

Goose Creek Scenic River Advisory Committee

46753 Winchester Drive
Sterling VA 20164

Minutes of the January 10, 2007 meeting,
Lovettsville Room
Loudoun County Government Center
1 Harrison Street, S.E., Leesburg, Virginia

Members Present:

Chairman Helen Casey, Vice Chairman Joan Rokus, Benjamin Lawrence, Phil Daley

Members Absent:

John Isom (proxy), Mark Peterson (proxy), Lynn Gibson (proxy), Steve Combs-Lafleur, Kurt Erickson

County Staff Present:

Marchant Schneider, Department of Planning
Marie Genovese, Department of Planning,
Mark Novak, Recording Secretary, PRCS
David Ward, Building and Development

Guests:

Tom Farley, Ridgewater Park/Creekside
Ann Goode, Reed Smith (Ridgewater Park/Creekside)
Darrell Schwalm, Loudoun Wildlife Conservancy
Chris Pauley, NVRPA

Chairman's Business

Chairman Helen Casey called the meeting to order at 1:00 p.m. After introductions, Chairman Casey asked for minutes to be accepted (three proxies and three present members make a quorum). Vice Chairman Rokus asked to record the proxies. Chairman Casey read out loud the proxy members who are: John Isom, Mark Peterson, and Lynn Gibson. The missing page 2 of the minutes was previously sent to all members. Chairman Casey asked for a motion to accept November 15, 2006 minutes. Motion moved by Phil Daley, second by Vice Chairman Joan Rokus; motion passed. The next meeting was scheduled for Wednesday March 14, 2007 1:00 p.m. in the Lovettsville Room. Mark Novak is to check and see if the Mickey Gordon Room at PRCS can be scheduled as a backup meeting place. Next were introductions around the table and guests present.

Next order of business: Ridgewater Park/Creekside

The application is scheduled for a Planning Commission Public Hearing on January 22, 2007. Tom Farley provided the Committee with an update and overview of the

application, pending the Public Hearing on what has changed. Tom went on to explain that the Public Hearing is two part; first part has to do with the comprehensive plan amendment which talks to changing the comprehensive plan to redesignate the area that is currently Transition 10, one (1) unit per ten (10) acres to a Suburban designation which would make it consistent in terms of land use and densities with the surrounding areas north of the Dulles Greenway. Everything south of the Greenway would remain Transition. Second, the rezoning: the comprehensive plan amendment has to happen first before the rezoning will be heard which talks to the actual development itself. In working with the Planning Commission and Staff it was asked that if the applicant was going to designate a school site. If so, it would be better for everyone to amend the rezoning to include the school site. The applicant agreed and as a result, the Public Hearing on January 22nd will include the changes to the rezoning application.

Vice Chairman Rokus asked if the proposed school site was in the Transition Area. Tom confirmed it was and consisted of approximately hundred (100) acres of what is known as the Cammack Farm. The applicant has been working with the land owner to acquire enough acreage (+/- 95 a) to accommodate both high and middle schools on site. Been working with Loudoun County School's staff and Corp of engineers (wetlands on site) on how a high and a middle school could be laid out on the site. The applicant feels good on the feasibility of getting both schools to work on the site.

The area abutting Goose Creek and the reservoir in terms of dealing with stormwater and water quality is still in discussion with County staff. The Applicant feels there are still things that can be done in working with the Environmental Review Team (ERT) and others that will enhance the situation along Goose Creek. At the last presentation to the Goose Creek Scenic River Advisory Committee only the three hundred (300) foot no build/buffer was discussed, in terms of what was being proposed along Goose Creek. As a result of working with staff and others (including Chairman Casey) the applicant has decided to go with a five hundred (500) foot buffer along the Goose Creek. In addition, to working with water quality and topography of the area, it was decided to redesign section proposed for development and make it part of the watershed which would be preserved. This area on average would provide a nine hundred (900) foot offset from Goose Creek. Tom stated that they are providing a five hundred (500) foot no build buffer, plus a watershed prevention area, which on average would be five hundred (500) feet. The Greenway has an offset of one hundred and fifty (150) feet; they are looking at providing a buffer of four hundred (400) feet in this area. In the area of the quarry, the face of the quarry wall closest to the adjacent common property boundary is two hundred (200) feet. The Applicant is looking at providing four hundred (400) feet. There will be a six hundred (600) foot separation from the wall of the quarry to the lot building line. This area is still under discussion due the quarry's current operations, typically the MRHI zoning district a one thousand (1000) foot setback from the property line. However, when the quarry was going through their special exception back in the early 1990's they were able to reduce the setback to two (200) feet. Currently working with Luck Stone to see what can be done in this area.

