



TOWN COUNCIL REGULAR WORK SESSION

Monday, July 6, 2026 @ 7:00 PM

Town Hall Conference Room

View meeting online LIVE at <https://www.frontroyalva.com/673/Town-Hall-Live>

1. Roll Call
2. ACTION ITEM
 - a. Resolution Establishing a Temporary Moratorium on Data Center Applications
3. NEW BUSINESS
 - a. Request to discontinue the use of motor vehicles on a portion of Church Street between East Main Street and East Jackson Street
 - b. Special Use Permit 2600139 - 508 Kendrick Lane.
4. CLOSED MEETING
5. ADJOURN



REGULAR COUNCIL MEETING AGENDA STATEMENT

Meeting Date: July 6, 2026

Item# 2A

Agenda Item: Resolution Establishing a Temporary Moratorium on Data Center Applications

Summary: Council is requested to adopt a resolution imposing a temporary ninety (90) day moratorium on the acceptance of land use applications for data center development within the Town of Front Royal while the Town completes the legislative process to define and address data center uses in the Zoning Ordinance.

Budget/Funding:

Meetings: Public Hearing, June 22, 2026

Proposed Motion: I move that Council adopt the Resolution Establishing a Temporary Ninety (90) Day Moratorium on the Acceptance of Data Center Land Use Applications as presented.

Moved _____ *Seconded* _____

Rappaport _____ *DeDomenico-Payne* _____ *Ingram* _____ *Wood* _____ *Sealock* _____ *Veitenthal* _____

RESOLUTION IMPOSING TEMPORARY MORATORIUM ON ACCEPTANCE OF DATA CENTER LAND USE APPLICATIONS

WHEREAS, on June 22, 2026, the Town Council approved the following motion:

“I move that Town Council deny the proposed zoning text amendments to Town Code §175-3 and §175-64 that would define and permit data centers within the Industrial Employment District (I-2) by Special Use Permit. Further, I move that Council direct staff and the Planning Commission to prepare and return to Council within sixty (60) days a zoning text amendment defining data centers vs technology and prohibiting data centers within the Town of Front Royal in all zoning districts, while establishing a temporary moratorium on data center applications due to infrastructure, utility, environmental, fiscal, and community impacts. This direction is made pursuant to the Town’s zoning authority under Virginia Code §15.2-2280, *et seq.*, and based upon Council’s determination that data center development will adversely impact the health, safety, welfare, infrastructure capacity, environmental resources, and character of the Town of Front Royal.”; and,

WHEREAS, the Town Council desires to impose a temporary moratorium on the acceptance of data center land use applications, while recognizing that the imposition of a temporary moratorium requires administrative action rather than a legislative zoning text amendment; and,

WHEREAS, pursuant to Town Council’s referral, the Town’s Planning Commission has initiated the process of drafting a proposed text amendment to the Town’s zoning ordinance defining and prohibiting data center use within the Town, with the intent of making a recommendation to Town Council regarding the adoption of such proposed text amendment following a public hearing; and,

WHEREAS, it is anticipated that Council will receive a proposed text amendment from the Planning Commission, along with their recommendation regarding its adoption, in time for Council to hold a public hearing on the amendment during an August, 2026 meeting; and,

WHEREAS, the Planning Commission previously recommended to Council the following definitions of data center: DATA CENTER - A use where digital information is processed, transferred, and/ or stored, occupying 10,000 square feet or more, where the majority of space is occupied by computers, servers, telecommunications and related equipment (including supporting equipment). SMALL DATA CENTER: A use where digital information is processed, transferred, and or stored, occupying less than 10,000 square feet, where the majority of space is occupied by computers, servers, telecommunications and related equipment (including supporting equipment); and,

WHEREAS, in order to preserve the status quo and protect the health, safety, welfare of the citizens of the Town during the legislative process in furtherance of public necessity, convenience, general welfare, and good zoning practice, Town Council believes it necessary to impose a temporary moratorium on the acceptance of data center land use applications, including, but not limited to, rezonings, special uses, and site development plans.

NOW, THEREFORE, BE IT RESOLVED, by the Town Council of the Town of Front Royal that a temporary ninety (90) day moratorium is hereby imposed on the acceptance of data center land use applications, as that use is commonly understood and defined above, for purposes including but not limited to rezonings, special uses, and site development plans, with Town staff directed to implement and comply with this temporary moratorium.

This Resolution is effective upon passage.

APPROVED:

Lori A. Cockrell, Mayor

ATTEST:

Hillary Wilfong, Clerk of Council

This Resolution was approved at the Regular Work Session meeting of the Town Council of the Town of Front Royal conducted on _____, 2026 upon the following recorded vote:

Melissa DeDomenico-Payne	☐ Yes ☐ No	H. Bruce Rappaport	☐ Yes ☐ No
Joshua L. Ingram	☐ Yes ☐ No	Glenn Wood	☐ Yes ☐ No
Amber F. Morris	☐ Yes ☐ No	R. Wayne Sealock	☐ Yes ☐ No

Approved as to Form and Legality:

George M. Sonnett, Jr., Town Attorney

Dated: _____



COUNCIL REGULAR WORK SESSION AGENDA STATEMENT

Meeting Date: July 6, 2026

Item: 3A

Agenda Item: Request to discontinue the use of motor vehicles on a portion of Church Street between East Main Street and East Jackson Street.

Summary: The Town of Front Royal is requesting to discontinue the use of motor vehicles on approximately 1,932 square feet of Church Street between E. Main Street and the parking lot behind 201 E. Main Street pursuant to Virginia Code §§ 15.2-2001 & 2006.

The one-way alley has been closed since late 2025 for the redevelopment of the former Murphy Theater building at 131 E. Main Street. During this time the Town has received little-to-no feedback regarding the closure and its impact on traffic. In 2019, the Town conducted a Downtown Parking Study with the Northern Shenandoah Valley Regional Commission (NSVRC). The study recommended closing street to vehicles and create a pedestrian walkway.

8.3 Connect Jackson Street parking to Main Street with pedestrian ways

To provide attractive pedestrian access to Main Street from the consolidated southern lot, Church Street from Jackson Street to Main Street (Fig. 19) should be converted into a walkway. The consolidated lots and walkways should be designed and built concurrently, as a single project. Completion of the Church Street walkway will create a continuous pedestrian way from Jackson Street to Peyton Street

If the alley is closed to motor vehicle traffic, the Town will continue to own and maintain the alley as a public pedestrian walkway. The current proposal does not include any improvements to space itself except to provide barriers that will prevent vehicles from entering the street. The Town will collaborate with our downtown stakeholders to identify opportunities for planning and funding to design and implement a successful pedestrian walkway.

Staff comments and a preliminary survey have been provided.

Budget/Funding: N/A

Staff Recommendation: Advertise for a public hearing on July 27, 2026.

Code of Virginia
Title 15.2. Counties, Cities and Towns
Subtitle II. Powers of Local Government
Chapter 20. Streets and Alleys
Article 1. Construction of Roads, Streets and Alleys Generally

§ 15.2-2001. Streets, sidewalks and public rights-of-way generally

Every locality may lay out, open, extend, widen, narrow, establish or change the grade of, close, construct, pave, curb, gutter, plant and maintain shade trees on, improve, maintain, repair, clean and light: streets, limited access highways, express highways, roads, alleys, bridges, viaducts, subways and underpasses. Localities may make, improve and repair sidewalks upon all public rights-of-way and may convert sidewalks to bicycle paths. A locality's power and authority over its public rights-of-way and other public places shall be the same, regardless of whether the public right-of-way or place has been expressly or impliedly dedicated to public use, has been conveyed to the locality by deed, or has been acquired by any other means.

Furthermore, any locality may establish highway user fees for highways that are not part of any system of state highways when such highway's traffic-carrying capacity is increased by construction or improvement.

Code 1950, § 15-77.53; 1958, c. 328; 1962, c. 623, § 15.1-889; 1974, c. 407; 1997, c. 587; 2006, c. [924](#).

The chapters of the acts of assembly referenced in the historical citation at the end of this section(s) may not constitute a comprehensive list of such chapters and may exclude chapters whose provisions have expired.

§ 15.2-2006. Alteration and vacation of public rights-of-way; appeal from decision

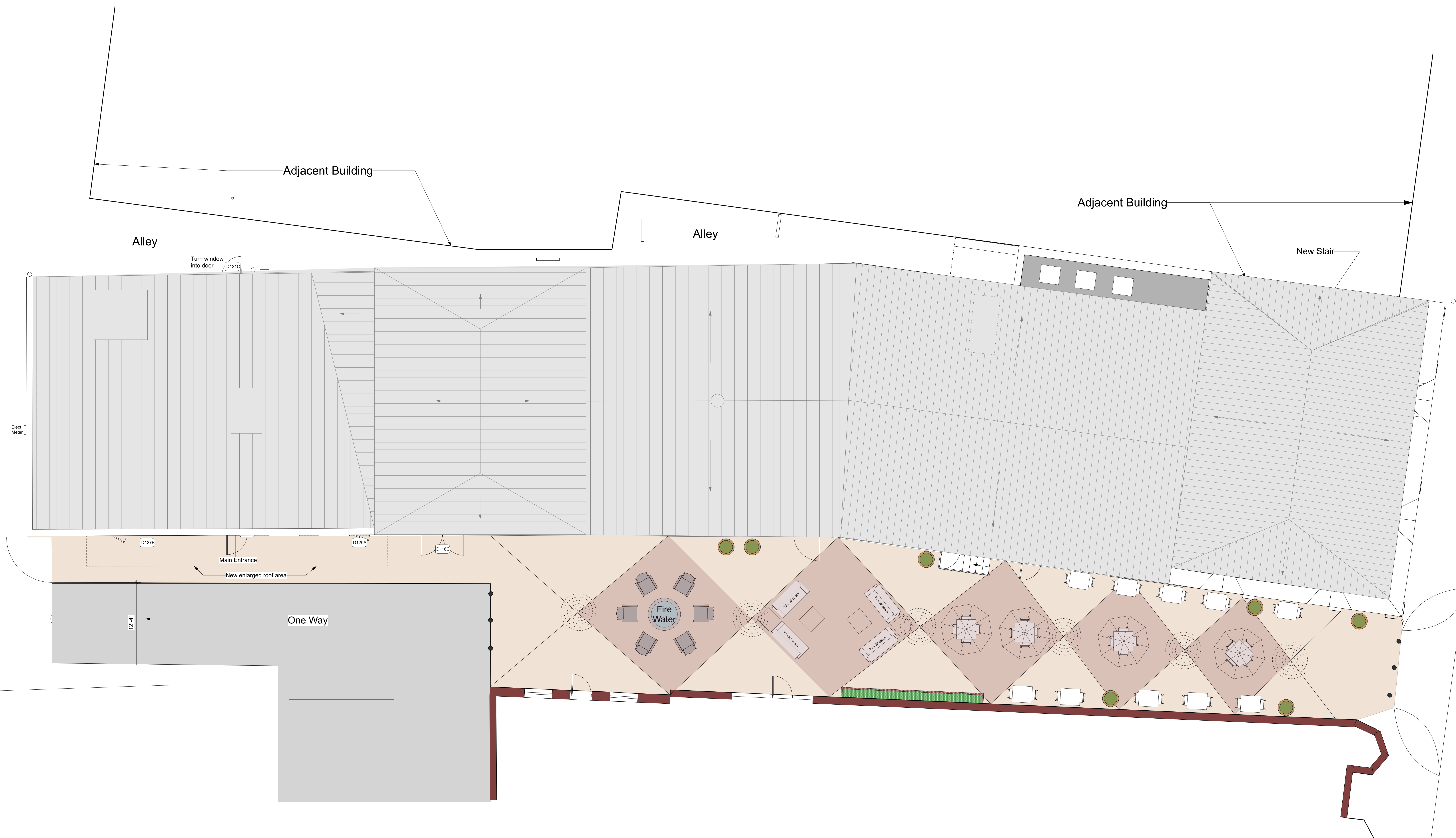
In addition to (i) the powers contained in the charter of any locality, (ii) any powers now had by such governing bodies under the common law or (iii) powers by other provisions of law, public rights-of-way in localities may be altered or vacated on motion of such governing bodies or on application of any person after notice of intention to do so has been published twice in a newspaper having general circulation in the locality, with the first notice appearing no more than 28 days before and the second notice appearing no less than seven days before the hearing. The notice shall specify the time and place of a hearing at which persons affected may appear and be heard. The cost of publishing the notice shall be taxed to the applicant. At the conclusion of the hearing and on application of any person, the governing body may appoint three to five people to view such public right-of-way and report in writing any inconvenience that would result from discontinuing the right-of-way. The governing body may allow the viewers up to fifty dollars each for their services. The sum allowed shall be paid by the person making the application to alter or vacate the public right-of-way. From such report and other evidence, if any, and after the land owners affected thereby, along the public right-of-way proposed to be altered or vacated, have been notified, the governing body may discontinue the public right-of-way. When an applicant requests a vacation to accommodate expansion or development of an existing or proposed business, the governing body may condition the vacation upon commencement of the expansion or development within a specified period of time. Failing to commence within such time may render the vacation, at the option of the governing body, void. A certified copy of the ordinance of vacation shall be recorded as deeds are recorded and indexed in the name of the locality. A conditional vacation shall not be recorded until the condition has been met.

