Ms. Barnes: Yes, you do.

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Mr. Leming: Okay. Alright, now, we were asked to look at sound walls near the entrance, you know, the construction of sound walls, it means trees come down, we don't think that's the effective way to deal with that. We think the proposal to keep the existing vegetation and to proffer to do that in that location near the entrance is the most effective thing that can be done there.

Ms. Barnes: You can't squeeze them both in there?

Mr. Leming: Hmm?

Ms. Barnes: You can't squeeze them both in there?

Mr. Leming: Well, you're going to lose trees. I mean if you, if you build sound walls, I mean, they have to have a certain amount of support and a certain, yeah, so you'll lose, you'll lose some trees. So, you know, and I do think there's a legitimate question about the effectiveness of the sound walls. Now, talk to us about berms, you know. You want to see a little berm extension, something like that, then that's something that is number 1 more effective and number 2 feasible. Now, the last thing from May 12th was consider the clarification of dust remediation methods referenced in the existing conditions. The, you know, we did have an incident where we had a dry period of time this spring and we had some trucks that were not going through the truck wash and there was a complaint about that and we responded to it. Even before that was communicated to Vulcan, they had put these other truck drivers on notice that they had already, that they must come through the wheel wash. So, you know, Vulcan is not insensitive to this, it's a condition. Again, if there's, you know, a better way to look at it, this is something within, largely within the county's control there. So, but, what they...

Mr. Randall: Mr. Leming, just some clarification. So how many – what would you say roughly the number of trucks are coming, coming out of the quarry? On a daily basis?

Mr. Leming: Number of trucks coming... you mean all trucks? All kinds?

Mr. Randall: Yes.

Mr. Leming: Aaron?

Mr. Keesecker: I'd have to come up with, get that number for you.

Mr. Randall: Yeah, you got 10 minutes until he's done.

Mr. Leming: Give us your best estimate.

Mr. Randall: I need a swag if you have one.

Mr. Leming: Okay. He'll do some...

Mr. Randall: Yeah, the back of the envelope is just fine.

Mr. Leming: Yeah, he'll do some quick computations.

Mr. Randall: Alright, thank you. Yeah, yeah, please.

Ms. Barnes: Mr. Leming, can I ask a question while this is fresh in my mind?

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Mr. Leming: Yes.

Ms. Barnes: As far as the dust remediation goes, the 2001 proffers, which I think are the ones that are... this is for the original area, the original pit... the 2001 proffers, there was a line added in there, vehicles shall be washed down before leaving the quarry to remove mud and dust. And then it was added, if necessary to preclude the tracking of mud onto state maintained roads. That little clause, it's not going to be in there. That if is not going to be in there anymore. They're going to be washed down.

Mr. Leming: Yes, that's right.

Ms. Barnes: Because I think this is the one that's actually applicable.

Mr. Leming: They're required to be washed. They must go through the wheel wash.

Ms. Barnes: So it has to be utilized.

Mr. Leming: Yes. I think he's still figuring.

Mr. Keesecker: Here we go.

Mr. Leming: Oh, he got a number for you. Wow, is that quick?

Mr. Keesecker: Between 150 and 175 trucks a day.

Mr. Randall: Okay.

Mr. Keesecker: *Inaudible*... trips.

Mr. Leming: So, trip, that means round?

Mr. Randall: Okay, is that... trip, when you say trips, where are those trucks locally stored? When you're done with them at night, where do they go?

Mr. Keesecker: They're not our trucks.

Mr. Randall: Those are all private trucks, correct?

Mr. Keesecker: Customers.

Mr. Randall: Customers who come in and get your rock and then they go away, right?

Mr. Keesecker: Correct.

Mr. Leming: It's important for everybody to understand, because there was some confusion about this I think at the public meeting, these aren't Vulcan trucks. These are privately owned vendors that come and haul Vulcan stone and many other things, too.

Mr. Randall: Okay.

Mr. Bain: Is that 150 coming in and then 150 going out? Or is it 150 total? So it would be 300.

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Unknown speaker: Inaudible, microphone not on.

Mr. Randall: So, about 150 trucks come through there.

Mr. Bain: Per day...

Mr. Randall: Okay, do they get inspected on the way out before they get to the man road? Does somebody look at them on the way out? Make sure they're covered, make sure they go through the wash? How do we, how do we ensure that?

Mr. Leming: Aron? Come on up, Aron.

Mr. Keesecker: Aron, Keesecker, manager of the quarry. So, per VDOT, those trucks have to be tarped; they cannot get a ticket before they leave that quarry when they go over our scales. That's VDOT law.

Mr. Randall: Okay, that's how that works.

Mr. Keesecker: Yes. They cannot leave our site without having their loads covered.

Mr. Randall: Okay.

Mr. Bain: And that's only for the trucks that are carrying stone, or...?

Mr. Keesecker: Yeah, any truck that gets loaded on our site, before it leaves our site if he goes over our scales and gets a ticket, he has to have a tarp.

Mr. Bain: But I'm asking, does that include the trucks that are carrying overburden offsite?

Mr. Keesecker: Yes, yes.

Mr. Bain: Okay, okay.

Mr. Randall: Okay, so, just so we're all clear, they come in empty, they pick up rock, they go get weighed, you give them a ticket based on the weight of the truck before and after so they know how much rock that you're going to... that they're taking so you know how much you're charging them for the rock, right. You do an inspection to make sure that they meet all the requirements. Do they go through the wash before or after the ticket?

Mr. Keesecker: They go through the wash before they enter the scales.

Mr. Randall: Okay. So it's rock, wash, scale...

Mr. Keesecker: Yeah, rock, wash, scale, the tarp is on...

Mr. Randall: ... inspection, inspection, and then the ticket and then they're out.

Mr. Keesecker: Their load is covered before the green light hits before they can leave our scales.

Mr. Randall: Okay. Alright, thank you.

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Ms. Barnes: So, what happened this last, when we had this problem when it was very dry, if those trucks were being washed down, why was 610 such a mess? I mean, were they not being washed down?

Mr. Keesecker: No, they... we had a few trucks that were carrying overburden on the property that did not go over the wheel wash, which we corrected that immediately.

Ms. Barnes: Okay, thank you.

Mr. Bain: Because they did not have to get a scale and ticket, right?

Mr. Keesecker: Yes, correct.

Mr. Leming: So they didn't think they had to do the wheel wash either, but they do.

Mr. Bain: I see.

Mr. Keesecker: Yes. Yeah, we corrected it immediately.

Mr. Bain: Let me ask, while you're up there, the tarps are supposed to provide dust control. But some of the residents have said, when they come out and make the turn onto 610, stone falls off the truck. Now, it may not come out of the bed of the truck; it might be caught on the sides or something, the stone falls off the truck. How are you controlling or monitoring that so that when they turn out of Vulcan Road onto 610 you don't get stone falling onto the highway?

Mr. Keesecker: Yeah, I mean, the drivers, when they get loaded, they check their trucks to make sure there's no fugitive rocks hanging on the bed. So, when they pull up to the scales, they pull their tarp over. If they're within that legal limit to leave the property, they have their tarp over and, again, I have a very strict scale clerk. She ensures, because that's her license on the line, she ensures that those trucks are within what the DOT requires.

Mr. English: If they don't have their load covered once they get on 610, they could get a ticket.

Mr. Keesecker: Yes.

Mr. English: So it's up to the individual driver; it's not up to you guys.

Mr. Keesecker: Yes.

Mr. Bain: But the cover's not going to stop rock from falling out, that's what I'm wondering.

Mr. English: It's supposed to be.

Mr. Keesecker: But, yeah, that's what the tarp is... that's what the load is tarped to prevent material...

Mr. Bain: Is it tight enough to do that?

Mr. Keesecker: It's all spring-action. The way it's supposed to be later is all up to the driver to inspect their trucks to ensure that their tarps are holding in the load.

Mr. Bain: Okay. Alright, good. Thank you.

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Mr. Leming: Okay, one last question from May the 12th. Data on the amount of rock exported from the County versus used in the County. Vulcan put together data, and we'll be happy to share that with you, too, over the last 6 years; 71.6% of the rock used from the Stafford quarry has been used in Stafford County. So, the overwhelming majority of the rock stays right here and is used right here and is used right here in Stafford, okay. And we'll be happy to share those numbers with you. Now, a couple of other things that have come up. There was a, and these are from the meeting last week or the meeting that we had with Mr. Randall and Ms. Barnes, air quality testing outside of the quarry. I think we've given you a yes on that. Yes, we will set that up so that there can be such testing there. Again, I think that is probably a condition, Mike, rather than a proffer. We'll get that straight, but we are perfectly agreeable to doing that. Additionally, and we touched on this briefly, additional plantings next to Eastern View and Raintree. As I indicated before, we're looking for a buffer yard standard and, there is some time, particularly under these proposals and the new dates that are being applied to start something there, and it'll have plenty of time to come in and reach maturity before Vulcan returns back to that area. So, there's an opportunity there that does not exist right now. Now, those are the, a couple summary comments, but those are the main things I wanted to cover. Glen, were there any other specific things you wanted to address? Okay. So, in the way of summary, some people look for positive things to say about rock quarries. And sometimes it's hard to find them. But, here are 3. Number one, as I just indicated, Vulcan's providing an essential service primarily to Stafford County. Now, rock is a natural resource that everyone uses and the having it in Stafford County does reduce, and we can give you some comparisons here, too, does reduce substantially the cost of transport of that rock that serves Stafford County. So, important natural resource. And you want that resource. And I note what they're doing to hold onto Vulcan in Fairfax. They want Vulcan to stay there, so they're leasing to them land back so they can still continue that quarry operation there because they want to keep it there in Fairfax, much bigger than Stafford, but they understand the significance of the presence of rock. Now, secondly, over the life of this quarry operation, there have been no founded violations, federal, state, local, of any kind. Now, some of you know there've been some allegations recently, a flurry of them, after Vulcan announced its plans and hearings were set up. There were three different investigations, none of which were found. They were all dismissed because there was no violation. Vulcan operates... Vulcan's a lawful corporation and minds its business and knows where the lines are and how it has to operate. And they're the best at it. Now, finally, this is to the extent that there are perceptions or there are actually problems with the current state of affairs, these applications are the opportunity to address those. As things stand right now, Vulcan is going to be where it is, doing what it's doing, for at least another 64 years because of the dates that are in place now. And those... the County still has to decide yes, and we want a second pit. But as long as there's rock there, Vulcan will mine. So, we've come up with some things that we think are mutually advantageous. They do, they do increase the size of this supply reservoir, but those three things I think are the most important positive things to say about Vulcan and these applications. Okay, I know that you've got a lot that you've got to get through tonight, so thank you very much for your patience. And I'll conclude at this point unless there are any other questions.

Mr. Bain: Just one last one from me.

Mr. Leming: Yes sir.

Mr. Bain: What are the hours of operation for these private trucks coming to and from?

Mr. Leming: Well, they can't come into the quarry before you're open, right?

Unknown speaker: *Inaudible, microphone not on.*

Mr. Bain: Okay, 6 AM to ?

Unknown speaker: Six PM.

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Mr. Bain: So, 6 AM to 6 PM. Alright, thank you.

Mr. Leming: And then on Saturday, 6 to 1?

Unknown speaker: Seven to one.

Mr. Leming: Seven to one, okay. So a shorter day on Saturday. Okay, no trucks Sundays, holidays. Okay, thank you all.

Mr. Randall: Alright, thank you. So, the intent was that we would not ask any questions. You can see how that worked out for us. We tried, but Ms. Barnes tells us that she'll be asking questions long into the night. So, at this point in time, we want to continue the public hearing. We opened the public hearing on the 12th of May. We continued the public hearing to tonight. And then we'll make a decision at the end of the night whether we continue it or whether we close the public hearing for the night. And so, this is an opportunity for anybody that... yes? I gotcha back there. *[Laughter]* Don't think I forgot about you. In fact, I'll let you be the first one, how's that? Will that work for you? Alright, you'll be the first one up here. This will be an opportunity for you to speak about the Vulcan Quarry, and only the Vulcan Quarry, as part of a public hearing. Please limit your comments to 3 minutes. The green button will come on when you start speaking; the yellow one will come on when you have 1 minute left; and then the red one, when it comes on, you'll need to close up your comments. Please announce your name and your address when you get up. This is not as it was on the... last week, a question and answer period. This is your change to voice your concerns and comments about it. The applicant and staff will be making notes. They'll hopefully at the end of this have a chance to respond to your comments and your concerns. And so to that, please... I don't want any wasted time. People coming up. So give yourself 2 to 3 people in line and then we'll start. And ma'am, I'm going to bring you up first.

Ms. Prokus: I guess I don't need to introduce myself again.

Mr. Randall: Yeah, no, you'll need to do that again for us please.

Ms. Prokus: My name is Elena Prokus. I'd first like to thank and compliment the Planning Commission members on their excellent questions. They've been very helpful in me trying to understand what is going on here. However, some of the questions, or my questions, are related to what I hear personally, not necessarily the science of it. We have lived on Toluca Road for 22 years. Throughout these 22 years, there have been continuous meetings and changes and, you know, various things that they wanted to add. And I'm just asking, when will it ever end? We have been most effected not by the blasting, but by the noise of the asphalt plant, which is allowed to operate 120 days all through the night. However, we have also had to listen to quarry rock noise, even on this very day. And it is very loud. We can hear it and the asphalt operations inside the house with all the windows closed, especially when the leaves are off the trees. I project that that noise will even be louder when the trees are torn down and the sound can travel even more freely. I hear a lot about the operation of the quarry hours. I have found that over the years, the operations at the rock section are not always followed. There's noise at the quarry that is not asphalt noise into the evening. We can hear the banging of the back of trucks. I have called Vulcan Quarry and they say that they can't always control what the trucks do. Sort of hearing it differently from here. We can hear the banging of the backs of the trucks, the stone being loaded often in the middle of the night. I can't imagine that all those trucks are from the asphalt plant. We were told at one of the meetings it would be 20 years before this expansion project would begin, but here we are and Vulcan wants to change their promises of donating land until 20 years later than when first offered when negotiating changes. They want to change the location of a creek that is near wetlands. And Aquia Creek is part of the Chesapeake Bay Watershed. There is always something more they want every few years. And now we come to news of the concrete plant, which Vulcan already has in

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operation near Stafford Courthouse. The asphalt plant will be moved farther away so the Eastern View folks will be affected by that noise. I am strongly against the building of a concrete plant. I have many questions about the noise, why it's necessary to have it, who is overseeing the hours, and also the hours that they're allowed to operate throughout the night. I'd like to know when is the projected date of the concrete plant being built. And when will the stream that they're talking about relocating, and I have no idea how that can be done without causing some effect on the environment. And has an environmental impact study been done with regard to runoff into Aquia Creek, the disruption of the eco system down Black Jack Hole at Aquia Creek, cemeteries, slaves...

Mr. Randall: Ma'am, can I have you wrap up your comments please?

Ms. Prokus: Okay, sure. In summary, we are strongly against building of the concrete plant, moving the stream, tearing down trees. Maybe one time in our 22 years here on Toluca Road the Planning Commission and the Board of Supervisors will finally say no to some of their requests. Thank you.

Mr. Randall: Thank you.

Ms. Williams: Sandy Williams. On May 17th, I wrote an email to all the members of the Planning Commission detailing the history of the Gallahan property at this address. For those who don't know, this land consists of 55 undeveloped acres of creeks, wildflower meadows, and old growth forest that is contiguous not only to the quarry but also to the parcels of land that Vulcan wants to alter forever. If you allow the quarry expansion onto these agriculturally zoned lands, it will block wildlife migration routes and destroy natural habitat that should be protected by the June 2000 Wildlife Protection Plan which Stafford County approved. Has this plan been discarded? Twenty years ago our former planners were looking forward to the day when these lands could be turned into parks. Vulcan claims that they are dedicated to making future green space. So why would they then look to destroy potential park land? And what is the back story on the County not accepting their offer of lands for parks? And who is to say that Vulcan won't ask for another extension in 2055? Why do they say one thing and do another? That creates an atmosphere of mistrust. In 2013, the Gallahan sisters decided to place their childhood home and lands into a protective conservation easement with the Virginia Outdoor Foundation to keep it from being developed, ever. They wanted future children to have the same opportunity to learn about and enjoy the nature they treasured. Hasn't the pandemic shown us just how important it is to have easy access to nature? Hasn't Stafford County planned or pledged to have a certain amount of green space for every resident? Is the short-term economic impact more important than the long-term goal of improving the quality of life for all of Stafford County residents? Here's a clause in the legal documentation for RVOF Conservation Easement: *The protection of the property by the easement is consistent with and fulfills the goals of the Stafford County Comprehensive Plan, to protect and conserve the area in and around the Vulcan Quarry site for open space and park area.* This was only 8 years ago that this was done. My family is devoted to protecting and conserving natural resources in this family... I mean, in this country in the past, in the present, and into the future. So please do not say one thing to your Stafford community and then do another by allowing this request to go forward. Thank you. [Applause]

Mr. Jones: Hi. Before I start, could I get the GDP slide put back up? And Mr. Randall, it's nice to see that you represent the Gainesville District in Stafford.

Mr. Randall: I can be responsible for lots of things, but there are some things that I have no control over.

Mr. Jones: Can you guys see it?

Mr. Randall: No, what you see is what we see.

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Mr. Jones: I'm saying, you can see what I'm looking at?

Mr. Randall: No.

Mr. Harvey: Computer please.

Mr. Jones: Oh, there we go. Okay. So, again, as I... sorry. Kenneth Jones. I wanted to point out that I had spoken about this at the last meeting and the... I just have grave concern over the property, the way the berm is set up, the way the creek... stream is going to be relocated. Behind my property there is none of this green undisturbed area. And then, as you can see, the berm, the little brown area that runs along the west side, very narrow as compared to what's on the east side. That area on the east side also includes the attorney for Vulcan who has a nice big buffer behind his property. But, behind my property, I'm going to get a buffer of a berm right up against the property line. I have 23 acres roughly there along that area that is future growth for my children or maybe grandchildren. And who knows what's going to happen in the future as far as being able to build near that, if it's allowed to come all the way up to my property line. And I just... I don't think, I think the County should have some kind of a standard. They mentioned that, you know, as far as how they do the undisturbed area and how they do these berms. They should be the same all the way around. Our quality of life, my children's safety, my grandchildren's safety, is no less than any of the subdivisions and the wide area they have that separates their property from this quarry. As far as the quarry itself, I will state, Mr. Leming said, you know, find people to say good things. I've been a neighbor, my family's been a neighbor of Vulcan since their inception. They are a good neighbor. They don't bother us. They take care of things. I just think that there should be some standard that the County should hold them to as far as how they align these things. Thank you.

Mr. Randall: Alright, thank you. Next.

