



**TOWN COUNCIL OF THE TOWN OF WARRENTON
TOWN HALL
21 MAIN STREET
WARRENTON, VIRGINIA 20186**

MINUTES

**A MEETING OF THE COUNCIL OF THE TOWN OF WARRENTON WAS HELD ON
September 13, 2022, AT 6:30 P.M. IN WARRENTON, VIRGINIA**

WORK SESSION

PRESENT

Mr. Carter Nevill, Mayor; Mr. James Hartman, Vice Mayor; Mr. Sean Polster; Mr. Brett Hamby; Ms. Heather Sutphin; Mr. William Semple; Mr. Renard Carlos; Mr. Christopher E. Martino, Interim Town Manager; Mr. Tommy Cureton, Deputy Town Manager; Mr. Olaun Simmons, Town Attorney

ABSENT

REGULAR MEETING

PRESENT

Mr. Carter Nevill, Mayor; Mr. James Hartman, Vice Mayor; Mr. Sean Polster; Mr. Brett Hamby; Ms. Heather Sutphin; Mr. William Semple; Mr. Renard Carlos; Mr. Christopher E. Martino, Interim Town Manager; Mr. Tommy Cureton, Deputy Town Manager; Mr. Olaun Simmons, Town Attorney

ABSENT

CALL TO ORDER

The meeting was called to order at 9:00 A.M.

Mayor Nevill noted that absent a vacancy created with Kevin Carter's appointment to the Board of Supervisors, all members were present. He added a work session item for the discussion of filling the vacancy to the agenda before the agenda review.

Special Events Fee Schedule update

Rob Walton, Director of Community Development, provided a brief presentation on the proposed updates to the fee schedule. He highlighted the new items regarding Parks and Rec staff and parks amenities fees, as well as an update to amusement devices due to changes in the state code.

Mayor Nevill inquired about the definition of a spectacular ride.

Mr. Walton explained that that referred to the large carnival rides similar to those at County fairs with arms that rotate you.

Councilmen Hamby asked to remove the Fire Lieutenant, and Fire Captain as those positions have been moved to the County.

Councilmen Polster asked if this would streamline the fee process and fee schedule with special events.

Mr. Walton confirmed that it would.

Mayor Nevill suggested moving this item to the Consent agenda for adoption.

Councilmen Polster agreed.

Review of Town Properties and Outstanding Debt

Mr. Walton explained that this item was a response to a request from Councilmen Carlos at the August meeting. He elaborated on the information presented to Council on the Town Properties.

Councilmen Carlos inquired about specific designations of color on the items presented.

Mr. Walton explained that the items in green had a higher assessed value from 2019, and the items in red had a lower assessed value from 2019.

Councilmen Carlos asked if staff had singled out the potential properties that would be eligible for a public-private partnership.

Mr. Walton elaborated on the information presented.

Councilmen Polster inquired about two houses the Town owns and their location on the presented information.

Mr. Walton explained where to find the requested information.

Appointment of a New Council Member for Ward 5

Mayor Nevill reminded Council of a letter they had received from Mr. Jay Heroux with his qualifications. He elaborated that Council has had the opportunity to meet and interview Mr. Heroux and asked for the opinion of the Councilmembers on the vacancy and applicant.

Councilmen Polster expressed a desire to appoint Mr. Heroux at the evening session, noting that he and his family are very involved with the community. He said he believes he will greatly

contribute to the team.

Vice Mayor Hartman agreed with Councilmen Polster. He added that he would like the new candidate sworn in and ready to participate in the upcoming Strategic Retreat.

Councilwoman Sutphin agreed with her colleagues; she said that she feels Mr. Heroux is very knowledgeable and a huge part of the community.

Councilmen Hamby stated that he feels like Council should move forward with Mr. Heroux and have him ready for the Strategic Retreat.

Councilmen Semple asked how long Council had to fill the position.

Mayor Nevill responded that Council had 45 days, and the clock started with the resignation of Councilmen Carter.

Councilmen Semple asked if any other candidates had expressed interest.

Mayor Nevill said that there had not been.

Mayor Nevill spoke of his discussions with Mr. Heroux expressing his support for him based on the knowledge he shared and the level of attention and involvement with the Community and its local political needs.

Councilmen Semple added that he believes Mr. Heroux was very objective.

Mayor Nevill instructed staff to add the appointment under New Business and a Resolution to petition the Circuit Court for a Writ of Election.

AGENDA REVIEW

Christopher E. Martino reviewed the agenda with Council.

Additional information for the Public Hearings can be found further down in the minutes under the Public Hearing Topic.

Mr. Martino continued to review the agenda with no questions on items from Council.

Councilmen Carlos addressed Council and suggested moving Councilmember's time back up on the agenda to just after Citizen's time.

Councilmen Semple agreed with the recommendation noting that it was immediately responsive to what was going on in the room at the time, and more citizens remained present.

Councilmen Polster said he caught himself reacting and responding to Citizen's time instead of listening. He added that he was torn.

Councilwoman Sutphin stated that she preferred to leave the Citizen's time at the end.

Councilmen Hamby added that he preferred it at the end to keep the separation away from citizen's time.

Vice Mayor Hartman agreed, adding that he believed that Councilmen's time was not meant to be a debate between the councilmember on the dais and the citizen in the audience. Citizen's time is the opportunity for the citizens to speak and Council to listen. He said that if folks wanted to stay and listen to Council's comments, they could, or they could watch it later from the recording.

Mayor Nevill agreed, highlighting the importance of having some time between the citizens making their comments and Council making their comments to allow the opportunity to reflect and not immediately respond. He noted that it should not be and was never intended to be a back-and-forth exchange; that's what the time between meetings is for. He added that having the Councilmember's time at the end offered encouragement for those who came to speak to stay and participate through the whole meeting. He encouraged all those who came to the meeting to stay through the end. He surmised that the majority of the Council would like to leave it at the end of the meeting.

Councilmen Semple asked to clarify that he didn't disagree necessarily with separating the two comment periods. He added that it might be necessary to take additional time to reflect on what the citizens have brought to the podium.

Councilmen Carlos thanked the Mayor and Council for entertaining the idea. He stated that while he disagreed, he would respect the will of the Council.

Mayor Nevill sought a motion for the closed session.

Closed Session under Va. Code §2.2-3711 (A)(3) to discuss the acquisition of real property within Town limits for the use of a park.

Vice Mayor Hartman moved to convene a closed session pursuant to Code of Virginia Section 2.2-3711(A)(3) and 15.2-2907(D) to discuss acquisition of real property for a public purpose, of discussing where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the Town Council, specifically to discuss the acquisition of real property within Town Limits for the use of a park. Councilmen Hamby Seconded.

Ayes: Mr. James Hartman; Mr. Sean Polster; Mr. Brett Hamby; Mr. Renard Carlos; Ms. Heather Sutphin; Mr. William Semple

Nays:

Abstention:

Absent:

Upon reconvening from the closed session, Town Council adopted the following Certification of Closed meeting:

CERTIFICATION OF CLOSED MEETING

WHEREAS, the Town Council of the Town of Warrenton has convened a closed meeting on this date pursuant to an affirmative recorded vote in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3172 E of the Code of Virginia requires a certification by the Town Council that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Town Council hereby certifies that, to the best of each members knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Town Council

Councilmen Hamby seconded, the vote for the motion was unanimous, as follows:

Ayes: *Mr. James Hartman; Mr. Sean Polster; Mr. Brett Hamby; Mr. Renard Carlos; Ms. Heather Sutphin; Mr. William Semple;*

Nays:

Abstention:

Absent:

Recess at 11:04 a.m.

The Town Council reconvened in regular session at 6:31 p.m.

INVOCATION

Reverend Bob Grant, Fathers Way Church, gave the invocation.

PLEDGE OF ALLEGIANCE

Mayor Nevill led the Pledge of Allegiance.

CITIZENS TIME

Calvin Hickey, 183 N. View Circle addressed the Council regarding the Amazon Data Center.

Kevin Ramundo, 9757 Elmwood Road, addressed the Council regarding the Amazon Data Center.

Curt Bluefield, 144 High Street, addressed the Council regarding the Amazon Data Center.

Dick Nyren, 130 Mosby Circle, addressed the Council regarding the Amazon Data Center.

Joan Morris, 385 Falmouth Street, addressed the Council regarding the Amazon Data Center.

Josephine Gilbert, Scott District, addressed the Council regarding a new Ordinance.

Roy Francis, 147 North View Drive, addressed the Council regarding Amazon and Dominion.

Daeryl Nehw, 98 Alexandria Pike, addressed the Council regarding Haiti Street.

Linneka Akbar, 49A Academy Hill Road, addressed the Council regarding Haiti Street.

Jean Boenish, 5473 Camellie Court, addressed the council regarding the Data Tower.

Melissa Carye, 688 Maplewood street, addressed the Council regarding Haiti Street.

Paul Namie, 88 North View Circle, addressed the Council regarding Amazon / the Towers.

Daly Sitcey, 6648 Riley Road, addressed the Council regarding the Dominion Tower.

Approval of the Agenda

Vice Mayor Hartman moved to approve the agenda; Mr. Hamby seconded. There was no discussion.

The vote was as follows:

Ayes: *Mr. James Hartman; Mr. Brett Hamby; Mr. Renard Carlos; Ms. Heather Sutphin; Mr. William Semple; Mr. Sean Polster*

Nays:

Abstention:

Absent:

The agenda was approved.

PUBLIC HEARINGS

A. A Resolution Authorizing the Issuance of up to \$5,400,000 Principal Amount of General Obligation Bonds

Work session-

Mayor Nevill explained that the public hearing had been advertised for 7:00pm for this item. If Council were running ahead of schedule, they would move this item in the agenda to comply with that advertised time.

Kyle Luxe reintroduced the topic to Council. He recapped the timeline and the bidding process that was underway for new debt. Through the dual track option that Council had directed Davenport to pursue, the financial advisors have recommended taking a bank loan for the amount rather than pursuing the VRA Fall Pool. The presentation included multiple bids from various national and local banks. The bid from Chase Bank, with an interest rate of 2.91%, was recommended.

Councilmen Semple asked about the possible option repayment provisions under the Chase loan and if other bids had more favorable terms for repayment.

Mr. Luxe explained that the Chase loan was fixed for the full duration and was not as flexible in terms of repayment as some of the other options. He highlighted that the rate was so much lower than other options that Davenport felt it was beneficial to structure the debt program around this loan for repayment, as additional debt might not have such a favorable rate.

Councilmen Semple said that in the past, Council had refinanced the debt. Hence, he wanted to make sure that refinancing could be taken advantage of if more favorable rates became available.

Mr. Luxe said that he understood, indicating that there would need to be a fairly substantial rate change to justify refinancing.

Councilmen Semple asked if it was prudent to provide the public with a list of what the additional debt was being undertaken to cover.

Mr. Martino said that he would make a list available to Council that would cover the items the debt was being undertaken to cover.

Ms. Miller reviewed specific items that the additional debt amount would cover.

Mayor Nevill inquired as to the term of the loan.

Mr. Luxe responded that the term was 18 years.

Councilmen Hamby asked about the previous loans the Town has taken and the payments that would be due on this new debt service.

Mr. Luxe responded that the payment would be \$383,000 and that it would be paid twice a year.

Ms. Miller responded that the total debt service was approximately \$800,000. The additional debt payment would be on top of that amount and stay within the Debt Service Coverage Ratio set out by the Debt Management Policy in the Enterprise Fund.

Councilmen Hamby asked when the funds would be available to be used on the capital projects.

Mr. Luxe answered that the funds would be available immediately.

Councilmen Semple asked about the Debt Service Ratio and if the Town was still in a favorable position to take on additional debt. He reminded Council that if we were financing other projects in the future, this would impact that ability.

