



TOWN COUNCIL REGULAR MEETING

21 Main Street

Tuesday, February 14, 2023 at 9:00 AM

MINUTES

A REGULAR MEETING OF THE TOWN COUNCIL OF THE TOWN OF WARRENTON, VIRGINIA, WAS HELD ON FEBRUARY 14th, 2023, AT 9:00 A.M.

Regular Meeting Work Session

PRESENT Mr. Carter Nevill, Mayor; Mr. William Semple; Mr. Brett Hamby; Mr. James Hartman, Vice Mayor; Mr. Jay Heroux; Mr. David McGuire, Mr. Paul Mooney; Mr. Christopher E. Martino, Interim Town Manager; Mr. Tommy Cureton, Deputy Town Manager; Mr. Martin Crim, Town Attorney; Mr. Stephen Clough, Town Clerk.

PRESENT
ELECTRONICALLY Ms. Heather Sutphin

ABSENT None

Regular Meeting

PRESENT Mr. Carter Nevill, Mayor; Mr. William Semple; Mr. Brett Hamby; Mr. James Hartman, Vice Mayor; Mr. Jay Heroux; Mr. David McGuire, Mr. Paul Mooney; Mr. Christopher E. Martino, Interim Town Manager; Mr. Tommy Cureton, Deputy Town Manager; Mr. Martin Crim, Town Attorney; Mr. Stephen Clough, Town Clerk.

PRESENT
ELECTRONICALLY Ms. Heather Sutphin

ABSENT None

The minutes laid out will be a brief recap of the agenda items. Please see the included Transcript for more in-depth information.

WORKSESSION - 9:00 AM

The meeting was called to order at 9am. Mayor Carter Nevell stated that a quorum was physically present and that Ms. Heather Sutphin was attending the meeting electronically.

Ms. Sutphin Stated for the record that she was at her residence in Warrenton, she was attending electronically due to health reasons, she and her husband both have bronchitis.

1. Closed Session

Vice Mayor Hartman moved to convene a closed session under:

Virginia Code § 2.2-3711 (A)(1), a personnel matter involving: Town Manager Recruitment, Acting Town Manager Appointment, Police Department Personnel Update

Va. Code §2.2-3711 (A)(8) Legal matters, specifically where such matters require the provision of legal advice, under Virginia Code Specifically relating to Walmart Tax Matter Update, Process and consideration of SUP 2022-03,

Virginia Code § 2.2-3711(A)(19)). a matter involving: Police Department Briefing on Safety of Town Council, RSM Briefing of Information Technology evaluation.

Mr. Brett Hamby Seconded.

Ayes: *Ms. Heather Sutphin; Mr. William Semple; Mr. Brett Hamby; Mr. James Hartman, Vice Mayor; Mr. Jay Heroux; Mr. David McGuire, Mr. Paul Mooney.*

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

Vice Mayor Hartman proposed the certification, Councilmen Heroux seconded, the vote for the motion was unanimous, as follows:

Ayes: *Ms. Heather Sutphin; Mr. William Semple; Mr. Brett Hamby; Mr. James Hartman, Vice Mayor; Mr. Jay Heroux; Mr. David McGuire, Mr. Paul Mooney.*

Nays:

Abstention:

Absent:

2. **SUP 2022-03 Amazon Data Center - The Owner/Applicant, Amazon Data Services, Inc., seeks a Special Use Permit under Article 3-4.12.3 of the Zoning Ordinance for an approximately 220,200 square foot data center on Industrial zoned parcel consisting of approximately 41.793 acre parcel identified as GPIN 6984-69-2419-000. Designated in the New Town Character District on the Future Land Use Map located off Blackwell Road and Lee Highway. The Owner/Applicant is requesting modifications for building height allowance, parking, and fence height allowance as part of the Special Use Permit. The Town Council held open a public hearing from its January 10, 2023 Regular Meeting.**

Christopher E. Martino, Interim Town Manager, introduced the topic as a continuation of the item from the January 10th, 2023, Town Council meeting. He stated that the applicants were present at the meeting for questions from Council.

Jay Reinke, a representative of the applicant, Amazon Data Services, addressed the Council.

The Town Council asked a series of questions regarding the application and the conditions of the Special Use Permit that were answered by the applicant and staff.

Representatives from Polysonics addressed questions on the noise of the proposed data center and the mitigation efforts surrounding it. Questions included testing, standards used for testing, mitigation efforts, and modeling.

Councilmen Hamby inquired with the Town Attorney, Martin Crim, about the Tax implications and how the Council could choose to tax the data center.

Mr. Crim answered with options for the Council to consider at a later date.

Mr Heroux stated that he had filed a Conflict of Interest Act Declaration with the Town Clerk that is the opinion of the Town Attorney that he has no conflict on this matter.

After the lengthy morning session, Mayor Carter Nevill opted to modify the agenda and move some items originally on the docket for this meeting the budget retreat on February 25th, 2023.

3. **Addition of Citizen Time Speakers to the Public Hearing Comments from 01.10.23**
4. **Second Street Discussion**

Tommy Cureton, Deputy Town Manager presented the item to the Council. After discussions with Experience Old Town Warrenton and local vendors, the recommendation from staff was the permanent closure of Second Street. Staff would accomplish this with the instillation of permanent bollards.

Councilman Hamby requested the instillation of semipermanent bollards to facilitate emergency response if necessary.

Staff was directed to add a resolution for the permeant closure of second street to the agenda for the night meeting under unfinished business.

5. Advertisement of Special Meeting for the purposes of Interviewing a Town Manager in the next 14 days.

Staff was directed to advertise the special meeting for the purposes of Interviewing a Town Manager in the next 14 days.

6. Agenda Review

Mr. Martino reviewed the agenda for the evening meeting at Fauquier High School. Council had no questions for the staff.

The Work Session meeting was adjourned at 2:21pm.

REGULAR MEETING LOCATED AT FAUQUIER HIGHSCHOOL- 6:30 PM

At 6:33pm on Tuesday, February 14th, 2023. The Town Council meeting was called to order. Mayor Carter Nevell stated that a quorum was physically present and that Ms. Heather Sutphin was attending the meeting electronically.

Ms. Sutphin Stated for the record that she was at her residence in Warrenton, She was attending electronically due to health reasons, she and her husband both have bronchitis

INVOCATION.

Pastor Brown from First Baptist Church on Alexandria Pike lead the invocation.

PLEDGE OF ALLEGIANCE.

Mayor Carter Nevill Lead the pledge of allegiance.

PROCLAMATIONS AND RECOGNITIONS.

1. Proclamation recognizing February 2023 as Black History Month in the Town of Warrenton, Virginia

Mayor Carter Nevill read and presented the proclamation to Ms. Karen White.

CITIZEN'S TIME.

Citizen's time Sign in Town Council Regular Meeting February 14th, 2023		
Name	Address	Topic
Hope Porter	5763 Airlie Road Warrenton, VA 20187	Data center location
Ferroline Higginson	3209 Lost Corner Rd Delaplane, VA 20144	Data center location
Charles Cross	606 Galina Way	Good governance
Christopher Bonner	602 Fauquier Road, Warrenton, 20186	Data Center vote and it's impact

Ann Rose Wojcik	621 Old Meetze Rd	A Walk on the Greenway
Dave Winn	7960 Wellington DR, Warrenton, VA	Land Planning
Edwin "Ike" Broaddus	6437 Old Bust Head Rd	Problem solving
Josephine Gilbert	5273 Ambler Drive	Saturday Morning Vigil
Anne Ziegler	5577 Old Bust Head Rd. Broad Run. VA. 20137	Ethics
KEN ALM	194 CULPEPER ST, WARRENTON, VA 20186	Memory
Douglas Larson	134 Mosby Circle, Warrenton, VA 20186	responsibility to protect the town
Sean O'Donnell	52 Blue Ridge Street Warrenton Virginia	A Poem on fishing at Lake Brittle
Denise Schefer	6080 Whippoorwill Drive Warrenton, VA 20187	County Residents and experts
Owen Schefer	6080 Whippoorwill Drive Warrenton, VA 20187	Warrenton Comprehensive Plan
John Benedict	23349 Parsons Rd, Middleburg VA 20117	Ethics in Government
Susan Whiteis	99 Brookshire Dr	Health
Patricia drunagel	6668 Vint Hill Rd. Warrenton Va 20187	Our Town is special
Rosanne L Woodroof	9255 Tournament Drive Warrenton VA 20186	Comprehensive Plan
Eric Gagnon	200 Winchester Street, Warrenton	Ethics
Christina Gagnon	200 Winchester Street, Warrenton, VA 20186	Organization Chart of the Town
Peggy DiVincenzo	428 Falmouth St.	Confidence and Charcter
Jimmie Stone	12494 Lake Coventry Dr,Bealeton Va 22712	SUP Application
Jeffrey Martin	185 N View Circle Warrenton VA 20186	data center
Allan Dianic	7007 Spy Plane Ln, Warrenton, VA 20187	community growth
Kevin Koehr	16453 Waterloo Rd Amissville, MD 20106	Recusal from the vote
Geoffrey P Grambo	300 Winchester St, Warrenton, VA 20186	duty and obligation
Richard Kiester	560 Highlandtowne Ln Warrenton, VA	citizen's wants
Owen Paun	786 General Wallace Ct.	big picture impacts
David Gibson	7548 Foxview Drive, Warrenton VA 20186	Land
Florence Keenan	Marshall District	County and Town are intertwined
Cynthia Burbank	6347 Barn Owl Ct, Warrenton, VA 20187	Citizens of the Community
Robert Duvall	6392 Hazeltop Ln The Plains VA 20198	Warrenton's History
Jen nemerow	585 galina wy	data center
CAROL COLLINS	490 WINCHESTER ST WARRENTON VA 20186	ethics
Pat Smith	215 North View Circle	duty of elected officials
Tracy Edwards	Foxcroft Road	Council and the interests of the Town
Lalo Lavash	Cedar Run District	data center
Barbara Amster	726 Acorn Ct Warrenton VA 20186	who opposes the data center
Julie Boldhouse	410 Madison Court, Leesburg, Va	lobbyist and tax brakes
Julie Broaddus	6437 Old Bust Head Road, Broad Run, VA 20137	Data Centers in the County

APPROVAL OF THE AGENDA.

Mayor Nevill Sought a motion to approve the agenda.

Councilmen Hamby motioned to approve the agenda. Vice Mayor Hartman Seconded.

Councilmen Mooney requested to amend the agenda to add an item to vote to direct the town staff to release to the Town Council those items of communication between the former town manager and amazon to which the town has asserted its privilege that we need a vote for. Councilmen McGuire seconded the amendment.

Councilmen Semple spoke in favor of the amendment.

Councilmen McGuire spoke in favor of the amendment.

Council requested clarification of the ability to move the item before the public hearing with the Town Attorney.

Councilmen Semple proposed an amendment to the amendment to the agenda from Mr. Mooney and suggested inserting the item before the public hearing on the agenda.

Councilmen Hamby confirmed with the Town Attorney that the Appeal had not yet been filed for the FOIA case against the Town.

- 1) Motion put forth by Councilmen Semple to amend Councilman Mooney's amendment to the agenda and place the item next after approval of the agenda.

The vote was as follows:

Ayes: Mr. William Semple; Mr. David McGuire; Mr. Paul Mooney.

Nays: Ms. Heather Sutphin; Mr. Brett Hamby; Mr. James Hartman, Vice Mayor; Mr. Jay Heroux.

Abstention:

Absent:

The motion failed 4-3, the amendment to the initial amendment of the agenda was not approved.

- 2) Motion put forth by Councilmen Mooney to amend the initial amendment to the agenda to place the item after the conclusion of the public hearing before a vote on SUP 2022-3. Seconded by Councilmen Semple. This is a subsidiary amendment to the main amendment.

The vote was as follows:

Ayes: Mr. William Semple; Mr. David McGuire; Mr. Paul Mooney.

Nays: Ms. Heather Sutphin; Mr. Brett Hamby; Mr. James Hartman, Vice Mayor; Mr. Jay Heroux.

Abstention:

Absent:

The motion failed 4-3, this is a subsidiary amendment to the main amendment to place the item after the conclusion of the public hearing before a vote on SUP 2022-3 was not approved.

- 3) Motion put forth by Councilmen Mooney to amend the agenda to add an item to vote to direct the town staff to release to the Town Council those items of communication between the former Town Manager and Amazon to which the town has asserted its privilege that we need a vote for. Councilmen McGuire seconded the amendment.

The vote was as follows:

Ayes: Ms. Heather Sutphin; Mr. William Semple; Mr. Brett Hamby; Mr. David McGuire; Mr. Paul Mooney.

Nays: Mr. James Hartman, Vice Mayor; Mr. Jay Heroux.

Abstention:

Absent:

The motion passed 5-2, the amendment to the agenda was approved. The motion was added to new business for discussion.

- 4) The Motion put forward by Councilmen Hamby motioned to approve the agenda. Vice Mayor Hartman Seconded. The Agenda was amended with the addition of Mr. Mooney's motion under new business.

The vote was as follows:

Ayes: Ms. Heather Sutphin; Mr. Brett Hamby; Mr. James Hartman, Vice Mayor; Mr. Jay Heroux.

Nays: Mr. William Semple; Mr. David McGuire; Mr. Paul Mooney.

Abstention:

Absent:

The motion passed 4-3, the amended agenda was approved.

PUBLIC HEARINGS.

1. SUP 2022-03 Amazon Data Center - The Owner/Applicant, Amazon Data Services, Inc., seeks a Special Use Permit under Article 3-4.12.3 of the Zoning Ordinance for an approximately 220,200 square foot data center on Industrial zoned parcel consisting

of approximately 41.793 acre parcel identified as GPIN 6984-69-2419-000. Designated in the New Town Character District on the Future Land Use Map located off Blackwell Road and Lee Highway. The Owner/Applicant is requesting modifications for building height allowance, parking, and fence height allowance as part of the Special Use Permit.

Councilman Jay Heroux made the following declaration regarding Conflict of Interest: that he has disclosed a business relationship between his employer and Amazon and filed a conflict of interest declaration with Mr. Clough that is available for public inspection.

Stephen Clough, Town Clerk, introduced the public hearing stating that the speakers from the January 10th, 2023, public hearing on SUP 2022-03 would be called first, then the order of speakers called.

The Public hearing was opened at 8:53p.m.

Public Hearing: SUP 2022-03 Amazon Data Center - The Owner/Applicant, Amazon Data Services, Inc., seeks a Special Use Permit under Article 3-4.12.3 of the Zoning Ordinance for an approximately 220,200 square foot data center on Industrial zoned parcel consisting of approximately 41.793 acre parcel identified as GPIN 6984-69-2419-000. Designated in the New Town Character District on the Future Land Use Map located off Blackwell Road and Lee Highway. The Owner/Applicant is requesting modifications for building height allowance, parking, and fence height allowance as part of the Special Use Permit		
Name	Address	Organization or Group
Chris Cloud	Marshall District	
Daniel Pennell	195 Onxy Way, Warrenton	
Julie Broaddus	6437 Old Bust Head Road, Broad Run, VA 20137	
Ruth Thorman Fugee	284 Amber Circle, Warrenton	
Christina Fox	7241 Hastings Ln	
Georgia Herbert	5722 John Marshall Hwy, The Plains, VA 20198	
Laura Hettinger	7280 Waverly Dr, Warrenton	
Lee Owsley	54 Winchester St.	
David Fox	257 Hidden Creek Lane	
Lou Spencer	Essex County, VA	
Jason Smolinski	481 Cardinal Ln Warrenton VA 20186	
Melissa Wiedenfeld	12 Fishback Court	
Alfred Yongue	347 Falmouth st.	
Bridget Wolfe	7188 Homestead CT Warrenton, VA 20187	

Roy Francis Speaking for Mark Smith	147 North View Cir.	Yes
Dave Winn	7960 Wellington Dr, Warrenton	Yes
Jonathan Elliott (wife speaking for)	10120 Brown Moore Ln, Marshall	
Montana Ruffner (taking Chris Bonner's spot)	Scott District	
Geoffrey P Grambo	300 Winchester St, Warrenton, VA 20186	
David D. Miller (Ike)	4561 Weston Road, Casanova, VA AND 7, 11, 11D Main Street AND 7 Culpeper Street, Warrenton	
David Gerrish	169 High Street, Warrenton, Virginia 20186	
Michael Fox	7241 Hastings Ln, Warrenton 20187	
Bernardine Connelly Clark	71 Menlough Drive	
Owen Paun	786 General Wallace Ct.	
Dawn Arruda	149 Pinnacle Ct Warrenton Va 20186	
Raeid Ebrahim	32 Blue Ridge St.	
Doug Barylski	189 North View Circle	
David Richardson	Oak Springs District	
McKenzie Miller	8688 Lees Ridge Rd.	
Thomas Fugee	284 Amber Circle	
Raymond Cultrera	6954 Owl Lane, Marshall, VA 20115	
Sam Mitchell	8609 Springs Road, Warrenton, VA 20186	
Brian Caine	9613 Springs Rd	
Diane Cultrera	6954 Owl Lane, Marshall, VA 20115	
David Downey	6065 Wood Thrush Court	
Gertraud Hechl	2628 Five Points Road Marshall VA 20115	
Gregory Hanweck	6890 Emma Ct, Warrenton, VA	
Richard Hinton	7628 Movern Lane	
Philip Kasky	3605 Sutherland Ct., Warrenton, VA 20187	
larry peccatiello	5298 ambler drive warrenton,va. 20187	
Glenn Ambler	not given	

Florence Keenan	Marshall District	
Meleana Moore	156 Sterling Court	
Alan Dianic	Spy Plane Ln.	
Margaret Keapproth		
Alexandra Sossa	Buckland Mill Rd	
Gayle Hinton	7628 Movern Lane	
Scott Filling	The Plains, Virginia	
Nancy Browning Premen	583 Chittenden Drive, Warrenton	
Kirsten King	7222 Westmoreland Dr., Warrenton, VA 20187	
Julie Lamana	7632 Bear Wallow Dr.	
Sally A. Lahm	7035 Low Court, Warrenton, Virginia 20187	
Josephine Straight	8717 Springs Road, Warrenton VA 20186	
Colleen Koehr	6797 Carters Run Road	
Yak Lebowsky	Ward 3	
Audrey Marrazzo	835 Oak Leaf Ct.	
John McCarthy	145 Menlough Drive	
Luke Marrazzo	835 Oak Leaf Ct.	
Adam Melia	7311 Ridgedale Dr.	
Kevin Koehr	16453 Waterloo Rd Amissville, MD 20106	
Charles Nelson	Singleton Circle, Warrenton	
Wendy Moose	Alexander Lane, Warrenton	
David Norden	318 Falmouth Street	
Jay Connor O'Neill	379 Wilson Street, Warrenton	
Justin O'Donnell	52 Blue Ridge St.	
George Harris	5866 University Ct.	
Mary Page	4318 Buckminster Lane Road Warrenton VA 20187	
Laura Ort-Presley	Scott District	
Scott Pierce	199 Old Orchard Ln, Warrenton	
Kevin Ramundo	9757 Elmwood Road, Upperville, Va 20184	
Hilary Pierce	199 Old Orchard Lane, Warrenton, VA 20186	
Joseph Roca	Scott District	
Rosemary Schneider	116 North View Circle, Warrenton	
Julianne Sonnenburg	Scott District	

Margrete Stevens	8446 Old Dumfries Road, Catlett, Virginia 20119	
Beth Tessandori	96 Meadowview Lane, Warrenton, Ward 2	Monrow Estates HOA
Jonathan Snow	5443 Wemberly Dr.	
Anne- Marie Walsh	Bear Wallow Rd.	
Susan Yankaitisv (being spoken for)	189 Roebling Street	
Ken Wilson	88 Frazier Road, Warrenton	
Roy Stefanik	5731 Wilshire Drive, Warrenton	
Jean Boenish	5473 Camellia Ct., Warrenton, VA 20187	
Waldo Ward	192 Pinnacle Court	
Dorthea Hambly	Not given	
Erin Beauchamp	not given	
Patricia Locke	7336 Iron Bit Dr.	
Nicole Byfield	538 Colony Court	
Steve Byfield	538 Colony Court	
Hutch Putnam	7716 Warrington Chase Drive	
Montana Ruffner	Scott District	

The Public hearing was closed at 1:14a.m.

Motion put forth by Councilmen Jay Heroux to approve the resolution granting SUP 2022-3

February 14th, 2023
Town Council

Regular Meeting

**RESOLUTION PURSUANT TO SECTION 11-3.10 OF THE ZONING ORDINANCE OF THE TOWN OF
WARRENTON FOR APPROVAL OF APPLICATION FOR A**

SPECIAL USE PERMIT 22-03

WHEREAS, Warrenton, VA (Hereinafter "the Town") is a municipal corporation located within the County of Fauquier; and

WHEREAS, Amazon Data Services, Inc., ("the Applicant"), is the requesting a Special Use Permit approval on a parcel of land containing approximately 41.793 acres, identified as GPIN 6984-69-2419-000, located off Blackwell Road and Lee Highway in the Town of Warrenton and hereinafter referred to as the "Property"; and

WHEREAS, the Applicant has applied for a Special Use Permit pursuant to §3-4.12.3 of the Zoning Ordinance, to allow for approximately 220,200 square-foot data center to be located on the Property, hereinafter the "Special Use Permit"; and

WHEREAS, the Applicant requested waivers and modifications to increase the building height from 35 feet to 37 feet, increase the fence height from six feet to eight feet, and decrease the parking loading space requirement from 22 spaces to one space; and

WHEREAS, pursuant to §11-3 of the Zoning Ordinance upon petition of the Applicant for approval of the Special Use Permit, the Planning Commission upon advertisement and notice properly given pursuant to §15.2-2204 of the Virginia Code held a Public Hearing on November 15, 2022, November 22, 2022, and December 20, 2022; and

WHEREAS, the Town Council received and considered the recommendation of the Planning Commission for denial of the Special Use Permit; and

WHEREAS, the Town Council of the Town of Warrenton held a Public Hearing on January 10, 2023, upon notice properly and duly given; and

WHEREAS, the Town Council of the Town of Warrenton held open the Public Hearing on January 10, 2023 to February 14th, 2023, upon notice properly and duly given; and

WHEREAS, the Town Council has considered the issues and the Applicant addressed the applicable factors listed in §11-3.10.3 of the Zoning Ordinance for the Town of Warrenton; and

WHEREAS, the Town Council finds that the Application meets the criteria for approval in the Town of Warrenton Zoning Ordinance and that the Application is consistent with the Town of Warrenton's Comprehensive Plan based on the analysis in the staff report; and

WHEREAS, the Town Council, in consideration of all of the foregoing, is of the opinion that the application for the Special Use Permit be approved subject to certain conditions;

NOW, THEREFORE, BE IT RESOLVED that the Warrenton Town Council approves SUP 22-03, subject to the attached Special Use Permit with Conditions of Approval dated February 14th, 2023, and all documents referenced in the Conditions of Approval, with requested waivers and modifications listed above.

ATTACHMENT:

Conditions of Approval

Discussion from council ensued on the motion to approve the resolution.

Councilmen William Semple spoke against the approval of the Special Use Permit.

Councilmen Paul Mooney spoke against the approval of the Special Use Permit.

Councilmen Brett Hamby spoke in favor of approval of the Special Use Permit.

Vice Mayor James Hartman spoke in favor of approval of the Special Use Permit.

Councilwoman Heather Sutphin spoke in favor of approval of the Special Use Permit.

Councilmen Jay Heroux spoke in favor of approval of the Special Use Permit.

Councilmen David McGuire spoke against the approval of the Special Use Permit.

Discussion continued as the Council debated the topic extensively.

Mayor Carter Nevill called the question on the motion to approve **Resolution Pursuant To Section 11-3.10 Of The Zoning Ordinance Of The Town Of Warrenton For Approval Of Application For A Special Use Permit 22-03 with conditions.**

The vote was as follows:

Ayes: Ms. Heather Sutphin; Mr. Brett Hamby; Mr. James Hartman, Vice Mayor; Mr. Jay Heroux.

Nays: Mr. William Semple; Mr. David McGuire; Mr. Paul Mooney.

Abstention:

Absent:

The motion passed 4-3 A resolution approving SUP 2022-03 for the Amazon Data Center was approved with conditions.

CONSENT AGENDA.

1. **Addition of Citizen Time Speakers to the Public Hearing Comments from 01.10.23**
2. **Advertisement of Special Meeting for the purposes of Interviewing a Town Manager in the next 14 days**
3. **Agreed Real Estate Assessment Correction Order for Wal-Mart Real Estate Business Trust**

3. Date and Location Change for the Town Council Budget Retreat
4. Resolutions Appointing Interim and Acting Town Manager
5. Resolution Appointing a Town Recorder

APPROVAL OF COUNCIL MINUTES.

9. Minutes September 25th, 2022, Special Town Council Meeting: Strategic Retreat
10. Minutes November 7th, 2022, Special Town Council Meeting

QUARTERLY DEPARTMENT REPORTS.

1. Quarterly Finance Department Report
2. Quarterly Parks and Recreation Department Report
3. Quarterly Police Department Report.
4. Quarterly Community Development Report
5. Quarterly Public Works and Utilities Department Report
6. Quarterly Capital Projects Report
7. Quarterly Report Emergency Services & Risk Management

Motion put forth by Councilman Hamby to approve the consent agenda.

Seconded by Vice Mayor Hartman.

The vote was as follows:

Ayes: Ms. Heather Sutphin; Mr. Brett Hamby; Mr. James Hartman, Vice Mayor; Mr. Jay Heroux.

Nays:

Abstention: Mr. William Semple; Mr. David McGuire, Mr. Paul Mooney.

Absent:

The motion passed 4-0-3, the consent agenda was approved.

NEW BUSINESS.

1. Discussion of the release of the emails in the lawsuit brought forth by CFFC.

Motion put forth by Councilman Mooney to release the emails held in exemption in the CFFC lawsuit for the viewing of the Town Council Members.

Seconded by Councilmen Semple

Councilmen Semple spoke in favor of the motion.

Councilmen Mooney spoke in favor of the motion.

Vice Mayor Hartman spoke in favor of the motion.

The vote was as follows:

Ayes: Ms. Heather Sutphin; Mr. William Semple; Mr. Brett Hamby; Mr. James Hartman, Vice Mayor; Mr. Jay Heroux; Mr. David McGuire, Mr. Paul Mooney.

Nays:

Abstention:

Absent:

The motion passed unanimously; Council directed staff to facilitate the release of the emails held in exemption in the CFFC lawsuit for the Councils viewing.

UNFINISHED BUSINESS.

18. A Resolution Directing Staff to Close Second Street to Vehicular Traffic

Motion put forth by Councilman Hamby to adopt a resolution to direct staff to close second street to vehicular traffic.

The resolution was modified to include the language of removeable bollards that would be purchased in funding partnership with EOTW.

Seconded by Vice Mayor Hartman.

The vote was as follows:

Ayes: Ms. Heather Sutphin; Mr. William Semple; Mr. Brett Hamby; Mr. James Hartman, Vice Mayor; Mr. Jay Heroux; Mr. David McGuire, Mr. Paul Mooney.

Nays:

Abstention:

Absent:

The motion passed unanimously; Council passed a resolution directing staff to close second street to vehicular traffic.

TOWN ATTORNEY'S REPORT.

Mr. Crim opted to omit his report this month in light of the hour.

TOWN MANAGER'S REPORT.

Interim Town Manager Christopher E. Martino announced with his great pleasure that he had promoted Acting Chief Timmothy Carter to the position of Chief of Police for the Town of Warrenton.

Chief Carter thanked the Town Manager and Council for their trust and thanked his wife for understanding him having to work through Valentine's Day.

Mr. Martino introduced a Human Capital initiative that would change the merit increased earned by evaluations for employees from July 1 to April 1 this year then would move it to January 1 of the following to be more in line with the review time period.

Additionally, Mr. Martino introduced two ordinances that would be coming before the Council in March. Indemnification of Town Employees and the appointment of the Town Clerk.

COUNCILMEMBERS TIME.

Mr. Mooney- Thanked all the citizens for coming tonight and all the effort that had gone into this process. Thanked his wife for her understanding of him being out at 3am on valentine's day.

Mr. Semple- Shared his viewpoint on the passing of the SUP and thanked all who worked so hard and came out tonight on Valentine's Day. He continued by congratulating Chief Carter on his promotion, and thanked Mr. Martino for his service to the Town.

Mr. Mooney- Councilmen Mooney requested a second chance to speak. He thanked the staff for tonight and thanked Mr. Clough for his outstanding work as the Town Clerk. He wanted to let the citizens know that he was really exited to be on the Council and serve for the citizens doing the best he can.

Mr. Hamby- Thanked everyone who had come out to all of the meetings on the SUP. Congratulated Chief Carter on his promotion, thanked the staff for the efforts in moving the meeting off site.

Mr. Hartman- Thanked the Staff who had worked hard on making the meeting run and the staff supporting from the back room as well that had worked hard on the whole process. He thanked the police department for keeping everyone safe tonight. He Congratulated Chief Carter on his promotion. He thanked Mr. Martino for his service and noted that he would be sorely missed.

Ms. Sutphin- Thanked the Town Employees for their endless contributions behind the scenes. She thanked Stephen for the efforts made to ensure that her system was up and everything was working correctly. She emphasized that each person up on the stage was there because they love their community. She thanked her fellow Councilmembers and Mayor as well as Mr. Martino and Tommy for the work that they've put into this. She congratulated the Chief on his promotion.

Mr. Heroux- Congratulated the chief on his promotion. He thanked Mr. Martino for the work he had done adding that he would be missed. He thanked the staff on the efforts that they put in to making sure that the Town Keeps running. He added that he was optimistic about the future of Warrenton and the great community that it has. He spoke on community and closed by thanking his wife for understanding why he was here tonight and that he loves her.

Mr. McGuire- Thanked all the good citizens that have come out tonight for the long meeting. He Congratulated Chief Carter on his promotion. He thanked the staff for their efforts and added that Mr. Martino would be missed. He thanked his fellow councilmembers for their efforts and collaboration with him. He added that he appreciated that the email review has passed and that it is moving things in the right direction towards transparency and honesty.

Mr. Nevill- Thanked the volunteers for their efforts this evening. He thanked the citizens who have been coming out and speaking on the SUP since July and that the Council has been listening. He explained that the Council is charged with responsibilities towards the applicants, the town, the future and what is before the Council. He appreciated the care that the Councilmembers utilized in this process. He thanked all the staff, officers, volunteers that made this meeting safe and effective. He thanked Stephen for his Clerking duties and responsibilities for ensuring the success of this meeting. He thanked Mr. Crim for his legal guidance to the Council. He thanked Jonathan, Stephen Bruck, and the entire IT Team for bringing the remote live stream capabilities and making git work flawlessly. He asked the Council to recognize the responsibility to IT as it effects the openness and accessibility of the democratic process. He thanked Denise, Rob, Stephanie, and all those who have done their jobs faithfully, dutifully, and with the best interests of this Town. He congratulated Chief Carter on his pro motion and thanked Mr. Martino for his leadership. He added that he looked forward to Tommy's leadership again.

ADJOURNMENT.

With no further business, this meeting was adjourned at 3:12am on Wednesday February 15th, 2023.

I hereby certify that this is a true and exact record of actions taken by the Town Council of the Town of Warrenton on February 14th, 2023.

Stephen M. Clough
Town Recorder

Attachments:

- 1) Citizen Comment Emails and form submissions.
- 2) Regular Town Council Meeting February 14th, 2023, AM Transcript
- 3) Regular Town Council Meeting February 14th, 2023, PM Transcript
- 4) Signed legislation.

Draft: Not yet approved by Town Council



The Town of Warrenton
P.O. Box 341
Warrenton, VA 20188
P (540) 347-1101
F (540) 349-2414

February 14th, 2023 Regular Town Council Meeting
Minutes

Attachment 1: Citizen Comment Emails and form
submissions.

From: "noreply@civicplus.com" on behalf of "noreply@civicplus.com"
<noreply@civicplus.com>
Sent: 10 Jan 2023 14:13:00 0600
To: "" <lpaul@warrentonva.gov>
Subject: Online Form Submittal: Public Comment

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

Public Comment

Name	Christina A Fox
Address	7241 Hastings Lane
City	Warrenton
State	Virginia
Zip Code	20187
Email Address	[REDACTED]
Phone Number	[REDACTED]
Committee, Board, or Commission Type	Town Council
Agenda Item	Amazon Data Center
Comment	Dear Town Council,

I'm opposed to the Amazon Data Center being considered on Blackwell Rd for the following reasons.

- .7 miles to my residence and my place of business.
- .8 miles from Bradley Elementary, Highland School, a nursing home and a 55 and older apartment complex.
- .2 miles from Poet's Walk, a home for disabled seniors suffering from dementia and Alzheimer's Disease.
- .3 miles from a town house community
- .4 miles from residents on Blackwell Road

This is inappropriate and inconsiderate of citizen's rights! The planning commission spoke and so have the citizens! SAY NO TO AMAZON and show the citizens that you care!

Sincerely,

Christina Fox

Email not displaying correctly? [View it in your browser.](#)

Draft: Not yet approved by Town Council

From: "noreply@civicplus.com" on behalf of "noreply@civicplus.com"
<noreply@civicplus.com>
Sent: 10 Jan 2023 16:37:03 0600
To: "" <lpaul@warrentonva.gov>
Subject: Online Form Submittal: Public Comment

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

Public Comment

Name	Nichole Heinlein
Address	630 Pineview Court
City	Warrenton
State	Virginia
Zip Code	20186
Email Address	
Phone Number	
Committee, Board, or Commission Type	Town Council
Agenda Item	Amazon Data Center
Comment	My sister, Suzanne Morgan, and I have happily resided in beautiful Monroe Estates for 18 years. We plan to live out the rest of our lives here. We have studied the plans, discussed them with neighbors, and authorities in town. We have heard that other small towns have been negatively affected by such data centers. As we read the plan, this data center will interrupt our peaceful life both by sight and sound. This grotesque center is adjacent to our community and will be a horrible eyesore. The effects of the unnatural noise levels may disturb the backyard wildlife we so enjoy.

If we trust this council to choose the best for our lovely town
and its citizens, why would you allow AMAZON to destroy it?

NO AMAZON DATA CENTER, PLEASE!

Email not displaying correctly? [View it in your browser.](#)

Draft: Not yet approved by Town Council

From: "noreply@civicplus.com" on behalf of "noreply@civicplus.com"
<noreply@civicplus.com>
Sent: 10 Jan 2023 19:23:26 0600
To: "" <lpaul@warrentonva.gov>
Subject: Online Form Submittal: Public Comment

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

Public Comment

Name	Deanna Blevins
Address	5699 Three Chimneys Drive
City	Marshall
State	VA
Zip Code	20115
Email Address	[REDACTED]
Phone Number	[REDACTED]
Committee, Board, or Commission Type	Town Council
Agenda Item	NO to Amazon, NO to secret meetings
Comment	Disgusted to see a repeat of Prince William County happening in Warrenton. Do members of the Warrenton Town Council want the same reputation for corruption as members of the PWC Board of County Supervisors? Proverbs 22:1 A good name is to be chosen rather than great riches

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From: "noreply@civicplus.com" on behalf of "noreply@civicplus.com"
<noreply@civicplus.com>
Sent: 10 Jan 2023 21:47:18 0600
To: "" <lpaul@warrentonva.gov>
Subject: Online Form Submittal: Public Comment

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

Public Comment

Name	Deanna Blevins
Address	5699 Three Chimneys Drive
City	Gainesville
State	VA
Zip Code	20115
Email Address	[REDACTED]
Phone Number	[REDACTED]
Committee, Board, or Commission Type	Town Council
Agenda Item	Town of Warrenton vs Amazon/CIA/NSA/FBI?!?...Are you kidding? Your only power is to say NO to this data center
Comment	Does the Town of Warrenton Town Council really think that it can enforce any rules against a company the size of Amazon, that is serving the CIA and other alphabet agencies???? The only power you have, is the power you have now, which is the power to say NO. If anything goes to litigation, the Town of Warrenton will hemorrhage money for years trying to enforce or defend its regulations. Residents near the data center(s) will suffer the entire time.

Email not displaying correctly? [View it in your browser.](#)

Draft: Not yet approved by Town Council

From: "noreply@civicplus.com" on behalf of "noreply@civicplus.com"
<noreply@civicplus.com>
Sent: 19 Jan 2023 21:06:53 0600
To: "" <lpaul@warrentonva.gov>
Subject: Online Form Submittal: Public Comment

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

Public Comment

Name	Lori Gibson
Address	46 Main Sr
City	Warrenton
State	VA
Zip Code	20186
Email Address	
Phone Number	Field not completed.
Committee, Board, or Commission Type	Town Council
Agenda Item	RollOut Warrenton
Comment	I just read in FauquierNow that the implied council decision was to not continue the Fri and Sat street closures next season (implied as special event requests). We did not know this decision was coming before the council nor were we consulted by EOTW for their recommendation. Is this a final decision or will there be more transparency to give the community and impacted businesses a chance to voice their opinions? I can't tell you how many people have been asking when Main Street will be open again for community interaction - both from residents and from visitors. And as a small business, we have to grow from visitors - we can't rely just on local business.

Email not displaying correctly? [View it in your browser.](#)

Draft: Not yet approved by Town Council

From: "noreply@civicplus.com" on behalf of "noreply@civicplus.com"
<noreply@civicplus.com>
Sent: 10 Feb 2023 11:36:51 0600
To: "" <lpaul@warrentonva.gov>
Subject: Online Form Submittal: Public Comment

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

Public Comment

Name	CHARLES CARROLL IV
Address	9532 Carr Lane
City	Delaplane
State	VA
Zip Code	20144
Email Address	
Phone Number	
Committee, Board, or Commission Type	Planning Commission
Agenda Item	Data Center
Comment	As a resident of Fauquier County, I am not in support of the Data Center in Warrenton as proposed next to Country Chevrolet. Noise Water needs Power needs Loss of green space. The environment.

The unfettered and continued growth of these proprietary data centers will destroy our environment and quality of life.

No to towers and Amazon.

Charlie and Bean Carroll
Delaplane, VA

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Draft: Not yet approved by Town Council

From: "noreply@civicplus.com" on behalf of "noreply@civicplus.com"
<noreply@civicplus.com>
Sent: 10 Feb 2023 11:45:36 0600
To: "" <lpaul@warrentonva.gov>
Subject: Online Form Submittal: Public Comment

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

Public Comment

Name	CHARLES CARROLL IV
Address	9532 Carr Lane
City	Delaplane
State	VA
Zip Code	20144
Email Address	[REDACTED]
Phone Number	[REDACTED]
Committee, Board, or Commission Type	Town Council
Agenda Item	Data Center
Comment	We do not support the data center next to Country Chevrolet. Loss of green space Noise Power needs. Towers Water needs. The return does not warrant the permanent risks to our area.

Say no to Amazon and the power use for another data center.
It will harm also those who will live next to it in the adjacent
subdivision.

Say no,

Charlie and Bean Carroll
Delaplane, VA

Email not displaying correctly? [View it in your browser.](#)

Draft: Not yet approved by Town Council

From: "noreply@civicplus.com" on behalf of "noreply@civicplus.com"
<noreply@civicplus.com>
Sent: 10 Feb 2023 19:25:41 0600
To: "" <lpaul@warrentonva.gov>
Subject: Online Form Submittal: Public Comment

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

Public Comment

Name	Fred benton
Address	17721 St Inigoes Rd
City	St Inigoes
State	Maryland
Zip Code	20684
Email Address	
Phone Number	Field not completed.
Committee, Board, or Commission Type	Planning Commission
Agenda Item	Field not completed.
Comment	Vote NO to allowing Data Center in this HISTORIC DISTRICT. Simple as that. NO Thank you, Fred Benton

Email not displaying correctly? [View it in your browser.](#)

From: "noreply@civicplus.com" on behalf of "noreply@civicplus.com"
<noreply@civicplus.com>
Sent: 11 Feb 2023 15:23:48 0600
To: "" <lpaul@warrentonva.gov>
Subject: Online Form Submittal: Public Comment

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

Public Comment

Name	Thomas R Corbin
Address	4624 34th ST S
City	Arlington
State	VA
Zip Code	22206
Email Address	[REDACTED]
Phone Number	[REDACTED]
Committee, Board, or Commission Type	Town Council
Agenda Item	Amazon Data Center in Warrenton
Comment	Hopefully everyone on the Town Council will have read the article in today's (Saturday Feb. 11) Washington Post about the effects of such installations on the landscape and communities near them. Oh, and congrats to Gov. Youngkin for giving Amazon more opportunities to line the pockets of the rich while deprecating the communities of the ordinary Joe with data centers.

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From: "noreply@civicplus.com" on behalf of "noreply@civicplus.com"
<noreply@civicplus.com>
Sent: 12 Feb 2023 13:07:37 0600
To: "" <lpaul@warrentonva.gov>
Subject: Online Form Submittal: Public Comment

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

Public Comment

Name	Azmir Kabilovic
Address	15 Willis Ln
City	Warrenton
State	VA
Zip Code	20186
Email Address	[REDACTED]
Phone Number	[REDACTED]
Committee, Board, or Commission Type	Town Council
Agenda Item	SUP2022 03 Amazon Data Center
Comment	I'm resident of the Town of Warrenton and I would like to express my support for Amazon Data Center. This town can benefit greatly from the data center. Data centers bring local jobs and tax revenue. We need improvements. Our roads need improvements. Electrical grid, internet/cellular coverage are unreliable. Teacher are leaving our schools because we can't pay them descent salaries. Please think about future of our children. If not, the trend will continue, young will be leaving the town because there is no future here.

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From: "noreply@civicplus.com" on behalf of "noreply@civicplus.com"
<noreply@civicplus.com>
Sent: 12 Feb 2023 13:44:12 0600
To: "" <lpaul@warrentonva.gov>
Subject: Online Form Submittal: Public Comment

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

Public Comment

Name	Thomas R. Daily
Address	3596 SUTHERLAND CT
City	WARRENTON
State	VA
Zip Code	20187
Email Address	[REDACTED]
Phone Number	[REDACTED]
Committee, Board, or Commission Type	Town Council
Agenda Item	Amazon Special Use Permit Application to build a Data Center in the Town of Warrenton
Comment	February 12, 2023 Town Council Town of Warrenton, VA Re: Public Hearing to discuss the Special Use Permit requested by Amazon Attention Council Members: As you are aware, there are a considerable number of concerns about various aspects of this issue and significant opposition, as has been demonstrated by the petition to that

effect and the many speakers and others in attendance at the Hearing. The purpose of my comments is to support the call to not approve the Special Use Permit (SUP) requested by Amazon in that it has been demonstrated, thus far, that it is incomplete, at best, and full of unverified and bad information.

Given the concerns raised by the many speakers at the Hearing, as well as the concerns/reservations expressed and implicit in the denial action by the Planning Commission, it would seem inconceivable that approval of the Amazon request would be made. Perhaps, Amazon could be advised to restart the application process – but with a more suitable site in mind – and, this time, with complete and trustworthy data/input.

There is too much at stake to make a hasty decision and/or ignore what appear to be legitimate concerns, some of which I will mention below. It also should be recognized, and agreed to by the members of the Council, that the legitimacy of any concerns/issues raised should be based on the merits of the issues themselves versus a consideration of where the people live who present/raise them or by the number of instances they are mentioned.

Any proposed 'changes' offered by Amazon and/or Dominion, also need to be thoroughly examined. What, on the surface, may appear to be an accommodation may, in the long run, present and/or add to other problems, such as setting up the Town of Warrenton for multiple Data Centers, irrespective of the particular sites, and their associated problems.

Careful attention must be paid to the language used, such as the terms Distribution lines vs Transmission lines. For example, instead of an offer by Amazon to pay for the undergrounding of 'all' electrical/power lines (which would include Transmission lines), an offer by Amazon stipulating only Distribution lines is relatively meaningless in that, it is understood, under Dominion's policy, Amazon would be required to pay for that anyway.

There may not be anything new presented at the Hearing. You have probably been exposed, in one way or another, to all of them by now. So I will not go into detail discussing them. Rather, I will just list some of the more prominent concerns that have been identified, thus far, that I am aware of.

* One concern calls into question the whole administrative (rezoning) process that allowed this to come about in the first place. That may not weigh that heavily on the direct consideration of the Permit; but, it is out there and, in a way, overshadows the whole process.

* Continuing weak, shifting, information from both Amazon and Dominion is another. It almost seems as though it was considered, by them, to be a 'done deal' from the beginning; so that more thoughtful, detailed, professional input by them wasn't that necessary.

* The whole setting of the proposed Data Center, aka known as the 'viewshed', has been called into question. Is the proposed site one of those that has/had been identified as appropriate for that kind of development? I think the term 'industrialized' has been used to describe such sites/areas. I will not even bring up the ludicrous 'balloon test' results offered by Amazon.

* Also, what has become a major issue is the 'noise' that will be generated. It is understood that, as a result, some changes have been offered by Amazon; but, again, these need to be looked at in detail and in context. For example, noise measurement may be one thing at a relatively early stage of development; but, an entirely different matter once the Data Center would be in full operation.

* The impact on nearby property values needs to be seriously considered. Speaking of 'value', the proposed tax revenue needs to be carefully examined, as well. In the end, it may not turn out to be what is being speculated/projected. Have the experiences, relative to tax revenue from Data Centers, in other locations/counties been explored? Especially, as concerns what was projected and what actual revenue has been received!

* Finally, another thing to consider is the projected advancement in technology. Already, there is talk of a time in, perhaps, the not too distant future that will call into question the need for so many Data Centers or even, at some point, any at all! What happens then to all those structures and the related investments?! It is speculated that Amazon, and other such companies, already have depreciation related

procedures/processes in place that eventually would result in no tax revenue being generated at all. The location(s) of such facilities would end up being stuck with the stereotypical 'white elephant(s)'.

As has been demonstrated, there are many things to consider and, given the importance of this decision relative to the precedent it will set for further/future applications of this nature, it is imperative, in the discharge of your duties, to get it right the first time – Deny the Amazon Application.

Respectfully submitted,
Tom Daily
Thomas R. Daily
Chair BOD/President Vint Hill Manor HOA

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Draft: Not yet approved by Town Council

From: "noreply@civicplus.com" on behalf of "noreply@civicplus.com"
<noreply@civicplus.com>
Sent: 12 Feb 2023 19:11:56 0600
To: "" <lpaul@warrentonva.gov>
Subject: Online Form Submittal: Public Comment

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

Public Comment

Name	Amy Gallick
Address	6312 Highmeadow Pl.
City	WARRENTON
State	Virginia
Zip Code	20187-7918
Email Address	[REDACTED]
Phone Number	[REDACTED]
Committee, Board, or Commission Type	Town Council
Agenda Item	Amazon Data Center
Comment	I am a county resident, former town resident, who is against the data center and I encourage you to vote against the SUP. I see no benefit to the data center coming to Warrenton. The tax revenue will not be significant -- especially when considering the property value decrease of the nearby homes. It will create noise pollution, which will significantly damage the quality of life to those living nearby, not to mention the known issues data center noise causes to wildlife. The environmental impacts of the data center and substation have been raised again and again. I have seen person after person speak out against this, and the Town Council isn't giving any indication they're listening. That is disturbing.

I have heard concerns from the Town Council about that plot of land -- what would go there if not the data center? Honestly -- who cares? It's not our business to help a land prospector sell their plot. There are enough developers destroying the land in the area. They see a tree or field and see dollar signs, where I would like to see nature.

When I moved to Warrenton 15 years ago, I quickly came to love our small businesses -- farm breweries, wineries, independently owned shops -- and our farmers markets, along with the rural-adjacent atmosphere. Massive housing developments have already cut down on the charm. But we should not be sold into the opposite direction -- horrible data centers having no benefit to our community. According to the website Climatiq: "Global emissions from cloud computing range from 2.5% to 3.7% of all global greenhouse gas emissions, thereby exceeding emissions from commercial flights (about 2.4%) and other existential activities that fuel our global economy." Local residents want no part of this and are telling you at every hearing. It's time to listen. You don't know what's better for the area than your residents and constituents. They know best.

If you choose to approve this monstrosity, I would like to see a member of the Town Council volunteer to swap homes with someone who lives nearby -- put your money where your mouth is. I expect I will be waiting for a long time, since it seems to me you are okay with gambling with other people's homes, and their personal and financial well-being, but would not be so quick to approve it was in your backyard.

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From: "noreply@civicplus.com" on behalf of "noreply@civicplus.com"
<noreply@civicplus.com>
Sent: 13 Feb 2023 07:30:57 0600
To: "" <lpaul@warrentonva.gov>
Subject: Online Form Submittal: Public Comment

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

Public Comment

Name	Mark Nesfeder
Address	721 Starting Point Court
City	Warrenton
State	Virginia
Zip Code	20186
Email Address	[REDACTED]
Phone Number	[REDACTED]
Committee, Board, or Commission Type	Town Council
Agenda Item	Amazon Special Use Permit
Comment	Good Morning.

At this point in Amazon's Special Use Permit request, there would be very little "new" information I could offer as you consider your final position in this historic decision.

This has been a very hard issue to follow, as the applicant has been less than transparent on just about every impactful aspect...and only until pressed reveals questionable resolutions that change from meeting to meeting, those not only in public but the select one on one with TC members as well.

How can anyone speaks towards an issue where the goal line

is constantly being moved?

However, as a citizen of Warrenton for the past twenty years, allow me to offer a few insights that I have been able to gather throughout this process....as well as some that have transpired in years before.

I can verify that the hum from the data centers at the Warrenton Training Center are very noticeable at my residence in Olde Gold Cup...but so is the noise from Broadview Avenue, Route 17 and Rt. 211.

One big difference with all of them is that the road infrastructure was here before my residence and I accept that resultant noise as a compromise of having a home location with convenient access to transportation into and out of Warrenton.

My primary concern regarding this SUP is how all of this got started. A landowner who has long sought to sell a piece of land while at the same time realizing their preferred use, possibly mixed-use development, is no longer an attractive nor needed venture. Plus the location does not lend it well towards an increase in traffic as access is limited.

So the landowner goes a different direction and sells with knowledge that certain, now former, Town officials will do an end around on the process to get it started...whereas if it had been done with full transparency and protocol it may never have come to fruition.

In case you didn't know, the Towns Comprehensive Plan shows a public multi-use trail circling the property in question. When I asked Community Development where this planned multi-use trail fits into this application, Community Developments response was hard to believe. They told me the "trail" would be constructed inside the Amazon Security fence so that they could patrol the perimeter.

At the very least, I would have thought Town officials would demand a trail still be built...if not there how about somewhere else instead? Please don't allow the Comprehensive Plan to be anything other than what Town residents need and want...and the proposed Data Center is neither and in truth was not in

there when the Council approved it a few years ago.

Your recent denial of the Harris Teeter gas pumps showed me that many of the concerns expressed by citizens regarding that project are also shared by many, many more with the Amazon Special Use Permit application. (Noise/Visual impacts)

I have seen the re-introduction of the Western Bypass voted down multiple times by different County Supervisors not because they felt it was not needed but because the citizens that spoke against it far outnumbered those that felt it was necessary.

I ask that you do the same for the Amazon Special Use Permit and deny the Special Use Permit application.

Thank you,

Mark Nesfeder
721 Starting Point Court
Warrenton, Virginia 20186

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From: "noreply@civicplus.com" on behalf of "noreply@civicplus.com"
<noreply@civicplus.com>
Sent: 13 Feb 2023 08:08:17 0600
To: "" <lpaul@warrentonva.gov>
Subject: Online Form Submittal: Public Comment

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

Public Comment

Name	Jon Kreitz
Address	6305 Beverleys Mill Rd
City	Broad Run
State	VA
Zip Code	20137
Email Address	[REDACTED]
Phone Number	[REDACTED]
Committee, Board, or Commission Type	Town Council
Agenda Item	Warrenton Data Center
Comment	I am adamantly opposed to the Town of Warrenton approving Amazon's request to build a data center in Warrenton. My wife and I moved to northern Fauquier County in 2007 and are the owners of a horse farm. We were drawn by the rural agricultural nature of the county and the friendly and welcoming citizens. We love the natural beauty and openness of Fauquier County and have chosen to remain here after I retired from a 37 year military career. I cannot state strongly enough my fear and apprehension of what approval of this proposal would mean to the nature and quality of life here. Building one data center, installing all the

required infrastructure, will lead to additional projects that would affect all of northern Fauquier County. This will permanently mar the "atmosphere" of our county forever.

I urge you to not be the ones who ruin Fauquier County by turning it in to Prince William County - West. Please vote to disapprove Amazon's request. Thank you for your consideration.

Sincerely, Jon Kreitz

Jon Kreitz
Rear Admiral, U.S. Navy (Retired)

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Draft: Not yet approved by Town Council

From: "noreply@civicplus.com" on behalf of "noreply@civicplus.com"
<noreply@civicplus.com>
Sent: 13 Feb 2023 13:39:02 0600
To: "" <lpaul@warrentonva.gov>
Subject: Online Form Submittal: Public Comment

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

Public Comment

Name	Karen Belle
Address	136 W Colonial Hwy
City	Hamilton
State	VA
Zip Code	20158
Email Address	
Phone Number	Field not completed.
Committee, Board, or Commission Type	Town Council
Agenda Item	Data Center
Comment	To the Warrenton Town Council ~ While I am not a resident of Warrenton, or even Fauquier County, I am concerned about Amazon's proposed data center. I live in Loudoun County, where data centers are springing up like weeds. Please take a quick drive through Sterling, and/or Ashburn, and see what you see. What was beautiful country when we moved to the area in the early 1970s is now anything but. What may look like a financial boost to a community at the outset (the data center), will eventually be an albatross, when physical depreciation and technological advancements are figured in over time. Please, please, please learn from the mistakes made by Loudoun County Supervisors. PLEASE preserve your history

and the beauty of your county. Please deny the request to build the data center.

Karen Belle

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Draft: Not yet approved by Town Council

From: "noreply@civicplus.com" on behalf of "noreply@civicplus.com"
<noreply@civicplus.com>
Sent: 13 Feb 2023 14:24:17 0600
To: "" <lpaul@warrentonva.gov>
Subject: Online Form Submittal: Public Comment

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

Public Comment

Name	Redmond Manierre
Address	3489 Landmark Rd.
City	The Plains
State	VA
Zip Code	20198
Email Address	[REDACTED]
Phone Number	[REDACTED]
Committee, Board, or Commission Type	Town Council
Agenda Item	Amazon data centrt
Comment	Just say no! DO NOT APPROVE!!

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From: "noreply@civicplus.com" on behalf of "noreply@civicplus.com"
<noreply@civicplus.com>
Sent: 14 Feb 2023 16:29:34 0600
To: "" <lpaul@warrentonva.gov>
Subject: Online Form Submittal: Public Comment

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

Public Comment

Name	Ellen Zagrobelny
Address	10120 Brown Moore Lane
City	Marshall
State	VA
Zip Code	20115
Email Address	
Phone Number	
Committee, Board, or Commission Type	Town Council
Agenda Item	Amazon Web Services SUP Application
Comment	I write regarding the special use permit application you will be voting on. I'm a Civil Engineer, and I review site construction plans and permit applications. I gave the SUP application in question a read, and I found it to be an incomplete application. In my experience, it is incomplete to an extent that would be unusual for approval in a large-scale project such as this one. Now we know in a special use the burden of proof is really on the applicant to provide a thorough analysis of the downsides and compelling reasons why they should receive an exception.

This is what the Statement of Justification in this permit is for. But this Statement of Justification fails to provide the requested analysis.

There are sixteen criteria here to be addressed. In my judgment, the applicant did adequately discuss and analyze 6 of the 16 criteria. But the remaining 10 either are avoided or the responses have not stood up to closer examination.

Let's take the environmental impact for one example... This is criteria 10 and 16

"10. Whether the proposed Special Use Permit at the specified location will result in the preservation or destruction, loss or damage of any significant topographic or physical, natural, scenic, archaeological or historic feature.

16. The effect of the proposed Special Use Permit on environmentally sensitive land or natural features, wildlife habit and vegetation, water quality, and air quality."

In the initial submittal, the Applicant responds "In 2020, the Applicant became the world's largest purchaser of renewable energy. It's facilities are almost 4 times as energy efficient as other enterprise data centers etc etc" it goes on like that

In my judgment, that response does not adequately address the environmental impact. How could it? Similar comments can be made about the 8 other criteria. What improvements the application has, have essentially been made at the direction and demand of the citizens.

The Planning Commission and the citizens have spent the last few months essentially doing the Applicant's work for them -

providing analysis, addressing the tough questions, quality controlling studies, developing feasibility options, even correcting typos and topographic errors.

This application, even as it stands now, is in my judgment not thorough or complete enough to move forward.

You would be right to vote no.

Email not displaying correctly? [View it in your browser.](#)

Draft: Not yet approved by Town Council

From: "noreply@civicplus.com" on behalf of "noreply@civicplus.com"
<noreply@civicplus.com>
Sent: 14 Feb 2023 17:19:09 0600
To: "" <lpaul@warrentonva.gov>
Subject: Online Form Submittal: Public Comment

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

Public Comment

Name	Taryn Meeks
Address	175 Waterloo St
City	Warrenton
State	VA
Zip Code	20186
Email Address	[REDACTED]
Phone Number	[REDACTED]
Committee, Board, or Commission Type	Town Council
Agenda Item	Amazon
Comment	Hello,

I recently moved to Old Town Warrenton. I'm not able to attend the town council meeting tonight but wanted to make my voice heard. I oppose Amazon and the power towers. I do not want to see Warrenton turn into Arlington or another hub of endless buildings. Please save this lovely town!

Sincerely Taryn Meeks

Email not displaying correctly? [View it in your browser.](#)

From: "Monica Constantine Marvin" [REDACTED]
Sent: Tue, 10 Jan 2023 03:12:35 0500
To: "" <citizencomment@warrentonva.gov>
Subject: No Amazon Data Center Blackwell Rd

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

I live at 226 N View Circle and am firmly against the proposed data center on Blackwell Road.

Over the holidays, I found myself having to pick up a family member in the middle of the night and drove past data centers to see the emissions in the night sky. Is this what we want for the residents living near the data center?

The data center is intrusive and unfitting for the town of Warrenton and negatively impacts residents living in the area.

I quote the same questions posed by Mr. Sniw in the recent letter to the editor posted by Faquier Now:

-Is this the town we want, where the public doesn't believe its officials will put PEOPLE's interests first?

-How are you adhering to the principles of logic, order, and process... and the principle of trusting in the wise judgment of the citizen to have input into a major community decision ... when you undermine process?

-In forcing people to move out of their homes and incur an unrecoverable loss because of the unnatural presence of this data center, are you committing to social justice and housing for all, or callously neglecting your middle-class neighbors in favor of the richest company on the planet?

-Why should we trust that any purported tax revenues from a data center will offset the sales, meal, and property taxes we already pay?

-Why would you prioritize tax incentives for a corporate behemoth over incentives that could be offered current or would-be small business owners?

-How does adding a major unregulated noise source next to a residential area of town show your commitment to our neighbors' health and sanity?

-How does incentivizing massive power lines through our countryside, farmlands, and wetlands, and planting a massive electrical and water consumer right in town, all for one in-town customer, show commitment to our ecological environment?

-What of Fauquier's commitment to agriculture, given the inevitable cascading effects from this decision?

The public response in recent months has shown you where the sentiment lies within our town. We want honest people, honest processes, and representation of our people's interests. You have seen it and heard it.

Sent from my iPhone

From: "Luis Albisu" [REDACTED]
Sent: Tue, 10 Jan 2023 11:57:49 +0100
To: "" <cnevill@warrentonva.gov>,"
<hsutphin@warrentonva.gov>; "" <wsemples@warrentonva.gov>,"
<bhamby@warrentonva.gov>; "" <jhartman@warrentonva.gov>,"
<jheroux@warrentonva.gov>; "" <pmooney@warrentonva.gov>,"
<dmcguire@warrentonva.gov>; "" <citizencomment@warrentonva.gov>;
"cnevill@warrentonva.gov" <cnevill@warrentonva.gov>;
"jhartman@warrentonva.gov" <jhartman@warrentonva.gov>;
"wsemples@warrentonva.gov" <wsemples@warrentonva.gov>;
"pmooney@warrentonva.gov" <pmooney@warrentonva.gov>
Subject: Please vote No

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

Dear
Warrenton Town Council Members,

We am writing to express our opposition to the proposed construction of a datacenter in our community. While we understand the potential economic benefits that a datacenter could bring to the area, we am deeply concerned about the potential negative impacts on the surrounding areas, as well as the noise and aesthetic effects on our community.

First and foremost, we are concerned about the power required for a datacenter. These facilities require a significant amount of energy to operate, and will require power lines to be installed. Their construction would likely involve the removal of trees and impact the views of many homeowners.

Furthermore, we are concerned about the noise that a datacenter would generate. The constant hum of fans and cooling systems can be disruptive to residents living nearby, and could negatively impact property values.

Lastly, the proposed location for the datacenter is not ideal for this kind of large-scale industrial operation. It is at the entrance of Warrenton and near a residential area and it would greatly impact the quality of life for local residents, and that area would be even more inconvenienced by the construction vehicles.

We urge the Town Council to consider the negative impacts that a datacenter would have on our community, and to carefully weigh the potential economic benefits against the potential harms. We ask that you take this proposal in consideration and take the residents concern in account while deciding if this is something that would be beneficial to the Warrenton community.

Thank you for your time and consideration.

Sincerely,

Luis and Staci Albisu
6544 Bob White Dr
Warrenton VA 20188

From: "Bernardine Connelly" [REDACTED]
Sent: Tue, 10 Jan 2023 09:19:29 0500
To: "" <citizencomment@warrentonva.gov>
Subject: Please vote no on data center

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

Dear Town Council Members,

Thank you for your service to our town. My family lives a few minuaway from where you will be voting, for which we are deeply grateful.

The integrity of small towns like Warrenton is under attack across the country. I am sure you have seen one you once knew lose its individual charm or die on the vine. I know you want to see Warrenton thrive. I imagine you think the Amazon taxes will help this happen.

I am not against data centers or well-designed development that takes into consideration the long-term effects of the project. This is not such a project.

This proposal represents a Faustian bargain, and our children will be paying the price in the loss of the very essence of our town.

This has been, as you know, a difficult process, and for many reasons, has eroded the bonds between much of the citizenry and those representing them. These bonds are difficult to repair.

Please do the right thing and vote no. This will repair those bonds and help us make a fully informed decision on future data center proposals .

Respectfully yours,
Bernardine Clark
Menlough

From: "Lee Owsley" [REDACTED]
Sent: Tue, 10 Jan 2023 09:27:17 0500
To: "" <citizencomment@warrentonva.gov>
Subject: Fwd: My comments for the meeting tonight

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

Hello Council members,

I had to go out of town and won't be able to speak tonight as I'd planned, so I am attaching my comments for your consideration. It is a plea to NOT vote for this data center.

 **Town Council Talk**

Thank you,

Lee Owsley
Latitudes Fair Trade Store owner

Home address:
54 Winchester St.
Warrenton, VA 20186

From: "sue hays" [REDACTED]
Sent: Tue, 10 Jan 2023 14:46:04 +0000
To: "citizencomment@warrentonva.gov"
<citizencomment@warrentonva.gov>
Subject: Amazon Data Center Proposal

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

I have lived in Fauquier County for 34 years and would like to voice my disapproval of the proposed data center. Fauquier is a rural county at present with unsurpassed acreage and bucolic scenery. To open the door to this type of development would destroy the peaceful environment so many have endeavored to maintain. One only has to look at Loudoun and Prince William counties to see the negative impact data centers have brought to their communities. I urge you to vote NO on the proposed data center.

Sincerely,
Sue Hays, resident of Hume

Draft: Not yet approved by Town Council

From: "[REDACTED]"
Sent: Tue, 10 Jan 2023 10:24:44 0500
To: "" <citizencomment@warrentonva.gov>
Subject: Comment for town meeting
Importance: Normal

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

Good morning,

I fervently oppose the Amazon data center and hope that you will vote against its construction.

From my understanding, there is no concrete evidence pertaining to actual, instead of "projected", tax revenue. Also, the facility would be a nuisance with the noise decibel above town thresholds. All those aside, a data center, right in the heart of town would be an unsightly monstrosity. I moved to Warrenton because I longed for the small town feel and friendly residents, a data center would take all those away

Secondly, I ask that Mr. Heroux recuse himself from any discussions and votes involving the data center. He is the vice president of a small tech firm, Definitive Logic, which has ties to Amazon Web Services and partners with Amazon on projects. Because of this, he is not able to be objective and unbiased.

Kind regards,

Landy T. Barbera

From: [REDACTED]

Sent: Tue, 10 Jan 2023 15:27:08 +0000 (UTC)

To: "" <citizencomment@warrentonva.gov>

Subject: Vote no

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

Dear Town Official(s):

I join with my neighbors and friends in opposition to Amazon's data center on Blackwell Road. It has no place at this location and will diminish everything that is special about Warrenton and Fauquier. It will harm the health, quality of life, and property values of those who live near it. It opens the door to an onslaught of more data centers.

Please vote no on Amazon's application.

[Sent from the all new AOL app for iOS](#)

From: "Amber McCraw" [REDACTED]
Sent: Tue, 10 Jan 2023 10:36:29 0500
To: "" <cnevill@warrentonva.gov>,"
<hsutphin@warrentonva.gov>; "" <jhartman@warrentonva.gov>,"
<jheroux@warrentonva.gov>; "" <pmooney@warrentonva.gov>,"
<dmcguire@warrentonva.gov>; "" <citizencomment@warrentonva.gov>,"
<bhamby@warrentonva.gov>; "" <wsemples@warrentonva.gov>;
"cnevill@warrentonva.gov" <cnevill@warrentonva.gov>;
"jhartman@warrentonva.gov" <jhartman@warrentonva.gov>;
"citizencomment@warrentonva.gov" <citizencomment@warrentonva.gov>;
"pmooney@warrentonva.gov" <pmooney@warrentonva.gov>
Cc: [REDACTED]
Subject: Amazon Data Center Attention Town Council Members

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

Dear Town Officials,

I join with my neighbors and friends in opposition to Amazon's data center on Blackwell Road. It has no place at this location and will diminish everything that is special about Warrenton and Fauquier. It will harm the health, quality of life, and property values of those who live near it. It opens the door to an onslaught of more data centers. The Special Use Permit guidelines require a Noise Study, which Amazon has not completed...they have retracted their previous submission stating it was "preliminary". Amazon's promises and "Commitments" have zero legal basis and cannot be legally enforced once the zoning is approved.

Please vote no on Amazon's application.

Thank you,

Amber and Joshua McCraw

7931 Leeds Manor Rd, Marshall, VA 20115

From: "Cecilia Baldwin" [REDACTED]
Sent: Tue, 10 Jan 2023 10:57:16 0500
To: "" <cnevill@warrentonva.gov>," <hsutphin@warrentonva.gov>; ""
<wsemples@warrentonva.gov>," <bhampy@warrentonva.gov>; ""
<jhartman@warrentonva.gov>," <jheroux@warrentonva.gov>; ""
<pmooney@warrentonva.gov>," <dmcguire@warrentonva.gov>; ""
<citizencomment@warrentonva.gov>; "cnevill@warrentonva.gov"
<cnevill@warrentonva.gov>; "jhartman@warrentonva.gov"
<jhartman@warrentonva.gov>; "wsemples@warrentonva.gov"
<wsemples@warrentonva.gov>; "pmooney@warrentonva.gov"
<pmooney@warrentonva.gov>
Subject: Statement for record of tonight's meeting

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

Dear Town Official(s):

I join with my neighbors and friends in opposition to Amazon's data center on Blackwell Road. It has no place at this location and will diminish everything that is special about Warrenton and Fauquier. It will harm the health, quality of life, and property values of those who live near it. It opens the door to an onslaught of more data centers.

Please vote no on Amazon's application.

Cecilia Baldwin

Resident (and voter) of Fauquier County

From: "[REDACTED]"
Sent: Tue, 10 Jan 2023 10:59:50 0500
To: "" <hsutphin@warrentonva.gov>,"
<cnevill@warrentonva.gov>; "" <wsemples@warrentonva.gov>,"
<bhamby@warrentonva.gov>; "" <jhartman@warrentonva.gov>,"
<jheroux@warrentonva.gov>; "" <pmooney@warrentonva.gov>,"
<dmcguire@warrentonva.gov>; "hsutphin@warrentonva.gov"
<hsutphin@warrentonva.gov>; "jhartman@warrentonva.gov"
<jhartman@warrentonva.gov>; "wsemples@warrentonva.gov"
<wsemples@warrentonva.gov>; "pmooney@warrentonva.gov"
<pmooney@warrentonva.gov>
Cc: "" <citizencomment@warrentonva.gov>

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

January 10, 2023

Dear Town Officials,

I join my fellow residents in opposing the proposed Amazon data center on Blackwell Road. Having a young family, I have not been able to attend meetings. As I asked around for more information about the project and spoke with neighbors, a few things were clear:

1. Many residents have limited information about the data center project.
2. Many of the people I spoke with did not support the project, but being very busy with young kids and competing priorities, they had limited time to focus on additional information gathering and attending town meetings.
3. No one I spoke with voiced their support of the project.
4. Only one person seemed ambivalent, mentioning that the need for data centers is growing; however, that person did not go so far as to express support for the data center here.

I spoke with over 20 people, and while that number is small, I am skeptical that there is significant support for this project among our local population. As our representatives, please consider the number of people speaking out against the project in comparison to the number who have expressed support. Have you reached out to your constituents to ascertain their awareness

and ask their position? Is your vote truly representing your community and the town's best interests?

I moved to Warrenton in 2020, attracted by the balance between economic growth and preservation of the county's natural beauty and small-town community. Previously, I lived in Prince William County, where I experienced the consequences of short-sighted economic development plans. While there is a lot I loved about that county, it would be sad to see Warrenton follow in Prince William County's missteps. Those missteps have less to do with the mere presence of data centers and more to do with what businesses are brought into the county, what jobs they offer, where they are located, and how the growth in population and business byproducts is managed. The currently proposed data center on Blackwell Road seems to be a mistake on all those fronts.

I understand the promise of jobs and tax revenue is appealing, yet a majority of those jobs will be temporary construction jobs. With the county's growth and appeal, I believe there will be plenty of temporary construction jobs available here in the future. As for tax revenue, I'm not saying data centers shouldn't be considered. However, do you really want a barren path of massive transmission lines and electrical substations, leading to a data center on a hill at the crossroads entering town as the way we welcome people to Warrenton? I don't.

I ask you to vote "No" on the proposed data center and encourage Amazon to propose a new location. Amazon is *not* concerned about what is in the best interest of Warrenton and its citizens. Naturally, they're looking at their own business interests. As our representatives, I'm asking you to take a stand for our best interests.

Thank you for your hard work and dedication to our beautiful community and its residents.

Sincerely,

Corianne Pafford

5807 Still Water Way

From: "Cindy Burbank" [REDACTED]
Sent: Tue, 10 Jan 2023 11:01:20 0500
To: "cnevill@warrentonva.gov" <cnevill@warrentonva.gov>;
"hsutphin@warrentonva.gov" <hsutphin@warrentonva.gov>;
"jhartman@warrentonva.gov" <jhartman@warrentonva.gov>;
"bhamby@warrentonva.gov" <bhamby@warrentonva.gov>;
"jheroux@warrentonva.gov" <jheroux@warrentonva.gov>;
"wsempel@warrentonva.gov" <wsempel@warrentonva.gov>;
"dmccguire@warrentonva.gov" <dmccguire@warrentonva.gov>;
"pmooney@warrentonva.gov" <pmooney@warrentonva.gov>;
"citizencomment@warrentonva.gov" <citizencomment@warrentonva.gov>
Subject: Re: Amazon's New Offer re Noise Town Conditions for Proffers

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

For you and the public record of SUP-2022-03

This morning Amazon is presenting a significant new proposal and presenting a large amount of new information. I respectfully request:

1. You must treat this as a new SUP application.
2. You must allow citizens ample time to review and comment especially on the noise and water impacts. We all know Amazon's prior info contained bizarrely incorrect noise information - which was exposed only through citizens enlisting a noise expert to expose bad physics, misuse of tables, and flagrantly false noise conclusions. You must allow time and a PC public hearing to examine this materially new application and new technology.
3. If and when you vote in some future month, you must include all the details of Amazon's technology and assurances IN WRITING in the SUP. John Foote himself has written a book emphasizing that applicants can make false and misleading statements in the process and NONE of them mean anything unless they are incorporated in writing, in firm contractual terms, in a SUP decision.

Sent from my iPhone

On Jan 9, 2023, at 9:21 AM, Cindy Burbank <[REDACTED]> wrote:

To the Town Council -
RE: Amazon SUP 2022-03

According to Heather Sutphin, Amazon has come forth with an offer to switch the cooling technology for its proposed data center on Blackwell, in order to comply with the Town's noise ordinance.

Surely, this constitutes a proffer on Amazon's part, and both you and Amazon must comply with the Town's conditions for proffers, below (note especially highlighted portions).

Even if it were not required by Town ordinance, **it is absolutely essential that there be a thorough vetting and opportunity for public comment at a future public hearing on this switch in the technology for cooling the data center. At the minimum, a noise study is required (a legitimate noise study, one that uses physics correctly, and one that can be analyzed by citizens and objective experts), as well as probing for potential water and other impacts. YOU MUST NOT VOTE ON TUESDAY NIGHT on a switch of this magnitude, without full public notice and opportunity for comment.**

WARRENTON TOWN ZONING ORDINANCE

:

11-3.9.17 Conditional Zoning

....

2. Proffered Conditions.

As a part of an application for rezoning or amendment to the zoning district map, the owner or owners of the property involved may, prior to a public hearing before the Town Council, voluntarily proffer in writing such reasonable conditions, in addition to the regulations provided for the zoning district or districts as herein set forth, as he deems appropriate for the particular case to address impacts of the proposed use.

For the purpose of this Ordinance, proffered conditions may include written statements, development plans, profiles, elevations, and/or other demonstrative materials. Materials of whatever nature and intended as proffers shall be annotated with the following statement signed by the owner or owners of the subject property: "I (we) hereby voluntarily proffer that the development of the subject property of this application shall be in strict accordance with the conditions set forth in this submission unless an amendment thereto is mutually agreed upon by the Town Council, and the undersigned."

3. When Proffers Are Made.

Proffered conditions should be submitted for Staff review as part of the initial application for rezoning..

Proffered conditions made at the Planning Commission meeting shall be forwarded to the Town Council prior to the Council's public hearing.

To be considered by the Planning Commission, proffers must be submitted with the application prior to advertising for public hearing.

11 - 32 Updated April 2022

4. Contents of Proffer.

Proffered conditions shall be signed by all persons having an ownership interest in the property and shall be notarized. Proffered conditions shall contain a statement that the owners voluntarily enter into the proffers contained therein.

5. Review and Revision of Proffered Conditions.

Additional conditions may be proffered by the applicant during or subsequent to the public hearing before the Planning Commission, provided however that after proffered conditions are signed and made available for public review and the public hearing before the Town Council has been advertised (whether or not jointly held with the Planning Commission) **no change or modification to any proffered condition shall be approved without a second advertised public hearing thereon.**

6. Modifications to Proffers.

After the Town Council's public hearing has been advertised, should additional or modified conditions be proffered by the applicant, which conditions were specifically discussed at the public hearing before the Planning Commission, then a second public hearing need be held only before the Town Council before the application and the modified conditions can be reviewed and acted on by the Council.

7. Additional Conditions.

Should additional conditions be proffered by the applicant at the time of the public hearing before the Town Council, which conditions were not addressed at the public hearing before the Planning Commission, or **if the proffered conditions are modified beyond the scope of any conditions considered at the public hearing before the Planning Commission, the application shall be the subject of a second public hearing before both the**

Planning Commission and the Town Council, which hearing may be held either separately or jointly.

Draft: Not yet approved by Town Council

From: "Winny Buursink" <[REDACTED]>
Sent: Tue, 10 Jan 2023 11:01:38 0500
To: "" <citizencomment@warrentonva.gov>
Subject: Amazon Data Center

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

Dear Town Officials,

We do not see how elected officials can vote with a clear conscience to allow Amazon to build this dreadful datacenter, knowing that so many of your constituents are adamantly opposed to it.

Therefore, we join with our neighbors and friends in opposition to Amazon's data center on Blackwell Road. It has no place at this location and will diminish everything that is special about Warrenton and Fauquier. It will harm the health, quality of life, and property values of those who live near it. It opens the door to an onslaught of more data centers.

Please vote no on Amazon's application.

John and Winny Buursink
Warrenton, VA

From: "April Knight" [REDACTED]
Sent: Tue, 10 Jan 2023 11:02:02 0500
To: "" <cnevill@warrentonva.gov>,"
<hsutphin@warrentonva.gov>; "" <wsemples@warrentonva.gov>,"
<bhamby@warrentonva.gov>; "" <jhartman@warrentonva.gov>,"
<jheroux@warrentonva.gov>; "" <pmooney@warrentonva.gov>,"
<dmcguire@warrentonva.gov>; "" <citizencomment@warrentonva.gov>;
"cnevill@warrentonva.gov" <cnevill@warrentonva.gov>;
"jhartman@warrentonva.gov" <jhartman@warrentonva.gov>;
"wsemples@warrentonva.gov" <wsemples@warrentonva.gov>;
"pmooney@warrentonva.gov" <pmooney@warrentonva.gov>
Subject: Vote "NO" to Amazon Data Center

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

Dear Town Official(s):

I join with my neighbors and friends in opposition to Amazon's data center on Blackwell Road. It has no place at this location and will diminish everything that is special about Warrenton and Fauquier. It will harm the health, quality of life, and property values of those who live near it. It opens the door to an onslaught of more data centers.

Please vote no on Amazon's application.

From: [REDACTED]

Sent: Tue, 10 Jan 2023 11:05:58 0500

To: "" <>," <" <>, >; "Undisclosed Address" <Undisclosed Address>

Bcc: "" <citizencomment@warrentonva.gov>

Subject: Vote NO on Amazon

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

Dear Mayor and Council,

I, a town citizen and homeowner, urge you to use common sense and vote NO on the Amazon Special Use Permit this evening. The reasons are obvious and have been spelled out to all of you ad nauseum. I don't need to rehash everything again. Do the right thing for our community, not for your own bank accounts, and simply vote no. The decision is such an obvious one that, if you vote to approve this data center, the entire town will know that your pockets are being lined by Amazon and that there are illegal, shady, backroom deals going on. Don't go down that road. It's not worth it. Do the right thing. Vote no.

TOWN CITIZEN,
Bébhinn Rowland
270 Alexandria Pike

From: "Tara Sego" [REDACTED]
Sent: Tue, 10 Jan 2023 11:13:06 -0500
To: "" <cnevill@warrentonva.gov>, "
<hsutphin@warrentonva.gov>; "" <wsemples@warrentonva.gov>, "
<bhamby@warrentonva.gov>; "" <jhartman@warrentonva.gov>, "
<jheroux@warrentonva.gov>; "" <pmooney@warrentonva.gov>, "
<dmcguire@warrentonva.gov>; "" <citizencomment@warrentonva.gov>;
"cnevill@warrentonva.gov" <cnevill@warrentonva.gov>;
"jhartman@warrentonva.gov" <jhartman@warrentonva.gov>;
"wsemples@warrentonva.gov" <wsemples@warrentonva.gov>;
"pmooney@warrentonva.gov" <pmooney@warrentonva.gov>
Subject: Amazon's Special Use Permit

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

Dear Town Official(s) :

My family and I have lived in Fauquier County for twenty years, and we have watched the successful maintenance of a rural environment, respecting nature and the citizens who moved here to enjoy the country life. We are standing with our friends and neighbors to oppose allowing Amazon to infiltrate this community and destroy what has been preserved thus far. We are certain that if any citizen of Fauquier wanted to live by data centers, they would move to neighboring counties for the experience. My family and I do not wish for such an environment and will continue to stand up and oppose Amazon's intrusion. We ask each of you to oppose Amazon's data center(s), as well, because they have no place in our county and are, quite frankly, not welcome.

We live nearby the proposed Blackwell Road site, and have been following the process by which Amazon has presented to our community. By allowing Amazon's data center (and surely more to follow), it will harm the health, quality of life, and property values of Fauquier County residents.

We are asking you to please vote NO on Amazon's application.

Sincerely,

Tara Sego-Jelenic



Tara Jelenić
Photographer, Tara Jelenić Photography



Not yet approved by Town Council

From: "inglecress" [REDACTED]
Sent: Tue, 10 Jan 2023 11:23:30 0500
To: "" <cnevill@warrentonva.gov>,"
<hsutphin@warrentonva.gov>; "" <jhartman@warrentonva.gov>,"
<jheroux@warrentonva.gov>; "" <pmooney@warrentonva.gov>,"
<dmcguire@warrentonva.gov>; "" <citizencomment@warrentonva.gov>,"
<bhamby@warrentonva.gov>; "" <wsemples@warrentonva.gov>;
"cnevill@warrentonva.gov" <cnevill@warrentonva.gov>;
"jhartman@warrentonva.gov" <jhartman@warrentonva.gov>;
"citizencomment@warrentonva.gov" <citizencomment@warrentonva.gov>;
"pmooney@warrentonva.gov" <pmooney@warrentonva.gov>
Subject: Opposition to Proposed Blackwell Road Data Center
Importance: Normal

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

Dear elected official(s),

I am writing to express my opposition to the proposed Blackwell Road Data Center. I am a new Fauquier County resident who was drawn to the rural and small town feel of Fauquier County and Warrenton. Building this data center will not only be detrimental to our community from the negative effects of the data center itself but it will open up the door for numerous more data centers which will cause Fauquier County and Warrenton lose a lot of the charm and beauty which draws young families such as my wife and me to the community.

While it has been discussed that this data center will use underground distribution lines, the additional data centers, which will likely be encouraged to build here by a potential approval of the Blackwell Road Data Center, will require new, tall transmission towers which will ruin many parts of our community.

Sincerely,
Joseph Artrip
Fauquier County Resident

Sent from my T-Mobile 4G LTE Device

From: "Tanya Perry" [REDACTED]
Sent: Tue, 10 Jan 2023 16:24:59 +0000 (UTC)
To: "" <cneville@warrentonva.gov>,"
<hsutphin@warrentonva.gov>; "" <wsemples@warrentonva.gov>,"
<bhamby@warrentonva.gov>; "" <jhartman@warrentonva.gov>,"
<jheroux@warrentonva.gov>; "" <pmooney@warrentonva.gov>,"
<dmcguire@warrentonva.gov>; "" <citizencomment@warrentonva.gov>;
"cneville@warrentonva.gov" <cneville@warrentonva.gov>;
"jhartman@warrentonva.gov" <jhartman@warrentonva.gov>;
"wsemples@warrentonva.gov" <wsemples@warrentonva.gov>;
"pmooney@warrentonva.gov" <pmooney@warrentonva.gov>
Subject: Amazon Data Center

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

The majority of the population in Warrenton and Fauquier County do not want the proposed Amazon's data center on Blackwell Road. It would diminish many of the special qualities about Warrenton and Fauquier that have already been lost by our surrounding neighbors/counties. It will harm the health, quality of life, and property values of those who live near it. It opens the door to an onslaught of more data centers.

