

STAFFORD COUNTY PLANNING COMMISSION

June 11, 2025

The meeting of the Stafford County Planning Commission of Wednesday, June 11, 2025, was called to order at 6:00 PM by Chairman Steven Apicella in the Board of Supervisors Chambers of the George L. Gordon, Jr., Government Center.

MEMBERS PRESENT: Steven Apicella Willie Shelton, Jr., Kristen Barnes, Carlos Bratton, Kelsey Caudill, Kecia Evans, Laura Sellers

MEMBERS ABSENT: None

STAFF PRESENT: Mike Zuraf, Lauren Lucian, Stacie Stinnette, Brian Geouge

DECLARATIONS OF DISQUALIFICATION

Mr. Apicella: Ms. Caudill, please call the roll.

Ms. Caudill: Chairman Apicella.

Mr. Apicella: Here.

Ms. Caudill: Vice Chairman Shelton.

Mr. Shelton: Present.

Ms. Caudill: Commissioner Caudill, present. Commissioner Barnes.

Ms. Barnes: Here.

Ms. Caudill: Commissioner Sellers.

Ms. Sellers: Here.

Ms. Caudill: Commissioner Bratton.

Mr. Bratton: Present.

Ms. Caudill: Commissioner Evans.

Ms. Evans: Here.

Ms. Caudill: Chairman, we have a quorum.

Mr. Apicella: Thank you. Are there any declarations of disqualification? All right, seeing none, Mr. Zuraf, are there any changes to the agenda?

Mr. Zuraf: No changes to the agenda, but just let you know that there are modified proffers that you've received tonight for item number 3, and that'll be discussed during that item.

PUBLIC PRESENTATIONS

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Mr. Apicella: Thank you. Okay, I'll now open the public presentation portion of today's meeting. The public may have up to three minutes to comment on any matter except the three public hearings on tonight's agenda. There will be separate opportunities to comment on those items when they come up. This is not an interactive conversation. Before starting your comments, please state your name and address. The clock starts when the green light appears. Yellow means there's one minute left. And red means your time is up. Again, if you're here to talk about any of the public hearing items, this is not the time; wait till those public hearing items come up. All right, anyone like to come forward on any other matter?

Audience member: Are you asking for public comment?

Mr. Apicella: Again, this is, this is overall public comment not related to the public hearing items. So if you're here to talk about those items when they come up, that would be your opportunity. Yes, yes, sir.

Ms. Maxson: Kristen Maxson. The answer to the public question brought up in a quote, notwithstanding the foregoing provision of this proffer, end of quote, was given when the public asked the question. Searching on this statement gives much light to lift the haze that is put on the people of Stafford. This allows direction to switch so demand of the statement can be given somewhere else and accountability can be diverted. Please ask for this statement to be deleted from the Stafford's literature. Community pushback stalling has happened over the country, and stalling 64 billion in data center development nationwide, May 19, 2025, as a news clip. New mega, mega companies joined for effort to sign a nuclear power deal to fuel data centers. This news clip occurred today, June 11, 2025. Also the news push or feed was empty yesterday for some strange reason on a particular platform that people use. On today's packet, 307, page 307 of 406, the Mountain View roundabout public hearing information is cropped off. Please make a note of it. We have 36 future public hearings stacked up, page 296 of 406 of today's packet. That's a lot of hearings. Planning and Zoning Co-Director has retired. This is not a good time for so many rezoning proposals. Utilities Commissioner has no current future events past May 13, 2025. Agenda packet has changed after posting to public release. This would be the utilities packet. Public wants version control. It was 2.06 megabyte, and later was 2.11 megabyte. Not a good practice for public hearings. Data Center Regulations Subcommittee, June 12, 2025, at 5:30, that will be tomorrow at ABC Conference Room. Please be there. The agenda dated June 5, 2025, likely will be the agenda used for tomorrow's meeting. So don't be confused. April 23, 2025, reviewed that 3,200 multiple family units is recommended for the Courthouse...

Mr. Apicella: Ms. Maxson, thank you, your time is up.

Ms. Maxson: ... TDA. Thank you so much. And who's, who's going to recommend that?

Mr. Apicella: Anybody else?

Ms. Sobolik: Good evening. My name is Carrie Soblick. I'm here to express strong concerns regarding the proposed rezoning of land near residential neighborhoods to allow for the development of data centers. Zoning is not just a technicality, it's a foundational tool for protecting the integrity, safety, and liabi... livability of our communities. It exists to separate incompatible land uses, preserve property values, and ensure that development aligns with the long term vision of our neighborhoods. Allowing industrial scale facilities like data centers to be placed adjacent to homes undermines these principles. Data centers operate 24/7 and largely on a large scale cooling system and diesel backup generators. Even with mitigation, the constant noise and periodic generator testing can disrupt the peace and quiet that

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residents expect in their homes. There are also environmental concerns. These facilities consume enormous amounts of energy and often rely on diesel fuel, contributing to air pollution and increasing the risk of localized environmental degradation. Perhaps most importantly, the proximity of industrial uses to residential zones can depress property values. Families who have invested in these neighborhoods should not bear the financial and quality of life costs of incompatible development. As the current performance standards are under review, I urge this Commission to place a hold on all applications being submitted or currently under review. It is not in the public's interest to approve new construction using outdated standards that may soon be revised. Doing so risks locking in developments that do not meet the evolving expectations for environmental protection, noise control, and community compatibility. Furthermore, grandfathering applications that have already been submitted or are currently under review does not reflect the best interests of the community. It prioritizes expediency, over-thoughtful planning, and risks undermining the very standards this Commission is working to improve. I urge you to uphold the integrity of our zoning framework and prioritize the well being of our residents. This is not just about land use, it's about the future character of our community. Thank you for your time and your thoughtful consideration.

Mr. Apicella: Thank you, ma'am.

Mr. Eastland: Good evening. I'm Jeff Eastland from Rock Hill District. I prepared those environmental packets for you with the color charts, so you can blame me for that. I was going to speak to it maybe at a later date. The past few weeks, I've been talking to an awful lot of my fellow citizens here in Stafford County, writing emails, writing articles, coming to the board meetings, and driving around the county to witness firsthand, quite honestly, the destruction that's beginning to unfold. And it's pretty clear to me that people don't know very much about data centers; who runs them, what their purpose is, who profits from them, and the long term negative consequences. If they did, perhaps we wouldn't have a data center right next to a daycare center on Old Potomac Church Road, literally within spitting distance of where the children on the swing sets and slides. Maybe we wouldn't have a data center at Eskimo Hill that fronts right on the headwaters to Potomac Creek and Crow's Nest, one of our greatest resources, and we certainly wouldn't be considering the monstrous track they call GWV, where they're illegally logging right now, by the way, which straddles Accokeek Creek, which is the primary tributary to Crow's Nest and the Potomac. We have to remind ourselves who is profiting from these data centers, and it is not the 168,000 residents of Stafford County – not directly anyway. It's the large corporations, the 1% if you will, the privileged wealth class that are consolidating their power and using the levers of government to do so. And they are predators. Give them an inch, they'll take 100 miles. And I mean no disrespect to anyone in this room when I stand here and speak the truth that what they're counting on, what they're banking on, is for the public to be just ill-informed and ignorant enough and for the boards to be just maybe malleable and ineffective enough to shove all these projects through before anyone has enough time to figure out what the bejeebers hit them. We can't let that happen. We can't give away everything we've got in the service of corporate profit. Thank you.

Mr. Apicella: Thank you, sir.

Mr. Sobolik: Good evening. I'm Patrick Soblick, Hartwood District. I'm here to raise questions and concerns about the tax revenue estimates related to the Cranes Corner data center project. These estimates are critical for us to under, all to understand, because these tax revenue estimates...

Mr. Apicella: Sir?

Mr. Sobolik: Yes.

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Mr. Apicella: I'm sorry, this is not the time to talk about Cranes Corner.

Mr. Sobolik: I will talk about it later.

Mr. Apicella: Thank you.

Mr. Sobolik: Thank you, sir.

Mr. Liebenstein: Hi, I'm Todd Liebenstein. I'm from the George Washington District. And I've heard other people say they have nothing against data centers. I myself don't really have anything against data centers, as long as they're not in my backyard, okay, or any residence in Stafford County. My wife and I just returned from a trip to Northern Virginia. We had to go to a funeral in Ashburn, Virginia. And we were driving through Loudoun County, which is ground zero for these data centers. This is where they were first begun. This is where they multiplied to huge numbers. The main difference we noticed, my wife and I, as we drove through this concrete jungle of data centers was that they are still loud, ugly, distractful buildings, but at least in Loudoun County, and this is something we didn't realize before, they were all in one large industrial center complex. There were no residents next door, there were no other... there were busy roads passing along one side, but all the data centers were grouped together, which made so much sense. It's still not pretty to look at, but at least it's contained where it's not affecting other people. I just want you guys to rethink rezoning next to residential neighborhoods. Thank you.

Mr. Apicella: Thank you, sir.

Mr. Jones: My name is Jeffrey Jones. I'm in the George Washington District. Apologize for my attire; I just came from cardio rehab, so I'm not quite dressed... inaudible.

Mr. Apicella: I like your shirt.

Mr. Jones: Oh.

Mr. Apicella: I can't see what's on the bottom of it, though. Oh, there you go. Thanks.

Mr. Jones: So, so I am going to ask questions I don't expect anybody to answer, but I just want to get this out. How many of you have ever worked in a data center? How many of you have ever worked setting one up? How many of you have ever seen what they put in the water to help cool, keep the water from corroding their systems and their pipes? You see, I've been through a lot of this. I've worked in data centers for almost 30 years; small, large, some of them the size of city blocks. So the largest one ever worked on was AT&T Mobile, or wireless, in Bothell, Washington. That thing was three stories high, three or four football fields in length, and a couple football fields in width. But it was in a business park, not next to a neighborhood, not next to a river. I would encourage all of you to not believe me and Google data centers, water, and chemicals, and see what they put in their chem... put in that water. They're going to tell you they're bringing in potable water or recycled, whatever. That's fine. That's probably the truth – when they bring it into the building it is that. What they do to it when it gets in there to protect their systems is different. And that's the sort of thing none of you, or none of my neighbors who are on well water, want to see get into our water system, or the Rappahannock River, which you're, which one of these is being proposed to be right next to it. Which is, I just can't believe that's even being thought of. Also, for any of you that have ever been, I'm sure that the developer has probably provided you places to go check out their data centers. By all means, go to a county that's already got these set up. Ask them to take you for a tour. Walk up to the side of the building. Before your hand touches the

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side, you're going to feel vibrations, because that's what they, because it's, it's hundreds of 1000s of computers. Imagine the computer at your desk that you have here or at home, and imagine, because you can hear that thing when it winds up. Now, imagine powerful servers, hundreds of 1000s of them. It takes, it takes a lot of power and water. I'm not against data centers. I've been working in them, that how I make my living. But I am very concerned on where we want to place these. I would encourage you to not rezone, to allow these into areas they should not be. None of them should be near a housing area, especially housing areas on wells. I would also encourage you to be in the back of the, back of one of these data centers when the generators fire up. I have been, numerous times. It hurts because it's loud. And half the time, even wearing ear protection, it hurts. I would suggest that you please take a deep dive on this. Don't just listen to the developer. Look it, look it up for yourself.

Mr. Apicella: I'm sorry, sir, your time's up. I appreciate it.

Mr. Jones: I appreciate it. Thank you, sir. Thank you everybody.

Mr. Apicella: Anyone else? General comments.

Mr. Fenton: Hi, George Fenton, George Washington District. Just want to ask you all to think about one question, just one for me tonight. What's our saturation point on new growth, infrastructure, schools, things of that? Stafford County is a fixed amount of acreage. From what I've read, and I, and I don't know your job, and I don't know necessarily all the facts, but I understand we got about 25% development worth of space in the county to grow. What are we asking ourselves? And I mean, we on your side of table, our side of the table. On what is the plan to retain, to retain what we have from our legacy past, the pastoral aspects, the countryside, things of that ilk. So as you take a look at what's available in these sites of M-2 and what we can rezone and whatnot, and what can we put where, what are we doing, if you, in your fullness to satisfy our needs, what are we doing to ensure that the integrity and what we have and what your mother and fathers have provided us, and you want to give to your kids and grandkids, what are we passing on as part of your legacy as you make your decisions today? Thank you.

Mr. Apicella: Thank you, sir.

Mr. David: Good evening. My name is Eric David. I live in the George Washington District in the Riverbend neighborhood. And the subject, of course, is data centers. I want to echo what most of my fellow residents have said. That entire area along the Rappahannock River from basically the Ferry Farm area down to the King George line, that is a unique ecosystem in the county. And we met with the developers, and they promised us, of course, that the 100 or 200-foot area next to the riverbank itself would be respected. But that entire area from the river all the way to Route 3 is its own contiguous zone of area where there's plenty of wildlife. You know, we see eagles, raptors, waterfowl, migratory birds, foxes, coyotes are out there, probably bears out there as well. If you start fencing off 200-acre blocks of land for these data centers and then putting in lights and sound all over the place, I mean, that's going to completely destroy that area. And I would urge you to consider that strongly in mapping out the future of the county. Because once that's gone, I mean, that's complete, that is, it's irrevocable. And the previous gentleman said, I have some questions you don't need to answer. I have one question also, and that is, have you been down to that corner of the county down there in the Sealston area? If you have not, and if you have, we're having a cookout down there on June 28, Saturday, all of you all are invited, and all the Board of Supervisors members are going to be invited as well. We want you to come see that area for yourself. Lay eyes on it. That's part of your due diligence, please. So you're going to be invited. I have flyers here. Thank you so much for your time.

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Mr. Apicella: Thank you, sir.

Ms. Zaluski: Hello. I'm Maria Zaluski, and I live in the George Washington District. Tonight's rezoning applications may not affect my property directly, but I'm here because this issue affects all of us in Stafford County. And what happens here and the standards that you set will determine how these projects unfold across our county for years to come. I want to first acknowledge that I appreciate the role this Planning Commission plays. You are here to represent the long term interests of Stafford County and its residents. That's why so many of us are asking you to take the strongest possible position in protecting our community. Like many of my neighbors, my husband and I chose to build our home here, our forever home, with knowledge of the surrounding zoning and the promise that we thought it held for the future. We believe that the zoning framework existed for a reason, and we planned our lives around that promise. Unfortunately, we are now seeing speculative land grabs and rezoning attempts that are poised to permanently change the landscape of our county. What concerns me the most is the speed and opacity of this process. Too often, by the time the public becomes fully aware, the deals are already done and the damage cannot be walked back. If Stafford is going to allow any data centers, we should proceed with the utmost caution. Site them accordingly on land that is zoned to support heavy industrial buildings. Let Stafford be the best case scenario, not a cautionary tale. Let us set the standard by imposing the most stringent protections. Let us be overly cautious, because it is far better to err on the side of protecting our community than risk the irreversible impacts from an industry whose long term effects we don't even understand yet. To that end, I would ask the Planning Commission to adopt the strongest possible standards. I would ask that you institute a thousand foot setback between any part of a data center campus, including infrastructure, generators and equipment, and any residential property... property line. Setback requirements should apply to the entire campus, not just the building itself. Secondly, I would suggest that there would be a 95% opaque evergreen buffer. To achieve true visual and noise protection, you need a minimum of two rows, ideally three. The developers can afford this; Stafford residents cannot. And third, I would urge that you ensure that no current applications are grandfathered in under weaker standards. We're making it clear that we demand stronger protections, and this Commission is still studying what protection should be. It's inappropriate to approve rezoning now. While the Board of Supervisors may be subject to political pressures, luckily, the Commission has an opportunity to act in the long term best interests of the county and its citizens, and we're counting on you to do so.

Mr. Apicella: Thank you, ma'am.

Mr. Squires: Good evening. I've got handouts for you guys afterwards. My name is Donald Squires. I live in Hartwood District. I live on Kelsey Road, ground zero for what's going on right now. I've worked in IT since 1972. I spent 53 years in this industry, just retired in April; 37 in private industry and the last 16 with the DOD. I am not against data centers. I am against hulking monstrosities of any kind being built in a rural, thickly wooded residential neighborhood or next to schools or environmentally sensitive areas like where this data center is proposed. Okay, they're asking and talking about noise. Nearly all data centers emit low frequency vibrating noise. The rooftop cooling equipment can emit enough noise to negatively impact residents in their homes and the health of adults, seniors, and children living near these facilities. We have all of those people living near this facility. This is a serious matter of public health. Many data centers generate 65 to 75 decibels of sound, which is roughly the same as a major highway. But more than decibel levels, the frequency scales, including the noise, can be health damaging. There are residential communities in Northern Virginia where parents need to place their children in basement level rooms to escape persistent data center noise so the kids can sleep. So part of the pack I'm going to give you includes this diagram. This is what it looks like to have a data center, the big red block...

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Mr. Apicella: Sir, can you address the commission?

Mr. Squires: Okay. This is what it looks like to have a giant data center right next to a home 100 feet away. The picture speaks for itself. Data centers are cooled by rooftop fans and air chillers. For air-cooled data centers, noise levels are a major consideration for adjacent property owners. They can be heard from extensive distances, even inside homes and schools. Nearly every data center emits low frequency vibrating noise. The rooftop equipment can emit enough noise to negatively impact residents in their homes. Okay. The best solution for managing noise levels for these facilities is to be located far from residences, schools, parks, and community facilities. Local officials should be willing to require data center developers seeking zoning approvals to develop sound emission models and estimate their noise emissions. The information should not be cloaked behind non-disclosure agreements, which I'm sure are coming. It is important to know if the local government approving data centers has a noise level ordinance in place that sets standards for continuous compared to episodic noise. Most local noise ordinances are designed to handle such noises as loud parties, barking dogs, rather than loud continuous noise generated by data centers. It's also important to note that local government has sophisticated noise monitoring equipment capable of measuring data center compliance regarding both noise energy and frequency. Technical training will be required for law enforcement officials unless the jurisdiction has a separate noise compliance unit. From legal perspective, it is important that local government... *inaudible...*

Mr. Apicella: Sir, I'm sorry, your time's up. Thank you very much.

Mr. Squires: ... expertise. And I have a copy of that and more for each one of you. Thank you for the time.

Ms. Callander: Can you hear me okay? I'm Alana Callander of Falmouth District. I first started paying attention to development issues back in the late 1980s when I was appointed by Supervisor Becky Reed to the newly formed Stafford Beautification Committee. Becky told me the committee would just be doing county clean-up days, nothing much else. But she didn't know that the committee would end up being made up of some very bright people who had bigger ideas about what beautification meant. One of those individuals was Elaine Miller of Widewater. She introduced me to the forested Widewater peninsula that bordered the beautiful Potomac River and Aquia Creek. Due to the endeavors of citizens and community leaders who valued nature, Widewater State Park resulted. Now I hear even the Widewater District is sought out as a location for a data center complex in the area of Telegraph Road. The developer is even interested in buying up the property where a school is situated to enlarge the data center grounds. Well I say under no circumstances should we allow our beautiful historic county to become a sea of unsightly data centers. It's one thing if they're tucked, tucked away behind a wide buffer forest where passersby will have no idea they exist, and hopefully the neighbors will not be impacted by the viewshed or the noise level. I've said for years that a beautiful county will be attractive for tourism and for companies that may want to set up shop here. I think of that every time I pass through the Falmouth intersection at Route 1 and Route 17, and I see the shrubbery and flowers there. That's the type of thing that the Stafford Beautification Committee, which no longer exists, by the way, advocated for. I also feel a sense of pride when seeing the historic markers and signs identifying Stafford's historic sites and parks. As planners, you need to consider Stafford as a whole as you make your decisions and the impression it makes on visitors coming through. Thank you.

Mr. Apicella: Thank you, Ms. Callander.

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Mr. French: Good evening. My name is Kevin French. I'm in the George Washington District. I'd really like to limit my comments and to the, to the data center standards review that this body and sub-body have taken up. I applaud that effort. I think it is absolutely critical that, that we have modern, understandable, and enforceable standards for the rational development of data centers actually in their, in the way that, in the way that they are built. I also would ask that, that this group and the subcommittee strongly consider that we ensure that we have the ability to monitor and enforce any of the standards that we have. With the massive growth of nearly close to 30 million square feet of data centers that, if approved, would require oversight management and with the ability to have meaningful enforcement, not nuisance fines, but meaningful enforcement that companies with revenues of \$500 billion a year would take seriously and not just consider nuisance fees. I think that's absolutely critical. With that regard, important work is going on in the development of these standards, I think it is prudent to pause any, any precipitous action of approving pending data centers to avoid conflicts later, to in, to ensure a fair playing field for developers who come down the pike later on, and I think it would be inadvisable to continue to approve conditional use and builds when we're in the middle of potentially changing standards in an ideally meaningful and a significant way. Thank you.

Mr. Apicella: Thank you, sir.

Ms. Prokos: Hello. My name is Elena Prokos, Rock Hill District. At past meetings, I have emphasized the effects of data centers on our precious remaining land in Stafford County. The footprints from data centers is gigantic. Tonight I ask for more specifics and tighter language as you make your decisions on performance standards. The regulations need to be reflective of our goals to protect Stafford County. Exact parameters need to be formulated. Natural forest boundaries around the data centers must be specific. As they have found on Kelsey Road, forestation must not be an afterthought. Limit the destruction to mature trees and buffers. Berms and replanting torn down trees must not be allowed. Wording of distance from sensitive wild areas, wildlife areas, especially our waterways, needs to be very carefully considered. Just one example. Take Crow's Nest as, as an example. The creek around Crow's Nest is five miles long, Accokeek Creek, and the wetlands are 60% of those in the county, or approximately 956 acres of title wetlands, according to the DCR Department of Conservation. I kayak that creek. The thought of data centers' effect on that pristine area is heartbreaking. If one mile from any creek is the stipulation or the regulation of a wetland area, then that is not enough. And then I've been hearing 1000 feet from residences? That is 1/5 of a mile. And is that structure from... is that from the structure or from the boundary to boundary? That number needs to be increased vastly to ensure the quality of life for residences. I'm always hearing about tax revenue. I'd like to have special consideration being given to tax breaks compared to other local businesses. I would like to know how these breaks lose revenue for the county. And what about property values? If they go down, so will the real estate tax revenue. But the most important thing to me is oversight. Where will the oversight be? We've had personal experiences with a corporate that they don't do what they say they're going to do. Who's going to make sure they do? Thank you so much. I know there's no easy answers to this issue of the explosion of data centers in counties across the state. I just ask that very serious consideration be given to both the residents in Stafford and our precious wildlife. Thank you.

Mr. Apicella: Thank you, ma'am.

Ms. Carter: Good evening. Abby Carter, Falmouth District. I would like to speak about data centers tonight, including Cranes Corner. I and several other people in the room have been doing a great deal of research into the issues relating to data center development, and have found they are being shown to have more detrimental effects on areas surrounding them than could have first been projected three years ago when the first data centers were approved in Stafford County. And the industry was new. They

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require huge amounts of limited resources; water, electricity, and land. They pollute the communities where they are located, air, water and noise, including very harmful low frequency noise. What I haven't yet seen in studies are topographical changes and the use of fill dirt and removal of soil to level the acreages needed to build such large facilities, and how it impacts waterways and water supplies and the detrimental effects on the surrounding land. If you drive along Eskimo Hill where they have cleared for AWS, you can see the huge elevation changes that will require filling and leveling. How can this possibly be done without harm to the character of the neighboring properties, Stafford County, and the waterways and watershed as a whole? When you look at Cranes Corner site, it too has large...