Mr. Luxe responded that there was some coverage in the rate ratio but that this would require rates to be raised year over year. He reminded Council that there was a five-year plan recommended and that the nature of the program would require that rates and revenues increase to keep pace with the age of the infrastructure.

Councilmen Hamby asked about the length of the previous loans.

Mr. Luxe answered that it was another 20-year loan.

Mayor Nevill inquired about the status of the payoff of the WARF, noting that that was one of the more significant impacts to the ratios.

Mr. Luxe said that the WARF was on the General fund side, not the Water and Sewer side.

Ms. Miller added that the Warf would be paid off in 2032. She suggested returning to the Review of Outstanding Debt items briefly touched on earlier in the meeting.

Ms. Miller presented an overview of the outstanding debt to Council. This presentation reminded the Council of the policies that have been implemented as well as summaries of the current debts

and interest rates. The presentation also highlighted the current payments of the debts and the schedule for payoff of the borrowed amounts.

Mayor Nevill thanked staff and highlighted the importance of funding the Water and sewer capital projects, especially with the current impact of infrastructure problems on other residents across the country.

Mr. Martino added that the presented rates were tremendous and on par with what AAA-rated municipalities were receiving. He noted that Council could feel confident with acting this evening.

Mayor Nevill agreed and added that this shows the Town's fiscal responsibility in attracting such beneficial rates.

Evening session-

Ms. Miller reintroduced the topic; there were no questions from Council.

Mayor Nevill opened the public hearing at 7:16 P.M.

Jean Boenish, 5473 Camellia Ct. addressed the Council. She asked the Council to include electronic linking to the agenda topics.

Mayor Nevill closed the public hearing at 7:17 P.M.

Councilmen Hamby moved to authorize the Issuance of up to \$5,400,000 Principal Amount of General Obligation Bonds; Councilmen Carlos seconded.

Councilmen Polster clarified the wording of the resolution.

Councilmen Semple reminded the Citizens that all of the information and details were discussed at the morning session at length.

The vote was as follows:

Ayes: Mr. James Hartman; Mr. Brett Hamby; Mr. Renard Carlos; Ms. Heather Sutphin; Mr. William Semple; Mr. Sean Polster

Nays:

Abstention:

Absent:

A Resolution Authorizing the Issuance of up to \$5,400,000 Principal Amount of General Obligation Bonds was passed.

B. A Resolution to Amend the Fiscal Year 2023 Adopted Budget to Appropriate Coronavirus State and Local Fiscal Recovery Funds in the Amount of \$6,270,000

Work session-

Mr. Martino introduced the topic to Council, highlighting what the funds would be used for in a brief overview.

Councilmen Hamby asked about the ADA improvements that were being funded and if they were Town-owned buildings or County owned buildings.

Mr. Martino responded that they were Town Owned buildings, one being the Police Station and one being the WARF. He added that Public Works had already started to address some of the issues and that Staff would be seeking Grants to fund these projects. The staff has also been in contact with the County Registrar, noting that the improvements would not be fully completed by this November's election, and the Registrar is providing reasonable accommodations to help facilitate voting for all.

Councilmen Hamby asked if the improvements would be permanent or just for the election day.

Mr. Martino confirmed that the improvements would be permanent. He highlighted that some of the improvements included restriping the parking lots, ramp access, and other permanent accommodations. He added that staff would come back to the Council with any successful cost-saving measures.

Councilwoman Sutphin asked staff to research if the County could split some of the costs with the Town for the improvements.

Councilmen Semple asked about the positions that were funded via ARPA and what the status would be of those roles in year two.

Mr. Martino said he could not speak to the plans adopted in the FY23 budget and invited Ms. Miller to respond.

Ms. Miller said that one of the positions was a reprogramming within the fund, but that could be absorbed back into the water and sewer fund in the coming years. She offered options for year two funding of reincorporating the positions or using ARPA funds again for the roles. She expressed that employees are made aware that the role is funded through ARPA and may be only temporarily.

Councilwoman Sutphin suggested revisiting this discussion with the FY24 budget.

Councilmen Polster requested that the Body consider separating the land accusation out of the vote this evening.

Mayor Nevill said that Council would discuss that and make any needed changes before this evening.

Evening session-

Stephanie Miller introduced the topic. She explained to the Council that one item had since been deferred, so Staff has added an alternative Resolution to appropriate \$4,650,000. She highlighted that this would cover \$4,500,000 for capital projects for Water and Sewer, and \$150,000 for ADA improvements related to Polling locations in Town. No questions from Council.

Mayor Nevill opened the public hearing at 7:20 P.M., no one spoke.

Mayor Nevill closed the public hearing at 7:20 P.M.

Councilmen Polster motioned to amend the Fiscal year 2023 Adopted Budget to appropriate the Coronavirus State and Local Fiscal Recovery Funds in the Amount of \$4,650,000; Councilmen Hamby seconded. There was no discussion.

The vote was as follows:

Ayes: *Mr. James Hartman; Mr. Brett Hamby; Mr. Renard Carlos; Ms. Heather Sutphin; Mr. William Semple; Mr. Sean Polster*

Nays:

Abstention:

Absent:

A Resolution to Amend the Fiscal Year 2023 Adopted Budget to Appropriate Coronavirus State and Local Fiscal Recovery Funds in the Amount of \$4,650,000 passed.

C. A Zoning Ordinance Text Amendment (ZOTA 2022-2) to Article 3 as it Relates to Property Maintenance in the Historic District

Work session-

Mr. Walton introduced the topic to Council and highlighted the proposed changes.

Councilmen Poster thanked Staff for bringing this forward and emphasized that this was not to target one individual property in Town but to make sure that the code has an ordinance in place to address the issues that the Town faces. He added that he wouldn't tolerate any negative comments to staff and apologized to Mr. Walton and his team for facing that.

Councilwoman Sutphin agreed that it was long overdue and that those who purchased property in the Historic District have a responsibility to maintain them. She spoke out against the emails forwarded to the Town Council and added that there was a difference between being upset at a situation and completely going overboard. She said that Council stands behind these changes.

Councilmen Semple said he knows how difficult it is to maintain these historic homes to a high standard with his home ownership. He added that this particular change is about maintaining the safety of the property. That is a danger not just to the residents but to the neighbors as a property can invite decay adjacent. He commends Staff for putting this type of enforcement into place.

Councilmen Hamby wanted to echo what the other Councilmembers had said, and that staff did not deserve the emails they had received and invited emails like that to come to Council.

Vice Mayor Hartman agreed with Councilmen Semple that this was all about safety. He appreciated that his colleagues brought up the email and cautioned that he didn't believe it would stop and that it would get worse. He encouraged staff not to take those comments to heart and to move on. He asked staff to clarify the parameters that the zoning administrator would use.

Mr. Walton said that staff would use the building code to determine if the structure was unsafe to habituate.

Councilmen Carlos said that the rest of the Council had summed this up nicely.

Mayor Nevill agreed and said it was nice to add some teeth to the ordinance. He spoke to broken windows driving down not only the house that has the damage but also the community around it. This ordinance would allow staff to enforce the law and bring up the community as a whole. He thanked Venable for coming on board and advancing this and staff for finally bringing this to a close.

Evening session-

Mr. Walton introduced the topic; he reviewed the history of the topic; there were no questions from Council.

Mayor Nevill opened the public hearing at 7:22 P.M.,

Winston Watt, 158 Winchester Street, addressed the Council in favor of this amendment.

Jean Boenish, 314. Camella Court addressed the Council encouraging the Council to consider a repair program instead of enforcement of the Codes.

Mayor Nevill closed the public hearing at 7:30 P.M.

Vice Mayor Hartman moved to approve the Zoning Ordinance Text Amendment (ZOTA 2022-2) to Article 3 as it Relates to Property Maintenance in the Historic District – Voting and Polling Locations; Councilmen Polster Seconded.

Councilmen Polster thanked Mr. Watt for coming and addressed the negativity that the Town staff has endured. He thanked Mr. Walton and his staff for drafting this and bringing it to fruition.

Councilmen Semple added that he appreciated the elbow grease and monetary investment required to keep these structures in Old Town in good shape. He added that he liked that the Council was setting a standard of safety with this amendment and noted that that was Council's primary responsibility.

Vice Mayor Hartman thanked Mr. Watt, echoed Mr. Semple, and thanked those who could afford to maintain these historic properties. He said that this amendment was about compliance and safety for all. He thanked Mr. Walton and staff for working so hard on this.

Mayor Nevill mentioned that the first step in enforcement was cooperation and collaboration to be able to bring these houses up to compliance. He said this amendment was not designed to be punitive but as a last resort. He noted that the Town Staff did have the backbone to enforce this and that the sense of neglect brought down everyone's sense of care. He added that this amendment gives the Town the regulatory authority to maintain these homes and help restore these homes and bring them up to safety standards. He thanked Mr. Walt, his staff, Venable, and the Community for requesting these changes.

The vote was as follows:

Ayes: *Mr. James Hartman; Mr. Brett Hamby; Mr. Renard Carlos; Ms. Heather Sutphin; Mr. William Semple; Mr. Sean Polster*

Nays:

Abstention:

Absent:

The Zoning Ordinance Text Amendment (ZOTA 2022-2) to Article 3 as it Relates to Property Maintenance in the Historic District passed.

- D. An Applicant Initiated Zoning Ordinance Text Amendment (ZOTA 2022-1) To Increase the Permitted Density in the Central Business District from Twenty Five (25) Units Per Acre to Fifty (50) Units Per Acre on Parcels Less Than 1/2 Acre and to Update to Fee Schedule**

Work session-

Mr. Walton introduced the topic to Council and highlighted the proposal. He added that he was adding a strike through to the text amendment regarding language with the historic district, and any properties in the CBD would have to meet the historic district standards, which is already covered. However, there are some properties outside the historic district that could be excluded from that.

Councilmen Polster recused himself from the discussion and the vote as he owned property in the CBD.

Mayor Nevill added that if the vote came to a tie, he would recuse himself as well, as his parents own a building that he has a direct financial interest in as well.

Councilmen Semple added that the Mayor would not need to break a tie as only five voting members are remaining. He explained that he had been working with Mr. Walton, Mr. Mothershead, and Mr. Alls on the language for this proposal for the last few weeks. He mentioned that one issue that came up with the planning commission was the lack of any mention of affordable housing.

Mr. Mothershead, the applicant's representative, explained that the reasoning behind the proposal was that the density was so easily reached and allowed no options for innovation. He described an option for adding 25% of the units created in buildings with the density for four additional units to be set aside for affordable housing. He said that the average increase of dwelling units was 16-30% due to the exclusion of certain buildings.

Councilwoman Sutphin said that this was a good idea, and she supported it.

Councilmen Semple explained that the Planning Commission was concerned that there was no Affordable housing within this provision, and he believes they were talking about HHUD-qualified affordable housing. There is a distinction of attainable housing in the Comprehensive plan. He believes this provision adds attainable housing. He thinks the Planning Commission decided that it could not recommend the project because it did not have an affordable component and that it is generally desired. He emphasized that the best way to increase affordable housing is to have it blend into the community as a healthy addition to the community.

Mr. Mothershead suggested some code changes that would build on existing language for the affordable housing provision.

Councilmen Semple suggested adding language into the ordinance to cap the rent of the affordable unit at the HUD criteria.

Mayor Nevill asked how if Council would prefer to move forward with the additional language adding the provision for affordable housing.

Council noted they had not yet seen the changed language with additions.

Councilmen Semple suggested deferring the public hearing and discussions till October with the requested language changes.

Mayor Nevill confirmed that Council would like to defer the public hearing until October to be able to review the proposed changes discussed at the work session.

Councilmen Carlos thanked the applicant for the opportunity to discuss the proposal before Council and work through it together, highlighting that this was what the process was all about.

