



TOWN COUNCIL WORK SESSION

Monday, March 19, 2018 @ 7:00pm

Town Hall Council Chambers

TOWN/STAFF RELATED ITEMS

1. Artisan Trail Proposal – Sherri Smith, Executive Director **(15 minutes)**
2. Warren Memorial Hospital (Valley Health) Conditional Rezoning Application – *Dir of P & Z* **(15 minutes)**
3. Resolution to Governor of Virginia to Veto HB 1258 and SB 405 Regarding Installation and Operation of Wireless Structures – *Town Attorney* **(10 minutes)**
4. Deed of Easement from Cornerstone L.P., L.L.P. to the Town for water/sewer easements and rights-of-way acquisition for facilities serving Marriott site– *Town Attorney* **(15 minutes)**
5. By-Laws for Joint Towing Board – *Town Manager* **(10 minutes)**

COUNCIL/MAYOR RELATED ITEMS:

6. BZA Term Expiring
7. Continued Discussion of FY2018-2019 Tax Rate
8. Council Discussion/Goals *(time permitting)*

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Work Session Agenda Form

Item # 1

DATE: March 19, 2018

AGENDA ITEM: Artisan Trail Proposal

SUMMARY: Mrs. Sherri Smith, Executive Director of the Artisan Trail of Virginia will be in attendance to give Council a proposal to request funding for the Virginia Artisan Trail Network.

Council was briefed on this proposal at the February 20, 2018 work session. Minutes are attached.

BUDGET/FUNDING: None

STAFF RECOMMENDATION: Council takes desired Action

Work Session

February 20, 2018 Work Session Minutes

2. Artisan Trail Proposal – *Director of Community Development/Tourism*

COUNCIL CONSIDERATION – Council has been asked to consider adding \$5,000 to the Tourism budget for one-third of the first-year *membership dues* to the Artisans Center of Virginia for participation in the Virginia Artisan Trail Network. Total membership cost is \$15,000. Town Council has been asked to consider adding \$5,000 to the Tourism budget one-third of the first-year *membership dues* to the Artisans Center of Virginia for participation in the Virginia Artisan Trail Network. Total membership cost is \$15,000. This \$5,000 ask is for membership dues only and includes no monies for start-up expenses including public relations, mailings, local website, brochures and other funding after year one.

Budget/Funding: \$5,000

Staff Comments: Because there are still unanswered questions regarding who will be the fiscal agent and the Artisans Trails' sustainability, and this year's budget is still in question, Staff is asking for Council's direction as to how it would like Staff to proceed.

Council Discussion: George McIntyre, the requestor, gave a summary of the request. He stated that it was for start up funds and it would not be an annual request of \$5,000 most likely. He explained that they would see how the program worked for Front Royal and then perhaps it would be a \$2,500 request each year. Mr. McIntyre stated that they would be holding fundraisers in the same manner as Blue Ridge Arts Council.

Councilman Connolly noted that it seemed to be listed in the proposed budget. He stated that this type of partnership strengthens tourism relationships across regions and in communities, noting that he works at an artisan trail site and has seen the benefits. Mr. Connolly added that this is a type of networking that Front Royal does not want to lose out on and the positives are great. Councilman Meza voiced his support as well, noting his agreement with Councilman Connolly.

Mr. McIntyre stated that one aspect that should be quite beneficial to Front Royal is the advertising of the festivals and events in the area, noting that the artisan trail organization promotes them state-wide in order to spread the information as far reaching as possible. He noted that they were requesting \$5,000 from Warren County as well.

Councilman Tewalt noted that he would like a bit more information. Mayor Tharpe stated that Councilmen Meza and Connolly were on board with the request at this time; he directed the Town Manager to return the item in two weeks in order to allow time for Councilman Tewalt to meet with Mr. McIntyre and gather more information.

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Work Session Agenda Form

Item # 2

DATE: March 19, 2018

AGENDA ITEM: Warren Memorial Hospital (Valley Health) Conditional Rezoning Application
FRREZON-000661-2018 - *Director of Planning & Zoning / Town Manager*

SUMMARY:

A memorandum from the Director of Planning & Zoning is attached with this cover page with additional information and updates on the hospital's rezoning application; including details on changes to the proffers and how the utility services will be provided, subject to final engineering by the Applicant and approval by the Town during the site plan process.

BUDGET/FUNDING:

N/A

STAFF RECOMMENDATION:

- The Planning Commission recommended approval of the application during their meeting on February 21, 2018. Staff concurs with their planning recommendation. This application requires a public hearing/1st Reading and 2nd Reading. The purpose of this work session agenda item is to review the application prior to the March 26, 2018 Public Hearing.
- Since the March 5, 2018 Town Council meeting, the Applicant has revised the proffers to pay for all costs associated with the installation of a traffic signal at the proposed main entrance to the hospital. This proffer was originally capped at \$300K, which could possibly not be enough, particularly if the traffic light is not constructed for 5 years. The recent changes to the proffers by the Applicant appear to address all comments/concerns raised about the proffers, except that the hospital still prefers to keep the flexibility to install the traffic signal sometime between 0 and 5 years from when the hospital is opened.



TOWN OF FRONT ROYAL
DEPARTMENT OF PLANNING & ZONING
Memorandum

To: Joe Waltz, Town Manager
From: Jeremy F. Camp, Planning & Zoning Director
Date: March 14, 2018
Re: Hospital Rezoning Application Updates and Additional Information
FRREZONE-000661-2018

The purpose of this memorandum is to provide updates and additional information regarding the questions that were raised by Town Council on March 5, 2018 concerning the hospital's rezoning application. This information in this memorandum was confirmed by Town Staff during a meeting with the Applicant held on March 13, 2018. I recommend sharing this information with Town Council at the March 19, 2018 Town Council Work Session, in advance of the March 26, 2018 Public Hearing.

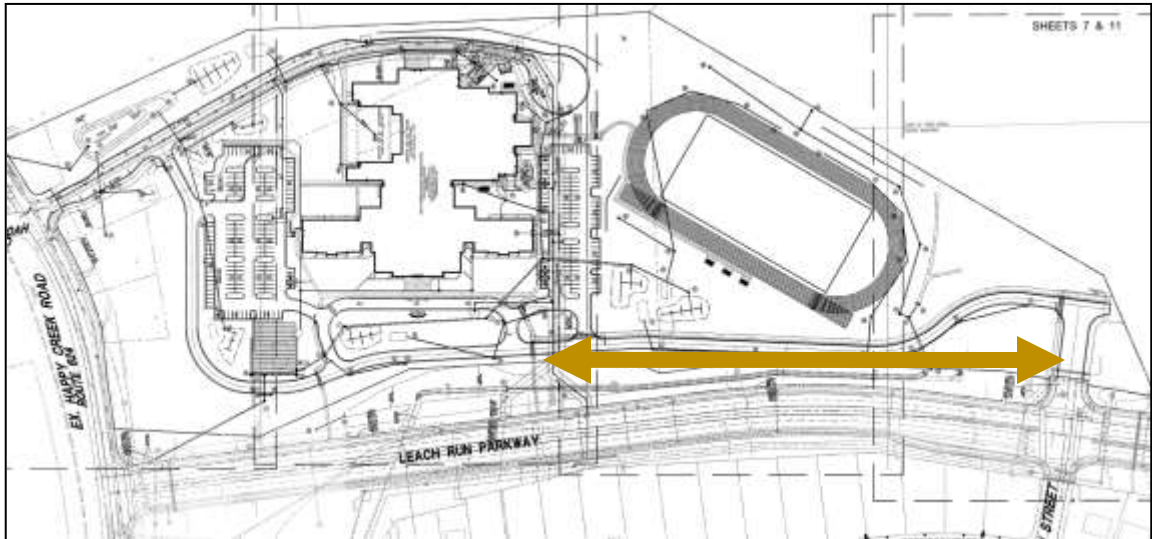
1. **Traffic Signalization of the Proposed Main Hospital Entrance:** Two concerns were raised at the March 5, 2018 Town Council Work Session regarding the proposed proffers. First, it was discussed that the hospital should pay for 100% of the cost of signalization of the Main Hospital Entrance. The proffers reviewed on March 5th included a maximum contribution by the hospital of \$300,000. While this is more than today's estimated cost, the true cost of the traffic signal will not be known until it is designed and built. The second concern discussed was regarding the timing of the traffic signal. The proffers reviewed on March 5th proposed construction within 5 years. Discussion at the work session included a request for the hospital to consider constructing the traffic signal up-front. One factor for this request, was concern that the cost for signalization would increase over time.

UPDATE: The Applicant submitted revised proffers on March 14, 2018. The revised proffers include language changes that would require the hospital to pay for 100% of required costs for the traffic signal. There is a caveat. The Applicant will only pay for costs that are necessary to meet minimum requirements for a traffic signal. If the Town requests expensive upgrades that are not required by Town and VDOT standards, the Town would be responsible for the additional cost of that enhancement. Otherwise, the hospital will pay for all costs.

The Applicant did not alter the timing requirement for the signalization in the latest revision. The Applicant believes the largest concern with the timing was eliminated when the hospital changed the proffer to remove the \$300K cap and just pay for 100% of required costs. With that change made, the Applicant hopes the Town will accept the timing originally proposed, so that the hospital has the flexibility to construct the traffic signal between 0 and 5 years.

4. **Sewer Service:** Questions were raised at the meeting about how sewer service will be provided to the hospital. While this was discussed at the work session, below is additional information.

ADDITIONAL INFORMATION: Final engineering will not take place until the site plan process begins; however, the hospital intends to extend sewer service to the proposed development from the existing 8" sewer line that was extended across Leach Run Parkway to access the new middle school. The hospital is in discussions with Warren County to obtain the necessary easement that will allow sewer to be extended to the proposed new hospital.





TOWN OF FRONT ROYAL ~102 East Main Street, Front Royal, Va. 22630 ~ 540-635-4236
Department of Planning & Zoning

RZ _____

REZONING APPLICATION

APPLICANT

Name Warren Memorial Hospital (Valley Health) Phone (540) 536-4543
Address 1836 Amherst St., Winchester, VA 22601
E-mail mbaker@valleyhealthlink.com (Mark Baker - Vice President, Facilities Management & Safety)

PROPERTY OWNER OF RECORD

Name Warren Memorial Hospital Phone (540) 536-4543
Address 1000 South Shenandoah Ave., Front Royal, VA 22630

PROPERTY DESCRIPTION

Location/Street Address Leach Run Pkwy., Front Royal, VA, 22630
(911 address not yet established)
Number of lots: One (1) Total Acreage 147.039 AC
Tax Map Identification for each parcel (Map, Section, Block, & Lot):
Tax Map # 20A212 2

Subdivision Name (if applicable) _____

REQUEST

Existing Zoning A-1 Proposed Zoning MCD
Existing Use Vacant Land Proposed Use Hospital

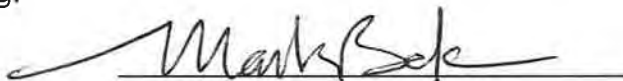
ATTACHMENTS

The following should be submitted with a completed copy of this application. Additional information may be determined necessary depending on the nature of the request.

1. Application Fee (*Checks should be made out to the Town of Front Royal. Fees are as follows: 1 acre or less = \$500, over 1 acre = \$500 + \$100 per acre after 1st acre, Downzoning = \$400*)
2. Survey/Plat of the property with metes and bounds descriptions for all existing and proposed property lines and zoning district boundaries (*8 copies and a digital copy*).
3. Environmental Site Assessment Phase I and Phase II (*unless waived by Director*).
4. Traffic Impact Analysis (*if required*)
5. Written proffers. Proffers are voluntary, but should be submitted in a written format approved by the Director.
6. Statement of Justification. As a separate document, provide a statement or statements that explain why you believe the property should be rezoned.

CERTIFICATION

I certify that the information provided with this application is correct to the best of my knowledge. The proffering system has been explained to me and I have read Sections 175-149 and 175-150 of the Town of Front Royal Zoning Ordinance pertaining to conditional zoning and proffering.



Signature of Property Owner

Signature of Applicant (if different)

City/County of _____, Commonwealth of Virginia

The foregoing instrument was acknowledged before me this ____ day of _____, 20____ by

(Name of person seeking acknowledgement)

Notary Public

Notary registration number: _____ My commission expires: _____

NOTICES

- Staff will notify adjacent property owners of the rezoning request and the scheduled public hearing dates with the Planning Commission and Town Council.
- Town Staff will place an advertisement in the local newspaper as required under Virginia Code §15.2-2204.
- Town Staff will place a public hearing sign(s) at the location of the proposed rezoning.
- Submission of this application does not establish a vested right as outlined under Virginia Code §15.2-2307.
- By submitting this application, the applicant grants permission to the Town officials and employees to enter upon the property, which is the subject of this application, during reasonable hours and for purposes related to the application process.
- When the applicant is different than the fee simple property owner, the signature by the fee simple property owner on this application shall be considered as authorization for the applicant to act as an agent for matters concerning this application.

OFFICE USE ONLY

Receipt # _____ Date Paid _____
Planning Commission Hearing Date: _____ Recommendation: _____
Town Council Hearing Date: _____ Date Sent to Clerk: _____

June 4, 2013

January 17, 2018

Mr. Jeremy F. Camp, Director of Planning and Zoning
Town of Front Royal
102 E Main Street
Front Royal, VA 22630

RE: Warren Memorial Hospital, Replacement
TM# 20A212 2 (147.039 ac; Inst #3553)

Dear Mr. Camp,

In accordance with the Town of Front Royal Municipal Code, Chapter 175 – Zoning, Section 175-53.11, REVIEW AND CREATION, Item 4, an Impact Statement is required for any Rezoning package submitted for consideration.

This Section states, “*The applicant shall provide an Impact Statement that provides a narrative of the existing and proposed land use of the property and describe how it conforms to the Comprehensive Plan. The Impact Statement shall also identify how the project will impact the following, and how those impacts are proposed to be mitigated.*

- a. Fiscal Impacts, capital and operating.*
- b. Impacts to the Quality of Life of citizens.*
- c. Impacts to Property Values.*
- d. Impacts to the Environment.*
- e. Impacts to Archeological and Historic Resources.”*

Per this request, we offer the following:

a. Fiscal Impacts, capital and operating

It is anticipated that any negative fiscal impact to the Town of Front Royal, both in capital or operating expenditures, will be minimal, and offer that the Town will see a more positive response through increased revenue collected by supporting facilities and businesses.

Specifically, we offer:

- The proposed facility will have more efficient electrical, water, and sanitary sewer systems than those that serve the existing facility. For this reason, we anticipate no increase in demands based upon the movement of the existing facility itself. There will be additional services offered in this facility that may increase the overall demand of these services, but in speaking with the individual utility providers, no negative impacts will be experienced in providing these additional demands and the existing infrastructure servicing this site is adequate as it exists.

The existing Warren Memorial Hospital facility will remain active in some form, but until that use is determined, any statement on the anticipated utility usage would be speculative. It is anticipated that any demands on this existing campus area will not increase with a future use, and being there are no services issue at the existing facility, we do not anticipate any issues with any future use.

- With regard to electrical service, the utility provider will construct a single, adequate service to the subject parcel, as it would do for any other development requiring such service. Valley Health, based upon sound engineering practice, is evaluating various options to provide a second, independent electric source for the new facility. This evaluation is considering the placement of onsite electrical generators, the possibility to extend a second utility service line to the facility, and other recognized and acceptable methods.
- Water and sanitary mains are being extended into the site which will be dedicated to the Town of Front Royal. These lines will be designed and constructed in accordance with applicable town standards, and they will be inspected during construction to ensure that they are presented to the town in an acceptable condition. These expenses will be covered by Warren Memorial Hospital.
- No additional roadways are being proposed whose maintenance will be the responsibility of the Town of Front Royal. A right turn lane will be constructed along Leach Run Parkway which will be turned over to the Town to be included in its maintenance program. This turn lane will be designed and constructed in accordance with applicable Town/VDOT standards, and it will be inspected during construction to ensure that it is presented to the Town in an acceptable condition. This expense will be covered by Warren Memorial Hospital.
- As proffered with this submittal, a traffic signal may be required, either through the request of the Town or by the desire of Warren Memorial Hospital. Warren Memorial Hospital offers to provide a maximum of \$175,000.00 towards this expense.

b. Impacts to the Quality of Life of Citizens

Any impact to the Quality of Life to the Citizens of the Town of Front Royal, and the surrounding area, can only be seen as a positive improvement. This project will allow for the replacement of an aging facility with one that is up-to-date, efficient, inclusive of leading- edge technological advancements, and improvements as they relate to the healthcare environment itself.

While the existing facility is sufficient, there have been many changes to facility design and equipment that will be included in the design of this new facility. This includes items ranging from patient movements, check-in procedures, and imaging facilities to operating room layouts. These specific items, and a multitude of other improvements, have all changed since the construction of the existing facility.

This facility will be more patient and staff friendly, and be more than just a “hospital”. The patient visiting this new facility will be less impacted by the relationship of uses/departments within the building. As technology has advanced, the existing facility was modified to conform to available space. These structural limitations caused inefficient use of space, personnel and supporting services. This new facility will place common elements adjacent to one another allowing for a more efficient and fluid patient treatment path. The new facility will also be constructed so future improvements to technology can be readily added.

The new facility will also allow for additional clinical service offerings to the region’s citizens. The new facility will not only address patient needs as they develop, but it will offer programs to assist the community in staying healthy and avoiding trips to the doctor.

This facility will improve the services offered to the citizens and therefore improve their quality of life.

c. Impacts to Property Values

As with any development, property values have to be considered. In every instance seen by Valley Health, the development of a new hospital has done nothing but increase property values. Health care is just one item that companies and residents evaluate when considering a relocation and the construction of this new facility will do nothing but assist the Town in its efforts to attract new business and residents.

Available lands on the subject parcel will be available for other Warren Memorial projects which are typically located in close proximity to a hospital. By placing the facility as proposed, the land values will only increase based upon market demand to be associated with the new hospital.

d. Impacts to the Environment

Based upon the findings of the site specific Phase I Environmental Site Assessment, completed by Triad Engineering, originally dated August 29, 2006 and updated on May 12, 2017, no recognized environmental conditions, controlled recognizable environmental conditions, historical recognized environmental conditions, or *de minimis* conditions are present on the site. The original study did identify two (2) Environmental Noteworthy Items which required further consideration. These include 1-Possible Wetlands, and 2-Solid Waste Debris.

As part of the site design package, these will be specifically addressed in the following manner:

- 1- Possible Wetlands: As suggested in the Original ESA I, the unnamed intermittent tributaries were evaluated by the guidelines of the US Army Corp of Engineers. A report dated May 10, 2017 was prepared by Triad Engineering which stated that no jurisdictional water of the US, or waters of the Commonwealth, including wetlands exist on this subject parcel.
- 2- Solid Waste Debris: As suggested in the original ESA, the construction documents will include notes addressing the removal and disposal of any solid waste materials encountered during the construction process.

While not specifically noted in the ESA, the site will be designed in accordance with all applicable State Erosion and Sediment Control Regulations, and Stormwater Guidelines. We do not anticipate any complications with this and therefore do not anticipate the any request for a variance from these regulations.

e. Impacts to Archeological and Historic Resources

As part of the previously referenced ESA, both original and updated, Archeological and Historic Resources were evaluated for the subject parcel, as well as adjoining parcels. This evaluation included both the Historical Ownership of the subject parcel, the review of historical aerial photographs and topographic maps of the subject parcel, and documents pertaining to Recognizable Environmental Conditions (REC) for the subject and adjoining parcels.

The ownership information dated back to 1949, the aerial/topographic information dated back to 1937, and no current REC information existed for the subject parcel, or adjacent properties.

Based upon the findings of the original ESA and update, no archeological or historic resources are being impacted by the proposed development of the site.

Considering this information, it is our opinion that the development of this project will have no negative impacts to the subject parcel, adjacent properties, or the Town of Front Royal.

If during the review of this information you have any questions, or need additional information, please don't hesitate to ask.

Respectfully Submitted,
Valley Engineering, PLC

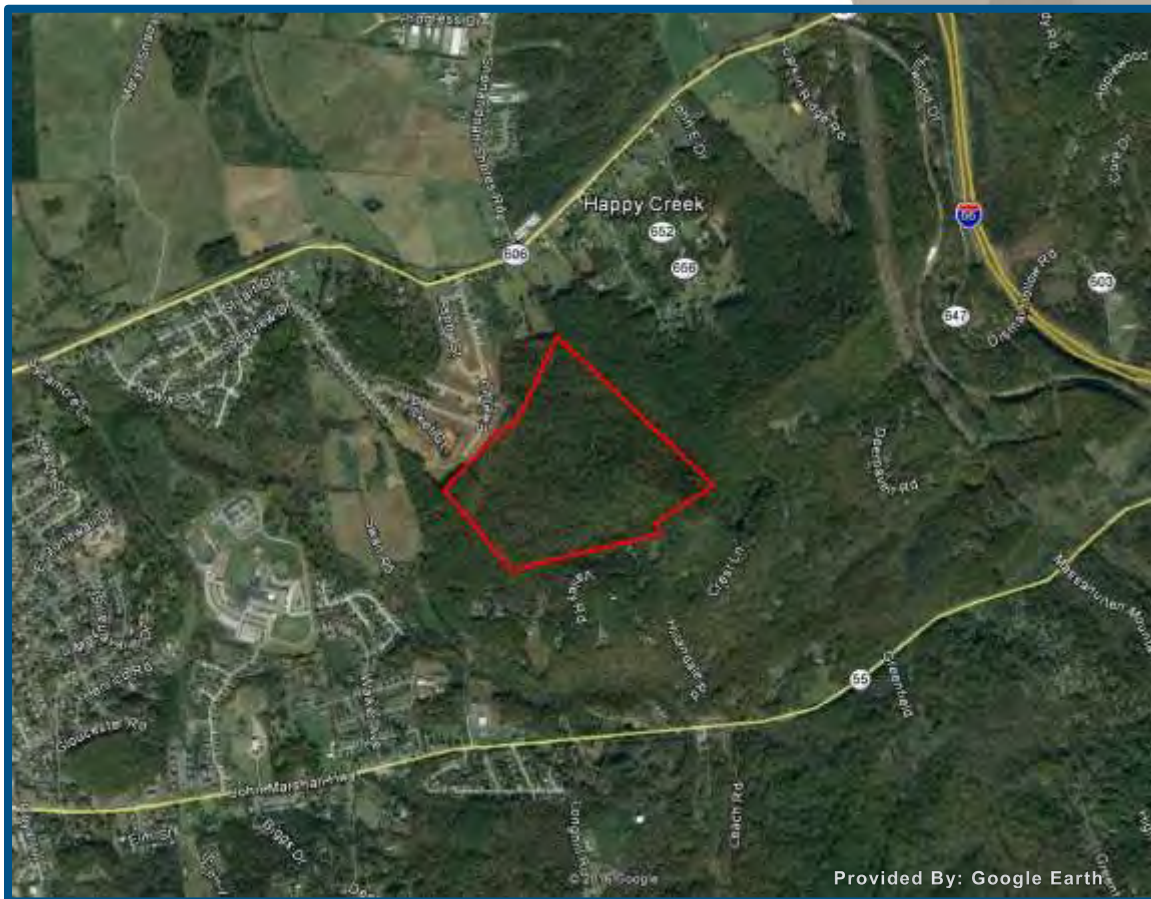
A handwritten signature in blue ink, appearing to read "Daniel Michael".

Daniel K. Michael, PE
Partner/Principal-in-Charge

PHASE I ENVIRONMENTAL SITE ASSESSMENT

Approximate 147.039-Acre Warren Memorial Hospital Property

Leach Run Parkway
Front Royal, Virginia



Triad Project No. 03-17-0125

Prepared For:
Valley Health
1836 Amherst Street
Winchester, Virginia 22601

Prepared By:
Triad Engineering Inc.
1075-D Sherman Avenue
Hagerstown, Maryland 21740

May 12, 2017



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GENERAL INFORMATION PAGE

Site Visit Date: April 11, 2017

Report Date: May 12, 2017

Prepared For: Valley Health
Attn: Mr. Mark Baker, Vice President, Facilities and Construction
1836 Amherst Street
Winchester, Virginia 22601

Prepared By: Triad Engineering, Inc.
1075D Sherman Avenue
Hagerstown, Maryland 21740
Ph. – 301-797-6400
Fax – 301-797-2424

Triad Project No: 03-17-0125

Site Name: Approximate 147.039-Acre Warren Memorial Hospital Property
Site Address: Leach Run Parkway
Front Royal, Virginia

Property Information: Warren County
Tax Map No. 20A212 2
Approximately 147.039 Acres

Latitude: 38.151421
Longitude: 78.151421

Preparer: Patrick M. Upham (301-797-6400)
Reviewer: Timothy J. Kellerman (301-797-6400)

EP Certification

We declare that, to the best of our professional knowledge and belief, we meet the definition of Environmental Professional as defined in §312.10 of 40 CFR § 312.

We have the specific qualifications based on education, training, and experience to assess a property of the nature, history, and setting of the subject site. We have developed and performed the all appropriate inquiries in conformance with the standards and practices set forth in 40 CFR Part 312.



Patrick M. Upham
Environmental Scientist



Timothy J. Kellerman
Senior Environmental Scientist

1.0 EXECUTIVE SUMMARY

This report presents the results of a Phase I Environmental Site Assessment (ESA) performed by Triad Engineering, Inc. (Triad) for the Approximate 147.039-Acre Warren Memorial Hospital Property located along the eastern side of Leach Run Parkway in Front Royal, Virginia (the site). This Phase I ESA was conducted in general conformance with the *Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process*, hereafter referred to as the ASTM Standard Practice, as defined by the *American Society for Testing and Materials (ASTM), Designation E1527-13*. Any exceptions to, or deletions from, this practice are described in Section 11.0 of this report.

The following Executive Summary is an integral part of this Phase I ESA report and may not be removed or distributed separately. Important information regarding the status of the subject site is included elsewhere in this report and is not presented in this Executive Summary. Any individual copies of the Executive Summary without the ESA report, or copies of the ESA report without the Executive Summary, should not be considered valid and should not be relied upon for any decisions or conclusions regarding the subject site.

The approximate 147.039-acre irregular-shaped site (Tax Map No. 20A212 2) is primarily located along the newly-constructed Leach Run Parkway in Front Royal, Virginia (Latitude N 38.151421/Longitude W 78.151421, Datum WGS 84). The site is located within the Front Royal, Virginia 22630 zip code area, but does not have an assigned address since it is currently undeveloped with no significant improvements. The site is currently owned by Warren Memorial Hospital, which has reportedly owned the site since circa 2008.

