



# County of Fairfax, Virginia

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March 17, 2010

## STAFF REPORT ADDENDUM

### SPECIAL PERMIT AMENDMENT APPLICATION NO. SPA 81-A-022-9 CALVARY MEMORIAL PARK, INC. T/A FAIRFAX MEMORIAL PARK AND FAIRFAX MEMORIAL FUNERAL HOME, L.L.C.

#### BRADDOCK DISTRICT

#### BACKGROUND

SPA 81-A-022-9 is a request by Calvary Memorial Park, Inc., t/a Fairfax Memorial Park and Fairfax Memorial Funeral Home, LLC, to amend SP 81-A-022 previously approved for a funeral home, cemetery, mausoleums, crematory, and columbaria to permit modification of development conditions and site modifications. The applicants propose several requests with this special permit amendment to include the modification of development conditions approved in conjunction with SPA 81-A-022-4 and extended by SPA 81-A-022-5 to address construction limitations on the commencement of construction of crypts, columbaria, mausoleums and niches. The applicants had 10 years to commence construction of these structures. The 10-year time limit expires on June 5, 2010. Additionally, the previously approved special permit plat identified specific locations where crypts, columbaria, mausoleums and niches could be placed on site and required a minimum 50 foot setback from property lines and screening. There are two existing structures that do not meet this requirement, as they were constructed prior to the inclusion of this condition. With the current proposal, the applicants requested the ability to place these structures anywhere within the 128 acre site, provided the structures meet the 50 foot setback requirement, were appropriately screened, and did not exceed 25 feet in height and 400 square feet in size.

The applicant is further requesting an area for soil stockpiling, noted on the SPA plat as "soil storage area", as an area to put excess soil taken from gravesites and foundation areas for structures, to be located in the northeast quadrant of the cemetery site. The applicants propose this as a long range plan associated with the use of stockpiling soil on the property.

The above requests are outlined in more detail in the staff reported dated May 26, 2009.



## DISCUSSION

The May 26<sup>th</sup> staff report was published based on an SPA plat dated through March 24, 2009, recommending denial of the application. Staff's position was based on the fact that we did not believe that General Standard 1 had been satisfied that the use at the specified location would be in harmony with the adopted Comprehensive Plan. Staff believed that the use of stockpiling of soil in close proximity to an RPA, EQC and floodplain, while not providing a specific operational narrative of how this process would be dealt with, was not in harmony with the Policy Plan recommendations of the Comprehensive Plan.

Furthermore, staff believed that General Standard 2 had not been met. This requires the proposed use be in harmony with the purpose and intent of the applicable zoning district regulations. Specifically, the proposal to maintain approximately 6.5 acres of disturbed area, over a 30 year time horizon, without providing an operational narrative on how this would be maintained, as well as the removal of significant screening and buffering of existing trees on site, was not in conformance with the Zoning Ordinance.

General Standard 3 requires that the proposed use not adversely affect the use or development of neighboring properties in accordance with the applicable zoning district regulations and the adopted comprehensive plan. It further states that the location, size and height of buildings, structures, walls and fences, and the nature and extent of screening, buffering and landscaping be such that the use will not hinder or discourage the appropriate development and use of adjacent or nearby land and/or buildings or impair the value thereof. The applicants were proposing crypts, columbaria, mausoleums and niches anywhere within the 128-acre site, including on top of the stockpile, as close as 50 feet to lot lines. Substantial existing mature vegetation, which in many cases provides screening and buffering, was proposed to be removed. Areas of vegetation to be removed were identified as Wooded Areas A, B, C, D, and E. A stockpile with an unclear height was proposed as close as 200 feet from residences. Existing screening outside the RPA/EQC would be removed and no plan showed replanting. Most of the remaining vegetation is deciduous, and will not provide much buffering in the winter. For these reasons, staff did not believe that this standard had been met.

The public hearing for this application was held on October 6, 2009, and the decision has been deferred several times. Since the hearing date, staff from the Department of Public Works and Environmental Services (DPWES), including staff from Site Review, Environmental Facilities Inspection Division, Stormwater and Geotechnical Review and Urban Forestry, and staff from the Department of Planning and Zoning (DPZ) have met with the applicants/agents on numerous occasions to discuss staff's issues as outlined in the staff report, and concerns expressed by nearby citizens as well as several members of the Board of Zoning Appeals. As a result of these meetings, the applicant submitted several revisions to the SPA plat and provided additional narratives explaining their proposed procedures. As a result of the latest SPA plat, dated March 12, 2010, included as Attachment 1, it appears that most of staff's outstanding

concerns and issues with regard to the soil storage area, removal of vegetation, and the placement of structures throughout the cemetery site have been addressed. Staffs from reviewing agencies have provided additional comments in revised memoranda included as Attachments 3, 4 and 6. Revised Proposed Development Conditions, included as Attachment 2, dated March 17, 2010, provide additional and revised conditions to address staff's remaining concerns.

## **ANALYSIS**

### **Soil Storage Area (i.e. stockpile)**

Normally, plans for stockpiling are submitted in conjunction with applications for quarries and landfills. This is the first of this type of application; therefore, staff coordinated the review with staff from the Northern Virginia Soil & Water Conservation District (NVSWCD) and the Department of Public Works and Environmental Services (DPWES), including Site Review and the Environmental Facilities Inspection Division. Based on this coordination, numerous issues were identified. DPWES staff questioned why a stockpile was needed, suggesting that the excess soil could be taken off-site to an approved landfill. Staff believed the slope was a potential disaster waiting to happen. If the sides of the stockpile were not stabilized properly, they could fall off into the RPA and cause irreparable damage. Additionally, silt basins were shown at the base of the stockpile which needed to be replaced with actual detention and/or BMP ponds to better filter water run-off and keep the stream from becoming muddy. If the special permit is approved for the soil storage area, DPWES staff stated that the applicants will be required to submit a site plan rather than a rough grading plan as previously submitted and the site plan cannot remain open for 30 years. For those reasons, staff originally set a term limit on the application for stockpiling similar to the quarries to ensure a periodic comprehensive review of the area of stockpiling to be sure all development conditions are adhered to, that the area is maintained and stabilized, and that the environmentally sensitive RPA and floodplain areas are protected.

Additionally, both staff from DPWES and DPZ Planning Division requested an operational narrative from the applicants which would provide that the disturbance in the area of soil storage would only be for on-site cemetery uses; include details about the construction timeline; include existing and proposed conditions; guarantee there would be no import of soil from off-site; guarantee there would be no material other than soil in the soil storage area; that clearing areas would be as limited by the Erosion and Sediment Handbook (Virginia Erosion & Sediment Control Handbook 3<sup>rd</sup> Edition, 1992); and, that would address a timeframe to stabilize the disturbance. Staff from DPWES had indicated that this information was imperative to ensure proper site plan review, and inspection and maintenance of the soil storage area.