Evening Session-

No action. The item was deferred to October.

CONSENT AGENDA

Councilmen Hamby moved to approve the Consent Agenda. Seconded by Councilmen Carlos.

The vote was as follows:

Ayes: *Mr. Sean Polster; Ms. Heather Sutphin; Mr. William Semple; Mr. Brett Hamby; Mr. James Hartman; Mr. Renard Carlos*

Nays:

Abstention:

Absent:

Lindsey Buick GMC Parking Lot (SDP 2019-04) Bond Release

Approved as Presented

Special Events Fee Update

Approved as Presented

Staff Reports

Approved as Presented

Town Council Meeting Minutes

Approved as Presented

NEW BUSINESS

A Resolution to Amend the Fiscal Year 2023 Adopted Budget to Appropriate Funds for Storm Clean Up.

Stephanie Miller introduced the topic to Council. She explained that on June 22nd, 2022, a major storm event occurred in the Town of Warrenton, resulting in power outages, damage to property, and horticultural debris. The emergency cleanup extended into the Month of July and resulted in 445 tons of horticultural debris hauled to the Fauquier County Landfill. Due to the extensive nature of the event Town Staff supplemented by hiring contractors to assist. In addition, there was a generator failure at the Water Treatment Plant.

Mayor Nevill sought a motion to appropriate the funds.

Councilwoman Sutphin motioned to adopt the Resolution to Amend the Fiscal Year 2023 Adopted Budget to Appropriate Funds for Storm Clean Up, Seconded by Councilmen Carlos.

The vote was unanimous as follows:

Ayes: Mr. Brett Hamby; Ms. Heather Sutphin; Mr. William Semple; Mr. Renard Carlos; Mr. Sean Polster; Mr. James Hartman

Nays:

Abstention:

Absent:

The Resolution to Amend the Fiscal Year 2023 Adopted Budget to Appropriate Funds for Storm Clean Up was approved.

Appointment of a New Council Member for Ward 5

Mayor Nevill mentioned that the Council had had a vacancy created by Councilmen Kevin Carter as he resigned to be appointed to the County Board of Supervisors. Council had one applicant, Jay Heroux, who had received the endorsement of Kevin Carter offer to step up to fill the vacancy. He added that Council had had multiple opportunities to interview and interact with Mr. Heroux.

Mayor Nevill sought a motion.

Vice Mayor Hartman motioned to adopt a resolution to appoint John B. Heroux as the new Councilmember for Ward 5. Seconded by Councilmen Polster.

The vote was unanimous as follows:

Ayes: Mr. Brett Hamby; Ms. Heather Sutphin; Mr. William Semple; Mr. Renard Carlos; Mr. Sean Polster; Mr. James Hartman

Nays:

Abstention:

Absent:

John “Jay” Heroux III Was appointed the New Town Councilmen for Ward 5.

Resolution to Petition the Circuit Court for a Writ of Election.

Mayor Nevill explained that Mr. Heroux could only serve as a Councilmember until the next general election, or a special election has been called. He added that Council did not wish to burden the taxpayers with the cost of a special election, so Mr. Heroux will stand for reelection in 2023 and, if he so chooses General election unless he desires to run for reelection in 2024.

Mayor Nevill sought a motion.

Councilmen Hamby moved pursuant to Virginia Code 24.2-226 that the Council petitions the Circuit court through the Town Attorney for a writ of election to fill the vacancy for the Ward five Council seat. Seconded by Councilmen Carlos

The vote was unanimous as follows:

Ayes: *Mr. Brett Hamby; Ms. Heather Sutphin; Mr. William Semple; Mr. Renard Carlos; Mr. Sean Polster; Mr. James Hartman*

Nays:

Abstention:

Absent:

The Resolution to Petition the Circuit Court for a Writ of Election passed.

TOWN ATTORNEY’S REPORT

Mr. Simmons indicated that they were working on a form with the Police Department that would allow property owners to permit the Police Department to issue a notice of trespass on their behalf.

TOWN MANAGER’S REPORT

Mr. Martino said he was pleased to share that the excellent staff has been very welcoming and that he looks forward to working with them on policy. He congratulated Major Tim Carter of the WPD who graduated from the FBI Academy earlier this morning. He added that recently the Town Council went to the Market for the issuance of Debt. He stated that it was very important that the underwriters could rely on the financial department’s reporting and that the Government Finance Association had recently recognized them by receiving a certificate of excellence in financial reporting.

COUNCILMEMBERS TIME

Councilmen Polster- Thanked Kevin Carter for his years of service, noting that he was an important part of his time on Council and congratulated him on his appointment. He reminded the Community that this Thursday was the high school homecoming parade. He added that he would like to send the Video of the Citizen comments on amazon to the State representatives and Amazon themselves to show the message that the citizens are conveying.

Councilmen Carlos- Congratulated Mr. Kevin Carter on his appointment and congratulated Councilmen Heroux on his appointment. He spoke on getting the community involved and thanked those who had taken the time to do research and present it to Council to thank those who participated in Citizen's time. He wanted to highlight that the comments do not fall on deaf ears. He spoke about the graffiti that had been spraypainted on businesses and political signs in Town; he asked for those who expressed themselves in that manner to take their opinion to the ballot box instead of vandalism.

Councilwoman Sutphin- Congratulated Kevin Carter and said it was an honor and blessing to serve with him. She welcomed Councilmen Heroux and congratulated Major Tim Carter on his graduation from the FBI academy. She noted that this was the Homecoming week for the Fauquier Falcons, and growing up in Fauquier, she always said there was nothing to do in this Town. She said that there needs to be something for everyone in this community. She spoke to the fears expressed as Walmart was coming into the Town and that the property behind Country Chevrolet had been very controversial from other proposals. She said that she had visited some Data Centers to see the impact of the Community and concerns about the sounds the vibrations. She added that all of Council was looking into this matter and taking it seriously. She thanked the citizens for sharing their concerns and expressed that every member of Council cared deeply about the Town and that she was making the decisions before her based on what she would want her Grand Children to grow up nearby. She emphasized that the Council had not made its mind up and that the topic was not yet in front of Council.

Councilmen Semple- Shared a story about his first-time visiting Fauquier County when he was three years old. The story told about the Farm his grandparents owned and this grandfather's frustrations with Rt. 66 being built and highlighting the spirit that he has about Fauquier County. He said that he understood the passion from those who live in the County and the Town about the vision they have for the area. He spoke about the partnership that the County and the Town and the partnership he believes they must have to resolve the problems that we have before us. He echoed that the Council will be objective and strive to make the best possible decision they can.

Councilmen Hamby- Offered congratulations to Kevin cart and welcomed Mr. Heroux to the Council. He thanked the Citizens who came out to voice their concerns and opinions. He explained that information has been flowing through the planning commission to the Council but had not yet come before Council. He stated that the power towers were a non-starter for him. He said that as the proposal has evolved and what Dominion has stated have changed and expressed interest in how they would come back to the Planning Commission. He said that he understood how everyone felt and voiced support for underground power lines that may be needed. He asked the Community to bear with the Council as they work through the process. He added that it's etiquette to let the Planning Commission do their work and get into more in-depth conversations when the topic is brought before Town Council. He said that looking at articles in the paper, it would appear that someone is starting to listen.

Vice Mayor Hartman- Shared a story about growing up in Fauquier County and having active parents in the community. He added that he appreciates the passion of those making well-thought-out statements and comments to Council. He spoke out against the threats, accusations, and insults coming forth and noted that he feared it would get worse before it got better. He thanked Kevin Carter for his service and for being the calm voice in the storm. He welcomed Mr. Heroux. He recognized Deputy Chief Tim Carter for graduating the FBI academy today.

Councilmen Jay Heroux- Thanked all the Citizens for coming out tonight, highlighting that this made this community and this country great. He said he was looking forward to meeting the Citizens of Ward 5 and representing them. He thanked the Town Council members for the conversations they had with him this week and the welcome they offered. He thanked Kevin Carter for the work that he had done as a Councilmember. He added that he looked forward to meeting and working with the Staff. He spoke to his commitment to this Town and the contributions that we call can make to our health, our safety, our prosperity, our ability to succeed, and our ability to respect each other. He spoke to the amount of work he had before him, that he was ready to go and blessed to have the opportunity.

Councilwoman Sutphin- Added that the Amazon balloon test was going to be this Thursday; balloons will go up at noon and up until approximately 5 pm.

Mayor Nevill- Agreed with statements from his fellow Councilmembers. Addressing the Citizens who came to speak, he called out that the Council was listening to them. He assured them that every email was being read and every word was taken to heart. He said that the Council's job was to process that information with an objective manner consistent with our responsibilities of an elected officials. He said that the issues that have been raised are issues that the Council shares as well and that, as Councilmen Hamby noted, the cases brought before the Planning Commission is precisely through the SUP process to address those issues. He stated that he was grateful for the SUP process as it allowed the Council to take the feedback from citizens and address it. He said that only an application that meets the standards of this community would be deemed acceptable. He added that if it did not reach them, the outcome would be very different. He said that any SUP application would need to meet the standards and criteria and be constant with the vision, the goals, and he identity of Warrenton, meets the character. He added that the overhead transmission lines were a nonstarter for all of the Council. He vocalized the opposition to all the people involved with the application and believed that they are hearing us. The character of our County and our Town Has to come first. He hopes that the progress continues to be the case as the application continues. He added that there was a Strategic Retreat for Council on September 24th, 2022.

ADJOURN

With no further business, this meeting was adjourned at 8:14 p.m.

I hereby certify that this is a true and exact record of actions taken by the Town Council of the Town of Warrenton on September 13, 2022.

Christopher E. Martino
Town Recorder

9/13 KJR Comments before Town Council (481)

Good evening Mr. Mayor and Town Council Members. My name is Kevin Ramundo and I am speaking as the President of Citizens for Fauquier County regarding the Amazon data center. Thank you for this opportunity.

First, I'd like to say a few things about Citizens for Fauquier County. As our name indicates, we represent citizens who live in the county including Warrenton. Our 700 plus members belong to CFFC because they believe in our mission of protecting open space, agriculture, and historical resources. Over 80 percent of our financial support comes from annual membership fees of \$35 per person or \$65 per family. We don't do fancy events and raise large amounts of money from the more affluent.

While some refer to us a special interest group, our only interest is to advance our mission for our members who come from all walks of life -- and to educate the public and government leaders about what we believe in. To reinforce this point, I received a call the other day from a man who lives in Frytown who voiced concerns regarding the possibility of new transmission lines in his area. CFFC is in the process of setting up a meeting so we can help this man and his neighbors understand the situation.

Our board is made up entirely of volunteers, including former Warrenton Town Council members, and Fauquier County Supervisors and Planning Commissioners. Our board also includes members of the farming and sustainability communities and

several attorneys, small business owners and others. We have no staff other than a part-time comms person.

We established an Amazon Task Force earlier this year and have spent many hundreds of hours understanding the zoning ordinance text amendment, Amazon's special use permit, applicable zoning, other requirements and related town activities. We have also studied what has happened in Loudoun and Prince William regarding data centers, spoken with a data center industry expert, and analyzed hundreds of pages of information the town has provided.

Two particular concerns I would like to highlight tonight are the **noise and vibration** expected from the proposed data center, and its **viewshed impacts** using two charts I will leave with you. The first concludes that there are 657 homes and businesses that would be directly impacted by noise from the data center. The second shows the many areas of the town, shaded in orange, from where one would be able to see the data center. CFFC has also submitted two detailed documents to the town's planning commission expressing concerns about the data center.

CFFC would like to share our work at a Town Council work session on the project. We hope you'll agree on behalf of the citizens we represent and the commitment we share with you to the prosperity and special qualities that make Warrenton the unique place it is.