The Applicant has been working with ERT on a way to incorporate low impact development (LID) techniques into their overall stormwater management approach that will help with water quality issues. They are working with Wetland Solutions and ERT so that the existing drainage patterns and hydrology would be maintained, and techniques such as bioretention, sand filters and sheet flow to vegetated buffers areas would be implemented. The Applicant is planning on making this development a model of quality stormwater management and water quality design alternatives.

The Applicant stressed the point they are trying to make is fifty (50) percent of the area near the reservoir is open space. The density they are shooting for is less than a suburban-type density. The density in suburban-type area is up to four (4) units per acre. The Applicant is looking for a little bit more than what transitional and the village concept would be around 2.5 units per acre in terms of market rate. To be sensitive to the area near the reservoir and the amount of open space the density would be around 2.1 units per acre. It's not just the features and buffers, it's also the number of units built and density in the area of the reservoir. Once again trying to deal with the sensitive issues of the reservoir and trying to maintain good water quality.

Ben Lawrence asked if the applicant was planning on using curb and gutter on the streets. Tom responded, they are looking at using pervious materials that would aid in drainage. Streets could be a problem, unless they can come up with some kind of aggregate asphalt that would allow the water to drain quickly. Ben asked again, if curb and gutter would be used. Tom confirmed that most likely curb and gutter would be used and the runoff would be collected and treated. Working with ERT as to what LEEDS type enhancements would work best. Also to be considered is the stormwater management debate on what type of pond should be used, dry or wet; where those dry ponds are located; whether they are in the buffer; and what would be maintained by the County and what would be maintained by the HOA. There's still a lot of discussion needed to iron out these details and what the ultimate engineering would be.

Chairman Casey, suggested that you don't want to put drainage (ponds) within the three (300) hundred foot buffer by the creek. Tom agreed that originally they discussed staying out of the three (300) hundred. Chairman Casey raised concern about encroachment into the five (500) foot buffer for stormwater facilities. Tom responded that the question should be, one, what is allowable and second, what is preferred and what are the options that are allowed for the applicant. One of the things that is being looked at for this area -- a lot of the natural topography works well in terms of stormwater management, as well as water quality. The County has suggested that they would like to see if the Applicant could use some of the natural features for wet (retention) ponds. However, the Corps of Engineers has some apprehension on using an existing pond for stormwater retention. That's where dry ponds come into discussion. There needs to be discussion with the Corps to see what they will allow and the County to see what they prefer, so the question can be answered. Tom stressed, that he could not commit today that if they had to use dry ponds that they would not go within the five (500) foot buffer. Tom asked Ann Goode if that was a fair assessment, Ann added that there are two parts of the water quality policy. One is LCSA's Source Water Protection

plan; secondly, worked with ERT to make sure that the Applicant's commitment is structured so that they meet those water quality policies. These are higher standards and higher stormwater management standards than the Virginia Stormwater Management Handbook. So what you're balancing off is the water quality standards which have to be met and the goal of not having any dry ponds in the buffer. The Applicant's engineer has tried to calculate, based on using LID features such as using pervious surface in alley ways, underdrains, and sand bays which in fact does avoid the need to use dry ponds. The engineer is working hard to make sure there will not be a conflict between the quantity management as to what you have to do and where you have to do it. The Applicant does not want to make a commitment without knowing there are absolutely no dry ponds necessary. The proffers do clearly state that this is a top line goal for the buffer. However, there is an engineering concern about actually managing the stormwater to the higher standard that you need to manage in the Goose Creek Reservoir.