Mr. Jones: My name is William Jones. I live in the Eastern View development. To the Planning Commission, I would just ask that you look at the proposed Vulcan expansion through both the eyes of dollars and cents, and get common sense and reject it. Vulcan Quarry as part of Vulcan Materials is a public company and as a public company, the Securities and Exchange Commission requires that Vulcan has an annual financial statement audit conducted by an outside CPA firm. As a licensed CPA myself, I was expecting to see a copy of Vulcan's audit and financial statements to accompany their impact statement. However, Vulcan did not provide that to us. A close examination of Vulcan's audit and financial statements most likely would have revealed that as a mining company, machines and tools used in quarries are probably Vulcan's largest class of assets valued at millions of dollars. Stafford County, as most jurisdictions, assess tax on these types of assets, but I was surprised to discover that since 2013, Vulcan has paid zero taxes on these assets based on the 2013 Stafford law that repealed the tax on machinery and tools. Instead, Vulcan has paid an average of \$3,600 annually on other business personal property tax. So let that soak in. Stafford County repealed the tax affecting one of the largest companies in the County in an area where the County would have probably gotten its largest assessment, and instead settled for \$3,600 annually. In their impact statement, Vulcan compared how the additional tax, particularly with parcel 20-3A and 20-3 combined, would bring about an additional \$3,000 to the County. But they also compared that if it was made into a residential with 7 units, it would bring in about \$34,000. So, you do the comparison; \$34,000 versus \$3,000. The County is not benefiting in that. In their impact statement they also asserted about their real estate taxes. They said on average they pay about \$88,000 in real estate taxes. You take my development, Eastern View, alone. There's 161 units in there, and using Vulcan's own logic as a 7-unit compartment, there's about 23 lots. That's over \$800,000 in real estate taxes a year. And that's not even including the properties on Toluca and the other affected residents in here. So, my question is, why would the voices of citizens who provide almost \$2 million in tax revenues to the County be less important than the voice of one company that provides about \$88,000 in tax revenues? To approve this expansion is a zero value added to the County, as well as the

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affected residents. And I would say that denial of this expansion won't be a financial ruin for this company. Don't take my word for it; just look at the facts about the company. Vulcan has been successfully sued and blocked by other jurisdictions for this type of expansion and the company has continued just fine. They've been sued by California, they've been sued in Texas, and just recently in 2001 in March, the judge ruled against them for this type of expansion asserting that Vulcan's assertions that the quarry would not harm human health or welfare was not true; Vulcan's emission calculations were not true; and Vulcan's air quality analysis were baseless. So, again, to the Planning Commission, I would just say take a look at this through dollars and cents, and good common sense, and reject this proposal. Thank you. [Applause]

Ms. Maddalena: Sorry, a little bit restless right now. I don't know how I'm gonna follow that, but I'll try. My name is Ivelisse Maddalena. I must preface this statement by stating that these are my views alone and not the state of the U.S. Military in any means whatsoever or other members' of the military service. In response to Mr. Johnson, the County has stated that its inspections are complaint based, which I find shocking considering the number of air pollutants that are being generated and mitigated by Vulcan. Coupled with that statement Vulcan made to Mr. Smith letting him know that they have no third-party monitoring, and they self-report for air pollution, which I am just completely alarmed by. Knowing that Stafford is only prepared to react to a problem, and not prevent it through inspection, is disturbing. I thought I'd mention the things you won't be able to properly react to if this plan is approved. Several studies have been conducted evaluating the health effects for the populations living near cement plant. The consensus amongst these studies indicates a statistically significant risk for respiratory diseases among children in those communities with an attributable risk of about 38% of hospital admission due to the exposure of cement plant exhaust. Risks were also higher for females and within the age groups of 35 to 64 years of age. These studies found an association between both nitric oxide and nitrogen dioxide, which are both known for their contributions to the formation of smog and acid rain with respiratory and cardiovascular illnesses. These dust plumes are said to be controlled through saturation with water that we already have established as low in supply within our County. Also, many of marines, soldiers, airmen, seamen, and coastguardsmen living within these communities are at a higher risk of negative health affects from air pollution. We all know that these communities are home to a large percentage of veterans, such as myself, a retiree, or active duty service members that are renting these homes. And we all know that they were exposed to a multitude of pollutants while serving their country and protecting sacred freedoms. Some of us were exposed to open-air waste pits, known to you as burn pits. Some of us were exposed to alarming amounts of sand and dust particulates for long periods of time. Some guarded oil well fields during Operations Desert Storm and Desert Shield. I may be just trying to relax in retirement, while others may have been present for the sulfur fire in Iraq in 2003 that has actually lead to early death in veterans. Service members are high-risk population within these communities. I have personally witnessed the effects of these types of air pollutants on service members, and I would be horrified to see my neighbors and their children be impacted in such a way. Service members have fought and served shoulder-to-shoulder in terrible conditions voluntarily, and deserve to live in their homes, whether owned or rented, with the peace of mind that the Stafford County Planning Commission will serve to protect their best interest at home and those of our neighbors that we protected and served for. I also please warn you to realize that correlation does not imply causation. As a scientist, I warn you that you will be provided with studies that reflect one or the other, but please know that correlation does not imply causation, especially for our home values. Thank you. [Applause]

Ms. Johnson: I have a copy of this for you guys, I don't know, is that to you?

Mr. Randall: Thank you.

Ms. Johnson: Okay. My name is Rachel Johnson. Last week I was told a quarry likely had no impact on assessed values of our homes. Being trained as an economist, I'd already looked at the studies, proving otherwise. My husband and I moved from Richland, Michigan, where we owned a home. When a study was

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commissioned by the Richland Planning Commission with the W.E. Upjohn Institute for Employment Research who used the findings of Auburn Economics Professor Diane Hill to look at property value loss from potentially building a quarry there in Richland, they concluded residents would lose \$31 million in property value. This Commission's study's been referenced numerous times when areas all over the country are considering building or expanding quarries by rezoning adjacent properties. Even here in our state, as shown by the following correspondence between Campbell County residents and Senator Jim Webb, about Boxley Materials wanting to come to town. I quote, "When residents and developers purchase residential/agricultural properties in Evington, they had a reasonable expectation that future zoning changes would not adversely impact their property values. Changing from residential/agricultural to heavy industrial zoning with a special use permit for quarrying is the most radical change possible, and will destroy the character of the area for hundreds of years. Many people in Evington have very little other than their property, and a devaluation of that property would be devastating to them." But now, back to the Richland study, which used well-respected hedonic pricing models and showed, it showed a definite statistical correlation between property distance from a gravel pit and that property's sale price – not assessed value, sales price. Specifically, properties adjacent to the gravel pit experience up to a 30% reduction in sale price, with prices increasing 1% every 10% increase in distance from the operations. At a mile, reduced 14½. At two miles, reduced 8.9. Three miles, 4.9. We shouldn't need a study to show us this. Even the study mentions the results reflect the common sense observation that property that is near sources of noise, pollution, traffic congestion, and blight, like looking at a concrete plant, will be less valuable. Vulcan is asking to expand hours and physical boundaries of the mining by rezoning adjacent properties. The question isn't will home values be impacted, but what is the net decrease in our values. We all know we might not see a change in our assessed, but we know the impacts it'll have when we try to sell. Only adjacent properties were even notified of this when, in fact, it's up to 3 miles away. So people that could be in the 1 to 2 mile range are now in the 0 to 1 range. That has a huge impact on their property values. Lastly, the study assumes similar impacts for what's called similar environmental disamenities. These are things like concrete plants, asphalt plants, and landfills. Is adding a concrete plant gonna have a compounding decrease on property values, or a smaller, but still significant, one? I think we all know yes. Thank you. [Applause]

Mr. Eastland: Jeff Eastland, I live on a small farm, 7-acre farm, just west of the quarry. I've been there 22 years. During which time, as we've noted from the comments, the goalposts keep moving as to what Vulcan is going to do with this property. I'm also an environmental studies major and, quite frankly, some of the proposals, however sugarcoated they are, are unconscionable. You know, we're a microcosm here really of the country, which is to say that the powers that be in governments tend to always side with large corporations over the health and well-being of the citizens and the environment. That's changing a little bit now, thankfully, as people are starting to wake up to what is going on. But this board itself, this body, has a decision to make. Do you side with the people? Or an out-of-state corporation? The ball's in your court. We're all watching. [Applause]

Mr. Kaiser: Good evening, my name's Uriah Kaiser. I'm a resident of the Rock Hill District and my in-laws, my mother- and father-in-law live in the Suburban Estates neighborhood. I'm representing them as well; they cannot be here tonight. Chairman Randall, members of the Commission, thank you so much for having us in here and talking about this tonight. What we have with this project, well, we're deleting a proffer for a public park. We're extending the hours of the operation of this facility. What are the neighbors getting? A new concrete plant in their backyard. And we're extending the estimated lifespan of this operation by at least 100 years. Taking all that into account and knowing that the probably effect on property value in this area and that the noise has had that we can consisten... I always hear when I'm over visiting with my in-laws, which we do almost daily – it's great to live down the road from your in-laws, trust me. It's good to have family around – and the cracks in their chimney that we surmise that the vibration has played a roll in those cracks. Mr. Chairman, members of the Commission, I urge you not to recommend this project to go forth to the Board of Supervisors. And also, knowing that you do have a duly advertised public hearing, I do

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hope you keep this public hearing open, because you spend the beginning of this presentation asking for information that you don't have. So, clearly, about sound and vibration and impacts, this project is not ready for prime time. You don't have the information that you need to make an adequate decision and we, the public, haven't had that information and a chance to weigh in on it. So I do hope that you keep the public hearing open later on. And finally, I will say that there is a smell of conflict of interest here. You know, the Vulcan is in this, we've learned, for at least \$12 million. And they purchased property and they obviously would like to see this go forward. And my comments, I'm gonna preface this with that by no means is this disrespect to two members of our community who have served Stafford for a very long time, Ms. Patricia Healy on the School Board for 20 years, Mr. Leming as an attorney who's helped many business owners get a foothold in Stafford County and prosper in our community. But, it cannot be ignored that these two are beneficiaries of the sale of a property to Vulcan. And now, Mr. Leming is actually representing the company to give us a concrete plan and an expanded hundred year lifetime of a rock quarry. And, so that raises questions about a company that would choose to do that. Again, it smells of a conflict of interest and I just wanted to point that out. Don't know if anybody would notice that, but we certainly did. So, thank you very much. [Applause]

Mr. Randall: Thank you.

Ms. Kraft: Thank you Planning Commission and thank you Kristen Barnes for your wonderful questions. I am so proud...

Mr. Randall: Could you state your name for us please, and your address?

Ms. Kraft: Oh, sorry. I'm Christine Kraft. I live in Eastern View and I have to say I am so proud of the citizens of Stafford County, of my neighbors, and I'm so appreciative of their intelligence and their willingness to be good citizens. I'm not an engineer. I'm not a lawyer. I wish I was. But I've been a resident of Eastern View for 30 years. For 30 years Vulcan has been our neighbor. We're not asking them to desist in what they do; we're asking them not to bait and switch. And we're asking the Stafford County Board of Supervisors to have our backs the way they did when we first bought our property 30 years ago in Eastern View. There were ordinances and regulations in place because we looked seriously at the quarry and we thought because we are protected by Stafford County government, we can buy here and we can enjoy this property and this beautiful neighborhood. And we've watched Stafford County grow. And there have been some missteps. And perhaps one of the greatest travesties will be if the Planning Board, if the Board of Supervisors continues to permit Vulcan to expand and basically get whatever they need. I hear the concrete plant needs to open at 5 AM. That is their need. Have they thought of the needs of the citizens in this? Of course, they're a corporation; all they care about is profit, I understand that. Who is responsible for this? Is the Planning Commission? And the Stafford County Board of Supervisors. It is my understanding that it is we the people, that we voted... I've paid at least \$100,000 in property taxes to Stafford County while I have been here. Then you multiply that by 160 of the homes that are in my neighborhood. Unfortunately, Vulcan didn't feel that it was important enough, and I mean you might consider this a rerun from last week, they didn't consider it important enough to bring a picture of the new and improved concrete plant. But I want you to take a good look at this. They didn't bring a picture of the new and improved, which was supposed to be so comforting to us, that they're going to put in. All we have is what is over there, what they are now using. I asked a representative of Vulcan who I spoke with last week, his name was Mike and I don't know what his last name was, he was from Arlington. I said who owns that property that their current concrete plant is on? He wasn't able really to answer that, but the idea I got was from his was that it was Stafford County that was pressuring the concrete plant to have to relocate. And we've heard conflict of interest at least once tonight. If indeed it is Stafford County that is pressuring them to leave, and their Plan B is to stay until they can find something else because it's Stafford County that's pressuring them to leave their current location, I see a grave conflict of interest. Maybe it's just my perspective. Do not permit this concrete plant

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to go in. If it had been there 30 years ago, we would not have bought in Eastern View. We would not have ended up paying \$100,000 to Stafford County. And neither probably would anybody else who's located in Eastern View who have been great citizens, who have been military as we've heard, police officers, teachers. That doesn't even bring up the dust issue of the concrete plant. But, if we've learned something through COVID, it's how precious our lungs are.

Mr. Randall: Could you wrap it up for us please?

Ms. Kraft: I will wrap up in 1 minute. We get one chance at our lungs. There's no quick fix like there might be a quick fix if it weren't so inconvenient that our subdivision is located right next to the quarry. There's no quick fix for our lungs. Once they're corrected, once they're contaminated, that's it. So, I appreciate your time. And thank you very much. *[Applause]*

Mr. Randall: Thank you.

Mr. Grabner: My name is Duane Grabner. And I was listening to the sound study, the sound study engineer was up here and gave a whole presentation about the different levels you're going to be checking, like the trucks and the equipment and everything else. But there is... it was all about the levels of the sound, and not about the health effects of the non... health effects of non-auditory. And what I mean by that, there's auditory health effects, which is your hearing loss or hearing damage. And then there's non-auditory, which is things like stress, anxiety, and those causes. And there's been significant studies done about that, that it causes cardiovascular problems and all kinds of other health problems. And that goes beyond just the dB levels. Just to... I'm gonna just go into just a little bit to maybe help illustrate some of this. It is just my day today. I woke up at 6:30 this morning, rolled out of bed about 6:35, and I could hear Vulcan already in action. You hear this constantly grumbling and grinding sounds and all kinds of just kinda racket just going on. And my wife actually sat up in bed and said, hey, what's that sound? And I said, oh, you mean the quarry? And she's like oh, I thought there was something wrong with the house, like maybe a pipe broke and there's water leaking or something like that. But I'm like nope, it's just the quarry. So, I go out jogging, I'm jogging around the neighborhood, and everywhere I was, I went throughout the neighborhood, everywhere I was I could hear the quarry and it was like surround sound. It just bounces all over the place. This is stressful. This is what causes these problems. We should be living out here; a lot of us moved out here to get away from the city life. We work up north. That's why I moved out here. I was working up north, moved out here because it's more of a rural area, it's a nice place to raise your family. And then you're hearing all this industrial noise. And this industrial noise didn't exist until about 2013 when they built that berm, which was supposed to help resolve it, but it did not because they took out a buffer of I don't know how many feet of trees, a very mature canopy of trees that was blocking a lot of that noise prior to that. So, anyways, to go on with my day, I'm working from home – obviously COVID kind of inspired that – and I could hear all day this just constant grumbling, grinding sound. So, then driving here, which was interesting. Actually, driving here on the way, I witnessed a concrete truck going across the intersection and a bunch of concrete just spilling out the back of that hatch in one of those big mixer trucks. And I'm thinking, this is what they're bringing out to 610. A busy highway, you've got a high school there, kids travelling, and you're gonna have all this concrete, like this, I'm sure it's gonna happen a lot. So, well, my time's about up but, my main conclusion to this is just this is affecting our life and our everyday life. And it's only gonna get worse with the expansion. This is what's going on now. With the expansion, all this is going to just get worse. And one of the things that I'm thinking about is you think about the levels of noise, dust, and the traffic that the quarry generates. What kind of precedent, if we allow this, what kind of precedent do we set for other companies who want to move closer to neighborhoods? Where does it stop? *[Applause]*

Mr. Randall: Thank you.

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Mr. Freeborn: Good afternoon, good evening. David Freeborn, been here since '94; 27 years. I raised my daughters, my granddaughter there. I don't think the proffers are a good thing to go forward. You know, they keep talking about traffic studies and stuff like that, they've done, they've not done, they elude to a different quantity of traffic. I went out there on the 15th and 16th, for a few hours on the 15th, I went on the 16th, parked by the entrance and I counted all the vehicles. This morning I went by the cement truck... the cement plant and I counted the vehicles there. I don't know where this 6 vehicle thing comes from. I would just say that today I counted, today, 22 trips, which is 11 trucks, you know, in and out, so 22 trips; that was 2½ hours. So, you multiply that by 3, how many trips have you got? I don't know where 6 comes from. Got a whole fleet of trucks I think. So on the 15th and 16th when I was counting them, I counted from 3 PM till 5:30 one day. Yeah, your people do leave about 4 o'clock, your trucks. Your other staff leaves between that and 5. On the 15th, 3 to 2:30 I counted 18 trips. The 16th from 7:45 to 2:30 I counted 280 truck trips. Now a truck trip to me is, a truck goes in, that's one trip. A truck comes out that's 2 trips. So, you start adding up all the trucks, and you've got a monstrous amount of trucks. You've got... if they move that cement plant down to 610, you're talking probably 300 total truck trips going back and forth, 300, going up and down 610, going through all the intersections. All the trucks that I saw, they entered from the east and they left to the east. So, they're all going down 610. I don't know if they're turning on Shelton Shop or if they keep going. But, so I don't know where 6 trucks comes from. Cement plant... when I was there watching the cement plant, yeah, they've got some dust collection. But every time that bucket loader would drop a load of stone or gravel or whatever they're dropping in the hopper, there's plumes, plumes of dust going up. That's what we're gonna have in our neighborhoods. So I just think it needs to be stopped. You know, the expansion needs to stop. That's all I got. *[Applause]*

Ms. Smith: Good evening. How are you? I see Barton's already smiling at me; I'm good. I'm Denise Smith, I'm actually the soon to be new owner of 760 Garrisonville Road. There was a little confusion last time. I am the new person coming in. My plan for this place, and like Sandy said earlier, it's 55 acres of old growth forest. It is beautiful. It is peaceful. On Saturdays and Sundays it is glorious out there. Even the traffic on 610, Garrisonville Road as I've known it all my life, my great-grandparents farmed what is now Park Ridge Subdivision. This is how far I go back. You guys can talk about your 20 years, I'm not gonna say exactly how old I am, but I'm in there. I'm definitely above the 22; I've got a 22 year old right back here – proof. Anyway, my plan for this is to be a community space. I currently teach horseback riding. I have different places where I have to leave my house to go and teach. I'm bringing that out to Garrisonville Road. A home that I love. A home that I've grown up across the street from. A home that I've known all of my life. The house was built in 1928, way prior to Vulcan even thinking about being in Stafford. To give you just a little bit of a hint, 1976, when Vulcan moved here, Garrisonville Road was two lanes, barely paved, barely paved. North Stafford High School wasn't built until '81. So, when we keep talking about oh, well, you know, the quarry was here first, the quarry was here first. The quarry was there, right dead in the middle of that acreage that they have now. They have been allowed to expand outward, and rightfully so. Make your money, take the rock, it's good use. We all need rock. We've been there, done that, heard that, thump, thump, thump, all we want to. The problem is also, the subdivisions have been allowed to expand toward the quarry. At some point we've got to draw a line guys. We're already, how many years? Would you say 64 more years? I think that's enough. I think you've heard over and over and over again that we have all of these people that have already said it's enough. It's enough. We don't need a hundred years. We don't... there's no reason that quarrying these little bits that they're showing us on these maps back out is going to take a hundred years. There's no way. And no reason for it. What I want to say about my business and my purpose in being here, and it's not all about me, but this community space that I want to be a retreat, I want it to be a healing space. I'm planning on building a non-profit in order to be able to use that retreat space for people like you, our first responders, our military, to be able to come and have respite from living in, sorry, Garrisonville, 610. This crap's stressful. You guys know. You guys know how stressful it is to live and drive around here. Rezoning this property and giving them special use permits severely limits what I can do, especially if the hours are expanded. If they are over there crunch, crunch, crunch, crunch, crunch, it's almost

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like a train driving through your property. Even in the middle of 55 acres. And I'm not even in the middle; I'm all the way up on the road. All day long. Crunch, crunch, crunch, crunch, crunch. Beep, beep, beep. Bump, bump, bump. It wears on you. He's right, it wears on you. It's enough. It's enough. If rezoning one piece of agricultural land makes another person's ability to use their agricultural land as agricultural land, something's wrong. Thank you. [Applause]

Mr. Randall: Thank you.