Please vote no on Amazon's application.

Tanya Perry

From: "Cindy Burbank" [REDACTED]
Sent: Tue, 10 Jan 2023 11:27:09 0500
To: "cnevill@warrentonva.gov" <cnevill@warrentonva.gov>;
"hsutphin@warrentonva.gov" <hsutphin@warrentonva.gov>;
"jhartman@warrentonva.gov" <jhartman@warrentonva.gov>;
"bhamby@warrentonva.gov" <bhamby@warrentonva.gov>;
"jheroux@warrentonva.gov" <jheroux@warrentonva.gov>;
"wsemple@warrentonva.gov" <wsemple@warrentonva.gov>;
"dmcguire@warrentonva.gov" <dmcguire@warrentonva.gov>;
"pmooney@warrentonva.gov" <pmooney@warrentonva.gov>;
"citizencomment@warrentonva.gov" <citizencomment@warrentonva.gov>
Subject: Amazon SUP 2022 03 Re: Town Prohibition on Vibration perceptible to human feeling. Amazon's New Offer re Noise Town Conditions for Proffers

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

Town noise provisions prohibit new uses where there is any vibration perceptible to human feeling.

Previously and with new Amazon noise study nothing has been submitted demonstrating this Town requirement will be met by Amazon.

Sent from my iPhone

On Jan 10, 2023, at 11:01 AM, Cindy Burbank [REDACTED] wrote:

For you and the public record of SUP-2022-03

This morning Amazon is presenting a significant new proposal and presenting a large amount of new information. I respectfully request:

1. You must treat this as a new SUP application.
2. You must allow citizens ample time to review and comment especially on the noise and water impacts. We all know Amazon's prior info contained bizarrely incorrect noise information - which was exposed only through citizens enlisting a noise expert to expose bad physics, misuse of tables, and flagrantly false noise conclusions. You must allow time and a PC public hearing to examine this materially new application and new technology.

3. If and when you vote in some future month, you must include all the details of Amazon's technology and assurances IN WRITING in the SUP. John Foote himself has written a book emphasizing that applicants can make false and misleading statements in the process and NONE of them mean anything unless they are incorporated in writing, in firm contractual terms, in a SUP decision.

Sent from my iPhone

On Jan 9, 2023, at 9:21 AM, Cindy Burbank [REDACTED] wrote:

To the Town Council -
RE: Amazon SUP 2022-03

According to Heather Sutphin, Amazon has come forth with an offer to switch the cooling technology for its proposed data center on Blackwell, in order to comply with the Town's noise ordinance.

Surely, this constitutes a proffer on Amazon's part, and both you and Amazon must comply with the Town's conditions for proffers, below (note especially highlighted portions).

Even if it were not required by Town ordinance, **it is absolutely essential that there be a thorough vetting and opportunity for public comment at a future public hearing on this switch in the technology for cooling the data center. At the minimum, a noise study is required (a legitimate noise study, one that uses physics correctly, and one that can be analyzed by citizens and objective experts), as well as probing for potential water and other impacts. YOU MUST NOT VOTE ON TUESDAY NIGHT on a switch of this magnitude, without full public notice and opportunity for comment.**

WARRENTON TOWN ZONING ORDINANCE

:

11-3.9.17 Conditional Zoning

....

2. Proffered Conditions.

As a part of an application for rezoning or amendment to the

zoning district map, the owner or owners of the property involved may, prior to a public hearing before the Town Council, voluntarily proffer in writing such reasonable conditions, in addition to the regulations provided for the zoning district or districts as herein set forth, as he deems appropriate for the particular case to address impacts of the proposed use. For the purpose of this Ordinance, proffered conditions may include written statements, development plans, profiles, elevations, and/or other demonstrative materials. Materials of whatever nature and intended as proffers shall be annotated with the following statement signed by the owner or owners of the subject property: "I (we) hereby voluntarily proffer that the development of the subject property of this application shall be in strict accordance with the conditions set forth in this submission unless an amendment thereto is mutually agreed upon by the Town Council, and the undersigned."

3. When Proffers Are Made.

Proffered conditions should be submitted for Staff review as part of the initial application for rezoning..

Proffered conditions made at the Planning Commission meeting shall be forwarded to the Town Council prior to the Council's public hearing.

To be considered by the Planning Commission, proffers must be submitted with the application prior to advertising for public hearing.

4. Contents of Proffer.

Proffered conditions shall be signed by all persons having an ownership interest in the property and shall be notarized. Proffered conditions shall contain a statement that the owners voluntarily enter into the proffers contained therein.

5. Review and Revision of Proffered Conditions.

Additional conditions may be proffered by the applicant during or subsequent to the public hearing before the Planning Commission, provided however that after proffered conditions are signed and made available for public review and the public hearing before the Town Council has been advertised (whether or not jointly held with the Planning Commission) **no change or modification to any proffered condition shall be approved without a second advertised public hearing thereon.**

6. Modifications to Proffers.

After the Town Council's public hearing has been advertised, should additional or modified conditions be proffered by the applicant, which conditions were specifically discussed at the public hearing before the Planning Commission, then a second public hearing need be held only before the Town Council before the application and the modified conditions can be reviewed and acted on by the Council.

7. Additional Conditions.

Should additional conditions be proffered by the applicant at the time of the public hearing before the Town Council, which conditions were not

addressed at the public hearing before the Planning Commission,
or if the
proffered conditions are modified beyond the scope of any
conditions
considered at the public hearing before the Planning
Commission, the
application shall be the subject of a second public hearing
before both the
Planning Commission and the Town Council, which hearing
may be held
either separately or jointly.

Draft Not yet approved by Town Council

From: "letyouryesbeyes" [REDACTED]
Sent: Tue, 10 Jan 2023 16:30:01 +0000
To: "cnevill@warrentonva.gov" <cnevill@warrentonva.gov>;
"hsutphin@warrentonva.gov" <hsutphin@warrentonva.gov>;
"jhartman@warrentonva.gov" <jhartman@warrentonva.gov>;
"jheroux@warrentonva.gov" <jheroux@warrentonva.gov>;
"pmooney@warrentonva.gov" <pmooney@warrentonva.gov>;
"citizencomment@warrentonva.gov" <citizencomment@warrentonva.gov>;
"wsemple@warrentonva.gov" <wsemple@warrentonva.gov>;
"dmcguire@warrentonva.gov" <dmcguire@warrentonva.gov>;
"bhamby@warrentonva.gov" <bhamby@warrentonva.gov>
Cc: [REDACTED]
Subject: Letter to Warrenton Town Council, re: Data Center debate

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

To the Warrenton Town Council:

The public response to data centers in recent months has shown you where the sentiment lies within our town. More than any specific path to approve or disapprove a data center and its power infrastructure, we want honest people, honest processes, and representation of our people's interests-- not backroom deals, grift, conflicts of interest, and secrecy.

You have seen it and heard it; **don't sell a bad bill of goods to the people of this town.**

Increasingly, **Americans have a crisis of trust in institutions.** Who can earn our trust? Who can keep our trust? Who are the honest brokers who care about their constituents and neighbors, advocating for the most discernible common good over powerful special interests?

I learned today that Amazon's attorney, John Foote, teaches other attorneys that they can lie their way into approval, by saying "whatever it takes" to win over a locality like Warrenton. A book he wrote states the following:

- "Truths, half-truths, and outright falsehoods can pepper the legislative record in a battle for governing body approval" [just to get approval granted], but...
- "[none of it] is legally enforceable against the property once the zoning is approved."

I also hear that Amazon will claim tonight that it has concocted a never-before-seen, super-wham-o-dyne, new technology that is going to reduce noise concerns and magically meet the Town noise ordinance (though it has never been tested). Hmm... Coming from a man who out-right justifies **lying to your face**, do you trust this? As an engineer trained to read the reality around me and determine plausibility of a technical solution, consider me skeptical...

Councilmember, can you be trusted to represent this wonderful town with honesty and integrity? Are you an honest broker? Where do you stand? Are you an advocate for the big and powerful over the interests and desires of your neighbors and constituents?

Have money and power, coercion, and bribery poisoned the well of Warrenton politics? **Will you stand in the breach to fight those lacking in integrity?**

By any measure, due diligence on the part of Amazon regarding the planned data center has not been met. In November, the Planning Commission reasonably postponed a hearing based on an incomplete application from Amazon that does not demonstrate goodwill or good intent to meet the town's basic requirements. The Planning Commission has rightly recommended disapproval of the Special Use Permit. **The commission's job is to assure due diligence.** Yet, some on this council are now considering overriding the Planning Commission and their constituents and strong-arming the many who take umbrage with the backroom deals that have characterized this process. **Why would you even consider overriding the Planning Commission on this contentious issue, in which the applicant has obvious shortfalls?**

Any steps you take on this data center are **precedent** for the next of inevitably **many** data center applications. If you allow Amazon to dictate that this town lower the bar on environmental measures—namely noise, sightlines, and elevations—not to mention the obvious eyesore factor, every other application will rightly see this town's government as a pushover. Soon, Fauquier will be another rubber-stamp-wielding pushover for tech companies, in the infamous line of Loudoun and Prince William Counties. Our town's and county's character will be forever changed, and in a short 10 to 20 years, those data centers will be obsolete.

A few questions for those leaning toward support of the Amazon data center:

- Is this the culture you want engendered in the town you lead, where the **public doesn't believe its officials will put constituents' interests first**, above those of the richest company in the world, located 2700 miles west of here, with no stake in our local community?
- How are you adhering **to the principles of logic, order, and process...** and the **principle of trusting in the wise judgment of the citizen** to have input into a major community decision... when you **undermine process?**

- In forcing people to move out of their homes and incur an unrecoverable loss because of the unnatural presence of this data center, are you **committing to social justice** and housing for all, or callously neglecting your middle-class neighbors in favor of the richest company on the planet?
- **Why should we (the people) trust** that any supposed tax revenues from a data center will offset the sales, meal, and property taxes we already pay?
- Why would you prioritize tax incentives for a corporate behemoth over **incentives that could be offered current or would-be small business owners**?
- How does adding a major unregulated noise source next to a residential area of town show your **commitment to our neighbors' health and sanity**?
- How does incentivizing massive power lines through our countryside, farmlands, and wetlands, and planting a massive electrical and water consumer right in town, all for one in-town customer, show **commitment to our ecological environment**?
- What of Fauquier's **commitment to agriculture**, given the inevitable cascading effects from this one decision?

I ask you to show diligence in listening to your neighbors and protecting this town, as your neighbors have been pleading for you to do. The role for which you were elected is to work in support of our town's best interests, which includes shielding your constituents from negative impacts on their daily lives.

The primary concern for many of us is one of PRECEDENT. If Amazon succeeds, after you have driven off your neighbors and constituents with the inescapable and health-stealing hum of massive air conditioning units and peppered our bucolic farmland with industrial waste, we will all be staring at **abandoned and neglected shells and lost agricultural potential**, reminders of the brief Era of the Hulking Data Centers.

- **This data center is intrusive and unfitting.**
- **This data center would be the first of many.**

We don't need data centers here.

We don't benefit from data centers here. Any presumed tax windfall is a temporary and unconfirmed figment.

We the citizens of this lovely town and county... do not WANT data centers here.

Do the right thing. Be the leader we're counting on. **Restore our trust** by listening to your neighbors.

Jonathan Snow
Warrenton

Draft: Not yet approved by Town Council

From: "Michael Morency" [REDACTED]
Sent: Tue, 10 Jan 2023 11:32:07 0500
To: "" <cnevill@warrentonva.gov>,"
<hsutphin@warrentonva.gov>; "" <bhamby@warrentonva.gov>,"
<jhartman@warrentonva.gov>; "" <jheroux@warrentonva.gov>,"
<pmooney@warrentonva.gov>; "" <wsemples@warrentonva.gov>,"
<dmcguire@warrentonva.gov>; "citizencomment"
<citizencomment@warrentonva.gov>; "jheroux@warrentonva.gov"
<jheroux@warrentonva.gov>
Subject: Amazon Data Center

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

To the Warrenton Town Council:

It is obvious at this point that the application Amazon has submitted is incomplete, particularly in relation to the requirement for a noise study. Numerous examples have been brought to your attention of noise from data centers disturbing residential neighbors, so I do not understand how you could move forward in a responsible manner.

Further, the location of the proposed data center would be a permanent blight on the entrance to Warrenton from the east. There is no guarantee that new overhead power lines will not be needed which will impact negatively current property owners.

Is there a projection of the financial impacts of the installation? What is the anticipated net revenue to the town and the county?

Please vote no on the application. It is the only responsible action at this time. I grew up in Fauquier County, went to school in Warrenton and do not wish to see its charm so greatly diminished as it will be if you approve it. Take a drive down Route 50 east of Gilberts Corner (or even better, Ashburn) to see the impact of these monstrosities. Undoubtedly, there are better places to site a data center, or centers if this sets a precedent that will result in their proliferation.

Sincerely,

Michael Morency
The Plains

From: "Amy Hampton" [REDACTED]
Sent: Tue, 10 Jan 2023 11:33:04 0500
To: "" <citizencomment@warrentonva.gov>
Subject: Please deny the SUP for Amazon

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

Dear Town Official,

>

> I join with my neighbors and friends in opposition to Amazon's data center on Blackwell Road. It has no place at this location and will diminish everything that is special about Warrenton and Fauquier. It will harm the health, quality of life, and property values of those who live near it. It opens the door to an onslaught of more data centers.

>

> Please vote no on Amazon's application.

>

> Amy Hampton,

> Warrenton Town Resident

> 90 Dorset Lane

> Ward 1

>

> Sent from my iPhone

From: "Cindy Burbank" [REDACTED]
Sent: Tue, 10 Jan 2023 11:34:48 0500
To: "cnevill@warrentonva.gov" <cnevill@warrentonva.gov>;
"hsutphin@warrentonva.gov" <hsutphin@warrentonva.gov>;
"jhartman@warrentonva.gov" <jhartman@warrentonva.gov>;
"bhamby@warrentonva.gov" <bhamby@warrentonva.gov>;
"jheroux@warrentonva.gov" <jheroux@warrentonva.gov>;
"wsemples@warrentonva.gov" <wsemples@warrentonva.gov>;
"dmccguire@warrentonva.gov" <dmccguire@warrentonva.gov>;
"pmooney@warrentonva.gov" <pmooney@warrentonva.gov>;
"citizencomment@warrentonva.gov" <citizencomment@warrentonva.gov>
Subject: Nothing Amazon says has any standing unless documented as binding, in writing in the SUP. NOTHING. Re: Amazon SUP 2022 03 Re: Town Prohibition on Vibration perceptible to human feeling. Amazon's New Offer re Noise Town Conditions for Proffers

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

Per John Foote in-his own land use book.

It doesn't matter if it is in the record, as Brett Hamby seeming to rely on this morning.

These oral statements mean nothing, per John Foote in his book. Even if they are in Amazon's slides, and even if flatly promised orally.

They only have legal standing if nailed down, clearly, in writing, in the SUP, without clever lawyer weasel words.

Sent from my iPhone

On Jan 10, 2023, at 11:27 AM, Cindy Burbank [REDACTED] wrote:

Town noise provisions prohibit new uses where there is any vibration perceptible to human feeling.

Previously and with new Amazon noise study nothing has been submitted demonstrating this Town requirement will be met by Amazon.

Sent from my iPhone

On Jan 10, 2023, at 11:01 AM, Cindy Burbank <[REDACTED]>
wrote:

For you and the public record of SUP-2022-03

This morning Amazon is presenting a significant new proposal and presenting a large amount of new information. I respectfully request:

1. You must treat this as a new SUP application.
2. You must allow citizens ample time to review and comment especially on the noise and water impacts. We all know Amazon's prior info contained bizarrely incorrect noise information - which was exposed only through citizens enlisting a noise expert to expose bad physics, misuse of tables, and flagrantly false noise conclusions. You must allow time and a PC public hearing to examine this materially new application and new technology.
3. If and when you vote in some future month, you must include all the details of Amazon's technology and assurances IN WRITING in the SUP. John Foote himself has written a book emphasizing that applicants can make false and misleading statements in the process and NONE of them mean anything unless they are incorporated in writing, in firm contractual terms, in a SUP decision.

Sent from my iPhone

On Jan 9, 2023, at 9:21 AM, Cindy Burbank
[REDACTED] wrote:

To the Town Council -
RE: Amazon SUP 2022-03

According to Heather Sutphin, Amazon has come forth with an offer to switch the cooling technology for its proposed data center on Blackwell, in order to comply with the Town's noise ordinance.

Surely, this constitutes a proffer on Amazon's part, and both you and Amazon must comply with the

Town's conditions for proffers, below (note especially highlighted portions).

Even if it were not required by Town ordinance, **it is absolutely essential that there be a thorough vetting and opportunity for public comment at a future public hearing on this switch in the technology for cooling the data center. At the minimum, a noise study is required (a legitimate noise study, one that uses physics correctly, and one that can be analyzed by citizens and objective experts), as well as probing for potential water and other impacts. YOU MUST NOT VOTE ON TUESDAY NIGHT on a switch of this magnitude, without full public notice and opportunity for comment.**

WARRENTON TOWN ZONING ORDINANCE

:

11-3.9.17 Conditional Zoning

....

2. Proffered Conditions.

As a part of an application for rezoning or amendment to the zoning

district map, the owner or owners of the property involved may, prior to

a public hearing before the Town Council, voluntarily proffer in writing

such reasonable conditions, in addition to the regulations provided for

the zoning district or districts as herein set forth, as he deems appropriate

for the particular case to address impacts of the proposed use.

For the purpose of this Ordinance, proffered conditions may include

written statements, development plans, profiles, elevations, and/or other

demonstrative materials. Materials of whatever nature

and intended as
proffers shall be annotated with the following
statement signed by the
owner or owners of the subject property: "I (we)
hereby voluntarily
proffer that the development of the subject property of
this application
shall be in strict accordance with the conditions set
forth in this
submission unless an amendment thereto is mutually
agreed upon by the
Town Council, and the undersigned."

3. When Proffers Are Made.

Proffered conditions should be submitted for Staff
review as part of the
initial application for rezoning..

Proffered conditions made at the Planning
Commission meeting shall be
forwarded to the Town Council prior to the Council's
public hearing.

To be considered by the Planning Commission,
proffers must be
submitted with the application prior to advertising for
public hearing.

11 - 32 Updated April 2022

4. Contents of Proffer.

Proffered conditions shall be signed by all persons
having an ownership
interest in the property and shall be notarized.
Proffered conditions shall
contain a statement that the owners voluntarily enter
into the proffers
contained therein.

5. Review and Revision of Proffered Conditions.

Additional conditions may be proffered by the
applicant during or
subsequent to the public hearing before the Planning
Commission,

provided however that after proffered conditions are signed and made available for public review and the public hearing before the Town Council has been advertised (whether or not jointly held with the Planning Commission) **no change or modification to any proffered condition shall be approved without a second advertised public hearing thereon.**

6. Modifications to Proffers.

After the Town Council's public hearing has been advertised, should additional or modified conditions be proffered by the applicant, which conditions were specifically discussed at the public hearing before the Planning Commission, then a second public hearing need be held only before the Town Council before the application and the modified conditions can be reviewed and acted on by the Council.

7. Additional Conditions.

Should additional conditions be proffered by the applicant at the time of the public hearing before the Town Council, which conditions were not addressed at the public hearing before the Planning Commission, or **if the proffered conditions are modified beyond the scope of any conditions considered at the public hearing before the Planning Commission, the application shall be the subject of a second public hearing before both the Planning Commission and the Town Council,**

which hearing may be held
either separately or jointly.

Draft: Not yet approved by Town Council

From: "John McCarthy" [REDACTED]
Sent: Tue, 10 Jan 2023 11:38:08 0500
To: "Carter Nevill" <cnevill@warrentonva.gov>; ""
<hsutphin@warrentonva.gov>," <jhartman@warrentonva.gov>; ""
<jheroux@warrentonva.gov>," <pmooney@warrentonva.gov>; ""
<dmcguire@warrentonva.gov>," <citizencomment@warrentonva.gov>; ""
<bhamby@warrentonva.gov>," <wsample@warrentonva.gov>;
"jheroux@warrentonva.gov" <jheroux@warrentonva.gov>;
"dmcguire@warrentonva.gov" <dmcguire@warrentonva.gov>
Subject: AWS Facility

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

Dear Town Council Members ,

As a resident of Fauquier county I strongly join my friends and neighbors in opposition to allowing Amazon to establish its data center at the entrance to our county seat , Warrenton .

All the valid reasons to deny have been stated countless times .

Please deny this application

With thanks for your service

Jean Perin

Sent on behalf of Ms. Perin by:

John W. McCarthy
Senior Adviser & Director of Strategic Partnerships
The Piedmont Environmental Council (PEC)
jmccarthy@pecva.org
45 Horner Street
Warrenton, VA 20186
[REDACTED]

<https://pecva.org/give>

Contributions like yours make the work PEC does possible. Become a member or donate today to continue to restore and protect this beautiful place we love!

From: "Mille Baldwin" [REDACTED]
Sent: Tue, 10 Jan 2023 11:42:35 0500
To: "" <cnevill@warrentonva.gov>," <hsutphin@warrentonva.gov>; ""
<wsemple@warrentonva.gov>," <jhartman@warrentonva.gov>; ""
<jheroux@warrentonva.gov>," <pmooney@warrentonva.gov>; ""
<dmcguire@warrentonva.gov>," <citizencomment@warrentonva.gov>; ""
<bhamby@warrentonva.gov>; "cnevill@warrentonva.gov" <cnevill@warrentonva.gov>;
"wsemple@warrentonva.gov" <wsemple@warrentonva.gov>; "jheroux@warrentonva.gov"
<jheroux@warrentonva.gov>; "dmcguire@warrentonva.gov"
<dmcguire@warrentonva.gov>
Subject: Statement for record of tonight's meeting

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

Dear Town Official(s):

I join with my neighbors and friends in opposition to Amazon's data center on Blackwell Road. It has no place at this location and will diminish everything that is special about Warrenton and Fauquier. It will harm the health, quality of life, and property values of those who live near it. It opens the door to an onslaught of more data centers.

Please vote no on Amazon's application.

Eileen Baldwin

Resident/Homeowner (and voter) of Fauquier County

Sent from my iPhone

From: "Margrete Stevens" [REDACTED]
Sent: Tue, 10 Jan 2023 11:49:25 0500
To: "" <cnevill@warrentonva.gov>,"
<hsutphin@warrentonva.gov>; "" <wsemples@warrentonva.gov>,"
<bhamby@warrentonva.gov>; "" <jhartman@warrentonva.gov>,"
<jheroux@warrentonva.gov>; "" <pmooney@warrentonva.gov>,"
<dmcguire@warrentonva.gov>; "" <citizencomment@warrentonva.gov>;
"cnevill@warrentonva.gov" <cnevill@warrentonva.gov>;
"jhartman@warrentonva.gov" <jhartman@warrentonva.gov>;
"wsemples@warrentonva.gov" <wsemples@warrentonva.gov>;
"pmooney@warrentonva.gov" <pmooney@warrentonva.gov>
Subject: Town Council Vote on the Amazon Data Center

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

Dear Mayor Nevill and Town Council Members,

The January 4, 2023 edition of the Fauquier Times referred to the Amazon data center application as having travelled on a bumpy road. That is one way, and not an inaccurate way, of characterizing the process that has been under way for nearly two years, as detailed by the Times.

The issues that arise from this account, and which are ones that ought to govern your current deliberations and give you pause for concern, are, in my view, the following:

1. A faulty process largely attributable to Amazon. Much controversy can be traced back to Amazon's late admission that the original noise study, filed in support of the application, was just a draft. It was not marked as a draft in the application, but admitted to being a preliminary study by the applicant when probed for accuracy. The final noise study has not been submitted to this day.
2. The planned data center may conflict with the Town Comprehensive Plan. Hundreds of home owners, directly impacted by the possibility of having the data center at close quarters, and hence being subjected to constant noise, have pleaded before the Planning Commission and your own council, to reject the application.
3. Conflict of interest issues have been raised, and litigation initiated, which further points to citizens' widespread, serious and sustained rejection of this application.
4. A further point is that the entire process has shown that Amazon is less than a good faith applicant. Had that been the case, the application would never have been submitted with the noise issues unresolved. The question arises what sort of counterpart Amazon would be were this project to go forward? A counterpart that simply forces its way through a permitting process is in all likelihood not one that you would want to do business with to begin with.

5. Finally, Warrenton, and Fauquier county, have a celebrated track record of having dodged the kinds of bullets that have transformed other towns and counties within a short space of time, to places where we would not want to live. No one has regretted the denial of a huge development project at North Wales in the 1960s and in the intervening years caution has governed approvals thus making sure that the town and the county have remained what they are today.

The Town Council has a responsibility to honor that legacy and to look beyond what the possible fiscal advantages might provide in the short term. You are at the helm of a ship that has sailed well for decades in the face of pressures from elsewhere. We only need to leave Fauquier to know what it is that we don't want.

Sincerely yours,

Margrete Stevens

Draft: Not yet approved by Town Council

From: "Marlena Maloney" [REDACTED]
Sent: Tue, 10 Jan 2023 11:53:17 0500
To: "" <cnevill@warrentonva.gov>,"
<hsutphin@warrentonva.gov>; "" <wsemples@warrentonva.gov>,"
<bhamby@warrentonva.gov>; "" <jhartman@warrentonva.gov>,"
<jheroux@warrentonva.gov>; "" <pmooney@warrentonva.gov>,"
<dmcquire@warrentonva.gov>; "" <citizencomment@warrentonva.gov>;
"cnevill@warrentonva.gov" <cnevill@warrentonva.gov>;
"jhartman@warrentonva.gov" <jhartman@warrentonva.gov>;
"wsemples@warrentonva.gov" <wsemples@warrentonva.gov>;
"pmooney@warrentonva.gov" <pmooney@warrentonva.gov>
Subject: Please Deny Amazon's Application

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

Dear Town Officials:

I join my neighbors and friends in opposition to Amazon's data center on Blackwell Road. It has no place at this location and will diminish everything that is special about Warrenton and Fauquier County. I have lived here 20 years and do not want this county to be blighted by this data center. Driving through Prince William County and looking at the giant looming data centers makes me sad, mad and gives me anxiety. If you build one here it will just open it up for more. Please don't let the cancer spread here. It will harm the health, quality of life and property values of those who live here.

I implore you to do the right thing and deny the Amazon Data Center.

Thank you,
Marlena Maloney

From: "Michele Ferri" [REDACTED]
Sent: Tue, 10 Jan 2023 11:54:46 0500
To: "" <cnevill@warrentonva.gov>,"
<hsutphin@warrentonva.gov>; "" <jhartman@warrentonva.gov>,"
<jheroux@warrentonva.gov>; "" <pmooney@warrentonva.gov>,"
<dmcguire@warrentonva.gov>; "" <citizencomment@warrentonva.gov>,"
<bhamby@warrentonva.gov>; "" <wsemple@warrentonva.gov>;
"cnevill@warrentonva.gov" <cnevill@warrentonva.gov>;
"jhartman@warrentonva.gov" <jhartman@warrentonva.gov>;
"citizencomment@warrentonva.gov" <citizencomment@warrentonva.gov>;
"pmooney@warrentonva.gov" <pmooney@warrentonva.gov>
Subject: Vote No to Amazon

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

Dear Town Official(s):

I join with my neighbors and friends in opposition to Amazon's data center on Blackwell Road. It has no place at this location and will diminish everything that is special about Warrenton and Fauquier. It will harm the health, quality of life, and property values of those who live near it. It opens the door to an onslaught of more data centers.

Please vote no on Amazon's application.

Michele V. Ferri
12 Smith Street
Warrenton, VA 20186

From: "Bill W" [REDACTED]
Sent: Tue, 10 Jan 2023 11:56:19 0500
To: "" <cnevill@warrentonva.gov>,"
<hsutphin@warrentonva.gov>; "" <jhartman@warrentonva.gov>,"
<jheroux@warrentonva.gov>; "" <pmooney@warrentonva.gov>,"
<dmcguire@warrentonva.gov>; "" <citizencomment@warrentonva.gov>,"
<bhamby@warrentonva.gov>; "" <wsemples@warrentonva.gov>;
"cnevill@warrentonva.gov" <cnevill@warrentonva.gov>;
"jhartman@warrentonva.gov" <jhartman@warrentonva.gov>;
"citizencomment@warrentonva.gov" <citizencomment@warrentonva.gov>;
"pmooney@warrentonva.gov" <pmooney@warrentonva.gov>
Subject: Vote No to Amazon

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

Dear Town Official(s):

I join with my neighbors and friends in opposition to Amazon's data center on Blackwell Road. It has no place at this location and will diminish everything that is special about Warrenton and Fauquier. It will harm the health, quality of life, and property values of those who live near it. It opens the door to an onslaught of more data centers.

Please vote no on Amazon's application.

Bill Weaver

12 Smith St, Warrenton, VA 20186

From: "Janice Hall" [REDACTED]
Sent: Tue, 10 Jan 2023 11:58:25 0500
To: "" <cnevill@warrentonva.gov>,"
<hsutphin@warrentonva.gov>; "" <wsemples@warrentonva.gov>,"
<bhamby@warrentonva.gov>; "" <jhartman@warrentonva.gov>,"
<jheroux@warrentonva.gov>; "" <pmooney@warrentonva.gov>,"
<dmcguire@warrentonva.gov>; "" <citizencomment@warrentonva.gov>;
"cnevill@warrentonva.gov" <cnevill@warrentonva.gov>;
"jhartman@warrentonva.gov" <jhartman@warrentonva.gov>;
"wsemples@warrentonva.gov" <wsemples@warrentonva.gov>;
"pmooney@warrentonva.gov" <pmooney@warrentonva.gov>
Subject: Amazon Data Center

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

Dear Warrenton Town Officials,

If you vote to authorize the proposed Amazon data center with its festoon of 240 kv transmission lines at the very gateway to Warrenton and Fauquier County, you will propel us all down a path that will irreversibly change this special place forever. Just this one data center will be an anathema to all of us, but it will also pave the way for an onslaught of acres and acres of forbidding dead zone developments.

After all these months of discovery and debate you are unquestionably aware of the problematic nature of data centers. There will be noise, imposing transmission lines and sterile industrial vistas. What has become obvious in the past year is that this data center will be the first in a deluge that will cascade throughout Fauquier County. It will be the end of a very, very special place.

Please vote no.

Janice and Andy Hall
6256 Millwood Drive
Fauquier County, Virginia

From: "Kevin Kask" [REDACTED]
Sent: Tue, 10 Jan 2023 11:58:43 0500
To: "" <cnevill@warrentonva.gov>,"
<pmooney@warrentonva.gov>; "" <dmcguire@warrentonva.gov>,"
<hsutphin@warrentonva.gov>; "" <wsemple@warrentonva.gov>,"
<bhamby@warrentonva.gov>; "" <jhartman@warrentonva.gov>,"
<jheroux@warrentonva.gov>; "<citizencomment@warrentonva.gov>, Stephen
Clough" <sclough@warrentonva.gov>; "dmcguire@warrentonva.gov"
<dmcguire@warrentonva.gov>
Subject: PEC Comments on SUP 2022 03
Attachments: SUP 2022 03 Jan. 10 Town Council Hearing Written
Comments.pdf, SUP 2022 03 Warrenton Planning Commission Hearing.pdf, SUP
2022 03 Letter to Warrenton Planning Commission.pdf

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

Good Afternoon,

Please find comments from the Piedmont Environmental Council for today's public hearing on SUP 2022-03 for the Amazon Data Center. on Blackwell Rd We have also included our prior comments made to the Planning Commission as attachments. We would be happy to discuss or answer any questions you may have.

Thank you,

--

Kevin Kask, AICP
Fauquier County Field Representative

Piedmont Environmental Council

www.pecva.org

45 Horner St.

Warrenton, VA 20186

Office: [REDACTED]

Cell [REDACTED]

From: "Suzan Fultz" <[REDACTED]>
Sent: Tue, 10 Jan 2023 11:58:15 0500
To: "" <citizencomment@warrentonva.gov>
Cc: "Carter Nevill" <cnevill@warrentonva.gov>; "" <wsemple@warrentonva.gov>; " <pmooney@warrentonva.gov>; "" <dmcguire@warrentonva.gov>; " <jhartman@warrentonva.gov>; "" <bhamby@warrentonva.gov>; " <jheroux@warrentonva.gov>; "Heather Sutphin" <hsutphin@warrentonva.gov>; "dmcguire@warrentonva.gov" <dmcguire@warrentonva.gov>
Subject: For Official Record AWS SUP Public Hearing and Jan. 10, 2022 Council minutes

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

Dear Council Members,

I request this comment be entered into the official minutes of the Jan. 10, 2023 Council Meeting, and in the official record for the AWS SUP 2022-03 Public Hearing.

Given the new AWS SUP information presented in the work session this morning, and the continued unresolved issues, and still-outstanding, thoughtful information requests on noise etc, it is inappropriate for Council to vote Jan. 10 on the Amazon Data Center SUP. Further, the enforceability of occupancy conditions discussed remains uncertain.

If Council chooses to vote, consider that the proposed use does Not comply with Comprehensive Plan; applicant's proposed approximately 50 jobs does Not qualify them as a major employer for Warrenton. Further, the issues of water raised for other potential uses, did not take into account the bond resolution to improve the water system; these questions directed toward insinuating other uses are not feasible, are not vetted, and deciding the application without further study on other potential uses for the Blackwell parcel, is a disservice to Council's and the community's work on the Comprehensive Plan.

I applaud Council's direction to staff this morning to re-instate committees and move the work sessions to a date prior to regular meetings. These changes need to be enacted prior to any vote on the AWS SUP. Council and community require time to digest and independently *verify* the Applicant's assertions and new information from this morning's work session on the AWS SUP. Last time a noise study was presented by Applicant, it was mis-represented as a true noise study, and only after community validation attempts revealed flaws, it was admitted by Applicant to be a 'draft' and faulty study; this admission was repeated again by Mr. Foote today.

Additionally, consider this application, if approved, will likely spur an SUP application for a data center at the Old Wire Factory. The electrification power will be there from the new substation. As consequence of a Council denial of potential SUP application for data center at Old Wire Factory on the heels of an approval for a data center on Blackwell Road, one could argue Council would be acting arbitrarily and capriciously in such a denial at the Old Wire Factory. If you do not want a data center at Old Wire factory, you cannot approve a data center on Blackwell. BOTH locations are inappropriate for a data center, both to Warrenton's sense of place and our Residents' quiet enjoyment, by sound and sight, of their homes and their hometown.

One has only to look north to Prince William and Loudon Counties, to know a Yes vote on the AWS SUP, seals the Town And County's fate to multiple data centers and high tension power lines

throughout BOTH our Town and County, especially given the Town's intent through a Boundary Line Adjustment, to annex several industrially-zoned parcels. Please weigh your decisions; they will be your legacy. This will be recorded in the history of our Town, and there will be no do-overs.

Respectfully,
Suzan Fultz, Scott District
7020 Beaconsfield Lane
Warrenton, Va 20187

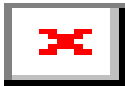
Sent from my iPhone

Draft: Not yet approved by Town Council

From: "Stephen Clough" [REDACTED]
Sent: Tue, 10 Jan 2023 16:59:57 +0000
To: "citizencomment" <citizencomment@warrentonva.gov>
Subject: Fwd: PEC Comments on SUP 2022 03
Attachments: SUP 2022 03 Jan. 10 Town Council Hearing Written Comments.pdf, SUP 2022 03 Warrenton Planning Commission Hearing.pdf, SUP 2022 03 Letter to Warrenton Planning Commission.pdf

Stephen Clough

Town Clerk, FOIA Officer
Town of Warrenton, VA



21 Main Street
Warrenton, VA 20186
M: (540)-714-9270
warrentonva.gov

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From: Kevin Kask <[REDACTED]>
Sent: Tuesday, January 10, 2023 11:58:43 AM
To: Carter Nevill <cnevill@warrentonva.gov>; Paul Mooney <pmooney@warrentonva.gov>; David McGuire <dmcguire@warrentonva.gov>; Heather Sutphin <hsutphin@warrentonva.gov>; William Semple <wsemple@warrentonva.gov>; Brett Hamby <bhamby@warrentonva.gov>; James Hartman <jhartman@warrentonva.gov>; John B. Heroux <jHeroux@warrentonva.gov>; citizencomment <citizencomment@warrentonva.gov>; Stephen Clough <sclough@warrentonva.gov>
Subject: PEC Comments on SUP 2022-03

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

Good Afternoon,

Please find comments from the Piedmont Environmental Council for today's public hearing on SUP 2022-03 for the Amazon Data Center. on Blackwell Rd We have also included our prior comments made to the Planning Commission as attachments. We would be happy to discuss or answer any questions you may have.

Thank you,

--

Kevin Kask, AICP
Fauquier County Field Representative

Piedmont Environmental Council

www.pecva.org

45 Horner St.

Warrenton, VA 20186

Office: [REDACTED]

Cell [REDACTED]

From: "James Williams" [REDACTED]
Sent: Tue, 10 Jan 2023 12:22:52 0500
To: "" <cnevill@warrentonva.gov>,"
<hsutphin@warrentonva.gov>; "" <jhartman@warrentonva.gov>,"
<jheroux@warrentonva.gov>; "" <pmooney@warrentonva.gov>,"
<dmcguire@warrentonva.gov>; "" <citizencomment@warrentonva.gov>,"
<bhamby@warrentonva.gov>; "" <wsemples@warrentonva.gov>;
"cnevill@warrentonva.gov" <cnevill@warrentonva.gov>;
"jhartman@warrentonva.gov" <jhartman@warrentonva.gov>;
"citizencomment@warrentonva.gov" <citizencomment@warrentonva.gov>;
"pmooney@warrentonva.gov" <pmooney@warrentonva.gov>
Subject: Request to vote No on Amazon's application to build a data center

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

Dear Town Official(s):

I am joining with my neighbors and friends in opposition to Amazon's data center on Blackwell Road. We believe It has no place at this location as it will diminish everything that is unique and special about Warrenton and Fauquier County. It will harm the health, quality of life, and property values of those who live near it. Prince Williams is already putting up 5 data centers. This opens the door to an onslaught of more data centers that will become just a bunch of strip malls that no one fully uses and bring unsightly, unwanted presence to our area..

Please vote no on Amazon's application.

James Williams

From: "Jacob Geurkink" [REDACTED]
Sent: Tue, 10 Jan 2023 12:51:52 0500
To: "cnevill" <cnevill@warrentonva.gov>; "hsutphin" <hsutphin@warrentonva.gov>; "wsemple" <wsemple@warrentonva.gov>; "bhamby" <bhamby@warrentonva.gov>; "jhartman" <jhartman@warrentonva.gov>; "jheroux" <jheroux@warrentonva.gov>; "pmooney" <pmooney@warrentonva.gov>; "dmcguire" <dmcguire@warrentonva.gov>; "citizencomment" <citizencomment@warrentonva.gov>
Subject: Amazon Datacenter vote
Importance: Normal

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

Good afternoon,

I would like to express my concerns about the upcoming vote regarding the Amazon Datacenter. I wish to be clear that my email is not about the eventual outcome, whether for or against approving this proposal, it is about the integrity of the vote itself.

Our nation is currently experiencing a time where the public's trust in our governing officials has been eroded. Regardless of which party people identify with or whether people align themselves with a political party at all, there is very little confidence that our elected officials are actually acting in good faith and serving the people whom they represent. The concept of personal or business interest must never be allowed to taint the results of a vote.

I request each of you to consider that Councilman Heroux should recuse himself from this vote. There is nothing personal about this request, I do not know the Councilman. I am not asking this because I question the integrity of any of our council members. I am asking this because the simple impression that a vote of this magnitude (or any vote for that matter) could be decided one way or another due to the personal and/or business interest of any council member should seriously disturb each of you as it does us, your constituents. The integrity of our governmental processes must stand. If it does not, if decisions can be called into question because the implication of personal or professional interest being an influence, the result can be nothing other than a people who calls every decision their government makes into question.

I thank you for your service to this community and to the people. I trust that this and every vote will be beyond reproach. That you, our elected officials, will shine as beacons of integrity for our town and the surrounding areas.

Thank you,

Jacob Geurkink

From: "joe lowe" [REDACTED]
Sent: Tue, 10 Jan 2023 18:13:29 +0000 (UTC)
To: "cnevill@warrentonva.gov" <cnevill@warrentonva.gov>;
"hsutphin@warrentonva.gov" <hsutphin@warrentonva.gov>;
"jhartman@warrentonva.gov" <jhartman@warrentonva.gov>;
"jheroux@warrentonva.gov" <jheroux@warrentonva.gov>;
"pmooney@warrentonva.gov" <pmooney@warrentonva.gov>;
"dmcguire@warrentonva.gov" <dmcguire@warrentonva.gov>;
"citizencomment@warrentonva.gov" <citizencomment@warrentonva.gov>;
"wsemple@warrentonva.gov" <wsemple@warrentonva.gov>;
"bhamby@warrentonva.gov" <bhamby@warrentonva.gov>
Subject: Vote "No" on Amazon SUP

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

Dear Town Officials,

I join with my neighbors and friends in opposition to Amazon's data center on Blackwell Road. It has no place at this location and will diminish everything that is special about Warrenton and Fauquier. It will harm the health, quality of life, and property values of those who live near it. Worst of all, it opens the door to an onslaught of more data centers. Please vote "no" on Amazon's application. Thank you,

Joe Lowe

7036 Low Ct.
Warrenton, VA
20187

From: "Matt Hassan" <[REDACTED]>
Sent: Tue, 10 Jan 2023 19:38:44 +0000
To: "jheroux@warrentonva.gov" <jheroux@warrentonva.gov>
Cc: "pmooney@warrentonva.gov" <pmooney@warrentonva.gov>;
"jhartman@warrentonva.gov" <jhartman@warrentonva.gov>;
"bhamby@warrentonva.gov" <bhamby@warrentonva.gov>;
"wsemples@warrentonva.gov" <wsemples@warrentonva.gov>;
"hsutphin@warrentonva.gov" <hsutphin@warrentonva.gov>;
"cneville@warrentonva.gov" <cneville@warrentonva.gov>;
"citizencomment@warrentonva.gov" <citizencomment@warrentonva.gov>;
"dmccguire@warrentonva.gov" <dmccguire@warrentonva.gov>;
"BOS@fauquiercounty.gov" <BOS@fauquiercounty.gov>;
"district27@senate.virginia.gov" <district27@senate.virginia.gov>;
"DelMWebert@house.virginia.gov" <DelMWebert@house.virginia.gov>
Subject: Council Meeting of 10 January 2023, re: Amazon SUP

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

Councilman Heroux,

I understand that at tonight's meeting, the major subject of interest is the Amazon Special Use Permit (SUP). This has been a very contentious debate within our community over the last several months if not longer. I am not sure myself if I am for or against it, but I do know that because it is such a contentious issue **there must be no question that the final outcome of any vote on the SUP must be free of conflicts of interest (or even the appearance of one) or it will be so costly** for you, the council, the town, and our community might not recover. The greatest cost would be the trust we place in the council and you as a member. It will have been lost if it appears that any members of the council vote their own personal interest first.

This concern has become very real in the case of the Amazon SUP debate. It has come to my attention that Amazon is a client of yours and because of your professional and personal ties, you stand to greatly benefit (most significantly financially) from the Town Council's voting to approve the SUP.

If this is the case, you must recuse yourself from the any vote on any related matter involving your client, Amazon or its representatives.

It is matter of integrity. If your vote has the potential being a tie-making or tie-breaking vote affirmatively adopting the SUP, you must recuse yourself. To recuse yourself in such a situation would not only be the right thing to do, it will ensure the trust of the all in our town and its council.

If you were not to recuse yourself, I do think the rest of the Council should consider barring you from casting a vote on this issue. I would go even as so far as to suggest, if you do cast such a vote, the Council should perhaps consider a call for impeachment and removal, because if you demonstrate such poor judgement on where a publicly known conflict of interest exists, what are we to think about any of your other votes?

Furthermore, **your integrity will thereafter will always remain suspect.** I know none of us want that for you, nor do you want it. That will be tragic in the long term, because no one will trust you, no one will trust the Council that the members are voting their own interests over that of the community they represent. That is a recipe for disaster.

I do ask the members of the town council, (among those courtesy copied here), to do the right thing if you will not and bar you from voting if you do not recuse yourself.

Sincerely and respectfully,
Matthew Hassan

Sent with [Proton Mail](#) secure email.

Draft: Not yet approved by Town Council

From: "Jill Brown" [REDACTED] >
Sent: Tue, 10 Jan 2023 14:57:28 0500
To: "" <jheroux@warrentonva.gov>," <pmooney@warrentonva.gov>; ""
<dmcguire@warrentonva.gov>," <citizencomment@warrentonva.gov>;
"jheroux@warrentonva.gov" <jheroux@warrentonva.gov>; "dmcguire@warrentonva.gov"
<dmcguire@warrentonva.gov>
Subject: Fwd: Meeting Tonight RE: Amazon Data Center

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

>> FYI...

>>

>> Dear Mr Precker:

>>

>> We reviewed the packet you sent us outlining various potential transmission line routes in support of a potential Amazon Data Center here in Warrenton. We appreciate seeing just how far Dominion has already come in planning support for the unwanted and unnecessary data center. Your packet also indicates infrastructure information that could potentially support more than one data center.

>>

>> We refuse to take part in any of the false choices you have laid forth. The absence of any data center here renders your work project moot. No data center equals NO transmission lines subjecting us to additional unhealthy EMF's and unsightly lines that take away from the beauty of our town.

>>

>> Sincerely,

>> Jill and Russ Brown

>> [REDACTED]

>>

>>

>>

>>

>>

>> Sent from my iPhone

From: "David Gibson" [REDACTED]
Sent: Tue, 10 Jan 2023 15:01:34 0500
To: "citizencomment@warrentonva.gov"
<citizencomment@warrentonva.gov>
Subject: Comments on AWS SUP Application
Attachments: LETTER TO TOWN COUNCIL AWS APPLICATION.pdf

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

Please find attached a letter concerning the AWS SUP application. Thank you.

Dave Gibson
Warrenton

Sent from [Mail](#) for Windows

Draft: Not yet approved by Town Council

From: "Christen" [REDACTED]
Sent: Tue, 10 Jan 2023 22:52:54 +0000
To: "jheroux@warrentonva.gov" <jheroux@warrentonva.gov>
Cc: "pmooney@warrentonva.gov" <pmooney@warrentonva.gov>;
"jhartman@warrentonva.gov" <jhartman@warrentonva.gov>;
"bhamby@warrentonva.gov" <bhamby@warrentonva.gov>;
"wsemples@warrentonva.gov" <wsemples@warrentonva.gov>;
"hsutphin@warrentonva.gov" <hsutphin@warrentonva.gov>;
"cnevill@warrentonva.gov" <cnevill@warrentonva.gov>;
"citizencomment@warrentonva.gov" <citizencomment@warrentonva.gov>;
"dmcguire@warrentonva.gov" <dmcguire@warrentonva.gov>;
"BOS@fauquiercounty.gov" <BOS@fauquiercounty.gov>;
"district27@senate.virginia.gov" <district27@senate.virginia.gov>;
"DelMWebert@house.virginia.gov" <DelMWebert@house.virginia.gov>
Subject: Please recuse yourself, Councilman Heroux

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

Dear Councilman Heroux,

I would like to add my voice to the chorus of concerned Warrenton citizens and kindly request that you recuse yourself from voting on the Amazon SUP. From a very basic web search, your company has the appearance of ties with Amazon. This is the appearance of a conflict of interest, and that is all that is needed for the mayor to take action to intervene, based on the Warrenton Town's Code of Ethics. Please maintain your personal integrity and recuse yourself.

Sincerely,
Christen Snow

From: "Kim C" [REDACTED]
Sent: Tue, 10 Jan 2023 19:06:31 0500
To: "" <pmooney@warrentonva.gov>,"
<jheroux@warrentonva.gov>; "" <jhartman@warrentonva.gov>,"
<dmcguire@warrentonva.gov>; "" <citizencomment@warrentonva.gov>,"
<cnevill@warrentonva.gov>; "" <hsutphin@warrentonva.gov>,"
<wsemples@warrentonva.gov>; "" <bhamby@warrentonva.gov>;
"hsutphin@warrentonva.gov" <hsutphin@warrentonva.gov>;
"jhartman@warrentonva.gov" <jhartman@warrentonva.gov>;
"citizencomment@warrentonva.gov" <citizencomment@warrentonva.gov>;
"pmooney@warrentonva.gov" <pmooney@warrentonva.gov>
Subject: Amazon Data Center Opposition to Councilman Heroux's Vote

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

Dear Town Officials:

Please do not allow Councilman Heroux to vote on the contentious issue of the Amazon Data Center. Councilman Heroux should recuse himself immediately given his company's ties to Amazon. Otherwise, this is a serious violation of the Town's Code of Ethics. This is the first of several steps that can be taken to restore public trust in our elected officials.

Respectfully,
Kimberlee Calvert

From: "Kim C" [REDACTED]
Sent: Tue, 10 Jan 2023 19:11:40 0500
To: "" <pmooney@warrentonva.gov>,"
<jheroux@warrentonva.gov>; "" <jhartman@warrentonva.gov>,"
<dmcguire@warrentonva.gov>; "" <citizencomment@warrentonva.gov>,"
<cnevill@warrentonva.gov>; "" <hsutphin@warrentonva.gov>,"
<wsemples@warrentonva.gov>; "" <bhamby@warrentonva.gov>;
"hsutphin@warrentonva.gov" <hsutphin@warrentonva.gov>;
"jhartman@warrentonva.gov" <jhartman@warrentonva.gov>;
"citizencomment@warrentonva.gov" <citizencomment@warrentonva.gov>;
"pmooney@warrentonva.gov" <pmooney@warrentonva.gov>
Subject: OPPOSITION to Amazon Data Center

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

Dear Town Official(s):

I join my neighbors and friends in opposition to Amazon's data center on Blackwell Road. It has no place at this location and will diminish everything that is special about Warrenton and Fauquier. It will harm the health, quality of life, and property values of those who live near it. It opens the door to an onslaught of more data centers.

Please vote no on Amazon's application.

Respectfully,
Kimberlee Calvert

From: "David Downey" [REDACTED]
Sent: Tue, 10 Jan 2023 19:26:59 0500
To: "" <cnevill@warrentonva.gov>,"
<hsutphin@warrentonva.gov>; "" <wsemples@warrentonva.gov>,"
<bhamby@warrentonva.gov>; "" <jhartman@warrentonva.gov>,"
<jheroux@warrentonva.gov>; "" <pmooney@warrentonva.gov>,"
<dmcguire@warrentonva.gov>; "" <citizencomment@warrentonva.gov>;
"cnevill@warrentonva.gov" <cnevill@warrentonva.gov>;
"jhartman@warrentonva.gov" <jhartman@warrentonva.gov>;
"wsemples@warrentonva.gov" <wsemples@warrentonva.gov>;
"pmooney@warrentonva.gov" <pmooney@warrentonva.gov>
Subject: Deny Amazon!

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

Dear Town Official(s):

I join with my neighbors and friends in opposition to Amazon's data center on Blackwell Road. It has no place at this location and will diminish everything that is special about Warrenton and Fauquier. It will harm the health, quality of life, and property values of those who live near it. It opens the door to an onslaught of more data centers.

David Downey
resident

Sent from my iPhone

From: "John B. Heroux" [REDACTED]
Sent: Wed, 11 Jan 2023 11:53:57 +0000
To: "Mille Baldwin" [REDACTED]; "Carter Nevill" <cnevill@warrentonva.gov>; "Heather Sutphin" <hsutphin@warrentonva.gov>; "William Semple" <wsemple@warrentonva.gov>; "James Hartman" <jhartman@warrentonva.gov>; "Paul Mooney" <pmooney@warrentonva.gov>; "David McGuire" <dmcguire@warrentonva.gov>; "citizencomment" <citizencomment@warrentonva.gov>; "Brett Hamby" <bhamby@warrentonva.gov>
Subject: Re: Statement for record of tonight's meeting

Good Morning Eileen

Thank you for your note and for offering your thoughts. As was stated last night (and this morning ☐) we appreciate and value all of the input.

As I stated last night, I am interested in citizen input on 2 questions. I welcome and thank you for any feedback.

1. Amazon's property that is part of this SUP came into the Town Boundaries in 1960. Since 1960, it has remained vacant. 63 years. During this SUP process, I have heard many calls for uses other than a data center. Uses that align with the comp plan. Examples have been mixed use development, housing, universities (fraternity and sorority houses are allowed by right on the property today), and parks. When these ideas are raised, they have been stated using the term "we." Examples are "we need" or "we should." My question is, who is "we"? Who will invest in any of those or other ideas? Who will build it?
2. Should data centers be anywhere in Fauquier County? Should they be in zoning areas where they are allowed? Should a landowner be allowed to ask for a re zoning for a data center? What about the data centers present today in the county and planned ones Remmington etc.? Should the county remove its advertisement on fauquierbusiness.com that advertises data centers are a featured industry? Help me understand what we do about data centers in the county.

Thank you again, and I look forward to hearing from you.

Jay Heroux
Ward 5
Town Council

From: Mille Baldwin <[REDACTED]>
Sent: Tuesday, January 10, 2023 11:42 AM
To: Carter Nevill <cnevill@warrentonva.gov>; Heather Sutphin <hsutphin@warrentonva.gov>; William Semple <wsemples@warrentonva.gov>; James Hartman <jhartman@warrentonva.gov>; John B. Heroux <jheroux@warrentonva.gov>; Paul Mooney <pmooney@warrentonva.gov>; David McGuire <dmcguire@warrentonva.gov>; citizencomment <citizencomment@warrentonva.gov>; Brett Hamby <bhamby@warrentonva.gov>
Subject: Statement for record of tonight's meeting

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

Dear Town Official(s):

I join with my neighbors and friends in opposition to Amazon's data center on Blackwell Road. It has no place at this location and will diminish everything that is special about Warrenton and Fauquier. It will harm the health, quality of life, and property values of those who live near it. It opens the door to an onslaught of more data centers.

Please vote no on Amazon's application.

Eileen Baldwin

Resident/Homeowner (and voter) of Fauquier County

Sent from my iPhone

Draft: Not yet approved by Town Council

From: "John B. Heroux" [REDACTED] >
Sent: Wed, 11 Jan 2023 11:56:42 +0000
To: "Kim C" <k.mudflap@gmail.com>; "Paul Mooney" <pmooney@warrentonva.gov>; "James Hartman" <jhartman@warrentonva.gov>; "David McGuire" <dmcguire@warrentonva.gov>; "citizencomment" <citizencomment@warrentonva.gov>; "Carter Nevill" <cnevill@warrentonva.gov>; "Heather Sutphin" <hsutphin@warrentonva.gov>; "William Semple" <wsemple@warrentonva.gov>; "Brett Hamby" <bhamby@warrentonva.gov>; "Christopher Martino" <cmartino@warrentonva.gov>; "Tommy Cureton" <tcureton@warrentonva.gov>; "Rob Walton" <rwalton@warrentonva.gov>; "Denise Harris" <dharris@warrentonva.gov>
Subject: Re: OPPOSITION to Amazon Data Center

Good morning, Kim.

Thank you for your note and for offering your thoughts. As was stated last night (and this morning ☺), we appreciate and value all of the input.

As I stated last night, I am interested in citizen input on 2 questions. I welcome and thank you for any feedback.

1. Amazon's property that is part of this SUP came into the Town Boundaries in 1960. Since 1960, it has remained vacant. 63 years. During this SUP process, I have heard many calls for uses other than a data center. Uses that align with the comp plan. Examples have been mixed-use development, housing, universities (fraternity and sorority houses are allowed by right on the property today), and parks. When these ideas are raised, they have been stated using the term "we." Examples are "we need" or "we should." My question is, who is "we"? Who will invest in any of those or other ideas? Who will build it?
2. Should data centers be anywhere in Fauquier County? Should they be in zoning areas where they are allowed? Should a landowner be allowed to ask for a re-zoning for a data center? What about the data centers present today in the county and planned ones - Remmington etc.? Should the county remove its advertisement on fauquierbusiness.com that advertises data centers are a featured industry? Help me understand what we do about data centers in the county.

Thank you again, and I look forward to hearing from you.

Jay Heroux
Ward 5
Town Council

From: Kim C [REDACTED]
Sent: Tuesday, January 10, 2023 7:11 PM
To: Paul Mooney <pmooney@warrentonva.gov>; John B. Heroux <jHeroux@warrentonva.gov>; James Hartman <jhartman@warrentonva.gov>; David McGuire <dmcguire@warrentonva.gov>; citizencomment <citizencomment@warrentonva.gov>; Carter Nevill <cnevill@warrentonva.gov>; Heather Sutphin <hsutphin@warrentonva.gov>; William Semple <wsemple@warrentonva.gov>; Brett Hamby <bhamby@warrentonva.gov>
Subject: OPPOSITION to Amazon Data Center

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

Dear Town Official(s):

I join my neighbors and friends in opposition to Amazon's data center on Blackwell Road. It has no place at this location and will diminish everything that is special about Warrenton and Fauquier. It will harm the health, quality of life, and property values of those who live near it. It opens the door to an onslaught of more data centers.

Please vote no on Amazon's application.

Respectfully,
Kimberlee Calvert

Draft: Not Yet Approved by Town Council

From: "Stephen Clough" <sclough@warrentonva.gov>
Sent: Thu, 12 Jan 2023 15:18:46 +0000
To: "citizencomment" <citizencomment@warrentonva.gov>
Subject: FW: Petition Opposing the Amazon Data Center, Power Substation and Power Lines
Attachments: Protect Fauquier_Petition against Data Center_Power Substation_Power Lines_10 Jan 23.docx

Stephen Clough
Town Clerk, FOIA Officer
Town of Warrenton, VA



21 Main Street
Warrenton, VA 20186
M: (540)-714-9270
warrentonva.gov

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From: hfthoffman3@gmail.com [REDACTED] >
Sent: Wednesday, January 11, 2023 7:19 PM
To: Stephen Clough <sclough@warrentonva.gov>
Cc: [REDACTED]

Subject: Petition Opposing the Amazon Data Center, Power Substation and Power Lines

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

Stephen – Per our discussion last evening, here is the *Coalition to Protect Fauquier's* latest update of our petition that opposes the Amazon data center.

I've added quite a few new names since last evening's Town Council open hearing. Our petition has now been signed by about 2,000 signers. More people are signing it every day. Since the last Town Council meeting, we've added another 300 or so signatures.

If you want to print it, you should know that it is now 100 pages long.

Cheers,

Tim Hoffman
Coalition to Protect Fauquier



Draft: Not yet approved by Town Council

From: "Denise Schefer" <[REDACTED]>
Sent: Fri, 13 Jan 2023 12:16:07 0500
To: "Heather Sutphin" <hsutphin@warrentonva.gov>; "Carter Nevill" <cnevill@warrentonva.gov>; "William Semple" <wsemple@warrentonva.gov>; "<jhartman@warrentonva.gov>, John B. Heroux" <jheroux@warrentonva.gov>; "" <bhamby@warrentonva.gov>," <pmooney@warrentonva.gov>; "" <dmcguire@warrentonva.gov>," <citizencomment@warrentonva.gov>; "dmcguire@warrentonva.gov" <dmcguire@warrentonva.gov>
Subject: WTC Work Session/Public Hearing Followup 1/10/2023

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

Good afternoon -

I wanted to make the following comments and pose the following questions after the work session and public hearing on Tuesday.

1) Councilmember Hamby expressed the notion of a "silent majority" on Tuesday and Councilmember Heroux mentioned the same thing in a previous email to a county resident. This data center would affect Town of Warrenton and Fauquier County residents. A quick online search shows 73,815 residents in Fauquier County or thereabouts. Do you really expect to hear from 36,908 residents before you will accept the public sentiment as being against this proposal? All indications from emails and public comments are about 99% against.

2) I would like to hear reasons you have for a council member to be in favor of this proposal.

I welcome your feedback and further discussion.

Thank you,

Denise Schefer
Realtor® at Long & Foster
Warrenton, VA

Cell: [REDACTED]
www.longandfoster.com/DeniseSchefer

Licensed In Virginia

2022, 2021 Long & Foster Executive's Club

2021 Lifestyle Magazine Fauquier Award - Best Real Estate Agent

2019 Fauquier Times Readers' Choice Award - Best Real Estate Agent

Draft: Not yet approved by Town Council

From: "John W."
Sent: Fri, 13 Jan 2023 13:16:52 0500
To: "" <cnevill@warrentonva.gov>,"
<hsutphin@warrentonva.gov>; "" <wsemples@warrentonva.gov>,"
<bhamby@warrentonva.gov>; "" <jhartman@warrentonva.gov>,"
<jheroux@warrentonva.gov>; "" <pmooney@warrentonva.gov>,"
<dmcguire@warrentonva.gov>; "cnevill@warrentonva.gov"
<cnevill@warrentonva.gov>; "jhartman@warrentonva.gov"
<jhartman@warrentonva.gov>; "wsemples@warrentonva.gov"
<wsemples@warrentonva.gov>; "pmooney@warrentonva.gov"
<pmooney@warrentonva.gov>
Cc: "" <citizencomment@warrentonva.gov>
Subject: Followup on Amazon Data Center SUP Public Hearing
Attachments: Followup on Amazon Data Center SUP Public Hearing

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

Draft: Not yet approved by Town Council

From: "Cindy Burbank" <[REDACTED]>
Sent: Sat, 14 Jan 2023 08:47:48 0500 (EST)
To: "bhamby@warrentonva.gov" <bhamby@warrentonva.gov>;
"jhartman@warrentonva.gov" <jhartman@warrentonva.gov>;
"jheroux@warrentonva.gov" <jheroux@warrentonva.gov>;
"dmcguire@warrentonva.gov" <dmcguire@warrentonva.gov>;
"pmooney@warrentonva.gov" <pmooney@warrentonva.gov>;
"wsemple@warrentonva.gov" <wsemple@warrentonva.gov>;
"hsutphin@warrentonva.gov" <hsutphin@warrentonva.gov>;
"cnevill@warrentonva.gov" <cnevill@warrentonva.gov>;
"citizencomment@warrentonva.gov" <citizencomment@warrentonva.gov>
Subject: Amazon's 1/10/23 Noise Study Analysis by Dr. Lyver
Importance: Normal

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

Council members Hartman, Hamby, Heroux, Sutphin, McGuire, Mooney, and Semple, and Mayor Neville -

For each of you individually, and for the public hearing record for Amazon SUP 2022-03 --

I hope you will pay close attention to Dr. Lyver's analysis of Amazon's latest noise study. He absolutely shreds Amazon's noise study. Please read it twice, for it to really sink in.

At this point, it should be clear how much Amazon and John Foote have been deceiving you and disrespecting you.

I hope you realize that Amazon has been setting you up to put a noise knife in the neighborhoods of Oak Springs, Copper Mill, North Rock, and the Highlands.

Moreover, Amazon has been leading you along with blatantly unenforceable noise "conditions." With conditions that are not only unenforceable, but that are designed to produce invalid noise readings, at invalid times, and so infrequently as to be useless.

You should not, you must not, let Amazon deceive you. You should not, you must not let the fox guard the henhouse, by accepting unenforceable noise conditions that Amazon can readily "game."

Do not choose Amazon over the well-being of your own residents and neighborhoods.

Begin forwarded message:

From: "John W. Lyver, IV" <[REDACTED]>

Subject: Followup on Amazon Data Center SUP Public Hearing

Date: January 13, 2023 at 1:16:52 PM EST

To: cnevill@warrentonva.gov, hsutphin@warrentonva.gov,
wsemples@warrentonva.gov, bhamby@warrentonva.gov,
jhartman@warrentonva.gov, jheroux@warrentonva.gov,
pmooney@warrentonva.gov, dmcguire@warrentonva.gov

Cc: citizencomment@warrentonva.gov

Mayor and Councilmen of the Town of Warrenton,

I was pleased to be able to attend and speak to you during the Warrenton Town Council (TC) Public Hearing on the proposed Amazon Data Center SUP on Tuesday, January 10, 2023. My concern is that you have only heard a very tainted single view, that of Amazon, and have not heard the real physics of the situation. I am writing this note to help you understand just what this proposed data center will do to the Town.

First let me reintroduce myself. I am Dr. John Lyver, Ph.D. and I am a resident of Gainesville, VA, but love coming to Warrenton to relax and shop. I am a volunteer and do not have any "dog in the fight", so I am giving you an unbiased independent analysis. I spent 25 years as a NASA Engineering Manager working on leading and performing analyses of the safety of nuclear missions heading to Mars and beyond. During that time, I earned a Ph.D. in Computational Data Science and earned a Certified Safety Professional license (basically, a Professional Engineer in Safety). So the work I have been doing on the noise and safety aspects of the data centers is something of which I have many years of experience.

Below is some information that I feel is vital to your understanding of the noise implications from approval of the SUP. Please accept my apology for its length, but this is important. At the Public Hearing, I offered to meet with each of you and/or your staff members to provide more details and explanation. My contact information is provided at the end of this e-mail.

Amazon submitted Noise Study dated January 9, 2023:

First, let me say that I was the reviewer that found the September Amazon noise study to be NOT CREDIBLE. The January Noise study has not corrected any of the misinformation and bad physics that was in the September Study. I find the January 2023 noise study to be both NOT CREDIBLE and NOT Defensible. Let me explain:

- The same contractor, same "SoundPLAN" model, and very similar assumptions were used in both studies.
- The noise study did NOT incorporate the Town Zoning Administrator, Mr. Walton's, guidance letter to Mr. Foote on December 16, 2022. In fact, they again analyzed for the wrong conditions, locations and measurement requirements. Nor did they analyze against the -10 dB(Z) and -15 dB(Z) corrections to the Town Zoning Ordinance noise limits. (BTW: Please pass my appreciation on to Mr. Walton for an excellent letter. It is probably the best I have seen in explaining noise ordinances throughout the region.)
- The study cited the August 2022 SUP provided materials and did not update for the October and December design changes.

- The study recognizes that noise from diesel-electric generators will increase the overall noise levels. However, does not cite the noise that they will produce.
- The study states: generators will only run for a “limited time” but do not cite what that time is. At other Amazon sites in Northern Virginia, generators run for time periods beyond the cited ANSI S12.9-defined short duration period. Plus, Amazon regularly runs generators in a contiguous series, making the noise generation well beyond the ANSI direction for measurement periods.
- The study does not cite references, nor do they cite verifiable data. For example, the study cites noise from a generic Trane Corporation brand chiller but do not cite the source or the noise data itself. Trane produces a wide variety of chilling systems and sizes, so it is impossible to verify the assumptions made.
- When the study does cite noise readings, the study does not cite the distance where the noise was taken. This makes it impossible to validate the calculations. Noise decreases by a ratio of $[(1/r)^{1.5}]$, where r is the ratio of the cited distance to the observed distance.
- The study does not combine the noise sources on the property into a single noise level. The study only cites individual levels. Mr. Walton’s letter clearly states that total noise from the site is what must be compared to the Ordinance. When the noise levels are combined, they clearly exceed the Ordinance limits in nearly all cases.
- The study cites a drop of 5 dB(A) to 10 dB(A) noise generation decrease at night for a building operating at steady state 24/7. This is not correct. Plus the Ordinance uses dB(Z), making the claim difficult to explain.
- The Study does not follow commonly used scientific principles in plots or how topography interacts with noise waves. They have topographic low areas stopping sound and hills increasing noise in some plots. Same as in Sept report.
- The study’s plots show the center of the isopleth ‘circles,’ not at a noise source, but rather, in the road on the north side of the building. This factor alone discredits the entire analyses as poor modeling.
- As for the SoundPLAN model, it does not consistently use similar modeling between frequency octaves. The sound attenuation modeling per distance varies. Same issues as in Sept.
- The background reading plots show that the modeling was done at 15-25 dB(Z) lower than what was measured.
- The Warrenton Zoning Ordinance Chapter 11, section 11-3.10.2, Item #8 **REQUIRES** “Noise impact and abatement studies to determine potential impact on adjoining properties and neighborhoods.” There is no discussion of impacts due to noise.
- Finally, there is no mention of the study for the data center’s impact or compliance with the Fauquier County Noise Ordinance, even though over 1,000 residents of Fauquier County (living outside the Town boundary) will be affected by the noise.

For these reasons, the January 9, 2023 noise study is NOT CREDIBLE and NOT DEFENSIBLE and should be withdrawn as the September study was withdrawn. At a minimum, it should be rejected by the Town as a valid submission as required for SUP submissions and the SUP submission declared as incomplete.

Enforceability of Town Noise Ordinance:

The TC members had a large discussion during the meeting about how the Town can effectively shut down the data center if the data center exceeds the Town Ordinance. May I direct your attention to

Virginia Code Title 15.2, Chapter 9, section 15.2-980

(<https://law.lis.virginia.gov/vacode/title15.2/chapter9/section15.2-980/>) " Civil penalties for violations of noise ordinances" which states: "Civil fines will not exceed \$250 for the first offense and \$500 for each subsequent offense." Nowhere in this Section does it permit shutting down the facility. Additionally, since the Code of Virginia does not include noise limits within their building code ordinances enforced through zoning, I contend that should the Town attempt to shut down the data center simply for noise violations, Amazon's plethora of lawyers will take the Town to Court within minutes. This lawsuit will cost the Town large sums of money with no relief for the residents due to excessive noise. I would strongly recommend that the Town Attorney provide you with a thorough analysis of civil penalty limits due to noise. I am not a lawyer, but have been told this directly by the Acting Prince William County Executive, Mr. Elijah Johnson, during discussions of noise enforcement in PW County.

Reduction of Noise from an Amazon Data Center in Manassas:

Let me provide you with a short recap of the noise generation from the Amazon data center cite on Tanner Way in Manassas, Virginia.

- The site consists of a four-building complex with approximately 220,000 square feet for 3 of the 4 buildings and the 4th building, slightly less. The first of these buildings became "operational" early in 2022 (February, we believe).
- On May 16, 2022, a complaint was filed with the PW County Police for excessive noise. The PW Police responded that evening and performed noise readings. They found that the noise level was at the PW County Noise ordinance limit (55 dB(A)) at the resident's homes, about 1,200' from the closest operating building. The Police did not take readings at other homes which are closer to the data center buildings, which are as close as 600' away from the buildings.
- In development of my noise model, I discovered that the Tanner Way buildings closely matched the noise generation profile with other similarly designed buildings. My model predicted similar readings to the Police's readings.
- In July, meetings began between Amazon, PW County officials, and the neighborhood HOA to discuss the complaint (Great Oak Subdivision). Amazon representatives were invited to the site and acknowledged the noise levels were loud.
- As the meetings continued, Amazon tried to wrap the air exhaust vents with a sound-absorbing blanket as a short term aid. After about 100 blankets were applied, the noise levels did not decrease, in fact, they increased.
- Amazon is now working on re-engineering of the exhaust fans by adding wind bands and new higher power fan motors. Amazon has committed to a 5 to 8 dBA source level reduction, which the community believes will still not be enough to bring noise levels under the outdated (1989) Prince William County noise ordinance (a low bar). During this time, noise has now increased to over 65 dB(A), which is over 10 dB(A) above the PW County Noise Ordinance limit. Further, certification of this solution has taken nearly six months, pushing their phased installation to start in Feb 2023, and plan to complete in Feb 2024. The community will have lived with unabated data center noise for two years at completion of this unproven solution.
- Additionally, I have used the Tanner Way noise readings collected to validate and sharpen my model. What I am finding is that my model is conservative and actual noise readings are about 2 dB(A) higher than I predicted. Additionally, I was able to 'work why model

backwards' to discover that on May 16, 2022, the complex was operating at a level of about 10% of total electrical power. These results were presented at one of the neighborhood meetings and were not denied or contradicted by an Amazon Vice President.

(Note: The heat generated that must be removed is a function of the I-squared-R losses in the electric circuits in the computers and is a function of the amount of current (the "I") and the circuits involved (the resistance "R"). The result is that heat generated is a function of the power consumed in the complex.

(Note: Let me invite you to travel to the Great Oak neighborhood to listen to the Tanner Way noise generation for yourself. You will be shocked at the tenor and intensity of the noise along the western end of "Winged Elm Drive". Personally, I have heard the complex's distinctive noise from about 1-1/2 miles away, above the background noise of Manassas.)

Proposed Amazon Noise Studies:

Amazon will offer to perform noise studies for the jurisdiction as they have done in Warrenton. One study I have reviewed is the Amazon provided noise study for the Tanner Way complex that was provided to PW County and Great Oak HOA. After review:

- It was found that one of the 3 meters taking readings was placed in a depression and did not produce representative readings.
- One of the meters taking readings stopped working during the analysis and was never restarted.
- The modeling used did not correctly average the dB(A) readings. Mathematically, the results were incorrect/invalid.
- The modeling discounted noise levels for some background noises (they claimed were frogs), but did not provide adequate discounting methods for these readings. This introduced more error in the results.
- The modeling did not report the power level of the complex at the time of recording. It was believed to be about 30% or less.
- When I reanalyzed the raw data, my results showed that Amazon exceeded the PW County noise limits even though they were only operating at a small fractional of their planned operational power consumption.

Additional facts to consider:

- Amazon defines "Operational" as when they can process the first electron off the internet. The noise comes from the cooling systems to exchange the I—squared-R heat losses from the computers to the environment. At 2-4 months after becoming "operational," noise levels will exceed the Town limits and will only increase as operations increase. Amazon's set of 'promised' noise studies from October 28 would be completed before the real noise begins.

- The typical Amazon Data Center design, like the Amazon Tanner Way centers in Manassas, will exceed the Town's noise ordinance in OVER 90% of the cases. (Please see the attachment to this note)
- When the diesel generators are operating, the noise will increase further.
- The noise from data centers can be heard up to 2 miles. That covers over 99% of the Town footprint.
- Residents up to 1/2 mile from the proposed site will experience noise levels above the ordinance limits, strictly from the data center noise generated 24/7.
- Approximately 1,000 Fauquier County residents outside the Town limits will have noise levels that exceed Warrenton's limits, and exceed the County's noise ordinance.
- Excessive noise causes stress-related health effects like diabetes, sleeplessness, high blood pressure, nervous conditions, lack of concentration and so on. These effects will be especially hard on seniors, stay-at-home adults, residents of Poets Walk, and children.

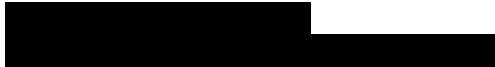
Attached is a copy of the handout I provided at the Public Hearing showing the potentially related health effects and the results of my analysis on predicted compliance violations per Mr. Walton's guidance in his Dec 16 letter.

Amazon is counting on your lack of expertise. Let me help you become better informed on the implications of approval of this SUP. Please let me know if you would like to discuss my analyses. I will be happy to meet with you and provide you with even more analyses on the noise predictions of the proposed SUP.

THANK YOU for your consideration and attention in this matter.

r/s
John

John W. Lyver, IV - Ph.D., LCDR USN-Retired, C.S.P-Retired
6305 Pasture View Pl
Gainesville, VA 20155



From: [REDACTED]

Sent: Sat, 14 Jan 2023 14:33:26 +0000 (UTC)

To: "bhamby@warrentonva.gov" <bhamby@warrentonva.gov>;
"jhartman@warrentonva.gov" <jhartman@warrentonva.gov>;
"jheroux@warrentonva.gov" <jheroux@warrentonva.gov>;
"dmcguire@warrentonva.gov" <dmcguire@warrentonva.gov>;
"pmooney@warrentonva.gov" <pmooney@warrentonva.gov>;
"wsemple@warrentonva.gov" <wsemple@warrentonva.gov>;
"hsutphin@warrentonva.gov" <hsutphin@warrentonva.gov>;
"cnevill@warrentonva.gov" <cnevill@warrentonva.gov>;
"citizencomment@warrentonva.gov" <citizencomment@warrentonva.gov>; "Cindy Burbank" [REDACTED]

Subject: Re: Amazon's 1/10/23 Noise Study Analysis by Dr. Lyver

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

Well done, Cindy. Could you also send it in hard copy, as an "official" letter?
Barbara

On Saturday, January 14, 2023 at 08:48:12 AM EST, Cindy Burbank <cindy.burbank@comcast.net> wrote:

Council members Hartman, Hamby, Heroux, Sutphin, McGuire, Mooney, and Semple, and Mayor Neville -

For each of you individually, and for the public hearing record for Amazon SUP 2022-03 --

I hope you will pay close attention to Dr. Lyver's analysis of Amazon's latest noise study. He absolutely shreds Amazon's noise study. Please read it twice, for it to really sink in.

At this point, it should be clear how much Amazon and John Foote have been deceiving you and disrespecting you.

I hope you realize that Amazon has been setting you up to put a noise knife in the neighborhoods of Oak Springs, Copper Mill, North Rock, and the Highlands.

Moreover, Amazon has been leading you along with blatantly unenforceable noise "conditions." With conditions that are not only unenforceable, but that are designed to produce invalid noise readings, at invalid times, and so infrequently as to be useless.

You should not, you must not, let Amazon deceive you. You should not, you must not let the fox guard the henhouse, by accepting unenforceable noise conditions that Amazon can readily "game."

Do not choose Amazon over the well-being of your own residents and neighborhoods.

Begin forwarded message:

From: "John W. Lyver, IV" [REDACTED] >

Subject: Followup on Amazon Data Center SUP Public Hearing

Date: January 13, 2023 at 1:16:52 PM EST

To: cnevill@warrentonva.gov, hsutphin@warrentonva.gov, wsemples@warrentonva.gov, bhamby@warrentonva.gov, jhartman@warrentonva.gov, jheroux@warrentonva.gov, pmooney@warrentonva.gov, dmcguire@warrentonva.gov

Cc: citizencomment@warrentonva.gov

Mayor and Councilmen of the Town of Warrenton,

I was pleased to be able to attend and speak to you during the Warrenton Town Council (TC) Public Hearing on the proposed Amazon Data Center SUP on Tuesday, January 10, 2023. My concern is that you have only heard a very tainted single view, that of Amazon, and have not heard the real physics of the situation. I am writing this note to help you understand just what this proposed data center will do to the Town.

First let me reintroduce myself. I am Dr. John Lyver, Ph.D. and I am a resident of Gainesville, VA, but love coming to Warrenton to relax and shop. I am a volunteer and do not have any "dog in the fight", so I am giving you an unbiased independent analysis. I spent 25 years as a NASA Engineering Manager working on leading and performing analyses of the safety of nuclear missions heading to Mars and beyond. During that time, I earned a Ph.D. in Computational Data Science and earned a Certified Safety Professional license (basically, a Professional Engineer in Safety). So the work I have been doing on the noise and safety aspects of the data centers is something of which I have many years of experience.

Below is some information that I feel is vital to your understanding of the noise implications from approval of the SUP. Please accept my apology for its length, but this is important. At the Public Hearing, I offered to meet with each of you and/or your staff members to provide more details and explanation. My contact information is provided at the end of this e-mail.

Amazon submitted Noise Study dated January 9, 2023:

First, let me say that I was the reviewer that found the September Amazon noise study to be NOT CREDIBLE. The January Noise study has not corrected any of the misinformation and bad physics that was in the September Study. I find the January 2023 noise study to be both NOT CREDIBLE and NOT Defensible. Let me explain:

- The same contractor, same "SoundPLAN" model, and very similar assumptions were used in both studies.
- The noise study did NOT incorporate the Town Zoning Administrator, Mr. Walton's, guidance letter to Mr. Foote on December 16, 2022. In fact, they again analyzed for the

wrong conditions, locations and measurement requirements. Nor did they analyze against the -10 dB(Z) and -15 dB(Z) corrections to the Town Zoning Ordinance noise limits. (BTW: Please pass my appreciation on to Mr. Walton for an excellent letter. It is probably the best I have seen in explaining noise ordinances throughout the region.)

- The study cited the August 2022 SUP provided materials and did not update for the October and December design changes.
- The study recognizes that noise from diesel-electric generators will increase the overall noise levels. However, does not cite the noise that they will produce.
- The study states: generators will only run for a “limited time” but do not cite what that time is. At other Amazon sites in Northern Virginia, generators run for time periods beyond the cited ANSI S12.9-defined short duration period. Plus, Amazon regularly runs generators in a contiguous series, making the noise generation well beyond the ANSI direction for measurement periods.
- The study does not cite references, nor do they cite verifiable data. For example, the study cites noise from a generic Trane Corporation brand chiller but do not cite the source or the noise data itself. Trane produces a wide variety of chilling systems and sizes, so it is impossible to verify the assumptions made.
- When the study does cite noise readings, the study does not cite the distance where the noise was taken. This makes it impossible to validate the calculations. Noise decreases by a ratio of $[(1/r)^{1.5}]$, where r is the ratio of the cited distance to the observed distance.
- The study does not combine the noise sources on the property into a single noise level. The study only cites individual levels. Mr. Walton’s letter clearly states that total noise from the site is what must be compared to the Ordinance. When the noise levels are combined, they clearly exceed the Ordinance limits in nearly all cases.
- The study cites a drop of 5 dB(A) to 10 dB(A) noise generation decrease at night for a building operating at steady state 24/7. This is not correct. Plus the Ordinance uses dB(Z), making the claim difficult to explain.
- The Study does not follow commonly used scientific principles in plots or how topography interacts with noise waves. They have topographic low areas stopping sound and hills increasing noise in some plots. Same as in Sept report.
- The study’s plots show the center of the isopleth ‘circles,’ not at a noise source, but rather, in the road on the north side of the building. This factor alone discredits the entire analyses as poor modeling.
- As for the SoundPLAN model, it does not consistently use similar modeling between frequency octaves. The sound attenuation modeling per distance varies. Same issues as in Sept.
- The background reading plots show that the modeling was done at 15-25 dB(Z) lower than what was measured.
- The Warrenton Zoning Ordinance Chapter 11, section 11-3.10.2, Item #8 **REQUIRES** “Noise impact and abatement studies to determine potential impact on adjoining properties and neighborhoods.” There is no discussion of impacts due to noise.
- Finally, there is no mention of the study for the data center’s impact or compliance with the Fauquier County Noise Ordinance, even though over 1,000 residents of Fauquier County (living outside the Town boundary) will be affected by the noise.

For these reasons, the January 9, 2023 noise study is NOT CREDIBLE and NOT DEFENSIBLE and should be withdrawn as the September study was withdrawn. At a minimum, it should be rejected by the Town as a valid submission as required for SUP submissions and the SUP submission declared as incomplete.