Chairman Casey stressed concern, that while the Applicant, is providing an additional two (200) hundred feet, It appears that they may taking away the total five (500) foot buffer to allow for stormwater ponds within the buffer. Tom interposed, that was not correct. Chairman Casey asked for clarification. It has been GCSRAC understanding that it was agreed that the three (300) foot buffer included no build, no disturbance. Building stormwater management ponds would disturb it. Tom agreed that the three (300) foot buffer was a no build however, went on to explain that it was a catch 22. They need to be able to provide for the required stormwater management and water quality facilities consistent with what LCSA is directing them to do. At the same time it's the Applicant's goal to stay out of the five (500) foot buffer completely, if possible. That's their priority, but in direct response to the question whether or not there may be a need to provide a stormwater management facility between the three (300) and five (500) foot, if needed that's what would have to been done in order to meet those standards. Chairman Casey is most concerned with the three (300) foot, what's added beyond that is gravy. Putting any facility within the three (300) foot would fail GCSRAC's designation of what a three (300) foot setback is from the Creek. Marchant explained that the way the County policies and regulations work is that the no build buffer does permit stormwater management facilities. It is counter intuitive, and in this case staff, pressed that point to the Applicant. Yes, you are entitled by ordinance to locate a stormwater management facility in the buffer but, due to sensitivity of the soils and the reservoir, we're trying to come to a solution that takes it out of it. Chairman Casey again stressed that as far as she is concerned, the three (300) foot buffer precludes any disturbance of the buffer at all, even for stormwater. Tom is aware of Chairman Casey and GCSRAC position on the three (300) foot buffer. The Applicant is going to try and keep the three (300) untouched, they are looking more at the area between the three (300) and five (500) foot. However, they have not reached a definitive engineering point where they can give a firm commitment today that they aren't going to be in there at all. Tom assured Chairman Casey that he understands the committee's position and will do all that they can to honor it.

Ben asked what the Applicant's plan was to drain the site, was everything going to just drain to where it flowed. Tom explained there will be an overall design that addresses stormwater management, watershed protection, water quality protection and best management practices (BMP). There was a lot of general discussion on this topic; bottom line is the Applicant will continue to work with staff to provide the best design and protection to the Goose and reservoir possible.

Darrell Schwalm of Loudoun Wildlife Conservancy, a group concerned about broad water quality issues, pointed out that Sycolin Creek is an impaired stream and will have a TMDL. It appears that there is not much of a buffer compared to the Goose, would like to see Sycolin protected as well. Chairman Casey pointed out that Sycolin is a major feeder to the Goose and one of the problem sources to the Goose. Tom agrees but, in terms of the direction that was given because of the reservoir they needed to go the extra mile in terms of the water quality issues. The Applicant feels Sycolin needs to be protected; however, did not go the same length as with the Goose. They are looking at possible way to help protect it by using an existing pond for stormwater management. In addition, all the buffer areas along the Goose and Sycolin Creek are being dedicated to the County for a passive park. The Applicant is aware of the need to protect and preserve Sycolin Creek.

Chairman Casey gave the Applicant a copy of the committee's trail policy along Goose Creek. Chairman Casey hoped this would help the Applicant see how the committee envisioned the three (300) foot buffer be used. Chairman Casey encouraged the Applicant to follow the guide lines set within the policy. Tom felt it would be a good for the committee to work with them to help educate the residents that would be living in the development on ways to preserve and protect the Goose, Sycolin, reservoir and watershed within their community.