The site is entirely undeveloped and consists of northern hardwood forest cover over moderately steep terrain. The site does not currently contain any structures and no structures are historically known to have existed within the confines of the site. There are no known utilities except those recently constructed in association with Leach Run Parkway. The site is located in an area which has recently experienced an increase in development including a currently under construction middle school (northern adjoining property) and a single family residential subdivision (western adjoining property).

No underground storage tanks (USTs) or aboveground storage tanks (ASTs) were observed at the site and no chemical and/or petroleum generation, use, or storage were observed at the site.

Triad obtained a computerized search of federal and state environmental databases for the site from Environmental Data Resources, Inc. (EDR), dated April 10, 2017. No regulatory files were identified for the site and no adjoining properties were identified.

1.1 Findings and Opinions

The following table summarizes the recognized environmental conditions (RECs), controlled recognized environmental conditions (CRECs), historical recognized environmental conditions (HRECs), and *de minimis* conditions at the site.

Environmental Report Summary

Report Section	Report Section Name	REC	CREC	HREC	De Minimis
3.6	Historically Significant or Environmental Findings				
4.0	Federal, State, Local & Tribal Database Listings				
5.0	Local Agency Records				
6.2	Site Operations, Processes, and Equipment				
6.3	Aboveground Chemical or Waste Storage				
6.4	Underground Chemical or Waste Storage, Drainage or Collection Systems				
6.5	Electrical Transformers / PCBs				
6.6	Releases or Potential Releases				
6.7	Other Notable Site Features				
7.0	Interviews				
8.0	Off-site Reconnaissance				
11.4	Environmental Liens and Activity/Use Limitations				

The results of the Phase I ESA have identified the following environmental conditions:

Recognized Environmental Conditions (RECs)

- There were no RECs identified at the subject site.

Controlled Recognized Environmental Conditions (CRECs)

- There were no CRECs identified at the subject site.

Historical Recognized Environmental Conditions (HRECs)

- There were no HRECs identified at the subject site.

De Minimis Conditions

- There were no *de minimis* conditions identified at the subject site.

1.2 Conclusions

Triad has performed this Phase I ESA in general conformance with the scope and limitations of ASTM Practice E1527-13 for the Approximate 147.039-Acre Warren Memorial Hospital Property located along the eastern side of Leach Run Parkway in Front Royal, Virginia (the site). Any exceptions to, or deletions from, this practice are described in Section 10 of this report. The findings of this Phase I ESA did not identify any RECs, CRECs, HRECs or *de minimis* conditions in association with the site. These conclusions represent the best judgment of Triad based on the data obtained from the work. Due to the nature of this investigation, the limited data available, and the timeframe to complete the work, Triad cannot warrant against undiscovered environmental liabilities.

This report was prepared in confidence at the request and for the sole use of Valley Health (the User) and the contents hereof may not be used or relied upon by any other party other than those enumerated without the express written consent of Triad Engineering, Inc. and Valley Health. Any use or reliance by a third party shall be at that party's sole risk.

2.0 SUBJECT SITE DESCRIPTION

2.1 Subject Site Location

The approximate 147.039-acre irregular-shaped site (Tax Map No. 20A212 2) is primarily located along the newly-constructed Leach Run Parkway in Front Royal, Virginia (Latitude N 38.151421/Longitude W 78.151421, Datum WGS 84). The site is located within the Front Royal, Virginia 22630 zip code area, but does not have an assigned address since it is currently undeveloped with no significant improvements. Site figures are presented in **Appendix A**.

2.2 Owner, Property Manager, and Occupant Information

The site is currently owned by Warren Memorial Hospital, which has reportedly owned the site since circa 2008, and is unoccupied.

2.3 Subject Site and Vicinity Characteristics

The site is located in an area which has recently experienced an increase in development including a currently under construction middle school (northern adjoining property) and a single family residential subdivision (western adjoining property).

2.4 Description of Subject Site Structures and Improvements

The site is entirely undeveloped and consists of northern hardwood forest cover over moderately steep terrain. The site does not currently contain any structures and no structures are historically known to have existed within the confines of the site.

2.5 Physical Setting Sources

Topography	
Source of Information	U.S. Geological Survey, 7.5-Minute Topographic Map, Front Royal, VA Quadrangle, 1986
Site Elevation	Ranging from approximately 700 feet above Mean Sea Level (MSL) to 1,250 feet.
Surface Runoff/ Topographic Slope	The site consists of moderately steep terrain that generally slopes to the west.
Surface Water Bodies	No.
Flood Map Information	Flood Insurance Rate Map No: 51187C0117C, effective on 6/3/2008 Is site located within 100-year flood plain: No.

Geology/Hydrogeology	
Source of Information	Geologic Map of Clarke, Frederick, Page, Shenandoah, and Warren Counties, Virginia: Lord Fairfax Planning District, as prepared in cooperation with the USGS and dated 1996
Formation	Antietam Formation
Description	The Antietam Formation is described as white to light-gray, fine- to coarse-grained, silica-cemented, vitreous quartzite and subarkose with phyllite partings. Skolithos are common and thickness ranges from 350 to 600 feet. The lower elevations of the subject Site belong to the Cambrian age Waynesboro Formation, which is described as upper 300 feet: dusky-red to olive-gray, fine- to medium-grained sandstone and dusky red to gray shale; middle 400 feet: medium- to dark-gray, saccaroidal dolostone and fine-grained limestone; lower 500 feet; dusky-red to brownish-gray, fine- to medium-grained sandstone. Thickness is approximately 1,200 feet
Groundwater Flow Direction*	Based on surface topographic gradients and the proximity to the nearest surface water bodies, groundwater in the site vicinity is anticipated to flow in a westerly direction.

* It should be noted that the actual groundwater flow direction is often influenced by factors such as soil and bedrock geology, groundwater wells, and other factors beyond the scope of this study.

3.0 HISTORICAL USE INFORMATION

A summary of historical information obtained for the site is included in the following sections.

Historical Record Sources Summary			
Historical Records Source	Record Source	Dates of Record Sources Reviewed	See Appendix or Figure
Section 3.1.1 City Directories	N/A	N/A	N/A
Section 3.1.2 Aerial Photographs	*2006 Phase I ESA	1937 – 2014	Appendix A
Section 3.1.3 Sanborn Maps	N/A	N/A	N/A
Section 3.1.4 Historical Topographic Maps	*2006 Phase I ESA	1944 - 1994	Appendix A

* Triad prepared a Phase I ESA for the site in 2006. Refer to Section 3.5.

3.1 City Directories

The site is unaddressed and as such it would not be identified in historical city directories.

3.2 Aerial Photographs

Aerial Photograph Review Summary		
Year	Subject Property	Adjoining Properties
1937	The 1937 aerial photograph shows the Site as entirely wooded with the exception of a road in the western portion of the site, which connects present day Happy Creek Road to the John Marshall Highway.	N: Undeveloped woods. S: Undeveloped woods. E: Undeveloped woods. W: Agricultural fields.
1950	The road depicted in the western portion of the site in the 1937 aerial photograph is no longer visible.	No significant change.
1966	Logging roads are visible in the western portion of the site.	Residential structures are visible along roadways in the site vicinity.
1997	The road depicted in the western portion of the site in the 1937 aerial photograph is again partially visible.	No significant change.

3.3 Sanborn Fire Insurance Maps

Triad did not review Sanborn® Fire Insurance Maps because map coverage for the closest incorporated area does not cover the site.

3.4 Historical Topographic Map

Historic Topographic Map Review Summary		
Year	Site	Adjoining Properties
1944	Undeveloped.	Roadways are depicted in the site vicinity.
1967	Undeveloped with an unimproved road/trail depicted in the western portion of the site.	S: An area is labeled "mines". No additional information or structures are depicted.
1978	No significant changes.	No significant change.
1994	No significant changes.	No significant change.

3.5 Review of Prior Environmental Reports or Investigations

Triad prepared a Phase I ESA report for the site titled "Approximate 165-Acre Property, Green Hill, Front Royal, Virginia 22630" prepared for Valley Engineering c/o Valley Health Systems dated August 29, 2006 (Triad Project No. 07-06-0439). Although this Phase I ESA was prepared in accordance with ASTM Standard Practice E1527-05, a review of this document did not identify any RECs in association with the site.

3.6 Historically Significant or Environmental Findings

No RECs were identified in relation to the site from the review of available historical resources for the site.

4.0 RECORDS REVIEW

A computerized search of federal and state environmental databases was compiled by Environmental Data Resources, Inc. (EDR) on April 10, 2017 (Inquiry No. 4903243.2s). EDR compiled the search of federal and state databases for records of hazardous waste permits and activities, compliance histories and documented contamination at properties within the specified search radius. EDR's report meets the search requirements of the EPA's Standards and Practices for All Appropriate Inquiries (40 CFR Part 312) and the *ASTM Standard Practice for Environmental Site Assessments E1527-13*. The following table summarizes the findings of the EDR database report attached as **Appendix B**.

4.1 Standard Environmental Records Database Summary

Database	ASTM Search Radius (mile)	Total Number of Listings	Subject Site Identified?	Adjoining or Adjacent Property Identified?	Environmental Threat or Concern Posed to Site?
NPL	1.00	0	-	-	-
PROPOSED NPL	1.00	0	-	-	-
DELISTED NPL	1.00	0	-	-	-
SEMS	0.50	0	-	-	-
SEMS-ARCHIVE	0.50	1	No	No	No
CORRACTS	1.00	0	-	-	-
RCRA-TSDF	0.50	0	-	-	-
RCRA-LQG	0.25	0	-	-	-
RCRA-SQG	0.25	0	-	-	-
RCRA-CESQG	0.25	0	-	-	-
US ENG CONTROLS	0.50	0	-	-	-
US INST CONTROLS	0.50	0	-	-	-
ERNS	TP	0	-	-	-
SWL/LF	0.50	0	-	-	-
INDIAN LUST	0.50	0	-	-	-
LUST	0.50	2	No	No	No
LTANKS	0.50	2	No	No	No
UST	0.25	0	-	-	-
AST	0.25	0	-	-	-
INDIAN UST	0.25	0	-	-	-
INST CONTROLS	0.50	0	-	-	-
VCP	0.50	0	-	-	-
US BROWNFIELDS	0.50	0	-	-	-
US CDL	TP	0	-	-	-

TP = Target Property

Based on their current status and distance and/or topographic relation (i.e. up or down gradient) from the site, none of the regulatory listings identified by EDR, Inc. appear to pose a significant environment concern to the site at this time.

4.2 Additional Environmental Records Database Summary

Database	ASTM Search Radius (mile)	Total Number of Listings	Subject Site Identified?	Adjoining or Adjacent Property Identified?	Environmental Threat or Concern Posed to Site?
HMIRS	TP	0	-	-	-
SPILLS/SPILLS 90	TP	0	-	-	-
RCRA NonGen	0.25	0	-	-	-
TRIS	TP	0	-	-	-
TSCA	TP	0	-	-	-
FTTS	TP	0	-	-	-
SSTS	TP	0	-	-	-
ICIS	TP	0	-	-	-
PADS	TP	0	-	-	-
MLTS	TP	0	-	-	-
RADINFO	TP	0	-	-	-
FINDS	TP	0	-	-	-
RAATS	TP	0	-	-	-
INDIAN RESERV	1.0	0	-	-	-
US AIRS	TP	0	-	-	-
PRP	TP	0	-	-	-
EDR MGP	TP	0	-	-	-

TP = Target Property

4.3 Orphan Summary

The EDR database report did not identify any orphan listings for the site.

5.0 LOCAL AGENCY RECORDS

Triad submitted Freedom of Information Act (FOIA) requests to the Warren County Fire and Rescue Services department, Warren County Health Department, and the Town of Front Royal on April 10, 2017 regarding any records of the use, storage, spillage, or generation of hazardous materials; hazardous wastes; or petroleum products; permitted water wells and/or groundwater monitoring wells or permitted septic systems or health department investigations at the site. A response via telephone was received from the Town of Front Royal on April 10, 2017 which indicated that no records for the site were found. Responses have not been received from the other agencies. If any relevant environmental information is received, it will be submitted under separate cover. Copies of the FOIA requests are included as **Appendix C**.

6.0 ON-SITE OBSERVATIONS

6.1 Methodology and Limiting Conditions

Access to the site was unrestricted; however, the site consisted of dense vegetation and/or forest cover which limited access and visibility. It should be mentioned that for the vastly undeveloped portions of the site, Triad utilized aerial photographs to identify any suspect areas such as cleared/disturbed soil, mounds, trenches, structures, or other indications of conditions indicative of releases or threatened releases and only these areas were walked through to “ground truth” the observations. The objective of the site observations and reconnaissance was to obtain information indicating the likelihood of identifying RECs in connection with the site. As part of the site reconnaissance activities, Triad obtained digital photographs to document current on site conditions and use. These photographs are included in this report in **Appendix D**.

Date of Site Visit	April 11, 2017
Field Personnel	Mr. Patrick M. Upham and Mr. Timothy J. Kellerman of Triad
Weather Conditions	Partly cloudy with temperatures in the lower 70s.
Site/Owner Representatives	Triad was unaccompanied during the site reconnaissance.
Observation Procedures	The site reconnaissance was conducted by inspecting the site. In addition, adjacent and adjoining properties were visually inspected where possible from public property and/or access easements.

The following sections identify uses and current conditions observed on the site. Pursuant to ASTM Standard E1527-13, Section 9.0 *Site Reconnaissance*, Subsection 9.4 *Uses and Conditions*, the environmental professional conducting the site reconnaissance is obligated to note the uses and conditions specified in the ASTM standard to the extent visually and/or physically observed, or obtained through interviews with knowledgeable parties during the site visit. Each use or condition identified at the site is summarized in the following sections.

6.2 Site Operations, Processes, and Equipment

Condition or Use	Observed?	Comments
Emergency generators	No	
Air compressors	No	
Hydraulic lifts	No	
Dry cleaning	No	
Photo processing	No	
Laboratory hoods and/or	No	

Condition or Use	Observed?	Comments
incinerators		
Waste treatment systems and/or water treatment systems	No	
Heating and/or cooling systems	No	
Other processes or equipment	No	

6.3 Aboveground Chemical or Waste Storage

Condition or Use	Observed?	Comments
Aboveground storage tanks (ASTs)	No	
Drums, barrels and/or containers	No	
Containers $\geq$ five gallons in capacity	No	
Safety Data Sheets (SDS)	No	
Treatment, Storage, and Disposal Facility (TSDF) Manifests/Bills	No	
Automobile Tires	No	
Batteries	No	
Parts washer	No	
Other	No	

6.4 Underground Chemical or Waste Storage, Drainage, or Collection Systems

Condition or Use	Observed?	Comments
Underground storage tanks or ancillary UST equipment	No	
Sumps, cisterns, catch basins and/or dry wells	No	
Grease traps	No	
Septic tanks and/or leach fields	No	
Oil/water separators	No	
Pipeline markers	No	
Interior floor drains	No	
Other	No	

6.5 Electrical Transformers / PCB Equipment

Condition or Use	Observed?	Comments
Pad- or pole-mounted transformers and/or capacitors	No	

Condition or Use	Observed?	Comments
Other Equipment	No	

6.6 Releases or Potential Releases

Condition or Use	Observed?	Comments
Stressed vegetation	No	
Stained soil	No	
Stained pavement or similar surface	No	
Leachate and/or waste seeps	No	
Trash, debris and/or other waste materials	Yes	A relatively small amount of scattered non-hazardous waste items such as, but not necessarily limited to, automobile tires, residential waste/rubbish, bottles, and wind-blown plastic and rubbish were observed at the site, mainly from the nearby school construction project. No surface staining, odors, or significantly stressed vegetation were apparent in association therewith.
Dumping or disposal areas	No	
Construction/demolition debris and/or dumped fill dirt	No	
Surface water discoloration, odor, sheen, and/or free floating product	No	
Strong, pungent or noxious odors	No	
Exterior pipe discharges and/or other effluent discharges	No	
Vapor Intrusion	No	
Other	No	

6.7 Other Notable Site Features

Condition or Use	Observed?	Comments
Surface water bodies	No	
Quarries or pits	No	
Wells	No	
Storm water	No	
Other site features	No	

7.0 INTERVIEWS

7.1 Interview with Site Owner

An environmental questionnaire was provided for the site owner to complete on April 24, 2017. As of the date of this report, the completed questionnaire has not been received.

7.2 Interviews with Occupants

The site is undeveloped and there are no occupants.

7.3 Interviews with Local Government Officials

As stated previously in Section 5.0, Triad contacted local agencies regarding any files associated with the site. Refer to that section for details about the site.

7.4 Interviews with Others

No additional interviews were performed as part of this Phase I ESA.

8.0 OFF-SITE RECONNAISSANCE

8.1 Current Uses of Adjoining Properties

Current land-uses of the properties that are immediately adjoining and adjacent to the subject site are summarized on the following table. Findings of the cursory observations are summarized on the second table as follows.

Site Vicinity Observations

Direction	Boundary Feature	Topographic Relation	Environmental Concerns
North	Under construction school site.	Down	None Observed
East	Undeveloped woods and scattered residences.	Cross & Up Gradient	None Observed
South	Undeveloped woods and scattered residences.	Up, Down, & Cross Gradient	None Observed
West	Leach Run Parkway and a single family residential subdivision.	Down Gradient	None Observed

The following table summarizes uses and current conditions observed on the adjoining and neighboring properties identified in the above table consistent with the ASTM Standard E1527-1, Section 9.0 Site Reconnaissance, Subsection 9.4.1.3 Uses and Conditions of Adjoining Properties. For each use or condition identified for adjoining properties, a detailed explanation discussing the significance of the recognized environmental condition or level of environmental threat to the site is given.

Condition or Use	Observed?	Comments
Pits, Ponds, or Lagoons	No	
Railroad Lines or Spurs	No	
Septic System	No	
Heavy Equipment	No	
Drums or Storage Containers	No	
Odors	No	
Landfills or Dumping Activities	No	
Waste Water Discharge	No	
USTs/ASTs Systems and Piping	No	
PCB-Containing Equipment and Transformers	No	
Industrial/Manufacturing Activities	No	
Hydraulic Lifts or Equipment	No	

Condition or Use	Observed?	Comments
Wells	No	
Remedial Activities	No	
Stained Soils or Pavement	No	
Leachate or Seeps	No	
Stressed Vegetation	No	
Chemical Spills or Releases	No	
Surface Water Contamination	No	
Oil/Gas Exploration or Refinery Operations	No	
Farm Waste Concerns	No	
Pesticides or Herbicides	No	
Contaminate Migration	No	
Vapor Migration	No	
Regulated Substances	No	
Other Environmental Concerns	No	

9.0 ADDITIONAL PROJECT INFORMATION

There was no additional information relevant to this project identified during this assessment.

10.0 PROJECT INFORMATION

10.1 Purpose

The purpose of this Phase I Environmental Site Assessment (ESA) was to identify recognized environmental conditions (RECs) at the site with respect to the range of contaminants within the scope of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) and petroleum products. Therefore, as defined in *ASTM Practice E1527-13, Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process*:

“this practice is intended to permit a *user* to satisfy one of the requirements to qualify for the *innocent landowner*, *contiguous property owner*, or *bona fide prospective purchaser* limitations on CERCLA liability (hereinafter, the *landowner liability protections*, or *LLPS*) that is, the practice that constitutes “all appropriate inquiry into the previous ownership and uses of the property consistent with good commercial or customary practice” as defined in 42 USC §9601(35)(B).

As further identified in ASTM Practice E1527-13, the goal of the Phase I ESA is to identify RECs, which means:

“the presence or likely presence of any *hazardous substances* or *petroleum products* in, on, or at a *property*: (1) due to any *release* to the environment; (2) under conditions indicative of a *release* to the environment; or (3) under conditions that pose a *material threat* of a future *release* to the environment. *De minimis* conditions are not *recognized environmental conditions*.”

10.2 Scope of Services

Triad performed the Phase I ESA in accordance with the scope and limitations of *ASTM Practice E1527-13, Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process*, unless otherwise described within this report.

As outlined in ASTM Practice E1527-13, Triad reviewed reasonably ascertainable and practically reviewable *Standard* and *Additional Environmental Record Sources* provided by Environmental Data Resources, Inc. (EDR), *Physical Setting Sources*, which included

United States Geological Survey (USGS) 7.5-minute topographic quadrangle maps. In addition, Triad reviewed *Standard Historical Sources*, which may include but are not limited to, aerial photographs, fire insurance maps, property tax files, local street directories (city directories), and information obtained from State and Federal Agencies, as available.

Triad performed site reconnaissance activities and obtained digital photographs to document current site conditions and to identify potential RECs. This Phase I ESA report documents the findings of our investigations and has been prepared in accordance with the provisions of ASTM Practice E1527-13.

With the exception that a preliminary wetland evaluation was performed in conjunction with this Phase I ESA, our scope of services did not include an assessment for ASTM non-scope considerations such as asbestos, lead paint, lead in drinking water, radon, mold, etc. Our scope of services for this Phase I ESA did not include testing for the above items or assessing or testing for petroleum or chemicals in soil or groundwater, ecological resources, or endangered species. In addition, our scope of services did not include determining the regulatory compliance of the site, the presence of cultural or historic resources, evaluating industrial hygiene, health and safety issues, indoor air quality, biological agents, or universal wastes.

10.3 Significant Assumptions

Access to the site was unrestricted; however, the site consisted of dense vegetation and/or forest cover which limited access and visibility. Triad made reasonable efforts to inspect the site in general accordance with ASTM Practice E1527-13. Triad did not enter adjoining or adjacent properties, but was able to visually observe adjoining and adjacent properties from the site and/or public roads. Therefore, it is assumed that adjoining land-uses were consistent with the activities that could be readily observed from the site and/or public roads.

10.4 Limitations and Exceptions

This report has been prepared by Triad for the exclusive use of Valley Health (the User) as a Phase I ESA report for the Approximate 147.039-Acre Warren Memorial Hospital Property located along Leach Run Parkway in Front Royal, Virginia (the site). The opinions and conclusions expressed in this report are based upon the results of our Phase I ESA work tasks.

For the purposes of this Phase I ESA, the terms “subject site” and “site” refer to the land within the subject site boundaries. The term “general site vicinity” typically refers to properties within a one-mile radius of the site. The term “adjoining properties” refers to land contiguous to the site. The term “immediate site vicinity” or “neighboring properties” refers to land proximal to the site.

It is important to note that environmental evaluations are inherently limited in the sense that conclusions are drawn and opinions developed, in part, from information obtained from our limited research and visual observations. For these types of evaluations, it is often necessary to utilize information prepared by others and as such, Triad cannot be responsible for the accuracy of such information and we do not assume responsibility for conditions that were not divulged to us during the preparation of this report. It is also important to note that the preparation of this report does not mean that an all exhaustive assessment was performed; only that which was necessary to comply with ASTM Practice E1527-13.

Our observations are based upon conditions visually apparent at the site at the time of our visit and are not intended to address specific subsurface soil and groundwater conditions, which can only be assessed by performing a detailed subsurface sampling program. Triad has considered the degree of obviousness of the presence or likely presence of contamination at the site and the ability to detect the contamination by appropriate investigation. With the exception of those environmental concerns identified in Section 1.1 to this report, Triad did not observe any conditions indicating the presence or likely presence of contamination at the site. The contents of this report should not be construed in any way to indicate Triad’s recommendations to purchase, sell, or develop the site.

Triad, by virtue of providing the services described in this report, does not assume the responsibility of the person(s) in charge of the site, or otherwise undertake responsibility for reporting to any local, state, or federal public agencies any conditions at the site that may present a potential danger to public health, safety, or the environment. In areas that require notification of local, state, or federal public agencies as required by law, it is the User's responsibility to so notify.

It should also be noted that our assessment is considered to be valid only at the time and locations investigated and that conditions within the site may vary with time. The nature and extent of these variations may only become evident during the course of future investigations or development. This report was not and is not intended to establish the compliance status of the subject site with federal, state, or local environmental regulations. We have performed our services in general accordance with ASTM Practice E1527-13 for conducting a Phase I ESA and make no other warranty, either expressed or implied, as to the professional services and advice contained herein.

10.5 Special Terms and Conditions

There were no special terms and conditions in-place with regard to the findings, conclusions, or our expressed opinion regarding recognized environmental conditions potentially associated with the site.

10.6 User Reliance

Triad performed the Phase I ESA work tasks in general accordance with ASTM Practice E1527-13, unless otherwise noted in this report. As such, Valley Health may rely upon the findings of the Phase I ESA report, subject to the scope of services, significant assumptions, limitations and exceptions, and special terms and conditions as described in the Phase I ESA report. Triad emphasizes that this Phase I ESA does not guarantee that unobserved conditions, undocumented incidents, or information withheld concerning environmental conditions at the site will not affect the level of environmental risk or potential liability at the site.

10.7 Deviations

Triad has performed this Phase I Environmental Site Assessment at the subject site in general conformance with the scope and limitations of ASTM Practice E1527-13.

10.8 Data Gaps

The accuracy and completeness of this report may be limited by the following:

- **Access Limitations** – There were no access limitations.
- **Physical Obstructions to Observations** – The site consisted of dense vegetation and/or forest cover on steep terrain which limited access and visibility. Otherwise, no

significant physical obstructions to observations were encountered during this assessment.

- **Outstanding Information Requests** – Responses to FOIA requests were not received from the Warren County Fire and Rescue Services Department and Warren County Health Department. In addition, the site owner was provided with an environmental questionnaire to complete, which has not been returned.
- **Historical Data Source Failure** – Historical data sources were available for the site dating back to 1937.
- **Other** – No other significant data gaps were identified during this assessment.

It should be noted that this assessment did not include a complete audit of operational environmental compliance issues, or of any environmental management systems (EMS) that may exist for the site facility. Where required, the documents listed in the attachments were used as reference material for the completion of the Phase I ESA. Some of the information presented in this report was provided through existing documents and interviews. Although attempts were made whenever possible to obtain a minimum of two confirmatory sources of information, Triad in certain instances has been required to assume that the information provided is accurate.

The information and conclusions contained in this report are based upon work undertaken by trained professional and technical staff in accordance with generally accepted engineering and scientific practices current at the time the work was performed. The conclusions and recommendations presented represent the best judgment of Triad based on the data obtained from the work. Due to the nature of investigation and the limited data available, Triad cannot warrant against undiscovered environmental liabilities. Conclusions and recommendations presented in this report should not be construed as legal advice. Should additional information become available, which differs significantly from our understanding of conditions presented in this report, we request that this information be brought to our attention so that we may reassess the conclusions provided herein.

