

Citizen Written Comments
ZMA 2023-01 – WUMC/Heros Bridge
Planning Commission Public Hearing
October 15, 2024

Denise Harris

From: Don Bromley <dcb11653@gmail.com>
Sent: Thursday, September 19, 2024 3:55 PM
To: citizencomment
Cc: Carter Nevill; Paul Mooney; David McGuire; Heather Sutphin; William Semple; Brett Hamby; Eric Gagnon
Subject: Re: ZMA 20023-01 Warrenton United Methodist Church/Hero's Bridge

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Dear Planning Commission,

Thank you for taking the time to listen to both sides of this zoning change request. I liked the comments you made at the end of hearing.

I am intending to send a few further comments that I was going to bring to your attention that I was planning to say, but the comments made during the hearing change my plan somewhat. I will do this next week as I am out of town until then and don't have my laptop.

I did contact Molly Brooks as yet another idea came to me on a plan that might be acceptable to both sides. I need a little time to get my thoughts on paper in a clear presentable manner.

Best wishes
Don Bromley

On Mon, Sep 16, 2024 at 9:43 PM Don Bromley <dcb11653@gmail.com> wrote:
09/16/2024

To:
The Planning Commission of the Town of Warrenton

This note is in regard to the Proffer Statement Warrenton United Methodist Church/Hero's Bridge dated August 16, 2024 and references the Fauquier Now article 'Warrenton Planning Commission continues discussions, sets public hearing for Hero's Bridge project'.

I would like some clarification on the following as well as point out some vague or misleading information.

First this Proffer continually mentions the project being on +/-9.864 acres. I believe this is the entire church property. The Actual Hero's bridge project will only cover approximately 3.9 of these acres. With 22 buildings plus an additional office building shown on the property this is approximately 0.169 acres per building. About

1/6 acre per building. In early information provided the individual units were around 770 sq ft each, which is the size of a 'Tiny House'

Under Development And Use, Section 2. a. Residential. iv. This is changed from what was proposed of limited to US Military Veterans who actively served in the Vietnam, Korea and Second World wars to only veterans over 65.

The Fauquier Now article points out that limiting residents on the basis of military service could violate the Virginia Fair Housing Act, which "makes it illegal to discriminate in residential housing based on race, color, religion, national origin, sex, elderliness, familial status, disability, source of funds, sexual orientation, gender identity, or military status.

It also mentions Mr. Crim saying he would be researching whether a "preference for veteran status" breaches the Virginia Fair Housing Act. Has this been looked into? Does it meet the requirements?

For informational purposes only, as the Vietnam war ended in 1973, Korea treaty in 1953 and WWII in 1945 and assuming the soldiers were a minimum age of 17 at the end of the wars, the Veterans will be a minimum of the ages of 68 for Vietnam Vets, 88 for Korean War Vets and 96 for WWII Vets, meaning the residence for this property will likely only be Vietnam Vets if this was the case or it would need to be opened up to other veterans as well.

The Fauquier Now article points out that this raises concerns among commissioners about potential legal conflicts. Are there any?

Under the same Development And Use, Section 5. b. it states the Applicants "shall not be required to make the homes available first to persons residing in the Town of Warrenton or Fauquier County but shall be permitted to rent to qualifying under its rules and regulations developed for this purpose.

Questions: Wasn't this supposed to address the needs of lower income people in the Town of Warrenton or Fauquier County? This will not in this case.

Does this open the rentals to Veterans only nationwide?

Under Community Design, Section 6. Architecture, 3. Height: No new structure on the Property shall exceed 35 feet in height. The standard height of a one-story building is 15 feet. This suggests that there will be multi-level buildings on the property. The original information we were given says these will be single story residences. What is correct?

It has been noticed that the entire Water and Sewer and Stormwater Management sections has been crossed out. The flooding in this area during heavy storms has been a concern brought up by the neighborhood's residents to Hero's Bridge and the Church. Is there a plan for these?

There needs to be a solid plan in place before this project is approved as the flooding can be quite bad, especially in the area where this housing is proposed to be built.

Also I am unaware of there being sewer lines on Church Street. Ours run behind the houses.

Under Transportation Section 11. Phase II Pedestrian Improvements suggests that the sidewalk will only be on Church Street extending only to Sullivan Road. Is this adequate for something said to be a 'Walking Community'?

Regards,

Don Bromley

On Thu, Sep 12, 2024 at 1:00 PM Don Bromley <dcb11653@gmail.com> wrote:

09/12/2024

To:

The Planning Commission of the Town of Warrenton

I know this is a long letter, however this is an important subject to our neighborhood so I hope you take the time to read it fully.