Brittany Latack

From: Mark [REDACTED]
Sent: Monday, August 15, 2022 9:03 AM
To: Planning Department
Subject: Amazon Data Services Comments

Follow Up Flag: Follow up
Flag Status: Flagged

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Good Morning.

Can you please explain why the Town Parks and Rec department did not have any questions/concerns regarding the SUP 2022-03 Amazon Data Services application?

Although there is 1 comment (page 5) about sidewalks adjacent Blackwell Road, there were no other pertinent questions from Town Staff regarding pedestrian access on the remainder of the property.

Thank you,

Mark Nesfeder
[REDACTED]

Brittany Latack

From: Steven and Ann Rose Wojcik [REDACTED]
Sent: Friday, August 19, 2022 12:20 PM
To: Planning Department; Susan Helander; James Lawrence; Steve Ainsworth; Gerald Johnston; Ryan Stewart; Ali Zarabi
Cc: Renard Carlos
Subject: Questions to Ask Regarding Cooling System at Proposed Amazon-Operated Data Center

Follow Up Flag: Follow up
Flag Status: Flagged

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Dear Members of the Planning Commission,

Thank you Mr. Zarabi for responding to my earlier email. In reading the Comment Response submitted by the attorney for your upcoming meeting on the data center, I could not find any information about how the data center will be cooled. As you know, these centers, which are basically large rooms that hold servers in an air-conditioned environment, require cooling 24/7/365. Since they have been the source of noise complaints at other centers, it is important to know the following:

- 1) What kind of chilling system will be used?
- 2) Where will it be located, particularly, what are the exterior components?
- 3) What are the noise estimates on the exterior components, particularly the pitch and frequency, which has been the source of the problem at other data centers, not the decibels?
- 4) How specifically will this data center avoid noise issues from the air cooling units that has been the source of noise complaints at other data centers?

As the cooling units will be on all the time, the answers to these questions are critical before a decision is made. While the noise from the generators has been a focus, they will only operate if the power goes out. They will not be operating constantly, like the chillers.

In my mind, the answers to these questions are critical before a decision is made. To my knowledge, the complaints about noise from data centers have come from the air cooling units, not the generators. And the complaints center around the pitch and frequency of the noise, not the decibels. It's been described as a constant, annoying hum. This occurs whether the outdoor components are placed on the ground (as in AZ) or on the roof (as in Chicago). I am not aware of any complaint about noise from generators. Thank you for considering my questions and I hope someone will ask them of the applicant.

Regards,

Steve Wojcik

[REDACTED]

-----Original Message-----

From: Steven and Ann Rose Wojcik [REDACTED] >
To: planing@warrentonva.gov <planing@warrentonva.gov>; shelander@warrentonva.gov

<shelander@warrentonva.gov>; jlawrence@warrentonva.gov <jlawrence@warrentonva.gov>;
sainsworth@warrentonva.gov <sainsworth@warrentonva.gov>; gjohnston@warrentonva.gov
<gjohnston@warrentonva.gov>; rstewart@warrentonva.gov <rstewart@warrentonva.gov>; azarabi@warrentonva.gov
<azarabi@warrentonva.gov>
Sent: Tue, Aug 2, 2022 11:39 am
Subject: Recent Letter from Chandler AZ Planning Manager to Protect PWC Re Negative Impact of Data Centers

Dear Members of the Warrenton Planning Commission,

I attended the work session last week and am following up on a request by one of your members regarding the noise produced by data centers' cooling units (the generators are not the issue, nor is the decibel level the issue. It is the pitch and frequency of the cooling units that irritate residents nearby 24/7/365). I spoke about this before the Town Council last year when they approved adding data centers to potential uses for industrially zoned parcels. Because of the noise issue, I proposed an amendment that data centers could not be considered if the property is adjacent to residentially-zoned areas. That was rejected, unfortunately. I did however get sympathetic words afterwards from several council members regarding the concerns they would have regarding the noise and its impact on residential areas nearby.

Here is a recent letter from the Planning Manager of Chandler AZ regarding the problems with data centers in the city, particularly the noise that disturbs residential areas near data centers. Despite mitigation efforts, the noise problems persists, and as a result, the city now is banning new data centers from the city. Unfortunately, it's too late for the residents where existing data centers are grandfathered in. Not too late for Warrenton though if the Planning Commission and our Town Council act to prevent it.

I am providing the link and pasting below as well for your convenience. He leaves a contact number. If you have not already done so, I encourage you to call to ask about the noise issue directly so that you are armed with this information for the upcoming meetings. Thank you very much for the opportunity to share this critical aspect of the data center issue with you. I am happy to discuss further [REDACTED].

<https://protectpwc.org/2022/07/26/chandler-ariz-planning-mgr-letter-regarding-data-center-noise-070822/>

Chandler, Ariz. Planning Mgr. – Letter regarding Data Center Noise 070822

Posted on July 26, 2022 Author Karen

Jul 8, 2022, at 12:58 PM

David De La Torre [REDACTED] wrote:

I'm providing the following information regarding data centers in the City of Chandler, Arizona:

- Data centers are not allowed by right in any zoning district
- The City discourages new data centers for the following reasons:
 - An existing data center has been the source of a low hum that has generated noise complaints from nearby residents. City staff worked with the data center to add noise mitigation, however, the noise issue has not completely gone away.

- Data centers require a significant amount of water and/or electricity to cool the servers and to power the equipment. In return, they provide minimal benefits to the City (see next bullet point)
- Data centers are essentially warehouses for computer servers. They do not generate significant tax revenue or high wage jobs.

I hope this information is helpful.

David de la Torre, AICP

Planning Manager

Development Services Department, Planning Division

Phone: [REDACTED]

Here is also a link to a recent local news story on the noise issue and the regrets that the city council had re data centers.

<https://www.youtube.com/watch?v=J060m1ohGPM>


With great concern,

Steve Wojcik

[REDACTED]

August 22, 2022

Kevin T. O'Neill, Director
Fauquier Climate Change Group



To the Warrenton Town Council –

My name is Kevin O'Neill, Director, Fauquier Climate Change Group. While several of our members are town residents, the majority, including myself, reside in the County. I am writing this letter on behalf of the whole Group to express our disagreement with the siting of the proposed Amazon Data Center in the town of Warrenton and the complete opposition to the proposed Dominion power line supporting it through the County. Please read my alternative proposal because you may find that it helps in your decision making.

Others have pointed out the obvious shortcomings of the Amazon/Dominion project: the very real chance of a shortfall or no revenue as has happened in Loudon County, the use of over 41 prime business acres with almost a complete lack of employment available to County residents, the certainty of home value reduction, the irritations of noise and heat, the land lost by citizens to Eminent Domain for the power line, the pollution of the view shed, the loss of what makes Fauquier a desirable place to live – the list just keeps going on. This is a lose/lose situation. There may be a way to turn this lose/lose situation into a win.

There is a proposed utility scale solar facility south of the Warrenton/Fauquier Airport. Next to the proposed utility scale solar facility, there is a closed golf course, already not farmland, with more than enough land for construction (properly sited out of view) and an existing high power line already in place without any new construction. I am proposing that the Amazon site be changed from Blackwell/Lee Highway to this alternate site. This idea will provide an option that meets the needs of the stakeholders:

- Amazon will be able to build their data center (the existing site is a sunk cost with no bearing on their decision).
- The utility scale solar facility will have a customer for its power and Amazon will further its corporate goal to use alternative energy.
- The existing high power line already in place and not needing any construction will handle the load and provide uninterrupted power (day and night).
- The concern for a historically Black area is being addressed with the residents by the solar farm company.
- **The County will still reap tax revenue with a negotiated part to go to the town of Warrenton to help compensate for lost revenue due to the shift in location.**
- The issue of the current citizen uprising will just go away.

While getting all of the pieces to fit together has proven to be an interesting puzzle, it is possible according to my research. The advantages to the Town of considering this proposal are obvious. I appreciate the attention that you will give to this proposal.

Kevin T. O'Neill, Director
Fauquier Climate Change Group

cc: Warrenton Town Planning Commission

Brittany Latack

From: Christina Gagnon [REDACTED]
Sent: Tuesday, August 23, 2022 3:14 PM
To: Planning Department
Subject: ATTN: Ali Zarabi, Planning Commission

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

August 23, 2022

Ali Zarabi
Planning Commission
21 Main Street
Warrenton, VA 20186

Dear Mr. Zarabi:

As residents of the community you serve in Warrenton, we are writing to strongly oppose the construction of the Amazon Web Services (AWS) data center on Blackwell road.

The citizens of Fauquier county have not been adequately informed about what is happening to our town, and what the ramifications are of having an AWS data center along with the required 110-foot-tall high-voltage power line running through our community will be.

These systems draw mind-boggling amounts of power and water in order to operate and will deplete the critical resources available to Fauquier residents. It will also lead to higher energy costs due to supply and demand issues, and possible energy rationing in the future. Skeptical about future energy rationing? Berkeley County, SC gave so much water to the Google data center there that they asked the local public utility, Mount Pleasant Waterworks *“to reduce its withdrawal from the aquifer by 57% over the next four years”* [1a]—in other words—less water for the taxpaying residents of Berkeley County.

Amazon has made conflicting statements about their intended water usage. On June 8, 2022 on the FauquierNow web site they said “the facility would need to utilize public water and connect to the town’s sewer system.” [5a] On July 28, 2022 on the FauquierNow web site they said “the facility would not be connected to the town’s water supply.” [6a] As you know the Warrenton reservoir gets its water from both surface water and groundwater, so whether or not AWS would technically connect to the town water system, they will be getting water from somewhere—presumably from drilling a well that would take water away from the groundwater now made available to Fauquier residents.

Also, in the same article, they claimed that “Engineers and architects estimated that the water usage at this site will be 1,500 gallons per day ... “that’s effectively the equivalent of four homes.” [6b] I think it is fair to require a direct statement from AWS on the actual water and power usage that will be consumed by the data center, and provide proof of such low water use in other AWS data centers. They seem to be unwilling to respond directly and are using testimony from third parties who may not know the full extent of how much water and power would be required to operate the data center.

AWS is not being transparent with the Town about the actual volume of water they will consume in order to cool the thousands of servers typically housed in one data center, and the immense amount of electricity that will also be consumed in generating the power to meet their power requirements. According to another article, *“The company [AWS] does not share any metrics on how its own data centers perform on power consumption metric.”* [2a]

AWS has assumed a decision-making role in regional power allocation putting regional taxpayers at a disadvantage. *“AWS agreed to purchase services from Dominion Virginia Power (DVP) that allow it to have a greater say in the power mix that DVP purchases and provides to the regional grid that services AWS data centers.”* [2b]

AWS has an poor environmental record and has been rated “*the worst environmental performer of the big three.*” [3a] ,” critics continued to berate the company for its power mix, in particular for its data centers in Virginia, *aka the Dirty North-East.*” [2c]

Also, data centers offer no benefits to Fauquier residents, employing at most 10 people to operate a data center. Data centers are unsightly, unhealthy, a drain on our resources, and will destroy the beloved character of our town. Any tax revenues collected from AWS will not lead to citizens getting lower electric or water bills or reduced taxes—it will most likely be allocated toward future development projects benefiting the very few and costing the tax-paying residents dearly.

We have also been told that the town is planning to annex around 1,700 additional acres into the town, which may indicate future plans to add more data centers in our community.

We are not against development in Fauquier County as long as it’s appropriate. Farm land is what we’re famous for and with expected food shortages coming late 2023/24, farm land is a valuable resource to preserve. We would welcome clean, light manufacturing businesses that actually bring new jobs to Fauquier residents.

Building an Amazon Data Center at the entry of the Town of Warrenton will forever transform our community from a beautiful rolling countryside of farm land into an unsightly and unhealthy web of data farms and high power lines, giving us a view similar to the view you get driving up I-95 into Newark New Jersey— possibly lowering property values.