10.9 Reliance

This report was prepared in confidence at the request and for the sole use of Valley Health and the contents hereof may not be used or relied upon by any other party other than those enumerated without the express written consent of Triad Engineering, Inc. and Valley Health. Any use or reliance by a third party shall be at that party's sole risk.

11.0 USER PROVIDED INFORMATION

The User was provided an environmental questionnaire to complete on April 24, 2017. As of the date of this report, the completed questionnaire has not been received.

11.1 Specialized Knowledge

The User did not provide any specialized knowledge regarding the history and/or use of the site.

11.2 Valuation Reduction for Environmental Issues

The User did not disclose whether there is a known reduction in the value of the site due to the actual or perceived environmental issues. *ASTM Practice E1527-13, Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process*, “does not require that a real estate appraisal be obtained in order to ascertain fair market value of the property.”

11.3 Commonly Known or Reasonably Ascertainable Information

The User did not disclose any commonly known or reasonably ascertainable information within the local community about the site that is material to RECs in connection with the site.

11.4 Environmental Liens and Activity/Use Limitations

The User did not engage Triad to perform a search of environmental liens and activity and use limitations (AULs). The User did not provide title reports for Triad’s review. The User did not inform Triad of any environmental cleanup liens or AULs filed against the site property recorded under federal, tribal, state, or local law.

11.5 Reason for Performing Phase I ESA

The User did not disclose the reason for performing the Phase I ESA.

11.6 Title Records

The User did not engage Triad to perform a title records search.

11.7 Historical Documentation Review

The User did not provide Triad with any environmentally significant historical documentation regarding the subject site.

12.0 REFERENCES

American Society of Testing and Materials (ASTM) Standard Practice E1527-13, Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process, 2013.

Environmental Data Resources, Incorporated, First Search Report, ID No. 4903243.2s, Warren Memorial Hospital Property, Front Royal, VA 22630 dated April 10, 2017.

Federal Emergency Management Agency Flood Insurance Rate Map Community Panel Number 51187C0117C, effective on 6/3/2008.

Geologic Map of Clarke, Frederick, Page, Shenandoah, and Warren Counties, Virginia: Lord Fairfax Planning District, as prepared in cooperation with the USGS and dated 1996.

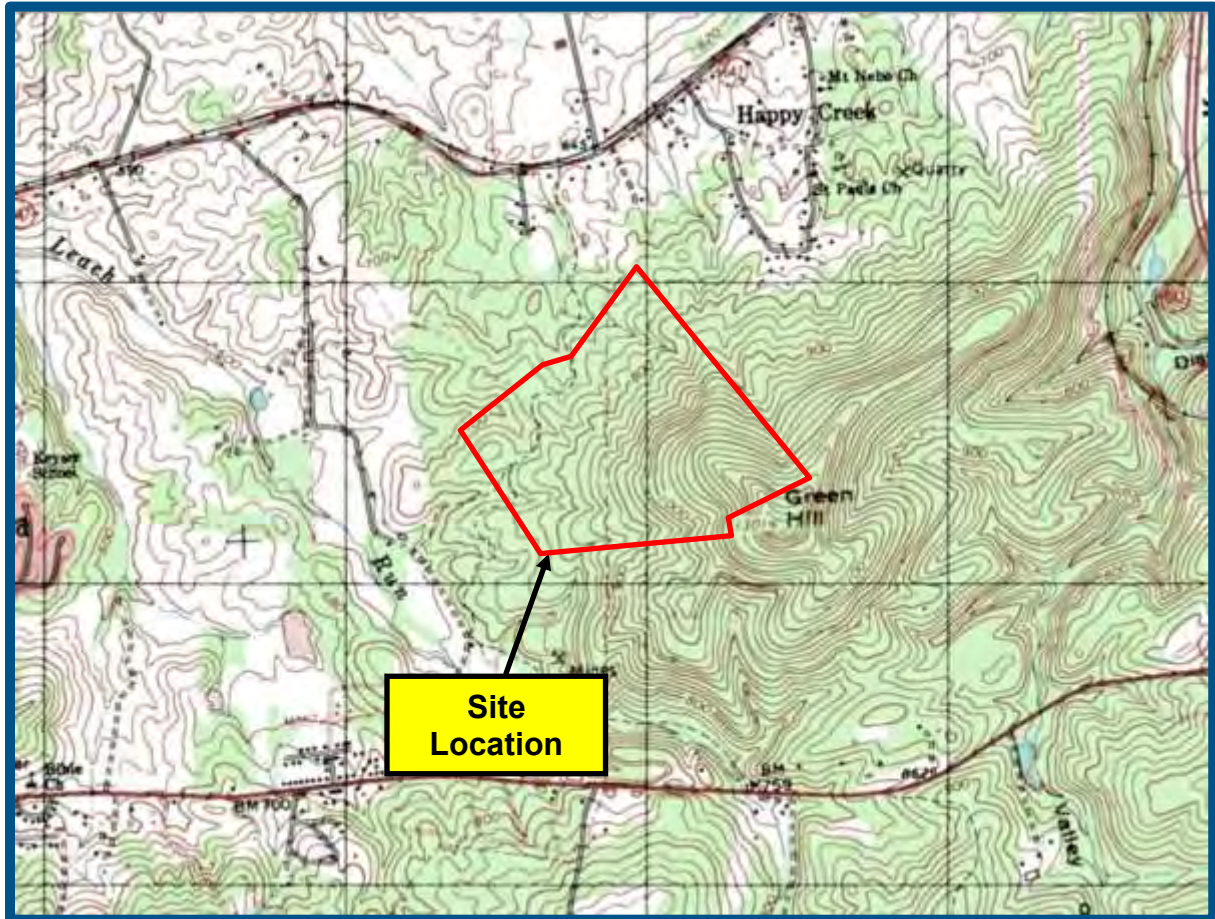
Phase I ESA report for the site titled "Approximate 165-Acre Property, Green Hill, Front Royal, Virginia 22630" prepared for Valley Engineering c/o Valley Health Systems by Triad Engineering, Inc. dated August 29, 2006 (Triad Project No. 07-06-0439).

APPENDIX A
SITE FIGURES

FIGURE 1

**Approximate 147.039-Acre
Warren Memorial Hospital Property**
Leach Run Parkway
Front Royal, Virginia

Site Vicinity Topographic Map



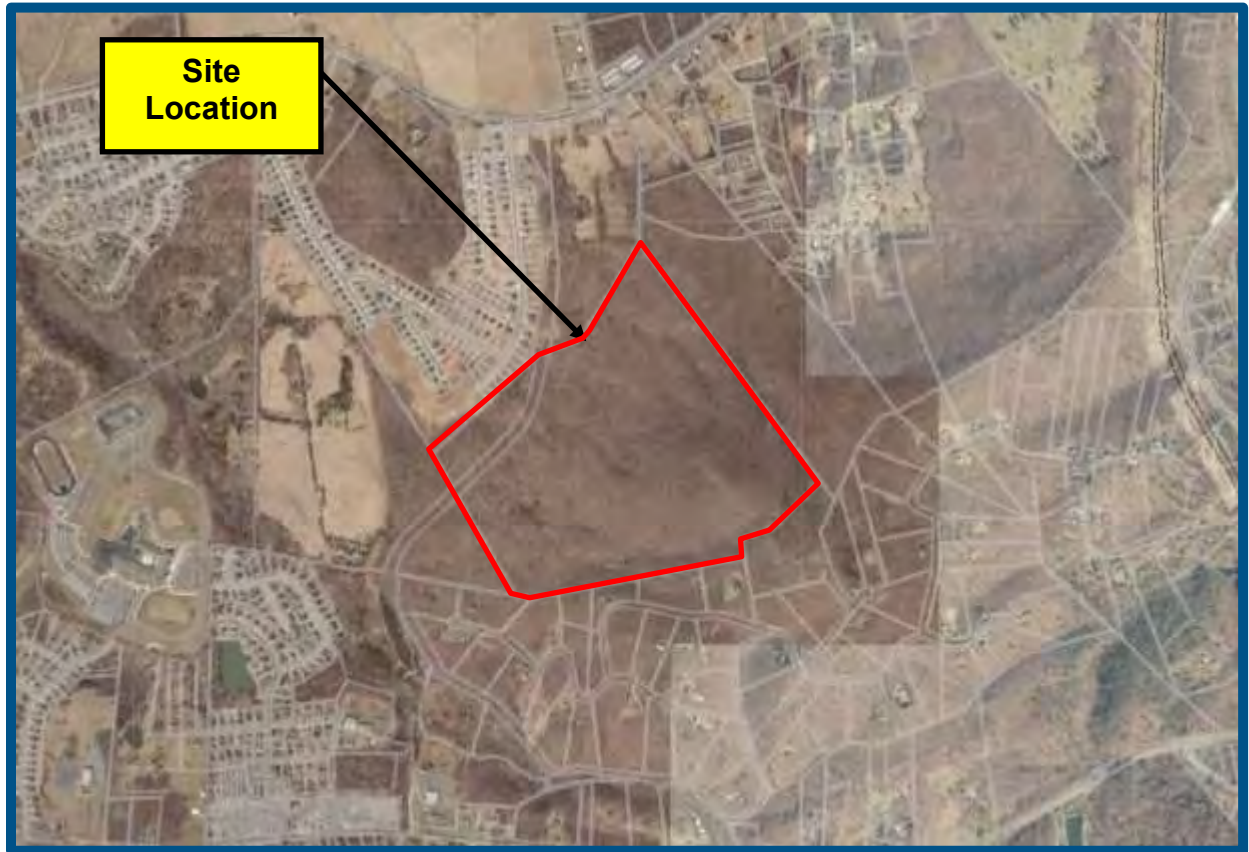
U.S. Geological Survey 7.5-Minute Series Topographic Map,
Front Royal, VA 1986
Not to Scale



FIGURE 3

**Approximate 147.039-Acre
Warren Memorial Hospital Property**
Leach Run Parkway
Front Royal, Virginia

Tax Map



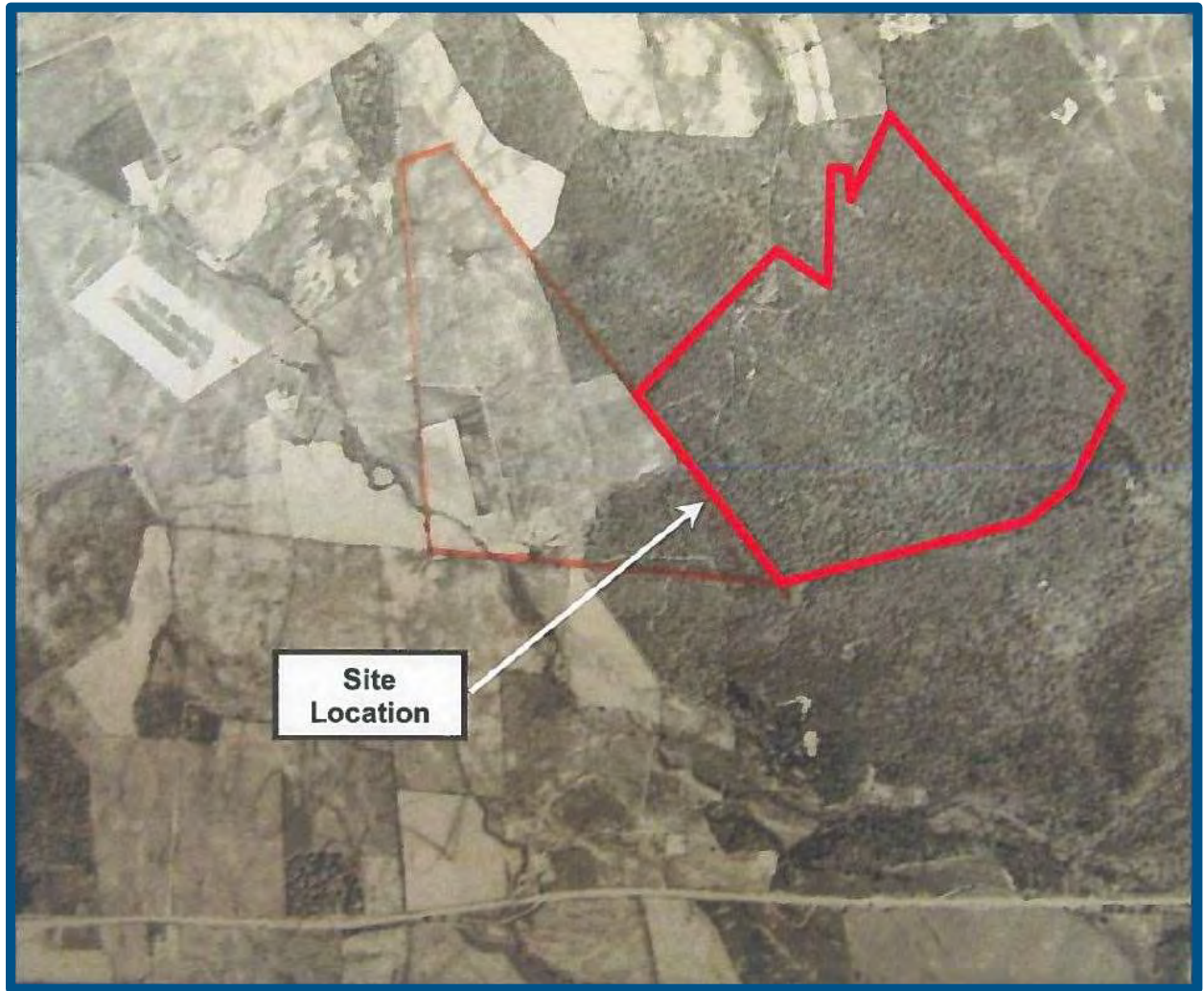
Source: Warren County
Tax Map No. 20A212 2



FIGURE 4

**Approximate 147.039-Acre
Warren Memorial Hospital Property**
Leach Run Parkway
Front Royal, Virginia

1937 Aerial Photograph



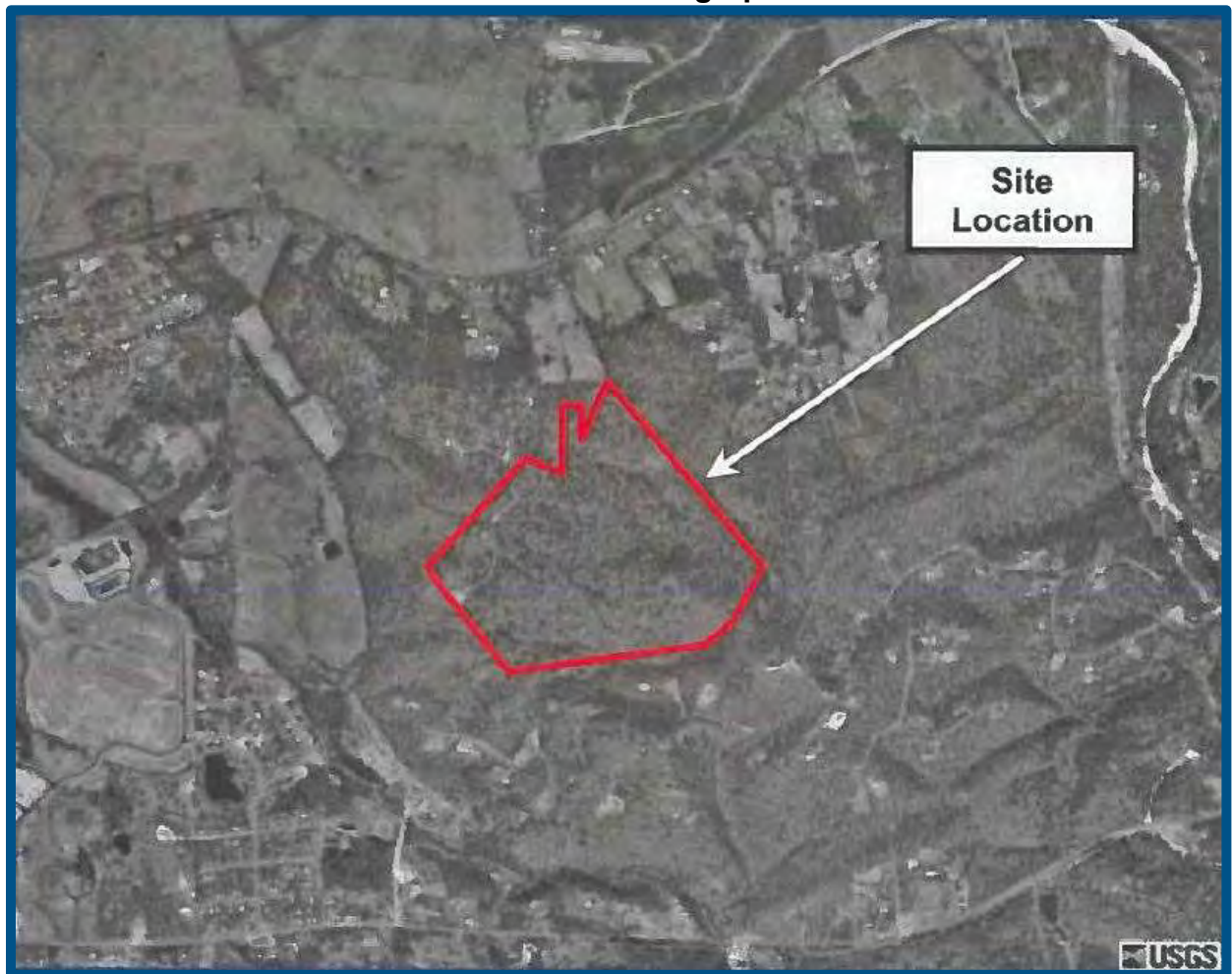
Source: NRCS/Triad Records



FIGURE 5

**Approximate 147.039-Acre
Warren Memorial Hospital Property**
Leach Run Parkway
Front Royal, Virginia

1997 Aerial Photograph



Source: USGS/Triad Records



FIGURE 6

**Approximate 147.039-Acre
Warren Memorial Hospital Property
Leach Run Parkway
Front Royal, Virginia**

1944 Historic Topo



Source: USGS/Triad Records



APPENDIX B
EDR FIRSTSEARCH REPORT

Warren Memorial Hospital Property

Not Reported

Front Royal, VA 22630

Inquiry Number: 4903243.2s

April 10, 2017

FirstSearch Area/Linear Report



6 Armstrong Road, 4th floor
Shelton, CT 06484
Toll Free: 800.352.0050
www.edrnet.com

Search Summary Report

TARGET SITE NOT REPORTED
FRONT ROYAL, VA 22630

Category	Sel	Site	1/8	1/4	1/2	> 1/2	ZIP	TOTALS
<i>NPL</i>	Y	0	0	0	0	0	0	0
<i>NPL Delisted</i>	Y	0	0	0	0	0	0	0
<i>CERCLIS</i>	Y	0	0	0	0	-	0	0
<i>NFRAP</i>	Y	0	0	1	0	-	0	1
<i>RCRA COR ACT</i>	Y	0	0	0	0	0	0	0
<i>RCRA TSD</i>	Y	0	0	0	0	-	0	0
<i>RCRA GEN</i>	Y	0	0	0	-	-	0	0
<i>Federal IC / EC</i>	Y	0	0	0	0	-	0	0
<i>ERNS</i>	Y	0	-	-	-	-	0	0
<i>State/Tribal SWL</i>	Y	0	0	0	0	-	0	0
<i>State/Tribal LTANKS</i>	Y	0	0	2	2	-	0	4
<i>State/Tribal Tanks</i>	Y	0	0	0	-	-	0	0
<i>State/Tribal IC / EC</i>	Y	0	0	0	0	-	0	0
<i>State/Tribal VCP</i>	Y	0	0	0	0	-	0	0
<i>US Brownfields</i>	Y	0	0	0	0	-	0	0
<i>Other Haz Sites</i>	Y	0	-	-	-	-	0	0
<i>Spills</i>	Y	0	-	-	-	-	0	0
<i>Other</i>	Y	0	0	0	-	-	0	0
- Totals --		0	0	3	2	0	0	5

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Search Summary Report

TARGET SITE: NOT REPORTED
FRONT ROYAL, VA 22630

Category	Database	Update	Radius	Site	1/8	1/4	1/2	> 1/2	ZIP	TOTALS
NPL	NPL	12/05/2016	1.000	0	0	0	0	0	0	0
	Proposed NPL	12/05/2016	1.000	0	0	0	0	0	0	0
NPL Delisted	Delisted NPL	12/05/2016	1.000	0	0	0	0	0	0	0
CERCLIS	SEMS	10/10/2016	0.500	0	0	0	0	-	0	0
NFRAP	SEMS-ARCHIVE	10/10/2016	0.500	0	0	1	0	-	0	1
RCRA COR ACT	CORRACTS	12/12/2016	1.000	0	0	0	0	0	0	0
RCRA TSD	RCRA-TSDF	12/12/2016	0.500	0	0	0	0	-	0	0
RCRA GEN	RCRA-LQG	12/12/2016	0.250	0	0	0	-	-	0	0
	RCRA-SQG	12/12/2016	0.250	0	0	0	-	-	0	0
	RCRA-CESQG	12/12/2016	0.250	0	0	0	-	-	0	0
Federal IC / EC	US ENG CONTROLS	11/15/2016	0.500	0	0	0	0	-	0	0
	US INST CONTROL	11/15/2016	0.500	0	0	0	0	-	0	0
ERNS	ERNS	09/26/2016	TP	0	-	-	-	-	0	0
State/Tribal SWL	SWF/LF	09/10/2015	0.500	0	0	0	0	-	0	0
State/Tribal LTANKS	LUST	05/18/2004	0.500	0	0	1	1	-	0	2
	INDIAN LUST	10/27/2015	0.500	0	0	0	0	-	0	0
	LTANKS	11/02/2016	0.500	0	0	1	1	-	0	2
State/Tribal Tanks	UST	11/01/2016	0.250	0	0	0	-	-	0	0
	AST	11/01/2016	0.250	0	0	0	-	-	0	0
	INDIAN UST	10/20/2015	0.250	0	0	0	-	-	0	0
State/Tribal IC / EC	INST CONTROL	12/22/2016	0.500	0	0	0	0	-	0	0
State/Tribal VCP	VCP	12/22/2016	0.500	0	0	0	0	-	0	0
US Brownfields	US BROWNFIELDS	03/02/2017	0.500	0	0	0	0	-	0	0
Other Haz Sites	US CDL	09/30/2016	TP	0	-	-	-	-	0	0

Search Summary Report

TARGET SITE: NOT REPORTED
FRONT ROYAL, VA 22630

Category	Database	Update	Radius	Site	1/8	1/4	1/2	> 1/2	ZIP	TOTALS
Spills	HMIRS	12/28/2016	TP	0	-	-	-	-	0	0
	SPILLS	11/01/2016	TP	0	-	-	-	-	0	0
	SPILLS 90	09/01/2012	TP	0	-	-	-	-	0	0
Other	RCRA NonGen / NLR	12/12/2016	0.250	0	0	0	-	-	0	0
	TSCA	12/31/2012	TP	0	-	-	-	-	0	0
	TRIS	12/31/2014	TP	0	-	-	-	-	0	0
	SSTS	12/31/2009	TP	0	-	-	-	-	0	0
	RAATS	04/17/1995	TP	0	-	-	-	-	0	0
	PRP	10/25/2013	TP	0	-	-	-	-	0	0
	PADS	01/20/2016	TP	0	-	-	-	-	0	0
	ICIS	11/18/2016	TP	0	-	-	-	-	0	0
	FTTS	04/09/2009	TP	0	-	-	-	-	0	0
	MLTS	08/30/2016	TP	0	-	-	-	-	0	0
	RADINFO	01/04/2017	TP	0	-	-	-	-	0	0
	INDIAN RESERV	12/31/2014	1.000	0	0	0	0	0	0	0
	US AIRS	10/12/2016	TP	0	-	-	-	-	0	0
	FINDS	07/15/2016	TP	0	-	-	-	-	0	0
	- Totals --			0	0	3	2	0	0	5

Site Information Report

Request Date: APRIL 10, 2017
Request Name: PATRICK UPHAM

Search Type: COORD
Job Number: 03170125

Target Site: NOT REPORTED
FRONT ROYAL, VA 22630

Site Location

	<u>Degrees (Decimal)</u>	<u>Degrees (Min/Sec)</u>	<u>UTMs</u>
Longitude:	78.151421	78.1514210 - 78° 9' 5.11"	Easting: 746971.4
Latitude:	38.919278	38.9192780 - 38° 55' 9.40"	Northing: 4311469.5
Elevation:	893 ft. above sea level		Zone: Zone 17

Demographics

Sites: 5 **Non-Geocoded:** 0 **Population:** N/A
RADON

EPA Region 3 Statistical Summary Readings for Zip Code: 22630

Number of sites tested: 224.

Maximum Radon Level: 73.9 pCi/L.

Minimum Radon Level: 0.2 pCi/L.

<u>pCi/L</u>	<u>pCi/L</u>	<u>pCi/L</u>	<u>pCi/L</u>	<u>pCi/L</u>	<u>pCi/L</u>
<u><4</u>	<u>4-10</u>	<u>10-20</u>	<u>20-50</u>	<u>50-100</u>	<u>>100</u>
135 (60.27%)	60 (26.79%)	17 (7.59%)	10 (4.46%)	2 (0.89%)	0 (0.00%)

Federal EPA Radon Zone for WARREN County: 1

Note: Zone 1 indoor average level > 4 pCi/L.

: Zone 2 indoor average level >= 2 pCi/L and <= 4 pCi/L.

: Zone 3 indoor average level < 2 pCi/L.