Any appeal shall be filed within sixty days of adoption of the ordinance with the circuit court for the locality in which the public right-of-way is located.

Code 1950, § 15-766; 1950, p. 725; 1952, c. 580; 1956, c. 487; 1958, c. 196; 1962, c. 623, § 15.1-364; 1964, c. 13; 1972, c. 357; 1973, c. 71; 1980, c. 236; 1982, c. 381; 1983, c. 33; 1984, c. 175; 1986, c. 41; 1997, c. [587](#); 2024, cc. [225](#), [242](#).

The chapters of the acts of assembly referenced in the historical citation at the end of this section(s) may not constitute a comprehensive list of such chapters and may exclude chapters whose provisions have expired.

BID AND PERMIT SET
NOT FOR CONSTRUCTION



Structural Engineer
Damron Engineering
2 N Cameron St Suite 201
Winchester, VA 22601

Mech/Elect Engineer
Comfort Designs
620 Pennsylvania Avenue
Winchester, VA 22601

GROVE & DALL'OLIO
ARCHITECTS PLLC

18 W. BOSCAWEN • WINCHESTER, VIRGINIA • 22601

Issue/Revision	Scale

COMMONWEALTH OF VIRGINIA

Lisa Dall'olio
Lic. No. 01-4691

ARCHITECT

Alley Improvement Plan

Date: 4/10/24	Project Number: 22450
Scale: As Noted	Drawing Number:

A2.1



Regular Work Session Agenda Statement

Meeting Date: July 6, 2026

Item: 3B

Agenda Item:

A Special Use Permit Application, submitted by Andres A. Montesinos, on behalf of the property owner Eagle Sky Industrial Park, LLC to allow an Automobile Graveyard "Junkyard", located at 508 Kendrick Lane, identified by Tax Map Number 20A1-3-4. The Property is zoned I-2, Industrial Employment District.

Letters were sent to the adjoining property owners notifying them of this public hearing.

Summary:

The applicant was not present for the public hearing on June 17, 2026. Planning Commission recommended denial of this use as they were unable to converse with the applicant to determine what mitigation strategies they were proposing.

Budget/Funding: N/A

Staff Recommendation:

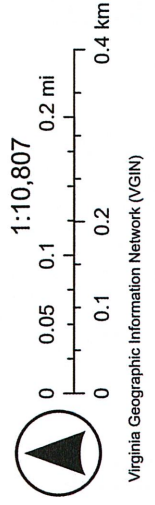
The portion of the property that the proposed junkyard will be situated is outside of the Covenants held by the Clean Water Project and are not subject to its restrictions. However, given the nature of the use, staff is concerned about environmental quality and pollutants reaching the Shenandoah River. If Council wishes to approve, strong conditions related to mandatory impermeable surfaces, landscaping buffers and overall environmental protections need to be considered.

SUP 2600139_508 Kendrick Lane



3/27/2026, 3:44:58 PM

- Parcels
- Leach Run Parkway
- Railroads
- Powerline
- Pipeline
- County Boundary
- FRONT ROYAL



620 KENDRICK LN

Location	620 KENDRICK LN	City, State, Zip	FRONT ROYAL, VA 22630
Mblu	20/ A1 3/ 6/ A1/	Owner	RUSTIC RESTAURANT FURNITURE LLC
Taxable Status	Non-Exempt	PBN	COMMERICAL/INDUSTRAL
Appraisal	\$711,100	PID/ACCOUNT#	7883
Building Count	1	Legal Description	L 6A1 POE'S RIVER EDGE LLC PROP LR18-4663 & BDY ADJ LR19-698
Topography		Assessing Distr...	001
District	64: FORK - TOWN		

Current Value

Assessment					
Valuation Year	Building	Extra Features	Outbuildings	Land	Total
2025	\$318,500	\$0	\$21,600	\$371,000	\$711,100

Parcel Addresses

Additional Addresses
No Additional Addresses available for this parcel

Owner of Record

Owner	RUSTIC RESTAURANT FURNITURE LLC	Sale Price	\$375,000
Co-Owner		Book	LR-2020
Care Of		Page	388
Address	847 JONATHAN RD LINDEN, VA 22642	Sale Date	01/16/2020
		Instrument	00
		Qualified	Q

Ownership History

Ownership History						
Owner	Sale Price	Instrument	Sale Date	Ref Number	Book	Page
RUSTIC RESTAURANT FURNITURE LLC	\$375,000	00	01/16/2020		LR-2020	388
POES RIVER EDGE LLC	\$350,000	00	09/18/2018		LR-2018	4663
HONEYWELL INTERNATIONAL INC	\$0	00	06/02/2004		LR-2004	5928
GENERAL CHEMICAL L L C	\$0	00	12/11/2003		LR-2003	14899
GENERAL CHEMICAL CORPORATION	\$30,000	00	04/03/2000		LR-2000	1876

Building Information

Building 1 : Section 1

Year Built:	2020
Living Area:	0
Building Percent Good:	86

Building Photo

 Building Photo
(<https://images.vgsi.com/photos/warrencountyvaPhotos///0108/00>)

Building Attributes	
Field	Description
Section Style	Commercial

508 KENDRICK LN

Location	508 KENDRICK LN	City, State, Zip	FRONT ROYAL, VA 22630-2907
Mblu	20/ A1 3/ 4/ /	Owner	EAGLE SKY INDUSTRIAL PARK LLC
Taxable Status	Non-Exempt	PBN	COMMERICAL/INDUSTRAL
Appraisal	\$2,515,300	PID/ACCOUNT#	7880
Building Count	1	Legal Description	EAGLE SKY IND PARK LLC PROP LR21-8973 BDY ADJ LR22-5701 CORR BDY ADJ LR23-4141 AND BDY ADJ LR24-966
Topography		Assessing Distr...	001
District	64: FORK - TOWN		

Current Value

Assessment					
Valuation Year	Building	Extra Features	Outbuildings	Land	Total
2025	\$1,527,000	\$0	\$352,100	\$636,200	\$2,515,300

Parcel Addresses

Additional Addresses
No Additional Addresses available for this parcel

Owner of Record

Owner	EAGLE SKY INDUSTRIAL PARK LLC	Sale Price	\$2,100,000
Co-Owner		Book	LR-2021
Care Of		Page	8973
Address	6220 HANOVER AVE SPRINGFIELD, VA 22150-4007	Sale Date	10/15/2021
		Instrument	00
		Qualified	Q

Ownership History

Ownership History						
Owner	Sale Price	Instrument	Sale Date	Ref Number	Book	Page
EAGLE SKY INDUSTRIAL PARK LLC	\$2,100,000	00	10/15/2021		LR-2021	8973
OLD VIRGINIA INDUSTRIAL PARK LLC	\$0	00	08/12/1998		LR-1998	5313
BIGGS WILLIAM M ET AL	\$650,000	00	06/23/1998		LR-1998	3928
FIRST BANK	\$746,000	00	07/20/1995		LR-1995	3446
SHIEMAN BARBARA A	\$0	00	04/14/1993		0	0

Building Information

Building 1 : Section 1

Year Built:	1960
Living Area:	0
Building Percent Good:	55

Building Photo

 Building Photo
(<https://images.vgsi.com/photos/WarrenCountyVAPhotos///0106/C>)

Building Attributes	
Field	Description

0 KENDRICK LN

Location	0 KENDRICK LN	City, State, Zip	FRONT ROYAL, VA 22630
Mblu	20/ A1 3/ 8/ /	Owner	IND DEV AUTH OF TOWN OF FRONT ROYAL
Taxable Status	Exempt	PBN	MULTIPLE GOVT
Appraisal	\$14,662,100	PID/ACCOUNT#	7886
Building Count	1	Legal Description	L 8 ECONOMIC DEV AUTH LR00-1681 & BDY ADJ LR06-383
Topography		Assessing Distr...	001
District	64: FORK - TOWN		

Current Value

Assessment					
Valuation Year	Building	Extra Features	Outbuildings	Land	Total
2025	\$0	\$0	\$10,000,000	\$4,662,100	\$14,662,100

Parcel Addresses

Additional Addresses
No Additional Addresses available for this parcel

Owner of Record

Owner	IND DEV AUTH OF TOWN OF FRONT ROYAL	Sale Price	\$60,000
Co-Owner	CO OF WARREN DBA ECONOMIC DEV AUTH	Book	LR-2000
Care Of		Page	1681
Address	PO BOX 445	Sale Date	03/27/2000
	FRONT ROYAL, VA 22630	Instrument	00
		Qualified	Q

Ownership History

Ownership History						
Owner	Sale Price	Instrument	Sale Date	Ref Number	Book	Page
IND DEV AUTH OF TOWN OF FRONT ROYAL	\$60,000	00	03/27/2000		LR-2000	1681
AVTEX FIBERS - FRONT ROYAL INC	\$0	00	01/01/1900		262	152

Building Information

Building 1 : Section 1

Year Built:
Living Area: 0
Building Percent
Good:

Building Attributes	
Field	Description

Building Photo

 Building Photo
(<https://images.vgsi.com/photos/WarrenCountyVAPhotos//def>)