Mr. Apicella: Ma'am, you can't, you can't be specific about Cranes Corner at this point.

Ms. Carter: Oh, sorry.

Mr. Apicella: If you want to talk about Cranes Corner, then you can talk about it during the public hearing, but you can provide general comments about data centers if you'd like.

Ms. Carter: All right. My concern is that there are other projects that have the same issues of elevation. These proposals will have negative impacts on creeks and any water downstream, including my well – as I live in the Falmouth District, and there's a project slated to be discussed in that district. Who, who is going to help residents if their water is contaminated? Who's going to help collect... connect us to local water? Do we have to pay that? Will the county pay that? Will the data centers be responsible for that? Okay, I can't say that. I can't say that either.

Mr. Apicella: You can later.

Ms. Carter: The world... this I can say. As the World Economic Forum wrote in a report last year, less than 30% of all data centers in the world track their water usage. When no one knows how much water they use...

Mr. Apicella: I'm sorry, ma'am, you're time's up, but you'll have another opportunity.

Ms. Carter: Thanks.

Mr. Hall: I'm Don Hall. George Washington District. My grandfather bought our farm in 1949 so I'm a lifetime resident of Stafford County. And I'm kind of always been proud of Stafford County as protecting the rural areas over all these years. And I've been on two committees to help write the Comprehensive Plan. And it was always impressed on us to keep the rural area there A-1. It was real important to keep that. And now you're talking about changing, rezoning, A-1 for data centers, which and they all along the Rappahannock River. And I just don't understand. To me, common sense tells you that's an easy out for you, just don't rezone that land. I mean, change the regulations to stop something, or you're not really stopping it. You're trying to change regulations to approve it. And it needs to be stopped, not change the regulations. The regulations should be for where they belong in the proper zoning, the industrial zoning, or M-2, whatever you want to call it. But it's obvious everybody here is against this rezoning A-1. I haven't heard anybody here for it. So I just think you should listen to the people and see if you can come up with not rezoning any A-1. And another point, everybody else has made good points. But the electric for these data centers, Dominion Power doesn't have enough electric. So I've been reading they're going to open up some old coal mine, coal fired substations and, and come up with some new gas ones. And so you're talking about more pollution to make the electric to provide all of this for these data centers. So it's not only the data centers producing environmental impact, it's also the

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electric that they're going to need to make for them. So it's a lot of things to consider. And I was real impressed with the subcommittee. They listened to us and they, I could tell they was really serious about it. And the only thing I'm worried about, I've been to five meetings, I think at least, and I know it's going to be 15 or 20 meetings before this thing's over. And I know how the county works. They wear us down, and then nobody shows up when it comes down to the vote. We won't have nobody here to fight for us, so it's up to y'all to kind of get the board some good rules and regulations to not let this happen. Thank you.

Mr. Apicella: Thank you, sir.

Ms. Rueter: Nancy Rueter, Garrisonville District. Thank you for taking on what the Board of Supervisors requested of you to look at data centers and the concerns that were raised by citizens. As you consider those recommendations, especially those of the subcommittee, reflect on what the residents and the stakeholders of Stafford value – quality of life, comfort, safety, and value of property. The Comprehensive Plan gives direction; please follow it and recognize the zoning that they did in there for a purpose. We have the benefit of hindsight from others. Prince William Loudon, Culpeper, and Fauquier counties all have various responses to restrict and more tightly regulate data centers. We can learn from them. Take control. Limit the number of data centers in Stafford. Be strategic. Where they're allowed to be placed, make it a place for data centers, not in neighborhood residence. Protect the residents and their property, their health and well being, by restricting development within 1,000 feet of any property or home. Set a noise level for the audible and the low frequency noise based on how they affect sleep, health, mental health, and the nervous system. Have in writing what the end use of the property will be if you consider rezoning. Changing zoning mean, means you lose control. Please don't grandfather in some of these data centers that have started before this process. Finish the process and then be realistic. I just ask you to protect us. Thank you.

Mr. Apicella: Thank you, ma'am.

Ms. Barrow: Hello. Connie Peebles Barrow, Rock Hill District. I want to thank the Commission for the time for us to give input and our thoughts as far as current issues going on. I never have poured over wired or digital technology sources like I have the last few weeks. I'm a former US Government Accountability Office Senior Policy Analyst in healthcare. So I'm getting up to speed. It looks like even the people who are experts in this field, one called Digeconomist in Wired, was just mentioned in a May 22nd article. The article is called AI is Eating Data Center Power Demand, and it's Only Getting Worse. The main piece here is that the people that are experts don't know, and the people that do know aren't telling. The people who do know who aren't telling are the ones making money. The ones that don't know are the ones that have the land, and are the residents of the place where the land is located. And also the residents who will be paying for the extra electricity use and dealing with what happens in terms of water, terms of noise, and terms of land values, property values, and quality of life and health issues, which we really haven't even dealt with in terms of some of the subject matter. This is a subject right now that has come up multiple times in what I've been reading. The issue is in terms of the energy backup systems that are required because the current energy systems that are being, where data centers are being built are not going to be at the capacity needed typically. So they have to bring in backup systems. The one right now for the XAI in Memphis – I don't know if you've been watching that – that is currently they brought in 30 backup system turbines that are methane powered gas turbines. And those are actually because they're temporary, they're allowed to be put in there for federal permit for pollution control was not required. So we need to be really careful, not only what we're bringing in and allowing, but knowing what could happen as a result of what you approve that you don't even know you're getting into. I appreciate the time. I am highly concerned. Thank you.

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Mr. Apicella: Thank you, ma'am. Is there anyone else who would like to provide general comments, not specific to the public hearing items tonight?

Mr. Kerr: Good evening. My name is Mike Kerr. I live in the Hartwood District. And if anybody knows me, I can't resist open mic. I've been listening to a lot about the data centers. I'm really not very well versed on them, but what I am well versed on is the infrastructure within this sleepy county that has suddenly been awakened by giants. We heard from a generational farm owner, landowner, and there's not many of them left. When I came to Hartwood, Hartwood Road was full of farms. Now it's full of subdivisions. What would normally take five seconds to pull out of my driveway on a very dangerous curve, maybe see 20 cars in the day, now there's 20 cars in five minutes. I would urge the Planning Commission to look at the infrastructure, the problems involved, the lack of infrastructure in these rural areas when they give consideration for any kind of a zoning change. I would ask, however, has there any, been any zoning changes requested to build a residential home in an industrial site? Thank you.

Mr. Apicella: Thank you, sir.

Ms. Farley: Good evening. My name is Heidi Farley. I am in the Hartwood District. Excuse me, but I find it little nervous, nerve wracking, to speak in public. I would like to bring to your attention, I'm sure you all are aware of some of you, some of you, maybe not. Our neighborhood is already experiencing the destruction of data centers. We have had non-stop logging, clear cut timbering at the end of our street, Kelsey Road. It is a cul-de-sac. I find it quite disturbing that out of the 1,047 acres at the end of my road, the narrow peninsula that would have provided us a buffer, is currently being destroyed. These trees are gone. They're destroying the habitat. You have to come see it. I can only describe it as pure retaliation against us speaking out. I ask that you drive up to Manassas, take a tour of Hornbaker Road. Used to be small houses, probably parent houses that our grandparents lived in. Take a drive down Wellington Road. Look at the data centers. Any available corner, they're there. Iron Mountain, AWS, they're all there. You have the power to leave a legacy for the future residents of Stafford County. Please have a conscience. Do not allow Stafford County to be destroyed with data centers next to houses that are in excess of 105 feet tall. That is not two or three stories; 105 feet. Thank you for your time.

Mr. Apicella: Thank you, ma'am. Anyone else? All right, seeing no one else, I'm going to close the public presentation portion of the meeting and move on to the first agenda item, which is a Reclassification of Cranes Corner Data Center.

PUBLIC HEARINGS

1. RC24155726; Zoning Reclassification – Cranes Corner Data Center – A proposed zoning reclassification with proffers, from the A-1, Agricultural and M-1, Light Industrial Zoning Districts, to the M-2, Heavy Industrial Zoning District on Tax Map Parcel Nos. 46-10 and 46-8A, consisting of approximately 45.69 acres (Property), to allow for the development of data center buildings, and certain other uses allowed in the M-2, Heavy Industrial Zoning District. In general, the proposed proffers include, but are not limited to, proffers that would: require the Property to be developed in general conformance with the generalized development plan; prohibit specified uses; restrict the number of access points; limit maximum vehicle trip generation on the Property, based on all combined uses; require specified pedestrian improvements; limit the amount of potable water to be used for data center cooling purposes; establish architectural design standards for data center buildings; limit data center building development to no more than 900,000 square feet; establish requirements for tree preservation, landscape buffers, and open space; require the establishment of a construction mitigation plan

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and emergency action plan; establish requirements for sound mitigation and monitoring; restrict the time of day for the testing of data center generators; and establish requirements for the provision of water and sewer facilities to adjacent properties in certain situations. The Property is located on the east side of Richmond Highway, approximately 1,400 feet north of the intersection with Centreport Parkway, within the Falmouth Election District. **(Time Limit: September 19, 2025)**

2. COM24155728; Comprehensive Plan Compliance Review – Cranes Corner Electric Substation – A request to review compliance with the Comprehensive Plan, in accordance with Virginia Code Sec. 15.2-2232, of a proposed public utility, specifically an electric substation, on Tax Map Parcel Nos. 46-10 and 46-8A, consisting of approximately 45.69 acres (Property). The Property is located on the east side of Richmond Highway, approximately 1,400 feet north of the intersection with Centreport Parkway, within the Falmouth Election District. **(Time Limit: August 10, 2025)**

Mr. Zuraf: Mr. Chairman, please recognize Brian Geouge for the presentation for items 1 and 2.

Mr. Apicella: Thank you, Mr. Zuraf. Hi Mr. Geouge.

Mr. Geouge: Good evening, Mr. Chairman, members of the Commission. Brian Geouge with the Planning and Zoning Department. Mike, Stacie, how do I get this to turn on? Oh. All right. I think that... I saw the light turn on, but not sure if that worked. Is there supposed to be a light on, Mike?

Mr. Zuraf: Yes.

Mr. Apicella: We know who the real experts are in the county.

Mr. Geouge: I'm going to go ahead and get started with the basics. Here we go. Thank you, sir. As Mike mentioned, I'm going to combine items 1 and 2 into a single presentation. Sorry. Okay, now we're set. The first item is a request for a rezoning from the A-1, Agricultural to the, and M-1, Light Industrial to the M-2, Heavy Industrial zoning district with proffers. Item number 2 is a Comp Plan Compliance Review for a proposed electric substation. This is in accordance with Code of Virginia Section 15.2-2232. This is all to permit data center development, and the project is referred to as Cranes Corner Data Center. Subject parcels are Tax Map Numbers 46-10 and 46-8A, consisting of roughly 45 acres in the Falmouth District. The applicant and owner is Gam 403 Mountain, LLC. The agent is Clark Leming with Leming and Healy. I'll start by just going over the basics of the site location and zoning. So it's outlined in red here and includes the hash symbol in the middle, but the site's located on the east side of Route 1, north side of Centreport Parkway. The site's zoned M-1 and A-1, as I mentioned before. The M-1 zoning applies to the larger parcel, as shown in light blue. The A-1 zoning applies to the central parcel, which is shown in light green. The M-1 portion is subject to proffers established in 1988. The property is also located within the HCOD, which is the purple line. The surrounding zoning districts include A-1 on all sides, and M-1, light blue again, to the west. This is the site of the Matan Crossroads industrial development that was recently constructed. That's a warehouse use. Surrounding uses also include a single-family detached residential to the south and otherwise to the east and north, those parcels are undeveloped. Here's an aerial showing existing conditions at the site. The A-1 portion in the middle does have an existing unoccupied single-family dwelling. Otherwise, the property is wooded and undeveloped. The forest covers primarily deciduous trees. The topography varies significantly on the site, with a elevation range of over 100 feet. A small portion of the property at the southwest corner is within Critical Resource Protection Area, and there are no other known environmental resources. And

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here's a Google Street View. This is on Route 1, generally facing northeast, just as you go past the Centreport overpass. And you can kind of see the elevation change here. The area on the left side of the screen is that parcel. Actually, I'll go back a slide. This parcel fronting Route 1 that's developed is an existing auto service use. So that's what you see on the left side of this photo. So I'm going to start by going over the details of the zoning reclassification. Starting with the generalized development plan, or GDP, shown here, this proposes three data center buildings with 264,000 square feet each, totaling 792,000 square feet. I will note that the proffers limit the development to 900,000 square feet. So that's going to allow for some flexibility in the final square footage of the development. These are proposed as 2-story buildings with a height not exceeding the district maximum of 65 feet. The buildings are oriented such that the generator yards, kind of shown in light yellow, are primarily facing west, with Building 2 generator yards facing south. There are two access points proposed on Route 1, which I will circle. The northern entrance is shown as full access, unrestricted. It's hard to see here, but the southern access is basically full access, except lefts out are prohibited, so there's a channelized left and southbound Route 1 into that entrance. The GDP also includes an area at the southern end of the property that's identified in the Comp Plan for the proposed alignment of Berea Parkway, extending eastward from Centreport Parkway as it passes over Route 1. The ordinance requires protection of planned right-of-way area, and also requires building setbacks to be based off that planned right-of-way. And that area, I'm just going to outline it here, this kind of triangular piece there at the bottom. The final location of that reservation area would be confirmed with a site plan application. The GDP also shows a proffered shared use path along the frontage on Route 1. That is a facility that's identified in our Bicycle and Pedestrian Facilities Plan. Water service is located along the property frontage on Route 1 already, I think it's on the other side of Route 1. But sewer service is not currently extended to the site, so to serve the site they're going to need to run a new sewer line up to Potomac Creek from here, and that's also depicted on the GDP. There's also an electric substation proposed towards the front of the property with the closest point being approximately 40 feet from the front property line and approximately 150 feet from the edge of the northbound Route 1 travel lanes. That substation is shown in gray here. Staff notes that a substation requires a conditional use permit, which has not yet been submitted. The GDP shows the proposed alignment of overhead power lines along the northern property line. And I'll emphasize proposed, and that's the red line here that I'm trying to trace. Dominion Energy is currently working towards obtaining a Certificate of Public Convenience and Necessity, or CPCN, for this transmission line. So the idea is that this transmission line is going to connect to the existing north/south lines to the east of here, and it's ultimately going to cross Route 1 and 95 to serve the developments along Centreport Parkway, which include two data center developments that have site plan approval. So in Dominion's planning, they, I believe they had four alignments, alternate alignments, and this one was their preferred alignment. But until they get that final order on the CPCN, they will not know for sure which alignment is going to be selected. And that's expected by the end of June, but there's no guarantee that's going to happen by then. All right. The next slide is an excerpt from the GDP, focusing on buffers. So, proposed buffers for this development are shown in green. Fifty-foot landscape buffers are depicted along the boundary lines abutting A-1 parcels to the north, east, and west. The GDP also depicts landscape buffers and street buffers along Route 1. You may notice that the widths are not the same here and here. So our ordinance requires that if you are abutting or across the street from a non-commercial or a non-industrial property, you have to have a 50-foot buffer. So abutting parcels here, pretty much stopping here, are industrial to the north, and then this one is, I believe, agricultural. So that's the reason for the 50-foot buffer here. And then across from the industrial project, the Matan Crossroads, it's just a normal 15-foot street buffer. The M-2 district requires a minimum...

Mr. Apicella: Mr. Geouge? Hold on.

Mr. Geouge: Yes, sir.

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Ms. Barnes: Maybe I missed it. What... so it goes from 50 feet and what's that little skeletal buffer there in the front? What's the width on that?

Mr. Geouge: That one...

Ms. Barnes: Twenty-five feet?

Mr. Geouge: That one is 15.

Ms. Barnes: Fifteen feet.

Mr. Geouge: Fifteen, yes.

Ms. Barnes: Thank you.

Mr. Geouge: The M-2 district requires a minimum of 25% open space, and the GDP indicates that 45% open space would be provided. That's factoring in the substation as well. A proposed proffer would require that a minimum of 40% open space be provided for the development. The proposed proffers include the requirement to submit a tree preservation plan for the buffer areas. But the proffers don't specifically prohibit clearing within those areas. Also included in the GDP are some viewsheds. This one shows the proposed data center buildings in relation to the closest existing residence to the south, which is 83 Kings Hill Road. The ordinance requires a minimum setback, building setback of 100 feet from the property lines. And the closest point depicted on the GDP is 110 feet from the property lines. Sheet 11 and 12, that's where this is coming from, again, shows that relation against the abutting residence. As shown here, the separation would be 306 feet from the residence to the actual data center building. And here's another viewshed analysis from Route 1. You can kind of get a better feel for the drastic change in elevation of the site from Route 1. So the trees shown in green here are actually located within the right-of-way, and the street buffer area that we just talked about on-site would be this. So getting into the analysis, starting with transportation, a TIA was not required with this application. Based on the GDP development, it would generate 594 vehicles per day. Based on the proffer limitation of 900,000, it would generate 675 vehicles per day. Because there are other uses allowed per the proffers... there are certain uses proffered out, but the proffers are, they still allow for potential other M-2 uses. Because of that, the applicant has proffered a limitation of 999 vehicles per day to keep it under that threshold for a Transportation Impact Analysis.

Mr. Apicella: Ms. Caudill?

Ms. Caudill: Quick question. When was that, the vehicle trips per day, when was that done? Like how long ago was those numbers?

Mr. Geouge: So these were provided at the time of the application when it came in. And they are provided off of an analysis, I believe Bowman did it back when Potomac Church Tech Center was coming through. One of the previous projects, they did actual counts at some existing data center developments to figure out what these uses actually generate. So that's the, they use that generation, trip generation number and applied it to the square footage to determine that.

Ms. Caudill: So the application that came in in 2020, so that's when this was done?

Mr. Geouge: So, this application came in..

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Ms. Caudill: Isn't that what the thing said?

Mr. Geouge: Last year.

Ms. Caudill: Last year.

Mr. Geouge: Yes.

Ms. Caudill: Okay. All right. Thank you.

Mr. Apicella: Go ahead, Ms. Sellers.

Ms. Sellers: So if we don't accept that proffer of limitation to 999 vehicles per day, does that mean they have to go do a TIA because of the other uses?

Mr. Geouge: It's possible, yes.

Ms. Sellers: Thank you.

Mr. Geouge: Okay. I'll also note on the transportation aspect that the proffers require development of a construction mitigation plan for traffic control and designation of a Public Liaison, and that would be reviewed by the ZA, or Zoning Administrator. For Economic Development, there is a fiscal impact estimate Attachment 8 provided with this. It shows an annual peak tax revenue of almost 17 million and that's at full buildout of the project; I anticipate it in 2029. For Fire and Rescue, this is within the first response areas, actually two stations, Number 2 and Number 1. The applicant has addressed all comments provided by Fire and Rescue during the application review. And I'll also note that proffers require development of an emergency action plan.

Mr. Apicella: Mr. Gouge, hold on.

Mr. Shelton: Did the applicant offer any voluntary proffer? You know, we're looking at one of the Sage Road having a potential site for a new fire station to protect the data centers in the area.

Mr. Geouge: Nothing specific as far as fire station sites. So we have the the emergency action plan development as one of them related to fire and rescue, but no specific site.

Mr. Shelton: We already have a site that's set forth at Sage Road. I was talking about a voluntary proffer to assist in the construction of that Sage Road station.

Mr. Geouge: Yep, no, sir, no, there is not.

Mr. Shelton: Thank you.

Mr. Geouge: Yep. All right, moving on to lighting analysis. The applicant has proffered that stand alone pole mounted lighting fixtures will be no more than 18 feet high. Just for perspective there, our ordinance maximum is 30 feet. For noise, the proffer... there's a proffer to limit the maximum decibel level of the facility at 55 dBA. And again, for perspective, current standards are 60 during the day adjacent to residential and 55 at night. The 55 dBA proffered, I'll note, is overall, not specific to a certain adjacent use. The proffers also include a reduction of 3 dBA for any prominent discrete tones as

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evaluated by an acoustic professional, and require annual sound testing for a period of five years following certificate of occupancy to ensure compliance. And again, that's submitted to the Zoning Administrator for review.

Mr. Apicella: Can you clarify that? So when it says five years, if they start construction and finish in 2007 and the build out is 2009, is that inclusive of the five years, or is it five years after the last building?

Mr. Geouge: I need to go back and... I might have to defer to the applicant on that. Or otherwise go back and read through the proffer again. I don't recall if it's, if it starts at the first occupancy or.

Mr. Apicella: Yeah, I don't think it, I don't think covers the last building.

Mr. Geouge: Right.

Mr. Apicella: I think it starts at the beginning, so.

Mr. Geouge: Okay.

Mr. Apicella: That's my read of it, but.

Mr. Geouge: All right. Proffers would also restrict time of day for generator testing to between 9 AM and 6 PM. Details regarding the generator enclosures and sound barriers have not been provided at this time. However, I'll note that our Code Section 28-39(q)(6) requires mechanical equipment, both ground and roof mounted, to be attenuated through sound mitigation measures, including sound muffling materials.

Mr. Shelton: Mr. Chair, I have a question.

Mr. Apicella: Please go ahead, Mr. Shelton.

Mr. Shelton: The type of generator that you're proposing, is it a tier two or a tier four? And again, that deals with the emissions from the generator itself. Do we have any idea?

Mr. Apicella: Mr. Geouge, do you know the answer to that question? No?

Mr. Geouge: No, I do not.

Mr. Shelton: Can we defer that to the applicant to answer that question?

Mr. Geouge: Yes. Okay, moving on to utilities, the applicant has indicated that the data center buildings are to be air cooled, but proffers allow for a connection to reuse lines, should it become available to the site. The proposed proffers include an allowance for up to 500,000 gallons per building per year of potable water usage for server cooling. So three buildings proposed, if they end up with three buildings, that would be one and a half million gallons per year. It's my understanding from communicating with the applicant that that water usage would be associated with humidification of the facilities that I don't know enough about it to explain it, but that's, that can be related to server cooling as well. So I'll let the applicant elaborate on that some. Utilities has requested more information on the peak daily rates and projected domestic rates in order to fully evaluate the impacts of the development. I think here that the concern isn't really the 500,000 or million and a half per year, as that's the way I understand it, quite a

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bit lower than what was anticipated for the site by-right with the current M-1 zoning. But I believe they're more so concerned about concentrating that demand into a short time period. All right, moving on to Comprehensive Plan analysis. The Future Land Use Plan identifies this property within the Central Stafford Targeted Development Area. The Targeted Development Areas are areas of the county where a significant amount of development or redevelopment is expected to occur. The more detailed land use concept plan, which is shown here, identifies the property for business and industry use. Data centers are identified as an appropriate use within this area. The Comprehensive Plan recommends a total of approximately 12 million square feet of commercial development within the Central Stafford TDA. This TDA is intended to serve in his employment center, where businesses and industrial uses are encouraged. And I'll note on here that we have Resource Protection identified on some of the area to the north, as well as to the west, along Route 1, and then the area in white is designated for Agricultural on the Comp Plan, and that's outside the Urban Services Area. So this is...

Mr. Apicella: Go ahead, Ms. Sellers.

