

BOARD OF SUPERVISORS
STAFFORD COUNTY, VIRGINIA
MINUTES
REGULAR MEETING
MAY 20, 2025

CALL TO ORDER – A regular meeting of the Stafford County Board of Supervisors was called to order by Deuntay Diggs, Chairman, at 5:00 p.m. on Tuesday, May 20, 2025 in the Board Chambers, George L. Gordon, Jr. Government Center, 1300 Courthouse Road, Stafford VA.

ROLL CALL – The following members were present: Deuntay Diggs, Chairman; Tinesha O. Allen, Vice Chairman; Meg Bohmke; Pamela Yeung; Darrell English; Monica Gary; Crystal Vanuch.

Also in attendance were William Ashton, County Administrator; Rysheda McClendon, County Attorney; Taylor Dunn, Deputy Clerk; various staff members; and other interested parties.

INVOCATION

Ms. Vanuch led the invocation.

PLEDGE OF ALLEGIANCE

Ms. Bohmke led the Board in the Pledge of Allegiance to the Flag of the United States of America.

CHAIR REMARKS

Mr. Diggs said that he would like to make a few comments for his Chair remarks. He said that many of the attendees were aware of the recent news regarding former President Joe Biden's battle with cancer. He said that on behalf of the Board and their entire community, he would like to extend their heartfelt thoughts and prayers to President Biden and his family, and wish him strength and a full, swift recovery.

Mr. Diggs said that Stafford was investing \$70 million in local transportation projects and improvements. He said that they had recently held a public meeting for the Route 1 Courthouse Road Improvement Project, which had a nice turnout. He said that attendees had the opportunity to meet with the project manager and contract representatives. He said that he encouraged residents to attend these informational meetings, as they provided a chance to ask questions, get answers, and examine project information and maps. He said that each of their projects was listed in the transportation section of the capital projects section on their website, complete with a contact that could be called or emailed.

Mr. Diggs said that on behalf of the Board, he invited the public to their annual Memorial Day ceremony at the Armed Services Memorial on Friday, May 23, 2025 at 10:00 a.m. He said that this year's event promised to be extra special, featuring a keynote speaker, retired Marine Corps Lieutenant Colonel Les Evans, who was also the president of the Veterans Affairs Virginia Rolling Thunder Chapter 3. He said that the Army Old Guard Fife and Drum Corps would also be

performing, a renowned group that dressed in Continental Army uniforms and were fantastic. He said that the Old Guard was the oldest regiment in the U.S. Army. He encouraged everyone to attend and help them honor and recognize those who had paid the ultimate price in service to their country and the families they had left behind.

Mr. Diggs said that this month was Historic Preservation Month, and he would like to commend their staff for their work in preserving their rich historic resources. He said that preservation work in Stafford not only provided a strong sense of identity and community but also fueled the local economy. He said that two of Stafford's top three visitor destinations were historic sites, Ferry Farm and Chatham. He said that heritage tourism generated over \$33 billion in statewide revenue, and Stafford's preserved places helped bring a slice of that home. He said that this month, they were posting a series of stories on the front page of their website that provided more information on Historic Preservation Month. He invited everyone to learn more about it.

Mr. Diggs said that this month was also National Foster Care Month. He said that the public may have noticed the blue ribbons tied on the trees before the government's center. He said that each ribbon represented one of the 69 children in foster care in Stafford County, with the number having risen from 52 last year. He said that the higher number demonstrated the constant need for families of all racial and ethnic backgrounds willing to become Stafford County certified foster parents. He said that foster parents provided temporary care for children in foster care until it was safe for them to return home to their parents or were placed with relatives when returning home was not a safe option. He invited everyone to visit their website if you wanted to learn how to make a difference in a child's life.

PRESENTATIONS

PRESENTATION OF A MEMORIAL RESOLUTION TO THE FAMILY OF CHARLES PAYNE, PRESENTED BY DELEGATE PAUL MILDE

Paul Milde, Delegate of Virginia's 64th District, presented the Memorial Resolution to the Family of Charles Payne. He said that he wanted to invite Mr. Payne's family and friends in attendance to receive the Memorial Resolution, which was unanimously passed through the General Assembly.

Charlie Payne said that he was grateful to Delegate Milde and the state legislature for recognizing his father's public service and career. He also said that he wanted to thank the Board of Supervisors for this Memorial Resolution, which acknowledged the personal sacrifice that members of the Board made in their work.

PRESENTATION OF PROCLAMATION RECOGNIZING MAY AS ASIAN PACIFIC AMERICAN HERITAGE MONTH

Mr. Diggs presented the Proclamation Recognizing May as Asian Pacific American Heritage Month.

Dr. Galam Khan said that he was thankful to the Board of Supervisors for inviting him to accept this proclamation. He said that he was immensely proud to call Stafford County his home, and it

gave him a sense of peace to know that he belonged here. He said that as a healthcare professional, he engaged with many different communities in his clinic, and he treated each person as an individual, not just their disease. He said that the environment in Stafford County was unique, and he was grateful for the opportunity to be a part of it. He said that they could not grow without holding each other, and when they held each other, they would live longer and better.

PRESENTATION OF A PROCLAMATION RECOGNIZING MAY 18 – 24, 2025 , AS NATIONAL EMS WEEK IN STAFFORD

Mr. Diggs presented the Proclamation Recognizing May 18 – 24, 2025 as National EMS Week in Stafford.

The representative from Stafford EMS said that on behalf of the volunteers and the career staff, they would like to express their sincere appreciation for the support of the community and the Board of Supervisors for all that they did for them. She said that it was challenging work, but it was very rewarding work, and they would not be doing this if they did not love their community and where they lived and worked. She said that they would like to extend their gratitude to the Board of Supervisors for their support.

PRESENTATION OF A PROCLAMATION RECOGNIZING MAY 6 – 12, 2025 AS NURSES WEEK IN STAFFORD

Mr. Diggs presented the Proclamation Recognizing May 6 – 12, 2025 as Nurses Week in Stafford.

Ms. Allen said that she would like to express her gratitude to the Board of the County. She said that she accepted this proclamation not on her own behalf, but on behalf of the numerous nurses who lived and worked in Stafford County. She said that there were numerous nurses who called this area home, including those from schools, the Health Department, hospitals, home health, hospice, and many other organizations. She said that their Emergency Medical Services (EMS) team was actually the first line of nursing, and she was grateful for their dedication. She said that as the proclamation stated, she would like to encourage everyone to thank a nurse when they saw one.

VIRGINIA DEPARTMENT OF TRANSPORTATION QUARTERLY REPORT, PRESENTED BY KYLE BATES, RESIDENCY ADMINISTRATOR

Kyle Bates, Residency Administrator, said that he would provide an update from VDOT's Preliminary Engineering on Route 1, specifically the Cambridge Street over the Falmouth Bridge project. He said that they were currently in Phase 1, and he was pleased to report that all four lanes, including the northbound and southbound lanes, were now open, following the emergency northbound right lane closure. He said that they were still working on load analysis to determine the project's final scope, but they were on track to determine construction timelines at a later date, and the restrictions on the bridge had been lifted.

Mr. Bates said that next, he would like to update the Board on the Route 644 bridge, which was previously scheduled for an epoxy coating in the spring. He said that however, they were now

anticipating a two-week delay, which was by design, to coincide with the end of the school year. He said that the epoxy coating would take approximately two to three days to cure, so the road would need to be entirely closed, and more information would be provided as they approached the first week of June. He said that the bridge replacement project was a key component of their infrastructure plans, and construction on the full bridge replacement was planned to begin in Spring 2026 and completed in spring 2027.

Mr. Bates said that moving forward, they had several other projects to discuss. He said that the Route 626 Leland Road Widening Bike and Pedestrian Improvements would begin in 2028, widening the road between Walnut Drive and Julian Drive, and providing a two-way left turn lane. He said that the sidewalk would be installed from Deacon to Julian Drive, utilizing the existing asphalt trail on private property. He said that the Route 648 Shelton Shop Road Improvements would feature a roundabout at the Mountain View and Shelton Shop intersection, while the other two intersections at Winding Creek and Courthouse Road would be traditional, signalized intersections. He said that this project was anticipated to begin in 2030 and be completed in 2031.

Mr. Bates said that he would like to highlight a few small projects worth noting. He said that later, the Board would be discussing the Secondary Six-Year Plan with Mr. Lehane, which would be presented to them tonight. He said that some updates were pending funding and approvals, but he wanted to give them a preliminary view of several projects in the works. He said that the Hartwood Valley Court, a rural addition, was scheduled for summer 2025. He said that the Rock Hill Church Road Bridge Deck Improvement was the epoxy project, and they were looking at a June 2025 completion date. He said that the Decatur Road Traffic Calming project was fully funded and ready to move forward this summer.

Mr. Bates said that the Holly Corner Roadway Improvements would focus on improving shoulders along Holly Corner Road, which was funded in Fiscal Year 2026. He said that the Village Parkway Crosswalks project involved removing dual left turn spaces, adding dedicated left turns, and creating pedestrian refuge areas. He said that they were also planning to restripe areas and create 2-3 foot asphalt shoulders along Embrey Mill and Eustace Road, similar to what they did on Onville years ago. He said that additionally, they had various traffic calming improvements throughout the County.

Mr. Bates said that additionally, the Harrell Road intersection improvement was another project on their list. He said that the tight radius at the Forbes intersection was a concern, and they were working to acquire the necessary right-of-way and utility easements. He said that they also had plans for pedestrian improvements, including rapid flashing beacons at Primmer House Road, Switchyard Court, Plantation Drive at England Run Veterinary Clinic, and Woodcutter Road at Millrace Road. He said that these should be completed by the end of the year.

Mr. Bates said that on the maintenance side, they had started working with Stafford County to secure funding for manicure mowers, which would be used to maintain select areas throughout the County. He said that they planned to begin their secondary and primary mowing cycles within the next 30 days. He said that they still needed to address any sight distance issues related from state road to state road, and therefore, VDOT requested that they proactively report them through the VDOT system so they could be addressed.

Mr. Bates said that resurfacing was also underway. He said that the 2025 routes were progressing well. He said that the same report that had been submitted last year was being implemented this year, and those routes included Hollywood Farm, Caisson, New Hope Church, and other heavily traveled roads such as Telegraph Road, Onville, Barrett Heights, and sections of Banks Ford and Celebrate Virginia. He said that most notably, through their trench widening program Stefaniga Road would be widened by two to three feet on either side, similar to what they had done throughout the County, in an agreement with Stafford County.

Mr. Bates said that equally as important was that seven subdivisions were moving forward this year before winter, which was also a positive development. He said that they were looking forward to similar projects in 2026, which had been prioritized based on ratings and submitted to their team. He said that they were now waiting on funding to determine what projects would be put out to contract in 2026.

Mr. English asked if Mr. Bates could request someone to look at a low part in Holly Corner from where all the construction traffic was going. He asked if bushhogging on Round Olive and Kellogg's Mill could be completed for sight distance issues. He said that additionally, he had received complaints about tractor trailers going down Kellogg towards Mountain View. He asked if there was a possibility of a no through-trucks restriction on that section of road.

Mr. Bates said that implementing a no-through truck restriction would be a viable option. He said that he could work with County staff to make it happen, as it typically began with gaining support from the Board, followed by a public hearing process. He said that he was able to work with the staff to gather all the necessary details, and he anticipated being able to provide them sooner rather than later.

Ms. Vanuch said that she was grateful for Mr. Bates' attention to detail and commitment to finding solutions. She said that she also wanted to thank him for prioritizing the epoxy coating on the bridge, particularly after the incident involving a young driver who lost control of his Jeep Wrangler and slid off into Aquia Creek. She said that the potential consequences could have been severe, and she appreciated his proactive approach. She said that additionally, she wanted to bring to his attention a concern regarding Quail Run Drive in Ms. Gary's district. She said that the road had been experiencing recurring issues with a creek that repeatedly caused the road to cave in, and she would appreciate it if Mr. Bates could look into finding a more permanent fix for that section of road.

Ms. Gary said that she would follow up on that with Mr. Bates.

Ms. Allen asked if Mr. Bates could discuss the plans for traffic calming in Decatur, which had been a concern during her first term, particularly now that the weather was warm and people were driving out to the park or the winery.

Mr. Bates said that they had landed on a solution regarding traffic calming, which was to install a speed display sign, which would show drivers the speed they were driving at, as opposed to a speed limit sign. He said that they had data that concluded that a speed display sign would be warranted

due to the observed speeds in the area. He said that they were now seeking a mechanism to implement that work. He said that they had contracts that could cover it, so if it was included in the Secondary Six-Year Plan they could work together to get that done.

Ms. Allen asked what the reasoning was for the change to the pedestrian piece of the work on Shelton Shop.

Mr. Bates said that the decision ultimately came down to budget. He said that Shelton Shop was one of the previous Smart Scale projects, and they had to make tough decisions regarding the roundabouts, something they would have preferred to do. He said that due to budget constraints, they ended up opting for traditional intersection improvements instead.

Mr. Bates said that the same issue arose with the shared use path, where they had to make difficult choices to move the project forward. He said that they were currently working to minimize the right-of-way impacts, similar to what they had done in the past with Onville and Shelton Shop. He said that they would have significant shoulders that could accommodate.

Ms. Allen said that students often walked around that area to the convenience stores and fast food restaurants. She said that one of her concerns during the early planning stage of the project was what they were doing to make pedestrian improvements. She said that she understood that sidewalks were extremely expensive, but she was wondering if there was any way the County could coordinate help or contribute more to get that to happen.

Mr. Bates said that at this point, he believed the answer was likely no, but he could review a typical section of the roadway and share it with the Board, so they had a reference.

Ms. Allen said that everyone saw the kids walking along that area, so it was a prevalent safety issue.

Mr. Bates said that he understood. He said that there would be some very wide shoulders that could accommodate pedestrians, but he would send the rest of the technical information to the Board so they could review it.

Matthew Lehane, Transportation Planning and Funding Manager, said that he would like to add one statement regarding the Transportation Master Plan. He said that what they were discussing today could be considered a phase one of Shelton Shop Road. He said that the ultimate goal was to widen the road to four lanes. He said that Mr. Bates had mentioned that it was not currently feasible to include a shared use path due to cost constraints; this was because they would have to pull up and remove the utility lines along the road.

Mr. Lehane said that if the road was widened, it would also require tearing up the utilities, making a shared use path a feasible project at that later date. He said that he was not suggesting that this would happen in five years, or even 10 years, but rather that it was a significant, costly project that was the ultimate goal. He said that he agreed that there were interim solutions that could be successful, but he wanted to highlight the longer-term vision, which was challenging due to current cost constraints.

Ms. Allen said that they understood Onville Road to have been a major issue, and she had not complained since that was fixed. She said that she understood there were areas where they wanted to put sidewalks in, but it sometimes could be cost-prohibitive to do so. She said that she agreed with Ms. Vanuch that Mr. Bates had been outstanding in his responsiveness and willingness to think outside the box to find solutions to try to keep the public safe. She said that she looked forward to hearing more in the future.

Mr. Diggs said that there was an issue with some of the roadway on Bethel Church Road, where some of the road edges were falling apart, and as soon as Mr. Bates was notified, it was fixed in a timely manner. He said that he knew their constituents appreciated that, so he wanted to thank Mr. Bates for all of this work.

Mr. Bates said that he wanted to note that Andrew Thorpe, Assistant Residency Engineer would be leaving in June because his wife's medical residency required them to move to Roanoke. He said that in the meantime, Caroline was assuming that role while they looked for Mr. Thorpe's replacement.

ADDITIONS – DELETIONS AND APPROVAL OF THE REGULAR AGENDA

ADD ON TO PRESENTATIONS; PRESENTATION OF A PROCLAMATION RECOGNIZING MAY 6 – 12, 2025 AS NURSES WEEK IN STAFFORD

William Ashton, County Administrator, said that the add-on presentation, a Proclamation Recognizing May 6 – 12, 2025, as Nurses Week in Stafford, was attached to the Board materials as Proposed Proclamation P25-25.

Dr. Yeung motioned, seconded by Ms. Bohmke, to approve the Regular Agenda, reordered to take up Item 5 before Item 1.

Ms. Vanuch said that she would like to hear from staff and the public before taking action on Item 5.

Mr. Diggs said that there was consensus from the Board to proceed as such.

Ms. Gary said that she agreed that this item should be taken up before the public comment period so that the public could hear all of the relevant information from staff regarding data centers.

Mr. Diggs said that yes, given the inaccuracies that had been disseminated, the County aimed to ensure that the public had the correct information before addressing this issue.

The Voting Board tally was:

Yea: (7) Allen, Bohmke, Diggs, English, Gary, Vanuch, Yeung

No: (0)

PRESENTATIONS/REPORTS BY DEPARTMENTS

ITEM 5. PLANNING AND ZONING; CONSIDER REQUESTING THE PLANNING COMMISSION REVIEW DATA CENTER REGULATIONS AND PROVIDE RECOMMENDATIONS AND PROPOSED ZONING ORDINANCE AND/OR COMPREHENSIVE PLAN CHANGES, AS NECESSARY, TO THE BOARD; PROPOSED RESOLUTION R25-141

Mike Zuraf, Director of Planning and Zoning, said that he would provide the staff update on the consideration of a review of data center regulations. He said that to provide some background, in February 2023, Stafford received its first data center applications, and subsequent zoning reclassification applications were submitted. He said that at that time, the Board wanted to review data center regulations and consider modifying the County's zoning regulations and comprehensive plan guidance. He said that a months-long process with the Planning Commission ensued, resulting in specific Comprehensive Plan guidelines and Zoning Ordinance regulations regarding data centers.

Mr. Zuraf said that in October 2023, the Board approved amendments to the Comp Plan and Zoning Ordinance. He said that those key changes at the time included amending the data center use and modifying the definition of data centers. He said that the use was limited to M-2 heavy industrial and Integrated Corporate and Technology Park (ICTP) overlay zoning districts as by-right uses, and other zoning districts where data centers were previously allowed were removed. He said that new regulations were also adopted, including increased building setbacks, landscape buffers, security fencing, and sound attenuation and study details.

Mr. Zuraf said that the comprehensive plan guidelines provided standards for land use compatibility, noise mitigation, and building design elements to preserve rural character in case any sites were located outside of the urban service area. He said that the guidelines also encouraged reuse of water for cooling purposes. He said that all of this information was based on staff's research, the applications that had been submitted, and general best practices.

Mr. Zuraf said that since 2023, there had been a steady influx of additional data center applications, with four projects already approved, two through rezoning and two through by-right site plans. He said that three of them were currently under construction and nine were pending review. He said that staff recommended that the Board perform due diligence and revisit the regulations approved in 2023 due to the increased number of data center projects and greater understanding of their use.

Mr. Zuraf said that the proposed action before the Board tonight would be to request the Planning Commission to study the current data center regulations and provide recommended changes for consideration. He said that to clarify, the action today would not alter the current data center regulations; instead, it would initiate a process that directs the Planning Commission to conduct research and consider whether any additional changes were necessary based on the current information.

Mr. Zuraf said that if the Board approved the resolution, the request would be sent to the Planning Commission, which would likely form a subcommittee to review and develop recommendations. He said that the full Planning Commission would then consider the recommendations, and their

findings would be presented to the Board at a future meeting for consideration. He said that at that time, the Board would have options to accept the changes and initiate a public hearing process, or request the Planning Commission to conduct further work. He said that alternatively, the Board could decide to take no action. He said that these are the potential options and the possible course of action from this point forward.

Mr. Diggs asked what the estimated timeline would be for this process.

Mr. Zuraf said that it was ultimately up to the Board's discretion in terms of when it would begin.

Ms. Vanuch asked if there would be a 100-day timeline for the Planning Commission to review the code and send it back to the Board.

Mr. Zuraf said that 100 days was the time limit for a decision to be made in a public hearing.

Ms. Vanuch asked if there was no time limit unless the Board chose to set one in this resolution today.

Mr. Zuraf said that staff's recommendation would be to set a time limit.

Rysheda McClendon, County Attorney, said that currently, there was no time limit specified in this resolution, so if the Board wished to establish a desired time frame for the Planning Commission to report back to the Board, the Board could set that. She said that when this matter came back to the Board for public hearing, that was when state code took effect, requiring a 100-day timeline and necessitating a public hearing to potentially shorten that timeframe.

Ms. Vanuch said that it would likely take 60 to 90 days for the Planning Commission to review the data center regulations, and then it would take another 100 days for it to go through the public hearing process. She said that in general, this type of code change process could take almost a year. She asked Mr. Zuraf how many applications were pending in the County right now that may be impacted by changes to the regulations.

Mr. Zuraf said that there were nine applications in total.