570 KENDRICK LN

Location	570 KENDRICK LN	City, State, Zip	FRONT ROYAL, VA 22630-2953
Mblu	20/ A1 3/ 5/ A1/	Owner	POES RIVER EDGE LLC
Taxable Status	Non-Exempt	PBN	COMMERICAL
Appraisal	\$551,900	PID/ACCOUNT#	7881
Building Count	1	Legal Description	L 5A1 POE'S RIVER EDGE LLC LR18-4663/BDY ADJ LR19-698 RES SUB LR22-2453,LR22-5701 AND BDY ADJ LR24-966
Topography		Assessing Distr...	001
District	64: FORK - TOWN		

Current Value

Assessment					
Valuation Year	Building	Extra Features	Outbuildings	Land	Total
2025	\$0	\$0	\$0	\$551,900	\$551,900

Parcel Addresses

Additional Addresses
No Additional Addresses available for this parcel

Owner of Record

Owner	POES RIVER EDGE LLC	Sale Price	\$350,000
Co-Owner		Book	LR-2018
Care Of		Page	4663
Address	139 PASSAGE MANOR DR STRASBURG, VA 22657-5164	Sale Date	09/18/2018
		Instrument	00
		Qualified	Q

Ownership History

Ownership History						
Owner	Sale Price	Instrument	Sale Date	Ref Number	Book	Page
POES RIVER EDGE LLC	\$350,000	00	09/18/2018		LR-2018	4663
HONEYWELL INTERNATIONAL INC	\$0	00	06/02/2004		LR-2004	5928
GENERAL CHEMICAL L L C	\$0	00	12/11/2003		LR-2003	14899
GENERAL CHEMICAL CORPORATION	\$30,000	00	04/03/2000		LR-2000	1876
AVTEX FIBERS-FRONT ROYAL INC	\$2,700,000	00	12/01/1986		353	453

Building Information

Building 1 : Section 1

Year Built:	
Living Area:	0

600 TRANSCEND DR

Location	600 TRANSCEND DR	City, State, Zip	FRONT ROYAL, VA 22630
Mblu	20/ A1 3/ 7/ D/	Owner	ITFEDERAL LLC
Taxable Status	Non-Exempt	PBN	COMMERICAL/INDUSTRAL
Appraisal	\$3,087,200	PID/ACCOUNT#	33058
Building Count	1	Legal Description	L 6 ROYAL PHOENIX SUBDIV IDA PROP LR00-1681 LR15-4645
Topography		Assessing Distr...	001
District	64: FORK - TOWN		

Current Value

Assessment					
Valuation Year	Building	Extra Features	Outbuildings	Land	Total
2025	\$1,199,800	\$0	\$135,200	\$1,752,200	\$3,087,200

Parcel Addresses

Additional Addresses
No Additional Addresses available for this parcel

Owner of Record

Owner	ITFEDERAL LLC	Sale Price	\$1
Co-Owner		Book	LR-2015
Care Of		Page	4645
Address	PO BOX 3088	Sale Date	09/16/2015
	MERRIFIELD, VA 22116-3088	Instrument	00
		Qualified	Q

Ownership History

Ownership History						
Owner	Sale Price	Instrument	Sale Date	Ref Number	Book	Page
ITFEDERAL LLC	\$1	00	09/16/2015		LR-2015	4645
IND DEV AUTH OF TOWN OF FRONT ROYAL	\$0	00	01/01/1900		0	0

Building Information

Building 1 : Section 1

Year Built:	2018
Living Area:	0
Building Percent Good:	82

Building Attributes	
Field	Description
Section Style	Office
Model	Commercial
Grade	Grade C
Stories	1.0

Building Photo

 Building Photo
(<https://images.vgsi.com/photos/warrencountyvaPhotos///0107/00>)

Building Layout

 Building Layout (ParcelSketch.ashx?pid=33058&bid=33058)

Building Sub-Areas (sq ft)

500 KENDRICK LN

Location	500 KENDRICK LN	City, State, Zip	
Mblu	20/ A1 3/ 2/ /	Owner	NORFOLK SOUTHERN RAILWAY CO
Taxable Status	Exempt	PBN	OTHER
Appraisal	\$0	PID/ACCOUNT#	33095
Building Count	1	Legal Description	NORFOLK SOUTHERN CORP DB 84-448
Topography		Assessing Distr...	001
District	64: FORK - TOWN		

Current Value

Assessment					
Valuation Year	Building	Extra Features	Outbuildings	Land	Total
2025	\$0	\$0	\$0	\$0	\$0

Parcel Addresses

Additional Addresses
No Additional Addresses available for this parcel

Owner of Record

Owner	NORFOLK SOUTHERN RAILWAY CO	Sale Price	\$0
Co-Owner	TAXATION DEPT	Book	0
Care Of		Page	0
Address	650 W PEACHTREE ST NW	Sale Date	01/01/2024
	ATLANTA, GA 30308	Instrument	00
		Qualified	Q

Ownership History

Ownership History						
Owner	Sale Price	Instrument	Sale Date	Ref Number	Book	Page
NORFOLK SOUTHERN RAILWAY CO	\$0	00	01/01/2024		0	0

Building Information

Building 1 : Section 1

Year Built:
Living Area: 0
Building Percent
Good:

Building Attributes	
Field	Description
Style	Vacant Land
Model	
Grade	
Stories	
Foundation	

PLANNING COMMISSION REGULAR MEETING
AGENDA STATEMENT

Meeting Date: June 17, 2026

Public Hearing Item 1: 2600139 – A Special Use Permit Application, submitted by Andres A. Montesinos, on behalf of the property owner Eagle Sky Industrial Park, LLC to allow an Automobile Graveyard “Junkyard”, located at 508 Kendrick Lane, identified by Tax Map Number 20A1-3-4. The Property is zoned I-2, Industrial Employment District.

Recommendation of Approval _____

Recommendation of Denial ☒ _____

Postponed _____

Vice Chairman Marrazzo moved, seconded by Commissioner Marshner that the Planning Commission forward a recommendation of denial for Special Use Permit #2600139 for an Automobile Graveyard “Junkyard” located at 508 Kendrick Lane, identified by Tax Map #20A1-3-4 due to drainage concerns, proximity to the river, and lack of details regards to land use and contamination mitigation.

VOTE: Yes – Marrazzo, Marshner, Fedoryka, Brooks, Neel

No – N/A

Abstain – N/A

Absent – N/A

ROLL CALL

Moved MARRAZZO Seconded MARSHNER

Marshner Y Marrazzo Y Neel Y Brooks Y Fedoryka Y

CERTIFIED by the Planning Commission

Jay Neel

Chairman Neel

PUBLIC HEARING ITEM 1

2600139 – A Special Use Permit Application, submitted by Andres A. Montesinos, on behalf of the property owner Eagle Sky Industrial Park, LLC to allow an Automobile Graveyard “Junkyard”, located at 508 Kendrick Lane, identified by Tax Map Number 20A1-3-4. The Property is zoned I-2, Industrial Employment District.

Town of Front Royal, Virginia

Planning Commission Monthly Meeting Agenda

☐ Consent Action ☐ Administrative Action ☒ Public Hearing ☐ Discussion

Agenda Item: Special Use Permit #2600139

MEETING DATE: June 17, 2026

SUMMARY: A Special Use Permit Application, submitted by Andres A. Montesinos, on behalf of the property owner Eagle Sky Industrial Park, LLC to allow an Automobile Graveyard "Junkyard", located at 508 Kendrick Lane, identified by Tax Map Number 20A1-3-4. The Property is zoned I-2, Industrial Employment District.

Letters were sent to the adjoining property owners notifying them of this public hearing.

STAFF RECOMMENDATION:

The portion of the property that the proposed junkyard will be situated is outside of the Covenants held by the Clean Water Project and are not subject to its restrictions. However, given the nature of the use, staff is concerned about environmental quality and pollutants reaching the Shenandoah River. If Planning Commission recommends approval of this use, strong conditions related to mandatory impermeable surfaces, landscaping buffers and overall environmental protections need to be considered.

DRAFT MOTION:

"In furtherance of the purposes and objectives contained in Town Code §175-1(B), I move that the Planning Commission forward a recommendation of approval for Special Use Permit #2600139 for an Automobile Graveyard "Junkyard" located at 508 Kendrick Lane, identified by Tax Map Number 20A1-3-4. Conditioned upon the following:

- 1. The applicant will need to store all automobiles on an impervious substrate to not permit chemicals and fluids from the vehicles to leach into the ground.*
- 2. The applicant will provide a landscape buffer of _____ feet from the use. "*

"I move that the Planning Commission keep the public hearing open to allow staff time to ascertain additional information regarding _____."

"I move that the Planning Commission forward a recommendation of denial for Special Use Permit #2600139 for an Automobile Graveyard "Junkyard" located at 508 Kendrick Lane, identified by Tax Map Number 20A1-3-4. for the following reasons: _____"

NOTE: These are only a draft motions. Alternative motions are also welcome.

PLANNING COMMISSION ACTION:

Moved _____ Seconded _____

Marshner _____ Marrazzo _____ Neel _____ Fedoryka _____ Brooks _____

☐ Approved ☐ Approved w/ Conditions ☐ Denied ☐ Other



TOWN OF FRONT ROYAL **DEPARTMENT OF PLANNING & ZONING**

Planning Commission Regular Meeting
June 17, 2026

APPLICATION #:

Special Use Permit Application #2600139

APPLICANT:

Andres A. Montesinos

APPLICATION SUMMARY:

A Special Use Permit Application, submitted by Andres A. Montesinos, on behalf of the property owner Eagle Sky Industrial Park, LLC to allow an Automobile Graveyard “Junkyard”, located at 508 Kendrick Lane.

GENERAL INFORMATION:

<i>Site Addresses</i>	508 Kendrick Lane
<i>Property Owner(s)</i>	Eagle Sky Industrial Park LLC
<i>Zoning District</i>	I-2, Industrial Employment District
<i>Historic District</i>	No
<i>Tax Identification</i>	Tax Map #20A1-3-4
<i>Proposed Use</i>	The Applicant is requesting to allow an Automobile Graveyard “Junkyard”.