Ms. Sellers: So this is not having to do with the Comprehensive Plan Review, per se, but there's a, there's some residences right here on the south end, southeastern part of the property that, did we see a viewshed for that? Or would we only see it from Route 1?

Mr. Geouge: So I'll go back to that real quick. This is what we have as far as the the viewshed from that closest property along Kings Hill Road.

Ms. Sellers: Okay.

Mr. Geouge: Yep.

Ms. Sellers: And then when you go back to the Comprehensive Plan Review, because they want to put the, they want to put the substation in that southern area, if I remember from their GDP.

Mr. Geouge: Yeah, the substation is generally here.

Ms. Sellers: And it looks to be as big as one of these buildings. So... what is the emissions from that? How is that going to affect... I don't even know what to ask for this, other than, like, there's something coming from this substation, and you know, what is it going to do to these five residents that are down here. If that makes sense.

Mr. Geouge: I'm not certain.

Ms. Sellers: You're not certain? Okay, because that's part of a Comprehensive Plan Review, I think, right?

Mr. Geouge: Okay, continuing on this slide, staff finds that the proposed use is generally consistent with the Comp Plan land use recommendations, as well as the recommendations for developments within TDAs. The proposal is consistent with the Comp Plan Objective 2.2 which recommends directing growth into the Urban Services Area. As noted, more information is needed to determine consistency with Objective 2.7, and that's the utilities comments I was making earlier. That objective relates to the appropriate phasing of necessary public infrastructure. As far as the airport compatibility, the Comp Plan recognizes land use compatibility in the operational areas of Stafford Regional Airport, and establishes zones to determine compatibility. The plan establishes an overlay, and that is shown here,

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and recommends what uses are compatible within certain zones. The site is within airport overlay, specifically Zone H-3 or the horizontal turning zone that's shown in yellow. The proposed data center use and most other uses permitted in the M-2 district are considered compatible within the H-3 zone. Vertical infrastructure, including electric transmission substations, is listed as requiring additional review to determine compatibility. The Airport Authority has been notified of this development and has not expressed any specific concerns. All right, moving on to building design. Renderings have been provided that represent the design techniques and material to be utilized for the data center buildings. The renderings, and one of them is shown here, depicts variation in architectural treatment, the use of subtle contrasting colors, projections along the façade, and the use of glass or faux windows. More specific proffers are proposed which require variations of materials, limitations on percentage of a single material, and building depth variation. These elements and proffers are consistent with the architectural guidelines of the Neighborhood Design Standards element of the Comp Plan. The architectural..

Mr. Apicella: Mr. Gouge, hold on, please.

Mr. Geouge: Sure.

Ms. Barnes: I may have cut y'all short. You may be answering this as we speak. This is just a representation. It looks like the main part of that building in the back looks like a giant concrete wall, and I don't see any fenestration in that at all. So I, I seem to remember that when we when, we made these guidelines that we specifically said we didn't want giant, plain concrete walls. We wanted variations. We wanted false window fronts, etc, etc, so it looked like a big office building. Now, I know this is just a representation, but you can see the main part of that building off to the right. That's just a giant concrete wall.

Mr. Geouge: Yeah. The way I'm interpreting the proffers is you could have maybe some larger areas like that, but they could consist of no more than 60% of the façade.

Ms. Barnes: Thank you.

Mr. Geouge: And there, there are other... let's see... yeah, there's other proffers that talk about breaking up the façade, you know, for visual variation, awnings, eaves, overhangs, windows. So I'll defer to the applicant to any more comments on that, but there do seem to be some guidelines in the proposed proffers that could allow us to require that sort of variation.

Mr. Apicella: Mr. Shelton?

Mr. Shelton: In the rendering, the transmission line, is that an existing transmission line, electric transmission, or is that a proposed from the substation?

Mr. Geouge: I'm actually not sure if this is sort of like a typical rendering, or if it's specific to this project. So again, I'll have to defer to the applicant on that and the placement of that transmission line. It could be that that's representative of the proposed Dominion line. I'm not sure.

Mr. Shelton: And I think you said that the max height on this was 65 feet. That, if that is a rendering, it appears to be a lot higher than 65 feet.

Mr. Geouge: Yep.

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Mr. Shelton: Thank you.

Mr. Geouge: All right. I will note that the architectural proffers and renderings are specific to a data center use. Should the property be developed otherwise as something other than a data center, we would still have the Neighborhood Design Standards Plan to fall back on, as that's, conformance with that is required if you're located within the HCOD. So the next couple slides will summarize the proposed proffers. Proposed proffers include general conformance with the GDP; allow for the development of a substation on the property – staff is not recommending acceptance of this proffer; prohibit specified M-2 uses; it restricts access points, as shown on the GDP; limits maximum trip generation to 999 VPD, as I mentioned; requires construction of the 10-foot shared use path along Route 1; limits potable water for data center cooling to 500,000 – again, you know, per building per year. Utilities is looking for some more specificity regarding this, as I mentioned earlier. Establishes architectural design standards for data center buildings; limits data center building development to no more than 900,000 square feet; requires an AED within each data center building; requires 8-foot security fencing for data center developments and prohibits chain link; requires all new large trees for buffers to be evergreen and a minimum of 12 feet tall. So in the event that for whatever reason, the trees within the buffer areas cannot be preserved, they would replant them with, uh, the trees at least would be exclusively evergreen and 12-foot tall at the time of planting. Our current standard is 6-foot tall. Require a minimum of 40-foot... 40-foot, 40% open space on the property; require a tree preservation plan to be submitted, as I mentioned; requires establishment of construction mitigation and emergency action plans. And been over these already, but you know, restricts the sound levels, as I mentioned before; requires the sound testing for five years; prohibits operational loading and unloading within 200 feet of a single-family residence; requires annual monetary contribution of up to 10,000 to cover expenses incurred by the county; and conducting annual sound monitoring for the project – staff is not recommending acceptance of this proffer, as we were informed that it would not be enforceable.

Mr. Apicella: Brian, have you thought or worked with counsel on a way that this proffer could be modified to make it more acceptable?

Mr. Geouge: Not at this time, Mr. Chairman.

Mr. Apicella: Okay.

Mr. Geouge: Proffers restrict time of day for data center generator testing to between 9 AM and 6 PM. And finally, establish requirements for the provision of water and sewer facilities to adjacent properties in certain situations.

Mr. Apicella: Mr. Shelton?

Mr. Shelton: The data center generator testing, 9 AM to 6 PM, is that a Monday through Friday? Or is that any day of the week? And what's the duration time on the generator testing?

Mr. Geouge: I believe it is weekday. Let me check.

Mr. Apicella: Yeah, I'm just going to piggyback off; I have a similar question on any limitations, how often and how long the test could be conducted... (*inaudible*).

Mr. Geouge: So...

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Mr. Apicella: I didn't see anything to that level of specificity.

Mr. Geouge: Yeah, it's just the 9 to 6. So otherwise, it's open.

Mr. Apicella: Okay.

Mr. Shelton: Thank you.

Mr. Geouge: Yep. All right, moving on to our evaluation of the reclassification. Here are the positives. The proposed industrial and data center land use is consistent with land use recommendations in the Comp Plan. The proffered shared use path along Route 1 will help address needs identified in the Bike Ped Plan. The proposed use is consistent with the commercial and industrial development pattern in the surrounding area along Route 1. The proposed architecture is consistent with the Comp Plan guidelines for data center development. The proffers ensure the development will be consistent with what is envisioned in this application. There's commitment to preserve the 40% open space, which is significantly higher than our 25% minimum for the district. Proposed proffers for sound mitigation and generator testing would help minimize impacts on adjacent properties. For the negatives, the impacts to potable water supply as proposed in the proffers is not consistent with Comp Plan recommendations, or at least, I should clarify the consistency cannot be confirmed at this time until we get more specificity regarding peak demand for water usage. The proposed proffers would allow for use that would require a CUP, which is a substation, which is not recommended as it does not allow the County to impose conditions to mitigate the impacts. Limited buffering from the southern property line may result in impacts to residential properties. And we're uncertain how low level noises may impact surrounding residential uses. So for our recommendation at this time, we note that there is several positive aspects to the proposal, and believe that the data center use is consistent with many of the recommendations of Comp Plan. However, there are some issues that we feel need to be addressed, primarily the concerns expressed by the Utilities Department, as well as the removal of the proffer that would, that would allow a CUP use, the substation; removal of the proffer for cash contribution for sound monitoring, as I noted; and also, we are recommending increased buffering along the southern property line as long... as well as a stronger commitment to preserve existing trees. So because of this, we are recommending deferral of the rezoning application until these issues are addressed. And I'm going to move straight into the Comp Plan Compliance...

Mr. Apicella: I'm going to ask you to hold off...

Mr. Geouge: Okay.

Mr. Apicella: ... because I have several questions. I hope my colleagues will indulge me since this is in the Falmouth District. Do we know why a CUP for the substation was not pursued by the applicant?

Mr. Geouge: I would like to defer to the applicant on that.

Mr. Apicella: Okay. I think you mentioned that the buildings would be primarily or exclusively air-cooled. From our data center research are air-cooled systems more likely to generate low frequency noise?

Mr. Geouge: I believe they are because of the number of, the mechanical equipment involved in the cooling.

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Mr. Apicella: Okay, I thought I saw something originally, maybe it's still there, about closed loop systems. Closed loop systems tend to be less noisy. Is that correct?

Mr. Geouge: I may need clarification from the applicant on that. I'm not sure if they intended closed loop to refer to air-cooled as one in the same so.

Mr. Apicella: Okay. But again, back from, to our research, I believe it indicated that closed systems tended to be less noisy compared to air-cooled systems.

Mr. Geouge: I will defer to your memory, Mr. Chairman.

Mr. Apicella: Okay. The applicant specifically mentions a 55 dBA cap. Will there be any limits on type C low frequency noise, and how will dBC noise be measured?

Mr. Geouge: Type C noises have not been evaluated with this application, so there's no specific parameters for that.

Mr. Apicella: Okay. Are the design standards as robust as the Potomac Church and Stafford Technology Tech Center projects?

Mr. Geouge: So I know at least for Potomac Church there, there were more details. I think it got more into the specific types of materials in addition to the architectural treatments, as I recall.

Mr. Apicella: I believe one of the, in both projects, it indicated that there'd be at least one primary and two secondary. I think in this case, they've only offered two.

Mr. Geouge: For the materials?

Mr. Apicella: Yes.

Mr. Geouge: Okay.

Mr. Apicella: Has the applicant proffered to repair road damage that they cause?

Mr. Geouge: We do not have a proffer for that currently.

Mr. Apicella: Okay. Did the proffer support... did the proffer provide support for third-party contractors?

Mr. Geouge: No, it does not.

Mr. Apicella: For other similar projects that have been reviewed and approved to the extent that they had similar impacts, has the applicant proffered similar measures to mitigate their impacts?

Mr. Geouge: Not sure that there's a perfect apples to apples here, but I could see potentially some other, you know, other projects offering greater proffers in certain respects at least. As you mentioned, the contributions for third-party would be one of them.

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Mr. Apicella: By comparison, the Potomac Church project is smaller, of course, the Tech Center is much larger, so this is somewhere in between.

Mr. Geouge: Mm-hmm.

Mr. Apicella: Okay, those are my questions for now. Ms. Sellers?

Ms. Sellers: So they're saying they're not going to use water for cooling, which leads me to energy. And we saw the line that they want to put in, or that Dominion's considering. But in the meantime, do we have any idea where they're going to get the energy from? And then the follow on question is, where are they going to put these diesel generators on the property, and how much fuel are they going to need to, to run those generators, in particularly while they're waiting for the power line to come to the property?

Mr. Geouge: So Commissioner Sellers, to clarify your first comment, they are proffering that they will use no more than 500,000 gallons of potable per building per year, specifically for server cooling. So they are using some water for server cooling, presumably. But with that such a low number, the applicant has, has reiterated that these will be air-cooled facilities.

Mr. Apicella: Ms. Evans?

Ms. Evans: I just wanted to ask if a water balance study has been completed.

Mr. Geouge: I'm sorry, could you repeat that?

Ms. Evans: If a water balance study been completed?

Mr. Geouge: A water balance study?

Ms. Evans: Mm-hmm.

Mr. Geouge: Not that I'm aware of. We do... I will note, lucky for me, we have experts from Utilities here to assist with utility specific questions. So depending on the question, I might have them step up, try to answer some of these.

Mr. Apicella: Ms. Evans, would you like them to answer that question?

Ms. Evans: Yes, I would.

Mr. Apicella: Could our reps from Utilities come forward please?

Mr. Edwards: Good afternoon. It's Chris Edwards, Chief Operating Officer. And could you elaborate on a water balance study? I've not heard that term before.

Ms. Evans: So, what I've read is that the water balance study basically consists of the water usage intensity, it consists of lost percentages, as well as efficiency metrics. So has one ever been completed?

Mr. Edwards: So I mean, really, the only thing that we have done, we looked at, we have our water sewer master plan. We looked at the amount of water that would be used for that land area, for industrial.

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It's usually... we looked at, it's about 35,000 gallons over the 60-acre site. The 1.5 million gallons, you divide that by 365, that is about five, you know, 5,000 gallons per day. So they are, you know, asking to use less than what we predicted that parcel to use. I think the question that Brian brought up is we just don't know if there's going to be a peak day that is more than that 35,000, that's what we wanted a little bit of clarification on.

Ms. Evans: Okay.

Mr. Edwards: Thank you.

Ms. Evans: Thank you.

Mr. Apicella: Chris, I'm sorry, I'm just gonna open the floor since we've got your expertise here to the rest of my colleagues, see if they have any questions. I believe Ms. Barnes does.

Ms. Barnes: So okay, maybe I'm just really confused. I got really mixed messages. They're, they're going to be using water cooling at first?

Mr. Edwards: No.

Ms. Barnes: Okay.

Mr. Edwards: It's my understanding... I mean, you know, they're only air cooling their site. The water that they're using, the 1.5 or the 500,000 per building, is for humidification of the building, and not necessarily cooling. So when you look at that, you know, that's the potable water that can be used on the site, is the 1.5 million gallons. When you divide that by 365, if it's even over the number of days, that's 5,000 gallons per day to get to 1.5 million gallons.

Ms. Barnes: So what do you mean by humidification? That's a whole new concept for me. I mean, we've done, you know, the the way that these operates is they either use lots of water as evaporative cooling or they use that closed loop air conditioning system.

Mr. Edwards: I will defer to the applicant a little bit more, but if I had to guess, it's just like a humidifier to maintain a, you know, percent humidity in the building.

Ms. Barnes: Is that typical for these? Because I've not heard that.

Mr. Edwards: And that's one thing I don't know. I would have to defer to the...

Ms. Barnes: Before you go, they are, what, where this is going is south, a little bit west of Stafford Technology Campus, which is basically just kind of up the road. And then above that, we've got the AWS one going, Potomac Church.

Mr. Edwards: Yeah, Potomac Church, yes ma'am.

Ms. Barnes: And they're building that purple pipe, that reuse system, which then, if I remember the proffers correctly, Stafford Technology Campus is going to then build and hook onto that. Maybe this is, once again, a question for the applicant, but why not, it's right there. Why not hook into that and use that like the other facilities have promised to do?

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Mr. Apicella: Can I add on to that? What's the distance between?

Mr. Edwards: I don't know. I mean, I think it is relatively close, like she said. Off the top my head, I don't know the distance. And I'll, you know...

Mr. Apicella: We're not talking miles, right?

Mr. Edwards: No. We're probably talking about less than a mile. But I'll defer to the applicant. I do know that, you know, different data center users have different, you know, different qualifications, or you know, requirements for their site, and that might be a, you know, a better applicant question.

Ms. Barnes: And they're never planning on using reuse, they're just, they're planning on using potable water in perpetuity.

Mr. Edwards: And I think, Brian, I mean, it requires... I mean they, you know, they are willing to connect if purple pipe is available, but they are not asking to use potable water for cooling.

Ms. Barnes: Okay, thank you.

Mr. Apicella: Mr. Shelton?

Mr. Shelton: Would you clarify the sewer aspect for me again, please? I think I'm a little vague on that, because if they're going to be consuming 5,000 gallons of water a day, it's got to be purified, it's got to be put into a sewer. And I think Brian mentioned you've got, as far as the Urban Services Area, you've got water distribution, but you have no sewer.

Mr. Edwards: Yeah, but, I mean, it's my understanding, especially there is the commercial building adjacent, you know, right across Route 1. So it was my understanding that they are going to extend sewer to their site to serve the three buildings on their site.

Mr. Shelton: Okay. They, and that means that the applicant is going to pay for the construction to go across US 1?

Mr. Edwards: Yeah, and that's just a standard that is in our Chapter 25 which is our County Code. You know, anytime like an applicant needs sewer, it's not available to their site, they are responsible for extending water or sewer to their site.

Mr. Shelton: So from a hydraulic calculation standpoint, do you have adequate lines there to handle that 5,000 per day?

Mr. Edwards: Yeah, 5,000 gallons per day is a relatively low amount, so yeah, it should be... there should not be an issue accommodating that flow.

Mr. Shelton: Thank you.

Mr. Edwards: Thank you.

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Mr. Apicella: Chris, you may not be able to answer this question without a lot more information, but it's very hypothetical, and I really don't like asking hypotheticals, but I'm gonna ask it in this case. Since our preferred...

Mr. Edwards: Okay, well let me run away.

Mr. Apicella: Since our preferred approach, at least in our Comp Plan, is to encourage the use of reuse water, based on what you know about the Potomac Church site and the Stafford Technology site, would you have the additional capacity – again, this is probably a lot more information that you need about this facility – but do you think you might have the capacity to serve them with reuse water if they hooked up to the purple pipe system?

Mr. Edwards: Yeah, that's... let me answer with maybe. You know, especially the Stafford Technology Campus, it is a larger campus; they will be using a large portion of the water coming from the reuse facility. So in the short term, that, you know, it's, it would be close, but that water may or may not be available. Sorry to leave with a wishy-washy answer.

Mr. Apicella: No, that's okay. I understand completely. It is an answer, right. Anyone else have any questions? Thank you, sir.

Mr. Edwards: All right, thank you.

Mr. Geouge: Thank you, Chris. All right, and I believe Commissioner Sellers also had a question about generator. Is that correct?

Ms. Sellers: Yes, because they're not using water, they're using power. So how are we powering this massive facility?

Mr. Geouge: Okay, if I could get the screen back, I've got the GDP showed up, showed here. The generator yards, which would serve as backup power for the facilities are shown in yellow. So that's here. As far as a primary power source, again, it's dependent on this Dominion project running through this particular area.

Ms. Sellers: So when will we know about this Dominion project? What does that process look like? Its it like a VDOT process which could take 10 years?

Mr. Geouge: I don't think it's supposed to take 10 years, but as I mentioned before, there's a Certificate of Appropriateness that Dominion has to get. So they're working on that now. I was told that it's expected by the end of the month, but they also said there's no guarantee that it's gonna, they're gonna get it by then. So, and that's really the first step determining the alignment before they can really start construction on anything.

Ms. Sellers: So then these could very well be... how do we, how do we make it to where diesel generators are backup power and not oh, we couldn't get on to Dominions power lines, so they're now the full time?

Mr. Geouge: Yeah, I mean, I suppose that could be proffered potentially, but I'll also defer the applicant as I don't really know if that's a practical way of running these facilities full time.

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Ms. Sellers: Okay.

Mr. Apicella: Can I ask a similar question? Do we know if the applicant got a load letter from Dominion?

Mr. Geouge: I'm not certain.

Mr. Apicella: Okay. If they did, it would be helpful to get a copy of it.

Mr. Geouge: Okay. All right, any other questions on the rezoning at this time? All right, I'm gonna move on to...

Mr. Apicella: I'm sorry, Ms. Barnes has a question.

Ms. Barnes: Yeah, I have a quick question. There's one residential dwelling looks like it's smack dab in the middle.

Mr. Geouge: Yes.

Ms. Barnes: It is abandoned.

Mr. Geouge: That's my understanding, yes.

Ms. Barnes: Okay. I did look into that a little bit last night. Otherwise, I would have brought this up to you guys a little sooner. But it looks like that house was built in 1930 and there is historic, there is a paper that was out in 2004 prepared by an architectural historian that puts that house on a list, along with a lot of other houses, for – what's the term I'm looking for – historical... they're, they're on the list available or eligible to be listed on a historical, some kind historical list.

Mr. Shelton: Register.

Mr. Geouge: National Register.

Ms. Barnes: Historical Register. Thank you. Thank you, Billy. Has anybody looked into that? And it's a 1930s house. It looks like a pretty historically significant house, but I don't know if the Historical Commission has looked at it or has even had a chance to even go through it. I remember when we did the reclassification down on Centreport, when we did the Oakenwold, we stopped that hearing smack dab in the middle of that, and I think it was with you we put in a proffer that the Historic Commission could, could have a week or so to go in there and look at it if they, if they desired it; they might not desired it. But my question is, is have we reached out to them? And if not, can we reach out to them?

Mr. Geouge: Yes. So we do have a Historical Resource Specialist on staff, so I'll certainly be checking with her on that and see if we have any documentation on that property.

Ms. Barnes: And I can send that paper on to everybody, if poss... if necessary. And on page 51 of that, that entire report at the top of that list, David Beyler House, dater of construction 1930, DHR number 089-0333, eligible for Virginia Landmark Register, National Register of Historic Places.

Mr. Geouge: We'll look into that some more.

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Ms. Barnes: Okay. Thank you. I appreciate that.

Mr. Apicella: I want to clarify. I may have misspoke when I said closed loop and air cooled are different systems. So I guess what I really mean are air cooled is not the same as a liquid cooled system. There's different ways of doing liquid; there's water and there's glycol basically. I thought the glycol just kind of run on a continuous cycle, like antifreeze does in your car. So, again, from what I understand, those liquid cooled systems generate less noise than an air cooled system, which has basically chillers on the top running pretty frequently, especially during the hot summer months. Does that sound about right?

Mr. Geouge: It sounds about right, yes, Mr. Chairman.

Mr. Apicella: Okay. I'm sorry, Ms. Barnes has another question.

Ms. Barnes: Those transmission lines, those are, those are going somewhere; you said there was like four options, or something like that. Those are going across there regardless, because those two over there at Centreport Parkway that are by-right, those are going in and they're going to get that line, aren't they?

Mr. Geouge: They are, but there's three other alternates beyond this one... beyond this particular alignment.

Ms. Barnes: Okay.

Mr. Geouge: And I believe the applicant has, actually has some slides on that that may be shared later. So, yeah, there's, there are some other options with that project.

Ms. Barnes: When they talk about putting in 12-foot trees, I understand that putting in 12-foot trees is a little harder to maintain and get to take than smaller trees are. What happens if those 12-foot trees die? Do they... I mean, because there's a, they have to put them in but it doesn't say anything about they have to be maintained and they have to be there. If they die out, like those leland cypresses, those things die all the time.

Mr. Geouge: That's an excellent zoning enforcement question.

Ms. Barnes: It's always with the trees with me, that's true. Yeah, that's another question I have. And as far as the quote/unquote tree preservation area, which is, you know, a term that I love, but there's no require to actually preserve the trees in the tree preservation area.

Mr. Geouge: No specific strict proffer to preserve certain areas. It's... the proffers essentially encourage it and require the establishment of the tree protection plan, but it does state, if required by the development for engineering purposes or some similar language, that those may be removed and replanted in those areas with the evergreens that you mentioned.