Enforceability of Town Noise Ordinance:

The TC members had a large discussion during the meeting about how the Town can effectively shut down the data center if the data center exceeds the Town Ordinance. May I direct your attention to Virginia Code Title 15.2, Chapter 9, section 15.2-980

(<https://law.lis.virginia.gov/vacode/title15.2/chapter9/section15.2-980/>) " Civil penalties for violations of noise ordinances" which states: "Civil fines will not exceed \$250 for the first offense and \$500 for each subsequent offense." Nowhere in this Section does it permit shutting down the facility. Additionally, since the Code of Virginia does not include noise limits within their building code ordinances enforced through zoning, I contend that should the Town attempt to shut down the data center simply for noise violations, Amazon's plethora of lawyers will take the Town to Court within minutes. This lawsuit will cost the Town large sums of money with no relief for the residents due to excessive noise. I would strongly recommend that the Town Attorney provide you with a thorough analysis of civil penalty limits due to noise. I am not a lawyer, but have been told this directly by the Acting Prince William County Executive, Mr. Elijah Johnson, during discussions of noise enforcement in PW County.

Reduction of Noise from an Amazon Data Center in Manassas:

Let me provide you with a short recap of the noise generation from the Amazon data center cite on Tanner Way in Manassas, Virginia.

- The site consists of a four-building complex with approximately 220,000 square feet for 3 of the 4 buildings and the 4th building, slightly less. The first of these buildings became "operational" early in 2022 (February, we believe).
- On May 16, 2022, a complaint was filed with the PW County Police for excessive noise. The PW Police responded that evening and performed noise readings. They found that the noise level was at the PW County Noise ordinance limit (55 dB(A)) at the resident's homes, about 1,200' from the closest operating building. The Police did not take readings at other homes which are closer to the data center buildings, which are as close as 600' away from the buildings.
- In development of my noise model, I discovered that the Tanner Way buildings closely matched the noise generation profile with other similarly designed buildings. My model predicted similar readings to the Police's readings.
- In July, meetings began between Amazon, PW County officials, and the neighborhood HOA to discuss the complaint (Great Oak Subdivision). Amazon representatives were invited to the site and acknowledged the noise levels were loud.
- As the meetings continued, Amazon tried to wrap the air exhaust vents with a sound-absorbing blanket as a short term aid. After about 100 blankets were applied, the noise levels did not decrease, in fact, they increased.
- Amazon is now working on re-engineering of the exhaust fans by adding wind bands and new higher power fan motors. Amazon has committed to a 5 to 8 dBA source level reduction, which the community believes will still not be enough to bring noise levels under the outdated (1989) Prince William County noise ordinance (a low bar). During this time, noise has now increased to over 65 dB(A), which is over 10 dB(A) above the PW County Noise Ordinance limit. Further, certification of this solution has taken nearly six months,

pushing their phased installation to start in Feb 2023, and plan to complete in Feb 2024. The community will have lived with unabated data center noise for two years at completion of this unproven solution.

- Additionally, I have used the Tanner Way noise readings collected to validate and sharpen my model. What I am finding is that my model is conservative and actual noise readings are about 2 dB(A) higher than I predicted. Additionally, I was able to 'work why model backwards' to discover that on May 16, 2022, the complex was operating at a level of about 10% of total electrical power. These results were presented at one of the neighborhood meetings and were not denied or contradicted by an Amazon Vice President.

(Note: The heat generated that must be removed is a function of the I-squared-R losses in the electric circuits in the computers and is a function of the amount of current (the "I") and the circuits involved (the resistance "R"). The result is that heat generated is a function of the power consumed in the complex.

(Note: Let me invite you to travel to the Great Oak neighborhood to listen to the Tanner Way noise generation for yourself. You will be shocked at the tenor and intensity of the noise along the western end of "Winged Elm Drive". Personally, I have heard the complex's distinctive noise from about 1-1/2 miles away, above the background noise of Manassas.)

Proposed Amazon Noise Studies:

Amazon will offer to perform noise studies for the jurisdiction as they have done in Warrenton. One study I have reviewed is the Amazon provided noise study for the Tanner Way complex that was provided to PW County and Great Oak HOA. After review:

- It was found that one of the 3 meters taking readings was placed in a depression and did not produce representative readings.
- One of the meters taking readings stopped working during the analysis and was never restarted.
- The modeling used did not correctly average the dB(A) readings. Mathematically, the results were incorrect/invalid.
- The modeling discounted noise levels for some background noises (they claimed were frogs), but did not provide adequate discounting methods for these readings. This introduced more error in the results.
- The modeling did not report the power level of the complex at the time of recording. It was believed to be about 30% or less.
- When I reanalyzed the raw data, my results showed that Amazon exceeded the PW County noise limits even though they were only operating at a small fractional of their planned operational power consumption.

Additional facts to consider:

- Amazon defines “Operational” as when they can process the first electron off the internet. The noise comes from the cooling systems to exchange the I—squared-R heat losses from the computers to the environment. At 2-4 months after becoming “operational,” noise levels will exceed the Town limits and will only increase as operations increase. Amazon’s set of ‘promised’ noise studies from October 28 would be completed before the real noise begins.
- The typical Amazon Data Center design, like the Amazon Tanner Way centers in Manassas, will exceed the Town’s noise ordinance in OVER 90% of the cases. (Please see the attachment to this note)
- When the diesel generators are operating, the noise will increase further.
- The noise from data centers can be heard up to 2 miles. That covers over 99% of the Town footprint.
- Residents up to 1/2 mile from the proposed site will experience noise levels above the ordinance limits, strictly from the data center noise generated 24/7.
- Approximately 1,000 Fauquier County residents outside the Town limits will have noise levels that exceed Warrenton’s limits, and exceed the County’s noise ordinance.
- Excessive noise causes stress-related health effects like diabetes, sleeplessness, high blood pressure, nervous conditions, lack of concentration and so on. These effects will be especially hard on seniors, stay-at-home adults, residents of Poets Walk, and children.

Attached is a copy of the handout I provided at the Public Hearing showing the potentially related health effects and the results of my analysis on predicted compliance violations per Mr. Walton’s guidance in his Dec 16 letter.

Amazon is counting on your lack of expertise. Let me help you become better informed on the implications of approval of this SUP. Please let me know if you would like to discuss my analyses. I will be happy to meet with you and provide you with even more analyses on the noise predictions of the proposed SUP.

THANK YOU for your consideration and attention in this matter.

r/s
John

John W. Lyver, IV - Ph.D., LCDR USN-Retired, C.S.P-Retired
6305 Pasture View Pl
Gainesville, VA 20155

[REDACTED]

From: [REDACTED]

Sent: Sun, 15 Jan 2023 01:08:43 0500

To: "" <cnevill@warrentonva.gov>,"
<hsutphin@warrentonva.gov>; "" <wsemples@warrentonva.gov>,"
<bhamby@warrentonva.gov>; "" <jhartman@warrentonva.gov>,"
<jheroux@warrentonva.gov>; "" <pmooney@warrentonva.gov>,"
<dmcguire@warrentonva.gov>; "" <citizencomment@warrentonva.gov>;
"cnevill@warrentonva.gov" <cnevill@warrentonva.gov>;
"jhartman@warrentonva.gov" <jhartman@warrentonva.gov>;
"wsemples@warrentonva.gov" <wsemples@warrentonva.gov>;
"pmooney@warrentonva.gov" <pmooney@warrentonva.gov>
Cc: "" <DelMWebert@house.virginia.gov>,"
<planning@warrentonva.gov>; "" <bos@fauquiercounty.gov>;
"DelMWebert@house.virginia.gov" <DelMWebert@house.virginia.gov>
Subject: Seeking a reply: Much of Ward 1 is within 1000 ft

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

Good evening Town Council members,

Thank you for your attention during my 3 minutes of comments at the public hearing on Tuesday night. I was the one about 45 minutes in to the meeting who cited distances to some of our neighborhoods. (I am a GIS analyst and GIS educator).

To remind you: The closest townhome in Highland Towne off Walker Dr is only 600 feet away. The nearest single family home in Highlands of Warrenton is 800 ft. The closest in Oak Springs is 1000. And over 700 residences are within a half mile of the site. This does not even include Fauquier (non-town) residences.

You also heard from Dr. Lyver, whose letter to you is available for all to read. This part stood out to me:

I just read Dr. Lyver's letter to the Town Council. This stood out to me:

"On May 16, 2022, a complaint was filed with the PW County Police for excessive noise. The PW Police responded that evening and performed noise readings. They found that the noise level was at the PW County Noise ordinance limit (55 dB(A)) at the resident's homes, about 1,200' from the closest operating building. The Police did not take readings at other homes which are closer to the data center buildings, which are as close as 600' away from the buildings."

Hundreds of our residences in Ward 1 (represented by Ms. Sutphin) are within 1000 feet of the site! With these numbers I can't believe the approval of the SUP is still a possibility.

I would greatly appreciate hearing back from each of you (and at the least, any 1 of you) explaining why residents of Ward 1 should NOT be concerned about noise pollution. We would desperately like to know your thinking on this.

Thank you,
Jason Smolinski
481 Cardinal Ln.

From: [REDACTED]

Sent: Sun, 15 Jan 2023 21:14:49 +0000 (UTC)

To: "bhamby@warrentonva.gov" <bhamby@warrentonva.gov>;
"jhartman@warrentonva.gov" <jhartman@warrentonva.gov>;
"jheroux@warrentonva.gov" <jheroux@warrentonva.gov>;
"dmcguire@warrentonva.gov" <dmcguire@warrentonva.gov>;
"pmooney@warrentonva.gov" <pmooney@warrentonva.gov>;
"wsemple@warrentonva.gov" <wsemple@warrentonva.gov>;
"hsutphin@warrentonva.gov" <hsutphin@warrentonva.gov>;
"cnevill@warrentonva.gov" <cnevill@warrentonva.gov>;
"citizencomment@warrentonva.gov" <citizencomment@warrentonva.gov>

Cc: [REDACTED]

Subject: The Data Center would be REGRESS, not PROGRESS

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

Hello, All

The 4 H's and Mayor Nevill, who made up their minds to push the data center forward from the very start often use the word "progress" to describe it. It is, rather, a regression back to a past of pollution, sprawl, and the municipal corruption that so often made those possible. The noise- related information you have received is definitive: Amazon could NEVER meet Warrenton's noise restrictions and the town would be helpless to fight Amazon if the data center were built. You know this and we know this.

Especially difficult to understand is the position of Heather Suthpin who was elected to represent Dist. 1. Even if you others can be seduced by Amazon's promises, Councilwoman Suthpin is bound to try to protect us from bearing the heavy, heavy cost of this so-called "progress". That said, you others on the Council -- Reps. Hamby, Hartman, Herous and Mayor Nevill--have also taken oaths of office. You may feel this knife to the throat of Dist. 1 won't really affect your own constituents, but it definitely will, and you have heard from thousands of us begging you not to do it. On one petition alone, 1/4 of the population of Warrenton asked you to stop this. Think about that

If you want to be able to face your neighbors in the future, you must vote to reject the SUP. if Amazon's blandishments are overriding, you will live with the consequences. We will never forget what you do here. Never.

Yours,

Barbara Amster (an Oak Springs resident who trustingly voted for Mrs. Suthpin)

Draft: Not yet approved by Town Council

From: "John B. Heroux" [REDACTED]
Sent: Mon, 16 Jan 2023 13:22:28 +0000
To: [REDACTED] "Carter Nevill" <cneville@warrentonva.gov>; "Heather Sutphin" <hsutphin@warrentonva.gov>; "William Semple" <wsemple@warrentonva.gov>; "Brett Hamby" <bhamby@warrentonva.gov>; "James Hartman" <jhartman@warrentonva.gov>; "Paul Mooney" <pmooney@warrentonva.gov>; "David McGuire" <dmcguire@warrentonva.gov>; "citizencomment" <citizencomment@warrentonva.gov>
Cc: "DelMWebert@house.virginia.gov" <DelMWebert@house.virginia.gov>; "Brittany Latack" <blatack@warrentonva.gov>; "Denise Harris" <dharris@warrentonva.gov>; "bos@fauquiercounty.gov" <bos@fauquiercounty.gov>; "Rob Walton" <rwalton@warrentonva.gov>
Subject: Re: Seeking a reply: Much of Ward 1 is within 1000 ft

Good morning Mr. Smolinski

The noise conditions for the AWS SUP continue to be examined. This was one of the main topics of discussion at the January Town Council working session and formal meeting. The applicant requested time to review in greater detail the language that had been discussed at the working session and then again at the hearing. When and if the applicant returns to Planning Department with a revised SUP language on noise and that is presented to the council, I will review it to the best of my abilities to see how it does or does not meet our Town noise ordinances.

In the meantime, as I stated in the Town Council meeting, I am interested in folks' views on 2 topics. They are:

1. Amazon's property that is part of this SUP came into the Town Boundaries in 1960. Since 1960, it has remained vacant. 63 years. During this SUP process, I have heard many calls for uses other than a data center. Uses that align with the comp plan. Examples have been mixed-use development, housing, universities (fraternity and sorority houses are allowed by right on the property today), and parks. When these ideas are raised, they have been stated using the term "we." Examples are "we need" or "we should." My question is, who is "we"? Who will invest in any of those or other ideas? Who will build it?
2. Should data centers be anywhere in Fauquier County? Should they be in zoning areas where they are allowed? Should a landowner be allowed to ask for a re-zoning for a data center? What about the data centers present today in the county and planned ones - Remmington, Vint Hill, Catlett, etc.? Should the county remove its advertisement on fauquierbusiness.com that advertises data centers are a featured industry? Help me understand what we do about data centers in the county.

Thank you again.

Jay

Jay Heroux
Ward 5
Town Council

From: [REDACTED]

Sent: Sunday, January 15, 2023 1:08 AM

To: Carter Nevill <cneville@warrentonva.gov>; Heather Sutphin <hsutphin@warrentonva.gov>; William Semple <wsemple@warrentonva.gov>; Brett Hamby <bhamby@warrentonva.gov>; James Hartman <jhartman@warrentonva.gov>; John B. Heroux <jHeroux@warrentonva.gov>; Paul Mooney <pmooney@warrentonva.gov>; David McGuire <dmcguire@warrentonva.gov>; citizencomment <citizencomment@warrentonva.gov>

Cc: DelMWebert@house.virginia.gov <DelMWebert@house.virginia.gov>; Planning Department <Planning@warrentonva.gov>; bos@fauquiercounty.gov <bos@fauquiercounty.gov>

Subject: Seeking a reply: Much of Ward 1 is within 1000 ft

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Good evening Town Council members,

Thank you for your attention during my 3 minutes of comments at the public hearing on Tuesday night. I was the one about 45 minutes in to the meeting who cited distances to some of our neighborhoods. (I am a GIS analyst and GIS educator).

To remind you: The closest townhome in Highland Towne off Walker Dr is only 600 feet away. The nearest single family home in Highlands of Warrenton is 800 ft. The closest in Oak Springs is 1000. And over 700 residences are within a half mile of the site. This does not even include Fauquier (non-town) residences.

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these numbers I can't believe the approval of the SUP is still a possibility.

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Thank you,
Jason Smolinski
481 Cardinal Ln.

Draft: Not yet approved by Town Council

From: "John B. Heroux" <jheroux@warrentonva.gov>
Sent: Mon, 16 Jan 2023 13:43:51 +0000
To: "Denise Schefer" [REDACTED]; "Heather Sutphin" <hsutphin@warrentonva.gov>; "Carter Nevill" <cnevill@warrentonva.gov>; "William Semple" <wsemple@warrentonva.gov>; "James Hartman" <jhartman@warrentonva.gov>; "Brett Hamby" <bhamby@warrentonva.gov>; "Paul Mooney" <pmooney@warrentonva.gov>; "David McGuire" <dmcguire@warrentonva.gov>; "citizencomment" <citizencomment@warrentonva.gov>
Subject: Re: WTC Work Session/Public Hearing Followup 1/10/2023

Good morning Ms. Schefer

Thank you for your note. As you know from your real estate experience and background, this SUP is evaluated using a process outlined in our Zoning Ordinances. If it comes before us again for consideration, it is a legislative act by the Town Council to approve or deny. This SUP is not a formal vote in the sense of a general election among the citizens casting a ballot. Based on what I hear or read from citizens, I understand both sides of the argument. I certainly do hear the voices of the opposition and their reasons. But I also hear voices of support.

Regardless, at this point, at the last Town Council meeting, the applicant requested and was granted additional time to review the SUP conditions that had been crafted during the work session. When and if the applicant submits a revised document to the Planning Department for Town Council consideration, it is at that point I will review the application. If the SUP comes to a vote, I will make my decision known at that time. Until then, the applicant has a right as a landowner and taxpayer in the Town of Warrenton to be heard and evaluated on what they feel is their best proposal to meet our requirements. The pros, cons, and risks continue to be examined.

In the meantime, as I stated in the meeting, I am interested in folks' views on 2 topics. They are:

1. Amazon's property that is part of this SUP came into the Town Boundaries in 1960. Since 1960, it has remained vacant. 63 years. During this SUP process, I have heard many calls for uses other than a data center. Uses that align with the comp plan. Examples have been mixed-use development, housing, universities (fraternity and sorority houses are allowed by right on the property today), and parks. When these ideas are raised, they have been stated using the term "we." Examples are "we need" or "we should." My question is, who is "we"? Who will invest in any of those or other ideas? Who will build it?
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Vint Hill, Catlett, etc.? Should the county remove its advertisement on fauquierbusiness.com that advertises data centers are a featured industry? Help me understand what we do about data centers in the county.

Thank you again.

Jay

Jay Heroux
Ward 5
Town Council

From: Denise Schefer [REDACTED]

Sent: Friday, January 13, 2023 12:16 PM

To: Heather Sutphin <hsutphin@warrentonva.gov>; Carter Nevill <cnevill@warrentonva.gov>; William Semple <wsemple@warrentonva.gov>; James Hartman <jhartman@warrentonva.gov>; John B. Heroux <jHeroux@warrentonva.gov>; Brett Hamby <bhamby@warrentonva.gov>; Paul Mooney <pmooney@warrentonva.gov>; David McGuire <dmcguire@warrentonva.gov>; citizencomment <citizencomment@warrentonva.gov>

Subject: WTC Work Session/Public Hearing Followup 1/10/2023

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

Good afternoon -

I wanted to make the following comments and pose the following questions after the work session and public hearing on Tuesday.

1) Councilmember Hamby expressed the notion of a "silent majority" on Tuesday and Councilmember Heroux mentioned the same thing in a previous email to a county resident. This data center would affect Town of Warrenton and Fauquier County residents. A quick online search shows 73,815 residents in Fauquier County or thereabouts. Do you really expect to hear from 36,908 residents before you will accept the public sentiment as being against this proposal? All indications from emails and public comments are about 99% against.

2) I would like to hear reasons you have for a council member to be in favor of this proposal.

I welcome your feedback and further discussion.

Thank you,

Denise Schefer
Realtor® at Long & Foster
Warrenton, VA



Licensed In Virginia
2022, 2021 Long & Foster Executive's Club
2021 Lifestyle Magazine Fauquier Award - Best Real Estate Agent
2019 Fauquier Times Readers' Choice Award - Best Real Estate Agent

Draft: Not yet approved by Town Council

From: "John B. Heroux" <jheroux@warrentonva.gov>
Sent: Mon, 16 Jan 2023 13:47:04 +0000
To: "John W. Lyver, IV" [REDACTED]; "Carter Nevill" <cnevill@warrentonva.gov>; "Heather Sutphin" <hsutphin@warrentonva.gov>; "William Semple" <wsemple@warrentonva.gov>; "Brett Hamby" <bhamby@warrentonva.gov>; "James Hartman" <jhartman@warrentonva.gov>; "Paul Mooney" <pmooney@warrentonva.gov>; "David McGuire" <dmcguire@warrentonva.gov>
Cc: "citizencomment" <citizencomment@warrentonva.gov>
Subject: Re: Followup on Amazon Data Center SUP Public Hearing

Good morning Mr., Lyver

Thank you for sending your comments to us for consideration.

Jay

Jay Heroux
Ward 5
Town Council

From: John W. Lyver, IV <[REDACTED]>
Sent: Friday, January 13, 2023 1:16 PM
To: Carter Nevill <cnevill@warrentonva.gov>; Heather Sutphin <hsutphin@warrentonva.gov>; William Semple <wsemple@warrentonva.gov>; Brett Hamby <bhamby@warrentonva.gov>; James Hartman <jhartman@warrentonva.gov>; John B. Heroux <jheroux@warrentonva.gov>; Paul Mooney <pmooney@warrentonva.gov>; David McGuire <dmcguire@warrentonva.gov>
Cc: citizencomment <citizencomment@warrentonva.gov>
Subject: Followup on Amazon Data Center SUP Public Hearing

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

From: "Fred Smith" [REDACTED]
Sent: Mon, 16 Jan 2023 11:42:43 0500
To: "" <cnevill@warrentonva.gov>,"
<pmooney@warrentonva.gov>; "" <dmcguire@warrentonva.gov>,"
<hsutphin@warrentonva.gov>; "" <wsemples@warrentonva.gov>,"
<jhartman@warrentonva.gov>; "" <jheroux@warrentonva.gov>;
"cnevill@warrentonva.gov" <cnevill@warrentonva.gov>;
"wsemples@warrentonva.gov" <wsemples@warrentonva.gov>;
"dmcguire@warrentonva.gov" <dmcguire@warrentonva.gov>
Cc: "" <citizencomment@warrentonva.gov>
Subject: Amazon SUP

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

To members of the Council of the Town of Warrenton,

Nothing presented in the January 10th Town Council workshop and following meeting changed my view of the requested Amazon SUP. I remain convinced it is the wrong way forward for the Town of Warrenton.

Should you consider approving the Amazon SUP, may I make a few comments regarding the proposed Amazon data center:

- The request is not for a public cloud service data center. It is for a data center dedicated to a single customer as part of a 10 year outsource contract.

The proposed data center is too small for conversion to a cloud service data center at a later date. It is prudent to expect it to be empty in about 12 years' time.

- As part of the outsource service, Amazon will have alternate data centers that can absorb the workload planned for the Warrenton facility. Mitigation of these types of operational and commercial risks is normal and generally required in outsource contracts. The migration of services between data centers is a core capability of Amazon which underpins much of their public business. Closing all or part of the proposed facility for a SUP violation will not be a disaster to Amazon or its customer.

- The 10 January noise study submitted by Amazon does not follow guidance from the town's zoning organization. When applied, the zoning guidance shows many projected noise levels exceeding those permitted by the zoning ordinance. The study is sloppy including contradictions, diagram errors and almost no supporting information regarding input data and assumptions used in running the model. This is Amazon's third attempt at a noise design. I strongly recommend you take a conservative position when evaluating the validity of Amazon's pre-operational noise studies.

- Noise/Sound level modeling and future tests should be conducted using the loudest configuration of the data center permitted and available to Amazon under the law. As the Warrenton ordinance does not exempt the facility from noise constraints during power outages, the final build must be evaluated with all generators and chillers operating. I recommend you (1) include this language in the SUP Conditions document and (2) the town procure and be responsible for any future sound measurement procedures because there is tremendous latitude for "gaming" these measurements.

- Many citizens, especially nearby residents, will not trust future Amazon's noise readings. The erroneous Amazon noise information provided during SUP review supports this attitude. Should the data center be built, there is a high probability that the town will be ensnared in constant friction between its citizens protesting loud noises and Amazon over what the actual noise is. The best way to avoid this is to use a permanent continuous noise measurement system, which Amazon pays for, mounted on light poles at 4-8 sites around the perimeter. This is not expensive and is easily affordable by Amazon (nominally less than \$10,000 a year).

I was sorry to see no discussion in the Town Council meeting regarding the location of the VEPCO sub-station or perimeter fence lighting. Both items will have significant impact on the town and are easily mitigated in advance.

The damage the proposed data center and associated electrical power infrastructure will do to Warrenton is not worth the small tax benefit.

In closing, I am not swayed by Mr. Foote's argument this 'difficult' property needs to be developed. Each day Washington sprawl comes closer to Warrenton. This means the property will increase in value and become even more capable of supporting highly creative development that includes full integration with the fabric of Warrenton's community. Just because a viable approach for development has not come forward so far does not mean one will not be forthcoming in the not-too-distant future.

Thank you

Regards,
Fred Smith

--

Fred M. Smith
6343 Old Bust Head Road
Broad Run, VA 20137
[REDACTED]

From: "Jason Smolinski" [REDACTED]
Sent: Tue, 17 Jan 2023 18:56:32 +0000 (UTC)
To: "Carter Nevill" <cnevill@warrentonva.gov>; "Heather Sutphin" <hsutphin@warrentonva.gov>; "William Semple" <wsemple@warrentonva.gov>; "Brett Hamby" <bhamby@warrentonva.gov>; "James Hartman" <jhartman@warrentonva.gov>; "Paul Mooney" <pmooney@warrentonva.gov>; "David McGuire" <dmcguire@warrentonva.gov>; "citizencomment" <citizencomment@warrentonva.gov>; "John B. Heroux" <jHeroux@warrentonva.gov>
Cc: "DelMWebert@house.virginia.gov" <delmwebert@house.virginia.gov>; "Brittany Latack" <blatack@warrentonva.gov>; "Denise Harris" <dharris@warrentonva.gov>; "bos@fauquiercounty.gov" <bos@fauquiercounty.gov>; "Rob Walton" <rwalton@warrentonva.gov>
Subject: Re: Seeking a reply: Much of Ward 1 is within 1000 ft

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

Good afternoon Mr. Heroux,

Thank you for taking the time to reply to my email, especially doing so during the holiday weekend. It is appreciated. Thank you also for inviting deeper thoughts. I would like to reply to your 2 questions:

1 - Regarding the property being vacant for 63 years. I've been in Warrenton for 12, so I would be curious to know, has the property been for sale from the same owner for 63 years? If yes, I can understand the seller's desperation in trying to offload the site after 63 years of actively trying to sell. If not, then the years of vacancy isn't quite as relevant. I see records online of a few deed transfers available online going back to 1997. If you know the history of the property's sale status over 63 years, I would be curious to know more.

Regarding who the "we" is - The Town of Warrenton and Fauquier County have prided themselves as a sort of oasis among the growth of NoVA. That is obvious the moment you drive over the county boundary on 29 between Vint Hill Rd. and New Baltimore.

"We", the residents who have chosen this oasis as our home, would like a say in big decisions. Not 'small potatoes' land transfers, but something of this monumental size that could change (many argue for the worse) the trend going forward. Could the property benefit from a conversation about rezoning? Maybe yes. If the 63-year vacant lot is such a desperate sell, then that conversation should be as public as the conversation over Walker Drive a few years ago. Let citizens be engaged about the options available for this property and what we consider acceptable and not-

acceptable. Will it be developed? Yes. How? Ask us as part of a larger conversation, not now at the 11th hour.

2 - Regarding the presence of Data Centers in Fauquier County, I would say this: This is the hottest issue today and for good reason. The roll-out of data centers in neighboring PW County has been horrendous. When these are fast-tracked, the result is simply fitting these wherever they physically fit with disregard for the effects - sound, line-of-sight, secondary infrastructure (towers), ALL of which can and will affect residential property values and quality of life. Are we ready to invite that kind of uncertainty and ill-effects into the neighborhoods of our small town?

As I said at the public hearing, there are over 700 (close to 800) residences within a half mile of the proposed structure, including assisted-living and memory care, apartments and condos, townhomes, and single family homes. Are we willing to say "screw you" to all of those residents, a significant chunk of the town's population, and shove this giant structure within earshot? Judging from the noise issues coming out of PWC, I would say that is the NUMBER ONE reason why you saw hours of public pleading last Tuesday night. We do not want to hear this thing. We do not want to go out for a walk or play outside and hear it. And there remains no confidence we will be shielded from that.

When it comes to zoning, this is worth an in-depth community conversation about the comprehensive plan, revisiting it, revising it, and asking for input. I bet if this was put before each resident as a yay or nay vote, the result today would be overwhelmingly nay. There is a larger conversation that has to happen here in our Town and in our County, and this pending vote jeopardizes that chance.

These are my thoughts. I'm happy to continue dialoguing despite me not living within your Ward. I appreciate (truly) your time.

Jason Smolinski
481 Cardinal Ln.

On Monday, January 16, 2023 at 08:22:31 AM EST, John B. Heroux <jheroux@warrentonva.gov> wrote:

Good morning Mr. Smolinski

The noise conditions for the AWS SUP continue to be examined. This was one of the main topics of discussion at the January Town Council working session and formal meeting. The applicant requested time to review in greater detail the language that had been discussed at the working session and then again at the hearing. When and if the applicant returns to Planning Department with a revised SUP language on noise and that is presented to the council, I will review it to the best of my abilities to see how it does or does not meet our Town noise ordinances.

In the meantime, as I stated in the Town Council meeting, I am interested in folks' views on 2 topics. They are:

1. Amazon's property that is part of this SUP came into the Town Boundaries in 1960. Since 1960, it has remained vacant. 63 years. During this SUP process, I have heard many calls for uses other than a data center. Uses that align with the comp plan. Examples have been mixed-use development, housing, universities (fraternity and sorority houses are allowed by right on the property today), and parks. When these ideas are raised, they have been stated using the term "we." Examples are "we need" or "we should." My question is, who is "we"? Who will invest in any of those or other ideas? Who will build it?
2. Should data centers be anywhere in Fauquier County? Should they be in zoning areas where they are allowed? Should a landowner be allowed to ask for a re-zoning for a data center? What about the data centers present today in the county and planned ones - Remmington, Vint Hill, Catlett, etc.? Should the county remove its advertisement on fauquierbusiness.com that advertises data centers are a featured industry? Help me understand what we do about data centers in the county.

Thank you again.

Jay

Jay Heroux
Ward 5
Town Council

From: [REDACTED]

Sent: Sunday, January 15, 2023 1:08 AM

To: Carter Nevill <cnevill@warrentonva.gov>; Heather Sutphin <hsutphin@warrentonva.gov>; William Semple <wsemple@warrentonva.gov>; Brett Hamby <bhamby@warrentonva.gov>; James Hartman <jhartman@warrentonva.gov>; John B. Heroux <jHeroux@warrentonva.gov>; Paul Mooney <pmooney@warrentonva.gov>; David McGuire <dmcguire@warrentonva.gov>; citizencomment <citizencomment@warrentonva.gov>

Cc: DelMWebert@house.virginia.gov <DelMWebert@house.virginia.gov>; Planning Department <Planning@warrentonva.gov>; bos@fauquiercounty.gov <bos@fauquiercounty.gov>

Subject: Seeking a reply: Much of Ward 1 is within 1000 ft

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

Good evening Town Council members,
Thank you for your attention during my 3 minutes of comments at the public hearing on Tuesday night. I was the one about 45 minutes in to the meeting who cited distances to some of our neighborhoods. (I am a GIS analyst and GIS educator).

To remind you: The closest townhome in Highland Towne off Walker Dr is only 600 feet away. The

nearest single family home in Highlands of Warrenton is 800 ft. The closest in Oak Springs is 1000. And over 700 residences are within a half mile of the site. This does not even include Fauquier (non-town) residences.

You also heard from Dr. Lyver, whose letter to you is available for all to read. This part stood out to me:

I just read Dr. Lyver's letter to the Town Council. This stood out to me:

"On May 16, 2022, a complaint was filed with the PW County Police for excessive noise. The PW Police responded that evening and performed noise readings. They found that the noise level was at the PW County Noise ordinance limit (55 dB(A)) at the resident's homes, about 1,200' from the closest operating building. The Police did not take readings at other homes which are closer to the data center buildings, which are as close as 600' away from the buildings."

Hundreds of our residences in Ward 1 (represented by Ms. Sutphin) are within 1000 feet of the site! With these numbers, I can't believe the approval of the SUP is still a possibility.

I would greatly appreciate hearing back from each of you (and at the least, any 1 of you) explaining why residents of Ward 1 should NOT be concerned about noise pollution. We would desperately like to know your thinking on this.

Thank you,
Jason Smolinski
481 Cardinal Ln.

Draft, Not yet approved by Town Council

From: "Dale Browne" <[REDACTED]>
Sent: Wed, 18 Jan 2023 12:31:17 0500
To: "" <cneville@warrentonva.gov>,"
<hsutphin@warrentonva.gov>; "" <wsemples@warrentonva.gov>,"
<bhamby@warrentonva.gov>; "" <jhartman@warrentonva.gov>,"
<jheroux@warrentonva.gov>; "" <pmooney@warrentonva.gov>,"
<dmcguire@warrentonva.gov>; "" <citizencomment@warrentonva.gov>;
"cneville@warrentonva.gov" <cneville@warrentonva.gov>;
"jhartman@warrentonva.gov" <jhartman@warrentonva.gov>;
"wsemples@warrentonva.gov" <wsemples@warrentonva.gov>;
"pmooney@warrentonva.gov" <pmooney@warrentonva.gov>
Subject: Great Oak Subdivision HOA Discussion on 13 December
Attachments: Warrenton Council 13 December 22.pdf, ATT00002.bin,
PastedGraphic 1.png, ATT00004.bin

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

Dear Warrenton Town Council,

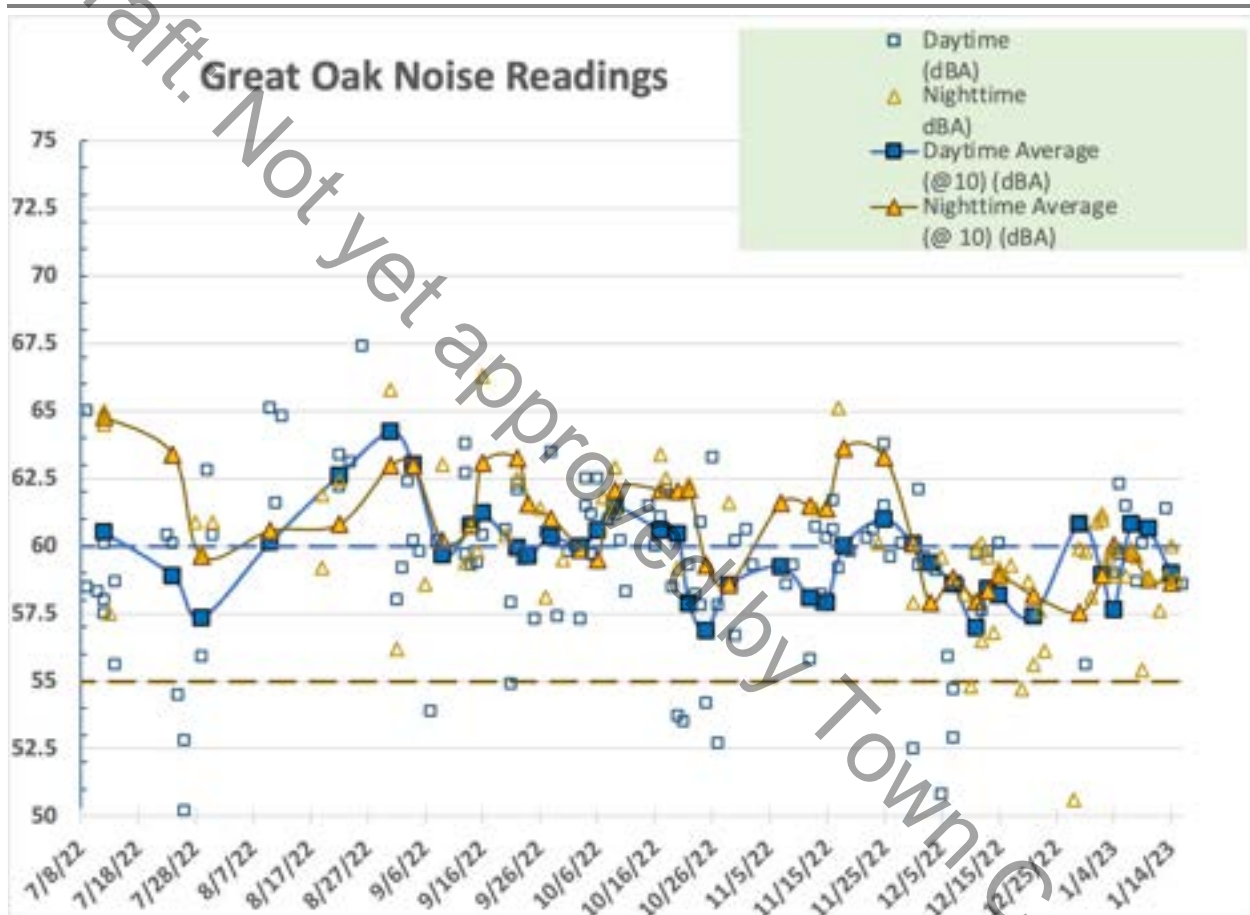
I attended the 13 December 2022 meeting and shared my community's experience living adjacent to an Amazon Data Center campus (Tanner Way, Prince William County). I also provided a few hand outs. The attached PDF contains the notes and hand outs that I provided to you during that meeting.

I have also attached the latest noise log summary which demonstrates that nothing has changed in almost a year of trying to get this resolved. It is my understanding that an Amazon Lawyer recently told you that they have not violated the PWC Noise ordinance at the Tanner Way site. This was patently false. As you will see from the chart, the AWS Data Center exceeds the nighttime ordinance level of 55 dB(A) nearly every day (Gold symbols) and the day time (Blue symbols) levels of 60 dB(A) regularly. I meet with Amazon again this coming Friday. My expectation is that they will confirm their 1-year exhaust fan retrofit schedule which starts next month and will continue through Feb 2024, weather permitting. They have committed to 5-8 dB(A) source level reduction (may not be enough when measured in the community). Time will tell. I also understand that AWS is spending 10's of Millions of dollars on this retrofit.

Please revisit the materials I have attached as you consider your path forward. I ONLY have leverage with AWS now because they desperately want to build more facilities in PWC. If you approve something that affects your residents, in your small town, you will have very few options to get it corrected and an angry constituency. Please be thoughtful and deliberate. This has been painful and time consuming for Great Oak.

I offered to host you in Great Oak during the 13 Dec meeting. That offer remains open ended. Please feel free to contact me via email.

Kindly and with respect
Dale Browne
Great Oak HOA President



From: "Cindy Burbank" <[REDACTED]>
Sent: Sat, 21 Jan 2023 12:39:27 0500 (EST)
To: "cnevill@warrentonva.gov" <cnevill@warrentonva.gov>;
"hsutphin@warrentonva.gov" <hsutphin@warrentonva.gov>;
"jhartman@warrentonva.gov" <jhartman@warrentonva.gov>;
"citizencomment@warrentonva.gov" <citizencomment@warrentonva.gov>;
"jheroux@warrentonva.gov" <jheroux@warrentonva.gov>;
"wsemples@warrentonva.gov" <wsemples@warrentonva.gov>;
"dmccguire@warrentonva.gov" <dmccguire@warrentonva.gov>;
"pmoonney@warrentonva.gov" <pmoonney@warrentonva.gov>;
"bhamby@warrentonva.gov" <bhamby@warrentonva.gov>
Cc: "Peter Cary" <peter.cary@verizon.net>;
[REDACTED]
<alec@fauquierchamber.org>; "doug.parsons@fauquiercounty.gov"
<doug.parsons@fauquiercounty.gov>
Subject: Amazon job numbers are not credible for Warrenton
Importance: Normal

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

To the Town Council -

Amazon has claimed their proposed Blackwell data center will bring 50 or more direct jobs to Warrenton. Amazon claims their investment will be \$550 million for this data center. That works out to 11 jobs per \$100 million AWS investment.

Yesterday Amazon announced a plan for a \$35 billion investment in new data centers in VA, and claimed it will bring 1,000 jobs to VA. That works out to 2.86 jobs per \$100 million AWS investment.

11 jobs / \$100 million in Warrenton
2.86 jobs/ 100 million in Virginia

Seems a bit suspicious, doesn't it? Amazon is claiming 4 times as many jobs per \$100 million for Warrenton, as they are loudly touting for Virginia. Both sets of figures are coming from AWS. Both sets of figures are for new data center development, so presumably based on similar technology and employment needs.

You must not accept Amazon's jobs figures for Warrenton at face value. It is merely John Foote's oral claim. As Foote says loudly and clearly in his book on local land use,

"...no oral, or even written, representation of any kind made by an applicant during the rezoning process is legally enforceable against the property once the zoning is approved, if it is not incorporated into a proffer. Truths, half-truths, and outright falsehoods can pepper the legislative record in a battle for governing body approval and may even have constituted the basis upon which an approval was granted. Unless such representations are reduced to a legally binding commitment, as they may be through proffer statements, they are just so much advocacy ..."

If you are going to base your decision, even in small part, on jobs -- if you are going to tell citizens your support is, even in small part, based on jobs -- then you must add a condition to the Amazon SUP binding Amazon to provide at least 50 full-time jobs throughout the lifetime operation of the proposed Amazon data center. If Amazon really is committed to providing 50+ jobs in Warrenton, they should readily sign such a condition.

But if Amazon balks at such a condition, there is your evidence that Amazon is practicing "half-truths and outright falsehoods" in pursuit of approval.

Draft Not Yet Approved by Town Council

From: "Chuck Cross" <[REDACTED]>
Sent: Sun, 22 Jan 2023 17:56:49 +0000
To: "cnevill@warrentonva.gov" <cnevill@warrentonva.gov>;
"pmooney@warrentonva.gov" <pmooney@warrentonva.gov>;
"dmccguire@warrentonva.gov" <dmccguire@warrentonva.gov>;
"hsutphin@warrentonva.gov" <hsutphin@warrentonva.gov>;
"wsemples@warrentonva.gov" <wsemples@warrentonva.gov>;
"bhamby@warrentonva.gov" <bhamby@warrentonva.gov>;
"jhartman@warrentonva.gov" <jhartman@warrentonva.gov>;
"jheroux@warrentonva.gov" <jheroux@warrentonva.gov>
Cc: "citizencomment@warrentonva.gov" <citizencomment@warrentonva.gov>; "John (Jeb) Benedict" <[REDACTED]>
Subject: Impracticality of Enforcing Noise Conditions in Amazon SUP
Attachments: Cross Benedict 1 23 23 FINAL.pdf

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

Internal Use Only

Dear Mayor Nevill and Members of the Town Council,

On January 10th, Jeb Benedict and I separately spoke to you on the impracticality of enforcing agreed noise conditions with Amazon. Despite the similarity in our messages, which were delivered from a perspective of years of personal experience in enforcing matters between government offices and private corporations, Jeb and I had not met. Following the meeting we exchanged information and over the last week decided our message should be submitted to the record in writing. The submission is a short read and attached for your benefit.

Either or both of us would welcome meeting with any of you face to face to discuss this matter further.

Sincerely,

Chuck Cross
[REDACTED]

And

John (Jeb) Benedict

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Draft: Not yet approved by Town Council

From: "Cindy Burbank" [REDACTED] >
Sent: Tue, 31 Jan 2023 08:03:27 0500 (EST)
To: "wsemple@warrentonva.gov" <wsemple@warrentonva.gov>;
"cnevill@warrentonva.gov" <cnevill@warrentonva.gov>;
"jhartman@warrentonva.gov" <jhartman@warrentonva.gov>;
"hsutphin@warrentonva.gov" <hsutphin@warrentonva.gov>;
"bhamby@warrentonva.gov" <bhamby@warrentonva.gov>;
"jheroux@warrentonva.gov" <jheroux@warrentonva.gov>;
"dm McGuire@warrentonva.gov" <dm McGuire@warrentonva.gov>;
"pmooney@warrentonva.gov" <pmooney@warrentonva.gov>;
"citizencomment@warrentonva.gov" <citizencomment@warrentonva.gov>
Cc: [REDACTED]
Subject: Amazon SUP: A New Risk DEQ Notice of Air Quality
Variances for Data Centers in NoVa
Attachments: Relaxing DC Diesel Restrictions (1 26 23).docx
Importance: Normal

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

To the Warrenton Town Council:

Here is yet another reason NOT to approve the Amazon SUP. See the article below. In short:

Virginia DEQ is proposing to allow more and longer periods for data centers to operate on diesel and natural gas generators. This is because data centers are contributing to grid reliability issues in northern VA. And those generators will significantly exacerbate noise in nearby residential neighborhoods while also emitting diesel and natural gas air pollution that would be a localized air quality threat in those neighborhoods.

Think of it this way: electric grid instability, substantially higher noise levels from generators, and infusions of localized air pollution from diesel generator operations.

While this latest DEQ regulatory proposal is now for PWC, Loudoun, and Fairfax, it will almost certainly be expanded to cover Fauquier County if you allow the Amazon data center to be built on Blackwell. This will add to the negative legacy your Warrenton neighbors will remember you for if you approve the Amazon SUP.

DEQ anticipates invoking this variance as early as March-July of this year.



CHESAPEAKE

BAY JOURNAL

Independent environmental news for the Chesapeake region

Virginia regulators consider letting data centers regularly use fossil-fuel power for part of the year

By Whitney Pipkin

January 26, 2023

([Virginia regulators consider letting data centers regularly use fossil-fuel power for part of the year | Energy | bayjournal.com](#))

Virginia regulators have proposed *allowing nearly 300 data centers in Northern Virginia to use backup generators over a five-month period during which energy “transmission problems” are anticipated.*

Many of these backup generators produce power by burning diesel or natural gas, which releases pollutants that pose risks to human and environmental health. To protect regional air quality, Virginia’s Department of Environmental Quality regulates when and how frequently data centers can run their emergency on-site generators to ensure they are working while limiting their cumulative impact.

During normal operations, data centers can be powered by a variety of sources, ranging from the municipal electric grid to their own solar panels. In Virginia, natural gas and nuclear power were the top sources of electricity in 2021, but that is

changing, fueled partly by data centers. Google and Amazon, which operate many of the region's centers or contract with them, have each committed to source energy entirely from renewable sources by 2030 and 2025, respectively.

During past interviews with the Bay Journal, state regulators said they imagined multiple data center generators running at the same time only in the case of a major emergency impacting the regional power grid. *Environmental groups, meanwhile, have been increasingly concerned about the rapid and regionally concentrated growth of an industry that uses massive amounts of energy to satisfy the world's appetite for electronic data.*

The Northern Virginia counties of Loudoun, Fairfax and Prince William are home to nearly 300 data centers that are crucial to moving about 70% of the world's internet traffic. *Those centers, and the reliability of the internet, by extension, could be impacted by upcoming power transmission issues that are anticipated from March to July of this year,* DEQ Director Mike Rolband said in a statement explaining why the agency was proposing a temporary variance from its own regulations. Responding to questions by email, DEQ Spokesman Aaron Proctor said *demand for electricity from data centers in that region "could potentially exceed the capacity of the area's electric transmission system"* during that time period.

"We are proposing this temporary and redundant variance out of an abundance of caution to maintain the reliability of the internet and the electric grid while enabling data centers to continue serving their customers," Rolband said in a press release. "We will closely follow this developing situation and will use our robust compliance and permitting programs to ensure our environment remains protected."

Proctor said the agency hopes the variance, once approved, will not be invoked and that it is "intended only as a precautionary measure." PJM Interconnection, the organization that coordinates electricity transmission in 13 states and the District of Columbia, issues warnings when conditions indicate that

stress on the grid in a particular area is high and could lead to a declaration of emergency, he said. "Such warnings are rarely issued," and, when they are, it is "for very short periods of time." Since 2015, Proctor added, the duration of such warnings has averaged 17 hours a year. But he also said the variance for the region's data centers, which operate around the clock, would be the first issued "for this type of facility."

The agency will be [accepting public comments](#) on the proposed measure for 45 days, beginning Jan. 31. A [public hearing](#) will take place at DEQ's Northern Regional Office in Woodbridge at 11 a.m. on Feb. 27.

DEQ officials a few years ago began looking at the cumulative impact of data centers' backup generators should they all fire up at once. A report by the state Secretary of Natural Resources in 2019 listed air emissions from data centers' backup generators as a potential risk to air quality. In 2020, the agency began requiring new data centers to use emergency generators with the "best available control technology" to limit emissions, according to an [industry report](#).

During an interview with the *Bay Journal* in 2019, Thomas Faha, the director of DEQ's Northern Regional Office, which issues air permits for the generators, said the equipment is permitted to kick on periodically for 15- or 30-minute periods to ensure they will work in an emergency.

Each data center facility includes dozens if not hundreds of backup generators to keep it operating around the clock. Faha estimated in late 2019 that the number of generators permitted at the time for data centers in Northern Virginia could run up to 3,000, and the total has grown since.

DEQ permits typically restrict when those tests can occur, avoiding hours when commuter traffic isn't also contributing to air pollution, for example.

"But even a minimum amount is an addition to what was there in the past," Faha said. "If the grid were to go down and we had a

catastrophic emergency, these units are then allowed to run for longer periods of time.”

Burning diesel or natural gas for power releases pollutants such as nitrogen oxides, which combines with volatile organic compounds to form ozone, which is a threat to human health. Nitrogen oxides emitted into the air can also contribute nutrient pollution to the Chesapeake Bay when the pollutants fall back to Earth and wash into local waters.

The latest proposal from DEQ would permit exceptions to those requirements during the temporary variance period starting in March. DEQ’s statement said the operators of generators must still calculate and report the emissions created by the equipment during these times. When asked what assurances residents living near the data centers would have about their local air quality, Proctor said that DEQ operates real-time, continuous air quality monitors at a half-dozen locations near these data center hotspots. Information from those sensors can be viewed on [DEQ's website](#).

The variance would become effective after being signed by DEQ director Rolband following the 45-day [comment period](#), which will end in mid-March. The variance would expire on July 31.

Also see: <https://townhall.virginia.gov/ViewNotice.cfm?GNID=2538>

Notice of Public Comment- order and local variance for data centers located in the Counties of Fairfax, Loudoun, and Prince William

Date Posted: 1/25/2023

Expiration Date: 3/14/2023

Submitted to Registrar for publication: NO

[47 Day Comment Forum](#) is underway. Began on 1/26/2023 and will end on 3/14/2023

Public hearing: Conference Room, Northern Regional Office, 13901 Crown Court, Woodbridge VA, at 11:00 a.m., on February 27, 2023.

Draft: Not yet approved by Town Council

From: [REDACTED]

Sent: Tue, 31 Jan 2023 15:17:44 +0000 (UTC)

To: "wsemp@warrentonva.gov" <wsemp@warrentonva.gov>;
"cnevill@warrentonva.gov" <cnevill@warrentonva.gov>;
"jhartman@warrentonva.gov" <jhartman@warrentonva.gov>;
"hsutphin@warrentonva.gov" <hsutphin@warrentonva.gov>;
"bhamby@warrentonva.gov" <bhamby@warrentonva.gov>;
"jheroux@warrentonva.gov" <jheroux@warrentonva.gov>;
"dmcguire@warrentonva.gov" <dmcguire@warrentonva.gov>;
"pmooney@warrentonva.gov" <pmooney@warrentonva.gov>;
"citizencomment@warrentonva.gov" <citizencomment@warrentonva.gov>; "Cindy Burbank" [REDACTED]

Cc: [REDACTED]

Subject: Re: Amazon SUP: A New Risk DEQ Notice of Air Quality
Variances for Data Centers in NoVa

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

Council Members,

Each of you has a conscience, and you will have to live with yourselves as well as with your fellow townspeople if you inflict this data center on us. You will turn a peaceful Dist. 1 into a nightmare of noise, air pollution, and ugly sightlines, for no reason other than a perceived financial gain. Your "safeguards" have been shown to be useless, especially based on Amazon's behavior in Prince William and other VA sites. Your neighbors and, at least in one case, your own family, oppose the SUP so how can you even consider supporting it?

My Dist. 1 neighbors have no idea what you might have in store for them but, once they have to live with it, there will be nothing but shame and recriminations. Please follow your consciences and vote no.

Sincerely,
Barbara Amster
726 Acorn Ct.

On Tuesday, January 31, 2023 at 08:03:52 AM EST, Cindy Burbank <cindy.burbank@comcast.net> wrote:

To the Warrenton Town Council:

Here is yet another reason NOT to approve the Amazon SUP. See the article below. In short:

Virginia DEQ is proposing to allow more and longer periods for data centers to operate on diesel and natural gas generators. This is because data centers are contributing to grid reliability issues in northern VA. And those generators will significantly exacerbate noise in nearby residential neighborhoods while also emitting diesel and natural gas air pollution that would be a localized air quality threat in those neighborhoods.

Think of it this way: electric grid instability, substantially higher noise levels from generators, and infusions of localized air pollution from diesel generator operations.

While this latest DEQ regulatory proposal is now for PWC, Loudoun, and Fairfax, it will almost certainly be expanded to cover Fauquier County if you allow the Amazon data center to be built on Blackwell. This will add to the negative legacy your Warrenton neighbors will remember you for if you approve the Amazon SUP.

DEQ anticipates invoking this variance as early as March-July of this year.



CHESAPEAKE
BAY JOURNAL
Independent environmental news for the Chesapeake region

Virginia regulators consider letting data centers regularly use fossil-fuel power for part of the year

By Whitney Pipkin January 26, 2023 ([Virginia regulators consider letting data centers regularly use fossil-fuel power for part of the year | Energy | bayjournal.com](#))

Virginia regulators have proposed *allowing nearly 300 data centers in Northern Virginia to use backup generators over a five-month period during which energy “transmission problems” are anticipated.*

Many of these backup generators produce power by burning diesel or natural gas, which releases pollutants that pose risks to human and environmental health. To protect regional air quality, Virginia’s Department of Environmental Quality regulates when and how frequently data centers can run their emergency on-site generators to ensure they are working while limiting their cumulative impact.

During normal operations, data centers can be powered by a variety of sources, ranging from the municipal electric grid to their own solar panels. In Virginia, natural gas and nuclear power were the top sources of electricity in 2021, but that is changing, fueled partly by data centers. Google and Amazon, which operate many of the region’s centers or contract with them, have each committed to source energy entirely from renewable sources by 2030 and 2025, respectively.

During past interviews with the Bay Journal, state regulators said they imagined multiple data center generators running at the same time only in the case of a major emergency impacting the regional power grid. *Environmental groups, meanwhile, have been increasingly concerned about the rapid and regionally concentrated growth of an industry that uses massive amounts of energy to satisfy the world’s appetite for electronic data.*

The Northern Virginia counties of Loudoun, Fairfax and Prince William are home to nearly 300 data centers that are crucial to moving about 70% of the world’s internet traffic. *Those centers, and the reliability of the internet, by extension, could be impacted by upcoming power transmission issues that are anticipated from March to July of this year,* DEQ Director Mike Rolband said in a statement explaining why the agency was proposing a temporary variance from its own regulations. Responding to questions by email, DEQ Spokesman Aaron Proctor said *demand for electricity from data centers in that*

region "could potentially exceed the capacity of the area's electric transmission system" during that time period.

"We are proposing this temporary and redundant variance out of an abundance of caution to maintain the reliability of the internet and the electric grid while enabling data centers to continue serving their customers," Rolband said in a press release. "We will closely follow this developing situation and will use our robust compliance and permitting programs to ensure our environment remains protected."

Proctor said the agency hopes the variance, once approved, will not be invoked and that it is "intended only as a precautionary measure." PJM Interconnection, the organization that coordinates electricity transmission in 13 states and the District of Columbia, issues warnings when conditions indicate that stress on the grid in a particular area is high and could lead to a declaration of emergency, he said. "Such warnings are rarely issued," and, when they are, it is "for very short periods of time." Since 2015, Proctor added, the duration of such warnings has averaged 17 hours a year. But he also said the variance for the region's data centers, which operate around the clock, would be the first issued "for this type of facility."

The agency will be [accepting public comments](#) on the proposed measure for 45 days, beginning Jan. 31. A [public hearing](#) will take place at DEQ's Northern Regional Office in Woodbridge at 11 a.m. on Feb. 27.

DEQ officials a few years ago began looking at the cumulative impact of data centers' backup generators should they all fire up at once. A report by the state Secretary of Natural Resources in 2019 listed air emissions from data centers' backup generators as a potential risk to air quality. In 2020, the agency began requiring new data centers to use emergency generators with the "best available control technology" to limit emissions, according to an [industry report](#).

During an interview with the *Bay Journal* in 2019, Thomas Faha, the director of DEQ's Northern Regional Office, which issues air

permits for the generators, said the equipment is permitted to kick on periodically for 15- or 30-minute periods to ensure they will work in an emergency.

Each data center facility includes dozens if not hundreds of backup generators to keep it operating around the clock. Faha estimated in late 2019 that the number of generators permitted at the time for data centers in Northern Virginia could run up to 3,000, and the total has grown since.

DEQ permits typically restrict when those tests can occur, avoiding hours when commuter traffic isn't also contributing to air pollution, for example.

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Public hearing: Conference Room, Northern Regional Office, 13901 Crown Court, Woodbridge VA, at 11:00 a.m., on February 27, 2023.

Draft: Not approved by Town Council

From: "Kevin Ramundo" <[REDACTED]>
Sent: Tue, 31 Jan 2023 13:00:54 0500
To: "Carter Neville" <cnevill@warrentonva.gov>; "Heather Sutphin" <hsutphin@warrentonva.gov>; "Bill Semple" <wsemple@warrentonva.gov>; "Brett Hamby" <bhamby@warrentonva.gov>; "James Hartman" <jhartman@warrentonva.gov>; "" <jheroux@warrentonva.gov>; "" <pmooney@warrentonva.gov>; "" <dmcguire@warrentonva.gov>; "jheroux@warrentonva.gov" <jheroux@warrentonva.gov>
Cc: "" <Townmanager@warrentonva.gov>; "" <Planning@warrentonva.gov>; "" <dharris@warrentonva.gov>; "" <citizencomment@warrentonva.gov>; "" <rwalton@warrentonva.gov>; "dharris@warrentonva.gov" <dharris@warrentonva.gov>; "Townmanager@warrentonva.gov" <Townmanager@warrentonva.gov>
Subject: Amazon Site Drone Footage

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

<https://vimeo.com/794192504/a2fff681b9>

Good Afternoon Mr. Mayor and Town Council Members,

Please take just a minute to view this drone video showing the Amazon data center site from various perspectives. I know you all are very familiar with the site, but what this video shows may make you think even harder than you already are regarding your decision on the SUP.

This site truly is at the gateway to Warrenton and is surrounded by many homes and businesses.

Thank you,

Kevin Ramundo
President, Citizens for Fauquier County

From: "Lisa Dowd" [REDACTED] >
Sent: Wed, 1 Feb 2023 17:08:31 0500
To: "" <citizencomment@warrentonva.gov>
Subject: Amazon data center

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

I do not live in the Town, but I do live in the County. I'm a bit taken aback by the extreme opposition to the data center being proposed adjacent to Country Chevrolet.

The land has been sold and something will be built there. If it's a sea of new homes, that will have a major impact on town and county services (police, fire, water, schools, roads, etc). After it's built, a data center will have almost zero effect on those services. It will also bring in additional revenue and perhaps the burden won't fall so hard on home owners.

Compared to how close some data centers are to existing housing in Prince William County, this seems like an acceptable location. The townhouses that are constantly referenced with regards to noise, etc currently sit behind the large Giant shopping center as well as the 24 hour Sheetz gas station.

I do think it's important to have a tree barrier that will eventually shield the building and they do need to meet the noise standards.

Citizens and businesses both large and small use cloud based services like AWS and I think it's unrealistic to continue to think NIMBY. Citizens who are opposed to a data center have not clearly articulated what they would like to see built within the current zoning ordinances. Many just want nothing built and that is not realistic.

I hope both the town and the county can be a bit more business friendly while still considering the wants and needs of the citizens. I think we are all tired of the numerous fast food, vape shops, dollar store, auto parts stores, etc that are being built and would like to see additional quality businesses like in old town that reflect our wonderful area. We also need to balance that with tax revenue.

I would come in person but I had foot surgery, have to use a knee scooter and it's difficult to get around. Thank you for taking email comments.

Sent from Lisa's iPhone

From: "Denise Schefer" <[REDACTED]>
Sent: Tue, 7 Feb 2023 19:07:20 0500
To: "<jhartman@warrentonva.gov>, John B. Heroux" <jheroux@warrentonva.gov>; "Heather Sutphin" <hsutphin@warrentonva.gov>; "<bhamby@warrentonva.gov>, William Semple" <wsemple@warrentonva.gov>; "" <pmooney@warrentonva.gov>," <dmcguire@warrentonva.gov>; "Carter Nevill" <cnevill@warrentonva.gov>; "pmooney@warrentonva.gov" <pmooney@warrentonva.gov>
Cc: "" <citizencomment@warrentonva.gov>
Subject: New Drone Viewshed Photos and Some Comments Before 2/14
Attachments: Noise Flow chart 2019 (1).pdf

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

Good evening,

I would like to share the following before you vote on the Amazon SUP Application:

Drone Viewshed Photos

My husband took drone photos looking outward from where the proposed Amazon structure would be. Everything in those photos would be able to see it. We used Amazon and ArcGIS info to calculate where the building/rooftop equipment would be and tried to be very accurate. We are happy to go through the exercise again and show you our process in person, just ask. [Please note: we took off/landed near the Amazon property and not on it since Amazon declined our request to be on their property].

- The data center would be visible from many homes in North Rock, Highlands and the Reserve at Moorhead; also from the Hampton Inn, several office buildings and multiple shopping areas.
- The line of sight to Oak Springs/Poets Walk could not be determined since there are currently trees in that direction.
- We did not fly all the way to the northeast corner to determine viewshed impacts in that direction.

Link to photos:

https://drive.google.com/drive/folders/1b2L44n1_ibZlo6GojM5J0BQqSOX8F5G7?usp=sharing

Don't Want To Hear It Or See It

Councilwoman Sutphin, during our meeting you mentioned that you had told Amazon that you "didn't want to see or hear the data center"

- These photos very clearly identify all the residents - many in your ward - that would be able to see the data center if approved.
- Dr. John Lyver is telling you that many of these same residences would be able to hear it, even with the condenser fan silencers, compressor wraps and sound walls Amazon has said they would install. Dr. Lyver is also saying that with these silencers, wraps and sound walls in place, and taking into account Mr. Walton's December 16th letter clarifying the ordinances, Amazon would still violate Town ordinances much of the day and night at the perimeter of the property.
- The data center would also violate County noise levels, but it seems that residents in the County would not have much recourse based on the Sheriff's flow chart we recently received (see attached).

Difference Between OVH and Blackwell Road

I want to clarify that the equipment used at OVH in Vint Hill is different from the equipment Amazon is proposing to use on Blackwell Road. OVH uses a "closed loop" cooling system and the proposed Warrenton data center would use an "air cooled" system. They would produce very different noise levels. Visiting OVH and thinking it will sound the same at the Blackwell Road data center if approved is incorrect.

DEQ Proposing Relaxed Use of Generators

The Virginia Department of Environmental Quality (DEQ) has recently proposed allowing Loudoun County data centers to be permitted to run generators beyond what is normally allowed due to power concerns, and the same could happen in Warrenton. Has your staff calculated the amount of noise the 29 generators would make and how far that noise would travel? Also, how much air pollution that would put out?

The Elephant In The Room

You are supposed to be making your decision based on the merits of the application and not on potential revenue. However, that seems to be the driving factor in this process, and the only possible benefit of this proposal. Amazon indicated that tax revenues would be \$900k the first year, \$700k the second year, \$300k the third year, etc. But these figures are only if Amazon doesn't ask for exemptions. I hope you have had a chance to watch Sam Mitchell's comments about the myths of data center property taxes: <https://protectfauquier.com/latest-news/gw9usy1rv4cne2jy41k2g9bozyltnb>. Sam Mitchell has 40 years of experience as a financial analyst.

In recent weeks, Town officials have vocalized concerns about the WARF running in the red, as well as money being needed for sewer/water updates. This is all the more reason to promote a mixed-use development at that location as 1) the tax income from a mixed-use development would be higher than data center income, 2) the tax income would be relatively constant versus cyclical as a data center's would, and 3) the tax income does not run the risk of disappearing at a later date when data centers become obsolete. Frankly, if the Town is concerned about WARF

expenditures - close the WARF, discuss transferring it to the County or investigate selling it to a private company. Town and County residents would rather see the WARF close than a data center being built on Blackwell Road.

Falmouth Street/Walker Drive

Dominion has said that the transmission lines to power the proposed data center would be run along Falmouth Street and Walker Drive. Dominion has still not provided any details about where the 30-40' path would run. This is a critical factor that has not been addressed as part of the application.

Councilman Heroux

With regards to the two questions you asked -

1) Who is the "we" that will build a mixed-use development on that land? Multiple developers have indicated support for a mixed-use development at that property or in the immediate vicinity. If the Town advertises the concept, they will get an able and willing developer:

- *Nina Weissberg* shared her mixed-use vision during the discussions of the Warrenton 2040 Plan (2019-2021).
- *Brian Cohn*, the Brookside Developer, reviewed Suzan Fultz's proposal that she shared with the Council and commented "this could be shown to be a very viable option."
- Executives from *The Warrenton Village Center* (adjacent to the Amazon site) are currently working on a proposal for a 2-phased mixed-use project on their property. Phase I would be apartments/townhomes between Ace Hardware and Oak Springs Drive. Phase II would be residential and retail infill. They are supposed to be reaching out to the Town before 2/14.

2) Where should data centers be built in the Town/County? Data centers should not be built in the Town since they would be too close to residences and businesses. If any data centers are going to be built in the County they should be built at Vint Hill or Remington where much of the infrastructure is already in place. I think they should be required to use the "closed loop" technology that OVH uses so that they are quieter, and County officials should be having open and transparent conversations with citizens before moving forward with additional data centers since Dominion has stated that they will need to add high voltage lines in the area if additional data centers are built.

Councilman Hartman

I noticed your Council bio says that you are "working to preserve the unique character and charm of our small town and the quality of life in Ward 4." That is exactly what the opponents of the data center, which include many people from your ward, are trying to do. Please remember that when you vote.

All The Information You Need

You have received hundreds of emails and public comments, but you have all the information you need to make this decision from the following 5 sources:

Warrenton 2040 Comprehensive Plan: The New Town District is "characterized by mixed-use with strong live, work and play options." Data centers are not part of the Plan.

Your Planning Commission: They voted against this proposal due to lack of information provided by Amazon regarding how much noise the facility would generate, how much power it would need to operate and where the power would come from, how much tax revenue it would generate for the town, impact on the town's scenic gateway and viewshed, noncompliance with the town's comprehensive plan and lack of a plan surrounding the decommissioning of the building.

John Lyver: Dr. Lyver is telling you the data center would violate Town ordinances much of the day and night, and would be above County limits (without recourse for County residents). NASA relied on his computational abilities for 25 years, do not discount his calculations. He is a wealth of knowledge, talk to him.

Chuck Cross/Jeb Benedict: They have 65 years of regulatory work, including enforcement between them. They are telling you that the Town will not be able to shut down the data center once it is up and running unless they file a lawsuit, and that process will take years.

Dale Brown/Great Oak Community: The Amazon data centers have made residents' lives miserable, and working with Amazon to get relief has taken months without any results. Don't let Warrenton neighborhoods suffer the same fate.

VOTE AGAINST THE AMAZON SUP APPLICATION.

Denise Schefer
Lake Whippoorwill Resident, Fauquier County
Highlands Townhouse Owner (Ward 1)

From: "Denise Schefer" <[REDACTED]>
Sent: Wed, 8 Feb 2023 18:40:23 0500
To: "<jhartman@warrentonva.gov>, John B. Heroux"
<jheroux@warrentonva.gov>; "Heather Sutphin" <hsutphin@warrentonva.gov>;
"<bhamby@warrentonva.gov>, William Semple" <wsemple@warrentonva.gov>; ""
<pmooney@warrentonva.gov>," <dmcguire@warrentonva.gov>; "Carter Nevill"
<cnevill@warrentonva.gov>; "pmooney@warrentonva.gov"
<pmooney@warrentonva.gov>
Cc: "" <citizencomment@warrentonva.gov>,"
[REDACTED] "citizencomment@warrentonva.gov"
<citizencomment@warrentonva.gov>
Subject: Fwd: Warrenton Greene Project
Attachments: ltr to C Mothersead Dec 3 2009.pdf, Master Plan.pdf, Original
applications Warrenton Greene.pdf, PC Warrenton Greene ZMA.doc, PC
Warrenton Greene ZMA_6 09.doc, Warrenton Green Concept Plan and
Proffers.doc, Warrenton Green Cooperative Parking SUP 08 03.doc, Warrenton
Green Cooperative Parking SUP 08 03_6 09.doc, Warrenton Green Environmental
Constraints Overlay map.pdf, Warrenton Green PUD Text Amendment 08 0_6
2009.doc, Warrenton Green PUD Text Amendment 08 01.doc, Warrenton Green
PUD Text Amendment 08 01Discussion 10 15 08.docx, Warrenton Greene Proffer
Statement_7 09.PDF, Warrenton Greene Comparative Fiscal Impact Analysis.pdf,
Warrenton Greene Design Review Guidelines part 2.pdf, Warrenton Greene Design
Review Guidelines.doc, Warrenton Greene Design Review Guidelines.pdf,
Warrenton Greene Letter 1 21 2011.doc, Warrenton Greene Master Development
Plan Narrative.pdf, Warrenton Greene PMOD suggestions.DOC, Warrenton Greene
Proffer Statement July 23 2009.pdf, Warrenton Greene Steep Slopes SUP 08
07.doc, Warrenton Greene Steep Slopes SUP 08 07_6 09.doc, Warrenton Greene
Table Summary.DOC, Warrenton_Greene Ltr Alice Haase 2 7 2011.pdf,
Warrenton_Greene Ltr 6 7 2010.pdf, WarrentonGreeneLetter01 21 2011.doc,
WarrentonGreeneLetter01 21 2011_revised.doc, WarrentonGreeneLetter02 01
2011.doc

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

Good evening -

I wanted to pass on more information about the Warrenton Greene project in case any of you are interested in learning more about it. The project was approved by the Planning Commission but did not come to fruition because of the economy. There is no reason why a mixed-use development (modified to take into account the current economy and Town needs) would not be successful and provide a strong tax base. It is interesting to note how complete this application is compared to the skeleton application Amazon has submitted.

Application Timeline:

May 2007

Wilson's Warrenton Greene application submitted for Planned Unit Development (PUD).

May 2008

Grove Slade and Associates traffic study. "Upon full build-out and when mitigation measures are implemented by the Applicant and others, traffic conditions would fall within

acceptable levels of service (LOS) for Lee Highway and Blackwell Road."

June 2009

The Planning Commission approved the rezoning application, SUP's and associated zoning text amendment.

February 2011

Withdrawn by Applicant due to the economy.

Denise Schefer

[REDACTED]

----- Forwarded message -----

From: **Rob Walton** <rwalton@warrentonva.gov>

Date: Thu, Jan 12, 2023 at 3:46 PM

Subject: RE: Warrenton Greene Project

To: Denise Schefer [REDACTED]

Good afternoon Ms. Schefer,

I have attached what we have digitally. This application was withdrawn by the applicant. We can pull the hard file and you can review this in our office if you'd like. Please let me know.

Thank you,

Rob

From: Denise Schefer <denise.schefer@gmail.com>

Sent: Thursday, January 12, 2023 2:33 PM

To: Rob Walton <rwalton@warrentonva.gov>

Subject: Warrenton Greene Project

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

Good afternoon,

Could you please forward file information about the Warrenton Greene Project that was approved?

Thanks,

Denise Schefer
Realtor® at Long & Foster
Warrenton, VA



Licensed In Virginia

2022, 2021 Long & Foster Executive's Club

2021 Lifestyle Magazine Fauquier Award - Best Real Estate Agent

2019 Fauquier Times Readers' Choice Award - Best Real Estate Agent

From: "William Semple" <wsemple@warrentonva.gov>
Sent: Thu, 9 Feb 2023 15:36:55 +0000
To: "Denise Schefer" [REDACTED]; "James Hartman" <jhartman@warrentonva.gov>; "John B. Heroux" <jHeroux@warrentonva.gov>; "Heather Sutphin" <hsutphin@warrentonva.gov>; "Brett Hamby" <bhamby@warrentonva.gov>; "Paul Mooney" <pmooney@warrentonva.gov>; "David McGuire" <dmcguire@warrentonva.gov>; "Carter Nevill" <cnevill@warrentonva.gov>
Cc: "citizencomment" <citizencomment@warrentonva.gov>; [REDACTED]; "Christopher Martino" <cmartino@warrentonva.gov>; "Rob Walton" <rwalton@warrentonva.gov>
Subject: RE: Warrenton Greene Project

Ms. Schefer:

Thank you for sending this material. In response to a call for me, you told me you received all of these documents from the Staff. Thus, I have added the Town Manager and Mr. Walton to the copy line to let them know these documents are circulating.

Regards,

Bill Semple

William T. Semple
Town Council, Ward 2
Warrenton, VA
cell: 1 (540)-422-5031 (government)
office: 1 (540) 347-4378
wsemple@warrentonva.gov

From: Denise Schefer [REDACTED]
Sent: Wednesday, February 8, 2023 6:40 PM
To: James Hartman <jhartman@warrentonva.gov>; John B. Heroux <jHeroux@warrentonva.gov>; Heather Sutphin <hsutphin@warrentonva.gov>; Brett Hamby <bhamby@warrentonva.gov>; William Semple <wsemple@warrentonva.gov>; Paul Mooney <pmooney@warrentonva.gov>; David McGuire <dmcguire@warrentonva.gov>; Carter Nevill <cnevill@warrentonva.gov>
Cc: citizencomment <citizencomment@warrentonva.gov>; [REDACTED]
Subject: Fwd: Warrenton Greene Project

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February 2011

Withdrawn by Applicant due to the economy.

Denise Schefer

703.217.7232

----- Forwarded message -----

From: **Rob Walton** <rwalton@warrentonva.gov>

Date: Thu, Jan 12, 2023 at 3:46 PM

Subject: RE: Warrenton Greene Project

To: Denise Schefer [REDACTED]

Good afternoon Ms. Schefer,

I have attached what we have digitally. This application was withdrawn by the applicant. We can pull the hard file and you can review this in our office if you'd like. Please let me know.

Thank you,
Rob

From: Denise Schefer <[REDACTED]>
Sent: Thursday, January 12, 2023 2:33 PM
To: Rob Walton <rwalton@warrentonva.gov>
Subject: Warrenton Greene Project

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

Good afternoon,

Could you please forward file information about the Warrenton Greene Project that was approved?

Thanks,

Denise Schefer
Realtor® at Long & Foster
Warrenton, VA

[REDACTED]

[REDACTED]

Licensed In Virginia

2022, 2021 Long & Foster Executive's Club

2021 Lifestyle Magazine Fauquier Award - Best Real Estate Agent

2019 Fauquier Times Readers' Choice Award - Best Real Estate Agent

From: "Dave Hettinger" [REDACTED] >
Sent: Thu, 9 Feb 2023 18:43:01 +0000
To: "citizencomment" <citizencomment@warrentonva.gov>;
"cneville@warrentonva.gov" <cneville@warrentonva.gov>;
"hsutphin@warrentonva.gov" <hsutphin@warrentonva.gov>;
"wsemple@warrentonva.gov" <wsemple@warrentonva.gov>;
"bhamby@warrentonva.gov" <bhamby@warrentonva.gov>;
"jhartman@warrentonva.gov" <jhartman@warrentonva.gov>; "Kevin Carter"
<kcarter@warrentonva.gov>; "pmooney@warrentonva.gov"
<pmooney@warrentonva.gov>; "dmcguire@warrentonva.gov"
<dmcguire@warrentonva.gov>
Cc: "Laura Hettinger" [REDACTED]
Subject: Amazon Data Center Proposal

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

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

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

Dear Mayor and Town Council Members,

I have emailed most of the town council members before concerning the Amazon Data Center Proposal as well as spoken at the 2023 January Warrenton town meeting. As I mentioned in my previous email, it really comes down to what we want in Warrenton. There are 7 council members along with the Mayor that are responsible for guiding the future of our town. I know being a town council member can be a thankless job - but you did sign up for it - and you should be answerable to the citizens that elected you.

The problem I'm finding, is how does the Mayor and each council member actually feel about the Amazon proposal - are you for or against it and why. Not much has been said by our Mayor and council members, and this makes it difficult as a citizen to ascertain the pros and cons of the proposal. I resent the fact that I have to spend many, many countless hours researching, reviewing and trying to understand all that is involved with this proposal - when in fact, the council members, having all the information, should be informing us - your constituents. Which brings up the question, why hasn't this proposal been sold to us - WHY?

I was dismayed to read that several council members signed NDAs with Amazon, which most folks would find highly unusual (and should be illegal!). Given that no information is available to the public regarding why these NDAs were required - which again begs the question - what possible motive could there be and has Amazon paid off our elected officials - it leaves the citizens to speculate and possibly coming to wrong conclusions - but nothing but silence from council members.

I have read it will bring jobs - but not very many (data centers are pretty automated). That it will bring in 5 million dollars in revenue - where does that number come from - the same people that have NDAs with Amazon? There is talk of data centers being obsolete in the near future - then what? We the citizens need more information so we can help you make an informed decision.

It comes down to why would I (we) want a large data center in Warrenton, and all that comes with it - hugh power lines, noise and ugliness - in our beautiful pastoral setting. And once one data center is approved, more will come.

After much research (with little help from town officials), I want to state I am strongly against the proposal and feel you should be as well (unless you can give me good reasons why you should vote for it).

I implore you - Do Your Job and Protect Warrenton!!

Sincerely,

Dave Hettinger
7280 Waverly Dr.
Warrenton, VA 20186

Draft: Not yet approved by Town Council

From: "Spencer Snakard" <[REDACTED]>
Sent: Fri, 10 Feb 2023 15:39:55 0500
To: "" <jhartman@warrentonva.gov>,"
<jheroux@warrentonva.gov>; "" <hsutphin@warrentonva.gov>,"
<bhamby@warrentonva.gov>; "" <wsemples@warrentonva.gov>,"
<pmooney@warrentonva.gov>; "" <dmcguire@warrentonva.gov>,"
<cnevill@warrentonva.gov>; "hsutphin@warrentonva.gov"
<hsutphin@warrentonva.gov>; "jhartman@warrentonva.gov"
<jhartman@warrentonva.gov>; "wsemples@warrentonva.gov"
<wsemples@warrentonva.gov>; "dmcguire@warrentonva.gov"
<dmcguire@warrentonva.gov>
Cc: "" <citizencomment@warrentonva.gov>
Subject: For Tuesday Work Session: Key Info for Consideration of
Amazon SUP
Attachments: Transmittal Letter.pdf, Timeline.pdf, Joint Letter.pdf, Response
to Council Member Heroux.pdf, Study of Key Elements.pdf, Study of Key
Elements.pdf

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To the
Members of the Warrenton TC, and Mayor Nevill,

You have
received a mountain of mail, texts and phone calls on the Amazon Data Center SUP application. We do not intend to add to that without a good reason.

Attached
you will find four things we encourage you to read before next Tuesday's Council meeting and presumably your vote on that application:

--

The first is a joint letter summarizing our position.

--

The second is a timeline of the relevant known events and factors that have brought us to this point. So far as we know, no one has assembled a review document like this until now and it is a highly useful tool for supporting your reviews. There will surely be things here you do not already know (some of the information was obtained through FOIA disclosures), but will benefit from knowing. It is nothing if not an interesting read.

--

The third is a study of key elements of the application and considerations we believe to be necessary to assess its acceptability under the law.

--

The fourth is a response to Council Member Heroux's questions.

These are each provided to you by and through the collective efforts of the three undersigned organizations. We have worked together for many months to understand the application and its potential community impacts, and to educate the public on these. While we have not always agreed among ourselves on every issue or determination, the attached represents our united views and conclusions.

We respectfully request that you consider these closely as you approach this weighty decision.

With
thanks for your time and attention,

Citizens

For Fauquier County, Piedmont Environmental Council, and Protect Fauquier

From: "William Ziegler" <[REDACTED]>
Sent: Sat, 11 Feb 2023 01:03:34 +0000
To: "cnevill@warrentonva.gov" <cnevill@warrentonva.gov>;
"hsutphin@warrentonva.gov" <hsutphin@warrentonva.gov>;
"wsemples@warrentonva.gov" <wsemples@warrentonva.gov>;
"bhamby@warrentonva.gov" <bhamby@warrentonva.gov>;
"jhartman@warrentonva.gov" <jhartman@warrentonva.gov>;
"jheroux@warrentonva.gov" <jheroux@warrentonva.gov>;
"pmooney@warrentonva.gov" <pmooney@warrentonva.gov>;
"dmcguire@warrentonva.gov" <dmcguire@warrentonva.gov>; "citizencomment"
<citizencomment@warrentonva.gov>
Subject: Citizen Comment for Warrenton Town Council Public Meeting,
14 Feb 2023

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

Dear Warrenton Town Council,

I would like to state, for the public record, my 100% opposition to the Amazon data center special use permit (SUP). It is imperative that the town council vote against this dangerous proposal that will adversely impact thousands of citizens in Warrenton and surrounding areas of Fauquier County, significantly degrade the quality of life, diminish housing values, and forever alter the small town and rural feel of our area.

It is breathtaking that this misguided proposal could have made it this far, as it has so many negatives, almost universal opposition among the citizenry, and a solid rejection by the planning commission. This SUP is also in total opposition to the approved Comprehensive Plan for Warrenton. Furthermore, the proposal process has been shrouded in opaqueness and questionable actions by the town and some of its officers that evoke many concerns of shady dealings. What are you trying to hide behind your non-disclosure agreements and lack of forthright response to Freedom of Information Act inquiries?

At the last town council meeting, there was a lot of talk about noise, as it is certain that the data center will produce huge amounts of noise 24/7 that will impact hundreds of households in Warrenton day and night. Either the town council is incredibly naïve or is purposely putting out misdirection and disinformation to have an excuse to vote for this SUP. Do you seriously think there will be any practical recourse to the certain violation of the town noise ordinance once the data center is operating? Do you really think that our small town, with limited money and inexperienced town lawyers, will be able to best the financial and legal might of one of the richest and most powerful corporations in the history of our country? You will be tied up in legal proceedings for years that will bleed the town dry, costing way more money than the pittance that you expect to get in yearly

tax revenue from the data center. And meanwhile, the noise will be going on day after day, night after night.

Currently, I have absolutely zero confidence in the integrity and decision-making of the town council. It appears that a majority of this council is more than happy and more than ready to sell out our town and county for a bit of Amazon silver that will be thrown our way in exchange for the massive harm that this proposed data center will do. Please prove me wrong. Show that you care about citizens' concerns. Show that you value the small town, rural, agricultural, and scenic nature of our area. Show that you are not in thrall to a big corporation that hasn't the slightest interest in our town other than making money. You can do the right thing, the ethical thing, and the intellectually honest thing. Vote against this SUP. Just say NO.

Sincerely,
William Ziegler
Broad Run, Scott District
Citizen of Fauquier County since 2005

Not yet approved by Town Council

From: "Erin O'Donnell" [REDACTED] >
Sent: Sat, 11 Feb 2023 16:42:33 +0000
To: "Carter Nevill" <cnevill@warrentonva.gov>; "Paul Mooney" <pmooney@warrentonva.gov>; "Brett Hamby" <bhamby@warrentonva.gov>; "David McGuire" <dmcguire@warrentonva.gov>; "Heather Sutphin" <hsutphin@warrentonva.gov>; "James Hartman" <jhartman@warrentonva.gov>; "John B. Heroux" <jHeroux@warrentonva.gov>; "William Semple" <wsemple@warrentonva.gov>; "citizencomment" <citizencomment@warrentonva.gov>
Subject: an article and a video about the data center

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

Dear Mayor and Councilmembers,

I humbly request your attention again regarding the Amazon data center issue. I read this article this morning. The article focuses on Prince William County but brings to light some big issues regarding data centers. I hesitate to highlight any points because every one of the points is vital, but the terrible noise that Manassas residents complain of seems especially important. You were elected to protect and represent us! Please protect our city from this awful noise that threatens!