As stated above, staff from DPWES and DPZ met with the applicants/agents over many months in an attempt to find solutions to these issues. Discussions occurred regarding how the fill operation would take place based on the proposed long range plan with an approximate 30 year horizon, as well as the preservation of existing vegetation, re-vegetation and the placement of structures within the cemetery site. Originally, the applicant's proposal (and current practice) was to dump truck loads of excess soil from the highest grade of the soil storage area, down slope, toward the RPA, EQC and floodplain. This caused staff concern for the protection of those areas. Staff from DPWES recommended that the applicants revise their proposal and that they perform the fill operation similar to a landfill, where the fill would start at the base of the proposed soil storage area. A set amount of soil would be dumped, starting at the bottom of the slope and moving up the slope, with each set amount of soil area stabilized and compacted. These individual areas of compacted soil are called "lifts." This sequence of fill makes it much less likely that soil will wash down into the RPA/EQC. This is a radical change from the original proposal, however it makes sense given that the detention ponds must be installed first and these "lifts" will take place north of the ponds. With this recommendation, the vegetation closest to the RPA/EQC will be removed first to accommodate the placement of the stormwater detention ponds. Staff from the Forest Conservation Branch in the Urban Forest Management Division (UFMD) inspected the existing vegetation within the proposed limits of the soil storage area and determined that while the vegetation is green and provides substantial buffering in the summer, most of it is deciduous, invasive, non-native plant material. UFMD staff recommends that once the detention ponds are in place, that areas of vegetation be planted around the stormwater detention ponds and diversion dikes. Additionally, they recommend that as each lift is stabilized and compacted, the face of the lifts be planted. This re-vegetation plan will be included on each site plan submission. This will allow UFMD to review and have input on the proposed placement, amount, variety and size of the plant material. Additionally, by the time the proposed soil storage area has reached its maximum height and area, had been compacted and is ready for burials, much of the vegetation will be mature. Coupled with the vegetation in the RPA/EQC, it will provide substantial screening to both the slope of the fill area and the gravesites on top of the fill.

As outlined in the staff report, staff originally proposed a time limitation on the special permit which would have required that the applicant submit a special permit amendment every five (5) years. Staff believed this was reasonable as applications such as quarries have a five year term limit and as noted by staff from DPWES, five years is the normal life span of a site plan. The originally submitted special permit amendment (SPA) plat included six (6) sheets showing the soil storage in approximate five year increments with an ultimate fill time of a 30 year time horizon.

Based on the new proposal suggested by DPWES staff, i.e. filling from the base of the slope rather than from the top, a revised special permit amendment plat dated March 12, 2010, has been submitted. Sheets 2 through 5 show the ultimate area of the soil storage area, approximately 6.5 acres in size, and a maximum height of 26 feet, which ties in with the existing grade at the northern most portion of the soil storage area.

The development conditions have been revised to limit the maximum area and height of soil storage. Additionally, Sheets 6 and 7 depict phase 1 of the fill, which will be submitted under the first site plan submission.

DPWES staff has reviewed the latest SPA plat submission. Since a full site plan review will be required for each phase of fill and all clearing and grading on site must meet the requirements as set forth in the Erosion and Sediment Control Handbook and Public Facilities Manual (PFM), staff believes that a condition requiring a special permit amendment every five years is not necessary. Each time a site plan is submitted, the proposed area of fill will be reviewed for compliance with all County, State and Federal requirements, bond money will be posted and DPWES staff will provide inspections throughout the process. Once the "construction" approved by the site plan is complete, i.e. the approved fill in place, stabilized and compacted, and vegetation planted, the site plan will be closed and a new site plan for the next phase will be required.

### **Interior Site Vegetation**

There is significant vegetation located interior to the site, most of which is landscape trees planted by the applicant. Much of this plant material will be removed over time for burials and other ornamental trees and shrubs planted. However, there are areas of existing natural vegetation identified on the SPA plat as Wooded Areas A, B, C, D and E. Staff has always considered these as tree save areas, though the applicant considered these treed areas open for removal for burials. Wooded Area A is in the southeast corner of the cemetery and the submitted SPA plat identifies much of the area for removal, and shows a loop road and burial sites. Wooded Area B was shown on a previous SPA plat to be removed for installation of a water feature. Wooded Areas C, D and E are located in the northeastern portion of the site close to the soil storage area. The applicant has now agreed to preserve Areas C and D in their entirety. A portion of Area E will be removed for the soil storage area and for burials; however the portion of Area E within the RPA/EQC will be retained. Staff is satisfied that with the retention of Wooded Areas C, D and portions of E combined with the transitional screening provided and additional plantings required by the development conditions, the issue of retention of vegetation on site has been addressed.

### **Location of crypts, columbaria, mausoleums and niches**

Under the previous special permit approval, crypts, columbaria, mausoleums and niches were permitted in specific areas in the interior of the application property. Under this proposal, the applicant originally requested the ability to put these structures anywhere within the 128 acre site. As required by the Zoning Ordinance, they can not be located closer than 50 feet to any exterior lot line. The applicant states that these structures will not be placed over existing burial sites. However without the provision of a plot plan showing existing burial sites and proposed plots where these structures potentially can be placed, staff is concerned that with a permitted height of 25 feet and 400 square feet in size, these structures can be located on adjacent plots and will become similar to a wall, 50 feet from adjacent residential lots. Staff had

recommended a distance of at least 100 feet to ensure that residential properties will not be affected visually by the potential placement of these structures. On the revised SPA plat, Sheet 5 depicts areas of shading extending between 100 and 300 feet from the majority of the exterior property lines where the applicants have agreed not to place these structures. The applicants will continue to be required to provide additional screening, and the structures are limited to a maximum height of 25 feet and a maximum area of 400 square feet in size. The exceptions to this 100 foot setback are along a portion of the northern property line adjacent to a community pool and along the mid-southeastern property line where structures have previously been approved. Staff also did not originally support these structures on top of the finished soil storage area. However, as now proposed, with the detention ponds and face of slope, the closest any structure could be located on the stockpile is 300 feet from a residential property. Staff believes with the distance proposed, the planting which will be required on the face of the slope and the existing vegetation in the RPA/EQC, that the location will not be detrimental to residential properties.

### **Proposed Driveway**

At the public hearing, concern was expressed regarding the location of a proposed driveway to access new burial sites in the southeastern corner of the property adjacent to Braddock Road. BZA members requested that the driveway be relocated to a minimum of 100 feet from the eastern property line. The SPA plat has been revised to reflect this change.

### **CONCLUSIONS**

Due to the nature, phasing, and approximate 30 year timetable of the fill operation for the soil storage area, it is anticipated that separate site plans for each phase of the fill operation will be submitted to DPWES for review, bonding and approval. Each phase should correspond to the amount of fill that is estimated to occur during a typical five (5) year time frame of a site plan and performance bond. The proposed erosion and sediment (E&S) controls, including but not limited to silt fences and sediment basins, will be required to meet all applicable requirements in accordance with the Virginia Erosion and Sediment Control Handbook and subject to review and approval by DPWES staff with each site plan. Staff believes that providing DPWES the flexibility, through adoption of staff's revised proposed development conditions which limit the area and height of the soil storage area to that depicted on the SPA plat will allow for proper inspection and maintenance, and therefore feels comfortable concluding that the application now meets the requirements as set for under the Zoning Ordinance.

Staff concludes that the modification of development conditions to delete the reference to time limitation for the commencement of construction of crypts, columbaria, mausoleums and niches is in harmony with the recommendations of the Comprehensive Plan and in conformance with applicable Zoning Ordinance provisions.

In addition, given the extensive preservation and replanting agreed upon by the applicants, and with adoption of the revised proposed development conditions, staff believes the issues related to Urban Forestry have been adequately satisfied and meet the requirements as set forth under the Zoning Ordinance.