Mr. Turner: Good evening and thank you for hearing us today. My name is Curtis Turner. Is it possible to bring that map up? It was one of the first two or three photographic kind of maps. Close enough. So, I was at the last meeting; it was the first of those types of meetings that I've ever attended. I was at the last meeting and I heard and I saw some things. I saw a map with homes surrounding a mine, and that's what you're looking at here. The margins between the mine and the homes is narrowing with this proposal, and I clearly am against that and I hope that you will be, too. I heard in the invocation tonight that you prayed that you would find the strength to make a good decision about this. And I hope that that's true. Last time, I heard the blasting expert from Vulcan talk about the blasting being within allowable tolerances, and I have no doubt it probably is within allowable tolerances. However, I ask you to look at the people behind me and see how happy they are. These are your constituents. See how happy they are with the blasting, the vibration, and the sound. Vulcan has the right to make sound, and I have... I don't have any issue with that. I'm just telling you that your constituents behind me are not happy with what they get from Vulcan. I heard the application in front of the Commission was to move the mine perimeter closer to the residents of the surrounding communities, and that's apparently what this is. After listening to the blasting expert saying that the closer you are to the blast the more severe the effects from the blast are. Still probably within tolerances, but as the mine moves closer to your constituents in these resident neighborhoods, the more irritating the mining becomes. I've lived in Debra Drive for over 31 years, so I do know what I'm talking about. And I've heard the siren go off every Saturday at 1 PM for years and years and, by the way, I don't hear the siren anymore; maybe it's broken. I've also heard Vulcan express discomfort with some of the questions that were being asked of them. And particularly those questions around what is the benefit of doing this? What is the benefit of delaying the turnover of this reservoir to Stafford County for decades more? I'm not sure exactly what that is, but maybe two decades longer. I haven't heard the benefit in terms of an economic benefit. We just heard the accountant I thought was excellent in terms of articulating the narrow margin of benefit, if any, there has been with this relationship with Vulcan. I don't deny the right to do what they do. I don't deny them the right to make money. I just think that this has gone on in Stafford County for long enough and what's being proposed is not making your constituents any happier. So, if you're having trouble reading your moral compass or your constituent compass, I just ask you to take a look at this map, see what's really happening, in gross, and to look at your constituents in the audience today and the constituents in the audience a week or so ago. No one has come to the microphone saying that they like any part of this arrangement. Thank you. [Applause]

Mr. Randall: Thank you sir.

Mr. Yosca: How you guys doing. Ryan Yosca; that's actually my neighbor. So, I can't really add much more to what's been said. My wife and I, she's a school counsellor and middle school teacher. We both work in Prince William County. We came down a little over two years ago looking for a house to buy. We obviously... that worked out and started a family. I actually have a 14 month old; she couldn't be here right now, she actually has a ear infection so she gets to have fun with that tonight. But we bought the property just because of all the open space behind us. It's a great place to raise a family, to have kids, you know, it's awesome. Everyone around us is all built up except for behind us. Only to find out a couple months after that that the plan to build berms and expand the quarry behind us. We bought knowing there was a quarry there. We knew that there would be sound and some vibrations. We didn't know how bad the vibrations

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were going to be and so I realized I had to put two... *inaudible*... for everything in my house because one's not enough. With that being said, we understood though; it's a business, we understand things have to happen. We don't understand though why it needs to be moved closer and how these berms that they have planned or they are planning to put in is all of a sudden going to either stop the noise or prevent the noise from getting any worse. Just the other day I was in the backyard working and it sounded like, you know, the trucks were coming through the fence behind where I am there. So, I just... I'm just very concerned. I'm also concerned with the potential of the plant being put in there. The wind blows from that direction. I have a 14 month old with another one on the way; I'm very concerned about obviously the health and safety of my kids. I just, you know, obviously it's in your guys' decision, your control, but I really hope you do think about all the neighbors and all those properties that surround the quarry there. Thank you. [Applause]

Mr. Rys: Good evening, Jeff Rys. Thank you for your time tonight. Thank you for the town hall last week. I wasn't going to speak tonight, but after Mr. Leming's presentation I felt a need to speak out. Mr. Leming would have us... would like us to make the conclusion that because Vulcan has authorization to mine the property on the west side of Eastern View, this of course is where their office is, where they're scales are, where their entrance is. Because they can do that, then the conditions they use put in place are to protect Eastern View as part of the rezoning of 20-2 should be thrown out and Vulcan should be allowed to mine there. Vulcan states, we only want to mine the back part of the portion of 20-2. But 1988, when 20-2 was rezoned, Vulcan agreed not to mine 20-2 at all. What is Vulcan going to be asking for in 20 years? I've been watching the Planning Commission over the last couple months and a couple weeks ago there was a proposal for an apartment complex in southern Stafford. Lost my place, sorry about that. The Commission jumped, rightfully so, all over this. What about the traffic on 17. It was gonna be a mess. I thought it was gonna be a mess and I think all of you did, too. So, why aren't we using the same common sense when we're talking about 610? Moving the concrete plant onto the Vulcan property 4 miles from I-95; it's currently located right next to I-95. The Cardinal Company that built that facility built it there for a reason, because it was right next to I-95. So, now it's gonna be 4 miles down 610 with all the traffic, the buses, right by North Stafford High School. When I was teaching my daughter to drive, our intersection, I specifically said, when the light turns green, you don't step on the gas; you wait because cars go through here and notoriously trucks leaving Vulcan blow through that red light. I know that Vulcan can't do anything about that. But, you know what? If the mine wasn't there, that wouldn't happen. So why would we consider adding more industrial, heavy industrial use to an already busy corridor on 610? Again, I've said it before, we're not moving our neighborhoods any closer to the mine. They're coming at us. Thank you for your time. [Applause]

Mr. Baber: Good evening. My name is Ashby Baber and I've been up here to speak previously, so I guess the Commission is pretty familiar with my cracks in my ceiling and my walls that are related to what I believe is Vulcan Materials. One of the things I wanted to ask that could possibly be done, Mr. English has already addressed possibly getting something related to vibration and shaking of the ground, some type of... something can be put in so we can get a recording of that. The gentleman from Vulcan made a comment about they could only go so far down with these sensors because, if you get below 6 or 12 inches, you might hit some solid rock. I'm kind of thinking if they're blasting into solid rock, which probably is what they're blasting into, that's why they got to blast. I would think that vibration may come through the solid rock that's under my house. And proof of that was in 2011 when they had the earthquake in Mineral, Virginia, you know, there was a wide variation of damage done some places in D.C. and Maryland, Baltimore, what have you, had more damage done than placed in Stafford. And that's probably based on what's underground and what the vibration is going through. So, I kinda got a feeling that there may be something underground that we need to look at, even though they're blasting within their limitations. I read up on something, and I don't know if y'all can ask the gentleman, the blasting expert from Vulcan, Mercalli Intensity Scale; that's one of the scales they use side by side with a Richter scale when they're measuring an earthquake. And it gives you a better sense of what is felt from the ground shaking and what damage is done a distance away from where the shaking is occurring. One of the things that Mr. Leming mentioned more than once was about Fairfax

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County and the Vulcan Mine up there. I haven't... that was just mentioned tonight, so I haven't had a chance to research to see how close the houses are to the Vulcan Quarry that was in Fairfax County. I don't know if he's done that or not either but, like I said, I'm sure they would be welcome to some more tax revenue in Fairfax County if it's not bothering the residents. In Stafford, I think it is. We have proof of that by the number of people that come up and talk at each meeting and hearing that we have. To make a long story short, I would just like to recommend that the Zoning Planning Commission deny any of the rezoning and conditional use permits as requested by Vulcan. Thank you for your time. [*Applause*]

Ms. Kuzma: Bridgette Farrell-Kuzma. Today I would like to speak specifically about the conditional use permit for parcel 20-2. This property is across the street from my house. It is the closest Vulcan property to my home. I do share the concerns of many residents about multiple pieces of Vulcan's proposal. For a brief history of land parcel 20-2, a little bit has been referenced. On July 26, 1988, at a meeting of the Planning Commission, an Ordinance was proposed to reclassify 20-2 from A-1 to M-2. Mr. Leming, who was not representing Vulcan at the time, spoke about concerns for a minimum 400-foot buffer, potential pollution from runoff, and noise from night maintenance of equipment. The Ordinance proposal was sent to the review committee. Two weeks later, at the next meeting of the Planning Commission, it was shared that the review committee recommended approval of the reclassification, with proffers. These proffers stated that non-mining quarry activities could take place on 20-2. Accessory uses that do not create adverse noise impacts, and that the property would not be used for extraction of minerals or stone. Thirty-three years later, with a neighborhood still adjacent to parcel 20-2, this proposed CUP wants to now allow heavy industrial and heavy manufacturing, specifically stone extraction. What has changed in this time that this activity would suddenly be allowed? It will certainly create adverse noise impacts for residents in the same homes that were there 33 years ago when this was initially proposed and approved, with proffers. When I asked Vulcan representatives about the proposed extraction on 20-2, I was told there was a very small area on 20-2 that had some reserves that they wanted to mine. While I don't want any mining to occur on this property, I would like to point out that the proposal does not state that it would only occur on a portion of 20-2, but it does state that for 20-3. Illustrative maps show all of 20-2 and the mining expansion areas. In Vulcan's illustrative exhibits, parcel 20-2 is colored in mostly yellow which is marked as limits of quarry and active extraction operations. Please look at 20-2 and how close it is to residents' property. As I have previously stated, the language is so important here. If this proposal is approved, it will give Vulcan permission to mine all of parcel 20-2. As a small aside to this specific language, the most updated GDP map labels a gate at the end of Dun Rovin Lane for secondary access. It says that on this updated map. Throughout this process, it has been stated that would be an emergency access. Secondary and emergency are not the same. I also question the mention of Dun Rovin being a possible conservation corridor. I don't see how it can be an access and a conservation anything. The Comprehensive Plan Objective 4.6 is about minimizing the impacts of mineral extractions on nearby properties. Allowing more mining on more land close to homes will not have a minimal impact. If the noise I hear now from parcel 20-2 is from ancillary activities, I can only imagine the exponential increase that will occur if mining is permitted. Please consider all of the adjacent neighborhoods and residents who are affected by this proposal. Thank you. [*Applause*]

Mr. Bailey: Hello, my name is Joe Bailey. Have any of you seen the movie Mary Poppins? I love the movie. In that, they have this neighbor that's kind of eccentric and has a cannon on top of his roof, and he fires it off. They always know what time it's going to happen, so they always go to grab the stuff. Well, I kind of moved into this neighborhood knowing that that's going to occasionally happen. And I have now lived there for I think 17 years and we've had to reattach the drywall ceilings in all of our major rooms. Not something that I really expected, but, okay. But now I find out that this eccentric neighbor now wants to move closer. That's a bit scary to me. So, personally, I would ask that you actually, instead of rezoning the land from A-1 to heavy industry, to please reconsider that and to not... I would ask that you not recommend that. Thank you. [*Applause*]

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Ms. LoFiego: Hello. My name is Jessica LoFiego. As you heard on Wednesday, I felt pretty passionately about the prospect of the concrete plant being 700 feet from my home where my family lives. I heard you, the Planning Commission, say that you would look carefully at things. Look carefully at studies. I hope that meant all studies. I have easily found my reason for being fearful of the concrete plant and then ancillary activities of the concrete crushing. A 2018 publication by the University of Texas at Austin from the Environmental Clinic at their School of Law, concrete batch plant dangers and then many pollutants involved with the production of the concrete, with particular emissions being prominent are detailed. These emissions, during the production phase, come from the transfer of cement to the silos and the transfer of sand and aggregate. And a quote I found particularly disturbing is, particulate emissions are a complex mixture of extremely small particles and liquid droplets. Once inhaled, these particles can affect the heart and lungs and cause serious health effects, including increased risks of heart attacks, aggravation of asthma, and decreased lung function. The smallest particles, 2.5 micrometers and less, are the most harmful ones. Concrete contains cement. Recycling concrete products produce dust which contain cement. In 2011, a study published by the Research Journal of Environmental Toxicology details that the pollutants have been implicated in a lot of diseases, including respiratory tract diseases, genetic diseases, hematological problems, organs and system damage, skin damage, sight problems, and brain damage. Exposure to cement dust of sufficient duration may cause serious irreversible health conditions. My family lives here, for sufficient duration. You told us that you would think... you told us that you think we will be okay, but do you know? Thank you. [Applause]

Ms. Turner: Hello, good evening. My name is Christine Turner. My husband and our boys moved here from Tucson, Arizona, on September 11, 1989, and I can honestly say I love Virginia. I love my house. I love where we're at. And again, with Vulcan as a neighbor, that's okay; you get used to it for a bit. You know when things are gonna happen and you kind of expect that. It is loud, but I just don't want it any closer. I can live with the way it is now but I just don't want it any closer. I was always thinking that possibly they would have townhomes there, but now this is a bigger, bigger concern of mine. And I moved here when I worked at the Post Office when we had 21 carriers; now there's 55, 58 carriers now. Stafford is big. But is was small when we moved here. At least for me. Again, please don't approve this. I love my house and I'd love for it to stay just like that. Any closer would be a problem, for me and for all my neighbors east and west of me. Thank you. [Applause]

Ms. Rys: Hi, Lori Rys. As one of the most vocal advocates for the community meeting on June 16th, I would like to say a sincere thank you for the Planning and Zoning who organized it and staffed it. Thank you to Vulcan for answering some questions and for bringing their experts, prepared slides and graphs to explain things to us. Thank you to the Planning Commission for taking your time to show up and be present for over 3 hours. As I listened to my neighbors voice their concerns and ask their questions, they spoke for me also. Many were perplexed, many angry. As for myself, I'm passed angry. Although I'm genuinely puzzled at this entire conversation. At this point I'm mostly just saddened by it. But I'm not the first. On February 20, 1978, I can look back and I can read, a special use permit was awarded to Vulcan, included 23 regulations, which operations must meet, including noise levels for both blasting and crushing, vibration levels, dust and soil runoff, operating hour limitations, fencing and screening of property. A resident was quoted as saying, "I guess the writing is on the wall that this is going to go through." A resident of the nearby Country Ridge Subdivision, who opposed the quarry at County meetings. But the question is, are they going to enforce the limitations? I wonder whether Vulcan is going to stay within the limits or if it's going to cost them money. On February 10th of this year, I made the conscious decision to pay attention and ask questions, not just to the County and not just to Vulcan, but of everyone. I've previously spoken to you about this. If Vulcan said they reported to a certain agency, I talked to that agency. If Vulcan said they had a stellar record of compliance, I examined exactly what that means. At this point, I can only hope the County has done the same. Many have asked the Planning Commission to pay attention to the language, what is said, what is implied, how it can be interpreted, and what it actually means. But most importantly, please pay attention to what it will actually look like for the people who live with it. Buffer, trees, undisturbed, adjacent, in

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compliance with proffers, particulate matter, dust suppression, saved trees, traffic, sound study, noise. I realize that your task is to help craft what is on that piece of paper that the Board of Supervisors hopefully will not sign. You all will help determine what parts of the plan could change to help mitigate our fears and our complaints. But please, please be careful of that language. And still, it is also your task to recommend or not recommend the proposal that leaves the Planning Commission. Mr. Cobb likes to frame the proposal in a very polite manner. Vulcan is asking permission to do these things. I've said no for many reasons. I've said no to all of it. I'm asking you to say no also. I'm asking the County to hold Vulcan to its current proffers and ordinances. No new ones. No to Vulcan. Not in my backyard. [Applause]

Mr. Lester: Good evening. My name is Scott Lester. I've lived here 20 some years. My wife's been there her whole life. I won't tell you how long that is, but we'll just say a long time. You know, I agree with everything I've heard here tonight. The accountant made a beautiful thing of how much tax money all of us pay for all of those years. I'm asking you to look 15 years ahead. We're part of the Martin-Holmes agreement, Jones, whatever it was called. The big sticking point there – 2035, that was going to be a reservoir for Stafford County. You can't do anything without water. Nothing. Take a look what's going out west right now. They're in a major drought. Two or three years. That could hit Stafford County 15 years from now, hit the whole area. You have to make a decision. If you look back 15 years in the future, you're not on that board anymore, and say, hey, I could have made a difference then. And you didn't. What is that going to cause? Thank you. [Applause]

Mr. Kraft: Good evening. My name's Alan Kraft. Over 4 decades ago, the Stafford County Government made a fundamental mistake; it allowed a quarry and a residential neighborhood to be side-by-side. Either of those would have been okay. We could have had a government then that decided to allow the quarry buffered by lighter industrial and commercial uses, agricultural uses, separated away from residences. Or, the opposite. But a fundamental mistake was made then to have the two side-by-side. That is not an appropriate use of land. Now that was not on your watch, not even close. Not your responsibility. But, as we've heard, over ensuing decades, that mistake has not been mitigated by not expanding or compounding the problem. That mistake has been compounded, several times, over and over, so that the original mistake got worse and worse. And now here we are at this juncture and when the dust isn't being mitigated, it's blowing out of the quarry. You heard in prior meetings that it's landing on the leaves in our neighborhood's trees and plants, it's on cars, it's on homes. Well, what about it being in our lungs? The noise from the current operations is also not being adequately mitigated. Now we have this proposal that says those existing hazards, bring them closer to Stafford County residents. Those existing hazards, expand their duration for decades out into the future, and, add new hazards in the form of a Ready Mix Concrete Plant and the associated crushing and the associated truck traffic and all the rest of it. On your own website, it states that the County government, you and the Planning Commission and the Board of Supervisors are to be guided by the Comprehensive Plan, which "serves as a guide upon which development proposals are evaluated to ensure conformance with the desires of the community." You've heard from the community. It's time to stop compounding the original mistake. It's time to start to say what can we do to bring an end to this unmitigated series of hazards and impacts that are affecting the citizens of this County. Thank you. [Applause]

Mr. Randall: Alright, well it looks like... I'm sorry, did I interrupt anything over there? Okay.