This note is in response to the notice of the public hearing that will be held on Tuesday September 17, 2024 at 7:00PM – ZMA 20023-01 Warrenton United Methodist Church/Hero's Bridge. As you are aware, the owners/applicants are requesting a zoning change of the ≈9.864 acres from R-10 and RO to R-PUD for the addition of 22-two-family dwellings for a total of 44 units. This letter is misleading as the actual buildings proposed will only be on a much smaller section of this property, only 3.9 acres for these 22 dwellings.

The note is also misleading in that it says the housing is to provide affordable housing for seniors ages 65 and older. It does not state, as is my understanding and I have seen in writing, that these 65 year olds are limited to US Military Veterans who actively served in the Vietnam, Korea and Second World wars. As the Vietnam war ended in 1973, Korea treaty in 1953 and WWII in 1945 and assuming the soldiers were a minimum age of 18 at the end of the wars, the Veterans will be a minimum of the ages of 69 for Vietnam Vets, 89 for Korean War Vets and 97 for WWII Vets, meaning the residence for this property will likely only be Vietnam Vets. This is pointed out only for the awareness of The Planning Commission.

As you are aware this request requires a special exception to the existing zoning laws. The existing laws should take precedence.

The primary purpose of this letter is to make you aware that a majority of the residents of the surrounding neighborhood are against this project. This is not at all because of the Veteran status of the proposed residence of the community. Our neighborhood is composed of active military, former military, family members and descendants of both of these groups. We strongly support our soldiers and veterans and we are very aware of the need for lower-income housing in the area. The objection to this project is based on

the fact that it does not fit into this neighborhood. These objections have been pointed out at several Town Council meetings, at meetings with both the United Methodist Church and Hero's bridge representatives. There has been a petition circulated around our neighborhood. To my awareness, at last count 85 of my neighbors have signed this petition. I am hoping it has been forwarded to the Planning Commission. A few of the concerns are that the increased traffic on the narrow roads in this community cannot support the increased traffic this project will bring. Making the entrance and exit to this community one-way does not correct these concerns. This creates other issues, as you will now have a crossing traffic pattern at the proposed entrance. With a very active Daycare on site and the other evening and other social activities, not including the Sunday and Holiday Church traffic, there is already a good amount of traffic that comes and goes into the Church property.

I live directly across from the proposed entrance to this property. I lowered the sensitivity on my doorbell camera so I would no longer get as many alerts from passing traffic. These are still in the neighborhood of ≈ 100 a day, mostly in the morning and evening. With the addition of 44 more residents this traffic will of course increase.

Making the entrance/exit to the community one way will not prevent people coming to the community from driving through the narrow connecting roads in the neighborhood to get to this community.

Hero's Bridge states as these are older individuals they will not be driving very much. If the residences are not driving then the deliveries to these people's homes would have to increase. People still need to eat and will need other deliveries such as prescriptions and general household items. People will be moving in and out as well. It's a sad fact that senior citizens are not long term residents.

Hero's Bridge states that this will be a walking community. As a senior citizen of this age myself, I can tell you this neighborhood is not set up for walking, and I am a walker. It has inadequate sidewalks, limited crosswalks on the main roads in walking distance going to the areas one would want to access, and has some steep hills heading to Old Town. These would not fit the needs of most senior citizens.

As the residents will be senior citizens there will be a higher need for emergency services in the area than in most neighborhoods. Emergency vehicles will regularly be coming into the area at all times of day and night. The construction equipment required to build this community alone would put a great deal of traffic and wear and tear on the road into and around this neighborhood for many years.

Property values are also a major concern. Most of the families in this neighborhood, similar to all residential neighborhoods in the country, have a majority of their investment in their homes.

Hero's Bridge says this project will not affect property values. I know personally this is not to be true. I purchased what I intend to be my retirement home on Church St in 2022. Had I known in advance about the plans for this project I would not have purchased the property. I may have considered it as a short-term residence at perhaps \$200,000 less than I paid, and would not have put the great deal of money I put into

this house to bring it up from its 1960's design to more modern house standards. I believe housing values will drop dramatically.