Target Site Summary Report

Target Property: NOT REPORTED
FRONT ROYAL, VA 22630

JOB: 03170125

TOTAL: 5

GEOCODED: 5

NON GEOCODED: 0

DB Type		Site Name	Address	Dist/Dir	ElevDiff	Page No.
Map ID	--ID/Status					

No sites found for target address

Sites Summary Report

Target Property: NOT REPORTED
FRONT ROYAL, VA 22630

JOB: 03170125

TOTAL: 5 GEOCODED: 5 NON GEOCODED: 0

Map ID	DB Type --ID/Status	Site Name	Address	Dist/Dir	ElevDiff	Page No.
1	SEMS-ARCHIVE --0304407 --VAD988201018	RUTHERFORD SALVAGE YARD	ROUTE 55 EAST & ROUTE 55 FRONT ROYAL, VA 22630	0.19 SW	- 210	1
2	LTANKS --Closed --200000220221 --20056106	HEINRICH KAHRS RESIDENCE	1656 HAPPY CREEK RD FRONT ROYAL, VA 22630	0.21 North	- 231	2
2	LUST --Closed --20056106 --Confirmed	HEINRICH KAHRS RESIDENCE	1656 HAPPY CREEK RD FRONT ROYAL, VA 22630	0.21 North	- 231	3
3	LTANKS --Closed --200000209152 --20036060	BUCKTON PRESBYTERIAN CHURCH	2315 JOHN MARSHALL HWY FRONT ROYAL, VA	0.45 SE	+ 3	4
3	LUST --Closed --20036060 --Confirmed	BUCKTON PRESBYTERIAN CHURCH	2315 JOHN MARSHALL HWY FRONT ROYAL, VA	0.45 SE	+ 3	5

Site Detail Report

Target Property: NOT REPORTED
FRONT ROYAL, VA 22630

JOB: 03170125

SEMS-ARCHIVE

EDR ID: 1003866950 **DIST/DIR:** 0.194 SW **ELEVATION:** 683 **MAP ID:** 1

NAME: RUTHERFORD SALVAGE YARD
ADDRESS: ROUTE 55 EAST & ROUTE 55 A
FRONT ROYAL, VA 22630
WARREN
SOURCE: US EPA

Rev: 10/10/2016
ID/Status: 0304407
ID/Status: VAD988201018

SEMS-ARCHIVE:

Site ID: 304407
EPA ID: VAD988201018
Federal Facility: N
NPL: Not on the NPL
Non NPL Status: NFRAP-Site does not qualify for the NPL based on existing information

Following information was gathered from the prior CERCLIS update completed in 10/2013: :

Site ID: 0304407
Federal Facility: Not a Federal Facility
NPL Status: Not on the NPL
Non NPL Status: NFRAP-Site does not qualify for the NPL based on existing information

CERCLIS-NFRAP Site Contact Details:
Contact Sequence ID: 13311000.00000
Person ID: 3000213.00000

CERCLIS-NFRAP Assessment History:
Action: PRELIMINARY ASSESSMENT
Date Started: / /
Date Completed: 02/03/92
Priority Level: NFRAP-Site does not qualify for the NPL based on existing information

Action: ARCHIVE SITE
Date Started: / /
Date Completed: 02/03/92
Priority Level: Not reported

Action: REMOVAL ASSESSMENT
Date Started: 03/07/91
Date Completed: 03/07/91
Priority Level: Not reported

Action: DISCOVERY
Date Started: / /
Date Completed: 03/07/91
Priority Level: Not reported

Site Detail Report

Target Property: NOT REPORTED
FRONT ROYAL, VA 22630

JOB: 03170125

LTANKS

EDR ID:	S106906018	DIST/DIR:	0.212 North	ELEVATION:	662	MAP ID:	2
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NAME: HEINRICH KAHRS RESIDENCE

Rev: 11/02/2016

ADDRESS: 1656 HAPPY CREEK RD
FRONT ROYAL, VA 22630
WARREN COUNTY

ID/Status: Closed
ID/Status: 200000220221
ID/Status: 20056106

SOURCE: VA Department of Environmental Quality

LTANKS:

Region: VRO

CEDS Facility Id: 200000220221

Case Status: Closed

Pollution Complaint #: 20056106

Reported: 02/26/2005

Site Detail Report

Target Property: NOT REPORTED
FRONT ROYAL, VA 22630

JOB: 03170125

LUST

EDR ID: S106906018 **DIST/DIR:** 0.212 North **ELEVATION:** 662 **MAP ID:** 2

NAME: HEINRICH KAHRS RESIDENCE

Rev: 05/18/2004

ADDRESS: 1656 HAPPY CREEK RD
FRONT ROYAL, VA 22630
WARREN COUNTY

ID/Status: Closed
ID/Status: 20056106
ID/Status: Confirmed

SOURCE: VA Department of Environmental Quality Northern Regional Office

LUST REG VA:

Region: Valley

Facility Status: Closed

Release Status: Confirmed

Pollution Complaint #: 20056106

Program: RP Lead

Contact Name: Kahrs, Heinrich

Contact Address: 1656 Happy Creek Rd

Contact City: Front Royal

Contact State: VA

Contact Zip: 22630

Contact Telephone: 5406369317

Site Detail Report

Target Property: NOT REPORTED
FRONT ROYAL, VA 22630

JOB: 03170125

LTANKS

EDR ID:	S105813067	DIST/DIR:	0.453 SE	ELEVATION:	896	MAP ID:	3
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NAME: BUCKTON PRESBYTERIAN CHURCH

Rev: 11/02/2016

ADDRESS: 2315 JOHN MARSHALL HWY
FRONT ROYAL, VA
FREDERICK COUNTY

ID/Status: Closed
ID/Status: 200000209152
ID/Status: 20036060

SOURCE: VA Department of Environmental Quality

LTANKS:

Region: VRO

CEDS Facility Id: 200000209152

Case Status: Closed

Pollution Complaint #: 20036060

Reported: 01/06/2003

Site Detail Report

Target Property: NOT REPORTED
FRONT ROYAL, VA 22630

JOB: 03170125

LUST

EDR ID: S105813067 **DIST/DIR:** 0.453 SE **ELEVATION:** 896 **MAP ID:** 3

NAME: BUCKTON PRESBYTERIAN CHURCH **Rev:** 05/18/2004
ADDRESS: 2315 JOHN MARSHALL HWY ID/Status: Closed
FRONT ROYAL, VA ID/Status: 20036060
FREDERICK COUNTY ID/Status: Confirmed
SOURCE: VA Department of Environmental Quality Northern Regional Office

LUST REG VA:
Region: Valley
Facility Status: Closed
Release Status: Confirmed
Pollution Complaint #: 20036060
Program: RP Lead
Contact Name: Buckton Presbyterian Church
Contact Address: 2315 John Marshall Highway
Contact City: Front Royal
Contact State: VA
Contact Zip: 22630
Contact Telephone: 5406366803

Database Descriptions

NPL: NPL National Priorities List (Superfund). The NPL is a subset of CERCLIS and identifies over 1,200 sites for priority cleanup under the Superfund Program. NPL sites may encompass relatively large areas. As such, EDR provides polygon coverage for over 1,000 NPL site boundaries produced by EPA's Environmental Photographic Interpretation Center (EPIC) and regional EPA offices. NPL - National Priority List Proposed NPL - Proposed National Priority List Sites.

NPL Delisted: Delisted NPL The National Oil and Hazardous Substances Pollution Contingency Plan (NCP) establishes the criteria that the EPA uses to delete sites from the NPL. In accordance with 40 CFR 300.425.(e), sites may be deleted from the NPL where no further response is appropriate. Delisted NPL - National Priority List Deletions

CERCLIS: SEMS SEMS (Superfund Enterprise Management System) tracks hazardous waste sites, potentially hazardous waste sites, and remedial activities performed in support of EPA's Superfund Program across the United States. The list was formerly know as CERCLIS, renamed to SEMS by the EPA in 2015. The list contains data on potentially hazardous waste sites that have been reported to the USEPA by states, municipalities, private companies and private persons, pursuant to Section 103 of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). This dataset also contains sites which are either proposed to or on the National Priorities List (NPL) and the sites which are in the screening and assessment phase for possible inclusion on the NPL. SEMS - Superfund Enterprise Management System

NFRAP: SEMS-ARCHIVE SEMS-ARCHIVE (Superfund Enterprise Management System Archive) tracks sites that have no further interest under the Federal Superfund Program based on available information. The list was formerly known as the CERCLIS-NFRAP, renamed to SEMS ARCHIVE by the EPA in 2015. EPA may perform a minimal level of assessment work at a site while it is archived if site conditions change and/or new information becomes available. Archived sites have been removed and archived from the inventory of SEMS sites. Archived status indicates that, to the best of EPA's knowledge, assessment at a site has been completed and that EPA has determined no further steps will be taken to list the site on the National Priorities List (NPL), unless information indicates this decision was not appropriate or other considerations require a recommendation for listing at a later time. The decision does not necessarily mean that there is no hazard associated with a given site; it only means that, based upon available information, the location is not judged to be potential NPL site. SEMS-ARCHIVE - Superfund Enterprise Management System Archive

RCRA COR ACT: CORRACTS CORRACTS identifies hazardous waste handlers with RCRA corrective action activity. CORRACTS - Corrective Action Report

RCRA TSD: RCRA-TSDF RCRAInfo is EPA's comprehensive information system, providing access to data supporting the Resource Conservation and Recovery Act (RCRA) of 1976 and the Hazardous and Solid Waste Amendments (HSWA) of 1984. The database includes selective information on sites which generate, transport, store, treat and/or dispose of hazardous waste as defined by the Resource Conservation and Recovery Act (RCRA). Transporters are individuals or entities that move hazardous waste from the generator offsite to a facility that can recycle, treat, store, or dispose of the waste. TSDFs treat, store, or dispose of the waste. RCRA-TSDF - RCRA - Treatment, Storage and Disposal

RCRA GEN: RCRA-LQG RCRAInfo is EPA's comprehensive information system, providing access to data supporting the Resource Conservation and Recovery Act (RCRA) of 1976 and the Hazardous and Solid Waste Amendments (HSWA) of 1984. The database includes selective information on sites which generate, transport, store, treat and/or dispose of hazardous waste as defined by the Resource Conservation and Recovery Act (RCRA). Large quantity generators (LQGs) generate over 1,000 kilograms (kg) of hazardous waste, or over 1 kg of acutely hazardous waste per month. RCRA-LQG - RCRA - Large Quantity Generators RCRA-SQG - RCRA - Small Quantity Generators. RCRA-CESQG - RCRA - Conditionally Exempt Small Quantity Generators.

Federal IC / EC: US ENG CONTROLS A listing of sites with engineering controls in place. Engineering controls include various forms of caps, building foundations, liners, and treatment methods to create pathway elimination for regulated substances to enter environmental media or effect human health. US ENG CONTROLS - Engineering Controls Sites List US INST CONTROL - Sites with Institutional Controls.

Database Descriptions

ERNS: ERNS Emergency Response Notification System. ERNS records and stores information on reported releases of oil and hazardous substances. ERNS - Emergency Response Notification System

State/Tribal SWL: SWF/LF Solid Waste Facilities/Landfill Sites. SWF/LF type records typically contain an inventory of solid waste disposal facilities or landfills in a particular state. Depending on the state, these may be active or inactive facilities or open dumps that failed to meet RCRA Subtitle D Section 4004 criteria for solid waste landfills or disposal sites. SWF/LF - Solid Waste Management Facilities

State/Tribal LTANKS: LUST REG PD LUST REG VA - Leaking Underground Storage Tank List. LUST REG SW - Leaking Underground Storage Tank Database. LUST REG NO - Leaking Underground Storage Tank Tracking Database. LUST REG WC - Leaking Underground Storage Tank List. LUST REG TD - Leaking Underground Storage Tank Sites. LUST REG SC - Leaking Underground Storage Tanks. Leaking underground storage tank site locations. Includes: counties of Amelia, Brunswick, Charles City, Chesterfield, Dinwiddie, Essex, Gloucester, Goochland, Greensville, Hanover, Henrico, King and Queen, King William, Lancaster, Mathews, Middlesex, New Kent, Northumberland, Powhatan, Prince George, Richmond, Surry, Sussex, Westmoreland; cities of Colonial Heights, Emporia, Hopewell, Petersburg. LUST REG SC - Leaking Underground Storage Tank Sites INDIAN LUST R5 - Leaking Underground Storage Tanks on Indian Land. INDIAN LUST R10 - Leaking Underground Storage Tanks on Indian Land. INDIAN LUST R9 - Leaking Underground Storage Tanks on Indian Land. INDIAN LUST R4 - Leaking Underground Storage Tanks on Indian Land. INDIAN LUST R8 - Leaking Underground Storage Tanks on Indian Land. INDIAN LUST R1 - Leaking Underground Storage Tanks on Indian Land. INDIAN LUST R6 - Leaking Underground Storage Tanks on Indian Land. INDIAN LUST R7 - Leaking Underground Storage Tanks on Indian Land. LTANKS - Leaking Petroleum Storage Tanks.

State/Tribal Tanks: UST Registered Underground Storage Tanks. UST's are regulated under Subtitle I of the Resource Conservation and Recovery Act (RCRA) and must be registered with the state department responsible for administering the UST program. Available information varies by state program. UST - Registered Petroleum Storage Tanks AST - Registered Petroleum Storage Tanks. INDIAN UST R9 - Underground Storage Tanks on Indian Land. INDIAN UST R7 - Underground Storage Tanks on Indian Land. INDIAN UST R10 - Underground Storage Tanks on Indian Land. INDIAN UST R6 - Underground Storage Tanks on Indian Land. INDIAN UST R1 - Underground Storage Tanks on Indian Land. INDIAN UST R8 - Underground Storage Tanks on Indian Land. INDIAN UST R5 - Underground Storage Tanks on Indian Land. INDIAN UST R4 - Underground Storage Tanks on Indian Land.

State/Tribal IC / EC: INST CONTROL Sites included in the Voluntary Remediation Program database that have deed restrictions. INST CONTROL - Voluntary Remediation Program Database

State/Tribal VCP: VRP The Voluntary Cleanup Program encourages owners of elected contaminated sites to take the initiative and conduct voluntary cleanups that meet state environmental standards. VRP - Voluntary Remediation Program

US Brownfields: US BROWNFIELDS Brownfields are real property, the expansion, redevelopment, or reuse of which may be complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant. Cleaning up and reinvesting in these properties takes development pressures off of undeveloped, open land, and both improves and protects the environment. Assessment, Cleanup and Redevelopment Exchange System (ACRES) stores information reported by EPA Brownfields grant recipients on brownfields properties assessed or cleaned up with grant funding as well as information on Targeted Brownfields Assessments performed by EPA Regions. A listing of ACRES Brownfield sites is obtained from Cleanups in My Community. Cleanups in My Community provides information on Brownfields properties for which information is reported back to EPA, as well as areas served by Brownfields grant programs. US BROWNFIELDS - A Listing of Brownfields Sites

Other Haz Sites: US CDL A listing of clandestine drug lab locations. The U.S. Department of Justice ("the Department") provides this web site as a public service. It contains addresses of some locations where law enforcement agencies reported they found chemicals or other items that indicated the presence of either clandestine drug laboratories or dumpsites. In most cases, the source of the entries is not the Department, and the Department has not verified the entry and does not guarantee its accuracy. Members of the public must verify the accuracy of all entries by, for example, contacting local law enforcement and local health departments. US CDL - Clandestine Drug Labs

Database Descriptions

Spills: HMIRS Hazardous Materials Incident Report System. HMIRS contains hazardous material spill incidents reported to DOT. HMIRS - Hazardous Materials Information Reporting System SPILLS PD - PREP Database. SPILLS SW - Reportable Spills. SPILLS - Prep/Spills Database Listing. SPILLS VA - PREP Database. SPILLS BRL - Prep/Spills Database Listing. SPILLS NO - PREP Database. SPILLS WC - Prep Database. SPILLS TD - PREP Database. SPILLS PC - Pollution Complaint Database. SPILLS 90 - SPILLS90 data from FirstSearch.

Other: RCRA NonGen / NLR RCRAInfo is EPA's comprehensive information system, providing access to data supporting the Resource Conservation and Recovery Act (RCRA) of 1976 and the Hazardous and Solid Waste Amendments (HSWA) of 1984. The database includes selective information on sites which generate, transport, store, treat and/or dispose of hazardous waste as defined by the Resource Conservation and Recovery Act (RCRA). Non-Generators do not presently generate hazardous waste. RCRA NonGen / NLR - RCRA - Non Generators / No Longer Regulated FEDLAND - Federal and Indian Lands. TSCA - Toxic Substances Control Act. TRIS - Toxic Chemical Release Inventory System. SSTS - Section 7 Tracking Systems. RAATS - RCRA Administrative Action Tracking System. PRP - Potentially Responsible Parties. PADS - PCB Activity Database System. ICIS - Integrated Compliance Information System. FTTS - FIFRA/ TSCA Tracking System - FIFRA (Federal Insecticide, Fungicide, & Rodenticide Act)/TSCA (Toxic Substances Control Act). FTTS INSP - FIFRA/ TSCA Tracking System - FIFRA (Federal Insecticide, Fungicide, & Rodenticide Act)/TSCA (Toxic Substances Control Act). MLTS - Material Licensing Tracking System. RADINFO - Radiation Information Database. BRS - Biennial Reporting System. INDIAN RESERV - Indian Reservations. US AIRS (AFS) - Aerometric Information Retrieval System Facility Subsystem (AFS). US AIRS MINOR - Air Facility System Data. FINDS - Facility Index System/Facility Registry System.

Database Sources

NPL: EPA

Updated Quarterly

NPL Delisted: EPA

Updated Quarterly

CERCLIS: EPA

Updated Quarterly

NFRAP: EPA

Updated Quarterly

RCRA COR ACT: EPA

Updated Quarterly

RCRA TSD: Environmental Protection Agency

Updated Quarterly

RCRA GEN: Environmental Protection Agency

Updated Quarterly

Federal IC / EC: Environmental Protection Agency

Varies

ERNS: National Response Center, United States Coast Guard

Updated Annually

State/Tribal SWL: Department of Environmental Quality

Updated Quarterly

State/Tribal LTANKS: Department of Environmental Quality, South Central Region

Updated Semi-Annually

State/Tribal Tanks: Department of Environmental Quality

Updated Semi-Annually

State/Tribal IC / EC: Department of Environmental Quality

Updated Quarterly

Database Sources

State/Tribal VCP: Department of Environmental Quality

Updated Quarterly

US Brownfields: Environmental Protection Agency

Updated Semi-Annually

Other Haz Sites: Drug Enforcement Administration

Updated Quarterly

Spills: U.S. Department of Transportation

Updated Annually

Other: Environmental Protection Agency

Varies

Street Name Report for Streets near the Target Property

Target Property:

NOT REPORTED
FRONT ROYAL, VA 22630

JOB:

03170125

Street Name	Dist/Dir	Street Name	Dist/Dir
-------------	----------	-------------	----------

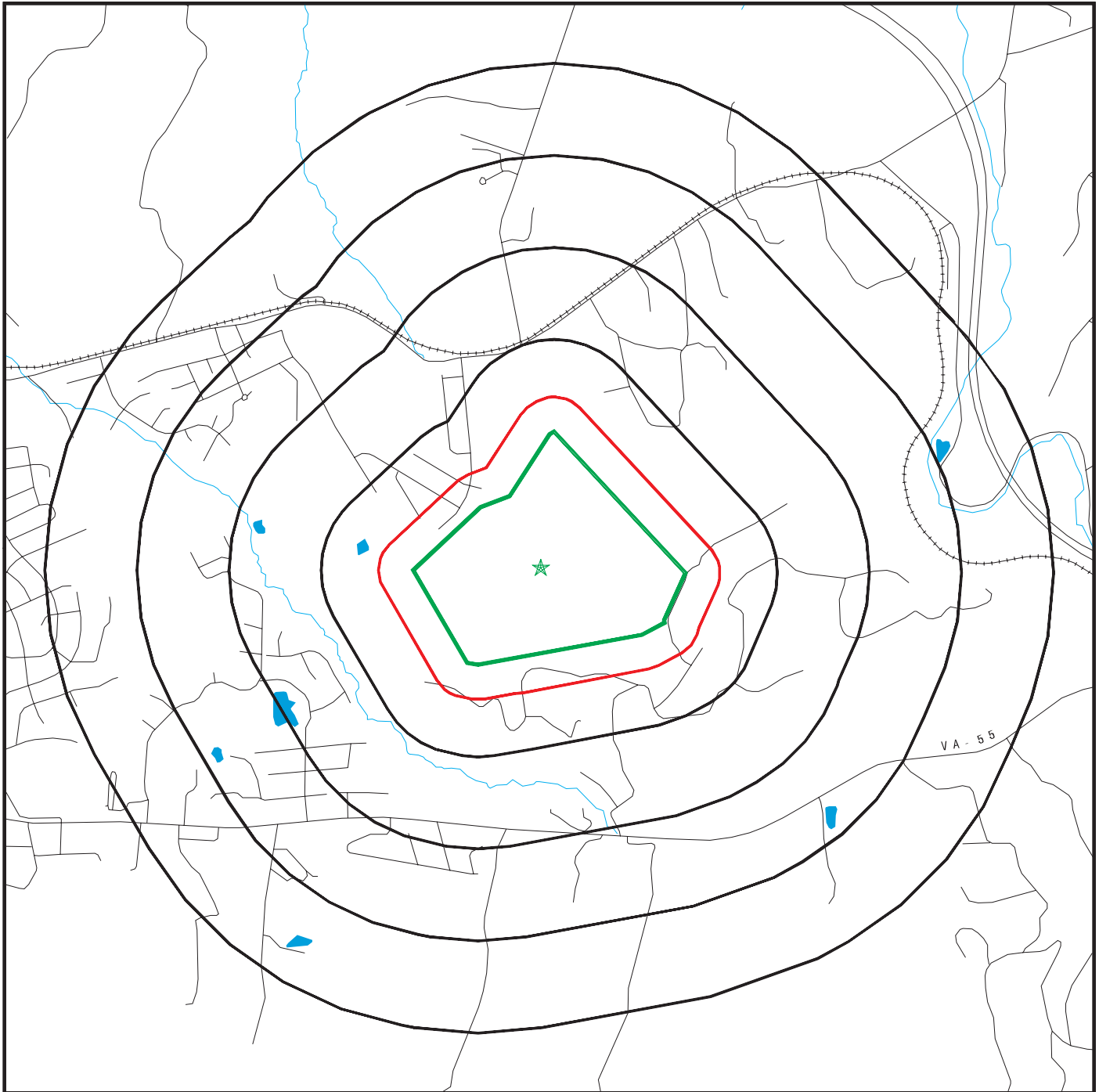
Environmental FirstSearch

1.000 Mile Radius

ASTM MAP: NPL, RCRACOR, STATES Sites



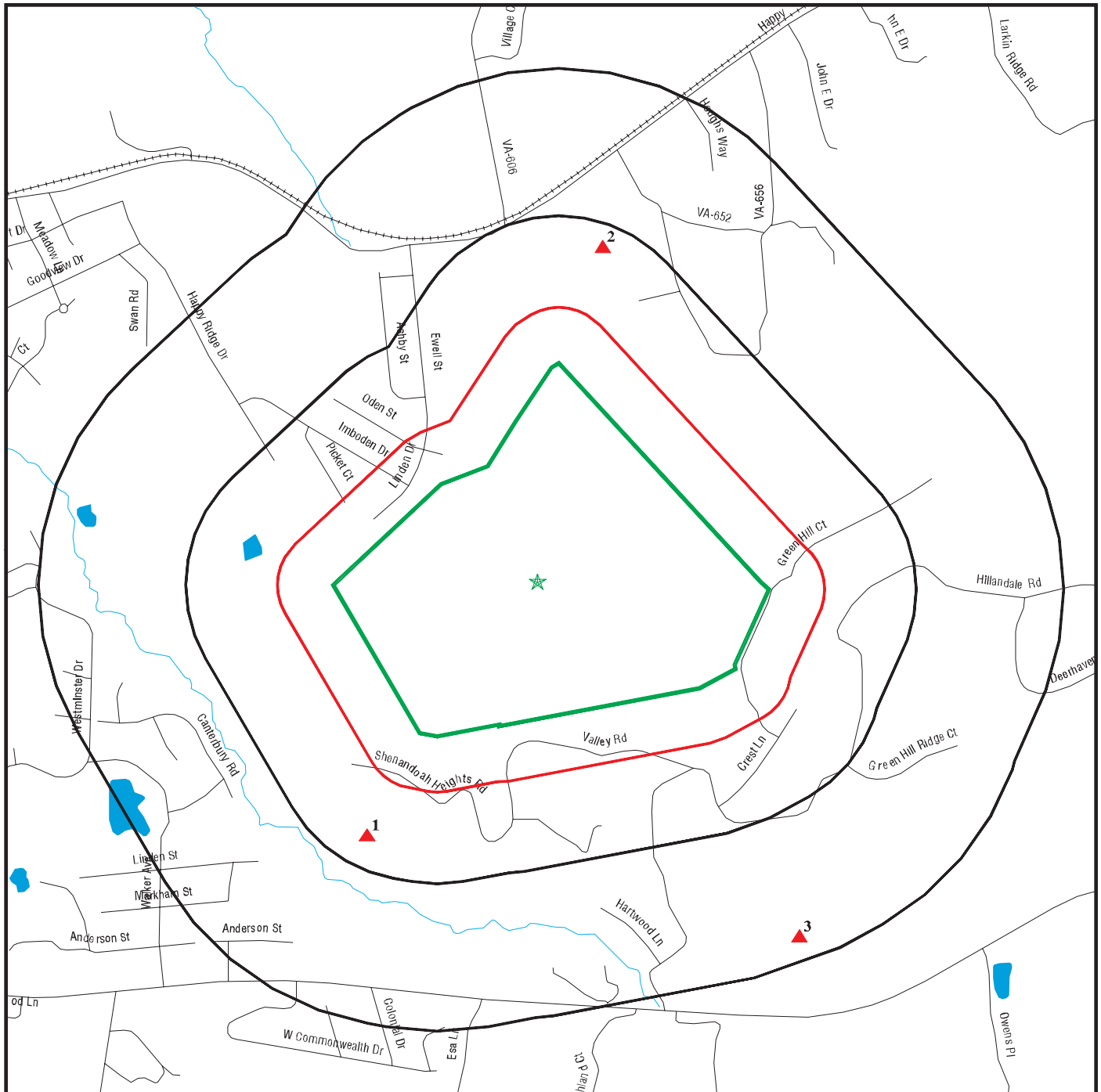
NOT REPORTED FRONT ROYAL, VA 22630



Black Rings Represent Qtr. Mile Radius; Red Ring Represents 500 ft. Radius

- ★ Target Property (Latitude: 38.919278 Longitude: 78.151421)
- ▲ Identified Sites
- Indian Reservations BIA
- National Priority List Sites