Ms. Barnes: Okay. That would be great if that could be, if someone on, I don't know on whose end, could beef that up, because one of the things that I remember about another project is they had a proffer that they had to put these trees, and they would put them in, and then they would die, and within a couple of months, and then it was just, it was more expedient for them to just keep putting them in over and over and they just kept dying. So as far as the zoning enforcement is, I do love a tree, but I like them to be live and thick and tall so that it is an actual buffer. Just my, my requirement.

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Mr. Apicella: Mr. Shelton?

Mr. Shelton: One last question. That would, that property was part, if I'm correct, of the Seddon Family that was here in the 1700 and 1800s. Has that property been evaluated for a family cemetery?

Mr. Geouge: I'm not certain. I'd have to look into that. It's part of me looking into the the residence itself. So we'll, we'll look into that, see if we have any records on that. I will note that nothing was identified as far as a cemetery on the applicant's development plan. But they have, I believe they've done surveys, so they may have the answer to that already.

Mr. Apicella: Thanks for your patience, Mr. Geouge. Any questions still about the rezoning versus the Comp Plan Compliance Review, or can we let Mr. Geouge move on? Okay, go ahead.

Mr. Geouge: All right. Okay. Next up, item number 2, the Comp Plan Compliance Review. Just as a little recap here on the GDP, the area in gray is the substation which is the subject of this Comp Plan Compliance Review. The substation would connect to a proposed transmission line at the north end of the property. Those are both shown in red here. So there's few parts of the Comp Plan that deal with utility infrastructure. The first is Objective 5.5 which supports the expansion of electric and pipeline utilities in a manner that minimizes the exposure of county residents to potential pipeline ruptures and visual impacts of environmental hazards associated with electrical generation transmission and distribution facilities. The proposed substation is not located close to any dense residential areas. It generally abuts two major roadways, Richmond Highway and Centreport Parkway. The proposed proffers with a concurrent rezoning would encourage preservation of trees. No major visual impacts along Richmond Highway are anticipated due to the grade differential. However, it's possible that the facility would be visible both from Richmond Highway and the abutting properties to the south, as well as Centreport Parkway. Centreport Parkway generally kind of overlooks the site where it abuts, so there's a fair chance that that facility would be visible from there. Next is Policy 5.5.4, which is electric utility and telecom providers should design their systems to minimize electromagnetic field impacts. So the applicant does not specifically address electromagnetic fields, but the central location of the facility on the property should serve to minimize EMF impacts, as depicted on the GDP. The facility would be about 400 feet from the closest residence. Policy 5.5.5, this has to do with above ground transmission lines and substations, and encourages underground placement of those transmission lines. Above ground transmission lines of 150 kilovolts or more, and associated facilities such as substations and switching stations should provide adequate screening and buffering. So this substation is dependent on the future construction of overhead electric lines, which are depicted on the north side of the property, as I mentioned. The location of the substation could potentially change, depending on the ultimate alignment of those lines. Proposed proffers with a concurrent zoning reclassification would promote preservation of trees, as I mentioned. The tallest structures within the substation are anticipated to be around 80 feet tall. Substation visibility from Richmond Highway and Centreport Parkway is uncertain. We did not get any specific renderings relating to the substation with this application. However, as I mentioned, Centreport generally overlooks the property. Policy 5.5.6, this discourages future residential development from locating in the vicinity of existing and future transmission lines and associated substations. The property is primarily surrounded by vacant agricultural zoned land, as well as the roadways. There are some large lot single-family residences to the south. The Land Use Plan recommends Business and Industry to the north, west, and south, and Agricultural land use to the east. So that at least the Agricultural land use designation would not support higher density residential developments. All right, airport compatibility. Vertical infrastructure, including electric transmission, is listed as requiring additional review when it's located within the H-3 Compatibility Zone. The additional review criteria include that airport communications are not interfered with, that they don't

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exceed the height limitations; monopole type structures are preferred; and consider the height of the tower in relation to the site elevation. So we did look at the elevation parameters in the Airport Master Plan, I believe it was, and found that, based on the elevation of the site, plus the 80-foot poles, there shouldn't be any concerns with, with height interference with the airport. And again, this was shared with the Airport Authority, and no concerns were addressed, or relayed rather. Evaluation, Comp Plan Compliance. The positive aspects of this application are that the substation is generally consistent with Comp Plan recommendations, including airport compatibility recommendations. The substation is not located near densely populated areas and is proposed to be located internal to the property away from adjacent agricultural zoned land. The Comp Plan does not support higher density residential development in the vicinity. And the substation proposes to utilize planned Dominion overhead power lines which will serve other industrial developments in the vicinity. And utilizing shared infrastructure should help reduce impacts on communities and property owners. The negative we found is that visual impacts to abutting properties and roadways is uncertain. And to reiterate, we also do not have a conditional use permit for this facility. Because of that, staff is recommending deferral until the issues with the concurrent reclassification application are addressed. And that concludes my presentation.

Mr. Apicella: Thank you, Mr. Geouge. Any other questions for Mr. Geouge? I do have one other thing.

Mr. Geouge: Yes.

Mr. Apicella: I'd like to congratulate you on your appointment as the Deputy Planning Director. Well done.

Mr. Geouge: Deputy Planning Director. That's that's a new title to me. But all right, thank you.

Mr. Apicella: You're not the Deputy? I thought you were?

Mr. Geouge: Assistant.

Mr. Apicella: Assistant.

Mr. Geouge: Minor clarification.

Mr. Apicella: Okay.

Ms. Barnes: You should... inaudible... Deputy, that sounds better.

Mr. Geouge: I like Deputy, yes. Thank you, sir.

Mr. Apicella: All right. Thank you. Would the applicant like to come forward and present their case?

Mr. Leming: Good evening, Mr. Chairman and members of the Planning Commission, Madam County Attorney. Nice to see you, just like old times. I'm Clark Leming. I'm here on behalf of the applicant. I have with me Mr. Jacob Manevich, who is the owner of the property, his company. He also was the owner of the Centreport property, where there's a data center going on now, and that was being developed by Starwood Digital. And I have Mr. Justin Hiegel here from Starwood. Starwood is the, hopes to be, the user of this, of this data center. It is in general proximity to where they're already situated, on the other side, just on the other side of the interstate. This is another, actually quadrant of that of that interchange. The little bit of trivia, the house that Ms. Barnes was asking about is the home of David

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Byler, former Falmouth Supervisor Byler. And my understanding is that he's still, he's at the very end of his lease of that property, so he is still there. And just to wrap that point up, they did go to a Phase 2 survey on that. I think VDOT did the survey, and the archeological survey and... but did not find anything that warranted further study or, or preservation. It has not come... nobody's made any application for to come on any register, and Mr. Byler has lived there continuously. So now let me, what I would like to do, let me introduce the rest. Let's see, I've got, let's see, Mr. Bruce Reese and Mr. Jeff Harvey. You all come up a little bit closer, because when you're called on just move forward a little bit, if you would. Yeah, I'm already anticipating that I'm not going to know all of the answers to your questions. And I don't think, I saw Mr. Payne over here, I don't think either Mr. Payne or I anticipated this was going to be such a big data center evening before the Planning Commission, but we'll work with it. What I would... a few introductory comments. The data center phenomenon, as it has moved south, has been interesting, a curious thing to watch. There have been a number of references to Loudoun County, and yes, there are, I believe the last count was 90-some data centers in Loudoun County. And yes, on their major boulevards and parkways and things you do see, a lot of data centers. Some of them look great. Some of them maybe not so great. But, you know what? They're reducing taxes in Loudoun County, significantly, because of the income from data centers. So a lot, a lot of this is a balancing test, and data centers have their impact, but they also do good things for localities. They bring tax revenue and significant tax revenue, and they bring jobs in. Now, this has all come, you know, pretty quickly by development standards. Loudoun County is now trying to figure out what else they want to do with data centers. Prince William County has now designated an area where they want to limit their data centers. Stafford is back studying things. I'm not aware of anything that systematic in Spotsylvania County, but data centers have now come to King George County. And AWS is already there, and two other big applications over in King George County. So it is, at least for the immediate future, the wave that is moving down to the south. And obviously Stafford County, like the other jurisdictions, has to figure out how to handle them, where you want them, how many of them that you want, and evaluate the impact such that they do positive things when they come into your, into, into our community. Now, what I'd like to do is to, I have just a few slides, and some of them I think you've actually seen before, but just to emphasize some things. First, as I indicated, Starwood Digital would be the user of the site. They are a very big company and the largest data center developer in Fairfax. I imagine you have activity in Prince William and Loudoun also. And third largest real estate company in the United States, so a pretty significant player that wants to come in here. Now, Brian, how do I go to the next slide?

Mr. Geouge: Just click the little arrow there.

Mr. Leming: Okay. Oh, I remember this now. Okay, good. Okay. Now, I thought this would be helpful, and I think, I think Ms. Barnes had a question about the location of the other data centers. So this gives you the an overall perspective of what's been approved already, where this one fits in, and you'll see us there, almost right there in the middle. So this, you know, is a pretty compact area where the data centers have been improved so... approved so far. They are more or less, particularly this one, consistent with your Comp Plan and some of your goals for the center portion of the County under your Comp Plan. And it's where the, the infrastructure is, and it's where the power lines are going to be. So some significant things. Now, as I was saying about the fiscal impacts, data centers do significant things monetarily for the localities. So, jobs, top line there. And these are, these are our calculations based on the square footage, based on the perspective user and operator of the data centers, and that's how, that's what we used to calculate this. It's, it's comparative. It's just like doing appraisals in real estate. So as we're going through this and working through the issues, remember that there are good things about data centers in, from, from a monetary standpoint. Also, compared with many other industrial uses – remember, I live next to Vulcan rock quarry – you know, they are fairly mild in their, in their impact, comparatively. I know that there are issues to be dealt with. Now, there were some questions about

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what this, what these buildings are going to look like. We haven't designed them yet. We tried to give you some examples of what we thought were decent looking data center buildings. We may have missed the mark there, but the most important thing is that you do have a fairly detailed proffer about design and what we can, what we know, what it needs to look like, what some of the techniques, the architectural techniques are going to be, what the materials are going to be. So I think that when we do design something that staff is going to be able to look at that and say, this does this, this, this, this, and this. Now, one other thing about this, with possibly the exception of the residences in the back, remember, from the front, this is pretty high up, so you're not going to see much of anything from Route 1. I think in the staff comments, there was a suggestion that maybe if you're coming over on Centreport, getting off of Centreport Parkway, you might see the top of it as you're, as you're approaching. But it's in a pretty interesting area, and an area that has been zoned with the exception of Mr. Byler's house, industrially for a long time. But, you know, nothing has happened there where there was a project planned some years ago and some proffers, but did not materialize. And I won't go back through the elevations. The pictures are going to be governed by the words. Is that the way it works, Ms McClendon? I think that that's what we would expect the, how that we expect the County to proceed. Now, let's, let's talk about water. Water, there's a lot of confusion about how these data centers are, are cooled and how much water. And it's an evolving technology. It's not something that's static at all. I mean, what people were planning to do with data centers and cooling a year ago has moved on. So what we are talking about here is using, I think, Mr. Apicella, you reference this a closed loop system. And yes, we believe that that is less noisy. The issue, though, becomes, where do you get the water to put in the closed loop system? That's liquid that goes in there, okay. Not a gigantic amount, but it's circulated. It is like transmission or my air conditioning system that whatever is circling round and round, and who knows for what it looks like now, but every once in a while, the water in the closed loop system has to be replaced. But we will be using air cooled chillers, but the loop system is what provides, that's how the air is cooled. It's cooled with water. Not going to be doing evaporative cooling, which is passe now, at least, at least from Starwood's standpoint. Now, why do we need 500,000 gallons a year per building? Well, first of all, it's to put the water into the loop system. And that we estimate is going to take about 100,000 gallons, but that's annually, okay. And it stays in the system. Now, why do we want to use that water rather than, say, water from another, reuse water from another system? The water has to be pure. It's got to be, you know, good, uncontaminated water. It can't just be nonpotable water from any source. They can, there are things they can mix with the water to assist with that, but they want to start out with quality water. And Stafford County has quality water. So that's part of the reason why we need the, that potable water, the 500,000 gallons a year. Now, the rest of it does go and this says, dehumidify. Please pay no attention to the D E; that shouldn't be there. It's humidify. The rest of it, the other 400,000, is used for humidification, okay. And that is to keep the rooms at a certain humidity level where the data servers are, so there's no static electricity. And, you know, that requires... the remainder of the water is used for that purpose. Now the proffer is perhaps a little bit misstated, and we're going to give you some additional language that you could use for that, because we said the language we said is server cooling, and in the broadest sense, that's correct. I mean, all this is for server cooling, the server being the entire, the entire structure. But what we're going to do is add either the word humidification to that, for humidification and server cooling, or air cooling, air and server cooling. So that's, that's what all that's about. Now I hope that gives you a little clearer picture. And our thought on the 500,000 was, and as I think Mr. Edwards pretty clearly indicated, in the overall that's 5,000 gallons a day, I think was his calculation. You know, what we're doing here is about the amount of, of water that would be used by five houses. So it's a, it's a pretty insignificant amount of water. This is not a large data center campus, as these campuses go. You're about to say, aren't you?

Mr. Apicella: I do have a question. So, I understand the humidification, that's kind of throughout the year. But the initial 100,000 to me, you would need that up front.

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Mr. Leming: You're going to need enough water for the closed loop system up front, yes.

Mr. Apicella: Right. So again, I think that's probably an issue that needs to be vetted with the Utilities Department and see if they can provide...

Mr. Leming: Yes, of course.

Mr. Apicella: ... that amount of water up front.

Mr. Leming: Of course. And yes, I think, yeah, there are some details to be worked out there. We think this is best because unlike some of the larger campuses, some of the larger campuses are actually treating water effectively on those campuses. That's where they get their... they treat it there, okay. We don't have the capacity for this size of a campus to do something that. Now, Mr. Apicella had an interesting point. Why don't we... can we go somewhere else and pipe the water down? It's certainly worth checking out. It still would be subject to the standards of having to ensure that we're getting the quality of water necessary for Starwood's cycle system here. So I hope that that provides a bit of clarification on the water usage, because it's a, it's a big, it's a big question, okay. Any other, any other, please ask your... what we've got, while we're on water, anything else you don't look... I'm sorry, Ms Barnes, you look like you're confused.

Ms. Barnes: Oh, you really shouldn't be able to read my face that well.

Mr. Leming: Okay. Some people are very expressive, you know, now.

Ms. Barnes: Yeah, I am, I'm a little confused. And this is very probably technical questions that I'm getting in is, I thought if you were piping in water, 100,000 gallons, that evaporative systems are used, or water is used for evaporative systems, and other, in the other, like, there's kind of a bifurcation, there's evaporative and then there's the chemicals, you know, like, like you do for the air conditioning and things like that, like for your house or for your car. So I'm just not understanding why you need so much water here if it's not an evaporative cooling system. Maybe you've gone over that. Maybe everybody else understands it. But I don't. This, this end of the table is getting a little more confused on that maybe.

Mr. Leming: And I think part of the answer, Ms. Barnes, is that it may not actually be 100,000. I mean, the system is not developed yet. But in trying to let you know why we need the 500,000, and we talked earlier about it being 50,000 for the, for the loop system, not 100,000, so we're trying to cover several bases here until the system is actually designed. But it will have two basic components. One will be the closed loop system, which needs quality water to circulate for an extended period of time. Every so often, that will have to be replaced, but the rest of the water, the usage, is spread out throughout the year, much more than that for the closed loop.

Mr. Apicella: I apologize for getting into this level of detail, but when that happens, how do you get rid of that water? Where does it go?

Mr. Leming: That's why we're going to have, Mr. Manevich is something. I'll let him tell you where he's going to put his old water.

Mr. Manevich: So to answer your specific question on the humidification, which is about 400,000 gallons a year, most of it actually burns off. It turns into, it turns into vapor and it goes away. So your actual sewer needs are maybe 30% of it. It's very low. For your question, in terms of...

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Ms. Barnes: Wait, wait, wait. If it burns off, that means it has to be continuously resupplied. It's not...

Mr. Apicella: Well, there's two pieces here.

Mr. Manevich: Correct.

Mr. Apicella: There's the part that, I'll call it evaporates...

Mr. Manevich: Yes.

Mr. Apicella: ... that's the 400,000. I'm talking about the 100,000, 50,000, whatever, when you have to recharge that, that water that's going to be replaced, where does that water go? Does it go through the sewers?

Mr. Manevich: It goes to the sewer.

Mr. Apicella: Okay.

Mr. Manevich: But, but to answer your question evaporative, there's, there's different types of data centers, and so we have to understand is what's happened the last three years since you guys made this regulation, data centers, for the most part, have moved to other areas the country, to Phoenix to Salt Lake City, where water is at a premium and the air is parched. And so the technology has been changed, and it's been upgraded. Where the water today is not really an issue, especially for a size of these buildings and for the specific parcel. There are still some hyperscalers, which names, I won't say, they're still kind of stuck in the old mode, and they're still using a million gallons a day, whether it's clean or, or purple pipe; that is evaporative cooling. We're on the environmentally friendly side. This is, this cost us a lot more money to put in place, but you can't get for this type of development, for this size, you can't get more efficient and less usage of water than what we have. We can, as you know, for the site, we could build industrial buildings by-right, like what you have today. Our water usage would be greater than what we're proposing today. So that's why the Utility Director was here saying they've planned for more water, because we're allowed to build these industrial buildings here by-right, but we're actually coming in and offering Stafford the ability to cap it, to actually cap it less than what he had planned for, because this technology is in place to lower the water usage. And again, we're talking about the equivalent of five single-family houses. That's the kind of water we're using per year.

Mr. Leming: Justin, did you want to...

Mr. Apicella: Ms. Evans?

Mr. Leming: ... add something?

Ms. Evans: I'm so confused right now. I'm not the smartest person on this block when it comes to this, but when it comes to evaporation, because you said water does evaporate, right?

Mr. Manevich: Correct.

Ms. Evans: I thought when I went to science class, it literally evaporation, it's liquid turning into gas. So how are you using the sewer? Like, please explain. Like, I'm totally lost.

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Mr. Manevich: It's not 100%, it's not 100% system. It will use, like, about 60 to 70% today will evaporate. By the way, by the time this gets built, I imagine this will be even more efficient. But today, that's, that's what's happening.

Ms. Evans: Okay.

Mr. Hiegel: Mind if I elaborate a little bit on it?

Mr. Manevich: Yeah, yeah, please go on.

Mr. Hiegel: To answer your first question about where does the water go that's in that loop when we go to discharge it, first, we'll never discharge the entire line because we can't take all of our systems offline, which is what it would take to do. It's gonna be a small percentage whenever we need to do maintenance on a chiller. So small amounts will be discharged over here, and that's the only time we're gonna open those systems. If there is some issue where the Stafford water has an issue supplying the initial fill, there is an option where we can truck in water to fill that and do that initial fill – if that becomes an issue. That is an option. As far as the confusion over, it's essentially looked at as two different systems. So we've got a closed loop chiller system, which is the same kind of system you use in any large industrial building, and then it goes through a coil system that has a fan blowing it over, and that's how you get your air cooled. So that's system one, and that's our main, that's how we're cooling the servers. The evap... the humidification portion is to, as what was mentioned by Clark, to reduce the amount of static electric build-up by having some humidification. So it's kind of like if you've ever used a little humidifier in your home in the winter when air feels dry to raise the humidity level, same concept. So same thing. So in the winter, when the air is drier, we're going to have, be using a little bit more water than in the summer.

Mr. Manevich: Which is the exact opposite of the utility demand.

Mr. Hiegel: Correct.

Mr. Manevich: The Stafford utility demand today is heavier in the summer when it's hot, you need more water, and less in the winter. So it actually should work pretty well.

Mr. Hiegel: Does that confuse... is that more confusing, or is that clear anything up?

Ms. Barnes: We're working our way through.

Mr. Hiegel: Okay.

Ms. Caudill: *Inaudible, microphone not on...* been looking at the definition of air cooled chiller, because that explains it too, by circulating water or other fluids through a system to absorb heat and lower the temperature of the area.

Ms. Barnes: So, details aside, I think what we're all trying to is we just want to make sure that if you need water, we got it. And that's what people are unclear. I mean, we can get down to the eighth grade level, do we have enough water? We don't know.

Mr. Manevich: We're asking for less water than what's been planned for the site.

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Mr. Leming: And it sounds like from Mr. Edwards, you do have sufficient water supply, but we will work with him on the timing issues and to assure that that's the case. All right, anything else on, on water? Water, water? Water gone. Going... water gone. Okay, now let's talk about Dominion. This you've seen. This is the the preferred route, and when we say preferred, it's Dominion's preference. So we get this from them. But then here is the other one that Brian was talking about. The purple one is the, is the preferred route. And you see they all get together somewhere on the other side of the, of I-95 or even before that. But then there are some other possible routes here. And you know, we won't know what the route is going to be until Dominion decides. But it's going to be in this vicinity. And all of these other data centers that we've been talking about, they're not likely to have transmission, transmission lines going through their property. This is probably the data center wannabe area that is most likely to have the transmission lines actually crossing the parcel. So we don't know the answer, only Dominion knows the answer, and they'll tell us when they're ready to tell us. I don't think it'll take as long as VDOT though. Now, the, you know, other than the, the location, there's been a good bit of discussion about the conditional use permit for a substation. And I've been doing this long enough, I understand why the County would like to have that go through a conditional use permit process. But let me tell you about the perspective, the other, the other side of that, of that perspective. This, this application actually, I've been working on this application now, I mean, just going over two years now, and, you know, did community meetings and and met with at least one of you and Supervisors and put the application together. We've had to already request an extension, a six month extension, because the County can't get it processed in one year. There are many reasons for that, but one of them is the number of zoning applications or land use applications that you all have right now and that your staff is trying to contend with. I've had to ask for that six month extension three times now. You know, same thing with, with site plans and other approvals; they're taking a very, very long time. So we get through this process and then, based on the way the, the way this is envisioned from the County standpoint right now, another application has to be filed, another year, another year and a half to go through the conditional use permit process for the substation, which I think is a matter of law, is an accessory use to the data center. Now, what do you do about it? I know you want control. But it seems to me there must be a way you're working on some new provisions, I think now reevaluating the issue. There must be a way to establish standards so it's clear what these substations serving data centers need to comply with rather than, and then you can deal with it at site plan, as is the case, incidentally, over at, over across the interstate, because that the zoning was already there for that, and that's just a site plan. But you know, it seems to me there may be, from our standpoint, there may be a less onerous. And that's why we've pushed back some on that. Because now you also may know, I think your, I think your attorney knows, that if the Board of Supervisors accepts a proffer, the proffers act to amend the zoning ordinance. So if a proffer is accepted, and there's some pretty good Supreme Court precedent on this, that becomes part of the Zoning Ordinance, although it only governs the parcel to which those proffers apply. But it is just as effectively an amendment of the Zoning Ordinance as if you did a text amendment. So I mean, it is another approach.

Mr. Apicella: Mr. Leming, I appreciate everything you said.

Mr. Leming: Yes.

Mr. Apicella: And we're working in earnest to look at the current regulations on a very fast track. I can't say that we're going to get anywhere near close to addressing the specific issue that you mentioned with regard to substations. So in the absence of a conditional use permit, how would the County know the specifics of the substation and how best to mitigate the potential impacts?