Mr. Trillanes: One more, sorry.

Mr. Randall: No, we can have as many as we want.

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Mr. Trillanes: Okay. Good evening. My name's Daniel Trillanes; I didn't plan to speak today but my wife felt like I should definitely speak. [Laughter]

Mr. Randall: Never mind, I know why... I know why, never mind. I got it.

Mr. Trillanes: I'm a new homeowner...

Ms. Barnes: What's your address?

Mr. Trillanes: Yes?

Ms. Barnes: Address?

Mr. Trillanes: Oh, I'm sorry. My name's Daniel Trillanes. I'm a new homeowner. I just bought the house about 9 months ago after getting out of the Marine Corps. I live right on the other side of the berm of matured trees that may be removed in this proposal. There are a few things mentioned... this was two weeks ago... you know, occasionally some explosives, nighttime operations, 300-foot buffer – that's one football field. They're aware of the dust, the buildings, the noise, the light pollution. It doesn't matter to them at the end of the day; they're here to make money. Which I understand. We knew what we were getting into when we moved next to a quarry. However, they're pushing for, you know, everyone's talking about moving the goalpost more and more as time goes on. They talked about extending the timeframe out to 2025... or 2055, excuse me. I am 24 right now; I would be 69 by the time they stop mining. And then another timeline they gave is 2135. I, and as well as everyone else in this room, would be long gone, so that's kicking the can down the road just a little bit. I just want you guys to think about the actual impact on the citizens. You know, white noise explosions I get, you know, explosions... oh, it's a 1-second blast, you know. I have a dog. I have windows that I have warranties on luckily, but the original owners said they've already been replaced because the seals will just snap right off. So, I just wanted to say thank you... please vote no and thank you for your time. [Applause]

Mr. Randall: Alright, anybody else being pushed to get up here? [Laughter] No offense. Please, sir. Okay, so there was one more.

Mr. Rosario: Can we bring the map that's actually here? Can we put that on the screen? Actually, no, can you show the other maps? The one that has the two lines that say where they're going to do the... oh, they're changing it. Oh, it's a different one? Okay.

Mr. Randall: Yeah, this is what you're going to get I'm afraid.

Mr. Rosario: Okay, got it. Okay, sorry. So, my name is Joaquin Jesus Rosario. First of all I'd like to say thank you very much to Ms. Kristen Barnes. She actually did take up on my invitation to go visit me. So she got to see our wonderful dog and she saw my backyard. So she pretty much validated... I can show you the numbers... we pretty much validated the numbers. It's about 41 feet up the berm, and then we have about 80 feet from the back of our property, of the trees, and then it's just trees are trying to grow. The reason I'm here is I want to say and just try to convey to you that you have a very big decision in front of you. And I think we've all, as parents, brothers, and sisters, that we've always been taught that when you have a big decision, it's okay to say no or stop or pull out of that ledge. Right now what we're seeing is we're talking about what's happened in the past, and I don't think we've really talked about what's in the future. We have a saying in Spanish, and I'll say in Spanish and then I'll

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repeat it in English... *inaudible, spoke in Spanish*. It basically means that, it's used for wedding singers. If a wedding singer is prepaid, he never performs enthusiastically as he does when you pay him afterwards. [Laughter] And so, there's a lot of like things are trying to lock down with the proffers, changes to that, lock this, lock that, but I like the State of Missouri, like Show Me State. So I think we have wonderful opportunities. I'm looking to you guys... I don't want to be like the Debbie Downer for Vulcan Quarry, but I think we do have opportunities to try to prove things without having to like sign it and seal our fate now. Because if we seal our fate right now, then it's like a situation... *inaudible*... well, I hope they do it, they kinda do it, the trees are not kinda growing well, the buffer's not going so well, but we did sign that approval to do the things they're gonna do. So I think it's okay to slow down and perhaps give them an opportunity to say, hey, we say we're gonna do these things; we did it. Now you can prove it. They can actually then prove it. Because right now, again, we're not looking to the future. The parts that they want to like do away with, according to this map right now, is the vegetation. So we have... buffers are gonna be, you know, blown away. So all the things we talked about right now, they're not gonna really matter much. We're blowing that away. So I just want to be sure and speak to the point and like I said, right now I don't approve it. But if Vulcan can prove that they can really be a good neighbor and build up things to show that there's zero impact, by all means. But we don't need to decide today and say go right ahead. Again, it's like the musician analogy – let's wait for them to do the show, do everything they need to do, and then come back. So, I like to be reasonable. I'm not... I don't know, that's my point, I like to be reasonable. That's it. [Applause]

Mr. Randall: Alright, thank you. Alright, I think that ends our comments for the night. We'd like to... I'd like to bring it back up to the Commission for any questions...

Mr. Harvey: Mr. Chairman? We did have 3 comments that were submitted electronically.

Mr. Randall: I'm sorry, yes. Let me refer that to Mr. Harvey so you can read those into the record please.

Mr. Harvey: The first letter starts off:

*To: The Stafford County Board of Supervisors and Planning Commission
From: Karen Anderson
21 Garfield Street
Stafford, VA 22556*

*Concerning letter sent to me on April 30, 2021 referencing 12 May 2021 hearing for:
Rezoning of agricultural lands adjacent to the Vulcan Quarry and Request for Conditional Use Permit*

Dear Board and Planning Committee Members,

In the fall of 1998, my family moved into our home that backs up to the Vulcan Quarry. The neighborhood was about 10 years old at the time. We knew that the quarry was behind us and we were very thrilled to have an old growth forest between us. It gave us the beauty and extra privacy that we desired. In fact, it was a huge part of what sold us on the house. The sounds from the crusher and occasional blasts from the Quarry and Quantico quickly became part of our everyday normal that we got used to hearing. We especially love having the approximately 85 foot buffer woods between the end of our property and the chain link fence. Martin Bischoff, a former Vulcan Plant Manager, assured us

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that that would never go away, and that we could use it for whatever we wanted, even a playground area. He said, "Just do not go past the fence." We have lovingly taken care of it all these years, planting native plants on it, and creating nature trails that we enjoy daily. I have even given Scouts nature merit badge walks through those woods. The extra bonus of wildlife sightings on both sides of the fence have been a complete joy to us.

Through the years, we have taken several, nice tours of the Vulcan Quarry, seen the traffic lights installed at the entrance, bought rocks for our landscaping from them, and spoken to at least five different managers that have come to our property to address issues and tell us about their plans that would affect us. We felt trust with our neighbors.

Then, the unthinkable and perhaps the most saddening visit was in 2012, when they announced their plans to abolish our beloved trees to create the berm. The visit was to make us aware of what was already in the works. They listened to our concerns, but we did not have any power to change that reality. We were told that it would only be to our benefit and to help shield the expected increase in noise that was anticipated in the future. I watched and wept from the other side of the fence as that old growth forest came down in a matter of days. I couldn't believe what was happening! Our view changed. After the berm was "finished" my neighbor to the west of our property complained that we could still see the machinery/crushing equipment tower. The berm was then raised a little higher and tiny saplings were planted on it. My neighbor complained again and they planted larger saplings on the berm. They are growing, but from the upper level of my home, I still can see the tower. My neighbors complained that their yards were flooding during rainstorms, more than ever, because of the berm and loss of the trees. The quarry installed an unsightly, shorter, chain-link fence with a black tarp on it directly behind the taller fence to address that issue. I am still wondering how that is supposed to help. When I compare the berm behind my house to my neighbors at either end of Garfield Street, I know that my situation is much better than theirs. They have less berm, if any, and less trees on the berm and more noise and lights. That being said, I slept with my bedroom window open on a recent spring day, and was woken by quarry crushing before 7:00 A.M.!

Mr. Chairman, I've gone past 3 minutes; should I continue?

Mr. Randall: How much do you have left?

Mr. Harvey: Another page.

Mr. Randall: No. Summarize... can you... No, I think we're going to have to hold it to 3 just like we do... *inaudible*.

Mr. Harvey: I'll read the conclusion.

Mr. Randall: Please, that would be great.

Mr. Harvey: *In conclusion, I believe that this is mainly an issue of trust for me. What's down the road for my community? Never in our wildest dreams did we see that berm coming. We certainly did not ask for it. In our minds, anything could happen with the property behind us, and we would like our voices to be heard. To say that my neighbors and I are uncertain and worried about how these proposed*

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changes will affect our neighborhood is an understatement. Even with all the explanations of what the plans are, we never really know the full impact and results until it's done.

I am asking you to vote against this expansion proposal because I am sure that Stafford County did not ever plan for the Quarry to get so much bigger and closer to it's residential neighborhoods.

Mr. Bain: Mr. Harvey? I assume the remainder of that letter will be on the public record though?

Mr. Harvey: Yes sir, it is. The second correspondence we received was from Stephanie Damiani and its subject is Vulcan Proposal.

Good Evening Planning Commission,

We recently moved to Stafford County and live off Shelton Shop and Courthouse Road. We have enjoyed Stafford so far and love our beautiful neighborhood and especially all the outdoor areas for our kids and dogs. I have to say we were incredibly shocked to hear that the city of Stafford was considering approval for Vulcan Materials so close to residential areas. I honestly don't understand how this is even being debated. Imagine moving to a new area that you really love to learn that the water and air could potentially become contaminated with toxins from an industrial plant. Please do your due diligence and do not be swayed by money or political reasons to allow this to happen. Think of the long term effects not only to the land, air and water but also to the quality of life for those living in the surrounding areas. The traffic on Shelton Shop alone is already an issue. If Vulcan Materials wants to expand they need to do so in a better location with minimized risks to the land and people around proposed plant. Please take a stand and protect the citizens of Stafford. Thank you.

And then the final letter was from Scott Bergstrom:

I write in opposition to the proposed expansion of the Vulcan Quarry currently being considered by the Stafford County Planning Commission and the Board of Supervisors. I had planned to provide comments in-person, but work commitments will prevent my attendance at tomorrow's 430pm Commission meeting and last week's special forum at North Stafford High School – much appreciated and a more convenient forum for comment by affected members of the community – was otherwise (generally) limited to questions and answers.

I have lived in the Eastern View subdivision for nearly 25 years, since September 1996. Although I have worked in DC since moving to the area, I have teleworked from home one or more days a week since the early 2000s. So I have extensive, personal experience regarding how Vulcan's operations affect my home and the neighborhood over this time and considerable concerns regarding the proposed expansion that would – if approved – bring these operations even closer to this subdivision.

As the Commission members and staff heard from my neighbors last week – especially those living on Garfield Street (closest to Vulcan's property) – current operations already have negative impacts on our homes and community. I don't believe that I suffer the same foundational issues as my Garfield neighbors, but I do experience some damage where dry wall meets (showing cracks or splits) as well as numerous nails backing out and popping through dry wall in my ceiling. I've never experienced anything like these effects in previous homes, which comes as no surprise to me because I've never experienced my whole house shake – as if it were an earthquake – until I moved here and experienced Vulcan's quarry blasts. My wife moved in this house in 2019, and I failed to warn her of how these

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blasts shook the house – she literally thought we had an earthquake. My relatively new neighbor on Owen Street – who works for a bomb squad for local law enforcement – similarly expressed amazement at how loud and disturbing Vulcan’s blasts can be during last week’s meeting.

I heard Vulcan representatives dismiss these negative impacts – proclaiming that it couldn’t result from its operations and that its studies show otherwise. Unless you have independent studies that confirm Vulcan’s representations (including seismologic testing based in the subdivision), then I would ask that you listen to the members of this community and not to the self-interests of the business seeking fewer limits on its operations. Certainly we’ve all learned that the tobacco industry’s claims that smoking didn’t have adverse effects were incorrect (to say the least), and it’s not surprising that Vulcan will not admit impacts to our community for fear of a class-action negligence lawsuit or similar claims for damages. Self-reporting and self-interested statements do not provide a basis by which this Commission and this Board can make an informed decision and ensure adequate protections for this subdivision and the local community.

Moreover, the proposed expansion would only exacerbate what this subdivision already experiences – both physically moving quarry/blasting operations closer as well as lifting decibel limits. If we’re already experiencing negative impacts to our homes as well as via noise, light, and other pollution, how exactly do you think allowing Vulcan’s operations to move closer to hundreds of homes will not have a negative effect? How exactly will you ensure an “adequate buffer” for an expanded area if existing operations already create negative impacts?

Mr. Chairman, I’ve gone past 3 minutes. Would you like me to summarize again?

Mr. Randall: Is there a summary there?

Mr. Harvey: *Along with my neighbors, I ask the Commission and the Board to have the foresight and the leadership to reject Vulcan’s expansion proposal and to hold Vulcan to its existing proffers and conditions. I appreciate your considering my views.*

*Sincerely,
Scott Bergstrom
12 Owen Street
Stafford, VA 22556*

Mr. Randall: Thank you very much. Alright, so I’d like to give the applicant a chance to come back up and speak a little to the comments that were made. And then standby for some questions from the Planning Commission.

Mr. Leming: Okay. Anybody need a break?

Mr. Randall: We’re getting close.

Mr. Leming: Alright. A few comments, and we made a number of careful notes. First, a general comment. There continues to be some fundamental misunderstanding on the part of some between what can be done now under the current proffers and the current scenario and the current operations, and there are no known violations. Yes, the County should enforce what they have now; should have been enforcing it ever since they were adopted. But, there is no indication of any violation that has been

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founded. Now, so, what can be done now versus what the rezoning, proffer amendment, the conditional use permit, permits would entitle Vulcan to do. The one man I think very nicely drew a distinction between looking at the past and looking at the future, and I think that's important. So, we have a status quo, and you've heard a lot of issues that must be attributable to not what somebody knows or thinks going to be happening in the future, but what they think is happening now. And, so there we are. Now, there are 3 components to all of these applications, as I think the Commission knows and appreciates. First, there are two bump-outs. Those two bump-outs, and that was where this application began, those two bump-outs do not bring, as we've demonstrated here, blasting any closer; in fact, it's further away from residents than where blasting can occur and is occurring actually in the eastern pit now. They do not bring the quarry operation any closer to, appreciably closer, to any residential units. You can simply look at the map and determine that. Now, it is true that what is there now will not be there in the future. There will not be an area along Pollard that is always used for storage and not used for excavation. But, you see the hatched area; that's where it occurs. The same thing on 3 and 3A; the hatched area are the limits of the quarry and where the extraction is going to be occurring, where the blasting is going to be occurring, and we've shown you the distances. So that's something of a misnomer, that this is some gigantic expansion. It is not. This is an opportunity that Vulcan, for Vulcan to get into the rock that they know is there on those parcels that they are already mining and back-up those benches onto the adjacent parcels, onto Pollard and to 3 and 3... actually only 3A; there are no benches at all on 3. Now, it is true that the view of 3 and 3A – 3A is all forest now anyway – but 3 is not going to be the same. For those that enjoy, there was one comment about the open space that they liked next door. One way or another it's going to change. There was a suggestion that, well, maybe the County would be better off with 6 houses there. That sort of runs contrary to some of the other things we're hearing about the mistake that was made with Eastern View, to put other residential uses next to the quarry. So, we've got an area in between. It's surrounded by the quarry and what Vulcan is asking to do – and people ask when will this end? Well, there is nowhere else to go. I think you can also see that by looking at the map. There's no other land that Vulcan can move to. So, that... this, this, as far as Vulcan is concerned, and yeah, I think this can be put into the proffer that we don't anticipate any other expansions because geographically that's simply not possible. Now, with regard to some of the specific comments, first; again, this understanding of what's going on now, it was consternation about the diversion of this stream, about the what the plan of disruption that would cause. That's already approved. That is going to happen under the existing proffers. It's not something that you're considering anew. Now, there is an opportunity to look at those issues again, but that's what will happen and that will happen within the next, next few years, that stream diversion. And the mining, of course, will go on there for the next, at a minimum, at a minimum because we don't know what the County is going to do with these pits or whether they'll actually accept them, both of them. But for the next 64 years, Vulcan has a right to continue what it's doing right now. Now, there's a, and there's something of a misnomer about this parkland that is supposed to open up in 2035. If you've been to the Hampton area, there is no land, there is no parkland, there is no way to get there. What you're getting is a big pit that you can store water in. Can you boat on it? Can you, what, can you do recreational things on it? I think not. We don't do that on our reservoirs. Maybe to a very minimal extent down on Lake Abel, but very limited and there is no access. So, you know, the idea that there is a park opportunity there and big recreational opportunities is simply incorrect. And there's no mention of that in the proffers. Now, the main area, there may be some additional land on the main area, but that's the 64 years down the road area. Now, the, there was also a couple of references to a position I believe as I understood it correctly that we had taken way back... you know, we've been where we are right now since 1985. And in '88 when Pollard came along, what we had to the west was a gigantic berm. I mean, it looked like I was looking at West Virginia. Now it's mainly deciduous, but the berm was there, deciduous trees, but the berm was there all year round. And, you know, it was effective as far as I was concerned. I think the owner of the conservation

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piece also has confirmed that there is quality of life next to Vulcan Materials. Now, yes, there's some noise, yes, but you know, I've been there longer than almost anybody that has spoken. But what I wanted in 1988, I did want vegetation because the berm was on the other side of it. These were activities, these storage activities were going to occur on the outside of the berm. And so that's why there was this negotiation about the vegetated proffers. I only got... I got 200 feet. And an interesting rationale for that is, well, it's a big agricultural piece of property with a house pretty far away from it, so you don't need as much as Eastern View, which got 400 feet. Now, we know what happened to that in the conversion to the berm, but that's what happened back with Pollard. Because all that was happening outside of the established berm. Well, you know, time moved on and the decision was made and participated in and authorized by the County and DMME to put the berm there rather than that vegetation. Now, turning to some other specific comments, the... my point there really is that the density of what was going on on my parcel versus Eastern View affected that distance; 200 feet, 400 feet. And that was part of the rationale with Martin Jones, too. Because what you had going on next door were large lots, not like Eastern View, that were close to, closer to the road than they were the back of the property. So, you know, the berm that was deemed to be effective in that instance was what was built into the Martin Jones proffers. Now, the air quality issue – we have agreed and I think that will become part of a condition, but we'll look, we absolutely will monitor the air quality or monitor the vibration next door. You know, I think they will prove Vulcan's position. The reason I believe that is because my experience next to Vulcan and because of their record.