## **ATTACHMENTS**

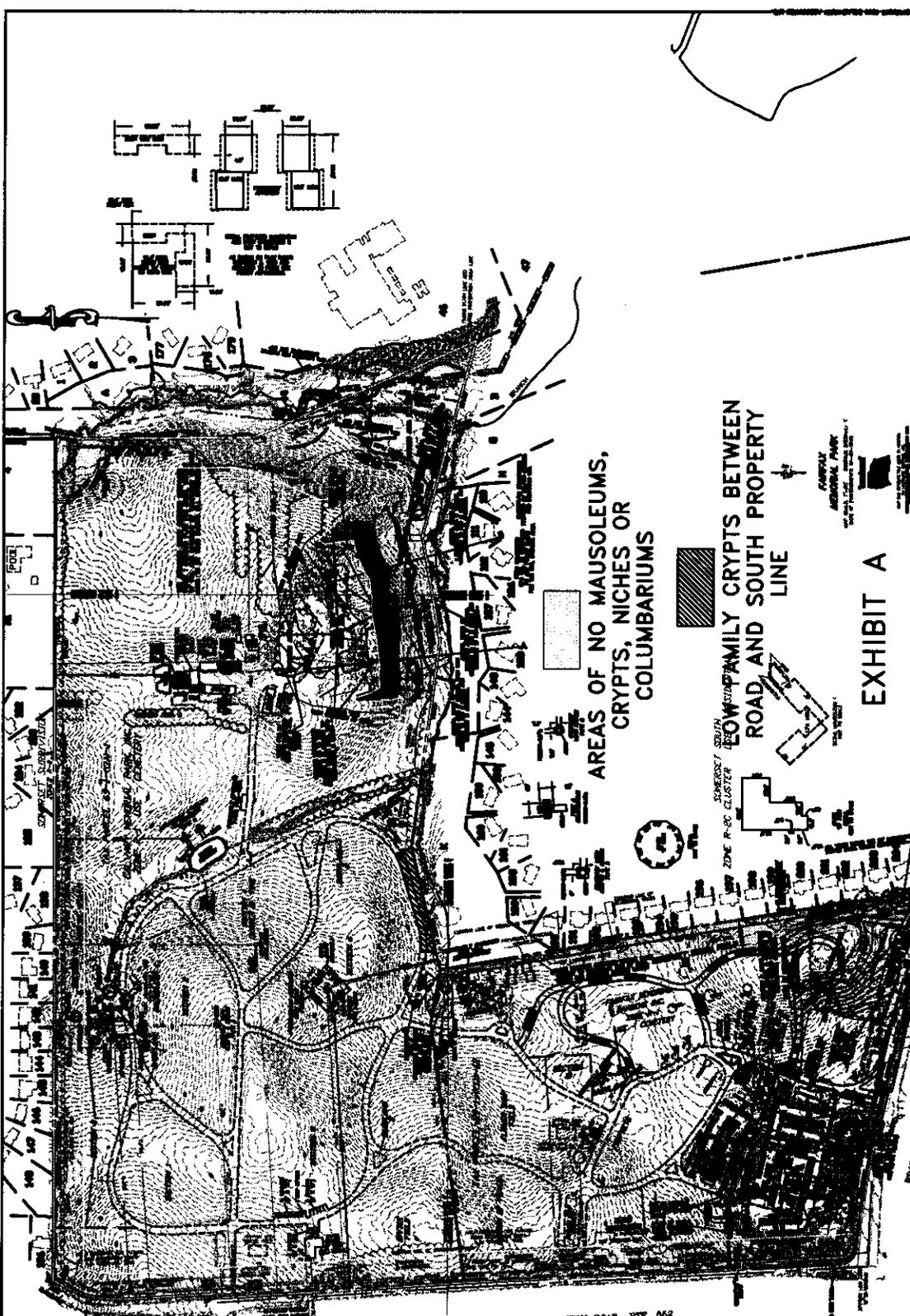
1. Revised Special Permit Amendment Plat
2. Revised Proposed Development Conditions
3. Environmental Addendum
4. Urban Forestry Addendum
5. Existing Vegetation Map
6. Stormwater and Geotechnical Section Addendum











SHEET 1 OF 7  
 DATE JANUARY 1969  
 SHEET NO. 002  
 DRAWN BY  
 SHEET 5 OF 7

**EXHIBIT A**  
 PRELIMINARY LAYOUT PLAN  
**FAIRFAX MEMORIAL PARK**  
 FAIRFAX COUNTY, VIRGINIA

DeBashnell Associates, Inc.  
 ONE SOUTH MAIN STREET  
 SUITE 200  
 FARMERSVILLE, VIRGINIA 22434  
 PHONE 526-2222



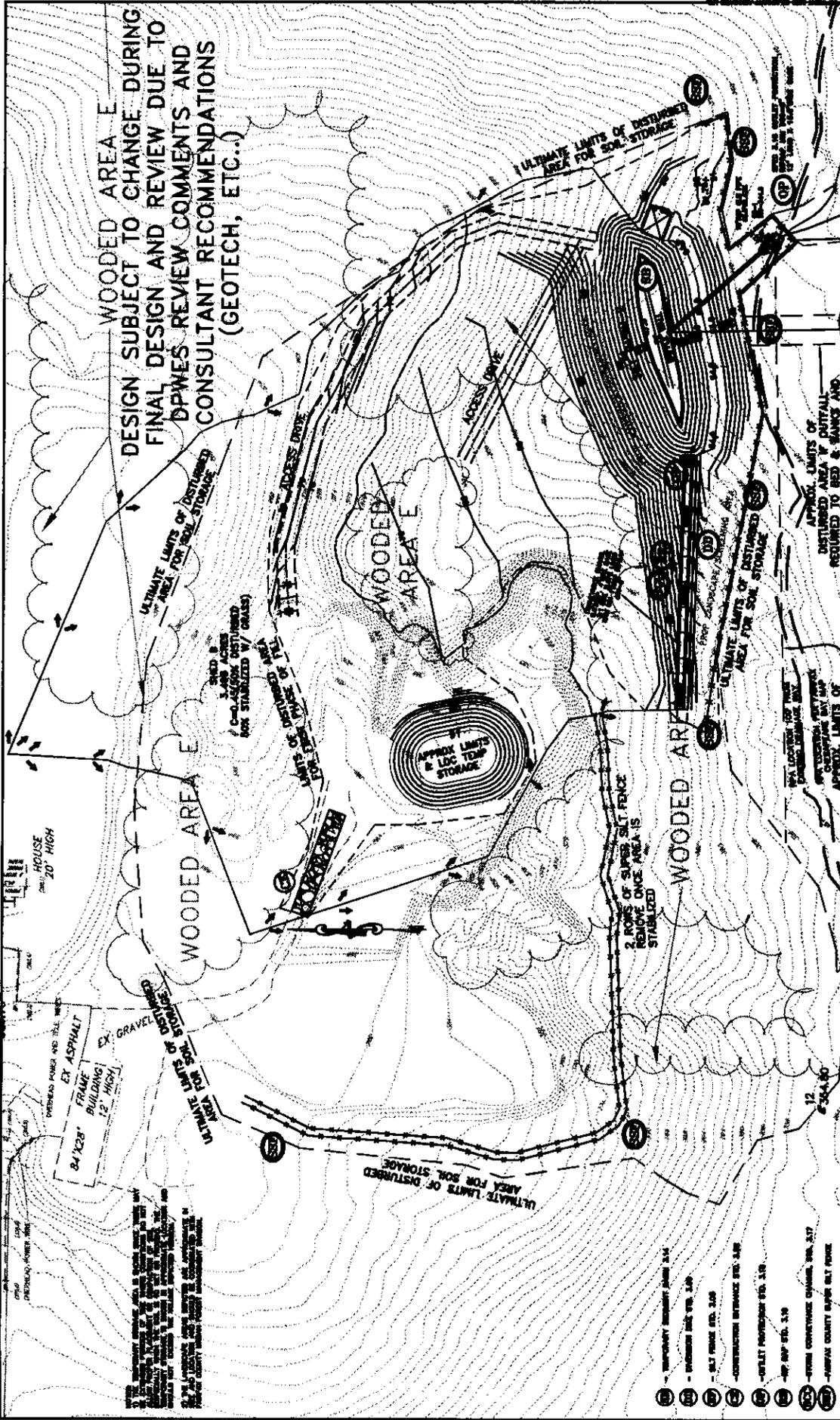
NO.	DESCRIPTION	DATE
1.	PRELIMINARY LAYOUT PLAN	1/15/69
2.	REVISIONS	1/22/69
3.	FINAL LAYOUT PLAN	1/22/69