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Mr. Leming: Our question, too. Because we don't know at this point. Dominion hasn't told us where the lines are going to go and they're going to be the ones that design the substation. Here's some elaboration coming.

Mr. Manevich: The way the process works is Dominion requests, whether it's seven acres or 10 acres on your site, and you either sell it or lease it to Dominion, and Dominion then runs the process. You as the developer have no control over what they put on their substation.

Mr. Leming: Now, we do have the load letter that you asked about, and we can provide that. So they know we're coming. They they know we're coming, and they know we need them.

Mr. Manevich: Now, Dominion does have, you know, standards. They have what their substations, the size of them, what they put on them, but those standards change and they won't, you know... we have no involvement in it.

Mr. Apicella: Yeah, I do appreciate the predicament you're in. Ms. Barnes?

Ms. Barnes: Usually when we get these, the ones that we've had in the past, the CUP and the application, they're worked on concurrently, so that by the time they get to us they're both ready. I take it we did not work on that CUP and your, your issue is, is if we start now, it pushes you further out into the future. So why didn't y'all work on that CUP concurrently, like the other applications did?

Mr. Leming: For what, for the reason? I just indicated; we don't know. Dominion is the one that will have to come in and design it. We wouldn't know what to put in the CUP at this point, you know, because we're not to that point with Dominion. So we're, we're simply not in a position to either have filed simultaneously or even file a CUP now, you know, until we know where Dominion's coming, where the transmission lines are going to go. You know, there may have to be other adjustments on the site. And so, you know, it's not something we know much about. We don't control it.

Ms. Barnes: So then my question would then, probably then transfer over to the staff side of this, is asking staff, what and how can we, you know, can we create conditions at a high level before we know where Dominion is going to put those transition lines? And that, that's my question is, is, are these, are these conditions that we can, that we can put in, or should have put in all along, even though we don't know exactly where Dominion's coming in? But that's, I think, maybe something to be discussed on the staff side. Does that make sense everybody? Okay.

Mr. Leming: We're not the only ones with this problem.

Mr. Apicella: I think it's the cart and the horse issue, right?

Mr. Leming: Right. You know, very often I get asked by clients and others, okay, well, why didn't you do this first, or do that first? And to be sure, the most difficult thing for any applicant, land use applicant, to get through is the entitlement process, you know, the legislative process, the rezoning. So that always comes first, and you know the rest of it, we just have to figure out what to do when we certainly when we know more about it. But Dominion is going to have to be involved in it. But it's worth, I think, at least, considering you know, you're going to have a bunch of these. This is not, I don't mean data centers, I mean substations coming into data centers already approved. And you know it's, we're not the only ones having to deal with it, but we got pretty much a unknown quantity and quality right now. Yes, ma'am,

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Ms. Sellers: Do you guys have an end user? Is there going to be one of these hyperscale, trying to think of the words in the report, is it a hyper-scale? Is it like co-location, or is this for like your company data center?

Mr. Manevich: So we don't number one, we can't talk about it, but there are interested parties in the site, and they view this as you know, an expansion of what's already here in this market.

Ms. Sellers: And so what's the megawatts that are going to be accompanying this?

Mr. Manevich: So we've submitted our LOA with Dominion is for 300 megawatts.

Mr. Leming: That's one that we do know, we know what we need. We just don't know how Dominion's going to provide that.

Ms. Evans: Let me really quick. Can you clarify? He said, is it 300 kilowatts or 300,000?

Mr. Manevich: Three hundred megawatts.

Mr. Apicella: So roughly 100 megawatts a building.

Mr. Leming: Correct. Megas are big watts. All right. Let me see if I've got any... I think, oh, that's all the slides that I have now. You all did and we really do want to try to answer your questions. And, oh, my goodness, let's see. Listen, that's page one. Mr. Apicella, page two, Mr. Apicella, no, there's only four or five questions. Okay, now we talked about the cub for the substation at the closed loop system, the air cooling, the balancing. Now, Mr. Shelton, you asked about the generators and what kind they were going to be. I don't think we know the answer to that yet.

Mr. Manevich: The standard today is tier four, which is new. It's changed in the last couple years. But the technology, and just like the water technology, is changing so fast that I'm sure there's gonna be a different standard three, four years down the road.

Mr. Shelton: I think what's important is the tier four generator is a 94% reduction of nitrous oxide and a 93% reduction in particulate matter. So if you're at tier two, you're way back the other way. So from the standpoint of our citizenry in the county, we want to make sure that we're not polluting at all.

Mr. Manevich: So here's the important part to remember about that the EPA has certain standards, and so you can't run a data center today on diesel, depends how big data center is, because if, if you emit too much NOx you become a major polluter, and none of the data centers are willing to go into that category. So you have that cap already in place by the EPA. Which is why, in this market, in Virginia, I'm not aware of any data center that runs on backup diesel generators. They can't. They all run on transmission, electric transmission, when they come into the building.

Mr. Apicella: I think what Mr. Shelton is asking, though, is, would you consider proffering a minimum standard equivalent to a tier four generator or better?

Mr. Manevich: I think that'd be okay. We'd have to talk about it, but I don't see why wouldn't.

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Mr. Shelton: I think what we're looking at with the tier four, it also has a noise diffuser on it. It also has a scrubbing system on it. It's very much more sophisticated than what we dealt with generators five years ago. Technology has drastically changed.

Mr. Manevich: I agree.

Mr. Leming: A couple other things, Mr. Shelton, we've consulted about this. We're fine just doing the generator testing during those hours, weekdays and not weekends. So, we're happy to add that to the proffer. Two of you, I think, had inquired about.

Mr. Shelton: And you added generated testing duration, 10 minutes?

Mr. Manevich: We don't know.

Mr. Shelton: You don't know?

Mr. Apicella: It goes back to a minimum standard that you all can live with that is not arduous to the neighbor. So 10 minutes, I don't know if that's right or wrong, but not an hour, right?

Mr. Manevich: Correct. The standards are different for different sized data centers. So again, these data centers haven't been designed more than just a size perspective. So, the answer is, we don't know based upon how many generators are needed for the size and the configuration of the data center, but we're happy to do a minimum, because I understand your concern.

Mr. Leming: We'll figure out a number that we can, that we can agree to for that, okay.

Mr. Shelton: The reason I use that is my generator, which is a whole house generator test itself once a week for 10 minutes, max. And that's testing only, not on the load.

Mr. Leming: Okay, now also road repair, damage to roads, yes, and happy to take care of that.

Mr. Apicella: I'm sorry I didn't hear you.

Mr. Leming: Oh, there was a question, I think, from Mr. Shelton again, about repairing road damage and okay.

Mr. Apicella: That was me.

Mr. Leming: Okay, let me, yeah, you're right. That's on your list. Okay, we'll do that. Okay, all right. Then a few other comments on proffers. the 10,000 for annual sound monitoring. We're not sure exactly what the issue is, but yes, we're happy to work with the county attorney to come up with a way to do that. We thought that was a nice thing to do, to give you some money to because we're doing the testing. And you know, the testing does go on for you know that five years after the last building, as I read the proffer.

Mr. Apicella: I think it would be better if you could be clearer on that, because that's not my read. And I think a reasonable person might see it differently.

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Mr. Leming: Okay, well, we got that proffer from somewhere. Where's Mr. Payne? Is he gone? Yes, we'll work on the clarity of that proffer as well. All right, so and then the one clarification anyway, on the 10,000 we're certainly happy to work on some, if there's a way to... we don't really understand what the objection is, just that there's a recommendation that the county not accept the proper so we'll need some clarification on what the issue is there, and then we'll try to work it out. One error, and I thought we'd corrected this in our back and forth with Brian, the north entrance to the property is right turn only. It's not a full access entrance. There's a median that prevents that. So both of the entrances are partial. There's not a full access entrance on Route 1 there. Okay, all right now, those were the things that I wrote down, but y'all were talking pretty fast and so if there's something else that I haven't covered, or anything new that you want to pose you got, you know, the people here right now that know the stuff pretty well.

Mr. Apicella: So I'll bring one up. And I'm not saying this is an exclusive list. You know, my baseline are the projects that were reviewed and approved thus far. Both of the previous projects, the Potomac Church and the Stafford Technology Center offered support for third-party contractors. I didn't see that in your package.

Mr. Leming: Yeah, I mean, we can certainly look at it. Yes, yeah, all right, we, you know, we're so small, we didn't include all of them, but we'll certainly look at that.

Mr. Apicella: So, so the other big issue, and I'll admit it's sort of recent. You know, we reserve the right to get smarter as we go along. It didn't come up when we first looked at this two years ago. I know Prince William County is spending some time and energy on this. There is a difference between type A noise and type C noise. And yes, we do have a proffer related to type A. We have not addressed type C. Type C is low frequency noise. I don't have a specific set of standards. Again, we're just trying to get smart on it as we're progressing forward. I think that's something we need to look at. That's the one that concerns me even more than dBA at this point in time.

Mr. Leming: We'll try to get smarter on that too, because I don't think we know a lot about it either. One last thing, a comment I wanted to make about the buffers, because there was a comment from staff, both in the Comp Plan Analysis and otherwise. You know, you saw the visuals that we had, the cross-sections from both Route 1 and the residents at the back. But I want to emphasize a couple of things. Number one, the houses are, as I think Brian indicated, they are a football field length away from the property and we did think we were enhancing the buffers going with the taller trees. I do agree, though, with Ms. Barnes that, you know, if it's not required under the ordinance, I think it is but you know, we certainly don't have any problems saying that we will maintain the health of the trees so that they achieve their intended purpose as much as they possibly can. But all the trees, and this is not required by the ordinance either, all the trees that we're providing are evergreens. So that's how we've had to try to address the buffer. So we weren't sure exactly what the basis for that comment from staff was, because we think we've demonstrated what we think the viewshed is, so to the contrary, we're happy to look at that, and we've gone well beyond what the ordinance requires on your buffers.

Ms. Barnes: So, the tree preservation area that is mentioned in the...but there's nothing in there about retaining the native trees or the established trees at all. So, I'm not sure what we're preserving.

Mr. Leming: Well, I think it's simply a good faith effort to look at the possibility of tree preservation, depending on what the ultimate build out is. Remember those white pines next to the Chick-Fil-A? Remember how difficult that was?

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Ms. Barnes: They're still there. They're short but they're there. But my chicken nuggets aren't. That's another story. I'm sorry.

Mr. Leming: Oh, yeah, that's right. We'll talk about that offline. I have no explanation. I just zone them, right? I don't build them. Well, we'll, you know, I mean, we're, we want to do what we can, but...

Ms. Barnes: I appreciate that, but good faith effort is not written in stone, and I like things to be written in stone. Just something to consider.

Mr. Leming: Well, we're happy to look at it. I don't know, you know, without the potential disruption.

Mr. Apicella: I think staff might have some ideas so I would encourage you to reach out to them and see if we have any thoughts and recommendations.

Ms. Barnes: I think that the one thing that we've learned over the last couple of weeks is there is nothing like leaving a native, established tree buffer that will make you more friends around you than a lot of the things that you can do, and I think that we're discovering that, as some of these neighbors are discovering that too as those established forests get taken away and that buffer just is gone.

Mr. Leming: And you've been in my place, you know I love trees and indigenous trees, you know, you learn after a period of time, that's what works. But we'll look into it, see if there's a way to firm it up. Okay, any other questions?

Mr. Apicella: Any other questions for the applicant?

Ms. Caudill: I would also like to just see a little bit of language about the generators being enclosed. I know in previous ones, I know the Stafford Tech Campus, we had proffered that each generator would include sound enclosures. So maybe that's just something we can think about too sure to kind of help reduce some noise.

Mr. Leming: Sure, possibly. We'll be happy to look at that. Okay.

Ms. Sellers: Mr. Chairman, while you're still up there, you know, there's a whole list of uses in M-1 and M-2 that have not been proffered out. And I am concerned with that proffer of 999 vehicle trips per day, particularly in that area where you can make the left-hand turn. I know there's one area where there's the median, but not the entire one, and there's already a lot of traffic that's coming that way to avoid 95 so I am a little concerned that we're not requiring a TIA when there are so many other M-1, M-2, uses that are still on the table.

Mr. Leming: Well, we're happy to look at those uses. You know, I had thought you had forgotten about that. You mentioned it, and I didn't write it down, but I'm happy to try to respond to it, but from the owner standpoint, we want the data center to work. We want this to come to fruition. But you know what? Data centers are controversial. There's the possibility it may not get through so from the owner standpoint, that puts the owner back in the position, "Okay, now, what do I do with this property that I've bought? I don't own it on a contingency basis. I own it." So what can you do with it? So what we tried to do was to go through the list and hold on to those things that we thought would be least objectionable. Now we're absolutely willing to consider other items but what we're trying to do, much as we'd like to come and visit with you, what we're trying to do is to have a plan B, if for some reason, the data center, any number of things can go wrong, doesn't come to fruition. So that's what it's all about.

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But we're happy to look at if there are other uses that you really think are not right for that location, you know, we're certainly happy to look at that. Now, the 999, you know, I mean, that's obviously what that is, they don't want to do a traffic study, but I don't think they're necessarily wedded to that, because another use would take, you know, some kind of study. You got to do, there would be ITEs associated with any of these uses depending on the square footage. So, it's pretty artificial. I mean, you know, it may be that they want to come in with something that, you know, would trip, if they want to build it out completely, would trip a need for a traffic study. That's sort of the box area. The other saving grace that you have, and I pointed this out to Brian earlier in the process. You know you have a proffer GDP. So I mean, you do have some leverage here, and we may come in with another use, but we see it as an easier lift to come in with an amended GDP and a proffer amendment to that effect, than to start from scratch. So that's what that was all about, just trying to save something. But if you have a list of other things you think shouldn't be there, then please send them to me.

Ms. Sellers: It's not the list of things I think shouldn't be there. It's more the absence of the TIA, where that allows the county to integrate into other state processes. And as we already know, there's traffic problems in that area, particularly with that gas station just north of you, and it's not from you, but we do see more traffic in this area, and so we are changing the use so it is an opportunity for the county to have a traffic impact analysis to then use to advocate for ourselves in state processes.

Mr. Leming: Well, if we would, spoken like a VDOT representative, but yes, I mean, certainly if we came in with a use that we really wanted, and it exceeded that threshold, and we'd have to do a traffic study, you know, in order to move forward. So I think we were just trying to...

Mr. Apicella: You'd have to do a proffer amendment.

Mr. Leming: Yes, and I don't know, we'll see what happens with the next hearing you've got tonight, but I tend to think still, a proffer amendment is an easier lift than a full proffer, a brand new rezoning. So that's just my opinion.

Mr. Apicella: Alright, any other questions, thoughts you want to share with the applicants? All right, thank you, sir.

Mr. Leming: Thank you all.

Mr. Apicella: Okay, I'll now open the public hearing on these matters, both rezoning and the Comp Plan Compliance Review. This is an opportunity for you to weigh in with your thoughts and ideas. Before starting your comments, please state your name and address. The clock starts when the green light appears. Yellow means there's one minute left. Red means your time is up. If you'd like to speak, please come forward now. Again, this is specific to the Cranes Corner Rezoning and Comp Plan Compliance Review.

Mr. Squires: Hello. My name is Donald Squires. I'm in the Hartwood District. Pertaining to the Cranes Corner. Things that are true about all data centers, and this is a subject that's near and dear to my heart. About their plans for handling vast amounts of E-Waste over the long term. I'm sure some of you haven't really heard about E-Waste. Data Industry Reports that each data center has between 100,000 and 300,000 processing units. Some components may need to be replaced annually, and all processing units will need to be disposed of every five to seven years. Local officials need to ask pointed questions about how this waste will be handled and where it will go. The EPA verifies that e-waste can be seriously dangerous to people and environment. It contains hazardous chemicals that can impact environmental

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and public health and the health of ecosystems. And then what follows in the report is a true alphabet soup of horrible organic pollutants, including cadmium, a heavy metal that causes a lot of medical issues in our society. The chemical constituents and complexity of the design of e-waste make it difficult to reuse and recycle for economic and technical reasons, thereby making their disposal a global environment issue with much of it ending up in landfills. There are no coordinated at scale plans for recycling or safe disposal of data center e-waste in most local jurisdictions. I'm sure we don't have any. The data centers are mostly on their own recognizance, and that scares me, when it comes to safely disposing of or recycling these materials. Many of them may tout pilot programs, but the bulk of what will be taken out will likely end up in landfills. Local counties are clearly not in a position to effectively manage such high volumes of toxic e-waste. Electronics that sit in landfills release their chemicals and other heavy metals, such as mercury, arsenic and lead, a heavy metal that is known to damage the central nervous system into water aquifers. The land in those land field pools, despite containment designs, eventually ends up in groundwater and local systems. I'd like you to consider local officials should require upfront waste disposal plans for each data center development. These plans should have realistic estimates of how much waste will need to come out of each facility each year, and how much of it can be recycled as compared to being shipped to landfills. Local jurisdictions need to be sure that the toxic material in these remaining e-waste is placed in well-designed landfills that will not cause harm to local water supplies, the environment or human health. Thank you.

Mr. Apicella: Thank you, sir.

Ms. Barnes: Just FYI, the ladies are getting up for a little break. We can hear you in the back. We can hear you. We are hearing every word, believe me.

Mr. Sobolik: All right. Good evening. My name is Patrick Sobolik. I'm from the Hartwood District. I'm here to raise questions and concerns about the tax revenue estimates related to the Cranes Corner Data Center project. These estimates are critical for us to all to understand, because these tax revenue estimates are the primary justification and alleged benefit associated with data center development. Therefore, we must review the revenue projections carefully and demand full transparency when assessing the pros and cons of any given development. As I've been reading through the fiscal impact statement for this project, I noticed what looks like a gap between what's being promised and what may actually be collected. From what I understand, there are three big tax breaks that data centers receive in Stafford County. These are: 1. A low computer and peripherals tax rate of just \$1.25 per \$100 of equipment. 2. A generous depreciation schedule that gives data centers 50% off in year one further reduces the taxable value of their equipment each year. And 3. A tax rebate program called the technology zone incentive package that gives data centers huge tax rebates for up to five years, including up to 70% for the first two years. When I look at attachment eight, fiscal impact projections for this project, particularly the \$3.75 million in data center equipment revenue for 2027 it appears that the last two tax breaks, the depreciation schedule and the technology zone tax rebates are not included in the tables revenue projections. Given this, the actual amount the county collects would be alarmingly lower. Stafford County entered into a memorandum of understanding in 2018 to set our CNP tax rate for data centers at a very low rate of only \$1.25 per \$100. While nearby counties like Loudoun and Fairfax charge three or four times as much. With the explosion of AI and cloud technology, we are locked into an outdated rate while data center development explodes. The county has confirmed that we have more applications than anticipated and I'm concerned that the revenue that is being projected grossly misrepresents how much income the county stands to collect. This is because the \$1.25 per 100 CMP tax rate isn't what gets paid once the depreciation schedule is applied. Data centers only pay 62.5 cents per \$100 in assessed value in year one, they pay even less each year after that, then the technology zone incentive package gives them additional tax rebates for five years. Once applied these tax these stacked tax benefits yield the county a

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much smaller projected revenue than what this table projects. I cannot otherwise find a way for the math of the table to make sense. Are these stack discounts carefully factored in some way I fail to understand, or are these figures grossly overstated?

Mr. Apicella: Thank you, sir. I'm sorry your time is up.

Mr. Sobolik: Somebody want to yield time?

Mr. Apicella: Unfortunately, it doesn't work that way. Okay, anybody else like to come forward?

Ms. Callander: Alaine Callander, Falmouth District. I'd like to thank the gentleman for addressing the financial aspects, an area that I certainly could not talk about intelligently, and hopefully you'll be able to share your additional information in the near future. I have known about the historic house there for a number of years and I think we shouldn't give up on the potential there. Ms. Barnes, I hope can hear me and I appreciate her bringing up the topic of the historic home dating to 1930. Sometimes it takes a lot of advocacy to get those homes recognized and I'm certainly not supportive of tearing it down, which is what this project requires. I would like to see as people get off I-95 at that interchange, something that welcomes them to Stafford. Something perhaps that gives an indication of the charm that is Stafford, rather than industrial data center type stuff. Anyway, I'll be brief. I would just say no. I wouldn't defer. I would just say no. I realize you're in a position. You need to be fair and hear all the facts, and I appreciate what you are faced with here when these projects come forward. Thank you.

Mr. Apicella: Thank you. Ms. Callander.

Ms. Zelesky: Hi. Maria Zelesky, George Washington District. I've spoken a couple of times at these meetings about what I believe and what my neighbors and fellow Stafford County residents believe. I think it's painfully obvious nobody seems to be in support of data centers. There's a very small number of people that stand to benefit from projects like these and I believe that the majority of Stafford County is going to pay the price for that. But I want to add one thing that I find significantly troubling after listening to the presentations this evening. The amount of "We don't know", "We don't have the answer for that", "We don't have any data for that". There's a very small number of people who stand to benefit from this project and others like it, and a very large number of us Stafford residents, and I think we represent a much larger contingent that's not here or doesn't even know what's happening yet. Yet the benefactors can't be bothered to anticipate basic lines of questioning and come prepared with comprehensive answers or studies to support their position, but they expect Stafford County residents to accept their proposals and to move forward with massive holes and unknowns. You don't know what would be required for a CUP, because Dominion hasn't answered, yet you expect us to blindly absorb the impact of whatever may come. You claim that we will benefit from lower taxes, job creation, et cetera but you don't come armed with any statistics, any specific data, only a promise and a take my word for it, or goodwill gestures, whatever that means. I think we all know what happens when we rely on corporate promises and goodwill. And I, for one, don't want to be the test bed for that. I would ask the Commission to really, really look at what best practices are and to aim to make Stafford the standard and not the lesson learned, and put clear, specific regulations in place to protect Stafford residents and not rely on the goodwill of corporations.

Mr. Apicella: Thank you.

Ms. Maxson: Kristen Maxson. I want to thank the public for coming out today. It's very important to hear what you have to say. Cranes Corner Data Center. June 11, 202. There is an airport concern with

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the possibility of new energy options with industrial changes in the range number three for the airport path. Substations ideally should be cut out of the airport zones. No words of electrical power substation plan is found in the 101 pages given on data centers agenda, June 5, 2025. There is mention of, without limitation electronic transmission, and also mention of decommissioning of electrical facilities, and also mention of electrical facilities with unknown current owner in the proffers page 30 of 30 and 39 of 101. It has been told to the public, data centers equipment depreciates 95% in five years. May 27 of 2025, the Board of Supervisors work meeting, house bill explained summary 2660 states shorten time frames of plans to cut the plots of huge projects which are unmanageable and requires a board action, effectively July 1, 2025. Also, there are many tax exemptions with this house bill summarized May 27 concerning equipment which might cut the revenue figures and not provide the Commissioners with the revenue facts that they perceive. This might explain why the rate of build rush currently seems explosive to the public. This data center combines at 45 acres does not contain adjoining property owners within the application. Rather it is attached. This does not ensure the neighbors are included throughout the project applications. Pages are not consistent which might not ensure true captions of notary signatures throughout the life of the application. Storm drainage impacts to be mitigated per state code and local ordinances, page 124 of 406 packet today, but the plan is not put forth for the public to understand the statement. This agenda states electricity utilities should design the system to minimize electronic magnet fields impact on neighboring residential areas. The word should is to be will in the best interest of the public, and I'm out of time. Thank you so much. Appreciate it. God bless.