Vice Chair Rokus asked how far the proposed County Park along Sycolin Creek was from the WO&D trail. It was pointed out that the WO&D trail was not in the vicinity of the proposed park. In addition, Vice Chair Rokus mentioned that the item will be coming before the Planning Commission January 22, 2007 and that staff recommendation is for denial based on several issues. What can be done to make this more receptive? Ann informed Vice Chair Rokus that there was a resubmission on December 27, 2006 that addressed some of the issues. Not all referral agents (staff) have had time to review with comments. The Applicant recognizes that there are outstanding issues and fully anticipates going to the Committee of the Whole to work with staff and the Planning Commission to see if solutions can be found on outstanding issue staff currently does not support. Ann summarized what she felt were some of concerns expressed by the committee. One, that the three (300) foot buffer not be encroached by stormwater management and if the same commitment could be extended for the area between the three (300) and five (500) foot buffer. Clarifying how much LID techniques are anticipated to be used in the development for water quality. Chairman Casey added that a big concern is the area along Goose Creek and near the quarry is mostly diabase (rock) leaving very little for infiltration.

Tom reiterated that the resubmission on December 27, 2006 has not afforded staff adequate time to review. However, a lot of progress has been made, not necessarily where everyone wants to be but, everyone is working hard to resolve some of the outstanding issues. The Applicant goal is to go forward with the Planning Commission Public Hearing and continue to work with staff on the outstanding issues. Marchant, Project Planner, said they will continue to review the application and work with the Applicant.

Next order of business, Committee Business

Chairman Casey had included in everyone's packet the new address and telephone numbers of committee members for 2007. Asked members to review information for correctness.

Few months back the GCSRAC received an award from Scenic Virginia for Honorable Mention – Best Preservation of a Scenic Water Corridor. Chairman Casey passed the award around for committee members to see.

Fauquier County Scenic River designation: Ben reported that they are moving right along. Next step: General Assembly for legislative approval.

DiGiulian Property - Bridge crossing is a big problem. Chairman Casey received a letter from DCR sent to Corps of Engineers and MRC. They have been looking into see what the problems are concerning crossing of Goose Creek. DiGiulians have been moving very quietly without getting any approval from the County or anyone else. There is a 'stop work' order on the crossing issued by the County. DCR has come up with a number of issue (flowers, creatures sensitive to the area) that will require attention before they can proceed. This committee's interest primarily is the designation of the creek as a scenic river. Committee has objected to what they have done, crossing the creek and hope to have a great influence on whatever bridge comes out of it. Chairman Casey suggests that any bridge they build be to VDOT and County standards, most of all County standards. Chairman Casey went on to read from DRC letter; *"the bridge crossing negatively impacts the scenic and recreational values of the river. To mitigate these impacts, the bridge should be high enough to allow canoe passage and it's recommended that the bridge foundation be outside the creek channel."* Committee is in agreement. The property owner has postponed plan putting in culverts that was presented to the MRC. The placement of culverts would allow for a road to be placed over top for a crossing. This essentially would be a dam; dams are not allowed by regulation from state general assembly when they created Goose Creek as a Scenic River. Anything that dams the creek is against the law.

Chairman Casey then opened the floor to other committee members.

Others:

Ben – Concerns on Ridgewater Park.

- Bridge over Sycolin Creek that would provide access to Philip Bolen Park. The bridge should accommodate pedestrian and bicycle access not along the creek.
- Proposed residential development in the area could be overwhelming to the creek. How many developments can you build and not flush the creek.
- Uncontrolled runoff will find its way into the creek.

Phil Daley – Concerns on Ridgewater Park.

- Applicant is requesting a policy area change that will go from one (1) unit per acre to 2.5 units per acre.

Darrell Schwalm, Loudoun Wildlife Conservancy

- There are a number of environmental organizations in the County that are in the planning stages of an environmental education conference coming up in April (looking at the 11th or 12th). This conference is directed towards groups such as yours that have educational elements to their mission. Looking at getting these groups to work together to see how they can enhance and meet the needs and challenges for environmental education. More information will be forthcoming.

There being no further business of the Committee, the meeting was adjourned at 3:00p.m.

Respectfully Submitted,

Mark A. Novak, ASLA, PRCS