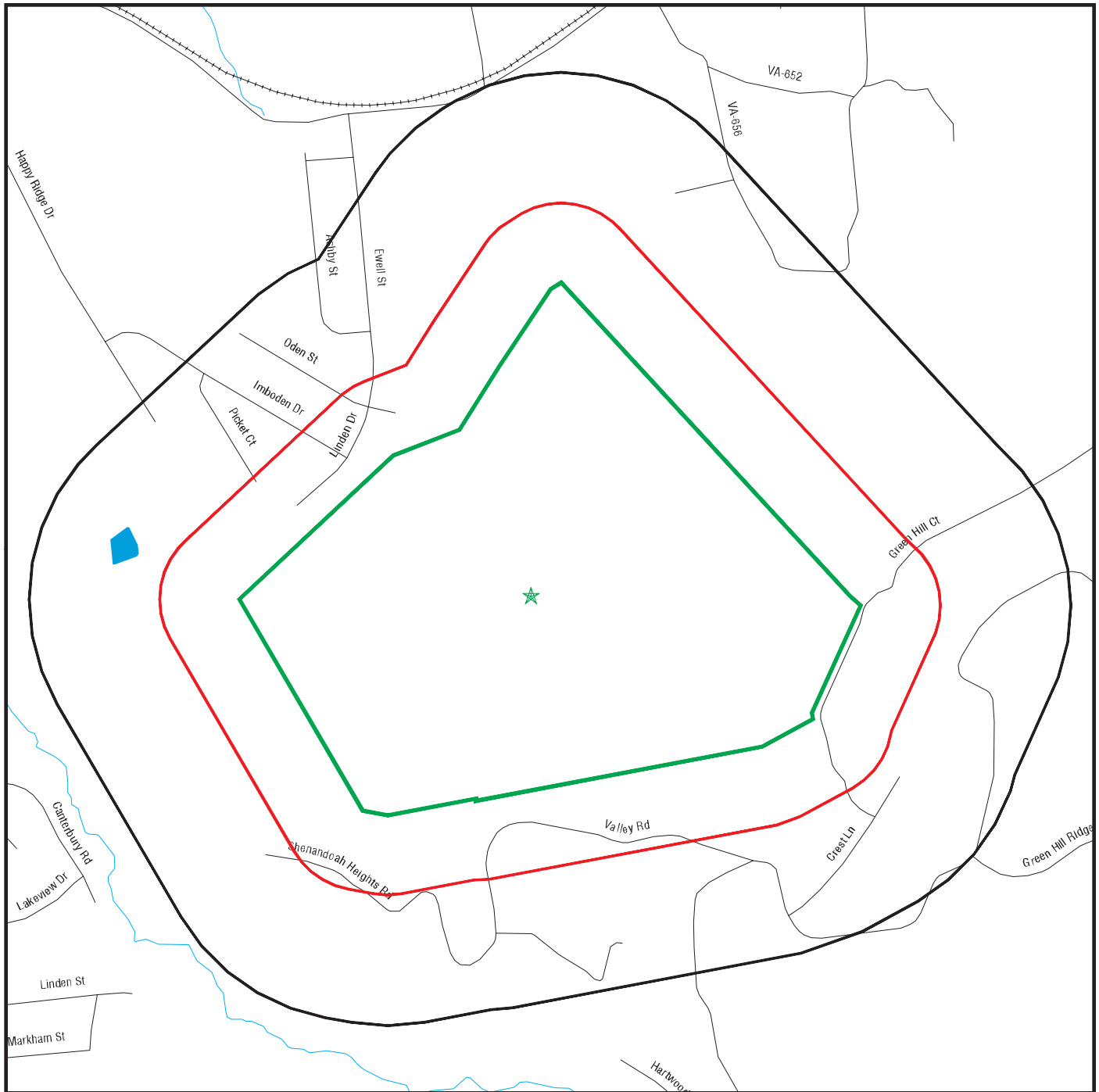
NOT REPORTED FRONT ROYAL, VA 22630



Black Rings Represent Qtr. Mile Radius; Red Ring Represents 500 ft. Radius

- ★ **Target Property (Latitude: 38.919278 Longitude: 78.151421)**
- ▲ **Identified Sites**
- **National Priority List Sites**
- ▨ **Indian Reservations BIA**

NOT REPORTED FRONT ROYAL, VA 22630



Black Rings Represent Qtr. Mile Radius; Red Ring Represents 500 ft. Radius

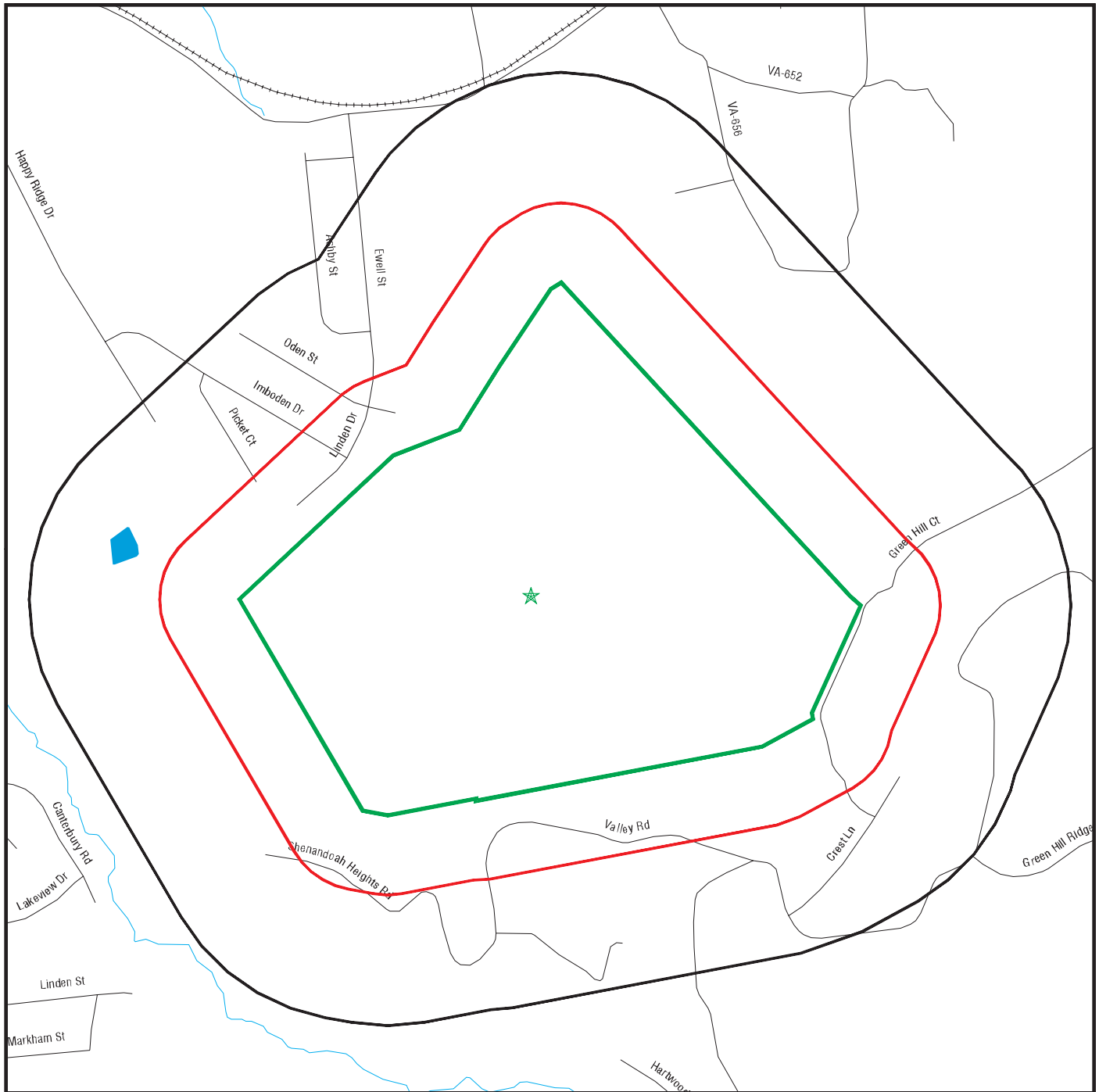
- ★ Target Property (Latitude: 38.919278 Longitude: 78.151421)
- ▲ Identified Sites
- Indian Reservations BIA
- National Priority List Sites

Environmental FirstSearch

0.25 Mile Radius
Non ASTM Map, Spills, FINDS



NOT REPORTED FRONT ROYAL, VA 22630



Black Rings Represent Qtr. Mile Radius; Red Ring Represents 500 ft. Radius

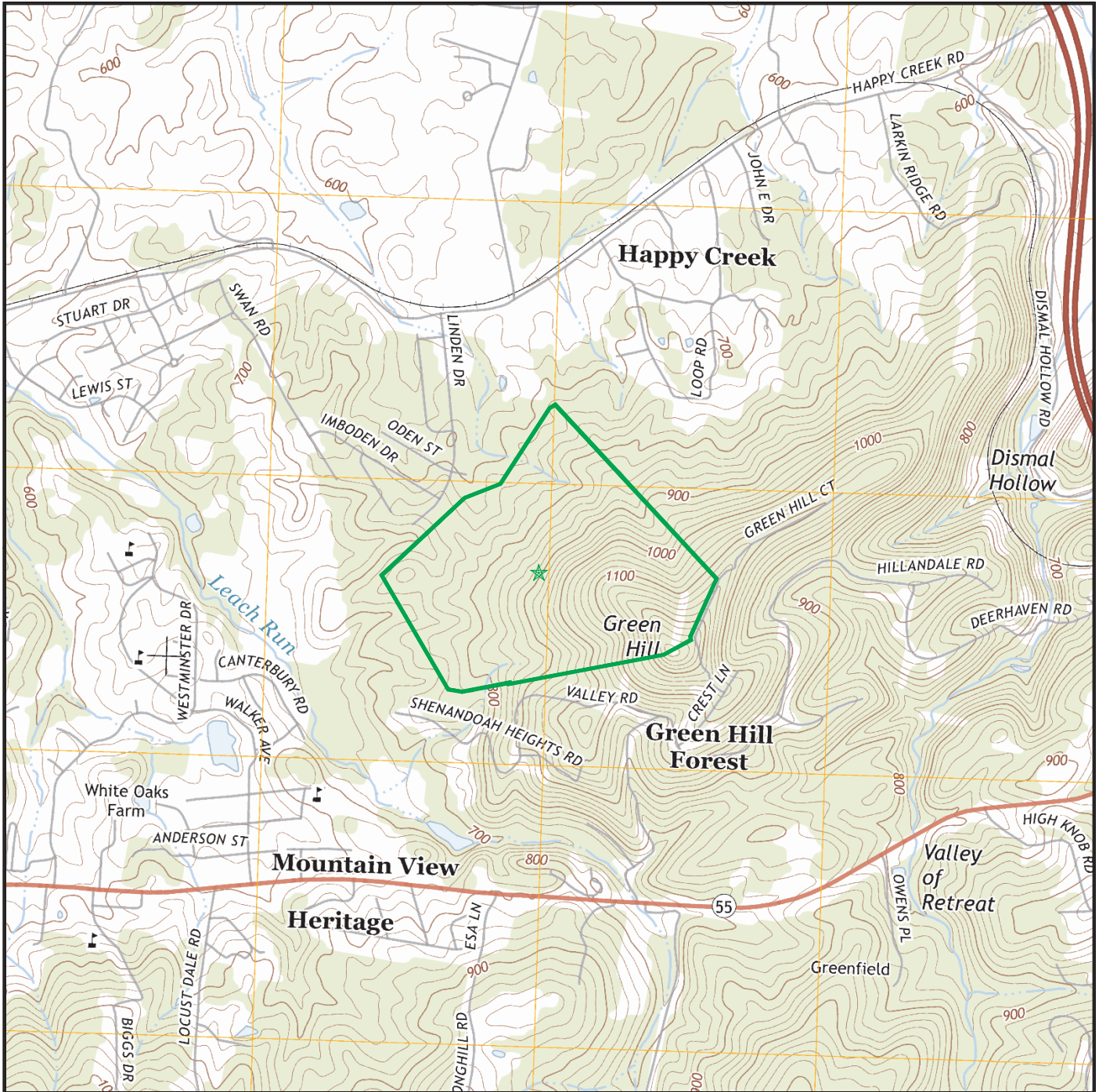
- ★ Target Property (Latitude: 38.919278 Longitude: 78.151421)
- ▲ Identified Sites
- 🏠 Sensitive Receptors
- 🚚 National Priority List Sites
- 🏞 Indian Reservations BIA

Site location Map

Topo: 0.75 Mile Radius



NOT REPORTED FRONT ROYAL, VA 22630



Map Image Position: TP
Map Reference Code & Name: 5948850 Front Royal
Map State(s): VA
Version Date: 2013

APPENDIX C

LOCAL AGENCY CORRESPONDENCE

Virginia Freedom of Information Act
Information Request Form
(§2.2 – 3700 et seq. Code of Virginia)

DATE OF REQUEST: 4/10/17

RECEIVED BY: _____

AGENCY/DEPARTMENT/SECTION: The Warren County Fire & Rescue Services

NAME: Triad Engineering, Inc. Attn Patrick Upham

ADDRESS: 1075 D Sherman Ave

CITY: Hagerstown STATE: MD ZIP CODE: 21740

TELEPHONE: 301-797-6400 or pupham@triadeng.com

DESCRIPTION OF REQUESTED RECORDS: (SPECIFY BELOW)
Including: Date/Name/Address/Tax Map #, etc.

Triad Engineering, Inc. is performing a Phase I Environmental Site Assessment for Tax Map # 20A212 2 located in the Town of Front Royal and Warren County, VA. As part of this process we are interested in obtaining any information your office has regarding environmental incidents or violations with respect to petroleum products and/or hazardous wastes; underground and/or above ground storage tanks and environmental liens and/or activity and use limitations. We are also interested in any information regarding onsite wells and/or septic systems.

SIGNATURE: _____

BELOW FOR OFFICE USE ONLY

DATE INFORMATION DUE (MAXIMUM OF 5 DAYS): _____

ARE RECORDS EXCLUDED BY THE ACT?: ☐ YES ☐ NO

IF EXCLUDED, WHY? (SPECIFIC REASONS): _____

EXTRA TIME REQUIRED: ☐ YES ☐ NO

ESTIMATED CHARGES: \$ _____ (TOTAL)

COPYING AND RESEARCH TIME:

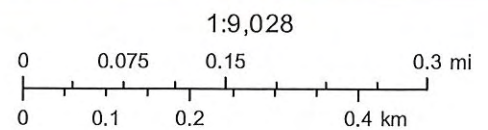
_____ NUMBER OF SHEETS @ _____ EACH \$ _____

_____ SEARCH TIME @ _____ PER HOUR \$ _____

Tax Map # 20A212 2



April 10, 2017



Sources: Esri, HERE, DeLorme, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), MapmyIndia, NGCC, © OpenStreetMap contributors, and the GIS User Community



0

Property Details

Current Owner

Name: WARREN MEMORIAL HOSPITAL

Mailing Address: 1000 N SHENANDOAH AVE N/A
FRONT ROYAL, VA 22630

Physical Address: 0

FRONT ROYAL, VA 22630

Tax Map #: 20A212 2

Account #: 9532

Total Acres (Includes all Sublots): 147.039

Zoning: A-1

Occupancy Code: Vacant Land

Magisterial Code: Happy Creek-Town

Land Use: Agriculture/Undeveloped (20-99 acres)

School Zone: LFK Elem., WC Middle, WC High

Legal Repository

Legal Description: WARREN
MEMORIAL HOSPITAL

Instrument Type and Year: LR 2008

Deed Book No: N/A

Legal Description 2: PROP LR08-
3553 TM 21-8G

Instrument Number: 3553

Deed Book Page: 0

Legal Description 3: COMB 20A212
2 LR14-1881

Slide Number: N/A

Will Book No: N/A

Legal Description 4: N/A

Slide Index: N/A

Will Book Page: 0

Valuation & Sales

Land

\$2,205,600

Improvements

N/A

Total Value

\$2,205,600

Grantor

WARREN MEMORIAL HOSPITAL ET
AL

Sale Price

\$1,300,000

Sale Date

5/30/2008

Number of Parcels Involved in Sale

2



Building

Year Built: N/A	Foundation Type: N/A
Story Height: N/A	Water: None
Number of Rooms: N/A	Sewer: None
Number of Bedrooms: N/A	Heating: N/A
Full Bathrooms: N/A	Air Conditioning: N/A
Half Bathrooms: N/A	Fuel Type: N/A
Basement: N/A	Floor Type: N/A
Finished Basement SQ FT: N/A	Exterior Wall Type: N/A
Garage Capacity: N/A	Interior Wall Type: N/A
Garage Type: N/A	Roof Type: N/A
	Roof Material: N/A

Patrick Upham

From: noreply@civicplus.com
Sent: Monday, April 10, 2017 11:10 AM
To: Patrick Upham
Subject: Online Form Submittal: Records Request

Records Request

Name	Triad Engineering, Inc. Attn Patrick Upham
Email Address	pupham@triadeng.com
Address	1075 D Sherman Ave
City	Hagerstown
State	MD
Zip Code	21740
Phone Number	301-797-6400
Fax Number	301-797-2424
Specific Requested Documents	Triad Engineering, Inc. is performing a Phase I Environmental Site Assessment for the Tax Map # 20A212 2 located in the Town of Front Royal and Warren County, Virginia. As part of this process we are interested in obtaining any information your office has regarding environmental incidents or violations with respect to petroleum products and/or hazardous wastes; underground and/or above ground storage tanks; and environmental liens and/or activity and use limitations. We are also interested in any information regarding onsite wells and/or septic systems.

Please Note

The Freedom of Information Act (FOIA) provides that any person has a right of access to Town records, except to the extent that such records are protected from release by a FOIA exemption.

*Records are **not** free, and charges for the records may apply. If the charges are likely to exceed \$200, that amount shall be paid in full before the records request is processed.*

Be advised that some records are exempt from disclosure under specific provisions and/or other State or Federal law) and therefore will not be released.

In order to gather your requested records, the following is suggested:

That your request specify the document(s) rather than the information sought.

That the request be as specific as possible regarding the documents sought.

As a result of these minimal requirements, there is no form or format that has been adopted by either the Commonwealth or the Town for the submission of FOIA requests. However, the basic items as noted above are strongly suggested in order to assist you with your request.

Virginia Freedom of Information Act
Information Request Form
(§2.2 – 3700 et seq. Code of Virginia)

DATE OF REQUEST: 4/10/17

RECEIVED BY: _____

AGENCY/DEPARTMENT/SECTION: Warren County Health Department

NAME: Triad Engineering, Inc. Attn Patrick Upham

ADDRESS: 1075 D Sherman Ave

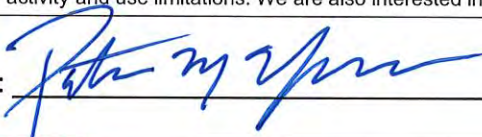
CITY: Hagerstown STATE: MD ZIP CODE: 21740

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SIGNATURE: _____



BELOW FOR OFFICE USE ONLY

DATE INFORMATION DUE (MAXIMUM OF 5 DAYS): _____

ARE RECORDS EXCLUDED BY THE ACT?: ☐ YES ☐ NO

IF EXCLUDED, WHY? (SPECIFIC REASONS): _____

EXTRA TIME REQUIRED: ☐ YES ☐ NO

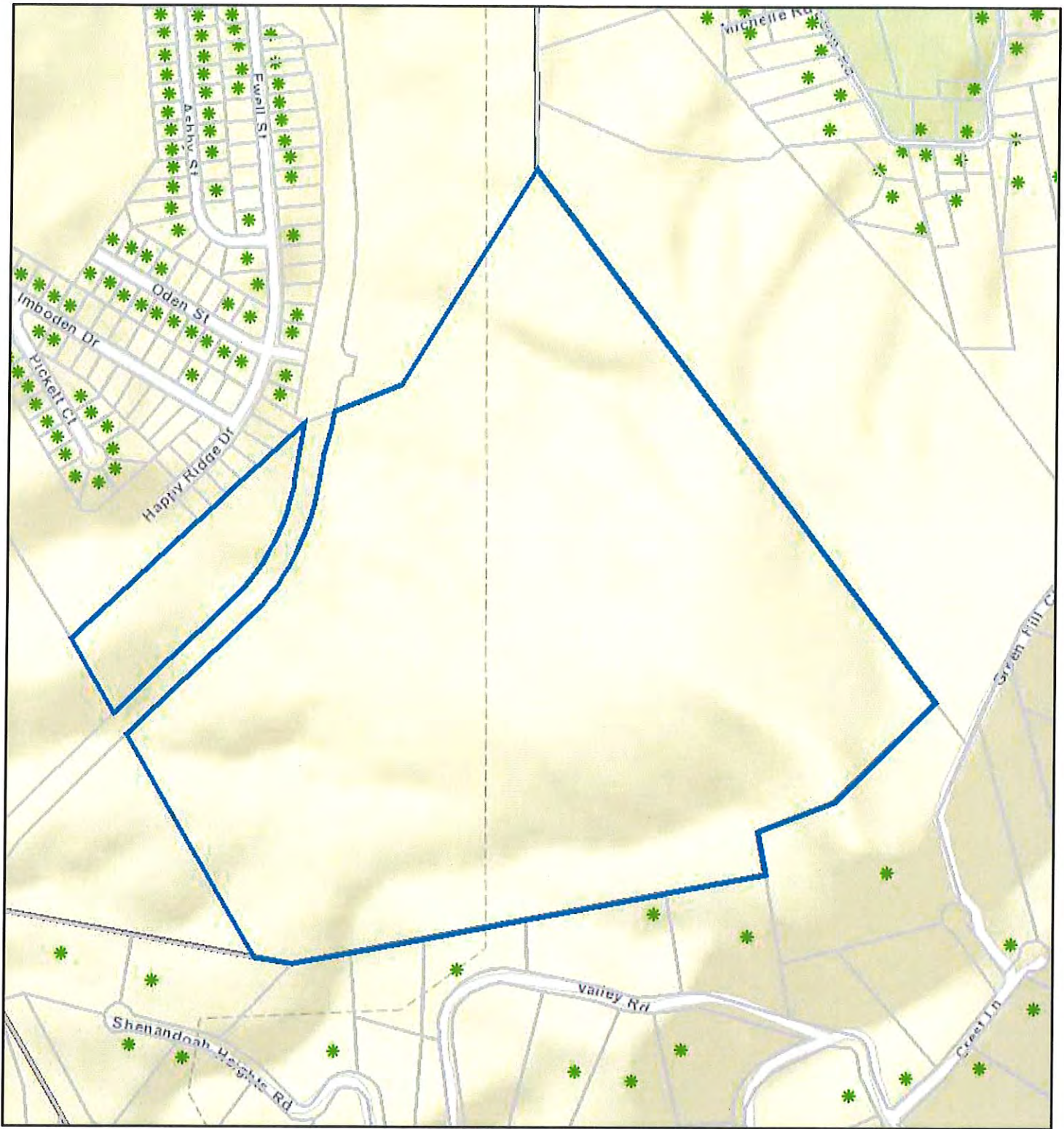
ESTIMATED CHARGES: \$ _____ (TOTAL)

COPYING AND RESEARCH TIME:

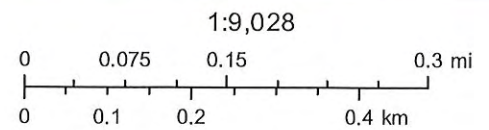
_____ NUMBER OF SHEETS @ _____ EACH \$ _____

_____ SEARCH TIME @ _____ PER HOUR \$ _____

Tax Map # 20A212 2



April 10, 2017



Sources: Esri, HERE, DeLorme, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), MapmyIndia, NGCC, © OpenStreetMap contributors, and the GIS User Community



0

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Zoning: A-1

Occupancy Code: Vacant Land

Magisterial Code: Happy Creek-Town

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School Zone: LFK Elem., WC Middle, WC High

Legal Repository

Legal Description: WARREN
MEMORIAL HOSPITAL

Instrument Type and Year: LR 2008 **Deed Book No:** N/A

Legal Description 2: PROP LR08-
3553 TM 21-8G

Instrument Number: 3553 **Deed Book Page:** 0

Legal Description 3: COMB 20A212
2 LR14-1881

Slide Number: N/A **Will Book No:** N/A

Legal Description 4: N/A

Slide Index: N/A **Will Book Page:** 0

Valuation & Sales

Land	Improvements	Total Value
\$2,205,600	N/A	\$2,205,600

Grantor	Sale Price	Sale Date
WARREN MEMORIAL HOSPITAL ET AL	\$1,300,000	5/30/2008

Number of Parcels Involved in Sale

2



Building

Year Built: N/A	Foundation Type: N/A
Story Height: N/A	Water: None
Number of Rooms: N/A	Sewer: None
Number of Bedrooms: N/A	Heating: N/A
Full Bathrooms: N/A	Air Conditioning: N/A
Half Bathrooms: N/A	Fuel Type: N/A
Basement: N/A	Floor Type: N/A
Finished Basement SQ FT: N/A	Exterior Wall Type: N/A
Garage Capacity: N/A	Interior Wall Type: N/A
Garage Type: N/A	Roof Type: N/A
	Roof Material: N/A

APPENDIX D

SITE PHOTOGRAPHS



Photograph # 1

View looking south along the newly-constructed Leach Run Parkway that bisects the western portion of the site.



Photograph # 2

View looking north along the newly-constructed Leach Run Parkway that bisects the western portion of the site.



Photograph # 3
View of an automobile tire observed at the site.



Photograph # 4
View of the area of woods along the newly-constructed Leach Run Parkway.



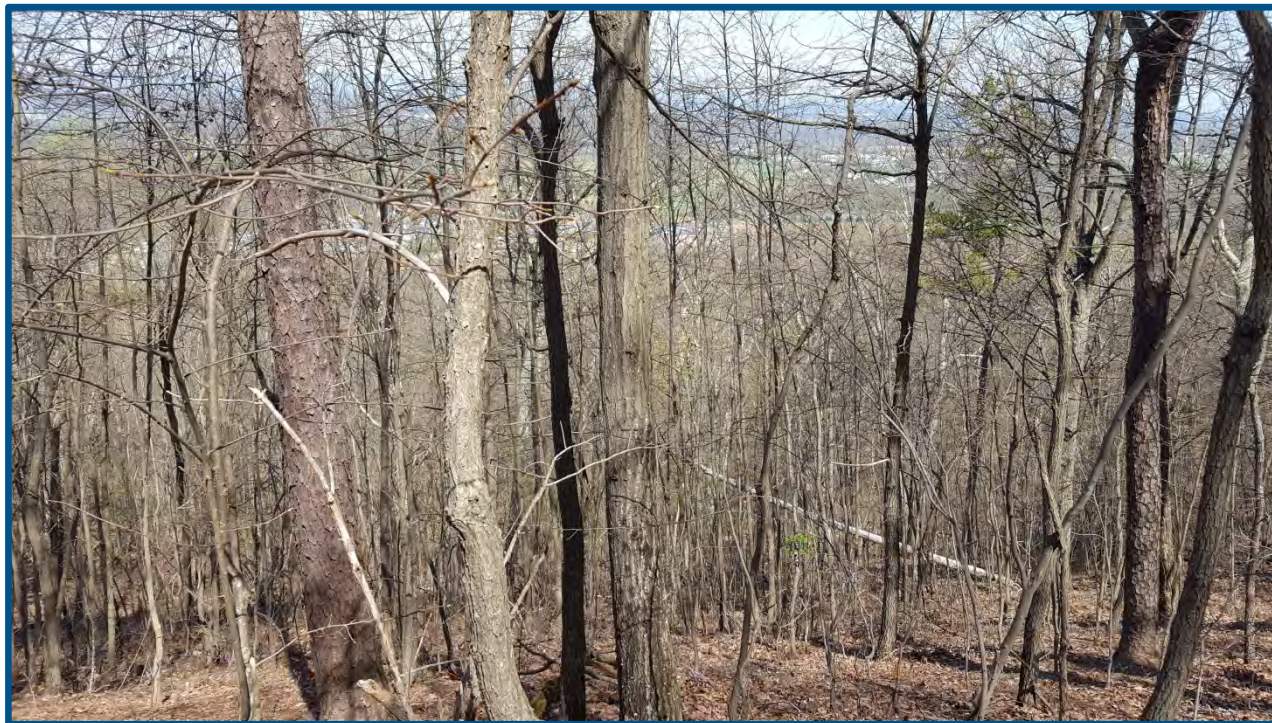
Photograph # 5

View of one of the many dry swales observed at the site.



