



FAIRFAX COUNTY

DEPARTMENT OF PLANNING AND ZONING

Zoning Evaluation Division
12055 Government Center Parkway, Suite 801
Fairfax, Virginia 22035-5509

(703) 324-1290

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Fax (703) 324-3924

V I R G I N I A

September 9, 2005

Lynne J. Strobel
Walsh, Colucci, Lubeley, Emrich & Terpak
2200 Clarendon Blvd., Thirteenth Floor
Arlington, Va 22201-3359

Re: Interpretation for SEA 01-S-028, Geshher Jewish Day School of Northern Virginia, Tax Map
56-4 ((1)) 19B and 56-4 ((3)) 1: SWM clearing

Dear Ms. Strobel:

This is in response to your letters of August 2, August 31, and September 6, 2005, requesting an interpretation of the Special Exception Amendment (SEA) plat and development conditions approved by the Board of Supervisors in conjunction with SEA 01-S-028. As I understand it, the question is whether the deletion of the stormwater management pond (SWM) in the southeast quadrant of the site and the additional clearing for the SWM pond located in the northwest corner of the site is in substantial conformance with the SEA plat and development conditions. This determination is based on your letters and the exhibit entitled "Geshher Jewish Day School Special Exception Amendment Modification Plat" prepared by PHR&A and dated July 28, 2005, and an e-mail from PHR&A sent to staff on September 8, 2005. Copies of your letters with the e-mail, a reduction of the exhibit, and the development conditions are attached.

The Special Exception Amendment Plat for SEA 01-S-028 that was approved by the Board of Supervisors on February 7, 2005, showed two stormwater management ponds, one in the northwest quadrant of the site and another in the southeast quadrant. Your letters state that final engineering and coordination with DPWES has determined that only the pond in the northwest quadrant is required. As a result of this revision, the one remaining pond has been expanded along its southern rim; however, the setback to the western property line is unchanged. The letter also notes out that a swale is required in proximity to the northern property line which requires additional clearing in an area protected by limits of clearing and grading on the SEA Plat. Your exhibit shows clearing for the swale and for a stormwater culvert pipe which is proposed to be located under the pond maintenance access road to carry off-site runoff to a drainage easement located on adjacent Lot 93. According to your August 31, 2005, letter, the area upstream of the culvert will have the appearance of a grassy swale. The area downstream will have a concrete ditch 5 feet or less in width.

As we have discussed, the additional clearing for the culvert is proposed within a vegetated area that was approved to satisfy transitional screening requirements toward the adjacent residential neighborhood. In addition, Par. 4A (6) of Sect. 9-004 of the Zoning Ordinance states that minor modifications to an approved special exception shall not “*Result in an increase in the amount of clearing and/or grading for a stormwater management facility, including any clearing and/or grading associated with spillways, inlets, outfall pipes or maintenance road, that reduces non-stormwater management open space, tree save and/or landscaping on the lot*”. However, your letter of September 6, 2005, and the subsequent e-mail from the engineer at PHR&A, demonstrates that the elimination of one pond, even with the increase in size of the remaining pond and the clearing for the culvert and swale, will result in a reduction in the area being cleared and/or graded for stormwater management of 0.75 acre. The exhibit shows that you are proposing to plant evergreen trees in the transitional screening proposed to be cleared for the culvert.

Based on the above, it is my determination that the proposed modifications to the limits of clearing and grading to enlarge the SWM pond and install a culvert and drainage swale in the northwest quadrant of the site are in substantial conformance with the SEA plat and development conditions, as long as an adequate number of evergreen plantings are installed in the cleared area west of the dam embankment to provide year round screening of the SWM facility, as recommended by Urban Forest Management.

This determination has been made in my capacity as the duly authorized agent of the Zoning Administrator.

Should you have additional questions, please contact Mary Ann Godfrey at (703) 324-1290.