BY: [Signature]	DATE: [Date]
CHECKED: [Signature]	DATE: [Date]
APPROVED: [Signature]	DATE: [Date]

**EXHIBIT A**  
 FAIRFAX MEMORIAL PARK  
 PRELIMINARY LAYOUT PLAN

WOODED AREA E  
 DESIGN SUBJECT TO CHANGE DURING  
 FINAL DESIGN AND REVIEW DUE TO  
 DPWES REVIEW COMMENTS AND  
 CONSULTANT RECOMMENDATIONS  
 (GEOTECH, ETC.)



SCALE 1" = 30'
DATE: 08/01/08
DESIGNER: J. W. B.
CHECKED BY: J. W. B.
DATE: 08/01/08
PROJECT NO. 100-5073
SHEET 6 OF 7

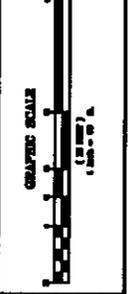
PROPOSED GRADING (PHASE I)  
 SEE DETAIL SOUTH OF INTERSECTION BELLEVILLE  
 FAIRFAX MEMORIAL PARK  
 FAIRFAX COUNTY, VIRGINIA

APPROX. LIMITS OF  
 DISTURBED AREA W/ OUTFALL  
 REQUIRED TO RED & BANK AND  
 RECLAIMED TO ORIGINAL GRADE

Dr. Rashmell, Associates, Ltd.  
 ONE WOODLAND DRIVE  
 SUITE 100  
 FALLS CHURCH, VA 22044  
 TEL: (703) 271-1111



NO.	DATE	DESCRIPTION
1	08/01/08	PRELIMINARY DESIGN
2	08/01/08	FINAL DESIGN
3	08/01/08	CONSTRUCTION
4	08/01/08	AS-BUILT



100-5073-01-1-010-000, 10, 10A
FIELD BOOK
APPROVED FOR CONSTRUCTION BY: J. W. B.
DATE: 08/01/08
APP. NO. 100-5073-01-1-010-000
APP. NO.

- 100 - TEMPORARY BOUNDARY MARK 3.14
- 101 - EXISTING MARK 3.10
- 102 - SET FENCE 3.10
- 103 - CONSTRUCTION ENTRANCE 3.10
- 104 - OUTLET PROVISION 3.10
- 105 - 10' ROP 3.10
- 106 - OPEN CONFINEMENT CHANNEL 3.17
- 107 - FAIRFAX COUNTY 8' ROP SET FENCE

1. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES AND AGENCIES OF THE COMMONWEALTH OF VIRGINIA. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES AND AGENCIES OF THE COMMONWEALTH OF VIRGINIA.



**PROPOSED DEVELOPMENT CONDITIONS****SPA 81-A-022-9****March 17, 2010**

If it is the intent of the Board of Zoning Appeals to approve SPA 81-A-022-9 located at Tax Map 69-1 ((1)) 1, 12 and 12A to amend SP 81-A-022 previously approved for funeral home, cemetery, mausoleums, crematory and columbariums to permit modification of development conditions and site modifications pursuant to Sect. 3-103 of the Fairfax County Zoning Ordinance, staff recommends that the Board condition the approval by requiring conformance with the following development conditions. Changes to development conditions contained in the staff report dated May 26, 2009, have been underlined.

1. This approval is granted to the applicant, Calvary Memorial Park, Inc. t/a Fairfax Memorial Park and Fairfax Memorial Funeral Home, L.L.C., only and is not transferable without further action of this Board, and is for the location indicated on the application, 4401 Burke Station Road and 9900 and 9902 Braddock Road (128.14 acres), and is not transferable to other land.
2. This special permit amendment is granted only for the purposes, structures and/or uses as indicated on the special permit plat prepared by DeLashmutt Associates Ltd., October 14, 2008 as revised through March 12, 2010 and approved with this application, as qualified by these development conditions. This does not require that the new crypts, columbaria, mausoleums, and niches be on the plats provided they meet the language contained in Development Condition Number 33.
3. A copy of this special permit and the Non-Residential Use Permit SHALL BE POSTED in a conspicuous place on the property of the use and be made available to all departments of the County of Fairfax during the hours of operation of the permitted use.
4. This special permit 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) as qualified by these conditions. Any plan submitted pursuant to this special permit shall be in substantial conformance with these conditions. Minor modifications to the approved special permit may be permitted pursuant to Par. 4 of Sect. 8-004 of the Zoning Ordinance.
5. All parking shall be on-site, as shown on the special permit amendment (SPA) plat. Except for times of use, hearses and similar business vehicles used in the operation of the funeral home shall be parked and/or stored within a garage.

6. Lighting for the funeral home/crematory use shall focus only onto the subject property. Any parking lot lighting fixtures shall be limited in height to twelve (12) feet. All lighting fixtures added for the funeral home/crematory use shall be full cut-off lights, and shall be fully shielded in such a manner to prevent light from projecting onto adjacent residential property.
7. The funeral home/crematory building shall be limited in size to 16,150 square feet of interior floor area, and the garage and crematory unit shall be limited to a total of 3,968 square feet, as depicted in the plat building dimensions.
8. The maximum number of chapels within the funeral home/crematory structure shall be limited to one (1). The maximum total number of seats contained within the funeral home chapel shall be limited to 272. The maximum number of viewing parlors within the funeral home/crematory structure shall be limited to five (5). The maximum total number of seats contained within each viewing parlor shall be limited to 30.
9. Funeral services shall be conducted only between the hours of 10:00 a.m. and 3:00 p.m. Visitations and wakes shall be conducted only between the hours of 2:00 p.m. and 4:00 p.m. and between 7:00 p.m. and 9:00 p.m.
10. There shall be no chapel within mausoleums, or use of chimes or bells in conjunction with this use.
11. Crematorium services shall not be provided for any other funeral home establishment.
12. The crematory shall comply with all County, State and Federal Environmental Regulations and any other regulations applicable to its operation.
13. The number of burial services within each of the mausoleum or columbarium structures shall be limited to one at a time except that multiple services may be allowed if more than one member of the same family.
14. All signs shall be in conformance with Article 12 of the Fairfax County Zoning Ordinance. The directional sign shall be permitted if in accordance with the Zoning Ordinance, as amended.
15. Any dumpster located at the funeral home shall be placed indoors or within an enclosure constructed of brick or architectural block. A gate shall be included on the enclosure. The dumpster in the maintenance area shall continue to be screened by the existing vegetation and topography.
16. The flower shop (as noted on the plat) shall be maintained as an accessory use to the cemetery/mausoleums or columbaria only. No retail sales to the general public for use outside the cemetery grounds shall be permitted.