Ms. Vanuch said that it was typical for the County to grandfather in applications that were submitted prior to the adoption of a new or amended ordinance. She said that to avoid grandfathering in applications, they would need to hold a joint public hearing with the Planning Commission and move much more quickly through the review process and adoption of any changes to the data center regulations. She said that she wanted to clarify this for the public so they knew what they could ask of the Board. She asked Mr. Zuraf what the fastest process would be for considering a greater buffer requirement for data centers adjacent to residences.

Mr. Zuraf said that due to the Board's summer recess, they likely could not hear this matter again until the end of August.

Ms. Vanuch said that the fastest approach would be to send it to the Planning Commission, ask them to recommend some changes, give them 45 days to do so, request the Planning Commission to hold special meetings, and then bring it back to the Board by their first meeting in July. She said that at that point, the Board would authorize the public hearing to take place outside of their summer recess in August. She said that if she were a member of the public, she would also recommend that the Board provide clear direction on whether current applications would be grandfathered.

Mr. Diggs said that as they had this conversation, he wanted to ensure they were clear on the implications of breaking precedent regarding grandfathering. He said that if they did decide to break that precedent as part of the changes to the regulations, he would like to revisit and potentially other projects that were previously grandfathered, as they had previously stated that everything would be grandfathered.

Dr. Yeung said that she hoped the Planning Commission's subcommittee would be composed of the more experienced Commissioners. She said that she also wanted to ensure they were given straightforward guidelines in terms of what the potential changes may be. She said that some of the work already done was around minimizing noise, reducing visual impacts, ensuring the construction of data centers was done in a way that benefited the whole community for the long term, and minimizing environmental impacts. She said that she wanted to make sure that it was clear that the Planning Commission and the Board understood what changes were being considered as part of this process. She said that some of the concerns of their constituents had been specific and detailed, so they needed to set expectations about what the goals were in terms of the potential changes to the data center regulations.

Mr. English said that they would not be writing anything new; the regulations had already been written. He said that for this reason, he felt that 45 days was ample time for the Planning Commission to review the language and consider any changes. He said that the buffer distance between data centers and residences was the main concern that constituents wanted to see changed.

Ms. Bohmke said that she brought this issue forward two weeks ago, and she remained convinced that Stafford's Board of Supervisors, along with other Boards in the region, were continually learning about data centers and adapting their local policies. She said that she recalled their previous discussion about data centers with Mr. Zuraf, the Board was under the impression that there would only be six applications in Stafford County. She said that clearly, they were wrong.

Ms. Bohmke said that she thought that they could improve their Comprehensive Plan and Data Center Ordinance; that was why she brought this item forward. She said that she was concerned about several aspects, including the setback, but she also thought that they needed to address the placement of data centers in residential areas. She said that for instance, some of these sites were not near high transmission lines, and they would not be using reused water. She asked if these centers without reused water for cooling systems were instead going to get their water from the Rappahannock, and if they would need to get a Department of Environmental Quality (DEQ) permit.

Ms. Bohmke said that these issues were complicated, and they did not anticipate data centers being built in the middle of residential communities. She said that she recalled voting against the first data center office off Old Potomac Church Drive, and she told her constituents that it would pass. She said that they worked well with Amazon, and they accommodated some of their needs, but she still believed that project was too close to those homes. She said that when considering these projects, she always thought about them as if her favorite aunt was living in one of the affected homes.

Ms. Bohmke said that she wanted to ensure that their community's landscape was preserved and that they were not sacrificing their quality of life. She said that as they were all aware, there were positive aspects to data center projects, but they needed to be concerned about their impacts on their community. She said that she wanted to know how many of their 11 total data centers were by-right and how many of them were in the M-2 zoning district.

Mr. Zuraf said that the proposed projects were all rezoning requests and none of them were located in the M-2 zone.

Ms. Bohmke said that even though they were all rezonings, in her opinion, the Board should revisit the conditional use permits (CUP) for M-2 projects because without a CUP, they had no leverage to negotiate with developers. She said that if it was a by-right rezoning, the developer ultimately held the upper hand. She said that the CUP, however, gave the County the ability to negotiate, which was crucial. She said that Ms. Gary had mentioned at the last meeting that load letters from Dominion were something to consider, and she agreed that it was a great idea.

Ms. Bohmke said that however, to require load letters from Dominion, they needed to include it in the performance standards. She said that Mr. Diggs had also raised concerns about proximity to residential communities, groundwater, and the Rappahannock River. She said that she believed the timing was right for the Board to make these changes, and their constituents were concerned. She said that Mr. Zuraf had mentioned that the Board had three options, and she felt that this issue was too important for the Board to take no action.

Ms. Gary said that she appreciated that Ms. Bohmke had acknowledged that most of them had concerns that overlapped, which was why she had requested a work session to determine the Board's collective wishes and then send it forward. She said that she was disappointed that they could not do this in a work session, but ultimately she shared similar concerns that Ms. Bohmke had raised. She said that one of the key issues was the water, which the Board had fought to protect to ensure they were not harming the environment by taking water from the Rappahannock River.

Ms. Gary said that the Tree Canopy Ordinance also somewhat initiated that conversation with Laura Hassel from Northern Virginia Conservation Trust (NVCT), who would be speaking with the Board later. She said that that ordinance had been sent to the Planning Commission and should return to the Board soon, so it seemed they were all working to find the best approach. She said that for clarity, she would like to ask: if the nine pending projects required rezonings, would they be subject to the grandfathering clause if they had not been considered by the Board of Supervisors yet?

Mr. Zuraf said that grandfathering the active applications that had been submitted would essentially exempt those applications from any new regulations that were adopted.

Ms. Gary asked if the County grandfathered them but still wanted similar regulations to be put in place, they could still request them to do those things.

Mr. Zuraf said that that could be negotiated through a proffer process.

Ms. Gary said that those conversations could still be had and negotiated with the applicants. She said that grandfathering them did not necessarily mean they could do whatever they wanted; they would still have a typical process where they could honor those business dealings with people who wanted to bring that business here and make decisions, similar to other projects.

Ms. Gary said that the Board would assess whether the project aligned with their goals and values. She said that if they proposed using the Rappahannock River or an aquifer, it was not a by-right project and the County did not have to proceed with rezoning; they had other options.

Ms. Allen said that her perspective on this issue was more about policy and property rights, which she had stated consistently. She said that she would be accepting of a data center near her house because she did not have the power to dictate what someone else did on their private property. She said that she understood the concerns about setbacks, but those had already been addressed in the ordinance they created and there had not been any changes that would warrant a review of the regulations.

Ms. Allen said that doing this made it seem like Stafford did not want the data centers in the County, but if that was the case, they should just say that. She said that she believed they should be realistic about the impacts to the community, which in many cases were comparable to other businesses, rather than consider hypothetical issues that had not been experienced. She said that infrastructure costs were often borne by the utility ratepayers, but a specific data center project was covering \$100 million in infrastructure upgrades, which she saw as a benefit to all of the County.

Ms. Allen said that the positive aspects of data center projects, such as low impact to roads and schools, as well as high revenue generation, were things to seriously consider. She said that conversations about smart growth in 2025 had to include data centers, so she was strongly opposed to doing anything that would make it too difficult for them to be in Stafford County. She said that additionally, the Joint Legislative Audit and Review Commission (JLARC) study at the state level already had come to conclusions and recommendations regarding data centers, which was what their own policies were based on.

Mr. Diggs said that when considering this issue, he too had received numerous emails from constituents, and he appreciated when they reached out to him. He said that it was alarming to read some of the emails, as it became clear that some of his constituents, as well as some across the County, had not thoroughly reviewed the Board's actions on this topic, nor had they watched the previous meeting, where he had clearly expressed his stance on the issue. He said that he brought

this to the public's attention because he did not want constituents to be misled or manipulated, nor did he want to engage in politics that exploited people's fears.

Mr. Diggs said that he had concerns, as Ms. Bohmke had mentioned, regarding the proximity of data centers to residences. He said that he would like to explore this further and determine what they could do to address it. He said that the idea of approving a data center that would deplete the Rappahannock's water supply was unacceptable to him. He said that any data center attempting to do that must undergo rezoning and be approved by the Board. He said that pulling water from an aquifer was not something he would support; it would be a non-starter. He said that he believed it was essential that they conduct thorough research and due diligence as they moved forward, especially as technology evolved.

Mr. Diggs said that as a representative, it was his duty to be informed, and he also wanted to ensure that constituents were not misinformed, spending excessive time and becoming stressed due to inaccurate online information. He said that he was aware that Ms. Gary and Dr. Yeung had proposed a work session to discuss specific concerns on this topic. He said that for him, the proximity to residences was the most critical factor. He said that he believed it could be addressed within 45 days.

Ms. McClendon said that she wanted to clarify something regarding the 45-day timeline that had been mentioned by the Board a few times. She said that if the Board acted and requested the Planning Commission to bring back its recommendation within 45 days, that would be July 4. She said that the only timeline that would work with the Board's currently schedule would be 5 weeks or 35 days.

Ms. Vanuch asked Mr. Zuraf if data centers were still permitted by-right in M-2 industrial zoning.

Mr. Zuraf said that yes, that was correct.

Ms. Vanuch said that they had been permitted by right until the Board voted in 2023 to change the data center requirements so they were not permitted by right in B-1, B-2, and M-1 zoning districts. She said that for anyone considering the ones that were near their homes, which now required rezoning, two years ago, those could have been permitted by right. She said that this was a very difficult vote, and she fought with some of her colleagues for five months to bring back the rezoning requirement due to the implications of by-right data centers.

Ms. Vanuch said that she would encourage people to review those meetings and votes, as well as who supported what. She said that she believed Mr. Diggs had not been elected to the Board yet at that time. She said that a few months ago, they had an issue regarding removing data centers from by right in M-2 zoning, and that matter failed, so data centers were still by right in that district. She said that the ways the Board could deal with data centers was whether to remove data centers as a by-right use or to apply County Code via a data center ordinance.

Ms. Vanuch said that the latter was applicable even to by-right data centers, and it was a risk that they were still facing in M-2, whether there were applications before them or not. She said that specifically, the only way to create setbacks or requirements on those parcels would be through a

data center ordinance. She said that a conditional use permit was another way to create setbacks, although it was challenging to request in a rezoning for proffers, and it was only applicable to the Board. She said that a conditional use permit allowed them to set conditions on buffering requirements, setback requirements, and if those conditions were violated, they could revoke the CUP, effectively eliminating the data center.

Ms. Vanuch said that she was a strong supporter of having this conditional use permit requirement in place. She said that she would like to provide some context regarding their history with data centers. She said that they had passed ordinances in the past where they did not grandfather applications, and they only grandfathered applicants in certain situations, such as during litigation. She said that she would like to make sure that the public understood the Board's position and that they could make adjustments to this ordinance.

Ms. Vanuch said that she had previously suggested that the Planning Commission be given full unilateral authority to change the ordinance, which would allow the public to coordinate with the Planning Commissioners and bring recommendations to the Board prior to their summer recess. She said that she believed this would be beneficial and would allow them to move forward in a timely manner.

Mr. Diggs said that he believed the Board members were all saying the same thing regarding this matter. He said that he also wanted to emphasize the importance of not rushing this process and ensuring they got it right. He said that to do so, they needed to thoroughly understand what the Planning Commission had before them, their capabilities, and approach it in a way that was not only in the best interest of their constituents but also generally right. He said that they wanted to avoid presenting information that they could not research or verify.

Ms. Bohmke said that she wanted to mention another concern she had regarding the location of some of these data centers. She said that some of these facilities were situated in areas without access to water or reuse systems, but they must require a cooling system, so she was concerned about the noise generated by these cooling systems that would be located on the rooves.

Ms. Bohmke said that she had looked at the map of where all the proposed data centers were, and some of those areas were not anywhere close to reuse water, so it was reasonable to assume they would be using some other kind of cooling system that would generate more noise, which was the same concern with the backup generators. She said that they did not really address those generators in the original ordinance, and she wanted to make sure that was raised as a consideration.

Mr. Diggs said that in the George Washington District, the data center projects submitted at this point were intended to use reuse water. He said that given that many of his constituents were present tonight, he wanted to ensure that they knew that reuse water was a part of the conversation when discussing these projects. He said that specifically, groundwater and the Rappahannock River were not options for these projects.

Ms. Bohmke asked if the Planning Commission could hold a special meeting to start working on this issue.

Mr. Zuraf said that the Planning Commission had two more scheduled meetings before the July 1 Board meeting. He said that the Commission would be meeting on June 11 and June 25, so if the Board took action tonight, they would not form the subcommittee until June 11, and then could schedule a special meeting after June 11. He said that there might be two subcommittee meetings before the July 1 meeting.

Ms. Bohmke said that she thought that may work, considering they were not looking at major changes to the Comprehensive Plan or the Ordinance. She said that they were considering tweaks, albeit important tweaks.

Mr. Diggs asked if Board members wanted the Planning Commission to only look at tweaks or to look at everything.

Ms. Vanuch said that when reviewing the ordinance, they should avoid narrowing their focus to just a few aspects. She said that if they presented it as a resolution and only considered the setback, noise, and data consumption or water consumption, it would restrict the Commission's evaluation to only those three factors. She said that this could lead to a situation where a resident pointed out an omission, such as a lack of consideration for X, Y, or Z, and the Planning Commission and the Board would have to revisit the issue, potentially causing delays.

Ms. Vanuch said that in the past, when the Board adopted this approach, it often resulted in missed opportunities for positive changes based on public feedback. She said that to avoid this, they should instruct the Commission to expediently conduct public input sessions, hold subcommittee meetings, and incorporate feedback, but not to redo the entire ordinance.

Ms. Allen said that regarding the sound issues of data centers, she would like to direct everyone to the JLARC study, completed on December 9, 2024. She said that the study thoroughly examined generators, noise, and impacts, and concluded that the noise was negligible. She said that this information was publicly available, including the JLARC data center study, which was officially released in December 2024. She said that the study provided detailed information, including concerns about energy consumption, and the JLARC study recommended that the state take a significant role in addressing the energy consumption. She said that she was not sure what the County's role was in this process, as they were making assumptions about data centers that had not even been presented to them.

Ms. Allen said that they were speculating about potential locations and outcomes without concrete evidence. She said that she was not going to speculate or spread misinformation. She said that she was frustrated, not with the public, but with her colleagues who seemed to be orchestrating this. She said that the decision to send this back to the Planning Commission had been predetermined, and she wanted the public to be aware of that. She said that the state had already studied this, and if they wanted to use the JLARC recommendations, that would be an informed way of addressing their own local policies, but she was not supportive of the current gamesmanship coming from the Board.

Ms. Vanuch said that she wanted to make a brief comment regarding an accusation. She said that it was clearly directed at the two individuals who had requested this review, but the concerns they

were addressing were genuine and organic voices. She said that she did not personally know anyone in the audience who she had talked to about data centers.

Ms. Vanuch said that she found it disgusting that whenever a Board member disagreed with another person's position, they implied that other Board members were orchestrating the issue. She said that she urged the members of the public to share their comments with the Board when they had the opportunity, as this behavior was a common occurrence among some Board members. She said that if they disagreed with someone's position, this was the kind of response they could expect.

Mr. Diggs said that he would agree with Ms. Allen that there was a lot of gamesmanship and playing on people's fears on the dais. He said that however, Ms. Allen had not singled anyone out specifically and they would discuss this matter further after they heard from the public.

PRESENTATIONS BY THE PUBLIC

1. Shannon Fingerholz, Hartwood District, said that she would like to share a tale of two different tin cans. She said that specifically, she would like to discuss the relocation of their Registrar's Office to 124 Old Potomac Church Road and thus was site of the County's early voting center. She said that considering there were approximately 33,000 people passing through in person during the 2020 early voting period, when the Registrar's Office was moved to this location, it was surprising that no thorough traffic study was conducted to assess the impact on the surrounding area.

Ms. Fingerholz said that she obtained VDOT and County records through a Freedom of Information (FOIA) request, which revealed that no traffic studies were conducted between January 1980 and April 1, 2025. She said that this lack of due diligence had led to several issues, including congestion in the parking lot, near misses with pedestrians, and car accidents. She said that in response to these concerns, the Sheriff's Department was asked to direct traffic, but this request was denied, and instead the Sheriff installed cameras and gave panic buttons to the Registrar staff. She said that despite these challenges, the Registrar's Office was relocated to this site without adequate consideration for the needs of their voters.

Ms. Fingerholz said that in contrast, the School Board had been requested to conduct thorough studies and double-checking many different aspects of the Blackjack Road warehouse location and building before making any decisions. She said that the School Board had the same type of location constraint the Registrar's Office did, but the Schools facility was scrutinized much more than the Registrar's. She said that the Schools had received money from the state that would cover the costs of purchasing the building, there were only a limited number of warehouses in the County they could use, and renting another space would cost more money. She asked why the Board did not consider the importance of requesting data to determine whether the Potomac Church Road location was the safest and most convenient location for their voters.

2. Connie Peebles Barrow, Rock Hill District, said that she had been a resident of Stafford County since 2002. She actually had to look up what her district was because she was on the edge and could not tell from the colored map. She said that it turned out she was Ms. Vanuch's resident.

She said that regarding the Board's earlier discussion, she could attest that she had never even seen Ms. Vanuch before. She said that she was a former U.S. Government Accountability Office Senior Policy Analyst and homeschool mom. She said that she would like to provide a brief overview of her personal experience with data centers.

Ms. Barrow said that it was a couple of months ago that she started learning about them, when she took a free online survey that asked for her zip code. She said that to her surprise, the only survey that appeared was one related to her opinion of data centers. She said that she was surprised by the survey, which included three commercials, with pre- and post-test views, and one that stood out to her, which was a heartwarming commercial about a mother's involvement in her child's Little League team.

Ms. Barrow said that she thought about how to find out about data centers, and she realized that asking ChatGPT was a good starting point. She said that however, the most important factor is not the individual level of data centers, but rather the aggregate impact on the County's infrastructure. She said that as the Board pointed out earlier, they initially thought there would be five data centers in the County, and on an individual basis, she would agree that it was important to consider the regulations for each. She said that now, they had almost three times as many applications only a year and a half later.

Ms. Barrow said that her sense was that this was becoming a very important area for the infrastructure, so it was not on an individual basis that they must deal with data centers; it was important to deal with it in aggregate and look at the capacity of the County as a whole. She said that they must determine what that would mean with each additional data center that would be proposed. She said that her main concern about data centers was the long-term viability of data centers.

Ms. Barrow said that five years was the point at which data centers would hit maximum efficiency, and after ten years, it was functionally outdated. She said that then, in 15 to 20 years, major retrofitting was needed, and after 20 years, they were obsolete or decommissioned. She said that long-term planning was essential. She said that for comparison, Stafford Marketplace had been in the County for longer than 20 years. She said that large, concrete buildings with major infrastructure demands that were nonfunctional after 20 years should be part of their entire planning process.

3. Patrick Sobolik, Hartwood District, said that he was a retired Master Sergeant for the U.S. Army. He said that he stood before the Board to advocate for a cause that embodied progress, accountability, and responsible stewardship of the County's resources, residents, and future, which was voting yes on this measure that permitted the Board to re-examine performance standards on the data centers.

Mr. Sobolik said that data centers were the backbone of the digital economy, powering local businesses and vital public services. He said that however, as technology evolved rapidly, so too must their oversight and performance standards to ensure these facilities operated efficiently, sustainably, and in alignment with the community's best interests. He said that a

yes vote empowered the County with flexibility, allowing them to respond dynamically to new technological advancements, environmental considerations, and community needs.

Mr. Sobolik said that this flexibility enabled them to adapt regulations to promote energy efficiency, reduce carbon footprints, and foster innovative practices without being hamstrung by outdated protocols. He said that second, this measure also strengthened accountability by revisiting performance benchmarks regularly, ensuring data centers remained compliant with safety, environmental, and operational standards.

Mr. Sobolik said that this proactive approach minimized risks associated with energy consumption, water usage, and infrastructure, directly benefiting the residents. He said that third, this measure provided them with the chance to learn from neighboring counties to the north, studying their successes and failures to gain insight into how data centers were integrated into their communities. He said that this knowledge would empower them to make informed decisions on how data centers should interact with their own communities.

Mr. Sobolik said that lastly, supporting this measure signaled their commitment to sustainable growth, recognizing that data centers could be a tool to contribute to the local economy; however, unchecked growth without updated standards could lead to resource depletion, environmental degradation, and encroachment on residential communities. He said that re-examination safeguarded against these risks, ensuring that economic development did not come at the expense of the community's well-being. He said that he was asking the Board to send this back down, and he liked the idea of Ms. Vanuch's timeline and to not grandfather any pending applications.

4. Donald Squires, Hartwood District, said that he would like to state that he was not personally part of any orchestration to be here tonight. He said that additionally, he had not relied on ChatGPT to inform his knowledge of the situation. He said that he had been working in the Information Technology (IT) field for over 50 years and had recently retired from the federal government. He said that he lived on Kelsey Road, and he loved where he lived. He said that however, his current residence was ground zero near a large data center complex, spanning several million square feet. He said that it was not a single data center, but a cluster of them.