In conclusion, there is the feeling among the neighbors I have spoken to that the Hero's Bridge project is a done deal and is just waiting for the rubber stamp of approval to get started. Although I wish this was not the case it is the feeling I have as well. I have personally contacted both the Church and Hero's Bridge offering alternative plans to this project that would be more acceptable to the neighborhood that I believe could truly limit the impact to the neighborhood. These suggestions seem to have fallen on deaf ears. I can offer these suggestions to the Planning Commission and the Council Members should they be interested. I would attach them, however that may give the faults impression we have accepted this as a forgone conclusion, which we truly hope is not the case.

We are asking the Planning Commission and the Council Members to do the right thing and deny this project. There are other areas that can be found that would be more suitable, however there is the appearance that this area is being targeted through different organizations for some reason that is not available to me, and there is a great deal of pressure to put it here.

Thank you for your time

Best regards,

Don Bromley

320 Church St.

Warrenton VA. 20186

703 395-3589 should you want to speak to me personally.

Denise Harris

From: Brian Gorg <bgorg@collegorg.com>
Sent: Sunday, September 22, 2024 8:53 AM
To: Planning Department
Subject: Zoning Decisions

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Dear Planning Commissioners

You all have a tough job. I've read the articles on Hero's Bridge housing project and wanted to echo something quoted in the article. The zoning goes with the land, not the applicant. I greatly welcome the project on land that is zoned properly. But zoning protects everyone because it provides the same level of information and access to all.

Government's role is to protect our ability to exercise our rights and liberty as fully as possible. Special exceptions generally have a negative externality on some parties in order to get a desirable outcome for others. Exceptions favor those with money and access and should be approached with prudence.

I would rather see a long term planning process to change zoning , not for a project, but for the good of our community. You have a tough job as the subjective arbiters of the aspirations of applicants. Thank you for your service and good luck on your decisions. Ultimately, this will probably be a political question.

Brian Gorg
Citizen, Ward 4

Denise Harris

From: Rob Walton
Sent: Friday, September 27, 2024 2:15 PM
To: Denise Harris
Cc: Martin Crim
Subject: FW: Hero's Bridge

Just received the email below.

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

From: david gogol <gogol.david@gmail.com>
Sent: Friday, September 27, 2024 1:59 PM
To: Rob Walton <rwalton@warrentonva.gov>
Subject: Hero's Bridge

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Mr. Walton

I am the former staff director of the U.S. Senate Housing and Urban Affairs Subcommittee and had a career in housing policy and programs (I am now retired) and live in Marshall. I offer these comments to help you address the issues that have arisen as the Town considers this project.

The issue of limiting residents to a certain class in housing developments is not a new one. In federally funded housing developments, properties can have "target" populations. As you may know, restricting a development to seniors or excluding children is legal. Similarly, senior housing for Chinese, Jews or other groups is permitted (the first instance testing the law was in Seattle in the 1960's. A senior development was built (using federal funds). The question was, could the development be limited to Chinese seniors? The conclusion was that the development could market in Chinese and, in practice, limit the building to Chinese seniors. If a non-Chinese senior wanted to live there, the development could not refuse to rent. Since that time, law has changed to allow developments to limit residents to people with disabilities.

There are state-funded veterans retirement homes in all 50 states. These facilities exclude non-veterans because they are using VA funds for which non-veterans are not eligible to receive.

Hero's Bridge can market itself as a veteran only housing facility. If it is developed to serve disabled veterans, it can exclude people without disabilities. If a non-veteran senior wishes to live there, the facility can discourage the non-veteran, but cannot refuse admission if the applicant meets the other requirements for admission. To my knowledge, there has never been a successful fair housing lawsuit against a "themed" housing development.

David Gogol
202-441-5501

10/01/2024

To:

The Planning Commission of the Town of Warrenton and Town of Warrenton Councilmen.

This note is in response to the notice of the public hearing held on Tuesday September 17, 2024 at 7:00PM – ZMA 20023-01 Warrenton United Methodist Church/Hero's Bridge.

I have written twice before, which I hope were read by the Commission members. Three minutes in front of the Commission or Council is not nearly enough time to discuss everything that needs to be discussed concerning this application.

I have attached the link to the Virginia Fair Housing Law; however, I assume you should be very well aware of its contents. Being aware of this Law you should be of the understanding that the proposed Hero's Bridge project being a military veteran only housing project is fundamentally flawed. This was basically admitted by Mr. Foote, the attorney enlisted by Hero's Bridge at the beginning of the Zoning Commission hearing by changing his Proffer to a low-income senior housing. Mr. Foote is on the record saying that even though the "veterans only" condition will be taken out of the proffer, it will be Hero's Bridge "policy" to limit tenants to veterans.