Sincerely,



Barbara A. Byron, Director
Zoning Evaluation Division, DPZ

Attachments: A/S

cc: Elaine McConnell, Supervisor, Springfield District
Peter Murphy, Planning Commissioner, Springfield District
Leslie Johnson, Deputy Zoning Administrator, DPZ
Michelle Brickner, Assistant Director, Office of Land Development Services, DPWES
Angela Rodeheaver, Section Chief for Site Analysis, DOT
Craig Carinci, Director, Environmental and Facilities Inspection Division, DPWES
Kevin Guinaw, Chief, Special Projects/Applications Management Branch, DPZ
File: SEA 01-S-028, SEI 0508 045, Imaging, Reading File



WALSH COLUCCI
LUBELEY EMRICH
& TERPAK PC

Lynne J. Strobel
(703) 528-4700 Ext. 18
lstrobel@arl.thelandlawyers.com

September 6, 2005

RECEIVED
Department of Planning & Zoning

SEP 08 2005

Zoning Evaluation Division

Via E-Mail & First-Class Mail

Mary Ann Godfrey
Senior Staff Coordinator
Fairfax County Department of Planning & Zoning
12055 Government Center Parkway, Suite 801
Fairfax, Virginia 22035

Re: SEA 01-S-028
Gesher Jewish Day School of Northern Virginia

Dear Ms. Godfrey:

Please accept this letter to supplement the information provided in a request for an interpretation of minor modifications to the referenced special exception application. Two (2) letters have been previously submitted; one dated August 2, 2005, and an additional letter dated August 31, 2005.

As previously discussed, Gesher Jewish Day School of Northern Virginia has redesigned its site plan. The original site plan identified two (2) proposed stormwater management ponds. One proposed stormwater management pond will be eliminated and the remaining pond slightly increased in size. In response to your specific inquiry, the amount of clearing necessary for development has been reduced from 13.52 acres to 12.77 acres. In other words, the area of disturbance will be .75 acre less as a result of the redesign.

Should you have any questions, or require additional information, please do not hesitate to contact me. I am hopeful that this supplemental information will allow for the favorable consideration of the pending interpretation request.

Very truly yours,

WALSH, COLUCCI, LUBELEY, EMRICH & TERPAK, P.C.

Lynne J. Strobel
LJS/lbm

cc: Debbie Charnoff, Ann Bennett, Ed Venditti, Martin D. Walsh

J:\GESHER\3376.2\Godfrey Letter 9.6.05.doc

Godfrey, Mary Ann

From: Strobel, Lynne J. [lstrobel@arl.thelandlawyers.com]
Sent: Thursday, September 08, 2005 3:32 PM
To: Godfrey, Mary Ann
Subject: FW: Geshher JDS SEA Letter of Interpretation

From: Edward G. Venditti [mailto:Edward.Venditti@phra.com]
Sent: Thursday, September 08, 2005 2:35 PM
To: Barbara.Byron@fairfaxcounty.gov
Cc: Strobel, Lynne J.
Subject: Geshher JDS SEA Letter of Interpretation

Dear Ms. Byron

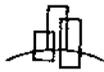
I am the Civil Engineer of record for the Site Plan for the Geshher Jewish Day School. You have inquired regarding the changes in limits of clearing and grading as described in previous correspondence and plans recently submitted to you. The delta in the amount of clearing and grading is solely related to the elimination of Storm Water Management (SWM) Pond Number 2, and a slight increase in the the size of SWM Pond No. 1. This is in accordance with Article 9-004, paragraph 4.A.6 of the Fairfax County Zoning Ordinance. Should you have any questions please contact me.

Sincerely,
Edward Venditti

Edward G. Venditti, PE
Director of Civil Engineering
Patton Harris Rust & Associates, pc
14532 Lee Road
Chantilly, Virginia 20151
P 703.449.6700
F 703.449.6714
www.phra.com

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WALSH COLUCCI
LUBELEY EMRICH
& TERPAK PC

Lynne J. Strobel
(703) 528-4700 Ext. 18
lstrobel@arl.thelandlawyers.com

RECEIVED
Department of Planning & Zoning

SEP 06 2005

August 31, 2005

Zoning Evaluation Division

Via Facsimile and First-Class Mail

Mary Ann Godfrey
Senior Staff Coordinator
Fairfax County Department of Planning & Zoning
12055 Government Center Parkway, Suite 801
Fairfax, Virginia 22035

Re: SEA 01-S-028
Gesher Jewish Day School of Northern Virginia

Dear Ms. Godfrey:

Please accept this letter to supplement the information provided in a request for an interpretation of minor modifications to the referenced special exception.

As described in my letter of August 2, 2005, Gesher Jewish Day School of Northern Virginia ("Gesher") has redesigned its site plan. Due to engineering considerations, one proposed stormwater management pond has been eliminated, and the remaining pond slightly increased in size. This results in a more efficient stormwater management system and an increase in both open space and undisturbed open space.