17. All vegetation adjacent to the funeral home and surrounding parking lots as depicted on the SPA plat shall be maintained in a healthy condition. Any dead, dying, diseased or damaged vegetation shall be removed and replaced with like kind and size as needed, subject to review and approval by the Urban Forest Management Division (UFMD).
18. The existing vegetation along the eastern and northern lot lines shall be deemed to satisfy the transitional screening requirement, subject to review and approval by UFMD to ensure the 25 foot transitional screening requirements remain in perpetuity. To the north of the parking lot, the hedge and the existing row of evergreen trees, a maximum of fifteen (15) feet on center as shown on the SPA plat shall be maintained. These shall be large evergreens a minimum of six (6) feet in height. In addition, between the hedge and the evergreen trees, an earthen berm shall be provided, as shown on the plat. The vegetation and berm shall extend from the western to the eastern corners of the parking lot, as shown on the plat. The existing vegetation along the western lot lines shall be deemed to satisfy the transitional screening requirement, except within the area of the parking lot and Burke Station Road where existing evergreen trees shall be maintained. The evergreen trees to be maintained shall be sufficient in number and height to create a year-round visual screen for residential properties to the west, subject to review and approval by the UFMD.
19. The existing vegetation along the southern lot line, except as noted below, shall be deemed to satisfy the transitional screening requirement, except that the existing trees shown within the limits of clearing and grading for the funeral home/crematory facility, stormwater management pond and turn lane shall be replaced if removed or if irreparably damaged during development, as determined by the UFMD. Any required replacement trees shall be installed and maintained within the area between the funeral home facility and Braddock Road, to the satisfaction of the Urban Forest Management. All vegetation required for screening purposes shall be maintained in good health. Dead or dying vegetation shall be replaced with like-kind vegetation.
20. Notwithstanding what has been shown on the SPA plat, a wooded buffer, a minimum of 40 feet wide shall be preserved and maintained along the southeastern property boundary along Braddock Road if and when Wooded Area A is developed. An existing buffer of vegetation a minimum 25 feet wide shall be preserved and maintained along the eastern boundary of Wooded Area A to serve as transitional screening. Additional evergreen screening trees and/or shrubs shall be planted to supplement the existing vegetation in order to meet the intent of transitional screening, subject to review and approval by the UFMD.
21. Wooded Areas C and D shall remain in their entirety. Any dead, dying, diseased or damaged vegetation shall be removed and replaced subject to review and approval by the UFMD.

22. The barrier requirements shall be waived along all the lot lines of the special permit property.
23. Existing vegetation shall be preserved to the maximum extent reasonable, consistent with the uses approved with this SPA, as per Note 12 on Sheet 1 of the SPA plat, and as set forth under the PFM and County Code requirements to ensure the tree cover canopy requirements are maintained.
24. Unless a 10-year tree cover canopy requirement modification request is applied for and approved by the Urban Forest Management Division during the site plan review process, the 10-year tree cover canopy shall be met by:
  1. Off-site Tree Banking
  2. Contributions to the Tree Preservation and Planting Fund
  3. On-site planting maximizing opportunities to gain additional 10-year tree canopy credit for trees planted to provide environmental and ecological benefits
  4. and/or a combination of the above techniques, subject to review and approval by the Urban Forest Management Division.
25. A Tree Preservation Plan and Narrative shall be submitted as part of the first and all subsequent site plan submissions. The preservation plan and narrative shall be prepared by a Certified Arborist or a Registered Consulting Arborist, and shall be subject to the review and approval of the UFMD, DPWES.

The tree preservation plan shall include a tree inventory that identifies the location, species, critical root zone, size, crown spread and condition analysis percentage rating for all individual trees, on and off-site, living or dead with trunks 8 inches in diameter and greater (measured at 4 ½ -feet from the base of the trunk or as otherwise allowed in the latest edition of the Guide for Plant Appraisal published by the International Society of Arboriculture) located within 25 feet to either side of the limits of clearing and grading. Specific tree preservation activities that will maximize the survivability of any tree identified to be preserved, such as: crown pruning, root pruning, mulching, fertilization, and others as necessary, shall be included in the plan.

All trees shown to be preserved on the tree preservation plan shall be protected by tree protection fencing. Tree protection fencing shall be erected at the limits of clearing and grading in the form of four (4) foot high, fourteen (14) gauge welded wire attached to six (6) foot steel posts driven eighteen (18) inches into the ground and placed no further than ten (10) feet apart or, super silt fence to the extent that required trenching for super silt fence does not sever or wound compression roots.

All tree protection fencing shall be installed prior to any clearing and grading activities. The installation of all tree protection fencing shall be performed under the supervision of a certified arborist, and accomplished in a manner that does not harm existing vegetation that is to be preserved. Three (3) days prior to the commencement of any clearing, grading or demolition activities, but subsequent to the installation of the tree protection devices, the UFMD, DPWES, shall be notified and given the opportunity to inspect the site to ensure that all tree protection devices have been correctly installed. If it is determined that the fencing has not been installed correctly, no grading or construction activities shall occur until the fencing is installed correctly, as determined by the UFMD, DPWES.

The Applicant shall root prune, as needed, to comply with the tree preservation requirements of these conditions. All treatments shall be clearly identified, labeled, and detailed on the erosion and sediment control sheets of the site plan submission. The details for these treatments shall be reviewed and approved by the UFMD, DPWES, accomplished in a manner that protects affected and adjacent vegetation to be preserved, and may include, but not be limited to the following:

- Root pruning shall be done with a trencher or vibratory plow to a depth of 18 inches.
- Root pruning shall take place prior to any clearing and grading, or demolition of structures.
- Root pruning shall be conducted under the supervision of a certified arborist.
- An UFMD, DPWES, representative shall be informed when all root pruning and tree protection fence installation is complete.

During any clearing or tree/vegetation/structure removal on the Applicant Property, a representative of the Applicant shall be present to monitor the process and ensure that the activities are conducted as conditioned and as approved by the UFMD. The Applicant shall retain the services of a certified arborist or registered consulting arborist to monitor all construction and tree preservation efforts in order to ensure conformance with all tree preservation conditions, and UFMD approvals. The monitoring schedule shall be described and detailed in the Landscaping and Tree Preservation Plan, and reviewed and approved by the UFMD, DPWES.

26. A site plan shall be submitted for the first phase and all subsequent phases of the soil storage area. The first site plan shall be submitted within six (6) months of approval of this SPA and shall include at the minimum the existing disturbance and may include the next phase of development. Silt ponds/stormwater management/Best Management Practices (SWM/BMP) ponds and the configuration of each phase shall be as approved by DPWES on the site plan.

27. The ultimate height of the soil storage area at the face of the slope shall be no greater than that depicted on the SPA plat, with a maximum height of 26 feet. The limits of disturbance for the soil storage area shall be no greater than that depicted on the SPA plat. This area shall only be used for storage of excess soil from graves and construction of crypts, columbaria, mausoleums or niches. No soil, dirt, and/or other debris shall be imported from off-site sources for inclusion in the soil storage area, and no construction debris of any kind shall be placed within the soil storage area shown.
28. Any land disturbance, including, but not limited to the area depicted on the SPA plat as "temporary storage area" shall meet the requirements of Chapter 104 of the Code of the County of Fairfax, Erosion and Sediment Control, and be in accordance with the Erosion and Sediment (E&S) Control Handbook, as determined by DPWES.
29. Immediately after construction for the stormwater management/sediment ponds and diversion dike is completed, plantings shall be provided on the upslope side of the pond (excluding the fill dam embankment or areas within 10 feet of the toe of the embankment slope and abutment contacts), as well as downslope side of the diversion dike to provide screening for the adjacent properties and provide revegetation of these areas. Additionally, as each lift is completed and the area is compacted, or at the completion of each site plan representing each phase, which ever comes first or as appropriate as determined by DPWES, the face of the lifts shall be planted, as determined necessary by UFMD. These plantings shall be shown on a landscaping plan and be part of the first and all subsequent site plan submissions, subject to review and approval by UFMD.
30. The site plan proposing the final phase of soil storage, such that the final grade shown on the SPA plat will be reached for the soil storage area shall include a final planting/reforestation plan to be submitted to UFMD for review and approval. This plan shall include the proposed placement, amount, variety and size of the plant material to fill in open areas on the face of the slope, as well as in the area of the ponds and access drives if and/or when these are removed to provide additional screening and reforestation of these areas.
31. A full size copy of the approved SPA plat and development conditions shall be included with the first site plan submission and all subsequent site plan submissions for each phase of the fill operation for the soil storage area.
32. All requirements pertaining to adequate outfall and stormwater quantity and quality control shall be provided for review and approval if required by DPWES. If stormwater detention and/or BMP ponds must be provided, they shall be located within the areas shown to be cleared, other than what is needed to meet adequate outfall.