Photograph # 6

View looking southwest across the site from atop Green Hill.



Photograph # 7

View looking northwest across the site from atop Green Hill.



Photograph # 8

View of the wind-blown solid waste from the northern adjoining school construction project.



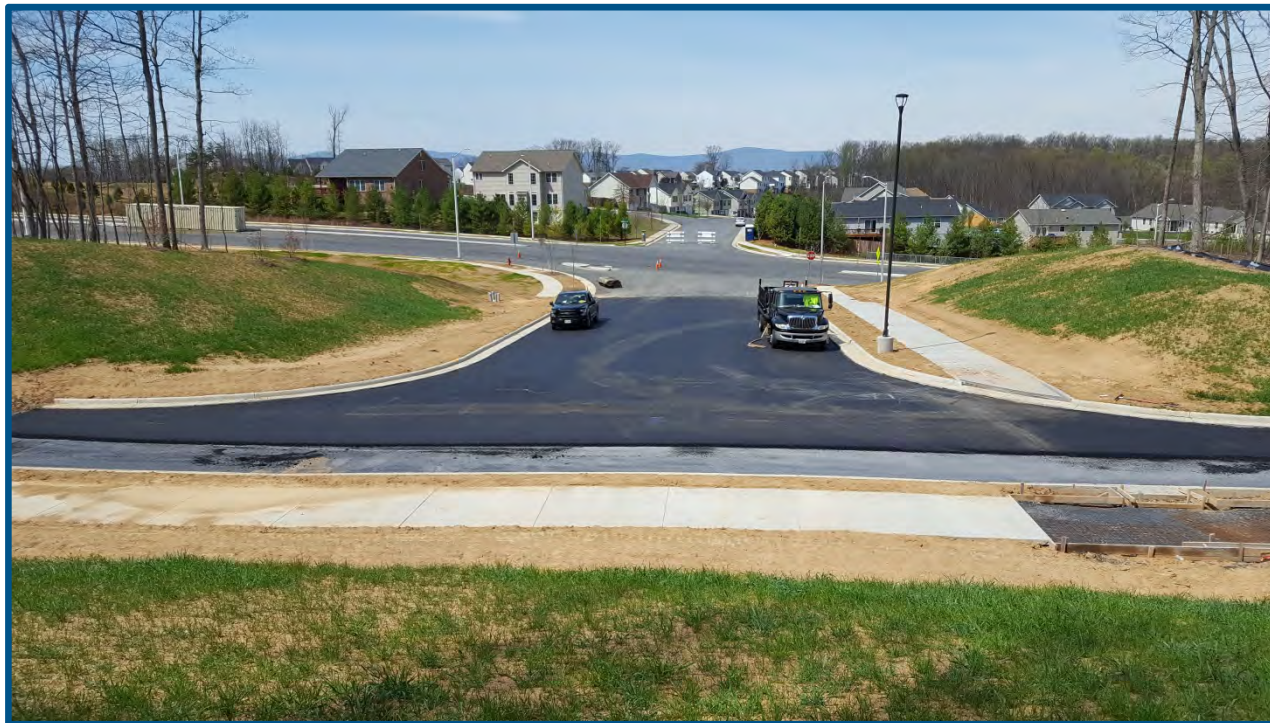
Photograph # 9

View looking north at the northern adjoining school construction project.



Photograph # 10

View of an under construction access road for the nearby school construction project along the northwestern portion of the site.



Photograph # 11

Alternate view of an under construction access road for the nearby school construction project along the northwestern portion of the site.



Photograph # 12

View of the western adjoining residential subdivision.

Craig A. George, RLA
Senior Landscape Architect
Valley Engineering
4901 Crowe Drive
Mount Crawford, Virginia 22841

Dear Mr. George:

Triad also contacted Mr. Ron Stouffer of the U.S. Army Corps of Engineers, Norfolk District, who provided a copy of the Delineation Map for Leach Run Parkway, which was confirmed through an approved jurisdictional determination. The Delineation Map for Leach Run Parkway is comprehensive of the western portion of the site and does not identify any jurisdictional waters or wetlands in relation thereto. A copy of the Delineation Map for Leach Run Parkway is attached.

The work on this project has been carried out in accordance with reasonable and acceptable environmental practices and our opinions expressed herein represent our best professional judgment and are reflective of the site conditions at the time of the evaluation. No warranty, either written or implied, is applicable to this project. According to the Code of Federal Regulations (CFR), only the U.S. Army Corps of Engineers has the authority to determine what is regulated under Section 9 and 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act.

Warren Memorial Hospital Property
Triad Project No. 03-17-0125
May 10, 2017
Page 2



We appreciate the opportunity to provide our services on this project. Should you have any questions concerning this letter, please do not hesitate to contact us.

Prepared by:

TRIAD ENGINEERING, INC.

A handwritten signature in black ink, appearing to read "Patrick M. Upham", written over a horizontal line.

Patrick M. Upham
Environmental Scientist

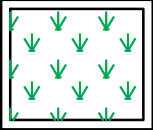
A handwritten signature in black ink, appearing to read "Timothy J. Kellerman", written over a horizontal line.

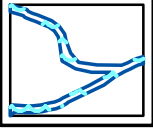
Timothy J. Kellerman
Senior Environmental Scientist

Attachment: Leach Run Parkway Delineation Map

W:\FREDcad\5000s\5022-Leach Run Parkway Delineation\5022-Leach Run Parkway Delineation(2013-11-18).dwg

LEGEND:

 APPROXIMATE WETLAND LIMITS

 APPROXIMATE STREAM CHANNEL LIMITS

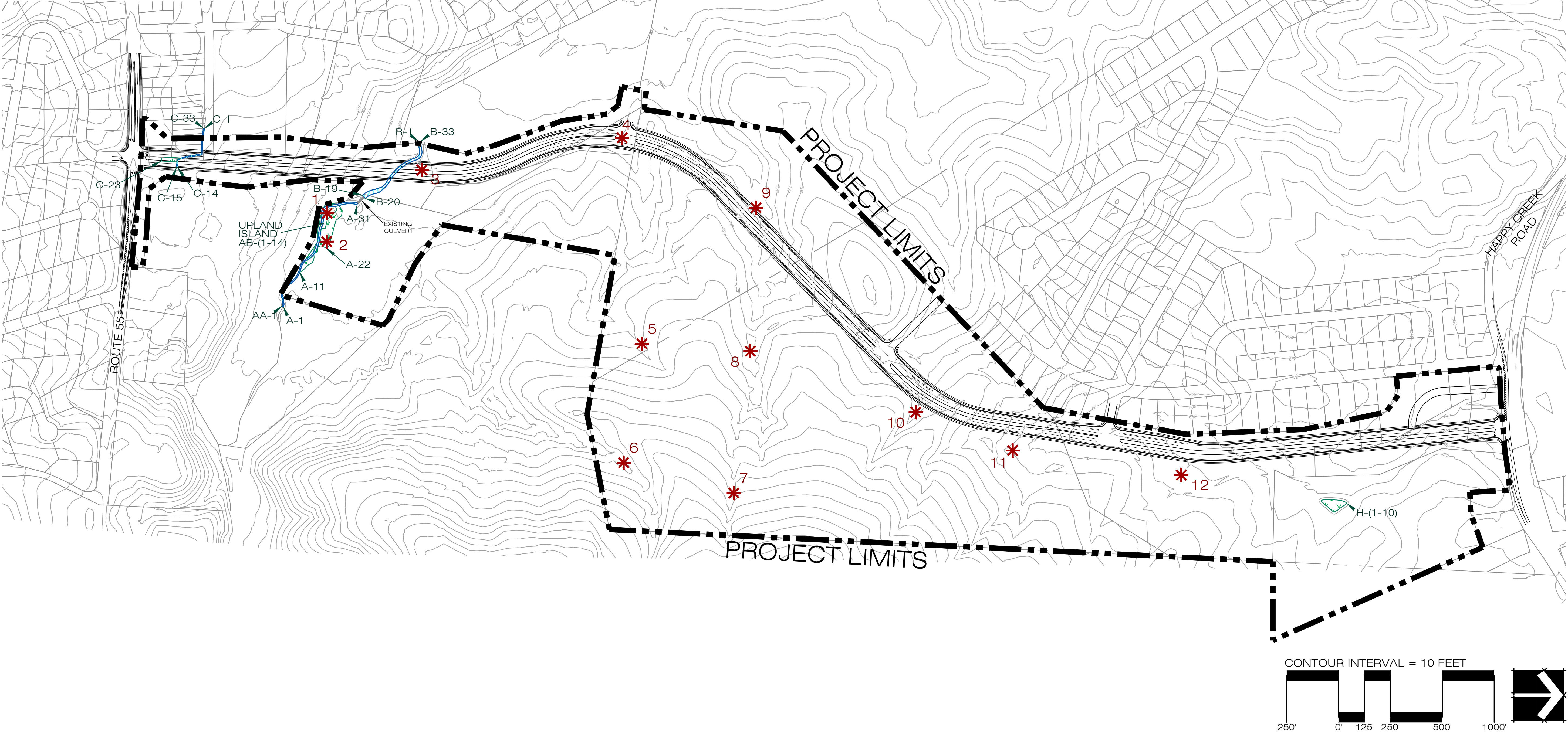
 DATA POINT LOCATION

 FLAG NUMBER

SITE DATA:

PROJECT AREA	141.63 ACRES ±
WETLANDS	0.43 ACRES ±
STREAM CHANNELS	0.34 ACRES ±
(EXCLUDING WETLANDS)	(1,406 L.F. ±)

NOTE: THE LIMITS OF WETLANDS AND OTHER WATERS OF THE U.S. SHOWN ON THIS MAP HAVE NOT BEEN FIELD SURVEY LOCATED AND ARE FOR PLANNING PURPOSES ONLY.



DELINEATION MAP
LEACH RUN PARKWAY
WARREN COUNTY, VIRGINIA

DATE: NOVEMBER 18, 2013
JOB NUMBER: 5022
SCALE: 1" = 250'
SOURCE: BASE MAP PROVIDED BY
PENNONI ASSOCIATES, INC.



5209 Center Street
Williamsburg, Virginia 23188
(757) 220-6869
1011 Boulder Springs Drive, Suite 225
Richmond, Virginia 23225
(804) 267-3474
150 Riverside Parkway, Suite 301
Fredericksburg, Virginia 22406
(540) 786-5544
Environmental Consultants

July 12, 2017

Jeremy Camp
Front Royal Planning & Zoning
102 E Main St
Front Royal, VA 22630

RE: Warren Memorial Hospital Rezoning Request – Traffic Impact

Dear Mr. Camp,

This letter is being provided in order to address the matter of traffic analysis for the proposed Warren Memorial Hospital's replacement campus, to be located on Leach Run Parkway. As you are aware, per Town Code, the associated rezoning requires a traffic impact analysis (TIA). The intent of this letter is to justify the use of previously prepared TIAs, unmodified, to satisfy this requirement.

In December 2013, Pennoni prepared a TIA to study the anticipated traffic loading on the then-proposed Leach Run Parkway. In 2014, they updated this study to include the newly-proposed Warren County Middle School. Both studies utilize a 2006 preliminary "master plan" prepared by HKS for hospital traffic generation assumptions.

The current plan of development for the hospital campus, as prepared by Perkins + Will, is much less intensive than the 2006 concept. A comparison of the hospital uses allowed for by both the current (still preliminary) plan and the original, as utilized in the 2013 and 2014 TIAs, can be found in the table below.

Use Category	Pennoni TIA Assumptions	Current Design	Net Differential	ADT Differential
Hospital Beds	120 beds	60 beds	-60 beds	-775 trips
Ambulatory Care	98.4 ksf	0 ksf	-98.4 ksf	-1,301 trips
MOB	86.4 ksf	128 ksf	+43.6 ksf	+1,563 trips
Total Site Trip Generation Differential				-513 trips

**Pennoni studies utilized ITE rates for 'Hospital' use on ksf basis for Ambulatory Care structures*

Due to the smaller nature of the current design versus that assumed in the previously prepared TIAs, it can be concluded that the studies were conservative in nature. Despite these conservative assumptions, the studies concluded the hospital's entrances to operate satisfactorily. As such, we find no benefit in performing a new analysis of the revised master plan, and recommend the use of previously prepared TIAs to satisfy the Town Code requirement for rezoning. This recommendation will hold for any minor adjustments to the master planned totals presented above, so long as the site's proposed development remains less intensive than what was previously studied.

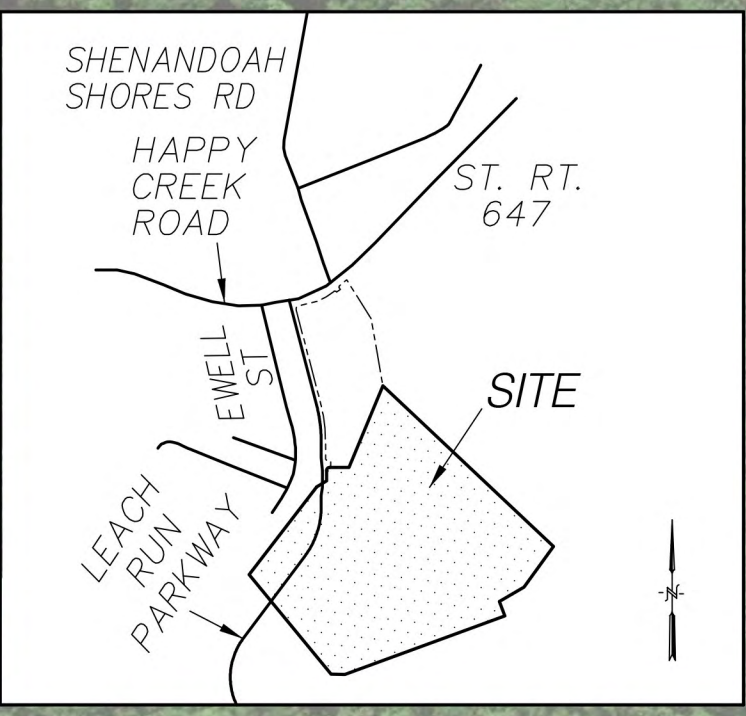
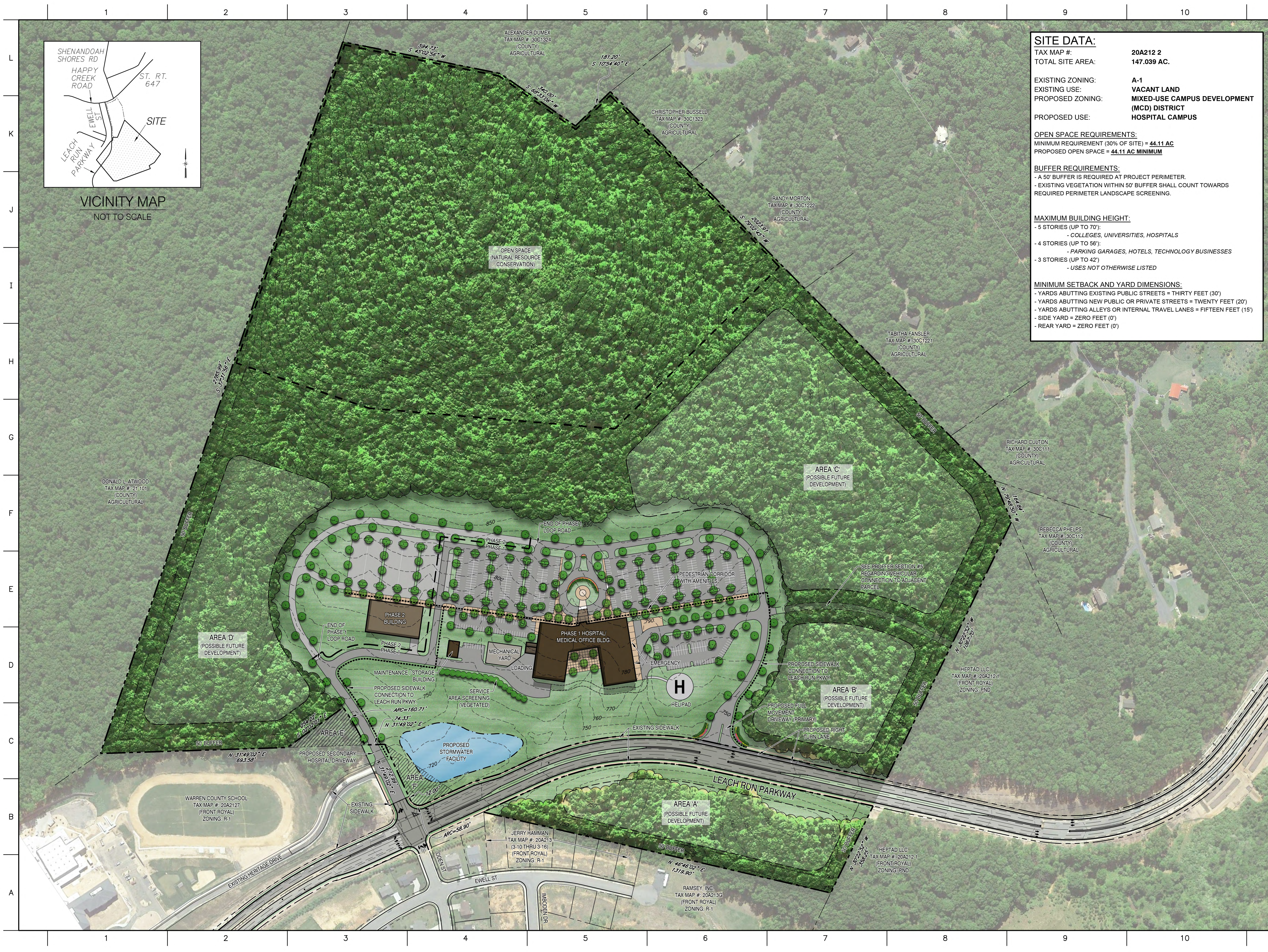
It is my hope that this letter fully addresses the question of need for traffic analysis associated with the proposed rezoning request. Should you have any questions related to any matter presented in this letter, the referenced TIAs, or otherwise related to the rezoning request, please do not hesitate to contact me at your earliest convenience.

Sincerely,
Valley Engineering

A handwritten signature in black ink, appearing to read 'SR', is positioned above the printed name of the sender.

Seth Roderick, PE
Director of Planning & Transportation

cc: Mark Baker, Valley Health
Felicia Hart, Front Royal
Matt Smith, VDOT



VICINITY MAP
NOT TO SCALE

SITE DATA:
TAX MAP #: 20A212 2
TOTAL SITE AREA: 147.039 AC.

EXISTING ZONING: A-1
EXISTING USE: VACANT LAND
PROPOSED ZONING: MIXED-USE CAMPUS DEVELOPMENT (MCD) DISTRICT HOSPITAL CAMPUS

PROPOSED USE:

OPEN SPACE REQUIREMENTS:
MINIMUM REQUIREMENT (30% OF SITE) = 44.11 AC
PROPOSED OPEN SPACE = 44.11 AC MINIMUM

BUFFER REQUIREMENTS:
- A 50' BUFFER IS REQUIRED AT PROJECT PERIMETER.
- EXISTING VEGETATION WITHIN 50' BUFFER SHALL COUNT TOWARDS REQUIRED PERIMETER LANDSCAPE SCREENING.

MAXIMUM BUILDING HEIGHT:
- 5 STORIES (UP TO 70')
- COLLEGES, UNIVERSITIES, HOSPITALS
- 4 STORIES (UP TO 56')
- PARKING GARAGES, HOTELS, TECHNOLOGY BUSINESSES
- 3 STORIES (UP TO 42')
- USES NOT OTHERWISE LISTED

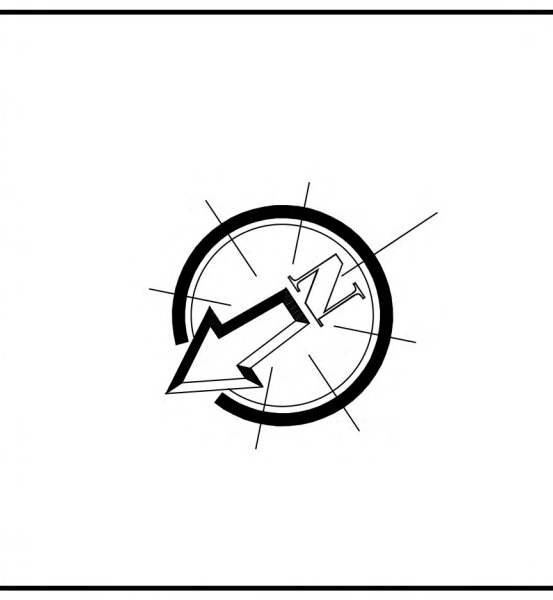
MINIMUM SETBACK AND YARD DIMENSIONS:
- YARDS ABUTTING EXISTING PUBLIC STREETS = THIRTY FEET (30')
- YARDS ABUTTING NEW PUBLIC OR PRIVATE STREETS = TWENTY FEET (20')
- YARDS ABUTTING ALLEYS OR INTERNAL TRAVEL LANES = FIFTEEN FEET (15')
- SIDE YARD = ZERO FEET (0')
- REAR YARD = ZERO FEET (0')

CONCEPT PLAN
for
**WARREN
MEMORIAL
REPLACEMENT
HOSPITAL**
FRONT ROYAL, VA

VALLEY ENGINEERING
IDEAS MADE REAL

4801 CROOME DRIVE
MOUNT CRAWFORD, VIRGINIA 22841
TELEPHONE (540) 434-6365 OR (800) 343-6365
FAX (540) 432-0685
www.valleyesp.com

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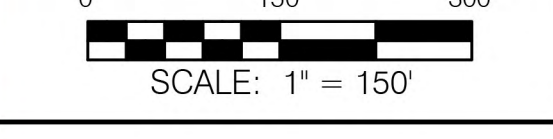
PRELIMINARY ISSUE
NOT FOR CONSTRUCTION

REVISIONS:

DATE: 1/16/2018

PROJECT No.: 11206-7

EXP./CLIENT No.: 7771-3



WARREN
MEMORIAL
REPLACEMENT
HOSPITAL

SHEET NO.:
RZ-1

PROFFER STATEMENT

REZONING: RZ# FRREZON-000661-2018

CURRENT ZONING: Agricultural and Open Space Preservation District (A-1)
[Town Code, Sections 175-10.2 through 175-10.10, as the same from time to time may be amended, or their successor ordinances.]
Suburban Residential District (R-S)
[Town Code, Sections 175-10.21 through 175-10.30, as the same from time to time may be amended, or their successor ordinances.]

PROPOSED ZONING: Mixed-Use Campus Development District (MCD)
[Town Code, Sections 175-53.9 through 175-53.16, as the same from time to time may be amended, or their successor ordinances.]

PROPERTY: TM# 20A212 2 (147.039 ac; Inst #3553)

APPLICANT/OWNER: Warren Memorial Hospital

PROJECT NAME: Warren Memorial Hospital, Replacement

DATE OF PROFFERS: January 16, 2018 (Revision #4, dated 3-14-18)

EXHIBITS: Concept Plan

Preliminary Matters

Pursuant to Section 15.2-2296 et. seq. of the Code of Virginia, 1950, as amended, and the provisions of the Town of Front Royal Zoning Ordinance with respect to conditional zoning, the undersigned Applicant hereby voluntarily agrees to the terms and conditions set forth herein, provided that the Town of Front Royal approves Rezoning Application _____ for the rezoning of the subject property, as referenced above, consisting of approximately 147 Acres, from the Agricultural and Open Space Preservation District (A-1) to Mixed-Use Campus Development District (MCD). The terms and conditions set forth herein may be subsequently amended, revised, or withdrawn by the Applicant if approved by the Town of Front Royal, in accordance with

the Virginia Code and Town Code. In the event that such rezoning is not granted, then these proffers shall be deemed withdrawn and have no effect whatsoever.

Terms & Conditions (Proffers)

- 1) Development of the referenced parcel shall be in general conformance with the approved Concept Plan associated with this rezoning request.
- 2) The Owner/Developer shall construct a 200'-long right turn lane with taper serving the northbound approach of the hospital's primary entrance on Leach Run Parkway, as generally depicted on the Concept Plan. Owner shall not apply for nor be granted a permanent certificate of occupancy for any newly proposed construction upon the referenced parcel prior to the completion of this construction.
- 3) Within a five-year period, beginning at the time the Owner/Developer is granted initial permanent certificate of occupancy on the referenced parcel, and upon request from the Town of Front Royal, the Owner/Developer owner shall furnish the following:

The design and construction of a traffic signal at the intersection of Leach Run Parkway and the proposed primary entrance. If determined necessary by the Town of Front Royal, the Owner/Developer shall dedicate right-of-way for the signalization of this intersection. The design of the traffic signal shall meet the minimum specifications of the Town of Front Royal and/or Virginia Department of Transportation. However, standards that are above minimum specifications (enhancements) may be utilized under two circumstances: 1) they are

submitted voluntarily by the Applicant, and approved by the Town; or, 2) they are requested by the Town, and the Town pays the additional cost for the enhancement.