We have so many other questions, for example—Did AWS receive any tax incentives for this project? How is any waste water from this project going to be handled? Has a health assessment been done to assure residents that long-term exposure to low frequency EMF emissions will not harm their families’ health? [4a].

We strongly urge you to study these facts surrounding this decision, and to carefully consider the long term consequences of your vote on this project.

Sincerely,
Eric and Christina Gagnon

[REDACTED]

E-Mail: [REDACTED]
[REDACTED]

1. (abc) Rich Miller, “Power Struggles at Amazon Web Services - Technology and Operations Management,” (Technology and Operations Management, Nov 4 2016), <https://digital.hbs.edu/platform-rctom/submission/power-struggles-at-amazon-web-services/>

2. (ab) Nikita Sattiraju, “The Secret Cost of Google’s Dta Centers:Billions of Gallons of Water,” ([Time.com](https://time.com/5814276/google-data-centers-water/), Apr 2020), <https://time.com/5814276/google-data-centers-water/>

3. (a) David Mytton, “How Much Water Do Data Centers Use,” (davidmyttonblog, Jun 10 2020), <https://davidmytton.blog/how-much-water-do-data-centers-use/>

4. (a). Dr. Jack Kruse, “What are The Biologic Effects Of EMF,” (jackkruse.com, <https://jackkruse.com/emf-5-what-are-the-biologic-effects-of-emf/>

5. (a) James Jarvis, “Amazon files application to build data center in Warrenton,” ([FauquierNow.com](https://www.fauquiernow.com), Jun 8 2020), https://www.fauquiernow.com/news/business/amazon-files-application-to-build-data-center-in-warrenton/article_8117395a-e771-11ec-a09c-7fa1d3dbb3d0.html

6. (ab) James Jarvis, “Warrenton commissioners grill Amazon counsel over proposed data center, Dominion power station,” ([FauquierNow.com](https://www.fauquiernow.com), Jul 28 2020), https://www.fauquiernow.com/news/government_politics/warrenton-commissioners-grill-amazon-counsel-over-proposed-data-center-dominion-power-station/article_2ca6c2f0-0dff-11ed-abea-6b034e820fef.html

Brittany Latack

From: Christina Gagnon [REDACTED]
Sent: Tuesday, August 23, 2022 3:13 PM
To: Planning Department
Subject: ATTN: Ryan J. Stewart, Planning Commission

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

August 23, 2022

Ryan J. Stewart
Planning Commission
21 Main Street
Warrenton, VA 20186

Dear Mr. Stewart:

As residents of the community you serve in Warrenton, we are writing to strongly oppose the construction of the Amazon Web Services (AWS) data center on Blackwell road.

The citizens of Fauquier county have not been adequately informed about what is happening to our town, and what the ramifications are of having an AWS data center along with the required 110-foot-tall high-voltage power line running through our community will be.

These systems draw mind-boggling amounts of power and water in order to operate and will deplete the critical resources available to Fauquier residents. It will also lead to higher energy costs due to supply and demand issues, and possible energy rationing in the future. Skeptical about future energy rationing? Berkeley County, SC gave so much water to the Google data center there that they asked the local public utility, Mount Pleasant Waterworks *“to reduce its withdrawal from the aquifer by 57% over the next four years”*[1a]—in other words—less water for the taxpaying residents of Berkeley County.

Amazon has made conflicting statements about their intended water usage. On June 8, 2022 on the FauquierNow web site they said “the facility would need to utilize public water and connect to the town’s sewer system.” [5a] On July 28, 2022 on the FauquierNow web site they said “the facility would not be connected to the town’s water supply.” [6a] As you know the Warrenton reservoir gets its water from both surface water and groundwater, so whether or not AWS would technically connect to the town water system, they will be getting water from somewhere—presumably from drilling a well that would take water away from the groundwater now made available to Fauquier residents.

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Eric and Christina Gagnon

- [REDACTED]
- [REDACTED]
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 2. (ab) Nikita Sattiraju, “The Secret Cost of Google’s Dta Centers:Billions of Gallons of Water,” (Time.com, Apr 2020), <https://time.com/5814276/google-data-centers-water/>
 3. (a) David Mytton, “How Much Water Do Data Centers Use,” (davidmyttonblog, Jun 10 2020), <https://davidmytton.blog/how-much-water-do-data-centers-use/>
 4. (a). Dr. Jack Kruse, “What are The Biologic Effects Of EMF,” (jackkruse.com, <https://jackkruse.com/emf-5-what-are-the-biologic-effects-of-emf/>)
 5. (a) James Jarvis, “Amazon files application to build data center in Warrenton,” (FauquierNow.com, Jun 8 2020), https://www.fauquiernow.com/news/business/amazon-files-application-to-build-data-center-in-warrenton/article_8117395a-e771-11ec-a09c-7fa1d3dbb3d0.html
 6. (ab) James Jarvis, “Warrenton commissioners grill Amazon counsel over proposed data center, Dominion power station,” (FauquierNow.com, Jul 28 2020), https://www.fauquiernow.com/news/government_politics/warrenton-commissioners-grill-amazon-counsel-over-proposed-data-center-dominion-power-station/article_2ca6c2f0-0dff-11ed-abea-6b034e820fef.html

Brittany Latack

From: Christina Gagnon [REDACTED]
Sent: Tuesday, August 23, 2022 3:11 PM
To: Planning Department
Subject: ATTN: Gerald Johnston, Planning Commission

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

August 23, 2022

Gerald Johnston
Planning Commission
21 Main Street
Warrenton, VA 20186

Dear Mr. Johnston:

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These systems draw mind-boggling amounts of power and water in order to operate and will deplete the critical resources available to Fauquier residents. It will also lead to higher energy costs due to supply and demand issues, and possible energy rationing in the future. Skeptical about future energy rationing? Berkeley County, SC gave so much water to the Google data center there that they asked the local public utility, Mount Pleasant Waterworks *“to reduce its withdrawal from the aquifer by 57% over the next four years”* [1a]—in other words—less water for the taxpaying residents of Berkeley County.

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AWS has an poor environmental record and has been rated *“the worst environmental performer of the big three.”* [3a] ,” critics continued to berate the company for its power mix, in particular for its data centers in Virginia, *aka the Dirty North-East.”* [2c]

Also, data centers offer no benefits to Fauquier residents, employing at most 10 people to operate a data center. Data centers are unsightly, unhealthy, a drain on our resources, and will destroy the beloved character of our town. Any tax revenues collected from AWS will not lead to citizens getting lower electric or water bills or reduced taxes—it will most likely be allocated toward future development projects benefiting the very few and costing the tax-paying residents dearly.

We have also been told that the town is planning to annex around 1,700 additional acres into the town, which may indicate future plans to add more data centers in our community.



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We have so many other questions, for example—Did AWS receive any tax incentives for this project? How is any waste water from this project going to be handled? Has a health assessment been done to assure residents that long-term exposure to low frequency EMF emissions will not harm their families’ health? [4a].

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Sincerely,
Eric and Christina Gagnon

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1. (abc) Rich Miller, “Power Struggles at Amazon Web Services - Technology and Operations Management,” (Technology and Operations Management, Nov 4 2016), <https://digital.hbs.edu/platform-rctom/submission/power-struggles-at-amazon-web-services/>
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Brittany Latack

From: Christina Gagnon <chris@jumpcode.com>
Sent: Tuesday, August 23, 2022 3:10 PM
To: Planning Department
Subject: ATTN: Steve Ainsworth, Planning Commission

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

August 23, 2022

Steve Ainsworth
Planning Commission
21 Main Street
Warrenton, VA 20186

Dear Mr. Ainsworth:

As residents of the community you serve in Warrenton, we are writing to strongly oppose the construction of the Amazon Web Services (AWS) data center on Blackwell road.

The citizens of Fauquier county have not been adequately informed about what is happening to our town, and what the ramifications are of having an AWS data center along with the required 110-foot-tall high-voltage power line running through our community will be.

These systems draw mind-boggling amounts of power and water in order to operate and will deplete the critical resources available to Fauquier residents. It will also lead to higher energy costs due to supply and demand issues, and possible energy rationing in the future. Skeptical about future energy rationing? Berkeley County, SC gave so much water to the Google data center there that they asked the local public utility, Mount Pleasant Waterworks *“to reduce its withdrawal from the aquifer by 57% over the next four years”*[1a]—in other words—less water for the taxpaying residents of Berkeley County.

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Sincerely,
Eric and Christina Gagnon

[REDACTED]

[REDACTED]

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Brittany Latack

From: Christina Gagnon [REDACTED]
Sent: Tuesday, August 23, 2022 3:07 PM
To: Planning Department
Subject: ATTN: James Lawrence, Vice Chair, Planning Commission

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

August 23, 2022

James Lawrence
Vice Chair Planning Commission
21 Main Street
Warrenton, VA 20186

Dear Ms. Helander:

As residents of the community you serve in Warrenton, we are writing to strongly oppose the construction of the Amazon Web Services (AWS) data center on Blackwell road.

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Brittany Latack

From: Christina Gagnon <chris@jumpcode.com>
Sent: Tuesday, August 23, 2022 3:03 PM
To: Planning Department
Subject: ATTN: Susan Rae Helander, Chair Warenton Planning Commission

Follow Up Flag: Follow up
Flag Status: Flagged

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

August 23, 2022

Susan Rae Helander
Chair, Planning Commission
21 Main Street
Warrenton, VA 20186

Dear Ms. Helander:

As residents of the community you serve in Warrenton, we are writing to strongly oppose the construction of the Amazon Web Services (AWS) data center on Blackwell road.

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Brittany Latack

From: Kevin Ramundo [REDACTED]
Sent: Tuesday, August 23, 2022 1:25 PM
To: Planning Department; Denise Harris; townmanager
Cc: Carter Nevill; Renard Carlos; Sean Polster; Heather Sutphin; William Semple; Brett Hamby; James Hartman; Kevin Carter
Subject: CFFC Message On Amazon
Attachments: PC Aug. 23, 2022.docx

Follow Up Flag: Follow up
Flag Status: Flagged

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Good Afternoon,

Thank you for your time in reviewing the attached message.

Kevin Ramundo
President, Citizens for Fauquier County



August 23, 2022

Dear Planning Commissioners and Ms. Harris:

Citizens for Fauquier County is pleased that the second work session on the Amazon data center application has been deferred since there are significant omissions that prevent the Planning Commission from evaluating the application properly. At your July 26 work session, the omissions you identified included:

Noise Abatement Study -- Noise level and sound distance travel are highly impactful considerations when assessing a SUP. During questioning of the noise attributed to the multiple outdoor diesel generators during their bi-monthly test runs, Amazon's attorney stated he has the related numbers, but he didn't bring them with him to the work session. The PC rightly requested the actual noise abatement study;

Balloon test -- Visibility and appearance are also central concerns relative to a SUP;

Site visit of the property -- This will be very useful to the commissioners;

Site visit at an exemplar data center -- This will be especially useful to the commissioners. CFFC concurs that the noise levels generated by the rooftop air chillers and diesel generators in regular testing mode at a similarly-sized data center are imperative for the Planning Commission to experience directly;

Amazon's electrical use demand, and analyses of its **impact** on the town's electrical infrastructure -- Amazon's attorney says he is unaware of the power needs and supply of Amazon and Dominion, *but certainly Amazon is aware, and its failure to provide this information prevents a proper evaluation of the impact of the data center use.* If Amazon is exaggerating its power needs, or Dominion is proposing a power supply that exceeds Amazon's power demands, then the data center may also be providing a pretext to service regional needs or other data centers. This is information that the town, and the citizens of Fauquier County, deserve to know;

Amazon's water demand, and an analysis of its **impact** on the Town's public works infrastructure -- Amazon's attorney represented during the work session that data center water use will be 1500 gallons a day, which would indicate that a study has been conducted. The study, not an Applicant's or its attorney's interpretation of a study, is required with the SUP application. CFFC requests that an analysis of the **sewer usage and impact** be required as well; and;



Revised line of sight visual slide presentation -- Despite apparently having reviewed the line of site exhibit with town staff in a December 2021 pre-application meeting, at the work session Amazon presented line of sight slides from the street level along Lee Highway, which placed the top of the 37-foot high data center building into the bank of the subject property. Planning Commission questioning revealed that both the elevation for the site, 50+ feet, and the additional 12 feet for the rooftop air chillers, were omitted from the visual presentation. The PC rightly requested a revised, accurate line of site illustration.