You have expressed concerns regarding the stormwater culvert pipe beneath the pond maintenance access road for the purpose of bypassing off-site runoff that is proposed in the northwest quadrant of the property. As we discussed, the area in which the pipe is located was not included in either the open space or undisturbed open space calculation for the approved special exception. In addition, the area of disturbance down stream of the culvert is quite small. It is approximately 2,160 square feet or less than .05 of an acre (too small to have been included in the open space calculations). Lastly, the area upstream of the culvert will have the appearance of a grassy swale, and the area down stream of the culvert will have a narrow (5ft. or less) concrete ditch for erosion control purposes once improvements are completed. Gesher is also willing to provide supplemental landscaping in this area to ensure that its appearance to the adjacent residential community to the west is consistent with that that was shown during the processing of the special exception application. I have attached an exhibit prepared by Patton, Harris, Rust and Associates to illustrate the landscaping that may be provided.

August 31, 2005

Page 2 of 2

I am hopeful that the information contained herein and as shown on the attached exhibit will allow for the favorable consideration of the pending interpretation request. Should you have any questions regarding the enclosed, or require additional information, please do not hesitate to give me a call. As always, I appreciate your cooperation and assistance.

Very truly yours,

WALSH, COLUCCI, LUBELEY, EMRICH & TERPAK, P.C.