- If the Town approves a permit, with this on the record, isn't the Town open to litigation that it knowingly aided and supports a violation of the VA Fair Housing Act?
 - Would you ask Town Attorney Crim about this?
- Have you considered the following provision in the VA Fair Housing Act?
- In view of the public record on this project, including Mr. Foote's statement above, won't the Town be violating this provision if it approves all the exceptions and proffers knowing that HB explicitly intends to limit tenants to veterans as a matter of policy?

"C. It shall be an unlawful discriminatory housing practice for any political jurisdiction or its employees or appointed commissions to discriminate in the application of local land use ordinances or guidelines, or in the permitting of housing developments, (i) on the basis of race, color, religion, national origin, sex, elderliness, familial status, source of funds, sexual orientation, gender identity, military status, or disability....."

With potential residence of this community being under the management of Hero's Bridge there are multiple questions that need to be considered. The Town of Warrenton cannot knowingly condone violations to the Virginia Fair Housing Law. If Hero's Bridge can overcome the fundamental issues there are several questions that need to be considered.

- Is the Town of Warrenton considering any way of overseeing who are actually selected as the residence to make sure Hero's Bridge follows the letter of the law?
 - Statement: Allowing Hero's Bridge to run this as a veteran only community may leave the Town of Warrenton liable as knowingly being involved in any deceit.
- Would Hero's Bridge be willing to sign an affidavit releasing the Town of Warrenton from responsibility should they fail to follow this law?
 - Statement: The United Methodist Church may also need to be released of responsibility as well.
- Does Hero's Bridge have the wherewithal to fund the construction of this project?
- Can Hero's Bridge continue to fund this over the entire 75-year length of the lease period?
 - Statement: Hero's Bridge mission is aimed at improving the lives of Vietnam vets in particular. None of these vets and very possibly none of the present management of Hero's Bridge will be involved at the end of the lease period.
- If this zoning change goes through and Hero's Bridge is unable to fund this project will the new zoning ordinances stand and will other commercial builders be allowed to with the permission of the Church?
- In the event that Hero's Bridge fails in its mission and is no longer able to manage or support this low-income senior community, is there or will there be anything in writing as to who will assume the responsibility as the management of this project?
- Has the United Methodist Church agreed to assume management of the development?
- Would the Town of Warrenton assume management?

As this will be low-income housing, it is the sad truth that low-income residents don't always have the funds to pay their rents or utility bills on time.

- Has Hero's Bridge shown that they can absorb this cost of this if one or more residents fall into this unfortunate situation of being unable to pay their rent or utilities?
- Would Hero's Bridge be counting on the continuing support of the Church to absorb this cost?
 - I don't believe this would fall on the Town of Warrenton, as it should not affect any taxes due.

A major concern is that the increased traffic on the narrow roads in this community cannot support the increased traffic this project. I was shocked to see in the Warrenton United Methodist Church/Hero's Bridge Response Letter that "The Applicant states there will be a total of 947 vehicle trips per day, an increase from the estimated current volume of 182 trips per day generated by the church". An increase in traffic more than 5 times greater than present needs serious consideration as these roads cannot support that amount of traffic.

- What is the Town of Warrenton's Plan to address this additional traffic?
 - Is the widening of the roads being considered?
 - Is the addition of sidewalks being considered?
 - What will be done to address the busy crossing traffic pattern if built as planned?
 - Are the addition of traffic controls such as Stop signs, Yield signs, One Way signs, a Traffic light or others being considered?

As I know you are aware, a majority of the residents of the surrounding neighborhood are against this project, not because of the Veteran status, which is now off the table, but because this project does not fit into this neighborhood as planned. These objections have been pointed out at several Town Council meetings, at meetings with both the United Methodist Church and Hero's bridge representatives.

We continue to ask the Planning Commission and the Council Members to do the right thing and deny this project as planned. The legal concerns mentioned at the beginning of the letter will still exist in any case.