Mr. Randall: Mr. Leming?

Mr. Leming: Yes sir.

Mr. Randall: Just a second. Just make a note to that condition that we need to talk about specifics of when, where, how much, those types of things. I don't want to address them now. I think there is time to talk about them later, but I want to make sure that, while I'm thinking about it, we identify those things that need to be added to them. Okay, thank you. Go ahead, Mr. Leming, thank you.

Mr. Leming: Yes sir. Okay, not getting into the appraised values, and we didn't get a copy, but I took a quick read-through of the copy that was handed out to you and to, and was presented to Mr. Zuraf. And that's the one that this other study talks about. The important difference is, that was a situation where the quarry was coming to a residential area. That's not what we have here. We have 40 years of co-location quarry, then the Eastern View development. So, but, read both studies and you can draw your own conclusions. But the conclusion of what I think is the more credible study is simply that there's no effect one way or another. If you doubt that, you know, it's easy enough to look at the data that you have, the 40 years of data that you have right here in the County with the Commissioner of Revenue. Now, the... a couple of other. I need to say something about this. Uriah Kaiser spoke. He's a reporter, as some of you know, and he suggested there may be some conflict of interest in the rep... my representation of Vulcan. I've represented Vulcan as I've told you all for 30 years. And I represent in many instances the owner of properties and the developer seeking to rezone the property. And the key is, and reflects the misunderstanding about what a conflict of interest is, the key is whether the interests are aligned. And in this case, they are. They're aligned. They're the same interest. So, and I don't appreciate the suggestion without additional research by a reporter that there's something amiss here. I don't do my work on contingency basis. If I win, I get a bigger amount of money. You know what that's done for? Accidents, because it's the only way to handle those. Personal injury cases. Malpractice cases. But we're not permitted to do that. So, that's the skinny of that. And I don't expect to hear anything else about that from anyone because I'm a businessman and anyone that takes that route needs

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to deal with me as a businessman and the ramifications of that. Now, Eastern View. The Stafford... there was some suggestion that Stafford then is putting some kind of pressure on Vulcan to move the concrete batch plant. I think, as you all know, because we've talked about it before, that the concrete batch plant was part of the area that was impacted by the new interchange. And land was taken. It did two things – it took away the area where they do their washing and their cleaning, and secondly, it put them right there where the dump out immediately onto that road with their trucks. So, it's a non-conforming use; it's not what Stafford wants for that area. But to my knowledge, no one from Stafford has said, you know, get that thing out of there. However, you know, I think it's probably correct that Stafford wants to see a transition there. So, here we have a non-conforming use that can't operate as it has in the past because of the new interchange. And the first idea for that, well, we have trucks going there, you know, let's flip things around the move it up here. So, that's the genesis of that. But it was driven by different factors than the bump-outs which were driven by the desire to get to the additional rock that's right there right now on Vulcan's property. Now, I think, because I jumped ahead with some things that I've almost gotten to a point of conclusion and saying the things that I thought was important to say. Just my prioritization. Glen, was there anything else that you wanted...? Oh, let's talk a little bit about the... there was somebody that talked about Martin... *inaudible*... one of the prior superintendents, telling them, telling the neighbors that they could use that hundred feet buffer on the outside of the fence for Vulcan for whatever they wanted to. Well, I don't know, he certainly wasn't authorized to do that, I can tell you that. Vulcan wouldn't do it, but with issues of liability, that's one of the reasons we're looking at the fence issue again. Because if somebody gets hurt on Vulcan's property, who do you think are going to look to for damages, for compensation? It's gonna be the property owner. And everybody knows where the property line is and that's recorded. So, that's the primary concern there. Somebody gets hurt on their own, in their own treehouse on the Vulcan property. So, we're seeking to avoid that kind of situation altogether. Now, enforcement. There was a suggestion that, well, let's give Vulcan a chance to prove itself. Vulcan has proven itself in this respect. We are clean; this is a clean industry. We're not manufacturing anything, okay. We have this... there have been allegations with the issue of dust and yes, absolutely dust. Vulcan will look at things like that and take whatever steps need to be taken to address them. But there was a suggestion that well, let's let Vulcan prove for a while that they can be better neighbors. Well, Vulcan's here before you right now. The key to enforcement is the way the proffers are written, the way the conditions are written, and who's looking at it. Who is it that's monitoring these things regularly? Now, you know, as far as I know, the County responds to any issues, to any complaints that come up. But to be sure, the way we write proffers today is decidedly different, it's a much more sophisticated exercise than it was when we did the Hampton proffers and we did the Hampton conditions. It is different. So, the key to enforcement is the clarify of what is written. And you know what? Right now you've got some proffers that could be written much better. You've got some proffer conditions that could be written much better so that enforcement would be much clearer. So, there is that opportunity with these applications as well. And then fundamentally, you know, if you think you have a problem, because I think everybody here that's spoken here believes we've got a current problem. The way to address the current problem is not to say okay Vulcan, go away, come back and see us later and we'll see if you're doing any better. There's no obligation for them to change anything. Now... and they're there for 64 years and that's a long time. So, if something's gonna change, the way to do it is in the context of these applications, because that's where you have leverage, Vulcan wants something, you want something, okay. And from what I've heard tonight, everybody here wants something different. The way you do it is working through these applications in a way that improves what even we would concede, is something of a crazy quilt of enforcement because you don't even know if you're in violation of something until you know which parcel you're on right now. Alright, thank you all very much, and thank you for your patience and I do appreciate your comments. And now questions, yes.

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Mr. Randall: Yeah, you picked that up right now. You're going to be there a couple of minutes.

Mr. Leming: I was going to go sit down.

Mr. Randall: No, no, unless you want to rotate through your team. I'm afraid you're going to be there for a while.

Mr. Leming: Okay, that's alright.

Mr. Randall: Do we have... Kristen, do you want to start?

Ms. Barnes: *Inaudible, microphone not on.*

Mr. Leming: Oh, boy, that doesn't sound good.

Mr. Randall: Yeah, let's do that. Let's take a 5 minute break... let's take a 7 minute break. We'll be back at 5 after 8. I'm sorry... yeah, 5 after 8. Thank you. Just to stretch your legs.

Break at 7:58 PM.

The meeting reconvened at 8:10 PM.

Mr. Randall: Alright, I'd like to call this meeting of the Planning Commission back in order, and then turn the time over to Ms. Barnes for some questions.

Ms. Barnes: I was just waiting for y'all to look settled. So, I have a lot of questions, but I'm just going to limit these to a couple because, you know, I think we've all said this and I was thinking at the break that this is one of the biggest applications that I've seen come across the Planning Commission for a long time. So I think that a lot of thought needs to go into this. We did talk about, and I appreciate this, having adding to some of the proffers or the conditions, whichever one, about maintaining the trees, the density, and all that. Are we going to see that at the next meeting, that exact language?

Mr. Leming: Yes.

Ms. Barnes: So that I can look at that and say it's in writing, those trees are staying, at the entrance, behind the Pollard Tract, etcetera?

Mr. Leming: Yes. In fact, I was just talking to Mike and saying sooner than later we need to have a meeting and work through these things, work through the language, and I think, you know, what I would like to see is that you start seeing this language about the same time we have these reports available to you, which would be the week of the 11th of July. But I think if we meet with staff and we come, we come to an agreement on where it goes, conditions, proffers, and what the new language is that's feasible.

Ms. Barnes: Okay. One of the things that I did over the last couple of weeks is I printed out every single proffer and conditional use document dating back to 1976, and I've got them all right here, and comparing and contrasting them to the current proffers and the current conditions. And, you know, I have some questions about the discrepancies and we can discuss that at a later date and maybe as part of that meeting, I can be part of that because there's a few things that I don't understand why are left out or

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changed, the wording or maybe some legal implications that you don't have to do it anymore, or if a certain proffer condition has been fulfilled and that's the reason why it's left out. So, I would like to go over that with someone at some point in time.

Mr. Leming: A good example of that I think are the blasting standards... *inaudible, being talked over...*

Ms. Barnes: The 128?

Mr. Leming: ... and referred several times to the Martin Jones proffers or conditions. What we're using for blasting standards now is the same as Martin Jones because that was the standard then. Now, one of the ironies and difficulties of this patchwork of condition... *inaudible, being talked over...*

Ms. Barnes: Yeah, they're all different, yeah.

Mr. Leming: ... is that you do have the old blasting standards like in Hampton. Because, you know, that's what was in effect at that time and they didn't change because of Martin Jones. They would only change now. Now, we still meet those standards, the blasting that's occurring now, on the Hampton Pit, but that's not the current state standard. *Inaudible, being talked over.*

Ms. Barnes: Are you talking about the 128 versus 133?

Mr. Leming: Exactly. You know, it's like somebody said, we want to stick with the same blasting standard. Well, it's not a blasting standard anymore. I mean, that's not what the state requires now, and that was always intended to reflect the state standard. But if you look at the Martin Jones blasting standards, and then what we have... remember, these are in the conditions so you control them, they're not a proffer. Although they were in Martin Jones; they were in both places. But, they're the same, exact same thing we're proposing now for the conditions. So, that's... it's been in effect that long. In fact, I think you said the change, Glen, was back are 2001, 7?

Mr. Cobb: When the state changed?

Mr. Leming: State.

Mr. Cobb: *Inaudible, not at microphone.*

Mr. Leming: Okay, so it's been quite a while since the state...

Ms. Barnes: I did look, I looked up what 133 decibels would be comparable to and I believe what I researched it was that 130 is a military jet aircraft with afterburners taking off of a... so, you know, and this is maybe something that we can clear up.

Mr. Leming: Remember apples and oranges, you know, okay. Who can help clarify the difference between decibels...

Ms. Barnes: I need the 101 course.

Mr. Leming: and what we're measuring with blasts. Okay, they're two different things.

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Ms. Barnes: Because it does say 133 versus 128 is the old condition.

Mr. Tindall: I believe what you're talking about, like a jet afterburner, that's on the dB acoustic scale so that's weighted, that's A-weighted. That has to do with the frequency response of what the human ear can pick up. The microphones that we use with the seismograph to measure air overpressure, it is also decibels but all decibel scales are ratio scales. They're weighted differently depending on what you're measuring. What we're looking at is typically in the single digit Hertz range, which if you look at the DMME regulation as well, that you're referring to, it actually has some different ones depending on the type of microphone that you're using. We're using from... Debirth is using a 1 Hertz frequency response microphone, so it's actually picking up a different type of air overpressure than what an acoustic scale, again, that decibel range is weighted to. So, the purpose of weighting is to actually give a range of decibels that you can speak to as opposed to .000-something on PSI. So they weight it so that you have a range of decibels, acoustic, and 130 acoustic or A-weighted is different than the scale that we're using on dBl.

Ms. Barnes: So, none of your machinery is loud like I'm explaining it to at the 133 of the jet engine; that's not what they're talking about.

Mr. Tindall: And I think you'll see that in the noise study as well. I think that'll kind of lay that out. The microphone on the seismograph is designed to pick up air overpressure. The seismograph is designed to monitor for damage criteria. It is protecting any structure from damage. The energy that it picks up, which the geophone, there's two components. There's a geophone that's mounted in the ground, that's for ground vibration. There's a microphone that is mounted so that it can pick up air overpressure. Those two components are what we're regulated to and they're both, those limits are set for damage criteria. There's not enough energy in ground vibration or air overpressure to cause even cosmetic damage to a structure. There's, again and it's a brief event, but even in that brief event it has to be below those levels. Now, the scale on dB is different with what you're referring to as far as acoustic versus what it's measuring.

Ms. Barnes: So in order not to go into this any farther, if you can include, you know, a seismographs for dummies kind of a thing, you know what I'm talking about, something like that in there.

Mr. Tindall: I think it would be very appropriate to ask Deep Earth Logic to prepare why they monitor the way they do, why the instruments are set up the way they do, and a description, I believe as Mr. Bain said earlier, just kinda some relatable things other than just all of these numbers on a graph. Hopefully that clears up the different on decibels though.

Ms. Barnes: Well...

Mr. Tindall: There's multiple weighting scales.

Mr. Leming: Did a light bulb go off?

Ms. Barnes: Well, my area of expertise is not yours, so I look forward to your explanation. Thank you.

Mr. Leming: Okay, there'll be more to come. I think if I drop my voice and grow a beard, do you think I'll sound more authoritarian? Or authoritative?

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Ms. Barnes: I don't know. My husband drops his voice and has a beard, I don't know that it does any good.

Mr. Leming: One other point, you might, you know, where the locality seeks to utilize a different standard than the state there, you might check with Lauren about that because there is some legal guidance I think that can be provided on that in some parameters for... and if the state's regulating something and has set something up, I don't think the County has a whole lot of discretion in how they can vary from that.

Ms. Barnes: Understood.

Mr. Leming: Okay, what else?

Ms. Barnes: The next question I have is as far as the, I took a look at a 2018 water study and I believe that we've discussed this before, that indicates that by 2045 is the court recommendation, and even with all the new densities that we've approved, I have some concerns about still pushing this thing out to 2055 if, and the only study and the only thing I have to look at right now it says that we need water in 2045. And I need some clarification on that from somebody. Because we've got this pushed way out past that.

Mr. Leming: Have you talked with Utilities recently, Mike?

Mr. Zuraf: I can talk to Utilities and have them provide some clarifying information...

Ms. Barnes: And by clarifying information...?

Mr. Zuraf: On really better explain what year this pit would be needed.

Ms. Barnes: And why that 2018 study is...

Mr. Zuraf: And how that maybe corresponds... how this pit corresponds with that study and the 2045 year to see if there's any correlation or, yeah, if it included, if it factored it in or not, and if it didn't then what does this pit do to that year?

Ms. Barnes: As far as...

Mr. Randall: Ms. Barnes, if I could...

Ms. Barnes: Go ahead.

Mr. Randall: If I could, just for one second. I think that there's some value to talking more about that. Maybe now is not the time. But again, I appreciate all the studies that we do. I appreciate all the studies that Utilities is going to do. I appreciate what they are going to tell us based on their studies. The problem is, that's 24 years away. And as good as we may want to be in forecasting what's going to happen 24 years from now, we don't know that. And so I think there's some validity to the checkpoints that we had talked that you had mentioned at the very beginning...

Mr. Leming: On my list to talk with Mike about.

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Mr. Randall: ... right, and what those need to look like, what those need to be, what stops, what precautions, what efforts need to go into those. And again, like we talked about at our meeting, I think 2045 still stands as a very valid date for the County to be concerned. And so I hesitate to do anything beyond that this far out. And so, do you think that there's some validity to the checkpoints and the questions that we need to talk about as how we're going to get there? So, anyway, I just wanted to make sure that that was...

Mr. Leming: That's exactly what I was gonna say in response to Ms. Barnes, that on my list to talk with Mike is how we build those things into the proffer, because it would go in with the reservoir proffer. I think checkpoints that give the County some discretion to say oh, well, here's where we are now. So, you know, we need to look at something different.

Mr. Randall: Oh, no. Absolutely. I don't want to talk about this too much, but I think we... we... those who preceded us, some of them long past... maybe I shouldn't... I will... did us a disservice, all those who are sitting here, in allowing things to go on without some semblance of control over how the County is affected by this. I mean, I don't anybody who gives somebody permission for a hundred years to do anything. Not that you couldn't do it for a hundred years, not that you shouldn't do it for a hundred years, not that it's not available to be done for a hundred years. But for a hundred years and then walk away and say, oop, okay, here's your hundred year ticket.

Mr. Leming: Well maybe it shouldn't be cart blanche.

Mr. Randall: So, it shouldn't be and so I think that we have some, we have some work to do to make sure that we do our due diligence for us now and for those who will go after us. So anyway, thank you.

Mr. Leming: I can tell you that in 2009 and 2010 that the Utilities staff was directly involved in the establishment of the dates of that time, because that was when... that was first time any date had been utilized. There was no previously date for anything, just whenever we're done.

Mr. Randall: No, no, I totally agree, all of the things that have happened in the past. I just am hesitant that we should roll the same way in the future. Thank you.

Ms. Barnes: I am still very concerned about the western site, and I don't know if we can pull up the map that everybody was pulling up..

Mr. Leming: Well, we have the GDP still on my screen.

Ms. Barnes: There we go, thanks. There is a tiny little thin strip of green undisturbed buffer towards the north end and that is it. It seems to me that... why can't we add some undisturbed buffer? When we got basically got the property line and a berm. We've got undisturbed buffer against Pollard, against Hampton; I just don't understand why we can't work something in there. Because I honestly think the people at Toluca, I mean the guy said the other... I think there was somebody here that said hey, we deserve the same protections. And there is just no undisturbed space there and that concerns me.

Mr. Cobb: We haven't shown you the GDP that was approved with that decision, but there's a lot more protection there than that diagram would imply. We do have an agreed to planning requirement for the type seed I believe, buffer that goes up and down there. Part of this was part of the relocation of the stream, so you have, in effect, you have the berm, you have the relocation of the stream, you have a

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second berm, and then you have the roadway which, when you put all that together, it is a very wide buffer and it's already on large lots.

Ms. Barnes: I don't see a second berm there on this.

Mr. Cobb: That's what I'm saying, I need to get you that GDP; not this GDP, the GDP from the Martin Jones because it makes it much clearer. But, remember that this was a very vetted out 2-year process I think to get the permits through not just the County and representatives of the County, but also with the Army Corps of Engineers. So there's a lot of very technical... *inaudible, being talked over.*

Ms. Barnes: For the relocation?

Mr. Cobb: Yeah. So we'll show you that drawing. I think it'll help you.

Mr. Randall: Yeah, so here's what I would like to see, for both staff and the applicant. I don't ever want to see this picture again, okay?

Mr. Cobb: Then we might have a problem, because...

Mr. Randall: The only one I want to see is the one that is currently being adjudicated with, as you said, the berm, the stream, another berm, the road, all of the things that would go into us understanding what is going to separate those on Toluca from those mining operations. And from what we're looking at here, it doesn't stress what you just mentioned.