Mr. Apicella: Anyone else?

Ms. Fyne: Good evening. My name is Paula Fyne. I'm from the Aquia District and I have concerns about low frequency or LFN from the Crane Cranes Corner Data Center project, but also from other data centers, especially the Potomac Church Data Center, which is very close to schools, a hospital and a daycare. LFN referenced in the June 11 memorandum to the Planning Commission as consistent low-level sound audible from adjacent properties ranges from 20 to 200 hertz. Unlike typical noise, LFN is a hum or vibration that travels 10 times farther, potentially up to one to three miles, penetrating solids like homes, windows and even bodies. It's often felt more than heard, and requires dBc or dBz meters to measure accurately, not the dBa meters normally used in the proposed local like the ones in the proposal. The proposal sets a 55 dBa noise limit with a three dBa reduction for discrete tones and mentions generator muffling and buffering. It further claims that increased buffering would reduce low level sound impacts to southern residential areas, but the type of buffer is not provided. It also admits uncertainty about LFN impacts without offering solutions. No LFN specific thresholds are defined, and dBa standards fail to adequately capture LFNs effects, as seen in data center noise complaints across Northern Virginia. Chronic LFN exposure poses serious health risks, including cognitive impairment, especially in children and the elderly, cardiovascular and respiratory damage from prolonged exposure, stress, anxiety and sleep disruption, leading to fatigue and physical symptoms like nausea, headaches and dizziness from the tissue vibrations. These risks are greater for the elderly, children, pets, wildlife and aquatic life and standard buffering like berms or barriers, is ineffective against LFN unless designed with specific LFN materials. For example, the Atlas Data Center in Williston, North Dakota, spent \$5 million on a barrier that failed to mitigate LFN offering no relief. Effective solutions do exist, such as low noise cooling systems, vibration dampening, active noise cancelation or LFN tune barriers. A safe zone would require setbacks of at least one to two miles to protect residents from LFNs harmful effects. And given the proposals lack of LFN specific thresholds, solutions and reliance on dBa standards, how will nearby residents be assured that they are shielded from LFNs, harmful health effects?

Mr. Apicella: Thank you. I would not normally do this, but can you help me understand the word that you're saying? Is it a word or an acronym?

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Ms. Fyne: LFN, low frequency noise. I'm sorry. I should have made that clearer.

Mr. Apicella: Okay, thanks.

Ms. Barrow: Connie Barrow, I'm over at the Rock Hill. I have a list of questions based on what I heard. I appreciate everyone who spoke during the presentations. And I'd like to start with this 1930 house. And I'm thinking 95 years ago, that house was dealing with its own construction and all that it went through for planning. And I wonder, 95 years from now, what will the Stafford County residents say about this Planning Commissions rezoning? It's just something to think about in terms of thinking long. We always have to think legacy and we have to think long term, because these are not very small buildings. These are not the typical building. These are monoliths. Questions that I have, generally speaking, what happens when technology makes data centers dinosaurs? According to chat GPT, about after 20 years, they're pretty much, that's about the length of the lifespan of data centers. That would be Stafford Marketplace, about 20 years or a little bit, and the data center, the way everything is evolving. You heard that from the experts. Right now, whatever you put in the planning, which they said that they do not currently have a design, but as soon as you put it on a piece of paper, it's going to be, it's no longer going to be up to speed. Things are changing so drastically, so you're going to be stuck with something that is inefficient right as soon as it's on paper. How are you ensuring that the Potomac Creek is not negatively impacted during the construction and once the data center is operational? Are you requiring baseline data gathering for nearby areas. How are you ensuring no negative impact to health of nearby residents? How about anything that is alive? Is there anything in terms of environmental or in nature? Why is there a 15-foot buffer closest to Route 1, which is going to be the public's view, but a 50-foot buffer around the rest of the perimeter. That seems to be visually unattractive. What is the capacity of the Fire and Rescue for this data center? How will there be adequate power supply if Dominion does not have it constructed in time. It'll take 12 temporary sites on each building, if that's what they have at xAI that means methane. You need to be reading about box town and Memphis right now. And if they're temporary, they don't have to meet certain requirements of EPA. How will Centreport Parkway and Route 1 traffic be affected, especially in summertime and overflow, if I 95 is backed up? What happens if severe drought or high temperatures impact on power and water? What happens with hurricanes, high winds, tornadoes, earthquakes? And then, what will be the cost to residents in the increase of taxes for electric water services? Thank you.

Mr. Apicella: Thank you very much.

Ms. Arthur: Good evening. My name is Jackie Arthur and I live in the Falmouth District. Thank you for letting me speak this evening, I'm going to add a bit that maybe has already been talked about, but I feel it's compelled to do so concerning the low frequency noise addressed, which I believe the planning individual, Steven, how do you pronounce your last name?

Mr. Apicella: Apicella.

Ms. Arthur: Apicella. My last name was De Felicibus, so I should probably know Apicella. Sorry about that. Under noise concerns, the staff acknowledged low level noise impacts on surrounding residents, but provides no recommendations for study, understanding or concrete mitigation. I think that needs to be looked at. The building heights, which was commented on. A proposed height is 65 feet, described as two stories. But data center stories aren't typical. One story can be about 30 feet, which is equivalent to a three-story building. That needs to be secured, more concrete information when it put into the proposals. One comment that was also made about the buffering. The plan shows a 360-foot distance between the proposed data center and the nearest residents. The staff recommends increased buffering,

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vegetation, not set back distance along the southern property line, and a stronger commitment to preserve existing trees. I hope this will be looked at thoroughly by the Planning Commission. Thank you for your time.

Mr. Apicella: Thank you, ma'am.

Mr. Hinz: Hi. My name is Tristan Hinz. I'm Hartwood District. So, I've got a lot of things to get through, and obviously not a lot of time but first, I want to thank all of my friends and neighbors for all the preparation that they've put in. A lot of time, attention and care, and I really appreciate you all giving them not just an opportunity to speak, but also your rapt attention. I also really appreciate all the pointed questions that you asked through the presentations, and I think that between all of the points that are brought up and have been brought up the presentation for the proposal as given seems incomplete to me, and that changing the zoning is essentially giving a passing grade to something that we all have a ton of questions for. It's my understanding that they're looking at some changes to the standards for applications for data centers coming up tomorrow, and this meeting tonight is a perfect case study in why that needs to happen. One of the things that we talked about was water and the cooling systems, and the standards and proposals as written required us to go through, and you all to go through and ask questions, clarifying questions about what this was, so that you could get a good sense of how this water was even being used, meaning the proposal is not providing you with that information up front, meaning that the people who want to put these in place are not providing you with the information that you're entitled to up front. So I think that that shows very clearly, tonight has shown very clearly, and you all have dug really deeply into the information that's been presented, showing why we need to look at these standards as they're coming up. Now I do also have something to read in terms of why the water purity needs to be at a certain point and what sort of treatment these facilities put through. So I'm going to dive into that. We'll see how much of this we get through. Data Centers contain huge quantities of sensitive equipment that need to be kept cool and clean. Local officials need to know what chemicals are being used for both cleaning and cooling and how they will be stored and used and disposed of. The main coolant chemicals, including fluorochemical liquids or hydrocarbons, depending on the cooling technology being used. These chemicals are contained in closed systems, but can, under various scenarios, escape into the environment and water resources. Cooling systems can also require various compounds to limit corrosion and reduce the risk of corrosion-related damage. Orthophosphates and zinc. Various compounds, orthophosphates and zinc are commonly used along with more complex chemical compounds. Anti corrosion chemicals, descalers and biocides can help eliminate material build up, kill bacteria in water systems inside the data centers, and those are also used. Specialized cleaning compounds are also used in data centers containing a variety of bleaches and other formulations. The use of toxic cooling and cleaning chemicals is a specialized and industrial scale for data centers. It's another reason why there's a significant difference between the toxicity of a data center as compared to an office building.

Mr. Apicella: Sir, I'm sorry. Your time's up. You got a lot in there in the last minute. Is there anyone else?

Ms. Carter: Abby Carter. I was going to present something that I partially presented earlier, but after listening to the applicant, I came away with more questions than I should, I think, after listening to a proposal for rezoning for a data center. One thing that stood out to me was that while the applicant first introduced the members of his party, he said that the end user would be Starwood Digital, and later, one of the party actually said they didn't know who the final occupant would be. This raises questions for me, because if you don't know who the final user is going to be, how do you know what you need? How do you know what water you need? How do you know what electricity do you need? It just raises more

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questions. Another thing that I think got touched on, but maybe not enough was the noise issue. I'd like you all to remember that Stafford High School is less than a mile from Cranes Corner, and no one has mentioned that. If the decibel levels are very high, it is going to affect Stafford High School, and it doesn't matter whether it's dBa or dBc. dBc is obviously harmful to children, and I would include teenagers in that. But if they're testing their backup generators daily or weekly, that's going to disrupt the school as well, because it is very noisy. And finally, as a resident of Stafford County, and a resident that relies on a well downstream from not just this proposal, but from other data centers, I worry about my well. I worry about the flushing of the lines, even on a closed system. Where does that water go? How do I maintain my way of life if I don't have fresh water? This rezoning is, to me, a huge lift for you all if you go through with it, because there are too many questions. And you know, I'm feeling kind of beaten up tonight. So good night.

Mr. Apicella: Thank you, ma'am. All right, is there anybody else who'd like to comment on this item? Alright, seeing no one I'm going to close the public hearing. I'm going to, no, not going to take a break yet. I'm going to pass the gavel to... I'm sorry, yes. Would the applicant like to provide a rebuttal? Been here three hours. Mr. Leming, you have anything you'd like to offer up?

Mr. Leming: I'll be brief, because I know that we have to get back to you on a number of things. Two things that I wanted to point out. It's our understanding that the Virginia Department of Historic Resources has indicated concurred with the conclusion that this house is not eligible for historic sites. Now that can be confirmed, but that's our starting point. So it may be a beautiful old house, but, but it's not been determined and it needs to be documented. But a lot of that's been done, but not eligible as far as we've been able to determine. There were questions about the numbers, and the numbers always need to be looked at closely. The tax numbers, of course, you all, the county is the one that controls, to some extent, what those numbers are by the rates. State, of course, enters in. Real estate taxes are something that are primarily within your control. The numbers that we put into the fiscal impacts that he came from Stafford's Economic Development Office. That's where we went to see what we should be using for this. So if they're wrong, and they may be considering some of the incorrect assumptions, but that that was our source of information for these numbers. Now that is, that's really all that I wanted to say at this point in response. We know that we need to get back to you on a number of things, so we're more than happy to do that and get back to you and work with staff to come up with answers to, I have a list of about 12 issues that you would like for us to address that we're not going to be able to answer this evening. So, unless there are other questions for us. Fire department, we will, yes, we'll look at the fire department. I don't think I mentioned that in a contribution to the fire department.

Ms. Sellers: So, somebody mentioned Stafford High School, and the proximity to Stafford High School, but you know, just down the road, just down Route 1, we have Drew Middle School that houses Heather Empfield, which is our day school for folks, our children who have autism, and noise can be especially triggering to children with autism and it appears that this property sits up a little bit. So, what I would be interested in, how is that sound gonna impact Drew Middle School, particularly those children.

Mr. Leming: At the Heather Empfield? You mean the new location?

Ms. Sellers: Well, no, I'm talking about, really, I'm interested in that Heather Empfield School. You know, all the kids, you know, we don't want them, but there's a population of children, and, you know, centrally located in certain schools and sound can be very triggering to children with autism and behavioral challenges, so just and it sits up, so the noise is weird because it's high. I'm a clinical social worker, so we're going back to way...some science that I have to remember, but the sound is going to carry out further because it sits up.

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Mr. Leming: Because it's higher, sound may carry further is your theory.

Ms. Sellers: Yeah, so I would be interested to know, what are the impacts going to be on those children there at that school, because it could impact them differently than the general population.

Mr. Leming: Well, I'm not sure we can get to the impact, but I think we can look at what happens to the sound. And you know, is there a relationship between altitude and the distance that the sound would travel?

Ms. Sellers: Yeah, that sound and probably the vibration too. I'm just thinking of our children with those special needs and that special population in the school that the county spent a lot of money putting together, and is something we've been very proud of is that school there.

Mr. Leming: We'll see what we can find out about that. Okay.

Mr. Apicella: Anyone else? All right, thank you Mr. Lemming.

Mr. Leming: All right. Thank you.

Mr. Shelton: Mr. Apicella, since this is in your district, how would you want to proceed?

Mr. Apicella: Thank you, Mr. Shelton, I'm going to make a motion to defer this item until the July 23rd meeting for the following reasons. First of all, I'm still not yet convinced that CUP is not required, and I don't know how to solve this predicament for you, but I would strongly suggest that you work with staff to see if you can come up with a creative solution if not CUP out right. I think you need to continue to work with utility staff on the water usage. I think I better understand what you're trying to do, but I still think there might be a front load issue that could have an impact that they would need to consider and address. I still think that enhanced buffering and tree preservation are important issues, so I'd ask you to take a look at that. We gave you another number of other issues so it asks you to review your proffers and see what you could do to enhance them and or further mitigate the impacts of the project.

Mr. Shelton: Do I have a second?

Ms. Evans: I second.

Mr. Shelton: Who second?

Ms. Evans: I'll second.

Mr. Shelton: Kecia. Okay, great. Okay, we have a motion and a second. Cast your vote to defer.

Mr. Apicella: I do need to clarify that motion was specifically for the rezoning. I need to make another motion related to the Comp Plan Compliance Review, so I'm going to make a motion to defer that item as well.

Mr. Shelton: Did you vote?

Mr. Apicella: Oh, I pressed the button. I did press the button.

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Mr. Shelton: Okay. Motion passes 7-0 on the deferral.

Mr. Apicella: Okay. So again, I'm going to make a motion to defer the Comp Plan Compliance Review for the Cranes Corner Data Center.

Ms. Caudill: Second.

Mr. Shelton: All right, have a motion and a second. Cast your ballot. Talent the ballot. Any additional comments? Mr. Apicella?

Mr. Apicella: I think we passed that point. But no, I don't have any additional comments.

Mr. Shelton: Ms. Caudill?

Ms. Caudill: No, the only thing I would, well, I guess yes. I would just like say, the more information that you can provide, I'm all for it, so try not to... I know you had made make a comment "I don't want to give it all" but I want it all. I want to understand. I like this type of research. Thank you.

Mr. Shelton: Ms. Sellers, anything?

Ms. Sellers: Yeah, I voted against it. I don't think it's in compliance with the Comp Plan. I don't think we need to defer it.

Mr. Shelton: Thank you. Ms. Evans? Ms. Barnes? All right. Gavels back to you, sir. *(The motion passed 6-1 (Ms. Sellers opposed.)*

Mr. Apicella: Thank you, Mr. Shelton. We're going to take a 10 minute recess.

Meeting recessed at 9:15 PM.

Meeting reconvened at 9:27 PM.

Mr. Apicella: Now onto item 3, Potomac Church Proffer Amendment. Mr. Geouge, welcome back.

3. RC24155845; Zoning Reclassification – Potomac Church Tech Center Proffer Amendment – A proposal to amend proffered conditions on Tax Map Parcel No. 39-71A, consisting of approximately 49.85 acres zoned B-2, Urban Commercial to modify proffers related to transportation, to incorporate language and requirements relating to the existing Water Infrastructure Agreement, to modify development phasing in relation to utility infrastructure requirements, and to adjust proffers related to water use. Other existing proffers applicable to the Property pursuant to Ordinance O23-27, dated November 14, 2023, would remain unchanged. The Property is located along the east side of Old Potomac Church Road, across from the intersection with South Campus Boulevard, within the Falmouth Election District. **(Time Limit: September 19, 2025)**

Mr. Geouge: Thank you again, Mr. Chair, members of the Commission. It's after nine o'clock, so I'm talking fast. All right. This item is Potomac Church Tech Center Reclassification. Specifically, this is a request to amend proffer conditions relating to utility phasing, utility infrastructure and water use. The parcel is 39-71a consisting of roughly 50 acres in the Falmouth District. The applicant/owners Amazon Data Services Incorporated. The agent is Charlie Payne with Hirschler. Here's the location of the sites;

on the east side of Old Potomac Church Road, across from the intersection of South Campus Boulevard. It's zoned B-2, Urban Commercial. The property was rezoned from A-1 to B-2 in 2009 with proffers, with the envisioned development of a medical office park at the time. However, in 2023 the proffers were amended pursuant to Ordinance O23-27 to allow for the development of data centers. The current proffers allow the first building to use potable water for cooling until the reuse lines, aka purple pipe, becomes available to the site. The applicant is required to enter into an agreement with county and construct the reuse line improvements. All right, here's existing conditions. They're moving pretty quickly on the site so even this picture was taken probably about three weeks ago. The data center development, as you can see, has obtained site plan approval and is moving forward. The shell of the first building is shown here so that's being completed at the moment. Here's the generalized development plan that was submitted with the previous proffer amendment. The approved site plan very closely mirrors this plan. As for the comprehensive plan, this property is within the central Stafford targeted development area, and the Comprehensive Plan designates it for mixed use, commercial, residential. Section 3.11 of the Comp Plan includes recommendations for data centers. The following standard is included in these recommendations. The potable waters is employed as a cooling source. Work with county utilities to develop a water management plan to ensure adequate capacities to serve the surrounding communities remain in place in case of drought. I'll touch more on compliance with that aspect in a bit. But staff analyze the compatibility of the data center use with the Comp Plan, including the bike ped plan, airport land use compatibility and architectural design as part of the previous proffer amendment, and those aspects really aren't changing with this proffer amendment. All right, getting into the proposed proffers, and first, I have to make a clarification. This states "report version" at the top, obviously implying that there's another version, which you received tonight as a handout. So, this is the previous version of the proffer statement and because of that, certain aspects I'm not going to spend too much time on, because they've changed. So, these revised proffers include reference to revisions to the previously established water infrastructure agreement that has been established between the developer and the county that sets certain requirements in place. And that would be that agreement would be revised prior to the first OP for the second building. So not the first building, second building. It would also revise proffer 4B to establish an overall limit of 330,000 gallons of potable water per day prior to the infrastructure completion date, which is defined as the completion and connection to reuse lines. Of that 330, 217 would be for building one. 113 would be for building two. And of that 113, 56.5 would be upon completion of certain improvements that the applicant is assisting with. One of them is a demolition of the storage yard and maintenance facility at the Aquia Wastewater Treatment Plant, which is anticipated by January of next year and the other 56.5 would be upon applicant construction of 25% of the infrastructure improvements so the reuse lines. The amended proffers would allow for modification of milestones if the county is delayed and vacating the storage yard/ maintenance facility at the treatment plant, would require termination of potable water usage for cooling the earlier of 30 months following the issuance of OP for building two or upon completion of the infrastructure. And it would remove the restriction requiring the completion of infrastructure improvements in connection to those improvements prior to the issuance of OP for the second data center building. So really the main objective to this proffer amendment is to allow that second building to come online before those infrastructure improvements are completed. It also adds proffer 4C to require that the applicant assist the county in finding a temporary location of the treatment plant maintenance facility, and to assist the county in identifying and securing a permanent location subject to a future MOU. The updated version is summarized here. I'll obviously just touch on the aspects which were updated. So, this revises the potable water limitation to 217,000 gallons per day for both buildings combined prior to the infrastructure completion date, and allows an additional, it was the 113, additional 113 up to 330 total upon completion of these three items. So the Centreport Booster Station, and just for your awareness, the Centreport Booster Station is going to allow water to be pumped up from the treatment plant at the southern end of the county to help address capacity concerns with only drawing from the Coal Landing Plant. As well as

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a 16-inch water main from Centreport Parkway to Route 1 and assuming that additional water is available for use, the applicant completion of demolition at the treatment plant that was referenced before, and the 25% milestone completion that was referenced before. So that would be 25% progress to completion of the reuse lines. All these improvements, per the proffer at least, were anticipated by mid-2026. This retains the 30-month limitation for potable water use following second building occupancy. So really, the focus of this proffer amendment is on utility impacts so I cover a little bit of that here. But again, we do have the experts in the room. The developer and the county have entered into a water infrastructure agreement which I mentioned, which outlines requirements, obligations and timelines to ensure necessary improvements are completed to allow transition to reuse water. Currently, occupancy for the second data center building is restricted until reuse water is available. This proffer amendment would remove that restriction but would establish specific restrictions on gallons per day of potable water usage for cooling. Should this proffer amendment be approved, the WIA will need to be updated to reflect the updated conditions, and utilities has reviewed the updated proffers. I believe there's still some concerns. I don't know if there's been any further discussion since then, but really the reason for these proffers that were submitted to you today were a result of meeting with utilities to try to work out the details and their remaining concerns.

Mr. Apicella: Go ahead, Ms. Sellers.

Ms. Sellers: You have potable water usage for cooling but we've learned that you can do other things with water. There's still questions there but can we just say potable water usage period?

Ms. Barnes: Well, because they can use potable water for bathrooms, kitchens...

Ms. Sellers: So put a cap on it, period, not just for cooling.

Mr. Apicella: Yeah but I think the important piece is to know where it splits. You know, water for office uses versus water for which is very limited, versus water for cooling purposes, which can be substantial.

Ms. Sellers: So are they going to be using water for this humidification, or whatever the word would be.

Mr. Apicella: They have a completely different system than the one that was mentioned earlier tonight.

Ms. Sellers: I'm just concerned that it's creating a loophole in here, and now that we know that there's this whole other system out there, you know, are we letting them out of the proffer that was, you know, how do we enforce the proffer if we give them an occupancy permit? And, you know, that's my concern, is we're removing, you know, the enforcement mechanism. yeah, we're removing the carrot. And, you know, now we know there are two types of systems, and I'm just a little concerned, are we going to get into a nuance situation here?

Mr. Apicella: I've kind of got a litany of questions here on a related topic. I tell you what, can we delay that and let you finish and then...

Mr. Geouge: All right, yeah, not much more to go here. So our evaluation is for the positives the proposed proffers would establish specific limitations on potable water usage which does not exist in the current proffers prior to the completion of reuse lines. The proposed proffers would establish specific milestones to be completed to help ensure progress towards completion of the reuse lines and associated improvements. The negative is just what I mentioned earlier. So, there's still, I think, some things to be

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worked out with utilities, but Chris is here and can speak on that. So based on our understanding, currently, we would be recommending deferral until those remaining issues are worked out.

Mr. Apicella: My question is going to ask the same thing as you asked. So if you could just bear with me, Ms. Sellers. From the county's perspective, is there anything prohibiting the applicant from applicant from constructing the second building?

Mr. Geouge: No, not with this proffer amendment.

Mr. Apicella: Okay, I'm not... as currently written. I'm not talking about using the building. I'm talking about constructing the building.

Mr. Geouge: Right, right. Yes, correct. That's correct.

Mr. Apicella: Is it correct to say the county only has so much potable water capacity it can generate and provide to all users at any given time?

Mr. Geouge: I think I'm safe answering yes on that one.

Mr. Apicella: Great. Didn't need the experts for that, huh? If the county overestimates or overcommits its capacity, could there be risk to the county's water users?

Mr. Geouge: I would imagine so.

Mr. Apicella: And this risk could be exacerbated during drought conditions?

Mr. Geouge: Correct.