Vicinity Map (Warren County GIS)



6/4/2026, 12:09:51 PM

Parcels Address Labels Railroads Pipeline
 Parcel Labels Roads Hydrant FRONT ROYAL
 Address Points Leach Run Parkway Powerline County Boundary

World_Street_Map



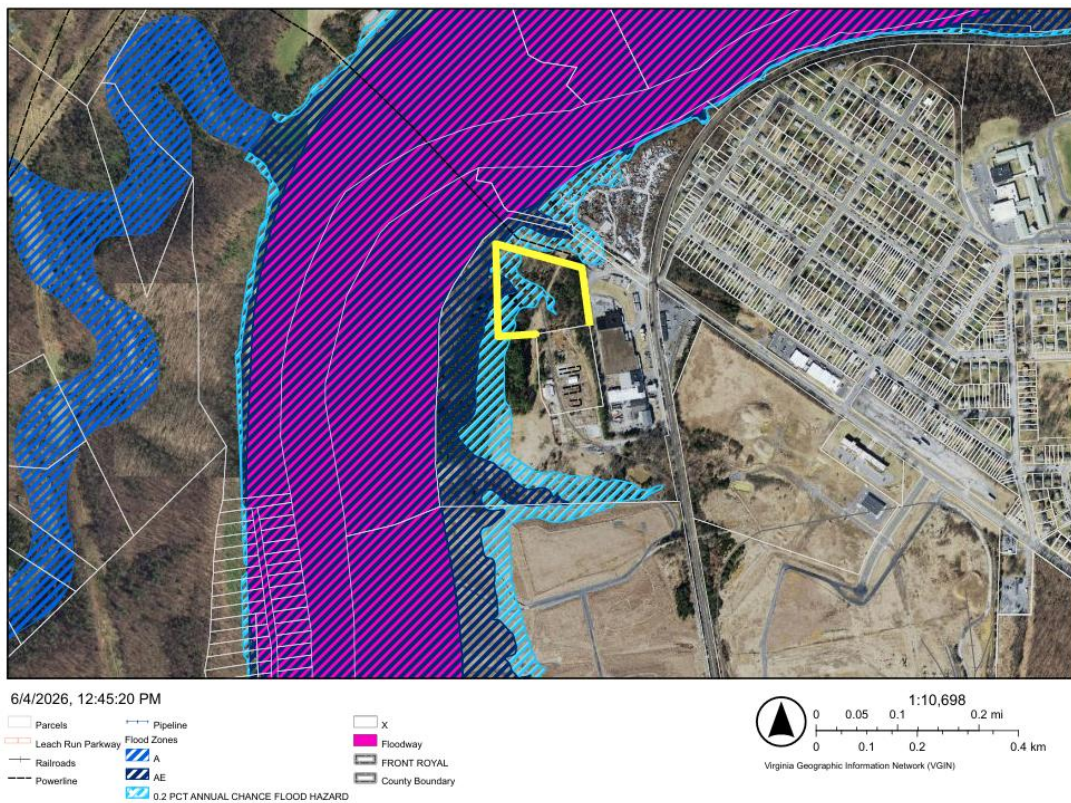
0 0.04 0.07 0.14 mi
 0 0.05 0.1 0.2 km

VITA, Esri, HERE, Garmin, INCREMENT P, NOAA, USGS

Aerial Map (Warren County GIS)



Floodway / Floodplain Map



INFORMATION ON THE APPLICATION:

<i>Town Code</i>	Town Code 175-3 – DEFINITIONS AUTOMOBILE GRAVEYARD - See "Junkyard." JUNKYARD - Any land or building used for the abandonment, storage, keeping, collecting or baling of paper, rags, scrap metals, other scrap or discarded materials or for the abandonment, demolition, dismantling, storage or salvaging of automobiles or other vehicles not in running condition, machinery or parts thereof. The term "junkyard" shall include the term "automobile graveyard," which shall be any lot or place which is exposed to the weather upon which more than three (3) motor vehicles of any kind, incapable of being operated, are placed. 175-70 - PERFORMANCE STANDARDS (I-2) The following performance standards shall apply to all uses within the I-2 Industrial Employment District: A. Vibration: 1. No continuous, frequent or repetitive vibrations shall be produced which are discernible to a person of normal sensitivities, without instruments, on land that is not zoned for industrial uses. 2. Vibrations from temporary construction and vehicles leaving the property (such as trucks or trains) are excluded. Vibrations from on-site equipment or vehicles that remain primarily on-site are included. 3. Vibrations of no more than five (5) minutes in any one (1) day between the hours of 7:00 a.m. and 7:00 p.m. shall not be deemed continuous, frequent or repetitive. B. Glare: Any operation or activity producing intense light or glare shall be performed in such a manner as not to create a glare effect across lot lines. Direct illumination from any source shall be screened from adjoining properties. C. Heat: 1. Heat from an industrial use shall not at any time cause a temperature increase in the air on any adjacent property in excess of ten degrees Fahrenheit (10° F.). 2. Heat from an industrial use shall not at any time cause a temperature increase in a stream, wetland, lake or any other body of
-------------------------	--

water, at or beyond the property line of the lot on which it is located, that would have an adverse effect on any aquatic life.

D. Liquid or Solid Wastes:

1. No industrial use shall result in the discharge of liquid or solid waste into any public sewer, private sewage system, public waters or into the ground except in compliance with applicable federal, state or local laws governing such discharge.

2. There shall be no accumulation outdoors of solid wastes conducive to the breeding of rodents or insects.

3. All discharges into any public sewer shall comply with the provisions of Section 134-2 et seq.

E. Smoke and Particulate Matter:

1. Open storage and open processing operations, including on-site transportation movements which are the source of windborne dust or other particulate matter or which involve dust or other particulate air contaminant generating equipment (such as used in paint spraying, grain handling, sand or gravel processing or sandblasting) shall be conducted so that dust and other particulate air contaminants are not transported in visible quantities across the boundary line of the tract on which the industrial use is located.

2. All industrial uses shall comply with state and federal air pollution control regulations.

F. Toxic and Hazardous Materials:

1. All toxic and hazardous materials used in industrial operations shall be registered with the Front Royal Fire Department for purposes of safety.

2. Activities involving the storage or use of materials or products which decompose by detonation shall be registered with the Front Royal Fire Department.

3. Explosives shall be stored, used and manufactured in accordance with applicable state and federal regulations.

G. Odor:

1. No continuous, frequent or repetitive emission of odors or odor-causing substances of such intensity and character as to be detrimental to the health and welfare of the public or neighboring

landowners or to interfere with the comfort of the public or neighboring landowners at or beyond the property line shall be permitted. Any such odor or odor causing activity or substance shall be removed, stopped or so modified as to remove the odor.

2. An odor which is evident no more than once in any one (1) day for a period not exceeding five (5) minutes shall not be deemed as continuous, frequent or repetitive within the meaning of these regulations.

H. Noise:

1. No industrial activity shall generate noise that tends to have an annoying or disruptive effect upon uses located beyond the property boundary.

2. Where technical evidence of violation is warranted, sound levels shall be measured at locations specified in Section 175-71 with a sound level meter and associated octave band filter, manufactured in accordance with the American Standards Association. Measurements shall be made using the flat network of the sound level meter. No sound pressure level shall exceed the decibel levels in the octave bands shown herein.

3. Maximum permitted sound levels (in decibels):

Octave Band Cycles Per Second	Maximum Permitted Sound Level in Decibels
0 to 75	72
75 to 150	67
150 to 300	59
300 to 600	52
600 to 1200	46
1200 to 2400	41
2400 to 4800	38
Above 4800	35

4. Noise resulting from temporary construction activity between the hours of 7:00 a.m. and 7:00 p.m. shall be exempt from this section.

I. Screening:

1. Except where otherwise specifically approved in the Town Code, permitted uses shall be conducted wholly within a completely enclosed building.

2. Outdoor storage, outdoor display or outdoor sale of goods shall only be permitted when each of the following standards are met:

a. Outdoor storage, outdoor display, or outdoor sale of goods shall be used in direct association with the primary use or uses of the property.

b. Outdoor storage, outdoor display and/or outdoor sales shall be screened to obstruct view from any adjacent public street. A screen may consist of a building, solid masonry wall, uniformly painted solid board fence or landscaping. The height of the screening shall be six feet (6') feet unless an alternative height is approved by the Planning Commission during the review of a site plan.

3. The following types of outdoor display and/or outdoor sales shall be exempt from the requirements of Section 175-70.I.2.b:

a. Motor vehicles.

b. Power operated machines designed for outdoor labor, such as farming, construction or lawn maintenance, as well as large equipment, products, and materials designed to be kept outdoors.

c. Plants and other landscaping products typically sold with plants.

d. Temporary or seasonal activities, such as but not limited to, peddlers and itinerant merchants that have obtained approval from the Town.

e. Pre-manufactured buildings.

F. Vending machines.

g. General products, goods, merchandise, and/or materials, provided that: (i) no more than two hundred (200) square feet of area is used, and (ii) outdoor display and/or sales are restricted from the evening and night hours from 8:00 p.m. to 5:00 a.m., except that general products, goods, merchandise, and/or materials may be kept outdoors if located under a roofed structure.

4. All sites and parking areas shall be landscaped in accordance with the provisions of Sections 148-46, 148-47 and 148-48.

5. Automobile graveyards and junkyards, including those in existence at the time of the adoption of this chapter, shall completely screen, on any side open to view from a public road, the operation or use by a solid masonry wall, a uniformly-colored solid fence or dense evergreen plantings at least six (6) feet in height at the time of planting.

175-64 STATEMENT OF INTENT (I-2)

The I-2 Industrial Employment District is designed to:

A. Enable the establishment of industrial and employment uses and structures in appropriate locations of the town.

B. Prevent land or structures from being used in a manner so as to create any dangerous, injurious, noxious or otherwise objectionable risk of fire, explosion, radioactivity or other hazardous condition; noise or vibration, smoke, dust, odor or other form of air pollution; electrical or other disturbance, glare or heat; liquid or solid waste; or other condition that would detract from the residential and commercial desirability of the adjoining areas.

C. Provide controls and standards for the establishment of industrial and employment uses and structures in keeping with the purposes of this Article and the Front Royal Comprehensive Plan.

175-65 USE REGULATIONS (I-2)

B. The following uses are permitted within the I-2 District **only by approval of a special use permit**, except as prohibited or restricted by separate restrictions of record that may pertain to property within the I-2 District:

RESIDENTIAL:

COMMERCIAL:

Airport (including heliports).

Assembly Halls.

Barber and beauty shops.

Catering Services.

Clubs.

Daycare and daycare facilities.

Kennels.

Recreation facility, commercial.

Restaurant, including drive-in restaurants.

Retail Stores.

INDUSTRIAL:

Automobile Graveyard.

Hazardous Material Storage.

Heavy Manufacturing.

Medium Manufacturing.

Scrap metal processing.

ORGANIZATIONAL:

***Parking
Requirements***

MISCELLANEOUS:

Any use permitted under Section 175-65.A, or specifically listed above under this subsection, that proposes to occupy a building or structure that exceeds the height requirements of Section 175-67, subject to the requirements of Section 175-136. Additional heights approved by a special use permit shall be required to increase the required setback and yard area requirements by an equivalent distance from each property line.

Communications Towers and cable television facilities, with wireless telephone (cell phone) communications tower subject to the supplemental provisions prescribed in Section 175-110.4.

Conservation Areas.

Mini-warehouses.

Parking Structures.

175-73 OFF-STREET PARKING AND LOADING (I-2)

A. Parking space requirements:

1. Industrial uses/manufacturing/distribution areas: One (1) space per employee and one (1) space for every vehicle used on site, plus one (1) space per delivery/loading bay.

2. Automobile garages: Two (2) spaces per service bay, or two (2) spaces for every three hundred sixty (360) square feet. Every such facility shall have a minimum of three (3) spaces.

3. Industrial uses/office component: One (1) space per three hundred (300) square feet of office area.

4. Other uses not specifically enumerated: See Section 175-104.

B. Location: Minimum setback for loading areas, driveways and parking: Five (5) feet from side and rear property lines for parking areas with fewer than fifteen (15) spaces and five (5) feet from front property line except where driveway entrance is located. All parking areas with fifteen (15) or more spaces shall meet the requirements of Section 148-48.