<https://insideclimatenews.org/news/10022023/virginia-data-centers-amazon-prince-william-county/>

Additionally, here is a brief video in which I discuss some of the reasons why you should hesitate to think that Amazon will keep its promises. Please do take the time to watch it! It took many hours of work for myself and others, though it is less than five minutes long.

<https://vimeo.com/797542389/dd5f07c0b4>

Thank you for all of the time you put into your jobs!

Erin O'Donnell

From: [REDACTED]

Sent: Sun, 12 Feb 2023 15:19:48 0500

To: "" <citizencomment@warrentonva.gov>

Subject: Stop Amazon!

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

I really am dreading how this negative change to our town could affect us individually and as a community.

Especially in health and well being!

Please stop the data center!

Our livelihood depends on it!

-Susan Whiteis, resident of 99 Brookshire Dr. In Warrenton

Sent from my iPhone

Draft: Not yet approved by Town Council

From: "John W."
Sent: Sun, 12 Feb 2023 19:26:55 0500
To: "" <cnevill@warrentonva.gov>,"
<jhartman@warrentonva.gov>; "" <wsemples@warrentonva.gov>,"
<dmcguire@warrentonva.gov>; "" <pmooney@warrentonva.gov>,"
<bhamby@warrentonva.gov>; "" <hsutphin@warrentonva.gov>,"
<jheroux@warrentonva.gov>; "cnevill@warrentonva.gov"
<cnevill@warrentonva.gov>; "hsutphin@warrentonva.gov"
<hsutphin@warrentonva.gov>; "wsemples@warrentonva.gov"
<wsemples@warrentonva.gov>; "pmooney@warrentonva.gov"
<pmooney@warrentonva.gov>
Cc: "" <citizencomment@warrentonva.gov>,"
<cmartino@warrentonva.gov>; "" <tcureton@warrentonva.gov>,"
<sclough@warrentonva.gov>; "" <rw Walton@warrentonva.gov>,"
<dharris@warrentonva.gov>; "" <tcarter@warrentonva.gov>,"
<mcrim@warrentonva.gov>; "" <mcrim@vfnlaw.com>;
"tcureton@warrentonva.gov" <tcureton@warrentonva.gov>;
"tcarter@warrentonva.gov" <tcarter@warrentonva.gov>;
"rw Walton@warrentonva.gov" <rw Walton@warrentonva.gov>;
"citizencomment@warrentonva.gov" <citizencomment@warrentonva.gov>
Subject: Letter on Noise Study for the Official Record of SUP 2022
0003: Amazon Data Center
Attachments: Letter on Noise Study for the Official Record of SUP 2022
0003: Amazon Data Center

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

From: "Stephen Clough" <sclough@warrentonva.gov>
Sent: Mon, 13 Feb 2023 13:55:44 +0000
To: "citizencomment" <citizencomment@warrentonva.gov>
Subject: FW: Protect Open and Forested Land

Stephen Clough

Town Clerk, FOIA Officer
Town of Warrenton, VA



21 Main Street
Warrenton, VA 20186
M: (540)-714-9270
warrentonva.gov

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From: Denise Harris <dharris@warrentonva.gov>
Sent: Monday, February 13, 2023 7:47 AM
To: Stephen Clough <sclough@warrentonva.gov>
Cc: Rob Walton <rwalton@warrentonva.gov>
Subject: Fwd: Protect Open and Forested Land

For citizen comments

Denise M. Harris, AICP

Planning Manager
Town of Warrenton

Begin forwarded message:

From: Ruth Fugee [REDACTED]
Date: February 12, 2023 at 1:18:06 PM EST
To: Denise Harris <dharris@warrentonva.gov>
Subject: Protect Open and Forested Land

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

From the station he helped construct, Vint Hills Farms Station, my father, Jim Thoroman, worked on the design of the radio and receiving towers that were responsible for breaking the Enigma code near the end of World War II. He opened a radio repair shop on the corner of Third Street and Main Street because he liked the fly fishing at Thornton River and Goose Creek. He often spoke of his experience as a business owner in the development of land use zoning in town beginning in 1950 with the first planning commission, with the supervision and support of Paul Mellon. The planning commissions go on to gather the input of the residents on growth and development. Mr. Mellon began the Piedmont Environmental Council to whom we owe the continued protection of open and forested land, and he donated the land for Sky Meadows. I was born at Fauquier Hospital, graduated from Fauquier High, trained as a nurse at Fauquier Hospital, our children farm in Fauquier County, and hopefully I will die in my bed off Academy Hill Rd, where my mother taught third grade at Warrenton Elementary.

Protect open and forested land. Be a part of a legacy of philanthropy and conservation. Land use planning in Warrenton, through the administration of special use permits, is the right of town residents, and we don't want an Amazon data center at the entrance to Warrenton.

Ruth Fugee, RN, MSN
[REDACTED]

From: "Stephen Clough" <sclough@warrentonva.gov>
Sent: Mon, 13 Feb 2023 14:17:11 +0000
To: "citizencomment" <citizencomment@warrentonva.gov>
Subject: FW: Amazon Emails
Attachments: Please Deny the Amazon Data Center Special Use Permit:, The incongruous data center @ Blackwell Rd, Protect Open and Forested Land, Please Deny the Amazon Data Center Special Use Permit:, Perspective to Consider Amazon SUP, Please Deny the Amazon Data Center Special Use Permit:, Please Deny the Amazon Data Center Special Use Permit:, Please Deny the Amazon Data Center Special Use Permit:, Please Deny the Amazon Data Center Special Use Permit:, Please Deny the Amazon Data Center Special Use Permit:, Please Deny the Amazon Data Center Special Use Permit:, Please Deny the Amazon Data Center Special Use Permit:, Please Deny the Amazon Data Center Special Use Permit:

Stephen Clough
Town Clerk, FOIA Officer
Town of Warrenton, VA



21 Main Street
Warrenton, VA 20186
M: (540)-714-9270
warrentonva.gov

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From: Rob Walton <rwalton@warrentonva.gov>
Sent: Monday, February 13, 2023 8:24 AM
To: Stephen Clough <sclough@warrentonva.gov>
Cc: Denise Harris <dharris@warrentonva.gov>
Subject: Amazon Emails

Stephen,

Here are the emails I have been receiving.

Thanks,
Rob

Rob Walton

Director of Community Development
Town of Warrenton
21 Main Street
Warrenton, VA 20186

Office Phone: (540) 316-6396 x316

Email: rwalton@warrentonva.gov

Website: www.warrentonva.gov



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From: "Sarah Thomas" [REDACTED]
Sent: Mon, 13 Feb 2023 20:06:55 +0000 (UTC)
To: "citizencomment@warrentonva.gov"
<citizencomment@warrentonva.gov>
Subject: Citizen Comments against the Amazon Data Center

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

To the Warrenton Town Council,

I am a resident of Warrenton and I am opposed to the Amazon Data Center due to the noise it would be producing from the massive HVAC units and generators. Not only do they produce a great amount of noise, but they also produce very strong vibrations that will be felt inside homes and businesses nearby, as well as the nearby Poets Walk, which is a memory care unit. The noise and vibrations are known to cause, or exacerbate, many health conditions.

I encourage you to listen to this: <https://vimeo.com/796104421/dbd1e29382>

If you absolutely feel you must vote yes for the Amazon Data Center, then I must insist on a Noise Ordinance that requires a 24/7 continuous noise monitoring system, mounted on poles around the property, transmitting noise measurements to a third-party public website.

I truly hope and pray the Town Council votes NO!

Sincerely,

Sarah Thomas
210 Fairfield Dr
Warrenton, VA 20186

From: "Chuck Cross" [REDACTED] >
Sent: Mon, 13 Feb 2023 22:30:03 +0000
To: "cnevill@warrentonva.gov" <cnevill@warrentonva.gov>;
"pmooney@warrentonva.gov" <pmooney@warrentonva.gov>;
"dm McGuire@warrentonva.gov" <dm McGuire@warrentonva.gov>;
"bhamby@warrentonva.gov" <bhamby@warrentonva.gov>;
"hsutphin@warrentonva.gov" <hsutphin@warrentonva.gov>; "William Semple"
<bill@sempleward2.com>; "wsemple@warrentonva.gov"
<wsemple@warrentonva.gov>; "jhartman@warrentonva.gov"
<jhartman@warrentonva.gov>; "jheroux@warrentonva.gov"
<jheroux@warrentonva.gov>; "citizencomment@warrentonva.gov"
<citizencomment@warrentonva.gov>
Cc: "Eric Gagnon" [REDACTED] >; "CC Collins"
[REDACTED] >; "Scott Pierce" <[REDACTED]>
Subject: Response to Mayor: AN INFORMED PUBLIC CANNOT LET
FALSE STATEMENTS STAND
Importance: High

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

Internal Use Only

The following letter has been submitted to the editor of Fauquier Times and is also being submitted into the town record for tomorrow's hearing.

AN INFORMED PUBLIC CANNOT LET FALSE STATEMENTS STAND

In recent years we have learned important lessons from the highest level of our nation's governance that false or factually incorrect statements made by public officials, whether intentional or not, cannot be allowed to stand in the public record unchallenged. It is with this in mind and the belief that ethical responsibility begins at home that we feel compelled to challenge recent assertions by Mayor Nevill and Councilman Heroux.

On Jan 6, Warrenton resident Chuck Cross wrote to the Mayor asking that he exercise his responsibility under the Town Code of Ethics to "intervene when actions of members that appear to be in violation of the Code of Ethics are brought to their attention," in regard to Councilman Heroux's clear and indisputable appearance of a conflict of interest in the Amazon special use permit matter. The Mayor offered no response.

Exactly one month later, over 30 concerned Warrenton residents wrote to the Mayor stating: "We expect our Town government to operate ethically and with high integrity. We expect our Town government to honor its own Code of Ethics. We are deeply troubled by the clear appearance of a conflict of interest by Council Member Jay Heroux, and equally troubled by your failure to intervene, as you were requested on January 6."

After this additional citizen request, the Mayor provided a curt and dismissive response:

"The Conflict of Interest Act overrules any local rules regarding participation in votes by council. Under applicable law, the Mayor has no authority to require anyone to recuse themselves. Mr. Heroux made a declaration on the record that he can make a decision fairly, objectively, and in the public interest, and I trust that he made the right decision. Furthermore, I would never advise any council member to recuse themselves based on supposition or innuendo."

The Mayor's curt response to these concerned citizens is not only unreasonably dismissive of valid concerns, it is flatly incorrect. The Conflict of Interest Act does not overrule Warrenton's ethics rules. On the contrary, it sets out minimum state requirements for conflicts by town officials, such as prohibiting gifts, payments, or favors, restricting personal or family interest in contracts, and restricting lobbying after leaving office. Indeed, although county authority is limited to express grants by charter, Virginia law gives incorporated cities and towns all of the "uniform charter powers" set out in Article 1 (Virginia Code section 15.2-204). Those powers, set out in Article 1 (§ 15.2-11 et seq.) of Chapter 11, enable local government to govern its own affairs as long as state law has not "expressly prohibited" that action, and it includes "all other powers pertinent to the conduct of the affairs and functions of the municipal government, the exercise of which is not expressly prohibited by the Constitution and the general laws of the Commonwealth, and which are necessary or desirable to secure and promote the general welfare of the inhabitants of the municipality."

Those powers certainly include adopting additional ethics requirements or procedures for council members and employees. And it is wholly appropriate that Warrenton's Code of Ethics addresses even the appearance of conflict of interest, because often the full extent of conflicts and improper dealing may remain hidden. And the citizens of Warrenton need to have full confidence in their Mayor and Town Council, especially in proceedings that involve major corporate interests and have widespread citizen opposition. The appearance standard, in fact, is commonplace among civic and professional ethics codes across the nation.

Arguing that "we can't do it because state law doesn't say we can," is not only legally incorrect, but also illogical. Our Mayor should not treat such a serious ethics issue so dismissively, and his false statements only further undermine public trust and the Town's reputation.

Further, it is preposterous that the Mayor should claim that the Town's own Code of Ethics is somehow invalidated under state law. The Code of Ethics has been in place for years, was recently modified and re-ratified, and must be signed by all council members and town employees. The Mayor himself presided over some new amendments and council signatures to the new code.

The statement that the "Mayor has no authority to require anyone to recuse themselves," is also out of line. The citizen letters of Jan. 6 and Feb. 6 asked that he "intervene," as the ethics code requires. It is Council Member Heroux who should recuse himself. The Mayor has a responsibility to intervene to see that he does so, or to delay or prevent Town Council action that could be affected by the appearance of Mr. Heroux. That intervention could take the form of an investigation, a hearing, a request to comply with the Code of Ethics, or any number of other actions reflecting that he has a responsibility to the office he was elected.

As for the Mayor's comments about Council Member Heroux himself, the fact that Mr. Heroux has claimed that he would perform his duties impartially does not relieve the Mayor or Mr. Heroux of complying with the Code of Ethics. Again, the code is very clear that the trigger for recusal is the "appearance" of conflict, and when "actions of members appear to be in violation." The Code of Ethics is meant to ensure public confidence in the utmost integrity of Town decision-making. Twice now citizens have pointed out to the Mayor and Mr. Heroux that it is the appearance alone, not an actual untoward act, that triggers these responsibilities. The appearance of conflict of interest was further underscored by a feature length article by Peter Cary in this publication on Jan. 4, "Resident points to councilman's potential conflict of interest regarding proposed Amazon data center." Or one can simply do an online search of the company where Council Member Heroux is a senior executive, Definitive Logic, which trumpets its partnership with Amazon Web Services.

Finally, the Mayor's statement that he would "never advise" recusal based on "supposition or innuendo," is not only dismissive but shamefully disrespectful to the citizens. This is not about supposition and innuendo. Mr. Heroux was appointed under irregular circumstances, after another Council Member resigned. The Mayor and the Town Council had extensive communications and meetings with Amazon -- all hidden from the public -- and has stonewalled against attempts to require disclosure under Virginia's Freedom of Information Act. The Mayor and Council's improper handling of the Amazon data center issue has led many citizens to doubt the honesty and integrity of its town government, on an issue that more than 2000 citizens have petitioned the Council to deny.

So, in this -- the most serious and most opposed issue in Warrenton's history, we call on Mayor Nevill to be factual, to be correct, and to be ethical -- and most importantly, do the right thing. Stop any vote on the tainted application and take the ethics issue seriously.

Chuck Cross, Warrenton
Eric and Christina Gagnon, Warrenton
Carol C. Collins, Warrenton
Scott and Hilary Pierce, Warrenton

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From: "Marcia Marsh" <[REDACTED]>
Sent: Tue, 14 Feb 2023 09:55:11 0500
To: "" <citizencomment@warrentonva.gov>
Subject: Proposed site of Amazon data center

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

Thank you for reading yet another comment - I can only imagine that you are bombarded with them during these deliberations. Right up front, I live in the county - 5 miles outside Warrenton down 211. So, I don't live in town - if that ends the value of my commentary - save yourself the read.

However, if you do want feedback from the citizens that invest in Warrenton everyday for shopping, volunteering, and other business - I'd like to weigh in as opposed to the facility at this site and would also love to see the towns and counties in Virginia use their collective power to shape the billions in investment that will come to Virginia for data centers given the big federal client and related businesses that this region supports. Notice that I'm not saying never, no way, not in my backyard... I'm just reflecting on several experiences of our neighboring counties and asking Warrenton to consider being the leadership that helps to define the future.

Are you persuaded that the tax revenues you will receive will offset the negative impacts that have been raised at our hearings and in many articles about Loudoun and other counties. Noise, power demands, the big box corridors - do they deliver a net benefit worth the impact on the neighbors in that area. Are we setting a precedent for a drive into Warrenton that looks like drives to Dulles and into Leesburg - green replaced with big imposing structures? As we grapple with the energy crisis - should the data center owners be required to tap into geothermal and other sources rather than increasing the Dominion sprawl and power stations. When faced with a "no go" unless demonstrated noise reduction works - would Amazon and others not step up their investment to making things work. That engineering does not seem impossible compared to the remarkable things that we've seen in such short order but unless someone says "no, unless" (with real teeth) - it will never happen.

Amazon made big net zero carbon commitments as part of it's climate pledge. The owner Jeff Bezos created his own Earth Fund to invest in smart strategies for our future. Might there be a conversation with Amazon about stepping from the back of the data center pack in terms of impacts to the grid, noise etc and engineering a pilot for our area that demonstrates a model that might work for all. I know that all sounds naive - as it would in the short term impact their profit model.... But long term might stop the next wave of resistance. They have the resources - make them use them. Having paid the multiple they did for the property - they have a huge incentive to get this done right.

If the client in this instance is predominantly federal - would the Infrastructure investments - client and more - not provide a challenge and funding to give it a go. Or will the government be content to have federal sprawl extend throughout Virginia. We'll all be the big warehouses and noise generators that support DC?

Whatever your decision, I hope that the deep divides that have been created over this decision can be healed. Today's Post author made it sound like this is a rich vs. poor divide. I work with people of all walks of life - long term and short term residents; town and county; rich, poor and middle income and that is not what I hear. That's not what I saw when I was turned away at the November hearing because of the crowd. Wish you had cameras outside to see the diversity of the crowd that had not turned out to cheer the decision on but to register concerns.

I can't imagine what it might feel like to be in your shoes right now with this decision. Good luck as you deliberate.

Marcia Marsh
9255 Harts Mill Rd
Warrenton 20186

Sent from my iPad

Draft: Not yet approved by Town Council

From: "L Bethea" [REDACTED] >
Sent: Tue, 14 Feb 2023 11:43:50 0500
To: "" <cnevill@warrentonva.gov>," <citizencomment@warrentonva.gov>;
"cnevill@warrentonva.gov" <cnevill@warrentonva.gov>
Subject: Fwd: Please vote NO on Amazon Data Center

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

Dear Mayor Nevill and Town Council,

As a constituent in Ward 5, I am deeply concerned about the proposed Amazon data center. It is my understanding that you may be unaware of the strong opposition here.

I wrote twice to my Councilman Jay Heroux and signed a petition sent to him. To date, I have received no confirmation or response from him. Perhaps he has not shared all the correspondence he received from his constituents with you or the rest of the Council, so I am reaching out to you directly.

Below is message 1 sent December 3rd and my followup message 2 (sent January 6).

Please know that the majority of residents in Ward 5 are deeply opposed to the data center. We have forwarded multiple correspondence to voice our opposition, yet our representative on the Council continues to fail to appropriately represent us. It seems clear now that we know he has a conflict of interest regarding this matter he may not be adequately expressing our wishes to you and the rest of the Council.

Lorraine Bethea
292 Roebling Street
Warrenton, VA 20186

Begin forwarded message:

From: L Bethea [REDACTED] >
Date: December 3, 2022 at 5:16:24 PM EST
To: jheroux@warrentonva.gov
Subject: Please vote NO on Amazon Data Center

Dear Mr Heroux,

From the beginning, the Amazon data center plan has been immersed in scandal and multiple under the table deals that do not bode well for our town. In fact, nearly everything about how this situation has been handled so far outright stinks.

Clearly, Amazon's case could never stand on its own merits why else would their shady dealings with our Town Manager and others have occurred?

As a resident in an area that is already affected by more noise and light pollution than ever before, I certainly do not need this data center added to it. Yes, my bedroom windows face the site and my hilltop location ensures that the light and noise will affect me and my family 24 hours a day.

As your constituent, I am urging you to vote **against** the data center, as it will clearly NOT be an asset to this town. It may have some financial advantages, but it will not maintain the cultural or moral integrity of our town, nor will those advantages override its negative affect on the people that live here (myself included).

I also urge you to support the full disclosure of all town council members and town employees that participated in signing NDAs with

Amazon and those who worked for Amazon (paid or unpaid) at the same time they served the town in any capacity.

We all deserve to know and this chapter in Warrenton's history needs to close in favor of the residents, not Amazon.

Thank you,

Lorraine Bethea
292 Roebling Street
Warrenton VA 20186

From: L Bethea <[REDACTED]>
Date: January 6, 2023 at 6:11:33 PM EST
To: jheroux@warrentonva.gov
Subject: Fwd: Please vote NO on Amazon Data Center

Mr Heroux,

I am deeply disappointed that I have not received any acknowledgment or response to my message sent on December 3rd, 2022. I am forwarding it to you here with urgency, as I hear you still support the Amazon data center project.

As your neighbor and constituent, I must ask WHY? There is unquestionable evidence that shows you are representing citizens that overwhelmingly oppose a data center here, so why would you think the appropriate way to represent us is to support it??

That is not how representational government works. Your vote on the Council is supposed to voice the will of the majority of your constituents, not work in direct opposition to their clearly demonstrated wishes.

Kindly consider this and our Town Code of Ethics.

Thank you,

Lorraine Bethea
292 Roebling Street
Warrenton, VA 20186

Draft: Not yet approved by Town Council



The Town of Warrenton
P.O. Box 341
Warrenton, VA 20188
P (540) 347-1101
F (540) 349-2414

February 14th, 2023 Regular Town Council Meeting
Minutes

Attachment 2: Regular Town Council Meeting
February 14th, 2023, AM Transcript

In the Matter of:
TOWN OF WARRENTON

TOWN COUNCIL AM SESSION
February 14, 2023



(703) 331-0212
www.icrdepos.com

Draft: Not Yet Approved by Town Council

TOWN OF WARRENTON
FEBRUARY 14, 2023, AM TOWN COUNCIL
TOWN COUNCIL MEETING
AM SESSION
File: February 14, 2023 AM Town Council Work
Session.mp4

COUNCIL MEMBERS PRESENT:

COUNCIL MEMBERS PRESENT:

Mayor Carter Nevill

Vice Mayor James Hartman

Mr. Brett Hamby

Ms. Heather Sutphin (via remote)

Mr. William Semple

Mr. Jay Heroux

Mr. David McGuire

Mr. Paul Mooney

P R O C E E D I N G S

MAYOR NEVILL: It's 9:00 a.m. on Tuesday, February 14th. I'll call the work session of the Town Council of Warrenton to order. We do have a quorum present in the room, and we have Ms. Sutphin, who will be joining us remotely.

Ms. Sutphin, are you on the line?

MS. SUTPHIN: Yes, I am.

MAYOR NEVILL: Will you state for the record, please, your reason for remote attendance and your current location.

MS. SUTPHIN: I'm at my residence here in Warrenton. And it's for health reasons. My husband and I both have bronchitis.

MAYOR NEVILL: Thank you, ma'am.

We are now officially in session, and we will turn to the Vice Mayor to read us into closed session.

MR. HARTMAN: Mr. Mayor, I move that the council convene to closed session to discuss the following as permitted by Virginia Code 2.2-3711(A)(1): A personnel matter involving

1 discussion, consideration, or interviews of
2 prospective candidates for employment or appointment
3 or assignment appointment, promotion, performance,
4 demotion, salaries, disciplining, or resignation of
5 specific public officers, appointees or employees of
6 the town, specifically dealing with town manager
7 recruitment, acting town manager appointment, and
8 police department personnel update.

9 Also, as permitted by Virginia Code
10 2.2-3711(A)(8), consultation with legal counsel
11 regarding specific legal matters requiring the
12 provision of legal advice by such counsel, relating
13 to the Walmart tax matter update, and process and
14 substance for consideration of SUP 2022-03; and as
15 permitted by Virginia code 2.2-3711(A)(19), a matter
16 involving the police department briefing on safety
17 of Town Council, an RSM briefing of information and
18 technology evaluation.

19 MAYOR NEVILL: So moved by the Vice Mayor.

20 MR. HAMBY: Second.

21 MAYOR NEVILL: Seconded by Councilman Hamby.

22 Discussion on the motion?

1 (No responses.)

2 MAYOR NEVILL: Hearing none, all in favor?
3 Councilwomen Sutphin?

4 MS. SUTPHIN: Aye.

5 MAYOR NEVILL: Opposed?

6 Motion carries unanimously, and we are
7 now in closed session. We will convene upstairs in
8 the Willow Room.

9 (Whereupon, the Warrenton Town Council
10 adjourned into closed session.)

11 (Whereupon, the Warrenton Town Council
12 resumed the work session.)

13 MAYOR NEVILL: All right. At 12:10 p.m., we
14 will reconvene and return from closed session. I'll
15 turn to the Vice Mayor for a motion.

16 MR. HARTMAN: Mr. Mayor, I move that the
17 council certify that the closed session just
18 concluded. Nothing was discussed except the matter
19 or matters specifically identified in the motion to
20 convene in closed session and lawfully permitted to
21 be discussed in a closed session under the
22 provisions of the Virginia Freedom of Information

1 Act as cited in that motion.

2 MAYOR NEVILL: So moved by the Vice Mayor.

3 Second?

4 MR. HEROUX: Second.

5 MAYOR NEVILL: Second by Councilman Heroux.

6 Discussion on the motion?

7 (No responses.)

8 MAYOR NEVILL: Hearing none, we will do a
9 roll call vote. I'll start to my right.

10 Councilman Mooney.

11 MR. MOONEY: Aye.

12 MAYOR NEVILL: Councilman Sutphin.

13 MS. SUTPHIN: Aye.

14 MAYOR NEVILL: Councilman Semple.

15 MR. SEMPLE: Aye.

16 MAYOR NEVILL: Councilman Hamby.

17 MR. HAMBY: Aye.

18 MAYOR NEVILL: Vice Mayor Hartman.

19 MR. HARTMAN: Aye.

20 MAYOR NEVILL: Councilman Heroux.

21 MR. HEROUX: Aye.

22 MAYOR NEVILL: Councilman McGuire.

1 MR. MCGUIRE: Aye.

2 MAYOR NEVILL: The motion is approved. We
3 are certified out of closed session, and that will
4 bring us to the next item.

5 Mr. Martino to introduce the SUP
6 2022-03. The applicants are here. This is a
7 continuation of a discussion from last month.

8 MR. MARTINO: Thank you, Mr. Mayor. The
9 staff has shared their staff report with you. It
10 addresses the few adjustments that have been made,
11 and it basically walks through the proceedings that
12 we've been undertaking for the past few months.

13 The applicant is also here to address
14 any questions, comments, that the council would
15 choose to raise with them.

16 If you would like a very, very brief
17 presentation on things, we can provide that.
18 Otherwise, I would -- you can call the applicant to
19 the podium at this point.

20 MAYOR NEVILL: Any requests or questions for
21 Mr. Martino, or shall we have the applicant come
22 forward?

1 MR. SEMPLER: Mr. Mayor, just to make the
2 presentation?

3 MAYOR NEVILL: Excuse me?

4 MR. SEMPLER: Is this to answer questions or
5 just to make the presentation?

6 MAYOR NEVILL: To answer questions, too.

7 MR. SEMPLER: Oh, yes, please.

8 MAYOR NEVILL: All right.

9 MR. MARTINO: You would like the staff --

10 MAYOR NEVILL: No.

11 MR. MARTINO: No, no, the applicant.

12 MAYOR NEVILL: I think at this point we
13 would request that the applicant come forward to
14 answer questions as directed by council.

15 MR. REINKE: Hi. Good afternoon. My name
16 is Jay Reinke with Amazon Web Services.

17 MAYOR NEVILL: Thank you, sir.

18 And just a point of clarification. So
19 from the last Town Council meeting issues were
20 brought up and the conditions were drafted and
21 finalized based upon guidance from counsel and
22 agreement with the applicant, Amazon Web Services.

1 No new conditions were added. These were just
2 clarifications and cleaning up the language. So if
3 you want to just maybe touch on where we we want
4 from last month to here and the relationship.

5 MR. REINKE: Yeah, absolutely. We met with
6 the town staff, went through the conditions that
7 you-all had agreed upon, and then we worked through
8 a few little language issues, cleaned that up, and
9 we're at full agreement with the town staff.

10 MR. SEMPLE: I have some questions --
11 several questions, actually. But I want to look at
12 the noise ordinance. And I have some issues about
13 it that I'm -- unfortunately, I was not involved in
14 any of these discussions, so the first time I saw
15 it, a final draft of it, was when the agenda was
16 posted.

17 I'm wondering -- I was going to ask
18 this perhaps of you or the staff: But the
19 definition of an "electric line," does that include
20 transmission lines?

21 MR. REINKE: Where is that?

22 MR. SEMPLE: What I'm looking at is the

1 draft conditions where we provide for
2 under-grounding of electric lines from a substation
3 facility. Is that just distribution lines or any
4 electric line?

5 MR. REINKE: Those are the distribution
6 lines coming from the substation.

7 MR. SEMPLE: Okay. One of my concerns in
8 this -- excuse me while I just look at my notes --
9 has to do with the noise ordinance. You're here to
10 discuss that.

11 Do you have the --

12 MR. REINKE: I'm here to discuss whatever
13 you would like to discuss.

14 MR. SEMPLE: Thank you. You have your noise
15 expert here?

16 MR. REINKE: We have several of them, yes.
17 We have several from Polysonics.

18 MR. SEMPLE: All right. The first question
19 I have about the noise is whether there is -- one of
20 the provisions we have is that each phase that's
21 showing a site plan shall receive a conditional
22 certificate of occupancy.

1 It's my understanding that there's only
2 going to be one phase.

3 MR. REINKE: No. There will be eight
4 phases.

5 MR. SEMPLE: Because in the letter that we
6 received from your attorney, he said that it would
7 be completed in one phase in 15 months.

8 MR. REINKE: The shell will be completed.
9 So you're building out -- the outside shell of the
10 building will be completed in one phase, and then
11 you build out each room progressively.

12 MR. SEMPLE: So over what period of time do
13 you think it will be -- this entire build out will
14 occur?

15 MR. REINKE: Yeah, somewhere between three
16 to seven years.

17 MR. SEMPLE: Three to seven years?

18 MR. REINKE: Yeah.

19 MR. SEMPLE: Wow. And that's from the point
20 that -- okay. Three to seven years. Thank you.

21 So by the third year, what level of
22 power -- when will you be in a full-power state? In

1 the seventh year?

2 MR. REINKE: Yeah, whenever it's fully built
3 out.

4 MR. SEMPLE: Okay. I'm basically concerned
5 with one particular provision, and that is that you
6 are only obligated to pay for one test annually.

7 What happens to the rest of the year in
8 terms of your enforcing these noise standards? I
9 mean, this is something I need to ask either you or
10 the staff. I don't understand.

11 If you do an annual test, that's fine,
12 but that means that 364 days out of the year you
13 could be in noncompliance and no one would know
14 about it; and that's really not much of a protection
15 for the health, safety, and welfare of our citizens.

16 So would you be willing -- I have not
17 discussed with this anybody. This is not part of
18 the conversation. I'm just introducing the idea
19 that, don't you think we need some type of more
20 frequent testing to ensure compliance? Would you
21 agree with that?

22 MR. REINKE: No, because, I mean, as a good

1 neighbor, as a good resident, the tests we would do
2 would be (indiscernible) to what would be going on
3 year round. So you do one test a year. It should
4 be very indicative of what's going on 365 days a
5 year.

6 MR. SEMPLE: I understand you want to be a
7 good neighbor, but I know people who have been in
8 the compliance enforcement business at the
9 Environmental Protection Agency, and there's always
10 a tendency that when you do a singular test like
11 this, it does not necessarily survive. It can be a
12 variety of different reasons that a test is built in
13 that will satisfy that particular testing day, but
14 not necessarily elsewhere.

15 Another thing, there can be a change in
16 the availability of equipment. For example, DEQ,
17 right now is considering Prince William and Prince
18 County -- Prince William, and in Loudoun County, the
19 allowance of the use of generators where there seems
20 it be peak demand issues on the electrical grid.

21 When we do these testings, are you
22 going to have all of the -- what is the equipment

1 that will be tested when you do the test?

2 MR. REINKE: The full HVAC systems running
3 at 100 percent.

4 MR. SEMPLE: Including generators?

5 MR. REINKE: At least one generator.

6 MR. SEMPLE: At least one generator.

7 MR. REINKE: Yes.

8 MR. SEMPLE: Well, how many generators do
9 you have?

10 MR. REINKE: We'll have -- I believe 54
11 generators complete.

12 MR. SEMPLE: So wouldn't you want --

13 MR. REINKE: So --

14 MR. SEMPLE: I don't understand why you
15 wouldn't have them all running.

16 MR. REINKE: The reason being is that when
17 we test generators, we test them one at time. So
18 the only time that we'd ever run full generators
19 would be if there's a power outage. And if there's
20 a power outage, probably the whole county is down.

21 MR. SEMPLE: What I'm worried about,
22 honestly, is let's say the DEQ requirement comes in.

1 Now, you're able to -- let's say there's a complete
2 grid shutdown. Would all of those 54 generators
3 come online?

4 MR. REINKE: Half of them would.

5 MR. SEMPLE: Half of them. So don't you
6 think we would want to know what the noise volume
7 would be at that point in -- I know that worse case
8 scenarios sometimes never happen, but that we would
9 understand how -- whether you would be in violation
10 or not of our noise ordinance at that particular
11 time?

12 MR. REINKE: No, I would think if the whole
13 county is down without power, your least concern
14 would be if we're making a noise above ambient noise
15 there.

16 MR. SEMPLE: Okay. Excuse me while I just
17 ponder this. Because part of our job is to protect
18 the health, safety, and welfare of our residents.

19 MR. REINKE: Absolutely.

20 MR. SEMPLE: Right? And we do that --
21 that's a year-round job that we have. We just don't
22 do it once a year. And I'm concerned that there

1 will be instances throughout the year where you
2 perhaps for whatever reasons at whatever time, even
3 when we apply all of the offsets that we may have in
4 our ordinance, that you're not in compliance. And
5 it can be over a period of time. It can be a short
6 or brief period.

7 I'm concerned that this particular
8 approach will not protect our health, safety, and
9 welfare of our residents consistent with our
10 obligations. I just want to know why you think this
11 single test in a particular -- in a year is adequate
12 to do that job.

13 MR. REINKE: Because the noise level is not
14 going to change throughout the year.

15 MR. SEMPLE: Excuse me?

16 MR. REINKE: As a matter of fact, when we do
17 a test, it should be indicative of all 365 days.

18 MR. SEMPLE: Well, but you just told me that
19 if there was a power outage that you could bring on
20 half of these generators. Now, when you do the
21 test, will you be firing up half the generators?

22 MR. REINKE: No. To do a test, you test one

1 at time.

2 MR. SEMPLE: Well, I'm talking about the
3 noise. I'm talking about what we're going to hear
4 sitting on the perimeter of the property.

5 MR. REINKE: If the county is in a blackout,
6 we will run all generators at that time.

7 MR. SEMPLE: Yeah, but then you'd still --
8 then theoretically at that time you could very well
9 be in violation of the noise ordinance.

10 MR. REINKE: Could be at that point.

11 MR. SEMPLE: Right, yeah. And how would we
12 know that?

13 MR. REINKE: Well, we could model it.

14 MR. SEMPLE: No, no. I'm just saying how do
15 we -- we're creating a set of conditions that we
16 need to enforce at some level, that we need
17 understand when those violations occur. I just
18 would like to know how in an annual scenario we can
19 possibly account unless we put in a continuing
20 monitoring system?

21 MR. REINKE: I would make the argument that
22 most likely that the chances of the county being out

1 of power is probably a once in a 50-year or lifetime
2 event. And so the chances of that even occurring
3 would be extremely rare. If it does occur, we'll
4 run all 24 generators.

5 MR. SEMPLE: I'm not worried about something
6 that may or may -- most likely. I'm worried about
7 creating conditions that we can actually enforce
8 under any circumstance.

9 MR. FOOTE: I'm sorry, what? It should be
10 pointed out the condition --

11 MS. PFEIFFER: I wrote that. That is just
12 something to consider.

13 MR. FOOTE: Okay. The other thing to keep
14 in mind in talking to our sound engineers is that if
15 you do daily sound testing they really don't tell
16 you much because there's ambient noise around.

17 These sound tests that are done once a
18 year do, according to our sound engineers, tell you
19 what's going to be happening for 365 days a year.

20 If you do have a circumstance in which
21 all of these generators have to come on, that's
22 going to be a circumstance that is, A, exceptionally

1 rare; and, B, is something that is going to present
2 a set of circumstances the town will face that's a
3 larger problem than this data center.

4 MR. SEMPLE: Well, Mr. Foote, I thank you
5 for your remark, but I don't -- I don't quite
6 understand it.

7 You're saying that a one-time test will
8 predict what will happen the rest of the year. I
9 can tell you that the Environmental Protection
10 Agency, they never rely on that kind of assumption;
11 and they are the experts in testing for air, as well
12 as water, pollutants, and that's what their job is.

13 So all I'm telling you is that it's
14 nice to make that representation, but from the town,
15 I think we have an obligation to protect our
16 residents around the year. And I don't see -- if
17 you say it won't tell you much on a daily basis,
18 then what's the problem with having it? In other
19 words, there really is no reason why we can't have a
20 mechanism where we have an ability to enforce.

21 The other approach we might take is
22 that we wait for citizens to complain. So the

1 citizens come to us and say, well, you know, it's a
2 little noisy. Will you go make a test?

3 Will we be able to go do that under
4 this?

5 MR. FOOTE: Yes, you would.

6 MR. SEMPLE: We will?

7 MR. FOOTE: Nothing stops you. Nothing
8 stops the council and the town, Your Honor, from
9 running a noise test whenever it feels like it.

10 MR. SEMPLE: Okay. Well, let's just say
11 that we do that, and that will the onus on us to get
12 the engineer and bring them out there. And we may
13 be having complaints every day. So that when we run
14 that test and we come to you and say there's a
15 violation, is that covered under this condition?

16 MR. FOOTE: It would be covered by your very
17 noise ordinance. And so the answer would be not
18 under this condition but your noise ordinances which
19 is what every other user in this town --

20 MR. SEMPLE: Right.

21 MR. FOOTE: -- would have to follow. It's my
22 understanding that the noise from the hospital

1 itself exceeds noise limits.

2 MR. SEMPLE: That places the onus on the
3 town. I'm looking at the good neighbor, Amazon, to
4 provide us with a mechanism by which we can be
5 satisfied that you'll be in compliance.

6 MR. REINKE: Let me do this, Ian and Chris,
7 would you mind coming up for quick?

8 UNIDENTIFIED SPEAKER: Yes.

9 MR. REINKE: And Mr. Semple, look, we don't
10 want complaints from -- we don't want this to be
11 above the noise level at all, right. And that's our
12 desire. That's our design. That is our intent,
13 right. And so to let you now, we desire to be great
14 neighbors, not just good neighbors. Great
15 neighbors.

16 And so there's -- there is not some
17 sort of nefarious design we have to put something in
18 here that would be above the noise level. So I just
19 -- I believe you believe that.

20 MR. SEMPLE: I understand. But at the last
21 hearing I asked you if you knew whether there was
22 ever a data center that had been shut down for

1 non-compliance and noise there, and you said no.

2 MR. REINKE: I said I didn't know of one.

3 MR. SEMPLE: You didn't know of one.

4 MR. REINKE: Right.

5 MR. SEMPLE: Yeah, I said -- well, that's
6 the same, you didn't know of one.

7 MR. REINKE: But, actually, my knowledge is
8 very limited.

9 MR. SEMPLE: And my particular concern is,
10 is that when we get to this issue -- and it is a
11 major issue that's in front of us -- and we have the
12 problems like we have in Prince William and we try
13 to -- first of all, I'm not even getting to the
14 point where in this case we're even asserting our
15 rights, that we're even attempting to file a notice
16 of violation or even doing that. I'm just talking
17 about the mechanics of getting the right kind of
18 information that we can reliably rely on.

19 I mean, generally speaking, when you
20 have a noise test -- I mean, a noise ordinance or
21 some type of -- and believe me, I'm not -- I did not
22 work for the EPA, but I happen to know somebody who

1 did; and the fact is is that you need to, first of
2 all, have very clear standards as to what you're
3 testing. You have to have clear standards of what
4 you're testing with. You have to have the criteria
5 set out in advance, and it should all be built into
6 the rule.

7 And my point is that this will just
8 allow -- it's too vague to allow for the assurance.
9 Because when you go -- for example, when you go to
10 actually challenge -- let's say we get into a
11 dispute. I agree you'd be great neighbors, but --

12 MR. REINKE: (Indiscernible) I hope you do
13 believe that.

14 MR. SEMPLE: You can see that. But let's
15 just assume that things get a little contentious and
16 people really get upset and it gets really noisy --
17 and that's what's happening in Prince William right
18 now -- and we say, well, you need to shut down your
19 facility. Well, I can tell you, in the EPA they've
20 never shut down a facility. They have a much
21 different approach to these kind of enforcement
22 procedures. And they also have much greater

1 authority.

2 But what I'm saying is here we need a
3 way to protect our -- the public interest. And my
4 concern is on an annual test, as you propose, just
5 simply is not going to do that.

6 MR. REINKE: You know, I have to disagree.
7 But let me do this, because I disagree. Because if
8 a test -- one time a test -- once it's ran
9 100 percent, it's running 100 percent. And so there
10 shouldn't be any deviation at all from that -- let
11 me go through.

12 I want maybe Ian to speak real quick
13 because I want to make sure everyone understands the
14 ANSI standards that we're going through, the sound
15 plan model, and everything else, just to give a
16 little background just so in case somebody asks you
17 -- a resident asks you, hey, why is this plan viable
18 and accurate, you'll have hopefully a little more
19 data points on that.

20 MR. BREWE: So, Ian Brewe with AWS.

21 As Jay mentioned, we have, you know,
22 employed Polysonics to do this sound study for us.

1 We have gone through, we have analyzed the sound
2 study. We've had a third-party review look at the
3 noise modeling. We've looked at the noise modeling
4 ourselves. We have conducted our own independent
5 noise modeling based on the equipment we're
6 considering for this project. And, you know, we
7 agree with the findings of the Polysonics' study,
8 appropriately.

9 And, you know, I mean, one of the big
10 takeaways from that is that based on the noise
11 ordinance where we have individual limits for each
12 frequency band to be enforced along the property
13 line, to do monitoring for that and testing for
14 these frequency bands in the environment where we
15 have a lot of existing background noise currently
16 and Polysonics went out and took measurements per
17 ANSI standards along the property line.

18 UNIDENTIFIED SPEAKER: (Inaudible.)

19 MR. BREWE: Oh. The American National --

20 UNIDENTIFIED SPEAKER: Standards.

21 MR. BREWE: -- Standards Institute.

22 Thank you. I always get the wording

1 backwards.

2 And so, you know, what we found is that
3 the existing background noise levels before we've
4 even set foot onsite, you know, are already over
5 what the town limits are in many of the frequency
6 bands.

7 So as -- if we were to measure this --
8 you know, what was emitted from our facility, it's
9 very difficult to distinguish between the two. So,
10 you know, some sort of testing has to be done in --
11 with a great amount of care.

12 And, you know, the ANSI standards
13 reference, you know, when it is appropriate to do an
14 attended test versus an unattended test. And this
15 would really fall into a classification where we
16 really need to do attended tests to not only take
17 the measurement data, but also, you know, have
18 somebody there to understand what the current
19 environment is.

20 And then there's a lot of calculations
21 and backing out and understanding what's really
22 being measured. So if we were doing more frequent

1 tests, you know, I mean, it's a labor intensive,
2 time intensive process that I think -- you know, we
3 can't just say all right, let's put a monitor up,
4 and it's just going to tell us whatever, because
5 there's so much noise in the highways around there
6 that it would indicate a violation at all times even
7 before we ever built anything.

8 MR. SEMPLE: (Inaudible.)

9 MR. KARNER: Well, you've had the report for
10 the month. But I would add that the noise from the
11 HVAC, as he said, it's going to be there and it's
12 going to be there year-round. There's not a knob
13 they can turn to make things louder or quieter when
14 we do the test.

15 Our report and our modeling showed that
16 using the inputs from the manufacturer put into the
17 model, run the model at the property line, it's
18 going to meet it at the property line with the
19 mitigation.

20 MR. REINKE: What model is it? How many
21 models (inaudible.)

22 MR. REINKE: Oh, okay. Sure.

1 So there was a slide show prepared for
2 it, but it's fine. It's in the report. It's a
3 sound plan model based on ISO standards,
4 International Standard Organization, for how sound
5 propagates. We had about 80ish inputs into the
6 model. So each piece of equipment had a sound. So
7 it's a complicated model.

8 But I -- to address your question,
9 yeah, if we set up a -- or as Ian said, if we set up
10 a meter right now, it would exceed. It sounds more
11 like a matter of trust than, you know, of noise.

12 UNIDENTIFIED SPEAKER: (Inaudible.)

13 MR. KARNER: Yes, the model is accurate
14 based on the standards and the input.

15 MR. SEMPLE: Thank you. It's not a matter
16 of trust. It's a matter of noise. And this is what
17 I'm particularly concerned with.

18 Just a little background. I used to
19 write articles for a magazine called Absolute Sound.
20 I did studies -- and I'm not saying I'm an
21 acoustician, I just listen with my ear -- of concert
22 calls. So I have a little familiarity with the

1 character -- at least the quality of the character
2 of sound. And we're not just talking about, shall I
3 say, that ambient noise or this kind of noise, but
4 the type of noise.

5 And there are offsets, as well. In
6 other words, if there's a hum or a screech, that we
7 apply certain corrections. Whatever monitoring
8 system we have, whether it's tied to a computer or,
9 not, needs to be able to monitor those variables as
10 they occur. We have to know when during the course
11 of the test that there may be -- those corrections
12 may be applied and you're in violation.

13 Now, I understand you might say -- it
14 does raise another question. What if you have a
15 second data center next door and it's operating
16 while you're doing the test? I mean, what do you
17 consider to be background noise.

18 So all of these issues -- my concern is
19 let's go back to the first question. We're going to
20 do this once a year. And even then you have to
21 actually inquire as to whether the test will be
22 adequate to cover all of those other variables,

1 because we're not going to know what they are.

2 I mean, one of our distinctions that we
3 make in our noise ordinance is how often something
4 occurs or the duration of the test. Are we talking
5 about a peak violation? Are we talking about an
6 average violation over a period of time?

7 I mean, that is -- it may not be a real
8 big deal for you to violate, let's say, at a peak
9 moment. I mean, I don't know. You're the experts.
10 But I don't know, when I hear my air-conditioning
11 unit, it kinds of oscillates. Kind of (descriptive
12 sound). It's not absolutely a perfect single pitch.

13 So there's going to be times when, for
14 example, it may violate the noise ordinance, but not
15 sufficiently over a period of time to really justify
16 an enforcement action.

17 I'm worried that we don't have enough
18 here to allow us to actually understand what we're
19 enforcing. That's my first concern.

20 MR. KARNER: Yeah, I appreciate that. The
21 equipment we have modeled is all of the equipment
22 running at 100 percent. It's the loudest case

1 scenario that we have modeled.

2 MR. SEMPLE: Okay.

3 MR. KARNER: That shows that it is meeting
4 it. So your house HVAC is not equal to what is
5 going on at Amazon. They can't -- they're not
6 sometimes powering the -- cooling the equipment and
7 sometimes it turns off. This is everything running
8 all at once at the loudest case.

9 MR. SEMPLE: All right. Now, which does
10 raise another question about -- let's say, for
11 example, you -- there is -- I'm not going to talk
12 about if there is a violation, but where the test is
13 done. Our understanding is that you will find a
14 tester, or we find the tester? Amazon will acquire
15 the --

16 MR. KARNER: Well, that -- go ahead.

17 MR. SEMPLE: -- person testing --

18 MR. KARNER: The --

19 MR. SEMPLE: -- and we approve it?

20 MR. FOOTE: The way it works, the way the
21 condition works, is the town provides a -- chooses
22 the tester, and Amazon pays for it.

1 MR. SEMPLE: Okay. And the tester -- and
2 Amazon doesn't necessarily have to agree or
3 disagree --

4 MR. FOOTE: No.

5 MR. SEMPLE: -- as to the test?

6 MR. FOOTE: No, it's the town's selection.

7 MR. SEMPLE: And does Amazon have any say as
8 to the test method?

9 MR. FOOTE: No.

10 MR. SEMPLE: No. So you wouldn't -- if we
11 found you in violation, you wouldn't use that as a
12 basis, for example, of saying, well, it's an
13 unreliable test?

14 MR. FOOTE: The way the condition is written
15 -- let me just bring up for you because it actually
16 says what it says.

17 MR. REINKE: There are some standards.

18 MR. FOOTE: There are standards on who is
19 selected, but that's all.

20 MR. REINKE: Right.

21 MR. FOOTE: Let me get to it.

22 MR. SEMPLE: Okay. Now, okay. So, all

1 right. So you're just saying you don't think it's
2 practical to do a continuous monitoring?

3 MR. FOOTE: That's correct, Your Honor. And
4 what it says is the applicant shall provide and pay
5 for -- you pick it -- a member -- a qualified full
6 member of the Acoustical Society of America, or a
7 board certified member of the Institute of Noise
8 Control Engineering -- that's in order to ensure
9 that whoever you choose is in fact qualified to do
10 acoustical engineering -- who is approved by the
11 director of community development.

12 MR. SEMPLE: But -- great. You do that once
13 a year. That means the onus --

14 MR. FOOTE: Each phase. That's each phase.

15 MR. SEMPLE: Well --

16 MR. FOOTE: And then whenever it's done is
17 going to be --

18 MR. SEMPLE: Whenever they're completed, the
19 ongoing requirement will be once a year. That still
20 goes back to my essential point: You're going to --
21 the onus will be on the town then to continue to
22 test.

1 And they would -- in other words, I
2 think there should be the applicant's requirement to
3 make sure that on a 365-year basis that you're in
4 compliance. I don't understand. I'm sorry I wasn't
5 involved in this negotiation. If I had been, you
6 would have heard this before.

7 MR. FOOTE: Understand, Your Honor.

8 We would also point out that with
9 respect to the annual sound test, the same
10 requirements apply. The town will select a -- the
11 director of human development will pick someone who
12 is qualified to do that sound engineering, and we'll
13 be able to do the test and give you the report.

14 MR. SEMPLE: Okay. Enough of that
15 conversation. I think I've made my point.

16 Then, here's my next issue: If the use
17 violates 9-14.2 of the Town of Warrenton zoning
18 ordinance related to noise, then the applicant shall
19 have 48 hours to mitigate.

20 Mitigates just means to make better.
21 It doesn't mean to rectify. It doesn't mean to come
22 into compliance.

1 MR. FOOTE: We would submit that's what it
2 does mean, and that's what the discussion with the
3 staff was.

4 MR. SEMPLE: Then you would be agreeable to
5 "shall have 48 hours to come into compliance with
6 the violation"?

7 MR. REINKE: The agreement was mitigate --
8 Mr. Crim isn't here, but that's the agreement we
9 came upon.

10 MR. FOOTE: "Mitigate" means to comply.

11 MR. SEMPLE: No, it does not. I looked that
12 up in the Webster's Third International Dictionary.
13 And you know it.

14 MR. FOOTE: (Indiscernible.)

15 MR. SEMPLE: And the first definition,
16 Mr. Foote, is that it means to make better.

17 MR. FOOTE: Well, if you can read the noise
18 ordinance and the condition, Your Honor, you'd find
19 that the only way you sufficiently mitigate is to
20 come into compliance. And so if the question is
21 should it say "compliance," then okay.

22 (Simultaneous inaudible speakers.)

1 MR. MCGUIRE: Mr. Mayor, can I ask a
2 question?

3 MAYOR NEVIL: Yes.

4 MR. MCGUIRE: Yeah, so with testing for
5 sound, is there a specific time of the year when
6 sound travels further than other times of the year?

7 MR. REINKE: Well, there are --

8 UNIDENTIFIED SPEAKER: (Indiscernible) will
9 you answer that?

10 MR. BREWE: Sure.

11 So when we would test for sound there
12 are certain parameters set forth in the ANSI
13 standards for testing conditions. You know, such as
14 we need low wind. We need --

15 MR. MCGUIRE: Okay. But is there a certain
16 time of the year that --

17 MR. BREWE: Yeah. And so then, you know,
18 humidity and temperature and whether you have
19 temperature inversion layers, these things do come
20 into play.

21 So generally speaking, we would
22 expect -- and then also, you know, the cooling is

1 going to run a little -- as the temperature is
2 higher in the summer, we would expect to see the
3 loudest sound levels in the summertime.

4 MR. MCGUIRE: So when would you test then?

5 MR. BREWE: I would assume that we're
6 testing probably in the summertime.

7 MR. MCGUIRE: So you do worse case scenario?

8 MR. BREWE: Yeah.

9 MR. REINKE: That's what is modeled.

10 MR. MCGUIRE: Okay. All right. Thank you.

11 MAYOR NEVILL: Amazon operates, obviously,
12 data centers across the country and across the
13 world, and we're hearing that -- you know, we're
14 focusing and dialling in on noise as being an issue.

15 What is the percentage of data centers
16 that you operate that are subject to noise
17 complaints, violations, or otherwise?

18 MR. REINKE: Yeah, the exact percentage I
19 don't know, but very few. We operate really
20 hundreds of data centers, and there's very few
21 (indiscernible) noise complaints right now.

22 MR. SEMPLE: But you do have complaints?

1 MR. REINKE: There are parts in this part of
2 the country that are.

3 MR. SEMPLE: Right. Not too far from us.
4 And so that's my point.

5 And actually, it doesn't matter what
6 percentage of complaints you may or may not get.
7 We're looking at an ordinance. And when it comes to
8 our determining whether or not it meets our needs,
9 it's sufficiently vigorous, and it -- that we can
10 apply a decent standard that we can rely on.

11 MR. REINKE: Yeah, so the --

12 MR. SEMPLE: My concern is that I don't
13 think we can.

14 MR. REINKE: Yeah, that's why we use the
15 ANSI standards. That's why we use the sound plan
16 model which is well accepted, and it shows that we
17 are below the ordinance running 100 percent.

18 MR. SEMPLE: On your modeling, I do have a
19 question. You modeled on what equipment? I'm
20 sorry. I mean, you created a model based on -- did
21 you go to Europe where you apparently have these
22 things? Or did you model -- I just don't -- can't

1 remember what you modeled on.

2 MR. KARNER: We had a select set of
3 equipment, and then we received sound power data
4 from the manufacturer for that.

5 MR. SEMPLE: Sound power data from the
6 manufacturer?

7 MR. KARNER: Yes.

8 MR. SEMPLE: So this wasn't realtime? You
9 didn't set your monitor up over here and turn on the
10 equipment over there?

11 MR. KARNER: They -- I've been to the
12 Carrier plant down in Oklahoma, and they have a
13 laboratory that they build the equipment in, and
14 they'll perform measurement in a laboratory setting.

15 MR. SEMPLE: Was that in anechoic chamber or
16 something?

17 MR. KARNER: Yeah, yeah.

18 MR. SEMPLE: Okay.

19 MR. KARNER: That's how they test the
20 (indiscernible).

21 MR. SEMPLE: All right. Well, that's
22 interesting. Anechoic chambers sort of give you an

1 absolute idea because there is not any -- I
2 understand what they are.

3 MR. KARNER: Yeah.

4 MR. SEMPLE: It's supposed to create an
5 environment where there are no other sounds at all
6 except the ones you're looking at.

7 MR. KARNER: That's correct.

8 MR. SEMPLE: Right.

9 MR. REINKE: So there's no background
10 interference.

11 MR. SEMPLE: Okay. All right. So this is a
12 model, but we -- you could -- I mean, if you really
13 wanted to get into this and do it right -- get in an
14 airplane, fly over, and actually take tests of -- as
15 you say, you have these -- specific units equipped
16 with a sound ameliorating equipment -- I mean, wraps
17 or whatever you do. I mean, however you do it --
18 that you can actually directly model. You don't
19 have -- so this is all just base a little bit on a
20 model is a model; and I understand what it does, but
21 we still won't know.

22 And I remember Councilman Heroux saying

1 we don't know until we actually build it, whether it
2 will work or not; and that's my point.

3 My point is if we build it when we get
4 to build it, we've done all this wonderful
5 modeling -- I mean, I can't tell you how many
6 rockets sat on a launching pad and they modeled it
7 to go to the moon and they blew up before they took
8 off.

9 I mean, this is this is the problem I
10 have. The problem is not -- we can take everything
11 you say at face value. That's great. I'm worried
12 about when it actually happens, and do we have
13 conditions in place that actually protect our
14 citizen's health safety and welfare that we're
15 satisfied with.

16 MR. REINKE: Yes. That's why I think the
17 certificate of occupancy is a great idea. So every
18 phase you build, you test it. And then so you'll be
19 testing every phase and then we have an exact date
20 that you'll be able to operate on and evaluate.

21 MR. SEMPLE: All right. Well, I won't get
22 into compliance issues. I mean, that's another

1 matter where we -- and I don't want to get into that
2 conversation with you.

3 But I can tell you that at a point
4 where -- and I hope we don't have to cross that
5 road, but at a point where we actually issue a
6 notice that you cannot occupy the space -- sorry,
7 I'm asking questions as I go along -- but what
8 constitutes the end of a phase?

9 MR. REINKE: Yes, so the room is built out
10 with all of the HVAC systems running up, being
11 operational. We test it full speed. A hundred --
12 full speed, make sure it's within compliance. We
13 show the test results to the staff. The staff gives
14 a CO where we can then occupy that room.

15 MR. SEMPLE: So is it already you have all
16 your equipment in there? I mean, all the -- the
17 servers are operating? Or is the room still vacant
18 and the service hasn't been hooked up yet?

19 MR. REINKE: Because we don't have a CO, we
20 don't have the full servers, but all the HVAC
21 equipment is running 100 percent to test it.

22 MR. SEMPLE: I'm going to -- let me

1 understand that. You won't -- you may or may not
2 have all the servers in?

3 MR. REINKE: We won't have -- we don't have
4 a certificate of occupancy.

5 MR. SEMPLE: You won't have any servers in?

6 MR. REINKE: No.

7 MR. SEMPLE: Okay. So that you will just be
8 just testing it as a shell?

9 MR. REINKE: So you have a shell, and you
10 build out a room -- build out rooms. And so we have
11 a room built, build that room out. You have the
12 HVAC equipment for that room. You do a full test on
13 that HVAC equipment, do a sound test to make sure
14 it's within compliance.

15 If it is, you get the CO for that room.
16 You move those servers in. You go build the next
17 room. You do the same thing. Same with the third
18 room, fourth room, et cetera.

19 So every room is being tested. Which,
20 by the way, at that point -- and, Ian, feel free to
21 speak up here, but once you test one in that room,
22 you'll have a real, very accurate idea of what the

1 whole -- what it's going to sound like. And you'll
2 know it. Even at room one, you'll know it. At room
3 eight, you'll know if it will be in compliance or
4 not. Completely. And so you'll see exactly how
5 tight that model is.

6 MR. SEMPLE: I thought that sound pressure
7 was additive. Can someone -- I mean, it's the
8 difference between having one chiller going as
9 opposed to 50.

10 MR. BREWE: Right. And that's where we
11 would be extrapolating and refining our model.

12 MR. SEMPLE: Extrapolating?

13 MR. BREWE: Now we have a basis to further,
14 you know, understand our model, and if there's
15 adjustments we need to make, then we're going to
16 make them.

17 MR. SEMPLE: Well, in your previous work --
18 I mean, for example in previous data center issues,
19 did you do this? Did you model the -- what
20 happened, for example in the data centers in Prince
21 William? Did you predict that it would comply? I
22 mean --

1 MR. BREWE: I don't think we're here to
2 discuss that.

3 MR. SEMPLE: No, I mean, I'm sorry to be
4 challenging this, but I'm looking for the best --

5 MR. REINKE: This is new for us. This
6 process is new for us.

7 MR. SEMPLE: Oh, it's new for you.

8 MR. REINKE: For the -- yes.

9 MR. SEMPLE: Okay. Thank you.

10 MR. HEROUX: Mr. Mayor, I have a question.
11 So you talked about noise. Is it true
12 that there's a level of vibration that comes from a
13 data center?

14 MR. REINKE: You.

15 MR. BREWE: You know, I mean, there's going
16 to be a little bit of vibration for anything that we
17 do, you know, foot falls on a floor. I mean,
18 there's -- I can't say there's no vibration.

19 MR. HEROUX: But specifically --

20 MR. BREWE: But generally speaking, the
21 vibration emitted from a data center is very low.

22 MR. HEROUX: And is it ever measured or

1 considered? Because you Google it on the web and
2 you see that.

3 MR. BREWE: Okay.

4 MR. HEROUX: So it's something that I'm
5 concerned about because I don't know a lot about it.
6 But I'm asking you --

7 MR. BREWE: Yeah, I mean --

8 MR. HEROUX: -- if you can explain that.

9 MR. BREWE: Yeah, so the -- especially in
10 this situation, our equipment is mounted up on the
11 rooftops. So, you know, there's not a lot that
12 would be transferred that way.

13 MR. HECKER: Brent Hecker, PE senior manager
14 at AWS. I'm responsible for the building design in
15 the East Coast, Virginia specifically.

16 Any time we have rotating equipment,
17 there's vibration that gets dampened. Even in this
18 build right now with the HVAC system running, there
19 is vibration.

20 MR. HEROUX: Of course.

21 MR. HECKER: Can we feel it? I mean, at
22 this --

1 MR. HEROUX: Do you feel it -- the question
2 is, like, can you feel it --

3 MR. HECKER: Can you feel it at the
4 building?

5 MR. HEROUX: Yeah, that's what I'm saying.
6 You know, like, you know, you can hear power lines,
7 everything else. But can you feel the vibration
8 from a data center, and how close can you, and
9 what's the proximity and things like that?

10 MR. HECKER: I've personally been inside a
11 number of our data centers, and I have not felt a
12 vibration from HVAC equipment.

13 MR. HEROUX: Inside?

14 MR. HECKER: Yes.

15 MR. HEROUX: I'm talking about outside.

16 MR. HECKER: Even outside.

17 MR. HEROUX: Okay.

18 MR. HECKER: Inside and outside.

19 MR. HEROUX: Outside is more the issue, so.

20 MR. HECKER: Yeah.

21 MR. HEROUX: So what you're saying is
22 vibration outside of a data center is not an issue

1 at all?

2 MR. HECKER: The building has a dampening
3 function to it.

4 MR. HEROUX: Okay.

5 MR. HECKER: Plus we put rotating equipment
6 on spring isolation to --

7 MR. HEROUX: Because there's numerous
8 articles on the web that say you can feel the
9 vibration.

10 MR. HECKER: I understand that. I've read a
11 number of those articles, too. I mean --

12 MR. REINKE: There's a lot of articles on
13 the web that say a lot of things for sure.

14 MR. HEROUX: Yeah. But I'm asking you the
15 experts, you know.

16 MR. HECKER: I mean, I can speak to a
17 building that a fellow engineer signed at a previous
18 stop where they didn't put enough dampening
19 vibration and the CEOs office was right below the
20 pump. He could feel the vibration.

21 So can any building vibrate? Yes. Can
22 you feel it? Yes. The percentage of our data

1 centers that you might feel it at, minimal, if there
2 is a vibration coming out of the building.

3 MR. HEROUX: And how close would you have to
4 be to that?

5 MR. HECKER: Feet.

6 MR. HEROUX: Okay.

7 MR. HECKER: We're talking -- in that
8 particular case, the CEO was within ten feet of the
9 building.

10 MR. HEROUX: Okay.

11 MR. HECKER: Ten feet of the source.

12 MR. HEROUX: And does that contribute to the
13 noise level, as well, the vibration?

14 MR. BREWE: Generally, no. You know, the --
15 that vibration would have to transfer through the
16 ground and then be transmitted up through another
17 source to create a sound issue that way, to have
18 vibration-induced sounds levels.

19 MR. HEROUX: Uh-huh.

20 MR. MOONEY: Mr. Mayor.

21 Okay. So thank you-all for coming out
22 here. I appreciate it. It's good to see you guys

1 again.

2 One question is: How many of you live
3 near a data center, within a hundred -- within 250,
4 350 feet of it?

5 So Mr. Brett -- I don't -- you didn't
6 say your last name, or maybe you did. I didn't hear
7 it. You said you were in a building and you didn't
8 feel it, but have you lived next door to a building
9 year after year?

10 MR. HECKER: I live next to a railroad
11 track. So not next to a data center. The railroad
12 vibrates.

13 MR. MOONEY: Okay.

14 MR. HECKER: I can tell the difference
15 between Metro VRE and freight.

16 MR. MOONEY: Okay. All right.

17 MR. HECKER: To answer your question,
18 though, Councilman Mooney, no, I do not live next to
19 a data center currently.

20 MR. MOONEY: Okay. I got a lot of
21 questions. All right.

22 So I have a question for you, sir,

1 Mr. Brewe. You said -- I want to reiterate

2 Mr. Semple's question: Did you plan for noise

3 mitigation at any other data center that did not

4 pass it?

5 MR. BREWE: We are planning and implementing
6 noise mitigation at other data centers.

7 MR. MOONEY: None in the past?

8 MR. BREWE: What's that?

9 MR. MOONEY: None in the past that have
10 failed?

11 MR. BREWE: I can't comment on all of our
12 data centers in the past.

13 MR. MOONEY: Okay. But I think it's -- I
14 think it's worth noting that if you have planned for
15 something in the past there's not this overarching
16 theme that it's just going to go, you know, smooth
17 as silk and everything is going to pass if we've
18 planned for things in the past.

19 Unless there's some, you know,
20 clearance that I'm supposed to have to know about
21 places that you've tried to mitigate that it's
22 failed. Wouldn't it make sense -- wouldn't that be

1 an important thing that people would want to know,
2 that it's not just going to go perfectly as
3 everybody stated? That we would want to know that
4 there's a history. Maybe not a ton of history but
5 some history. You know, like -- you know, that we
6 plan for emission at a 70 percent solution that is
7 going to go well, and then we got ambushed because
8 we didn't plan for that last 30 percent.

9 MR. REINKE: Yeah. At least in this part,
10 there hasn't been a data center that's gone through
11 this amount of mitigation in the predesign stages.

12 MR. MOONEY: Okay.

13 MR. REINKE: And that's important to know
14 because once you build -- and you know this. Once
15 you build a structure, what you can do to it
16 afterwards is limited.

17 MR. MOONEY: Sure.

18 MR. REINKE: Where pre-build where you
19 design the mitigation, you have a lot more options.

20 MR. MOONEY: Sure. So, all right.

21 Another question for Mr. Brewe. Who
22 was the third party that looked at the noise study?

1 MR. BREWE: Lando and Associates.

2 MR. MOONEY: Okay. And then I have a couple
3 questions for Polysonics.

4 In this noise study that I guess should
5 be of note that the planning commission didn't see
6 because it wasn't given to us until January 9th, you
7 have on page 17 -- page 17, I'm curious about how
8 there is lower noise -- lower noise levels directly
9 above the center versus out. I don't know what that
10 is, 50 feet. You have 40s on top and 45s out of the
11 building. How does that compute when the noise is
12 coming from the center of the rooftop and then it's
13 actually louder farther away.

14 MR. KARNER: Sure. I wouldn't say that it's
15 directly at the rooftop. The building is 50 feet
16 high. These contours are taken at 20 feet tall. So
17 there is some building shielding right next to the
18 building. But when you get beyond that building
19 shielding, the noise can build up a little louder.

20 MR. MOONEY: Okay. Do you hear how that
21 sounds a little not right, that it's louder?

22 MR. REINKE: Go ahead and make sure because

1 I don't want Mr. Mooney to walk away thinking that's
2 not right.

3 MR. KARNER: Sure. I -- it's -- can you
4 clarify your question, then? I'm not sure I
5 understand.

6 MR. MOONEY: You said there's noise things
7 that -- noise reducers or whatever, and these things
8 are taken at 20 feet above --

9 MR. KARNER: Yeah.

10 MR. MOONEY: -- where the air-conditioners
11 are, where you have a 40 on the, I guess, southern
12 end.

13 MR. KARNER: No. Sorry. 20 feet above the
14 ground. The equipment itself is 50 some feet above
15 the ground, but these contours are generated at
16 20 feet.

17 MR. MOONEY: Okay.

18 MR. KARNER: So, you know, imagine you're on
19 a ladder and you're looking, you can't quite see all
20 of the equipment because the building is blocking
21 it.

22 The contours directly on the rooftop

1 are probably generated from within the building, and
2 so that's probably why they're quieter right on top
3 of the building.

4 If we did them at the height of the
5 equipment, you know, it would be -- you would see a
6 real red bubble over all of the equipment.

7 MR. MOONEY: Okay.

8 MR. KARNER: So this is figure is more for
9 the surrounding neighborhoods and, you know, for
10 people on their decks, how are they -- what the
11 noise level is going to be for them.

12 MR. MOONEY: Okay. And then earlier when
13 you first started talking, you said that you gave us
14 the report a month ago; what did you mean by that?

15 MR. KARNER: I'm not sure. Well, this
16 report from January 9th, isn't that...

17 MR. MOONEY: Right. So you said that we've
18 had a month. I'm taking that as I should have read
19 through this.

20 MR. REINKE: I wouldn't read anything into
21 it.

22 MR. KARNER: No, I meant it more towards

1 Jay. I'm sorry.

2 MR. MOONEY: Okay. Because that's one of
3 the questions that I had. We were given this last
4 month, and none of us have your background, you
5 know.

6 MR. REINKE: Can are you run through your
7 slide --

8 MR. MOONEY: Is there a presentation?

9 MR. KARNER: We have a presentation to walk
10 you through the report.

11 MR. REINKE: Steve, do you have that?

12 MR. MCGUIRE: Mr. Mayor, could I have a
13 question, though?

14 So understand -- like, will you be
15 continuously monitoring the sound on a daily basis?

16 MR. REINKE: Say that again.

17 MR. MCGUIRE: Will you, Amazon, be
18 continuously monitoring the sound on a daily basis?

19 MR. REINKE: No. There would be a sound
20 test once a year.

21 MR. MCGUIRE: Once a year.

22 So then if a resident calls up and

1 says, hey, this is, you know, out of compliance and
2 things like that, don't you think it would be in
3 good neighbor fashion to monitor the noise every
4 day? I mean, because then it's a he said/she said.
5 I mean, you know, you're going to dispute maybe the
6 citizen from the town's numbers, and you have
7 nothing to go on based on what you just said. I
8 mean, you just said that? Right.

9 MR. REINKE: Run through your -- run through
10 your presentation.

11 MR. MCGUIRE: No, no. This is important
12 because -- I will see the presentation, but it's
13 important that, I think, in fairness you run a sound
14 test every day because otherwise you're going to
15 dispute what a good citizen says. You have no
16 baseline to say that you're in compliance or not.

17 MR. REINKE: And the reason I want to show
18 the model -- and I'm not trying to bypass the
19 question.

20 MR. MCGUIRE: Well, that's what I thought
21 you were. I'm just --

22 MR. REINKE: Think better of me, if you

1 would.

2 MR. MCGUIRE: I would hope so. I'm just
3 going on the answers. That's all.

4 MR. REINKE: So I want to show is the
5 ambient noise at the site -- and if you go out to
6 the site now, when they run the ambient noise,
7 you're going to see -- expect for, I think, between
8 2:30 and 3:30 if you'll run through your
9 presentation -- the ambient noise is already above
10 -- well above what our noise would produce and above
11 already the noise ordinance.

12 So if you go out and do a test -- if
13 you just did a test today at the property boundary
14 --

15 MR. MCGUIRE: Right.

16 MR. REINKE: -- that site would be out of
17 compliance.

18 MR. MCGUIRE: Okay.

19 MR. REINKE: So the problem with that is
20 that if someone goes, hey, they're out of
21 compliance. Someone could call every day if they
22 wanted to, and go, they're out of compliance. To

1 test it, they'd have to go out there and do manned
2 -- someone has to watch it usually for three or four
3 days. They're out there with a monitor, someone is
4 watching it. And Ian says in his early days you
5 have to be out there -- someone is usually out there
6 2:00, 3:00 in the morning, they're watching.

7 And then they also have to do equipment
8 sound testing and do a modeling from that to see if
9 it's in compliance. The standards to through all
10 that -- so to do that continuously is not possible
11 at this site. I'll let Ian and Chris --

12 MR. MCGUIRE: And why is that? Just because
13 of cost/financial --

14 MR. REINKE: No.

15 MR. MCGUIRE: I would think it would just be
16 as a good neighbor you would want to do that maybe
17 every week or so so your baseline -- because
18 otherwise they can see the back and forth between us
19 and the town -- with you and the town saying, you
20 know, well, you know, we'll test it once. I mean,
21 then where do we stand?

22 That's my question, Mr. Mayor.

1 MR. REINKE: We're testing the equipment at
2 100 percent. Like, we do every phase. And then we
3 get all the phases, and we test it. It's ran 100
4 percent and we test it. Then you know you're above
5 and below compliance.

6 Unless there's an equipment malfunction
7 for something, which would be rare in this instance
8 itself, the only time you'd ever -- something weird
9 would cause you to be out of compliance. So once
10 you're in compliance, there's nothing we can do to
11 go, oh, we're going to turn it up to be louder.

12 MR. MCGUIRE: Right.

13 (Simultaneous speakers.)

14 MR. MCGUIRE: No, but what I'm confused
15 about is you said right now if you ran a test at the
16 site it would be not in compliance.

17 MR. REINKE: The site wouldn't be. The
18 noise level -- but the equipment coming from our --
19 if we had -- if we run the equipment, and we'll --
20 you can go through how you run it -- it would show
21 that we're below the noise ordinance. The sound
22 coming from the equipment would be below ordinance,

1 but it takes a modeling to do that.

2 MR. MCGUIRE: So what you're saying then --
3 and I could be wrong -- is it will always be not in
4 compliance based on your testimony.

5 MR. REINKE: The site right now --

6 MR. MCGUIRE: Right.

7 MR. REINKE: -- the ambient noise is well --

8 MR. MCGUIRE: Okay.

9 MR. REINKE: -- well above --

10 MR. MCGUIRE: -- okay.

11 MR. REINKE: -- the noise ordinance already.

12 MR. MCGUIRE: And you're saying Amazon will
13 not contribute any to that, so it's always going to
14 be out of compliance.

15 MR. FOOTE: And let me add -- I don't think
16 anybody has actually said this, Your Honor, but the
17 noise ordinance requires us to get these sound
18 levels without considering existing ambient noise.
19 So the testing and the modeling is done without
20 considering that ambient noise.

21 So the numbers that we're showing as
22 meeting, are assuming there's no ambient noise, but

1 in fact there is.

2 MR. MCGUIRE: But there is, and you said
3 it's not --

4 MR. FOOTE: That's right.

5 MR. MCGUIRE: -- in compliance?

6 MR. FOOTE: That's right. Well, that we
7 won't be because of the data center. Because the
8 data center assumes it's quiet with no hummingbirds
9 out there, and we still meet the ordinance.

10 MR. MCGUIRE: So I think that's -- we've
11 seen the defense they're going to make in terms of
12 noise violations. They are going to say it's
13 already not in compliance.

14 MAYOR NEVILL: I think you're
15 misunderstanding. I think the decision here -- the
16 reading is that the site has an ambient -- once you
17 add in traffic noise, noise emanating from
18 properties next door, that does not count into
19 whether or not the site is in compliance.

20 UNIDENTIFIED SPEAKER: Correct. That's
21 right.

22 MAYOR NEVILL: The compliance they're

1 demonstrating and stating that the site itself, the
2 noise emanating from the building, will be within or
3 below our noise ordinance standards. But if we had
4 continuous monitoring, it would show it in
5 violation --

6 UNIDENTIFIED SPEAKER: Right.

7 MAYOR NEVILL: -- not because of what the
8 building is, but because of ambient noise.

9 MR. MCGUIRE: If you only test once a year,
10 that's not -- I mean, I would think you would want
11 more testing. We would want more testing.

12 MAYOR NEVILL: The testing would be
13 modeling. So basically at-site, but would then be
14 applied through modeling --

15 UNIDENTIFIED SPEAKER: Correct.

16 UNIDENTIFIED SPEAKER: That's right.

17 MAYOR NEVILL: -- to remove the ambient noise
18 to demonstrate whether or not the site is --

19 MR. MCGUIRE: But I would rather have a
20 "test" test, because --

21 MR. BREWE: There would be testing. There
22 would be measurements. It would also then need to,

1 you know, be per ANSI standards: Trapping out the
2 background noise to understand what is the noise
3 emitted from the facility exclusive of the existing
4 environment. And it's a challenging process to be
5 (indiscernible).

6 MR. SEMPLE: How do you subtract out the
7 ambient noise? And what you said earlier -- let me
8 explain -- is that you say the ambient noise in some
9 cases is already in violation if we were testing for
10 the ambient noise.

11 MR. BREWE: It already is (indiscernible.)

12 MR. SEMPLE: So you wouldn't know whether
13 you're in violation -- I mean, the ambient noise
14 could be high enough so that you could be in
15 violation and we wouldn't know it.

16 MR. BREWE: So that is part of the issue. I
17 mean, that is that the existing background noise
18 levels at this sight are greater than the noise
19 limits.

20 MR. SEMPLE: So you have a singular test
21 that's capable of clearing the decks of the ambient
22 noise, right?

1 MR. BREWE: So there are methods to -- that
2 are defined within the ANSI standards that the town
3 has incorporated into their ordinance to accommodate
4 and to try and calculate as best possible.

5 MR. SEMPLE: Okay.

6 MR. BREWE: But it is a challenge.

7 MR. SEMPLE: But the ambient -- okay. Well,
8 this gets to my whole point. I mean, how do we
9 create a test that we can rely on?

10 The other issue that I have is ambient
11 noise is based on kind of -- these are directional
12 microphones? I mean, I assume that they're not --
13 are they omnidirectional?

14 MR. BREWE: Yeah.

15 MR. SEMPLE: Okay. So but the ambient noise
16 will vary, will it not, around --

17 MR. BREWE: (Nods head.)

18 MR. SEMPLE: So you're selecting one
19 location to do this?

20 MR. BREWE: I would assume we have multiple
21 locations.

22 MR. SEMPLE: Multiple. Okay. All right.

1 Because I'm just wondering. I thought
2 we had -- one of the requirements would be the
3 nearest, what I call, CPA, closest point of
4 approach. It's an interesting "thereof." Where is
5 this? Where in the noise ordinance -- it's based on
6 our own ordinance, where we have this curious phrase
7 about the general testing requirements. Let me see
8 if I have it here. Which I felt was a curious way
9 of phrasing it.

10 But please correct me if I'm wrong. It
11 says the sound -- yes, the pressure level of sound
12 radiated from an establishment measured at the lot
13 line of the site thereof, that is the nearest
14 thereto, shall not exceed the values.

15 That seems to be you select one
16 location that is the closest point of the approach.
17 I mean, based on this ordinance.

18 MR. BREWE: I would assume that we would be
19 selecting multiple locations, but.

20 MR. SEMPLE: But I'm -- I know you can make
21 all of these assumptions. I'm just looking at the
22 rule. And so -- what we can rely on in terms of

1 enforcement.

2 So we are there in a circumstance where
3 you're in the closest point of approach. What if
4 there is a tree between you and the sound value?

5 MR. BREWE: So that would kind of -- well,
6 depending on where it's positioned. You know,
7 because that tree would be part of the environment.

8 MR. SEMPLE: Well, we have a rule --

9 MR. BREWE: I will say the modeling did not
10 take into account any of those trees.

11 MR. SEMPLE: All right. All right. I've
12 asked all the questions that I can think of.

13 MR. BREWE: Okay.

14 MR. KARNER: Feel free to ask questions
15 during. Hi. I'm Chris Karner with Polysonics. I
16 don't think I said that when I got here.

17 Polysonics is located in Warrenton, but
18 has been in D.C. and Remington, has been around
19 since 1958. We provided acoustical technology
20 design services.

21 We've done some major projects in D.C.,
22 Maryland, Virginia, throughout the country, and

1 overseas even. But I just wanted to list some of
2 the local projects that you could just go to, and
3 say, hey, how did Polysonics do here? Should we
4 trust Polysonics?

5 And OVH would be the most parallel. We
6 worked with the Path Foundation separating from OTEC
7 (ph). The band room at the (indiscernible) High
8 School. The Fauquier Community Theater reached out
9 to us, and we helped them with their AV and their
10 acoustic panels. If you you've gone there, you may
11 noticed their orange panels look nicely in the past
12 few years.

13 Gloria's, when it was here, we gave
14 them design for acoustic panels. Rainforest Trust,
15 when they moved into Vint Hill were concerned about
16 cross fit (ph). Hope Christian Fellowship, we put
17 up panels in there. And then an FAA air traffic
18 control center, also in Vint Hill.

19 So these are projects that I've
20 personally all worked on -- or I've worked on all of
21 these. So that's just to give a very brief history
22 of Polysonics's 60-some years of experience. So

1 I've been with them for ten years, and doing
2 acoustics for about 20 years.

3 So I can I control the slides with this
4 thing? Okay. It's cut off on my screen, but you
5 can see the full thing -- it is auto-plane? Okay.
6 All right. So this is -- this is all -- I think it
7 has, like, a thing on there. I'm going to give it
8 real quick. Try to keep up. Oh, thank you. All
9 right. Skipping forward.

10 So this is very basic acoustic stuff.
11 If you want me to skip this, that's fine.

12 Here's the equation for noise. If it's
13 a point source, it's 20 times log, distance one over
14 distance 2. 3 db for doubling of distance for line
15 source. We have both in our model. We also have
16 area sources.

17 The chart on the right shows sound
18 level perceptions, if something is loud, quiet,
19 deafening, where the speech frequency is, and things
20 to compare it to. I believe that's in the report,
21 too.

22 The houses of a standard construction,

1 meaning vinyl walls and normal off-the-shelf Home
2 Depot windows, is a 20 db reduction. And then here
3 is some sound level perception changes. So 3 db,
4 meaning just noticeable. 20 db, meaning a quarter
5 is quiet.

6 All right. I'm going to try to skip it
7 without it playing through the whole thing.

8 These just real quick are the sounds
9 level standards we use for measurement, because we
10 did do onsite measurements. That's the ANSI
11 standards. And then our modeling is based off this
12 ISO standard. It takes into account all of these
13 things: Topography, shielding, reflections,
14 metrological. So it's a complicated model.

15 The Town of Warrenton limits, they're
16 confusing, but I think we've captured them here,
17 saying here's the base limits. Here's daytime with
18 penalty for -- because we're next to residential.
19 And then we're assuming there's a tone, so we're
20 taking 5 db off of that, and another 5 db off at
21 nighttime from 10:00 to 7:00.

22 And then the generator, we're not

1 taking off tone because there's no tone; and it will
2 only be tested during the day, so it just has that
3 minus five.

4 So we're applying the residential limit
5 throughout the whole property even though to the
6 north and east and somewhat most of the west is not
7 residential; but we're just applying it because it's
8 next to a residential site.