Mr. Apicella: When this project was going through the review process, as I recall, there were numerous discussions between the applicant and the county about the applicants need and what the county believed it could provide. Is that correct?

Mr. Geouge: That's my understanding.

Mr. Apicella: And if I recall the discussion, even though many of us had heartburn about it, myself included we were told that the water infrastructure agreement, the WIA, would define how much and when potable water would be available for the project. Is that correct?

Mr. Geouge: Correct.

Mr. Apicella: And it would also provide the specifics of and identify the time frame for the infrastructure improvements.

Mr. Geouge: Yes.

Mr. Apicella: And I also recall, again, despite us having heartburn and asking a lot of questions about water and about trying to get that defined in the proffers, the applicant pushed back against putting those details and specific milestones in the proffers. Is that correct?

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Mr. Geouge: Yes.

Mr. Edwards: No, that was STC.

Mr. Apicella: STC?

Mr. Edwards: No, it was not AWS.

Mr. Apicella: Are you sure?

Mr. Edwards: Positive.

Mr. Apicella: Okay, I stand corrected. Under the WIA or the proffers, so these are questions for you gentlemen, are there any limits on the amount of potable water the county can provide to the site or to building one or to building two?

Mr. Edwards: Okay, if I could get you to rephrase or to re-ask the question. I want to make sure I understand correctly.

Mr. Apicella: So, under the water infrastructure agreement, or the proffers, or both, are there any limits on the amount of potable water the county can provide to the site or to building one or building two?

Mr. Edwards: Yeah, right now the way that the proffer state is, you know, building two cannot, you know, they cannot get the CO. Building one can only receive 217,000 gallons. If you look at the slide that Brian put together here, you know, we stayed at the 217,000 gallons. So, they are able to get the CO for building number two, but they're only able to use 217,000 gallons, the same amount, until the potable water improvements proffered by STC and Stack are complete, which will provide additional potable water to the Stack site and to the Potomac Church site.

Mr. Apicella: Sorry, Chris, you lost me. Are you saying they have to split the 217 between the two buildings?

Mr. Edwards: Until additional potable water improvements in the STC proffers. STC proffered to construct potable water improvements to get more water into this area, so they have to split the 217,000 gallons, the same amount of water that they're given right now, until those improvements are complete.

Mr. Apicella: Well, that's assuming the proffer amendment was approved, right. Again, the proffer was that building two comes online with the reuse water. So, it kind of goes back to Ms. Sellers question and concern, we're trying to drive to the reuse water being available sooner rather than later. How does this help that process?

Mr. Edwards: So, number one, that just makes sure that you know, nothing moves ahead until we have potable water. But then you have the two other bullets, numbers two and three. These really are structured very similar to the STC agreement, where they have to hit milestones. The difference is, they are willing to put it in the proffers. The one additional thing I think you also, you know, we need to consider is, you know, STC did proffer to construct the reuse facility. If this falls through, we now have an additional safeguard, where STC is then on the hook to construct the reuse facility, if they do not, and then they would be still be capped at the 217,000 gallons

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Mr. Apicella: That just went way past...

Mr. Edwards: So, so year and a half ago, we approved these proffers. This was the first rezoning that went through, and so they pretty much were the only option to construct the reuse facility. So now, since then, Stafford Technology Campus has been approved. In their proffers, if AWS... *inaudible*... proffers, for some reason, they do not construct it, Stafford Technology campus is then on the hook to construct...

Mr. Apicella: Why would we let AWS off the hook?

Mr. Edwards: Well, we're not letting them off the hook because we also put in additional conditions where they have to complete certain amounts of work at the reuse facility, just like the STC proffers and WSA require in order for them to be able to move from the 217,000 gallons, which they can already use right now, to the 330,000 gallons. Which is still not even enough to drive there, you know, to use to take advantage of all of their buildings.

Mr. Apicella: Again, I sort of hear you, but I'm still not quite understanding why we would not, again, want them to continue to move forward with the reuse facility and infrastructure associated with it, and give them some relief from that. Sounds like that's what we're doing here.

Mr. Edwards: We are replacing, you know, the called carrot or stick, whichever one you want works, you know, replacing one carrot or one stick with another carrot or stick. And that is the, you know, the milestones we're going from, you know, complete, you know, completion of the reuse facility, to there are certain milestones that they have to hit. I mean, there is, you know, they don't have to go quite as far as the completion of the reuse facility, but this allows them to move forward, but still gives us guarantees that the reuse facility will be completed.

Mr. Apicella: Okay, so I'm still confused. What does... if we did nothing, what does the WIA say about the timing and milestones associated with the water?

Mr. Edwards: It says they cannot get the CO for the second building until the reuse facility is functioning. Certificate of occupancy, I'm sorry. We're changing the enforcement mechanism. In addition to that, there's also the enforcement mechanism in the Stafford Technology Campus proffers, that if, for some reason, you know, and there's still the opportunity for them not to be able to complete the reuse facility, but there is in the proffers, in the Stafford Technology Campus proffers, if that doesn't move forward...

Ms. Barnes: So why wouldn't we do that? If we're going to change the proffers and the water infrastructure agreement, why wouldn't we do exactly what you just said? Make sure that they complete the infrastructure improvements?

Mr. Edwards: Because, you know, I think the goal, you know, their goal, is to have additional flexibility to be able to construct the second building and have both come online.

Mr. Apicella: But our goal is to get that reuse water facility.

Mr. Edwards: And we still have...

Ms. Barnes: Why didn't we do that in the first place. Why now?

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Mr. Edwards: We still have the same guarantees. Well, one of the things I think somebody had mentioned, you know, we're learning as we go along. These are the same proffer conditions that we pretty much use for Stafford Technology Campus. So, as we kind of went along, we found what we thought was a better way to allow them to move forward with construction while still giving us guarantees that the reuse facility will be complete.

Mr. Apicella: So, when I read the package in front of us, the staff report, it says that... I'm going to read you what it says. Just give me one second here. No, I'm talking about the staff report. On page two, it says the proffers as summarized above reflects substantial revisions submitted by the applicant on June 3, 2025. That was just a week ago. So you got this for the first time a week ago or less. Wouldn't you want, in my opinion, wouldn't you want enough time, and I'm sure you've done a great job, and you've got great people in your office. Wouldn't you want a little bit more time to make sure that you've dotted every i and crossed every t and made sure that all the calculations are correct, and this is the best deal for all sides.

Ms. Barnes: The newest one we got today?

Mr. Apicella: No.

Mr. Edwards: Well, I mean, one of the things I knew, this was submitted, I mean, we actually had meetings up to, like, two or three weeks ago that we met with AWS, with their attorney, to really, what we tried to capture is the same language and STC, in the STC proffers and the STC WSA to make sure they kind of marry up and take the lessons that we've learned from doing this two or three times now and really incorporate those into this proffers, and then we'll probably end up having to incorporate those into the WIA as we move forward after the proffer amendment.

Mr. Apicella: But I'm still hearing that they still aren't absolutely on the hook for completing the infrastructure improvements. And to me, if there's still an opportunity to get that, this is the opportunity to make it happen.

Mr. Counsell: Mr. Chair, members of the Commission, a little bit context I think is important to bring up here. The proffers are written in a way that reduces the risk as much as we think, as possible. There is no way to absolutely guarantee certain things.

Mr. Apicella: Not letting them run the second building until they get the reuse water system in place.

Mr. Counsell: Well, that is true, but we feel there are ways to do that and keep our minimum risk, or a risk at a minimum, and still do that. So, we've been working closely with the applicant. We've been working closely with the county attorney's office. We feel that the options that are in here are generally good enough, at least right now to move forward with this. They might be refined a little bit more once the Board hears that. The Board may have some different outlook on some of these. But right now...

Mr. Apicella: I almost never want to make fixes along the way. I prefer to get those fixes on the front end and then give it to the Board. That's my perspective. I mean, that's usually how we do things at the Planning Commission level.

Ms. Caudill: I mean... (*inaudible, microphone not on*).

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Mr. Apicella: I guess, I guess my point is, I'm kind of spitballing here. If you had another month to really hash this out and to get the best deal possible, wouldn't you want to do that just to make sure everything's where you want it to be?

Mr. Counsell: We've been... *inaudible*... this more than a week.

Mr. Apicella: I get that.

Mr. Counsell: Right.

Mr. Apicella: Well, I mean, we've got new proffers today.

Ms. Barnes: And that's what I'm saying. I got this when I sat down. I haven't read it. There is no possible way that I could actually legitimately vote on this. I can't. I haven't read it. Literally, got it today. So usually when that happens, if we get brand new, we got to read it. I can't vote on something I haven't read. Okay? I shouldn't vote on something I haven't read. So, I mean, I don't know where we're going off this, but I can't, I can't vote on it tonight. But I will read it, and the next time we come, I will read it, and maybe we'll be a little clearer.

Mr. Apicella: Let me ask you a different question. What if any hold-ups are taking place with a construction of the infrastructure improvements?

Mr. Counsell: None.

Mr. Edwards: None. And I understand the week/two week thing, but like I said, we pulled these directly from the STC, WSA, the STC proffers, which are things that we worked on for six or eight months. We knew we had a good template there and that's why we kind of went back to that template and made sure those were incorporated into this proffer amendment.

Mr. Shelton: Mr. Chairman? What teeth do we have that this, after 30 months, won't come back and do the same thing?

Mr. Counsell: We'll have several buildings that are ready to go on to reuse water that won't be able to. So the motivation is with the developers to get the reuse system done. That's the risk we eliminated on our behalf, up to almost zero, of making sure that the reuse infrastructure is continuously constructed.

Mr. Shelton: But you don't have a signed document to that effect.

Mr. Counsell: We do. We have two. We've got the water infrastructure agreement and proffers for Potomac Church, and the proffers and water services agreement for STC.

Mr. Apicella: You're still telling me there's a Get Out of Jail Free card.

Mr. Edwards: No.

Mr. Counsell: There's no Get Out of Jail Free card.

Mr. Apicella: No, you said that they still ultimately may not finish.

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Mr. Counsell: What we said is we eliminated the risk that if that happens, we still have guarantees.

Mr. Apicella: Well, a backup plan that Stafford Technology will cover it.

Mr. Edwards: Well, that and...

Mr. Counsell: But if nobody builds, we don't need the reuse system.

Mr. Edwards: Yeah. And then the other thing to remember is that they need, you know, almost 400 to 500,000 gallons at build out of both of those buildings. We did cap it at 330,000 gallons. So just kind of like them having a second building sitting empty, they will have two half full buildings until the reuse facility is complete. So it's pretty much the same thing. It is just spread over two buildings with a couple extra caveats, and with Stafford Technology Campus right behind it.

Mr. Counsell: And I want to make sure we're clear we're not advocating on behalf of the project or the developer or the applicant. We're here trying to provide the best information we can to help the Commission make a decision with the best information that's available. We're not advocating one way or the other, but we certainly... *inaudible*... you're telling us that you're, you don't quite, you're not quite understanding all the complexities that are here because we've been working on this for three years.

Mr. Apicella: I'm not sold. I think my colleagues, at least a couple of us, are not sold that this is necessarily the right thing to do at this time without more information and more time to look at it. That's my perspective. Well, we're just asking questions at the moment.

Ms. Caudill: I mean, can we get that information that they have? I mean, they've been working on it 6, 7, 8 months.

Mr. Apicella: Well, you know, one thing I think would be helpful is, and we haven't seen it, what's in the water infrastructure agreement? I haven't seen it yet. I think it would be helpful to have a copy of it and to look at it.

Mr. Edwards: Which water infrastructure agreement?

Mr. Apicella: You don't have a water infrastructure agreement with...?

Mr. Edwards: We have two.

Mr. Apicella: Well, I'd be great to see both of them, but I'd like to at least see the one for Potomac Church, because that's the one we're talking about right now.

Mr. Counsell: We can provide that. Yeah.

Mr. Apicella: Other questions for staff?

Ms. Barnes: It's not a question, but I feel a little... I'm going to use my words very carefully here. The only reason why I supported this project was because they're going to build that water reuse system, and that we had a firm, you know, foot on them, that you will not build, you will not get that second building until that is built. If it hadn't been for that water that reuse, that water infrastructure, I would have never supported it in the first place. So I feel a little, I didn't want to use this term, a little bait and switched,

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and I know it's not that, because I know you guys aren't doing that, but when the major portion of this project was brought to us, look at how wonderful this is, they're going to do this, and we know they're going to do it because they're not going to build that second building. We know they want that second building, and then to come back a couple of months later and go, well, let's kind of scoot that down. It may be, I'd like to read it a little bit more, but I feel like we've kind of kicked the can down on the road and it sets a precedent. You know, is that gonna happen again? I think that came off a little harsher than I meant it to, but that's, you know, I feel like I've been led astray a little bit. Does that make sense?

Mr. Apicella: Other questions or comments?

Mr. Shelton: Let me ask a question. It's simple mathematics. Three hundred thirty thousand gallons a day divided by 24 hours is 13,750 gallons an hour. Can we support that?

Mr. Counsell: Well, we haven't done that specific calculation, but overall...

Mr. Shelton: That's just simple math.

Mr. Counsell: Well, it doesn't work like that. That's what we're trying to say, they don't use the water every day, constantly, all day. They use it peaks, and that's what we design on.

Mr. Shelton: That's the you've given us. We can only rely upon the data that you give us.

Mr. Edwards: So, one of the things that we did do is, you know, we actually even went to all the way to the 500,000 gallons, which would be at their full build out and determined what conditions would be required to be able to support that. One of the things that we did determine is that the Centreport Booster Station and the 16 inch water main, that bullet number one, would need to be completed before we went from 217 to a higher number. So that is one of the reasons why that condition is in the proffers is to make sure that all the infrastructure is complete, to make sure that we can provide over the 217,000 gallons per day.

Mr. Apicella: Go ahead, Ms. Sellers.

Ms. Sellers: So, if we don't do this, what is the plan for the Aquia Wastewater Treatment Plant? What happens to that?

Mr. Counsell: It's being currently designed, and the Amazon has a contractor on board. Actually had a meeting today on the kicking off the coordination of constructing the reuse facility, the level one treatment plant upgrades, and we're well into 60% just starting right away for all the pipelines. Every indication so far from the developer is that it is moving along well. We sit in meetings weekly on all that facets of the project, and we're very comfortable with the progress that's going on right now.

Ms. Sellers: So because this appears to be a new proffer C. So, they're doing this out of the kindness of their heart, or am I missing a proffer in here?

Mr. Edwards: You mean three?

Ms. Sellers: Page 9c. Relocation of County Aquia Wastewater Treatment, and then, you know, assist the county in finding a temporary location, assist the county in identifying and securing a permanent location.

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Mr. Edwards: That is a change since the original proffers and, yeah, let me scoot a little closer. One of the things, you know, most people don't realize is that the entire utilities complex, so that's all of our field staff that go out, fix pipes, stuff like that, all of our admin staff are actually located at the Aquia Wastewater Treatment Plant. One of the things in order to make room for the construction of the reuse facility, we will have to move most of those facilities, most of the field operations, most of the admin staff, they have agreed to help and facilitate that move, to make sure that they can get into that space as quickly as possible and start construction as quickly as possible. Really, they think they can move quicker with the relocation than we can. So they are working with us to kind of help us do that, to make sure that this reuse project continues on.

Mr. Apicella: I'm going to ask this a different way. So option one is one building operating at full capacity with the water that it needs. Option two is two buildings running at half capacity. What's the, for the county, what's the consequence, if this were not approved? Not from the applicants perspective, but from the county's perspective.

Mr. Counsell: I don't think there is a consequence for the county. I mean, you could, we could forecast and say that it gets revenue coming in, whatever the revenue level is, it gets revenue coming in,

Mr. Apicella: But it two buildings working at half capacity. It's the same thing.

Mr. Counsell: That's basically the only thing that I think it could be. From even from the developers standpoint, it does cut their construction sequencing down to a shorter amount of time, because they can go ahead and build the building and not sit vacant and start having to maintain it before it ever gets used. But from the county, I don't think there is really a downside, since we're only we guarantee and losing, not losing, but providing the same amount of water that we are currently doing.

Mr. Apicella: I apologize. I got to cut you off. We have to take a motion to go past 10 o'clock. Is there a motion to do so? It's in the bylaws.

Ms. Sellers: So moved.

Ms. Caudill: Second.

Mr. Apicella: I don't think it's happened in the past, but it's always possible. And this was done when we used to have meetings that went to, like, one o'clock in the morning. So, quick motion. All in favor, say, aye.

All members: Aye.

Mr. Apicella: Opposed. There you go. We're moving on, it's 10:01. Sorry about that.

Mr. Edwards: But I think the advantage for the county is similar to what Brian said. It allows, you know, the increase in revenue. One of the things you know that that we did do is actually bump up the amount of water, knowing that the Centreport improvements would be complete. That's another thing that came with Stafford Technology Campus are these water improvements. So we really had, you know, did not have guarantees that these water improvements would occur until Stafford Technology Campus was approved. So we are allowing a slight increase in water so they will be able to build a little bit more, and then hopefully, once they get to that 330 reuse system will come online, they will be able to fully outfit both buildings and

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Mr. Apicella: Hopefully.

Mr. Edwards: I should not have said hopefully.

Mr. Apicella: I'm not trying to be mean spirited. I'm really trying to understand, I can understand it from the applicants perspective. I'm trying to understand it from the county side. What's in it for the county? Why is this a good deal for the county? Why should we push this forward?

Mr. Edwards: And I mean, from the counties, you know, from county utility standpoint, there's not a big, you know, big reason to do it. I think, from the county, county standpoint, you do have the ability to help, you know, to generate additional revenue sooner than you would if you do not let the second building come online.

Mr. Apicella: To me, it's the same thing, but it's half empty, half full. You can't do more with two half operating buildings than you can with one full operating building,

Mr. Edwards: But, but it's 60, technically probably a 65% operation compared to 50% operation, so we do allow for a little bit of extra water to be used, but that is because we have the potable water improvements that we did not know about a year and a half ago.

Mr. Counsell: And we're not tax experts, but we do know that a finished building only half full of equipment is still worth more than no building at all, or an empty building. So there's still that aspect of it, but I'm certainly not prepared to talk about taxes, but there's projected to be an increase in revenue. That's the only thing I can understand in the schedule for the developer for the county, we were asked could we support the proposed changes that are in the proffers? And we met for a while. We got together and we've learned through modeling and through consulting with consultants, as well as scratching our heads on this thing for at least two months, just on these things, that we're comfortable with the proposal that has been made. That's what we're trying to convey to you is, we are comfortable with it after looking at it in detail, even though the official profits just came in a week ago and today. We're just trying to convey to you that we're comfortable with that request.

Mr. Apicella: I appreciate your hard work and efforts. I really do. Other questions for the utilities folks? All right. Thank you very much. I have a couple of other questions. Do we know what type of generators the applicant is going to use on this project?

Mr. Geouge: I don't know. I don't think that's specified in the proffers.

Mr. Apicella: Okay. And in its proffers, did the applicant identify how it will measure and what limits it will place on type C noise levels?

Mr. Geouge: Not on type C.

Mr. Apicella: Okay. Thank you. Other questions for staff? All right, thank you. Would the applicant like to come forward?

Mr. Payne: Thank you, Mr. Chairman, other members of the Planning Commission. My name is Charlie Payne. Very nice to see you this evening. I represent the applicant. Hopefully the microphone will take off on me. It's been a long night, so I thought I would go through a really long PowerPoint.

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Mr. Apicella: No more than two hours, please.

Mr. Payne: At least the air condition is on. Now, got to take my jacket off. It was rough back there. So what was your last question? Was the C tone question, is that what you.. the low frequency count? Is that what you asking? Well, you know, in our proffer we do include a low frequency reduction.

Mr. Apicella: Well, it reduces the DBA but it doesn't deal with Type C, and there is a difference between type A and type C, we clearly, again, reserve, as our friends just told us, reserve the right to get smarter when we negotiated the proffers, we didn't even look at type C, and that's become a big issue.

Mr. Payne: Well, we looked at a low tone frequency, and we clearly defined what that low tone frequency would bin in our proffer.

Mr. Apicella: Right but it reduces A, it doesn't do anything about C.

Mr. Payne: Well, I'm not a sound expert, but it is intended to reduce the A to the equivalent of what the low tone density issue impact.

Mr. Apicella: I can tell you from just reading some stuff from Prince William County. They just had a big work session yesterday. They're two entirely different things. We attempted to address it.