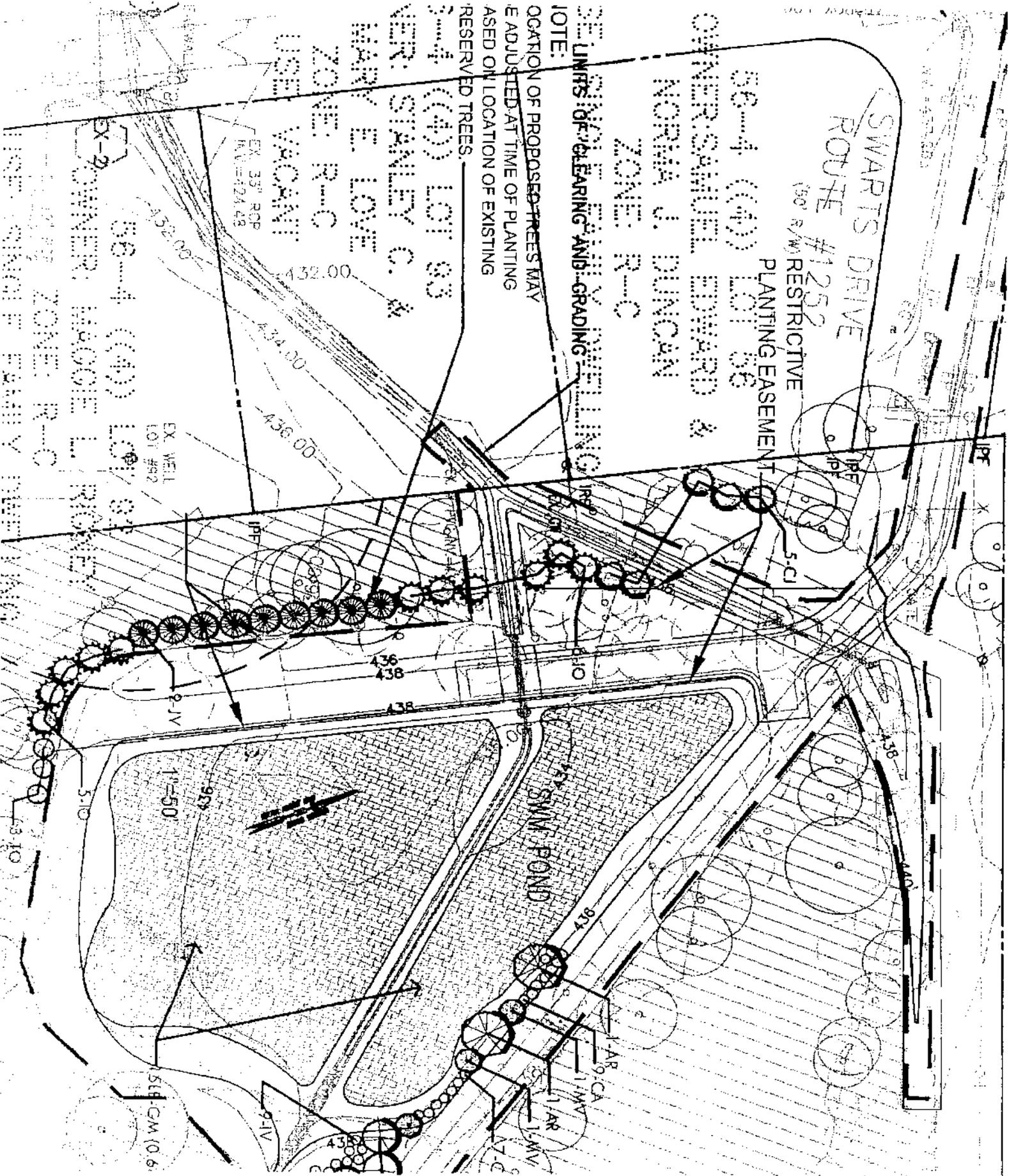


Lynne J. Strobel

LJS/lbm

cc: Debbie Charnoff, Ann Bennett, Ed Venditti, Martin D. Walsh

.JAGESHER\3376.2\Godfrey Letter 8.31.05.doc



LOCATION OF PROPOSED TREES MAY BE ADJUSTED AT TIME OF PLANTING BASED ON LOCATION OF EXISTING RESERVED TREES.

LIMITS OF CLEARING AND GRADING ARE SHOWN BY DASHED LINE

ZONE R-C

OWNER SAUEL EDWARD & NORMA J. DUNCAN

56-4 (C4) LOT 96

PLANTING EASEMENT

(150' R/W) RESTRICTIVE

SWARTS DRIVE ROUTE #1252

ZONE R-C
OWNER MARY E. LOVE
VERA STANLEY C. &

56-4 (C4) LOT 93

ZONE R-C



**WALSH COLUCCI
LUBELEY EMRICH
& TERPAK PC**

Lynne J. Strobel
(703) 528-4700 Ext. 18
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August 2, 2005

RECEIVED
Department of Planning & Zoning
AUG 02 2005
Zoning Evaluation Division

By Hand Delivery

Barbara A. Byron, Director
Zoning Evaluation Division
Fairfax County Department of Planning & Zoning
Director, Zoning Evaluation Division
12055 Government Center Parkway, Suite 801
Fairfax, Virginia 22035

Re: SEA 01-S-028
Gesher Jewish Day School of Northern Virginia

Dear Ms. Byron:

Please accept the following as a request for an interpretation of minor modifications to an approved special exception in accordance with Paragraph 4 of Section 9-004 of the Fairfax County Zoning Ordinance ("Ordinance").

The referenced special exception amendment application was approved by the Board of Supervisors at its hearing held on February 7, 2005. The approval amended a previously granted special exception for a private school of general education and associated accessory uses. The amendment was necessary to accommodate minor modifications to the improvements shown on the special exception plat including a relocation of the primary septic field. The application was approved subject to thirty (30) development conditions. Development Condition 3 requires that any plan submitted pursuant to the special exception be in substantial conformance with the approved special exception plat entitled, "Gesher Jewish Day School; Special Exception Amendment" prepared by Patton Harris Rust and Associates, PC and dated August 20, 2004 as revised through December 3, 2004. (the "SE Plat"). The condition further states that minor modifications may be permitted pursuant to Paragraph 4 of Section 9-004 of the Ordinance. A copy of the approved development conditions is attached for your convenient reference.

Since its original approval in April of 2002, Gesher Jewish Day School of Northern Virginia ("Gesher"), along with its consultants, has been diligently pursuing site plan approval. During this process, the Applicant has received several favorable interpretation requests and the approval of an amendment as described above. It is my understanding that the site plan is ready to be recommended for approval upon resolution of one final engineering issue. This issue is associated with stormwater management.

The SE Plat identifies two stormwater management ponds located on the Gesher property. One pond is located in the northwest quadrant of the Gesher property and a second

smaller pond is located in the southeast quadrant. Upon further discussions with representatives of the Fairfax County Department of Public Works and Environmental Services, it has been determined that only one pond is required. As shown on the enclosed exhibit prepared by Patton Harris Rust and Associates, the pond located in the southeast quadrant of the Gesher property has been removed. This is a result of a modification to the on-site storm sewer which directs the parking lot runoff to the remaining stormwater management pond. The pond located in the northwest quadrant has increased slightly in size along its southern rim. The setback to the western property line, however, remains the same (90 feet as measured from the property line to the pond water surface at the design storm level). Landscaping continues to be proposed at the perimeter of the pond to provide screening to the adjacent residential community to the west. In addition, a small swale is required in proximity to the northern property line. This results in only a minor modification in the previously approved limits of clearing and grading. The result is a more efficient stormwater management pond that is designed in accordance with the requirements of Fairfax County.

