

Wolf Trap Creek, L.P.

November 29, 1994

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26. South  $19^{\circ} 19' 51''$  East 512.04 feet to a p.k. nail found in the aforementioned Old Courthouse Road, thence running through Old Courthouse Road
27. North  $87^{\circ} 42' 58''$  West 289.24 feet to a p.k. nail found, thence continuing through Old Courthouse Road
28. North  $5^{\circ} 17' 55''$  East 15.98 feet to an iron pipe found on the Northerly right-of-way line of said Old Courthouse Road, thence running with said Right-Of-Way line
29. South  $88^{\circ} 49' 12''$  West 50.22 feet to the point of beginning, containing 29.44968 acres of land.

(2S98)

**RZ 93-H-043**  
**Wolf Trap Creek L.P.**  
**April 14, 1995**

**PROFFERS**

Pursuant to Section 15.1-491(a) of the 1950 Code of Virginia as amended, the undersigned proffers the following conditions, provided the property is rezoned to the R-2 District as proffered. For the purpose of these proffers, the term "Developer" refers to Wolf Trap Creek L.P., its successors or assigns.

1. **Generalized Development Plan.** Subject to the provisions of Section 18-204 of the Zoning Ordinance, the subject property shall be developed in substantial conformance with the Generalized Development Plan ("GDP"), prepared by The BC Consultants, Inc., revised as of April 14, 1995. Landscaping shall be provided generally as shown on the Landscape Plan portion of the GDP, subject to the approval by the County Urban Forester. Prior to final County approval, the subdivision plan for this property shall be returned to the Planning Commissioner for the Hunter Mill District for review and comment.
2. **Tree Preservation Area.** During development and construction on the property, the Developer shall protect the tree preservation areas and limits of clearing as shown on the GDP. At the time of grading plan review, the Developer shall designate limits of clearing and grading, in addition to those shown on the GDP in areas where it is economically feasible to save individual trees without precluding construction of the project in accordance with the GDP, including but not limited to, the specific density and general development configuration shown thereon. In this regard, the Developer shall use his best efforts in working with the Virginia Department of Transportation ("VDOT"), to design the road connection to existing Tetterton Avenue in a manner that will minimize clearing, grading and filling in this area of the subject property. Prior to any clearing and grading on-site in any area, the final limits of clearing as to that area shall be confirmed in the field by the Urban Forester. In the event that it becomes necessary to install any trail, utility or stormwater management facility within the limits of the clearing area shown on the GDP, the Developer shall minimize disturbance by such installation pursuant to a

plan approved by the Urban Forestry Branch. If any tree designated to be preserved is destroyed as a result of the Developer's construction activities, the Developer will provide an appropriate replacement in terms of species, size and quantity as determined by the Urban Forestry Branch pursuant to Section 12-403 of the Fairfax County Public Facilities Manual ("PFM").

3. **Off-Site Transportation Contribution.** At the time of subdivision plan approval, the Developer shall post a cash contribution in escrow with the Department of Environmental Management ("DEM") to be utilized for road improvements in the general vicinity of the subject property, as determined by the Director of DEM, in consultation with the Hunter Mill District Supervisor. The amount of said cash contribution shall be \$75,000. Said amount shall be subject to the adjustments in the Construction Cost Index from the *Engineering News Record* from the date of this rezoning to the date that the contribution is made.
4. **Energy Conservation.** All homes on the property shall meet the thermal guidelines of the Virginia Power Energy Saver Program for energy-efficient homes or its equivalent, as determined by DEM for either electric or gas energy systems.
5. **Stormwater Management.** The Developer shall provide stormwater management facilities ("SWM") and necessary maintenance easements for the approved residential development in accordance with PFM standards and in conformance with the Board of Supervisors' adopted version of the Chesapeake Bay Preservation Ordinance. On-site SWM pond(s) shall be landscaped, utilizing native vegetation, as approved by DEM.
  - a. The Developer shall coordinate with the Department of Public Works to design stormwater management pond #1 to minimize clearing and grading and to retain existing vegetation to the maximum extent feasible.
  - b. The Developer shall design and construct Regional Pond D-28, subject to Department of Public Works ("DPW") approval, in the open space shown in the northeast corner of the GDP, provided the necessary off-site easements are obtained by Fairfax County prior to commencement of construction of this subdivision. The Developer shall notify DPW

at the time of submission of the Developer's subdivision plans so that DPW can make a determination as to the acquisition of any necessary easements.

- c. If said necessary off-site easements are not so obtained, the Developer shall construct stormwater management pond #2 and convey the necessary on-site easement to Fairfax County for construction of that portion of Regional Pond D-28 that is currently planned for a portion of the open space shown in the northeast corner of the GDP.
  - d. Upon construction of Regional Pond D-28 the need for stormwater management pond # 2 will be obviated and the Developer may remove said pond #2 and create an additional building lot within this area (for a total of thirty-nine (39) building lots), provided the Regional Pond is constructed before Developer's Performance Bond for this area of the subdivision is terminated. If the Regional Pond is not constructed within this time frame, Developer will, upon termination of the Bond, convey the area of Pond #2 to the Homeowners Association established for maintenance of the common areas.
6. **Construction Activity Maintenance.** The Developer shall monitor construction traffic and oversee that its agents and/or subcontractors who are performing construction on the site do not park their vehicles along Drewlaine Drive.

Major construction (defined as construction activities performed outside of an enclosed structure) and excavation activities on the site shall be limited to the hours of 7:00 a.m. to 3:30 p.m., Monday through Friday.

- 7. At the time of commencement of construction on-site, the Developer shall redrill the well located on Parcel 28-4 ((8)) 7 and the well located on Parcel 28-4 ((1)) 10, provided the owners of said parcels grant permission to enter said parcels and perform said drilling operations. Said wells shall be drilled to the depth necessary to provide potable water for the residents of these parcels in accordance with County Health Department Standards.

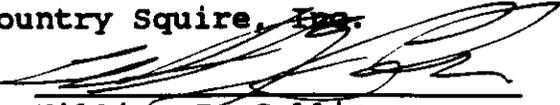
APPLICANT:

WOLF TRAP CREEK, L.P.

By It's General Partner:

Country Squire, Inc.

By:

  
William J. Collins  
Vice President

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