Mr. Squires said that he lived on one of the lowest points of Kelsey Road, which would make his well one of the first to go dry if that data center were to use groundwater for their operations. He said that if it was not causing any water table problems, he would guess that the developer would guarantee that they would cover the expenses any water table problems that may arise. He said that he had been at a meeting where the developer was speaking, and he repeatedly stated that building this data center was the better option because the alternative was worse.

Mr. Squires said that however, he believed that was never a good reason to make a decision. He said that he had worked at a data center in suburban Philadelphia for years, both inside and outside, and he could attest that diesel generators could be extremely loud and dirty. He said that some may attest that the generators were quiet, but he knew from personal experience that that was not true. He said that they were very loud, could disrupt conversations and were not suitable for residential areas.

Mr. Squires said that he had never seen a restaurant cause problems with an electrical grid or drain a local water table, so he did not think it was fair to compare the impact of a million-square-foot data center to a restaurant. He said that he begged the Board to request that someone provide evidence of the millions of tax revenues data centers would bring in, because he believed upon inspection, they would find those estimates were untrue.

5. Karen Fox, Hartwood District, said that she strongly encouraged each and every one of the Supervisors to vote yes to review Stafford's data center performance standards. She said that this vote should not be controversial; it was simply about ensuring the County has the right safeguards in place before additional data centers were approved or grandfathered. She said that a no vote would be short-sighted and deeply irresponsible. She said that it would be a vote against Stafford's residents, against the County's natural resources, and against the long-term future of this County.

Ms. Fox said that Stafford had yet to feel the full impact of the data centers already approved, but other Virginia counties had, and they regretted it. She said that in Prince William, residents were told data centers would be quiet, self-contained, and good for the tax base. She said that now, as CBS News reported, families found themselves living next to humming warehouses that ran 24/7, surrounded by fences, noise, and diesel fumes. She said that in Loudoun County, where data centers dominated the landscape, water uses surged to nearly 900 million gallons in 2023, up from 250 million gallons in 2021.

Ms. Fox said that residents reported well interference, grid strain, and loss of open space. She said that many of the officials who approved those projects were no longer in office; the public responded with their votes. She said that Stafford residents watched closely and were tired of misleading plans and vague promises. She said that they were tired of economic development being used to justify everything. She said that they needed long-term vision, not more decisions that left communities scrambling to pick up the pieces.

Ms. Fox said that voting yes tonight did not block development; it simply gave the Planning Commission a chance to make sure that the standards were strong enough to protect everyone. She said that this was a chance for Stafford's leadership to lead with integrity and foresight. She requested the Board to please vote yes unanimously for their land, their health, and the future of Stafford.

6. Cade Hildreth, Hartwood District, said that he also had never met any of the Supervisors before in person. He said that he was speaking out of concern because this issue directly affected him and many people in the community he cared about. He said that he had taken notes, but he would like to speak from the heart, as they were not being swayed by social media or communication. He said that they were experiencing this firsthand, learning from each other, studying the projects, and visiting developments in their community and adjacent areas. He said that they were reading articles and talking to people who lived nearby, examining the designs that impacted their own homes.

Mr. Hildreth said he said that he was one of those people, and on one side of his home, 242 feet from his property line, a data center would be built if the proposal for GWB was accepted. He said that this would include a road, fence, security lighting, and clearing the land to create a berm. The area would be clear cut, with only a few saplings or growth allowed, but not the thick vegetation that would provide a buffer or protect his view. He said that on the other side, an electrical substation would be built. He said that this was the life the Board was asking them to bear, and that was why setbacks, buffers, and the type of vegetation mattered.

Mr. Hildreth said that this was common sense and due diligence. He said that the technology had changed dramatically in the last two years; he guessed that almost everyone in the room did not use artificial intelligence (AI) before two years ago, because he certainly did not. He said that ChatGPT only happened in the last six to 12 months. He said that this had changed the size, scope, scale, and impact of these developments. He said that they were becoming larger and more hyperscale-type development. He said that these were heavy industrial uses next to residences; they were not restaurants or garages next door.

Mr. Hildreth said that they were heavy industrial facilities operated 24/7 with lights, noise, diesel fumes, and generator sounds. He said that they required high levels of security, similar to prisons, to protect the data. He said that these were the kind of neighbors they were being asked to live near, at a distance similar to the length of the Board room they were in right now. He said that they needed responsible development in their County to keep up with the times. He said that these technologies were changing, and they were getting together as a community to discuss and address these issues.

Mr. Hildreth said that they were meeting, talking, and examining the tax math. He said that he had spent weeks studying the tax math with tax professionals, Internal Revenue Service (IRS) agents, certified public accountants (CPA), and legal counsel, and they were clear on the tax implications. He said that they were not appealing, and he would be happy to meet with anyone who wanted to discuss the details further. He said that he would like to extend his gratitude to many of them on the Board who had spoken out today. He appreciated their willingness to listen, and his heart was swelling with gratitude for those who were truly hearing their voices.

7. Abby Carter, Falmouth District, said that she also had taken notes to present to the Board this evening, but she also felt compelled to speak to them as a Stafford resident. She said that she wished she had known about this issue before the data centers started here in Stafford, because she would have spoken to the Board sooner. She said that her house would be affected by the large data center going in on Eskimo Hill. She said that it was unavoidable, as she lived a mile away. She said that the trees had been largely cleared down to Potomac Creek, and her house was on the other side of the creek.

Ms. Carter said that her whole neighborhood relied on well water, and she suspected that their wells would be impacted by the data center. She said that she would not want any other residents of Stafford to face similar issues about water and the anxiety that came with it. She thought it behooved the Board to re-examine the performance standards. She said that she was not opposed to development in Stafford, but it must be done in a forward-thinking manner.

Ms. Carter said that she believed statistics provided earlier, regarding the potential impacts over five, 10, 15, and in 20 years, these facilities would be obsolete. She said that they had to look at the long-term picture, so the performance standards must be forward-looking, not just reactive to current issues. She said that they had been forward-looking two years ago, but may need to be revised to consider the 10-year mark. She said that this would help prevent issues like contaminated wells due to runoff from the data center, affecting the water quality that fed into her well.

8. Jeff Eastland, Rock Hill District, said that the great British Prime Minister Winston Churchill once said that Americans could be counted on to do the right thing after they had tried everything else. He said that in that vein, he suggested that the approach Stafford County was taking with data centers was not the right one for their County. He said that notwithstanding the well-documented environmental impacts, including water usage, energy usage, noise, pollution, and excessive setbacks, they simply did not have the space. He said that with 95 Counties in Virginia and Stafford being the 24th smallest, they were uniquely positioned.

Mr. Eastland said that among the remaining small counties, none came close to their population, with the exception of Henrico, a Richmond suburb. He said that they did not have the room to accommodate multiple data centers. He said that the County's topography was also unusual, with the eastern half being highly sensitive ecologically, featuring streams, rivers, wetlands, bays, inlets, and rare places like Crow's Nest and the Civil War Park. He said that the recently approved data centers on Eskimo Hill and Potomac Church Road fronted right up to Accokeek Creek, a place of great beauty and rare bird life, including a waterfall and the Rappahannock River.

Mr. Eastland said that the Rappahannock River used to be one of the cleanest free-flowing rivers on the east coast, but now was currently ranked number six on the nation's list of most critically endangered rivers, largely due to unchecked growth and irresponsible management. He said that while they could not undo what had already been approved, they could prevent future irresponsible development. He said that they must play the long game and not give in to the immediate tax incentives, especially because of the tax breaks, quick depreciation, and rebates. He said that they were basically giving away the ranch.

Mr. Eastland said that they needed to hit the pause button and reject these rezoning applications, taking the time to think about what they were doing. He said that as a 74-year-old retired individual, he did not have children, but many in this community did, and their grandchildren would one day ask, "Why did you not stop this when you had the chance?" He asked what they were leaving for their grandchildren to inherit. He said that there was emerging technology rapidly changing the landscape, making these huge centralized data centers obsolete. He said that they could not afford to be overrun by data centers like their northern neighbors, who were now experiencing buyer's remorse. He requested the Board to not fail to meet the moment.

9. Adrian Sherman, Hartwood District, said that he moved to Stafford around the beginning of 2020, right as COVID was beginning. He said that he relocated his family here to enjoy the peace and community within this area. He said that shortly after moving here, they began

noticing the significant developments of the Embrey Mill Shopping Center and surrounding areas, which seemed like great things, but then they realized that those peaceful nights they used to enjoy in the Embrey Mills area, where they could gaze at the stars, were now gone. He said that now, with the construction of these large, heavy industrial centers and other developments, such as the proposed project off Courthouse Road, across from the Wawa, they will lose even more of the natural environment they have here.

Mr. Sherman said that as a parent, he had to consider how this would impact his children's future, in 5, 10, 15, and 20 years. He said that not only would they lose the quiet nights and parks and recreational areas, but they would also have to adjust to the noise and other issues that came with the infrastructure being built. He said that he had been reviewing some of the rezoning applications for low-voltage power lines and other infrastructure components. He said that as the Chairman mentioned, these were not happening now, but they must think about how they would impact the children who had moved to this County in recent years. He said that their County had grown significantly, and he urged the Board to re-examine those rezoning applications, as well as his neighbors', to ensure they did not lose their residential zoning and the reasons many families like his moved to this area in the first place.

10. Richard Fyne, Garrisonville District, said that he and his wife had sent emails to every Board member within the last couple of days regarding the data they had, and while they may not have time to review it, they did have access to it now. He said that some of the data was outdated due to difficulties in accessing and interpreting it, which he believed was a challenge many residents in Stafford County faced, particularly those working long hours and perhaps multiple jobs and did not have the time to do in-depth research. He said that getting that information out to the community in an easy-to-understand manner was important, as was getting community feedback.

Mr. Fyne said that he would like to make a brief statement. He said that he would not delve into the water concerns or other issues that had been adequately addressed by others prior to his comments. He said that he would like to highlight that Stafford County currently lacked low-frequency noise standards, measured as dBC. He said that this type of noise, which had caused complaints in Loudoun and Prince William Counties, could be effectively mitigated, and its impact on residents' health and daily lives could be minimized.

Mr. Fyne said that lawsuits had been filed in other counties due to the lack of initial awareness of this issue. He said that as the Board had acknowledged, this was a dynamic process, and the paradigm was changing rapidly, with some improvements and potential drawbacks. He said that as their representatives, the public expected them to act in the best interests of the County and its residents.

11. Jeffrey Jones, George Washington District, said that this was his first time attending a Board meeting, as he was brought here by his wife after she learned about the data center ordinance discussion. He said that he had worked in data centers for over 30 years, and he believed there had been false equivalencies stated from Board members regarding their impacts on neighbors. He said that he would like to explained that data centers used an enormous amount of water

and were very noisy. He said that every facility he had visited, including those such as T-Mobile and ATT Wireless, and others in the area north of Stafford.

Mr. Jones said that the noise and water usage were significant concerns. He said that he encouraged the Board to research the chemicals used in the water treatment process to protect the pipes, as they did not want those chemicals to contaminate their water table. He said that he strongly recommended the Board and County staff look into this matter further.

12. Linda Muller, Aquia District, said that she had attended the October 2023 public hearing regarding the proposed M2-only by right designation. She said that during that hearing, the issue of conditional use permits was raised, and the developer's attorney warned that this change could discourage data centers from relocating to Stafford and take their business elsewhere. She said that they had a good way of creating fears of losing business. She said that she had been working on issues of data centers for a couple of years and attended meetings on the topic for a couple of years.

Ms. Muller said that she recalled when they thought it would be five data centers in the County. She said that the one already on Eskimo Hill had been referenced, and that one was a monster. She said that nine, possibly 11, meant that the dam had been broken open. She said that they knew that data centers used up an immense amount of water, and although some had stated they would not use potable water, they did not have that guarantee for the future. She said that that land was another major resource, which was limited. She said that power was the other resource, and as one of the Supervisors mentioned, that was a state issue.

Ms. Muller said that nevertheless, the energy usage was a big issue because ratepayers were already facing increased rates due to the growing energy demand to power the data centers. She said that she hoped the resolution to reconsider the requirements for data centers would be approved. She said that the power issue was particularly significant and it certainly would be a state-level issue. She said that over the past two years, the issue had evolved considerably, and more citizens in Stafford were becoming aware of it, and she was glad to see others sharing her concerns.

13. Bart Randall, Garrisonville District, said that he was surprised that the County initially allowed a 100-foot setback. He said that they did not know what they did not know, but it seemed reasonable to assume that with the issues the County had faced with setbacks, a 100-foot setback would have been a no-brainer. He said that it was surprising that it was that close. He said that regarding how often the regulations should be revisited, he would note that in the federal government, they sometimes re-evaluated things annually due to changing circumstances. He said that he would prefer to put this on the agenda and review it annually, rather than every 1.5 years.

Mr. Randall said that given the dynamic nature of this process, he believed it was essential to reassess setbacks annually to determine if the impacts warranted changes. He said that when discussing water, they acknowledged its importance; however, they did not know the full extent of the impacts until they occurred. He said that therefore, they must plan for the worst-case scenario. He said that they knew the worst case scenario with water was if a data center

drained the wells dry, so they must spell out the actions the County would take in that circumstance. He said that they must figure that out now rather than after it happened.

Mr. Randall said that perhaps they could include provisions in the proffer or ordinances that prevented water extraction from the aquifer. He said that by making these provisions a part of the ordinance, they could avoid dealing with the issue later. He said that while they could specify it in individual rezonings, they should prioritize putting these measures in the ordinance. He said that another point the Board must consider was how many data centers should be built in the County. He said that they had the potential for 13 total to be approved right now, so he would ask that they consider how many they really wanted in the County.

Mr. Randall asked if the County had a long-term plan for data center growth in the County. He said that when discussing smart and managed growth, he wondered where the data center growth plan was. He said that some would say that 13 was already too many, given the impact on water and power. He said that however, without a plan, they had no way of controlling the situation or guiding their decisions.

Mr. Randall said that ideally, they should have had a 10-year plan for data centers in Stafford by October 2023. He said that the only way they had control over these facilities was with a conditional use permit. He said that they could discuss the issue, but when it came to by-right development, they had limited options. He said that a CUP was the only way to exert control. He said that the bottom line was that data centers did have positive impacts, but they could not dismiss the negative impacts in the long term.

14. Carrie Sobolik, Hartwood District, said that she was not planning to speak but felt compelled to. She said that growing up in upstate New York in the Adirondack mountains, she was always an outdoorsy person. She said that she often ate dinner cold, as she rarely came inside when her mother called her for dinner; she was too busy exploring. She said that she was still that outdoorswoman; she moved to Virginia, lived in Prince William County for 10 years, and chose Stafford County. She said that she found the house and land they love, and now they were situated right next to the George Washington data center project.

Ms. Sobolik said that she had never been interested in politics and had never attended a Board meeting. She said that she had emailed all of the Supervisors, which was a first for her. She said that she was begging the Board to take a look at these standards. She said that she implored them to consider the people who would be living next to data centers, those with well water, and those of them who cherished the great outdoors – watching wildlife, stargazing, enjoying trees, and sitting with animals like she did. She said that she was pleading with them not to grandfather in the other nine applications; they had a chance to make a real difference.

15. Elaine Callender, Falmouth District, said that the Board knew her and she was present at the meeting when the Board first discussed data centers. She said that she may not be as articulate as some of the speakers tonight, but she had been working behind the scenes and spoke before the Board to caution them about the potential negatives of data centers. She said that since that time, she had seen firsthand the issues that data centers could bring, and she had heard from

individuals who have been affected by them. She said that a woman from Ashburn told her that she moved to their area because of the problems with data centers in her previous location.

Ms. Callender said that the woman even mentioned concerns about unusual organisms showing up in her tap water. She said that she had also spoken with a resident in Prince William who was disappointed by the large data center near his townhouse, which had become a visible eyesore. She said that she believed it was essential that the Board work with the Planning Commission to review the performance standards for data centers. She said that she urged them to keep an open mind when considering the data center industry's claims about tax revenues, as the provided information may be inaccurate and the developers were so motivated by profits that they would say whatever was necessary to get their data centers approved.

16. Lillian Swain, George Washington District, said that she had the opportunity to speak at the recent town hall meeting Chairman Diggs organized. She said that given what she had heard tonight, she would focus on a few key points. She said that she had read the JLARC study, including the study, the summary and PowerPoint presentation. She said that according to the JLARC study, data centers were industrial facilities largely incompatible with residential use. She said that one-third of the data centers in Virginia were located near residential areas, and industry trends made future impacts more likely.

Ms. Swain said that the JLARC study stated that inadequate local planning and zoning had allowed some data centers to be situated near residential areas, causing impacts on those residents. She said that in some cases, this occurred because local zoning ordinances did not consider data centers as industrial uses. She said that some localities had zoned industrial areas next to residential areas, despite land use principles that advise against such proximity. She said that this led her to one of the points she came to discuss tonight, and that was to consider their current data proposal.

Ms. Swain said that she appreciated that the proposal required public hearings for current B-2, REC, and M-1 zonings, and keep the by-right designation for M-2 and ICTP zoning districts. She said that she would like to see the proposal amended to include A-1 zoning as land that required a public hearing for data centers, because 25% of their County was undeveloped and much of that was A-1 zoning. She said that they should ensure that public hearings were held for any rezonings of A-1 uses. She said that the JLARC study stated that generator noise could be minimal, but when tested monthly, these generators produce noise levels of 85 to 100 decibels, comparable to the noise level of a lawnmower, which was 90 decibels.

17. Maria Morin Zaluski, George Washington District, said that she and her husband resided about 1,000 yards from a proposed data center in the George Washington District. She said that they were both born and raised here and, after getting married, decided to put down permanent roots and build their forever home in an area that had always felt preserved, peaceful, and special. She said that when her mother unexpectedly passed away six years ago, she chose to scatter her ashes in their backyard, where she had thought they would always be.

Ms. Zaluski said that what was currently a quiet, beautiful stretch of farmland and green space along the Rappahannock River, a haven for wildlife and a sanctuary for families, could soon

become an industrial corridor. She said that what began with one data center can lead to many. She said that this was not just a zoning issue; it was a tipping point. She said that this area was home to a thriving bald eagle population, with active nesting sites right where the data center will be built. She said that the constant noise and vibration from the industrial cooling systems, backup generators, artificial lighting, and heat output threaten to drive the birds and many other species away.

Ms. Zaluski said that she questioned the gains that would result from this destructive development. She said that the return to their community was minimal. She said that the Memoranda of Understanding entered into at the time, when the impact of data centers was not well understood, were no longer relevant. She said that the tax benefit to the County would be relatively small. She said that these facilities brought few long-term jobs and studies had shown that they can lower nearby property values due to noise, utility strain, and visual impact. She said that the only parties that stand to profit were the developers.

Ms. Zaluski said that the residents of Stafford County would ultimately pay the price. She said that respectfully, she thought that comparing living near a data center to having a restaurant next door was reductionist and a false equivalence logical fallacy. She said that it was also incorrect to imply that they were incapable of grasping the significance of the impacts of these projects. She said that it was true that they did not have all the information about the long-term community health and environmental impacts of data centers.

Ms. Zaluski said that technology is rapidly evolving, and the lack of caution on projects like these would be borne by future generations. She said that she did not want her home to become a test bed and a lesson learned for future counties. She said that she was not just here for herself; she was here for her neighbors, for the families who loved and relied on this land, and for those who may not even know what was happening. She said that this community did not ask for this. She said that if she had known earlier, she would have been speaking before the Board earlier.

Ms. Zaluski said that they chose to live here for its beauty, its peace, and its permanence. She said that of the thousands of emails the Supervisors had received, she would ask: who was in favor of these data centers? She said that their constituents were here, speaking loudly and watching how they voted. She said that she was begging the Board to please vote to revisit the zoning laws and to not grandfather in existing applicants. She requested the Board to vote against rezoning on the current applicants. She asked them to please use their votes to protect this land and to do everything in their power to stop the influx of data centers in Stafford County.

18. Donald Hall, George Washington District, said that he was born in Stafford County on the same piece of land as a proposed data center. He said that he had lived in the same area for 70 years and had no idea this would happen. He said that as a member of the committee that developed the Comprehensive Plan, he primarily heard in their discussions that the rural area should be protected, specifically this area that was now subject to a proposed data center. He said that specifically, Kings Highway South in Stafford had always been at the top of the list for protection.

Mr. Hall said that he had recently learned that there was only one application pending under Route 3, but they had contingent contracts to purchase over 1,200 acres on both sides of Route 3. He said that he was struggling to comprehend what it would be like to drive down Route 3 with 105-foot-tall buildings, 10 stories high, just 200 feet off the road. He said that he could not be convinced that their regulations were correct if that situation was possible. He said that he firmly believed that a data center was fine for areas they were zoned for, but taking agricultural land and developing it for quick profits was unacceptable.