As illustrated in the tabulations provided in the exhibit, the open space on the Gesher property has increased from 80% to 80.5%. In addition, the amount of undisturbed open space has increased from 49% to 50%. Please note that this is consistent with development condition 24 which requires the Applicant to make every effort to increase the amount of undisturbed open space to a minimum of 50%. This was encouraged through a combination of strategies including, but not limited to, reduction in the limits of clearing and grading, reduction in the size of stormwater facilities, and increase in the amount of tree preservation. The Applicant's proposal is consistent with this condition.

I would appreciate your consideration of the modifications described herein and as illustrated on the attached exhibit. In accordance with the requirements of Section 9-004 of the Ordinance, the proposed modifications are in response to issues of final engineering and technical requirements. Further, the proposal meets the limitations of Paragraph 4 (a), as the modifications do not include the following:

- A more intensive use than the approved special exception. The number of students and type of use is unchanged.
- An increased parking requirement. The number of students and teachers has remained the same, and, therefore, no additional parking is required.
- A use other than those approved pursuant to the special exception. The special exception was approved for a private school of general education with accessory uses and no modifications are proposed to this use.
- Reduce the effectiveness of approved transitional screening, buffering, landscaping or open space. The setback to the residential community located to the west has remained unchanged. Further, the removal of the second stormwater management pond has improved the buffer to the property located to the south. Lastly, the amount of open space and undisturbed open space has increased.

- Permit changes to the bulk, mass, orientation or location of buildings, which adversely impacts the relationship of the development to adjacent property. The proposed modification does not affect any structures or buildings. All previously approved buildings are in the same location as approved. There are no decreases to peripheral setbacks to buildings and no increases to building height. No additional buildings or additions to buildings are proposed. The overall square footage proposed on the property is not modified.

In consideration of the above, I am asking for your administrative approval of the modifications described herein as they are in substantial conformance with the approved special exception amendment application.

Should you have any questions regarding this request, or require additional information, please do not hesitate to give me a call. As the site plan is ready to be approved subject to resolution of this issue, the issuance of a response as quickly as possible would be greatly appreciated. As always, I appreciate your cooperation and assistance.

Very truly yours,

WALSH, COLUCCI, LUBELEY, EMRICH & TERPAK, P.C.


Lynne J. Strobel

Enclosures

LJS/lbm

cc: Debbie Charnoff, Ann Bennett, Ron Katz, Art Robinson, Martin D. Walsh



FAIRFAX COUNTY

OFFICE OF THE CLERK
BOARD OF SUPERVISORS
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V I R G I N I A

www.fairfaxcounty.gov/gov/bos/clerkhomepage.htm
Email: clerktothebos@fairfaxcounty.gov

March 2, 2005

Lynne J. Strobel, Esquire
Walsh, Colucci, Lubeley, Emrich & Terpak, PC
2200 Clarendon Boulevard, 13th Floor
Arlington, Virginia 22201-3359

Re: Special Exception Amendment Application Number SEA 01-S-028

Dear Ms. Strobel:

At a regular meeting of the Board of Supervisors held on February 7, 2005, the Board approved Special Exception Amendment Application Number SEA 01-S-028 in the name of Geshar Day School to amend SE 01-S-028 previously approved for a private school of general education to permit site modifications, located at 4700 Shirley Gate Road, Tax Map 56-4 ((1)) 19B and 56-4 ((3)) 1, pursuant to Section 3-C04 of the Fairfax County Zoning Ordinance, by requiring conformance with the following development conditions which supersede those previously approved (conditions carried forward substantially unchanged are marked with an asterix *):

1. This Special Exception Amendment is granted for and runs with the land indicated in this application and is not transferable to other land. *
2. This Special Exception Amendment is granted only for the purpose(s), structure(s) and/or use(s) indicated on the Special Exception Amendment Plat approved with the application, as qualified by these development conditions. *
3. This Special Exception Amendment is subject to the provisions of Article 17, Site Plans, as may be determined by the Director, Department of Public Works and Environmental Services (DPWES). Any plan submitted pursuant to this Special Exception Amendment shall be in substantial conformance with the approved Special Exception Amendment Plat entitled "Geshar Jewish Day School; Special Exception Amendment," prepared by Patton Harris Rust & Associates, PC and dated August 20, 2004 as revised through December 3, 2004, and these conditions. Minor modifications to the approved Special Exception Amendment may be permitted pursuant to Paragraph 4 of Section 9-004 of the Zoning Ordinance.

4. Development of the school may be phased. Phase 1 shall consist of the main building labeled as "Main School" on the Special Exception Amendment (SEA) Plat. The construction of any of the expansions (labeled as "Future Expansions A through E" on the SEA Plat) shall be considered Future Phases. This shall not prohibit the construction of any of the expansions with Phase 1.