Mr. Cobb: Well, let's make a deal then. You'll still see this, but how about if we also show you the other? Because this is the GDP plan for the entire site. So, we can't make that go away.

Mr. Randall: Well, okay, then, put a little block on it that says...

Mr. Cobb: It took us 2 years to try to answer staff questions... *inaudible, being talked over.*

Mr. Randall: Okay, then put a block in it that says this part right here is...

Mr. Cobb: So, we're going to put an asterisk in front.

Mr. Randall: That's fine.

Mr. Leming: We could do a cross-section.

Mr. Randall: That's fine. Just something to tell us that what we're looking at here on the western end side of that is not current.

Mr. Leming: Mike, you can come up with a 2010 GDP, right, and get that out to the members of the Commission.

Ms. Barnes: So, that 2010 GDP which has no undisturbed space, that cannot be changed at all? I thought if it was in the conditions now, if we're renegotiating the conditions for the entire site that that possibly could be added.

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Mr. Cobb: If we do, then we run the risk of losing the permit to relocate the stream. And we couldn't put that at risk. So, I'll be glad to talk to you some more about that in detail.

Ms. Barnes: Hmm, okay, yeah. Lastly...

Mr. Leming: The point is the stream is fixed.

Ms. Barnes: Well, I don't understand. How is that stream fixed? I mean, is it just relocated? Is it underground? Is it still going to be a wetlands area? What's going on with that whole stream thing? We don't really a lot of information with that.

Mr. Leming: I'll let Walter describe for you what it is and why it's fixed, because when you go get the Corps permit, gotta be where you say it's gonna be.

Ms. Barnes: Oh, the permit is fixed. Okay, got it.

Mr. Beck: Yes, the permits are fixed.

Ms. Barnes: Okay.

Mr. Beck: We've gone through extensive permitting with the DEQ, the Corps, and FEMA on relocating... it's actually not a relocation, it's a diversion. The DEQ and the Corps didn't feel like we could create a new stream in the location so they wouldn't allow us to create a stream and self-mitigate. We were required to divert the stream and that's where they want it. That is the new FEMA floodplain area, is the ditch that we create. If the water can't go through the pipe, it'll go under the ditch and that is the new floodplain. I do not have enough time before 2024 to re-permit that entire operation, so I don't see us changing that at this point in time.

Ms. Barnes: Okay, thank you. And I think I'm going to make this my last one. One of the biggest concerns that we have here is obviously from Eastern View and the Pollard Tract. And the fact that under these new conditions, the Pollard Tract will then fall within the limits of the quarry. Now while that won't be mined with this application and with this scenario for, what is it, is it until 2055? 2055? After. But between now and then, because it is within the limits of the quarry, a lot of other things can happen on there that can't happen on there now. And that's what concerns me. I'd like to see some... and you're shaking your head no; that's not the case. We couldn't do concrete crushing. We couldn't do...

Mr. Cobb: If I understand your question, you're saying if you approve this application then between now and when we started doing extraction there...

Ms. Barnes: Correct.

Mr. Cobb: ... it would open up additional things we could do.

Ms. Barnes: Correct.

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Mr. Cobb: Yeah, I don't think that's correct. Right now we can do everything except for extraction and crushing on the Pollard Tract. So, we're asking for that permission for that section on the Pollard Tract... *inaudible, being talked over.*

Ms. Barnes: And so between now and then will you be able to do crushing on the Pollard Tract?

Mr. Cobb: Good question.

Ms. Barnes: Because I think that's a real concern is, you know, I know that people have said, you know, it's not going to happen till 2055. What we're concerned about is, let's say that this thing goes ahead, what can happen on that Pollard Tract that is now between and 2055 that's going to be bringing noise producing activities closer to these folks?

Mr. Cobb: Right. And I'll have to check; we did already agree that we would not place any crushing equipment within 600 feet of any property lines.

Ms. Barnes: And that may preclude that.

Mr. Cobb: So, I think if you put that setback in there, but can I tell you that it wouldn't allow a little bit. If that's a concern, that's probably something we can talk about and work out. We haven't contemplated that.

Ms. Barnes: Yeah, I think that if we put some language in there about what can be done between now and when the mine... when you move from the Hampton Tract to the central pit, what can be done between now and then on that Pollard Tract, and what can't be done to maybe assuage these people of some of the fears that now that it's the limits of the quarry that we're going to see a whole bunch of other stuff going on there.

Mr. Cobb: That's helpful to hear. And remember, we are limited. You know, we can't start working back over on this side until we're within our window of turning over the Hampton Pit.

Ms. Barnes: Yes. I understand that. But it's, like I said, it's all those extraneous different activities that are noise, causing the crushing, the you know, I don't even know, the concrete storage and things like that. You know, what can happen between now and then. Let's figure that out and see what we can do, and that might be very helpful.

Mr. Cobb: And I don't think we contemplated that well in an answer for you guys. So, appreciate your bringing that up.

Ms. Barnes: Okay. I'm going to stop it there because I think I can get ahold of you guys and ask any other weird detailed questions. Thank you.

Mr. Bain: I think I'm next. And I only have a couple of questions. Hopefully they'll be fairly simple. First, one of the ladies that came up, and I'm going to say her name as I thought I heard it but with my ears and I don't mean to offend her, Bridgette Farrell Kuzma, maybe, 30 Garfield Street. One of the things she noted was that parcel 20-2, if you look at the drawing, the whole parcel says for mining purposes. But you have shown a drawing that had the white-dashed lines on both the expansion areas. My question to you is would Vulcan be willing to put those lines on an engineering drawing with

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surveyed limits and make that as a condition that that would be the limit of blasting, rather than just showing that whole parcel as mining operation. Actually have a condition that says this is the limit of blasting.

Mr. Leming: Well, there are two, two parts to your question. Let me start with this. As far as the blasting, you know, and the limits of the blasting, I think we pretty definitively said that that's what those white hashed lines stood for. So, yeah, some follow-up on that would be necessary. But you've asked another question. I mean, I think that's the easy part of it. The second part of it is well, but we're showing the whole thing as quarry activity now. And, you know, same thing to an extent, lesser extent perhaps, much lesser extent with 3A. So, you know, could we make a modification to that that would not designate that on the GDP as quarry activity outside of the area that's actually going to be mined. That's what he's asking.

Mr. Bain: Well, you'll be doing some overburden removal on that and that type of thing. But I think...

Mr. Leming: Only on the hatched area even then.

Mr. Bain: Yeah, but I think the concern of the residents is to make sure that the blasting is not going to get closer, you know, right up to the property or tow of the berm on the inside.

Mr. Cobb: Sure. And the problem we bump into is, we have definition problems. Because when we work with DMME and we get site plans approved, there are terms that they use and the activities that we do that are brought about because of our quarrying activity, they consider quarry activity. Most of us, when we see some of this jargon, will assume okay, well you're blowing things up right there and it's not what's really going on. So we have to use some of the vernacular to cover that so that as we're doing things with DMME, we're covered on those go-forward plans. So, that's where it gets complicated. I think we've got some understandings of where we're trying to get. So it's a matter of us trying to craft the language that reflects it.

Mr. Bain: Okay, okay.

Mr. Cobb: But I think you get our intent. We don't have the interest in coming down there closer.

Mr. Bain: I know the intent that at least in my mind it's not set in stone, you know, very definitively, and I'm sure to the residents they're still thinking you're going to be on the immediate outside of that berm blasting, and that's scary to them certainly.

Mr. Cobb: Definitely.

Mr. Leming: So one thing to help clarify this, if you look in the... this comes from previous proffers like Martin Jones – but if you look at the definition of quarry, it, and that's why...

Mr. Randall: Clark, could you talk into the microphone please for us?

Mr. Leming: Yes. This is why all of this is shown as quarry activity; because it's very broad, you know, the definition of process and crushing, stockpiling of stone and stone products, depositing overburden, waste rock, operation of settling ponds, excavation of overburden, stone, stone testing, and it goes on and on. So, all of that is considered quarry activities which is why it's shown the way it is. But, I think

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what Glen is saying is that we can address pretty easily I think the blast issue. And we've already given you a proffer of 600 feet on the crushing from any property line. But, you know, we're trying to show you right now where the blasting, where the limits of that will be and we'll work on that.

Mr. Bain: Right. Okay, very good. Mr. Cobb, maybe you shouldn't have sat down, sorry. This other concrete plant in Culpeper, could you maybe explain what the differences are in comparison to the current concrete plant that would make it more palatable to the residents in terms of dust, noise, whatever?

Mr. Cobb: If it's okay, I'll take two steps back.

Mr. Bain: Okay.

Mr. Cobb: What we were trying to do is have him get to comparable equipment to be able to measure sounds related to the equipment. The Culpeper site matches that better than the old stuff down on Courthouse Road, Wyche Road. So that's why we went there. Neither of those is an example of the equipment we're looking at. What we're looking at is, the jargon is it's a low profile concrete processing plant. So, it's not like the 80-foot tall, huge silos, bag house that you see; it's a much smaller operation. It's a more compact operation, and it's all new. The portion control, dust control systems are amazing, so it's... everyone will be very pleased with that.

Mr. Bain: Can you submit us some documentation on some of that?

Mr. Cobb: I'd like to give you a few of them because we don't know specifically what we're going to look at, but it would be like and we've been trying to get some good examples, but we got chastised last week because we were talking about what we were looking at and one of the residents thought that meant that we clearly had a deal cut, that this was all done and they were very upset and we need to plan. So, yeah, we're trying to get that. I don't want to bring one and say this is it and then it's not available.

Mr. Bain: I think one of the things they were really concerned about was at 5 o'clock in the morning having a monstrous front-end loader full of stone, dump it into a metal hopper, and the sound that that would make. If there's anything you can do to allay that type of concern. The other thing was having dust escape, cement dust escape the plant; if you can provide any sort of documentation that would show how the proposed equipment will perform better in that sense, it would help.

Mr. Cobb: I do need to say that we currently do perform well with that now. We get, you know, that's inspected regularly and that process still works.

Mr. Bain: I'm sure, I'm sure.

Mr. Cobb: I just don't want people to think that there's something going on down there that's dangerous to the community.

Mr. Bain: Sure, sure.

Mr. Cobb: It's not. And we can, well anybody that really wants to dive into those processes, they're pretty impressive, and the equipment and the way it's a giant vacuum cleaner system basically.

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Mr. Bain: Right.

Mr. Cobb: So if anything's trying to get out, it can't; it's grabbed, it's sucked back into the process. So people will feel much better when they see how that works.

Mr. Bain: Sure. One mention was made tonight about pollution of water leaving the site and impacting Aquia Creek. I now you have addressed this previously about the fact that right now no water runs off the plant site; it all comes into the pit and then is pumped, and there are water quality criteria that you are meeting. Could you reiterate that for the record for me?

Mr. Cobb: I might need to... *inaudible*... go back and do that for me.

Mr. Bain: Yeah. You're monitoring it, in other words.

Mr. Cobb: Yeah, and it's measured by, you know, DEQ is the one who is can I say very aggressive about their standards for water discharge, especially around the Chesapeake Bay Act and other things?

Mr. Bain: Sure.

Mr. Cobb: Any water body is taken very seriously and guarded very zealously.

Mr. Bain: I knew that.

Mr. Cobb: So, all of our water is contained in the pit except for the discharge areas where it has to go through a process before it can be discharged. Those discharge areas are monitored... how often? On complaint?

Mr. Beck: *Inaudible... not at microphone.*

Mr. Cobb: Gotcha. And we can get you... if you'd like more detail on that, we can try to find out for you.

Mr. Bain: I don't think I need it, but I think, you know, since one of the residents was concerned about that I wanted to get reiterated in the record that you are controlling that. The question about turning over the pits at a certain date or an extended date. If the County, let's say that this was approved and things were going along, you were taking stone out, and suddenly the County said oh, you know, we're really going to need that pit sooner. Could you increase production from that pit to get your rock out and get the pit turned over to the County sooner? Is that a possibility?

Mr. Cobb: Chances are we would not be able to increase our production. It would be a matter of making a determination of what we would call sterilizing reserves. They're there, we've identified them, we're ready to get them, but for whatever reason we're not going to be able to get them. We would need to just make that call. We have, for years, I feel like we've had a really good partnership with the County talking about things. That's part of why we kind of plucked that 2055, because it seemed like it met what the long range plans were for the County and it would give us enough time to get the reserves that we've identified on 20-3A, which also by opening up that pit allows us to get further down into the parcel that we're already on where the Hampton Pit is. And the result for the County is the mouth is opened up for the water retention. And that's a good thing because of the – I'm a liberal arts guy, but the physics

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of pumping the water out of the pit, you'd much rather have a surface area to get the water out than the depth. And at a certain point, the water is dead water; you can't use it anyway. So, that's where those discussions came from. So, that's a very long-winded way of saying we would continue to want to work with the County, and we would obviously want to work out a system that if, you know, like Clark was saying, if we could set up some kind of measures of where they need to be, what their gallon per day need is, and where they are, where they're projecting it's going, if we see that heading off-track, then we need to look at doing something different, we of course would want to sit at the table and try to figure that out. I don't know what that answer specifically looks like, but we would certainly want to continue to have conversations about it to try to help out.

Mr. Bain: Yeah, okay, okay. Let's see...

Mr. McPherson: This is Commissioner McPherson, I have a question.

Mr. Randall: Go ahead.

Mr. McPherson: Okay. So, as we know, when you move from the east quarry to the west quarry, we have a 5-year overlap. My question is, are we going to then have double the amount of blasts? As you know that you've heard numerous times, all the nearby residents are concerned about the sound and blasting. So, when we have a 5-year overlap between east and west pit, are we going to have double the amount of blasts and sound? Can you please describe what all the residents will hear?

Mr. Cobb: No, we won't be doubling up production. That overlap window is time for us to lower the water levels, prepare the pit itself because there's a lot of prep time that goes into that. So we would finish up on the Hampton Pit before we actually start the extraction process on the main pit; so you would not have double.

Ms. Barnes: Can that be in the conditions?

Mr. McPherson: Okay, thank you.

Mr. Leming: Could that be what?

Ms. Barnes: Can that be in the conditions that there won't be blasting at both pits at any kind of overlap?

Mr. Cobb: Probably. I mean, we could probably figure something out. I just don't want to get so micro-managed into how we're wording some of that stuff that when we've got a loader moving things around to open something up in the old pit, somebody then says well you're over there doing something that you weren't supposed to do and, you know.

Ms. Barnes: Okay.

Mr. McPherson: I don't think the loader is the issue; it's more about the blasts.

Ms. Barnes: Yeah, I would agree. If we can say or have something about we're not going to have blasts going on in the Hampton Pit and the central pit at the same time.

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Mr. Leming: The overall number of blasts is really the issue, isn't it? Which pit they come from, you know, and there is a proffer that says finish up here before you go over there now. So, there's not much possibility, you know, for the blasts to go back and forth. At some point, they'll all move over to the new pit. But it's counter-intuitive to think that they're going to be hopping back and forth like that. You know, it's a very unlikely scenario.

Mr. Cobb: And the other thing I would remind you is...

Mr. McPherson: Well, when you say going here now then over there, if there's an overlap, you don't finish there and go to the other place first. That was my question. When there's an overlap, we have to be concerned about what the residents will hear.

Mr. Randall: My understanding, Mr. McPherson, is that the overlap is simply that they're doing work in both pits, not that they're doing blasting in both pits, that they're not doing extraction in both pits.

Mr. McPherson: Understand. But I just wanted that confirmation. Trucks aren't the issue; it's the blasting and... *inaudible*.

Mr. Randall: Yeah, no, understand. And the proffer says that now, so.

Mr. Bain: If I can go back to the concrete plant, asphalt plants shut down during the winter. Concrete plants don't have to and, in fact, you'll often times find concrete operations in the middle of winter. They can insulate concrete or it can be indoors. Will your concrete plant work year round or is it only be say from April till October?

Mr. Cobb: Good question. There are times when it gets too cold for us. We're not like an asphalt plant that might shut down for 2 months in the dead of winter. So, I guess the answer would be we would be working year round but we do obviously have weather constraints.

Mr. Bain: Some people have commented about the 6 trucks per day that was mentioned, and I think there's some confusion on that. Could you clarify – the concrete plant, as I understand it, will only operate 6 ready-mix trucks.

Mr. Cobb: Either 5 or 6.

Mr. Bain: Five or six; maximum of 6. They, because of the way the operation runs, would probably only be able to make 2 trips per day. Is that what you have told us?

Mr. Cobb: Yeah. On average...

Mr. Bain: On average, 2 trips per day?

Mr. Cobb: ... you're going to see them run twice; maybe they can squeeze in a third trip. So, the way we come up with our transportation numbers is based on the cubic yards that's delivered on an annual basis. Divide that out by the 6 trucks and that's what the number... *inaudible, being talked over*.

Mr. Bain: So, maybe 18 trips per day added. You're also reducing the number of trucks leaving the site because they're no longer delivering stone to this concrete plant.

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Mr. Cobb: Correct.

Mr. Bain: And I think you've said that that was about 2 trips per day?

Mr. Cobb: Mm-hmm.

Mr. Bain: So, you're reducing it by 2 trips a day, increasing by or adding 18, net 16 trips per day. I don't see that as a significant increase in traffic on Route 610 that gets 16,000 cars a day.

Mr. Cobb: I think that trip generation study is in your materials also if you are interested.

Mr. Bain: Yes, yes. Is it possible for another company to send a ready-mix truck to your site and get filled, or will it only service the 6 trucks that you have?

Mr. Cobb: Is it possible? Probably?

Mr. Bain: Well, should we make that a condition?

Mr. Cobb: No. If Titan wanted to come use our cement, I think we'd probably say thank you, but no thank you.

Mr. Bain: Okay. I think that might be a condition we want to consider adding to that permit. Let me think...

Mr. Cobb: And I don't think it will play a role up here. In Washington, we do have a vendor that we are partnered with, so in some of the Northern Virginia areas they will actually load in our, I think both of our D.C. plants. But I don't think we have a situation down here that's like that. If we do... if we do, I'll bring it up.

Mr. Bain: I think that I would like to make that one of the conditions for that permit. I think that's all I have for now. Thank you.

Mr. Cobb: Thank you.

Mr. Bain: Oh, oh! No, that's all. Yeah, that's all. I'm sure I'll think of others.

Mr. Leming: Next?

Mr. Randall: These are not in any particular order, and they're not necessarily questions as they are conditions that we need to continue to look at so that we can talk about them in more, in more detail. So, construction of the, or location of the concrete plant – you mentioned that we would have a problem moving it back farther than you've already got it because of the trees. Okay. If I decided I wanted to hate trees and I wanted to cut down all those trees, how far back could I move that concrete plant without any issue regarding flat ground? Is there a 2 or 3-acre area of flat ground somewhere between where you have the concrete plant now and asphalt plant where we could cut down all the trees and put the concrete plant there?