Thank you for your time

Best regards,

Don Bromley

320 Church St.

Warrenton VA. 20186

703 395-3589

<https://law.lis.virginia.gov/vacodepopularnames/virginia-fair-housing-law/>

Denise Harris

From: noreply@civicplus.com
Sent: Saturday, October 12, 2024 10:49 AM
To: citizencomment
Subject: Online Form Submittal: Public Comment

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Public Comment

Name	Ellen Phipps
Address	1835 Industry Drive
City	Culpeper
State	VA
Zip Code	22701
Email Address	ephipps@agingtogether.org
Phone Number	5408296405
Committee, Board, or Commission Type	Field not completed.
Agenda Item	Heros Bridge Project
Comment	Today, there are over 32,000 people over the age of 65 in our region and this number is expected to double by 2050. Older adults are challenged with finding affordable rentals in the area and this need will only increase with time. At Aging Together, we receive calls from older adults in Warrenton and the surrounding area asking where can they get help with finding affordable housing. Most people, regardless of age, want to remain independent in their own homes for as long as possible. This may become more of a challenge as we age. However, with the proper supports in place - such as access to transportation, nutritional support and social engagement this dream can be a reality. We are all aging - we are not talking about some alien group. We will all, hopefully, will find ourselves aging in our communities. There will come a time

when we retire and, may need support. Aging Together has always endorsed "LIVABLE COMMUNITIES".

Livable communities include essential features that allow residents of all ages and backgrounds to thrive. These include mixed-use zoning , safe and varied transportation options, and diversity of housing types. Livable communities also have public spaces that benefit everyone. Communities that are LIVABLE and "age friendly" are communities that benefit all ages.

On behalf of Aging Together, we fully support the Heros Bridge housing project - as it represents an innovative approach to addressing the needs of older adults through a model that supports community.

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Denise Harris

From: noreply@civicplus.com
Sent: Monday, October 14, 2024 4:13 PM
To: citizencomment
Subject: Online Form Submittal: Public Comment

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Public Comment

Name	Bruce A Campbell
Address	156 Menlough Drive
City	Warrenton
State	VA
Zip Code	20186
Email Address	brucea.campbell529@gmail.com
Phone Number	7038968960
Committee, Board, or Commission Type	Planning Commission
Agenda Item	Hero's Bridge Veterans Village
Comment	<p>My name is Bruce Campbell and I reside at 156 Menlough Drive in Warrenton. I regret I am unable to deliver these remarks in person as I am out of Town on October 15th. I am a retired Navy officer who continues to serve veterans in our community as the Post Service Officer and Life Member of VFW Post 9835, a Life Member of American Legion Post 72 and Chair of the regional Veterans Task Force for Mental Health.</p> <p>The Hero's Bridge Veterans Village is an inspired initiative to address the pressing need for affordable housing among our older veterans.</p> <p>Our aging veteran population faces unique challenges, including limited income, health issues, and a lack of family support. Having served our country with dedication, in their</p>

later years, they deserve a secure and affordable place to call home.

Three Key Points:

1. **Financial Stability:** Older veterans often rely on fixed incomes, such as Social Security or pensions, which may not be sufficient to cover rising housing costs. Affordable housing ensures they can live with dignity and financial stability.
2. **Health and Well-being:** Many older veterans face chronic health conditions that require accessible, supportive living environments. Affordable housing communities can provide the necessary facilities and services to maintain their health and well-being.
3. **Community and Support:** Veterans villages offer more than just housing—they foster a sense of community and provide access to essential support services. This sense of belonging can significantly improve mental health and overall quality of life.

Benefits to the Community:

1. **Improved Health Outcomes:** Affordable housing can lead to better mental and physical health for veterans, reducing strain on local healthcare systems.
2. **Reduced Homelessness:** By offering affordable housing, we can significantly reduce the number of veterans experiencing homelessness, alleviating pressure on local shelters and social services.
3. **Economic Benefits:** Stable housing increases the likelihood of veterans contributing to the local economy and reducing reliance on public assistance programs.
4. **Community Integration:** Affordable housing fosters a sense of belonging and connection, leading to stronger community ties and a more inclusive society.
5. **Support Services:** These projects provide access to vital support services, helping veterans live healthier, more productive lives.

Call to Action: By approving the Hero's Bridge Veterans Village, you are not only providing affordable housing but also honoring the sacrifices made by our veterans. This project will ensure that our aging heroes receive the respect and care they so rightfully deserve, while also benefiting the broader community. Thank you for your consideration and support.

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Denise Harris

From: Keith B. Ellis <kbellis@gmu.edu>
Sent: Monday, October 14, 2024 8:19 PM
To: citizencomment
Subject: RE: Hero's Village support

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You don't often get email from kbellis@gmu.edu. [Learn why this is important](#)

My wife and I attended the September Town Hall discussing the Hero's Village project. We continue to support this project including the modifications to the proposal mentioned during the Town Hall by Hero's Bridge and Warrenton UMC.
Thank you,

Keith B. Ellis
Cynthia M. Ellis
Thomas M. Ellis

560 Solgrove Road
Warrenton Va, 20186.

From: Keith B. Ellis
Sent: Tuesday, September 17, 2024 11:51 AM
To: citizencomment@warrentonva.gov
Subject: Hero's Village support

To whom it may concern,

My family and I have researched, discussed and have a good deal of knowledge regarding the proposed Hero's Village project.