- 4) During the first phase of development, the Applicant will construct a commercial entrance on the hospital's "ring road" for a future interparcel connection with the adjoining property to the south, as generally depicted on the Concept Plan. Unless otherwise approved by the Town, the Applicant will construct a vehicular travelway from this commercial entrance to the adjoining property to the south at such time that either Area 'B' and/or Area 'C' are developed. In addition, the Applicant shall provide a construction and access easement for the interparcel connection from the commercial entrance to the adjoining property to the south. Such easements shall ensure that the vehicular travelway, or as may otherwise be approved by the Town, may be constructed by others, if such development occurs prior to the Applicant's development of Area 'B' and/or Area 'C'.
- 5) Upon the approval of this rezoning and the recordation of documents effecting the boundary line adjustment to Area 'E' and Area 'F' as depicted on the Concept Plan, the following zoning designations shall apply:
 - a. Area 'E' shall be rezoned from A-1 to R-1
 - b. Area 'F' shall be rezoned from R-1 to MCD
- 6) As required by current Town Code, the future development of any structure on any of the identified out parcels, or any other land included in this rezoning request, will be required to go through the prerequisite rezoning process to modify Concept Plan to include those specific development areas. For this area

being rezoned, Substantial Conformance shall be defined as any improvement equal to or less than 25% of what is shown on the approved Concept Plan.

- 7) Upon occupancy of the Phase 2 Facility, as shown on the approved Concept Plan, a Traffic Signal Warrant Analysis will be prepared to determine the contribution of traffic utilizing the Oden Street intersection from the Warren Memorial Hospital Campus and the Warren County School. The Applicant agrees to participate in the funding of a Traffic Signal, at the Oden Street intersection, in an amount equal to their contributing percentage of the traffic utilizing said intersection. The Applicant also understands that the Town may initiate this Signal Warrant Analysis, at the Town's expense, prior to the occupancy of the Phase 2 Facility, and that the Applicant agrees to participate in the funding of the Traffic Signal based upon their contributing percentage of the traffic utilizing said intersection.

X. Signatures

The conditions proffered above shall be binding upon the heirs, executors, administrators, assigns, and successors in the interest of the Applicant and owner. In the event the Front Royal Town Council grants this rezoning and accepts the conditions, the proffered conditions shall apply to the land rezoned in addition to other requirements set forth in the Front Royal Town Code, as the same from time to time may be amended, or their successor ordinances. This Proffer Statement supersedes any proffer statements previously submitted in connection with this application and this Property, if any.

OWNER'S SIGNATURE: _____

PRINT SIGNATURE: _____

TITLE: _____

ADDRESS: _____

WITNESS: _____

COMMONWEALTH OF VIRGINIA
COUNTY OF WARREN, TO-WIT:

SUBSCRIBED AND SWORN TO BEFORE ME THIS ____ DAY OF _____, 20____, BY _____, WHOSE SIGNATURE IS EXECUTED ABOVE TO THE FOREGOING INSTRUMENT AND WHO HAS APPEARED THIS DAY BEFORE ME, _____, A NOTARY PUBLIC IN AND FOR THE COMMONWEALTH OF VIRGINIA AT LARGE.

MY COMMISSION EXPIRES ON THE ____ DAY OF _____, ____.

NOTARY PUBLIC

Registration Number: _____

ADJACENT PROPERTY SIGNATURE (*FOR PROFFER 5 ONLY, SEE STATEMENT BELOW):

PRINT SIGNATURE: _____

TITLE: _____

ADDRESS: _____

WITNESS: _____

COMMONWEALTH OF VIRGINIA
COUNTY OF WARREN, TO-WIT:

SUBSCRIBED AND SWORN TO BEFORE ME THIS ____ DAY OF _____, 20____, BY _____, WHOSE SIGNATURE IS EXECUTED ABOVE TO THE FOREGOING INSTRUMENT AND WHO HAS APPEARED THIS DAY BEFORE ME, _____, A NOTARY PUBLIC IN AND FOR THE COMMONWEALTH OF VIRGINIA AT LARGE.

MY COMMISSION EXPIRES ON THE ____ DAY OF _____, ____.

NOTARY PUBLIC

Registration Number: _____

*Warren County Public Schools executes this proffer statement for the sole purpose of acknowledging its agreement to paragraph 5 and for no other purpose. Nothing herein shall be construed to be an agreement by Warren County Public Schools to make the boundary line adjustment set forth in paragraph 5

TOWN APPROVAL SIGNATURE: _____
PRINT SIGNATURE: _____
TITLE: _____
ADDRESS: _____

COMMONWEALTH OF VIRGINIA
COUNTY OF WARREN, TO-WIT:

SUBSCRIBED AND SWORN TO BEFORE ME THIS ____ DAY OF _____, 20____, BY _____, WHOSE SIGNATURE IS EXECUTED ABOVE TO THE FOREGOING INSTRUMENT AND WHO HAS APPEARED THIS DAY BEFORE ME, _____, A NOTARY PUBLIC IN AND FOR THE COMMONWEALTH OF VIRGINIA AT LARGE.

MY COMMISSION EXPIRES ON THE ____ DAY OF _____, ____.

NOTARY PUBLIC

Registration Number: _____

3



Work Session Agenda Form

Item # 3

DATE: March 19, 2018

AGENDA ITEM: Resolution to Governor of Virginia to Veto HB 1258 and SB 405 Regarding Installation and Operation of Wireless Structures

SUMMARY: Council approved a Resolution at their January 22, 2018 Council Meeting to oppose House Bill 1258 and Senate bill 405 regarding installation and operation of wireless structures. (The summary sheet from that meeting is attached). The Town Attorney is requesting that Council (by consensus) approve another Resolution urging Governor Northam to veto HB 1258 and SB 405 to prevent these bills from becoming law.

BUDGET/FUNDING: None

STAFF RECOMMENDATION: Council takes desired Action

Work Session



Town of Front Royal, Virginia _____ Page
Council Agenda Statement _____ Item No.

Meeting Date: January 22, 2018

Agenda Item: ADOPTION OF RESOLUTION opposing HB 1258 and SB 405 Supported by Wireless Communications Industry which has effect of eliminating most local control over the installation and operation of new wireless communications structures and the replacement of current technology.

Summary:

HB1258, introduced by Delegate Kilgore, and SB405, introduced by Senator McDougle, eliminates most local control over the installation and operation of new wireless structures. The legislation removes the ability of local elected officials, residents and businesses to have input into decisions affecting the character of their own communities industry. The legislation is being promoted by the wireless. More specifically:

- These bills would treat the wireless industry differently from all other private profit-making industries, thus leaving localities (and the state) open to charges of discrimination against other industries.
- The likelihood is high that other industries will expect the same or similar treatment.
- The locality may not require a special exception, special use permit or variance for “Administrative Review-Eligible Projects” (which is a new term).
- The locality must provide guidance on incomplete application within 10 days or application is “Deemed Approved” which takes a legislative decision away from local elected officials.

If application is disapproved, the locality:

- Must provide a written statement explaining the rejection of the application
- Explain any modifications in writing (this may be used by the applicant as evidence that the locality’s disapproval was arbitrary and capricious)
- Must explain the disapproval by a substantial record evidence contained in a written record publicly released within 30 days.

If the application is disapproved, the applicant has the right to appeal.

The locality **may not:**

- Condition approval on the removal of another structure.
- Require co-location.
- Limit duration of approval.

This proposed legislation is not a good idea, among other reasons, because:

- Local land use authority ought to rest with locally elected officials who best know their communities and their citizens’ needs.
- Local zoning takes into consideration that the economic, social, cultural, and other conditions are not one-size fits-all.
- Local zoning recognizes the importance of citizen input. The bills’ provisions remove the ability of our citizens to have meaningful input into decisions affecting the character of their communities.
- The proposed bills create a paradigm shift in authority, moving the decision-making process away from the community and its elected officials to FOR-PROFIT companies who care about their bottom line, not about our citizens’ welfare.

- Specifically, the “Deemed Approved” language strikes down local legislative process. These bills take away the ability of a locality to ask questions of the applicant or negotiate with the industry about a specific location or type of equipment or screening.

- This is not the process for a typical zoning application and there is no compelling justification for this industry to be treated in a special manner.

FEES SET IN STATUTE

The proposed legislation requires that the fee for Administrative Review Eligible Project shall not exceed \$500.

The fee for a Standard Process Project is set at “the actual direct costs to process the application...”

- Placing a fee in the Code is problematic because every time that there is a proposed change, legislation has to be enacted.

- The fees will never be in tune with actual costs. A State statute-determined fee does not account for the differences in actual local workloads as well as the costs and availability of professional services costs that occur in different local jurisdictions occasioned by differing applications throughout the Commonwealth.

- Actual Direct Costs are not typically calculated by localities; this unfunded mandate would place an additional burden on local taxpayers who will end up subsidizing the applicants.

- The alternative is that the applications will be automatically approved because localities won’t have the resources to review the various projects within the arbitrary deadlines

Budget/Funding: At this time, none. In the future, likely costs to the Town.

Attachments: Proposed Resolution

Meetings: None prior. Time is critical to get Resolution to General Assembly.

Staff

Recommendation: Approval_____ Denial_____

Proposed Motion: I move that Town Council approve the attached proposed Resolution and direct the Clerk of Town Council to send a copy of this Resolution to the Honorable Delegates and Senators representing the Town of Front Royal; to Delegate Terry Kilgore and Senator Ryan McDougle; to the Governor of the Commonwealth of Virginia; and to the Virginia Municipal League.

ROLL CALL VOTE REQUIRED

*Note: Motions are the formal & final proposal of Council,
proposed motions are offered by Staff for guidance

*To be clear and concise, motions should be made in the positive

Approved By: _____

**RESOLUTION OF TOWN OF FRONT ROYAL
OPPOSING HB 1258 AND SB 405
REGARDING INSTALLATION AND OPERATION OF WIRELESS STRUCTURES**

BE IT RESOLVED BY CONSENSUS OF THE TOWN COUNCIL OF THE TOWN OF FRONT ROYAL, VIRGINIA, a Municipal Corporation and a body politic, on behalf of its citizens and inhabitants, the Mayor of the Town of Front Royal is authorized to execute this Resolution, and the Clerk of Town Council is directed to send a copy of this Resolution to the Honorable Ralph S. Northam, Governor of the Commonwealth of Virginia, urging the said Governor Northam to veto said HB 1258 and SB 405, so as to prevent these bills from becoming law, for the following reasons:

WHEREAS, in the 2017 General Assembly Session, localities worked with the telecommunications industry (“the Industry”) to pass SB1282, which was a compromise bill providing a pathway to small cell telecommunications facilities to be located on existing structures, including structures owned by local government; and

WHEREAS, the Virginia Municipal League (VML) and the Virginia Association of Counties (VACO) and the Industry agreed to discuss how to assist underserved areas after the General Assembly Session; and

WHEREAS, Industry officials did not engage in meaningful discussions with VML and VACO regarding underserved areas and only wanted to discuss a further erosion of local land use authority regarding new structures; and

WHEREAS, 2018 legislation by the Industry (HB1258 and SB405) (“Legislation”) proposes to eliminate most local control over the installation and operation of new structures and the replacement of current technology; and

WHEREAS, this Legislation mandates a ministerial process which eliminates the ability for local officials, residents and businesses to have meaningful input into decisions affecting the character of their own communities; and

WHEREAS, this Legislation represents a shift in authority, moving decision-making authority from the local community and local elected officials, to for-profit corporations that install wireless equipment; and

WHEREAS, wireless equipment installations can have significant adverse health, safety, economic, and aesthetic impacts on the local communities, but Industry companies have frequently shown little, if any, interest considering these concerns that potentially conflict with their profit margins; and

WHEREAS, on January 22, 2018, the Mayor and the Town Council of the Town of Front Royal, Virginia, on behalf of the Town of Front Royal, Virginia, a Municipal Corporation and a body politic, and its citizens and inhabitants, on January 22, 2018, unanimously approved a Resolution opposing the passage of HB 1258 and SB 405, and further directed the Clerk of Town Council hereby be directed to send a copy of this Resolution to the Honorable Delegates and Senators representing the Town of Front Royal; to Delegate Terry Kilgore and Senator Ryan McDougle; to the Governor of the Commonwealth of Virginia; and to the Virginia Municipal League.

This Resolution was approved by consensus at the meeting of the Town Council of the Town of Front Royal, Virginia, conducted on March 19, 2018.

APPROVED:

Hollis L. Tharpe, Mayor

Attest:

Jennifer E. Berry, CMC, Clerk of Council

Approved as to form and legality:

Douglas W. Napier, Town Attorney

Date: ____ / ____ / ____

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Work Session Agenda Form

Item # 4

DATE: March 19, 2018

AGENDA ITEM: Deed of Easement from Cornerstone L.P., L.L.P. to the Town for water/sewer easements and rights-of-way acquisition for facilities serving Tax Map Parcel 12E-5A (Marriott site), Warren County.

SUMMARY: It is proposed that the Town acquire water/sewer easements and rights-of-way over portions of Tax Map Parcel 12E-5A (Marriott site), for access and maintenance to water/sewer facilities to be owned by the Town, necessary to provide utility service to these parcels outside of Town limits.

Town Council is asked to consider approving the Deed of Easement, to be executed by the Mayor.

The proposed easements/rights-of-way acquisitions are required to provide water/sewer service to these parcels located outside of Town limits.

BUDGET/FUNDING: None

STAFF RECOMMENDATION: The Town Manager recommends that the Town acquire water/sewer line easements and rights-of-way over Tax Map Parcel 12E-5A (Marriott site), owned by Cornerstone L.P., L.L.P.

Work Session

THIS DEED OF DEDICATION OF RIGHT-OF-WAY AND DEED OF EASEMENTS,

made and dated this ____ day of March, 2018, by and between **CORNERSTONE, L.P., L.L.P.**, a Virginia limited liability company, party of the first part, hereinafter Grantor; **THE COUNTY OF WARREN, VIRGINIA**, a political subdivision of the Commonwealth of Virginia, party of the second part, hereinafter referred to as "County" (Grantee for indexing purposes); and the **TOWN OF FRONT ROYAL, VIRGINIA**, a municipal corporation, party of the third part, hereinafter referred to as "Town" (Grantee for indexing purposes).

R E C I T A L S

A. Grantor is the owner in fee simple of that certain tract of land containing 1.6790 acres (TMP 12E-5A) and shown as "TMP 12E-5A 1.6790 ACRES" on a plat entitled "EASEMENT & RIGHT-OF-WAY DEDICATION PLAT FOR MARRIOTT-RIVERTON COMMONS ON TAX PARCEL 12E-5A" dated March 6, 2017 prepared by Ernest S. Holzworth, L.S. (the "Plat"), a copy of which is **attached** hereto and made a part hereof as **Exhibit A**, being a portion of the land conveyed to Grantor by Deed dated July 10, 2013, of record in the Office of the Clerk of the Circuit Court of Warren County, Virginia, as Instrument No. 130004597, a 30 foot wide strip having previously been dedicated by Grantor to the County by Deed of Dedication of Right-of-Way dated January 20, 2014, of record in the aforesaid Clerk's Office as Instrument No. 140000511 ("Property").

B. Grantor desires to dedicate certain land to the County for public road construction and public street purposes and to grant to the County permanent storm sewer easements and an ingress/egress easement, all as shown and depicted on the attached Plat, and County, as Grantee, desires to accept such dedication of right-of-way and such easements.

C. Grantor desires to grant to the Town certain permanent waterline and sanitary sewer easements, all as shown and depicted on the attached Plat, and the Town, as Grantee, desires to accept such easements.

**NOW, THEREFORE, THIS DEED OF DEDICATION OF RIGHT-OF-WAY AND DEED
OF EASEMENTS, WITNESSETH:**

PUBLIC ROAD DEDICATION/DEED OF DEDICATION OF RIGHT-OF-WAY

That for and in consideration of the premises, and other good and valuable consideration deemed adequate at law, the receipt and sufficiency of which is hereby acknowledged, Grantor hereby dedicates, grants and conveys with General Warranty and English Covenants of Title, unto the County, as Grantee, in fee simple, and for public street purposes, the following described property situate in North River Magisterial District, Warren County, Virginia, containing 0.0080 acres of land shown as a hatched area and described as “0.0080 ACRES HEREBY DEDICATED TO WARREN COUNTY” on the attached Plat, and being a portion of the land conveyed to Grantor by Deed dated July 10, 2013, of record in the Office of the Clerk of the Circuit Court of Warren County, Virginia, as Instrument No. 130004597, it being a portion of **Tax Map Parcel 12E-5A**.

COUNTY EASEMENTS

FURTHER WITNESSETH: That for and in consideration of the premises, and other good and valuable consideration deemed adequate at law, the receipt and sufficiency of which is hereby acknowledged, Grantor, hereby grants and conveys unto the County, as Grantee, the easements as hereafter set forth in the respective locations shown on the attached Plat as follows:

Permanent Storm Sewer Easements. Three (3) permanent storm drainage/storm sewer easements for the purpose of the installation, construction and maintenance of drainage facilities for the purpose of channeling, managing and containing surface and stormwater drainage, one (1) such easement being more particularly shown and described as “20’ STORM SEWER ESMT. HEREBY GRANTED,” one (1) such easement being more particularly shown and described as “15’ STORM SEWER ESMT. HEREBY GRANTED” and the other easement being more particularly shown and described as “STORM SEWER ESMT. HEREBY GRANTED.”

Ingress/Egress Easement. That certain permanent non-exclusive easement, for vehicular and pedestrian travel, over and across the Grantor's property, such easement being more particularly shown and described as "24' INGRESS/EGRESS ESMT. HEREBY GRANTED."

WATER LINE AND SANITARY SEWER EASEMENTS TO TOWN

FURTHER WITNESSETH: That for and in consideration of the premises, and other good and valuable consideration deemed adequate at law, the receipt and sufficiency of which is hereby acknowledged, Grantor hereby grants and conveys unto the Town, its successors and assigns, as Grantee, the privilege and easement in perpetuity to construct, lay, maintain, repair, inspect, improve and operate within the respective easements granted hereby, mains, works, systems, water meters and water meter vaults (herein "water facilities") and a sanitary sewer main (herein "sewer facilities"), and all other appurtenant facilities necessary for the operation of such utilities through, upon and across the Property. Such easements are shown and described as "WATER LINE ESMT. HEREBY GRANTED TO TOWN OF FRONT ROYAL," "20' WATER LINE ESMT. HEREBY GRANTED TO TOWN OF FRONT ROYAL," AND "SANITARY SEWER ESMT. HEREBY GRANTED TO TOWN OF FRONT ROYAL" on the attached Plat. The real estate encumbered by these water line and sanitary sewer easements is a portion of the land conveyed to Grantor by Deed dated July 10, 2013, of record in the Office of the Clerk of the Circuit Court of Warren County, Virginia, as Instrument No. 130004597, it being a portion of **Tax Map Parcel 12E-5A.**

The purpose of the aforementioned easements is to provide for water facilities to supply water utility to the Grantor's Property and to provide sewer facilities to supply sanitary sewer to the Grantor's Property.

There is also hereby conveyed rights-of-way of ingress, egress, and access over, upon, and across the above-described easements for the purpose of allowing access to facilities located thereon by the employees, agents, and contractors of the Grantee.

These easements are subject to all existing easements, rights-of-way and restrictions and are further subject to the following conditions:

1. Once accepted by Grantee from Grantor following construction, Grantee shall assume all responsibility for repair, maintenance, reconstruction and replacement of the water facilities and sewer facilities within the easements. Nothing contained herein shall be construed to require Grantee to install, repair or maintain any portion of any water and sewer service laterals providing utilities to any improvements located on the Property.

2. The water facilities and the sewer facilities, once constructed by Grantee and accepted by Grantor, shall become the property of the Grantee. The Grantee shall have the right to inspect, rebuild, remove, repair, improve and make such changes, alterations, additions to or extensions of its water facilities and sewer facilities within the boundaries of said easements as are consistent with the purpose expressed herein. All construction, maintenance, equipment and water facilities and sewer facilities shall comply with all applicable law ordinances, codes and regulations.

3. Upon completion of any activity by Grantee upon the easements, Grantee shall restore the affected portions of the Property as nearly as possible to its original condition as is practicable, including backfilling, and compaction of trenches, repaving, reseeding or resodding of lands, replacement of equipment and facilities of Grantor, removal of trash and debris, and removal of Grantee's equipment, accessories or appurtenances not inconsistent with the construction, maintenance or operation of said water facilities and sewer facilities or the exercise of any rights or privileges expressed herein, and will make a good faith effort to minimize any damage. Grantee shall maintain said easements and water facilities and sewer facilities in such repair as not to endanger or otherwise limit the enjoyment or use of the Property, including ingress, egress or parking in, on and over driveways, roads, or parking lots.

4. The Grantee may (but is not required to) trim, cut, remove, and keep clear all trees, limbs, undergrowth, and any and all other obstructions, within the said rights-of-way or easements, that may in any manner, in Grantee's judgment, endanger or interfere with the proper and efficient operation of the water facilities and sewer facilities therein or thereon and the Grantee shall have all such other rights and

privileges as are reasonably necessary or convenient for the full enjoyment and use of the easements herein granted for the aforesaid purpose.

5. The granting of the easements hereinafter described neither expressly nor impliedly constitutes any payment, nor the waiver of any obligation for the payment, by the Grantor or its successors or assigns, of any cut-in fee or charge, tax, assessment or other charge or obligation whatsoever now due or heretofore due or hereafter to become due and payable to the Grantee or to any person, firm or other corporation whatsoever.

6. The Grantee will exercise reasonable care to protect that portion of the Property affected from damage or injury occasioned in the enjoyment of the easements and rights herein granted, and to promptly repair the affected property or reimburse the Grantor for any property damaged beyond repair.

7. If the Grantee does cut or fell any brush, undergrowth or trees, or should excavations be carried on pursuant to these easements and any large-sized rocks or boulders are unearthed and are not buried in said excavation, such brush, undergrowth, trees, large-sized rocks and boulders shall be the expense of the Grantee to be removed from the Property.

8. Grantor shall have no right, title, interest, estate or claim whatsoever in or to any of the water facilities and sewer facilities and accessories installed by virtue hereof.

9. These permanent easements shall run with the land of the Grantor, and shall be binding upon the heirs, executors, administrators, successors, and assigns of the Grantor and the Grantee.

MISCELLANEOUS

Headings used in this Deed are for convenience purposes only and are not intended to affect the express terms herein set forth.

This Deed is made in accordance with the statutes made and provided in such cases, is made with the approval of the proper authorities of the County and the Town; and is with the free consent and in accordance with the desire of Grantor, the owner and proprietor of the land depicted on the Plat.

The undersigned, on behalf of the Grantor, warrant that this Deed is made and executed pursuant to authority vested in the undersigned by the Grantor.

WITNESS the following signatures and seals:

Cornerstone L.P., L.L.P., a Virginia limited liability partnership

By: Walter H. Aikens Limited Partnership, L.L.P.,
General Partner

By: _____
Walter H. Aikens, General Partner

COMMONWEALTH OF VIRGINIA;
CITY/COUNTY OF _____, TO-WIT:

I, _____, a notary public in and for the State and County aforesaid, do certify that Walter H. Aikens, whose name is signed to the foregoing instrument dated March ____, 2018, has acknowledged the same before me in his capacity as General Partner of Walter H. Aikens Limited Partnership, L.L.P., General Partner of Cornerstone L.P., L.L.P., a Virginia limited liability partnership.

GIVEN under my hand this ____ day of March, 2018.

Notary Public

Registration No.: _____

My Commission Expires: _____

The foregoing Deed of Dedication of Right-of-Way and Deed of Easements is hereby accepted by the County of Warren , Virginia, as evidenced by the signature of the undersigned, who is authorized to execute this on behalf of the County, as evidenced by a recorded vote by the Board of Supervisors on March 20, 2018.

WITNESS the following signature:

COUNTY OF WARREN, VIRGINIA

By:

Tony F. Carter, Chairman
Board of Supervisors

ATTEST:

Douglas P. Stanley
Clerk of the Board of Supervisors

COMMONWEALTH OF VIRGINIA,
City/County of _____, to-wit:

I, _____, a Notary Public in and for the Commonwealth of Virginia, do hereby certify that Tony F. Carter, Chairman of the Board of Supervisors, and Douglas P. Stanley, Clerk of the Board of Supervisors, whose names are signed on behalf of the County of Warren, Virginia, to the foregoing Deed of Right-of-Way and Deed of Easements have each this day personally appeared and acknowledged the same before me in my State and in the County aforesaid.

Given under my hand this _____ day of March, 2018.

Notary Public

My commission expires: _____
Notary Registration No. _____

Approved as to form:

Dan N. Whitten,
County Attorney

The foregoing conveyance is hereby accepted by the Town of Front Royal, Virginia, as evidenced by the signature of the undersigned, who is authorized to accept this conveyance on behalf of the Town, as evidenced by a Resolution adopted by the Town Council.

WITNESS the following signature:

TOWN OF FRONT ROYAL, VIRGINIA

By: _____
Hollis L. Tharpe, Mayor

ATTEST:

Jennifer E. Berry
Clerk of Council

COMMONWEALTH OF VIRGINIA,
City/County of _____, to-wit:

I, _____, a Notary Public in and for the Commonwealth of Virginia, do hereby certify that Hollis L. Tharpe, Mayor of the Town of Front Royal, Virginia, and Jennifer E. Berry, Clerk of the Town Council, whose names are signed on behalf of the Town of Front Royal, Virginia, to the foregoing Deed of Right-of-Way and Deed of Easements have each this day personally appeared and acknowledged the same before me in my State and in the County aforesaid.

Given under my hand this _____ day of March, 2018.

Notary Public

My commission expires: _____
Notary Registration No. _____

APPROVED AS TO FORM:

Town Attorney

This Instrument prepared (without the benefit of a title examination) by:

H. Edmunds Coleman, III, Esquire
BRYAN & COLEMAN, P.L.C.
118 South Braddock Street
Winchester, Virginia 22601
Telephone: (540) 545 – 4172

M:\Cornerstone, L.P., L.L.P.\Deed of Dedication of ROW and Deed of Easements Cornerstone (HEC Revised Clean 3-31-17).docx

NOTES

1. THE PROPERTY IS IDENTIFIED AS WARREN COUNTY TAX PARCEL 12E-54 AND IS ZONED COMMERCIAL.
2. TITLE TO TAX PARCEL 12E-54 IS VESTED IN CONGESTION L.P., L.P., AS RECORDED BY INSTRUMENT NO. 130004597 OF THE WARREN COUNTY, VIRGINIA LAND RECORDS.
3. THE BOUNDARY INFORMATION SHOWN HEREON IS BASED ON A PLAT OF RECORD RECORDED AS INSTRUMENT NO. 140000511 OF THE WARREN COUNTY, VIRGINIA LAND RECORDS AND IS NOT PURPORTED TO BE A BOUNDARY SURVEY OF THE TRACT OR ANY PORTION OF THE BOUNDARY LINES.
4. THE PROPERTY SHOWN HEREON LIES ENTIRELY WITHIN ZONE X - AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN PER N.E.L.P. FLOOD INSURANCE RATE MAP NOS. 518702106C & 518702106C, BOTH DATED JUNE 3, 2008.
5. NO TITLE REPORT FURNISHED. EASEMENTS OTHER THAN SHOWN MAY EXIST.
6. BUILDING RESTRICTION LINES (BRL) SHOWN ARE PER THE CURRENT ZONING ORDINANCE.
7. STORM SEWER AND WARESS/FORCE MAINS ARE HEREBY GRANTED TO WARREN COUNTY.