9 The noise levels here are only
10 applicable to the property lines; and you'll notice
11 they're all on octave bands, too. There's no
12 overall noise level. So if someone did have an app
13 or something, it would not tell them whether or not
14 they are meeting it. It would say, you know, 45 db.
15 Well, where is 45 db on this chart? It's not on
16 that chart. So that's just part of the town code.
17 It's kind of -- you need a special meter to measure
18 if you're in compliance or not.

19 MR. MCGUIRE: Mr. Mayor, I have a question.

20 MR. KARNER: Yes.

21 MR. MCGUIRE: So just trying to understand
22 this as a laymen.

1 MR. KARNER: Yeah.

2 MR. MCGUIRE: So can noise or sound be in
3 compliance and still be offensive to your ear?

4 Because I'm trying to understand --

5 MR. KARNER: Yeah, no.

6 MR. MCGUIRE: I'm trying to -- because I
7 can't hear what I'm seeing. That's --

8 MR. KARNER: No, I appreciate --

9 UNIDENTIFIED SPEAKER: (Indiscernible) the
10 answer is yes.

11 MR. KARNER: The answer is yes, in my
12 professional opinion. The Town of Warrenton's noise
13 limits are stricter than any other adjacent counties
14 or towns. So it's -- you could hear it and maybe
15 find it offensive if you're sensitive.

16 But these are quieter than Arlington,
17 Loudoun, Fairfax, everybody. So it's stricter than
18 Town of Warrenton, as well.

19 So in the town limits other than later
20 when it says consider the community. Again, this is
21 just at the property line up assuming the property
22 line is a plane.

1 We generated a sound plan model. It's
2 an industry standard model for noise. You can kind
3 of see in the bottom right what the model looks
4 like. You can see the topography. That's all
5 imported from Google Earth. You can kind of see all
6 of the little dots and slashes and things on top of
7 the roof of the building.

8 So the building is in there. The
9 topography is in there. All the noise sources are
10 up there running in the model.

11 On the top right of this picture we put
12 some receivers in there -- which will come up later
13 -- just in the tables. We ran the -- let's see.
14 So, yeah, 80 sources in the model. Topography is in
15 there.

16 We ran it under three conditions, so
17 with no mitigation. I think last time we talked we
18 talked about silencers and boxing everything in. So
19 we ran it if you did nothing, if you just ran the
20 equipment as designed. Next, we applied the
21 mitigation. So all the sounds (indiscernible) and
22 things. And then the generators and the chillers.

1 So everything -- or one generator and the chillers.

2 We modeled for loudest case scenario at
3 59 feet high. I know that's not measurable, but if
4 it can meet at the loudest case, then it's going to
5 meet anywhere else along that plane.

6 We also looked at 20 feet high for
7 adjacent properties. That was figure that we looked
8 at earlier. And then 5 feet high for a person
9 standing on the ground. So all of those scenarios
10 were modeled.

11 So here would be if you didn't do
12 anything. If Amazon just built as-is and used the
13 sound data as shown. Anything in orange would be
14 over. So that this would be -- you know, it's not
15 meeting the town limits. It's showing in bold at
16 the top, daytime and nighttime. You can see that
17 anything orange is over.

18 If we apply the mitigation, the
19 silencers on top, the walls on the side, the
20 compressor wraps, we get this next slide where
21 everything is below the town limit numbers, both at
22 daytime and nighttime, as well as the generator.

1 Again, this is the chillers with the mitigation, and
2 then one generator tested at the nearest property
3 line point.

4 So it's a lot of numbers, but if you
5 just start with the bold one and look down, you will
6 not see a number higher than those numbers. And
7 these are -- again, these are numbers generated from
8 the model based on the ISO standards.

9 UNIDENTIFIED SPEAKER: (Inaudible.)

10 MR. KARNER: Everything running at
11 100 percent during summer conditions.

12 MR. FOOTE: Let me add one other point. The
13 question came up earlier, Your Honor, as to where
14 these tests were taken, and we -- in addition to
15 what's actually in your ordinance, as you know,
16 we've received a zoning determination letter from
17 the zoning administrator some time ago.

18 And during that -- in that letter, it
19 talked about sound pressure levels created by the
20 establishment are to be met at any other point of
21 the lot boundary. For the proposed data center,
22 this means measurements would be taken at the

1 property lines of the (indiscernible) of this
2 property, and these measurements need to show the
3 data center is meeting the sound pressure limits at
4 any of the property lines of the subject lot.

5 And so the numbers that Mr. Karner is
6 showing you meet every property boundary.

7 MR. KARNER: So we've got -- if you look
8 here, I'm just going to go back a few slides. It
9 says north, south, east and west. That's what's
10 shown here on the top right.

11 So north is the loudest location in the
12 north and even same with the east, south, and west.
13 So it's not centered. It's just where the loudest
14 point is.

15 Skipping forward. So outside of the
16 town ordinance we also looked at the adjacent
17 properties. So if you're living in the town houses
18 nearby or the houses to the northwest, what would
19 want sound levels be in your backyard when it's
20 running. So that's -- this is the daytime levels,
21 which is 35 to 40 at the north and east. Nothing is
22 really to the north and east. But 35 to 42 to the

1 south.

2 And if you remember from the chart --
3 I'll just go back so you don't have to -- you know,
4 those are moderate to faint sound levels. Soft
5 stereo in a -- or soft stereo music in a residence,
6 stereo without playing -- and this is outside.
7 Inside the house you would subtract 20 from that,
8 and it would be a whisper.

9 So that's the daytime. They both say
10 daytime, but the second one is nighttime. It gets
11 even quieter because the equipment doesn't have to
12 fight against the daytime heat. It's still -- the
13 fans are still at 100 percent, but the compressor
14 runs at a different -- so it's a little quieter.
15 Comparing the two, it goes down by about 5 db.

16 So we had measured ambient noise, and I
17 think that that's all the big figures at the end of
18 the report at these locations. And I think M5 is
19 probably the most important. It's buried in the
20 residences. You know, it's a little away from 15.
21 M1 through M4 are kind of just along the property
22 line. That's not something people in the community

1 are going to experience, but it could be where you
2 measured in the future.

3 So here's an example of the ambient
4 noise compared to the model. The ambient noise is
5 the blue squiggly line. You can see it get quiet at
6 nighttime. During the day, it's like 55. Drops
7 down to 40 at nighttime. But the model is at 37
8 during the daytime, and 33ish at nighttime.

9 So if you were to do -- at this point,
10 at this picture, and along with most of the other M1
11 through M4, if you look through the report, the
12 background noise is more of the data center, and the
13 traffic noise is more of a source.

14 We can, if the background noise is 10
15 db quieter than the source, subtract out the
16 background noise, but we can't do it if the traffic
17 is 30 db higher than the data center. So I think
18 the measurement is going to have to take some
19 coordination between Amazon and the town; and if you
20 measured at the property line it's going to be hard
21 because the ambient noise is so loud.

22 So they may have to move closer to the

1 source or higher to get what the equipment is
2 actually doing.

3 And I think that's what Ian meant by
4 modeling, is that if we measure at the roof line to
5 make sure we're getting equipment louder than
6 traffic, we would have to calculate out what is
7 that, you know, at the property line.

8 So, for example, if someone at the
9 hotel set up a meter right now, you would say, oh,
10 yeah, look, it's way over the town ordinance. It's
11 55 and -- but the data center is -- you know, like I
12 -- in the first meeting I had said that you'd be
13 surprised if you heard it during the day, and that's
14 why: It's 37. You know, it's almost 27 db lower.
15 So four times quieter than the traffic noise at this
16 -- at the hotel location.

17 MR. MOONEY: Mr. Mayor, I have a question.

18 MAYOR NEVILL: Yes.

19 MR. MOONEY: So what you're saying then is
20 the ambient noise will cancel out the data center?

21 MR. KARNER: For the most part, yeah.

22 MR. MOONEY: Okay.

1 MR. KARNER: At certain locations.

2 MR. MOONEY: So then at other times of the
3 day or night when there's no traffic, you might hear
4 the data center more, or...

5 MR. KARNER: Yeah, so audibility is tricky.
6 It's very much the individual's perception of the
7 noise. Measurement-wise, it's going to be tricky.
8 I mean, it's -- so you can see it's
9 like 33 in the middle of the night there and the
10 traffic is 37. So if you measured, you're going to
11 get 37. You won't be able to pull the traffic and
12 the data center apart. You may be able to hear --
13 usually if you're within 10 db you might be able to
14 hear a second ambient source.

15 MR. SEMPLE: Are you saying we don't need to
16 worry about qualitative tests as opposed to
17 quantitative?

18 Because what we're talking about, we
19 know there's certain types of noise that is
20 aggravating than others. And there's also -- I
21 realize this is probably not testable, but the fact
22 is that people living near a data center are already

1 disposed to hear noise they don't like.

2 MR. KARNER: Well, I understand that, and I
3 do think there's no acoustic qualitative test. That
4 would be more public opinion. But we are, during
5 the daytime, you know, significantly quieter than
6 the traffic noise.

7 I don't think -- I don't think they
8 would hear it during the day. I think if you were
9 out on your deck in the middle of the night or if
10 you had your windows open in the middle of the
11 night, then you may hear it; but those would be the
12 only conditions having looked at the data. And
13 really just the townhouses nearest them. Everyone
14 else is so far away.

15 MR. SEMPLE: One of the things I heard was
16 that some people couldn't go to sleep at night or
17 open up their windows; and so nighttime is an
18 important consideration. Would you agree?

19 MR. KARNER: Yes. But if you open your
20 windows, do you have an expectation of quiet or
21 acoustic privacy from the outside world?

22 MR. SEMPLE: No, no, but you do have an

1 expectation you can hear maybe a screech owl
2 perhaps.

3 MR. KARNER: Yeah.

4 So, Mr. Mooney, did you have further
5 questions about the slide? Or I hope that it helped
6 clarify the report.

7 MR. MOONEY: It did a little bit. I've got
8 -- I do have some questions, though. Everything is
9 -- you just keep referencing db. Sometimes it's
10 dba, sometimes it's db. Is our ordinance in dba and
11 db, or in dbz?

12 MR. KARNER: Sure. The ordinance is in dbz,
13 which means all the octave values in there -- do you
14 mind pulling up the slide with the town ordinance?
15 Those are unweighted. Dba is how people perceive
16 noise. You're not just hearing it -- overall it's a
17 curve applied to those dbz. So we looked at -- we
18 looked at all of it.

19 MR. MOONEY: So ordinance is in dbz.

20 And you said you have to have a special
21 meter. Do we have a meter that can test that?

22 MR. KARNER: I have a meter. I doubt the

1 town has a meter. It's usually an expensive meter.

2 But it could be rented.

3 MR. MOONEY: But you're saying that

4 everything -- our ordinance is in dbz, but all of

5 your studies are done in DBA, and that's the same

6 thing?

7 MR. KARNER: No. The study looked at dbz

8 and dba. So my result tables, all of those numbers

9 are in dbz. But dba, if you are a regular person

10 and you want to measure noise and you get a Radio

11 Shack meter or your cellphone, it's going to be in

12 dba. Phones and that kind of thing can't measure

13 each frequency.

14 MR. MOONEY: And you mentioned training

15 equipment. Is that the mechanical equipment that

16 you tested?

17 MR. KARNER: I did not test any equipment.

18 We received data from various

19 manufacturers. So they -- Amazon has not yet

20 selected it, but it is based on training sound data.

21 MR. MOONEY: So the sound study is based off

22 of equipment that we're not guaranteed that we're

1 going to get?

2 MR. BREWE: That's correct at this point.

3 We have looked at other manufacturers and, you know,
4 have similar data for them. If there is a change
5 and it's not that specific manufacturer, then we
6 will adjust to make sure that we're in compliance
7 with the noise -- or the sound ordinance.

8 MR. MOONEY: Okay. So, and -- all right.

9 So I guess on the record you're not willing to
10 comment on whether any previous sound studies and
11 studies have been in compliance or not in
12 compliance? You're not willing to comment?

13 MR. KARNER: (No audible response.)

14 MR. MOONEY: Okay. So the noise study that
15 is part of the application is based off of hope and
16 speculation?

17 UNIDENTIFIED SPEAKER: It's based off --

18 MR. MOONEY: And that's not my -- excuse me,
19 sir?

20 MR. REINKE: Yeah, I wouldn't say
21 speculation. Through testing through ANSI
22 standards.

1 MR. MOONEY: Excuse me?

2 MR. REINKE: Through ANSI standards. So
3 it's not speculation. Right it's a model that's
4 been proven or, I guess, created by extremely
5 capable engineers. It's been demonstrated to be
6 accurate over years of use.

7 And so we're using numbers from
8 manufacturers that should be accurate, or at least
9 they've been recorded as accurate. They provide
10 those numbers to us, we put them in a model, and
11 that model will produce results that should be
12 fairly accurate. So it's far from speculation.

13 MR. MOONEY: But it could be different --

14 MR. REINKE: Yeah, yeah.

15 MR. MOONEY: -- equipment? Okay.

16 MAYOR NEVILL: Point of order. I'd like to
17 ask the town attorney a question.

18 Mr. Crim, it seems that we are in a --
19 sort of a -- this is a work session, and we're kind
20 of heading down some questions of -- questions of
21 veracity of information. And, you know, we have an
22 applicant who has submitted their view, their

1 reports, their data as such. And there's a good
2 faith, bad faith. And I'm curious.

3 It seems that we are -- that some on
4 the dais here are taking a very strong assumption of
5 bad faith, that the data that is being presented is
6 misleading, inaccurate, or otherwise wrong.

7 And what -- is there a standard or is
8 there a debatable point? Because the question we're
9 having here is that you're telling us that you will
10 comply, that this will not be in violation, that you
11 have proposed and developed a system that will fully
12 meet our noise ordinance.

13 MR. REINKE: Yes.

14 MAYOR NEVILL: And we are, then, also
15 looking at examples in other communities where
16 there's a failed system. And so we're applying a
17 standard of, you know, well, in the Tanner Way site,
18 which is the one that keeps being referenced, is not
19 in compliance and is currently under mitigation.
20 Expected to be solved by September, I understand.

21 But at what point are we taking or
22 depriving an applicant -- now, just imagine if you

1 were coming before us for an SUP for a drive-thru,
2 and we started taking down all the worst case
3 scenarios, and we started taking down the fact that,
4 you know, your drive-thru will be in failure.

5 So, Mr. Crim, I think -- at what point
6 is there an assumption of faith of what is being
7 presented before us? Is there a legal standard for
8 that, or is it just subjective or just interpretive
9 up the council to make the decision as to say, I
10 don't care what you say, I believe it to be false?

11 MR. CRIM: Well, for the reasons we
12 discussed in closed session, the ultimate decision
13 may be in other people's hands and in the court's
14 hands, but the initial decision is in your hands.

15 MAYOR NEVILL: So we can -- if we don't
16 believe the information they have provided, that is
17 up to us?

18 MR. CRIM: Yes. And if you're in court
19 you're doing to need to back that up.

20 MAYOR NEVILL: Okay. Thank you.

21 MR. MCGUIRE: Mr. Mayor, can I make a point?
22 We have a fiduciary to our residents and everything

1 else, and I don't doubt your due diligence. I just
2 -- I'm asking questions for clarification.

3 MR. REINKE: Sure.

4 MR. MCGUIRE: And that's like anything else.
5 I think, you know, to characterize some people like,
6 you know, trying to poke holes in something because
7 they don't believe people, I just want to know what
8 the fine points are to things, and how we're going
9 to enforce this and everything else.

10 And I think it's important because we
11 only get one bite at the apple. It's not like a
12 drive-thru. It's a data center. It's a big impact.
13 It's huge. And we need to ponder that and really
14 think about our decision. It's important. That's
15 why I'm asking questions. I can't speak for other
16 people on the dais.

17 But I want to know ground truth. I
18 want to know -- my questions have been fair and
19 honest, you know. And it's not about, like,
20 doubting your veracity. I know you did due
21 diligence on this.

22 But like I said, you know, it's -- you

1 know, some of the things are debatable. Like I
2 asked about the sound. Some sound is -- meets the
3 ordinance, but is offensive. That's something
4 that's important. And it's just only to get to
5 ground truth. So we know what we're doing and what
6 really getting into here.

7 So, thank you.

8 MR. SEMPLE: Yes, Mr. Mayor. And I think if
9 you -- certainly from my point of view I'm not
10 suggesting they're necessarily wrong. I just want
11 to make sure we can find a way that they're right,
12 and to do so after the fact and not until we wait.

13 These are -- Polysonics has a wonderful
14 risumi and a great background, so I'm not
15 questioning their assurance. My biggest problem is
16 once, as, again, Councilman Heroux pointed out at
17 one point, it will be built. Will we have -- will
18 we have requirements in place? Will we have
19 everything set up so if something does go wrong
20 we're in the position to not just mitigate but to
21 rectify? And I think that's one word that I really
22 want to see changed in this.

1 If we get citizen's complaint, I'm just
2 worried about that we're going on a model and the
3 model is going to be a model. I mean, you can put
4 the Titanic in a nice little bathtub, but you
5 couldn't expect that one day it would hit an
6 iceberg.

7 So models are what we have. I just
8 want to make sure that the model is based on as much
9 as possible and the correct science; and that's why
10 they're here to tell us. And there have been others
11 in the public who have disputed that model, and I've
12 seen lawyers go back and forth.

13 And if it were my druthers and we
14 really wanted to resolve this problem we could get
15 an independent expert to come in who is neutral to
16 both parties. But I'm not necessarily suggesting we
17 do that, but I would recommend -- well, actually, I
18 would recommend we do that, but I don't think we're
19 going to. It's just that this is a big decision,
20 and I don't believe that we should be, I guess,
21 indirectly called out because we think that they're
22 wrong. I don't necessarily think they're wrong.

1 MR. REINKE: Can I ask you one question?
2 Chris, I don't want to put you on the spot. I know
3 we paid your bill. Because we paid your bill, is
4 any of the information you presented in any way
5 skewed?

6 MR. KARNER: No.

7 MR. REINKE: Yeah.

8 MR. FOOTE: Your Honor, I have long
9 experience with the Town of Warrenton. We do not
10 question the good faith of any question that's been
11 asked of us at this process. We understand the
12 responsibility that you assumed when you got elected
13 to this position.

14 And so what we say is we're here to
15 answer your questions. In the end you may not
16 choose to agree or believe it. We understand that.
17 That's your call. But we assume the good faith,
18 just as we hope you assume ours.

19 MR. MOONEY: Mr. Mayor, I have another
20 question.

21 The -- it was stated that the
22 generators would be tested one at a time. And how

1 long are those generators tested for?

2 MR. REINKE: Usually between seven and ten
3 minutes.

4 MR. MOONEY: That's it?

5 MR. REINKE: Yeah.

6 MR. MOONEY: And then they're --

7 MR. REINKE: We test -- we'll test another
8 and test another one. And we usually do that every
9 two weeks.

10 MR. MOONEY: So -- and how many generators
11 are on top of the roof at full capacity?

12 MR. REINKE: (Indiscernible.)

13 MR. MOONEY: Okay. I'm sorry. How many
14 generators.

15 MR. REINKE: 54 is accurate?

16 UNIDENTIFIED SPEAKER: 26.

17 MR. REINKE: 26. My bad. 26. 26, yeah.
18 And so, yeah, if they're -- yeah.

19 MR. MOONEY: And you would test them all
20 every two weeks?

21 MR. REINKE: Yes. And the reason, just
22 because we always want the data center to be fully

1 up, make sure everything is always redundant. So
2 you have redundant generators.

3 MR. MOONEY: I completely agree. So that's
4 260 minutes of generator testing every two weeks?

5 MR. REINKE: Yes.

6 MR. MOONEY: Okay.

7 MR. FOOTE: That has been incorporated --
8 excuse me. That has been incorporated into the
9 noise study. That noise.

10 MR. MOONEY: Oh, the generators testing.

11 MR. REINKE: Yeah, so -- yeah. The
12 assumption was what's the loudest it's going to be.
13 And so it's going to be when the equipment is
14 running 100 percent. And you have the generators
15 being tested, as well.

16 MR. MOONEY: Okay. So I have another
17 question.

18 Is there anything in the conditions
19 about the -- I understand that there's probably
20 going to have be blasting onsite. Is there anything
21 to build it? Is there anything in the conditions
22 that we're going to -- somebody is going to pay for

1 a foundation -- a foundation inspection for all the
2 homes that are within X number of feet based off of
3 the prior reports of all the foundation issues from
4 blasting in other locations?

5 MR. REINKE: No, there isn't.

6 And John Wright, are you -- I mean,
7 there's some -- we're going to have -- looks like
8 you found some rock.

9 MR. WRIGHT: Yeah.

10 MR. REINKE: There will be some blasting.

11 How do you make sure that none of the
12 foundations around surrounding homes are damaged
13 through that?

14 MR. WRIGHT: Yeah, thanks, Jay.

15 So, yeah, there are -- based on the
16 geotechnical site there are portions of rock, which
17 is pretty prevalent in this area. So typically
18 general contractors will set up their own monitoring
19 system around site to document baseline from that
20 perspective.

21 MR. MOONEY: Okay.

22 MR. MCGUIRE: Mr. Mayor, can I ask a

1 question? It's something like that that we need to
2 know about. That's all I'm asking. You know, if
3 they're going to do blasting, we need to know about
4 that. You should come forward and have your
5 template and say this when we're going to blast,
6 when we're going to blast, things like that.

7 Because then by asking these questions
8 nobody can doubt my veracity. I just want to know
9 ground truth. I don't know what I don't know.

10 MR. WRIGHT: Sure.

11 MR. MCGUIRE: And everybody wants to know
12 what's going on. That's why I would think you'd be
13 able to turn around and say bring that slide up and
14 I'll brief it. That's what worries me, is what I
15 don't know.

16 MR. REINKE: Right.

17 And, John, you can correct me here, but
18 that's typically done at site plan work. So once
19 you get the land use permit, then you do the site
20 plan.

21 And so when you go into the town for
22 the site plan, you describe the blasting, how you

1 mitigate it, all that other stuff. So usually not
2 done in the zoning process, but great questions
3 regardless.

4 MR. MCGUIRE: Right. And it came up during
5 the Harris Teeter gas station, as well, so I'm just
6 saying, so.

7 MAYOR NEVILL: Any further questions for the
8 applicant?

9 MR. SEMPLE: (Inaudible) what if the
10 substation is in Fauquier County? We don't have
11 jurisdiction over that.

12 MR. REINKE: We don't dictate where the
13 substation goes. So that's up to Dominion.

14 MR. SEMPLE: All right. Well, here's --
15 okay. Well, this will bring up my bigger question,
16 and that really has to do the fact that this
17 application is going to, based on Dominion's letter
18 of November 22nd, tear up my ward. That is, they're
19 going to underground up Falmouth Street, down East
20 Lee Street, up Walker Drive. That is their
21 proposal. I asked them several questions since
22 then. I have huge diagrams of where they're going

1 to go with this.

2 Now, I understand Amazon moved the
3 substation. But did Amazon have any discussions
4 with Dominion about paying for this line? Is there
5 an agreement between Amazon and Dominion about this?

6 MR. REINKE: Almost with any developer. So
7 any time that someone is doing development and
8 they're bringing new power lines to that site, it's
9 the responsibility of that developer to pay for
10 that.

11 MR. SEMPLE: Right. But isn't this an
12 impact? I mean, this is an impact. This is an
13 impact we should consider; don't you agree?

14 MR. REINKE: That's your decision.

15 MR. SEMPLE: But, I mean, it is an impact.
16 Yes, I understand it's our decision, but it is an
17 impact that is being -- Dominion has said time and
18 time again that we're it not for this data center,
19 we wouldn't have this impact. And my concern is
20 that -- to the extent it impacts my ward, is that it
21 is a criteria that we should look at.

22 Would you agree with that?

1 MR. REINKE: Criteria to look at it as far
2 as what?

3 MR. SEMPLE: In terms of reviewing the
4 application.

5 MR. REINKE: From a land use perspective,
6 better to ask Mr. Crim to answer that question.

7 MR. SEMPLE: Well --

8 MR. REINKE: So if that's a land use
9 question, I'm not sure.

10 MR. SEMPLE: Yeah, well, I'll ask Mr. Crim
11 in a second. But my point is it's an impact.

12 Let's say, for example, we had a quarry
13 over there. I think that's one of the main things
14 that people say could happen. And we have a quarry
15 over there, and they say, well, in order for us to
16 serve the quarry, we need to build a railroad, and
17 we've got to bring our railroad hopper cars and
18 we've got to fill them up with rocks and carry them
19 out of here. Seems to me that would be an impact
20 that we would consider and would be part of the
21 application.

22 And I guess we can talk about this

1 separately because I think -- but I'm asking the
2 applicant. And I'm not asking the staff to weigh in
3 on these concerns. And Mr. Foote is here so he can
4 -- we can talk about it.

5 But --

6 MR. FOOTE: Well, in your example, the
7 location of the railroad would be under control of
8 the federal government and not a locality.

9 MR. SEMPLE: I'm not worried about that
10 distinction.

11 MR. FOOTE: Yeah, well.

12 MR. SEMPLE: It's just an anomaly -- I mean,
13 an analogy. My point is that traffic -- for
14 example, we have traffic studies, and you don't own
15 the traffic, and you don't own the roads that the
16 traffic travels over. Well, that's true here.

17 And in this case they're going to be
18 center line, this underground facility, right down
19 though a historic district and right up to Amazon;
20 and my position and my observation is that this is
21 an impact that we need to consider, and I don't see
22 it addressed anywhere in the application.

1 What I see is an effort to disassociate
2 the applicant from this impact by saying they moved
3 the substation.

4 MR. FOOTE: Well, when -- first of all, I've
5 seen the same maps that you have. I was not aware,
6 and I don't think Amazon is aware, that they have
7 selected one of those routes.

8 There are several routes, including the
9 Walker Drive route. Let's assume it's the Walker
10 Drive route.

11 MR. SEMPLE: Right.

12 MR. FOOTE: I would suggest to you that this
13 is a consideration that any member of the council
14 can put in their head. Whether that's a legitimate
15 consideration for a decision on this is something
16 you have to make up your mind on.

17 I don't believe it's a land use issue
18 in the same sense that the use of this piece of
19 property is a land use question. But if that's
20 something that moves your opinion, then I can't
21 certainly tell a council member not to think about
22 it.

1 MR. SEMPLE: Well, it's an impact question.
2 That's under our criteria.

3 MR. FOOTE: I've read all of your criteria,
4 and we've responded to all of them, and I can't
5 believe I've seen that among your 36 criteria -- or
6 32 criteria.

7 MR. SEMPLE: It calls for community impact
8 to facilities.

9 MR. FOOTE: That's -- and I would agree that
10 that's a (indiscernible).

11 MR. SEMPLE: And is not an electrical line a
12 facility?

13 MR. FOOTE: Not of the town's.

14 MR. SEMPLE: What?

15 MR. FOOTE: It's not a town electric
16 facility.

17 MR. SEMPLE: No, no. There's where it talks
18 about a town facility, but it also talks elsewhere
19 of just the facilities in general.

20 MR. FOOTE: That's insufficiently specific
21 for me to say that that's an applicable environment.

22 MR. SEMPLE: Okay.

1 MR. FOOTE: But I repeat that I certainly
2 can't stop a council member from considering it.

3 MR. SEMPLE: Okay. Because you're saying --
4 I mean, this is just one of the artful things that's
5 happening here. I mean, we have an impact that is
6 serious -- that's potentially serious, could create
7 access management problems, could create traffic
8 backups. And not only is Amazon -- I mean, Dominion
9 has purported that whenever they put it, it's going
10 to be for the service of Amazon and no one else; and
11 to me that's an impact I don't think as a council we
12 can avoid.

13 MR. FOOTE: I think that there is certainly
14 going to be an impact. I would also observe that
15 it's going to be temporary. It will be there for
16 sure, but it will be temporary. Just as the
17 construction of this facility will be temporary.
18 There will be an impact of that, too, but it will be
19 over.

20 And so what I would submit to you is,
21 again, if that's something you're concerned about,
22 you can be concerned about it. But do I think that

1 it is something that's a legitimate ground that
2 would be a reason to defeat this? I can't agree
3 with that because it is a passing concern.

4 MR. SEMPLE: I mean, your definition of
5 "passing" perhaps is different from mine.

6 MR. FOOTE: I understand that. That's
7 perfectly okay.

8 MR. SEMPLE: And I would say that when you
9 have a historic street where they're going to take
10 up the entire right of way on both sides and maybe
11 including sidewalks, that's not just a mere passing.

12 But it's also the mere idea that at for
13 the service of one entity we can expose our
14 residents who will get no benefit from this at all,
15 to this harm.

16 MR. FOOTE: Your Honor, I understand that
17 Dominion has said that it probably wouldn't be here
18 without this data center, but I thought it had also
19 said that it would serve other purposes once it was
20 here.

21 MAYOR NEVILL: Dominion did state
22 (inaudible).

1 MR. SEMPLE: Yes, other data centers.

2 MR. FOOTE: It certainly isn't one that
3 we're associated with.

4 MR. SEMPLE: That's one of them. But that
5 won't be part of my consideration.

6 But my point is when you look at
7 impacts -- and we look at impacts -- that this is
8 one of them. And it's not just that impact. It's
9 where the location of the substation may be, as
10 well. These are all impacts as a result of the
11 application.

12 MR. FOOTE: That's certainly something that
13 you're permitted to consider.

14 MR. SEMPLE: Okay. Thank you.

15 MR. MCGUIRE: Mr. Mayor, I have a question
16 in regards to the SUP.

17 So you're going to do construction to
18 build the data center. Have we as the town looked
19 at how it's going to impact our transportation, our
20 emergency services, things like that? Because
21 Blackwell over there, that's sort of a tight
22 corridor. You know, I'd like to be briefed as to

1 how you're going to do construction flow in and out
2 of there and everything else and how that's going to
3 impact us as the town.

4 MAYOR NEVILL: That's something that comes
5 with the site plan.

6 UNIDENTIFIED SPEAKER: It is.

7 MR. MCGUIRE: Great. But I'm just saying I
8 think that's very important as to the impacts of
9 that in how we vote on this because it's -- how long
10 do you anticipate construction to be for the data
11 center? You said it's temporary, but how long?

12 MR. REINKE: About 12 months.

13 MR. MCGUIRE: About 12 months. Okay. So
14 that's (indiscernible.)

15 MR. FOOTE: One of the things that you do at
16 site plan, Your Honor, is create a maintenance of
17 traffic program.

18 MR. MCGUIRE: Right.

19 MR. FOOTE: And how you manage that traffic.
20 It doesn't come at regular rush hour times and other
21 things that solve the problem. And they do get
22 solved.

1 MR. MCGUIRE: And you do you anticipate any
2 of the construction being done off hours or anything
3 else like that?

4 MR. FOOTE: Traffic comes in. No, the
5 traffic -- the construction occurs at regular
6 construction times.

7 MR. MCGUIRE: Okay. Good. Right.

8 MR. FOOTE: But people come to work at
9 different times.

10 MR. MCGUIRE: Right. No, understood, yeah.

11 But I'm just saying it's going to
12 impact traffic, egress, everything else there. I
13 think we really need to take a hard look at that,
14 so.

15 MR. REINKE: Yeah, that's usually done at
16 site plan.

17 MR. MCGUIRE: I'm aware of that, but I'm
18 saying this is an unusual, you know, circumstance,
19 so to speak. You know, it's different than, like,
20 building, like, a drive-thru.

21 MR. FOOTE: And we do understand that, Your
22 Honor. It's not something that hasn't been faced

1 here before.

2 MR. MCGUIRE: Right.

3 MR. MOONEY: Mr. Mayor, I'd just like to
4 say, Mr. Foote, the reason why I'm diving so much
5 into this is I have four kids under 8 years old, and
6 unfortunately my kids and the town can't retire to
7 Florida. Like, we would like to be here forever,
8 you know. And I -- it means a lot to me, right, you
9 know the whole impact.

10 Like, I agree with Mr. Semple. You
11 know, I can't -- my company can't just build a house
12 in the middle of the woods. Unfortunately there's
13 an impact to the environment of building a driveway.
14 And if I, you know, do so many acres, I have to do a
15 pollution prevention plan and all these types of
16 things.

17 So I think as a good partner and good
18 neighbor you would want to make sure that a Town
19 Council who maybe doesn't know all the impacts would
20 have a holistic approach of all the impacts that
21 might contain. And there's no way you can have a
22 data center without a substation. And where that

1 substation goes, and how it impacts, and how it cuts
2 up boards, I think, is a huge -- is a huge concern,
3 or it should be to council members and to the
4 constituents.

5 MR. FOOTE: I didn't disagree, actually.

6 MR. MOONEY: Right.

7 MR. FOOTE: As I said, it's something that a
8 council member can seriously consider. This is a
9 decision driven by others than us.

10 And the decision where that substation
11 goes is one made by an entity that's governed by the
12 State Corporation Commission and not by us; and what
13 flows from that is something that will impact us, as
14 well as it will impact the town; and so we would
15 submit to you that that's a consideration you must
16 take -- that you're perfect -- I can't tell you what
17 not to consider.

18 What I can suggest to you is that it
19 will be relatively temporary. It will go away. The
20 roads will be reconstructed. They will be back in
21 position, as every time someone puts a new telephone
22 line in that's underground. And so I would submit

1 to you that that is something that you can consider.
2 And I'm not saying you can't. I'm just saying it
3 has to be given due weight.

4 MR. SEMPLE: I appreciate your point. In
5 those cases, we had a big project down there with
6 Columbia Gas. We placed all their old service
7 lines. And right down Falmouth Street. And it tied
8 it up for almost a year, if not more. But those are
9 benefitting residents. This is just a case where
10 this doesn't benefit them at all.

11 And I feel that any inconvenience --
12 and I'd have to say about access management, access
13 to driveways, it's going through three black
14 historic neighborhoods. It is affecting properties
15 that are in the national register. These are all
16 concerns that we have regarding this.

17 Now, there may be changes. It may go
18 somewhere else. I realize all that. But it's an
19 impact -- it would be my personal preference that
20 this is resolved as part of this analysis. But if
21 it can't be, it's still an impact we have to
22 consider.

1 And I just can't believe that Amazon --
2 I mean, I understand Amazon, by moving the
3 substation off, provided one -- resolved one issue
4 from that point of view, but it didn't really solve
5 the overall impact at all and -- in my mind.

6 And I'm personally defensive about it
7 because it runs right past my house.

8 MAYOR NEVILL: Just as a reminder that some
9 of these comments should be directed to within
10 council, that these are -- to your point, Mr.
11 Semple, this should be addressed to council, that
12 this is not a sort of -- not an appropriate line of
13 questioning or line to ask the applicant. This is
14 to be discussed among ourselves in terms of how we
15 choose to vote on this.

16 MR. SEMPLE: Okay. Thank you. I agree with
17 you.

18 MAYOR NEVILL: Yeah.

19 MR. MOONEY: Mr. Mayor, another question.

20 Was is there not a potential fiscal
21 economic impact proposed for this project?

22 MR. REINKE: Yeah.

1 As a matter of fact, Becky Ford, come
2 on up.

3 MR. MOONEY: Like, a document?

4 MS. FORD: No, we didn't prepare a formal
5 document.

6 MR. MOONEY: Okay. So on the economic
7 impact, what -- you said last month that your
8 estimation was the 900,000 to the town?

9 MS. FORD: That was an estimation, yes. And
10 that was put together in coordination with the
11 county tax commissioner.

12 MR. MOONEY: Correct. Okay. Is there a
13 reason why there wasn't a document prepared?

14 MS. FORD: No, there wasn't.

15 MR. MOONEY: Okay.

16 So, Mr. Mayor, I have a question then.
17 Wouldn't it be -- wouldn't it behoove us to see
18 something like that, then?

19 MS. FORD: It certainly is within your
20 prerogative to request something like that.

21 Again, we reviewed last month the
22 information relative to AWS investment and job

1 creation, and that was combined with the county
2 practices for assessing and collecting tax revenue.

3 Happy to talk about any of those
4 figures in detail as we did last month and over the
5 course of the project. Is there anything specific
6 in that written format that we may have not covered
7 that would be helpful to understand?

8 MR. MCGUIRE: No. I just -- I'm maybe old
9 school. If I see it in writing, then I believe it.
10 That's -- you know what I'm saying?

11 MS. FORD: Yeah, I think --

12 MR. HEROUX: Yeah, I mean that's always --

13 MS. FORD: -- the PowerPoint we provided last
14 time and the time prior is actually available
15 online. And it was contained in the slides.

16 MR. REINKE: (Indiscernible) so the tax
17 income usually comes either from one or two sources:
18 The property tax or the personal property tax.

19 And usually you'll see some sort of
20 breakdown between, hey, the property is going to be
21 worth this much, the personal property this much.
22 And then based on how the county is going to tax

1 that, you'll see some figures come off that.

2 MR. HEROUX: Right. I think it goes to
3 council member Mooney's questioning. Like, I'd like
4 to see it in black and white. You know what I mean?
5 I mean, I think a lot of people would.

6 MS. FORD: It was contained in the
7 presentation.

8 MR. HEROUX: Just because, you know, people
9 have questioned the veracity.

10 MS. FORD: Sure.

11 MR. HEROUX: I'm not questioning your
12 veracity. I just want to see it.

13 MS. FORD: It's a fair question.

14 MR. HEROUX: I think so (indiscernible).

15 MS. FORD: I'm a visual learner, myself.

16 MR. HEROUX: Thank you. Yes.

17 MS. FORD: So I just want to reiterate the
18 information was provided in the presentation which
19 is posted online, as well as in the application
20 itself. So those economic questions were addressed
21 and supplemented in the application process, and
22 they are available in print online.

1 MR. SEMPLE: May I ask a question about the
2 tax implications?

3 MS. FORD: Sure.

4 MR. SEMPLE: I know it's not proper to
5 actually know exactly what it is. I'm not asking
6 that question. But I think at the last meeting, you
7 said it would be about 900,000 in personal property
8 tax.

9 MS. FORD: I believe that's what the county
10 estimated.

11 MR. SEMPLE: Yeah, that's what you said.

12 And that's depreciable over time?

13 MS. FORD: Yeah, so that was an average over
14 five years.

15 MR. SEMPLE: Okay. And we won't see that
16 for seven -- until the full build out. So we won't
17 be seeing that full realization of that build out
18 until the whole thing is finished; is that right?

19 MS. FORD: Well, as Jay indicated it's
20 approximately 12 months for construction, and then
21 the building will roll on to the tax rolls, and the
22 county will realize revenue.

1 That equipment will depreciate over the
2 course of approximately five years, and then be
3 refreshed. And so that tax revenue will peak again.
4 So, that's why we have an average.

5 MR. SEMPLE: So that's your average
6 expectation per year over the -- upon full build
7 out. So we won't be seeing that revenue for seven
8 years?

9 MS. FORD: That's not true.

10 MR. REINKE: Well, personal property.

11 MR. SEMPLE: Personal property.

12 MR. REINKE: Personal property is taxed
13 when?

14 MR. SEMPLE: We're talking about the
15 equipment. You won't have the equipment in place
16 for seven years.

17 MS. FORD: That's not true.

18 MR. SEMPLE: So how do we tax it?

19 MS. FORD: That's not true. So we'll build
20 the facility, and the construction will take
21 approximately 12 months, and then we'll install the
22 equipment which is talked as personal property.

1 MR. SEMPLE: But my understanding is this is
2 going to be built in eight phases over seven years.
3 So you won't have all the equipment installed.

4 MS. FORD: So the estimate that we provided
5 to you is for the initial investment.

6 MAYOR NEVILL: A question, if I can clarify.
7 I think what Mr. Semple is asking is: As it goes
8 into phased building, we have several phases as
9 planned, certificate of occupancy granted upon the
10 completion of each phase.

11 Are you front-loading all of the
12 equipment up front and then slowly phasing up, or as
13 -- or are you going to have empty bays and will be
14 bringing in the equipment as those bays then get
15 ready to ramp up for that next phase?

16 MS. FORD: So there will be additional
17 revenue as those bays fill up.

18 MAYOR NEVILL: Okay.

19 MS. FORD: Correct.

20 MAYOR NEVILL: So it will gradually increase
21 over time, and that build out, we'll be hitting what
22 we're looking at, the 900, on average. But that is

1 also at that point going to be in excess of it
2 because you're factoring in the phasing of it; is
3 that correct? Sort of --

4 MS. FORD: Correct.

5 MAYOR NEVILL: Got it.

6 MR. MOONEY: That's the type of thing,
7 Mr. Mayor, that I would like to see on an economic
8 impact study, because it doesn't -- it doesn't
9 actually -- what just transpired was we talked about
10 at a full build out, after a year we would get
11 900,000. And then if you break it up into sections
12 and you insert this and you insert this one over a
13 seven-year period, looking at depreciation
14 schedules, now the first section is now depreciated
15 because it's been seven years.

16 And so are we ever going to see the
17 full, you know, tax revenue that we would see if
18 there's a build out schedule? And then, like,
19 what's the depreciation schedule of the seven
20 phases? Is the first phase -- you know, so I'm
21 going to go back to my constituents, and say: They
22 said 900,000. And then it's like 300, 400, 500, and

1 then depreciation drops back in, so we never get to
2 that. That's something that I need to be able to
3 show, and should -- all of us should be taking into
4 consideration what the actual impact of doing
5 something like this to the town would cause
6 financial.

7 MR. HAMBY: I think before we've -- and
8 we've been going for this a couple of hours.

9 Mr. Maybach provided an estimate of how things are
10 going to be taxed, but I think going forward, like,
11 when you're asking the applicant something, I think
12 that we should turn around a little bit and say,
13 hey, Mr. Manager, if you request something, get it
14 from the manager.

15 The applicant, if they so move forward,
16 they're going to pay whatever this body establishes
17 that tax rate to be, in both the county and the
18 town.

19 So the prior estimate for -- if this
20 moves forward and they start up into zones, pods, or
21 anything else, that's just an estimate that
22 Mr. Maybach made at the time.

1 So I -- like, I get it, and I
2 understand your questions to the applicant, but the
3 applicant really doesn't have any control over what
4 we tax upon them.

5 MAYOR NEVILL: And, also, just a point of
6 clarification. Mr. Crim, in terms of these
7 questions, tax revenue in determining an SUP? Just
8 clarification for council.

9 MR. CRIM: So you have elements in your
10 ordinance that talk about the job creation. And
11 that kind of points towards overall revenue towards
12 the town, as well, as other considerations.

13 The tax revenue that you will get from
14 this will be dependent on the tax rate that you set
15 and on the assessments that you don't have any
16 control over.

17 And I just want to reiterate that the
18 tax assessment information is confidential, made
19 confidential by state law, and so we have to be very
20 careful in handling that information. That's what I
21 would say about that.

22 MR. SEMPLE: May I follow up with a question

1 of Mr. Crim?

2 Ordinance 17 says whether the proposed
3 special use permit use will provide desired
4 employment and enlarge the tax base by encouraging
5 economic development activities consistent with the
6 comprehensive plan.

7 So don't we need to at least address
8 consistency with the comprehensive plan for our
9 determining whether the proposed special use permit
10 has enlarged the tax base?

11 MR. CRIM: Consistency with the
12 comprehensive plan is always a consideration.

13 MR. SEMPLE: And that's consistent with the
14 comprehensive plan.

15 MR. MOONEY: So, Mr. Mayor, these draft
16 conditions of approval, these have all been verified
17 by the applicant and --

18 MR. REINKE: Yes.

19 MR. MOONEY: So you guys have verified that
20 you're good with all of these?

21 MR. REINKE: Yes.

22 MR. MOONEY: Have we verified that we're

1 good with all of these?

2 MAYOR NEVILL: That's up to us. And I
3 believe staff has cleared; and based upon council's
4 direction. So the work done was just fine tuning
5 based upon questions that were remaining from the
6 last work session and the last Town Council meeting.

7 And, again, it was clarification
8 language. And so my understanding is that the
9 applicant has agreed to, and staff has. But staff
10 has only taken what direction council has given.

11 MR. MCGUIRE: Mr. Mayor, I have a question
12 about one of the contingencies on this. And I'm no
13 fire fighter, by any stretch of the imagination, but
14 I ran into a few fires.

15 But it says the condition does not
16 include or prevent the property owner from utilizing
17 the town's water for fire suppression. Does that
18 mean that we're going to build a water line up
19 there? Or what are the impacts for that? And,
20 also, like, my laymen's knowledge, you know, in
21 terms of, like, computer fires, don't you need a
22 special fire truck to put those things out? I mean,

1 it's more foam than anything else, right?

2 MR. REINKE: Yeah, Brent, you can come on up
3 and --

4 MR. HECKER: As far as fires for computers,
5 no. That's put out with water. It's a dry pipe --

6 MR. MCGUIRE: Okay.

7 MR. HECKER: -- system, so there's no water
8 stored. But if we activate, then --

9 MR. MCGUIRE: Okay.

10 One more question for the town. Are we
11 going to build -- are we going to provide a water
12 main up there or something like that? Or what are
13 the impacts to the town water?

14 MR. HAMBY: I mean, I think I can help. All
15 the condition is you're providing them domestic
16 water for a fire sprinkler suppression system in
17 their building.

18 MR. MCGUIRE: Okay.

19 MR. HAMBY: It's just for suppression
20 purposes.

21 MR. MCGUIRE: Okay.

22 MR. HAMBY: They're going to -- a water main

1 is going to go there anyway for --

2 MR. MCGUIRE: Right.

3 MR. HAMBY: -- their bathrooms.

4 MR. MCGUIRE: Okay. Sure. Okay.

5 MR. HAMBY: Same thing.

6 MR. SEMPLE: I have (inaudible). This has
7 to do with your statement that -- on your comments
8 regarding the comprehensive plan that Amazon is a
9 major employer.

10 Is 52 employees a major employer?

11 MR. FOOTE: At these salary levels, the
12 answer is yes.

13 MR. SEMPLE: It is? I mean, that would mean
14 that every store, every -- I mean, that means that's
15 all we have in town is major employer. I mean,
16 you're saying 52 employees is --

17 MR. FOOTE: Well, the question -- you don't
18 define "major employer" anywhere in your
19 comprehensive plan or anywhere else.

20 What I would suggest to you is that
21 when you bring in a highly-skilled, highly-talented,
22 highly-educated, and highly-paid workforce to work

1 on something like a data center, that's a major
2 employer. And so I would submit to you that that
3 would in fact qualify, and it certainly can be
4 determined to qualify.

5 MR. SEMPLE: Well, Mr. Foote, I could bring
6 in one skilled person under your definition and that
7 would be a major employer.

8 MR. FOOTE: But we're not bringing in one,
9 Your Honor.

10 MR. SEMPLE: Well, no, you're bringing in
11 50. All I'm saying is that a major employer -- a
12 major employer -- I think our major employer here is
13 the hospital. And so I'm talking about number of
14 employees within our town limits.

15 I know that -- I know that Amazon has
16 1.6 million part-time and full-time employees. That
17 makes it a major employer. But I'm talking about
18 here.

19 MR. FOOTE: That's a question of
20 interpretation and judgment.

21 MR. SEMPLE: Okay.

22 MR. MCGUIRE: Mr. Mayor, another question.

1 So on 17-C it talks about the Town of
2 Warrenton and the zoning ordinance related to noise
3 and the 48 hours to mitigate.

4 Can you, Amazon, walk me through how
5 you envision that working out? Just so I'm clear as
6 to how -- and then I'd like to hear from the town
7 how we envision, as well.

8 MR. REINKE: You know, ironically, we're not
9 sure what would ever be a noise issue. So let's
10 assume that it would be a piece of equipment. Every
11 piece of -- every pod room has data redundant
12 systems. So if there's a piece of equipment that
13 for some reason went faulty, the very first thing we
14 would do is immediately switch over to the redundant
15 system.

16 MR. MCGUIRE: So more or less the question
17 -- I understand that. What about if a resident
18 calls up and says, hey, I can hear the data center;
19 how do we mitigate that? That's what I really want
20 to know, you know, because if we're not doing
21 continuous monitoring, then it's going to be he
22 said/she said. Are you going to take what the town

1 says on that? Or, you know. And the other thing
2 that concerns me is some noise is within the
3 ordinance but can be offensive. So how -- what's
4 our plan for the town to mitigate all this? I think
5 it's important?

6 MR. HAMBY: Can I jump in here just one
7 second.

8 Acting Chief carter, can you walk over
9 here to the microphone for a second?

10 MR. CARTER: Yes, sir.

11 MR. HAMBY: Can you tell everyone how the
12 town deals with noise complaints, because I assume
13 that we have noise complaints from time to time.

14 MR. CARTER: Yes, sir. You mean noise
15 complaints under our current policy.

16 MR. HAMBY: Noise complaint to noise
17 complaint.

18 MR. CARTER: Policy and ordinance.

19 MR. HAMBY: Whatever you do as the police
20 department.

21 MR. CARTER: So the way that we handle noise
22 complaints currently is when we get a complaint of a

1 noise, we get as much as information as we can from
2 the complainant about what the noise is,
3 particularly details, where is it coming from, so on
4 and so forth.

5 Currently, we send an officer out to
6 see if they can hear that same type of noise. And
7 part of the details that we get from the Complainant
8 is, well, where are you? Where do you hear the
9 noise from? And in what manner is the noise
10 offensive to you?

11 We send an officer out to see if they
12 can hear that same noise. We follow the town's
13 ordinance. We follow our policies and procedures.

14 We usually make contact with the -- I
15 want to say the source of the noise, but usually in
16 most cases -- probably not in this instance, but in
17 most cases we're talking about something at a
18 residence, maybe a business. There's usually
19 someone we can talk to; and we notify them of what
20 the noise is, and we try to take steps to mitigate
21 that noise.

22 In most case if it's someone who is

1 playing in a band or something like that, we ask
2 them to turn it down.

3 We then make contact with the
4 complainant, explain to them what we have done to
5 try to mitigate that problem; and that's usually the
6 end of it.

7 If it's not and we have to return, then
8 we return and we take whatever necessary steps are
9 appropriate after that.

10 MR. MCGUIRE: So Acting Chief Carter, do we,
11 like, download -- do the officers download on their
12 phone, like, you know, there's the EPA app you can
13 tell decibel level and everything else?

14 MR. CARTER: No. Currently, we do not do
15 that.

16 MR. MCGUIRE: Okay.

17 MR. CARTER: That is not part of the town's
18 ordinance.

19 MR. MCGUIRE: Okay.

20 MR. CARTER: Or our procedures to do that.

21 MR. MCGUIRE: So then, you're kind of
22 relying on an officer's sort of opinion or his or

1 her hearing level as to what's, you know,
2 appropriate?

3 MR. CARTER: We are relying on the town code
4 which has a noise ordinance that explains what is
5 problematic noise, I guess, I would say.

6 MR. MCGUIRE: Right. But what I'm saying is
7 it's not --

8 MR. CARTER: And then the officer to put
9 themselves in the same --

10 MR. MCGUIRE: Right.

11 MR. CARTER: -- situation as the complainant.

12 MR. MCGUIRE: Right.

13 MR. CARTER: So that they can then try to
14 monitor that noise.

15 MR. MCGUIRE: Right. But --

16 MR. CARTER: Now, we do have -- you know, if
17 there's some, I don't want to say disagreement, but
18 if there's some question about it, we can always
19 have another officer come over --

20 MR. MCGUIRE: Right.

21 MR. CARTER: -- so you have another
22 independent person to --

1 MR. MCGUIRE: No, I understand.

2 MR. CARTER: -- verify.

3 MR. MCGUIRE: But I think it might be better
4 that we download an app because we are getting very
5 technical here, and I think, you know, everybody's
6 hearing is different. I have hearing loss.

7 MR. CARTER: Sure.

8 MR. MCGUIRE: And my opinion might be it
9 might not be offensive. I think with something like
10 this it needs to be very technical because --

11 MR. CARTER: Well, I would say, sir, what
12 you're talking about, downloading an app on an
13 officer's phone to evaluate noise, I think if you're
14 going to get technical, you need to do it in the
15 proper way; and I don't think that would be the
16 proper way to do such.

17 MR. MCGUIRE: Okay.

18 MR. CARTER: Because you're doing more of a
19 laymen's way of --

20 MR. MCGUIRE: So what do you think would be
21 appropriate, then? I'd welcome your opinion.

22 MR. CARTER: There are many models out there

1 of how can do it. I think that would be up to the
2 council how they want to do it. But there's many
3 things to take into account. But you can purchase
4 sound level meters. You can have policy and
5 procedure in place of how that is to be handled as
6 far as evaluating the noise. That's one way to go.
7 But there's many others. You know, I couldn't go
8 over all of them standing here talking now.

9 MR. MCGUIRE: And I agree. In terms of law
10 enforcement, you know, there's more important
11 priorities that sound level. But I think we need to
12 address that as a council because there's going to
13 be complaints.

14 MR. HAMBY: And that was the point. You're
15 asking a question about what they do now.

16 MR. MCGUIRE: Right. But I'm saying --

17 MR. HAMBY: Here's a -- I get it. Hold on.

18 MR. MCGUIRE: -- we need to, like, do
19 mitigation --

20 MR. HAMBY: Hold on. Hold on.

21 MR. MCGUIRE: -- in how we deal with it.

22 MR. HAMBY: You're asking about the policy,

1 right? We will all from this body have to set the
2 policy, and then the acting chief will have to
3 develop the procedure for what they would like to
4 do.

5 But right now I'm sure that we could go
6 back in time and figure out how many noise
7 complaints we had last fiscal year, right. I'm sure
8 we can develop that type of data somewhere; and at
9 least be a starting point, right. Because noise
10 complaints are not new. I'm sure they're probably
11 every weekend.

12 MR. SEMPLE: But this gets to my principal
13 point. The point is the criteria by which we
14 determine whether you're in compliance or not should
15 be the same criteria as we had when we actually run
16 the noise study annually; and that requires our
17 getting a qualified ANSI-qualified engineer out
18 there, which would be the staff's responsibility,
19 and to go out there with the right equipment.

20 Otherwise, it's -- you know, it's -- I
21 wouldn't expect one of your officers to be an
22 audiologist. I mean -- or someone who works for

1 Polysonics.

2 MR. MARTINO: Mr. Mayor.

3 MR. SEMPLE: I mean --

4 MR. MARTINO: If I may, if it's council's
5 desire you can direct --

6 MR. MCGUIRE: I'm sorry. Councilman Semple
7 was speaking. I mean, I don't understand. There's
8 been interruption and everything else. I think he
9 should speak.

10 MR. SEMPLE: No, no, I'm fine. I'm just
11 pointing out -- and I don't mind Mr. Martino
12 chopping in. Go ahead.

13 MR. MARTINO: My point, and I apologize for
14 interrupting. That's a valid point there. My
15 apologies. But I'm hearing a conversation about a
16 desire to have more resources available to
17 determine/measure sound, and those tools do exist;
18 and if it's the council's desire, you can direct the
19 town manager and staff to come back with some of the
20 alternatives that may be possible, and we can
21 develop policy around that issue so that if it's the
22 chief or if it's building code inspectors, whomever

1 it may be, they're in a better position to report
2 back and have the issue addressed more objectively.

3 And that's all my point. Thank you.

4 MR. SEMPLE: Thank you.

5 MAYOR NEVILL: Thank you, Chief.

6 MR. SEMPLE: I apologize. My computer is
7 doing --

8 MR. MAYOR: Any further questions for the
9 applicant?

10 (No responses.)

11 MAYOR NEVILL: All right.

12 MR. REINKE: Thank you.

13 MAYOR NEVILL: Thank you, sir.

14 MR. HEROUX: Mr. Mayor, just in conversation
15 with Mr. Crim, just for the record, because I know
16 there was a conflict of interest declaration deck
17 that I had to make. And by the Virginia Code, I'm
18 required to disclose before this kind of hearing
19 that I have in fact filed a conflict of interest act
20 declaration, and that I have no conflict of
21 interest. And that documentation is available with
22 Mr. Cloud (ph).

1 **MAYOR NEVILL:** Thank you, sir.

2 As we have a long evening ahead of us,
3 I'm going to remove items D, E, and F. I think we
4 can do Second Street very quickly and move through
5 the other options. But D, E, and F, we will move
6 that to our budget retreat on the 25th.

7 And then if we could just have a quick
8 presentation from Mr. Cassidy, I believe -- or Tommy
9 to present Second Street. I'm sorry.

10 **UNIDENTIFIED SPEAKER:** This will work from
11 over there, Steve? Okay.

12 Good afternoon, Mr. Mayor, members of
13 council. (Inaudible) change that occurred
14 (inaudible) that's fine.

15 As has been previously discussed, Roll
16 Out Warrenton was a town-wide economic development
17 initiative to assist all businesses with the impacts
18 of Covid 19. That initiative created an environment
19 that encouraged and promoted economic viability,
20 allowed businesses to be creative, and promoted
21 government as a collaborative partner to support the
22 business community.

1 I think we all understand what the
2 goals of Roll Out Warrenton were. I think that we
3 established some truly incredible goals as it
4 relates to enhancing a sense of community and
5 proving alternatives for business owners within the
6 town to continue with their economic viability.

7 I'm not going to go through the
8 entirety of the background because this has been
9 spoken about in previous work sessions, but I will
10 note that as part of the December 13th meeting, we
11 did provide an update regarding Second Street
12 closing, and we were directed to actually reopen
13 Second Street.

14 On December 22nd, we meet with EOTW to
15 discuss further the opportunity to -- opportunities
16 that may arise from either permanent closure or
17 permanent opening of Second Street.

18 When we met in January, we presented to
19 council staff's recommendation that Second Street
20 should remain closed based off of information we
21 received from EOTW. And at that point leading into
22 the January meeting, EOTW was of the opinion that

1 they were okay with the street remaining -- excuse
2 me -- open.

3 On January 23rd, I met -- as a
4 follow-up to that council meeting, I met with
5 members of EOTW to discuss opening or closing of
6 Second Street. At that time EOTW did shift in their
7 perspective, and they did ask that we actually close
8 Second Street permanently. There are three
9 businesses there: Molly's, Altered Suds, and, I'm
10 sorry, we have a new --

11 UNIDENTIFIED SPEAKER: Cast Iron.

12 UNIDENTIFIED SPEAKER: Thank you. Cast
13 Iron. That are located on Second Street, and they
14 want to collaborate during Roll Out Warrenton to see
15 what type of offerings they could provide to the
16 community.

17 As a response to that, we are now
18 recommending based upon EOTW and additional
19 information that we received during this January
20 meeting that we go with the permanent closure of
21 Second Street.

22 Any business that chooses to construct

1 or set up a parklet on Second Street will still be
2 required to meet ADA standards, safety requirements
3 associated with it. As we've talked at length
4 before, Second Street, it's a pretty large hill, so
5 it will take some creative engineering to come up
6 with structures that will meet safety and ADA
7 compliance.

8 But looking at it from the perspective
9 of EOTW, and we agree with them as they are
10 basically our Main Street sounding board, if you
11 will, we are recommended that we go with a permanent
12 closure of Second Street.

13 The fiscal impact of that will be
14 approximately \$5,500. That will fall upon the
15 Public Works Department to go in and install
16 permanent bollards to basically close down Second
17 Street permanently. So.

18 MR. HAMBY: Are you ready?

19 UNIDENTIFIED SPEAKER: Yes, sir.

20 MR. HAMBY: Okay. I'm sure you guys
21 probably broached it or didn't broach it, but who
22 did you want to pay for it?

1 UNIDENTIFIED SPEAKER: That would be -- it's
2 a town street.

3 MR. HAMBY: I knew it. All right. I
4 certainly don't have a problem with Second Street.
5 I've spoken to a lot of people in the EOTW, and I've
6 heard their concerns.

7 Is your intention to try and act
8 tonight at this meeting, or...

9 UNIDENTIFIED SPEAKER: We do have a draft
10 resolution ready for you-all. EOTW has asked for
11 somewhat quick action on this so they can go with
12 their planning.

13 MR. HAMBY: Okay.

14 UNIDENTIFIED SPEAKER: If you-all would
15 prefer to have a month to think about it and
16 continue to review, then we can certainly bring that
17 forward again in March.

18 MR. HAMBY: Let me see if I can get a hold
19 of some people between some breaks --

20 UNIDENTIFIED SPEAKER: Okay.

21 MR. HAMBY: -- to see if we can do something
22 to help. The only thing I do ask is that the

1 permanent bollards -- I'd like to do the bollards
2 like we do at the greenway in case there's a fire,
3 in case there's something else.

4 UNIDENTIFIED SPEAKER: Right.

5 MR. HAMBY: Once they're in there, you can't
6 use that street ever again. So I'd like to have
7 semipermanent but you can remove in case --

8 UNIDENTIFIED SPEAKER: Absolutely.

9 MR. HAMBY: -- of emergency. That's all I
10 have for that.

11 MR. HEROUX: That's my concern, as well, how
12 permanent are the bollards and --

13 UNIDENTIFIED SPEAKER: Absolutely. And I
14 have not spoken with Mr. Cassidy, our Public Works
15 director, but in my mind I'm thinking probably
16 something similar as to what's placed out here --

17 MR. HEROUX: Okay.

18 UNIDENTIFIED SPEAKER: -- on Main Street when
19 we do -- you know, when we close down Main Street
20 for special events.

21 MR. HEROUX: Right. Yes. Right.

22 UNIDENTIFIED SPEAKER: Exactly.

1 MR. HEROUX: Okay. Great. Thank you.

2 UNIDENTIFIED SPEAKER: Any further
3 questions?

4 MR. MOONEY: Yes, I have questions.

5 UNIDENTIFIED SPEAKER: Yes.

6 MR. MOONEY: My questions resolve around
7 money. And I'm assuming that they will be renting
8 per square foot just like the other from the Town of
9 Warrenton?

10 UNIDENTIFIED SPEAKER: Correct.

11 MR. MOONEY: And have we --

12 UNIDENTIFIED SPEAKER: They would fall into
13 the previously discussed parklet guide, and would be
14 following those guidelines set forth in that.

15 MR. MOONEY: Okay. And is it only -- is it
16 only -- the opportunity only given to those
17 restaurants and stores that are right there, or have
18 we opened it up to other restaurants not just on
19 Main Street but all over town to have a space there.

20 UNIDENTIFIED SPEAKER: So I believe that was
21 addressed last month. There is the opportunity for
22 a restaurant if they don't -- for example, say there

1 are two spaces in front of my restaurant but one is
2 only right in front of me. I can talk to my
3 neighbor and see the they mind if I actually rent
4 their space, as well.

5 Does that -- if I'm understanding your
6 question. Is that what you're asking me?

7 MR. MOONEY: Yes. More or less for other
8 restaurants around town that don't have an
9 opportunity to be on Main Street.

10 UNIDENTIFIED SPEAKER: Sure. Absolutely.
11 You know, if Molly's, for example, wanted to reach
12 out to one of their neighbors because they didn't
13 have something, you know, directly in front of them,
14 and say, hey, do you mind if we rent this place out,
15 as well, then they collaborate with one another and
16 make those decisions.

17 MR. MOONEY: Okay. Thank you.

18 UNIDENTIFIED SPEAKER: Yes, sir.

19 MAYOR NEVILL: So we'll have that -- we will
20 have that resolution. Mr. Hamby has requested time
21 to reach out to verify with some people.

22 Will that be under new business, then,

1 this evening?

2 MR. MARTINO: You could put it under
3 unfinished business.

4 MAYOR NEVILL: Unfinished business. Okay.

5 MR. MARTINO: Either way, yeah.

6 MAYOR NEVILL: All right. Let's put it
7 under unfinished business and take care of it that
8 way.

9 MR. MARTINO: Okay.

10 UNIDENTIFIED SPEAKER: All right. Perfect.
11 Thank you.

12 MAYOR NEVILL: All right. Thank you.

13 Next up is the advertisement of a
14 special meeting for the purposes of interviewing a
15 town manager in the next 14 days. I think we're
16 safely directing staff to go ahead and place that
17 advertisement and proceed with that unless there's
18 any questions or concerns from council to the
19 contrary.

20 (No responses.)

21 MAYOR NEVILL: So directed.

22 And then the agenda review, I think, we

1 probably have everything we have discussed already
2 is -- going to go over quickly if there's anything
3 you wish to point out.

4 MR. MARTINO: I'll give you an item. That
5 is the proclamation recognizing February as Black
6 History Month. And if the council goes ahead with
7 that proclamation, then the mayor will be in a
8 position to hand that out at a future date and
9 location.

10 And then, of course, you have the
11 quarterly reports for your review. We'll add the
12 settlement that we talked about. And that's it.

13 MAYOR NEVILL: Any questions for the town
14 manager?

15 (No responses.)

16 MAYOR NEVILL: Okay. At 2:21 p.m. we are
17 adjourned. And we will reconvene at Fauquier High
18 School at 6:30 this evening.

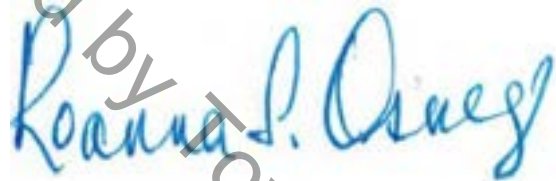
19 (Whereupon, the Warrenton Town Council
20 work session was adjourned at 2:21 p.m.)

21

22

CERTIFICATE OF TRANSCRIBER

I, Roanna Ossege, do hereby certify that
this transcript was prepared from the digital
audio/video recording of the foregoing proceeding,
that said transcript is a true and accurate record
of the proceedings to the best of my knowledge,
skills, and ability; that I am neither counsel for,
related to, nor employed by any of the parties to
the action in which this was taken; and, further,
that I am not a relative or employee of any counsel
of attorney employed by the parties hereto, nor
financially or otherwise interested in the outcome
of this action.



Roanna Ossege

Town Council AM Session
February 14, 2023

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February 14, 2023

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February 14th, 2023 Regular Town Council Meeting
Minutes

Attachment 3: Regular Town Council Meeting
February 14th, 2023, PM Transcript

In the Matter of:
TOWN OF WARRENTON

TOWN COUNCIL REGULAR MEETING PM SESSION
February 14, 2023



(703) 331-0212
www.icrdepos.com

Draft: Not yet approved by Town Council

**TOWN OF WARRENTON
FEBRUARY 14, 2023 TOWN COUNCIL
REGULAR MEETING
PM SESSION**

File: February 14, 2023 PM Town Council Regular Meeting.mp4

1 **COUNCIL MEMBERS PRESENT:**

2 **Mayor Carter Nevill**

3 **Vice Mayor James Hartman**

4 **Mr. Brett Hamby**

5 **Ms. Heather Sutphin (via remote)**

6 **Mr. William Semple**

7 **Mr. Jay Heroux**

8 **Mr. David McGuire**

9 **Mr. Paul Mooney**

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P R O C E E D I N G S

MAYOR NEVILL: 6:33 p.m. on Tuesday,
February 14th, I will call this Town Council meeting
to order. All members are present. Ms.
Councilwoman Sutphin is joining us virtually.

I would like to ask, Ms. Sutphin, are
you on the line?

MS. SUTPHIN: Yes, I am.

MAYOR NEVILL: Would you please state the
reason for your attendance remotely and state your
location, please.

MS. SUTPHIN: I'm at my residence in
Warrenton, Virginia. And I am remote because we --
my husband and I both are sick.

MAYOR NEVILL: So stated and entered into
the record. She is able to participate in this
meeting.

At this point, then, we will turn to
the invocation. We have Pastor Brown from First
Baptist Church on Alexandria Pike in Warrenton to
lead us in prayer.

Please stand.

1 PASTOR BROWN: Good evening. I will be
2 praying in a manner that is comfortable and familiar
3 to me. Please feel free to join in.

4 Eternal God, our Father, thank you for
5 every seat that has been filled here tonight. For
6 each mind and heart that fills the presence of this
7 room, we thank you. Only you truly know what we are
8 setting out to accomplish this evening.

9 We have an idea, a vision, hints, and
10 daily instructions. We have talents, abilities, and
11 time to work.

12 However, only you can see in perfect
13 detail the end of every beginning, every project,
14 every season, every life. Nothing is ever in vain,
15 for even mistakes and missteps are used for good.

16 Your righteousness transcends all our
17 efforts and understanding.

18 Forgive us of our pride. The pride
19 that puffs us up and the pride that threatens to
20 unqualify us. Strengthen our confidence in who you
21 have made us to be. Set us free from comparison in
22 order to work together efficiently.

1 Bless this meeting tonight, all those
2 present, as well as the lives of those that we will
3 encounter afterwards, ready us to make every moment
4 count.

5 In Jesus's name, I pray. Amen.

6 (The Pledge of Allegiance was conducted.)

7 MAYOR NEVILL: At this point I would invite
8 Ms. Karen White, please, up to the stage to receive
9 a proclamation honoring Black History Month and the
10 work of the Afro-American Historical Association of
11 Fauquier County.

12 The proclamation recognizing
13 February 2023 as Black History Month in the Town of
14 Warrenton, Virginia, whereas Black History week was
15 originally initiated in 1926 by Dr. Carter G.
16 Woodson, a native of Buckingham County, Virginia.

17 And whereas since the bicentennial year
18 of 1976, Americans of all walks of life come
19 together during the month of February to honor the
20 accomplishments of black Americans in every area,
21 endeavor, throughout our history; and whereas
22 African-Americans have contributed greatly to the

1 heritage, progress, and advancement in the United
2 States of America, the Commonwealth of Virginia,
3 Fauquier County, and the Town of Warrenton.

4 And whereas history, culture,
5 African-Americans make up an important part of the
6 history of culture in the United States, the
7 Commonwealth of Virginia, the Town of Warrenton.

8 And whereas in the late 1980s Karen
9 Hughes White -- Karen came aboard (inaudible) to
10 find the common thread of connection; and whereas
11 the Afro-American Historical Association of Fauquier
12 County was established by Karen Hughes White when
13 Karen came aboard in 1992 to further our community's
14 appreciation and understanding of Fauquier County
15 and Warrenton African American history, genealogy,
16 and culture.

17 And whereas the Afro-American
18 Historical Association is home to a (inaudible)
19 museum located in The Plains, Virginia, with 1,634
20 artifacts detailing the rich history of the Fauquier
21 County black residents and those of historic black
22 communities in Warrenton, such as Oliver City,

1 Madison Town, Hattie Street, and the historic
2 landmarks of (inaudible).

3 And whereas the Afro-American
4 Historical Association regularly (inaudible)
5 programs, special events (inaudible) and individual
6 lives (inaudible) of our community, past and current
7 residents (inaudible) community celebrations,
8 veterans, and whereas the Afro-American Historical
9 Association library archives and its rich inventory
10 of books, (inaudible), (inaudible), photographs,
11 letters, and other memorabilia, are open to the
12 public for research.

13 And whereas the Afro-American
14 Historical Association (inaudible) and web page
15 allowing all to explore our historic Afro-American
16 communities, story maps that tell the history of the
17 lives of (inaudible). And whereas the Afro-American
18 Historical Associations is an invaluable resource of
19 the Warrenton community.

20 I therefore proclaim, and the Town
21 Council hereby proclaims, the month of February 2023
22 as Black History Month for the Town of Warrenton.

1 (Inaudible) the Town Council recognizes
2 the Afro-American Historical Association, their
3 contributions to (inaudible) progress (inaudible)
4 and Karen.

5 And I want to congratulate you
6 (inaudible).

7 (Applause.)

8 MS. WHITE: (Inaudible) and to all of you,
9 today would not be possible had there not have been
10 footprints in the sand that we have to uncover and
11 to document.

12 I pay homage to those before us and
13 those that are often unnamed. So as we proceed on
14 with our next phase of Know Their Names Too, we hope
15 to present to you more names of the
16 African-Americans from our past.

17 Thank you.

18 (Applause.)

19 MAYOR NEVILL: During citizens time on the
20 public hearing issue of the SUP that came forth, all
21 of those who spoke during citizens time during that
22 time, your words and records have been entered into

1 the public comment and will be duly noted for future
2 reference.

3 So if you did speak previously during
4 citizen's time on the issue of the SUP, your input
5 has been recorded into the public record.

6 So at this time it comes to citizen
7 time, where citizens are invited to come to speak on
8 issues of importance to the town. These are not
9 issues regarding the public hearing this evening.

10 So, please, if you're here to speak
11 about the public hearing, reserve your comments
12 until that time.

13 Citizen's time is afforded -- each
14 individual is afforded three minutes, and that
15 three minute's time will be monitored. And we will
16 ask at the three minutes that you yield the floor to
17 the next speaker as there are many speakers to get
18 through.

19 When you do come up, please identify
20 either your address or your ward or magisterial
21 district to identify your location.

22 And at this time we have people -- and

1 I believe Mr. Clouth will call speakers up and will
2 call speakers on deck. So if your name is on deck,
3 please do come to the front -- (loss of audio feed)
4 -- speakers so that we can sufficiently move through
5 this evening and everyone has the right to be heard
6 accordingly.

7 So, Mr. Clough, I'll turn it over to
8 you.

9 MR. CLOUGH: To reiterate, you can come to
10 either lectern.

11 Mr. Mayor, our first speaker is Hope
12 Porter, or Porter Hope. On deck: Feroline
13 Higginson, Charles Cross, Christopher Bonner.

14 For those of you who cannot see, the
15 buzzer and the time indicator is right in the middle
16 of the stage right in front of the TV in front of
17 us.

18 Please state your name, ma'am.

19 MS. PORTER: Good evening, gentlemen.

20 I have been a resident of Warrenton for
21 a century -- almost a century. And I've -- this is
22 the first time I've ever spoken to you-all. I think

1 the Board of Supervisors would say "some guys have
2 all the luck."

3 But I really am so amazed at the
4 public, the response to what is coming before you
5 tonight. I just wish to God we would have had this
6 response when we were fighting our battles 60 years
7 ago. But I think it's wonderful. And I think the
8 people here obviously have a very good cause.

9 And I think that it's -- one thing --
10 only thing I really want to bring up is I don't
11 understand when we have 200 acres in Remington that
12 is zoned specifically for data centers, why is it
13 necessary to have this thing right next to an old
14 folks home and right next to Warrenton which is a
15 famous town?

16 And I think there are so many things
17 wrong with this application, starting with the town
18 manager going to work for -- you know, there's just
19 too many bad things about it. I hope you'll turn it
20 down.

21 Thank you.

22 (Applause.)

1 **MAYOR NEVILL:** Thank you. This is a
2 reminder, again, that this is an opportunity to
3 speak on issues -- this is a reminder --

4 (Applause.)

5 **MAYOR NEVILL:** A reminder that this is time
6 -- if you wish to speak on the SUP, to please
7 reserve your comment for the public hearing time at
8 that moment.

9 **MR. CLOUGH:** Feroline Higginson.

10 **MS. HIGGINSON:** Hello. My name is Feroline
11 Higginson. I live in Rectortown, Virginia. I'm the
12 daughter of the recent speaker, and it seems like I
13 always follow in her footsteps. I wish I could
14 follow them as well as she made them.

15 We are speaking now because my mother
16 couldn't wait until the end of this session for the
17 other speeches.

18 But I want to say that my family and I
19 own a place within a mile of the data center. It is
20 a historic place, and we have owned it for a hundred
21 years. And we -- driving up and down Blackwell
22 Road, as we do on a daily basis, looking at all of

1 those houses and the two schools that are nearby and
2 thinking about how those people are going to listen
3 to the noise is very upsetting.

4 And I also want to say that there was
5 an article in the Washington Post about how all the
6 rich people are trying to stop this data center. If
7 you-all haven't noticed, it's not rich people. It's
8 the people of Warrenton. It's everybody.

9 (Applause.)

10 MR. CLOUGH: Charles Cross. On deck:
11 Christopher Bonner and Rose Wojcik, Dave Wynn, Edwin
12 Ike Broaddus.

13 MR. CROSS: Mayor Nevill and Council, my
14 name is Chuck Cross, and I reside at 606 Galena Way
15 in Warrenton, very close to Old Town.

16 Our family moved to Warrenton in 2018
17 for the same reasons that many have found their way
18 to Warrenton.

19 Mr. Mayor, I've met you twice, but I
20 don't think you'll recall the first time. My wife
21 and I walked downtown one evening and stopped at the
22 Wild Hare to try a cider. She sat at the counter

1 while I stood.

2 After a moment, she turned to me and
3 said, "I think I'm sitting next to the Mayor." We
4 had friendly conversation with you for a bit. And
5 on the walk home, we said to each other, okay.
6 That's exactly why we moved to Warrenton.

7 The second time I met you was in
8 November outside the polling location where we had a
9 very civil discourse on data centers. Although
10 reticent to wade into local politics, I had agreed
11 to hand out some flyers addressing positions counter
12 to yours.

13 That was only three months ago, and
14 what I've learned about the governing process in
15 this town since that day has left not only my head
16 reeling but has drawn me, as it has others, into
17 speaking out on matters that I thought was just the
18 stuff of corrupt big cities.

19 I'm reminding the council --

20 (Applause.)

21 MR. CROSS: I'm reminding the council that
22 good governance is imperative for any public

1 undertaking. Governance helps you to always act in
2 the best interests of your constituents and fulfill
3 your responsibilities in an ethical manner.

4 Governance should never be considered
5 an impediment to accomplishing something.

6 The foundation of governance lies in
7 the law, the code, the policy, and the agreed
8 process for implementing the law and the code. Wrap
9 your code, your policies, and your process in a
10 mantle of ethics, and you have good governance.

11 Good governance is your best friend
12 and everything you do on behalf of yourself and the
13 public. But somewhere along the line, this body and
14 our town staff have ended up taking a different look
15 at governance.

16 Look around this room. The anxiety,
17 outrage, and animosity is palpable, but none of us
18 want to be here doing this, and we're not here as a
19 result of good governance.

20 Mr. Mayor, this lack of governance
21 emerged in 2021 when the town manager led backroom
22 dealings hidden behind non-disclosure agreements.

1 Trust in you and the council fell dramatically when
2 that same town manager was paid back by the company
3 she shepherded quietly past our protective processes
4 and controls.

5 Trust continued to deteriorate as you
6 appointed Mr. Heroux to this council without even
7 investigating his apparent conflicts. His very
8 recent statement that he has no conflict falls far
9 short of the town's code of ethics.

10 And the loss of our trust reached its
11 pinnacle on February --

12 (Applause.)

13 MR. CROSS: Please. I'll run out of time --
14 when you tried to explain to 31 voters who asked you
15 to stop violating the town code of ethics, and in
16 that explanation you not only revealed a
17 misunderstanding of state law and town code, you
18 replied in a dismissive tone to the people who allow
19 you to be in office.

20 A very smart person once said to me, if
21 you're explaining, you're losing.

22 Mr. Mayor and Council, you have a lot

1 of explaining to do.

2 (Applause.)

3 MR. CROSS: Finally, the data center matter
4 is revealing your disregard for governance. Don't
5 think for a second that our concern with your
6 governance failures goes away when Amazon wins. In
7 fact, I think this is where it all begins.

8 Thank you.

9 (Applause.)

10 (Inaudible due to an interruption in audio
11 feed.)

12 MR. CLOUGH: Edwin Ike Broaddus, Josephine
13 Gilbert.

14 MR. BONNER: Mr. Mayor, Council, ladies and
15 gentlemen, my name is Chris Bonner. I live in
16 Warrenton.

17 And I'm not here to talk about the
18 shocking failure of imagination that led to the
19 likelihood of a faceless data center at the gateway
20 to Warrenton, because that's not the worst thing
21 that can happen.

22 The worse thing that can happen is the

1 next data center, and the one after that, and the
2 one after that.

3 (Applause.)

4 MR. BONNER: Amazon is huge. It's used to
5 getting what it wants. Warrenton is small. Please
6 summon the political will to resist Amazon's easy
7 money. In doing so, council will be voting to
8 protect Warrenton's future as a strong and
9 independent small town.

10 Shamefully, the Amazon deal was born in
11 secrecy with the expectation that a compliant Town
12 Council would give the project a green light. Let's
13 change that narrative starting tonight.

14 (Applause.)

15 MR. CLOUGH: Ann Rose Wojcik, Dave Wynn,
16 Edwin Ike Broaddus, Josephine Gilbert, Ann Ziegler.

17 MS. WOJCIK: Ann Rose Wojcik, 621 Meetze
18 Road, Warrenton. Thank you for the opportunity to
19 speak.

20 The following is a children's tale I
21 hope we don't have to tell our children and
22 grandchildren ten years from now. It's called "A

1 Walk on the Greenway."

2 Old Ms. Meetze was excited. It was a
3 bright sunny day and her grandchildren had come for
4 a visit. She said to them, "Children, let's take a
5 walk. The weather is so nice.

6 "Do we have to Grandma," they cried?

7 "Yes," she told them. "It will be good
8 exercise. Wear your ear plugs and you won't hear
9 the buzzing."

10 They shouted, "but we'll still see
11 those awful scary buildings. Why is it called the
12 greenway anyway? We don't see anything green
13 there."

14 Old Ms. Meetze responded, "that's a
15 good question."

16 As they walked by the first big
17 building just behind a tall fence, her
18 granddaughter, Allison, asked, "why do they call
19 them data centers anyway?"

20 Grandma replied, "they have shelves
21 upon shelves of computers that store data for the
22 government and big corporations."

1 But "Grandma, why do they need to be
2 here," Allison asked.

3 "That's a good question," Grandma
4 Meetze replied. She missed the pond, the fields,
5 the farms, and the green space that used to be along
6 the greenway. All the animals had disappeared, too.
7 She sighed and thought to herself, if only the town
8 leaders had not allowed data centers.

9 When they came upon what the children
10 thought looked like the biggest and scariest jungle
11 gym in the world, her grandson, Shepard, shouted,
12 "Grandma, what's that?"

13 "It's called a substation, grandma
14 responded.

15 "What's it for?"

16 "Well, each data center uses more
17 electricity than everybody in the entire town. Two
18 and a half times more.

19 "Wow, that's a lot of electricity.

20 "Yes, the four data centers by the
21 greenway and the one across town need their own
22 substation; and it's a very large one."

1 It was getting late, so they decided to
2 return home. As they walked home, a tear came to
3 old Ms. Meetze's eye. Allison asked, "Grandma, why
4 are you sad?"

5 "Oh, I was just remembering the
6 historic manor with its long driveway, stately
7 pillars, and beautiful gardens that used to be right
8 here. Your mom and dad had their wedding party
9 there. Now, it's a data center."

10 The end.

11 I hope we don't have to tell this scary
12 tale to our children and grandchildren. Please make
13 it a happy ending. It's up to you, members of the
14 Town Council. Don't allow a substation or data
15 centers across the street from us or anywhere in
16 Warrenton.

17 Thank you.

18 (Applause.)

19 MAYOR NEVILL: Just to reiterate that
20 citizen's time is not intended for comments on the
21 public hearing this evening. If you are speaking
22 about the public hearing, your comments this evening

1 will not be entered into the record as they were
2 last time as there may have been some
3 misunderstanding. We've took great pains to make
4 sure that there was clarity on that.

5 So tonight if you are speaking on the
6 data center during citizen's time, that will not go
7 into the public record. Just to clarify that.