In addition to addressing these omissions, CFFC respectfully requests:

Amazon be required to provide the geotechnical study, which indicates that **blasting** may be required for removal of weathered or intact rock (Resubmission, page 5). In a telling contrast, the issue of blasting was a significant concern in the coincidental Harris Teeter gas station application, yet blasting at the Amazon site received no mention in the List of application considerations provided to the Planning Commission on July 26, 2022.

Confirmation of the completeness of agency comments, both with regard to comments that may still be needed, such as from DEQ, and those that may have been submitted, such as from VDOT. According to FOIA'd documents, VDOT was providing comments that may raise an access configuration concern, and indeed, two VDOT representatives appear to have participated in a Post Comment Review Meeting on June 23, 2022, along with seven (7) Town Staff members, eight (8) Amazon representatives, Amazon's attorneys and others, *yet no VDOT Comments, or Applicant's Reply to VDOT Comments, have been provided* pursuant to our requests for the Application materials, nor were they included with the materials attached to the PC's work session Agenda.

CFFC has created a task force to study this Application and the related project, and members of that group have spent hundreds of hours understanding the Amazon data center situation and are available to provide information that may be helpful to you in your critical work here on behalf of the community. A large part of our organization's mission is engaging with land use projects that may be incompatible with our towns, villages and the county, and that threaten to change our community character, and we believe that Amazon's data center and the affiliated substation and transmission lines, *at this location*, are exactly the type of incompatible development that would change Warrenton's small-town nature forever.

We thank you for your service, time and continued attention to detail as you consider this very significant application.

Respectfully submitted,
Kevin Ramundo
President, Citizens for Fauquier County

CC: Warrenton Town Council Members

Brittany Latack

From: Regan Washer [REDACTED]
Sent: Tuesday, August 23, 2022 11:55 AM
To: citizencomment
Subject: Data center/Dominion lines

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

We need to band together and STOP this. Our county is ripe for the picking in the eyes of these data center giants. Once we allow this project, the flood gates will open and our county will rapidly turn into PWC or Loudon. Please put a stop to this.

Regan Washer
[REDACTED]

Brittany Latack

From: Charles Grammick [REDACTED]
Sent: Thursday, August 25, 2022 2:34 PM
To: Planning Department
Subject: Amazon and Power Lines

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Dear Ms. Helander, Mr. Lawrence, Mr. Ainsworth, Mr. Johnston, Mr. Stewart, and Mr. Zarabi:

First of all, we would like to thank you all for working so diligently for our most charming and lovely town and community. Between the two of us, we have lived in New York City; Yonkers, Latham, and Long Island, New York; Boonton, NJ; Arlington, Vienna and Nokesville, VA; and Jacksonville, FL., and Laredo, TX, and we can honestly say that this is one of the most beautiful places to live in the United States. It is with great pride that we tell people that we live in Warrenton in Fauquier County. We along, with thousands of others love its rolling hills, its unique beauty, its quiet, its serenity.

You are all tasked with the unenviable and most onerous task of deciding on the Amazon Special Use Permit and the ensuing Dominion "Debate." We ask that you all please, please carefully consider how this one decision can and will affect the future of our beautiful piece of heaven forever and for many generations to come.

Technology is an amazing thing, and we love the conveniences it affords us. There is no turning back from using technology and that's the frightening thing about it. If the decision is made to allow Amazon to build their data center and then the transmission towers, it will irrevocably change our community. There will be no turning back, that is a certainty. What will happen when, with the speed at which technology changes, newer, and most likely much smaller ways of storing data are invented? What will happen to the data center(s) and huge, ugly monstrous transmission towers that will march across and blight this land? What about the health effects of the electromagnetic energy fields? Cancer? Birth defects? What about the constant hum and noise? What about the lights and the overall eyesore? What if public water is contaminated? There are just too many "ifs" not to mention the many lives it will definitely financially ruin if the towers are to be built on their land.

We ask you one question do you want this to be your legacy?

We apologize for making this letter so long, but we did want to include something we had previously written about our little neighborhood in New Baltimore:

RE: Overhead Transmissions Line through Glenambler Neighborhood, Ambler Drive, Warrenton, VA 20187

We are very much against any overhead power lines in Fauquier County, especially Option 2, Overhead Route 2. This line would completely devastate and ruin our neighborhood, an absolutely gorgeous gem of land on Baldwin Ridge. The views from our deck offer a spectacular eastern vista of Vint Hill, Bristow, Gainesville, Haymarket, Nokesville, Manassas and beyond. On a clear day, you can even see Dulles Airport. The fireworks display on July 4th are a sight to behold. To ruin and destroy this land with 110' tall power lines would devastate the natural beauty of this land. Below are just three examples of property that will be greatly affected.

Edith Hagedorn, 5209 Ambler Drive, will have her property split in half. She is the widow of LCDR Edwin Hagedorn who served in the United States Navy for nearly 30 years and was Commanding Officer of the USS Iredell County (1966-1968)

and the USS Lorain County (1970-1972). Her property value will plummet drastically. She has children, grandchildren and great grandchildren.

Charles Grammick, Jr., 5290 Ambler Drive, 1st Lieutenant United States Airforce, was a pilot who flew C130s during the Vietnam War. He bravely served his country for years and it wasn't to have his property and golden years ruined like this. We bought this property as part of our retirement. This particular route will cut through the northeastern end of our 10 acres. These power lines would cause our family to lose tremendous value in our home and everything we have worked for as our retirement and our children's and grandchildren's inheritance will be decimated. The power lines will be in sight at all times.

Larry Peccatellio, 5298 Ambler Drive, purchased his property over 40 years ago. He was a football coach for over thirty years and was a former Defensive Coordinator for the (then named) Washington Redskins from 1981-1993 under the legendary football Coach, Joe Gibbs. Larry has been in four Hall of Fames. He also coached the Houston Oilers, Seattle Seahawks, Cincinnati Bengals and Detroit Lions. He owned houses in all those places and could have chosen to retire anywhere, but he chose to come back to bucolic, serene and absolutely beautiful Fauquier County. His property would also be greatly impacted.

Per a WebEx seminar we attended on 6/15, a Dominion Power representative stated that studies have shown that power lines DO NOT affect property values. We find this particularly difficult to believe as our research points to the exact opposite. To even state that there will be no effect is insulting. To think that Dominion Power can just come in and build 110' tall towers literally through our neighborhood and backyard is simply egregious and wrong. Please note that we will fight this to the very end as will all our neighbors. We will never give up and we will never give in. We will not let this happen.

We ask you, would anyone of you want these towers to be built on your land, your property, your neighborhood? If the decision is made to go through with the Amazon proposal, all transmission lines should be put underground. Period.

Respectfully,

Charles and Meryem Grammick

Sent from [Mail](#) for Windows

Brittany Latack

From: Redmond Manierre [REDACTED]
Sent: Saturday, August 27, 2022 3:26 PM
To: citizencomment
Subject: Amazon/Dominion

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

PLEASE do not approve the Amazon/Dominion. That would be the end of the Fauquier that we all love. DON'T APPROVE IT!!!

Sent from my iPhone

Brittany Latack

From: Elaine Shea [REDACTED]
Sent: Saturday, August 27, 2022 3:29 PM
To: Planning Department
Subject: Data Support

Follow Up Flag: Follow up
Flag Status: Flagged

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Please add our names to those who oppose: Amazon's data center in Warrenton; towering electrical power lines across the county; Warrenton's desire to acquire 1,700 acres of county land for development; and encroachment of utility-scale solar facilities onto agricultural lands.

Best Regards.

Elaine Shea

Daniel Blymyer
[REDACTED]

Sent from my iPhone

Brittany Latack

From: [REDACTED]
Sent: Tuesday, August 30, 2022 9:38 AM
To: Planning Department; splante.btp@gmail.com
Subject: overhead transmission lines in Warrenton

Follow Up Flag: Follow up
Flag Status: Flagged

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Please [REDACTED]
don't build overhead transmission lines which will ruin the landscape and charm of the town.

Barbara Plante
[REDACTED]

Brittany Latack

From: Stephen Plante [REDACTED]
Sent: Tuesday, August 30, 2022 9:47 AM
To: citizencomment
Subject: Dominion Plans to Build Overhead Transmission Lines in Warrenton VA

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Please do not allow the building of overhead transmission lines in our beautiful town of Warrenton!

Steve Plante
[REDACTED]

Brittany Latack

From: David Winn [REDACTED]
Sent: Wednesday, August 31, 2022 2:54 PM
To: Renard Carlos; William Semple; Heather Sutphin; Sean Polster; Brett Hamby; James Hartman; Carter Nevill
Cc: Planning Department
Subject: Amazon SUP and noise nuisance
Attachments: noise article.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Dear Town Council Members, Mayor, and Planning Commission,

Please see the attached article above.

I live near the Warrenton Training Facility (WTF) on Bear Wallow Road, and have been disturbed by the noise coming from the two data center buildings built there in 2015. The Federal Government is in the process adding two more buildings at this facility.

My wife and I can no longer sleep with our windows open since this installation was completed due to the noise coming from it even though it is over a mile from my house, and the distance between it and me is fully forested.

Having spent thousands of dollars on an outdoor patio and entertainment area backing to once quiet woods, we are disturbed by the noise coming from the Amazon data center at the WTF. My neighbors are also disturbed by the noise. It is especially annoying at night up until dawn, as that is when the noise is most notable.

When the Army Corps of Engineers announced they would be adding two more data buildings to the WTF, I reviewed the Corps sound and environmental studies provided the public. These studies were totally inadequate, comparing the noise to a single, residential AC unit. Data Centers employ between 4 and 8 dozen industrial sized AC units, all running simultaneously. Often, the noise studies concentrate on the diesel generator noise, which is a misdirection, since these are rarely used in power outages and periodically for short periods for testing, etc.

The applicant needs to provide a comprehensive sound study, as well as a detailed description of the air-conditioning units, number, placement, and sound emitted over the full range of use, including all units.

As someone who was a member of a town planning commission in my early years in college, and as one who graduated with a degree in Real Estate and Urban Development from GMU, including land planning, and has spent nearly 40 years in the work related to the development industry, I was disheartened to learn that the Planning Commission recommended, and the Town Council approved, the SUP allowing data centers in the I zone. The Town simply does not possess any space within its limits for such industrial applications. The chosen site is a prominent, hilltop, "Gateway" site to the Town. It is also anathema to the recently adopted Comprehensive Land Use Plan. After more than five decades of preservation and protection by this community, this PC and Council did a grave disservice to the Town of Warrenton that will forevermore stain the community.

I plan on working tirelessly to alert and inform the town citizens on this matter.