Mr. Hall said that he was concerned that the County was being swindled by fast-talking individuals selling projects to developers or other companies. He said that the people asking the Board to approve these data centers were not even the developers themselves. He said that he urged the Board to vote to support the review and consider strengthening the Planning Commission's rules to protect the rights and the future of the area. He said that they needed to look at the bigger picture and explore alternative and diverse ways to generate revenue.

19. John Swain, George Washington District, said that he had been a resident of Virginia for 70 years. He said that as the Board prepared to vote on the review of proposed stricter zoning rules, expanded development standards, and operational oversight on the impact to the community, he believed it was essential to consider a few critical issues. He said that the devil was indeed in the details. He said that while they heard about the potential benefits, such as the economic impact on Stafford County, he believed it was crucial to examine the potential drawbacks. He said that broad-brush promises could be misleading and lead them to overlook the need for detailed analysis.

Mr. Swain said that their neighboring counties had been reeling from similar challenges due to a lack of information, misinformation, or omitted information. He said that the JLARC study was requested by the joint legislation in Richmond, highlighted some of the pitfalls that must be addressed concerning data centers. He said that as someone with a background in industrial chemistry, he was particularly concerned about the water use and quality issues associated with data centers. He said that the water problems could be complex and costly for the end user, and ensuring an adequate supply may not be feasible. He said that JLARC expressly authorized local governments to require and consider water use as an estimate for data centers.

Mr. Swain said that the Rappahannock River, currently the sixth most endangered river in the country due to low groundwater levels, was a situation that could not be easily reversed. He said that the DEQ had already warned that unless strict water management measures were enforced, the Potomac aquifer would be severely depleted. He said that they could not afford to lose any drop of water from the Rappahannock or surrounding aquifers. He said that water pollution was a significant concern and key to the health of an aquifer. He said that the concentration of fuel, oil, generators, and cooling oils in the substation posed a risk of water contamination. He said that neighbors had already tested their wells to establish a baseline profile for chemicals.

Mr. Swain said that chemicals such as chromate, algicides, and non-scaling compounds would be added to the cooling systems, and typically, aerosols from the cooling systems spread to

surrounding areas and resulted in air contamination. He said that it was unacceptable to have light pollution, air pollution, and water pollution around residential areas. He said that the Board's constituents lived, worked, and raised their families in Stafford; however, the folks building these data centers did not live here.

Mr. Swain said that it appeared they wanted to use shock and awe to overwhelm communities and force them to play by their rules. He said that it appeared the data center developers wanted to take the best that the County had to offer. He said that he urged the Board to change the dynamic and shift it in their favor by enforcing stricter zoning codes, development standards, and oversight. He requested the Board to please vote yes on the review of the data center performance standards.

20. George Fenton, George Washington District, said that he was merely providing a piece of advice. He said that data centers were a highly disruptive business. He said that this was not comparable to a restaurant, a school, or any other traditional project. He said that he commended Mr. Eastland, who succinctly articulated the challenges facing the County, and he also appreciated the Board's efforts to seek informed decisions and engage in open discussions. He said that however, he disagreed with assigning the entire burden to the Planning Commission and giving them only 45 days to make a decision. He said that the County had consequences and unintended consequences to consider.

Mr. Fenton said that the discussion had highlighted the potential consequences, but it was the unintended consequences that they would ultimately have to live with. He said that they did not get a second chance on this one; they must get it right the first time. He said that they should do their due diligence, take the necessary time, and ask the Planning Commission how much time they needed to provide thoughtful decisions rather than rushing through it in 45 days. He said that they should take their time with this, as there was no rush to get things right.

Mr. Fenton said that the Board of Supervisors should not be bound by the standards of 2023. He said that technology was advancing at a pace that outstripped their acquisition and policy capabilities. He said that it was essential for them to remain open-minded and adapt to these advancements. He said that he wished them good luck.

21. Kristin Maxson, Falmouth District, said that the Commissioners had kept this secret for a while, so the public was informed in 2023, despite it being on their desks as early as 2020. She said that the packet today was 1,313 pages, but they were stuck on this one issue. She said that unfortunately, the damage had already been done. She said that moving forward, they would be implementing measures to limit data centers, which would be controlled by a monopoly.

Ms. Maxson said that however, she agreed with the public's concerns, and she believed they must take action to prevent the data centers from expanding further. She said that the first speaker today pointed out that the Voter Registrar's Office was located just one block west of the first data center presented here. She said that this data center, listed as the smallest in their packet, was valued at \$1 billion dollars and consisted of two buildings, each also valued at \$1 billion dollars. She said that after five years, the equipment inside these buildings depreciated by 95%. She said that they would be using their water for this as well. She said that the data centers have not been applied to ICTP parcels before.

Ms. Maxson said that according to page 107 of 508, dated May 6, 2025, they cannot monitor commercial mixes in the public sphere. She said that this was not a democratic process. She said that the Smith Lake Study Permit, dated January 11, 2010, was over 15 years old and was an oversight. She said that this was equivalent to 100 data center buildings in Stafford, and it appeared that perhaps the Planning and Zoning Department was unaware of the exact number. She said that page 215 of today's packet revealed that 13 projects had zoned entitlements, but the actual number of buildings was unknown. She said that one project, for instance, had 26 buildings, covering a total of 25 million square feet, or 574 acres. She said that she drove to the campus construction site today to see if there were any signs for this meeting.

22. Heidi Farley, Hartwood District, said that she purchased her property in Stafford off Kelsey Road in 1990 and built her house there in 2001, choosing Stafford County over Louisa County because she liked it here more. She said that she recently came across an article in the Potomac Local News about a newly opened data center in Manassas, known as the Brickyard Data Center. She said that Commissioner of Revenue Tim Demeria revealed that a tenant within the Brickyard Data Center, operated by Digital Realty Trust, had filed paperwork identifying itself as a bank. She said that they were exempt from taxes, as government entities and financial institutions were not subject to taxation. She said that she believed it was essential for the County to identify the end users of these data centers, as this information was crucial for tax collection purposes.
23. Joe Brito, Hartwood District, said that he would like to start by thanking Supervisor Bohmke for bringing the ordinance to the Board at the last meeting. He said that he was extremely upset regarding a data center being built in the City. He said that the City's complicity in allowing this data center to be constructed was blocking the best river crossing option, which would ultimately cost them a significant amount, estimated to be between \$50 and \$100 million.

Mr. Brito said that this project would have a detrimental environmental impact, affecting the waterfall and their streams. He said that he strongly disagreed with the decision to allow this data center to be built in the right-of-way. He said that he agreed that they needed to establish better data center standards, especially since they had allowed by-right use. He said that if data centers were only allowed by conditional use permit, they could enforce standards as part of each public hearing process.

Mr. Brito said that he would like to bring to their attention a separate issue that had recently come to light. He said that fifteen graves had been relocated off of Holly Corner Road in the Hartwood District without public knowledge or consent. He said that the property was owned by the Mary Washington Foundation, and it was essential they find who was responsible for doing this to the Hammond Cemetery. He said that he agreed that well use should be prohibited, and they must prioritize protecting the Rappahannock River at all costs. He said that in fact, nineteen months ago, the river almost dried up.

Mr. Brito said that they could not allow further water extraction, even if it was reused water. He said that he recommended increasing water tap fees, as the reservoir cost \$170 million, equivalent to \$12 million per million gallons of water. He said that this meant that every million

gallons of water produced incurred a \$1 million infrastructure cost. He said that they should consider implementing high tap fees and bulk water sales, which would force them to pay a premium for their water. He also said that he strongly opposed extending water and sewer lines along Route 3 west outside the growth area.

PRESENTATIONS/REPORTS BY DEPARTMENTS (CONTINUED)

ITEM 5. PLANNING AND ZONING; CONSIDER REQUESTING THE PLANNING COMMISSION REVIEW DATA CENTER REGULATIONS AND PROVIDE RECOMMENDATIONS AND PROPOSED ZONING ORDINANCE AND/OR COMPREHENSIVE PLAN CHANGES, AS NECESSARY, TO THE BOARD; PROPOSED RESOLUTION R25-14

Ms. Vanuch said that she had a question for staff that she would like to ask briefly before they proceeded with making motions. She said that she had been in communication with her District's Planning Commissioner regarding the availability of meetings between now and their July 1 meeting.

Ms. Vanuch said that she was wondering if the Planning Commission could create a subcommittee at the discretion of the Chair of the Board of Supervisors prior to their next meeting. She said that if they voted today to send this matter to them, the Chair could establish a subcommittee the following day, appointing Planning Commission members to gather information and move forward. She said that however, she was unsure if there were any bylaws, regulations, or state codes that prohibited this action.

Mr. Zuraf said that he was not certain about that. He said that the Planning Commission could call a special meeting if needed, but he was unsure if that could be done without calling the special meeting first.

Ms. McClendon said that she was unsure, but she was currently reviewing the bylaws. She said that she could confirm that the Planning Commission could call a special meeting with 72 hours' notice to meet FOIA requirements. She said that she would continue to review the bylaws to ensure there were not any other requirements that would affect that.

Ms. Vanuch said that if they could hold the special meeting soon, they could certainly return with information to the Board by July 1. She said that after that point, they could hold a joint public hearing with them at the August Board of Supervisors meeting and establish the new data center regulations by that time. She said that without them, the current regulations would continue to govern the applications.

Mr. Diggs said that nothing was being built overnight, so they did have the time to get it right. He said that a data center, by nature, could not be built near anyone's property by August. He said that it was simply not feasible. He said that he understood the public's concerns, and he shared their sentiment, but they must prioritize doing it the right way. He said that he did not feel they needed to rush it through by August.

Dr. Yeung said that she had previously suggested a work session and a joint meeting with the Planning Commission, so she would again ask the Board consider doing that.

Ms. Allen asked if Mr. Ashton could provide some context on how this review would impact their staff and their workload. She said that she knew the Planning and Zoning Department was chronically short-staffed and she did not want this to be a strain on their staff resources and other pending applications outside of data centers.

Mr. Ashton said that it would obviously have an impact because their resources were limited and they would have to dedicate some to this issue in order to support the Planning Commission's work. He said that however, it was ultimately at the discretion of the Board.

Mr. English asked if they could have a joint work session with the Planning Commission to establish a clear work plan and hear all feedback regarding this review. He said that after they made sure they were all on the same page, the Planning Commission could begin working on the review for the Board to consider.

Mr. Diggs said that he would support that. He said that there was a sense of urgency; however, he believed they should make sure they fleshed out all of the issues in a comprehensive manner rather than piecemeal. He said that he would support holding a joint work session.

Ms. Bohmke said that she would like to ask Mr. Ashton if there were any applications that would be heard by the Board between now and the beginning of September.

Mr. Zuraf said that at the June 11 Planning Commission meeting, two applications for data centers would be presented: the Cranes Corner Data Center and the Potomac Church Data Center Proffer Amendment. He said that these were the first public hearings for these two items. He said that the Planning Commission had 100 days to consider these requests, but currently, these two cases were pending.

Ms. Gary said that she agreed with Mr. English's suggestion to hold a joint work session. She said that she agreed with the public comment earlier that asked the Board to take their time and not rush through this. She said that the two applications coming soon could still have specific performance standards applied, and she believed the Commission and Board would do so. She said that she agreed the standards needed to be revisited, but they had to take their time to make sure it was done correctly.

Ms. Vanuch said that there was huge risk in waiting. She said that there was nothing that prohibited the Board from allowing the Planning Commission to open up the ordinance and start working on changes. She said that they could initiate a subcommittee and they could also do a joint work session with the Commission while they were working on it. She said that they did not know when the other applications were coming forward, so at some point in time, it would be more difficult to remove those applications from grandfathering.

Ms. Vanuch said that taking their time might create more of a risk of litigation if the application was farther through the process. She said that it would behoove them to move expeditiously in

order to best protect their residents with updated setbacks. She said that they were still learning from other counties how to mitigate the impacts of the data centers, but she did not think they needed a lot of time because they had more knowledge now of what changes to make, both from other local governments and their own residents. She said that there was no reason to delay starting the process tonight and handling it jointly.

Mr. Diggs said that he recalled Dr. Yeung had previously suggested joint sessions with the Planning Commission, but the Board had not supported it. He said that he did not understand why this was being discussed as if it was the first time it had been brought up. He said that the Board had agreed at their last meeting that they did not want a joint meeting with the Planning Commission. He said that he believed they were all saying the same thing now, but he wanted to ensure they were on the same page. He said that he had been on the Board long enough now to know that when they rushed, they made major mistakes. He said that he did not want to rush this; he wanted them to take their time and make their changes prudently and responsibly.

Ms. Bohmke said that looking at their upcoming calendar, she believed their summer was going to be busy and difficult to coordinate with everyone together. She said that she agreed with Mr. English that a joint work session would be the best option, but it seemed like it would be difficult to make happen over the summer. She said that however, she would be open to it if they determined it was possible.

Mr. Diggs said that this was a serious issue and he thought it warranted being brought back on their calendar in August. He said that he would be willing to put in extra time and effort to make sure they addressed it fully.

Dr. Yeung said that she believed the Board could still have a joint work session and meeting while the subcommittee was working. She said that even if Supervisors were out of town, they could participate in the meetings virtually.

Mr. English motioned, seconded by Dr. Yeung, to approve Proposed Resolution R25-141 with a time limit of 45 days and a required joint work session.

Ms. Gary said that she thought it was a positive development that they were all agreeing on improving their standards for data centers; however, she did not appreciate the Board deciding to give the Planning Commission a very intense task within an extremely limited time frame. She said that she would kindly request the public to pay attention to the Board and Planning Commission dynamics as this matter moved forward, and to stay engaged so that the public's interests were well-represented and incorporated into their work.

Ms. Bohmke said that she appreciated the members of the public who came to tonight's meeting to voice their concerns to the Board. She said that they had many intelligent, engaged, and well-informed citizens whose knowledge about data centers was essential for the Board and Planning Commission to make the best decisions on this matter.

Dr. Yeung said that she had supported Ms. Bohmke's research into data center impacts. She said that she had raised the issue of water usage to the Rappahannock River Basin Commission, which

led to the JLARC study authors presenting those findings to the Commission and giving more details on what responsible standards should look like. She said that Stafford was already taking steps in the right direction with their regulations for data centers, and this item was about continuing to strengthen those standards.

Dr. Yeung said that she wanted to ensure the focus was on sustainability, efficiently, and reliability, with the ultimate goal of data centers being built in a way that minimized environmental impacts and benefited the whole community for the long term. She said that she supported the review and working with the Planning Commission to update their standards. She said that she agreed that they should take their time and ensure nothing was left out of the review.

Ms. Vanuch said that she appreciated the public's engagement in this process because their voices did influence the Board's decisions. She said that she would highly encourage everyone to stay engaged and attend the subcommittee, Commission, and Board meetings until the updates were finalized and approved. She said that the public's role in this process was crucial to achieving the best outcomes for their County. She said that additionally, she was concerned about scheduling the work session with the Planning Commission without acknowledging the limitations of advertising and achieving a quorum at the work session.

Mr. English said that he disagreed; if they all felt it was important they would be able to schedule and make time to attend the work session.

Mr. Diggs said that he did not think they would be getting this done by July 1; it was more likely to be around August or September. He said that he would really appreciate if Supervisors would not insinuate that the Board was not working together on these issues.

Ms. Allen said that her issue with this had never been about the policy itself, which she had consistently stated. She said that if they were going to have a genuine policy conversation about addressing this issue, she had no problem supporting it being sent to the Planning Commission and re-examining it. She said that her concern was that it had been so heavily politicized that she was unsure if they would have meaningful policy change rooted in data and analysis. She said that this was her opinion, and she was not attacking anyone, but she feared that it may not be approached in an honest manner that would be transparent to the public and yield the desired outcomes.

Ms. Allen said that it had nothing to do with the policy itself, but rather her concern that it would be politicized in a way that undermined its effectiveness. She said that as a poli-sci major, she had always been focused on policy, and from that perspective, she questioned whether this would be a genuine attempt to address policy using data and analysis. She said that if it was a genuine effort to improve policy through data-driven analysis, then she would support it. She said that she would be willing to examine it and see what they could improve. She said that however, she had been in these conversations from the outset, and her fear was that this issue had been politicized and weaponized in ways that had been unfortunate, using it to stifle growth and control it, rather than addressing the policy in a meaningful way.

Ms. Gary said that she agreed with Ms. Allen's point and would ask the public to stay aware of the political perspectives that may influence this work. She said that she would support a scientific approach to their process in order to ensure their standards were effective.

Mr. Diggs said that he appreciated all of the comments made by the public tonight and asked that they all stay engaged with the Board throughout this process.

Ms. Vanuch said that to clarify, the motion on the floor included a 35-day timeline and a work session. She said that she was still concerned that they may not be able to achieve a quorum for that work session. She asked if the Planning Commission's recommended changes could be worked on and presented to the Board on July 1, at which point the Board could decide whether a work session was necessary before advertising the changes for public hearing.

Ms. Vanuch made a substitute motion, seconded by Ms. Bohmke, to approve R25-141 with a 35-day time limit, without a work session.

Ms. Gary said that she would not be able to support Ms. Vanuch's motion because the timeline was too short in order to address the issue adequately.

Ms. Vanuch said that to clarify, Mr. English's motion included the same time period she just motioned for as well as an additional work session. She said that she thought her own motion provided more time because they could schedule the work session later than the 35 days. She said that she did not really want to slow down the process, but she was amenable to it in order to ensure they coordinated with the Planning Commission and the public.

Mr. Diggs motioned, seconded by Ms. Gary, to call the question to vote.

The Voting Board tally was:

Yea: (6) Allen, Bohmke, Diggs, English, Gary, and Yeung

No: (1) Vanuch

Mr. Diggs called the vote on Ms. Vanuch's substitute motion to approve R25-141 with a 35-day time limit, without a required work session.

The Voting Board tally was:

Yea: (3) Bohmke, Vanuch, and Yeung

No: (4) Allen, Diggs, English, and Gary

Mr. Diggs made a substitute motion, seconded by Ms. Allen, to approve R25-141, with the matter to return to the Board at their August meeting, and at that time schedule a joint work session.

Ms. Vanuch asked Mr. Zuraf how many applications could be processed during that time.

Mr. Zuraf said that it was possible that the applications heard by the Planning Commission at their June meeting could be scheduled to come before the Board during that time; however, there was a time limit associated with them and the Board did not necessarily have to vote at that meeting.

Mr. Diggs called the vote on his substitute motion.

The Voting Board tally was:

Yea: (5) Allen, Bohmke, Diggs, English, Gary

No: (2) Vanuch, Yeung

Mr. Diggs said that as a result of this vote, this proposal would be sent to the Planning Commission for review. He said that this would provide them with the necessary time to thoroughly review and complete the process by August. He said that a joint work session would be held, allowing them to work through the details together. He said that they would continue to work through the process, and a public hearing would be scheduled around September.

Dr. Yeung said that she misunderstood what was being voted on. She asked if they could reconsider the vote.

Ms. Bohmke motioned, seconded by Mr. Diggs, to reconsider the vote of Mr. Diggs' substitute motion.

The Voting Board tally was:

Yea: (7) Allen, Bohmke, Diggs, English, Gary, Vanuch, and Yeung

No: (0)

Ms. Allen motioned to call the question to vote.

The Voting Board tally was:

Yea: (6) Allen, Bohmke, Diggs, English, Gary, and Yeung

No: (1) Vanuch

Mr. Diggs called the vote on reconsidering his substitute motion to approve Proposed Resolution R25-141, with the matter to return to the Board at their August meeting, and at that time schedule a joint work session.

The Voting Board tally was:

Yea: (6) Allen, Bohmke, Diggs, English, Gary, and Yeung

No: (1) Vanuch

RECESS

The Board recessed at 8:26 p.m. and reconvened at 8:37 p.m.

JOINT PUBLIC HEARING

ITEM 7. CAPITAL PROJECTS TRANSPORTATION; JOINT PUBLIC HEARING WITH THE VIRGINIA DEPARTMENT OF TRANSPORTATION (VDPT) TO CONSIDER APPROVAL OF STAFFORD COUNTY'S FY2026-FY2031 SECONDARY SYSTEM SIX-YEAR PROGRAM (SSYP)

Matthew Lehane, Transportation Planning and Funding Manager for Stafford County, said that he was joined by Kyle Bates, the Residency Administrator Engineer for the VDOT Fredericksburg Residency. He said that the Secondary System Six-Year Program (SSYP) was an annual program that brought secondary funds, telefees, and unpaved roads to Stafford County for Board allocation.