8 (Booing.)

9 MR. CLOUGH: Sir.

10 MR. WYNN: My name is David Wynn. I live in
11 Warrenton. I'm the president of Waterloo Property
12 Owners Association, so I'm speaking on behalf of an
13 organization.

14 I graduated from George Mason
15 University with a degree in land planning and real
16 estate and urban development, where I learned about
17 land planning, compatible uses, buffering,
18 transitional land uses, et cetera. I have never
19 seen a plan fail on every metric in my career.

20 I served on my town's planning
21 commission in 1979 while I was still in college
22 where I helped write their comprehensive plan.

1 I have spent 40 years in land planning
2 and site analysis reviewing zoning ordinances, comp
3 plans, and land use plans. Over that time I have
4 never seen a worse land use plan.

5 Starting in 1970 while I was still in
6 high school, I visited Warrenton every weekend on my
7 way to the Shenandoah mountains. I decided then
8 that I would one day live here in Warrenton.

9 In 1999, I purchased land in Warrenton
10 and built a home where I could age in place. The
11 Amazon data center at the Warrenton Training Center
12 one mile away from my house through thick forests
13 and over on the other side of the ridge destroyed my
14 peace and sleep.

15 Several years ago I spoke at this
16 auditorium on a proposed land use plan where I met
17 Hope Porter. Hope Porter is a visionary, role
18 model, and an inspiration. If you do not know Hope
19 Porter's story, you need to learn about it.

20 Hope Porter was moved by what I said
21 that night, and had kind words for me after the
22 meeting. I was honored by her words. I'm inspired

1 by her. She has spent 70 years protecting Fauquier
2 County and the Town of Warrenton.

3 Hope Porter's home, Hopefield, is on
4 the Virginia Register of Historic Places, and is
5 located less than one mile from said center.

6 Warrenton is like a Norman Rockwell
7 painting. Warrenton is unique. I know this from my
8 career traveling around Virginia and Maryland
9 studying and reporting on land use plans.

10 If certain plans are approved by the
11 Town Council, Warrenton's small town charm will be
12 cast aside forevermore in the shadow of a six-story
13 concrete monolith. If DCs -- if data centers are
14 built on the four industrial zoned sites encircling
15 Warrenton, including the one at the Warrenton
16 Training Facility, there will be no escape from them
17 and the visual blight.

18 The viewsheds will be destroyed. There
19 will be visual blight and noise to the north, east,
20 west, and south.

21 My own peace was destroyed when Amazon
22 built a data center at the Warrenton Training Center

1 in 2015. Two more are under construction as we
2 speak there today, and that noise will be tripled.
3 I don't need studies to tell me about the noise.
4 That's my lived experience.

5 We have been looking for a house for my
6 in-laws to purchase in Warrenton. We found one a
7 week ago on Blackwell Road. However, it's a quarter
8 mile from said site. We will not be buying it.

9 Potential buyers will figure this out.
10 It will reduce the market value of the properties,
11 because whenever you reduce potential buyers, you
12 reduce marketability.

13 The result will be assessment appeals.
14 How do I know this? I have personally handled over
15 one billion dollars in assessment appeals as an
16 expert witness. These appeals will be very
17 expensive. How do I know this? I do know this.
18 Warrenton has a Walmart as an example. In 2012
19 Walmart promised big revenues --

20 MAYOR NEVILL: Sir, your time has expired.
21 Thank you.

22 MR. WYNN: I have one sentence to finish.

1 **MAYOR NEVILL:** Finish it.

2 **MR. WYNN:** Walmart promised revenues if you
3 would allow to them to build in 2012. In 2014, they
4 came back and appealed their assessments for 2014
5 through 2019. You are not going to get the revenues
6 you think you're going to get, and it's going to
7 cost you.

8 **MAYOR NEVILL:** Thank you.

9 **MR. CLOUGH:** Edwin Ike Broaddus. On deck:
10 Josephine Gilbert, Anne Ziegler.

11 **MR. BROADDUS:** Good evening, Mayor and Town
12 Council. My name is Ike Broaddus. I'm a county
13 resident who, like many here tonight, love this
14 town.

15 We live five minutes from Warrenton,
16 closer than any other town. My kids attended school
17 here. We have bought our groceries here and most of
18 my Christmas presents in the Old Town for the last
19 27 years.

20 Two years ago we attached ourselves
21 further to the town when we purchased 70 Main Street
22 and became involved as an active participant in the

1 Main Street owner's group.

2 In a word, we love this town. And I'm
3 not here tonight to speak about Amazon again,
4 although, I know you're aware of my wishes to reject
5 the data center application until we have a plan in
6 place where the next one would be allowed and how
7 we'd handle power to the next one and the next one
8 and the one after that.

9 And I hope you-all had a chance to read
10 my suggestions that I emailed earlier about the
11 conditions and the areas that I think we can improve
12 on those conditions before a vote is taken.

13 But instead I'm here to talk tonight
14 about what I've observed in the last month or two as
15 I've become a candidate for the Scott District
16 supervisor race. I learned that the town and county
17 governments at most levels aren't working together
18 as well as they could.

19 Most residents of the town and county
20 don't feel the line that divides our governments.
21 Our kids play soccer together. We are coworkers and
22 friends. We are members of the same community.

1 Businesses in town get most of their revenues from
2 people across the county line. We have a symbiotic
3 relationship, and we want our governments to reflect
4 that.

5 It comes as a surprise to most folks
6 when I tell them that the town actually can annex
7 properties from the county, and then can rezone it
8 for any use it wants without regard to the wishes of
9 its neighbors across the county line.

10 As I meet people in the Scott District,
11 I tell them that my number one priority will be to
12 work with the Town Council and Mayor to build a
13 working relationship that reflects the wishes of the
14 community. I tell them we have big problems to
15 solve, and we need to solve them together. Like, a
16 plan for data centers, a plan for power
17 transmission, and a plan for how to handle the
18 pressure to expand our towns and service districts
19 and to pave over our countryside.

20 I believe you-all love this town and
21 love this county as much as I do. I encourage you
22 to engage with the county government to develop

1 plans everyone can embrace. And until those plans
2 exist, please recognize that every action you take
3 has an impact on more than your own voters.

4 Remember that the town and county are
5 tied to one another through businesses we all
6 support, through friendships we all appreciate, and
7 through a gorgeous rural setting that we all
8 cherish.

9 Thank you.

10 (Applause.)

11 MR. CLOUGH: Josephine Gilbert. On deck:
12 Anne Ziegler, Ken Ohm, Douglas Larson, Shawn
13 O'Donnell.

14 MS. GILBERT: I'm next. Thank you.

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

18 I want to thank the Mayor for giving me
19 the opportunity to sit down for over an hour and
20 discuss the ongoing Saturday morning harassment --
21 my interpretation -- at the courthouse square since
22 June 2020. Yes, two and a half years, and no plans

1 to stop.

2 The Mayor was thoughtful and very open
3 with his point of view. I appreciated this, as it
4 allowed me to do the same.

5 In the end, he believes it's a freedom
6 of speech issue. I don't see it the same way. This
7 ongoing propaganda from a fringe group in our
8 community is divisive and not constructive. It
9 teaches our young people to believe a lie and stand
10 on the corner and complain.

11 A better response would be: How can I
12 help this community? Many opportunities to
13 volunteer at a church, school, Salvation Army, et
14 cetera.

15 One result of this ongoing protection
16 of approximately 50 people from the five to ten
17 patriots on any given Saturday is the cost to the
18 town and, therefore, the taxpayer. I requested a
19 FOIA from this -- for this expense from June 2020 to
20 December 31st, 2022. The police department
21 responded with: This record does not exist.

22 Interesting. They used a provision in

1 the law that does not require them to create a
2 document. Too bad. I wanted to use as close to
3 actual as possible.

4 The acting police chief made a
5 perfunctory call to explain, but when he couldn't
6 reach me initially, he would not respond to phone
7 calls or email. Why?

8 Given my finance background I'm quite
9 comfortable with my assumptions. \$500 a weekend
10 would cover one officer, sometimes two. Sometimes a
11 chief and sometimes a sergeant. Sometimes a
12 lieutenant. Benefits and vehicle expenses.

13 So let's take a look at the numbers.
14 \$500 a week. For 2020, there was 26 weeks. That's
15 \$13,000. 2021, 52 weeks, \$26,000. 2022, another
16 52 weeks, \$26,000.

17 Now, I stopped in December. We're in
18 February. Nevertheless, I've got 130 weeks for a
19 grand total of \$65,000.

20 Is the community okay with this ongoing
21 expense? Is the rest of the council okay with this
22 ongoing expense?

1 I thank you for your service.

2 (Applause.)

3 MR. CLOUGH: Anne Ziegler. On deck: Ken
4 Ohm, Douglas Larson, Shawn O'Donnell, Denise
5 Schefer.

6 MS. ZIEGLER: Good evening, Council. My
7 name is Anne Ziegler. I live in Scott District,
8 also, about three miles out of the city limits, but
9 this is my hometown.

10 I have excerpts from the town code of
11 ethics. Under the mission statement: Provide
12 public safety in an attractive, well-planned
13 community with historic character for the benefit,
14 enjoyment and accessibility of all.

15 Under values: Strive to display
16 honesty, respectfulness, and fairness, support the
17 health and economic well-being of our citizens and
18 preserve our historic small town character.

19 The preamble says: The citizens of
20 Warrenton are entitled to fair, ethical, and
21 accountable local government which has earned the
22 public's full confidence for integrity.

1 Under the act in public interest:
2 Stewardship of the public interest must be the
3 primary concern. Members will work for the common
4 good of the people and not for any private or
5 personal interests.

6 (Applause.)

7 MS. ZIEGLER: Under conflict of interest:
8 In order to assure their impartiality on behalf of
9 the common good, members shall not use their
10 official positions to influence decisions in which
11 they have a financial interest or where they may
12 have an organizational responsibility or a personal
13 relationship that may give the appearance of a
14 conflict of interest.

15 (Applause.)

16 MS. ZIEGLER: They shall abstain from
17 participating in deliberations and decision-making
18 where conflicts may exist.

19 It does not say "unless the town
20 attorney says it's okay."

21 (Laughter.)

22 MS. ZIEGLER: Under gifts and favors: They

1 shall refrain from accepting any gifts, favors, or
2 promises of future benefits which might compromise
3 their judgment or give the appearance of being
4 compromised.

5 (Applause.)

6 MS. ZIEGLER: Under compliance: Members
7 have the responsibility to assure that ethical
8 standards are met and the public can have full
9 confidence in the integrity of the government.

10 Have we had that? No.

11 The Mayor has the responsibility to
12 intervene when violations of the code of ethics are
13 brought to their attention. Clear.

14 But the bottom statement says: A
15 violation of the code of ethics shall not be
16 considered a basis for challenging the validity of a
17 decision.

18 So, therefore, it's all meaningless,
19 right? You can do whatever you want, any time you
20 want, no matter what, no matter who it hurts.

21 (Applause.)

22 MR. CLOUGH: Ken Ohm, Donald Larson, Shawn

1 O'Donnell, Denise Schefer, Owen Schefer.

2 MR. OHM: Good evening. I'm Ken Ohm, and I
3 live in the Town of Warrenton.

4 As I came here tonight I wanted to -- I
5 was thinking about memory, and all sorts of
6 different memory, and I thought, well, elephants
7 have really good memory. I remember in Botswana
8 they always remember -- elephants could tell where
9 their watering holes were. They always remembered
10 that.

11 Another thing with a good morning
12 memory -- another person that I know is my wife. My
13 wife remembers through 40 years of marriage every
14 mistake I've ever made.

15 (Laughter.)

16 MR. OHM: And probably every good one. And
17 she usually says the only reason I open my mouth is
18 to stick my other foot in it.

19 I can also think of another group that
20 has a long memory; and that's this group, we the
21 people.

22 Government that is open and processes

1 that are fair can withstand the light of day. And
2 so it brought me to thinking about the FOIA
3 documents, which basically -- that we tried to get
4 and were not released. And I thought if this is
5 really open and there's nothing to hide, why would
6 you not -- why wouldn't you just basically say
7 here's all the Mayor's emails, here's all of Brandie
8 Schaeffer's? What do we have to hide here?

9 Because -- and the same thing goes,
10 actually, with the non-disclosure agreements. I
11 would go -- and I will suggest to you that we the
12 people here, we will remember that, and we have a
13 good memory.

14 This has not been a collective
15 decision. You never asked the citizens of Warrenton
16 if we wanted a data center, any data center, in our
17 town. It has been a decision of a few people acting
18 in secret.

19 And here's something you can take to
20 the bank: We will remember. We will remember how
21 you vote tonight. The one thing we will do is --

22 UNIDENTIFIED SPEAKER: (Indiscernible.)

1 MR. OHM: -- we will remember.

2 Thank you.

3 MR. LARSON: I'm Douglas Larson. I live in
4 the Town of Warrenton. And I'll be brief. I've
5 spoken to you in the past about my feelings about
6 the data center, and I won't address that.

7 I do wish to remind you-all of what I
8 feel is a central responsibility, not only of our
9 elected officials, but all of us in this room, and
10 that is to preserve and protect this very unique and
11 special resource that we all share called the Town
12 of Warrenton.

13 (Applause.)

14 MR. LARSON: For 20 years -- for 20 years, I
15 was the director of the Arlie Foundation; and as
16 part of my role there, I was responsible for the
17 marketing of that facility just on the edge of
18 Warrenton. And in that time we relied almost
19 totally on the idea that Arlie was this wonderful
20 place within an hour of the crowded urban
21 environment of Washington, a wonderful place that
22 people could come and get away from the distractions

1 and address the subject at hand.

2 It is this authenticity that people
3 seek today in their daily lives. While other
4 communities try to replicate a Main Street, we have
5 a Main Street that is charming. While other
6 communities try to replicate old buildings, we have
7 beautiful buildings that are over 200 years old that
8 line our streets. We have a courthouse that is an
9 exemplary piece of architecture. We have
10 authenticity, which is what so many of the people
11 today are searching for.

12 To do anything that hampers the
13 authenticity of the little jewel that we have here
14 in the Town of Warrenton puts in jeopardy all of the
15 Experience Old Town efforts to bring tourism and
16 bring people to our town. They are not coming to
17 look at cinder block construction and expansive
18 electric transmission lines. They are coming for
19 the authenticity that we find ourselves in jeopardy
20 of losing.

21 Thank you very much for your time.

22 MR. O'DONNELL: My name is Sean. I live at

1 52 Blue Ridge Street. I wrote a poem about fishing
2 at Lake Brittle in the summer, and it was inspired
3 by Mike McClintock.

4 My mother formatted this for me, and I
5 had suggestions from my family.

6 I sat by Lake Brittle, I looked at the
7 sky. And as I looked, a neighbor went by. A
8 neighbor went by, he said, by the nations I saw them
9 shake. He shook with frustrations. And when I
10 asked what was the trouble, he answered me on the
11 double, I haven't slept in one whole year. There's
12 a terrible noise in my ear.

13 (Laughter.)

14 MR. O'DONNELL: The neighbor went past.
15 Another came fast. I asked this neighbor, I asked
16 him, why? Why do you want to leave Warrenton? Why?

17 My neighbor said, me? Why leave this
18 town? My house, it might fall down. I read it
19 happened in Prince William County. My foundation
20 has cracks. Just look and see.

21 The Mayor came up with one big hop.
22 The Mayor came up and I said stop. Stop, stop,

1 stop, I told Mr. Carter. He shouted, I didn't make
2 this barter. Dominion is digging in my yard. I
3 wish I could put them behind bars.

4 Along came some children along with
5 their dad. He said, things have gotten incredibly
6 bad. I thought our officials would represent us.
7 Now we are leaving by plane, train, or bus.

8 Away past Lake Brittle ran a cat and a
9 dog. Away past Lake Brittle swam a fish and a frog.
10 I asked the frog, why do you flee from your blog,
11 Mr. Frog? The frog said, me? I have no blog. It's
12 been ruined and they took my log. I've come to Lake
13 Brittle for a log to live on. I hope it isn't sold
14 to Amazon.

15 (Laughter.)

16 MR. O'DONNELL: I sat by Lake Brittle, I
17 looked at the sky. And as I closed my eyes, I
18 started to cry.

19 (Applause.)

20 MR. CLOUGH: Denise Schefer, Owen Schefer.
21 On deck: Susan Whitus, Patricia Drunagel, John
22 Benedict.

1 MS. SCHEFER: Good evening. My name is
2 Denise Schefer. I live at 6080 Whippoorwill Drive
3 in Warrenton, and I also have a townhouse at 40
4 Morton Ridge in Ward 1.

5 I've lived in Warrenton for 25 years,
6 and I've been following local politics closely for
7 the last nine months. To say the least, it's been a
8 very frustrating nine months.

9 You guys are public servants and you
10 ran for your position or were appointed so that you
11 could serve in the best interests of the town people
12 that you see sitting before you.

13 Who better to tell you what is in their
14 best interests than the town residents themselves?
15 Listen to your citizens. They are joined by county
16 residents as the decisions you are making tonight
17 and in the coming months will have a big impact on
18 them, as well.

19 Don't discount the county residents
20 coming before you.

21 We have experts in our community that
22 have spoken during public hearings and had offered

1 to share their knowledge with you further, but their
2 offers have been ignored by the majority of you.

3 Why?

4 Your staff doesn't have the expertise
5 to address some of these issues, and you aren't
6 hiring companies to do studies for you or get
7 outside opinions, so why not become educated from
8 people in this community that have spent 20, 30, or
9 40 more years doing exactly that?

10 Why are you not taking advantage of the
11 experience and the time they are offering you?

12 Filling your council and Mayoral seat
13 is a privilege, and if you don't see the people
14 sitting before you as your greatest asset and you
15 don't vote in their best interests, then you
16 shouldn't continue to fill the seat.

17 Thank you.

18 MR. SCHEFER: Hi. My name is Owen Schefer.
19 Same address, 6080 Whippoorwill Drive. As my wife
20 mentioned, we also have a townhouse in Ward 1.

21 I've actually been in the county a
22 little bit longer, since '87, when my parents moved

1 out here and we decided to settle out here.

2 UNIDENTIFIED SPEAKER: (Inaudible.)

3 MR. SCHEFER: Oh, sorry.

4 The Town Council, along with many
5 others, put a huge amount of effort into developing
6 the Warrenton 2040 comprehensive plan. Input was
7 taken from all kinds of sources, even including
8 input from some 1,000 students via postcards. Some
9 as young as 5 years old. Everybody got to give
10 input.

11 Previous documents were adopted,
12 including ones on character districts, economic
13 white papers, housing analysis, just to name a few.
14 Over two years went into this. The 2040 plan is
15 quite inspiring as one starts to read through it.
16 The passion and effort really shows.

17 The plan of Warrenton 2040-vision, your
18 town, your neighborhood, your plan.

19 But who is driving that plan? We have
20 an inspiring plan that all this hard work and effort
21 went into, but now who is implementing it? Why
22 isn't the town, the council, staff, economic

1 development, planning all soliciting developers to
2 come and build the plan? Instead we sit back and
3 hope people will come and build your dream.

4 When developers do approach and it
5 doesn't match our plan, we hear some of the
6 councilmembers make comments like, well, we haven't
7 done anything else, so we might as well do this.
8 It seems the plan was made, and then we
9 sit back and wait for it to happen.

10 I've taken the time to draw out
11 pictures of my home garden, and I had a plan. It
12 was going to look good. But then I didn't take the
13 next steps to drive towards my goal. But rather I
14 sat back and I just watched it grow. And what did I
15 get? I got growth, but it was weeds.

16 Remember, you're in the driver's seat.
17 You're not in the back seat. Steer the town to
18 where we've all decided we want it to go in the 2040
19 comprehensive plan.

20 Stick to your vision: Your town, your
21 neighborhood, your plan. Don't sit and wait for it
22 to happen. Make it happen.

1 Thank you.

2 (Applause.)

3 MR. CLOUGH: Susan Whitus, Patricia
4 Drunagel, John Benedict, Roseanne Woodruff, Eric
5 Gagnon.

6 MR. BENEDICT: All right. Well, I'm John
7 Benedict, and I live at 23349 Parsons Road in
8 Middleburg.

9 UNIDENTIFIED SPEAKER: We can't hear.

10 MR. BENEDICT: Okay. And -- there we go.

11 All right. Again, John Benedict, 23349
12 Parsons Road in Middleburg.

13 Like many people I'm concerned about
14 ethics in government. It's too easy for people in
15 public roles to let themselves be put into
16 inappropriate positions, they may not even realize
17 when it's happened.

18 Ethics is more than simply not
19 violating law or misusing office for personal gain.
20 It's about conducting yourself in a manner that
21 allows everyone, even those who disagree with you,
22 to have confidence in the integrity of town

1 government.

2 (Applause.)

3 MR. BENEDICT: That's why -- that's why
4 Warrenton's code of ethics appropriately provides
5 that its public officials, among other things, are
6 to do the following: They are to comply with both
7 the letter and the spirit of laws and policies; they
8 are to comply with laws pertaining to conflicts of
9 interest, as well as open processes of government;
10 they are to maintain professional and personal
11 conduct above reproach and even avoid the
12 appearance of impropriety.

13 They are not to act to serve in public
14 interests -- for public interest -- private
15 interests, excuse me. They are not to influence
16 decisions where they have an organizational
17 responsibility or a personal relationship that could
18 give the appearance of a conflict of interest.

19 They are to abstain from participating
20 in deliberations or decision-making where conflict
21 of interest might exist. And they're to respect the
22 independence of boards, committees, and commissions.

1 When focused on a big issue it can be
2 easy to rationalize letting irregularities slide;
3 withholding information; and notably, letting
4 interested outside parties maneuver you into doing
5 what many would see as inconsistent with the code.

6 Most violations of ethics aren't really
7 intentional, and some are even unaware. But it's
8 not what you think that matters; it's what others
9 could perceive. The appearance of a violation is
10 enough to require members or the Mayor to act.

11 I appreciate that the council have
12 committed themselves to follow the code of ethics.
13 But please remember, whenever there's doubt in your
14 minds or among many in the public, you owe it to
15 them to stop and change course.

16 Thank you.

17 (Applause.)

18 MR. CLOUGH: Susan Whitus, Patricia
19 Drunagel, Roseanne Woodruff, Eric Gagnon, Christina
20 Gagnon.

21 MS. WHITUS: My name is Susan Whitus. I
22 live at 99 Brookshire Drive in Warrenton.

1 I came here tonight -- I've never been
2 to one of these before, and I'm not really sure how
3 these things work. But I came here tonight because
4 I am -- I'm really concerned about my health and the
5 health of the townspeople that I am friends with.
6 And I hate to think of anybody suffering due to this
7 -- to this building, this proposed project.

8 I had -- in the time since I've moved
9 into Warrenton, there was a building built behind my
10 own home. It's not quite as big as a data center,
11 but it's pretty loud at times, especially like the
12 fan that runs. And it has affected my own health.
13 And I shudder to think of how many people may be
14 affected due to this building.

15 I care about my health. And as I care
16 about my own, I care about everybody's, especially
17 my fellow townspeople. And I love this town, too.
18 It's very beautiful.

19 So, thank you.

20 (Applause.)

21 MR. CLOUGH: Patricia Drunagel, Roseanne
22 Woodruff, Eric Gagnon, Christina Gagnon.

1 MS. DRUNAGEL: Hi. I'm Patricia Drunagel.

2 And I live on Vint Hill Road in Warrenton.

3 And I'm sure many others here do not
4 want to speak tonight, but I was told that if you
5 didn't speak, then Amazon assumes we want the
6 center. Amazon should not assume anything.

7 Our small town is special the way it
8 is, and it needs to stay this way. Say no thanks to
9 the Amazon proposal now and in the future.

10 Thank you.

11 (Applause.)

12 MR. CLOUGH: Roseanne Woodruff.

13 MR. WOODRUFF: Roseanne L. Woodruff, 9255
14 Tournament Drive, Warrenton, Virginia 20186.

15 Since I can't improve upon the
16 wonderful analysis -- the excellent analysis that my
17 fellow citizens have already presented to you and
18 the heartfelt messages from so many of them, I just
19 want to reminisce a bit.

20 A few months ago when you were pursuing
21 the Warrenton plan and you were talking about
22 sprucing up houses that looked like they had fallen

1 behind and helping the underserved to get up to par
2 with service -- that's what I understood and read
3 about.

4 So you have these noble plans, and then
5 all of a sudden there was a pivot to the great
6 disruptor that is this Amazon data center. And we
7 go from the quaint historic town brand, to the tech
8 corridor brand that doesn't seem to benefit anyone
9 in the town; and it has so many negative aspects
10 that could linger and disturb us forever, for the
11 rest of our lives.

12 And it just seems like such a diversion
13 from all of these noble goals and the wonderful
14 things that you had planned.

15 So it's very hard for me to understand
16 how this all came about and why this wasn't rejected
17 before, because it just seemed like such a bad idea
18 from every point of view.

19 I don't see any benefit to the citizens
20 of Warrenton and the surrounding county. I just
21 don't see any benefit. I see so many negatives, and
22 I see the focus being diverted from what is good and

1 noble and what you actually need to do and what we
2 need you to do, to this horrific nightmare that is
3 the Amazon data center.

4 And, you know, maybe we could end up
5 being a little town that's just kind of a corporate
6 town, which is not what we're after.

7 So I don't understand it, and I'm still
8 looking for explanations how all of this occurred or
9 why we're even still pursuing this.

10 You know, given the pros and cons, the
11 balance sheet, when you put it there, it just seems
12 like such a bad idea that will disturb us, disrupt
13 us, and ruin our community forever. And I just -- I
14 can't understand it, so I'd like some explanations.

15 Thank you.

16 (Applause.)

17 MR. CLOUGH: Eric Gagnon, Christina Gagnon,
18 Peggy DiVincenzo, Jimmy Stone, Jeffrey Martin.

19 MR. GAGNON: My name is Eric Gagnon, and my
20 wife and I live at 200 Winchester Street.

21 Last month I came here and talked about
22 Councilmember Jay Heroux's apparent conflict of

1 interest before the Town Council.

2 Paragraph 8 of our town's own code of
3 ethics says that a council member shall not
4 influence government decisions where organizational
5 responsibility or a personal relationship may give
6 the appearance of a conflict of interest.

7 Mr. Heroux has minimized his conflict,
8 but I've spoken with many of my neighbors in Ward 5
9 and have shown them examples from your company's own
10 website. They tell me your company's ties certainly
11 give the appearance of a conflict of interest at the
12 very least.

13 They also say they wonder why somebody
14 didn't find out about this conflict issue before and
15 prevent you from even being involved in this matter
16 from the beginning.

17 (Applause.)

18 MR. GAGNON: Last week -- last week we
19 received a Conflict of Interests Act declaration
20 from Mr. Heroux. This declaration minimizes your
21 company's conflict, but it also states that your
22 role is business development. In other words,

1 sales.

2 Now, I've been in sales and marketing
3 for technology companies for over 50 years, and I
4 know that in sales, relationships matter.

5 If Mr. Heroux votes in favor tonight,
6 it's going to open a lot of doors for his company,
7 meaning new contacts and sales leads from potential
8 prospects by way of the influence he has exerted in
9 this vote.

10 Under our town code of ethics, this
11 puts him in an organizational responsibility and in
12 a personal relationship that would give the
13 appearance of a conflict of interest.

14 Last week, the Mayor issued a statement
15 saying that state law overrides any local conflict
16 of interest rules, and that there is no conflict.
17 If this is true -- if this is true -- and it isn't
18 true -- then why even have a town code of ethics at
19 all if you won't enforce it?

20 (Applause.)

21 MR. GAGNON: And if 47 of our neighbors in
22 Ward 5, including three living on the street where

1 you live, Mr. Heroux, saw the obvious appearance of
2 a conflict and signed an open letter urging your
3 refusal, then does what they say even matter here?

4 This is just one example of the many
5 ways this Town Council under the Mayor's leadership
6 has detached itself from the will of the people of
7 Warrenton.

8 (Applause.)

9 MR. GAGNON: Councilmembers who have any
10 hope of reelection or election to the council or to
11 county office should think very carefully about this
12 when they cast their vote tonight.

13 MAYOR NEVILL: Thank you, sir.

14 MS. GAGNON: My name is Christina Gagnon,
15 Ward 5, Warrenton.

16 I'm so happy to see how many town and
17 county citizens have come out tonight to get
18 involved in our local government; and I hope this
19 involvement continues into the future, because there
20 is so many town issues that need the citizens'
21 input.

22 There's an organizational chart that

1 I'm sure you're all familiar with in the Warrenton
2 Town Council handbook. It illustrates the level of
3 power and authority for each branch of the town
4 government and the relationships to each other. At
5 the top are the town's citizens. Underneath that
6 are all the other branches of our local government.
7 So we the citizens are at the top,
8 bearing the most authority and the most
9 responsibility for guaranteeing that our rights are
10 safeguarded and our laws and ordinances reflect what
11 is guaranteed in our constitution, both state and
12 federal.

13 Only the circuit court is shown
14 slightly higher on the chart because that's where we
15 go first to adjudicate any conflicts between the
16 citizens and the decision making made within our
17 town government.

18 I would clarify this chart by adding
19 the words "the rule of law" next to the circuit
20 court, because no court bureaucracy is the guiding
21 light of our political system, but instead it is the
22 rule of law.

1 Citizens have redress to previous court
2 rulings if they can show that the law has not been
3 faithfully followed.

4 That's why I'm so happy and optimistic
5 tonight seeing all my fellow citizens taking the
6 responsibility of citizenship seriously by showing
7 up and getting involved regardless of where they
8 come down on any given issue.

9 And this tremendous involvement from
10 our community gives me the faith and belief that in
11 the long run, the rule of law will prevail.

12 Thank you.

13 (Applause.)

14 MR. CLOUGH: Peggy DiVincenzo, Jimmy Stone,
15 Jeffrey Martin, Allen Dianic, Kevin Kaher (ph).

16 MS. DIVINCENZO: Good evening. My name is
17 Peggy Divincenzo. I live at 428 Falmouth Street,
18 and I've been in Warrenton for just under five
19 years.

20 I grew up in a small town, and one of
21 the things that attracted me about Warrenton was
22 that feeling, the feeling of being in a small town;

1 and also having a sense of community after living in
2 Fairfax County for, I guess, the last -- previous
3 30 years.

4 So I've certainly been following all of
5 this controversy, and I'm very sad to think that the
6 sense of community and the beauty and the character
7 of Warrenton could be changed by one really, you
8 know, cataclysmic decision to turn it into something
9 else.

10 And even though I haven't been here
11 that long, I -- it was part of the reason that I
12 came here. It's more affordable, and it feels like
13 the place that I grew up: Beautiful physically, a
14 sense of community, a sense of connection with
15 people, and the lack of the impersonal that I
16 experienced for most of the time that I was closer
17 into Fairfax County and D.C.

18 You know, it feels like this is a very
19 important turning point for this town, and I think
20 that you have this tremendous opportunity to be true
21 to the vision of what Warrenton was set out to be
22 many years ago, but also to prevent the sense of

1 community to dissipate and the sense of
2 dissatisfaction to become prominent, the sense of a
3 lack of confidence.

4 But you know, you've heard from so many
5 people in previous meetings and this evening, and
6 you'll hear from more; and I think it's really
7 absolutely critical if you want to maintain the
8 sense of community and the sense of character of
9 this town and what it has been for all of those
10 years that I admired it so much before I moved here.

11 I think that it's going to be important
12 to really make the right decision.

13 You know, gentlemen, read the room.

14 UNIDENTIFIED SPEAKER: Amen.

15 MS. DIVINCENZO: Thank you.

16 MR. CLOUGH: Jimmy Stone, Jeffrey Martin.

17 MR. STONE: I'm Jimmy Stone. I live in
18 Cedar Run District.

19 I've been in Fauquier County for
20 30 years since my 30-year career in the United
21 States military and foreign service overseas where I
22 worked with many, many governments. Six on three

1 continents.

2 And coming here, I had the privilege
3 and pleasure of serving for nine years on Fauquier
4 County's planning commission. And I have to say
5 that when I worked with the planning commission and
6 the supervisors and the staff of this county, I
7 found something very close to perfection in terms of
8 the honesty, openness, dedication, and integrity of
9 government. I wish I could see that here.

10 I worked on dozens of land use
11 applications. I can't remember any decisions by
12 commissioners or supervisors that were made in the
13 dark with winks and nods; and this application
14 simply reeks of that.

15 (Applause.)

16 MR. STONE: Enough has been said about the
17 faults and the lapses in this application. I have
18 to say I believe filling the gaps will only weaken
19 the case for it, and so I would just deep six it,
20 gentlemen, and start over in the light of day or not
21 at all.

22 (Applause.)

1 MR. CLOUGH: Jeffrey Martin, Allan Dianic.

2 MR. MARTIN: Good evening. My name is
3 Jeffrey Martin. I'm at 185 North View Circle,
4 Warrenton.

5 I remember driving through this small
6 town shortly after graduating high school every time
7 I'd go to see my grandparents in Pennsylvania. I
8 fell in love with the town, could always picture
9 myself living here.

10 After my time in the military and a few
11 years working on the eastern side in Washington,
12 D.C., I finally made a transfer and was able to move
13 with my wife here from Fredericksburg in 2020, and
14 have loved it ever since.

15 Moving here from Fredericksburg I
16 wanted to get away from the noise of that area.
17 Now, there's a plan to put a large noise generator
18 within eyesight of my house. I just can't believe
19 it, that we would want to influence the beauty of
20 this town by building an eyesore that's going to
21 ruin the lives and living conditions of so many.

22 I'm not going to stand here and go

1 through all the questionable actions taken by this
2 Town Council and their predecessors. We've heard it
3 enough. I hope you've listened to it throughout
4 this, rather than just looking down and not making
5 eye contact at all whatsoever to someone who is
6 speaking.

7 (Applause.)

8 MR. MARTIN: Thanks for looking up.

9 This is my first time speaking at a
10 town event such as this, and I'm proud of my town.

11 (Applause.)

12 MR. MARTIN: And I'm proud that so many
13 people have come out to speak. And I hope you will
14 take the time to listen to them and do their will.

15 I have not heard anyone in any of the
16 planning commission meetings or council meetings
17 that I've been at that has actually come out who is
18 not paid by Amazon to speak in favor of this
19 application.

20 (Applause.)

21 MR. MARTIN: So by that, I hope that you as
22 a Town Council listen to the will of the people and

1 do your jobs and forgot about this application.

2 Thank you for your time.

3 (Applause.)

4 MR. CLOUGH: Jeffrey Martin, Allan Dianic,
5 Kevin Kaher. Jeffrey Grambo.

6 MR. DIANIC: Good evening. My name is Allan
7 Dianic. I live on Spy Plane Lane in Warrenton.
8 Probably the most memorable street name there is in
9 Virginia.

10 And I want to thank you for the
11 opportunity to speak to you tonight. This is not
12 something I do often. I'd actually rather be home
13 with my wife enjoying Valentine's evening.

14 But we moved here 11 years ago from
15 Florida. I grew up in Florida. To give context, I
16 lived in Florida before Disney was built. I lived
17 in Florida when they launched Apollo 8. I watched
18 it go up.

19 What I saw in Florida was very
20 interesting. We saw growth. I left for the
21 military. I came back. I saw more growth. I saw a
22 couple of kinds of growth. There were some that

1 were public-private partnerships. They managed
2 their growth.

3 There were many beachside communities
4 that were beautiful. Some of them -- one of them, I
5 remember, just north of where we lived. It was
6 called Indian Rocks Beach. A beautiful area.
7 Nothing was taller than a palm tree.

8 Over the years I went back one year,
9 and there was nothing but 20-story condominiums
10 lining the beach. From Gulf Boulevard you cannot
11 see the Gulf. That was not a public-private
12 partnership. There was no community. It was
13 largely an absentee area. The character of that
14 beautiful little town was lost.

15 We go further south, towns like
16 Redington Shores and Pass-a-Grille very strongly
17 advocated for height restrictions and advocated for
18 controls on architecture. Those towns remain very
19 nice, particularly Pass-a-Grille, when compared to
20 some of the beautiful little coastal towns in New
21 England. They worked very hard for their south Anna
22 Maria Island.

1 Holmes Beach. We know some of the
2 owners down there of hotels, and they've fought
3 pitch battles with big money and large institutions
4 trying to take over the beach. They're one of the
5 few communities in that area that survived where
6 nothing is taller than a palm tree. They thrive.
7 They have very good business. And people come from
8 all over the state, particularly Floridians, to see
9 a little bit of what's left of old Florida.

10 So when we look at the future, the most
11 important thing that you should consider here is the
12 public-private partnership and the trust that we
13 have to have between those of us in the citizenry
14 and those of us who were honored to serve.

15 We saw in Florida -- and one of the
16 things that made us want to move up here was the
17 beauty of the area up here, the hills, the
18 mountains, and how can you see -- from Warrenton you
19 can see the Shenandoah. You can see the beautiful
20 hills in this area.

21 But I'm also reminded of areas in
22 Florida where you cannot see the Gulf from Gulf

1 Boulevard. You cannot see the Atlantic from A1A,
2 50 yards away, because tall buildings have been
3 built because Town Councils sold beachfront property
4 that had been preserved to build several large
5 buildings that are eyesores and block the ocean and
6 block the pleasure of the people.

7 So as we think of things going forward,
8 this partnership, we've heard many people tonight
9 talk about Warrenton. We have lived here 11 years.
10 It's absolutely a beautiful place to live. I'm very
11 glad we moved here. Please preserve it as the
12 special place that it is. I want my children to
13 grow up looking west and seeing the Shenandoah.

14 MR. CLOUGH: Jeffrey Martin, Kevin Kaher,
15 Jeffrey Grambo, Richard Keister, Owen Paun.

16 MR. KAHER: Hi, my name is Kevin Kaher. I
17 grew up in Warrenton. I just recently moved back to
18 the area.

19 Jay Heroux should recuse himself from
20 the vote on the Amazon data center.

21 (Applause.)

22 MR. KAHER: In the town ethics, it says

1 members will conduct themselves in an ethical manner
2 to earn and maintain the public's full confidence
3 and integrity. One of these councilmembers works
4 for a company that states on their website that they
5 are partners with AWS. That's more than just
6 associates.

7 This is a clear violation of town
8 ethics, even just the appearance of a conflict of
9 interest. The potential for your employee, the town
10 attorney, to have agreed with you this is not a
11 violation is partial at best. It would have been
12 more ethical for this matter to be run through the
13 Commonwealth's attorney.

14 And, again, the integrity of this body
15 demands that he recuse himself.

16 I was an United States Army officer,
17 combat veteran and company commander. They say you
18 learn more from bad leadership than good leadership.
19 Mr. Mayor, I don't see any leadership.

20 (Applause.)

21 MR. KAHER: Be a leader, do your job.

22 I would also remind the rest of the

1 council of the oath that you swore. When making any
2 decision, you swear to represent the people of
3 Warrenton, not politics, corporations, or self
4 interest.

5 Thank you very much.

6 (Applause.)

7 MR. CLOUGH: Jeffrey Martin, Jeffrey Grambo,
8 Richard Keister, Owen Paun, Kevin (indiscernible).

9 MR. GRAMBO: Too many Jeffreys here.

10 Good evening, Town Council and Mayor.
11 My name is Jeffrey Grambo. I live at 300 Winchester
12 Street, and have been a Town of Warrenton resident
13 for over 18 years.

14 Please tell me why this SUP is good for
15 the town. Tell me what I'm missing if it's such a
16 good idea. I've emailed you. No one has come back
17 with, hey, it's a good reason. Here is my good
18 reason. This is why we need it.

19 Why does Warrenton have to become, you
20 know -- excuse me. How does Warrenton become a more
21 attractive place to live with a data center as a
22 welcome mat?

1 Have you councilmembers done your
2 research? Have you been looking at the newspapers?
3 What do neighboring jurisdictions -- are they happy
4 with the data centers they now have to live with?
5 Are these large buildings an attraction to the
6 community? Is the constant drumbeat of noise
7 something they want?

8 Let's not forgot about the tax revenue
9 these centers are supposed to bring, with a promise
10 that seems to be constantly coming up short.

11 If there are councilmembers that
12 believe that the majority of the town residents
13 favor this data center, well, then let's have that
14 question put to a vote where the people can vote.

15 (Applause.)

16 MR. GRAMBO: Let them decide. Let the
17 people decide, not a couple of figureheads.

18 The overwhelming majority who oppose
19 this data center must be invisible to those members.
20 If such an overwhelming majority of citizens are
21 opposed to the data center, how can you be for it?
22 Have you no sense of duty or obligation to the

1 citizens?

2 All that was done in the dark to
3 advance the data center application will come to
4 light. These rules you must comply with. Your Open
5 Meetings Act is to keep business of the council open
6 and transparent to the citizens.

7 I sit as a trustee on a board
8 responsible for billions of dollars. Not millions.
9 Billions. If I met with principals about investment
10 rewards that were not open to the public, I would be
11 going to jail.

12 I urge you to deny this special use
13 permit.

14 Thank you.

15 (Applause.)

16 MR. KEISTER: Good evening. My name is
17 Richard Keister, 560 Highland Town here in
18 Warrenton.

19 And I think our last two speakers there
20 hit a couple of really good spots, a couple good
21 points that are absolutely essential to what's going
22 on here tonight.

1 Everybody who has an elected office has
2 an oath. Federal level, state level, local level.
3 Now, we have enough problems at the national level.
4 It doesn't matter what your political persuasion is.
5 It's on both sides. And we can't affect that very
6 much at our level.

7 State, very much the same thing.

8 But we shouldn't be having the
9 contentious situation we have here today because the
10 citizenry out here clearly does not want this data
11 center.

12 I mean, is there anyone here tonight
13 who wants this?

14 MR. KEISTER: Now, I understand -- I
15 understand in politics some people want something,
16 some people don't. Some people are right in the
17 middle, and they don't care. But people are
18 affected by the decision you make. The vote you
19 make tonight will materially affect the way people
20 live their lives.

21 It will affect their finances on the
22 value of the properties that they have purchased,

1 and it is a betrayal of the trust that people who
2 come into this community, buy property, establish a
3 life, because a plan was in place, zoning was in
4 place, and now it has been changed.

5 People don't make decisions based on
6 what somebody might do five years from now. They
7 make decisions based on what's going on, what does
8 the city say we want to do, what is in place, what
9 are the safeguards that I have for my life, for my
10 family's life, and for my community's life.

11 And the one thing is you are public
12 servants. You did take an oath of office. The
13 simple thing here is to do the right thing, the
14 right thing for the citizenry of this town.

15 (Applause.)

16 MR. KEISTER: It's not a hard thing to do.
17 It may not be what you necessarily personally
18 believe is the right thing to do. It may not be
19 what you want to do. But it is your job as a public
20 servant.

21 And you are a local public servant. We
22 should not have to fight so hard to have our voices

1 heard.

2 And I do hope that tonight, and through
3 all the other meetings that have been held on this,
4 that you understand the local citizenry does not
5 want this. They don't want it in the future either.

6 We've seen what's been going on in
7 other communities. It doesn't have to happen here.
8 You are the people who can prevent that. Stand up
9 and do the right thing.

10 Thank you.

11 MR. CLOUGH: Owen Paun. Owen Paun. Kevin
12 Cass (ph), Cynthia Burbank, David Gibson.

13 MR. PAUN: Hi. My name is Owen Paun. I
14 live at 786 General Wallace Court. And I would like
15 to respect the wishes of the Town Council and defer
16 my comments to the public hearing so that they will
17 be on record.

18 UNIDENTIFIED SPEAKER: Good evening. I work
19 for PEC, but I want to make some general remarks
20 tonight.

21 I was hired by PEC in 2021 right as
22 this issue was coming to light. And where I worked

1 before in the development industry, we typically
2 left engagement with residents up to others.

3 So after getting involved, I've been
4 blown away by the passion and depth of knowledge
5 that the town and county residents have brought
6 throughout this entire process; and I know they'll
7 approach the number of issues that we may face in
8 the future that might arise with that same tenacity
9 and determination, whether the impacts are more data
10 centers, the siting of new energy infrastructure
11 that they rely on, or the diesel emissions from data
12 center generators that might result from the
13 variants that DEQ is currently considering.

14 And for any of those issues, I would
15 urge you-all to consider the big picture impacts and
16 the impacts both on and off site like you would any
17 other proposal.

18 Thanks for the work you do, and thanks
19 to everyone for coming up tonight.

20 (Applause.)

21 UNIDENTIFIED SPEAKER: All the comments are
22 clearly about the public hearing agenda for the data

1 center. If all these comments are supposed to be on
2 the public record, why don't you just go forward
3 with the public hearing (inaudible) --

4 (Applause.)

5 UNIDENTIFIED SPEAKER: Mayor, to be fair to
6 anybody who is here to speak about a non-SUP matter,
7 we should continue with the public hearing so they
8 don't have to wait until all the comments --

9 UNIDENTIFIED SPEAKER: There's a young man
10 here who wants to speak (indiscernible.)

11 UNIDENTIFIED SPEAKER: If somebody wants to
12 speak about a non-SUP matter, then they should be
13 able to speak during citizen's time.

14 MAYOR NEVILL: So to clarify, we can ask
15 anybody who is not wishing to speak on the SUP to
16 speak now, and then we move to the public hearing?

17 UNIDENTIFIED SPEAKER: Of course.

18 MAYOR NEVILL: So is there anybody who is
19 here signed up for citizens' time who does not wish
20 to speak on the matter of the SUP?

21 (Laughter.)

22 MAYOR NEVILL: Perfect timing.

1 MR. GIBSON: Let's talk about land. Let's
2 talk about land, because this isn't really about
3 Amazon or a data center. It's about land.

4 I'm Dave Gibson. I live at 7548 Fox
5 View Drive, one half mile from here. I've lived in
6 Warrenton for ten years. I'm a refugee from Tysons
7 Corner.

8 (Laughter.)

9 MR. GIBSON: And I'm very happy to be here.
10 Always have been. When my wife and I got here, we
11 both dug in. We joined several different
12 organizations. I did some weekend auditing for the
13 Virginia Outdoor Foundation. I'm now on the
14 advisory board to the AG forestal committee for the
15 county. I'm proud to be a member of the board of
16 citizens for Fauquier County.

17 (Applause.)

18 MR. GIBSON: I have brought -- I have
19 brought 40 years of experience in 50 countries to a
20 little business on environmental consulting that I
21 run out of my home here in Warrenton; and I think
22 I'm making a difference, and I'm trying awful hard.

1 So let me -- Mark Twain once said "Buy
2 land. They don't make it anymore." Okay. "Buy
3 land. They don't make it anymore."

4 Well, they don't. And when you do
5 things like drop solar farms or data centers or
6 things that really don't belong in a rural
7 landscape, you're taking away some of those finite
8 resources.

9 So Fauquier is an extraordinary place.
10 It's wonderful. Warrenton is the pearl in the
11 center. But they have to -- they've got to have a
12 synergistic effect. They've got to live
13 symbiotically, as we say, right?

14 It's not an accident that this has come
15 along as far as it has. We've got half of this
16 county, 200,000 acres in conservation either in
17 easements or AG forestal or in BDR purchases. We've
18 made enormous investments in land and retention of
19 rural lifestyles; and we've done it at great, great
20 cost, and everyone in this room has been a part of
21 it and played a role.

22 And I think it's something that is

1 diametrically opposed to what we're talking about
2 here this evening. But it's about land. Because
3 there's not much of it left, right?

4 The county and the town have been
5 entrusted to steward this land. We need to take it
6 more seriously than we are right now, because all I
7 see following behind this conversation is another
8 hundred conversations about solar farms.

9 And we can guarantee that for every one
10 of these plans that we do put in data centers, we're
11 going to get at least one more solar farm. Period.
12 Full stop. Every one of the data centers have all
13 been committed to going net neutral, and they can't
14 possibly do it unless they add more significant area
15 of farm. So we're going to lose it.

16 So let me help just remind you -- the
17 last minute is your legacy. Your legacy will be
18 whether we retain our focus and attention on land.
19 I don't think it's an Amazon data center. I think
20 it's all about land, the way -- the lifestyle that
21 we have.

22 I urge you to keep that in mind when

1 you do your thinking on this.

2 Thank you.

3 (Applause.)

4 MAYOR NEVILL: So at this point I will open
5 it up. If anyone who has signed up for citizen's
6 time who wishes to speak about an issue other than
7 the SUP to please stand up and approach the podiums
8 or lecterns.

9 MS. KEENAN: Hello. I'm Florence Keenan.
10 I'm a resident of Fauquier in the Marshall District
11 for the past quarter century.

12 Having travelled the world, I always
13 know there's no place like home. In my heart and
14 mind I cannot separate Warrenton from Fauquier. I
15 do not know where the town ends and the county
16 begins.

17 As a county taxpayer, my taxes fund the
18 schools in Warrenton. I also love to shop, do
19 business, visit friends, and swim at the wharf. I
20 often refer my retiring friends to come live in
21 Warrenton. It's an ideal town.

22 Mr. Mayor, I know you as my honest

1 jeweler. You repaired all the jewelry I inherited
2 from my mother. It was just costume. Some would
3 think it was junk, but you really took beautiful
4 care of it. In fact, I was gobsmacked once when I
5 paid an invoice for all of \$0.33.

6 I know you're honest. I recently
7 referred a friend from Arlington to you to do the
8 same with their inherited jewelry.

9 My apologies, Mr. Hartman. I didn't
10 know you were in jewelry. My experience is with the
11 Mayor.

12 My point is that the county and town
13 are intertwined, and that what you decide tonight
14 will affect all of us in Fauquier. If the wharf is
15 a drain on the town's revenues and resources,
16 negotiate with the county for more cost share.

17 And I may kick myself later when I say
18 this, but as a non-town resident, I'd be willing to
19 pay more than the \$5 I pay now to swim at the wharf.
20 Okay.

21 There are other ways to approach the
22 issues of revenues, tax and raise not -- without

1 raising taxes. I know you. You're a fiscal
2 conservative. You're an honest shopkeeper. Please
3 apply your creativity and your dedication and your
4 skill to this issue.

5 Thank you.

6 (Applause.)

7 MS. BURBANK: Hi. My name is Cindy Burbank,
8 and I live on Barn Owl Court in Warrenton.

9 As you're seeing tonight, the residents
10 of Warrenton and Fauquier County are truly
11 extraordinary. They have a deep appreciation and
12 affection for this town. It is part of the Norman
13 Rockwell charm of Main Street.

14 Warrenton is something that is all too
15 rare in this country as urbanization and
16 industrialization spread their tentacles and wipe
17 out vibrant small towns like Warrenton.

18 It's also the neighborliness of the
19 people who live here. When my husband and I first
20 moved here 12 years ago, we were amazed at the
21 people who waved us that we did not know, and then
22 we were amazed at how easy it was to get to know

1 them and like them. And then we, too, were waving
2 at everyone we crossed paths with.

3 In the words of Garrison Keillor: The
4 people here are all above average, way above
5 average. They are smart. They come from all across
6 the economic spectrum, and they have a wealth of
7 experience and wisdom to draw on.

8 They are also caring. The number of
9 non-profits here is incredible. I have been a
10 volunteer with VolTram, Hero's Bridge, Path, and
11 Habitat for Humanity. These organizations reach out
12 to all kinds of people to help them. The staff and
13 volunteers with these groups are devoted, common
14 sense, and quick to lend a hand.

15 Your first allegiance is to town
16 residents. We understand that. But to echo Lori
17 and others, do not discount the residents of this
18 county.

19 County residents know that Warrenton is
20 the heart and soul of Fauquier County. County
21 residents make every effort to support this town.
22 County residents choose to dine at Warrenton

1 restaurants, to shop at Warrenton businesses, and to
2 patronize Warrenton's services. County residents
3 come to farmer's markets, first Fridays, fall
4 festivals, and the Christmas parades.

5 County residents add tremendously to
6 the vibrancy and economic health of this small town.
7 Please weigh their concerns, too.

8 I implore you not to take these people,
9 town and county, for granted. Do not turn a deaf
10 ear to them. Their voices count. Their values
11 count. They have full hearts and rich experience to
12 draw on, and they are deeply concerned about the
13 future of this town and this county. Do not betray
14 us.

15 Thank you.

16 (Applause.)

17 MR. DUVALL: Mr. Mayor and members of the
18 Town Council, as an actor I have had the privilege
19 to play many roles over the years. My work has
20 taken me all over the world, but I have always
21 returned to Fauquier County, Virginia, with a sense
22 of relief that comes from my appreciation for all

1 that makes this place special.

2 Historic Warrenton is at the center of
3 this special place, and we must all work to preserve
4 the character of this town.

5 I urge the Town Council to consider
6 carefully their important decision regarding the
7 precedent-setting SUP that might open the doors to
8 improperly located data centers and the energy
9 supply infrastructure that is required to power them
10 within the town.

11 The remarkable outpouring of opposition
12 to this proposal indicates that the vast majority of
13 town and county residents agree that this is a bad
14 use of this site for the many reasons you are
15 familiar with.

16 Please vote to preserve the unique
17 character of Warrenton and deny the Amazon SUP.

18 Respectfully yours, Robert Duvall.

19 I would like to add --

20 (Applause.)

21 MR. DUVALL: I would like to add that my
22 wife and I have lived in this area for 27 years, and

1 my wife said at one time that I will always
2 remember, that Virginia is the last station before
3 heaven. Let's keep it that way.

4 (Applause.)

5 MS. NEMEROW: Good evening. My name is Jen
6 Nemerow. I live at 585 Galena Way in the Town of
7 Warrenton in Monroe Estates.

8 It's going to be a little hard to
9 follow that. But thank you, Mr. Duvall.

10 Councilmembers, first and foremost, I
11 want you to know that I love this town. I'm a
12 native of Virginia. I grew up in Northern Virginia,
13 and I moved out to Warrenton in Fauquier County
14 about 12 years ago.

15 I am a mom of four young children.
16 I've already told you that one time before. I'm a
17 local volunteer, a community member, and a local
18 Realtor. I have a degree in real estate and urban
19 planning. I've sold more than 400 homes in our
20 greater area in the last five years.

21 I know about real estate, and I know
22 how it affects everyone involved in the process.

1 Your decisions affect my profession and
2 my family personally as a town resident who lives
3 next to the old wire factory.

4 I have dealt with clients who have
5 faced stressful home sales as a result of the
6 decisions of local area representatives like
7 yourselves. I have had homebuyers choose other
8 areas over our town recently because of current
9 events.

10 I am incredibly disappointed in the
11 events that have transpired in our town in the past
12 year. You have created a comprehensive plan that
13 apparently some of you, yourselves, do not support.

14 You are elected by your neighbors, your
15 own community, to represent us, yet we all feel you
16 are not listening. We are speaking to you, we are
17 pleading to you, yet we feel you are not asking what
18 we want. You are limiting what we can speak to you
19 about or how often we can speak to you about it.

20 You have heard from countless
21 residents, business owners , experts, and more, and
22 yet we still feel you are not listening to us.

1 Councilmembers, I plead with you
2 tonight to perform your elected duties to uphold
3 your own code of ethics and preserve our town's
4 history and character and hear what your residents
5 are saying to you.

6 Please do the right thing and vote
7 tonight, and in other votes, accordingly, to what
8 your neighbors are asking and what they want of you.

9 Thank you.

10 (Applause.)

11 MS. COLLINS: My name is Carol Collins. I
12 live in Ward 5 in Warrenton. I've just come here to
13 say a few things to the council. I know I'm not
14 supposed to speak about -- of the issue right now.

15 Being involved in local government is
16 new to me, so I looked online to see what the town
17 website says about the council. And as other people
18 have already mentioned, there are -- I believe you
19 have an important task. You do have my prayers for
20 wisdom in the decisions that you have to make. You
21 have a big responsibility, as you know. We respect
22 that, and we appreciate your service for that.

1 You do have to stick to the code of
2 ethics, I believe, which refers to Councilmembers as
3 stewards of the public interest. I like that. But
4 it is a big responsibility.

5 And it also says that you determine
6 policies with the advice, information, and analysis
7 provided by, among other sources, the public.

8 In the meetings I've attended, a great
9 deal of information and analysis has been presented
10 by people who have researched, studied, analyzed,
11 and have experience that bears on an issue.

12 The code of ethics says that you have
13 meaningful involvement of the public, that you will
14 listen to public discussions, which is why we're
15 here. So I'm here to ask you not to ignore the
16 public input.

17 Thank you.

18 (Applause.)

19 MS. SMITH: My name is Pat Smith. I live at
20 215 North View Circle. I was born here. My family
21 left. My husband and I came back here 20 years ago.
22 I have two questions for you.

1 Who do you think you are working for?

2 (Applause.)

3 MS. SMITH: My next question is: Are you
4 blind? Everywhere you go you see "Stop Amazon." It
5 has to make people wonder why in the world elected
6 officials are going against the people that pay
7 their taxes which pays all the town's employees and
8 you-all are kicking us in our butt.

9 (Applause.)

10 MS. EDWARDS: Good evening. My name is
11 Tracy Edwards, and I reside on Foxcroft Road. I
12 have been a resident of Warrenton and Fauquier
13 County since 1995.

14 In the almost 30 years that I have been
15 a resident there have been decisions made for both
16 our county and here in town that have been
17 questionable regarding balancing growth and
18 maintaining Fauquier County as a beautiful farming
19 community and Warrenton as a picturesque quaint
20 town.

21 The most recent approval of Waterloo
22 Junction that includes 47 townhomes and retail

1 behind O'Brien's Irish Pub is a clear representation
2 that you, the current council, are not looking out
3 for the best interests of the residents of the Town
4 of Warrenton.

5 While the plans may look good on paper,
6 adding 47 homes to that small area will result in
7 traffic, parking, and a pedestrian nightmare.

8 The side streets cannot support
9 overflow parking, especially Norfolk Drive being an
10 older neighborhood with narrow streets and no
11 sidewalks. The almighty dollar went above safety --
12 the safety of pedestrians and keeping our streets
13 open and safe. Which brings me here tonight.

14 In doing my due diligence before
15 speaking tonight I have yet to read anything that
16 provides full disclosure for how this data center
17 and subsequent data centers waiting in the wings
18 would provide substantial financial benefit that
19 trickles down to being significantly beneficial to
20 us, the taxpayers.

21 (Applause.)

22 MS. SMITH: Nor has there been full

1 disclosure of noise levels, construction, and
2 environmental impact for everyone.

3 What I have read is that residents in
4 surrounding counties that now have a data center
5 next to them are extremely distraught from the
6 negative ramifications of these buildings.

7 Without the ability to provide us full
8 disclosure, your decision should be based solely on
9 a long forgotten way of thinking: Do unto others as
10 you would have done unto you.

11 (Applause.)

12 MS. SMITH: Your decision tonight will have
13 profound negative impacts on many residents going
14 forward.

15 Do any of you live in these
16 neighborhoods that are going to be drastically
17 affected?

18 If you don't, think about these
19 questions: Would you want massive construction
20 noise or construction vehicles impeding traffic to
21 your home? Do you want your land values to plummet?
22 Do you want to look out your window and see a

1 massive concrete 25-foot-high-plus? Would you want
2 your backyard solitude to be replaced by the buzzing
3 or humming of electrical transmission?

4 If you answered no to any questions,
5 then your vote must be no. You should not approve a
6 plan that you would not want to happen to you or
7 your family.

8 When it's time to vote, remember, do
9 unto others as you would have done unto you.

10 Thank you.

11 (Applause.)

12 MS. LAVASH: I hope you forgive me for
13 speaking before my turn, but I have to go to school
14 tomorrow, so.

15 My name is Lalo Lavash (ph), and I'm
16 speaking on my own behalf.

17 I live in Cedar Run District, just
18 outside of Warrenton, which is a quaint and charming
19 town. It is my personal opinion that putting a data
20 center behind Country Chevrolet will distort the
21 charming look and feel of our town.

22 While it may bring in some tax revenue,

1 the amount of revenue doesn't make up for the
2 downsides.

3 For example, most people don't want to
4 see a large unsightly building near the town
5 entrance. This building won't be something that
6 people in town can use because it's a high-security
7 building surrounded by an 8-foot metal fence.

8 You should also consider the problem of
9 noise. A retired NASA engineer from Amazon's noise
10 study is not credible. People in town don't want to
11 hear a loud humming caused by equipment that never
12 stops.

13 If you let Amazon put a data center in
14 our town, you're paving the way for other data
15 centers to ruin our town even more. If you vote
16 yes, the town will never be the same again.

17 I know there's a lot of pressure on
18 your shoulders, but I believe you will make the
19 right decision.

20 Thank you.

21 (Applause.)

22 MS. AMSTER: My name is Barbara Amster. I

1 live at 726 Acorn Court.

2 And contrary to what you may have read
3 in today's Washington Post, it says it's Fauquier's
4 wealthy that oppose the data center.

5 (Laughter.)

6 MS. AMSTER: Actually, it is the poorest
7 citizens of Warrenton who are most in the path of
8 the data center, living in the -- living in District
9 1, which is the closest Warrenton has to affordable
10 housing.

11 District 1 is almost entirely made up
12 of townhouses -- many of which are rentals --
13 apartments, senior living, schools. It is a
14 completely integrated neighborhood of young
15 families, seniors, and recent immigrants. These are
16 not the wealthy or the powerful. We are the
17 powerless who can rely only on our elected officials
18 to protect us.

19 Our own council member has turned her
20 back on us, and so all we have left to appeal to is
21 you, the body as a whole.

22 The ones whose minds seem to be made up

1 from the very start, we don't understand you.

2 I have stood before you four times to
3 plead for my neighborhood, my family's health, my
4 property value, and my deeply felt affection for
5 Warrenton.

6 There's little more to say, so I appeal
7 to your individual consciences and your pride in
8 your own family name. Remember your legacy. A yes
9 vote here today will taint your names forever --

10 (Applause.)

11 MS. AMSTER: -- as the data centers
12 accumulate and strangle the Warrenton we love.

13 You were elected to represent us, not
14 huge companies like Amazon. We put our trust in you
15 to do the right thing.

16 (Applause.)

17 MS. BOLTHOUSE: Hi, I'm Julie Bolthouse,
18 director of land use with Piedmont Environmental
19 Council, and I would like to share some trends and
20 news with you to emphasize the power of the data
21 center industry in Northern Virginia.

22 So they have an army of lobbyists. And

1 rules that you think are in place right now, but
2 they are changing and they continue to change in
3 their favor, and they gain -- as they gain more
4 influence and power in our state.

5 First, data center development
6 continues to boom in both Loudoun and Prince William
7 County. Data centers are also being considered in
8 Stafford, Spotsylvania, Orange and Culpeper County.

9 Dominion continues to move forward with
10 a \$627 million, 500 KV transmission loop project
11 throughout the floodplain of Broad Run to serve new
12 data centers coming online and existing data centers
13 that are increasing the density of their servers.

14 Loudoun Wildlife and PEC are pushing
15 back, but it's deemed a reliability project, so
16 there's little that can actually be done.

17 Due to projected grid reliability
18 issues during the summer peak, the issuance of a
19 local variance for data centers located in the
20 counties of Fairfax, Loudoun, and Prince William is
21 being considered by the Department of Environmental
22 Quality. That variance will allow data centers to

1 run their diesel generators for more and longer
2 periods of time than is currently allowed under the
3 Clean Air Act standards.

4 Diesel generators release particulate
5 matter that impacts our health. Prolonged exposure
6 can increase the risk of cardiovascular,
7 cardiopulmonary, and respiratory disease and lung
8 cancer.

9 There are 101 data center campuses
10 under this variance and each of them has a number of
11 generators.

12 But let's go into the General Assembly.
13 Study bills proposed by Chap Peterson to study the
14 impacts of the explosive data center development on
15 our grid, the rate payer, and the environment
16 failed in the House after lobbyist after lobbyist
17 and developer after developer got up in their suits
18 and opposed it.

19 The Cloud Computing Cluster
20 Infrastructure Grant Fund is sailing through. This
21 extends the data center sales and tax exemption to
22 2040, and establishes a \$140 million grant for data

1 centers to utilize for site development.

2 Keep in mind that Virginia has already
3 offered 135.9 million in tax breaks to the data
4 center industry in 2022.

5 Be careful who you think your friends
6 are, because I can guarantee you I'm not one of
7 these high-paid lobbyists.

8 Thank you.

9 (Applause.)

10 MS. BROADDUS: Hello. My name is Julie
11 Broaddus. I own Old Bust Head Brewing Company, and
12 a property on Main Street. I live just a few miles
13 from where the data center will come in.

14 This is a powerful change coming to
15 Virginia. We see it happening through Loudoun and
16 Prince William counties, and we see and feel the
17 impact it has on those communities.

18 This application is the first
19 full-scale data center in Fauquier County. Do you
20 have a plan or vision for more? Do you have a plan
21 or a vision on how to prevent more?

22 Why are they so unlike any other use

1 that has existed before? For me, there are three
2 main reasons: One, the scale; two, the emptiness;
3 and, three, the power requirement.

4 To give a sense of scale, the footprint
5 of the Amazon data center will be 200,000 square
6 feet. That is twice the size of our Home Depot.
7 And including the added level for equipment, about
8 twice as tall.

9 To give a sense of emptiness, unlike a
10 Home Depot, almost no one goes in there. We're not
11 invited to go in there. We're not allowed to go in
12 there. These enormous buildings are cold and
13 unwelcoming. We all know this about data centers,
14 and I assume we have all felt this. If you haven't,
15 drive through the black hole of data centers in
16 Ashburn. You get a really strange feeling.

17 (Applause.)

18 MS. BROADDUS: We were just there the other
19 night, and I realized this feeling is just like the
20 one described in Harry Potter. Like, you are
21 encircled by dementors, and paraphrasing, it is an
22 intense cold that sucks the happiness from you until

1 you have no sense of self anymore, a feeling that
2 you will never be cheerful again.

3 This is what we're inviting into our
4 community and what has already left its mark in
5 Ashburn, driving away tourism, employment, people.
6 There is no there there.

7 As for the power requirement, this
8 center at full build-out will consume about the same
9 or possibly even more power than our entire town.
10 The power requirement in Northern Virginia is
11 expected to double over the next 14 years because of
12 data centers; and it's already maxed out. That
13 means more high-voltage lines will be needed.

14 And if we bring a large scale data
15 center to Warrenton, it will be hard to argue that
16 they shouldn't come through here.

17 At this moment, we still have control.
18 But this is the last moment. Right now is our last
19 opportunity to set ground rules that would be the
20 precedent for all future applications, which we all
21 know will absolutely come.

22 This precedent will be inherited by all

1 future mayors, town councils, and people in the
2 community.

3 If this government is unhappy with the
4 burden of deferred maintenance and the costly rec
5 center they inherited, think how future mayors and
6 town councils will feel when, because of this
7 government, they are left without the ability to set
8 adequate height, footprint, landscaping, air
9 quality, enforceable employment requirements to
10 defend against the power towers that the future data
11 centers will bring.

12 We've encountered before negative sound
13 impacts. We have an ordinance for that. We've
14 encountered applications for uses in inappropriate
15 locations. We have never --

16 MAYOR NEVILL: Thank you. Your time is up.

17 MS. BROADDUS: Okay. Thank you.

18 (Applause.)

19 MAYOR NEVILL: Before we proceed, we are
20 trying to -- this citizens' time is intended for
21 issues not on the SUP. If you'd like to speak on
22 the SUP, we can move to public hearing and include

1 those.

2 UNIDENTIFIED SPEAKER: Absolutely.

3 MAYOR NEVILL: Excuse me. Then we'll have
4 to do that procedurally. We have an item on the
5 agenda to move forward. So unless there's anyone
6 here wishing to speak on an issue not on the SUP for
7 citizen's time, I'll invite them up now.

8 UNIDENTIFIED SPEAKER: We're past that.

9 MAYOR NEVILL: Not according to the agenda,
10 ma'am. I'm sorry.

11 So if citizens' time is complete, then
12 we will move on to an approval of the agenda. I'll
13 turn to council for an approval of the agenda.

14 MR. HAMBY: Mayor, (indiscernible).

15 MAYOR NEVILL: So moved by Councilman Hamby.

16 MR. HARTMAN: Second.

17 MAYOR NEVILL: Second by Vice Mayor Hartman.

18 Is there discussion on the motion?

19 MR. MOONEY: Mr. Mayor, I'd like to amend
20 the agenda to add an item to vote to direct the town
21 staff to release to the Town Council those items of
22 communication between the former town manager and

1 Amazon to which the town has asserted its privilege,
2 that we need a vote for.

3 MR. MCGUIRE: And I second that motion.

4 MAYOR NEVILL: So moved by Councilman
5 Mooney. Seconded by Councilman McGuire.

6 Is there discussion on the motion?

7 MR. SEMPLE: Yes, I would like to say a few
8 words on it --

9 MAYOR NEVILL: Yes, sir.

10 MR. SEMPLE: -- Mr. Mayor.

11 I'm in favor of this. I have asked the
12 council to release, for my review, these emails, and
13 the decision was that I needed a -- I needed a
14 majority vote of the council for me, a member of
15 council, to see them. So I think at the very least
16 they should be released to the public.

17 Thank you.

18 (Applause.)

19 MAYOR NEVILL: We have a motion and second.

20 Is there further discussion?

21 (No responses.)

22 MAYOR NEVILL: All in favor.

1 MR. MCGUIRE: I'm sorry.

2 MAYOR NEVILL: Mr. McGuire.

3 MR. MCGUIRE: Mr. Mayor, yes.

4 I also believe it's a point of
5 information. For us to really vote on this, we
6 really need to see that information. I believe
7 that's correct under Robert's Rules. So we need to
8 know that information. We need to see it. And I'd
9 like to know who has seen it, and why we can't see
10 it as duly elected officials.

11 (Applause.)

12 MAYOR NEVILL: I guess that will be
13 discussed at the time of the motion. Obviously, the
14 FOIA counsel has indicated certain items are
15 privileged for various reasons. And according to
16 our council rules, that the -- or council
17 guidelines, that in order for these to be released
18 for dissemination among council, the guidance has
19 been to request a vote from council to disseminate
20 them among members.

21 MR. MOONEY: Are we going to move that to
22 new business?

1 MAYOR NEVILL: We'll move that to new
2 business.

3 MR. SEMPLE: All right.

4 MAYOR NEVILL: Okay. It's a matter of a
5 FOIA issue, and we're just following the FOIA
6 counsel recommendations.

7 The request -- in order to release the
8 information to individual members of council,
9 council can only direct as a body; and so in order
10 for Councilmembers to request that, council as a
11 body needs to authorize the release of those records
12 for individual members.

13 So we will discuss that. We'll add
14 that to new business.

15 UNIDENTIFIED SPEAKER: (Indiscernible.)

16 MAYOR NEVILL: Excuse me. Excuse me,
17 please.

18 Is there further discussion from
19 council on the motion?

20 MR. MOONEY: Nope.

21 MR. SEMPLE: Well, Mr. Mayor, I'm just
22 wondering why since it seems to be a condition

1 precedent to our review of this SUP, why we
2 shouldn't take up that matter now?

3 MAYOR NEVILL: Mr. Crim, point of order.

4 UNIDENTIFIED SPEAKER: You're embarrassing.

5 MAYOR NEVILL: Could this be moved to before
6 the public hearing?

7 MR. CRIM: That's the council's choice. But
8 if you want to look at the emails, the confidential
9 emails as a former --

10 UNIDENTIFIED SPEAKER: We can't hear you.

11 MAYOR NEVILL: Excuse me. Please restrain.
12 And order, please.

13 MR. CRIM: If you want to look at the
14 confidential emails of the prior town manager or the
15 current town manager, then you would not be able to
16 do that tonight. You would need to have a vote to
17 postpone action on the SUP if you want to review
18 that before the vote.

19 So the motion before you is a motion to
20 amend the agenda --

21 MAYOR NEVILL: The agenda, yeah.

22 MR. CRIM: -- to put this on the new

1 business.

2 MAYOR NEVILL: Okay. So it's true, the
3 current motion before us is a motion to amend the
4 agenda to add to new business.

5 MR. SEMPLE: I would like to amend that
6 motion. I would like to move that we take up that
7 matter now before the SUP and we decide --

8 MR. CRIM: So, as I understand, the motion
9 to amend the -- motion to amend the agenda would be
10 to have that item placed prior to the public
11 hearing?

12 MAYOR NEVILL: Okay.

13 MR. CRIM: Is that the -- is that correct?
14 So rather than having it placed on new business, you
15 would take that up out of order on the agenda prior
16 to the public hearing. Am I correct?

17 MAYOR NEVILL: That is -- yes. So there's a
18 motion to amend the amendment -- the motion to amend
19 to add the item to. Or unless you wish to rescind
20 the original and rephrase it.

21 MR. MOONEY: Okay.

22 MR. HAMBY: Mr. Mayor, has --

1 UNIDENTIFIED SPEAKER: (Indiscernible.)

2 MAYOR NEVILL: Excuse me, please. Order.

3 MR. HAMBY: Has the appeal been filed for
4 the FOIA case?

5 MR. CRIM: Not to my knowledge.

6 MR. HAMBY: So it hasn't been, because --

7 MR. CRIM: I've not been served with
8 anything.

9 MR. HAMBY: -- it's reported --

10 MR. CRIM: All I know is what it says in the
11 paper.

12 MR. HAMBY: It's reported in the news that
13 they've appealed the FOIA case. So should the
14 records stay sealed until the FOIA case has run its
15 course?

16 MR. SEMPLE: They have not appealed yet.
17 They are waiting for the final ruling from the judge
18 until they --

19 MAYOR NEVILL: Excuse me, please. Order.

20 MR. HAMBY: I'm just reading the news. It's
21 right here.

22 So has the appeal been filed? If the

1 appeal has been filed, should it remain sealed until
2 their appeal is over, or --

3 UNIDENTIFIED SPEAKER: No.

4 MR. HAMBY: -- should we --

5 MR. MCGUIRE: But I think we're talking
6 about two separate issues here. One is a court
7 fight. These are Councilmembers that want to see
8 this information. I think we have a right to do
9 that. It's a separate issue.

10 (Applause.)

11 MAYOR NEVILL: All right. So to get back to
12 where we were, we have a motion on the floor to
13 amend the agenda to add a request to release these
14 records for individual Councilmembers' review. That
15 has been moved and seconded.

16 And then we have a motion to amend that
17 to add it prior to the public hearing.

18 And so there's a motion. Is there a
19 second on that motion?

20 MR. CRIM: I think you've already discussed
21 it so a second would be unnecessary at this time.

22 MAYOR NEVILL: Okay.

1 MR. CRIM: So the order of the vote would be
2 on the placement of the agenda item first, and then
3 on whether the agenda should be amended at all, and
4 then finally on the agenda as amended.

5 MAYOR NEVILL: Okay. So the first motion
6 before us is to move the item to prior to the public
7 hearing.

8 MR. MOONEY: And what would the purpose --
9 or what would the procedure be for that?

10 MR. HAMBY: What's the procedure in order to
11 look at -- or to move forward with Mr. Semple's --
12 can you explain the procedure?

13 MR. CRIM: The procedure for this motion, or
14 the procedure for releasing the documents?

15 MR. HAMBY: Releasing the documents.

16 MR. CRIM: The procedure for releasing the
17 documents, if we're directed by staff -- by the
18 council, it would be for the staff to collect the
19 records, which, as I understand it, are the emails
20 between the previous town manager and Amazon, and
21 prepare those for the review of the Town Council
22 members.

1 So that would be a process that we
2 would -- could do tomorrow. But unless you want to
3 halt the meeting while we go back to town hall and
4 collect those emails, there's no way for us to do
5 that tonight.

6 UNIDENTIFIED SPEAKER: (Indiscernible.)

7 MR. MOONEY: For the discussion,
8 Mr. Mayor -- for the discussion, I was told that as
9 an elected official I can't see the emails unless we
10 vote and have a majority of the vote of the council
11 say that I, as an elected official, can see the
12 emails of an employee. That's my understanding.

13 So my motion to amend the agenda is to
14 get that vote so that I can see the emails that were
15 redacted.

16 Now, prior to or after the public
17 hearings, I think it's imperative that elected
18 officials be able to see things that could
19 drastically change opinions on an incredibly
20 consequential issue.

21 (Applause.)

22 MR. MCGUIRE: I agree with that.

1 MR. SEMPLE: May I speak -- be recognized?

2 MAYOR NEVILL: Yes.

3 MR. SEMPLE: The reason I had moved to amend
4 before the public hearing is that it doesn't make a
5 whole lot of sense to move forward unless we've had
6 a chance -- if they're substantive -- because by the
7 time the public hearing is over, we will probably
8 vote. And if we're going to wait until the end of
9 this meeting, this will have no material impact or
10 benefit upon our review.

11 So that's why I'm -- I have amended to
12 take up this vote now, and then to make those emails
13 available to council for review as a condition of
14 our continuing this process.

15 MAYOR NEVILL: So the first motion that
16 we're considering is the motion to move the item to
17 prior to the consent agenda. So shall I call the
18 question on that?

19 Is there further question or further
20 discussion on where we're standing?

21 MR. MOONEY: Can you say that again,
22 Mr. Mayor? I didn't hear you. I cannot hear.

1 MAYOR NEVILL: Sorry. So the motion right
2 now we have before us is a motion to move the
3 request to prior to the public hearing immediately
4 following the approval of the agenda.

5 So if that is the will of council, we
6 can take a vote on that. And that's the amendment
7 to the amendment to amend -- or amendment to amend
8 the agenda.

9 MR. MOONEY: Yes, Mr. Mayor.

10 MAYOR NEVILL: Any further discussion?

11 MR. SEMPLE: I'm sorry. Would you restate?
12 I'm sorry. I want to know what amendment amending
13 amending we are amending.

14 MAYOR NEVILL: We have two amendments --

15 (Laughter.)

16 MR. MCGUIRE: I couldn't have said it better
17 myself.

18 MR. SEMPLE: All right. I'm having problems
19 with the acoustics up here, and I apologize.

20 MR. CRIM: Mr. Mayor, again, what you would
21 be voting on first is an amendment to the amendment
22 to the agenda.

1 MAYOR NEVILL: Right.

2 MR. CRIM: And that would be to have --
3 change the amendment to the agenda to move to add
4 this new item next after the approval of the agenda.

5 MAYOR NEVILL: Yes.

6 MR. CRIM: And then if you vote on that, you
7 vote on the amendment to the agenda, and then you
8 vote on the agenda.

9 MAYOR NEVILL: Yes, sir.

10 MR. CRIM: So that's -- you can do that in
11 five -- you know, in 15 seconds.

12 MAYOR NEVILL: Yes. Okay.

13 So the first motion before us, I'll
14 call the question on that, is the motion to move the
15 amendment to the agenda to following the approval
16 agenda item before the public hearing.

17 MR. SEMPLE: Okay. Great.

18 MAYOR NEVILL: So all in favor of the
19 placement of the amendment to prior to the public
20 hearing? Opposed?

21 Ms. Sutphin?

22 (No response.)

1 MAYOR NEVILL: Ms. Sutphin, are you --

2 MS. SUTPHIN: I'm sorry, I'm a little bit
3 confused.

4 MAYOR NEVILL: Ms. Sutphin, the question --

5 MS. SUTPHIN: I'm confused as to what
6 exactly we're voting for.

7 MAYOR NEVILL: Ms. Sutphin, what we are
8 currently -- it is a placement of the request to
9 move -- there's a first motion to amend the agenda
10 to add discussion to release the FOIA documents to
11 individual councilmembers for review. This is the
12 initial, primary amendment.

13 The subsidiary amendment to that is
14 requesting that that be moved to prior to the public
15 hearing. So currently we have three yeas and three
16 nays.

17 (Indiscernible shouting.)

18 MS. SUTPHIN: I'm a nay.

19 MAYOR NEVILL: So the motion to --

20 (Booing.)

21 MAYOR NEVILL: Please keep it civil and
22 orderly. So the motion to move the amendment to

1 follow the public hearing has failed.

2 Now the motion is to add to new
3 business under new business discussion releasing the
4 FOIA documents to individual councilmembers. So
5 that is amending the agenda to add to new business
6 that release.

7 MR. MCGUIRE: And Mr. Mayor, do we get a
8 chance to debate that or...

9 MAYOR NEVILL: Yes.

10 MR. HEROUX: I believe we do.

11 MAYOR NEVILL: Yes, the debate. So now the
12 discussion is to --

13 MR. MCGUIRE: Right.

14 MAYOR NEVILL: -- add that agenda item to new
15 business.

16 MR. MCGUIRE: So I would like to speak in
17 favor of it, because I think the truth is mighty and
18 should be heard.

19 UNIDENTIFIED SPEAKER: Yes.

20 MR. MCGUIRE: I think we need to know
21 everything before we make a decision. And I believe
22 everybody is honest on this board. And I think we

1 should be allowed to see that. As a council member,
2 I need to know all the facts. And everybody is
3 honest, and I believe that's the case. So let's see
4 what's going on.

5 (Applause.)

6 MAYOR NEVILL: The motion on the floor is
7 the motion to amend. Further discussion?

8 MR. SEMPLE: Yes, Mr. Mayor. May I be
9 recognized?

10 I mean, that's -- we're at over 3,400
11 emails that are involved in this. And I don't know
12 if I have 3,400 emails on my computer.

13 I think it's absolutely important for
14 members of council to be fully aware of the entire
15 record, and it seemed to me that would be a basic
16 obligation of our duty of -- to properly serve the
17 public and to execute our duty, constitutional duty;
18 and, therefore, I can't understand why we even need
19 to have a majority vote to see these.

20 (Applause.)

21 MR. SEMPLE: And now that appears to be the
22 recommended requirement from our town attorney. I

1 just urge council to recognize that these emails are
2 central to our duty as members of this council and
3 to our responsibility to serve the public honestly
4 and fairly.

5 And there have been just significant
6 questions about the relationship that our previous
7 town manager had in this proceeding, and I think
8 it's something that we should be able to look at.

9 (Applause.)

10 MR. SEMPLE: So if there's nothing there,
11 there will be nothing there, but I think we should
12 have just an opportunity to look at it.

13 Thank you.

14 MR. MOONEY: So Mr. Mayor, point of
15 clarification. I asked that the council move to
16 amend the agenda to put on the agenda a vote for the
17 council to vote to approve with -- to let elected
18 officials see emails, and Mr. Semple made a motion
19 to move that to the agenda or to before -- or before
20 the public hearings.

21 And for the record, that was voted down
22 by the majority of the Town Council?

1 MAYOR NEVILL: Yes, the placement of it
2 failed the vote. So now the motion is to add it to
3 new business for a discussion. So this would move
4 the discussion to -- the vote on the release would
5 be under new business.

6 MR. MOONEY: Under H. Got it.

7 MAYOR NEVILL: Yeah, under H.

8 MR. MOONEY: So can I move to amend my
9 current -- my current -- can I move to amend the
10 current amendment to have another vote to see if we
11 can get a vote to see if elected officials can see
12 the emails after the public hearing, but prior to a
13 vote?

14 (Applause.)

15 MAYOR NEVILL: I'm sorry, could you please
16 clarify that?

17 (Laughter.)