33. Except for those structures shown on the SPA plat as "previously approved", all new crypts, columbaria, mausoleums and niches may be located any place within the cemetery, with the following limitations:
- No structures shall be located on top of occupied gravesites;
  - No structures shall be located within the shaded areas as depicted on Sheet 5 of 7, Exhibit A, of the SPA plat;
  - All structures located in the unshaded areas shall be a minimum fifty (50) feet from any exterior lot line;
  - All structures shall have a maximum height of 25 feet above the concrete foundation upon which it is placed;
  - All structures shall have a maximum footprint of 400 square feet; and,
  - All structures shall be screened from the view of any adjacent residential use property by evergreen vegetation with a minimum planted height of six (6) feet and an ultimate growth height equal or exceeding the height of the crypts, columbaria or mausoleums.
34. There shall be no time limitation on commencement of construction for uses approved in this SPA unless otherwise noted in these conditions.
35. A Resource Protection Area (RPA) field delineation study shall be completed as required by DPWES.

These conditions incorporate and supersede all previously approved conditions. 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 responsible for obtaining any required Non-Residential Use Permits through established procedures, and this special permit shall not be valid until this has been accomplished.



## County of Fairfax, Virginia

## MEMORANDUM

February 26, 2010

**TO:** Regina Coyle, Director  
Zoning Evaluation Division, DPZ

**FROM:** Pamela G. Nee, Chief *PGN*  
Environment and Development Review Branch, DPZ

**SUBJECT:** Environmental Assessment Addendum 2: SPA 81-A-022-09  
Fairfax Memorial Park

RECEIVED  
Department of Planning & Zoning

MAR 01 2010

Zoning Evaluation Division

This addendum, prepared by Mary Ann Welton, is based on staff's review of the revised special permit plat for Fairfax Memorial Park dated February 7, 2010.

Staff indicated in the addendum dated May 15, 2009, that the issue of greatest concern was the potential threat to the water quality of the Long Branch Stream Valley Environmental Quality Corridor (EQC). Staff proposed a more expansive EQC delineation which would provide a greater protective buffer between the raw stockpiles and the EQC to address the threat posed by large stockpile of excess raw soil immediately adjacent to the Long Branch Stream Valley EQC/RPA/floodplain.

The applicant has worked with the Department of Public Works and Environmental Services (DPWES) and the Department of Planning and Zoning, to develop a plan to inspect, monitor and re-vegetate the disturbed stockpile. The ultimate area of disturbance will be addressed by the special permit application. In addition, the applicant has agreed to contain the limits of the raw soil stockpile outside the area proposed as EQC by County staff. As an alternative to depicting two EQC delineations on the plat, the applicant should delineate the area between the County proposed EQC and the EQC line and label that area "soil stockpile avoidance area." With that modification a single EQC delineation should appear on the plat. This area should be defined on the property as well as clearly defined on all pages of the special permit plat.

To ensure the effectiveness of erosion and sedimentation control measures and to protect the water quality of Long Branch stream valley, staff recommends that the Northern Virginia Soil and Water Conservation District (NVSWCD) partner with DPWES to perform periodic inspections on site. If necessary, corrective measures should be implemented immediately to address threats to water quality.

PGN: MAW

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## County of Fairfax, Virginia

## MEMORANDUM

RECEIVED  
Department of Planning & Zoning

FEB 22 2010

February 3, 2010, revised February 19, 2010

**TO:** Debbie Hedrick, Staff Coordinator  
Zoning Evaluation Division, Department of Planning and Zoning Zoning Evaluation Division

**FROM:** Ineke Dickman, Urban Forester II *AD*  
Forest Conservation Branch, DPWES

**SUBJECT:** Calvary Memorial Park (Fairfax Memorial Park), SPA 81-A-022-09

The following comments are based on a review of the proposed development conditions, dated February 17, 2010, the revised SPA plat stamped "Received, Department of Planning and Zoning, February 9, 2010" and the Existing Vegetation Map stamped "Received, Department of Planning and Zoning, February 18, 2010".

1. **Comment:** There is a small spelling error in development condition 13 and additional language is proposed.

**Recommendation:** Suggested language with change underlined: "Any dead, dying, diseased or damaged vegetation.....as needed, subject to review and approval by the Urban Forest Management Division (UFMD)."

2. **Comment:** Development condition 15 is outdated and contains practices that are no longer applicable or used within the Urban Forest Management Division. It should be replaced entirely.

**Recommendation:** Suggested language for Development Condition 15 to ensure effective tree preservation on-site:

**Tree Preservation:** "The applicant shall submit a Tree Preservation Plan and Narrative as part of the first and all subsequent site plan submissions. The preservation plan and narrative shall be prepared by a Certified Arborist or a Registered Consulting Arborist, and shall be subject to the review and approval of the Urban Forest Management Division, DPWES.

The tree preservation plan shall include a tree inventory that identifies the location, species, critical root zone, size, crown spread and condition analysis percentage rating for all individual trees to be preserved, as well as all on and off-site trees, living or dead with trunks 8 inches in diameter and greater (measured at 4 ½ -feet from the base of the trunk or as otherwise allowed in the latest edition of the Guide for Plant Appraisal published by the International Society of Arboriculture) located within 25 feet to either side of the limits of

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clearing and grading. The tree preservation plan shall provide for the preservation of those areas shown for tree preservation, those areas outside of the limits of clearing and grading shown on the Special Permit Amendment Plat and those additional areas in which trees can be preserved as a result of final engineering. The tree preservation plan and narrative shall include all items specified in PFM 12-0506 and 12-0508 of the PFM in effect at time of this SPA. Specific tree preservation activities that will maximize the survivability of any tree identified to be preserved, such as: crown pruning, root pruning, mulching, fertilization, and others as necessary, shall be included in the plan.”

Tree Preservation Walk-Through. “The Applicant shall retain the services of a certified arborist or registered consulting arborist, and shall have the limits of clearing and grading marked with a continuous line of flagging prior to the walk-through meeting. During the tree-preservation walk-through meeting, the Applicant’s certified arborist or registered consulting arborist shall walk the limits of clearing and grading with an UFMD, DPWES, representative to determine where adjustments to the clearing limits can be made to increase the area of tree preservation and/or to increase the survivability of trees at the edge of the limits of clearing and grading, and such adjustment shall be implemented. Trees that are identified as dead or dying may be removed as part of the clearing operation. Any tree that is so designated shall be removed using a chain saw and such removal shall be accomplished in a manner that avoids damage to surrounding trees and associated understory vegetation. If a stump must be removed, this shall be done using a stump-grinding machine in a manner causing as little disturbance as possible to adjacent trees and associated understory vegetation and soil conditions.”