C. Loading space requirements:

1. Number: One (1) space for first ten thousand (10,000) square feet of gross floor area, plus one (1) space for each additional forty thousand (40,000) square feet or fraction thereof. For purposes of

	this section, gross floor area shall include gross outdoor storage areas, covered or uncovered. 2. Size of space: Minimum twelve (12) feet wide and fifty-five (55) feet in length, with a minimum clear height of fifteen (15) feet.
<i>Staff Summary</i>	The applicant is proposing an automobile storage yard on a large industrial property that borders the Shenandoah River. The specific location of the proposed use is not located within the FEMA floodplain but due to potential chemicals and vehicular fluids seeping into the ground and eventually into the water, staff is concerned about the impact of the use. The Clean Water Project has weighed in that the use would be in violation of their covenants on other portions of this property but not in the proposed location.
<i>Staff Recommendation</i>	Staff is cautious to recommend approval and would ask that the Planning Commission place further restrictions to include impermeable surfaces, additional landscaping buffers, and guarantees to mitigate potential pollution into the river.

ATTACHMENTS:

- 1) Application and associated documents from the applicant.
- 2) Email correspondence from the Clean Water Project.
- 3) Questions posed by the Planning Commission.

TOWN OF FRONT ROYAL

DEPARTMENT OF PLANNING AND ZONING
102 EAST MAIN STREET, PO BOX 1560
FRONT ROYAL, VA 22630

Main 540-635-4236
Fax 540-631-2727
www.frontroyalva.com

SPECIAL USE PERMIT REQUEST**APPLICANT:**

Name: Andres A. Montesinos PHONE: 571-526-8800
Address: 14275 Bristow Rd Manassas VA 20112
Email: _____

PROPERTY OWNER:

Name: Mohammed Ijaz PHONE: 703-424-3287
Address: 6220 Hanover Ave. Springfield, VA 22150
Email: _____

PROPERTY DESCRIPTION: 508

Property Address: 570 Kendrick Ln. Front Royal, VA 22630
Tax Map 20A1 Section 3 Block — Lot 4
Subdivision Name: _____ Acreage: _____ Zoning District: I-2

REQUEST:

Proposed Use of Property: Automobile Graveyard
Specific Special Use Permit Request: Storage of Junk cars, ~~Auto Sales~~

Attachments – The following must be submitted with the application. Additional information may be required depending on the nature of the request.

1. Survey Plat of property showing all existing improvements. (3 Originals and a Digital Copy)
2. Preliminary Site Development Plan required for new development or a Conceptual Drawing for existing structures.
3. Application Fee of \$1000.00 Form of Payment: Check # 1300 Date Paid: 3/27/2026
4. Additional information as required by the Department of Planning and Zoning.

CERTIFICATION:

I certify that the information provided with this application is correct to the best of my knowledge and should the Special Use Permit be granted, the project will comply with the conditions imposed upon it and will be implemented only as approved by Town Council.

Applicant Signature: [Signature] Date: 3/27/26

Property Owner Signature: [Signature] Date: 3/27/26

By submitting this application, the applicant grants permission to Town officials and employees to enter upon the property, which is the subject of this application, during reasonable hours and for purposes related to the application process.

Revised 6-5-2025

RECEIVED
MAR 27 2026
TOWN OF FRONT ROYAL
PLANNING & ZONING DEPARTMENT



EAGLE SKY INDUSTRIAL PARK LLC

508 KENDRICK LN
FRONT ROYAL, VA 22630

TOWN OF FRONT ROYAL
PLANNING & ZONING DEPARTMENT

JUSTIFICATION STATEMENT

To Whom It May Concern:

I am the owner of Eagle sky industrial Park LLC, Mohammed Ali Ijaz, I have a new tenant who would like to lease space on my lot approximately 6 acres worth. Tenant wants to occupy the space for conducting an auto salvage operation, operating as, Sirena Towing inc. His hours of operation will be from 8 am - 5pm, he currently has 6 employees working for him and wants to conduct business on 508 Kendrick Ln front royal. Sirena towing will install a 8 foot wooden fence at the site when the special use permit process gets accepted. If you have any questions or concerns please do not hesitate to contact me.

Regards,

Mohammed Ali Ijaz

703-424-3287

20A1-3
CEL 4
48 AC.
ZONED 1-2

T.M. 20A1-3
PARCEL 6A1
N/F RUSTIC RESTAURANT
FURNITURE, LLC PER
INST. # 200000388
ZONED 1-2

NEW T.M. 20A1-3
PARCEL 4
18.1779 AC.

EXISTING 55' WIDE PRIVATE STREET

Preview

Connie Potter

From: Ziegler, Lauren <Ziegler.Lauren@epa.gov>
Sent: Tuesday, May 12, 2026 2:11 PM
To: lkopishke@frontroyalva.com
Cc: gsonnett@frontroyalva.com; Mery, Augusta
Subject: RE: Eagle Sky Industrial Park (Ali Ijaz)
Attachments: UECA EC_Area 5 Honeywell.pdf

Dear Lauren,

Thank you again for the information about the pending application for a special use permit at Eagle Sky Industrial Park's property ("Eagle Sky"), and your anticipated next steps as it relates to the application and communicating with the holder of the covenant, The Clean Water Project. While EPA does not have authority in the Town of Front Royal's permitting process, we appreciate the communication and coordination.

To answer questions raised during our conversation, I am confirming that the environmental covenant (attached here) does apply to Eagle Sky's property. Environmental covenants run with the land and persist through change of property ownership, and it has never been terminated. Therefore, the activity and use limitations, which both apply to the flood zone specifically and the Property, as defined, as a whole, are still in place and enforceable by multiple entities under Virginia's Uniform Environmental Covenant Act ("UECA"), VA Code § 10.1-1247. In response to your question about EPA's definitions, "junk" and "accumulate" are undefined in the environmental covenant, though looking at the ordinary meaning of those words and the definitions of the related terms that you provided, it seems that, under the permit, a "junkyard" or "automobile graveyard" would allow for the "accumulation of trash, refuse, junk or any other unsightly material," and thus, if permitted, such operations could and potentially would over time result in the "accumulation of trash, refuse, junk or any other unsightly material." That being said, the Town has independent permitting authority to determine the applications it receives; EPA is solely providing its opinion in response to the questions presented to the Agency. Since you referenced the Town Attorney in your email, I took the liberty of copying him in this communication, as you may wish to discuss these matters with him.

Given that Eagle Sky may not have that same understanding of the applicability of the environmental covenant, we intend to communicate directly with Eagle Sky to remind them of the existence and continued applicability of the environmental covenant on their property.

If you have additional questions, please feel free to have your attorney reach out to me, or you can reach out to EPA's remedial project manager, Augusta Mery (mery.augusta@epa.gov; (215) 814-3230)).

Best,
Lauren



Lauren E. Ziegler
Assistant Regional Counsel
US EPA Mid-Atlantic Region
Phone 215-814-2623
Email ziegler.lauren@epa.gov

From: Lauren Kopishke <lkopishke@frontroyalva.com>
Sent: Thursday, April 16, 2026 4:21 PM

To: Ziegler, Lauren <ziegler.lauren@epa.gov>
Subject: FW: Eagle Sky Industrial Park (Ali Ijaz)

You don't often get email from lkopishke@frontroyalva.com. [Learn why this is important](#)

Caution: This email originated from outside EPA, please exercise additional caution when deciding whether to open attachments or click on provided links.

Good Afternoon,

Thank you for taking my call earlier about the proposed junk yard at Eagle Sky Industrial Park. I received the communication below from the property owners attorney. I am working on reviewing with our Town Attorney. In the meantime here is the definition of junkyard from Town Code. I am thinking that I will proceed with the application, but I will be requesting comments or some official documentation from the Clean Water project that they approve of the use of the property as a junkyard.

175-3

JUNKYARD - Any land or building used for the abandonment, storage, keeping, collecting or baling of paper, rags, scrap metals, other scrap or discarded materials or for the abandonment, demolition, dismantling, storage or salvaging of automobiles or other vehicles not in running condition, machinery or parts thereof. The term "junkyard" shall include the term "automobile graveyard," which shall be any lot or place which is exposed to the weather upon which more than three (3) motor vehicles of any kind, incapable of being operated, are placed.

175-65-B.

The following uses are permitted within the I-2 District only by approval of a special use permit, except as prohibited or restricted by separate restrictions of record that may pertain to property within the I-2 District:

RESIDENTIAL:

COMMERCIAL:

Airport (including heliports).

Assembly Halls.

Barber and beauty shops.

Catering Services.

Clubs.

Daycare and daycare facilities.

Kennels.

Recreation facility, commercial.

Restaurant, including drive-in restaurants.

Retail Stores.

INDUSTRIAL:

Automobile Graveyard.

Hazardous Material Storage.

Heavy Manufacturing.

Medium Manufacturing.

Scrap metal processing.



Lauren E. Kopishke

Director of Planning & Zoning

Zoning Administrator

Town of Front Royal

Dept. of Planning and Zoning

102 E Main St | PO Box 1560

Front Royal, VA 22630

T./540-635-4236

From: Alfred White <awhite@swwpclawfirm.com>

Sent: Thursday, April 16, 2026 3:44 PM

To: Planning and Zoning <planning@frontroyalva.com>

Cc: ali ijaz <ali.qb786@gmail.com>

Subject: Eagle Sky Industrial Park (Ali Ijaz)

Ms. Lauren Kopishke,

Dear Ms. Kopishke, My client, Mr. Ali Ijaz, Manager of Eagle Sky Industrial Park, LLC called my office regarding a pending special use permit for one the Industrial Park's tenants. I understand you contacted Mr. Ijaz regarding whether the Tenant's proposed use would be a violation of the Environmental Covenants, specifically the prohibition against the "accumulation of trash, refuse, junk, or other unsightly material". I understand that there may also be an issue between the

tenant and the Virginia Department of Motor Vehicles. I do not believe that either the Environmental Covenants or the DMV issue are relevant to the application for a special use permit. The Covenants are enforceable by the Grantee thereunder, Clean Water Project, Inc., not the Town of Front Royal. DMV licensing issues are between the tenant and DMV, not Eagle Sky Industrial Park or the Town of Front Royal. In reality, Clean Water Project Inc. understands that the property owned and occupied by Eagle Sky Industrial Park has always been used for industrial purposes, is well aware of the continued industrial use by Eagle Sky Industrial Park, and has voiced no objection to that continued use. My understanding of the tenant's proposed use is notto accumulate trash or junk. In other words this will not be a landfill or a dump, nor will it be "unsightly" given the surrounding industrial use of the property. I also want to confirm that portion of Eagle Sky Industrial Park property formerly owed and operated by Old Virginia Jam and Jelly is not subject to the Environmental Covenants. Old Virginia Jams and Jelly predated Avtex and FMC, and its property was not part of the EPA superfund site. I am aware that Clean Water Inc. is currently involved in litigation regarding adjoining property owned by a third party, and I suspect your concerns may arise from that litigation, but to my knowledge Clean Water Inc. has no current issues with the Eagle Sky Industrial Park property. Please proceed with the special use permit application as filed. I will be happy to speak to you about this at your convenience. Alfred L. White, Jr.