18 MR. MOONEY: Yes, Mr. Mayor.

19 Am I allowed, Mr. Crim, to take away my
20 first motion and remotion so that everybody is
21 clear?

22 MR. CRIM: No, sir. Once the motion is made

1 and debated, it belongs to the body as a whole.

2 There's no such thing as withdrawing a motion.

3 MR. MOONEY: Very well.

4 I move to amend my initial amendment to
5 the agenda to put after the public hearing -- since
6 before the public hearing has gotten voted -- to
7 move it after the public hearing but before our vote
8 that the Town Council votes to allow elected
9 officials to see the emails prior to the vote.

10 MR. SEMPLE: I second.

11 (Applause.)

12 MAYOR NEVILL: So was that a clear motion
13 to --

14 MR. CRIM: Yes.

15 MAYOR NEVILL: So that's clear and clean?

16 MR. CRIM: A subsidiary amendment to the
17 main amendment.

18 MAYOR NEVILL: Okay. And so that would move
19 the discussion of that release of the emails
20 following the closure of the public hearing and
21 prior to --

22 MR. CRIM: Action.

1 MAYOR NEVILL: -- action.

2 MR. MCGUIRE: Mr. Mayor.

3 MAYOR NEVILL: I'm sorry, is that clear?

4 MR. CRIM: That is correct.

5 MAYOR NEVILL: Okay.

6 MR. MCGUIRE: Mr. Mayor.

7 MAYOR NEVILL: Mr. McGuire.

8 MR. MCGUIRE: Yes. So I want to know what
9 is the precedent that I have to have a vote to see
10 this. That's what I want to know. What is this
11 based on? Like, I think I can look at them. I
12 think everybody could look at them. I think that's
13 a privileged thing. I think others have probably
14 seen them.

15 I want to know what this is based on
16 that it has to take a vote of the council for me to
17 see this.

18 MAYOR NEVILL: A point of order is that that
19 discussion would actually be germane at the point of
20 the discussion. Right now --

21 MR. MCGUIRE: Well, I'm asking you now.

22 MAYOR NEVIL: I know, sir. But the

1 discussion is --

2 (Applause.)

3 MR. MCGUIRE: Well, it is germane because
4 we're going on precedent that I don't know anything
5 about. So I want to know where in Robert's Rules or
6 where in the town rules that we have to vote on this
7 for me to see this.

8 MR. CRIM: The Mayor has ruled it not
9 germane, so that is -- I'm not going to answer a
10 question that the Mayor has ruled is not germane.

11 (Booing.)

12 MR. MCGUIRE: Well, you brought it up,
13 Counselor, so I want to know, like, where you come
14 from on this.

15 MAYOR NEVILL: That is germane to the point
16 when we get to the actual motion, when we get to the
17 discussion on that. Currently the motion on the
18 floor is the motion of the placement of the agenda
19 item.

20 Per Robert's Rules, the discussion
21 should be germane specific to the motion on the
22 floor and not the -- we're getting ahead of

1 ourselves, in other words.

2 So discussion right now is on the
3 placement of the -- so we have a second amendment to
4 request that the item be placed following the
5 closure of the public hearing and before any action
6 is taken.

7 So is there discussion on that?

8 MR. SEMPLE: Well, once again, Mr. Mayor,
9 this will accomplish a very important responsibility
10 for the council, to be able to review all of these
11 emails. They are integral to the process that we
12 have experienced since this application was --
13 before this application was submitted. And I think
14 it's germane and material to our decision, and I
15 think we would be arbitrary and capricious and
16 unreasonable if we didn't do this.

17 (Applause.)

18 MAYOR NEVILL: So with the motion on the
19 floor, the amendment to the amendment to place an
20 item following the closure of the public hearing and
21 prior to action, all in favor? Opposed?

22 Councilman Sutphin?

1 MS. SUTPHIN: Opposed.

2 MAYOR NEVILL: Motion fails. Please,
3 decorum.

4 UNIDENTIFIED SPEAKER: What are you hiding?

5 MAYOR NEVILL: Please, order. Order,
6 please. So the motion now is to add to new
7 business.

8 So we've exhausted motions to place it
9 prior to the public hearing and following. So now
10 the motion on the floor is to move it to new
11 business.

12 Is there further discussion on the
13 movement to add it to new business?

14 (No responses.)

15 MAYOR NEVILL: Hearing none. All in favor?
16 Opposed?

17 Councilman Sutphin?

18 MS. SUTPHIN: Yea.

19 MAYOR NEVILL: I'm sorry, was that a yea?

20 UNIDENTIFIED SPEAKER: Yes, I heard a yea.

21 MAYOR NEVILL: So it's a 5-2 approval to add
22 that to new business.

1 MR. MOONEY: So, Mr. Mayor, as a point of
2 clarification, the elected officials won't be able
3 to see the emails until after we vote?

4 MAYOR NEVILL: Yeah.

5 MR. MOONEY: Okay.

6 MAYOR NEVILL: So it is --

7 UNIDENTIFIED SPEAKER: (Indiscernible.)

8 MAYOR NEVILL: So that has been added to new
9 business. We now have the agenda itself to adopt.

10 Is there any further discussion on the
11 agenda?

12 UNIDENTIFIED SPEAKER: (Indiscernible.)

13 MAYOR NEVILL: It's already been moved and
14 seconded.

15 UNIDENTIFIED SPEAKER: Oh, I'm sorry.

16 MAYOR NEVILL: That's all right.

17 All in favor of approving the agenda as
18 amended?

19 (Multiple responses.)

20 Councilman Sutphin?

21 MR. SEMPLE: I didn't vote, Mr. Mayor.

22 MAYOR NEVILL: I'm sorry.

1 MR. SEMPLE: Nay. For clarification, I'm
2 voting -- I'm sorry. I wish to clarify.

3 Again, I reiterate the fact that moving
4 it to the agenda means we will not be able to see it
5 before we vote. I think it's good that we put it on
6 the agenda. So if I sound confused, I'm a bit
7 confused after all this. But then if that's the
8 only option that's available, then I will vote aye.

9 MAYOR NEVILL: I'm sorry, so your vote is an
10 aye?

11 MR. SEMPLE: Aye.

12 MAYOR NEVILL: Okay.

13 Councilwoman Sutphin?

14 UNIDENTIFIED SPEAKER: Postpone the vote.

15 MS. SUTPHIN: Okay. So if I vote aye --

16 MAYOR NEVILL: Okay.

17 MS. SUTPHIN: -- this is going to the --

18 MAYOR NEVILL: This is the approval of --

19 MS. SUTPHIN: I want to know who is on first
20 and --

21 MAYOR NEVILL: I'm sorry. This is the
22 approval of the agenda as amended including under

1 item H, item number 3, would be to -- discussion of
2 the release of the emails at the -- involved in the
3 lawsuit brought forth by CFFC. So thus far we have
4 six ayes to approve the agenda.

5 MR. MCGUIRE: Mr. Mayor, I'm sorry. Did you
6 just say that we were postponing a vote on the CFFC
7 lawsuit? I thought it was on the floor about
8 Councilmembers looking at the email.

9 MAYOR NEVILL: It is the release of the
10 emails specific to -- at the request of council,
11 correct.

12 MR. MCGUIRE: Yeah. That we see them, yes.

13 MAYOR NEVILL: Yes.

14 MR. MCGUIRE: Just to be clear, yes.

15 MAYOR NEVILL: That is the agenda item, yes,
16 sir.

17 MR. MCGUIRE: Okay. Gotcha.

18 MAYOR NEVILL: Councilwoman Sutphin?

19 MS. SUTPHIN: Okay. Aye.

20 MAYOR NEVILL: Okay. So the motion passes
21 unanimously.

22 MR. MOONEY: Mr. Mayor, I said nay.

1 MAYOR NEVILL: I'm sorry?

2 MR. MOONEY: I said nay.

3 MAYOR NEVILL: Okay. I'm sorry. My
4 apologies. Councilman Mooney is a nay.

5 MR. MCGUIRE: Let me amend the record. I'm
6 a nay, as well.

7 MR. SEMPLE: I also say nay.

8 MAYOR NEVILL: So it is a 4-3 vote to
9 approve the agenda as amended.

10 Okay. All right. That will bring us
11 to the public hearing, and we can reopen the public
12 hearing continued from January 10th. It is reopened
13 at 8:53 p.m. And I believe we have two speakers
14 lined up.

15 And then, Mr. Clough, please, will you
16 read an instruction to lay out the ground rules.

17 MR. HEROUX: Mr. Mayor, thank you. Just a
18 declaration as required by Virginia Code. Declare
19 that I have no conflict of interest, and I have made
20 a conflict of interest declaration that has been
21 filed with Mr. Clough and is available for public
22 release.

1 MR. CLOUGH: Mr. Mayor, we'll start with the
2 speakers from 1/10 that had -- had been signed up
3 but not had the opportunity to speak yet. We may --
4 we'll call those names, and see if they are in the
5 audience, and then we'll proceed with the order of
6 operations from the public hearing that we've got
7 tonight, including Warrenton residents first.

8 The organizations that have signed up
9 that have already spoken will not get time, but any
10 new organization will get five minutes to speak.

11 Citizens will have three minutes to
12 speak, sir.

13 MAYOR NEVILL: Okay. Thank you. And,
14 again, as with citizen's time, citizens are --
15 speakers are reminded to state their name and
16 address or their ward or magisterial district for
17 the record.

18 So we have two speakers from citizens'
19 time who are lined up, so we will afford them, and
20 then we will go to the order as called by
21 Mr. Clough.

22 MR. CLOUD: Does that mean I'm up? Hey, I'm

1 Chris Cloud. And I'm in Marshall District. And I
2 want to speak about the data centers; and I want it
3 to be on the record if that's possible. Doesn't
4 really matter one way or the other.

5 In shocking agreement with Ms.
6 Broaddus, I've been in Ashburn a lot. I'm not
7 advocating for data centers. I think they are
8 Dante's third circle of hell, but I have not heard
9 one person yet ask the correct question. Nobody is
10 asking the right question.

11 I remember when everybody brought out
12 their pitchforks and their torches and they ran
13 Disney off. Yay, no Disney America. And the exact
14 same piece of property is now known as Dominion
15 Valley.

16 And I remember when it -- when property
17 in Gainesville was eminent domain because it was
18 adjacent to property that butted up to the sacred
19 battlefield. That property in question is now the
20 commuter parking lot on I-66 in Gainesville.

21 Be careful what you-all wish for. This
22 is not a feasibility study for Amazon. They spent a

1 million dollars an acre for that land. It's not a
2 question about data centers or not data centers.
3 It's a question about what they're going to do with
4 property they rightfully own. And I challenge
5 anybody in here to turn down a million dollars an
6 acre and be very concerned about what happens to it
7 when you're in the islands.

8 If it's not a data center, they have
9 every right. You need to ask what are they right to
10 do -- what do they have every right to do?

11 Do you want a fulfillment center up
12 there? Do you want to see a thousand vans coming
13 and going every day? Do you want to see Dominion
14 Valley up there? Is that better? With the hotels
15 and the hospitals and the fire stations and the
16 schools and the drain on the entire -- the
17 environment, the community?

18 That's fine, but don't go into this
19 blindly because it's going to give you another --
20 they're not going to give up the property they spent
21 a million dollars an acre for. And it's theirs.
22 Oh, and by the way, we do have personal property

1 rights in this country. 1.3 million people have
2 died defending our rights, and they have a right to
3 do things with their property.

4 Now, it may not be a data center, but
5 just keep your fricking eyes open that it's probably
6 going to be something that you're going to regret.

7 Good night.

8 (Applause.)

9 MR. PENNELL: Good evening. My name is
10 Daniel Pennell, 195 Onyx Way in Warrenton.

11 I actually make my living basically
12 doing what Jay does. I'm a senior director with an
13 IT consulting firm federal contractor that oversees
14 all of our DOD and three letter agency contracts.

15 I spent a great deal of my work doing
16 data centers, moving various government agencies out
17 to AWS.

18 But one question that I have about
19 this, apart from the fact that I don't want an
20 eyesore in my town -- and my fiancée said she won't
21 move here now if it gets approved. So now I've got
22 to go find another place to live.

1 You know, one of the things you guys
2 haven't discussed -- I haven't heard discussed is
3 the security. Let's assume -- I think it's
4 reasonable to assume that these data centers being
5 out here are going to always be three letter
6 agencies or DOD. They are going to be applications
7 and data storage; and that's what it's going to be.
8 The contracts for that kind of work
9 require heavy physical security. And security can
10 get a little interesting, and the rules around it
11 can get interesting.

12 For example, I can almost guarantee you
13 that the cameras around this facility will do some
14 form of biometric tracking. They will probably do
15 facial imaging. They want to know who is around the
16 property, who has been repeatedly back there. They
17 will probably use the same technology the state
18 police use on their cruisers to identify license
19 plates. You'll notice that the entire property is
20 circled by roads. These are -- the data in these
21 places will likely be DOD or three letter agency
22 type data.

1 So that means they are going to be
2 targets. So since they'll be targets, they have to
3 be defended. That's why you need the big fences.
4 That's why you need all of that. To protect that,
5 you need to know who is around it, how often, when,
6 and you may even need to start looking into who
7 lives near it.

8 So if you look at when the government
9 ran its own centers, they were set far back from
10 residences, heavily guarded, often underground. So
11 one of the things you're very likely going to give
12 up here in addition to the eyesore and the rest of
13 it, is they're going to need to secure that
14 facility; and they're going to use technology to do
15 it.

16 And that means they're going to need to
17 know about the people who move in and around it, the
18 cars that move in and around it, and they are going
19 to invade your privacy. That's just a given.
20 Accept it. They have to defend that data.

21 Now, I will also go on to say this is
22 probably going to kill property values. It will.

1 It just will. Nobody wants to live near data
2 centers. Nobody wants to come down here and be
3 around that. You move here to get away from it, not
4 to embrace it. Nobody wants to live --

5 (Applause.)

6 MR. PENNELL: -- in Fairfax or Loudoun or
7 Ashburn. They all escaped here. Now we're just
8 going to end up going to, I don't know, Woodstock.

9 So I would also say, Mr. Heroux, you
10 have no place making a claim for no conflict of
11 interest. I know our business.

12 (Applause.)

13 MAYOR NEVILL: Thank you, sir.

14 MR. PENNELL: I know our business.

15 MAYOR NEVILL: Thank you, sir. Your time is
16 up.

17 MR. PENNELL: And I know your business.

18 MAYOR NEVILL: Thank you, sir. Your time is
19 up.

20 MR. PENNELL: And you --

21 MAYOR NEVILL: Thank you, sir. Your time is
22 up.

1 MR. PENNELL: Yeah. Thank you.

2 (Applause.)

3 MR. CLOUGH: Julie Broaddus, David Fox,
4 Christine Fox, Ruth Fugee. It's from the 1/10 list.

5 UNIDENTIFIED SPEAKER: I didn't hear
6 (indiscernible).

7 MR. CLOUGH: Julie Broaddus, David Fox,
8 Christine Fox.

9 MS. BROADDUS: Hi. I didn't realize the
10 last thing was still citizen time so I'm glad that I
11 also had the ability to speak at the public hearing.

12 Julie Broaddus, Scott District. I live
13 not far from where the data center is supposed to
14 be.

15 I'm just going to finish up what I
16 didn't get to say last time, which is, you know, we
17 have encountered uses before that have negative
18 sound impacts, and that's why we have a sound
19 ordinance. We've encountered applications for uses
20 in inappropriate locations, but we have never
21 encountered uses of this scale, this empty, with
22 such an undeniable impact on the need for additional

1 power generation and transmission lines.

2 We have also never encountered a use
3 with such an addictive price tag for our landowners,
4 or with such a demand that is spreading so quickly
5 for this use.

6 We have never made a deal with such a
7 behemoth of a company worth \$1 trillion whose annual
8 earnings would be enough to literally write a check
9 for the \$15 billion worth of real estate in Fauquier
10 County.

11 Have you done everything in your power
12 to find alternate solutions for taking care of
13 infrastructure needs and expenses? Have you done
14 your best knowing that after this moment we are
15 largely relinquishing our ability to control future
16 applications?

17 This is our moment to set our own plans
18 for what data centers here might look like; and it
19 can be done. Let's be different. Let's not lose
20 what we have in our effort to protect it.

21 Unlike the Amazon data center proposed,
22 the data center in Vint Hill, which exists, is

1 smaller than Home Depot with 70,000 square feet.

2 It's about 15 feet tall, and it was put in an

3 existing office building far from residences, and

4 power lines were required to be underground.

5 It generates tax revenue. Let's not be

6 greedy and lose sight of what we have. Let's use

7 the control we have at this moment to shape our own

8 future.

9 Thank you.

10 (Applause.)

11 MR. CLOUGH: David Fox, Christine Fox, Ruth

12 Fugee.

13 MS. FUGEE: Ruth Thorman (ph) Fugee, 284

14 Amber Circle, Warrenton. I'd like to offer a look

15 at the vision of zoning in Warrenton.

16 From the station he helped construct,

17 Vint Hill Farms Station, my father, Jim Thorman,

18 worked on the design of the radio receiving towers

19 that were responsible for breaking the enigma code.

20 He opened a radio repair shop on the

21 corner of 3rd street and Main Street because he

22 liked the fly fishing at Thornton River and Goose

1 Creek.

2 He often spoke of his experience as a
3 business owner in the development of land use zoning
4 in town beginning in 1950 with the first planning
5 commission with the supervision of Paul Mellon.

6 The planning commissions go on to
7 gather the input of the residents on growth and
8 development. Mr. Mellon began the Piedmont
9 Environmental Council, to whom we owe the continued
10 protection of open and forested land. And he
11 donated the land for Sky Meadows.

12 I was born at Fauquier Hospital,
13 graduated from Fauquier High, trained as a nurse at
14 Fauquier Hospital. Our children farm in Fauquier
15 County. And hopefully, I will die in my bed off of
16 Academy Hill Road where my mother taught 3rd grade
17 in Warrenton Elementary.

18 "Protect open and forested land." This
19 is a quote from the Warrenton zoning history. I
20 urge you to be a part of a legacy of philanthropy
21 and conservation. Land use planning in Warrenton
22 through the administration of special use permits is

1 the right of town residents, and we don't want an
2 Amazon data center at the entrance to Warrenton.

3 Thank you.

4 (Applause.)

5 MR. CLOUGH: Georgia Herbert, Laura
6 Hettinger, Ann Kehoe, Richard Keister.

7 MS. FOX: I know. I was totally skipped
8 over. So, I'm "Christina" Fox, not "Christine" Fox.
9 I often get confused with the dress shop owner, so I
10 want to make sure it's "Christina" Fox for the
11 record.

12 Good evening. My name is Christina
13 Fox, and I live at 7241 Hastings Lane. I'm a
14 certified dyslexia therapist, and I own and operate
15 Dyslexia Intervention Services out of my home.

16 I sent all of you an email awhile back.
17 Thank you, Mr. Heroux, for responding to me. I
18 appreciate it.

19 I want to remind all of you how this
20 data center is going to disrupt the lives of
21 thousands of citizens that reside close to the site.

22 .2 miles from Poet's Walk, this is a

1 home for people with Alzheimer's disease,
2 Parkinson's disease, and dementia. .4 miles from
3 Bradley Elementary, Highland School, a nursing home,
4 and, of course, let's not forgot the townhomes and
5 all the single-family homes located close to the
6 site.

7 So my question to all of you: How
8 would you feel if a data center was put in your
9 backyard? How would you feel if your children were
10 subjected to the constant loud buzzing noise while
11 they are trying to learn? How would you feel if you
12 had loved ones residing at Poet's Walk who not only
13 have a debilitating illness but have to listen to
14 the constant drone of noise?

15 How would you feel if your business,
16 your livelihood, like mine, could be in jeopardy
17 because your Town Council voted for tax revenue over
18 the rights of citizens to live, work, and learn in
19 peace?

20 I would ask that all of you, and those
21 citizens who are for this data center, ask these
22 questions of yourself before you vote this evening.

1 I am an advocate for those residents at
2 Poet's Walk who can no longer speak for themselves.
3 I am an advocate for children with learning
4 differences.

5 If you vote yes, the fight is not going
6 to end here.

7 Thank you for your time. Good evening.
8 (Applause.)

9 MS. HERBERT: Good evening. I'm Georgia
10 Herbert, and I live at 5722 John Marshall Highway,
11 which is near The Plains, Virginia.

12 More than 35 years ago I was elected to
13 the Board of Supervisors for Fauquier County, and I
14 served for eight years on the Board of Supervisors.
15 And I understand a little bit about the public
16 service inspiration that encourages, and has
17 encouraged, I assume, each of you, to serve on the
18 Town's Council.

19 It is public service. I call on you to
20 remember that and act in the public interest.

21 The application that is before you, and
22 particularly the SUP, is not consistent with the

1 comprehensive plan that you worked so hard on. It
2 is filled -- the proposed SUP that is the subject of
3 this hearing is full of weasel words. It is not
4 going to be easily enforceable, if enforceable at
5 all. And if you attempt to enforce it, it's going
6 to be extremely expensive and extremely difficult
7 and extremely time consuming.

8 So that if the SUP is not complied
9 with, if these terms that you think and that Amazon
10 is representing to you will protect the community
11 are not met, it can go on for a long time before it
12 gets dealt with. And I'm not sure it would -- you
13 will have the ability to actually shut it down or
14 require them to -- make them come into compliance.

15 So you have something that's not
16 consistent with the comprehensive plan. You have
17 something that is absolutely not consistently
18 enforceable. It's not internally consistent. It's
19 not something that you're going to easily -- that is
20 going to be easy to enforce. And I urge you to take
21 a deep breath, do the right thing, and vote no.

22 Thank you.

1 (Applause.)

2 MS. HETTINGER: Good evening. My name is
3 Laura Hettinger. I live at 7280 Waverly Drive in
4 Warrenton.

5 Just one thing real quick. It was
6 really -- I don't know about anyone else, but I
7 thought it was very confusing earlier with citizen's
8 time versus the SUP time. Inconveniently all of
9 those speakers did not get put on record, as it
10 sounds like. So I think in the future maybe make it
11 more clear to the citizens speaking what's going on,
12 because it was very confusing.

13 So I saw the future of Warrenton today.
14 How did I do that? I drove through Ashburn. And
15 let me tell you, like the woman said earlier, it's
16 like the devil's hole. It was sickening. I
17 literally felt anxiety. It's horrible.

18 So like the gentleman with the beard
19 said earlier, be careful what we ask for with this
20 data center. It's not "the" data center. That's
21 not what so much we're worried about. It's -- we
22 all know, let's make this a reality, a fact here,

1 this is not one data center. It's going to be many.

2 It's going to be Ashburn.

3 I visited my father-in-law in Ashburn

4 five years ago before he moved back here, and I was

5 appalled. I saw two data centers. What is this?

6 And then now it's -- I flew over it the other day.

7 It's amazing. It's just miles and miles of data

8 centers. Miles. And that is what's going to happen

9 here.

10 You-all took on this job of

11 representing us, and how would you look in the

12 mirror and honestly say this could be good for this

13 city? Revenue is the only thing you can think of.

14 And like someone pointed out earlier, that's not

15 even -- they are going to get out of it. It's

16 Amazon. They don't even pay taxes. So are we

17 really going to get any revenue?

18 And it's sort of like selling your soul

19 to the devil. You're selling the soul of Warrenton

20 to the devil.

21 (Applause.)

22 MS. HETTINGER: If someone were poor and

1 needed money and robbed a bank, if a company is
2 trying to cheat and do revenues and dump pollution
3 into the river and pollute the river, you would
4 think that's vile and repugnant, but yet we're going
5 to allow this to happen to our quaint, beautiful
6 town and the county as a whole.

7 A lot of us moved here for this
8 environment and you are going to take it away.

9 (Applause.)

10 MS. HETTINGER: And everyone keeps talking
11 about your legacy. I don't think you care about
12 your legacy. That's very evident. So whatever is
13 going on here is very suspect.

14 This vote earlier -- thank you, Council
15 People, who spoke up to try to clear the record.
16 Thank you for trying.

17 (Applause.)

18 MS. HETTINGER: But the fact that that was
19 voted no before you're going to make a vote on this
20 issue that is going to affect the history, like
21 everyone is pointing out, of this town and the
22 county as a whole for the future to come is

1 ridiculous.

2 Today is Valentine's Day, so for the
3 love of Warrenton, vote no.

4 Thank you.

5 (Applause.)

6 MR. CLOUGH: David Fox, Ann Kehoe, Richard
7 Keister, Katherine Kulig (ph).

8 (No responses.)

9 MR. CLOUGH: Ann Kehoe, Richard Keister,
10 Katherine Kulig, Joan Morris, Leigh Owsley.

11 MS. OWSLEY: Hi. I'm Leigh Owsley. I live
12 at 54 Winchester Street, and I own Latitudes Fair
13 Trade Store at 78 Main Street. I've been in
14 business for 12 years there.

15 And fair trade is a way of doing
16 business in which every member of a supply chain is
17 treated with dignity, respect, and no one is
18 exploited for undue gain by anyone else in the
19 system. That way of doing business and creating
20 community is really important to me, and so I'm
21 especially concerned as a business person in the
22 town and as a town resident about the proposed data

1 center.

2 But I'm really here mostly speaking as
3 a business person on Main Street. And I am
4 incredibly privileged. Like, almost every day --
5 I'm sorry I'm crying. But almost every day people
6 come in and they say, "Oh, my gosh. This town is so
7 quaint. It's so beautiful. It's so lovely."

8 I'm sort of like an ambassador for
9 Warrenton. Like, people come in and they say they
10 are thinking about moving here, and I'm all over it.
11 "You'll love it. It's great."

12 And I just feel incredibly privileged
13 to get to see that. And I've never been more proud
14 of my town than in these meetings. I'm just so
15 proud of my town.

16 (Applause.)

17 MS. OWSLEY: But I just really think that
18 the relatively small increase in revenue that Amazon
19 has said that they'll generate is really going to be
20 a horrible trade-off in terms of tourism and housing
21 value.

22 We all know people come to tourist --

1 to the town of Warrenton. They don't come to
2 Walmart. They come for our cute town. And I don't
3 -- I think even though the data center is, like, not
4 on Main Street, it's going to affect the ambiance of
5 Main Street. And I think it's going to have a
6 really high cost.

7 And I really wish that you-all would
8 look at those emails before you vote. I understood
9 that you were saying you were trying to get it done.
10 And now it sounds like it's not going to happen and
11 I amend the amend the amend so you can see those
12 emails before you vote and make a really wise
13 decision.

14 Thank you.

15 (Applause.)

16 MR. CLOUGH: Ann Kehoe, Richard Keister,
17 Katherine Kulig, Joan Morris, Mark Smith, Jason
18 Smolinski, James L. "Lou" Spencer, Melissa
19 Widenfield, David Wynn.

20 MAYOR NEVILL: Actually, sir, I just want to
21 -- the gentlemen coming down the aisle, I think, is
22 just procedurally before you, if you don't mind.

1 MR. CLOUGH: It's Mr. Fox, correct?

2 MR. FOX: Yeah. David Fox. I live at 257
3 Hidden Creek Lane. I'm sorry I missed the call of
4 my name earlier.

5 I've spoken several times to the
6 council, to the planning commission, as well, over
7 the course of these -- this process. It's been a
8 very bonding experience with my, you know, fellow
9 citizens. And it's remarkable, this "us against
10 them." It shouldn't feel that way. It's an
11 abomination.

12 (Applause.)

13 MR. FOX: And I wonder sometimes politically
14 if there is a capacity for shame; but we are close
15 to that point, and is it not too late. It is not
16 too late to do the right thing. It is really close,
17 but it is not too late to do the right thing. Any
18 of you --

19 (Applause.)

20 MR. FOX: Any of you who are somehow still
21 on a fence about this thing that we are all so
22 vehemently opposed to -- how you could even be near

1 the fence is beyond me. But if you're on the fence
2 and you believe that this is what you should be
3 looking at when you make your decision, I implore
4 you, whatever dignity that you may be able to summon
5 to either delay your vote or to vote no, because
6 that is what the people clearly want you to do, it
7 is essential for your legacy, for your ability to
8 walk down any street in this town with any semblance
9 of dignity. That's what it is down to at this
10 point.

11 I can't believe it has gotten to this
12 point, but here we are. It is not too late. We are
13 really close to it being too late. If you are on
14 the fence, step away from that fence. It really is
15 not what we need as a town. It is clear as day.

16 Thank you.

17 (Applause.)

18 MR. SPENCER: Mr. Chairman, Town Council
19 members, residents of Warrenton, good evening, and
20 Happy St. Valentine's Day. My name is Lou Spencer.
21 I live in Essex County, Virginia.

22 I'm the assistant business manager of

1 the United Association Local Union No. 5, plumbers
2 and gas fitters. And I'm the recording secretary of
3 the Virginia Building and Construction Trades
4 Council. We represent thousands of plumbers,
5 construction trades and contractors living and
6 working in Northern Virginia and across the
7 Commonwealth.

8 I support the Amazon data center.

9 Needless to say, data center
10 construction has been good for the construction
11 trades in our area. Data center owners and the end
12 users have been responsive and responsible. They
13 want their buildings built properly, and we are
14 eager to work for them.

15 Let's remember those earned wages and
16 medical, retirement, and apprenticeship training
17 benefits stay here in this community.

18 I wish the residents in the Town of
19 Warrenton much success and happiness. We are
20 blessed to have this debate before us. I travel
21 throughout the Commonwealth, and I can tell you
22 there's areas in Virginia that have little to no

1 economic growth.

2 Know this: When and where you decide
3 to build is your decision. We want to build it for
4 you. We will build it right. We will build it on
5 time.

6 (Boos.)

7 MR. SPENCER: Know this: When and where you
8 decide to build it is your decision. We want to
9 build it for you. We will build it right. We will
10 build it on time, under budget, with topnotch
11 craftsmanship.

12 In closing, please approve the Amazon
13 data center special use permit.

14 Thank you.

15 (Boos.)

16 MR. CLOUGH: Mr. Mayor, your mike.

17 MR. SMOLINSKI: Good evening. James
18 Smolinski at 481 Cardinal Lane in Ward 1. I was
19 here last month, and I'm happy to be back again.

20 There are three specific things that
21 that I would like to comment on in my three minutes.

22 The first is that this is for many of

1 us all about the noise. And it's not imaginary.
2 Noise is a critical concern. And we are fortunate
3 that our neighbors in Prince William County have
4 warned us about this. At the last meeting last
5 month someone from Prince William drove out here to
6 give us that warning, and it would be good of us to
7 heed that warning.

8 Second, it is also all about our
9 property values as many of you have mentioned. The
10 potential impact to home values because of noise;
11 the viewshed; power towers, if that winds up being a
12 thing, should be a major concern for the Town
13 Council, especially our council member who is in
14 real estate.

15 As I stated last month, we're talking
16 almost 800 residential units within a half mile of
17 the structure. The gentleman earlier mentioned
18 hearing the data center nearest him a mile away.
19 We're talking half a mile to 800 residential units.

20 Number 3, the swift erosion of our
21 public trust. It was enough to draw us all out
22 here, and it was enough to draw me out here for the

1 first time last month.

2 So we've -- my family has been here for
3 about 12 years. Previously, you could actually
4 dialogue with those who were representing your
5 neighborhood. It's been a bit of a black hole for
6 the last six months or more trying to have that
7 dialogue. I've tried to articulate my concerns to
8 my Ward 1 council member as far back as August.
9 I've never received acknowledgment. I would love an
10 auto reply at least. Just something to say "there
11 you go."

12 When you take this job, you should be
13 willing -- you must be willing to dialogue and to
14 have the conversation with your constituents. We
15 deserve a conversation about the future of our town
16 and our county, some back and forth a little bit.
17 Maybe not avoiding us.

18 As for voting against seeing the emails
19 before a vote, it's despicable; and shame on those
20 who voted no.

21 (Applause.)

22 MR. SMOLINSKI: We're sort of traveling

1 forward at a high speed here toward a transformed
2 Warrenton. We have literally been warned by our
3 neighbors of what's coming. Just recently last
4 month we've been warned. This will open the door
5 for more data centers on adjoining properties, other
6 big properties within the town. It's going to be a
7 patchwork of approval springing up here and there
8 without any sort of vision.

9 If you open the doors prematurely, the
10 flood will come in. We will have failed to be
11 different than any other county around us; and you
12 will have failed us, as well.

13 Happy Valentine's Day.

14 MAYOR NEVILL: Thank you, sir.

15 MR. SMOLINSKI: Thank you for your time.

16 MS. WIEDENFELD: I am Melissa Wiedenfeld. I
17 live at 12 Fishback Court in Warrenton.

18 I am not part of a special interest
19 group. I am a constituent. And I would like to
20 thank my Town Councilman Bill Semple for his
21 incredible work and --

22 (Applause.)

1 MS. WIEDENFELD: -- and his support for Ward
2 2 citizens. This is something I don't see
3 elsewhere.

4 Today the Amazon-Jeff Bezos Washington
5 Post mischaracterized this debate as one of wealthy
6 Fauquier County citizens opposed to industry. This
7 is wrong. All of my friends and my neighbors, all
8 of us here are of modest circumstances. And we were
9 vehemently opposed to bringing Amazon to Warrenton.

10 How did we get to this point? We need
11 to first reject this SUP, and then investigate those
12 emails, those secret meetings, the former town
13 manager turned Amazon employee.

14 (Applause.)

15 MS. WIEDENFELD: But more importantly, how
16 did we get so many Town Council members willing to
17 choose a major corporation over the health and well
18 being of their constituents?

19 (Applause.)

20 MS. WIEDENFELD: Please do the right thing.
21 Please reject the SUP. The tax income isn't worth
22 destroying the town.

1 Thank you.

2 (Applause.)

3 MR. CLOUGH: Ann Kehoe, Richard Keister,
4 Katherine Kulig, Joan Morris, Mark Smith, David
5 Wynn, Bridget Wolfe, Alfred Young, Christina Bills.

6 (No responses.)

7 MR. CLOUGH: Ann Kehoe, Richard Keister,
8 Katherine Kulig, Joan Morris, Mark Smith, David
9 Wynn, Bridget Wolfe, Alfred Young.

10 MR. YOUNG: My name is Alfred Harris Young.
11 I live at 347 Falmouth Street in Ward 2. I am a
12 resident and business owner of the Town of
13 Warrenton.

14 I've come here tonight on my wife and
15 my wedding anniversary. Instead of spending the
16 evening together, I've come to urge the elected body
17 to see that an overwhelming majority of the citizens
18 of the Town of Warrenton strenuously object to the
19 Amazon data center.

20 Also, we are strongly opposed to the
21 high voltage transmission lines that are being
22 proposed to run down the historic Falmouth Street

1 and adjoining streets where I live. These have no
2 place in this beautiful town of Warrenton, which I
3 love.

4 I would also like to say that there's
5 absolutely no way Amazon will be able to comply with
6 the noise ordinance. The notion that you will have
7 them self monitor is absolutely ridiculous.

8 (Applause.)

9 MR. YOUNG: I've made a small list of just a
10 few of the things that the citizens of the Town of
11 Warrenton will be sacrificing if this is allowed to
12 proceed.

13 The residents that are in close
14 proximity to this center will be sacrificing their
15 peace and quiet as they sit in their homes, on their
16 porches, or in their backyards. They will no longer
17 be able to open their windows without constant
18 noise.

19 We will also be sacrificing thousands
20 of dollars in property value as the effects of the
21 data center and transmission lines are realized.

22 In addition, we will be sacrificing the

1 faith in the elected officials to make decisions and
2 the processes that they use to have the voters and
3 the town's best interests in mind.

4 Finally, I would like to ask you, what
5 will you, the members of this Town Council, be
6 sacrificing? Will you be able to walk down the
7 street or conduct your business knowing that you
8 sold out your town and your voters?

9 (Applause.)

10 MR. YOUNG: In my opinion that's a
11 possibility that you may need to consider. So
12 please, please, please vote no on the Amazon data
13 special use permit.

14 Thank you.

15 MR. CLOUGH: Mark Smith, David Wynn, Bridget
16 Wolfe, Christina Bills.

17 MS. WOLFE: Hello. My name is Bridget
18 Wolfe. 7188 Homestead Court, Warrenton.

19 I've been to pretty much all of the
20 meetings with the planning commission and the Town
21 Council about this SUP, and I'm really disappointed.

22 I moved out here a couple of years ago

1 because I was trying to get away from the rat race
2 of Fairfax County. And I bought a house. I live
3 here. I work here. I have made friends here. I've
4 become involved in the community. And I really
5 think that this data center is really not what's --
6 at the entrance of the town is really not what we
7 need, and I really hope you can find it within your
8 hearts to do what the constituency [sic].

9 I know a lot of people have left, but
10 there have been quite a few people here tonight who
11 have been very enthusiastic, energetic, passionate
12 about what they want.

13 Please don't vote for this SUP. Please
14 keep taking care of the town.

15 Thanks.

16 (Applause.)

17 MR. CLOUGH: Mark Smith, David Wynn,
18 Christina Bills, Christopher Bonner, Jonathan
19 Elliott, Jennifer George, Kirk Goolsby, Jeffrey
20 Grambo.

21 MR. FRANCIS: Good evening. I'm Roy
22 Francis. I'm speaking for Mark Smith. Let me get

1 my eyeballs on here.

2 There are issues that periodically
3 arise that are bigger than most. My fellow
4 residents and members of the Town Council, this is
5 one of those. There are issues so big and so
6 important that you should consider and determine
7 just how the people of the town actually feel about
8 it. I believe this is definitely one of those
9 issues.

10 Tonight, I'm asking you, the Town
11 Council elected by the people, to delay this vote
12 and consider a town referendum on this proposal.

13 (Applause.)

14 MR. FRANCIS: In fairness to all concerned,
15 I believe everyone in this room would agree and
16 support that action.

17 We know there is a timeline to vote,
18 but the health, both mentally and physically, of the
19 citizens you supposedly represent are far more
20 important than a meaningless timeline.

21 Amazon can wait.

22 (Applause.)

1 MR. FRANCIS: There is no reason that this
2 has to be immediately decided upon. And a special
3 vote by the townspeople is truly the satisfactory
4 decision that can end the bitter angst and major
5 divisiveness caused by the absolute lack of
6 transparency by this very body.

7 (Applause.)

8 MR. FRANCIS: You have a perfect opportunity
9 to bring the citizens together to support this
10 proposal or vote it down. You, the Town Council
11 members, should consider relieving yourselves of
12 this strain, the pressure, and the unfortunate
13 ramifications of your vote when it isn't necessary.

14 This is such an important issue. Let
15 the people decide, not you.

16 (Applause.)

17 MR. CLOUGH: David Wynn, Christina Bills,
18 Christopher Bonner.

19 MR. WYNN: Good evening. I'm David Wynn,
20 resident of Warrenton.

21 I have -- a couple weeks ago, three,
22 four weeks ago, I sent the whole Town Council a list

1 of 35 instances where this data center conflicts
2 with the comp plan.

3 The comp plan is only 80 pages long.
4 When was the last time you read it? There's 35
5 instances in the comp plan that do not agree with a
6 data center. Please read the comp plan. It's only
7 80 pages. I could read those to you, but I won't do
8 that tonight.

9 If you go to the zoning ordinance,
10 Special Use Permits and Waivers Authorization,
11 Section 11-3.10.1, it will tell you what gives you
12 the authorization to approve an SUP. I could go
13 through this, also. If you read it, you would see
14 that you cannot approve the data center. If you'd
15 like me to give a couple of examples, I'd be happy
16 to.

17 "Upon finding that the use with
18 conditions will have a deleterious impact and will
19 reflect the spirit and intent of the comprehensive
20 plan of this ordinance" -- it does not. I could go
21 through there. There's -- again, read the zoning
22 ordinance.

1 And what I would leave you with is I
2 would suggest that you remove the data center text
3 from the zoning ordinance so we don't have any data
4 centers in our compact urban environment.

5 (Applause.)

6 MR. WYNN: There is simply no place in our
7 small town for data centers in a compact urban
8 environment. I don't know how you can't see that.
9 It's like building an industrial plant right in the
10 middle of a residential community. That's what
11 you're doing.

12 It's urban blight, and it's noise, and
13 it's anathema to the comp plan. And you cannot find
14 authorization in the zoning text for this special
15 use permit. I defy you to do it. Please read the
16 comp plan, please read the zoning ordinance under
17 the heading Special Use Permits and Waivers
18 Authorization. It's very simple.

19 Thank you.

20 (Applause.)

21 MS. ELLIOTT: Good evening. I'm speaking
22 for Jonathan Elliott, my husband. I live at 10120

1 Brown Moore Lane in Marshall. I'm going to speak to
2 you about the special use permit application you'll
3 be voting on.

4 I'm a civil engineer, and I review site
5 construction plans and permit applications. I gave
6 this one a read, and I found it to be an incomplete
7 application. In my experience it is incomplete to
8 an extent that would be unusual for approval in a
9 large scale project such as this one.

10 Now, we know in a special use the
11 burden of proof is really on the applicant to
12 provide a thorough analysis of the downsides and
13 compelling reasons why they could receive an
14 exception. That is what the statement of
15 justification in this permit is for.

16 But this statement of justification
17 fails to provide the requested analysis. There are
18 16 criteria here to be addressed. In my judgment,
19 the applicant did adequately discuss and analyze six
20 of the 16 criteria, but the remaining ten either
21 we're avoided or the responses have not stood up to
22 closer examination.

1 Let's take environmental impact for one
2 example. This is criteria 10 and 16.

3 10: Whether the proposed special use
4 permit at the specified location will result in the
5 preservation or destruction, loss or damage of any
6 significant topographic or physical, natural,
7 scenic, archeological, or historic feature.

8 16: The effect of the proposed special
9 use permit on environmentally sensitive land or
10 natural features, wildlife habitat, and vegetation,
11 water quality and air quality.

12 In the initial submittal, the applicant
13 responds, "In 2020, the applicant became the world's
14 largest purchaser of renewable energy. Its
15 facilities are almost four times as energy efficient
16 as other enterprise data centers," et cetera, et
17 cetera. It goes on like that.

18 That response does not adequately
19 address environmental impact. How could it?

20 Similar comments can be made about the
21 eight other criteria. What improvements the
22 application has now have essentially been made at

1 the direction and demand of the citizens.

2 The planning commission and the
3 citizens have spent the last few months essentially
4 doing the applicant's work for them: Providing
5 analysis, addressing the tough questions, quality
6 control studies, developing feasibility options,
7 even correcting typos and topographic errors.

8 Perhaps Mr. Foote can let everyone know
9 how to bill their time.

10 This application, even as it stands
11 now, is, in my judgment, not thorough or complete
12 enough to move forward. You would be right to vote
13 no.

14 Thank you.

15 (Applause.)

16 MR. CLOUGH: Christina Bills, Christopher
17 Bonner, Jennifer George, Kirk Goolsby, Jeffrey
18 Grambo, Brian Hagerty, Amy Hampton.

19 MS. RUFFNER: Hi. I'm Montana Ruffner,
20 Scott District, and I am taking Chris's spot.

21 My grandparents came to this area in
22 the '60s with an aim to raise a family with values

1 of stewardship for each other and for the
2 environment, our beautiful, kind world in the
3 rolling hills of the Piedmont.

4 I married a boy from Warrenton whose
5 family has been in Fauquier well over a century. He
6 grew up on Bear Wallow Road near Old Gold Cup. We
7 saw that development gobble up our historic and
8 vital cultural landmarks. Can we look to our past
9 for this current situation?

10 Fast forward to now. My husband works
11 in Old Town for his family's business that's been
12 here for close to 50 years.

13 I, too, work in Old Town. I run a
14 community farmer's market in Upperville, and I
15 volunteer with organizations -- sorry, I guess I'm a
16 little nervous up here, y-all. I, too -- give me
17 30 seconds. We are -- and volunteer for
18 organizations in this wonderful county. We are
19 blessed to enjoy this county from edge to edge, and
20 to be the next generation here.

21 As a young couple thinking about
22 growing our lives and family, I know I'm not the

1 average speaker here. Probably a couple decades
2 younger. But I am here to give you the voice of the
3 next generation that has the opportunity to grow in
4 this charming community. And I had the hopes of
5 continuing the legacies of Fauquierstonians and
6 Warrentonians. We are the future.

7 I ask you not to cower down or sell out
8 and allow the next generation, y-all's offspring, to
9 enjoy this incredible town and county.

10 Please don't let the monsters in that
11 spread throughout our community, from data centers
12 to gigantic transmission lines -- for us in our
13 neighboring counties -- and generally poor planning.
14 And remember, be the change you wish to see in the
15 world and make choices that don't keep you up at
16 night.

17 Thank you.

18 (Applause.)

19 MR. CLOUGH: Brian Hagerty, Amy Hampton,
20 Kevin Hampton, James Hanover, Susan Hartford,
21 Katherine Hayes.

22 (No responses.)

1 MR. CLOUGH: Brian Hagerty, Amy Hampton,
2 Kevin Hampton, James Hanover, Susan Hartford,
3 Katherine Hayes.

4 (No responses.)

5 MR. GRAMBO: Excuse me, sir. I have a
6 question. I did speak earlier. Was my conversation
7 disregarded, or do I need to give it again now?

8 MAYOR NEVILL: If you would like to give it
9 again now for in the record, that is fine.

10 MR. GRAMBO: Thank you very much. I'm glad
11 I didn't throw it away.

12 Good evening, Town Council, and Mayor.
13 My name is Jeffrey Grambo. I live at 300 Winchester
14 Street, and I've been a Town of Warrenton resident
15 for over 18 years.

16 Please tell me why this SUP is good for
17 the town. Tell me what I'm missing. What are the
18 reasons why a data center, which is so wildly
19 unpopular, is such a good idea for Warrenton? How
20 does Warrenton become a more attractive place to
21 live with a data center as a welcome mat.

22 The Town Council has not been honest

1 about the rezoning of the property in question and
2 the trashing of the 2040 plan. What did happen to
3 the 2040 plan?

4 Have you Councilmembers done your
5 research? Neighboring jurisdictions -- are
6 neighboring jurisdictions happy with the data
7 centers they now have to live with? Are these large
8 buildings an attraction to the community? Is the
9 constant humming noise from these centers something
10 that we want?

11 Let's not forget about the tax revenue
12 these centers are supposed to bring. The promise
13 seems to be constantly coming up short.

14 To our Councilmembers that believe a
15 majority of the town residents favor the data
16 center, then let's have a vote, as Mr. Francis has
17 alluded to. Let's have a referendum. Let's let the
18 people vote.

19 (Applause.)

20 MR. GRAMBO: Why is that bad?

21 And I didn't comment earlier, not
22 letting other Councilmembers read data. On the

1 board I serve on, if I was excluded from reading
2 data before I made a decision, I would be raising
3 hell.

4 (Applause.)

5 MR. GRAMBO: Are these people here invisible
6 to you? If such an overwhelming majority of the
7 residents are opposed to the data center, how can
8 they -- how can you be for it? Have you no sense of
9 duty or obligation to the citizens?

10 And I'll allude to it again: What was
11 done in the dark with our town manager, et cetera,
12 and these emails that are being kept secret by the
13 council to other Councilmembers -- I saw you
14 Mr. Heroux. I saw you. These rules must apply.
15 Your Open Meetings Act must be to keep the business
16 of the council open and transparent to citizens.

17 And I'll say it again: I sit as a
18 trustee on a board responsible for billions of
19 dollars. I'm not a millionaire, not a billionaire.
20 I'm just a retiree. But I sit on the board. If I
21 met with principals about investments or awards that
22 were not open to the public, I would be going to

1 jail.

2 I urge you to deny the special use
3 permit.

4 Thank you very much.

5 (Applause.)

6 MR. CLOUGH: Brian Hagerty, Amy Hampton,
7 Kevin Hampton, James Hanover, Susan Hartford,
8 Katherine Hayes, Lori Karnay, Larry Kolvech (ph),
9 Robin Lonas (ph), Redmond Meunier (ph), Jessica
10 Matthews, Michael McGee, David Dwight "Ike" Miller.

11 (No responses.)

12 MR. CLOUGH: Brian Hagerty, Amy Hampton,
13 Kevin Hampton, James Hanover, Susan Hartford,
14 Katherine Hayes, Lori Karnay, Larry Kolvech, Robin
15 Lonas, Redmond Meunier, Jessica Matthews, Michael
16 McGee, David Dwight "Ike" Miller.

17 UNIDENTIFIED SPEAKER: May I suggest just
18 letting people who haven't spoken get in line and
19 speak.

20 MR. CLOUGH: We still have additional
21 sign-ups to do, yes, sir.

22 MR. MILLER: I don't think anybody else is

1 waiting.

2 My name is David Dwight "Ike" Miller.
3 I've been a resident of this county almost my entire
4 life. And my family, my father, started a business
5 in town in Warrenton in 1968 when I was two. Miller
6 Carpets is still there. We've been paying taxes to
7 this town for a long time. I think I have some
8 standing.

9 I'm not here to talk about overhead
10 power lines. They're ugly. We all know that. Not
11 here to talk about job creation. Amazon will bring
12 whoever they want. I'm not here to talk about tax
13 revenue, although even sitting and watching you
14 folks this morning, there were a lot of valid
15 questions about how much money and when.

16 I'm not here to talk about noise. Same
17 thing applied this morning. So many questions from
18 some Councilmembers, because it's just not clear.
19 Not here to talk about the massive reduction in the
20 value of the property that's going to be adjacent
21 nearby if this disaster unfolds.

22 Others have talked about that. I'm

1 asking you to focus on two words: Courage and
2 resolve. Most of you have made up your minds
3 already. That's kind of a real shame. Especially
4 those of you who want to vote in the affirmative.
5 I'm sure you've listened -- or maybe you haven't
6 listened. Nobody wants this.

7 Have the courage, those of you that
8 want to vote yes, to change your vote tonight.
9 Surprise us. Surprise your fellow Councilmembers.

10 Your legacy is real, if you care. Some
11 of you care about it. It's going to be permanently
12 damaged.

13 And if this disaster unfolds, we, the
14 people, don't want to hear a couple of things. I'll
15 just paraphrase them: We were assured from Amazon
16 that they would work with us in good faith. We
17 voted for the SUP based on the best information we
18 had at the time. Well, we thought revenue was too
19 important to ignore this. We had to meet an
20 application timeline.

21 The application is incomplete. You-all
22 know that. Smarter people than me have pointed it

1 out.

2 And finally, we were acting in the best
3 interests of the citizens. Right. You know, we
4 don't want to hear it. It will fall on deaf ears.

5 After the December 7th bombing of Pearl
6 Harbor, Japanese Admiral Yamamoto purportedly
7 stated, "I fear all we have done is to awaken a
8 sleeping giant and fill him with a terrible
9 resolve."

10 The sleeping giant, it's not Amazon.
11 Guess what, it's not even you guys. Here is your
12 sleeping giant right here. And if you don't listen
13 to us and you vote this in, the legal battle will be
14 long and painful; and we will prevail. We will get
15 those emails. We will get this overturned. We will
16 not let you destroy this beautiful town.

17 I'm on Main Street every day. And just
18 like Leigh Owsley, I'm so proud to be up there, and
19 so happy to see what's there, to see what I see.
20 Don't wreck it.

21 Thank you.

22 (Applause.)

1 MR. GERRISH: I know I'm in your list there
2 somewhere.

3 Good evening. My name is Dave Gerrish.
4 My family and I live in Old Town on High Street in
5 Ward 2, and have done so for over 30 years.

6 I work in Old Town on Main Street now
7 for over 40 years. The nature of my work puts me in
8 touch with a broad cross-section of our public. I
9 have been involved in many community projects and
10 with many community organizations over the years.

11 First of all, I would like to say that
12 it is always an honor to live in a country where we
13 have the freedom to speak our mind especially to our
14 elected officials and hopefully feel as though they
15 are truthfully listening.

16 (Applause.)

17 MR. GERRISH: I came tonight to speak in
18 opposition to the Amazon data center. The pros and
19 the cons have been discussed now for months.

20 The point I would like to emphasize
21 this evening is that it is quite clear that the
22 wishes of the vast majority of our constituents are

1 opposed to the center being located in town.

2 My ask is that you listen to your
3 citizens. My god, listen to them --

4 (Applause.)

5 MR. GERRISH: -- and then act in their best
6 interests.

7 I have heard some discussion about the
8 idea of a silent majority in favor of the data
9 center. I can only tell you that from where I sit
10 and from what I hear there is no silent majority on
11 this issue. And, frankly, I believe this is one of
12 those impassioned issues that on rare occasion rise
13 to the public interest, and silence is not an
14 option.

15 Thank you. Thank you.

16 (Applause.)

17 MR. FOX: Good evening, and Happy
18 Valentine's Day. My name is Michael Fox. I live at
19 7241 Hastings Lane here in Warrenton.

20 Going through school, we used to hear
21 from our history teachers all the time -- when we
22 asked why we had to learn stuff in history -- that

1 those who don't remember history are condemned to
2 repeat it.

3 Well, in this case we don't really have
4 to look back too far for our history. Right up the
5 road we've got Loudoun County, and we've got Prince
6 William County. Is that the history that you want
7 to repeat here in Fauquier County? Because if it
8 is, I don't think the people that voted for you knew
9 that that was your vision for the future of Fauquier
10 County.

11 (Applause.)

12 MR. FOX: And to follow through with this
13 would really be a betrayal of their trust.

14 And speaking of betrayal, we'll go back
15 even a little bit further in history to a famous
16 person who betrayed someone close to them. His name
17 is Judas Iscariot. And I hope you guys don't have
18 the same problem he did after he realized what he
19 had done. So if you betray your constituents, I
20 hope the 30 pieces of silver is worth it.

21 Thank you.

22 (Applause.)

1 MS. CLARK: My name is Bernadine Conley
2 Clark. I live on Menlough Drive in Warrenton.
3 I am not a NASA engineer, a noise
4 expert. I'm not a lawyer. I'm not a wealthy
5 landowner, and I'm not a politician. I like to read
6 books. So it occurred to me that to be helpful I
7 might offer some parallels between this project and
8 some well-known works of wisdom.

9 There's Faust. Faust sells his soul to
10 gain revenue, power, and worldly knowledge. This
11 SUP proposes that Warrenton sell its soul for
12 revenue and to be in the good graces of one of the
13 most powerful corporations in the world. But you
14 know what, the parallel doesn't actually work
15 because Faust was guaranteed his riches.

16 The benefits Warrenton will reap are
17 still undetermined. So instead of a Faustian
18 bargain, you-all are voting for a Faustian scratch
19 ticket.

20 (Applause.)

21 MS. CLARK: Then there's Gatsby. You look
22 at Gatsby and the Valley of Ashes. It's an ugly

1 wasteland, but it seems a necessary blight on the
2 landscape. The poor live there because it's the
3 only place they can, and the rich race by it in
4 their fast fancy cars.

5 But this parallel also doesn't hold
6 totally true because our Valley of Ashes will not be
7 limited to one site as the data centers proliferate,
8 our Valley of Ashes, it will insinuate itself into
9 the fibers of our town.

10 Ultimately the story that best holds is
11 a classic. The story of the scorpion and the frog.
12 The frog is enjoying his pond. A scorpion comes by
13 and says, "I need a ride over the water."

14 The frog says, "Dude, you're a
15 scorpion." And the scorpion says, "No, no, no. I
16 just need a ride across the pond, really."

17 So the frog trusts the scorpion and
18 lets him on his back, and then feels his stinger and
19 the venom seeping into his system. And as he's
20 dying, he says to the scorpion, "Why did you sting
21 me?" And the scorpion responds, "Because it is my
22 nature."

1 (Applause.)

2 MS. CLARK: The scorpion scuttles to shore,
3 and the frog -- well, the frog croaks.

4 Just to be clear -- and, Mr. Heroux,
5 this is for you -- Mr. Heroux, I respect scorpions.
6 They deserve my respect. They deserve to be seen --
7 respect to be seen for their nature, for who they
8 are. They are part of this world. They are part of
9 the ecosystem. And I know that I would be naive,
10 and Dante would suggest proud, not to respect their
11 true nature. And I know that I would be naive, and
12 Dante would suggest proud, if I let them into my
13 pond.

14 You have a choice. You're informed.
15 You're educated. Do the right thing. Don't let
16 them into the pond.

17 (Applause.)

18 MAYOR NEVILL: (Indiscernible) speakers.

19 MR. PAUN: Hi. My name is Owen Paun. I
20 live at 786 General Wallace Court, which is in the
21 first ward.

22 I've heard a lot of people talk about

1 the townhouses; and I live in one of those
2 townhouses. I, along with my wife and three
3 children, 8, 6, and 2, who go to Bradley just down
4 the road.

5 But I haven't always lived in
6 Warrenton. From 2012 to 2015, I was a missionary in
7 Russia. I was a missionary there, and I saw what
8 the government and oligarchs together were able to
9 do in the face of public opposition because it
10 ultimately didn't matter.

11 In 2015, I was forced to leave Russia
12 because the government passed a law restricting
13 religious freedom. I had to move to a different
14 country, so I went to Bulgaria.

15 When I was in Bulgaria, I lived and
16 ministered in a village 25 kilometers from Sofia,
17 the capital city, that did not have running water.
18 It had pipes. They laid the pipes. But the city
19 planner refused to turn the water on unless they
20 received a bribe. And the village was too poor.
21 And I'm not accusing anyone here of accepting a
22 bribe. The point is about responsiveness.

1 After Bulgaria, when I returned to
2 America, I returned to Loudoun County where I
3 attended school board meetings that we all saw were
4 not responsive to the parents, arrested some of
5 them, called those who attended domestic terrorists.

6 I left there in 2021, and I moved here
7 to Warrenton where I hoped to find a city government
8 that was responsible to its people, a school that
9 was safe that I could take my children to.

10 My wife and I found a local church.
11 Just a couple months ago we entered the membership
12 of Warrenton Baptist.

13 We opened this ceremony -- this
14 ceremony -- this meeting with prayer. And if that
15 matters to you, Jesus commands us to love our
16 neighbors as ourselves, and he warns us that you
17 can't serve good and mammon.

18 I am asking you, as a citizen, as a
19 resident of Ward 1, who walks his children to school
20 -- if you go to Bradley and you see someone walking,
21 it's me. There's not very many of us.

22 My children will wake up with the sound

1 of the data center. They will walk to school with
2 it. They will go to school with it. They will come
3 home, and they will go to sleep at night with the
4 sound of the data center. That is not a future that
5 I want for my children, and I don't know what will
6 happen if that comes.

7 And they talk about prices. Yeah, I'm
8 worried about my property value. I worry more about
9 my children. I worry more about our quality of
10 life. That's why we came here. That's why we left
11 Fairfax and Loudoun; and I know I'm not the only one
12 who has that story.

13 I've seen places that privilege the
14 state over citizens: Russia, Bulgaria, Loudoun.
15 And in this room right now we have the state flag of
16 James Madison and Thomas Jefferson, and we have the
17 flag of their Declaration of Independence and their
18 Constitution. I don't have the chance to vote on
19 this. Although, if you move it to a referendum, and
20 I don't know if you can -- if you do that, I would
21 have the right to vote. But in this current --

22 (Applause.)

1 MR. PAUN: In this current system all I can
2 do is appeal to you to love your neighbors -- and
3 they have let you know how they feel -- to represent
4 your constituents to deny the SUP and to bring
5 transparency.

6 Thank you.
7 (Applause.)

8 MS. ARRUDA: I think we were supposed to be
9 in alphabetical order, and somehow I got missed.
10 I'm not sure what your order was.

11 MR. CLOUGH: We're not in alphabetical
12 order. We're going by the sign-up list. We started
13 with the 1/10 sign-up to hit the speakers that had
14 not been yet -- had the opportunity to speak from
15 1/10. So we had -- we were continuing to call names
16 then.

17 MS. ARRUDA: Well, can I go ahead and go?
18 Because I've been waiting for -- I was supposed to
19 be number 40 on that list, and I still haven't heard
20 my name called, so, can I go? Okay. All right.

21 Hello. My name is Dawn Arruda, and I
22 live at Pinnacle Court in the Reserve at Moorhead in

1 this great Town of Warrenton.

2 I wear many hats in my professional and
3 private life. And as some of you may know, I am a
4 Realtor. I am an HOA president. I'm a proud member
5 of the Rotary Club and a vice chair of the Fauquier
6 Chamber of Commerce.

7 But tonight I'm here just on behalf of
8 me and all of you.

9 (Applause.)

10 MS. ARRUDA: I'm showing up tonight on
11 Valentine's Day eve -- which pretty much will soon
12 turn into the next day if we're here too much
13 longer. But I'm here today because today is the day
14 of love, and that's why we're all here tonight.

15 We are here to exclaim our love of this
16 town. A town that so many of my clients could not
17 wait to move here. A town where when you come to
18 the borders of this town your blood pressure drops
19 ten points. A town where you come to the events and
20 the parades to feel that connection of a simpler
21 time. It's a town that we all cherish and love.
22 County residents, as well as town residents.

1 We are all here tonight to ask you, all
2 of you, to continue to love this town by saying no
3 to Amazon.

4 I don't need to tell you all of the
5 reasons that this is a bad deal and why it stinks of
6 an inappropriate back-door distrust and why this
7 Amazon machine is not wanted here for so many
8 reasons.

9 The facts all speak for themselves, and
10 you have heard them multiple times. You-all know
11 it's the wrong place, the wrong location, to put
12 this center.

13 My biggest fear is that the information
14 that we don't have, the information that some of you
15 thankfully are asking for, the information that is
16 not available to us, the information that you guys
17 will not share even with the new Councilmembers,
18 that information, it scares me.

19 And the reason it scares me is because
20 there's some information in there that I'm afraid is
21 going to show a side of our town that I do not want
22 to know. But it has to be answered.

1 My heart on this Valentine's Day hopes
2 and prays that the people -- all of these people's
3 voices will be heard.

4 I saw the mockup of a planned use for
5 this property that would fit the comp plan and bring
6 much needed affordable housing so that we can keep
7 our young people here. A plan that has green
8 spaces, walking paths, that lends itself to an
9 entrance to our town that is worthy of our town.

10 The data center is not worthy of the
11 entrance of your town, and neither is the one that
12 you guys are talking about at the maple farm. We
13 need to explore other options.

14 That we cannot set a precedent for
15 these data centers. We cannot invite them to our
16 communities. Let's learn the lessons from all of
17 those who have come before us and all that are
18 currently fighting to keep these from taking over.

19 MAYOR NEVILL: Thank you, ma'am.

20 MS. ARRUDA: Do the right thing.

21 MAYOR NEVILL: Thank you, ma'am.

22 MS. ARRUDA: Love, love, love this sweet

1 little town, and say no.

2 MAYOR NEVILL: Thank you.

3 MS. ARRUDA: Thank you.

4 MR. EBRAHIM: Good evening, everyone. My
5 name is Raeid Ebrahim. I live at 32 Blue Ridge
6 Street. I'm a senior at Fauquier High School. I
7 also attend Mountain Vista Governor's School. And I
8 am also a candidate for the Board of Supervisors in
9 the Center District.

10 And before I start my comments, I would
11 like to thank Town Councilmember Bill Semple, Paul
12 Mooney, and Dave McGuire for supporting --

13 (Applause.)

14 MR. EBRAHIM: -- for supporting the -- for
15 supporting the motion to delay the vote until the
16 emails have been released. The vast majority of the
17 people of our town want all the facts to be
18 considered before we approve such a motion. Thank
19 you for standing up for transparency.

20 So I have lived in the Town of
21 Warrenton with my family for over seven years. It's
22 a great place to live. The air is clean, the people

1 are kind, and our small town and open spaces are
2 delightful and are unique.

3 However, Amazon's proposed data center
4 on the intersection between Blackwell Road and Lee
5 Highway, right on the entrance to the Town of
6 Warrenton, has the potential to alter our town and
7 our community without providing convincing benefits
8 to the people of Warrenton.

9 I'm standing here today to urge the
10 Town Council to reject Amazon's special use permit
11 application for a data center.

12 I have a rhetorical question. Which
13 would you rather see while entering our hometown, a
14 field of beautiful green trees that reflect the
15 natural appeal of our hometown, or a large concrete
16 behemoth of a building with no conceivable visual
17 appeal? I think that most people of this town would
18 agree that they would not want a large ugly concrete
19 data center welcoming you right at the entrance of
20 our town.

21 Some may argue that the data center
22 will bring many benefits that may outweigh these

1 costs, and I disagree. The potential benefits to
2 our community that Amazon's proposed data center
3 would generate would be slim.

4 One area that's been discussed is
5 revenue. According to the Fauquier Times, the
6 center would only generate about 800,000 a year,
7 which is 3 percent of the town's budget. And that
8 is not even considering the fact that if Amazon
9 wishes to, they can apply for tax rebates, which
10 would further recoup that cost and further lower the
11 tax revenue.

12 The number of jobs the data center
13 would generate is unclear, but according to the
14 Fauquier Times would be -- the estimates range from
15 30 to 52 employees. And out of these 30 or so
16 employees working at the data center, how many of
17 them will actually be people who live in our town?
18 Potentially, very few.

19 In a 3 to 1 vote, the Warrenton
20 Planning Commission recommended that the data center
21 be rejected, setting important concerns about noise,
22 power and tax revenue. Additionally, the commission

1 pointed to the fact that Amazon does not have a
2 detailed plan about what would happen when the data
3 center is commissioned. We should listen to these
4 experts who have our best interests in mind.

5 It is my belief that when approving
6 applications for development the primary question
7 one should ask is this: Will this development
8 benefit the people of our community? And I think
9 it's clear that the data center will clearly benefit
10 Amazon, but it will harm the people of Warrenton.

11 The technology in this data center
12 would likely become obsolete within a few years.
13 (Inaudible) would have a long (inaudible) of our
14 town.

15 Members of the Town Council, I politely
16 urge that you do what is right for the people of
17 Warrenton and respect Amazon's -- I'm sorry --
18 reject Amazon's application.

19 Thank you.

20 (Applause.)

21 MR. CLOUGH: Brock Bacos, Doug Barylski,
22 Matthew Brinkley, James Brown.

1 MR. RICHARDSON: Hi. I'm --

2 MAYOR NEVILL: I'm sorry, could you repeat
3 -- Mr. Clough, can you please repeat those names?

4 MR. CLOUGH: Brock Bacos, Doug Barylski,
5 Matthew Brinkley, James Brown.

6 MR. RICHARDSON: Okay. I'm Dave Richardson.
7 I'm on the list somewhere. If I may have a chance
8 to speak.

9 MAYOR NEVILL: We have somebody coming down
10 whose name was called.

11 MR. RICHARDSON: Oh, okay.

12 MR. BARYLSKI: I'm Doug Barylski. I live at
13 189 North View Circle. Thank you for establishing
14 this forum to get as many citizens in here as
15 possible. I'm not going to repeat the comments that
16 were made by many others. I do agree with them and
17 oppose this data center.

18 I am befuddled as to why a
19 representative of our skilled union laborers would
20 support a specific development when we're not
21 opposed to development per the comprehensive plan,
22 as in mixed use, as originally intended. And I

1 think that an excellent compromise is to continue
2 with the original intent of the comprehensive plan
3 as mixed use.

4 One thing I would like to add is even
5 if the plans did comply with the sound, you know,
6 compliance that's required, later on if they did not
7 comply, the only enforcement would be fines, which
8 Amazon would be more than happy to pay because
9 they've got beaucoup bucks, and the fines do not
10 make up for anything that would be any kind of real
11 penalty if they didn't comply.

12 So even if we thought that our sound
13 levels were adequate, they are still going to get
14 abused downstream.

15 Thank you very much.

16 (Applause.)

17 MR. CLOUGH: Brock Bacos, Matthew Brinkley,
18 James Brown, Barbara Burke.

19 MR. RICHARDSON: Your Honor, if I may. I'm
20 on the list. I'm David Richardson. I live in the
21 Oaks Springs District. It's a little more than half
22 a mile from where the data center would be built.

1 I'm an economist, and I want to talk
2 about money. And nobody has really talked about
3 money explicitly in this discussion.

4 And I'm thinking some of these people
5 just across Blackwell Road that are 200 yards
6 possibly from the data center, they are going to
7 lose half the value of their houses, or more.

8 You know, this is money that goes from
9 the citizens of Warrenton straight into the pockets
10 of Amazon. These are ordinary people that are
11 paying to a trillion dollar company. This is what
12 you're voting for. Is this what you really, really
13 want to have happen?

14 Another aspect to this is -- well, the
15 absent council person from Ward 1, hopefully, she
16 did not sell her house while this is going on,
17 because selling her house is a crime in this
18 situation. It's called insider trading.

19 (Applause.)

20 MR. RICHARDSON: If she had, she's looking
21 at jail time.

22 But it gets worse because she's in the

1 real estate business and she has been selling houses
2 for clients. If she used her insider information to
3 make these deals work, she's still guilty of insider
4 trading.

5 You people, the rest of you, a lot of
6 you are in different -- I don't know about the
7 jewelry business. I'll give Your Honor a little bit
8 of a break here. But look at your business
9 dealings. If you've used this insider information
10 in any way in your business dealings, you're taking
11 the same kind of risk. How do you get out of it?
12 You vote no. It's easy as pie.

13 So, conscience. What is conscience?
14 It's the still, small voice that tells you that
15 someone is watching. Well, someone -- the Post is
16 watching. The Times is watching. Jennifer Wexton
17 is watching. Everybody is watching you. Do you
18 really want to take that kind of chance? The way
19 not to is to vote no.

20 One last little bit. You know, self
21 respect is an important thing in our lives, and we
22 can think of it as more important than we really

1 realize sometimes. No amount of money, no new job,
2 will pay for your loss of self respect. Think of it
3 that way. Do the right thing. Vote no.

4 Thank you.

5 (Applause.)

6 MR. CLOUGH: Brock Bacos.

7 MS. MILLER: I go by McKenzie Miller. My
8 parents own 122 West Shirley Avenue. I live at 8688
9 Lees Ridge Road.

10 This -- I just like -- I don't even
11 understand why we're here. Like, it's interesting
12 how we've gotten this far. It's like I'm -- it's
13 unnerving. I feel like I'm on a drug right now, and
14 I haven't taken anything in, like, 24 hours.

15 For many reasons this is going to ruin
16 the real estate game for people buying and people
17 selling.

18 But on the noise level, I suffer from
19 chronic illness and this will affect me. Like, I
20 probably won't even be able to go to, like, Giant or
21 anything.

22 And I went to Highland School until I

1 was kicked out, and I can't imagine having to play
2 sports there or, like, going outside when this
3 structure is here.

4 And, honestly, I think if Amazon wants
5 to buy this place, they can build affordable
6 housing. Why can't you guys spend this much time
7 agonizing over affordable housing? Okay.

8 (Applause.)

9 MS. MILLER: Politics are local. Okay.
10 Politics are local. What we are debating here is on
11 a national level. Okay. And how we fix it is
12 solving it right here. Why can't you guys be the
13 affordable housing extraordinaires of the country?

14 Charlottesville is not fixing
15 affordable housing.

16 And to be honest, I don't know if I can
17 trust any of you guys. And if I have any semblance
18 of truth it would be one of them, but I feel like
19 the pressure of the rest of you guys being brushed
20 off makes that one person decide to go a different
21 direction.

22 And I know you don't know me, Carter

1 Nevill, but I grew up working for your father at
2 Stable Door. And I loved walking up the road to see
3 Mr. Timberlake. And I was from Charlottesville, so
4 my family went to Timberlakes on the downtown mall.
5 And I always thought Mr. Timberlake was the
6 Timberlakes. Like, he owned Timberlakes.

7 And so the whole, like, smallness of
8 this town, like Leigh Owsley who owns the shop on
9 Main Street. And I don't know how we didn't have
10 that before. I don't know how we're going to
11 survive without Latitudes.

12 In all honesty, I'm here today because
13 of Hope Porter's grandson, his wife -- outside of my
14 Aunt Luki's (ph) Christmas party [sic], because it
15 just rattles me to my core.

16 And the fact that I stood in front of
17 you guys in the comprehensive plan and I felt like
18 you were just looking at me but not paying attention
19 or can, like, tell me what I told you. And for
20 somebody who has a disability and lives on a small
21 budget, I'm afraid for my future, so I wish you guys
22 would take that into consideration.

1 Thank you.

2 (Applause.)

3 MR. CLOUGH: Brock Bacos, Matthew --

4 UNIDENTIFIED SPEAKER: Forgive me, but I
5 really think you really are off. The list of people
6 who are on your list are showing up to speak out of
7 sequence. You want to continue?

8 MR. CLOUGH: Brock Bacos, Matthew Brinkley,
9 James Brown, Barbara Burke, Andrew Burrows.

10 (No responses.)

11 MR. CLOUGH: Brock Bacos, Matthew Brinkley,
12 James Brown, Barbara Burke, Andrew Burrows,
13 Sebastian Byrum (ph), Brian Caine, Chris Cloud,
14 Robin Cooke.

15 UNIDENTIFIED SPEAKER: We're off the list.
16 Let's get back on the list.

17 UNIDENTIFIED SPEAKER: He's working on it.

18 MR. CLOUGH: Sebastian Byrum, Brian Caine,
19 Chris Cloud, Robin Cooke, Raymond Cultrera, Diane
20 Cultrera, Althea Daniels -- Aleeta Daniels, Marlene
21 Dennis.

22 MR. FUGEE: Thank you. I'm on the list,

1 too.

2 (Indiscernible discussion.)

3 MR. FUGEE: I've gotten permission to go
4 ahead.

5 UNIDENTIFIED SPEAKER: You called my name,
6 but I'd like to let this gentleman go.

7 Which would you like to do?

8 MR. CLOUGH: The Mayor said you may
9 continue, sir.

10 MR. FUGEE: Thank you. My name is Tom
11 Fugee, Ward 2. And I believe this meeting was set
12 on Valentine's Day to purposely deter people from
13 being here.

14 (Applause.)

15 MR. FUGEE: Your townspeople -- your
16 townspeople have the right to live in a space
17 peacefully and free from recurring disturbances or
18 disruptions.

19 They say the proposed data center won't
20 change the town's character. It will. They say the
21 200,000-square-foot facility will be a major
22 employer. It won't. They say the facility won't

1 adversely impact home values. It will.

2 They say the facility will be a major
3 contributor to tax revenue. It won't. They say the
4 facility won't be an eyesore. It will. They say
5 there's a major silent majority who wants the
6 facility. There isn't.

7 They think that at the polls the voters
8 will not punish the Mayor and the Town Council
9 members who voted in favor of the facility. They
10 will.

11 (Applause.)

12 MR. FUGEE: You must understand -- you must
13 understand that the approval of the proposed
14 facility has the potential for new centers and
15 transmission lines. Don't believe it. Look to
16 Prince William County. The newly proposed data
17 center plan there would call for the construction of
18 as many as 14 centers, 270 acres.

19 On page 3 of the Fauquier Times
20 distributed tonight, there's quotes from the land
21 use lawyer, John Foote, who spoke on behalf of
22 Amazon, and I quote, "Noise? As you go further up

1 the hill, you likely will not know it's there."

2 UNIDENTIFIED SPEAKER: Somebody wake him up.
3 He's right over there.

4 MR. FUGEE: "It may be no noise at all."

5 Our PWC neighbors, Prince William
6 County, have massively, massively risen in unison to
7 protest the constant loud noise and vibration of
8 Amazon's existing data center in Manassas. This
9 isn't a might happen here. It's a happen there.

10 Finally, is the approval of the data
11 center the legacy that the Town Council wants to
12 pass on to their families, friends, and constituents
13 to be able to say I voted to further enrich Jeff
14 Bezos?

15 Listen to your townspeople. Listen to
16 your planning commission.

17 MAYOR NEVILL: Thank you, sir.

18 MR. FUGEE: Listen to your own judgment and
19 your conscience. Vote no.

20 MAYOR NEVILL: Thank you, sir.

21 (Applause.)

22 UNIDENTIFIED SPEAKER: Sebastian Byrum,

1 Brian Caine, Chris Cloud, Robin Cooke, Raymond
2 Cultrera.

3 MR. CULTRERA: Present. Good evening. My
4 name is Ray Cultrera. I'm residing in the Marshall
5 District near Orlean.

6 First of all, I am not for specifically
7 or specifically against data centers. They have
8 become part of our Internet connected age, and we
9 all utilize the data and services that they provide.

10 But they're also a bit like a pig farm.
11 And don't get me wrong, I like pork, and I have
12 great admiration and respect for the farmers who
13 raise pigs and other animals.

14 But we can probably agree that pig
15 farms frequently have certain characteristics. So
16 let's say this pig farm has been around a long time,
17 many years, and a developer then decides to build a
18 community next to it. That's not the best planning
19 for the new community, but as a buyer of a home or
20 business in that community, that's your choice. You
21 are fully aware and signing on to the noise and the
22 smells coming from that pig farm.

1 But if a community has already been
2 planned and built, it has got homes, schools, and
3 businesses, and then somebody decides to start a pig
4 farm right next to that community, that's bad
5 planning on the part of the pig farm.

6 So the noise and smells coming from
7 that farm don't do any favors for the homeowners and
8 the businesses in that area who did not sign up for
9 that when they invested in the community.

10 I've read the reports that neighbors to
11 the north and east in Loudoun and Prince William
12 Counties are now regretting sharing their living
13 spaces with data centers. They are complaining of
14 the nonstop noise and diesel fumes coming from those
15 structures, in many cases sitting right in their own
16 backyards, and making these neighbors miserable in
17 their own homes.

18 If I were sitting in one of your seats
19 there on the council, of course, I would be making
20 decisions with the goal of hopefully improving life
21 for my fellow citizens, not degrading it.

22 And, of course, it's difficult. But I

1 will use the word that other people have used: It's
2 difficult, but it's courageous to say no to this
3 facility.

4 Because if I were sitting in your seat
5 and didn't say no to this proposal, I would be
6 helping to open the floodgates for the next data
7 center and the next and the next; and at that point
8 it would be too late to take a stand. Our neighbors
9 in Loudoun and Prince William are discovering that
10 for themselves.

11 Thank you for your time.

12 (Applause.)

13 MR. MITCHELL: My name is Sam Mitchell. I
14 live on Springs Road. My family has been on the
15 property for 124 years, and I love that property
16 very much; and I'm sure that everyone in this
17 audience loves Warrenton the way I love that
18 property, and I hope very much that you will respect
19 that love.

20 I specifically want to talk about
21 taxes. The only benefit of the data center is to
22 the Town of Warrenton, certainly not to the people

1 for the many reasons you've heard. So how much
2 money are we talking about? How much are you going
3 to sell a heritage for?

4 Well, the Town will not tell us. I've
5 spent many hours trying to understand, okay, what's
6 the revenue? The best anyone can come up with is
7 about 3 percent of the town's revenues, which works
8 out to something like \$1.8 million. Not very much.

9 So you have to say, okay, what's the
10 tax situation really going to be? That's at best.

11 And if you take a look at the taxation
12 of data centers, you find that the taxation creates
13 a heads I win/tails I win situation for Amazon. The
14 people of Warrenton are in a lose-lose situation.
15 Let me explain.

16 The level and trend of the tax receipts
17 is quite uncertain, largely under the control of
18 Amazon, and subject to serious risk of serious
19 decline. So what we're looking at here is a
20 situation where the immense damage, hellish damage,
21 you're doing to your fellow citizens is -- could end
22 up benefitting the town very little. Let me give

1 you some numbers.

2 The taxation of data centers is exempt
3 from retail sales and use taxes. They do pay real
4 estate taxes, but most of the tax revenue comes from
5 personal property taxes.

6 Well, let me tell you, Amazon or the
7 data center industry got passed a law in April of
8 last year which says that the personal property part
9 of the taxes -- taxation of data centers has to be
10 based on depreciated costs.

11 Okay. As everybody in the audience
12 knows, computers depreciate very fast. So let's say
13 the data center is not an economic success, and in
14 four years the tax base for the personal property
15 tax has gone down to nothing. No tax, no revenue.

16 So basically you're selling the
17 heritage of Warrenton --

18 MAYOR NEVILL: Thank you, sir.

19 MR. MITCHELL: -- what everybody has talked
20 about for a risk of very disappointing tax revenues.

21 MAYOR NEVILL: Thank you, sir.

22 MR. MITCHELL: That's a bad deal.

1 (Applause.)

2 MR. CLOUGH: Sebastian Byrum, Brian Caine,
3 Chris Cloud, Robin Cooke, Diane Cultrera, Aleeta
4 Daniels, Marlene Dennis, Alan Dyanic.

5 MR. CAINE: My name is Brian Caine. I live
6 in the Marshall District. Thank you for getting me
7 on the list.

8 I just want to say that I am
9 appreciative of the pressure that the Town Council
10 is under. You know, you have Richmond and a
11 governor there who is out ahead of you on wanting to
12 do business with the data center industry. That's a
13 hard pressure.

14 You have a Congressional representative
15 for this district, a new representative for us, who
16 really has been very silent during the process. So
17 you don't have a lot of backup, and you've got
18 pressure to kind of move ahead at the interest of
19 what I call special interests.

20 But my real message is for us, the
21 audience, I think we need to really -- and I think
22 tonight has really has shown that we can show up and

1 we can do what is our obligation as citizens, which
2 is really to fight for the right and fight for our
3 rights.

4 And one thing I just want to mention is
5 the composition of the board.

6 I've been here eight years. I've just
7 kind of watched through the paper and through the
8 news just like, what the heck is going on with this
9 board? I mean, they're just -- it's kind of a clown
10 show at times. You know, we've been through three
11 or four city managers since I've been here. A
12 couple members have resigned in the middle of their
13 term. Who resigns in the middle of their term for
14 no specific reason?

15 And then how did the appointed members
16 get their jobs? Well, they got their jobs because
17 the Mayor and a former member, Sean Polster, I think
18 is his name, got together -- and I'm just recalling
19 my reading it in the newspaper. We got together.
20 We thought these two guys would be good, Mr. Heroux,
21 and the other gentleman, and, you know, we're going
22 to put them on the board.

1 So we have appointed members making
2 decisions for us. Not elected members, appointed
3 members. That's kind of how countries like England
4 and Australia and other civilized countries do
5 things. The citizens don't really get to vote.
6 Kind of the political class decides who gets to
7 vote. So I just --

8 (Applause.)

9 MR. CAINE: I really -- I really think we as
10 citizens have to kind of get our game up and keep an
11 eye and force accountability from our leaders, and I
12 don't think we have done that.

13 And as some other people have very well
14 articulated, better than I can, we're going to
15 lawyer up on this thing, we're going to fight you
16 every step of the way, and ultimately we're going to
17 take you out of office the next time you run. We're
18 going to take you out.

19 Thank you very much.

20 (Applause.)

21 MR. CLOUGH: Diane Cultrera, Aleeta Daniels,
22 Marlene Dennis, Alan Dianic, David Downey, Patricia

1 Drunagel, Joe Duvall, Raeid Ebrahim, Tracy Edwards.

2 MS. CULTRERA: I'm Diane Cultrera. I live
3 just outside of Orlean. Please do not approve this
4 proposed Amazon data center on Blackwell Road.