We have studied the design of the low density community as well as the positive impact it can provide for members of our community.

This small community would benefit that area greatly in providing much needed affordable housing to those in need. Some of the reason we are in support is our town has a severe lack of rentals for our seniors and with the shortage, the cost for rent is unaffordable for those needing it the most. The location provides easy transportation to needed services for the community including personal services like haircuts, shopping, restaurants, grocery stores, but also doctor, dentist, specialist appointments, the hospital, and pharmacies.

With numerous discussions over time and our questions and concerns being answered directly from the sponsors of this project we fully support the Hero's Village initiative for Warrenton, VA.

Thank you,

Keith B. Ellis

Cynthia M. Ellis
Thomas M. Ellis

560 Solgrove Road
Warrenton Va, 20186.

Keith B. Ellis *Associate Director Operations & Event Services*
Student Centers - George Mason University
703.993.2867 studentcenters.gmu.edu

Denise Harris

From: Richard Fisher <rjf98@mac.com>
Sent: Monday, October 14, 2024 8:24 PM
To: citizencomment
Subject: ZMA 2023-01 Comments Against

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To the Warrenton Zoning Commission:

I am writing to oppose the rezoning request ZMA 20023-01, known as the Hero's Bridge project. As a 29-year Marine Corps veteran and resident of 120 Frazier Rd, Warrenton, my home will be directly impacted by this proposal. My opposition is not anti-veteran, but based on the following concerns:

1.
Not a Veteran Charity: Despite its name, Hero's Bridge is a commercial interest, not a veteran charity. The project involves building affordable senior housing in a medium-density residential area, with rent paid to both the Warrenton United Methodist Church and Hero's Bridge.
2.
Legal Issues: Hero's Bridge's own attorney, Mr. Foote, stated it is illegal in Virginia to prioritize veterans for this type of housing. Yet, Hero's Bridge plans to preference veterans, which is against the law and exposes both the organization and the town to liability.
3.
Financial Instability: Hero's Bridge has no proven financial backing or clear succession plan. They have not shown how they will fund or sustain the project over their proposed 75-year lease with the church, relying on unproven donations.

This project will also lower my property value by bordering commercial zoning and increase traffic in our neighborhood, affecting the safety of my family and neighbors. I urge the commission to reject this proposal due to its legal, financial, and community impact concerns.

Sincerely,
Richard Fisher
Rich Fisher
rjf98@mac.com

Denise Harris

From: Cindy Burbank <cindy.burbank@comcast.net>
Sent: Tuesday, October 15, 2024 10:26 AM
To: Planning Department; Ryan Stewart; James Lawrence; Darine Barbour; Terry Lasher; Steve Ainsworth
Subject: Concerns about the Hero's Bridge Village Project -- for the hearing record

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To Ryan Stewart, James Lawrence, Darine Barbour, Terry Lasher, and Steve Ainsworth -

Tonight you face a difficult decision on the Hero's Bridge Village. I do not envy you. There is tremendous, understandable support for this project -- and there is a powerful need for affordable housing for veterans and others -- but as the Commission entrusted with vetting new developments and zoning changes, I think you know, deep down, that the HB Village has fundamental legal and procedural problems.

I hope you will take these comments into consideration:

1. First, I yield to no one in my support for veterans --

I was a long-time, committed volunteer to Hero's Bridge for many years, almost from the beginning of HB. For years, I drove JB veterans to dialysis appointments, cancer treatments, and other medical care. For years, I visited JB veterans frequently, in their homes and in nursing homes, as part of HB's "Paw Patrol" program. I assisted with yard work and home projects for aging veterans. I helped line up speakers for HB events and activities. I was at the bedside of a veteran dying of the effects of Agent Orange in Vietnam when his family was not there.

My grandfather fought in WW I, as a Marine, in France. My father enlisted in the Navy after Pearl Harbor, at the age of 17, and served on ships in the Pacific throughout the war. My husband served in the Army in Korea. My brother was an Air Force veteran, as was a nephew. My commitment to veterans is deep and personal.