Mr. Leming: Do you know?

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Mr. Cobb: I mean, there's not a flat area like that is. But, obviously, we can, I mean, we grade, we remove trees. If we needed to we could do that. I have not measured recently enough what that would do to the residents that are along Toluca, because the challenge to us was to move it as far away from residences as possible. So that's Eastern View, as well as Toluca. And we think that's that spot that we have found. So that's what we were trying to accomplish.

Mr. Randall: Right. But if I look at the GDP map that I don't ever want to look at again, it looks like that land goes a little bit south... it's looks like a little bit goes northeast, right, so as you go farther north you go farther east which means you get farther away from the Toluca properties. So, I, you know, it's in the realm of possibility that you could tear down all those trees and put the concrete plant way back by the asphalt plant.

Mr. Cobb: Mm-hmm.

Mr. Randall: Okay. Alright, thank you. Alright, so let me ask another question. The current... and maybe this is for the plant manager... your current wash system that's out there, how old is that wash system?

Mr. Keesecker: You referring to the wheel wash for trucks?

Mr. Randall: I'm talking to the system that supposedly washes down all the cars... all the trucks before it gets out on 610 where they bring dust everywhere. How old is that system?

Mr. Keesecker: That wheel wash I want to say is 11 years old?

Mr. Randall: So, you could add an extra tax to all the trucks going through there and pay for a new wash system.

Mr. Keesecker: Hmm.

Mr. Randall: Again, in the realm of possibility, the answer is yes, right? Is there a more... have you looked at a modern day wash system that would do a better job of washing those trucks than they currently do?

Mr. Keesecker: It is a... it is a modern... and I could let Jim speak on that.

Mr. Randall: Oh, he's been itching to get up here the whole night. Yes he has.

Mr. Cooper: Hello. Jim Cooper, Vulcan Materials Company. In regards to the truck wash, it's evolved over the years. Years ago we started off with sprays, and that was washing down the sides of the trucks. And then we found that that material just dripped off going down the road. So then we concentrated on the tires and, out of everything, our wheel washes have... the reason why we call them wheel washes is because they're not truck washes. Our wheel washes have evolved to the point that we have troughs with water on an incline. As the trucks drive up the incline, water runs down and only cleans the tread on the tires. It doesn't put any water on the side of the trucks. It doesn't... no spray. Very low maintenance. A recirculating pond. So it's primitive, but it's what we found works best.

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Mr. Randall: Okay. That's answers my, that answers my question. It brings up lots of other questions, but that answers the question initially.

Mr. Cooper: Okay.

Mr. Randall: Alright. Because that seems like that may not meet the requirements of getting out into 610. I'd like reiterate and go back to what our nighttime operations are. So you said the daytime operations for the quarry are 6:00 to 6:00, 7:00 to 1:00.

Mr. Leming: Yes, uh-huh.

Mr. Randall: Okay. Asphalt plant aside, what's our nighttime operations?

Mr. Leming: For the quarry?

Mr. Randall: Yes. So they could be, they could be midnight to 4 in the morning if we wanted.

Mr. Leming: It's up to the County. There is no inherent authority to operate at night. It comes to the County... *inaudible, being talked over.*

Mr. Randall: That's not what I asked. I asked what are the nighttime... if you get inherent... if you get permission to operate by the County Administrator, what are the hours that we define as nighttime?

Mr. Leming: Does anybody have...

Mr. Randall: Would the County Administrator simply say, okay, on Tuesday you can go from 10 to 2, on Wednesday you can go from 12 to 3. Would he say that? Or would he say, or would he think that if I'm giving you nighttime operation authority, that I'm assuming you're operating between these particular hours.

Mr. Leming: I'm not sure we can answer what he would assume. It would make some sense, it seems to me, if the hours that were designated were contiguous to either closing hours or opening hours so there'd be a continuation.

Mr. Randall: Oh, I have very definitive thoughts about what I think the hours should be, and I do not disagree with that. But they are not defined, anywhere that I know of, what nighttime hours are. And so I want to make sure that, to the County's point when we talk about conditions, we're talking about what a nighttime condition really... what a nighttime operation really means to us. So when somebody says we're allowing 120 days of nighttime operation – that sounds crazy – what exactly does that mean? Does that mean 6 to 10? Is 10 considered night? Or is that anytime after 6, anytime before 6 in the morning?

Mr. Cobb: So, the hours we're authorized are 6 to 6.

Mr. Randall: Yes.

Mr. Cobb: So, in our minds, rightfully or wrong, I was trying to find the language very quickly, we think that that would mean outside of that 6 AM to 6 PM... *inaudible.*

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Mr. Randall: Anytime, anytime during those 12 hours outside of your 6 to 6, 6 in the morning to 6 at night would be considered nighttime, and if you're given authority by the County Administrator that you can operate anytime within that window.

Mr. Cobb: And the expectation is that the request would pretty much outline what that needs to be.

Mr. Randall: But we don't define that anywhere.

Mr. Cobb: I don't think so.

Mr. Randall: Okay. So I'd like to look at County... I'd like to look at adding the...

Mr. Cobb: I'll be glad to admit that I'm wrong if I find it.

Mr. Leming: This did come up before.

Mr. Randall: I'm sure it has. I'm just saying we need to, these are some things that I think are in the outskirts and I think we need to bring them back more close to home so we know what we're talking about.

Mr. Bain: Just for clarification, the nighttime hours only apply to the concrete plant, or do they also apply to the quarry?

Mr. Leming: We're just talking about the quarry right now, which has no inherent ability to operate at night without...

Mr. Randall: The quarry is based on, the quarry is based on County Administrator approval.

Mr. Leming: Yes, mm-hmm.

Mr. Randall: Okay.

Mr. Bain: But that 120 days, was that?

Mr. Randall: It's not, that's true, it's not. But it could be based on the County Administrator.

Mr. Bain: That was just for the concrete plant, yeah.

Mr. Randall: Right. But again, we would follow the same rules. If we have a nighttime operation for the County Administrator to approve for the quarry, then we would want to match those hours for the concrete plant. So I think there's something to be... something that needs to be said to define those hours and what those hours need to be.

Mr. Leming: This issue came up one time with regard to the airport, and it was a very modest extension of the hours at that time. It only went on Saturdays till 4 o'clock, so an extension of 3 hours, which was to provide stone to the airport when that was being built. And on weekdays, it went from... deliveries could occur up to 8 o'clock; so there was a 2-hour extension on weekdays and 3 hours on Saturday. That was it. There was no middle of the night operations.

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Mr. Randall: Exactly. And that's where I'm kind of driving this. I'm not sure that anybody's expectation is that if we authorize 120 or 60 or 40 or whatever the dates are, the numbers are, that if we authorize that that all we're doing is literally extending the hours of operation from 6 to 10, for example. Or for some reasonable amount of period of time that will be defined by what we call nighttime operations, not middle of the night operations, so to speak. We can talk about that more.

Mr. Leming: Are you thinking about quarry or concrete at this point?

Mr. Randall: Both.

Mr. Leming: Okay.

Mr. Randall: And this case. We have heard numerous times about berms and about berms... we know what the DMME study says about how effective they are. We also have heard empirical data that they're not as effective from the residents who live there. So what's the process of adding vegetation to berms? Is it a we put the berm up, we put vegetation up? Is it we put the berm up and then we wait until we find that that's not effective and then we put vegetation up? What's the process... is a berm complete without vegetation, or do we just let it grow naturally over the course of 10, 15, 20, 30 years?

Mr. Leming: The two areas we're contemplating additional vegetation would be next to Eastern View, in front or up onto the berm.

Mr. Randall: Where we took down all the trees, okay.

Mr. Leming: Right, uh-huh. Okay, and so there we'll be talking about buffer yards and yes, the berms done.

Mr. Randall: Sure.

Mr. Leming: So it would be plantings that would occur there.

Mr. Randall: On top of the berm or to enhance the undisturbed buffer that's currently there that may have some gaps?

Mr. Leming: I think we'd be looking at both.

Mr. Randall: At both.

Mr. Leming: Because they both have effective aspects to them.

Mr. Randall: Absolutely. So, that's another thing I'd like to add to the conditions, is to, is that for those two areas, not only will we talk about enhancing the undisturbed buffer, but we're also talking about adding vegetation to the berm.

Mr. Leming: And that would be a proffer... *inaudible*.

Mr. Randall: However that works, it needs to be defined on one of those documents.

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Mr. Leming: Now, with green space, like on parcel 3, that's a little different because you've got just an open area there now.

Mr. Randall: Yeah, I'm not concerned so much about those. It's the two that, specifically the berm that was put in there to replace all the trees that were taken down.

Mr. Leming: Okay.

Mr. Randall: There was a talk previously at the North Stafford High School meeting about a potential cemetery on the Pollard Tract. Do you remember that discussion?

Mr. Leming: Yes, uh-huh. Yes, and we discussed that.

Mr. Randall: Have you had some further discussions on that? Could you enlighten us more on what that was?

Mr. Cobb: Yeah, we did have some folks go out and actually try to investigate it. I believe it's happened twice; I know once was 2017, was that that graves report?

Mr. Randall: Okay.

Mr. Cobb: And they went out and did a very substantial look and didn't find anything. There was some soil that was in a weird position that somebody had seen that they thought maybe that was some type of a burial thing, but it was not. So, we've investigated it twice, very thoroughly that I know of...

Mr. Randall: With the family members? Or was this a third-party type thing?

Mr. Cobb: It was a third-party that was hired to do it.

Unknown audience member: Inaudible, not at microphone.

Mr. Cobb: But none of the family members were out there, right?

Mr. Leming: But the family members have been out there.

Mr. Randall: Yeah, they have, but when I talked to them they... and again, this is hearsay upon hearsay upon hearsay, so take it for what that is.

Mr. Cobb: And I'm going to follow up with... *inaudible*.

Mr. Randall: They mentioned that they didn't necessarily have permission to get in different places on the land to determine and, you know how these things go, right? It's an 85 year old, bless their hearts, who saw something when they were 20 and everything in the landscape has completely changed and they're trying to track down where they know that 3 people are buried, right. And so that's what they need. They need to be able to get out and look at it. And if they need to do it, you know, with your... with somebody there, I don't have a problem with that. But I think you need to work with the family to get somebody out there with the family to give them an opportunity to go do that. And not forever, of course, but enough reasonable amount of time to go do that. Okay? Thank you.

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Mr. Leming: The best information we have is that that burial site was on the eastern portion of that property and that's based on what they say. So that would be the area closest to my parcel and outside of the area that they're seeking to put the hatched white line around and use for their bench structure, to the northern portion of that parcel and to the east.

Mr. Randall: Okay.

Mr. Leming: That's everyone's I think best understanding as to where that would be.

Mr. Randall: Alright. Anyway, I want them to be able to come back to us and say we have done our due diligence. We've looked and looked and looked, we found nothing, and we can go on with that. Okay? Okay, thank you. Okay. I don't have anything more for tonight. I think we still need to talk about dates. That will be a discussion that we need to have at an additional time. I don't want to do this all night. I think there is some validity to looking at what the County's real needs are going to be in 2035 or 2040 and how far out we want to actually give permission for these things. Alright, thank you. Mr. English?

Mr. English: Mr. Leming, have you gotten with Anita Dodd, the one who does this cemetery...?

Mr. Leming: Yes.

Mr. English: You checked with her?

Mr. Leming: Yes.

Mr. English: Maybe get a letter from her. Maybe she can give some sort of insight about that cemetery. That's probably your best contact I would think, because she knows the ins and outs around the County. I've only got one question to make sure it's in the whatever. I want something... I want to make sure you reach out to the residents or whatever for vibrations from the blasts. Something said in a couple of the houses, letting them know how the blasts are affecting these houses, because we do have some people here that are concerned. And like I said, it's been a recurring thing about peoples' cracks in their walls, windows breaking, and pictures. So please make sure that that's done.

Ms. Barnes: FYI. I've gotten one email already volunteering during this hearing.

Mr. English: Okay. That's it, that's all I have.

Mr. Leming: Okay, we're indicating we can do that.

Mr. English: Alright, thank you all.

Mr. Randall: Thank you. So, we're going to leave the public hearing open for our next meeting and I would like to... Ms. Barnes, this is in your district.

Ms. Barnes: Thank you. I would like to make a motion to defer, and I guess I should do these one at a time, correct?

Mr. Randall: Yes please.

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Ms. Barnes: Okay. To defer RC19152912 to our meeting in July which I believe is on the 28th.

Mr. Randall: So, we have a motion to defer RC19152912, Reclassification of Vulcan Quarry to our Planning Commission meeting on July 28th. Do I have a second?

Mr. Bain: Second.

Mr. McPherson: Second.

Mr. Randall: Thank you. We have a motion from Ms. Barnes, we have a second from Mr. Bain; do you have any comments Ms. Barnes?

Ms. Barnes: Just thank you very much for working with us, and I think hopefully between now and then we can get a lot of work done.

Mr. Randall: Mr. Bain?

Mr. Bain: No, no further comments.

Mr. Randall: Alright. I'll do a quick roll call vote on this. Ms. Barnes?

Ms. Barnes: Yes.

Mr. Randall: Mr. Bain?

Mr. Bain: Yes.

Mr. Randall: Mr. English?

Mr. English: No.

Mr. Randall: Mr. Apicella is gone. Bart Randall is yes. Mr. McPherson?

Mr. McPherson: Yes.

Mr. Randall: And Mr. Cummings? Mr. Cummings is not here. Alright, so the motion passes 4 votes to 1.

Ms. Barnes: Okay, next I'd also like to make a motion to defer CUP19152911, Conditional Use Permit, to our meeting in July on the 28th.

Mr. McPherson: Second.

Mr. Randall: And we have a motion to defer CUP19152911, Conditional Use Permit, we have a second by Mr. McPherson. Any comments Ms. Barnes?

Ms. Barnes: No.

Mr. Randall: Any comments Mr. McPherson?

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Mr. McPherson: No.

Mr. Randall: Alright, I have one quick comment with this before we vote. Thank you for doing your homework. There's a lot of homework left. I'm looking forward to the reports that are out there. This is where the rubber is going to meet the road, right. If you can get something in there about the vibration, I don't know if you can do a, you know, a temporary one for a month or two months out there, whatever you can do. I think that that answers the question, I think you need to look at where that concrete plant needs to go. You know, and if the answer is we tear down the trees and put it down there, then we need to look at those options. It's not the preferred option obviously, but as far back as we can go if necessary to mitigate the concerns that we have, you know, and trees be damned. Right? If that's what needs to happen. Alright. But I appreciate the efforts and I think we can get these things in proffers and conditional uses and make sure that this is something we can work with. Alright, let's have a vote. Ms. Barnes?

Ms. Barnes: Yes.

Mr. Randall: Mr. Bain?

Mr. Bain: Yes.

Mr. Randall: Mr. English?

Mr. English: No.

Mr. Randall: I say... Mr. Randall says yes. Mr. McPherson?

Mr. McPherson: Yes.

Mr. Randall: Motion passes 4 to 1. Alright, thank you. We'll move onto the next item on Public Hearings and that's the Amendment to the Subdivision and Zoning Ordinances. And I'll turn the time over to Mr. Harvey.

1. *Amendment to the Subdivision and Zoning Ordinances*

Mr. Harvey: Thank you Mr. Chairman. For this item, Brian Geouge will be making the presentation for staff.

Mr. Randall: Mr. Geouge, let's hold for two seconds. It looks like I have a mass exodus, so give us one quick second. This is more like it. Go ahead Mr. Geouge.

Mr. Geouge: Good evening Mr. Chairman, members of the Commission; Brian Geouge with Planning and Zoning. This is a public hearing for an ordinance amendment relating to dedication requirements. This has been discussed by the Planning Commission previously, and I see attendance is light for my item so I will try to be brief.

Mr. Randall: Please.

Mr. Geouge: So, current provisions of the Subdivision and Zoning Ordinance require identification, reservation, and/or dedication of land as a condition of approval for development applications and plats. This includes dedication of right-of-way as specified in the Comp Plan. On April 6, the Board directed the Planning Commission to review these requirements and to draft any ordinance amendments necessary to

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ensure that they are in compliance with State Code. On April 28, the Planning Commission formed a subcommittee and drafted an ordinance amendment, which I will summarize in the following slides. Starting off with the Subdivision Ordinance, Section 22-166, this addresses, um, parks, schools, and public land that's identified in the Comp Plan and specifies that developments should take those proposed sites into consideration when developing. The next Section 22-167 specifically talks about right-of-way additions and it states, where the comprehensive plan indicates a proposed right-of-way greater than existing, then dedication is required. Also, it states that if the subdivision abuts an existing platted road or street, then the minimum right-of-way required must be dedicated for that frontage area. With the proposed amendments, both of these sections would be eliminated from the Ordinance. The next section is 22-221 and it addresses curb, gutter, and sidewalk requirements for subdivisions where there are lots of a certain size. This section also currently speaks to pedestrian trails and bicycle lanes being required where they're specified in the Comp Plan. An example of this is the 2019 Bicycle and Pedestrian Facilities Plan, an element of the Comp Plan, which specifies desired locations of these. The section is proposed to be amended by deleting the requirement for pedestrian trails and bike lanes. And the same would apply to Section 22-221(2), which contains similar language applicable to cluster subdivisions. Section 28-38 of the Zoning Ordinance talks about basically setback requirements where road improvements are planned. Currently, it states that basically where there's a road improvement planned as identified by the State or County, then setbacks from that planned road improvement area... or setbacks must be based on that planned road improvement area. It does not talk about setback requirements for other features such as parking areas and travel lanes. So, to strengthen this section of the Ordinance, it is proposed to be modified to list what is specifically prohibited from planned right-of-way areas and that would include structures, parking, and travel lanes and monument signs, with the exception of perpendicular utility crossings, perpendicular entrances, and approved landscaping. And also, as it is currently, the building setback requirements would also be based on that planned right-of-way. Section 28-106 contains similar language relating to parking, access, and loading requirements, and would have similar amendments for consistency with this section. Section 28-256 requires right-of-way dedications as specified in the Comp Plan, and also minimum right-of-way widths along existing streets. So, very similar to the requirements found in the Subdivision Ordinance. Again, these are proposed to be amended in similar fashion by eliminating the requirement to identify public facilities as specified in the Comp Plan, and also eliminating the requirement for minimum right-of-way as specified in the Comp Plan. There is a section added to this that basically refers back to the section I just discussed, which was 28-38(f) and that section requires a preservation of planned right-of-way areas. So, in summary, with the proposed amendments, the County would no longer require dedication of right-of-way as specified in the Comp Plan, or require minimum right-of-way along existing public streets. However, additional right-of-way would still be dedicated as needed to accommodate proposed improvements for development, including new roadways, turn lanes, and sidewalks. Dedication of additional right-of-way beyond what may be required specifically for the development would still be provided if there's a proffered condition requiring the dedications. So, when a land use case comes in, we would still evaluate the right-of-way requirements, if any, that are specified in the Comp Plan that would be associated with that development area, and make recommendations that those dedications be proffered. The proposed requirements would prohibit certain features from being located within planned right-of-way areas, and this would ultimately help reduce the cost and impacts associated with future right-of-way acquisition. It should also be noted that the language does not provide an option for the applicant to seek relief from the Board for the requirements. So, currently, there's a provision that in order to have any relief, or the Board may grant relief from the right-of-way dedication requirement, there's not a provision like that for the right-of-way preservation, so to speak, requirement. Therefore, any deviation from the proposed requirements would require approval by the BZA. Staff is recommending approval of proposed Ordinance O21-26. We believe that the amendments will meet the Board's directive and ensure that are requirements are in compliance with State Code. And, just a reminder, the Planning Commission has until July 15th to take action on this.