Dave Winn
Warrenton, VA

Manassas neighborhood battles noise from data centers

By Ji Paermo/Prince William Times Staff Writer
Aug 24, 2022



Da e Browne, president of the Great Oak homeowners’ association, has been pead ng w th Amazon Web Serv ces and Prince William County offic a s to do someth ng about the annoy ng buzz emanat ng from four data centers bu t next to h s ne ghborhood near Manassas
ho o by Doug S roud

- Other data center-related stories
- 3 groups that oppose Amazon data center hold public meeting to bolster support
- Prince William could steal Loudoun’s title of Data Center Alley. But land use battles are raging.
- Prince William planning commission greenlights Devlin Technology Park, a plan to bring 7 to 11 new data centers to Bristow
- Haymarket transmission line route decision has parallels in Fauquier
- Dominion plans new infrastructure in and around Warrenton, seeks public input
- Data center dread spreads to Nokesville

Some say it sounds like a low roar combined with a tinny, high pitched whirl. Others say it’s like sitting beside a fan that never stops spinning. However they describe it, residents of Great Oak, a subdivision of 291 homes outside Manassas, say they’ve had enough of the annoying and constant buzz emanating from four Amazon Web Service data centers recently constructed between Prince William Parkway and Godwin Drive.

Lori Haskell and her husband moved to Great Oak from New Hampshire three years ago without any idea that they’d soon be living beside data centers. Their first clue came in 2020 when loud explosions that seemingly came out of nowhere repeatedly shook the ground beneath their home, leaving cracks in their foundation, patio and even in an interior wall.

“My husband called me one day at work and said, ‘I don’t know what’s happening, but the house just shook,’” she recalled. “And this went on and on and on.”

Haskell said she finally called the fire department and found out the blasting was the result of the Amazon data centers being built next door. The construction required blasting to break through hard rock beneath the soil. Now that the building is complete, Haskell said, they are left with something almost as bad: the constant noise.

Public transmission line meeting leaves some participants feeling unheard, frustrated

Amazon data center could bring in \$3 million in annual taxes for county, town

Amazon Web Services proposes 1,000 foot long data center in Warrenton

“If I’m outside, it’s a constant humming. It sounds like I’m next to a highway,” she said. “I wish it wasn’t brought to my attention because now it’s driving me crazy.”

“It’s like sitting next to a huge blowing fan,” said John Biess, who lives about a block away from the Haskells on Winged Elm Circle. “And you can hear a buzzing whir; like there’s a separate, smaller fan as well. It’s a lower pitch and a higher pitch.”

Biess and his wife, Gloria Capriotti, have lived in their home for 30 years and have put a lot of work into their lawn and gardens, even installing a few koi ponds. But they say they no longer spend much time outside.

“Going outside isn’t pleasant. ... It can’t be enjoyed at all,” Biess said. “The only escape I have is if I have the TV turned up.”

Capriotti said the noise has left her feeling stressed out and constantly on edge.

“My personality has changed. I have become a snapping turtle with my husband,” she said. “Noise does that to human beings. ... What’s upsetting is that there’s no escape from this noise. I can’t imagine spending my remaining years listening to this dreadful noise. We feel victimized.”

Dale Browne, the president of the Great Oak Homeowners Association, is a U.S. Navy submarine veteran and retired computer science engineer of 40 years who has helped oversee the construction of data centers in his professional career. He said he had no idea the data centers were being built so close to his neighborhood until he heard the blasting two years ago. Complaints about the noise started in April.

At first, Browne said, he couldn’t hear the noise from his own home, which is also on Winged Elm Circle but further away from the data centers. When he drove closer to the neighborhood’s entrance on Godwin Drive, where the homes are only about 600 feet from the Amazon buildings, he heard it loud and clear.

“When I came over to hear it, I was alarmed,” he said.

Browne describes the sound as a mechanical buzz of a varying pitch on top of a low roar. The neighborhood is close to other sources of noise, including traffic on Prince William Parkway and the Manassas Airport. But the data center noise is different, Browne said.

“This is just a constant thing, and it’s at an annoying frequency,” he said. “People say it’s irritating. ... People say it bothers them physically.” Once you hear it, he adds: “You can’t unhear it.”

Amazon: Data center noise below county limits

Browne says he and his neighbors were initially nervous about going public with their data center noise woes. They are concerned about their home values and hoped they could work quietly with Prince William County and Amazon officials to rectify the problem. But after waiting two months for the first meeting, Browne shared his concerns during citizens' time at a Prince William Board of County Supervisors meeting in July.

Since then, Prince William Board of County Supervisors Chair Ann Wheeler, D At Large, has asked county staff to look into possible changes to the county's noise ordinance. For residential areas, the county's ordinance limits noise to 60 decibels during the daytime (defined as 7 a.m. to 10 p.m. on weekdays, and 9 a.m. to 10 p.m. on weekends and holidays) and to 55 decibels at night. In industrial areas, however, noise of up to 79 decibels is allowed in the daytime and up to 72 decibels at night.

Here's what that means in common terms: A "normal conversation" generally registers at about 60 decibels, while sound from a washing machine or a dishwasher is about 70 decibels. A reading of 79 decibels is akin to the sound of a gas powered lawn mower, which can register up to 85 decibels. Anything over 70 decibels is generally annoying, and anything over 80 can cause hearing loss, according to the U.S. Centers for Disease Control and Prevention.

Small differences in decibel readings can mean big differences in the intensity of sound, however. Perceived sound about doubles with every three additional decibel points.

Although Great Oak abuts an industrial area, the county's residential noise limits apply. But the county's noise ordinance exempts air conditioning units from having to meet the lower nighttime limit. That's an issue because the Great Oak residents say the bothersome noise is coming from the data centers' cooling fans, which they say are situated behind louvered openings at the top of the buildings, which both circulate air to cool the computer servers and emit the noise.

"Data center cooling equipment is significantly larger and louder than residential human comfort systems," Browne said. "Removing industrial AC from the Prince William County ordinance exemption is a three word change."

Still more challenging for the residents, however, is that Amazon conducted a 48 hour sound study at Great Oak last month that showed that the average noise level detected from the data centers was within the county's noise limits for residential areas. Amazon shared those results with the residents during their last meeting on Aug. 5, Browne said.

The study computed an “average” sound level based on measurements taken at 15 minute intervals in three areas of Great Oak. The noise measured the highest where homes are closest to the data center buildings about 600 feet away. The average measures were 59.1 decibels during the day and 52.3 decibels at night, both of which are below the county’s limits.

Browne detailed the results in notes he shared with *The Prince William Times*. Amazon declined to answer specific questions about the sound study but released a statement saying, in part: “We engage our neighbors to invite their feedback, and recently participated in meetings with the local community where we relayed findings of a third party study confirming we are operating below local noise limits.”

An Amazon spokesperson, who declined to be named, wouldn’t say what is causing the noise at the data centers or how many of the four data center buildings it is constructing next to Great Oak are fully operational. The statement, however, said: “AWS is committed to being a good member of the community, so we design and engineer our data centers to minimize the impact on our neighbors and the environment.”

News of the sound study frustrated Great Oak residents who say they never saw sound monitoring equipment in the neighborhood and doubt the study was ever conducted. Instead, they point to a May 16 Prince William Police Department sound reading that measured the data center hum at 60.1 decibels from a resident’s yard. That measure is more than 5 decibels above the county’s nighttime limit.

Browne notes that the county ordinance pertains to instantaneous noise. “Using averages hides the issue,” he said.

The noise has been even worse in recent days, Browne said. On Friday, Aug. 12, a resident whose home is close to the Amazon campus measured the noise on his deck after 10 p.m. at 72 decibels, which Browne relayed to both Amazon and county officials in a heated email.

“That is 17 [decibels] OVER the [county’s] nighttime ordinance level and is ABSOLUTELY INTOLERABLE (Yes, ALL CAPS IS SCREAMING!),” he wrote. “For your reference, 72 [decibels] is like standing in the median strip of I 66 or almost as bad as a hair dryer 1 foot from your ear.”

Again, the resident reported the noise to police, Browne said.

Since the Aug. 5 meeting, Browne is trying to get a written report of the sound study as well as a meeting with Amazon engineers to better understand what is making the noise and how it can be attenuated. Browne says he’s frustrated with both Amazon and the county for not acting more quickly to address

the noise. He wants Amazon to erect a barrier around the tops of the data centers to block the noise, and he wants county officials to amend the noise ordinance to regulate air conditioning noise from commercial facilities at the very least.

“What I want is for my neighbors to enjoy the peace they had before,” Browne said. “For 30 years, we had a neighborhood where you could sit on your back deck and enjoy your coffee. That has been taken away from us.”

Regarding the noise ordinance, Deputy County Executive and acting Planning Director Rebecca Horner said Tuesday that the county attorney is still researching what the county can regulate in terms of noise. It’s possible, she said, that the supervisors might have to pursue a new state law to allow them to specifically regulate data center noise.

“Once we know what we’re enabled to do, we will address the noise issue,” she said, noting that she hopes to have more answers by the time the county board meets again in September.

Wheeler did not answer an email seeking comment.

Predicting future data center noise

Data centers have become a source of major controversy in Prince William County within the last year, mostly in response to a much bigger data center complex proposed near the Manassas National Battlefield Park. That project, known as the Prince William Digital Gateway, aims to open about 2,100 acres in the county’s protected “rural crescent” to up to a maximum 27.6 million square feet of data centers enough to fill dozens of individual data center buildings, according to some calculations. (The actual number of buildings the proposal would allow, if approved, has not yet been publicly discussed.)

The Amazon data center complex behind Great Oak has four buildings, and four more are planned for an adjacent 62 acres also owned by a data center developer, according to county records.

The data centers behind Great Oak were approved by the previous board of county supervisors in October 2017. The rezoning application and resolution approving the data centers say nothing about noise. The approval was not controversial at the time.

For those who oppose the PW Digital Gateway as well as the general creep of data centers closer to residential areas the Great Oak noise complaints are a kind of canary in the coal mine.

The county currently has 38 operating data center buildings, but the Amazon data centers near Great Oak are some of the closest to existing homes. If the county approves the Devlin Technology Park, dozens of homes near Linton Hall and Devlin roads will also end up with data centers nearby. Data centers already underway in Gainesville along I 66 could also impact residential areas and schools.

John Lyver IV, a retired NASA nuclear safety program manager who has a doctorate degree in computational data science and informatics, has used sound measurements from Great Oak to estimate the noise levels that could be endured by several residential neighborhoods and public and private schools around the county in the near future if planned data centers come online.

According to his analysis, which he recently shared with county officials, Great Oak homes could see noise levels rise to the high 60s in decibel range when all eight planned data centers are operational. Likewise, areas around Gainesville, including his own subdivision, Heritage Hunt, could see noise levels in the high 60s and low 70s range by 2040, if the PW Digital Gateway is approved, he says.

Lyver's analysis also notes that 20 public and private schools are less than a half mile from planned data centers, and at least six of them Bristow Run, Chris Yung and Piney Branch elementary schools; Gainesville Middle School; Gainesville High School and Pace West could face data center noise in the mid to high 70 decibels in the coming years. Lyver's analysis has not been independently verified.

"Noise is a medical issue," Lyver said when asked about his analysis. "Noise causes a lot of stress related illnesses. ... The county is knowingly putting these residents at risk by approving all of these data centers without putting noise restrictions on them."

Reach Jill Palermo at jpalermo@fauquier.com

Brittany Latack

From: Lily Fredrickson [REDACTED]
Sent: Thursday, September 1, 2022 9:23 AM
To: citizencomment
Subject: Please Say NO to the Data Center Proposal

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

I just received the notice to join the town hall forum on August 10, 2022 concerning Amazon and Dominion wanting to build a data center on Blackwell Rd. My family lost a family member out of state on the ninth, and were thus unable to attend the meeting.

However, it is entirely important to us that you deny the special use permit that Amazon has requested to build their data center. We are not comfortable with the loss of property value that this would impose on us being first time home buyers in the area.

Thank you for your time and attention.