Sincerely,

Alfred L. White, Jr., Esquire
Struckmann, White & Wiseley PC
111 East Main Street
Front Royal, Virginia 22630
Telephone: 540-636-2918
Facsimile: 540-636-9446
Email: awhite@swwpclawfirm.com

CONFIDENTIALITY NOTICE:

This communication constitutes an electronic communication within the meaning of the Electronic Communications Privacy Act, 18 U.S.C. Section 2510. The information contained in this electronic mail message is attorney privileged and confidential information intended only for the use of the intended recipient. If the reader is not the intended recipient, you are hereby notified that any use, dissemination, distribution, or copying of this communication is STRICTLY PROHIBITED. If you have received this communication in error, please notify this writer immediately by reply electronic mail and/or telephone and permanently delete this message from your hard drive and/or network server and destroy any hard copies of this message. THANK YOU.



Area 5
Honeywell

OFFICIAL RECEIPT
WARREN COUNTY CIRCUIT
DEED RECEIPT

DATE: 09/17/14 TIME: 15:45:18 ACCOUNT: 187CLR140004559 RECEIPT: 14000009419
CASHIER: SFK REG: WK35 TYPE: OTHER PAYMENT: FULL PAYMENT
INSTRUMENT : 140004559 BOOK: PAGE: RECORDED: 09/17/14 AT 15:45
GRANTOR: HONEYWELL INTGERNATIONAL INC EX: N LOC: CO
GRANTEE: CLEAN WATER PROJECT INC EX: N PCT: 100%

AND ADDRESS : , .
RECEIVED OF : USEPA

CHECK: \$30.00 1057

DESCRIPTION 1: UECA ENVIRONMENTAL COVENANT
2:

PAGES: 18 OP: 0
NAMES: 0

CONSIDERATION: .00 A/VAL: .00 MAP:
PIN:

301 DEEDS 28.50 145 VSLF 1.50

TENDERED : 30.00
AMOUNT PAID: 30.00
CHANGE AMT : .00

CLERK OF COURT: JENNIFER R. SIMS

PAYOR'S COPY
RECEIPT COPY 1 OF 2

Tax Map Nos. 20A1-3-5 and 20A1-3-6 0094 SEP 17 2

UECA ENVIRONMENTAL COVENANT

This environmental covenant is made and entered into as of the 17th day of September, 2014, by and between Honeywell International Inc. (Honeywell), to be indexed as Grantor, whose address is 101 Columbia Road, Morristown, NJ, 07962-1219 (Grantor or Owner), and Clean Water Project, Inc., to be indexed as Grantee, whose address is 6799-A Kennedy Road, Warrenton, Virginia 20187 (hereinafter referred to as the Grantee or Holder).

The United States is named as a third-party beneficiary of the covenants, conditions and restrictions set forth below for the purpose of enforcing these covenants, conditions and restrictions.

This environmental covenant is executed pursuant to the Virginia Uniform Environmental Covenants Act, § 10.1-1238 *et seq.* of the Code of Virginia (UECA), and the U.S. Environmental Protection Agency (EPA) shall be the "Agency" as defined therein. This environmental covenant subjects the Property identified in Paragraph 1 to the activity and use limitations in this document.

1. Property Affected.

The property affected (Property) by this environmental covenant is located in the vicinity of Kendrick Lane, Front Royal, Virginia 22630, and was conveyed unto Honeywell from General Chemical Corporation by Deed dated June 2, 2004, which was recorded in the Clerk's Office of the Circuit Court of Warren County, Virginia as Instrument Number 040005928. The Property is more particularly described in Exhibit A (Metes and Bounds Description of the Property).

The Property is adjacent to the Avtex Fibers Superfund Site (the Avtex Site). The Avtex Site is depicted as Areas 1, 2, 2A, 2B, 3, 4 and 6 in the map attached hereto as Exhibit B (Map of the Avtex Fibers Superfund Site and the Property). Grantor owns Area 5 (the Property), but does not own Areas 1, 2, 2A, 2B, 3, 4 and 6, in the map attached hereto as Exhibit B.

This environmental covenant pertains only to Area 5 as depicted in the map attached hereto as Exhibit B.

Activity and use limitations pertaining to Areas 1, 2, 2A, 2B, 3, 4 and 6 and depicted in the map attached hereto as Exhibit B shall be addressed under other legal instruments.

2. Description of Contamination & Remedy at the Avtex Site.

a. Pursuant to Section 105 of the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended, (CERCLA), 42 U.S.C. § 9605, EPA placed the Avtex Site on the National Priorities List, set forth in 40 C.F.R. Part 300, Appendix B, on June 10, 1986. EPA has been involved in selecting and implementing a number of removal and remedial actions (also known as "environmental response projects" as that term is defined at Section 10.1-1238 of UECA) under CERCLA at the Avtex Site from at least 1988. EPA's selection of removal actions are embodied in Action Memoranda, and EPA's selection of remedial actions are embodied in Records of Decision (RODs). EPA selected the remedial action in phases, or

000095 SEP 17 ±

Operable Units (OUs) as they are known under CERCLA, at the Avtex Site by issuing a number of OU RODs. Portions of the OU RODs were modified by two Explanations of Significant Differences (ESDs) and a Memorandum to the Administrative Record File documenting a minor modification to the remedial actions (Minor Modification Memorandum). Copies of all of the Action Memoranda, OU RODs, ESDs and the Minor Modification Memorandum for the Avtex Site are available online at: <http://www.epa.gov/reg3hwmd/npl/VAD070358684.htm>. FMC Corporation (FMC) has been involved in implementing certain of those removal and remedial actions at the Avtex Site from 1986.

b. The administrative records pertaining to the environmental response projects described in the Action Memoranda, the RODs, the ESDs and the Minor Modification Memorandum are located at the locations listed below:

US EPA Region III, Sixth Floor Docket Room
1650 Arch Street, 6th Floor
Philadelphia, Pennsylvania 19103
(215) 814-3024

Samuels Public Library
538 Villa Avenue
Front Royal, VA 22630
(540) 635-3153.

The administrative records are also available online at:
http://loggerhead.epa.gov/arweb/public/search_results.jsp?siteid=VAD070358684.

c. The United States and FMC executed a Consent Decree in *United States v. FMC Corporation*, Civil Action No. 5:99CV00054 (W.D. Va. 1999), which was entered by the United States District Court for the Western District of Virginia on October 21, 1999, and which requires FMC to finance and perform certain removal and remedial actions at the Avtex Site. A copy of the Consent Decree is available online at: <http://www.epa.gov/reg3hwmd/npl/VAD070358684.htm>.

3. Activity & Use Limitations.

The Property is subject to the following activity and use limitations, which shall run with the land and are binding on Grantor and any successors, assigns, tenants, agents, employees, and any other persons under its control, until such time as this environmental covenant may terminate or be amended as provided by law:

- a. Groundwater beneath the Property shall not be extracted or used for any purpose, except as may be required by EPA or the Virginia Department of Environmental Quality (DEQ) for groundwater monitoring and/or remediation. No groundwater extraction wells shall be installed on the Property, until and unless, approved, in writing, by EPA.
- b. Residential dwellings of any kind are prohibited on the Property.
- c. Accumulation of trash, refuse, junk or any other unsightly material is not permitted on the Property.

000096 SEP 17 2

- d. Hunting or trapping of animals is prohibited on the Property.
- e. The Property in the flood plain areas as depicted as "100 Yr. Flood Zone (Zone AE)" in Exhibit B (Flood Zone) is restricted to conservancy, open space and park usage, and may include hiking, non-motorized biking, or nature trails. Commercial logging or commercial tree cutting in this area is prohibited. Any cutting of trees in this area shall be performed only to maintain hiking trails, non-motorized biking trails, nature trails, wildlife refuges or wetlands areas and shall be performed in accordance with best management practices (BMPs) that are defined by the Virginia Department of Forestry or other such Virginia agency to which authority for defining such BMPs may be assigned.
- f. Display of billboards, signs, or other advertisements is not permitted in or over the Flood Zone, except for such signage that is customary and appropriate for parks, trails for biking or hiking and wildlife refuges.
- g. No permanent or temporary building or structure shall be built or maintained in the Flood Zone, except for buildings customary and appropriate for park usage parks, trails for biking or hiking and wildlife refuges, such as park ranger's stations, boat landings, storage or maintenance buildings, bathrooms and fences.

4. The United States as Third-Party Beneficiary. The United States is expressly granted the power to enforce the covenants, conditions, and restrictions set forth in Paragraph 3 above. This environmental covenant may not be terminated or modified without the express written consent of the United States, nor may a Holder be removed or replaced without the express written consent of the United States.

5. Compliance and Use Reporting.

a. Beginning on October 28, 2017, and every five years thereafter, or whenever else requested in writing by EPA, the then current owner of the Property shall submit, to EPA and the Holder, written documentation stating whether or not the activity and use limitations in this environmental covenant are being observed. This documentation shall be signed by a qualified official of the then current owner who has inspected and investigated compliance with this environmental covenant.

b. In addition, within one month after any of the following events, the then current owner of the Property shall submit, to the United States, EPA, DEQ and the Holder, written documentation describing the following: noncompliance with the activity and use limitations in this environmental covenant; transfer of the Property; changes in use of the Property; or filing of applications for building permits for the Property and any proposals for any Avtex Site work, if such building or proposed Avtex Site work will affect the contamination on the Property subject to this environmental covenant.

6. Access by the Holder, EPA and DEQ 00097 SEP 17 2

In addition to any other rights granted to the Holder, EPA and DEQ, this environmental covenant grants to the Holder, EPA and DEQ an irrevocable, permanent and continuing right of access at all reasonable times to the Property for the purposes of:

- a. Performing or implementing any activity relating to the removal or remedial actions required by the Consent Decree or otherwise required by EPA or DEQ;
- b. Verifying any data or information submitted to EPA or DEQ;
- c. Verifying or monitoring that no action is being taken on the Property in violation of the terms of this environmental covenant or any federal or state environmental laws or regulations;
- d. Monitoring removal or remedial actions on the Avtex Site and conducting investigations related to contamination on or near the Avtex Site, including, but not limited to, sampling of air, water, sediments and soils;
- e. Conducting periodic reviews of any removal or remedial actions, including but not limited to, reviews required by federal or state environmental laws or regulations;
- f. Implementing additional or new removal or remedial actions if EPA, in its sole discretion, determines that such actions are necessary to protect human health and/or the environment; and
- g. Enforcing or monitoring compliance with the terms, conditions and restrictions of this environmental covenant as set forth in Paragraph 9 below.

7. No Limitation.

Nothing in this environmental covenant shall limit or otherwise affect EPA's rights of entry and access or EPA's authority to take removal or remedial actions under CERCLA, the National Oil and Hazardous Substances Pollution Contingency Plan, or other federal law.

8. Notice Requirement.

The Grantor shall notify the United States, EPA, DEQ and the Holder in writing sixty days prior to closing on any proposed conveyance of any interest in any portion of the Property. Grantor shall include in any instrument conveying any interest in any portion of the Property, including but not limited to deeds, leases, and mortgages, a notice which is in substantially the following form:

NOTICE: THE INTEREST CONVEYED HEREBY IS SUBJECT TO AN ENVIRONMENTAL COVENANT, DATED _____, 2014, RECORDED IN THE CLERK'S OFFICE OF THE CIRCUIT COURT OF WARREN COUNTY ON _____, 2014, INSTRUMENT NUMBER _____, IN FAVOR OF, AND ENFORCEABLE BY CLEAN WATER PROJECT, INC., THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

000098 SEP 17 1

**AND THE UNITED STATES AND THEIR SUCCESSORS AND
ASSIGNS.**

Within 30 days of the date any such instrument of conveyance is recorded, Grantor shall provide the United States, EPA, DEQ and the Holder with a file-stamped copy of said instrument with a copy of the recording receipt attached.