Mr. Lehane said that they had discussed this at length and had noted several projects that required future Board decisions, including Windemere Lane, related to the Brook Road Project, and Lynhaven Lane, related to the Service District. He said that they had also added new projects to the SSYP, which they had discussed at length in prior Board meetings. He said that the final SSYP for approval was provided on the screen, which had been seen at the last Board meeting.

Mr. Diggs opened the public hearing.

1. Kristen Maxson, Falmouth District, said that she had reviewed various transportation reviews, including the Capital Improvement Program (CIP) 10-year plan, and this one appeared to be six years old. She said that the original CIP 10-year plan was \$1.4 billion, excluding utility projects, which was a separate chart. She said that the courthouse accounted for 14% of the total, almost matching the transportation budget at 15%. She said that their debt was 10%, but they were carrying more than that. She said that transportation was important to Stafford, but it was being pushed towards commercial. She said that certain designs were made at the last minute, and the County used transportation models to target lands along inadequate roads, as stated on page 53 of 1,313 in their packet.

Ms. Maxson said that the term "models" was concerning, as it implied that these models were being used to make decisions. She said that for example, an ambulance symbol had been placed at the intersection of Route 1 and Courthouse for a year, despite being from an old site elsewhere. She said that now, there was newly incorrect GIS information, with steep angles incorrectly placed in the system. She said that she would like to know why this data was changing their models, which would ultimately impact prices due to the perceived steepness. She said that she had noticed that a flat area of her own property was categorized as a steep hill.

Mr. Diggs closed the public hearing and the matter rested with the Board.

Ms. Vanuch motioned, seconded by Ms. Allen, to approve Proposed Resolution R25-139.

The Voting Board tally was:

Yea: (7) Allen, Bohmke, Diggs, English, Gary, Vanuch, and Yeung
No: (0)

PUBLIC HEARINGS

ITEM 8. BUDGET AND MANAGEMENT; CONSIDER AN ORDINANCE TO AMEND AND REORDAIN COUNTY CODE SEC. 23-122 AND SEC. 23-142 TO INCREASE THE MEALS TAX AND TRANSIENT OCCUPANCY TAX (TOT) RATES; AND BUDGET AND

APPROPRIATE ASSOCIATED REVENUE FOR FISCAL YEAR 2026; PROPOSED ORDINANCE O25-14 (APPROVES TAX RATES); PROPOSED RESOLUTION R25-129 (BUDGET AND APPROPRIATE REVENUE)

Andrea Light, Chief Financial Officer for Stafford County, said that the first item to address for this public hearing was the meals tax. She said that the Ordinance outlined the proposed increase of the meals tax from 5% to 6%. She said that according to the projections, this increase was expected to generate approximately \$2 million in revenue. She said that a budget appropriation resolution was attached to this public hearing, which aligned with the Board's direction and her previous discussions regarding the allocation of funds for the schools.

Ms. Light said that the second item on the public hearing was the increase in the transient occupancy tax, also included in the Ordinance. She said that as proposed, this would rise from 9% to 11% as of July 1, generating an increase in revenue of over \$1.1 million. She said that as previously discussed in the Board's budget, the proposed resolution allocates these funds for capital projects, specifically supporting parks projects. She said that in Fiscal Year 2026, these funds will be used for the Carl Lewis rebuild and a \$50,000 Aquia Landing parking lot project, totaling approximately \$350,000, with the remainder being proffered.

Mr. Diggs said that there was a 10% number built into the budget as an estimate for assessment revenues. He asked what the contingency plan was if they came in underestimated.

Ms. Light said that the Board retained 5% of the appropriation, which amounted to over \$18 million in Fiscal Year 26. She said that staff would bring this back to the Board after the December bills were paid and after they had some information about reassessments. She said that typically, they would bring this back to the second meeting in January to request the Board's release of the 5% appropriation hold. She said that she also reviewed their changes in assumptions regarding assessed value over the past three assessments.

Ms. Light said that in 2020, the assessed value increased by 11%; in 2022, it increased by 21%; and in 2024, it increased by 13%. She said that she believed they were in a fairly conservative position. She said that she also compared the first quarter median values of sales for homes to the first quarter of last year. She said that those increased by 7%. She said that based on this, she did not think a 10% increase was outside the realm of possibility it was conservative and likely would be met.

Mr. Diggs opened the public hearing.

1. Shannon Fingerholz, Hartwood District, said that she was definitely in support of this proposal and encouraged the Board to vote in support of it. She said that she believed it would be beneficial to separate the meals tax and the lodging tax, as some individuals may have differing opinions on one or both. She said that this would allow for a more nuanced discussion and consideration of the public's views.

Ms. Fingerholz said that it was essential to keep in mind that their neighbors who lived in their local hotels would be affected by both taxes. She said that they would experience an increase

in their lodging tax due to their residency, and the meals tax would also impact them as they had to rely on prepared foods, such as roasted chickens or fast food, due to the lack of cooking facilities in hotel rooms. She said that she was still in full support of this proposal; they should aim to diversify their tax base, but it was also crucial to consider the impact on their citizens who lived in the hotels.

2. Molly Denham, Hartwood District, said that she was advocating for the approval of the increase to the meals tax, and she would like to remind the Board to earmark the increase in revenue for the schools. She said that she would be remiss if she did not remind the Board that the School Board had developed a plan over several years to gradually bring school employee pay to a comparable level with that of other County employees, with the goal of keeping pace with their neighbors. She said that to date, that plan had yet to be fully funded by this Board of Supervisors.

Ms. Denham said that as a result, their school staff continued to face a long and challenging climb to a decent wage. She said that this was not a new issue, and yet each year, there were gasps of surprise and concern about the cost of educating their children, which fell under the Board's leadership. She said that her hope was that they could do better next year with budget planning, so that they did not find themselves in the same predicament again.

3. Joe Brito, Hartwood District, said that he was astonished that they continued to raise taxes, and over the past five years, at least 12 different Boards had increased either taxes or utility fees. He said that this was getting out of control, especially for those who could least afford it. He said that those who could least afford them were the ones they were taxing with these increases. He said that people in hotels were barely getting by. He said that they were struggling to attract restaurants to Route 17, yet they were proposing to raise the meals tax to 6% on top of the 5.3% sales tax. He said that this would be a significant increase, and it was surprising that it had not been mentioned earlier.

Mr. Brito said that he had recently been informed that Prince William County was considering lowering its meals tax to 3%. He said that if Stafford's neighbors were lowering their taxes while they raised their own, it would cause a major problem. He said that they needed to encourage restaurants to come to the County, and raising taxes was the last thing they needed for that. He believed there were other solutions that could mitigate this, and he was concerned about the prospect of another tax increase. He said that there was another proposal later tonight to lower fees, so he was discouraged on this. He said that this was a broken record, and they were taxing people who could not afford it as well as the restaurant industry. He said that they needed to focus on attracting restaurants to Route 17, and this action would only discourage it.

Mr. Diggs closed the public hearing and the matter rested with the Board.

Mr. Diggs asked Ms. Light if it was correct that those residing in hotels for more than a month were not subject to the transient occupancy tax.

Ms. Light said that she believed if someone stayed in a hotel for more than 28 days, no hotel taxes would be assessed.

Ms. Gary said that just because someone was living in a hotel, it did not mean for certain that they would be there beyond that specified amount of time; people without homes moved around a lot because they were in unstable situations. She said that she would like to ask the Board to consider some legislation with their state legislators to provide tax rebates to the nonprofit organizations who paid for hotel rooms for unhoused people. She said that she agreed they should keep in mind how these taxes impacted their residents who were struggling to survive.

Mr. Diggs said that the Board was in a difficult decision of balancing people's quality of life with development and finding adequate tax revenues. He said that most of their citizens had supported the Board in ensuring their schools were fully funded, but they also did not want their real estate taxes raised. He said that these increases to the TOT tax and meals tax were meant to provide the revenues that they did not seek from property taxes, with the ultimate goal of providing for their schools.

Dr. Yeung said that this funding was not technically earmarked for the schools, but she had to trust that the Board would decide to provide the funding the schools had requested instead of diverting it to something else. She said that they must continue to fund their school system and its staff, because otherwise they would struggle to retain talented staff and maintain morale.

Mr. Diggs said that this funding had to go towards the schools, otherwise they would have major problems next year.

Ms. Vanuch asked what the total increase in assessments was that Ms. Light was assuming in the budget.

Ms. Light said that she would have to calculate it; she did not have that number available in this presentation.

Ms. Vanuch said that the outcome of the assessments would impact the County's budget and determine how they would formulate their budget and tax rates next year. She said that she was concerned about making those types of assumptions because they caused the Board and staff to avoid considering the cuts they would have to make to avoid more tax increases if revenues came in differently throughout the year. She said that she did not support increasing the taxes nor appropriating it until they had more information later in the year about how assessments came in.

Mr. English said that he agreed they needed to do a performance audit to optimize their budgeting for departments.

Ms. Allen asked Ms. Light what the difference was in terms of the projected assessment revenues versus the actuals over the past few years.

Ms. Light said that typically, they were within 2% or 3% difference; however, it was usually a positive difference, meaning they ended up with more revenues than expected.

Ms. Allen said that this suggested their assumptions were more conservative.

Ms. Light said yes. She said that it was worth mentioning that there were a number of assumptions that go into real estate taxes. She said that real estate was a complex and significant tax in the County. She said that they also assumed they would see 1.5% new growth; however, it was possible that growth could be at 5% or 0.5%. She said that they made these assumptions to ensure that their projections were realistic and to avoid requesting a tax increase that may not be necessary.

Ms. Light said that if they did not make any assumptions, they risked overestimating the tax burden on taxpayers and citizens. She said that to mitigate this risk, they regularly reviewed and updated their projections, holding a conservative 5% reserve in case their estimates were incorrect. She said that they also had \$100 million in reserves available in case of a catastrophic event, which they could draw upon to reassess their plan and request a new plan if necessary. She said that through their quarterly meetings with the Board, their monitoring efforts, and collaboration with the Commissioner of Revenue's and Treasurer's Office, they strove to provide the most accurate projections possible.

Ms. Allen said that even with these tax increases, Stafford would still be lagging behind Spotsylvania in terms of their teacher and support staff pay. She said that it was essential to have competitive pay so they kept a strong workforce and developed the County in a positive direction.

Ms. Bohmke asked Mr. Mayausky if the real estate market was cooling to a degree that would impact the County's revenues.

Scott Mayausky, Commissioner of Revenue, said that they did not make projections because they had experienced market crashes in the past, such as 2008. He said that the market crashed at the end of 2008. He said that additionally, in Virginia, tax revenue was not generated by the assessment, but rather by the tax rate. He said that therefore, if the County required 10% more revenue to fund the budget in the spring, it would be in the form of a tax increase, rather than the reassessment.

Mr. Mayausky said that to answer Ms. Bohmke's specific question, the market had not yet shown a decline. He said that they had received anecdotal evidence, but they were actively tracking it daily, as he had mentioned. He said that to ensure they captured market trends accurately up to January 1, they obtained a three-month extension from the Circuit Court, which allowed them to finalize their values in 2026. He said that this extension enabled them to review every single sale that occurred in 2025, which was why they refrained from making projections, as they simply did not have the necessary data.

Ms. Bohmke asked why these two taxes were together as one item in the agenda, rather than taken up as separate actions.

Ms. Light said that these items were put together because they were at the end of the FY26 budget process. She said that they could be voted on separately.

Ms. McClendon said that yes; the rates could be voted on separately and staff would create two separate ordinances.

Ms. Bohmke motioned, seconded by Ms. Allen, to increase the Transient Occupancy Tax from 9% to 11%.

The Voting Board tally was:

Yea: (5) Allen, Bohmke, Diggs, Gary, and Yeung

No: (2) English, and Vanuch

Ms. Allen motioned, seconded by Ms. Gary, to increase the meals tax from 5% to 6%.

The Voting Board tally was:

Yea: (4) Allen, Diggs, Gary, and Yeung

No: (3) Bohmke, English, and Vanuch

Ms. Gary motioned, seconded by Ms. Allen, to approve R25-129.

Ms. Bohmke asked if it was possible for the money to be held back if it was already appropriated.

Ms. Light said that yes, they had done it before. She said that the schools and County would need to coordinate about what was possible, but they had reserves and unassigned funds that could be used to cover funding gaps in the event that happened.

Mr. Diggs said that it was concerning that there were many factors that they could not predict and that were outside of the County's control. He said that however, he had made a promise to fund their schools and teachers' salaries, and this was the best option they had to do so. He said that they would work together to ensure they worked through any difficult times that may arise, and he appreciated the discussions he had had with his colleagues about this matter.

The Voting Board tally was:

Yea: (6) Allen, Bohmke, Diggs, English, Gary, Yeung

No: (1) Vanuch

ITEM 9. CAPITAL PROJECTS TRANSPORTATION; CONSIDER AN ORDINANCE TO AMEND AND REORDAIN STAFFORD COUNTY CODE CHAPTER 13.5, "IMPACT FEES," TO REDUCE IMPACT FEE RATES AND CONSIDER AUTHORIZING FURTHER EVALUATION OF TRANSPORTATION IMPACT FEES AND TRANSPORTATION FUNDING; PROPOSED ORDINANCE O25-12; PROPOSED RESOLUTION R25-110

Bryon Counsell, County Engineer, said that tonight, they had information and a short presentation for the Board at their request to hold a public hearing and reconsider resetting or making other amendments to the transportation impact fee resolution that was passed a few months ago. He said that to provide some context, he would review the history of this resolution, including its adoption in 2003 and updates in 2014. He said that currently, the fees were collected from two major entities: residential development and commercial development.

Mr. Counsell said that residential development fees were paid by the developer, while commercial development impact fees were paid by the County, based on how the ordinance was currently written. He said that however, this ordinance may change if the Board revised the 2024 ordinance. He said that he would also review the financial history of this resolution, which had generated approximately \$9.1 million in the last 10 years from both funds. He said that this revenue was intended to offset a \$600 million shortfall. He said that he would also discuss CIP plans, the revenue they knew as of today and how some of the \$600 million shortfall would be made up through grants and other revenue-sharing mechanisms.

Mr. Counsell said that this served as a tool to offset the funding deficit. He said that in 2024, the Board had modified the ordinance to adopt a higher rate, which was 50% of the calculated rate recommended by the study. He said that however, this was not a recommendation, but rather a calculation factor. He said that the formula was designed to determine the amount of money needed to cover construction costs based on the number of people or units. He said that this roughly worked out to about 80% to 90% of the total construction cost of the projects on the CIP. He said that these numbers were based on the total construction cost of projects generated by the growth of Stafford County.

Mr. Counsell said that in the fall, the Board had adopted a 50% of this number, and later requested information to potentially reconsider that resolution. He said that tonight, they would discuss decision points, including the public hearing for O25-12 and R15-110, which would involve resetting the Advisory Committee if necessary, based on the study. He said that the Board had requested information about what a 30% impact fee number would look like, so staff compiled that information. He said that the table compared the current fees to the proposed 30% of the maximum calculated fees.

Mr. Counsell said that the estimated new fees paid by developers over the next 10 years was \$40.2 million. He said that the proposed 30% of the study's maximum calculated fees was shown on the left, while the current fees were on the right. He said that in summary, the Board could choose to approve and amend the ordinance currently set to go into action soon. He said that they could also set up the Transportation Advisory Committee to review the study and the rate, and provide recommendations. He said that additionally, a new study was being finalized, with a proposal to be presented in June for approval of the contract for the study.

Mr. Diggs opened the public hearing.

1. Jay Hicks, City of Fredericksburg, said that he was here in his capacity as President of the Fredericksburg Area Builders Association. He said that their Association represents 350 builder and associate members, employing thousands of people in the Fredericksburg area, including many in Stafford County. He said that they were present in November for the vote on impact fees, and he was here tonight to advocate for putting a stay on this and maintaining the status quo as of November 2024. He said that even then, at that meeting, it appeared that there was some resistance to moving forward, giving the Board an opportunity to learn more about the issue.

Mr. Hicks said that the statutes of Virginia allow for the imposition of impact fees in jurisdictions, but they carry strict guidelines that must be adhered to. He said that one of these guidelines was glaring in the report provided in November, which was based on a four-year-old analysis. He said that the statute required these studies to be conducted every two years, and the report in question was outdated, incorrect, and based on many assumptions that were not supported. He said that it appeared that the report was written by individuals who do not live in their area.

Mr. Hicks said that he was asking the Board to stay the imposition of the impact fees, re-implement the advisory committee, which was very capable and provided valuable insights during the November meeting. He said that the committee members spent hours researching the Volcker Report and working to develop solutions that they could build upon. He said that builders were not opposed to impact fees in principle, but they were opposed to the manner in which they were being implemented today. He said that they urged the Board to exercise patience and allow for a new study to be completed and receive recommendations from the Advisory Committee before making any decisions.

2. Joe Brito, Hartwood District, said that he had been dealing with the impact fees since he was on the board in the late 2000s. He said that he had dinner with Speaker Bill Howe when he was proposing the legislation, and he was visibly shaken by the amount of resistance he was receiving, but he ultimately got it through. He said that they did have roads to build in this County, and transportation was the number one issue in Stafford County, according to a survey that was conducted. He said that it was the number one issue above schools and public safety.

Mr. Brito said that he supported the proposed ordinance as it stood, but he felt that some of the Supervisors wanted to lower the fee to below what it was 13 years ago. He said that considering inflation and other factors, it was ironic that earlier in the meeting, they were raising fees on citizens, and now they were proposing to lower the fees on developers. He said that some of them may propose lowering the fees further, but he wanted to emphasize that they had roads to build and could not ignore the obvious need to address their gridlock situation.

Mr. Brito said that for each residential house built, the County incurred debt of over \$60,000 per house, just for school debt. He said that this did not include the road impacts or impacts to parks and public safety. He said that if 1,000 houses were built, the County went into debt by \$60 million. He said that however, if those 1,000 houses paid \$5,000 each in real estate taxes, they only brought in \$5 million a year. He said that they needed to start charging developers to pay their fair share and mitigate these impacts.

3. Kristen Maxson, Falmouth District, said that all of the topics discussed today were related. She said that the public had repeatedly asked if the builders could be held accountable for their contributions. She said that for instance, when a large warehouse was developed, the Commissioners asked if the builders could construct the road, and the developer replied that it would be someone else's responsibility. She said that they were now facing proposed budget changes that would impact residents who traveled through or lived in this area.

Ms. Maxson said that it was compounded by other factors, such as the meal tax increase, which was driving the Musselman Park rebuild, Carl Lewis replacement, parks, and capital projects. She said that these changes would disproportionately affect the individuals who called this space home. She said that as they shared this space with developers, it was reasonable to expect that they should share the costs if they wished to build. She said that they had also discussed plans for buildings that would accommodate 200 units. She said that if these developers wanted to build more units, they should be responsible for the necessary infrastructure, including roads.

Ms. Maxson said that currently, these units were being built in a relatively small area, with little to no existing infrastructure. She said that this was a classic case of a cart before the horse, as the infrastructure costs would be significant. She said that the public had consistently asked for clarity on who was responsible for these costs. She said that developers were well aware of the situation and should take their share. She said that if a report was two years old, she felt it was not completely meaningless, as they used other reports that were 15 years old for developments.

Mr. Diggs closed the public hearing and the matter rested with the Board.

Ms. Vanuch motioned, seconded by Ms. Bohmke, to adopt Proposed Ordinance O25-12 at 30%.

Ms. Gary made a substitute motion, seconded by Ms. Allen, to adopt Proposed Ordinance O25-12 with the fees as set in 2014, with the residential rate at \$2,999, office at \$2,800, retail at \$7,450, and industrial at \$900.

Ms. Vanuch said that she believed the 30% made more sense because it would be a more equitable calculation and would realistically offset the impacts of new developments.

Ms. Bohmke said that she did not support going back to 2014 numbers; she felt those rates were inappropriate and would not be helpful. She said that she was supportive of setting fees at the 30% rate.

Ms. Gary said that the Advisory Committee was required to be formed as a legal requirement, but the Board did not listen to any of their recommendations. She said that she did not want to set something arbitrarily without further study. She said that she did not want to go backwards, but she wanted to go back and do it the correct way before deciding on the appropriate rate. She said that the Board had previously decided on a lower rate of 10% before revisiting it at 30% today. She said that however, the committee's input was not used in making any of these decisions.

Ms. Bohmke asked how long it would be until the committee could assemble and provide recommendations to the Board on this matter.

Mr. Counsell said that assuming the study commenced in early summer, they should have the results of the study by late fall, possibly by the end of the year. He said that if the Board decided to reconvene the committee, they would review the study and provide a report to the Board.