Operational

5. Maximum daily enrollment for Phase 1 shall be 350 students. Maximum daily enrollment for the entire school with all Future Phases shall be 540 students. *
6. The primary hours of operation during the school year shall be 8:00 am to 3:30 pm. After school enrichment activities sponsored by the school shall be permitted, provided that enrichment programs begin no earlier than 7:30 am. School related evening activities shall be permitted, provided that such activities end by 11:00 pm. Summer school and/or a summer day camp program may be operated at the school. This condition shall not preclude the administrative offices from operating year round.
7. Indoor recreation space shall be provided for each student enrolled in accordance with the provisions of Chapter 30 of the Fairfax County Code. *
8. A vinyl covered chain-link fence six feet in height may be allowed along or close to the western property boundary. Such fence shall be installed in a meandering fashion through existing trees, and shall be located so as to require the removal of as few healthy trees as possible, as approved by the Urban Forest Management Branch. *

Transportation

9. An ingress-egress easement shall be maintained with the owner of Tax Map Parcel 56-4 ((1)) 19A and 20 to allow access to Mattie Moore Court, as shown on the SEA Plat.
10. Access shall be provided from the property to the north (Tax Map Parcel 56-4 ((3)) 11, hereafter "Parcel 11") to Shirley Gate Road through the public access easement shown across the application property on the SEA Plat, should Parcel 11 develop with a non-residential use, and demonstrate to DPZ and DOT that it is unable to gain adequate access to a public street. If alternative access is subsequently provided for Parcel 11, this access may be abandoned.
11. A vehicular access easement and/or a utility easement shall be granted across Parcel 19B to the benefit of Tax Map Parcel 56-4 ((1)) 19, connecting the northern and southern portions of Parcel 19. Such easement shall be granted at

the time of development of Parcel 19, or upon demand by the owner of Parcel 19. Should development of Parcel 19 be approved by DPWES without such an easement, and should the owner of Parcel 19 agree to such in writing, the easement shall not be required.

12. A ride-share program to encourage and assist in the organization of student and employee car/van pools shall be instituted by the school and maintained indefinitely. A car pool shall be defined as consisting of two or more students and/or employees. The school shall appoint an individual or committee to head the ride-share program. School bus/van service shall be made available where routing is practically feasible, as determined by the Gesher JDS. Prior to the issuance of a Non-RUP for any Phase beyond Phase 1, to accommodate more than the 350 students allowed with Phase 1, a minimum of 40% of the student enrollment shall be transported by car pool or bus/van. *
13. All parking shall be on site as shown on the SEA Plat. There shall be no overflow parking from the school (including any events held at the school) along any surrounding subdivision streets or along Shirley Gate Road. *
14. Frontage improvements, including trails, shall be provided along Shirley Gate Road in accordance with improvements to either side of the subject property, as required by DPWES. *

Environmental

15. Stormwater Best Management Practices (BMPs) designed to meet the requirements of the Water Supply Protection Overlay District shall be provided on-site in the form of dry detention ponds, natural conservation areas, and/or other means as approved by DPWES. The detention ponds shall be landscaped to the extent possible, in accordance with the Board policy. *
16. If the proposed development is constructed in phases, any stormwater management facility shown on the SEA Plat shall be constructed prior to, or in conjunction with any impervious surfaces on the site that will drain toward that facility (including the proposed entrance road), subject to DPWES approval. *
17. The stormwater management ponds shall be designed and constructed such that clearing and grading will be minimized, as determined by the Urban Forest Management Branch. If feasible, as determined by the Urban Forest Management Branch in coordination with DPWES, ponds shall be designed such that the only clearing and grading necessary for the installation of the pond shall be for the dam embankment, inlet and outfall pipes and maintenance access, and shall be planted to the extent possible as determined by DPWES, in accordance with the Board Policy. *

18. Sewage disposal for the proposed school shall be provided by an on-site septic system that will accommodate an enrollment of 540 students and 64 staff members, as determined by the Health Department. This system may include on-site primary septic tank effluent (STE), secondary effluent (ST), or advance secondary effluent (ASE) treatment. The Health Department has estimated that such a system would be designed to dispose of approximately 5,972 gallons of effluent per day. Prior to site plan approval for any phase of the development, the applicant shall demonstrate to the satisfaction of the Health Department the adequacy of the proposed system for that phase (and all prior phases) of the development. If the capacity approved by the Health Department is less than would be required to accommodate the approved enrollment and staff, enrollment shall be reduced accordingly. Such system shall be designed to meet all State and County requirements as determined by the Fairfax County Health Department. The applicant shall prepare an emergency back-up plan approved by the Health Department for the disposal of sewage in the event of failure of the primary system.