2. Early on, I was a strong supporter of the Hero's Bridge Village. I contributed to it financially, I urged others to do so. Still, from the beginning, I was concerned how the Village would be received by neighbors. Three times I made a special effort to talk with Molly Brooks about outreach to the neighbors, but she was not responsive and was uninterested in my thoughts and my offer to help.

3. I am deeply concerned about the Hero's Bridge Village proposal. I think HB's intense desire to make this happen has not been considerate or respectful to nearby residents, including veterans who live in the neighborhood. I think John Foote and Molly Brooks have not been responsive to the very legitimate concerns of residents about traffic, density, and, the need for assurances about long-term upkeep and oversight. I think nearby residents have made thoughtful proposals to mitigate impacts (especially those of Don Bromley), which have been ignored.

4. After carefully reading the VA Fair Housing Law, I think it is clear that the law prohibits any form of discrimination on the basis of "military status." It is unambiguous:

Virginia Fair Housing Law

§ 36-96.1. Declaration of policy...B. It is the policy of the Commonwealth of Virginia to provide for fair housing throughout the Commonwealth, to all its citizens, regardless of race, color, religion, national origin, sex, elderliness, familial status, source of funds, sexual orientation, gender identity, military status, or disability, and to that end to prohibit discriminatory practices with respect to residential housing by any person or group of persons, in order that the peace, health, safety, prosperity, and general welfare of all the inhabitants of the Commonwealth may be protected and ensured.

36-96.3. Unlawful discriminatory housing practices

A. It shall be an unlawful discriminatory housing practice for any person to:

....
2. Discriminate against any person in the terms, conditions, or privileges of sale or rental of a dwelling, or in the provision of services or facilities in the connection therewith to any person because of race, color, religion, national origin, sex, elderliness, source of funds, familial status, sexual orientation, gender identity, or military status;...

This doesn't just prohibit discrimination against various groups, including veterans. It means you cannot discriminate in favor of these groups, including veterans -- because to discriminate for one group is to discriminate against all others.

5. You might ask: But the above wording also prohibits discrimination based on "elderliness" -- and yet there are widespread examples of legally valid housing that is limited to those over 55 or over 65. They are legal because elsewhere in the VA Fair Housing Law there are other provisions that specifically allow for limiting housing based on age. **There is no such provision for allowing discrimination based on military status. The fact that there is an exemption provision for "elderliness" but there is no such provision for "military status" is telling -- and I think courts would give that considerable weight if the HB project is tested in court.**

6. Note that the VA Fair Housing Law also states:

C. It shall be an unlawful discriminatory housing practice for any political jurisdiction or its employees or appointed commissions to discriminate in the application of local land use ordinances or guidelines, or in the permitting of housing developments, (i) on the basis of race, color, religion, national origin, sex, elderliness, familial status, source of funds, sexual orientation, gender identity, military status, or disability.....

This means **local governments are prohibited from doing exactly what Hero's Bridge is asking: giving special zoning treatment on the basis of military status. From the beginning the rationale and support for the HB proposal -- the entire premise of it -- is to discriminate on the basis of military status.**

7. In many respects, I wish the VA FHL did not have these prohibitions -- but it does -- and we should all understand there is a legitimate basis for it: Because to discriminate in favor of one group is necessarily to discriminate against all others.

I would support an amendment to the VA Fair Housing Law to allow veterans-only housing -- but as it stands now, the law prohibits exactly what Hero's Bridge explicitly is telling the Town it will do: Molly Brooks and John Foote have emphatically said that, as a matter of policy, HB will restrict the housing to veterans. **Can you, honestly, vote to recommend a major rezoning that is based on a clear violation of Virginia law? A commitment to violate that was made to you, by John Foote, at the last Planning Commission meeting?**

I believe that voting for this project would be contrary to the oath you took as a Planning Commissioner.

8. I believe that it is likely John Foote and Molly Brooks knew from the outset that the HB Village would violate the VA Fair Housing Law -- but set out on a course to create such a level of public support for the project that you would be forced to ignore the evidence that the project violates the VA Fair Housing Law. I believe they intended to put you, and the Warrenton Town Council in an impossible situation.