Best,
Karl and Lilian Fredrickson

Brittany Latack

From: [REDACTED]
Sent: Thursday, September 1, 2022 9:46 AM
To: citizencomment
Subject: Stop the Towers

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

As a citizen of Warrenton, since 2005, living in old town has been a source of pride and we are under restrictions as to how we maintain the town and our homes. We are happy to keep our town looking as lovely as it is now. Now some want the gateway to Warrenton marred with the large ugly Towers that will be the first thing seen as you come into town. Bury them, literally!
If passed, this is just an OK to add more ugliness to the place we all call home. Rural, Agricultural Fauquier County.

Please do not vote for this ugly addition to our Town.

Sincerely,
Mr. & Mrs. John Mullikin

[REDACTED]

Brittany Latack

From: Mary Judkins [REDACTED]
Sent: Thursday, September 8, 2022 9:50 PM
To: citizencomment
Subject: Special use permit for Dominion Energy regarding the proposed Amazon Data Center

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

I started coming to Warrenton in the mid fifties for my horse events. We were living in old town Alexandria but I'm originally from Kentucky and even at that young age I was struck by how much it reminded me of the small Kentucky towns we would visit. And then later on in my many travels to Charlottesville I was happy to see it still had that same quality.

When I moved to Hume in 2001 again I had that same feeling so that when I left the country life, moving into town was a natural progression.

There are many ways to keep up with the world's changes but it doesn't mean that we should negate the good things that we had. There are many studies on how the environment affects our brains, beauty is one of the good things. Why would we want to look at giant electric towers at our town's entrance, not to mention the additional noise the data center generators will create that would impact the surrounding areas. We have enough noise.

I have no objections to mixed use development as long as there is intelligent foresight, but this particular project is not the way to go for our charming town. Let us not make Warrenton Northern Virginia. Please vote down the special use permit requested by Dominion Energy.

Mary Judkins
[REDACTED]

Brittany Latack

From: [REDACTED]
Sent: Thursday, September 8, 2022 8:54 AM
To: powerline@domionenergy.com
Cc: citizencomment; DelMWeber@house.virginia.gov; DelEGuzman@house.virginia.gov; jillvogel@senate27.gov
Subject: Amazon Data Center in Warrenton

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

According to several travel publications, Warrenton is said to be one of the 10 most beautiful small towns in Virginia.

I would like to voice that I am against the construction of an Amazon Data Center in Warrenton, Va. I most certainly oppose the unsightly 230-kV transmission lines to be constructed by Dominion Energy which sole purpose is to power the proposed substation at the data center.

I urge the Warrenton Town Council members not to approve a data center in Warrenton.

Michelle Umbrell
Concerned Resident of Warrenton, Va

Sent from my iPad

several attorneys, small business owners and others. We have no staff other than a part-time comms person.

We established an Amazon Task Force earlier this year and have spent many hundreds of hours understanding the zoning ordinance text amendment, Amazon's special use permit, applicable zoning, other requirements and related town activities. We have also studied what has happened in Loudoun and Prince William regarding data centers, spoken with a data center industry expert, and analyzed hundreds of pages of information the town has provided.

Two particular concerns I would like to highlight tonight are the **noise and vibration** expected from the proposed data center, and its **viewshed impacts** using two charts I will leave with you. The first concludes that there are 657 homes and businesses that would be directly impacted by noise from the data center. The second shows the many areas of the town, shaded in orange, from where one would be able to see the data center. CFFC has also submitted two detailed documents to the town's planning commission expressing concerns about the data center.

CFFC would like to share our work at a Town Council work session on the project. We hope you'll agree on behalf of the citizens we represent and the commitment we share with you to the prosperity and special qualities that make Warrenton the unique place it is.

**There are 657 Homes and Businesses within
2,500 feet of the Proposed AWS Data Center...**

...



WARRENTON TOWN COUNCIL

September 13, 2022

Good-evening Mayor, Council Members, community members. My name is Josephine Gilbert and I live in the Scott District.

For the benefit of our newly appointed Town Manager, Mr. Martino, I thought it would be a good idea to give a quick synopsis on the continuous Black Lives Matter protest on Saturday mornings at 10am at the Courthouse Square.

This divisive group started occupying this space in June 2020. It would be for a short period due to George Floyd event in Minneapolis. A few months later they said they would not stop.

I came upon them in June 2021 and found only one patriot standing among BLM with an ALL Lives Matter flag. My husband Scott and I and 2 other folks showed up the following week making the point Warrenton is not racist and All Lives Matter. Approximately 5-10 people consistently have shown up since then. The Piedmont Dispute Resolution Center coordinated 2 separate meetings with both sides to find common ground and open the line of communication. Mr. Scott Christian, on the second meeting, declared the group met and were not willing to change their signs or large posters of black individuals shot by police officers.

On August 8, I received a call from Chief Kochis that we were violating the newly approved ordinance by flying large flags. On Saturday, August 13th, I presented the chief a copy of the ordinance. There's no mention of flags. However, there is a prohibition of dogs and signs larger than 2x3 feet. When I pointed this out to the chief, he would not enforce the ordinance. When I questioned his decision, he said it was not a safety issue, he had discretion.

On August 18th I receive an email from the Chief with an attached Public Safety Plan referencing the newly approved Ordinance and collaboration with County Attorney covering County properties.

Two weeks ago, my husband was cited for having a large flag, not being attached to a table. If he did not comply, he would be taken in front of a magistrate, 3 day weekend. Imagine taken in front of a judge for carrying an ALL Lives Matter flag.

The Saturday morning event is a DNC get out the vote operation/campaign. They were handing out Wexton signs, create a new group called FUSE to go after Moms for Liberty, They have a website, six organizations supporting them and Scott Christian as their leader/organizer. You're providing the space, public safety expenses and undeclared support. In addition, Town and County attorney's collaboration. This legitimizes what they currently have, a large banner on a table, and adds the use of a bullhorn. Your collaboration gives them the ability to spread their divisive rhetoric and, additional legitimacy when the headlines are screaming Fraud and Corruption. This is an "In kind donation".

I've contacted Mr. Martino and I await his response. Thank you

PROPOSED AMAZON DATA CENTER EXPANDED PUBLIC COMMENT

by Calvin W. Hickey

Good evening.

I am Calvin Hickey. Kathy and I reside at 183 North View Circle, Warrenton.

Let me state categorically that I am not opposed to either Amazon or data centers. We have been longstanding members of Amazon Prime, a service that made our lives substantially less difficult during the recent isolation necessitated by the coronavirus pandemic. Nor am I opposed to the creation of data centers; they are an inescapable necessity in our increasingly information-dependent modern lives.

Nevertheless, I am adamantly opposed to the construction of the proposed Amazon data center adjacent to Blackwell Road; north of the intersection with Business Route 29 and Country Chevrolet.

I am in complete agreement with all of the environmental, aesthetic and human-physiological impacts cited in arguments in opposition to this proposed project.

However, I am confident others will fully address those impacts this evening. Instead, I will cite two specific personal experiences that form the basis of my strenuous objection. In doing so I hope to deliver a cautionary admonition.

I am retired from nearly 40 years of service to the United States. Including a 30-year career as an officer in the active and reserve components of the U.S. Air Force, much of which was pursued concurrently with 21-year career as a Department of Defense civil servant.

The first cautionary experience dates back to an active duty assignment in the mid-1970s. I was stationed at Malmstrom Air Force Base, in Great Falls, Montana, as a Combat Crew Commander in the Minuteman intercontinental ballistic missile system. That assignment involved spending 40-hour alert shifts in a hardened launch control center, 150 feet underground. A Minuteman launch control center is a confined space of less than 400 square feet, much of which is occupied by electronic equipment racks, sitting atop a backup electrical motor-generator set that ensures constant 60- and 400-cycle AC power to the system electronics in the event of loss of topside power supply. The motor-generator set runs continually, filling the launch control center with a constant whine from the 60- and 400-cycle alternators. Although the sound level is not loud, it does register in the range of 60-65 decibels, slightly louder than the level of normal conversation. As the result of two years exposure to this sound I developed moderate to severe tinnitus. It is important to note that it was predominantly the constant exposure to the sound of the motor-generator set rather than the level of the sound that caused my tinnitus. And I must note that the overwhelming proportion of individuals serving in this capacity develop this hearing disorder.

My tinnitus is a constant ringing in my ears. It is the first thing I hear when I awake in the morning and it is the last thing I hear before I fall asleep at night. It accompanies me all the time, wherever I go, and it always prevails over the level of any other sounds in my environment. In some situations it rises to the point of causing physical discomfort. It significantly complicates my life. Not because I can't hear, but because I can't hear clearly. I am always embarrassed asking people to speak more clearly. Instead they often resort to speaking more loudly, which only further complicates matters. What I most regret is the impact tinnitus has on my relationship with Kathy and others who are the dearest people in my life.

Unfortunately, there is no effective medication for tinnitus. Nor can hearing aids address the problem. And, with advancing age, the condition worsens. The only option for people who suffer with tinnitus is to try to avoid triggering situations and to employ various management strategies, such as meditation.

I am advised that there are more than 650 residences and businesses in Ward 1 within audibly sensible range of the proposed data center. Based on my knowledge of such facilities I am confident they will likewise be bathed in a field of audio stimulus very similar to what I caused my tinnitus.

I was a member of the Minuteman crew force because I voluntarily took a commissioning oath that bound me to serve in whatever capacity my nation required. Whereas the people occupying the likely effected residences or businesses in Ward 1 have made no such voluntary commitment.

How many of these people have been advised of what awaits them and the potential health hazards?

Furthermore, shouldn't the overriding consideration in all decisions made by all officials at all levels of government be the safety and well being of their constituents?

My second cautionary experience stems from a recurring responsibility I had as both a senior Air Force officer and DoD civilian. My principal duty was to provide expert advice and counsel on specific critical intelligence dependencies of numerous weapon systems used by all branches of the US military. In repeated assignments over more than twenty years I provided this input to decision-making that affected weapon system programs totaling multiple tens of billions of taxpayer dollars.

This responsibility required me to strictly comply with Title 18 of the United States Code, Section 5 of the Code of Federal Regulations, DoD Directive 5500.07 and Presidential Executive Order 12674, "Principles of Ethical Conduct for Government Officers and Employees."

The exclusive purpose of these regulations is obtain and enforce greatest possible assurance that officials with authorities such as I wielded not only acted without conflicted interest, but even extended to the prohibition of any conduct might faintly convey the appearance of self-serving conflicted interest. Individuals who have violated these regulations have been tried, convicted, fined and, frequently, sentenced to terms of imprisonment in federal penitentiaries.

I served under a sacred trust. Thus every aspect of my professional and personal life was open to intense scrutiny. I was required to make all details of my personal and family finances a matter of official record; including to declare and divest myself of any knowing involvement in any financial dealings that might cause any real or seeming conflict of interest. In addition, I was required to undergo periodic polygraph interviews that probed all aspects of my life in deepest detail. This was done to ascertain whether I had violated any of these regulations, and/or had any past history of conduct that could expose me to coercion to act in violation of the trust my nation had placed in me.

But, every person who serves the public at any level of government, in any capacity, implicitly works under this same burden of sacred trust. Which gets to my final point of objection to this proposed project.

I am aware of recent reporting revealing a profound lack of transparency in the execution of this proposed data center project. This project has every telltale symptom of a deal "done in the dark." As such, it bears a profound stench of severely conflicted interests on the part of individuals I will not name, but whose identities are well known to anyone following this proposed data center project.

These two personal experiences more than warrant my adamant opposition to this project.

I am providing you this hard copy testimony to expand and elaborate in greater detail the public comments given before the Warrenton Town Council. Please enter them into the official record of this meeting.



Respectfully Submitted,
Calvin W. Hickey
Colonel, United States Air Force - Retired

Visibility of Proposed Amazon Data Center



- Town of Warrenton
- Property Lines
- Publicly Owned Land
- Conservation Easements
- Historic District
- Buildings
- Data Center Visibility*
 - High
 - Low