19. (1) The primary septic fields to be utilized shall be the two areas located on the north side of the main building and labeled "Approved Septic Field Area" on the SEA Plat. (2) Should additional area be required by the Health Department, the septic field located in the soccer field and labeled "Reserve Septic Area" shall be utilized. Should this area be utilized, all recommendations of the Health Department pertaining to re-construction of and use of the soccer field shall be implemented. (3) If and only if the other three fields are deemed unacceptable or insufficient by the Health Department, the septic field area located in the western portion of the property and labeled "Reserve Septic Area" may be utilized. This area shall not be cleared unless and until it is required for use by the Health Department.

20. Prior to construction of each drainfield, background levels of nitrates and other monitored substances, as determined by the Health Department, shall be determined for soil water beyond the perimeter of the proposed drainfield, and for all private water wells within 200 feet of the proposed drainfield. The applicant shall provide modeling and monitoring information as required by the Health Department that demonstrates, to the satisfaction of the Health Department, that nitrate concentrations in ground water will not exceed the greater of 5 mg/l or 5 mg/l above pre-development levels, and that nitrate concentrations above 5 mg/l or 5 mg/l above pre-development levels, (whichever is greater) will not be present within soil water beyond the perimeter of the proposed drainfield and any other existing drainfields on the site. The applicant shall perform periodic monitoring of septic drainfields for water table mounding and/or nitrates in groundwater as directed by the Health Department if such monitoring is determined to be desirable by the Health Department.

21. In order to demonstrate that the septic drainfield system will be functioning appropriately, that on-site wastewater disposal will not adversely affect drinking water wells located on properties near the subject property, and that the performance standard for nitrates established within Development Condition #20 will be met, the applicant shall, prior to site plan approval for each phase of the development, submit to the Health Department a groundwater monitoring plan for the septic drainfield(s) to be constructed and/or used in conjunction with the respective phase of the development. This monitoring plan shall be subject to the review and approval of the Health Department and shall, at a minimum, include the following components: (1) the identification of the number, depths, and locations of groundwater monitoring wells; (2) the identification of the substance(s) that will be monitored and any other monitoring that will be performed (e.g., water table levels); (3) the identification of the frequency and duration of the groundwater monitoring effort (with background monitoring provided prior to drainfield operations, with a minimum duration of two years for each phase of development, and with provisions for monitoring of conditions when drainfields are being used at capacity); and (4) the establishment of a groundwater monitoring protocol, to include the method(s) of sample extraction and laboratory procedures. The applicant shall implement the monitoring plan that is approved by the Health Department and shall submit monitoring results to the Health Department and DPWES. *

22. For each phase of construction, a grading plan which establishes the limits of clearing and grading necessary to construct the improvements planned for that phase shall be submitted to DPWES, including the Urban Forest Management Branch, for review and approval. The extent of clearing and grading for each phase of construction shall be the minimum amount feasible as determined by DPWES, and in no instance shall exceed that shown on the SEA Plat. The area reserved for the provision of an interparcel access easement to the north, may be cleared, but only at such time as necessary for construction of that road connection. Prior to any land disturbing activities for each phase of construction, a pre-construction conference shall be held between DPWES and representatives of the applicant to include the construction site superintendent responsible for the on-site construction activities. The purpose of this meeting shall be to discuss and clarify the limits of clearing and grading, areas of tree preservation, and the erosion and sedimentation control plan to be implemented during construction. In no event shall any area on the site be left denuded for a period longer than 14 days except for that portion of the site in which work will be continuous beyond 14 days. Further, prior to the issuance of each Non-RUP, areas disturbed by clearing and grading shall be stabilized with a ground cover to consist of grasses and/or a naturalized wildflower/meadow mix which shall be maintained until such time as subsequent phased construction is initiated. *