Mr. Lehane said that their current scope of work, which was being reviewed, would intend to bring it back to the June 3 Board meeting, assuming they started in early June. He said that this would assume that the study would have a recommendation by the January timeframe. He said that the study would not be complete in January, but would have a recommendation back to the Board by February. He said that the consultant would then finalize all aspects of the study in the coming months as the Board worked through the approval process, including the public hearing. He said that in the meantime, the resolution before the Board today, R25-110, would reinstitute the Impact Fee Advisory Committee, and they would be part of the process to continue reviewing the impact fees, with the goal of completing the review by January or February of early 2026.

Dr. Yeung said that she was unsure why the Board was not considering lowering it to 10%, which she believed they had the ability to do.

Ms. Allen said that she was supportive of the impact fees, but she was concerned about potential unintended consequences on small businesses and agreed that they needed to pause and ensure the rates were reflective of the conditions in the County rather than an arbitrary number. She said that she believed 30% was too high of a fee.

Ms. Vanuch motioned to call the question to vote.

The Voting Board tally was:

Yea: (7) Allen, Bohmke, Diggs, English, Gary, Vanuch, and Yeung

No: (0)

Mr. Diggs called the vote on Ms. Gary's substitute motion to adopt Proposed Ordinance O25-12 with the fees as set in 2014, with the current structure; residential rate at \$2,999; office at \$2,800; retail at \$7,450; and industrial at \$900.

The Voting Board tally was:

Yea: (2) Gary, and Yeung

No: (4) Bohmke, Diggs, English, and Vanuch

Abstain: (1) Allen

Ms. Allen said that she abstained from the vote because she had a question to ask, but they had voted to close debate. She asked Mr. Lehane if these changes would impact funding for this year.

Mr. Lehane said that no; they did not anticipate these changes to have any impact this year on their budgeted amount, which was \$800,000.

Ms. Gary said that she would be abstaining from the vote on the floor to approve the 30% impact fees because she felt it was a money grab that was not informed by any real information.

Mr. Diggs called the vote on Ms. Vanuch's motion to adopt Proposed Ordinance O25-12 at 30%.

The Voting Board tally was:

Yea: (4) Bohmke, Diggs, English, and Vanuch

No: (1) Allen

Abstain: (2) Gary, and Yeung

Dr. Yeung said that she had brought this matter back to the Board for reconsideration because the adopted impact fees had been a mistake.

Ms. Allen motioned, seconded by Ms. Gary, to approve Proposed Resolution R25-110, with the Board receiving a report from staff by February 2026.

The Voting Board tally was:

Yea: (7) Allen, Bohmke, Diggs, English, Gary, Vanuch, and Yeung

No: (0)

Mr. Lehane said that he would like to make one comment regarding next steps. He said that to ensure everyone's awareness, they would reconvene at the June 3 Board meeting to discuss budget and appropriation funding for the updated study and the TIF Advisory Committee. He said that further information on next steps for impact fees would be provided in the following months as they approached January and February.

ITEM 10. PARKS, RECREATION, AND TOURISM; CONSIDER ENTERING A LEASE AMENDMENT WITH THE PATAWOMECK INDIAN TRIBE OF VIRGINIA FOR 6.5 ACRES OF COUNTY-OWNED PROPERTY NEAR AQUIA LANDING PARK ON TAX MAP PARCEL NO. 41-6; PROPOSED RESOLUTION R25-66

Eugene Loew, Director of Parks, Recreation, and Tourism, said that he would like to discuss the extension of the lease with the Patowomeck Indian Tribe of Virginia. He said that to provide some historical context, the original lease was approved on March 17, 2015, for a 10-year term. He said that at the time, the resolution stated that the Stafford County Board and Patowomeck Indian Tribe of Virginia had a desire to establish a site for the dedication and emplacement of a suitable monument or memorial to honor Stafford County's first citizens and for consecration and establishment of a reburial site for American Indian remains disturbed and relocated by construction and development.

Mr. Loew said that some key points from the lease include the tribe's responsibilities for periodic routine maintenance, trash pickup, mowing, and maintaining the parking area and trail. He said that the tribe was also allowed to conduct some of their religious practices and other ceremonies, services, memorial events, and meetings, and the property was open to the public. He said that the lease also included a capital development plan, including archeological exhibits, a burial reinternment area, living history exhibits, a small amphitheater, a museum or interpretive center, and a gift shop and event space.

Ms. Vanuch asked if there was some permanency to the agreement if they were allowed to establish a burial ground there.

Mr. Loew said that to clarify, the County owned the land and the lease was for the maintenance. He said that he did not have the expertise to answer exactly what the ownership of the cemetery entailed.

Ms. McClendon said that she could attest that the lease had been in effect for 10 years, meaning that the burial ground may already be established.

Mr. Diggs opened the public hearing.

1. Jerrilyn Eby McGregor, Rock Hill District, said that the Patawomeck Indian Tribe of Virginia (PITV) was a group of white people pretending to be an Indian tribe. She said that to be officially recognized as a Virginia Indian Tribe, a group must provide substantial records. She said that the documented history of the Patawomeck Indians ended in 1666. She said that the PITV was established around 1995, 329 years later. She said that the General Assembly tasked the Virginia Council on Indians (VCI) with evaluating the petitions of groups seeking recognition as tribes.

Ms. McGregor said that petitioners were required to provide records, including proof of dissent from a known early tribe and evidence that they had existed over time as a functioning tribe. She said that admissible primary source documents included Bible records, parish records, vital statistics, county court records, newspapers, and proof that the group had established their own Indian church and/or Indian school during the Jim Crow era. She said that recognition was not based on oral history, cultural practices, or personal claims.

Ms. McGregor said that the group's historian, William L. Dale, claimed to have provided evidence of their descent from the Indians, but this was largely undocumented and unsubstantiated. She said that a few examples of these claims included that a relative may have had an unknown spouse who may have been Indian, but these were not records. She said that the VCI tabled the group's petitions in 1997 and 1998 due to the lack of records. She said that in 2010, the group applied directly to the General Assembly. She said that the resulting Resolution 150 stated that the group had, "family, church, land, and other records," proving their descent from the ancient Patawomecks.

Ms. McGregor said that the group's 2023 federal recognition bill stated that they had essentially no records, which they attributed to Civil War courthouse fires and 20th-century racism. She said that it was unclear how the records they claimed to have amassed in 2010 could have disappeared by 2023. She said that the fact that over 300 years of records pertaining to these families in White Oak proved them to be white, not Indian, was also telling. She said that Virginia's vital statistics document every generation of the three chiefs as white, dating back to 1810. She said that a tribal council member's ancestry was also white.

2. Rick McGregor, Aquia District, said that he was a generational resident. He said that his grandfather had claimed they had Indian ancestry, his aunt believed they descended from Pocahontas, and others said that they were Patawomeck. He said that it turned out, he had African ancestry, he did not descend from Pocahontas, and the Patawomeck Indian Tribe of Virginia Incorporated was a fictional entity based on conjecture, supposition, and wishful

thinking. He said that fictitious Indian princesses had married prominent Englishmen over 300 years ago, with no other Indians involved.

Mr. McGregor said that descendants had assimilated into white society, passing down their supposed Indian culture and traditions while hiding behind white facades. He said that this was not how it worked in reality. He said that the real Indians had fought hard to preserve their identity, including during the Racial Integrity Act. He said that in 1998, the Virginia Council on Indians had disqualified the Patowomeck as a Virginia tribe due to insufficient documentation. He said that despite this, in 2010, the General Assembly had granted them state recognition, citing a large amount of accumulated records.

Mr. McGregor said that it was now clear that these records did not exist. He said that Spanberger's pending federal bill acknowledged that the tribe had no records due to fires, vandalism, and racism. He said that he had uncovered evidence that contradicted the General Assembly's claims. He said that Delegate Milde had requested records from William and Mary, who directed them to the tribe's lawyer, but the tribe's lawyer had threatened them with lawsuits.

Mr. McGregor said that in 60 years, the historical society had never seen these records, and his wife had not found them in 40 years. He said that the lineages of the three Patowomeck chiefs, which were supposed to be the foundation of their claim, were actually white. He said that by continuing to support this tribe, they were enabling white people to commit cultural appropriation and usurp funding and benefits intended for legitimate Native Americans.

3. Joe Brito, Hartwood District, said that when he served on the Board, this property was conveyed to the County as a deed of gift. He said that as a result, there are restrictions in place that they may want to review. He said that he was particularly concerned about the presence of a cemetery on the property, and whether this conflicted with the deed of gifts. He said that in 2003, he had suggested to the Board that they include a reverse clause in the lease with the YMCA, located in front of Mountain View High School, which would allow the County to reclaim the land after a certain period if the YMCA was not built.

Mr. Brito said that unfortunately, the Board had ignored his suggestion, and now they had 10 acres of buildable land with infrastructure in place, sitting idle, due to the lease. He said that in 2021, he recalled that the Board of Supervisors had deeded 12 acres of land to the Quantico Corporate Center without any performance standards. The County had invested \$3.4 million in that land and paid \$200,000 in corporate HOA fees for eight years. He said that it was concerning to see that land still remained vacant, with no development.

Mr. Brito was also aware that the Indian tribe had recently received a donation of close to 1,000 acres in King George County. He said that given their focus on that land, they may not prioritize the Stafford property. He said that to mitigate that, they should establish performance standards for the land, requiring regular public access, such as quarterly openings throughout the year. He said that without these standards, they risked the land being vacant. He said that he recommended that they did not approve the lease tonight, but instead work on establishing performance standards and revising the lease agreement.

Mr. Diggs closed the public hearing.

Mr. Diggs said that he had some comments he wanted to make on this item. He said that he took issue with some of the comments made with regards to the Patawomeck Tribe. He said that this past weekend, he buried his grandfather, who was Cherokee and Blackfoot. He said that his foster father was with blonde hair and blue eyes, so when making assumptions based solely on appearance, they risked being wrong. He said that they had seen this happen before, even with President Obama and his birth certificate. He said that to him, it was disgusting and a bridge too far.

Mr. Diggs said that he supported the Patawomeck Tribe, and it was not political for him; the Tribe did not support his campaign for Supervisor. He said that they did not owe each other anything, but he had worked with them and seen the work they did, particularly with Stafford High School, and he trusted their efforts to educate the community. He said that they brought valuable resources and history to the community. He said that he believed they must be cautious when casting dispersions, as they could not rely solely on appearances.

Mr. Diggs said that he felt it was very judgmental to demand someone supply their birth certificate or other records of their ancestry to prove who they were. He said that he did not like this conversation and believed it was wrong. He said that he fully supported the Patawomeck Tribe and had no concerns that they would not open their space to the community. He said that their efforts to bring the community together and provide history were commendable.

Ms. Bohmke said that she had many friends who were in the Tribe, but as a public official, it was certainly concerning to hear there were no documents to prove something. She said that however, she questioned whether the Board could determine whether the documents were important or not. She said that she was considering the Board's responsibility to the public on this matter, considering that the McGregors were renowned historians who brought a point of concern to the Board to consider. She said that if the Board was voting on an important agreement, she felt they had to have the facts in order before taking action on it. She said that it would be prudent to defer the item until they had more information about the issue. She said that she heard that other elected officials in the region were concerned about this as well.

Mr. Diggs said that his understanding was that these accusations towards the Tribe had been going on for years. He asked why they did not address this years ago rather than right now.

Ms. Bohmke said that she cast her vote in support of the original Patawomeck site at Duff Green without being aware of the details. She said that she was not informed about this information at that point in time, and therefore, she did not have it in front of her when she made her decision.

Ms. Gary said that she wanted to start by expressing her respect for Ms. McGregor's research. She said that she had had the opportunity to listen to several of her presentations, and she had gained valuable insights from her work. She said that this was a complex situation, and she believed it was essential to approach it with caution. She said that her personal experience had taught her that the truth could be elusive, as she had learned from her mother's stories. She said that her mother

would often share stories about her great-grandfather's death in a coal mine explosion, but she had not believed her at first.

Ms. Gary said that it was not until she found a newspaper clipping a year ago that she discovered the truth; the clipping revealed that her grandfather had indeed died in a coal mine explosion, but with only his first and middle name listed, leaving no concrete evidence to prove it without doubt. She said that she also recalled her mother telling her that many young white girls were told they were Native American, and she could attest that she herself was not. She said that this experience had shown her that these claims could be unfounded, and it was essential to question the truth.

Ms. Gary said that she did not think the Board could resolve that issue tonight, as it was a complex matter. She said that from her perspective, it was clear that they needed to delve deeper into this discussion because she believed it was a serious matter that required careful consideration. She said that she planned to continue supporting the Tribe's efforts in Stafford County, as she had seen firsthand the positive impact they were having on the community, particularly through their educational programs for children.

Ms. Gary said that she was grateful for their work. She said that as for the question of whether the tribe was actually composed of white people masquerading as Native Americans, she did not have the answer. She said that she did think it was essential to approach this situation with caution and examine how to handle a situation when they needed more information. She said that for now, she believed they should focus on the property and the Tribe's current efforts in their County.

Mr. English said that he agreed the Tribe did good work in their County and had been recognized at the state level. He said that he respected the McGregors and their concerns, but if the Tribe was taking care of the property, he had no issue with this agreement and saw it as a benefit to the County.

Dr. Yeung said that her own ancestry was a result of colonization, and she personally understood how difficult it was to maintain paperwork that proved the details of one's racial background and genealogy. She said that she never felt it was appropriate to assume anything about someone's family history based on how they looked; culture was more than appearances. She said that based on her own research on the cultural and historical significance of this land, she was not confident that this resolution reflected the level of stewardship the property deserved.

Dr. Yeung said that she felt that it would be more appropriate to have this land entered into a conservation trust, such as with the Northern Virginia Conservation Trust. She said that she respectfully recommended the Board defer this item until they could consult with tribal representatives, NVCT, and other cultural preservation agencies to ensure the land was handled carefully and respectfully. She said that they were not dealing with federal recognition of tribes here, so that was a nonissue in her view.

Ms. Vanuch said that she was considering this item from the perspective of what the best use of County property would be. She said that in the Capital Development Plan, it mentioned archaeological exhibits, burial reinternment, and other developments that may have large impacts

on the land itself. She asked Mr. Loew what improvements the Tribe had made to the land in the last ten years.

Mr. Loew said that currently, the property had a medicine wheel, which included wooden benches and a post, as well as a handful of interpretive signage, a trail, and a gravel parking area. He said that over the last 10 years, it is believed that the medicine wheel was installed. He said that he would like to briefly mention that when it comes to natural, cultural, or historic interpretation, their staff conducted thorough research to ensure that signage, interpretive signage, and information were historically accurate. He said that they verified the accuracy of any information through multiple channels, including historians and subject matter experts.

Mr. Loew said that if they discovered any inaccuracies, they promptly updated the information. He said that while he could not comment on the legitimacy of specific interpretive signs, he could confirm that the signs on site have undergone rigorous historical checks. He said that they had also developed an interpretive sign specifically about the Tribe, which was accurate to the extent of their knowledge and based on thorough research. He said that however, he was unsure of what the County could or could not do with the cemetery.

Ms. Vanuch asked if the archeological exhibits, amphitheater, museum, gift shop, and event space had not been built in the past ten years, which were part of the 10-year lease.

Mr. Loew said that that was correct.

Ms. Vanuch said that she was concerned that the property was not being improved and instead could be used as a parking lot for Aquia Landing. She said that in terms of the concerns of the McGregors, it sounded like the issue could easily be rectified by the Tribe producing the documents referenced in House Joint Resolution 150 passed in 2010.

Ms. Vanuch motioned, seconded by Dr. Yeung, to defer action on Proposed Resolution R25-66 until documents were supplied to the Board.

Ms. Allen asked if staff had confirmed the Tribe had accurate documentation prior to entering into this agreement.

Chris Edwards, Chief Operating Officer, said that he had actually initiated this item before Mr. Loew's involvement began. He said that the Tribe was state-recognized when staff initially brought the ten-year lease to the Board in 2015, so staff initiated this updated lease amendment with that assumption.

Ms. Allen said that it was unclear whether the Board had the purview to investigate the legitimacy of the Tribe in that way.

Ms. McClendon said that the Board should ensure the organization was registered with the state, which they were. She said that staff could find information related to their registry if necessary. She said that from a legal standpoint, if the County wanted to enter into this lease, they could.

Ms. Allen said that she believed the Tribe had done an excellent job of maintaining the land; however, she acknowledged Ms. Vanuch's point about the improvements that were outlined in the original lease was valid. She said that her concern was with the burial sites, because unless the County eventually conveyed the property to the Tribe, the County would assume responsibility for maintaining the cemetery, which they did not have the resources to do. She asked how they would navigate that.

Mr. Edwards said that he did believe the lease was such that the County would have to maintain the burial site in perpetuity. He said that however, it was potentially an advantage to have at this site because if other gravesites or remains found in other areas of Stafford County, they could relocate them to this site. He said that he would have to follow up with the Tribe on the current status of graves, but this site did give the County the ability to rebury remains.

Ms. Allen said that she recalled the County had previously demanded private entities deal with gravesites with the argument that it was not the County's responsibility. She said that she did not want to knowingly approve a gravesite on County land that was paid for by Stafford County residents. She said that it seemed like they were transferring property without going through the official process because they expected the Tribe to maintain it, even though it was public property.

Mr. Loew said that in general, it was not unusual for the Parks and Recreation Department to maintain graveyards, especially historic ones. He said that it was not out of the department's scope; however, the County must decide whether to do that.

Ms. Allen said that she was speaking more about past decisions the Board had made to specifically not do that.

Mr. Loew said that if they were to adopt a cemetery in the future, they would develop a cemetery management plan and maintenance plan, and all associated costs would be presented to the Board.

Ms. Allen said that she would support deferring the item until they received that information. She said that she believed there were associated costs the Board needed to review and consider as a general practice for future properties.

Mr. Ashton said that as someone who previously managed a historic cemetery in his previous role. He said that it would be the responsibility of the General Fund in that scenario because there was no perpetual care fund to support it. He said that unlike a typical cemetery, which would have an interment fee and a portion of those fees set aside for perpetual care once the cemetery was established, the County would not have that benefit. He said that it would be taken care of from the General Fund and restricted from using the land for any other purpose.

Ms. Allen said that it was fine if that was what they had to do, but it changed the scope of this conversation. She said that she could not approve a lease without having the cemetery aspect resolved.

Ms. Gary said that she wanted to clarify that this area was determined to be inappropriate for a parking lot for Aquia Landing due to pedestrian safety.

Mr. English said that the County had a cemetery at Curtis Park.

Mr. Diggs said that he agreed it was not abnormal for the County to maintain a cemetery, but it had not been part of this lease agreement.

Ms. Vanuch said that she still believed the County should receive the same documentation provided by the Tribe to the General Assembly in order to make it clear who they were leasing the land to. She said that additionally, there were no limitations regarding the burial ground at this site, and nonprofits had no limitations on how to bury bodies. She said that additionally, she would like to make sure there were not deed restrictions on this land that would restrict things from being built.

Dr. Yeung asked if the Historical Society or Cemetery Committee should look into the burial ground.

Ms. Gary asked if staff could draft a cemetery maintenance plan in case they had to pursue that.

Mr. Ashton said that he had notes that summarized what he had heard the Board was seeking regarding the deferral. He said that specifically, they wanted to determine the costs of caring for the cemetery if it were to come under County control. He said that they were requesting documentation from the Patawomeck Tribe, which had been provided to the General Assembly for their vote, and to review the deed of gift to identify any potential restrictions associated with this land.

Ms. Vanuch motioned, seconded by Dr. Yeung, to defer action on Proposed Resolution R25-66 until documents were supplied to the Board.

The Voting Board tally was:

Yea: (4) Allen, Bohmke, Vanuch, and Yeung

No: (2) Diggs, and English

Abstain: (1) Gary

ITEM 11. PLANNING AND ZONING; CONSIDER A REQUEST FOR A PROPOSED ZONING RECLASSIFICATION, WITH PROFFERS, FROM THE B-3, OFFICE ZONING DISTRICT TO THE R-5, AGE-RESTRICTED HOUSING ZONING DISTRICT ON TAX MAP PARCEL NO. 39-16 (PROJECT KNOWN AS THE ARBORS AT STAFFORD); PROPOSED ORDINANCE O25-09 (APPROVE); PROPOSED RESOLUTION R25-74 (DENY)

Amy Taylor, Engineering Specialist, said that she would be providing background information on Items 11 and 12, which would be presented concurrently this evening. She said that these items pertain to a zoning reclassification request and a conditional use permit for a project known as the Arbors at Stafford. She said that this was a reclassification from the B-3 Office Zoning District to the R-5 Age-Restricted Housing Zoning District to develop up to 170 age-restricted multifamily dwelling units consisting of 8.4952 acres, including a conditional use permit to allow increased residential density up to 20.02 dwelling units per acre.