Limits of Clearing and Grading. “The Applicant shall generally conform to the limits of clearing and grading as shown on the SPA, subject to allowances specified in these development conditions and for the installation of utilities and/or trails as determined necessary by the Director of DPWES, as described herein. If it is determined necessary to install utilities and/or trails in areas protected by the limits of clearing and grading as shown on the SPA, they shall be located in the least disruptive manner necessary as determined by the UFMD, DPWES. A replanting plan shall be developed and implemented, subject to approval by the UFMD, DPWES, for any areas protected by the limits of clearing and grading that must be disturbed for such trails or utilities.”

Tree Preservation Fencing: “All trees shown to be preserved on the tree preservation plan shall be protected by tree protection fence. Tree protection fencing in the form of four (4) foot high, fourteen (14) gauge welded wire attached to six (6) foot steel posts driven eighteen (18) inches into the ground and placed no further than ten (10) feet apart or, super silt fence to the extent that required trenching for super silt fence does not sever or wound compression roots which can lead to structural failure and/or uprooting of trees shall be erected at the limits of clearing and grading as shown on the demolition (if applicable) and phase I & II erosion and sediment control sheets, as may be modified by the “Root Pruning” condition below.



All tree protection fencing shall be installed after the tree preservation walk-through meeting but prior to any clearing and grading activities, including the demolition of any existing structures. The installation of all tree protection fencing shall be performed under the supervision of a certified arborist, and accomplished in a manner that does not harm existing vegetation that is to be preserved. Three (3) days prior to the commencement of any clearing, grading or demolition activities, but subsequent to the installation of the tree protection devices, the UFMD, DPWES, shall be notified and given the opportunity to inspect the site to ensure that all tree protection devices have been correctly installed. If it is determined that the fencing has not been installed correctly, no grading or construction activities shall occur until the fencing is installed correctly, as determined by the UFMD, DPWES.”

**Root Pruning.** “The Applicant shall root prune, as needed to comply with the tree preservation requirements of these proffers. All treatments shall be clearly identified, labeled, and detailed on the erosion and sediment control sheets of the subdivision plan submission. The details for these treatments shall be reviewed and approved by the UFMD, DPWES, accomplished in a manner that protects affected and adjacent vegetation to be preserved, and may include, but not be limited to the following:

- Root pruning shall be done with a trencher or vibratory plow to a depth of 18 inches.
- Root pruning shall take place prior to any clearing and grading, or demolition of structures.
- Root pruning shall be conducted with the supervision of a certified arborist.
- An UFMD, DPWES, representative shall be informed when all root pruning and tree protection fence installation is complete.”

**Site Monitoring.** “During any clearing or tree/vegetation/structure removal on the Applicant Property, a representative of the Applicant shall be present to monitor the process and ensure that the activities are conducted as conditioned and as approved by the UFMD. The Applicant shall retain the services of a certified arborist or registered consulting arborist to monitor all construction and demolition work and tree preservation efforts in order to ensure conformance with all tree preservation conditions, and UFMD approvals. The monitoring schedule shall be described and detailed in the Landscaping and Tree Preservation Plan, and reviewed and approved by the UFMD, DPWES.”

3. **Comment:** UFMD would like to add some language to development condition 16.

**Recommendation:** Suggested language with change underlined: “The existing vegetation.....as per Condition 14, subject to review and approval by UFMD.”

4. **Comment:** Development Condition 16 does not address the development of Wooded Area A along Braddock Road and the transitional screening that would be removed with the removal of Wooded Area A. An additional condition should address the transitional screening to the south and the transitional screening to the east once this area is developed.

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**Recommendation:** “An undisturbed wooded buffer varying in width between 40 and 50 feet wide shall be maintained along the southeastern property boundary along Braddock Road if and when Wooded Area A is developed. An existing strip of vegetation at a minimum 25 feet wide shall be preserved along the eastern boundary of Wooded Area A to serve as transitional screening. Additional evergreen screening trees and/or shrubs may need to be planted to supplement the existing vegetation in order to meet the intent of transitional screening, subject to review and approval by the UFMD.”

5. **Comment:** Development Condition 17 is not entirely clear as Wooded Area A is proposed to be removed and developed and so are the other areas.

**Recommendation:** This condition should be clarified. The second part about Wooded Area D should remain as is.

6. **Comment:** Condition 34 only addresses vegetation on the face of the stockpile. At our meetings, we discussed additional planting on the upslope side of the storm water management pond as well as additional planting below the access road to the pond as soon as construction of these items is complete.

**Recommendation:** Suggest the following language be added to condition 34: “As soon as the construction for the storm water management/sediment pond and its access road is completed, restoration plantings shall be provided on the upslope side of the pond as well as the downslope side of the access road to provide screening for the adjacent properties. These plantings shall be shown on a landscaping plan and be part of the first and all subsequent site plan submissions, subject to review and approval by the UFMD.”

7. **Comment:** The Existing Vegetation Map includes a narrative request for a Tree Preservation Target Deviation. It is unclear if this request is for the duration of the SPA and who the request is addressed to. We therefore recommend that a development condition be included to address this issue.

**Recommendation:** UFMD recommends adding a development condition addressing the Tree Preservation Target Deviation request during each phase of the site plan submission as follows: “During the site plan review process a Tree Preservation Target Deviation request shall be submitted for review and approval by the Urban Forest Management Division. This deviation request shall be based on PFM 12-0507.3A and its applicable conditions and all other PFM requirements as may apply at time of site plan submission”.

8. **Comment:** No preliminary tree cover calculations have been submitted and it is unclear how tree cover will be met on this site. Due to the nature of this project site and its use we suggest adding a development condition addressing the tree cover requirements during site plan review.



**Recommendation:** UFMD recommends adding a development condition addressing the 10 year tree cover requirements as follows: "Unless a 10-year tree cover canopy requirement modification request is applied for and approved by the Urban Forest Management Division during the site plan review process, the 10-year tree cover canopy shall be met by:

1. Off-site Tree Banking
2. Contributions to the Tree Preservation and Planting Fund
3. On-site planting maximizing opportunities to gain additional 10-year tree canopy credit for trees planted to provide environmental and ecological benefits
4. and/or a combination of the above techniques, subject to review and approval by the Urban Forest Management Division".