9. Enforcement.

The United States, on behalf of EPA, and the Holder shall be entitled to enforce the terms of this environmental covenant by resort to specific performance or legal process. All remedies available hereunder shall be in addition to any and all other remedies at law or in equity, including CERCLA. Enforcement of the terms of this instrument shall be at the discretion of the United States and the Holder, and any forbearance, delay or omission to exercise their rights under this environmental covenant in the event of a breach of any term of this instrument shall not be deemed a waiver by the United States or the Holder of such term or of any subsequent breach of the same or any other term, or of any of the rights of the United States, EPA or the Holder under this instrument.

10. Notices.

Any notice, demand, request, consent, approval, or communication that any party desires or is required to give to the others shall be in writing and shall either be served personally or sent by certified mail, return receipt requested, addressed as follows:

To the United States:

Chief
Environmental Enforcement Section
Environment and Natural Resources Division
U.S. Department of Justice
P.O. Box 7611
Washington, D.C. 20044

To EPA:

Chief, Remediation Branch No. 3 (3RC43)
Office of Regional Counsel
U.S. Environmental Protection Agency
Region III
1650 Arch Street
Philadelphia, PA 19103

EPA Project Coordinator (3HS23)
Office of Superfund Site Remediation
U.S. Environmental Protection Agency
Region III
1650 Arch Street
Philadelphia, PA 19103

000099 SEP 17 11

To Grantor:

Honeywell International Inc.
Attention: Tom Byrne
101 Columbia Road
Morristown, NJ 07962-1219

To Clean Water Project, Inc.

President
Clean Water Project, Inc.
6799-A Kennedy Road
Warrenton, Virginia 20187

To Virginia Department of Environmental Quality

Office of Remediation Program
Virginia Department of Environmental Quality
629 East Main Street
Richmond, Virginia 65241.

11. Prior Liens and Encumbrances.

Based on a title search conducted by the Grantor on the Property prior to execution of this environmental covenant, the Grantor represents that there are no encumbrances or liens on the Property to which this environmental covenant would be subordinate except those expressly listed in Exhibit C hereto. Any other liens or encumbrances recorded on the Property will be subordinate to this environmental covenant.

12. Recording, Proof and Notification.

a. In accordance with 9VAC 15-90-40(B)(1), the Grantor shall submit to DEQ a copy of this environmental covenant and the accompanying fee required to be paid pursuant to 9VAC 15-90-40 prior to recording or causing this environmental covenant to be recorded, as required by Paragraph 12.b of this environmental covenant, immediately below.

b. Within 90 days after the date of execution of this environmental covenant, the Grantor shall record, or cause to be recorded, this environmental covenant with the Clerk of the Circuit Court of Warren County. The Grantor shall likewise record, or cause to be recorded, any amendment, assignment, or termination of this environmental covenant with the Clerk of the Circuit Court of Warren County within 90 days of their execution. Any UECA environmental covenant, amendment, assignment, or termination recorded outside of these periods shall be invalid and of no force and effect.

c. The Grantor shall send a file-stamped copy of this environmental covenant, and of any amendment, assignment, or termination, to the Holder, the United States, EPA and DEQ with a copy of the recording receipt attached within 60 days of recording. Within that time period, the Grantor also shall send a file-stamped copy to the chief administrative officer of Warren County,

000100 SEP 17 4

any persons who are in possession of the Property who are not the Grantors, and any other parties to whom notice is required pursuant to UECA.

13. Liberal Construction.

This instrument shall be liberally construed in favor of the rights, covenants, conditions, and restrictions granted in this environmental covenant. If any provision of this environmental covenant is found to be ambiguous, an interpretation consistent with the purpose of this instrument that would render the provision valid shall be favored over any interpretation that would render it invalid.

14. Severability.

If any provision of this instrument, or the application of it to any person or circumstance, is found to be invalid, the remainder of the provisions of this environmental covenant, or the application of such provisions to persons or circumstances other than those to which it is found to be invalid, as the case may be, shall not be affected thereby.

15. Termination or Amendment.

This environmental covenant is perpetual and runs with the land unless terminated or amended (including assignment) in accordance with UECA.

16. Enforcement of Environmental Covenant.

This environmental covenant shall be enforced in accordance with § 10.1-1247 of the Code of Virginia.

17. Successors and Assigns.

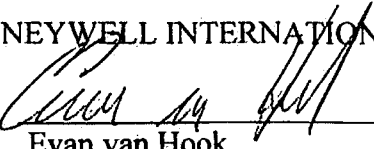
The rights and obligations stated herein shall inure to and be binding on the successors and permitted assigns of the parties to this environmental covenant.

000101 SEP 17 ±

ACKNOWLEDGMENTS:

GRANTOR

HONEYWELL INTERNATIONAL INC.

By: 

Evan van Hook
Corporate V.P., Health, Safety,
Environment and Sustainability
Honeywell International Inc.
101 Columbia Road
Morristown, NJ 07960

COMMONWEALTH OF NEW JERSEY

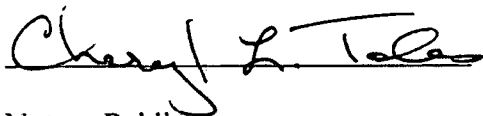
CITY/COUNTY OF PASSAIC

On this 8th day of September, 2014, before me, the undersigned officer, personally appeared Evan van Hook who acknowledged himself/herself to be the person whose name is subscribed to this environmental covenant, and acknowledged that s/he freely executed the same for the purposes therein contained.

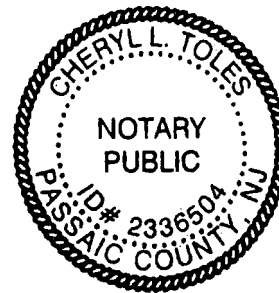
In witness whereof, I hereunto set my hand and official seal.

My commission expires: 10/27/15

Registration #: 2336504



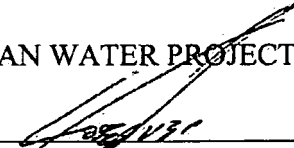
Notary Public



000102 SEP 17 3

HOLDER

CLEAN WATER PROJECT, INC.

By: 

Joseph T. Ivers

President

Clean Water Project, Inc.

6799-A Kennedy Road

Warrenton, Virginia 20187

COMMONWEALTH OF VIRGINIA

CITY/COUNTY OF Fauquier

On this 9th day of September, 2014, before me, the undersigned officer, personally appeared Joseph T. Ivers, who acknowledged himself to be the person whose name is subscribed to this environmental covenant, and acknowledged that he freely executed the same for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

My commission expires: 3/31/2016Registration #: 265560Betty Marie Norton

Notary Public



000103 SEP 17 2

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

APPROVED by the United States Environmental Protection Agency as required by § 10.1-1238
et seq. of the Code of Virginia.

By: Cecil A. Rodrigues
Cecil A. Rodrigues, Director
Hazardous Site Cleanup Division
United States Environmental Protection
Agency
Region III
1650 Arch Street
Philadelphia, PA 19103

COMMONWEALTH OF PENNSYLVANIA

CITY/COUNTY OF Philadelphia

On this 11th day of SEPTEMBER, 2014, before me, the undersigned officer, personally
appeared Cecil A. Rodrigues who acknowledged himself to be the person whose name is
subscribed to this environmental covenant, and acknowledged that he freely executed the same
for the purposes therein contained.

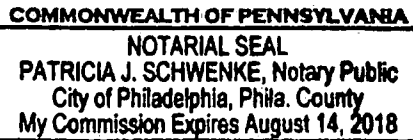
In witness whereof, I hereunto set my hand and official seal.

My commission expires: 08-14-2018

Registration #: _____

Patricia J. Schwenke

Notary Public



WARREN COUNTY, VIRGINIA
LAND RECORDS

000104 SEP 17 3

SEEN AND RECEIVED by the Virginia Department of Environmental Quality

By: Durwood H. Willis
Durwood H. Willis, Director
Office of Remediation Programs
Department of Environmental Quality
629 E. Main Street
Richmond, Virginia 23218

COMMONWEALTH OF VIRGINIA

CITY OF RICHMOND

On this 15 day of September, 2014, before me, the undersigned officer, personally appeared Durwood H. Willis who acknowledged himself to be the person whose name is subscribed to this environmental covenant, and acknowledged that he freely executed the same for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

My commission expires: February 28, 2018

Registration #: 207528

Michelle R. Wells

Notary Public

000105 SEP 17 ±

BENEFICIARY

THE UNITED STATES OF AMERICA

SAM HIRSCH

Acting Assistant Attorney General

U.S. Department of Justice

Environment and Natural Resources Div.

By: James A. Lofton

JAMES A. LOFTON

Counsel to the Chief

U.S. Department of Justice

Environment and Natural Resources Div.

Environmental Enforcement Section

P.O. Box 7611

Washington, D.C. 20044

VERIFICATION

STATE OF KANSAS

)

)

SS.

COUNTY OF JOHNSON

)

BE IT REMEMBERED, THAT ON THIS 11th day of September, 2014, before me, the undersigned Notary Public in and for the County and State aforesaid, came James A. Lofton, who is personally known to me to be the same person who executed the above and foregoing instrument and duly acknowledged the execution of the same as his free act and deed.

IN WITNESS WHEREOF, I have hereunto subscribed by name and affixed my notarial seal on the day and year last above written.