LEGEND

BRL = BUILDING RESTRICTION LINE
ESMT. = EASEMENT

EASEMENT LINE TABLE

LINE	BEARING	DISTANCE
L1	N 65°17'13" W	86.44'
L2	S 69°42'47" W	86.20'
L3	N 65°17'13" W	78.74'
L4	S 64°55'43" E	115.00'
L5	S 57°10'53" W	115.00'
L6	S 65°17'13" E	53.33'
L7	N 69°42'47" E	86.20'
L8	S 65°17'13" E	94.72'
L9	N 24°59'28" W	23.22'
L10	N 24°42'47" E	34.310'
L11	N 65°17'13" W	34.71'
L12	N 24°42'47" E	26.50'
L13	N 65°17'13" E	34.71'
L14	N 65°17'13" W	34.71'
L15	N 24°42'47" W	103.28'
L16	N 24°42'47" E	58.66'
L17	N 65°17'13" W	126.16'
L18	S 64°55'43" E	104.23'
L19	S 57°10'53" E	63.33'
L20	N 57°10'53" W	168.39'
L21	N 65°28'55" W	11.54'
L22	N 20°17'13" W	70.34'



APPROVALS:

WARREN COUNTY PLANNING DIRECTOR

TOWN OF FRONT ROYAL DIRECTOR OF ENVIRONMENTAL SERVICES

VIRGINIA DEPARTMENT OF TRANSPORTATION

EASEMENT & RIGHT-OF-WAY DEDICATION PLAT

FOR

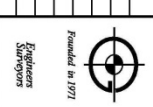
MARIOTT - RIVERTON COMMONS

ON TAX PARCEL 12E-54

NORTH RIVER MAGISTERIAL DISTRICT, WARREN COUNTY, VIRGINIA



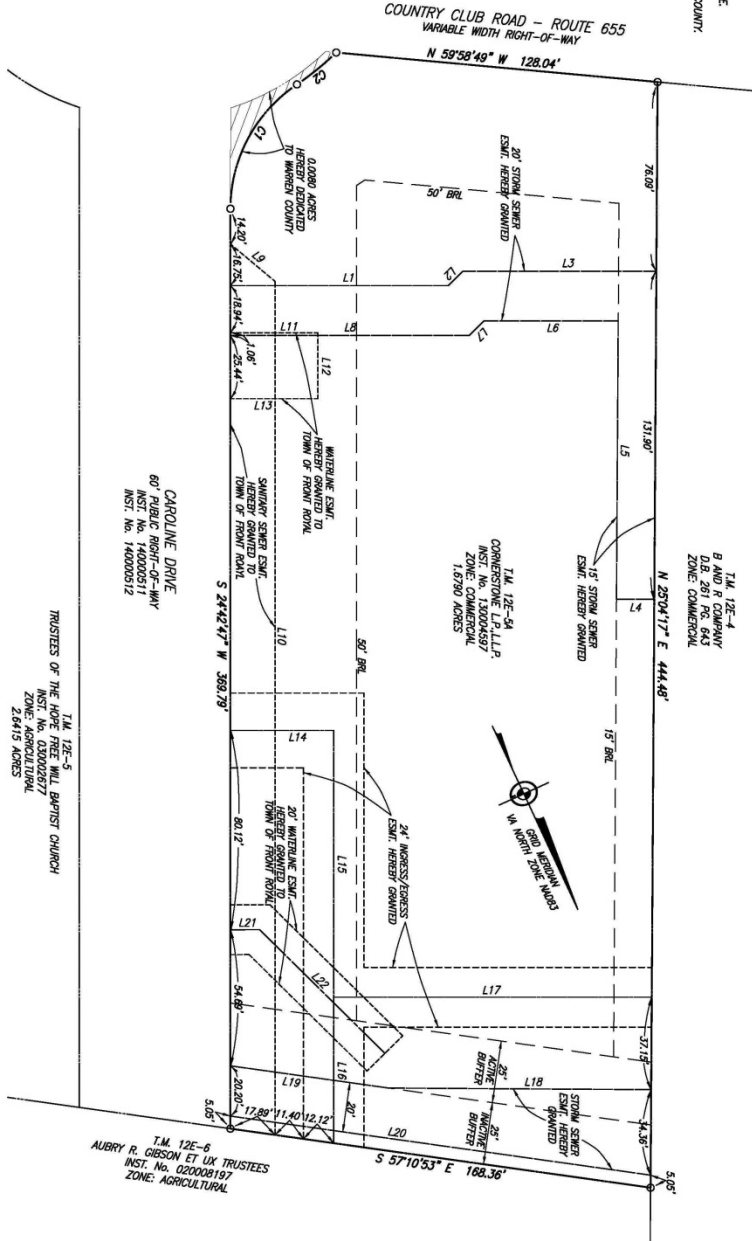
DATE	REVISION



GREENWAY ENGINEERING, INC.

151 Windy Hill Lane
Winchester, Virginia 22602
Telephone: (540) 662-4185
FAX: (540) 722-9528
www.greenwayeng.com

Engineers
Surveyors



CURVE TABLE

CURVE	RADIUS	ARC LENGTH	DELTA ANGLE	CHORD BEARING	CHORD LENGTH	TANGENT
C1	60.50'	58.80'	55°41'29"	S 52°33'30" W	56.52'	31.96'
C2	112.50'	20.19'	10°16'54"	S 75°13'46" W	20.16'	10.12'

NOTES

1. THE PROPERTY IS IDENTIFIED AS WARREN COUNTY TAX PARCEL 12E-5A AND IS ZONED COMMERCIAL.
2. TITLE TO TAX PARCEL 12E-5A IS VESTED IN CORNERSTON L.P.,L.L.P. AS RECORDED BY INSTRUMENT No. 130004597 OF THE WARREN COUNTY, VIRGINIA LAND RECORDS.
3. THE BOUNDARY INFORMATION SHOWN HEREON IS BASED ON A PLAT OF RECORD RECORDED AS INSTRUMENT No. 140000511 OF THE WARREN COUNTY, VIRGINIA LAND RECORDS AND IS NOT PURPORTED TO BE A BOUNDARY SURVEY OF THE TRACT OR ANY PORTION OF THE BOUNDARY LINES.
4. THE PROPERTY SHOWN HEREON LIES ENTIRELY WITHIN ZONE X - AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN PER N.F.I.P. FLOOD INSURANCE RATE MAP Nos. 51187C0104C & 51187C0108C, BOTH DATED JUNE 3, 2008.
5. NO TITLE REPORT FURNISHED; EASEMENTS OTHER THAN SHOWN MAY EXIST.
6. BUILDING RESTRICTION LINES (BRL) SHOWN ARE PER THE CURRENT ZONING ORDINANCE.
7. STORM SEWER AND INGRESS/EGRESS EASEMENTS ARE HEREBY GRANTED TO WARREN COUNTY.

LEGEND

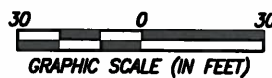
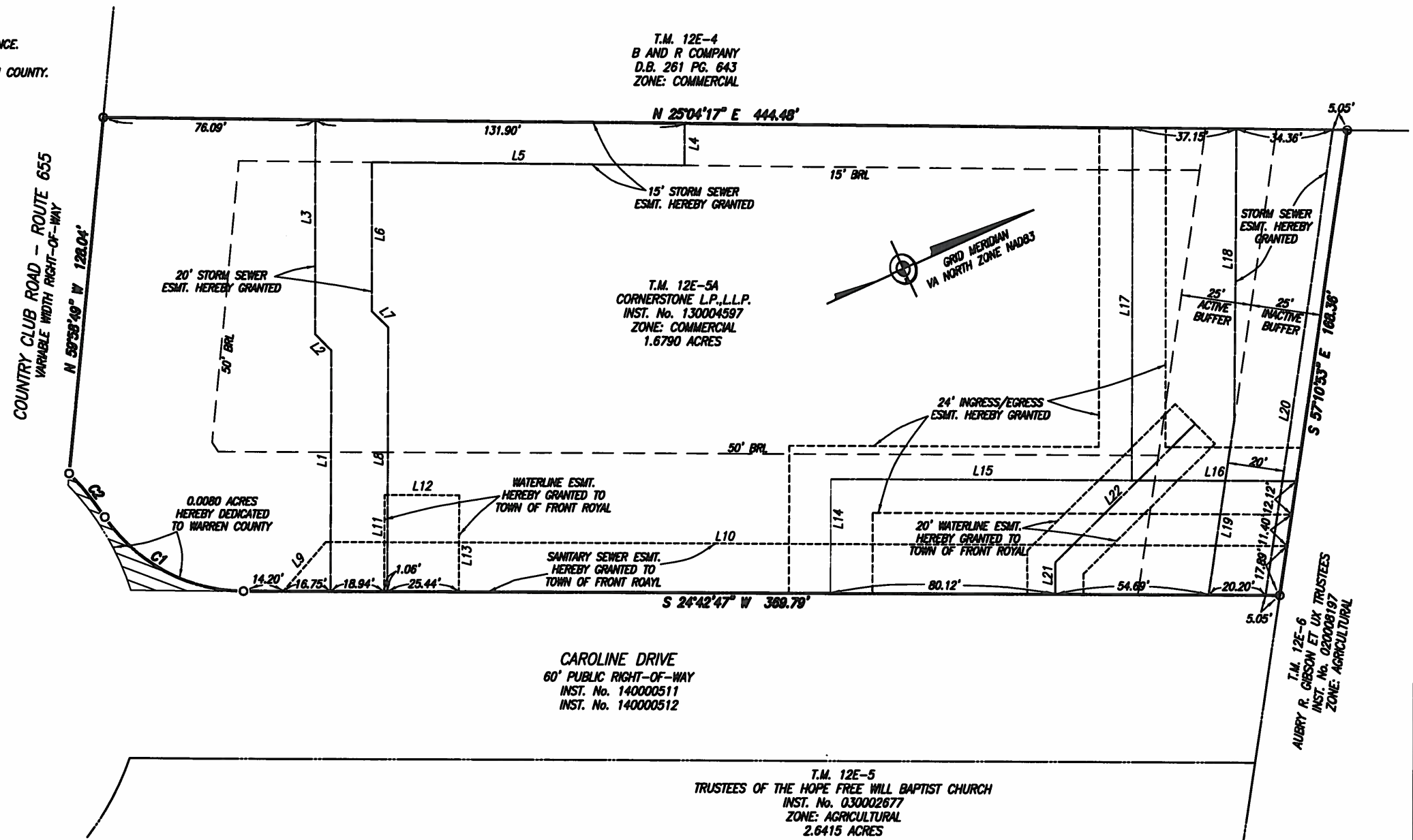
BRL = BUILDING RESTRICTION LINE
ESMT. = EASEMENT

EASEMENT LINE TABLE

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L2	S 69°42'47" W	8.20'
L3	N 65°17'13" W	76.74'
L4	S 64°55'43" E	15.00'
L5	S 25°04'17" W	111.81'
L6	S 65°17'13" E	53.33'
L7	N 69°42'47" E	8.20'
L8	S 65°17'13" E	94.72'
L9	N 24°59'28" W	23.22'
L10	N 24°42'47" E	343.10'
L11	N 65°17'13" W	34.71'
L12	N 24°42'47" E	26.50'
L13	S 65°17'13" E	34.71'
L14	N 65°17'13" W	41.00'
L15	N 24°42'47" E	107.25'
L16	N 24°42'47" E	58.66'
L17	N 65°17'13" W	126.16'
L18	S 64°55'43" E	104.23'
L19	S 57°10'53" E	63.33'
L20	N 57°10'53" W	168.39'
L21	N 65°29'55" W	11.54'
L22	N 20°17'13" W	70.34'

CURVE TABLE

CURVE	RADIUS	ARC LENGTH	DELTA ANGLE	CHORD BEARING	CHORD LENGTH	TANGENT
C1	60.50'	58.80'	55°41'25"	S 52°33'30" W	56.52'	31.96'
C2	112.50'	20.19'	10°16'54"	S 75°15'46" W	20.16'	10.12'



APPROVALS:

WARREN COUNTY PLANNING DIRECTOR

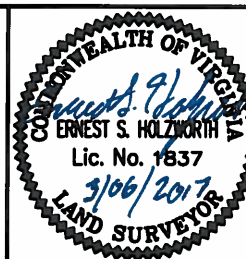
TOWN OF FRONT ROYAL DIRECTOR OF ENVIRONMENTAL SERVICES

VIRGINIA DEPARTMENT OF TRANSPORTATION

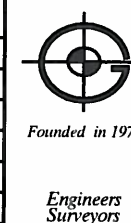
DATE: 03/06/2017
SCALE: 1" = 30'
DRAFTED BY: ESH
FILE NO: 5921
SHEET 1 OF 1

16-02

EASEMENT & RIGHT-OF-WAY DEDICATION PLAT
FOR
MARRIOTT - RIVERTON COMMONS
ON TAX PARCEL 12E-5A
NORTH RIVER MAGISTERIAL DISTRICT, WARREN COUNTY, VIRGINIA



DATE	REVISION



GREENWAY ENGINEERING, INC.
151 Windy Hill Lane
Winchester, Virginia 22602
Telephone: (540) 662-4185
FAX: (540) 722-9528
www.greenwayeng.com

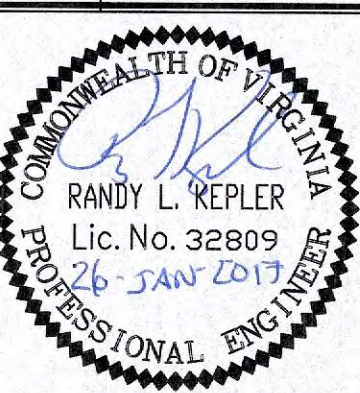
UTILITY PLAN

GREENWAY ENGINEERING INC.
151 WINDY HILL LANE
WINCHESTER, VIRGINIA 22602
T: (540) 662-4185
www.GreenwayEng.com



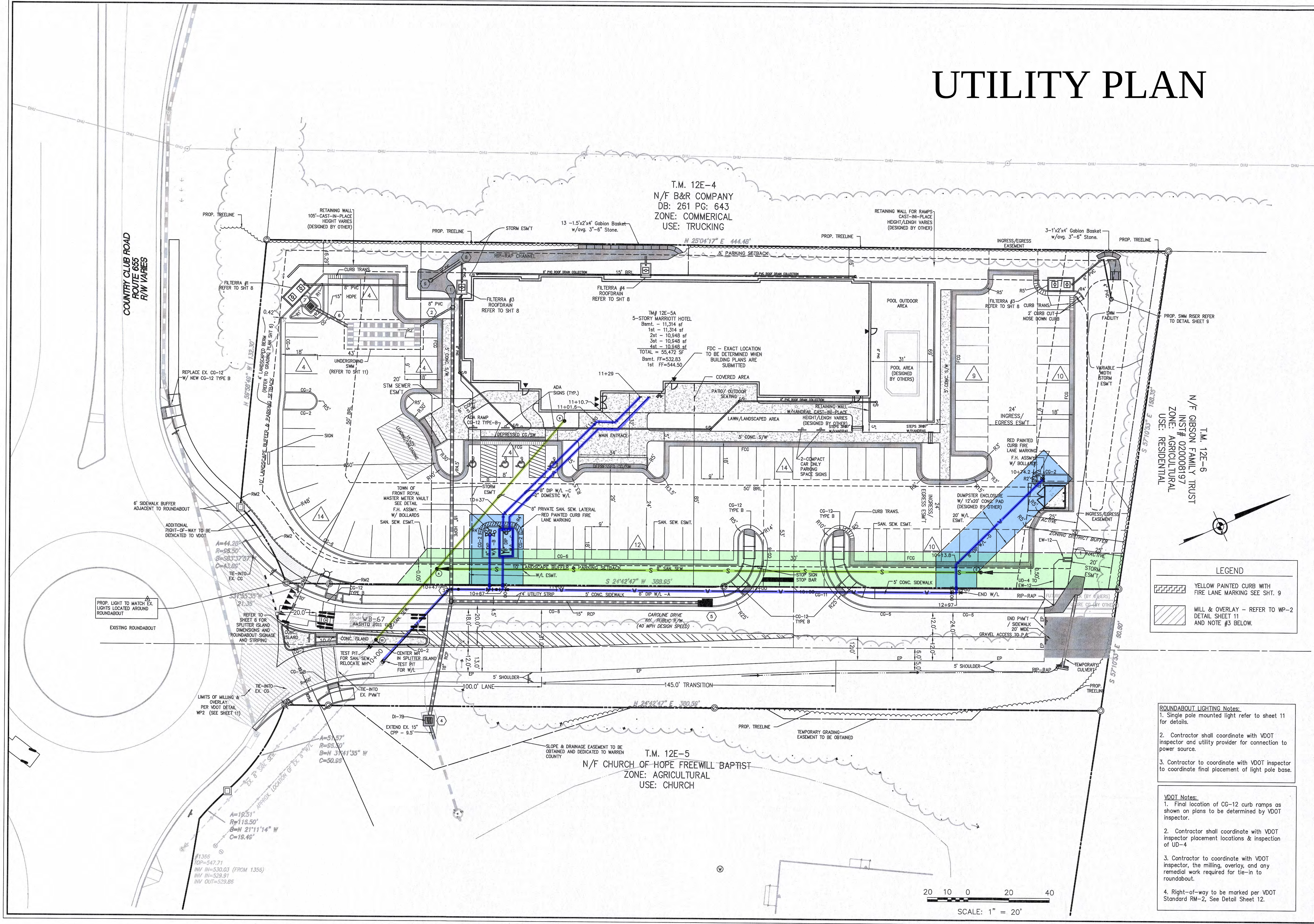
Rev. No.	Date
1	10/05/2015
2	04/01/2016
3	05/25/2016

APPROVED PLANS
FEB 13 2017
GREENWAY ENGINEERING



SITE PLAN
MARRIOTT - RIVERTON COMMONS
NORTH RIVER DISTRICT
WARREN COUNTY, VIRGINIA

DATE: JAN 12, 2017
SCALE: 1" = 20'
DESIGNED BY: JNT
FILE NO. 5921
SHEET 7 OF 19
14-05



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Work Session Agenda Form

Item # 5

DATE: March 19, 2018

AGENDA ITEM: By-Laws for Joint Towing Board

SUMMARY: Council approved the adoption of a Joint Towing Board by Ordinance (Chapter 158-54 – 158-69) with Warren County on November 27, 2017; however, the By-Laws of the Joint Towing Board were not included in the motion. Council is requested to approve the By-Laws as presented at the next regular meeting scheduled on March 26, 2018. Warren County approved the By-Laws on February 20, 2018.

BUDGET/FUNDING: None

STAFF RECOMMENDATION: Council to approve at the March 26, 2018 if so desired.

Work Session

**BY-LAWS OF THE
FRONT ROYAL-WARREN COUNTY JOINT TOWING BOARD**

ARTICLE 1 – PURPOSE OF COMMITTEE

- 1-1 The Front Royal-Warren County Joint Towing Board (“the Committee”) is hereby created to ensure proper storage, availability and service by persons and firms authorized to provide towing services at the request of the Warren County Sheriff’s Office (hereinafter the “Sheriff’s Office”), the Front Royal Police Department (hereinafter the “Police Department”), Virginia State Police (hereinafter “State Police”) and other law enforcement personnel.

ARTICLE 2 – SELECTION OF MEMBERS

- 2-1 The Committee shall consist of seven (7) members to be appointed jointly by the Front Royal Town Council and the Warren County Board of Supervisors. The Committee shall include the following members:
- 2-1-1 Three (3) members shall be law enforcement officers, including a representative from the Sheriff’s Office, the Police Department, and State Police.
 - 2-1-2 Three (3) members shall be representatives of towing and recovery businesses.
 - 2-1-3 One (1) member shall be a citizen of the Town of Front Royal or the County of Warren.
- 2-2 Each member shall serve a four (4) year term and shall be appointed jointly by the Front Royal Town Council and the Warren County Board of Supervisors.

ARTICLE 3 – SELECTION OF OFFICERS

- 3-1 Officers of the Committee shall consist of a Chairman, Vice-Chairman, and Secretary.
- 3-2 The officers of the Committee shall be appointed for a one (1) year term, with no individual holding an office for more than two (2) consecutive terms without a one (1) year lapse between terms.
- 3-3 Nomination of officers shall be made from the floor at the beginning of the first meeting of the year for the ensuing year. Election of officers shall follow immediately. A candidate receiving a majority vote of the members shall be declared elected. The Warren County Sheriff or his designee shall oversee the nomination and election of officers.
- 3-4 Vacancies in office shall be filled at the next Committee meeting according to the procedures in this article.

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ARTICLE 4 – DUTIES OF OFFICERS

4-1 The Chairman shall:

- 4-1-1 Develop an agenda and preside at meetings.
- 4-1-2 Report annually to the Board of Supervisors and the Town Council.
- 4-1-3 Rule on procedural questions (subject to reversal by a majority vote of the members present).
- 4-1-4 Certify official documents involving the authority of the Committee.
- 4-1-5 Certify minutes as true and correct copies.
- 4-1-6 Carry out other duties as assigned by the Committee.

4-2 The Vice-Chairman shall:

- 4-2-1 Assume the full powers of the Chairman in the absence or inability of the Chairman to act upon and oversee the Plan of Work.

4-3 The Secretary shall:

- 4-3-1 Record attendance at all meetings.
- 4-3-2 Record the minutes of the Committee meetings.
- 4-3-3 Notify members of all meetings.
- 4-3-4 Maintain a file of all official Committee records and reports.
- 4-3-5 Certify maps, records, and reports of the Committee.
- 4-3-6 Give notice and be responsible for publishing public notices of all Committee public hearings and public meetings.
- 4-3-7 Attend to the correspondence necessary for the execution of the duties and functions of the Committee.

ARTICLE 5 – SUBCOMMITTEES

- 5-1 The Committee may appoint any subcommittees or advisory groups as necessary for the conduct of its work. The Chairman of the Committee shall be an ex-officio member of all such subcommittees or groups.

ARTICLE 6 – MEETINGS

- 6-1 The Committee shall meet on a quarterly basis on the first Wednesday of January, April, July and October or any other day determined by majority vote of the Committee. Whenever the regular scheduled meeting falls on a legal holiday, the regular meeting shall be held on the following day. Notice of time and place of regular meetings shall be emailed by the Secretary to the Committee and interested parties at least fourteen (14) days in advance of each meeting.

- 6-2 Special meetings may be called by the Chairman or on request of three (3) members of the Committee by emailed notice at least seven (7) days in advance of the date of such special meeting. Emergency meetings may be convened by the Chairman with a 24-hour telephone notice attempt to reach all members.
- 6-3 All meetings of the Committee shall be open to the public, except as provided for in the Virginia Freedom of Information Act.
- 6-4 If any member has three (3) unexcused absences in a calendar year, the member shall be removed from the Committee and another representative shall be appointed jointly by the Board of Supervisors and Town Council to fill the unexpired term of office.

ARTICLE 7 – VOTING

- 7-1 A majority of the members shall constitute a quorum.
- 7-2 No action of the Committee shall be valid unless authorized by a majority vote of those present and voting.

ARTICLE 8 – COMPLAINTS

- 8-1 In the event that a complaint is lodged by a member of the Committee against a towing operator or law enforcement personnel, such member shall be excused from the hearing on the complaint.

ARTICLE 9 – ORDER OF BUSINESS

- 9-1 The order of business for a regular meeting shall be:
- 9-1-1 Call to Order
 - 9-1-2 Roll Call
 - 9-1-3 Adoption of Agenda
 - 9-1-4 Approval of Minutes
 - 9-1-5 Committee Matters
 - 9-1-6 Adjournment
- 9-2 Parliamentary procedure in all Committee meetings shall be governed by Robert's Rules of Order.
- 9-3 The Committee shall keep minutes of each meeting, and these minutes shall become a public record. The Chairman shall sign all minutes, and they shall be kept in the official minute book.

ARTICLE 10 – AMENDMENTS

10-1

These By-laws may be amended by a majority vote of both the Warren County Board of Supervisors and Front-Royal Town Council with thirty (30) days' notice to each governing body.

Adopted by the Warren County Board of Supervisors: February 20th, 2018

Adopted by the Front Royal Town Council: _____, 2018

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Work Session Agenda Form

DATE: March 19, 2018

Item # 6

AGENDA ITEM: Board of Zoning Appeals Term Expiring

SUMMARY: Ronald V. Flores on the Board of Zoning Appeals (BZA) will be expiring May 1, 2018. He would like to be considered for re-appointment.

BZA candidates are recommended by Town Council and considered by the Judge of the Warren County Circuit Court for appointment. This is a five-year term.

NOTE: The BZA currently has a vacancy left by Robert Helms who resigned effective January 31, 2018 due to moving out of Town. His vacancy is an un-expired term ending May 1, 2020.

BUDGET/FUNDING: None

STAFF RECOMMENDATION: Council takes desired action.

Work Session

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Work Session Agenda Form

Item # 7

DATE: March 19, 2018

AGENDA ITEM: Continued Discussion of FY2018-2019 Tax Rate

SUMMARY: Council held a public hearing on the FY2018-2019 Tax Rate on March 12, 2018 but failed to set a tax rate and asked that it be discussed further in the next work session. During the Public Hearing, the motion to increase the real estate tax rate by \$0.01 failed by majority vote. A new public hearing has been advertised for March 26, 2018 at a rate of \$.144 per \$100 assessed value which is 9/10 of \$0.01. It will be Council's desire to keep the tax rate the same as it currently stands or increase the tax rate with one of the options below.

\$.144 = 9/10 or \$0.009	\$99,000
\$.143 = 8/10 or \$0.008	\$88,000
\$.142 = 7/10 or \$0.007	\$77,000
\$.141 = 6/10 or \$0.006	\$66,000
\$.140 = 5/10 or \$0.005	\$55,000
\$.139 = 4/10 or \$0.004	\$44,000
\$.138 = 3/10 or \$0.003	\$33,000
\$.137 = 2/10 or \$0.002	\$22,000
\$.136 = 1/10 or \$0.001	\$11,000

BUDGET/FUNDING: Part of the budget process

STAFF RECOMMENDATION: Council takes desired action at the upcoming public hearing

Work Session

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