23. At the time of site plan submission for each phase of the development, a tree preservation plan shall be provided for review and approval by the Urban Forest Management Branch. Each tree preservation plan shall include a tree survey which describes the location, species, size, accurate dripline, and condition of all trees 12 inches in diameter and greater, 25 feet on either side of the limits of clearing and grading. The condition analysis shall be prepared by a certified arborist using the eighth edition of "The Guide for Plant Appraisal." Specific tree preservation activities shall be reflected in the tree preservation plans, including methods to be implemented to ensure preservation. *
24. The applicant shall make every effort to increase the amount of undisturbed open space to a minimum of 50%, through a combination of strategies including, but not limited to, reduction in the limits of clearing and grading, reduction in the size of stormwater facilities, and increase in the amount of tree preservation. In no event shall the percentage of undisturbed open space be less than 49%. The area reserved for the provision of an interparcel access easement to the north, shall for the purposes of this condition be considered to be undisturbed open space.
25. A row of evergreen screening shall be planted along the interior of the limits of the tree save areas along the western edge of the property at any place where less than 100 feet of existing, preserved vegetation exists between the property line and any cleared or developed area on the site. Such planting shall be in accordance with the recommendations of the Urban Forestry Management Branch.
26. Additional screening materials shown to be planted north of the septic system within the area protected by limits of clearing and grading shall be installed subject to review and approval by the Urban Forest Management Branch, with the intent to provide an evergreen screen to the north.
27. Outdoor lighting fixtures used to illuminate the parking area and walkways shall not exceed 16 feet in height, shall be of low intensity design, and shall be in conformance with Article 14 of the Zoning Ordinance.
28. If DPWES determines that a potential health risk exists due to the presence of asbestos-containing rock on the application property, the applicant shall: *
 - A. Take appropriate measures as determined by the Health Department to alert all construction personnel as to the potential health risks, and
 - B. Commit to appropriate construction techniques as determined by DPWES in coordination with the Health Department to minimize this risk. Such techniques may include, but are not limited to, dust suppression measures during all blasting and drilling activities and covered transportation of removed materials presenting this risk, and appropriate disposal.

Other

29. Use of the pool shall be limited to students attending the school and/or summer programs at the school.
30. Any waste water resulting from the cleaning and draining of the swimming pool that is not discharged into the septic system shall contain a minimum dissolved oxygen concentration of 4.0 milligrams per liter prior to discharge. Such pool water shall be neutralized to a Ph level between 6.0 and 9.0 prior to discharge, and sufficient amounts of lime or soda ash shall be added to achieve a Ph approximately equal to that of the receiving stream.

This approval, contingent on the above noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations, or adopted standards. The applicant shall be himself responsible for obtaining the required Non-Residential Use Permit through established procedures, and this Special Exception Amendment shall not be valid until this has been accomplished.

Pursuant to Section 9-015 of the Zoning Ordinance, this Special Exception Amendment shall automatically expire, without notice, thirty (30) months after the date of approval unless, at a minimum, Phase 1 of the use has been established or construction has commenced and been diligently prosecuted. The Board of Supervisors may grant additional time to establish the use or to commence construction if a written request for additional time is filed with the Zoning Administrator prior to the date of expiration of the Special Exception Amendment. The request must specify the amount of additional time requested, the basis for the amount of time requested and an explanation of why additional time is required.

The Board also:

- **Modified the barrier requirement to the west and waived the barrier to the north, east, and south in favor of that shown on the SEA Plat and as conditioned.**
- **Modified the transitional screening requirement to allow use of the existing vegetation, as shown on the SEA Plat.**

If you have questions regarding the expiration of this Special Exception Amendment or filing a request for additional time, they should be directed to the Zoning Evaluation Division in the Department of Planning and Zoning at 703-324-1290. The mailing address for the Zoning Evaluation Division is Suite 801, 12055 Government Center Parkway, Fairfax, Virginia 22035.

Sincerely,



Nancy Vehrs
Clerk to the Board of Supervisors

NV/ns

cc: Chairman Gerald E. Connolly
Supervisor Elaine McConnell, Springfield District
Janet Coldsmith, Director, Real Estate Div., Dept. of Tax Administration
Barbara A. Byron, Director, Zoning Evaluation Div., DPZ
Leslie B. Johnson, Deputy Zoning Administrator for Zoning Permit Review Branch
Audrey Clark, Director, BPRD, DPWES
Angela K. Rodeheaver, Section Chief, Trnsprt'n. Planning Div.,
Charles Strunk, Project Planning Section, Department of Transportation
Michelle A. Brickner, Director, Site Development Services, DPWES
Marie Langhorne, Plans & Document Control, OSDS, DPWES
Deloris Harris, DPWES - Environment & Facilities Review Division
Department of Highways, VDOT
Kirk Holley, Park Planning Branch Mgr., FCPA
District Planning Commissioner
Gary Chevalier, Office of Capital Facilities, Fairfax County Public Schools