Kent Johnson

Notary Public

My appointment Expires: 7/23/15

KENT JOHNSON
NOTARY PUBLIC
STATE OF KANSAS
My Appl. Exp 7/23/15

EXHIBIT A 000106 SEP 17 ±

**METES AND BOUNDS DESCRIPTION OF THE
PROPERTY**

WARREN COUNTY, VIRGINIA
LAND RECORDS

000107 SEP 17

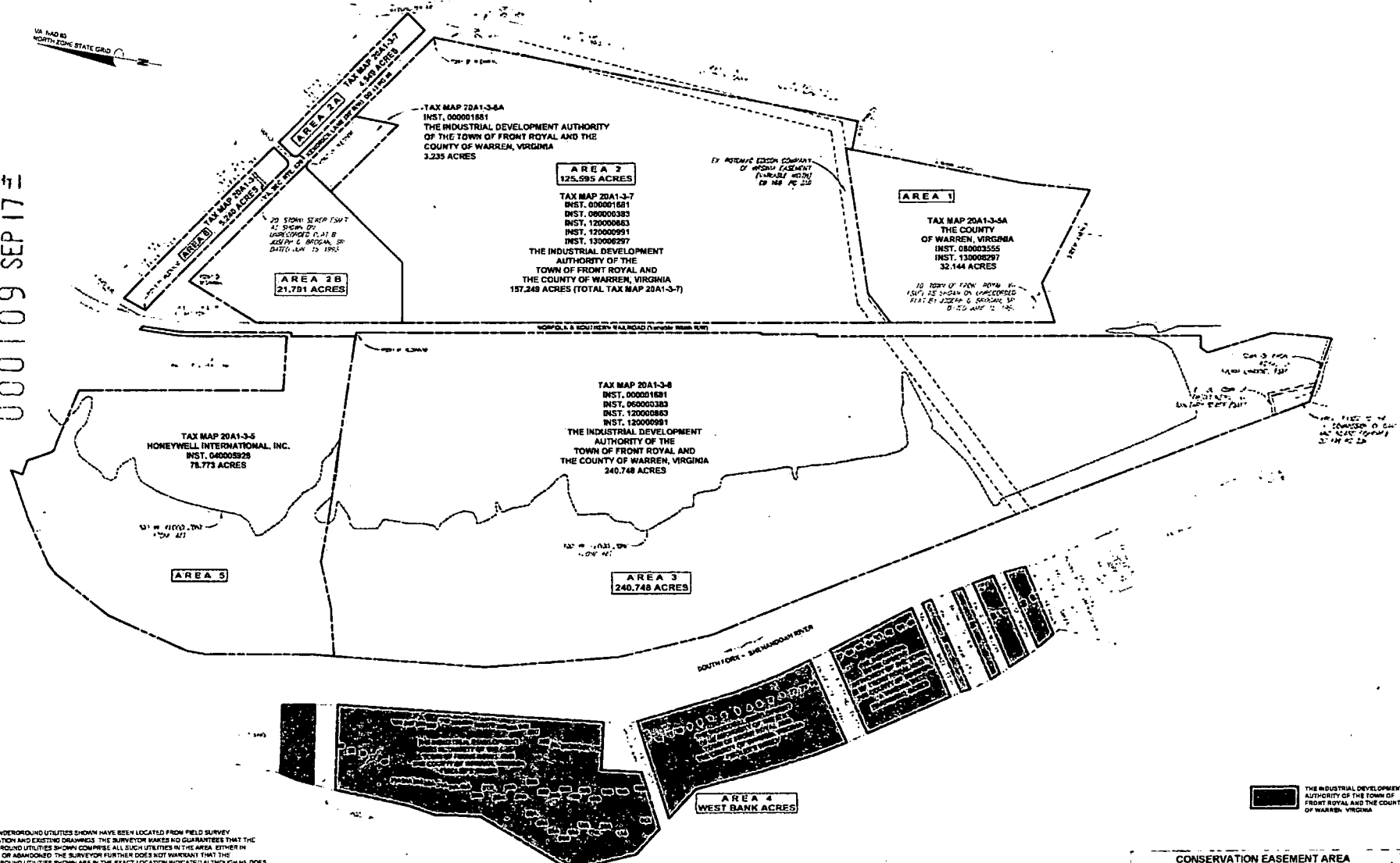
Beginning at a point in the center of Kendrick Lane (also known as Kendrick Road) and in the Right of Way of the Norfolk Southern Railroad. Thence with the railroad right of way S08°00'35"E 408.63', S10°00'35"E 355.80', S09°47'35"E 248.00', S09°51'57"E 32.50', S80°08'03"W 25.00', S09°51'57"E 431.00'. Thence with 5 Lines to the Shenandoah River S88°38'03"W 826.00', S87°50'03"W 330.00', S89°20'03"W 378.00', S67°50'03"W 316.80', S76°48'03"W 357.77'. Thence with the Shenandoah River N05°59'57"W 648.00', N08°09'57"W 200.00', N06°05'03"E 295.00', N12°11'45"E 298.00', N22°18'22"E 478.00', N39°50'03"E 198.00', N57°20'03"E 410.00', N59°17'33"E 273.07'. Thence away from the river S09°33'18"W 72.54', S80°26'42"E 100.00', S28°15'21"E 178.00', S55°45'21"E 23.00', S84°00'55"E 45.92', S77°00'23"E 385.00'. Thence with the line of Old Virginia Industrial S09°56'45"E 1397.18', N83°32'03"E 360.00', N09°47'35"W 248.00', N10°00'35"W 355.80', N08°00'35"W 431.96'. Thence S54°59'51"E 34.19' to the Point of Beginning and containing 78.773 acres of land.

000108 SEP 17 3

EXHIBIT B

**MAP OF THE AVTEX FIBERS SUPERFUND SITE
AND THE PROPERTY**

000109 SEP 17



Marsh & Legge Land Surveyors, P.L.C.
560 NORTH LOUDOUN STREET - WINCHESTER, VIRGINIA 22601
PHONE (540) 667-0488 - FAX (540) 667-0489 - EMAIL: office@marshandlegge.com
www.marshandlegge.com

**CONSERVATION EASEMENT AREA
LOCATION PLAN - FIGURE 4**
TOWN OF FRONT ROYAL
WARREN COUNTY, VIRGINIA

WARREN COUNTY, VIRGINIA
LAND RECORDS

EXHIBIT C

000110 SEP 17 2

**LIST OF EXISTING LIENS AND
ENCUMBRANCES FOR THE PROPERTY**

000111 SEP 17 2014

EASEMENTS, RIGHT OF WAY & RESERVATIONS:

**Deed of Easement dated 03/14/2011, and recorded
03/30/2011 in Instrument No. 110001640.**

**Deed of Easement dated 11/02/2001, and recorded
11/13/2001 in Instrument No. 010008678.**

**Deed of Easement dated 01/22/1941, and recorded
01/23/1941 in Deed Book 49 at Page 306.**

**Right of Way dated 11/08/1939 and recorded 03/04/1940 in
Deed Book 47 at Page 490.**

**Deed of Easement dated 12/11/1939, and recorded
12/22/1939 in Deed Book 47 at Page 285.**

INSTRUMENT #140004559
RECORDED IN THE CLERK'S OFFICE OF
WARREN COUNTY ON
SEPTEMBER 17, 2014 AT 03:45PM

JENNIFER R. SIMS, CLERK
RECORDED BY: SPK



Questions for Applicant

Note: Definition: By the town code, is this operation better described as an “Automobile Wrecking Yard”? That Definition is;

AUTOMOBILE WRECKING YARD - An area where destroyed, abandoned and obsolete automobiles are disassembled and where parts of said disassembled automobiles are generally sold and where the remaining automobile bodies and their components are temporarily stored until they can be removed or reduced to scrap metal.

1. Site Design & Operations

- What is the total acreage of the salvage operation area versus undisturbed land?
- Provide a detailed site plan showing:
 - Storage areas
 - Access drives (truck circulation)
 - Material processing areas
 - Drainage patterns
- What is the maximum stacking height of vehicles/materials?
- Will any materials be stored outside of designated containment areas?

2. Setbacks, Screening & Visibility

- What setbacks are proposed from:
 - Property lines?
- What type of screening will be installed:
 - Opaque fencing (height, material)?
 - Berms (height, slope)?
 - Vegetative buffers (species, density, maturity timeline)?

- Will any portion of the operation be visible from public roads or adjacent properties, especially in winter months?

3. Stormwater & Drainage (Critical)

- Provide a stormwater management plan prepared by a Geotechnical licensed engineer.
- Where does runoff from the site ultimately discharge:
 - Directly to a creek?
 - To storm drains?
 - Toward the Shenandoah River?
- How are the following addressed:
 - First-flush runoff (highest contamination risk)?
 - Peak storm events?
- Are there engineered drainage controls:
 - Oil-water separators?
 - Containment basins?
 - Swales or infiltration systems?

4. Floodplain & Topography

- Provide certified mapping showing:
 - Location relative to FEMA 100-year floodplain
- If outside the floodplain:
 - Are there low-lying drainage areas that function like flood zones?
- How does site slope affect runoff velocity and direction?

5. Groundwater & Karst Risk (High Priority)

- Has a karst assessment or geotechnical study been performed?
- Are there known:

- Sinkholes?
 - Fractures?
 - Underground drainage features?
- What measures prevent direct infiltration of contaminants into groundwater?
- Are there monitoring wells or groundwater protection systems proposed?

6. Hazardous Materials & Fluid Management

- Describe procedures for:
 - Fuel removal
 - Oil and antifreeze drainage
 - Battery handling
- Will all fluid removal occur:
 - Indoors?
 - On impervious, contained surfaces?
- What spill containment systems are in place:
 - Secondary containment?
 - Spill kits?
 - training protocols?
- Where are hazardous materials stored, and how often are they removed?

7. Environmental Compliance & Permits

- Provide documentation of coordination with:
 - Virginia Department of Environmental Quality
- What specific permits are required:
 - Stormwater (VPDES)?
 - Solid waste handling?

- Wetlands disturbance (if any)?

8. Chesapeake Bay & Watershed Requirements

- Is the site within a Chesapeake Bay Preservation Area?
- If so:
 - Does it include a Resource Protection Area (RPA) or Resource Management Area (RMA)?
- How are required buffers and land disturbance limits being met?
- Provide calculations showing compliance with nutrient and sediment control requirements.

9. Impaired Waters & TMDL Compliance

- Does runoff from the site enter waters listed as impaired by DEQ?
- If yes:
 - How does the project ensure no net increase in pollutant loading?
- Provide analysis showing consistency with applicable TMDLs (Total Maximum Daily Loads).

10. Vehicle Storage & Surface Treatment

- What percentage of the site will be:
 - Impervious (paved)?
 - Gravel?
 - Bare soil?
- Will vehicles be stored on:
 - Paved pads?
 - Compacted gravel?
 - Native soil?
- How is long-term leakage from stored vehicles prevented?

11. Erosion & Sediment Control

- Provide an erosion and sediment control plan for:
 - Initial site disturbance
 - Ongoing operations
- How will sediment runoff be prevented during:
 - Heavy rain events?
 - Seasonal storms?

12. Monitoring, Enforcement & Contingencies

- What ongoing inspection and maintenance plan is proposed?
- Will the applicant agree to:
 - Periodic groundwater testing?
 - Stormwater system inspections?
- What is the spill response plan, including notification procedures?
- What enforcement mechanisms (bonding, conditions, revocation triggers) are acceptable?



CLOSED MEETING AGENDA STATEMENT

Meeting Date: July 6, 2026

Item# 04

MOTION ON TO GO INTO CLOSED MEETING

[to be approved by affirmative recorded vote, with motion set forth in detail in the minutes. Council may take action in open session following closed meeting].

I move that Town Council convene a closed meeting, pursuant to Sections 2.2-3711 and 2.2-3712 of the Code of Virginia, for the following purpose:

- 1) pursuant to §2.2-3711(A)(1) of the Code of Virginia, for the discussion, consideration, or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body, more specifically, a) the Town Manager, b) the Town Attorney, and c) Appointments to the Planning Commission.

Motion to Certify Closed Meeting at its Conclusion

[At the conclusion of the Closed Meeting, immediately re-convene in open meeting and take a roll call vote on the following:]

I move that Council certify that to the best of each member's knowledge, as recognized by each Council member's affirmative vote, that only such public business matters lawfully exempted from Open Meeting requirements under the Virginia Freedom of Information Act as were identified in the motion by which the Closed Meeting was convened were heard, discussed or considered in the Closed Meeting by Council, and that the vote of each individual member of Council be taken by roll call and recorded and included in the minutes of the meeting of Town Council.

Moved _____ Seconded _____

Wood _____ Veitenthal _____ Sealock _____ Rappaport _____ Ingram _____ DeDomenico-Payne _____