Mr. Randall: Alright, thank you Mr. Geouge. Do we have any questions? Go ahead.

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Mr. Bain: I'm just... I wonder how this is going to work. Let's say there's a developer that comes in with a 300 acre parcel to subdivide and at what point would he be required to provide for sidewalks or pathways since we've taken out that requirement here but we want him to have sidewalks or pathways. How will that work now?

Mr. Geouge: To clarify, so all subdivisions with lots under a certain size, I believe it's two-thirds of an acre, are required to have sidewalks along all of the roads that are constructed within that subdivision.

Mr. Bain: Within the subdivision.

Mr. Geouge: Yes. But if they... let's say they front on an existing public road that they're not improving, then they wouldn't have to provide sidewalks along that portion.

Mr. Bain: So then the County would have to come back and by eminent domain or something, obtain the land for a sidewalk or a pathway along that existing main road. Is that right?

Mr. Geouge: Yes, assuming there's inadequate right-of-way, that would have to be acquired by the County at the County's cost. Unless...

Mr. Bain: But we couldn't... we couldn't preserve it...

Mr. Geouge: ... unless there's a proffered condition, obviously if that development went through a rezoning or something of that effect and they were to proffer a sidewalk along that section of road.

Mr. Bain: Then we could get it. Okay, okay. Gotcha. Thank you.

Mr. Randall: Alright. Do you have any additional questions? Alright. Do we have a motion on the amendment? Oh, I'm sorry, that's correct. So, this is a public hearing. I'd like to open the public hearing for the amendment to the Subdivision and Zoning Ordinance. Um, do I have any speakers that would like to come down and speak on this? Mr. Zuraf? Any comments on this? Alright, seeing nobody coming to the podium, I will close the public hearing and bring it back to the Planning Commission. And now I will ask for a vote on the amendment to the Subdivision and Zoning Ordinance.

Mr. McPherson: Okay, I have a motion to approve proposed Ordinance O21-26.

Mr. Bain: Second.

Mr. Randall: We have a motion to approve proposed Ordinance O21-26 by Mr. McPherson; we have a second by Mr. Bain. Mr. McPherson, do you have any comments?

Mr. McPherson: No additional comments, thank you.

Mr. Randall: Mr. Bain?

Mr. Bain: No.

Mr. Randall: Alright. Let's take a quick vote. Ms. Barnes?

Mr. Barnes: Yes.

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Mr. Randall: Mr. Bain?

Mr. Bain: Yes.

Mr. Randall: Mr. English.

Mr. English: Yes.

Mr. Randall: Uh, Bart Randall says yes. Mr. McPherson?

Mr. McPherson: Yes.

Mr. Randall: Alright, we have a 5 and 2 absent vote. Alright, next on the agenda is Unfinished Business. I'll turn it over to Mr. Harvey.

UNFINISHED BUSINESS

4. **RC20153340; Reclassification - Mainline** - A proposed zoning reclassification from the R-1, Suburban Residential Zoning District to the UD-3, Urban Development - Residential Mixed Use Zoning District on Tax Map Parcel Nos. 45-67, 45-67A, 45-69, 45-94, 45-95, 45-96 (Property), consisting of 44.55 acres, to allow for the development of up to 264 apartments and 114 townhomes. The Property is located on the north side of Warrenton Road, approximately 3,000 feet east of Interstate 95, within the George Washington Election District. **(Time Limit: September 17, 2021) (History: June 9, 2021 deferred to July 28, 2021)**

Mr. Harvey: Mr. Chairman, this case...

Mr. McPherson: It's closed.

Mr. Harvey: ... it was deferred to July 28th.

Mr. Randall: Oh. July... oh, there it is, I'm sorry. Yes, thank you. I caught you, didn't I. It's going to be a busy meeting. Is there an option to move that to the August meeting now, or do we need to address it in July and then move it then?

Mr. Lucian: You'll need to address it in July since it has already... *inaudible, being talked over.*

Mr. Randall: Alright. So, so, yeah, let's address it then, but I think there may be some benefit to moving that to our meeting in August, if we have a time limit out to September.

Mr. McPherson: Agreed.

Mr. Randall: Alright, thank you very much. No New Business. Planning Director's Report.

NEW BUSINESS

NONE

PLANNING DIRECTOR'S REPORT

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5. Yearly Expenditures (to date)
6. Downtown Stafford
7. Family Subdivisions

Mr. Harvey: Mr. Chairman, as part of the report, staff has provided the yearly expenditures from the budget, and the Commission, at the end of the year, is going to have a positive balance of \$1,042. With regard to Downtown Stafford, the Board of Supervisors, last week, approved the change to the Comprehensive Plan, the Zoning Ordinance amendment for the UD Zoning District, as well as the rezoning of the County's property. The rezoning of the JPI property, also known as Fountain Park Property, was deferred to July the 6th. And then finally, for my report of Family Subdivisions, the Board accepted the recommendations of the Planning Commission and forwarded it back to you to start the public hearing process. So staff would ask the Commission for guidance on when to advertise this hearing.

Mr. Randall: Alright. Do I have any comments from the... Kristen said she wanted on the 28th.

Mr. English: You're joking, right?

Mr. Randall: Of course she's joking. She said not the 28th. I missed the not part of that. Alright, do we have a recommendation then from anybody on the Commission regarding when we want to have...

Mr. English: August? The August meeting?

Mr. Randall: Alright, the August meeting...

Mr. English: Hold on for a minute. Question. We're doing our meetings at 4:30, right, up until September, correct?

Mr. Harvey: Mr. Chairman and Mr. English, it's my understanding that the Governor has declared after June 30th, the emergency will be over. So, the Commission I believe would have to revert back to your 6:30 start time after June 30th.

Mr. English: Okay. Because I was gonna say, if we were still doing 4:30 I would move it to September. But, yeah, I think August would be good if we're gonna go back to 6:30 because this is important.

Mr. Randall: Very much so. Alright, any other...

Mr. McPherson: Six or six-thirty?

Mr. Randall: ... any other comments to that? Alright. Do we need to vote on that?

Ms. Lucian: Probably.

Mr. Randall: Alright. So, the motion to send the family subdivision back to public hearing has been made. Do I have a second?

Mr. English: Second. Oh, I'm sorry, I made the motion. I'm sorry.

Mr. Randall: You can't make the motion and second it.

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Mr. Bain: Second.

Mr. Randall: Alright. Motion made by Mr. English, second was by Mr. Bain. Any comments Mr. English?

Mr. English: No.

Mr. Randall: Any comments Mr. Bain?

Mr. Bain: No.

Mr. Randall: Alright. So to have the public hearing of the family subdivision ordinance in our meeting in August, Ms. Barnes, how do you vote?

Mr. Barnes: Yes.

Mr. Randall: Mr. Bain?

Mr. Bain: Yes.

Mr. Randall: Mr. English?

Mr. English: Yes.

Mr. Randall: Bart Randall says yes. Mr. McPherson?

Mr. McPherson: Yes.

Mr. Randall: Alright, the motion passes. County Attorney's Report?

COUNTY ATTORNEY'S REPORT

Ms. Lucian: I don't have one.

COMMITTEE REPORTS

8. Comprehensive Plan 5-Year Update Subcommittee
Meeting – June 17, 2021 @ 3:00 PM; County Administration Conference Room & Virtual
Next Meeting – TBD

Mr. Randall: Okay. Alright, our Committee Reports. Comprehensive Plan Committee – our next meeting is tomorrow at 9 AM. We are moving smartly through the Comprehensive Plan. Right now we're currently reviewing comments made by outside stakeholders; Utilities, Parks and Rec, Economic Development, so on and so forth. And we will continue to have those meetings until that's finalized and we have something that we can bring to the Planning Commission. The By-Laws Subcommittee.

9. By-Laws Subcommittee
Meeting – June 17, 2021 @ 2:00 PM; County Administration Conference Room & Virtual
Next Meeting – TBD

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Ms. Barnes: Okay, we had our meeting, I think it was last Thursday, and it was Al and I and Dexter participated remotely for a little bit. We did have a few minor changes. But I'm unclear about... well let me go over the minor changes first. The first change was we decided to move the meetings from 6:30 to 6:00, if that is agreeable to the rest of the Commission. On the second page we added a little section about electronic and telephonic meetings. Originally I think we were going to put it under A, but for some reason, and I'm not real sure why, I'm sure Lauren explained it to me but I'm not remembering why, we moved that to Section F discussing being able to participate electronically... I don't remember, is it twice a year? Is that what it was?

Ms. Lucian: I can't remember the exact language in that statute but it's tied directly to it. That statute actually was amended this year and it's not effective yet, which is another thing that Jeff may have brought up. But since we're talking about it now, it may be a good idea to amend your electronic participation policy in hand with the By-laws separate; it doesn't have to be done at the same time. But just a suggestion because that Code section will change.

Ms. Barnes: So we can handle the By-laws this evening and then we can handle the electronic participation another time?

Ms. Lucian: You can, but if you want to do them together, that might be an option.

Mr. Randall: When does that ordinance go into effect?

Ms. Lucian: I don't know. I was trying to find it tonight and that website's not working. Most likely July 1, but it could be a different date.

Ms. Barnes: And what specifically would we need to change in that?

Ms. Lucian: There are some changes to what is permissible for electronic participation. I don't know all the details because I wasn't able to look at it now. But it is more permissive. One example is that it allows a member to participate electronically if their family member is having a health issue, as opposed to the member themselves. So that's just an example. There are probably other changes.

Mr. Randall: And those things are all listed in the Code?

Ms. Lucian: Yes.

Mr. Randall: Okay.

Ms. Barnes: So, we don't need to have another subcommittee meeting on that, or?

Ms. Lucian: No, I think that's something that I can put together for you guys. We did a policy last year when COVID hit because you didn't have one. So that's something that I can easily put together.

Ms. Barnes: Okay. So, I'm unclear – are we gonna vote on doing it tonight or are we just going to...?

Ms. Lucian: It's up to you. If you want to do the By-laws tonight, there's nothing keeping you from doing that because that Code section is going to change regardless. So I don't think it affects the By-laws.

Ms. Barnes: So we'll just do the By-laws tonight basically?

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Ms. Lucian: If you want to, yep.

Mr. Randall: Well, I guess I'm in somewhat of an agreement that we do it all together at the same time, and we don't... so that we... I mean, it's gonna go in place July 1st. There's no basis that... there's no reason we couldn't take a quick look at this in July and move this forward.

Ms. Barnes: Take a quick look at what the... the policy?

Mr. Randall: Unless you're planning... unless you want to do something with the time so that we don't have... and, you know, that is an option as well. Alright, so continue to go through it, I'm sorry.

Ms. Barnes: Okay, let's continue on. So we changed... we added a little bit in there about the electronic policy and obviously we're still discussing that. I think there was only one other... yeah, page 6, we added when two or more Commission members wish to speak at the same time, the Chair shall determine which one shall speak first. Just a clarification of that. And the other thing that we changed, which is we made it a little closer to how we've been actually running the public hearings. We usually have staff do a presentation and then the applicant. But the way that our By-laws were worded, staff did the presentation last. So, we changed that to be more inline with what we've been handling lately. So, basically, there is no change. We're doing it the same way but we just wrote it down. And I believe...

Mr. Randall: So let me ask just a quick question concerning that. In Step Foxtrot, it says upon the conclusion of the applicant's rebuttal, the Chair shall close the public hearing. Do we have somewhere in here where it allows the Chair to maintain the public hearing open? Should that say may? The Chair may close the public hearing?

Ms. Barnes: I think we had a discussion about that, and Mr. Harvey might have some clarification on that?

Mr. Harvey: Mr. Chairman, in my discussions with regards to this is that if the public hearing is kept open to that specific meeting date, it still follows the same process for public hearings. So there really isn't necessarily a need to have any reference to continuing the hearing in this section.

Mr. Randall: Very well.

Ms. Barnes: Okay. Good enough. And I think that wraps it up for the minor changes that we have in the By-laws. We did discuss at length whether or not we wanted to change it to anything earlier, but I think we kind of settled on 6 o'clock.

Ms. Lucian: It's not a change. It's just a marker to update the date once we make the change to the By-laws.

Mr. Randall: Absolutely.

Ms. Barnes: Oh, yeah, yeah, presently. Okay, that's faded on there. But we crossed that out. It says, shall be physically present in order to constitute a quorum, but then we crossed that out.

Ms. Lucian: The reason for that is because State Code is going to control how that is calculated, regardless. So, I would recommend not stating it that way.

Mr. Randall: So, we also state that same thing in Section... on page 2, Section 2-4, number Alpha. That any meeting of the full Commission, the majority of the Commission shall constitute a quorum.

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Ms. Barnes: And we don't need to say physically present in that?

Ms. Lucian: I'd recommend not because in certain circumstances they don't have to be physically present. For example, during COVID. So I wouldn't restrict yourselves in that way. The State Code will control it regardless.

Mr. Randall: So, you're gonna write something up that allows... that kind of gives us something we can put in here, rather than just follow the code. You're going to put some guidelines in here that actually... that mirror what the Code talks about?

Ms. Lucian: Not directly in the By-laws. What the intent is, is to amend your electronic participation policy, which currently outlines what State Code is right now. And since it'll change, we can implement those changes in that policy.

Mr. Randall: And so...

Ms. Barnes: But that's separate from... completely separate from the By-laws?

Ms. Lucian: It's separate. It's referenced in the By-laws but it's a separate document.

Mr. Randall: Oh, very well. Okay, so does anybody have any concerns, questions...

Ms. Barnes: So, my concern and question is you said we needed 30 days... forgive me, it's getting late. I'm forgetting what you said. You would need 30 days to advertise this, so if we put this to... I mean, how do we handle this? If we have this July or June 30th deadline coming at us that we can't start at 4:30 any more, how will we time this out?

Mr. Harvey: Mr. Chairman and Commissioner Barnes, the Commission meetings, starting July 1st, will go back to what your By-laws currently say. They start at 7:30. Based on Subsection... or Section 7, after a two-thirds majority of the Commission votes to change the By-laws, they can become effective 30 days after that vote. So, it depends on when you vote to accept the changes to the By-laws as to when they can become effective and what meeting that would apply to.

Ms. Barnes: So, yeah, so in July we're gonna be meeting either at 6:30 or if we approve this at 6:00 regardless. No?

Mr. Randall: So, if we vote on these tonight, 30 days is July 23rd. And so our next meeting is July 28th so we will have passed the 30-day window, so then we would meet at 6 o'clock. Is that a fair assessment?

Mr. Harvey: Yes sir.

Mr. Randall: Okay. So, 6 o'clock... was there a basis for the 6 o'clock or was it just better than 6:30?

Ms. Barnes: Well, it was a bit of discussion about that. You know, the 6:30, it seemed, you know, we could move it up a little bit without getting too intrusive on a standard workday. Obviously I liked it at the 4:30 and even 5:30 would be better, but, you know, being that there's only going to be 3 or 4 of us next year on this, I'm not sure that we really should do anything drastic to change it because we really don't know who's going to be on the committee and what their schedules are going to be like. And we've also heard comments from people saying that starting much earlier than that is a hardship for them to get here. So, I think the compromise was kind of 6 o'clock.

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Mr. McPherson: Agreed. Six is better.

Mr. Randall: Well, it's better than 6:30 but it's not better than 5:30.

Ms. Barnes: No, it's not. But, you know, that's something that we can discuss if the Commission feels that you want to start at an earlier time. Six o'clock was just where we landed.

Mr. Randall: Okay. Mr. McPherson?

Mr. McPherson: How about 2 AM?

Mr. Randall: Alright, enough of you.

Ms. Barnes: So, do we need to make a motion to do this and make a motion to accept the new By-laws?

Ms. Lucian: Yes, you have to... *inaudible, microphone not on...* by two-thirds of the membership so that everybody... *inaudible*.

Ms. Barnes: Okay, so we'll... so, do I make that motion?

Mr. Randall: Please.

Ms. Barnes: Okay, so I'd like to make a motion to approve the By-laws as noted.

Mr. Bain: Second.

Mr. Randall: So, we have a motion to approve the updated By-laws by Ms. Barnes; we have a second by Mr. Bain. Any comments Ms. Barnes?

Ms. Barnes: Not at this time.

Mr. Randall: Mr. Bain, any comments?

Mr. Bain: No.

Mr. Randall: Alright, let's take a vote. Ms. Barnes?

Ms. Barnes: Yes.

Mr. Randall: Mr. Bain?

Mr. Bain: Yes.

Mr. Randall: Mr. English?

Mr. English: Yes.

Mr. Randall: Mr. McPherson?

Mr. McPherson: Yes.

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Mr. Randall: Bart Randall says yes. It passes by two-thirds vote, 5 to 0, or 5-0 and 2 absent. Alright. So, based on that and the 30-day requirement being... having already passed at the time we have our meeting, our 28th meeting in July will be held at 6 PM. Is that correct Mr. Harvey?

Mr. Harvey: Yes, Mr. Chairman, that is correct.

Mr. Randall: Okay. So, mark that on your calendars everyone; 6 o'clock. Alright, next is the Chairman's Report and I do not have any report, thank you very much. Other Business – New TRC Submissions; in the Falmouth District. We have no approval of minutes. And our meeting is adjourned. Thank you.

CHAIRMAN'S REPORT

OTHER BUSINESS

10. New TRC Submissions
 - Cranes Corner Ind Pk Major Site Plan – Falmouth Election District
 - Courthouse West Major Site Plan – Hartwood Election District

APPROVAL OF MINUTES

NONE

ADJOURNMENT

With no further business to discuss, the meeting was adjourned at 9:37 PM.