Ms. Taylor said that this affects Tax Map Parcel number 39-16 located in the Falmouth District. She said that the applicant was Marlyn Development Corporation, and Charlie Payne with Hirschler would be the agent representing the applicant this evening. She said that the subject parcel, located along the northwest corner of the intersection of South Campus Boulevard and Old Potomac Church Road, was also situated immediately west of Tax Map Parcel 3971A, which was currently under development as a data center. She said that this property was currently zoned B-3 Office, as shown in the accompanying map.

Ms. Taylor said that the surrounding zoning districts included a mix of A-1 Agricultural, B-2 Urban Commercial, B-3 Office, and UD Urban Development zoned properties. She said that the aerial view showed the existing conditions, and as shown, the site was currently vacant and undeveloped, but was previously cleared and graded in 2016 at the time of construction associated with the South Campus Boulevard and the Abberly Waterstone Apartment Complex. She said that the site was open and grassy with no mature trees. She said that the topography sloped mildly to the southeast with steeper slopes along the western and northern perimeter of the site, and there were no resource protection areas (RPA) or other sensitive environmental areas on the site.

Ms. Taylor said that general surrounding uses in the vicinity included an older single-family residential dwelling to the west, several undeveloped agricultural and commercial properties located to the north and west, and the Abberly Waterstone multifamily development along the south side of South Campus Boulevard, including other general commercial and office uses, and as previously noted, there was a data center use currently being developed immediately to the east. She said that the following street view images depicted the site from different angles, including a northern view from South Campus Boulevard near the intersection with Creek Ridge Drive and a western view from Old Potomac Church Road.

Ms. Taylor said that the proposed multifamily building, as shown in the generalized development plan (GDP), would consist of one three-story building with up to 170 age-restricted units. She said that the proposed mix of dwelling units would include a total of 60 one-bedroom units and 110 two-bedroom units. She said that under the proposed R-5 zoning district, by-right development would be permitted at a maximum density of 15 dwelling units per acre, which would permit 127 units based on the approximate 8.5 acres. She said that the building will generally face South Campus Boulevard, and travel ways and parking areas would encircle the building on all sides.

Ms. Taylor said that a reduced parking ratio of 1.5 parking spaces per unit was proposed, with a total of 262 spaces provided, which was approximately 30% less than the 2.2 spaces per unit required by the Zoning Ordinance for multifamily dwelling units. She said that the proposed layout would also provide approximately 40% open space, exceeding the minimum requirements within the R-5 district, and several outdoor amenities were proposed for the benefit of the residents. She said that street trees would be provided along the site's frontage along South Campus Boulevard.

Ms. Taylor said that however, the location of an existing overhead power line easement would impact the applicant's ability to provide the required plantings, as the easement generally ran along the frontage of the site. She said that to accommodate the necessary plantings, the applicant was proposing a proffer that would permit plantings within the remaining undeveloped right-of-way

along South Campus Boulevard. She said that the trees were situated just inside the right-of-way line.

Ms. Taylor said that the Comprehensive Plan Future Land Use Map (FLUM) identified the site as being located within the Courthouse Targeted Development Area (TDA). She said that the more detailed land use concept for the Courthouse TDA designates the property for mixed use, specifically for commercial and residential, as shown in purple on the comprehensive plan map. She said that the targeted development areas were areas of the County where significant development or redevelopment was expected to occur, and where concentrated urban or higher-density suburban development was most appropriate.

Ms. Taylor said that the Comp Plan also established a goal of accommodating 50% of projected population growth within TDAs and recommended a total of 3,190 additional multifamily units and approximately 5.5 million square feet of commercial development within the Courthouse TDA. She said that multifamily residential dwelling units were recommended at a density of 11 to 14 units per acre. She said that however, the proposed density of 20.02 units per acre was inconsistent with the density recommendations within TDAs. She said that the staff report evaluated public facility impacts and other factors associated with the project.

Ms. Taylor said that although a traffic impact analysis (TIA) was not required with this application, since estimated trip generation was expected to be less than 1,000 trips per day, a TIA was submitted, which evaluated the overall impacts to the transportation network. She said that the study concluded that the project would not degrade the level of service of the transportation network, and VDOT concurred with the findings. She said that no impacts to utilities, schools, or parks and recreation were noted. She said that the applicant was proffering several recreational amenities as part of the development. She said that public safety impacts would be mitigated with per-unit monetary contributions that could be used towards a new Fire and Rescue facility.

Ms. Taylor said that the applicant had also provided a series of senior housing design standards, which identified the specific site, building, and unit features proposed for the project. She said that this project meets approximately 77% of the Neighborhood Development Standards (NDS) plan criteria that apply to senior housing. She said that as part of the CUP, a condition was proposed that would require the project to be designed in accordance with the associated senior housing design standards. She said that illustrative elevations depicting the proposed design of the building had also been provided, and the applicant was proffering the general design and character of the building, including the use of building materials that conform to the NDS plan.

Ms. Taylor said that impacts to parking were noted, as the applicant was proposing a lower parking ratio of 1.5 spaces per multifamily unit, as opposed to the 2.2 spaces required by the zoning ordinance. She said that the applicant had suggested that the standard rate was excessive for age-restricted housing and had provided historical data from similar age-restricted multifamily communities owned and operated by the applicant, as well as parking standards from comparable localities, which suggests that a lower parking ratio may be more appropriate. She said that based on the information provided, which addresses the minimum age, minimum and average age of residence, and occupancy rates, in conjunction with the proffered shuttle transportation service,

staff believes that the reduced parking ratio may be acceptable and would provide adequate parking for the proposed development.

Ms. Taylor said that the provided summary encompassed all the proffers currently proposed by the applicant, which would require the property to be developed in accordance with the GDP, limit development to no more than 170 age-restricted units, require buildings to be designed and constructed in accordance with the illustrative elevations, permit street trees to be planted within the public right-of-way, require right-of-way dedication along Old Potomac Church Road, require monetary contributions towards public safety and general transportation improvements along Old Potomac Church Road, require specific indoor and outdoor amenities, including shuttle transportation services, permit a reduced parking ratio of 1.5 spaces per unit, limit the minimum age of residence to 62 years or older, and require affordable rental rates in accordance with IRS guidelines.

Ms. Taylor said that the associated Conditional Use Permit (CUP) would allow an increased residential density of up to 20.02 dwelling units in the R-5 district, with the primary intent of increasing residential density to minimize negative impacts on residents in or adjacent to the site. She said that the CUP would specifically allow for the development of 43 additional units, which was approximately 25% of the total units proposed and roughly 34% more than that permitted by right. She said that the proposal also provided 40% open space, which exceeded the open space requirement of 25% in the R-5 district. She said that typically, the greatest potential impact would be to adjacent residential uses along South Campus Boulevard, but in this case, the intensity would not be out of character with the adjacent Abberly Waterstone Apartments along the south side of South Campus Boulevard.

Ms. Taylor said that the three-story building was also consistent with the maximum height permitted in the R-5 district, as well as other existing structures in the surrounding area. She said that several of the CUP conditions mirrored some of the proper requirements, such as site development, design, and construction of the building. She said that safety components, such as elevators with emergency power, were also included. She said that however, other conditions would limit density to 20.02 units per acre with a maximum of 170 units, require the building and the units to be constructed in accordance with the established senior housing design standards for the project, require an inter-parcel connection to abutting properties, provide fire safety measures, including a commercial fire sprinkler and standpipe system, at least one elevator with emergency power, and an emergency evacuation response plan, which would also provide one automated external defibrillator (AED) on each floor of the building and provide ground-level site lighting.

Ms. Taylor said that staff found multiple positive aspects associated with the application, which included that the proposed residential land use was generally consistent with the comp plan land use recommendations, including those for development in targeted development areas; it was consistent with the pattern of development in the surrounding area; it conformed with the transportation plan policies and provided for additional right-of-way dedication and monetary contributions towards transportation improvements. She said that the proffers also ensured that development was consistent with what was envisioned. She said that monetary contributions would also mitigate impacts to public safety.

Ms. Taylor said that the building design was also consistent with the National Design Standards plan for architectural design standards. She said that in regards to the negative impacts associated with the application, the proposed density exceeded comprehensive plan recommendations within the targeted development areas, and the parking ratio was less than that required by the Zoning Ordinance. She said that although the proposal was not fully consistent with the comprehensive plan land use recommendations, the proposed use was compatible with the existing residential development in the surrounding area and aligned with the recommendation for high-density residential development, as well as the total number of multifamily units within the Courthouse Targeted Development Area.

Ms. Taylor said that staff believed that the reduced parking ratio may be acceptable in this case, and the 1.5 spaces per unit would provide adequate parking for the project as proposed. She said that based on this information, staff was generally supportive of the project and recommended approval of both applications for the zoning reclassification with proffers pursuant to Ordinance O25-09 and the Conditional Use Permit with conditions pursuant to Resolution R25-75. She said that on March 26, the Planning Commission voted 6-1 to recommend approval of both applications.

Ms. Bohmke asked if the applicant would be constructing a sidewalk in front of the development.

Ms. Taylor said that yes, staff had provided recommendations and comments to the applicant regarding sidewalk along Old Potomac Church Road. She said that sidewalk was initially not recommended along South Campus because that portion of right-of-way had not been developed yet; it was planned as a four-lane divided roadway. She said that however, with the development of the data center to the east meant that the additional two lanes were no longer necessary, but Transportation was retaining the right-of-way in case they expanded the road in the future. She said that the applicant had considered staff's comments regarding sidewalk along Old Potomac Church Road, but indicated the topography in that area made it impractical to install sidewalk.

Mr. English said that this would be the first age-restricted development in this area.

Ms. Taylor said that that was correct.

Dr. Yeung asked where the shuttle services would be going to and from the apartments.

Ms. Taylor said that the applicant had stated that they would provide shuttle services a couple of times a week to general shopping areas, doctor's appointments, and other necessities.

Dr. Yeung asked what the \$50,000 proffer was meant to address.

Ms. Taylor said that essentially, the applicant was not required to conduct a TIA due to the low traffic volumes, but they chose to do so anyway, and the results suggested that there were no significant impacts from this project. She said that the applicant was proffering this \$50,000 by choice, rather than as a necessary measure to mitigate an identified impact.

Mr. Diggs asked if the applicant had a presentation.

Charlie Payne, representing the applicants, said that he would provide a brief summary of this application and answer any questions from the Board. He said that as Ms. Taylor explained, this project was located on 8.5 acres, situated just off South Campus, with Route 1 to the west, Old Potomac Church to the east, and Hospital Center Boulevard to the north. He said that this location fell within the Courthouse TDA, a mixed-use area in the Falmouth District. He said that the current zoning was B-3, established in 2008 for office use, which had not been successful in attracting office to that location.

Mr. Payne said that this proposed use was an age-restricted use, as noted by Mr. English on the east side of Route 1. He said that the site fit well with existing uses, including Marion Manor, the hospital, and multifamily housing across the street. He said that they were seeking a conditional use permit to increase the density from 15 units to 20, with a total of 170 units. He said that the breakdown included 60 one-bedroom units and 110 two-bedroom units. He said that they would be including 40% open space as opposed to the required 25%. He said that this project did not impact schools, and they had conducted a TIA, which showed no additional impacts on level services.

Mr. Payne said that they had also offered \$50,000 for off-site improvements that the County could utilize. He said that this project was a new housing inventory, which was beneficial to the courthouse area; the TDA encouraged 3,109 units, and they were well under that number, with 426 units already built. He said that they were also aware of the Attain project, which was an adjoining project with a multifamily component. He said that they were under the anticipated 3,190 number anticipated to be built by 2035.

Mr. Payne said that the illustrative layout of the project showed a significant amount of open space. He said that he would like to address sidewalk connectivity, which had been discussed. He said that internally, there was a sidewalk connectivity around the facility. He said that on-site, there were amenities available. He said that the facility consisted of a single building, three stories high, with two elevators. He said that it was connected to South Campus, and he had slides addressing Ms. Bohmke's question about access to the off-site sidewalk network, which was an important consideration.

Mr. Payne said that as noted earlier, the surrounding area was comprised of similar uses. He said that the elevations had been provided, and they also adhered to design standards required during the conditional use permit and audit. He said that specifically, the age-restricted design requirements were part of their conditional use permit. He said that to reiterate, some key proffers included 170 age-restricted multi-family units. He said that they were dedicating right-of-way along Old Potomac Church Road.

Mr. Payne said that the parking ratio would be 1.5 vehicles per unit, and he would elaborate on their historic parking data, which was approximately 0.68 parking units per unit. He said that many of their residents did not have cars, although some did, and others may not need one. He said that however, the historic data from his client's previous projects, including the one in Culpeper, was consistent with 0.68 parking units per unit. He said that they were providing a shuttle service, which helped alleviate the need for a vehicle. He said that the shuttle service would transport

individuals during the week to the pharmacy, grocery store, and other local destinations. He said that they had also offered \$50,000 towards transportation and \$131,381 towards public safety.

Mr. Payne said that the Planning Commission had raised questions about how they were ensuring that residents were of age. He said that under federal and state statutes, they could restrict residents to those 62 and older. He said that they had also offered that the units would meet 60% of the area median income (AMI) requirements, which was an IRS requirement for certain age-restricted projects. He said that this translated to a minimum income of 60% to 80% of the area median income, which would be approximately \$60,000 to \$80,000 for residents.

Mr. Payne said that amenities would include but were not limited to, a media room, a fitness center, a multi-purpose room, a business center, a library, a beauty salon, a village room, a dog park, and a grilling and gardening area, as both were very popular. He said that Mr. Shelton at the Planning Commission expressed that it was very important to ensure that they had backup generators for both elevators, exceeding the typical building code requirement of one. He said that additionally, notice of the proximity of a data center would also be provided to residents, which was a priority of the Planning Commission.

Mr. Payne said that the estimated that this project would generate approximately \$360,000 per year in revenue once it was built. He said that regarding the issues along the frontage, they had the right-of-way and utility easements as well as landscaping requirements. He said that sidewalks in front of the facility were complicated. He said that if the Attain project was approved, they would have an inter-parcel connection providing access to Route 1 and Hospital Center Boulevard. He said that they also planned to offer shuttle service to get residents in and out of the facility.

Mr. Payne said that the Attain project details were shown, including internal and sidewalk networks. He said that it also intersected with South Campus. He said that across the street from them was Abberly, which had sidewalks extending from Route 1 to the intersection of Old Potomac Church. He said that Amazon was required to build sidewalks from Old Potomac Church to the end of its property line, which they had already completed. He said that he was aware that Amazon had also offered cash for transportation in this area, as well as their own proposal.

Mr. Payne said that if they wished to access the sidewalk, they could cross the street. He said that the sidewalk ended just before Hospital Center Boulevard. He said that if their residents desired to use this route, they could do so. He said that regarding the steep slope issue, they had considered sidewalk, but the grade on Old Potomac Church Road was approximately 11%, which exceeded the VDOT requirement of 10%. He said that the existing retaining wall in that location made it infeasible for them to implement a sidewalk, which was why they had proffered the cash.

Ms. Bohmke asked how tall the trees would be along the front of the property.

Ms. Taylor said that they would be street trees, which could be either 7 feet or 12 feet and no more than 30 feet apart to ensure they could add more plantings along the corridor.

Mr. Diggs opened the public hearing.

Joe Brito, Hartwood District, said that the proffers for this project were a joke. He said that the English Oak proffers from 25 years ago were better than these offered tonight. He said that he worked for a senior community many years ago and was familiar with the impacts. He said that they were known to have a higher number of emergency calls per unit, and the proffers for public safety would not even come close to covering those costs. He said that the intention behind this land being rezoned for office use was because the Board had previously decided that they did not want all of the land around the courthouse to be zoned light industrial.

Molly Denham, Hartwood District, said that she strongly supported this project that would provide affordable housing to their senior citizens.

Kristen Maxson, Falmouth District, said that in today's packet, on page 337, it showed all the developments going on in this area. She said that there were 85 residential subdivision projects, including Celebrate Virginia with 1,092 units and Embrey Mill with 1,079 and 192 remained to be built. She said that she was at the meeting where the Planning Commission took up this item and there was discussion about a three-pronged approach about achieving this development, but she also heard about them relocating the seniors. She said that the internet told her that the total number of people at English Oaks was 9,473, and 3,168 of them were children, which was strange to her because she thought it was an age-restricted community. She said that there seemed to be conflicting legal information about the title insurance and the GIS parcels associated with this development. She said that there was no defined design for how this development would use the utilities across the road, which had another legal aspect to it. She said that it was concerning for neighbors who were not necessarily adjoining this parcel.

Mr. Diggs closed the public hearing and the matter rested with the Board.

Ms. Bohmke asked if the Marlyn Development Company was going to keep this project or sell it.

Brian Staub said that yes, Marlyn intended to hold this project. He said that Marlyn was an employee-owned company, so they planned to keep this project for the long term.

Ms. Bohmke asked if Mr. Staub could provide information about what their experience had been with Fire and Rescue calls at their other facilities.

Mr. Staub said that he would like to highlight that this facility will serve as an amenity for the existing senior residents of Stafford County. He said that many of these residents currently resided in homes that were not accessible by Fire and Rescue services. He said that to address this, they would be providing elevators backed up by generators, as well as ADA-accessible hallways and doorways. He said that this would enable Fire and Rescue personnel to more easily access homes, reducing the need for them to travel through areas that did not meet safety standards.

Mr. Staub said that as a result, this development's senior residents would likely experience fewer emergency calls, and instead, could rely on their neighbors for support and preventative assistance. He said that this created a healthier environment compared to the alternative, and they believed it would also lower the demand for emergency services in Stafford County for these residents.

Ms. Bohmke said that her understanding was that these units would not be affordable housing; they would be rented at \$1750.

Mr. Staub said that the two-bedroom apartments would be \$1750 and one-bedroom apartments would be \$1500. He said that in terms of AMI, that was considered affordable in Stafford County. Ms. Bohmke motioned, seconded by Ms. Gary, to adopt Proposed Ordinance O25-09.

Dr. Yeung asked if there would be staff to look after these residents, some of whom may be suffering from medical issues.

Mr. Staub said that they did not provide healthcare services, but they went to great lengths to bring in as much support as possible for their residents. He said that for example, engaging the community, such as with nursing programs at Germanna, they could bring in people to conduct health checkups on residents and provide other services like that.

The Voting Board tally was:

Yea: (6) Allen, Bohmke, Diggs, English, Gary, Yeung

No: (1) Vanuch

ITEM 12. PLANNING AND ZONING; CONSIDER A REQUEST FOR A PROPOSED ZONING RECLASSIFICATION, WITH PROFFERS, FROM THE M-1, LIGHT INDUSTRIAL ZONING DISTRICT TO THE B-2, URBAN COMMERCIAL ZONING DISTRICT ON TAX MAP PARCEL NO 38-24F (PROJECT KNOWN AS POTOMAC CREEK INDUSTRIAL PARK LOT 4); PROPOSED ORDINANCE O25-10 (APPROVE); PROPOSED RESOLUTION R25-81 (DENY)

Ms. Bohmke motioned, seconded by Ms. Allen, to approve Proposed Resolution R25-75.

The Voting Board tally was:

Yea: (6) Allen, Bohmke, Diggs, English, Gary, and Yeung

No: (1) Vanuch

ITEM 13. PLANNING AND ZONING; CONSIDER A REQUEST FOR A PROPOSED ZONING RECLASSIFICATION, WITH PROFFERS, FROM THE M-1, LIGHT INDUSTRIAL ZONING DISTRICT TO THE B-2, URBAN COMMERCIAL ZONING DISTRICT ON TAX MAP PARCEL NO 38-24F (PROJECT KNOWN AS POTOMAC CREEK INDUSTRIAL PARK LOT 4); PROPOSED ORDINANCE O25-10 (APPROVE); PROPOSED RESOLUTION R25-81 (DENY)

Amy Taylor, Engineering Specialist, said that this item was a zoning reclassification for Potomac Creek Industrial Park, Lot 4. She said that this was a zoning reclassification with proffers from the M-1 Light Industrial Zoning District to the B-2 Urban Commercial Zoning District, affecting Tax Map Parcel 38-24F for 1.4757 acres, located in the Falmouth District. She said that the applicant, Ronald Ramsey with Jerr-Ron LLC, was present this evening. She said that the subject parcel was situated along the east side of Richmond Highway, just south of Potomac Creek Drive.

Ms. Taylor said that currently zoned M-1, the parcel was surrounded by a mix of M-1 to the north and east, B-2 to the south, and B-1, B-2, and M-1 along the west side of Richmond Highway. She said that the property was also located in the Highway Corridor Overlay District and was entirely within the urban services area. She said that the parcel had previously been rezoned from A-1 Agricultural to M-1 Light Industrial in June 1975, with no associated proffers. She said that a major site plan for the property had been approved on June 6, 2004, for development of the existing office and light industrial uses.