9. If you nonetheless determine to vote to recommend the project, regardless of the clear provisions in the VA Fair Housing Law, I hope you will at least:

(a) **Include conditions relating to traffic and siting** that would mitigate the impacts, as neighbors like Don Bromley have recommended;

(b) **Include a requirement that Hero's Bridge assume all liability and all legal costs should the Town be sued on the basis of violating the VA Fair Housing law.**

(c) **Require that there be a back-up organization to ensure long-term responsibility for the project should Hero's Bridge (as a relatively young and small nonprofit) no longer be able to carry out that responsibility. If you fail to include such a requirement, what will happen if/when HB is no longer up to the significant financial and responsibilities of overseeing this project?**

(d) **Include a time limit for HB to obtain financing and complete construction -- to avoid the very real risk that this project could be held up for years, tying up the property, possibly in a half built condition, creating problems for the neighborhood. (As best I can tell, no one has looked into the financial feasibility of this project and the limited financial support that currently exists -- the largest of which is a Federal earmark that is undoubtedly encumbered with time limitations and other conditions that may be difficult to meet.)**

Finally, let me conclude by reiterating my deep and personal support for older veterans and for ensuring they have safe, affordable housing. I offer my services, support, time, and commitment to seeking such housing in other ways, that respect the law and nearby neighborhoods.

Sincerely,
Cynthia J. Burbank
Warrenton, VA

Denise Harris

From: Melissa Hunt <melissahunt66@gmail.com>
Sent: Tuesday, October 15, 2024 10:59 AM
To: citizencomment
Subject: Public Comment - Planning Commission Public Hearing 10/15/24 - Hero's Bridge/Warrenton UMC Proposed Project

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

[You don't often get email from melissahunt66@gmail.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

Good morning Chair Stewart & Planning Commissioners,

My name is Melissa Hunt; I live at 336 Stuyvesant Street, and I am an adjacent property owner of the proposed Hero's Bridge/Warrenton United Methodist Church project.

There are so many ways that an affordable housing project for seniors could be achieved and successful at this site that would complement the existing R-10 zoning district and implement aspects of the 2040 Plan. However, the proposals that have come before the Town from Warrenton United Methodist Church have been disorganized, distracting to adjacent zoning, disregard existing zoning regulations; and create substandard conditions for a vulnerable population.

I would support a project that shows respect for the adjacent property owners and the future residents of the proposed project. As a Town, we should be mindful that where we create Affordable Housing, we do not lower the standards that compromise the Health, Safety & Welfare of all our residents, especially our senior population. The proposed plan lowers those standards.

Now that we know Veterans' preference is off the table and quite frankly illegal when it comes to housing, we can view this plan the way it should have been from the beginning. A land use application that violates multiple ordinances and will set a new standard for this location, as asserted by the applicant exercising Rowland v. Town of Warrenton. Since this project will now be open to ALL qualifying citizens over 65, Hero's Bridge could be gone the next day. The staff raises this concern multiple times throughout the Staff Analysis of the proffers. There is nothing that makes Hero's Bridge the permanent property manager. In fact, since the project cannot legally deny a non-veteran, the entire site could be without veterans at any given time. In this case, there is a strong likelihood Hero's Bridge will not continue operations. What is the plan for this probable scenario?

Town staff comments "it will function like an assisted living facility with residents having limited use and/or ability to drive cars, yet the design of the site indicates these residents will be "independent" in that no on-site dining is provided." Are we to believe that a 65-year-old person won't drive a car? Or, if they have been homeless, won't have the desire to eventually obtain a car now that they have an aspect of stability in their life? Are we to believe that seniors over the age of 65 will not need a caregiver at any time as they age and need for care/assistance increases? Will this project, as proposed, preclude the ability for seniors to age in place if circumstances change? Or leave them displaced once again?

Are we to believe the applicants statement "many, if not most, of the residents do not have family to support them". This plan creates isolation for this vulnerable population. Shouldn't we encourage these vulnerable residents to reconnect with their family and friends now that they have stable housing? Yet this plan discourages visits from family, friends, and overnight guests. It's concerning that Warrenton United Methodist Church would create a senior affordable housing plan that could be detrimental to future residents based on restrictions.

Let's do this the right way, give the adjacent property owners the required setbacks; give the future residents the appropriate parking and open space they deserve; provide the appropriate connectivity to services and shopping; provide safe internal turnarounds for fire trucks and other emergency equipment. Just because these folks were homeless or struggling financially doesn't mean they deserve less than other areas of development within the Town. This has all the appearances of taking advantage of a vulnerable population by waiving multiple standard zoning provisions that are in place to improve the public health, safety, and convenience of ALL their citizens.

Housing conditions for our seniors should not be substandard. Nor should the Town approve a major rezoning from R-10 to R-PUD for a Senior Affordable Housing development stuffed into an older, well established community that has not been well vetted to ensure its original intent, continued viability and longevity.

Thank you for considering my comments regarding this project.

Respectfully,

Melissa Hunt