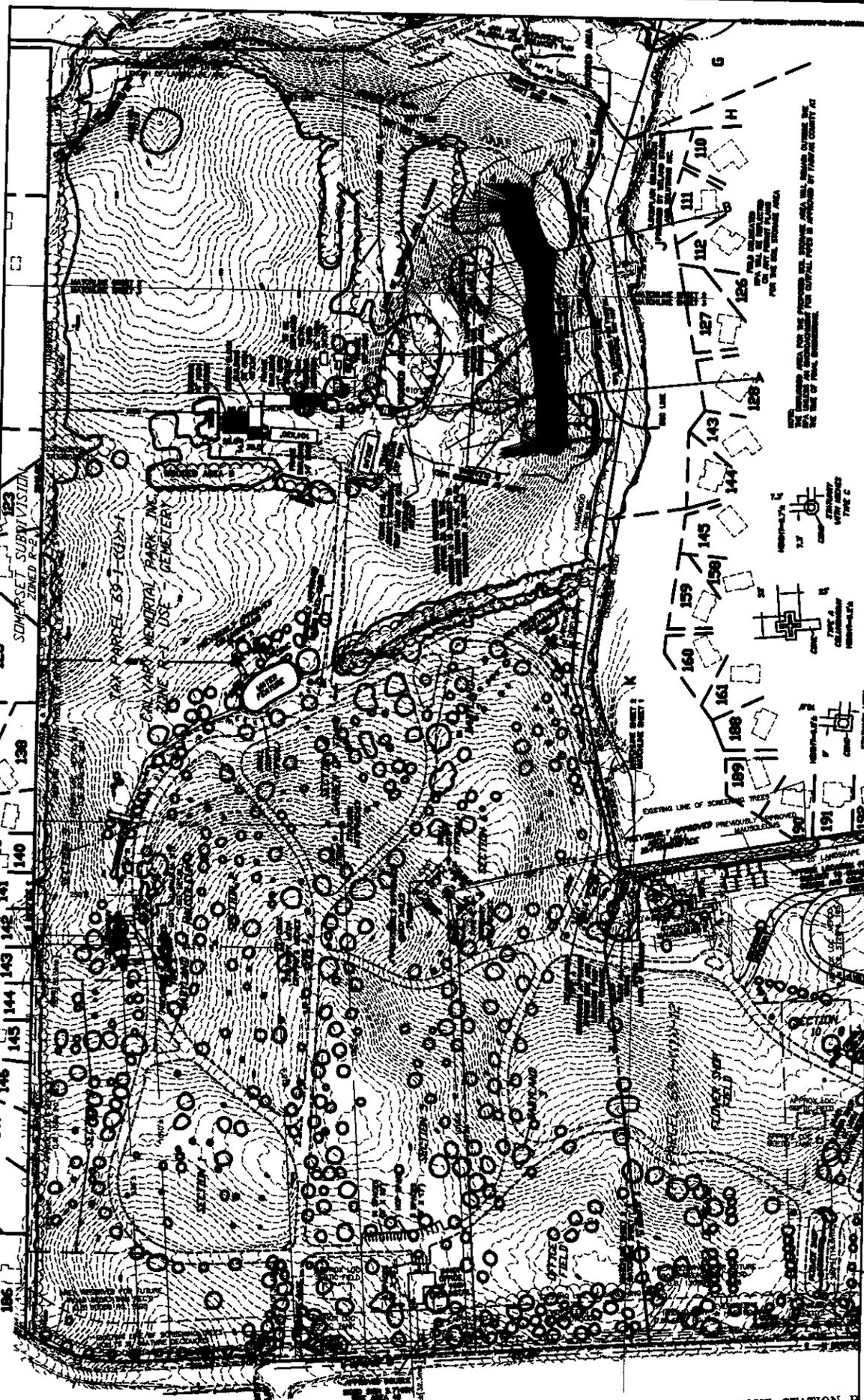
Please let me know if you have any questions.

AID/  
UFMID #: 141720

cc: RA File  
DPZ File







BURKE STATION ROAD RTE. 652  
VARIABLE WIDTH

BURKE STATION R  
VARIABLE



SCALE 1" = 40'
DATE OCTOBER 14, 1968
DRAWN BY J.S.
CHECKED BY
SHEET 2 OF 3

EXISTING VEGETATION MAP  
**FAIRFAX MEMORIAL PARK**  
 FAIRFAX COUNTY, VIRGINIA

*The Sashmull Associates, Inc.*  
 CIVIL ENGINEERS & LAND SURVEYORS  
 1000 N. 19th St., Suite 200  
 Arlington, VA 22209  
 (703) 261-1100



NO.	DATE	DESCRIPTION	BY



THE SHEET	
FIELD BOOK	
ADJ. MEAS. 1-23-68	
SETTING FIELD	
FILE NO.	





# County of Fairfax, Virginia

## MEMORANDUM

**DATE:** February 25, 2010

**TO:** Debbie Hedrick, Staff Coordinator  
Zoning Evaluation Division  
Department of Planning and Zoning

RECEIVED  
DEPARTMENT OF PLANNING  
AND ZONING

FEB 26 2010

**FROM:**  Jeremiah Stonefield, Chief  
Stormwater and Geotechnical Section  
Environmental and Site Review Division, LDS  
Department of Public Works and Environmental Services

SPECIAL PERMIT &  
VARIANCE BRANCH

**SUBJECT:** Special Permit Amendment Application #SPA 81-A-022-09, Calvary Memorial Park t/a Fairfax Memorial Park and Fairfax Memorial Home, LLC, Special Permit Amendment Plat dated February 7, 2010, Tax Map #069-1-01-0001, 0012, & 0012A, Braddock District

We have reviewed the subject application and offer the following comments:

### Chesapeake Bay Preservation Ordinance (CBPO)

There is Resource Protection Area (RPA) on this site. A site-specific RPA delineation plan will be required before the site plan can be approved in accordance with Letter to Industry (LTI) 08-12, dated July 3, 2008. The applicant has shown possible outfall locations within the RPA. Storm sewer outfalls are allowed in the RPA, subject to approval of a Water Quality Impact Assessment as part of site plan.

Water quality control, or an approved water quality control waiver, must be provided for the property in accordance with PFM 6-0401.2B. The proposed increase in impervious area associated with the driveways would be considered redevelopment within a Resource Management Area, CBPO 118-1-6(v), and require water quality control per PFM 6-0401.2B.

### Floodplain

There are regulated floodplains on the property. The applicant has shown possible outfall locations within the floodplain. The construction of the storm sewer outfall channel may qualify as a Permitted Use in the floodplain in accordance with ZO 2-903.7, subject to approval by DPWES prior to Site Plan approval.

### Downstream Drainage Complaints

There are no downstream drainage complaints on file.

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### Stormwater Detention

The new driveways will increase in impervious area on the site. Stormwater quantity control facility(ies) must be provided, or an approved stormwater detention waiver must be approved, prior to Site Plan approval, PFM 6-0301.3.

### Site Outfall

There are several locations where concentrated flow leaves the site. Concentrated stormwater runoff through and from the subject site and into a natural watercourse, i.e. stream with a defined channel (bed and banks) or man-made drainage facility of sufficient capacity and within necessary easements, PFM 6-0201.2 and 3. The applicant has shown possible outfall locations from the proposed sediment basins at the proposed fill/soil storage area. The applicant indicates the final design and location of the outfall channel(s), if necessary, will be determined at site plan, depending on PFM requirements and availability of off-site easements.

### Other Comments

Due to the nature, phasing, and approximate 30 year timetable of the fill operation, it is anticipated that separate Site Plans for each phase of the fill operation will be submitted to DPWES for review, bonding, and approval. Each phase should correspond to the amount of fill that is estimated to occur during the typical 5 year time of a site plan performance bond. The proposed Erosion and Sediment (E&S) controls, including, but not limited to, the silt fences and sediment basins, will be required to meet all applicable requirements in accordance with the VA Erosion and Sediment Control Handbook (VESCH), and subject to review and approval by DPWES with each Site Plan.

A note on the SPA Plat indicates that the temporary storage area is shown since there may be extended periods of time where conditions where conditions do not permit placement or compaction of soil. Areas that are denuded for more than 7 days, but will remain dormant for more than 30 days, will require temporary seeding and mulch, VESCH Stand & Spec 3.31, and a permanent vegetative cover must be applied to any area that is left dormant for 1 year or more.

Please contact me at 703-324-1720 if you have any questions or require additional information.

cc: Craig Carinci, Director, Stormwater Planning Division, DPWES  
Jack Weyant, Director, Environmental and Facilities Inspection Division, DPWES  
Assad Ayoubi, Director, Environmental and Site Review Division, LDS, DPWES  
Beth Forbes, Stormwater & Geotechnical Section, ESRD, LDS, DPWES  
Zoning Application File (LDS Project #5405-ZONA-001-7)