Mr. Payne: I'd be careful following what's going on there, per se, because there are some issues that run into some legal stuff. But I'll let that. I'll let your county attorney figure that part out. But I will talk about this, since I am the representative of the applicant, and I do have, I think, answers to you some of your questions, if not all of them. And I would say time is of the essence. Certainly can't speak for you. If you desire to defer this, and to Ms. Barnes point, you just got updated proffers. It wasn't intentional. There's been a lot of back and forth and trying to make sure we get the numbers right that both parties are comfortable with. But I will say this, and staff can certainly correct me there. We both believe there's adequate water capacity for temporary bridging for cooling. Now, you heard earlier today about a closed loop system that doesn't use water for cooling. The reason that Amazon uses water for cooling, and in our case, its permanent reuse water, which is wastewater, recycled water, reclaimed water. We're taking it from your wastewater treatment facility, utilizing it, versus you, discharging it directly into the watershed. We're taking it and utilizing it to cool our systems for periodically, right, during hot, warm summer periods, about four months out of the year. In the staff's point and the question Mr. Shelton asked, we're not using 330,000 gallons or 217,000 gallons or 500,000 gallons per day. Okay, that's just what a peak period may require for a short period of time, not 365 days a year. So let's, I want to make sure we're clear about that. So what we're talking about here and also give you a quick update on where we are from a construction perspective. For those who are very familiar with construction and development, is a lot more efficient when you got contractors mobilized and equipment on the ground. If you got one building that's almost done and you got a second building that's to be built. You'll want to build the second building as quickly as you possibly can and have it online. You don't want an empty building sitting there. Okay, so that's what we're trying to do. It took a while to get permits in place. It took a while to get construction permits in place, site plan permits in place. Not blaming anyone, it just, this was new to the county, so it took a while. That put us behind our construction schedule, which has had an impact on us and our clients and our customers. So we came to the county and said, Look, we knew that there was some additional available capacity. Can we in lieu of waiting for the second building to connect the reuse, is there a way for us to at least partially allow the second building to open, which would be a benefit to the county. There is a benefit. There's a tax revenue benefit. As we know and your independent consultants have evaluated, we're talking eight to \$10 million annually in new tax revenue

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to the county with the two buildings. So to us, there's an incentive for the county to want to move forward and for us, but let's make sure that we address the risk, and we don't want to put the county in a high-risk situation, and we don't want to be in a situation where we impact our customers. That's how we got here. So, there wasn't a bait and switch. And I know you didn't mean it that way, and I know it's hard to tell. I know it's a necessity on our end because of where we are in a construction schedule. And the good news is, I think from where we were in 2023 versus where we are today, is you've got two layers of protection to reduce your risk. One, I think staff is pretty comfortable that we're not using any more for both buildings on the current capacity that's available, other than 217,000 gallons per day. Peak. Peak. If we needed to use that much, that's available. Doesn't mean we're doing it 365 days a year. It's just during those warm peak periods that we need it for cooling, and that's only temporary bridging water. There's a cap on that, and how long we can do that. That cap is 30 months after the CO is issued for the second building. We can't go beyond that. So it happens, it's the earlier of when the reuse system connects, or that 30-month period hits. We're not going to spend \$2 billion on two buildings and run out of water capacity. This is not going to happen. So the incentive is that reuse system has to be done. The other good thing about this is, if we want to use more water until the reuse system is in place, that's not coming from the current capacity. That's got to come from new capacity that Stack is buildings. As you may recall Stack is spending about \$58 million to take over our CIP programs for the pump station at Centreport and to expand the 16-inch water line to the center Stafford area across Route 1. That's going to bring in about an additional 5 to 6 million gallons balance per day. As you recall the, and I remember all this because I negotiated and worked on the WSA and WIA and both proffer statements so I am very familiar with how all of this works together, and staff did a great job, by the way, of ensuring that those guarantees were in place. That Stack was going to build this infrastructure if Amazon did not. And by the way, we all know that Amazon is the tenant on the first phase of Stafford Technology Campus, so it is in everyone's incentive to get the reuse system in place as quickly as we possibly can. Now, staff had noted we're 60 plus percent through the design stage, right? There are milestones that's going to give staff comfort when we can get the additional 113,000 from the Centerport area, but that's got to be built first. It just, it doesn't come from anywhere. It's got to be built and in place. That gives us the ability to move forward with our project so that we can get our customers in there, and we can start paying tax revenue, and everybody can be real happy. So that's the crux of what we're asking for here. And I get you guys want to go through the numbers, and I think it's a good idea. You should take a look at the WIA, because I will tell you the WIA says. Staff is in charge of overseeing the design of the reuse system. Amazons got to pay for the design. They got to pay for the improvements at the water treatment plant and they got to pay for the reuse connection. Stack pays for the connection at Stafford Technology Campus and they pay for all of the water improvements that must be made, that are already in the CIP, before there's any additional water available for this site, for Amazon site. Stack can't go beyond five buildings. Remember, the million gallons that would be available. That's new capacity being built by Stack. Can't go beyond the five buildings. And there's 23 buildings planned, so they're not going to stop at five. Okay? They spent a lot of money on buying that land. And if you talk to Scott Mayausky, he'll tell you that closing on that property alone, just on that on that campus alone, helped squeeze the Delta on where we were from a revenue perspective. So, this is real, you know, obviously real investment. Amazon is here to stay. Stack is here to stay. And I think the county is getting a, I think we're lucky having a county that's cooperative and working with us. And I think the county is going to get some great benefits out of this, not only infrastructure benefits, but obviously tax revenue benefits. Most recent analysis on the tax revenue generation that we did with Mangum for the Stack project is \$21,500,000 dollars per million square feet. Your comp plan says \$18,500,000 per million square feet. So it's only appreciating more and more over time as the demand keeps rising with AI and Stargate growth. So, I don't know how else to say it, but that's kind of where we are. The other thing you should know about Amazon and what they've done is we're going to have their first building finished by the end of this year, December 2025. We anticipate the second building to be done May of 26. So again, we don't want to

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stop construction on the second building. We don't want to demobilize. We've got, you know, equipment we're buying. You can imagine all the tariff stuff that's going on, being able to line that equipment up and having it here and delivered on time and making sure that we have, you know, we don't want it stored anywhere. We want to build our site. And as staff also noted we're pretty far along in construction of our site. The other thing I think you should know is we've already paid all of our proffers. All of them. And the trigger for all of them, except for the \$125,000 proffer to reimburse the county for its water study were to be paid when we get our first CO. Well, that's not anticipated till the end of this year but we paid it. And that's roughly, all in cash proffers are about \$900,000 and we've already paid. We've also already paid in taxes, we've already paid \$130,000+ in 2024 and already in the first half \$134,000 in 2025. We're \$1.16 million in in tax revenue in cash to the county and we don't have a CO. So, I don't know who else, what other developer would do that, but we're in. We're a partner and we want this to work. We don't want to put any risk on the county that's unreasonable. But we think we've got a good plan here and we think this plan, I mean, you don't have to listen to me. Your experts are the ones you have to listen to and we have to pass the laugh test with them. And I know my guys, our team, works really hard in making sure that everybody is comfortable and that's where we are. We want to get to the Board as quickly as we can. We do have to work out some things. Getting to the Board and getting this entitlement in place ensures us to move extra fast forward on getting the second building done. The extra item that staff was talking about that needs to be worked out is the relocation of the maintenance facility. It wasn't contemplated per se before in the WIA or in the proffers, so we got to work through what that looks like, and that's what we've committed to do before we get to the Board. So that's where we are. I'm sorry for the rush. I'm sorry for getting proffers to you at the last second, but that, in a nutshell, is the issue.

Ms. Barnes: Okay, maybe it's because I have brain fog because it's 10:15 at night, but I'm having a little bit of confusion drawing or connecting the dots between the Centreport pump station... Okay, the Centreport plant station will tremendously increase the amount of potable water that will go to...

Mr. Payne: Chris can answer the question but it was part of your CIP program plan to bring new potable water supply to central Stafford.

Ms. Barnes: Okay, so you're bringing that in, and that has to be done first before... because we need... so, you know, of course, I'm going to worst case scenario... what's to say that we don't say, hey, all of a sudden, we've got a lot of extra potable water. We've got plenty. We don't need to build that reuse.

Mr. Payne: We lose it at the 30-month period.

Ms. Barnes: Well now, unless you come back and ask...

Mr. Payne: I have to come back and ask for it, which then you're going to say, it's bait and switch.

Ms. Barnes: So, you have to have all that potable water to be able to function for whatever that time period was and then the purple pipe gets built, and then you switch over to the purple pipe.

Mr. Payne: So remember, 217 was always a comfort level for building one. We think we can use, because we're so we're far along in our design of the building, that we feel like 217 we can work with both buildings, whether it's half operational, Mr. Apicella, or one's full operational, one's quarter operational. We've got different customers that don't want to be in the same building, okay, so that's a big challenge for us. We've got customers that we thought we would be able to deliver a building based on a construction schedule that we're behind.

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Ms. Barnes: My heartache is not necessarily, I mean, of course, it is part of the heartache, I mean, the majority of my heartache is not necessarily with how much water, because it sounds like it's six of one and half dozen almost but my heartache is that we're letting you guys off the hook a little bit a little farther down the line on that reuse. That's my major heartache.

Mr. Payne: So the difference between where we were in 2023, when you, good point by Mr. Apicella, was, well, we got to keep them on the hook, because they're the ones who've got to build a reuse system, is now you got Stack, who came in after the fact, who is now guaranteeing if we don't build it, they will build it. And they, too, have a cap, and they can't go beyond that cap. And like I said, there's 23 buildings planned for Stafford Technology Campus.

Ms. Barnes: So when STC came in and said, "If we don't build it then we'll build it," did everybody on the Amazon side go "Woohoo, we don't have to build it now"?

Mr. Payne: It doesn't help us because we have a delivery schedule. We have to have our buildings up. So it doesn't help us at all. Plus, we have a clock ticking at 30 months and Stack would have to obviously step in if we refuse to build it but we're not, we'd be violating our WIA, which we're not going to do. I mean, that's a, that's not, that's not where we're going to be.

Mr. Apicella: I'm saying this to both you, Charlie and to staff. There are a lot of moving parts. Things have changed a bit since your project was reviewed and approved, with Stack coming in behind you. I think it would be helpful to us and ultimately to the Board, to see what's going to be provided, by whom, and a timeline and how all the pieces fit together, because they were done separately, right? Two projects done separately. Even though there's some integration between the two.

Mr. Payne: So you have integration and you have a layer.

Mr. Apicella: I just saying if this winds up getting deferred, it would help all of us understand how all these pieces fit together because right now, I'm still not, I'm still not tracking,

Mr. Payne: Well, we can work with staff, just to make sure you have a, you know, just sort of, we can do a real simple, sort of overview of how this is all working together. I just ask don't defer this too long, because we really got to get moving, and I know staff is also wants to get this maintenance facility issue addressed as quickly as possible as well.

Mr. Apicella: Are there questions? All right. Thank you. Okay, I'm now going to open the public hearing on this matter. It's an opportunity for the public to provide their views on this item. Before starting your comments, please state your name and address. Clock starts when the green light appears. Yellow means there's one minute left. Red means your time is up. If you'd like to speak, please come forward now.

Ms. Callander: Yes, good evening. Alane Callander, Falmouth District. Thanks for starting the public hearing. I wanted to see this through, and so I stuck around. I would just like to say I think you should go with your instincts. If you feel like this is being rushed, it probably is being rushed. Particularly if you just got paperwork that you haven't had a chance to look through. So that's all I want to say. I've been around long enough to see, you know, late night decisions made that were regretted later. Thank you.

Mr. Apicella: Thank you, Ms. Callander. Anybody else?

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Ms. Maxson: Kristen Maxson. Utility Commissions did not have the quorum March 11, 2025, this is when the SCADA review, which is the Supervisor Control and Data Acquisition, was to be given to the public so they could understand the process of the water use and control. It's closely tied to the Fountain Park but it was not mentioned in the town meeting for Route One and Courthouse Intersection Town Hall. SCADA, June 11, 2025, which is today's packet, proposed on that day, on this day, to be implemented with Potomac Church Data Center, along with the ownership of the proffer change, a big conglomerate. Zoning reclassification application to this amendment has no project number attached to it. Page 247 of 406. I can say King George and leave it at that. Someone said Prince William. What have we learned? April 9, 2025, the deja vu project might refer to the cycling amendments of proffered conditions, dancing around promises, Cranes Corner is supposed to be the electrical hub, which staff has not recommended acceptance. Page 4 of 406 today, staff is also not advising to accept submittal June 3, 2025 due to utilities concerns. A new road through the site was recommended in the old proffer and is not being considered as part of the development under way. States this proper amendment will not alter the impacts of development on transportation network. What does this mean? Who builds the roads? Who's responsible for the road changes at the last minute due to road concerning of this huge project. Exhibit A and J is missing from the order of the report. 182 and 192 of 406 today states not likely to result in unauthorized take. It's hard for the public to understand what this content means. Page 181 of 406, is this in relation to the triggers or huge development plans that staff cannot comprehend. So amendment and statements impact April 5, 2023, July 21, 2024, August 13, 2024, and now June 3, 2024, and June 11, 2025. Amendment proposed to switch hands to a giant monopoly. Exhibit C, architectural features is not proposed as other but public cannot see it, so we don't see the design. Thank you so much.

Mr. Apicella: Anyone else? All right, seeing no one else. I'm going to close the public hearing. Mr. Payne, you have any other comments?

Mr. Payne: Yeah, just real quick. Mr. Chairman, other members of the Planning Commission, Charlie Payne, represent the applicant. We're happy to provide you that outline, just so you can follow how all the pieces work. Remember, we're not taking anything new in addition to what's available water today that was already in our WIA and contemplated for usage on building one, for both building one and two. Any new water would have to be new capacity that's constructed by Stack. And of course, we also, in addition to that, we also have to make a lot of progress in regards to the reuse system. I also note, and Mr. Apicella noted this earlier with the prior applicant, we have repaired the road where either us or others have, because there's other construction out there on Old Potomac Church Road, we recently repaired the road for construction traffic. We built sidewalks already out there along Old Potomac. We already paid for all the connection fees for our neighbors that we proffered we would do, both water and sewer. Made those deposits with the county and we have made available revenue source for third party reviewers. So just want to make sure that we pass that along, that we've been following all the requirements under the proffers.

Mr. Apicella: Thank you very much. Mr. Bratton, go ahead.

Mr. Bratton: How long is it going to take for the reuse water facility to come online? Twelve months, 18 months?

Mr. Payne: The estimated date that we've put in our WIA milestone is May of 2027.

Mr. Bratton: Okay, when is the second building supposed to come online?

Mr. Payne: May of 2026, about a year before and we got a 30-month cap.

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Mr. Apicella: Thanks again.

Mr. Shelton: This is in your district. How do you want to proceed?

Mr. Apicella: Mr. Shelton, I'd like to motion to defer this item until the July 23rd meeting. I think there's still some outliers that would be helpful for us to review these proposed changes. I definitely would like to see the water infrastructure agreement for both the Potomac Church and Stafford Technology Project. I'm still, again, in my mind, trying to understand how all the pieces fit together and ultimately why this is good for the county. I think it would be helpful if the applicant explained both qualitatively and quantitatively why these changes should be pushed forward. And ultimately, I just want to be sure. I think staff has said so, but I think a little bit more time, a breather between now and then, just to get all the i's dotted and t's crossed, to make sure that the numbers make sense and that there's not going to be any risk to the count, and particularly the residents who rely on Stafford's water.

Ms. Barnes: Second.

Mr. Shelton: I have a motion and a second. Do I have a question?

Ms. Sellers: Well, I'm going to probably make a substitute motion but is there a time limit on this?

Mr. Apicella: I think it's September, sometime in September, 19th.

Mr. Zuraf: Yeah, September 19.

Ms. Sellers: Okay, so I'd like to make a substitute motion to just to say no from the Planning Commission and add in all the concerns and let the Board of Supervisors deal with it. And the reason is, this is a proffer amendment. This is not a rezoning. And, you know, that's something to be negotiated at the Board of Supervisors level and it shouldn't be left on us. And so, this, to me, feels very political in nature, and should be left to the Board of Supervisors. So, I think we can keep the process moving. I'd like to make the motion to deny with caveats of why.

Mr. Shelton: Do we have a second on a substitute motion?

Ms. Evans: I'll second.

Mr. Shelton: Second for discussion. Open discussion.

Ms. Sellers: Yeah. So again, there's a couple reasons. One, we pay every single time we have to publish a public hearing, so that lengthens the time here, and it costs money to us and but the bigger reason is this is a proffer discussion that should be discussed amongst the Board of Supervisors and not at the Planning Commission level. In my opinion, that should be left to the people who were elected by the constituents and they should be discussing this and be discussing it with staff. So, you know, I could see supporting this with all those caveats but for right now, I have to say I'm gonna not support it and try to move forward and let the Board of Supervisors see it.

Mr. Shelton: Ms. Evans, do you have any comment?

Ms. Evans: No comment.

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Mr. Shelton: Any additional comments from the...?

Ms. Barnes: I really like what Ms. Sellers is saying. I am always very grateful that a lot of these decisions aren't ultimately on our laps, and that's one of the reasons why I'm a Planning Commissioner and not a Supervisor. However, one of our main duties, I have discovered in the six years that I've done this, is not the way we vote, but in what we work on. And what we work on is getting a better project and a better deal up to the Board of Supervisors, the best that we can. We do the grunt work. I mean, we do so much footwork before it ever gets up there. So I would prefer to, I mean, I know, I think that both motions are good ideas, but I would defer it and work on it a little bit more and see what we can get, and see what we can understand, and then pass it up to the big guys.

Mr. Apicella: I agree with everything Ms. Barnes just said. I think I'm not ready to say yes. I'm not ready to say no. I think a denial sends a certain message. This may be in the best interest of Stafford County, I don't know yet. That's why I'm asking for more information to understand how all the pieces fit together. I think this is an opportunity to make sure this is done right, and I think we should do it at our level, before it gets to the Board. I think, you know, we have the capacity that the Board doesn't have to really weigh in on these kind of matters. The Board, when I look at the Board agenda, sometimes they have 30 items. We might have three or four. I think we have a better opportunity to dig into the details and make sure we provide them the best product possible and I think waiting 30 days is not, it's not unobtainium. And I think at the end of the day it'll prove well served for all parties.

Mr. Shelton: Ms. Caudill, do you have any comments?

Ms. Caudill: I'm also going to second or third at this point, what Chairman Apicella and Commissioner Barnes said. I would like to defer. I know I heard a lot tonight about, oh, we need to get it to the Board of Supervisors, we need to get it to the Board of Supervisors. But now that I've been here for year and a half, a lot of the things we send to them, they send it right back. So, then you're just having another 30 days go by. So, I think that we can get all the information, and then that way, when you go to the Board, they have all the information.

Mr. Bratton: I don't see anything wrong with the new amendment. So, I don't see anything wrong with half using the building, 217 gallons on one building or two buildings. It doesn't bother me. Utility says they got the capacity to do it. It's going to happen anyways. If it's going to happen now or later. I don't think the waters issue, utility says it's not a big issue.

Mr. Shelton: Thank you, Mr. Bratton.

Mr. Apicella: I think Mr. Zuraf is trying to...

Mr. Zuraf: I just want to clarify on the question about the time limit. If we've had a few time limits happening and the actual 12-month application time limit happens on August 18. So just to let the Commission be aware of that, separate from the Planning Commission 100-day time limit.

Mr. Shelton: Let's call for the question on the substitute motion. Yes, if you want to deny. No, if you want to not deny. Yes, on the substitute comes first. Yes, if you want to deny, no, if you want to wait. That motion fails on 1 to 6 (*Mr. Apicella, Ms. Barnes, Mr. Shelton, Ms. Evans, Ms. Caudill, Mr. Bratton all opposed*). And now we'll go back to the original motion that Mr. Apicella put forth, which would be to defer until July the 23rd. Cast your vote. Tally the vote. That motion passes 5 to 2 (*Ms. Sellers, Mr. Bratton opposed*). There's your stick back.

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Mr. Apicella: Thank you, Mr. Shelton, I appreciate our friends from utilities coming and helping us out and staff and the applicant as well. Moving forward. Unfinished Business, none. New Business, none. Planning Director's Report.

UNFINISHED BUSINESS

NONE

NEW BUSINESS

NONE

PLANNING DIRECTOR'S REPORT

4. Project Pipeline Report (For Information Only)

Mr. Zuraf: Yeah, Mr. Chairman, we have the usual Project Pipeline Report for information purposes, and you'll see we don't have any scheduled public hearings for your next regular Planning Commission meeting, just for your information.

Mr. Apicella: Is there a motion to cancel the June 25, 2025, meeting?

Mr. Shelton: Motion to cancel.

Ms. Evans: Second.

Mr. Apicella: All those in favor say aye.

All members: Aye.

Mr. Apicella: Opposed? That motion carries.

5. Capital Projects Quarterly Report (For Information Only)

Mr. Zuraf: Okay. You also received the Capital Projects Quarterly Report, which usually it's provided to the Board of Supervisors, and we provide that same report to the Commission for information purposes. The next item, there was a referral to the Planning Commission for the zoning ordinance amendment for the tobacco and vape shop uses that's gone back and forth between the Board and the Planning Commission. You guys have worked on it, sent it back, and the Planning Commission and the Board was good with the information that was provided to them and is asking the Planning Commission to schedule a public hearing. I guess the first potential public hearing would be your July 23rd meeting, if you're so inclined to move forward and schedule it for that date.

- 6. Amendment to the Zoning Ordinance – Proposed Ordinance O25-18 would amend and reordain the Zoning Ordinance, Stafford County Code Sec. 28-25, “Definitions of specific terms;” Sec. 28-35, “Table of uses and standards;” and Sec. 28-39, “Special regulations” to establish regulations relating to tobacco and vape shop uses. **(Time Limit: September 5, 2025)**
(Authorize for Public Hearing by: June 25, 2025)
(Potential Public Hearing Date: August 27, 2025)**

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Mr. Apicella: So no changes from the Board? They were good with the text as was sent to them?

Mr. Zuraf: Yes and the resolution included that the Commission can even make some additional modifications if you find that's necessary.

Mr. Apicella: WeLL, I know the Board wants us to move expeditiously on it. My only concern is we're already getting a fairly stacked agenda for the 23rd of July. Would folks be okay if we put this to a public hearing at the August meeting, which I think is the 27th? Is everybody okay with that? Do we need to vote? Can we just...

Mr. Zuraf: No, not necessary. If everybody's good.

Mr. Apicella: Yeah, I think by consensus. Anything else?

Mr. Zuraf: Yeah, just the last thing to make the Planning Commission aware of. Every year there's various changes to state code. This year there's a change to state code that has an effect on the Planning Commission. Typically, the Planning Commission would act on approving preliminary subdivision plan and there was a change to state code that removed the Planning Commission from the deciding the approval authority for preliminary subdivisions and assigned that requirement to the subdivision agent, which is me.

Mr. Apicella: So much power, Mr. Zuraf.

Mr. Zuraf: So just making you all aware. That ends my report Mr. Chairman.

Mr. Apicella: Thank you very much.

Ms. Sellers: When do we have to have to the Board of Supervisors stuff for consideration for their next legislative agenda, because there's stuff with the data centers from some of these reports that had some pretty good ideas.

Mr. Zuraf: I'll check on when and let the Commission know if there's any kind of schedule as to... I know in the past, I think they usually get into it pretty soon.

Ms. McClendon: Commissioner Sellers, just to add to that, I would probably recommend the Commission start thinking about it sooner rather than later. The board is planning to start looking at this general assembly legislation for next year at its July 1 meeting. So, it's coming up fairly soon. They can still add to it but just know that they're already starting the process for starting the process for next year.

Ms. Sellers: Okay, yeah, just as we're talking about data centers, some of these JLAC Studies have some pretty good general assembly language in there that maybe we should talk about supporting and jumping on the bandwagon.

COUNTY ATTORNEY'S REPORT

Mr. Apicella: Ms. McClendon, any County Attorney's Report? No. Subcommittee Reports. Ms. Barnes.

COMMITTEE REPORTS

***Planning Commission Meeting Minutes
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7. Data Center Regulations Subcommittee
Subcommittee Report – June 5, 2025
Next Meeting: June 12, 2025 @ 5:30 PM; Board Chambers

Ms. Barnes: All I'm going to say is that we're making progress. We met last week. We sent in our, what we'd like to see, some changes. We're meeting again tomorrow, probably meeting again on Monday, and then scheduling a town hall meeting, which will probably discuss that tomorrow night.

Mr. Apicella: All right, thank you. I do not have a Chairman's Report, Other Business, TRC meetings. I think there's link provided to that. Last item on the agenda are Approval of Minutes. Is there motion to approve the April 23 minutes?

CHAIRMAN'S REPORT

OTHER BUSINESS

8. New TRC Submissions
- [25156450](#) - Rivers Bluff Rev
 - A continuation of subconstruction plan (23155159) to revise road extension and associated improvements located on both sides of Long Meadow Drive on TM # 42C-1 through 42C-44, 42C-A, 42C-B, and 42C-C, zoned A-1, consisting of 190.15 acres, within the Hartwood Election District.

APPROVAL OF MINUTES

9. April 23, 2025 Planning Commission Meeting Minutes_DRAFT

Ms. Sellers: Motion.

Mr. Apicella: Is there a second?

Mr. Shelton: Second.

Mr. Apicella: All those in favor say aye?

All members: Aye.

Mr. Apicella: Opposed? Okay. Is there a motion on the May 14 minutes?

10. May 14, 2025 Planning Commission Meeting Minutes_DRAFT

Mr. Shelton: Motion.

Mr. Apicella: Second?

Ms. Caudill: Second.

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Mr. Apicella: All those in favor say aye.

All members: Aye.

Mr. Apicella: Okay. May 28 minutes, is there a motion to approve?

11. May 28, 2025 Special Planning Commission Meeting Minutes_DRAFT

Ms. Evans: Motion.

Mr. Apicella: Is there a second?

Mr. Shelton: Second.

Mr. Apicella: Great. All those in favor say aye.

All members: Aye.

Mr. Apicella: All right, that motion carries. With no further business before the Planning Commission we are adjourned.

ADJOURNMENT

At 10:41 PM, Chairman Apicella adjourned the June 11, 2025, Stafford County Planning Commission meeting.