Ms. Taylor said that a conditional use permit had been later approved in October 2007 to allow for a place of worship within the M-1 zoning district. She said that at this time, the applicant was seeking a rezoning to the B-2 district to allow a childcare use associated with the existing church at this location, as well as greater flexibility regarding the types of retail and commercial uses permitted. She said that the aerial image showed the existing conditions. She said that the property had been fully developed with an existing flex warehouse, including landscaped buffers along the southern property line and Richmond Highway.

Ms. Taylor said that current site access was located along Potomac Creek Drive via an access easement through the abutting parcel to the north. She said that there were no RPAs or other sensitive environmental areas on the site. She said that the site was bounded by Richmond Highway to the west and general surrounding uses included general office and warehouses to the north, a planned industrial park to the south, and an auto repair facility located to the east. She said that site topography was predominantly level and gently sloped towards the east, west, and south. She said that the approved site plan depicted the existing site layout, and to clarify, there were no changes or modifications to the site layout or the existing building proposed as part of this request.

Ms. Taylor said that the Comp Plan identified the future land use for this site as being within the Central Stafford Targeted Development Area, and the more detailed land use concept within the Central Stafford TDA specifically designated this site as business and industry. She said that the Comprehensive Plan defined targeted development areas as areas where significant development or redevelopment was anticipated, and recommended the business and industry area as one of the County's employment centers, capable of accommodating a wide range of commercial activities.

Ms. Taylor said that the proposed childcare use and low and medium intensity commercial uses aligned with the business and industry land use recommendations in the Comprehensive Plan, and were consistent and compatible with the established and developing land uses along Richmond Highway. She said that these are a few of the proffers currently proposed by the applicant, which would ultimately prohibit several specific uses that would otherwise be permitted by right or with a CUP within the B-2 District.

Ms. Taylor said that the proposed proffers would limit maximum trip generation to no more than 1,000 vehicles per day based on all combined uses, limit site access to the existing entrance along Potomac Creek Drive, and require dedication of additional right-of-way along Richmond Highway to the maximum extent practical. She said that staff had identified several positive aspects to the application, including the consistency of the proposed uses with the comp plan land use recommendations, the compatibility of the proposed uses with the established and developing land

uses in the surrounding area, the proposed proffers' limit on maximum vehicular trip generation, which would create little to no impact to the transportation network, and the proposed proffers' requirement for additional right-of-way dedication, which could be used for future transportation improvements.

Ms. Taylor said that staff had found no apparent negative aspects associated with this application. She said that during the Planning Commission public hearing, the representatives for the applicant had mentioned their desire to offer child care services five days a week in addition to their worship service hours. She said that staff believed that the proposed B-2 zoning and proposed uses were consistent with the Comp Plan recommendations and compatible with the character of development in the surrounding areas. She said that staff was generally supportive of the project and recommended approval of the application with proffers pursuant to Ordinance O25-10.

Ms. Bohmke asked if the childcare services were for all community members or only open to parishioners.

Ms. Taylor said that at this time, the applicant intended for the childcare services to only be provided to members of the congregation, although they would like to consider offering childcare to the general public in the future.

Ms. Bohmke asked if a license was required for them to run the daycare center.

Ms. Taylor said that she would have to defer to the applicant, but her understanding was that churches were exempt from state licensing for childcare.

Mr. Diggs asked if the applicant had a presentation.

Ronald Ramsey, Hartwood District, said that he had been a Stafford County resident for the past 50 years and was also a business owner in the County, having owned a business there for 42 years. He said that his business was located in one of the units in this building, and he kept a close watch on things. He said that it was a very clean building and they had limited uses in the building. He said that the Stafford County Registrar occupied a few units, the church occupied four units, and various other organizations, including an audio-visual company and a hot sauce business, also had a presence here.

Mr. Ramsey said that he was proud of the clean community they had in this facility. He said that as for licensing, he was not entirely sure, but he could say that he was a Christian and he was deeply moved by the work of For Christ Ministries, which had been at this building for two and a half years. He said that they paid their bills on time and were a valuable addition to their neighborhood. He said that he hoped the proposal would be approved by the Board for the benefit of the community.

Mr. Diggs opened the public hearing. Seeing no speakers, he closed the public hearing and the matter rested with the Board.

Ms. Bohmke motioned, seconded by Ms. Vanuch, to adopt Proposed Ordinance O25-10.

The Voting Board tally was:

Yea: (7) Allen, Bohmke, Diggs, English, Gary, Vanuch, and Yeung

No: (0)

Ms. Allen motioned, seconded by Dr. Yeung, to extend the Board meeting past 12:00 a.m..

The Voting Board tally was:

Yea: (7) Allen, Bohmke, Diggs, English, Gary, Vanuch, and Yeung

No: (0)

WORK SESSION ITEMS

ITEM 1. PLANNING AND ZONING; CONSIDER AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE A NEW MEMORANDUM OF UNDERSTANDING WITH NORTHERN VIRGINIA CONSERVATION TRUST (NVCT) REGARDING A LAND CONSERVATION PARTNERSHIP; PROPOSED RESOLUTION R25-62

Kathy Baker, Assistant Director of Planning, said that some changes had occurred since the last presentation on this item, so the marked up copy of the MOU was included in the Board materials along with a breakdown of costs from the NVCT.

Ms. Vanuch asked if this was already budgeted for in their FY26 budget.

Ms. Baker said yes.

Ms. Bohmke said that she was unclear what “baseline funding” in the MOU referred to.

Ms. Baker said that it was the per-year allocation of \$90,000 from the County.

Ms. Bohmke said that she thought that the NVCT’s annual audit reporting and when it was provided to the County should be made clearer in the MOU language.

Ms. Baker said that she was certain that could be added.

Ms. Gary motioned, seconded by Ms. Allen, to approve Proposed Resolution R25-62, including an amendment to require NVCT to provide their annual audit to the County within 45 days after it was completed.

The Voting Board tally was:

Yea: (7) Allen, Bohmke, Diggs, English, Gary, Vanuch, and Yeung

No: (0)

PRESENTATIONS/REPORTS BY DEPARTMENTS (CONTINUED)

ITEM 2. UTILITIES; CONSIDER AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE WATER AND SEWER PRO RATA AGREEMENTS WITH WESTLAKE DEVELOPMENT, LLC PURSUANT TO THE WATER AND SEWER PRO RATA POLICY; PROPOSED RESOLUTION R25-124

Chris Edwards, Chief Operating Officer, said that this item was reviewing the Westlake Pro-Rata Agreement. He said that there actually were two agreements in place: one for water and one for sewer. He said that first, he wanted to clarify that this item required a vote at the end of his presentation. He said that the Stafford County Utilities Department administered a pro-rata program designed to equitably distribute the cost of utility infrastructure among developments. He said that under this program, developers paid pro-rata fees to connect to the public water and sewer system.

Mr. Edwards said that these fees supported infrastructure identified in the County Water and Sewer Master Plan. He said that over the past five years, he believed they had approved one of these agreements, which was the North Point development that had been approved by the Board last year. He said that with the upcoming reuse of water, they anticipated an increase in pro-rata documents as developers would be constructing a complete water reuse system. He said they were being built by different developers, and they would share the cost through pro-rata agreements.

Mr. Edwards said that developers may offset the pro-rata fees by constructing eligible master plan improvements and by entering into an approved pro-rata agreement with the County, which was what staff was requesting tonight. He said that recent state code amendments, effective since 2022, required localities with cost-sharing programs like pro-rata to reimburse developers when subsequent connections were made to their infrastructure. He said that if they were to enter into a pro-rata agreement with Westlake, any money received by the program would first go to the County, and then be reimbursed to Westlake. He said that if Westlake did not enter into an agreement with the County they would be entitled to the money first before the County if someone connected to their infrastructure.

Mr. Edwards said that for context, Westlake was a development located along Route 17 in Hartwood, which was included in the urban services area and qualified for the pro-rata program. He said that the development had been rezoned in 1989 and again in 2006, with the latter amendment requiring them to build all water and sewer infrastructure in the master plan and agreement. He said that a pro-rata agreement expired about six years ago, so a new pro-rata agreement had been drafted with the County Attorney's Office, reflecting state code changes and updates to the pro-rata policy made in 2023.

Mr. Edwards said that this agreement allowed Westlake to earn pro-rata credits and potentially receive reimbursements from other developers and any credits they paid into prior to receiving pro-rata credits. He said that what was unique about this agreement was that it involved a large development outside the urban services area and would require four or five water and sewer projects to service it. He said that to receive pro-rata credits, Westlake would need to construct 100% of the required water and sewer infrastructure.

Mr. Edwards said that this was one of the measures they aimed to take to ensure that only Westlake infrastructure was constructed, rather than partial infrastructure. He said that this would enhance service reliability along Route 17. He said that the water infrastructure would also benefit nearby locations, such as the Walmart and the new high school. He said that furthermore, the sewer system would serve the new high school, as well as the water and sewer systems serving the new proposed elementary school site. He said that they had received significant interest from residents along Route 17 who were on private wells, and connecting them to the water line would provide a backup source of water.

Mr. Diggs asked if the Board had any questions on this item.

Dr. Yeung asked for more information regarding the estimated reimbursement and the timeline for receiving it.

Mr. Edwards said that the pro-rata system involved both credits and reimbursements. He said that they owed approximately \$1 to \$2 million in pro-rata credits or fees, which would be waived; all of the infrastructure improvements would be counted towards these credits. He said that reimbursements were only possible if there was sufficient funds in their overall budget. He said that one thing he had forgotten to mention was that none of the money from water and sewer user fees would be used for reimbursements.

Mr. Edwards said that reimbursements would only be made from the funds paid by other developers who connected to or were connected in the zone. He said that currently, there was very little money available in this reimbursement program. He said that it was essentially a 50/50 split. He said that if the County built any water and sewer improvements in the Hartwood area, the County would be reimbursed first, and the developer would be reimbursed second. He said that it appeared that they currently had a \$100,000 pro-rata credit that may be reimbursed if there was sufficient funds in the overall program.

Ms. Allen motioned, seconded by Mr. English, to approve Proposed Resolution R25-124.

The Voting Board tally was:

Yea: (7) Allen, Bohmke, Diggs, English, Gary, Vanuch, and Yeung

No: (0)

ITEM 3. DEVELOPMENT SERVICES, CONSIDER AUTHORIZING ADVERTISEMENT FOR A PUBLIC HEARING TO AMEND AND REORDAIN THE DEVELOPMENT SERVICES FEE SCHEDULE AND ESTABLISH A FEE FOR REVIEW SERVICES OF LOW VOLTAGE WIRING PLANS; PROPOSED RESOLUTION R25-134

Paul Santay, Director of Community Development, said that on the agenda for tonight was a request to receive authorization for a public hearing to amend and reordain the development services fee schedule that had been approved by this Board in September 2024. He said that as a result of the fee schedule, which had evaluated and recommended over 200 fees, one particular fee had come to light and had impacted approximately 12 commercial building permit applications since November 1, when the fee schedule went into effect.

Mr. Santay said that the fee in question was the plan review fee for low voltage wiring for commercial building permits. He said that low voltage wiring included communications lines, network lines, fire and security system lines, and other similar lines, which carried a much lower voltage load compared to other electrical wiring. He said that the plan review effort for low voltage wiring was relatively simple and basic, requiring only a few minutes of attention. He said that in contrast, electrical reviews involved more detailed attention due to their life and safety importance.

Mr. Santay said that as a result, the only fee that could be charged for low voltage wiring review was the commercial trade review, based on square footage. He said that given the cost recovery goal, it was clear that the current fee for low voltage wiring review was excessive. He said that to ensure accuracy, the request was to add and itemize the low voltage review fee in the fee schedule, which was currently missing. He said that staff was requesting consideration for reimbursements of some of the fees that had already been paid but were overcharged since November 1.

Mr. Santay said that approximately \$68,000 in fees had been collected, with \$54,000 of those fees being for High School 6 and Elementary School 18. He said that local business Express Tech, which was doing the work at the high school and elementary school, had brought this to staff's attention, prompting them to request a public hearing to rectify the situation.

Ms. Allen motioned, seconded by Ms. Gary, to approve Proposed resolution R25-134.

The Voting Board tally was:

Yea: (7) Allen, Bohmke, Diggs, English, Gary, Vanuch, and Yeung

No: (0)

ITEM 4. PLANNING AND ZONING; CONSIDER REFERRING TO THE PLANNING COMMISSION A PROPOSED ORDINANCE TO AMEND AND REORDAIN THE COUNTY ZONING ORDINANCE TO ESTABLISH REGULATIONS RELATING TO TOBACCO AND VAPE SHOP USES; PROPOSED RESOLUTION R25-136

Mike Zuraf, Director of Planning and Zoning, would like to introduce the Board to Juan Bernal, their Zoning Administrator, who had been with the department for a few months and worked on this item. He said that this item originated in October of last year, when the Board expressed concerns about the proliferation of tobacco and vape shops and their accessibility to minors. He said that in response, the Board asked staff to research and make recommendations for zoning ordinance amendments.

Mr. Zuraf said that staff conducted the research and the Board directed the Planning Commission to develop an ordinance, which they had now completed. He said that the Planning Commission's recommendations created a new use classification for tobacco and vape shops, treating them as a standalone use with defined terms. He said that currently, this type of business fell under the low-intensity commercial retail use in the zoning ordinance. He said that the proposed changes limited the zoning districts in which tobacco and vape shops were permitted; these establishments would only be permitted in the B-1 and B-2 zoning districts. He said that they would be prohibited in all other commercial zoning districts that typically allowed low-intensity commercial retail.

Mr. Zuraf said that in the B-1 district, a conditional use permit would be required for their use. He said that in the B-2 district, they would be allowed as specified by right. He said that the proposed ordinance also included several special regulations that further defined their locations. He said that the regulations required a 1,000-foot separation from tobacco vape shops and childcare or schools, and specified how this distance would be measured. He said that additionally, these shops could not be located within 1,000 feet of each other. He said that they had flagged this provision and recommended that the Planning Commission review it to ensure it aligned with state code.

Mr. Zuraf said that their guidelines were based on Chesterfield County's regulations, but they recognized that this specific provision requiring a 1,000-foot distance between each shop may not be allowed. He said that if the Board approved it, they would take it to the Planning Commission and be prepared to make adjustments if necessary. He said that the proposed regulations would not affect existing shops, which would be grandfathered in due to their existing operation. He said that if the Board was inclined, the proposed resolution, R25-136, would refer this ordinance back to the Planning Commission for a public hearing, and this matter would be revisited.

Dr. Yeung motioned, seconded by Mr. English, to approve Proposed Resolution R25-136.

The Voting Board tally was:

Yea: (7) Allen, Bohmke, Diggs, English, Gary, Vanuch, and Yeung

No: (0)

ITEM 6. COUNTY ADMINISTRATION; APPROVE THE MARCH 18, 2025 BOARD OF SUPERVISORS MEETING MINUTES

Ms. Vanuch motioned, seconded by Ms. Allen, to approve the March 18, 2025 Board of Supervisors Meeting Minutes.

The Voting Board tally was:

Yea: (7) Allen, Bohmke, Diggs, English, Gary, Vanuch, and Yeung

No: (0)

ADD ON TO PRESENTATIONS; PRESENTATION OF A PROCLAMATION RECOGNIZING MAY 6 – 12, 2025 AS NURSES WEEK IN STAFFORD

Ms. Vanuch motioned, seconded by Ms. Allen, to adopt Proclamation P25-25.

The Voting Board tally was:

Yea: (7) Allen, Bohmke, Diggs, English, Gary, Vanuch, and Yeung

No: (0)

REPORTS BY BOARD MEMBERS

Ms. Gary – reported that her son was recently married, which was very exciting and they all enjoyed time together in Colorado. She said that she ran half a marathon thinking that Mr. Diggs

would be there with her, but she called him after she finished the race and he told her he was not there because of work. She said that although she felt a bit slighted, it was a gratifying event.

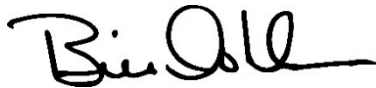
Dr. Yeung – apologized for a previous comment she had made about Chairman Apicella on the Planning Commission. She said that he was a very hardworking person and she did not mean to insinuate anything other than that.

Ms. Allen – thanked Ms. Julia Lewis for the card she gave her in honor of Nurses Week. She said that it was very special when the members of the public acknowledged each other's service and contributions to the community. She said that it meant a lot to her and was a very touching card.

Mr. Diggs – thanked all the staff who assisted with this meeting tonight. He said that he recently participated in the Law Enforcement United Ride, which spanned 250 miles from Chesapeake, Virginia to Washington, D.C., and resulted in lots of funds raised. He said that he also participated in Police Week in D.C., which was a great time to spend with his fellow law enforcement officers from across the world. He said that he also wanted to thank his colleagues for all their hard work and dedication.

ADJOURNMENT

The Board adjourned its meeting at 12:28 a.m.

A handwritten signature in black ink, appearing to read "Bill Ashton", written over a horizontal line.

William H. Ashton, II
County Administrator

Public Comment Form

COMPLETE

#145

CREATED



PUBLIC

May 18th 2025, 6:46:05 pm

IP ADDRESS



108.28.94.206

* Name

Rita Farrar

* Address

690 Ramoth Church Road
Stafford
VA
22406
United States

* Email

supermemaw519@gmail.com

Election District

Hartwood

* Topic (please see the Public Hearings page for specific topics coming up)

Data Center Performance Standards

* Online Comments:

I'm a resident of Stafford County. I'm writing today because I have deep concerns about the direction our county is heading—and what we stand to lose if we don't take the time to reflect, reassess, and protect what makes Stafford special.

The proposed George Washington Village data center project, encompassing over 1,100 acres, represents an unprecedented transformation of Stafford's landscape. This is not simply a new development—this is the destruction of forests, farmland, and natural habitat on a massive scale.

These are lands that support wildlife, filter our water, cool our air, and serve as buffers between industrial zones and neighborhoods. When we remove tree cover and pave over wetlands and fields, we don't just lose beauty—we damage the ecosystem that sustains us. The loss of biodiversity, increased runoff, and higher temperatures are not theoretical—they're real and lasting.

And yet, what's most concerning is how deceptive and incomplete the materials submitted for this project appear to be. Sightline illustrations show trees that do not exist. Internal roads are mislabeled as "thick vegetation." Key views are missing entirely. Even addresses are incorrect.

If the foundational documents are inaccurate now—at the approval stage—how can we trust what will come next?

Voting YES tonight does not stop this project or others. It simply allows the Planning Commission to take the time to review and strengthen our standards—to ensure decisions are based on truth, not spin; on long-term benefit, not short-term gain.

Stafford deserves better than rushed approvals and misleading site plans. We deserve policies that balance progress with protection. This vote is a chance to show that we are stewards of this land—not just managers of development.

Please vote YES to review and revise our Data Center Performance Standards before another 1,100 acres are changed forever.

Thank you.

Public Comment Form

COMPLETE

#144

CREATED



PUBLIC

May 18th 2025, 6:30:44 pm

IP ADDRESS



108.28.94.206

*** Name**

Carol Armstrong

*** Address**

612 Ramoth Church Road

Stafford

VA

22406

United States

*** Email**caja0617@gmail.com**Election District**

Hartwood

*** Topic (please see the Public Hearings page for specific topics coming up)**

Review Data Center Regulations

*** Online Comments:**

Hello. My name is Carol Armstrong, and I live right here in Stafford.

I am writing because I am truly devastated by what I see happening in our county. Everywhere I go, I see trees being cut down. I see land getting cleared. I see roads torn up. I see big fences going up. What used to be woods and open space is now turning into one big construction zone.

At first, I didn't know what was happening. Then I found out—they're building data centers.

I didn't even know what a data center was at first. But now I've learned they are huge buildings that run all the time, day and night. They make noise. They use tons of power and water. They bring trucks and machines and diesel engines. And worst of all, they can be built right next to people's homes. That's just not right.

This is not why I chose to live in Stafford. I loved the quiet. I loved seeing deer in the woods. I loved driving past farms and fields and old trees. But now, I feel like all of that is being destroyed—fast—and once it's gone, we won't get it back.

That's why I'm writing. And that's why I'm asking you—please vote YES to review the data center rules.

I'm not asking you to stop everything. I'm asking you to slow down and take a real look at what we're doing. This vote doesn't block anything. It just gives the Planning Commission a chance to look at the rules and maybe make them better. That's fair. That's smart.

We need better rules to protect the people who already live here. We need better rules to protect our land, our water, and our peace.

Please—vote YES before it's too late. Once the trees are gone, once the land is paved, there's no going back.

Thank you.

Public Comment Form

COMPLETE

#143

CREATED



PUBLIC

May 18th 2025, 8:13:58 am

IP ADDRESS



108.48.246.24

* Name

Erin Sanzero

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sanzero722@gmail.com

Election District

Hartwood

* Topic (please see the Public Hearings page for specific topics coming up)

Work Session Item #5--Request PC to review Data Center Regulations (May 20, 2025)