5 For a very long time Virginia has
6 enjoyed a reputation for its natural beauty and
7 quality of life. However, now that Virginia hosts
8 the largest data center market in the world, how
9 long will it be before the state's motto, "Virginia
10 is for Lovers," becomes laughable?

11 As officials of the Town of Warrenton,
12 you-all, of course, know what makes our town and
13 county so very special. In a nutshell, it is a
14 wonderful and beautiful place to live, to do
15 business, and to visit; and most of all it is the
16 people that live and work here.

17 And they, your constituents, are very,
18 very concerned about the potential high levels of
19 noise coming from the proposed data center. This
20 also translates into being very concerned about the
21 quality of their lives going forward.

22 The noise levels arising from the data

1 centers in Loudoun and Prince William County have
2 been intolerable for those families in nearby
3 communities; and this will be no different for the
4 families living near this proposed data center.

5 Please, each of you, look to your
6 conscience, look into your hearts, and take a step
7 back from this proposal to reflect on what you --
8 what has made Warrenton and all of Fauquier County
9 so very special.

10 You were elected to represent, serve,
11 and protect your community and constituents, not to
12 represent Amazon.

13 You've seen the wonderful, amazing
14 turnout here this evening in opposition of this
15 proposal; and on top of that you recently received a
16 petition signed by almost 2,000 residents of this
17 town and county that called on you to deny the
18 Amazon data center on Blackwell Road.

19 I hope you will honor the concerns and
20 wishes of citizens of this town and county by
21 denying approval of this Amazon data center.

22 Thank you.

1 (Applause.)

2 MR. CLOUGH: Aleeta Daniels, Marlene Dennis,
3 Alan Dianic, David Downey, Patricia Dunagel, Joe
4 Duvall, Tracy Edwards, Carolyn Elmhurst, Alicia
5 Englert, Patricia Ewing, Scott Filling, Roy Francis,
6 Ruth Fugee.

7 MR. DOWNEY: Good evening. Mayor and Town
8 Council, my name is Dave Downey from Scott District.

9 About 20 years ago my family and I
10 moved from Michigan; and we chose Warrenton/Fauquier
11 County for many of the reasons that we've all been
12 talking about: Good schools, recreation, good mix
13 of daily conveniences, the rural beauty; and because
14 Warrenton is a Main Street community, something that
15 I always cherished.

16 I was struck early on with the ethos of
17 our area to preserve the rural landscape and small
18 town appeal. We have something extraordinarily
19 special here, and it's clearly in great danger.

20 I came out tonight really to prove that
21 there is not a silent majority out there in favor of
22 this. I came out to go on record and ask the Town

1 Council to deny this special use permit. It's clear
2 the vast majority -- the clear majority of the
3 citizens that don't want to see a data center scar
4 the town, or massive new power infrastructure
5 destroy our landscape.

6 I don't need to reiterate all the
7 details that so many other people have eloquently
8 stated. This is a choice tonight, and you do have
9 the discretion.

10 In addition to being a resident, I'm
11 also the CEO of the International Downtown
12 Non-Profit Association. I understand the challenges
13 that you have before you. I've seen communities
14 across North America struggle with growth pressures
15 and municipal finance while at the same time
16 striving to maintain affordability, inclusion, and
17 remain authentic.

18 Just last week, as a matter of fact, we
19 were in Durham, North Carolina. We were meeting
20 with stakeholders. Both public and private sector
21 leaders, citizens, visitors alike; and I can tell
22 you, to a person, the community is lamenting how

1 their recent development has ripped the soul out of
2 Durham. A gritty small town just ten years ago,
3 they are now striving to find a way to reclaim what
4 they had.

5 Tonight really is a question about
6 leadership. I was struck in early 2000 [sic] back
7 in the beginning of the pandemic when local
8 governments were striving to innovate and
9 problem-solve to overcome the impacts of the
10 pandemic; and I was extraordinarily proud, quite
11 frankly, in a very small case, where one day in 2020
12 I see a picture of a street closure for outdoor
13 dining. I recognized the location, and it was Denim
14 & Pearls.

15 One of the very first images that our
16 industry saw of town leadership innovating the use
17 of outdoor public space for their people was my town
18 of Warrenton.

19 Warrenton literally became a beacon of
20 great civic leadership for the nation. It was one
21 of the first images of how we were going to adapt to
22 the current effects of the pandemic at the time.

1 I would like to actually echo some of
2 the recommendations here I heard tonight of prior
3 speakers and suggestions that Town Council and the
4 county trustees come together and innovate to create
5 perhaps another national beacon of innovative
6 practice; intergovernmental cooperation to find
7 alternative ways to solve our municipal finance
8 needs instead of selling out our future.

9 Thank you.

10 (Applause.)

11 MR. CLOUGH: Patricia Drunagel, Joe Duvall,
12 Tracy Edwards, Carolyn Elmhurst, Alice Englert,
13 Patricia Ewing, Scott Filling, Roy Francis, Ruth
14 Fugee, Gregory Hanwick, Candace Harper, Gertraud
15 H-E-C-H-L. "Hechl," I apologize. Georgia Herbert,
16 Laura Hettinger.

17 MS. HECHL: Hello. My name is Gertraud
18 Hechl. I live in the Scott District, and I work in
19 Warrenton.

20 I would like to go on record against
21 approving the special use permit. And I have been
22 listening to so many citizens and so many eloquent

1 arguments, that there's not much to say and add to
2 it, but I would like to add, and I would like to
3 remind everybody, that it's your turn now to
4 actually listen to what everybody said; and in order
5 to facilitate that, I would like to remind you of
6 your town code of ethics.

7 It has been quoted many times, but not
8 the preamble to the mission, which says, "in
9 cooperation with and for our citizens." And that's
10 all I would like to say.

11 And all the citizens have spoken. Very
12 few were for it. So I think I kindly ask you to
13 vote accordingly and listen to your citizens.

14 Thank you.

15 (Applause.)

16 MR. SEMPLE: Point of order, Mr. Mayor.

17 Point of order.

18 I'm hearing a number of names from
19 citizens who spoke at citizens' time coming up
20 again. For example, Georgia Herbert, and others.
21 And I'm wondering if there's any way you might
22 reconsider, because I think there's continued

1 confusion about when to speak and where. And it's
2 really -- there shouldn't be a distinction, that
3 shouldn't be a difference that matters.

4 (Applause.)

5 UNIDENTIFIED SPEAKER: What's the answer?

6 MR. CLOUGH: To continue?

7 Tracey Edwards, Carolyn Elmhurst, Alice
8 Englert, Patricia Ewing, Scott Filling, Gregory
9 Hanwick, Candace Harper, Laura Hettinger, Thomas
10 Higginson, Richard Hinton, Gayle Hinton, Billy
11 Hodge, Betsy Hostrop, Phillip Kasky, Margaret
12 Keapproth-- I apologize if I pronounced that one
13 incorrectly.

14 MR. HANWICK: Thank you, everyone, and good
15 evening. I'm Greg Hanwick (ph), 6890 Emma Court in
16 Warrenton.

17 Council, as well as everyone here,
18 thank you very much for your time. It's really just
19 incredible to be able to get up here and speak
20 myself, as well as have you listen, as well as see
21 all these folks turn out and voice their opinion.

22 My very short story would be, after

1 retiring from the Marine Corps a few years ago, my
2 wife and I had a lot of choices to make; and we
3 chose Warrenton specifically. There were many
4 attractive places we could go, even after overseas
5 stationings. And let's face it, who turns down San
6 Diego? But we did. We chose Warrenton.

7 And we chose a very specific place to
8 live in Warrenton because of its conservation of
9 nature, because of its wetland type areas, and we
10 also chose this area because of its general
11 knowledge -- its general knowledge and supporting
12 use of conservation, and the use of land.

13 To have a data center come into that --
14 and you have heard a lot of folks talk about it.
15 There is a lot of -- I'll give one of my short
16 stories, too. But that data center and the noise
17 that it will make and the way that it will look and
18 the future that it predicts of other things coming
19 in will take away from that attractiveness, the
20 purposes that people live here, the purposes that
21 people stay here.

22 A very quick story that you've heard is

1 the noise that the data center might make. I,
2 myself, from years in the Marine Corps, whether it
3 was loud noises or soft noises, that continuous
4 noise is going to damage people. You don't have to
5 be close to it. You can be far away from it. The
6 vibrations of engines, the chemicals that come with
7 something like this, it's going to hurt people.

8 We heard a gentleman speak that said
9 Amazon owns that land. They can do whatever they
10 want with it. One phrase in life is "you always
11 come with a solution." This is not some sort of
12 Yellowstone TV show where people can blow up their
13 land, alter rivers, and things like that. This is
14 Virginia. This is Warrenton. If Amazon owns that
15 land, if they wanted to do something with it, that
16 can be controlled. They can do something that's
17 beneficial to the community, something that's better
18 for Warrenton.

19 We've also heard that there are
20 questions of both law and fact surrounding what's
21 going on with this special use permit; and until
22 those questions of law and fact are answered and

1 answered appropriately and answered to the
2 satisfaction of the citizens, it makes -- gives the
3 perception, it gives that appearance of an
4 impropriety.

5 And until those questions of law and
6 fact are answered, it brings into question whether
7 or not even voting would have any impact, because
8 maybe some folks have the impression that maybe some
9 folks have already made their deals with Amazon --

10 MAYOR NEVILL: Thank you, sir.

11 MR. HANWICK: -- or with someone else. And
12 elections are not -- they're not worried about being
13 reelected.

14 MAYOR NEVILL: Thank you, sir. Your time is
15 up.

16 MR. HANWICK: Thank you all.

17 MR. HIGGINSON: Good evening. My name is
18 Thomas Higginson. My wife and I live in Rectortown.

19 I'd like to offer for your
20 consideration a proverb, "The first step is always
21 the most difficult."

22 How is that relevant? Warrenton is a

1 lovely, historic town. And as represented by its
2 logo, you see the silhouette of a historic court
3 building, small scale other buildings, trees and
4 open space. It is not Manassas. You do not see
5 data centers in the town logo.

6 The Fauquier County countryside is
7 surpassingly beautiful. You don't see transmission
8 towers crawling across it the way you do in Prince
9 William. This is not Prince William.

10 If you-all approve this data center,
11 you make the job of the next applicant a whole lot
12 easier; and by extension, the applicant after that.

13 This applicant's job is clearly the
14 most difficult, and subsequent applicants, if you
15 approve the center, will have a much easier time.
16 Therefore, your legacy, if you approve it, will be
17 indirectly promoting multiple data centers that
18 crawl across our beautiful countryside like an ugly
19 skin infection and cannot ever be removed.

20 Therefore, I suggest to you, consider
21 the first step is always the hardest.

22 (Applause.)

1 MR. HINTON: Good evening. My name is
2 Richard Hinton. My wife and I live at 7628 Movern
3 Lane in Warrenton. We've lived here for 17 years.

4 Each time we have to venture into
5 Manassas or Prince William or Loudoun, we are so
6 grateful to return home to wonderful Warrenton, a
7 safe enclave from the craziness of Northern
8 Virginia.

9 There's a saying, "Democracy dies in
10 darkness." And from the start there's been a dark
11 cloud over this whole procedure. The town manager
12 resigns, hired away by Amazon, councilmembers with
13 ties to Amazon, violations of ethics code.

14 The project seems to be seemingly
15 fast-tracked with gaping unanswered holes in the
16 application.

17 I was naive to believe that this
18 corruption would not come to our wonderful enclave.
19 I was wrong. I'm feeling betrayed by the Town
20 Council. This monster is knocking at our door. If
21 you let it in, you will be in a world of hurt.

22 You have heard two previous speakers

1 both with real world experience dealing with large
2 corporations, Chuck Cross, Department of Treasury;
3 and John Benefield, attorney from Middleburg.

4 They have stated: If you think you can
5 shut down an operating data center, you're wrong.
6 You will be tied up for years in court. Litigation
7 is the only way, and it is long and it is expensive,
8 and your opponent is infinitely more funded than you
9 are.

10 Finally, just ask Dale Brown, president
11 of the Great Oak Homeowners Association in Manassas,
12 who are fighting an existing data center, not a
13 proposed one, but one where hundreds of residents
14 whose peace of mind and health are adversely
15 affected by the never-ending noise.

16 Lastly, despite Amazon's smoke and
17 mirrors, this center's very location near a nursing
18 home and hundreds of homes should be rendered DOA,
19 dead on arrival.

20 Thank you.

21 (Applause.)

22 MR. KASKY: Good evening. Phil Kasky. My

1 wife and I have lived in this area in Warrenton for
2 the last 19 years.

3 Last year we moved from just south of
4 town to the northern area of our ZIP code into Vint
5 Hill in the 55-plus section. Our friends call it
6 the old folks section, and it's probably accurate.

7 But even though we're aging we're still
8 engaged like ordinary citizens. We really are
9 activated now with this issue on the data center.
10 We're concerned. We're frustrated. We're fearful.
11 We're angry. Angry because this council is not
12 listening to us. You're certainly not representing
13 your constituents.

14 I mentioned the word "fearful." You
15 know, I was listening -- I didn't have the pleasure
16 of being in the audience, but I watched it on the
17 video, the last public hearing, where one of your
18 members commented that she felt threatened, fearful
19 to walk around in our town, because she was recently
20 or had prior to the meeting been confronted by a
21 neighbor who got in her face, and apparently was
22 expressing his frustration rather close, so she felt

1 fearful.

2 Can you imagine the number of folks in
3 our area who feel the same kind of fear, but it's
4 very personal and it's very dehumanizing? They fear
5 that their property values are declining. That's
6 been proven in Loudoun and Prince William County.
7 We see that right now.

8 They hear the noise level. You know,
9 there was an article that was published by the
10 Washington Post just four days ago on February 10th
11 that focused on residents in both those same
12 counties, Prince William and Loudoun, and the impact
13 that the noise from these data centers is having on
14 their quality of life.

15 In fact, they talked about one family
16 that has been driven from their living quarters
17 upstairs. They can't even go to bed to sleep in the
18 bedrooms. They're forced to go down into their --
19 into the storage area in their basement because the
20 noise from the fans on the rooftop is so loud.

21 The sound (indiscernible) are
22 ineffective, at least sufficiently so that it's

1 causing headaches and nausea with some of those
2 residents.

3 So, yes, folks are certainly angry.
4 They are fearful. They see that this board is only
5 focused on one thing, and that's a revenue flow.
6 But are you so hardhearted you can't see the harm a
7 data center is doing to this town, to this
8 community?

9 I think I'm going to part with this
10 last comment -- is let's not make the same mistake
11 in this town as we have seen in our two northern
12 counties. There's a need for data centers, just not
13 here.

14 And I ask for God's sake, why aren't
15 you listening?

16 (Applause.)

17 MR. CLOUGH: Tracey Edwards, Caroline
18 Elmhurst, Alice Englert, Patricia Ewing, Scott
19 Filling, Candice Harper, Loretta Hettinger, Gayle
20 Hinton, Billy Hodge, Betsy Hostrop, Margaret
21 Keapproth, Florence Keenan, Ann Kehoe.

22 MR. PECCATIELLO: I think he called my name,

1 but I don't know if he pronounced it correctly. So
2 I'm up here.

3 MR. CLOUGH: Apologies, sir.

4 MR. PECCATIELLO: Larry Peccatiello. And
5 I've been a resident of Fauquier County since 1981;
6 and it was at that time I came here to join the
7 Washington -- as we used call them back then, the
8 Redskins.

9 Prior to that I was fortunate enough to
10 live in a lot of areas. I lived on the West Coast
11 in Seattle. I lived in Florida. I lived in
12 Oklahoma; Tennessee; Texas; Annapolis; Michigan;
13 Ohio; Williamsburg; Virginia. Lived in a lot of
14 areas.

15 And when we came here, we really fell
16 in love with this place and thought what a unique
17 area it was to live in. And we lived in a lot of
18 great places. And over that period of time we
19 bought and sold a lot of homes. Never once did I
20 ask the Realtor to show me something near comparable
21 to what is a data center or other building of that
22 type. Never asked to show us something near the

1 power lines, which is the collateral damage for the
2 data center.

3 So I've been coming to those meetings
4 because, as Dominion showed the profiles of where
5 the data center would reach its source of energy,
6 they showed some -- it's called overhead power
7 lines, option number 2; and that was going right
8 behind my property, and also through four of my
9 neighbors' property more intense than mine.

10 And we all had -- it was Glenn Ambler
11 Estates. It was eight homes on ten-acre plots. And
12 in one case it was going right through one of my
13 neighbor's yard with a million-dollar view that
14 would now be viewed through the power lines.

15 So I came to this thing with a lot of
16 interest and a lot of concern because at that time
17 that was an option.

18 Well, I refrained from speaking because
19 I said, you know, I don't have all the facts. I'm
20 not really putting the work into it, all the
21 details. And then I got to thinking, I don't think
22 anybody has all the facts.

1 (Applause.)

2 MR. PECCATIELLO: I really think this whole
3 thing comes along with a lot of doubt; and the doubt
4 that I look at -- you talk about the water supply,
5 that seems to be up in the air. The energy source
6 seems to be up in the area. The noise that it will
7 generate, that's definitely up in the air; and now
8 we've outsourced that to Amazon, itself, to take
9 care of that.

10 The revenue, I don't think anybody
11 really knows the revenue. You hear about Amazon not
12 paying any taxes. You hear about all the things
13 they can depreciate. And they really -- when you
14 talk about gross revenue, you really don't even know
15 what the net revenue is going to take.

16 MAYOR NEVILL: Thank you.

17 MR. PECCATIELLO: I know on that same piece
18 of property years ago Costco was denied because of
19 other things that were not compatible with the
20 council.

21 MAYOR NEVILL: Thank you, sir. Your time is
22 up. Can you please state your name for the record.

1 MR. PECCATIELLO: I'm sorry?

2 MAYOR NEVILL: We did not get your name when
3 you came to the podium.

4 MR. PECCATIELLO: Glenn Ambler [sic]. Glenn
5 Ambler.

6 MR. CLOUGH: Thank you, sir.

7 MAYOR NEVILL: Okay. Thank you, sir. We
8 appreciate it.

9 MR. PECCATIELLO: You're welcome. So when
10 you talk --

11 MAYOR NEVILL: Sir, your time --

12 MR. PECCATIELLO: -- about the revenue --

13 MAYOR NEVILL: Sir, your time is up.

14 MR. PECCATIELLO: -- I think that's --
15 that's doubtful. I think Costco probably would have
16 given you a whole lot of revenue probably in sales
17 tax alone.

18 But anyway. So there's a lot of
19 negativity about what it's going to generate. As
20 far as jobs are concerned, I'm sure we all know
21 that's not going to be a lot.

22 Then there's talk about the revenue,

1 itself, if there's federal access to the data
2 center, what -- that sort of tempers the amount of
3 revenue. And with the training center right up the
4 road here, there's been a lot of rumors as to
5 whether that might be involved with this indulgence,
6 which would, also, I think, affect the revenue.
7 So, therefore, there's doubt. When
8 there's doubt, you don't run towards it. You run
9 away and you give yourself some time to figure it
10 out.

11 (Applause.)

12 MAYOR NEVILL: Thank you, sir. The next
13 speaker, please.

14 MR. PECCATIELLO: Say it again, please.

15 MAYOR NEVILL: Sir, your time is exceeded.
16 Thank you very much.

17 MR. PECCATIELLO: Oh. I had a couple more
18 things.

19 MAYOR NEVILL: Sir, your time is up.
20 Please --

21 MR. PECCATIELLO: First of all, I want to
22 say --

1 MAYOR NEVILL: We have other speakers who
2 are signed up to speak, sir. If you would, please
3 yield the floor.

4 MR. PECCATIELLO: Well, let me just say one
5 thing. When we started this thing, there were five
6 members on the council. Now there's seven. It's
7 like you -- we call them "at large," where they came
8 from. But I guess it's like the old west where the
9 posse has to add two more hired guns. One of them
10 who is compromised; and when you ask him if he
11 should recuse himself, he outsources that to a third
12 party. And I say to myself, why don't you ask us
13 who to recommend to outsource it to? Maybe we can
14 give you some legal attention there and recommend
15 our own people.

16 MAYOR NEVILL: Thank you, sir. Your time is
17 up.

18 MR. PECCATIELLO: So it goes on -- okay --
19 on and on.

20 MAYOR NEVILL: Sir, I've asked you to please
21 yield the floor.

22 MR. PECCATIELLO: One thing.

1 MAYOR NEVILL: Sir --

2 MR. PECCATIELLO: Ask yourself -- ask
3 yourself if you were in a situation where you had to
4 live near or near -- or access to these -- this
5 situation near the power lines, how would you vote?

6 UNIDENTIFIED SPEAKER: Exactly.

7 MAYOR NEVILL: Thank you, sir.

8 MR. PECCATIELLO: Kind of like the windmills
9 in Martha's Vineyard.

10 (Applause.)

11 MS. KEENAN: Okay. At last. I'm Florence
12 Keenan, a resident of Fauquier County for over
13 20 years in the Marshall District.

14 Conservation of our historic and
15 natural resources doesn't happen easily, but so far
16 our community has valued their importance. I'm not
17 afraid of change, and I would not oppose a data
18 center appropriately located. But this application
19 is so seriously flawed in concept, content and
20 process that I'm truly mystified that it appeals to
21 any of you.

22 There will be few jobs for

1 Warrentonians. The only possible appeal is money.
2 But there are alternatives for raising tax revenues,
3 like negotiating with the county for a greater
4 revenue share. There's also the possibility of a
5 community-friendly mixed-use development as
6 envisioned in Plan Warrenton, and the Town Council
7 recently passed that.

8 Amazon could build that mixed use
9 development.

10 If you've decided to ignore the plan,
11 why haven't you engaged your residents and convinced
12 them of the wisdom of your new data center vision
13 for Warrenton?

14 Look around, the vast majority are
15 against this application.

16 Instead, Amazon's flawed application
17 has been facilitated with a useless, unenforceable
18 noise condition that won't seriously address the
19 problems created at Warrenton's gateway and next to
20 hundreds of residences.

21 Listen to Buddy Riser, the director of
22 Loudoun's Department of Economic Development, who

1 has made Loudoun into the data center capital of the
2 world. He said, "My pitch to bring in data centers
3 was an anti-jobs argument. This isn't about jobs.
4 Whatever you want to say, data centers are high
5 impact development. They're big. They have a lot
6 of energy needs. My lesson learned is to be very
7 strategic, set real expectations, define the
8 envelope where it would be appropriate for data
9 centers. Include them around existing
10 infrastructure and transportation corridors, and
11 consider proximity to environmentally sensitive
12 areas and residential areas."

13 If you start encroaching or
14 overlapping, that could be a dangerous precedent.
15 This data center would encroach on residences in
16 historic areas while the noise would overlap both.
17 That would set a dangerous precedent for Warrenton.
18 You already heard this morning the existing noise
19 exceeds our ordinance. Add to that the data center
20 noise. That's what the people will feel, not some
21 study will note.

22 Once you let this camel's nose under

1 the tent, there will be more data centers in
2 Warrenton; but at what cost to the historic charm,
3 residential real estate values, residents' health,
4 community spirit, and character of Warrenton?

5 Once built, the damage is done. There
6 is no going back. That would be your legacy.

7 There's no easy answer, but there are
8 alternatives. Negotiate with the county for a
9 greater share of tax revenues and seek more
10 mixed-use development as prescribed in the Plan
11 Warrenton.

12 MAYOR NEVILL: Thank you ma'am.

13 MS. KEENAN: Thank you.

14 MS. MOORE: Doesn't seem like people are
15 going by when their names is called, so I'm just to
16 go to as well.

17 UNIDENTIFIED SPEAKER: We are.

18 MS. MOORE: Oh, you are?

19 My name is Meleana Moore. I live at
20 156 Sterling Court here in town. I'm in Mr. Hamby's
21 district. And I own Framecraft on Main Street.

22 And I just wanted to go on record

1 saying that I'm against the data center. I don't
2 know if that really matters to or not, but it
3 mattered to me.

4 And I did have a couple things to offer
5 of maybe solutions to get back at Amazon, like,
6 maybe don't shop at Amazon, you know.

7 (Applause.)

8 MS. MOORE: Maybe quit shopping from Amazon.
9 That might be an idea that could stick it to the
10 man.

11 And another suggestion that I have is
12 that maybe run for Town Council.

13 That's all I have.

14 MR. DIANIC: My name is (Indiscernible) Alan
15 Dianic. I live on Spy Plane Lane. I'm in the
16 county.

17 I really -- there's been so many great
18 speakers. I've been sitting here trying to think
19 about all the things that I might say. They've
20 already said better than I've said them.

21 As you know, I said before, I moved
22 here from Florida. I found this -- our family found

1 this to be a wonderful place to live.

2 People think Florida is a paradise.

3 Well, I'll tell you this part of Northern Virginia
4 is wonderful. It's beautiful. The land has great
5 beauty, and it's really part of ours to protect. I
6 don't understand any plan that would seriously
7 jeopardize the environment within which people live.

8 I ask you to protect that. It's in
9 your hands. And I heard a suggestion earlier
10 tonight: Have a referendum.

11 There is tremendous pressure. I can
12 see it on your faces. All right. And I'm not
13 immune to knowing the wire brushing that some of you
14 are feeling. All right. I've been through it. I
15 was in the military. I've got a couple of wire
16 brushings from people who knew how to do it.

17 And so thank you for listening, but do
18 something with the message that we're giving you.

19 There's a large number of people here
20 who have asked you thoughtfully to take a different
21 path than the one you're apparently on.

22 So if nothing else, if there is a

1 silent majority, a referendum will certainly answer
2 that question ultimately.

3 (Applause.)

4 MR. DIANIC: And there will be no question,
5 and there will be no responsibility. The council
6 will have done its job, and the data center would go
7 forward based on a true sampling of the people.

8 My concern is as we're speaking here
9 and I've been watching faces, I'm not convinced that
10 everybody cares; and that's deeply concerning to me.

11 A gentleman earlier spoke about having
12 lived in Russia. My parents came after World War
13 II, managed to escape from Eastern Europe with the
14 clothes on their backs, and managed to get a
15 sponsorship and come to this country. And the one
16 thing they always taught us was that this system
17 works, and to trust in it.

18 So I have to believe that. And on top
19 of it my faith tells me that we have to ultimately
20 believe that the right thing is going to happen.

21 But I'm deeply concerned that we're
22 going to go down a path that years from now at least

1 one member who votes for it is going to regret it
2 and say I wish I hadn't done that.

3 So you might save yourself the trouble
4 and just vote against it now.

5 Thank you very much.

6 MR. CLOUGH: Sir, would you repeat your
7 name? Sir, would you come back and repeat your
8 name? I missed it.

9 The next speakers while he's coming
10 back: Tracey Edwards, Caroline Elmhurst, Alice
11 Englert, Patricia Ewing, Scott Filling, Candace
12 Harper, Laura Hettinger, Gale Hinton, Billy Hodge,
13 Betsy Hostrop, Margaret Keapproth, Ann Kehoe,
14 Richard Keister.

15 Yes, sir.

16 MR. DIANIC: My name is Alan Dianic, and I
17 live on Spy Plane Lane in Warrenton, the county.

18 MS. KEAPPROTH: Good evening, everyone. And
19 it's a fine time we've been having tonight, right?

20 So this is the situation in which the
21 Town of Warrenton finds itself. There is
22 overwhelming opposition to the Amazon data center

1 being built in Warrenton. Oh, I'm sorry I forgot to
2 say my name. Margaret Keapproth.

3 This is clear from the more than 2,000
4 signatures on various petitions, and from verbal
5 comments at previous Town Council meetings, written
6 and spoken comments by numerous residents of
7 Warrenton and affected or concerned Fauquier
8 residents.

9 I attended most Town Council evening
10 meetings since last July. The December planning
11 board meeting where the board voted no, thank
12 goodness, on the data center. I've door-knocked and
13 spoken to folks in Warrenton and nearby areas.

14 A data center in Warrenton is extremely
15 unpopular with virtually everyone except for the
16 very few individuals directly benefitting due to
17 employment by Amazon or aiding Amazon in this effort
18 for personal gain; and we know that is happening.

19 (Applause.)

20 MS. KEAPPROTH: I have heard no one say that
21 they are looking to forward to a data center, that
22 it will enhance life in Warrenton, because it won't.

1 Yet most of Town Council, particularly
2 the Mayor, continues to press forward with this
3 project. Why?

4 Nondisclosure agreements have been
5 used. Why? To cover unethically shared information
6 extract illegal agreements, offer incentives of
7 personal gain to town officials.

8 When actions are conducted under cover
9 of darkness, the worse actions come to mind.

10 Sunlight is the best disinfectant, and open
11 discussions, actions, et cetera, make for an ethical
12 process.

13 The FOIA process exists for that
14 reason. FYI, I have been a FOIA officer, and I
15 highly recommend that the Town Council press for
16 unredacted email messages. You are authorized
17 those. You are the decision maker, and you require
18 those.

19 When pressed on why Amazon should build the
20 data center in Warrenton --

21 MAYOR NEVILL: Thank you, ma'am. Your time
22 is up.

1 MS. KEAPPROTH: Well, that was my main
2 point: Get those emails.

3 MS. SOSA: I understand that there's an
4 order, but I have school tomorrow, and I really need
5 to get my word in. Thank you. I'm Alexandra Sosa.
6 I'm from Gainesville and Prince William County.
7 When this all started, my home was the
8 most affected. It took away my summer. It took
9 away my mom and dad from spending time with me. It
10 took away a lot of things. It nearly took away my
11 home; and I'm still very worried that there's a
12 chance that that could happen.

13 When school said that they wanted us to
14 get involved in local government, this was not what
15 I expected it meant.

16 Because of the stupidity of this whole
17 thing -- the fact that it wasn't just immediately
18 rejected, not only because of the fact that a lot of
19 people came here to avoid this area looking like
20 Fairfax or some other bigger metropolitan area. We
21 came here because it is rural. We came here with
22 two-plus-hour commutes to avoid data centers.

1 And I know for a fact I wasn't scammed
2 out of a neighborhood for 12 years of my life
3 because my parents wanted to be close to data
4 centers and eventually more neighborhoods.

5 I have had a lot of my life impacted by
6 this because my parents have not been able to find
7 the time to be with my sister and I due to the fact
8 that this has been taking up a lot of their spare
9 time when they're not working.

10 And I'm really hoping that you-all make
11 the right decision in denying this data center,
12 because if you say yes, well, I hope your pillow is
13 warm on both sides.

14 Thank you.

15 MR. CLOUGH: Gayle Hinton, Billy Hodge,
16 Betsy Hostrop, Ann Kehoe, Richard Keister, Kirsten
17 King, Karen King, Kevin Koehr, Colleen Koehr,
18 Katherine Kulig, Sally Lahm, Judy Lamana.

19 MS. HINTON: Good evening. Gayle Hinton,
20 reside at 7628 Movern Lane, Warrenton, but I'm not
21 sure for how much longer if this goes through.

22 Will I move? I don't want to. I don't

1 want to feel like I have to or I'm forced to.

2 We moved here from Manassas in 2005
3 amidst many foreclosures, many defaults. It was the
4 worst market. We got stuck with two houses and a
5 bridge loan, and I hope not to be in that position
6 again.

7 In Manassas you might be familiar with
8 their big company -- I don't know if it's still
9 there -- IBM. And they used to say it stood for "I
10 bought Manassas." I don't want that to happen here.

11 I feel like this permit should have
12 been denied long ago. I believe it's the wrong site
13 and will adversely affect neighborhoods, schools,
14 nursing homes.

15 The planning commission did not
16 approve. You might recall Ali, a former member,
17 urged the council to stick to the comprehensive plan
18 that they worked for years, resources spent. He
19 said stick up for it, and he didn't even vote for
20 it.

21 The applicant has spun a very rosy
22 picture, and I expect it may not match reality.

1 "You will likely not know it's there. It makes no
2 noise."

3 A year later, it was clear Amazon had
4 discovered the Town's noise requirements. Then it
5 was "your noise ordinance can be satisfied."

6 Their application states "the project
7 will have no adverse affect or no adverse impact on
8 schools, police, fire services, libraries, housing,
9 or parks. And after construction, it's effect on
10 Blackwell Road traffic will be minimal.

11 Then there's the issue of NDAs and
12 secrecy, back-door -- and Amazon only wanting to
13 meet, I heard, with two people at a time.

14 One official asked for respect for AWS.
15 Why? He said because their taxpayers, they have
16 rights, and they're the third largest taxpayer. I
17 think respect works both ways.

18 The AWS representative spoke of
19 progress. The kind you find in Manassas, Prince
20 William, Loudoun, is that what he was referring to?
21 That kind of progress, I say, my behind.

22 Please don't turn this beautiful,

1 unique town into another Manassas. It's the wrong
2 fit. It seems like it's been trying to fit a square
3 peg in a round hole.

4 And let's see. Oh, I feel we'll lose
5 good town residents. People here love their town.
6 They have not just equity, but their hearts and
7 lives here.

8 And, thank you.

9 MAYOR NEVILL: Thank you.

10 MR. FILLING: Thank you, Council, for this
11 time to speak tonight. I think it's a very
12 important topic. My name is Scott Filling. I live
13 in The Plains, Virginia. I've lived here since the
14 year 2000.

15 I've been very involved with Fauquier
16 County in a lot of different issues, mostly Route 17
17 traffic calming. I've seen a lot of games played in
18 this county along the way.

19 I think the turnout tonight here is a
20 huge testimony to how much people care about
21 Fauquier County and Warrenton. It's very important
22 to keep it the way it is.

1 Progress does have to happen, of
2 course, over time, but I think this data center is a
3 bad, bad idea. It's going to bring the power towers
4 with it. The Dominion electric power company.

5 I fought with Piedmont Environmental
6 Council here back -- right here, 2007 to 2008. We
7 fought for two to three years as a community. They
8 were going to use eminent domain to take land,
9 homes, beautiful farms, what makes this area so
10 precious.

11 You allowing this data center is going
12 to open a gateway for them to come back in, and
13 they'll mostly like try to spread those large power
14 towers that are ugly all over the land, and do what
15 they planned to do in the past, most likely.

16 Working with or getting to know
17 Dominion power company, they're evil, pretty much.
18 They'll lie to your face, from the lowest level to
19 the highest level. Lot of false data. And I think
20 it's a double-edged sword here dealing with this
21 data center. I don't think it should be approved.
22 I don't think it fits. I think you've heard plenty

1 of very good examples here tonight.

2 And I think a vote of no is the right
3 decision, quite honestly.

4 A lot of people are looking for you to
5 be understanding and human of this situation.

6 You're going to be despised if you ruin this county
7 and you ruin this. And some of you may just say
8 that's fine. Maybe I've got other plans. I'm going
9 to leave anyway. But if you stay, you're going to
10 be despised. You'll be hated. That's not a good
11 thing.

12 Please do the right thing tonight,
13 gentleman.

14 Thank you.

15 (Applause.)

16 MS. PREMEN: Katherine Hayes name was called
17 earlier, but she had to leave, and so she asked me
18 to take her place; is that acceptable?

19 Okay. My name is Nancy Browning
20 Premen. I live at 583 Chittenden Drive in
21 Warrenton, Virginia. I was born and raised in
22 Warrenton and have lived in Fauquier almost my

1 entire life. My father's family goes back
2 generations.

3 I love Fauquier. I love Warrenton. I
4 worked in Bethesda for years and had a sticker on
5 the side of my office that said "I love Fauquier
6 County." People would come in and go, "Where is
7 that?" And I'd say, "West of Manassas," at which
8 point they'd just about fall over and say, "You come
9 all that that way?"

10 And I said yes, because we're
11 different. It's so pretty out there. You have to
12 see it, but don't come live there. We don't need
13 any more people building it up. But it's gorgeous
14 and you'll love it.

15 So I did that. I did that commute. My
16 husband did it for 20 years until it became two
17 hours each way.

18 So I don't want to see my home that
19 I've loved for all of these years become Prince
20 William or Loudoun or all of these places that all
21 of these other people lived in.

22 And the other thing I will say is

1 months ago I was told that the 4-Hs on the Town
2 Council, Hamby, Hartman, Heroux, and Heather, would
3 vote for Amazon.

4 I hope that you've listened to the
5 people here, your constituents, because if the four
6 of you still vote that way, then what they've said
7 has made to impression on you. So listen to the
8 people of Fauquier, listen to the people of
9 Warrenton and what we want, and do what's right for
10 your constituents, and that's vote no.

11 Thank you.

12 (Applause.)

13 MS. KING: Hello. My name is Kirsten King,
14 and I live in Warrenton Lakes subdivision, and I'm
15 part of the Center District.

16 And I was going to talk, like so many
17 people have already, about the loss of property
18 values and what a drag it will be to drive into
19 Warrenton and see those towers, but since you've
20 decided to vote before you look at any of that other
21 information, it's all kind of a moot point, and
22 you've taken the wind out of my sails.

1 So you apparently have your minds made
2 up, which, you know, to listen to anyone else is
3 almost pointless. But maybe you'll have a change of
4 heart and do the right thing and vote no.

5 Thank you.

6 (Applause.)

7 MS. LAMANA: Good evening, Mayor. Good
8 evening, Council. My name is Julie Lamana, and I
9 have lived just outside Warrenton at 7632 Bear
10 Wallow Drive for over 30 years.

11 I've made it a point during that time
12 to shop in town for groceries and gifts.

13 For all that time I would tell anyone
14 who would listen that our town was the most
15 attractive place to live in the 360-degree circle
16 around Washington, D.C.

17 That is being challenged now by street
18 traffic and empty stores, but the crushing blow to
19 our quality of life may be the Blackwell data
20 center. It's an outsized edifice that will brand
21 our town as no longer a special place to live, shop
22 and dine. Outsized data centers do not belong in

1 small towns. And putting such a huge structure on
2 our eastern gateway and on a hilltop, it's the wrong
3 spot.

4 People are concerned about noise, but
5 the town will lose all control of to that issue
6 should it be built.

7 Data centers house specific client data
8 that needs to be available 24/7. A data center just
9 can't be turned off and on due to a noise violation.
10 Who knows whose data will be housed there. It could
11 be NSA's. It could be a hospital's. Keeping it up
12 and running could even be a matter of national or
13 even international security.

14 Look at what the Department of
15 Environmental is doing to the data centers in Prince
16 William, Loudoun, and Fairfax Counties because of a
17 shortage of transmission capacity. DEQ is proposing
18 a variance to let them use their noisy diesel
19 generators for power during certain periods from
20 March to July of this year.

21 While there will be a public hearing at
22 the end of the month on this, there are no documents

1 available to the public on the need for this diesel
2 power. How can this be a public hearing with
3 nothing to review beforehand? That means it's a
4 done deal. The use of noisy diesel power will be
5 allowed.

6 So if you vote for Blackwell, you, too,
7 will have no say if data center demand outstrips
8 transmission capacity, or if similar problems
9 happen. The needs of data center clients will trump
10 the needs of town residents and those that shop and
11 work here.

12 Do we really want this David and
13 Goliath power imbalance between the Town and the
14 powers that be as a contributing negative to all of
15 the other negatives of data centers. Save for
16 revenue for the town government is positive. Are we
17 that desperate for revenue? I could be sympathetic
18 to that, but no one has made the case.

19 As far as good jobs go, the server
20 rooms are noisy, most over 90 decibels. So it's
21 going to be noisy inside the structure.

22 Thank you very much. And just one

1 thought: You know, so many people spoke during the
2 public citizen time. If there's any way you can
3 include their comments, I think that would be a
4 really great thing.

5 Thank you.

6 (Applause.)

7 MS. LAHM: Good evening. My name is Sally
8 Lahm. My address is 7035 Low Court in new
9 Baltimore.

10 There have been many speakers talking
11 about -- for months now -- the threats of impacts of
12 noise. I'm going to do address some other aspects,
13 particularly operational sustainability and
14 potential impacts of the fuel storage tanks and the
15 generators.

16 All of the aspects I'm about to
17 describe should be part of comprehensive
18 environmental and health impact studies, which
19 should be done for this particular project. So I'm
20 referring to eight to ten permanently full fuel
21 storage of enormous volume.

22 Operational sustainability is about

1 mitigating risks through defining specific
2 behaviors. Human error and neglect are two of the
3 biggest risks to operations.

4 With the level of investment made in
5 data center infrastructure, weather and incidental
6 damage to the fuel and generator systems must be
7 prevented. Protecting and maintaining fuel lines
8 tanks and engine generators should be of highest
9 priority.

10 Some questions to ask include: How
11 will the data center operator manage the stored bulk
12 fuel? What is the site's risk of a natural
13 disaster? What is the site's risk of a human-caused
14 disaster? Will specialized additional equipment be
15 installed to reduce the generator's emissions output
16 when and if fuel is utilized? Is water storage
17 planned?

18 Water storage is very important due to
19 the high heat that can be generated by the computer
20 servers. What kind of fuel will be stored? Is it
21 diesel or gasoline? Each fuel type has its own
22 assets, hazards, and constraints.

Fuel treatment is an important operational sustainability site characteristic. Does the design and operational plan of the storage tanks include a fuel treatment system and regular maintenance of the fuel storage system? Above ground storage tanks hold flammable substances. The vapors can explode and harm humans, domestic animals and wildlife, and damage property.

What are the measures to control and prevent leakage of vapors from the tanks? What are the measures to control and prevent leakage of liquid fuel?

Hazardous substances from leaking tanks can contaminate rivers, reservoirs, and other water bodies. Spills to surface waters can threaten fish, other wildlife, and domestic animals. Leaked contents can seep into the soil, contaminate ground water and impact private and municipal drinking water wells.

Well, my last comment will be then: Councilmembers, are you aware of these aspects? They are just a few of the myriad aspects of the

1 fuel storage system which should be addressed in a
2 comprehensive operations safety and maintenance plan
3 by Amazon.

4 MAYOR NEVILL: Thank you, ma'am.

5 (Applause.)

6 MR. STRAIGHT: Pardon me. I have some young
7 kids here, and my daughter signed up to speak. Is
8 it okay if she goes ahead? All right. Thank you.

9 MS. SPRINGS: Hello. My name is Josephine
10 Straight, and I live at 8717 Springs Road.

11 Town's Council, please vote no on the
12 Amazon data center. I have two main points why I
13 think it would be the wisest choice not to vote for
14 the Amazon data center.

15 Number one, it is against the town
16 comprehensive plan. It would give up a good
17 location for people to have a small business, homes,
18 or a place of recreation. Instead, there would be a
19 loud, ugly warehouse.

20 I really know the potential value of
21 undeveloped land because of where I live. In 1968,
22 people started pushing for a huge housing

1 development on North Wales. Hope Porter led the
2 resistance to this.

3 The housing development was not
4 approved, but if it had, our next door neighbors
5 would have been overrun with development. As a
6 consequence, the farm where my dad raises animals
7 would then be overrun with development. It's not,
8 instead, he can give healthy food and a wholesome
9 place to visit and build community.

10 Please keep the land open to a
11 beneficial use, not a warehouse.

12 Second, the Amazon data center is
13 located on the entrance to our town. As people
14 enter Warrenton, they will see the data center and
15 think this is not healthy or pleasant to be around.
16 This is not making Warrenton unique. They will
17 think, I don't want to visit this town or start a
18 business here when its filled with ugly
19 developments.

20 If people see homes, thriving small
21 businesses, or a place of recreation, they will
22 think: This shows Warrenton works really hard and

1 well to preserve wholesome spots. I want to visit,
2 raise a family, and protect this special town.

3 I know about the pressure that you must
4 have to vote yes for the Amazon data center, but I
5 ask you, please fight Warrenton -- to please fight
6 to make Warrenton a place for people to thrive.

7 Thank you.

8 (Applause.)

9 MR. CLOUGH: Katherine Kulig, Cindy Lieser,
10 Yakir Lubowsky, Luke Marrazzo, Adriana Marrazzo,
11 John McCarthy Anna Miller, David Miller.

12 MS. KOEHR: Colleen Koehr, 6797 Carters Run
13 Road.

14 Thank you all for your public service
15 and willingness to represent the will of the people
16 who voted you into office.

17 I've heard many reasons why the
18 citizens of our town and county object to the data
19 centers in general, which include noise pollution;
20 air quality; light pollution; visual aesthetics;
21 neuropsychiatric effects such as sleep disturbances
22 headaches, depression, fatigue, concentration

1 dysfunction, memory changes, dizziness,
2 irritability, tinnitus, and anxiety.

3 None of those side effects sound very
4 appealing to me. It's like a TV commercial for a
5 pharmaceutical that might help with one ailment but
6 induces ten others.

7 No amount of revenue personally gained
8 or as a community is worth sacrificing the tranquil
9 beauty, or risking the debilitating effects this
10 data center could cause.

11 It's obvious that the four of you who
12 voted against the disclosure of the secret emails
13 have no interest in doing the right thing. How
14 could you vote against any information that could
15 shed light on possible nefarious dealings that
16 should impact your vote?

17 (Applause.)

18 MS. KOEHR: This smells of corruption.

19 If you choose to vote against the will
20 of the people you represent and who voted you into
21 office, I don't know how you could look in the
22 mirror, let alone walk down Main Street and look the

1 citizens of Warrenton in the eyes.

2 Please have courage. Help us all sleep
3 better at night and vote against this special use
4 permit for Amazon.

5 MR. LEBOWSKY: Good evening. Yak Lebowsky.
6 I'm from Ward 3. And I think most of you know I
7 spent two terms representing Ward 3 on the Town
8 Council, so I have sat where you're sitting but I
9 hasten to point out I've never done what you're
10 doing. Never.

11 But, hey, you know what, I didn't come
12 up here to lecture you. I came up to tell you a
13 joke. So it's an old joke, and I'm mindful of the
14 fact that, you know it's going to be hard to compete
15 with the joke that you guys have made of the
16 planning and approval process but --

17 (Applause.)

18 MR. LUBOWSKY: -- let's see what happens.

19 So a guy comes to a cocktail party, and
20 he spots a really beautiful women right away and
21 makes a beeline for her. And he thinks, hey, I'm
22 going to press my luck here a little bit.

1 So he says, hey, honey, I'll give you
2 50 bucks, 50 bucks, to come home with me. So, you
3 know, she ignores him.

4 So he says, well, how about a hundred
5 bucks, and she's still ignoring him. So he says,
6 well, I'll tell you what, I'll give you 200 bucks to
7 come home with me. So, she laughs.

8 He's thinking, okay. What do I do
9 know? He says, how about 500 bucks. I'd give you
10 \$500 to come home with me. So now she's listening.
11 So he closes for the kill. He says, a thousand
12 bucks. I'll give you a thousand bucks. So she
13 says, you know, let me think about that for a
14 minute.

15 So while she's thinking, he's say,
16 okay, well, let's maybe talk about 750. She says
17 750? It was 500, it was a thousand, and now we're
18 750. Well, what do you take me for? And he says,
19 well, of course we've established that. Now we're
20 just haggling over the price.

21 So, again, it's an old joke. And
22 everybody is feeling spongy. And probably standing

1 up and stretching would be a good idea. I know when
2 I got up I felt a lot better than when I was sitting
3 down.

4 But if there's groans -- because
5 usually people do find this a pretty funny joke. If
6 there's groans tonight, it's because Amazon had you
7 guys at the 50 bucks --

8 (Applause.)

9 MR. LUBOWSKY: -- with no haggling.

10 So, you know, my wife comes from a
11 French family. The French have a saying, they say
12 "worse than a crime, a blunder."

13 Think about it.

14 (Applause.)

15 MS. MARRAZZO: Good evening. My name is
16 Audrey Marrazzo, and I live at 835 Oak Leaf Court.
17 That's in the Towns of Oak Springs development, the
18 townhouses; and it is about half a mile from the
19 proposed Amazon data center site.

20 I'm a little resentful to be here at
21 this hour tonight. It's been a long day, and I've
22 been waiting to hear my name for about five hours

1 now. Very patiently, I might add.

2 And I'm 8 months pregnant and it's
3 Valentine's Day. So why am I here? I'm here
4 because I love Warrenton. I bought my first home
5 here. I married my husband here. We started our
6 family here, and we are growing our family here. We
7 hope to raise our family here.

8 I go to the local family-owned gym and
9 I shop at my local farm. I chose Warrenton because
10 I saw the soul of this town, and I fell in love with
11 it. I take so much pride in my small town
12 community. If you bring these Amazon data centers
13 here, the soul of this town is going to change.

14 To be frank, I don't understand why
15 this is even still a discussion. The people of this
16 town have made themselves abundantly clear to you.

17 (Applause.)

18 MS. MARRAZZO: Your own Planning Committee
19 has made themselves clear to you.

20 We do not want it. Why are we still
21 talking about it? Why are we still having meetings
22 -- three meetings talking about amendments and

1 negotiations. It doesn't matter. You can talk
2 about noise ordinances and fines and everything else
3 all you want, but the fact of the matter will not
4 change and we do not want it. It's as simple as
5 that. So please vote no on the data centers.

6 Thank you.

7 (Applause.)

8 MR. MCCARTHY: I am deeply bitter that I
9 didn't come up with Faustian scratch-off. That was
10 a great line.

11 (Laughter.)

12 MR. MCCARTHY: Thank you, Mr. Mayor, Members
13 of Council. My name is John McCarthy.

14 My wife and I are now in our third
15 decade as residents of the Town of Warrenton, the
16 place we raised all four of our daughters, all of
17 whom are jointly and severally liable for the gray
18 hairs that I show you at the moment.

19 I love this place, as I know each and
20 every one of you do, also. I count several of you
21 as my personal friends, and so I envy you neither
22 your job, this meeting, or your impending vote.

1 I had a series of prepared remarks
2 about what, in my opinion, was the very poor state
3 of this application that you've taken up and is
4 before you tonight; the inadvisability of the
5 amendment you approved -- prior council approved,
6 that allowed the application in the first place; and
7 the sweeping non-disclosure agreements you entered
8 into that allowed it to be proceeding on this site.

9 I think the case against all of those
10 have been made by others jointly and severally, to
11 continue the theme, by this night and other nights,
12 so I'm going against what I normally advise my
13 colleagues and staff to do, and that's to speak
14 extemporaneously just with some notes on another
15 matter; and that is the subject of regulatory
16 capture.

17 Unlike some other speakers tonight and
18 in the past, I don't think you mean ill. I don't
19 think you have ill intent. I don't think you're
20 behaving evilly. I do think some of you have become
21 complicit in the applicant because you have worked
22 so closely with the applicant.

1 Regulatory capture is a well-known
2 tendency of regulators to develop an over sympathy,
3 indeed, again, without meaning evil about it, a
4 complicity with the regulated, and they feel an
5 investment in the success of those regulated people.
6 This all too often, however, comes at the expense of
7 the public interest.

8 As a local government manager for
9 30 years and a student of local government for at
10 least ten more, I have seen this happen often and
11 been guilty of it myself.

12 Nine out of the ten issues that come
13 before public officials develop absolutely no
14 interest in the public consciousness. You can't buy
15 or beg an opinion from the public on 9 out of 10 of
16 the things you do. And sometimes that tenth thing
17 becomes as big deal long after you've started
18 considering it.

19 That creates a situation where you're
20 suddenly feeling like you're being whipsawed and
21 suddenly people want you to vote no when they didn't
22 have any opinion for the last six, eight, nine

1 months.

2 When you march down a path on a project
3 you regulate and suddenly it generates enormous
4 interest and much of that is negative, there's a
5 natural tendency to feel attacked and affronted and
6 then dig in your heels. When that happens, it is no
7 shame to learn, to grow, and to alter your opinions
8 based on new information. Leadership does not mean
9 you stick to your guns to the sad bitter end,
10 particularly when you find you're not aiming the
11 right way, and you don't even know who you're
12 shooting at or for anymore.

13 Please vote no.

14 (Applause.)

15 MR. MARRAZZO: Good evening. My name is
16 Luke. My wife was the eight-month-pregnant woman
17 who spoke to you-all right before that last
18 gentleman.

19 MAYOR NEVILL: Please state your last name,
20 as well.

21 MR. MARRAZZO: Sure. Sorry. Luke Marrazzo.
22 I live in the Town of Oaks Springs.

1 I guess just on the record I want to
2 say how amazingly proud I am of her. That was just
3 an amazing speech from the heart, and it's about
4 family.

5 (Applause.)

6 MR. MARRAZZO: And that's really what this
7 has been about to us from the beginning.

8 You know, in the Towns of Oak Springs
9 we will be affected by the noise. You know, there's
10 no way around that. We will be affected by the
11 construction. But from the beginning this has been
12 about the texture of life in Warrenton for us.

13 When we moved here, we got married and
14 we picked a house here. Rather, we chose Warrenton,
15 you know. Not because it had amenities, not because
16 it had big box stores we wanted to shop at. You
17 know, we picked it because it has a measurable
18 character, something that we wanted not only for
19 ourselves, but for the family that we're building.

20 You know, there is -- sorry, you know,
21 I had prepared remarks, but I just wanted to talk
22 about her speech because it was amazing and its

1 exactly what we want for Warrenton.

2 You know, I guess the other point in
3 this is that Warrenton is unified in this. And the
4 unity is demonstrated, of course, not just by the
5 fact that were a thousand people in this room today,
6 but also by, you know, their politics. I saw people
7 with NRA hats, and I saw people with Black Lives
8 Matter pins. You don't see those two people in the
9 same room very often. You know.

10 And really beyond their politics,
11 though. We've heard from farmers. We've heard from
12 Main Street business owners. We have heard from
13 teachers. This is a heart and soul of Warrenton.
14 Warrenton flows through these people's veins, and,
15 you know, they're channelling the same spirit of
16 Warrenton that rejected the -- you know, the
17 development that would have turned North Wales into,
18 you know, a residential bacchanal.

19 So, you know, we have an opportunity to
20 continue with that spirit, to preserve the texture
21 of life of Warrenton, and to make this a place that
22 my wife can be happy that our kids are growing up in

1 and going to the schools.

2 So thank you all very much. Have a
3 good night.

4 MR. MELIA: Good evening, Mr. Mayor,
5 Councilmembers. My name is Adam Melia (ph). 7311
6 Ridge Dale, Warrenton.

7 I don't have an Amazon -- or a "Stop
8 Amazon" sign in my front yard. I don't have one of
9 those cool red shirts that some of the folks wear
10 saying "Stop the Towers" or "Stop Amazon." I've
11 never been to a council meeting before. I've never
12 really wanted. No offense. I respect what you-all
13 do. And I vote. I do vote. But I've never shown
14 up to one of these before. I wasn't even planning
15 to be here this evening until this morning.

16 I am the silent majority. And I -- or
17 I'm a representative of the silent majority. And
18 I'm here to say -- to urge you to not assume that
19 the silent majority is for the data center.

20 (Applause.)

21 MR. MELIA: Don't assume this.

22 And I think it's a wonderful suggestion

1 to move this to a vote for the people.

2 (Applause.)

3 MR. MELIA: Because we can just extinguish
4 that assumption. Let the people decide. Amazon is
5 a tidal wave. I don't envy this job, this decision
6 that you all have to make. So maybe don't make it.
7 Let us decide. I mean, we're urging -- we're
8 letting you know how we feel, and hopefully the
9 silent majority is a little less silent.

10 Please vote no for the Amazon data
11 center.

12 Thank you.

13 (Applause.)

14 MR. KOEHR: My name is Kevin Koehr. I live
15 at 16453 Waterloo Road.

16 I'd like to point out that we are all
17 here, and we were all here for seven hours last
18 month, because you won't listen. So just listen.

19 This is where I grew up. I've lived in
20 six states, three countries, and I moved back here.
21 I commute to Baltimore so that I can live in a place
22 like this that doesn't look like Northern Virginia.

1 I would go over all the reasons why the
2 citizens you represent do not want the special use
3 permit to be approved, but you already know them
4 from countless hours of testimony. Your job is to
5 represent the people of this town.

6 I heard it mentioned that there are
7 many people that support this permit being approved.
8 Who are these unnamed people? In seven hours last
9 month, and in almost five and a half hours, we've
10 had four other than Amazon, two of which had a
11 financial investment in this, and one of which said
12 it would be the lesser of two evils.

13 At best, supporters of this are
14 indifferent or just simply remain silent. They
15 don't care. These are the people you serve right
16 here, and we do care.

17 (Applause.)

18 MR. KOEHR: Most of whom, including me, have
19 lived here because it wasn't developed with
20 structures like data centers. Why are you here?

21 You sit in a seat of public service,
22 but is that how you're acting?

1 The town manager who orchestrated the
2 vote to change the zoning now works for Amazon.
3 This council voted against seeing the emails. Why?
4 Why do you vote against transparency unless you have
5 something to hide?

6 The petition to stop this has more
7 signatures than the number of voters than voted for
8 you, Mayor. The special use permit was opposed by
9 the planning committee. Members vote on our future
10 that are not elected by us.

11 One of the Town Council members works
12 for the company -- works for a company that proudly
13 partners with Amazon, and his integrity and oath
14 demand he recuse himself, but he hasn't. Another
15 council member maybe could be facing charges for
16 insider trading. We'll see how that goes.

17 It is the minority of well-positioned
18 and well-funded individuals that have a financial
19 interest in seeing this permit get approved, not the
20 Town of Warrenton.

21 It is only the polite manner of the
22 townspeople -- and some of them have said it, not

1 their ignorance that stops them from calling this
2 process what it is: Corruption.

3 From the change of zoning which
4 violates the town's comprehensive plan to the
5 blatant conflicts of interest, there is no telling
6 what an investigation would reveal behind all the
7 non-disclosures and private business dealings.

8 We are the people. We are showing you
9 our will. Listen to us. If you vote yes, you are
10 willfully ignoring your oath and the will of the
11 people you represent.

12 Thank you.

13 MAYOR NEVILL: Thank you, sir.

14 MR. KOEHR: Thank you.

15 (Applause.)

16 MR. CLOUGH: Katherine Kulig, Cindy Lieser,
17 David Miller "Ike," Wendell Mose, Joan Morris,
18 Charles Nelson, Jen Nemerow, David Norton, Justin
19 O'Donnell, Nigel Ogliv, Jonathan Conor O'Neill.

20 MR. NELSON: Hi. My name is Charles Nelson.
21 I live on Singleton Circle in Warrenton. Been a
22 resident of Warrenton for almost 20 years now.

1 One of the things I wanted to point out
2 was the gentleman who came up here and said Amazon
3 owns the land, look at the Disney property, and it
4 could turn into something else. Well, you know,
5 what else is on the Disney property out in Hay
6 Market? A Boy Scout's camp that's faithfully served
7 children for 15 years.

8 There's other good options for land
9 use. Just because they own the property, doesn't
10 mean it can't be repurposed for better purposes.

11 Secondly, quite honestly, I'm not going
12 to plead, beg, ask for you guys to do the right
13 thing like so many other people have done here. I'm
14 just going to tell you do the right thing because
15 you're not the Town of Warrenton. These people are
16 the Town of Warrenton --

17 (Applause.)

18 MR. NELSON: -- and they clearly, clearly
19 made their voice heard.

20 There's been one person here who was
21 neutral about this, one person who was in favor of
22 it, who wasn't even a county resident and was a

1 special interest representative for a union. If
2 there's so many plumbers in Fauquier County or
3 Warrenton that are for this project, where are they?

4 (Applause.)

5 MR. NELSON: I don't see any of them.

6 I will also say on the record for all
7 of the people who spoke in the public section before
8 these special projects public discussion, you
9 disenfranchised them by not including their comments
10 on the record. So I'm going to put on the record
11 that there was dozens of people in addition to
12 everybody during this comment section that were also
13 opposed to the Amazon data center.

14 Your rules here and the way you're
15 going about this are corrupt. I would like an
16 answer right now from you guys why this can't be put
17 towards a referendum and a public vote. Why?

18 The only reason in reality is the same
19 reason that you're not going to disclose the emails
20 that are in such controversy here. It's because you
21 know there's something in the emails that you don't
22 want the public to see, and you're afraid of what's

1 going to come out that's going to cast even worst
2 light on the decision-making process.

3 And the reason why it's not going to go
4 to a referendum and public vote is because you know
5 it will be defeated soundly which goes against
6 whatever deals with the devil you have made.

7 (Applause.)

8 MR. NELSON: So don't punish your
9 constituents for whatever deals you made prior to
10 these public hearings and public comments that have
11 come out. Meeting after meeting after meeting with
12 nothing but people opposed to this.

13 If you're doing your job which you were
14 elected to do -- it wasn't to represent your own
15 personal interests or your personal opinion on
16 topics. You were elected to those chairs or put in
17 those chairs to represent the Town of Warrenton and
18 our residents, not your opinion. So do the right
19 thing.

20 (Applause.)

21 MS. MOOSE: My name is Wendy Moose. I live
22 on Alexander Lane, Warrenton. It's late, so I will

1 be brief.

2 I'm not going to repeat everything that
3 everybody else has said so elegantly. You don't
4 need to hear that again.

5 But I wanted to say we moved here in
6 2021 in large part because of your plan, and we
7 moved here at great expense, and now, now we have
8 this. We still have boxes we haven't unpacked.

9 So I wanted say we're angry. We feel
10 cheated. This feels like bait and switch. This
11 feels like breach of contract. How can you do this?
12 You make a plan, you publish it, and then now this.

13 And I know we're not alone. I think
14 lots of people here feel this way.

15 Thank you.

16 (Applause.)

17 MR. NORTON: Good evening. My name is David
18 Norton. I live at 318 Falmouth Street. I'm a
19 lifelong resident of Warrenton, and also a business
20 owner here since 1984.

21 I served on this Town Council for
22 16 years. If I've done my math right, that's about

1 as long as all eight of you combined.

2 (Applause.)

3 MR. NORTON: I mention that only to make
4 sure you know I understand the pressure some of
5 you-all feel. You're facing a mammoth company that
6 has already purchased this property and you feel
7 like you can't go against them or you need to make
8 them whole. Well, you don't. You owe them nothing.
9 And you have all the legislative latitude in the
10 world to just say no. So remember that, please.

11 It was their decision to purchase this
12 property, supposedly with no promises made, right?
13 They have not met the criteria of the SUP. It does
14 not comply with the comprehensive plan. It will be
15 an eyesore on the gateway to our community, and your
16 own planning commission has recommended denial.

17 And we all know that the noise is going
18 to be a problem for our residents. There's no
19 question about that.

20 Whatever tax revenue you think you're
21 getting from this, it's not worth the risk to our
22 community.

1 This was Brandie Schaeffer's vision for
2 our town. It's not the citizens' vision. You
3 listen to all of these people that have come out for
4 the last two months to speak to you. Your decision
5 to say no should be one of the easiest ever.

6 (Applause.)

7 MR. NELSON: To Amazon, I say this: Let's
8 take a lemon and make some lemonade. Let's work
9 together to build a business park on this property.
10 A beautiful business park with fountains and green
11 space and walking trails where thousands of our
12 commuters could work at high-paying, high-yield jobs
13 -- high-paying jobs right here at home. That would
14 be a win-win --

15 (Applause.)

16 MR. NELSON: -- for our town and our county,
17 and it would produce far more tax revenue than
18 Amazon is going to produce for you; and all that
19 other money that would be spent at home by employing
20 our commuters here. It's a win- win.

21 Amazon, you could help make this dream
22 come true. Be the heroes, not the villains that

1 destroy our beautiful historic town.

2 So, Town Council, I remind you, you owe
3 them nothing. So just say no to this terrible idea
4 and work together to come up with something much
5 better that benefits Amazon, our community, and our
6 citizens.

7 Thank you.

8 (Applause.)

9 MR. O'NEILL: Good morning. Jay Conor
10 O'Neill. I live at 379 Wilson Street in the Town of
11 Warrenton, Ward 3. I've been a town resident for
12 over a decade, and a lifelong resident of Fauquier
13 County.

14 I vehemently oppose the Amazon SUP and
15 believe if our Town Council looks at the proper land
16 use governing principles, you-all will oppose it as
17 well.

18 I believe it's a slippery slope. You
19 know, why are we voting now on this SUP when we can
20 say no, let's not vote on it, let's revisit the data
21 center ordinance and make Amazon reapply? There's
22 no harm in that. They have plenty of money. They

1 can hire more lawyers. They can write another SUP.

2 No problem. Everybody here says no.

3 You know, everyone here has mentioned
4 and spoke elegantly and educated about this
5 proposal, and I believe that the data center will be
6 both a public and private nuisance.

7 You know, everyone has talked about
8 this silent majority, and that's why I came to speak
9 here tonight, to know that you-all know that you
10 have constituents that are opposed to the data
11 center.

12 I don't believe Amazon has proven there
13 aren't better locations for the data center. I
14 don't believe that the conditions of the SUP have
15 been met. There's no hardship, loss of reasonable
16 rate of return on the land, or they have not proven
17 that their application will not change the central
18 character of the neighborhood, town, or ward.

19 You know, I had a real estate professor
20 in college. He said that people are like rats.
21 They follow the water in the sewer.

22 And I have to believe the data centers,

1 you know, they're going to follow the data center
2 ordinances. They are going to follow that SUP.
3 This first SUP is going to say, hey, you know what,
4 this one falls, then the next domino, and the next
5 domino. The next thing you know we're Ashburn,
6 we're Leesburg, we're Prince William County; and I
7 know none of you-all want that.

8 I know you-all have been lifelong
9 residents of Fauquier County. I know several of you
10 personally, and I know that you-all want what's best
11 for Warrenton, and an Amazon data center isn't
12 what's best for Warrenton.

13 Thank you.

14 (Applause.)

15 MR. O'DONNELL: My name is Justin O'Donnell,
16 and I live at 52 Blue Ridge Street. My family has
17 boycotted Amazon for several years after becoming
18 aware of some very disturbing things about the
19 company.

20 The idea of having Amazon or AWS as a
21 corporate neighbor, entrusting them to keep their
22 word about following the noise ordinance, is

1 something I cannot stomach.

2 Some of you councilmembers, and you,
3 Mr. Mayor, say that we need the data center because
4 of the tax revenue the town will receive. Is the
5 tax money worth it?

6 What is Amazon like as a company?
7 Let's review some lawsuits.

8 Amazon is currently being sued for many
9 evil practices, including price gouging in
10 California during the pandemic lock-downs;
11 mistreatment of employment -- or in employment,
12 termination of pregnant women; selling recalled
13 items; falsely labeling plastic items as
14 biodegradable. These lawsuits are not simply
15 isolated cases being brought into court. They are
16 representative.

17 Amazon relies on forced child labor in
18 China. Yes, it sounds crazy or unbelievable, but it
19 isn't so hard to believe when you think of how
20 notorious Amazon is for its terrible treatment of
21 its own employees right here in the U.S.

22 Selling things cheap and getting them

1 to your doorstep quickly has a cost. That cost is
2 mistreatment of other humans.

3 But it gets even worse. Although
4 public outcry has finally caused Amazon to scale
5 back, a few years ago, Amazon sold truly vulgar
6 items encouraging and grooming pedophiles.

7 You can still buy the Pimp Bible: A
8 sweet secrets of sin [sic]; and a host of other
9 equally shockingly titles on Amazon today. If you
10 don't believe me, get on and look for yourself.
11 There are vulgar books and items readily available
12 still. This is the neighbor we are inviting into
13 Warrenton.

14 Amazon is also guilty of massive
15 amounts of tax evasion. If you find that -- find
16 any of this hard to believe, just look -- take a
17 look online. Look up "why boycott Amazon" in your
18 search bar.

19 So do we have good reason to trust
20 Amazon to shut off their machines if the noise is,
21 as predicted, disruptive to the surrounding
22 neighborhoods? I think not.

1 Do we trust them to pay taxes? Again,
2 I think we shouldn't.

3 Amazon reps also insist that the cloud
4 created by data centers are truly a boon for
5 Warrenton. Yes, we love to store photos and surf
6 the web as much anyone, but we don't need one right
7 here, an eyesore and an ear sore for the surrounding
8 neighborhoods.

9 And last month we heard from an Amazon
10 rep that Amazon needs lots of space for -- or, I
11 guess, he forgot to mention last month that they
12 need lots of space in the cloud for pornography.

13 Mr. Mayor, Councilmembers, I beg you,
14 don't commit the folly of trusting Amazon to keep
15 their word. Amazon has no intention of doing
16 anything other than making money for themselves at
17 the expense of Warrenton.

18 MAYOR NEVILL: Thank you, sir. Thank you.
19 (Applause.)

20 MR. CLOUGH: Joan Morris, Jen Nemerow, Nigel
21 Ogilvie, Laura Ort-Presley, Leigh Owsley, Mary Page.

22 MR. HARRIS: My name is George Harris. I

1 live at 5866 University Court.

2 My wife and I grew up in Richmond, and
3 we moved to Michigan to work, and then we moved to
4 Northern Virginia and lived in Burke beginning in
5 1993. When we retired in 2012, we looked around the
6 state for some place to go.

7 I grew up in the countryside as a kid
8 in a small town called Chatham (indiscernible) and I
9 like the country environment; and Warrenton has it.

10 It's a beautiful place. It's quaint.
11 The people are friendly. You get to know people.
12 It's lovely to come into this town in the spring and
13 summer and the fall. It's just nice. That's why we
14 moved out here from Burke. And we have the great,
15 good fortune of having wonderful neighbors in a
16 beautiful neighborhood.

17 It was quite a shock to discover the
18 thing about Amazon and their data center.

19 I spent my career in heavy
20 construction. And Amazon is a big, big organization
21 with truckloads of money. When you guys made a deal
22 with them, you jumped on the back of the tiger and

1 didn't realize he might be hungry.

2 Anyhow, I would strongly ask you to
3 reconsider that because you're the last gateway.
4 The very last one. It's your fiduciary duty to do
5 what's right for the community, your neighbors, the
6 people you grew up with, the people you work with.
7 Because if you don't, you don't get another chance.
8 You can say "I'm sorry" ten years from now, but it
9 won't make any difference. The deal is done.

10 Vote no.

11 (Applause.)

12 MS. PAGE: My name is Mary Page. I live at
13 4318 Buckminster Lane in Scott District. And I've
14 just got to say I'm amazed that we're even here.
15 And it's nothing more than a testament to Brandie
16 Schaeffer. Man, she was good. That she could
17 convince somebody at Amazon to pay \$40 million for a
18 parcel that wasn't zoned for their intended uses,
19 you've got to give it to her.

20 And not only was she good, she was
21 smart. Because no sooner was the ink dry on that
22 document that she hightailed it out of here to

1 follow her \$300,000-a-year job with Amazon, and she
2 left a stinking, heaping mess in your pockets that
3 you-all have to deal with.

4 Fortunately, the SUP process gives you
5 the out that we all so desperately are begging you
6 to take.

7 And I'm going to read from your own
8 documentation. This is from the town's ordinances:
9 The purpose of a special permit is to carefully
10 review uses which need extra deliberation to ensure
11 the surrounding area is not adversely impacted.

12 You have your answers, gentleman. This
13 is your out. Just say no.

14 Thank you.

15 MR. CLOUGH: Joan Morris, Jen Nemerow, Nigel
16 Ogilvie, Laura Ort-Presley, Leigh Owsley. I'm going
17 to pronounce this incorrectly, I apologize, Larry
18 Peccatiello.

19 UNIDENTIFIED SPEAKER: He spoke earlier.

20 UNIDENTIFIED SPEAKER: So many have.

21 (Indiscernible comments.)

22 MR. CLOUGH: Daniel Pennell, Jeffrey Pierce,

1 Hillary Pierce, Kevin (indiscernible) Joseph Roca,
2 Mary Root.

3 MS. ORT-PRESLEY: Hi. My name is Laura
4 Ort-Presley, and I'm in the Scott District in
5 Fauquier County.

6 How fitting that we are here on Saint
7 Valentine's Day. The day we celebrate the life of a
8 martyred clergyman and physician who was tortured
9 and put to death for ministering to the persecuted
10 Christians by the Romans around 270 A.D.

11 We commemorate his life today by
12 focusing on the love and compassion he devoted to
13 others through his life, which leads me to quote
14 from Mahatma Gandhi: Where there is love, there is
15 life.

16 So you may be wondering what that has
17 to do with the meeting and vote on Amazon data
18 center's special use permit. I would say
19 everything.

20 Councilmembers have the opportunity to
21 act in a respectful and loving matter for the town,
22 county, and residents who will bear the brunt of the

1 noise, the relentless and harassing noise that we
2 know is part and parcel of the building of an Amazon
3 data center.

4 Responsible, educated expertise has
5 come to show us that this is a nuisance that will
6 not be ameliorated once this business is built.

7 The burden to protect the public health
8 and well-being is yours. You have had the benefit
9 of the Planning Commission's recommended denial.
10 These are your experts. You have the benefit of the
11 expertise brought forward by the efforts of Protect
12 Fauquier and residents of your town and county, all
13 of which inform you that this noise will occur and
14 will be continuous and audible for miles around.

15 You have had the benefit of legal
16 advice telling you that the state will decide how
17 the power needed by the data center will get to the
18 data center. My home is still on the route as far
19 as I'm concerned until the state says otherwise.

20 You have also been advised that you
21 will not have the power to order the data center to
22 shut down. Let's get real, guys. Your legal budget

1 does not match Amazon's.

2 You should now also be aware that the
3 State of Virginia tends to give about \$34 billion to
4 Amazon to construct numerous data centers and to
5 relieve Amazon of any tax burden for at least
6 15 years.

7 One company is being granted about half
8 of Virginia's surplus. That buys a lot of power in
9 the statehouse. And with proposals to deprive
10 localities of the right to regulate noise and zoning
11 within their borders, can you afford to ignore what
12 is clearly the right action now?

13 There is no evidence to show that
14 Warrenton will profit, or by how much. There is no
15 evidence to show that the residents living near the
16 data center will have any legal remedies available
17 to them to stop the noise, compensate their lost
18 property values, compensate any medical or
19 psychological care they may need, or compensate them
20 for lost business when customers shop elsewhere.

21 There's no evidence to show that the
22 balance tilts towards the betterment of the town or

1 the county. A cherished way of life will be lost,
2 harm will be done. Where is the good for the many.

3 So I ask you again: Where is the love,
4 of Warrenton, of Fauquier County, of our neighbors,
5 of our way of life?

6 MAYOR NEVILL: Thank you, ma'am.

7 MS. ORT-PRESLEY: Vote love, vote life, vote
8 community and rural values. Vote no. I do.

9 MAYOR NEVILL: Thank you.

10 (Applause.)

11 MR. PIERCE: I'm Scott Pierce. I live at
12 199 Old Orchard Lane in Old Town.

13 I thought I'd start with joke that does
14 not involve prostitution. We need some levity
15 here. It's a new spin on an old joke.

16 So New Jersey has the largest
17 repository of toxic waste dumps, and Virginia has
18 the largest data center population because New
19 Jersey had first choice.

20 (Laughter.)

21 MR. PIERCE: Thank you. Apparently, I'm
22 here all night.

1 I'm not anti-Amazon Web Services. I'm
2 not anti-data. I'm not a Luddite. Actually, I make
3 my living from technology. I'm a big fan of
4 technology. It's just this particular data center
5 at this particular location is wrong for Warrenton.
6 I think you've heard that.

7 Charles Dudley Warner, not Mark Twain,
8 said that politics makes strange bedfellows. If you
9 look around this room -- I know there are fewer of
10 them tonight -- but there are some strange
11 bedfellows here all voicing the same thing. I mean,
12 we've got young and old, we've got little kids with
13 poems. We have got young rising politicians. We've
14 got black. We've got white. We have got Democrats
15 and Republicans, and at least one wild-eyed
16 libertarian. Thank you very much.

17 I don't think that's ever happened
18 before. In fact, we have the Piedmont Environmental
19 Council and me on the same side of an issue, and I
20 think that's actually near miraculous.

21 Nevertheless, here we are. You've
22 heard all of the information. If you're listening

1 to it, I don't know. I suspect not. I suspect
2 there's more going on. I have an old friend that
3 says there's a rat in the woodpile. I imagine
4 there's a rat in the woodpile.

5 So we all suspect that there is
6 corruption. There's the appearance of it. I don't
7 know. We'll find out. I suppose that the truth
8 will out. What you've done in the darkness will be
9 reported in the light either now through litigation
10 or at a future time.

11 But all of us strange bedfellows are
12 here to say one thing: Just say no to the special
13 use permit. Give it to the voters to decide through
14 a referendum. That silent majority you claim
15 supports this will not turn out. But we will.

16 (Applause.)

17 MR. PIERCE: And here's one other thing: I
18 know that as politicians -- those of you who are
19 elected, not the appointed ones -- are worried about
20 reelection. Everybody is worried about reelection.
21 In a happier time, it would not be reelection you
22 should be worried about. It would be the tar and

1 feathering that might be coming. That doesn't
2 happen today. You should count your lucky stars for
3 that.

4 Thank you.

5 (Applause.)

6 MR. RAMUNDO: Good evening. I'm Kevin
7 Ramundo. I am speaking tonight as an individual,
8 not as president of Citizens for Fauquier County.

9 For months you have heard all of the
10 reasons why should deny Amazon's special use permit.
11 Hundreds of citizens have spoken at meetings like
12 this. Thousands of comments have been sent to town
13 officials. Over 2,000 people have signed a petition
14 opposing it. And many, many opinion letters have
15 run in the local media.

16 Some of you discount this outpouring of
17 almost unanimous opposition by claiming it's from
18 non-town residents or special interest groups. This
19 rationale is simply an excuse to justify support for
20 the wildly unpopular data center.

21 Just like the claim that there are many
22 people who want it. Where have they been? Where

1 are they tonight?

2 Giving a thumbs up to this data center
3 will likely overshadow any of this council's good
4 work, and those of you who vote for it will share
5 the sad legacy of ignoring your constituents,
6 putting a data center in the worst possible
7 location, acquiescing to possible wrongdoing, and
8 bowing to the will of Amazon.

9 And let's be clear, if you approve this
10 one -- you know this -- you're welcoming others with
11 open arms because you have set such a low bar
12 including waiving your own requirement for a noise
13 study before you would approve it.

14 You might think that people will forget
15 your vote, but they won't. No other town issue has
16 garnered anywhere near the amount of attention and
17 concern generated by this data center.

18 If built, it will be a visible and
19 noisy reminder of how Warrenton's small town charm
20 was sacrificed for a few hundred thousands of
21 dollars a year in property taxes.

22 It will be a monument to a Mayor and a

1 Town Council that ignored the wishes of its citizens
2 and came out on the wrong side of the most
3 consequential land decision in this town's history.

4 You might also think that approving
5 this tonight will put this issue in the rear-view
6 mirror. It won't. The thousands who have asked you
7 to reject this data center aren't going away, and
8 they will be more motivated than ever.

9 The only way to mitigate this
10 controversy and harm to Warrenton is by rejecting
11 this project. There is simply no justification to
12 do otherwise.

13 Amazon's data center will not make the
14 town better, and it will impact the health and
15 well-being of hundreds of people who elected you and
16 who will experience a reduced quality of their live
17 and their property values.

18 So please follow the lead of your
19 planning commission and reject this SUP. It is your
20 duty and your responsibility.

21 Thank you.

22 (Applause.)

1 MS. PIERCE: Wow. Big scary microphone.
2 My name is Hillary Pierce. I'm a
3 resident of Ward 5, just off of Winchester Street.
4 My husband Scott just spoke a moment ago.
5 I've been a native Northern Virginian
6 all my life. I've lived all over Northern Virginia.
7 Excuse me. 21 years ago my family and I escaped
8 from Ashburn and Loudoun County, and we finally made
9 it to Warrenton. Yay.
10 We've had family in the county since
11 the '60s: Parents, grandparents, his sisters,
12 nieces, nephews. All of our kids have grown up
13 here. This is where we call home.
14 We live here because we don't want to
15 live there, and we don't want you to bring there
16 here.
17 (Applause.)
18 MS. PIERCE: We're here because it is a
19 special place. We have a family friend who travels
20 all over the world, and she has said Warrenton is
21 special. There's something special here. We moved
22 here because it's special. We're going to stay here

1 because it's special. Here is special.

2 I'm not here to talk about all the
3 things that everybody else has talked about, the
4 health risks or the facts and figures on how this is
5 not good for our community. I'm not even going to
6 raise the questionable process that's been going on
7 with undisclosed facts and incomplete applications.

8 I'm not a Luddite, as my husband said.
9 I very much like the Internet like most people do,
10 but I'm here to say that there are right ways and
11 wrong ways to go about development. And the process
12 that's been going on here is giving every appearance
13 of being the wrong way.

14 (Applause.)

15 MS. PIERCE: I'm also here to say that there
16 are right locations and wrong locations for this
17 sort of development. And the location that we are
18 discussing for this particular data center, which is
19 not zoned for this, is the wrong place.

20 (Applause.)

21 MS. PIERCE: And I'm adding my voice to the
22 thousands of citizens whom you represent to tell you

1 read the room and just say no.

2 And if you cannot vote no tonight, then
3 don't vote because you don't have all of the
4 information, and you cannot give a reasonable
5 informed vote without all of the facts.

6 Thank you. Good night.
7 (Applause.)

8 MR. CLOUGH: Daniel Pennell, Joseph Roca,
9 Mary Root, Susan Shear, Peter Schmidt, Rosemary
10 Schneider, Pat Smith, Jason Smolinski.

11 MR. ROCA: All right. Joseph Roca, Scott
12 District. Really, it's difficult to follow-up on
13 all of the great speakers we have.

14 You absolutely should vote no for all
15 of the reasons presented. And beyond that, look,
16 integrity is gift you give to yourself. There's a
17 lot of questionable stuff that has been raised here.
18 I wouldn't vote on something I couldn't in good
19 conscience. Go with your conscience, have
20 integrity.

21 Thank you.
22 (Applause.)

1 MS. SCHNEIDER: Hello. My name is Rosemary
2 Schneider. I live at 116 North View Circle,
3 Warrenton Virginia. I've been here since 2000.
4 23 years.

5 I came here. I was happy here. So in
6 my search for the ideal place, I want to stay here.
7 But when things change, I might not. So say no.
8 For the record, say no to Amazon.

9 (Applause.)

10 MR. CLOUGH: Daniel Pennell, Mary Root,
11 Susanne Shear, Peter Schmidt, Pat Smith, Jason
12 Smolinski, Julianne Sonnenburg, Morgan Sosa, Wu
13 Spencer, Margrete Stevens.

14 MS. SONNENBURG: Good morning. My name is
15 Julianne Sonnenburg. I live in the Scott District.
16 I've lived in Warrenton for 11 years and Fauquier a
17 total of almost 30 years. I'm against the data
18 center.

19 A couple of reasons off the top:
20 According to Computer World publication, data
21 centers are energy guzzlers; and by 2025, data
22 centers will be consuming 20 percent of the global

1 electric supply.

2 Number two, energy used by data centers
3 doubles every four years. The MIT Press: Cloud now
4 has a greater carbon footprint than the airline
5 industry. Two, a single data center can consume the
6 equivalent of 50,000 homes worth of electricity.

7 So at the last session about this time
8 in the morning, Mr. Heroux said: If not a data
9 center, then what?

10 So I thought about it for the last
11 month, and what -- the gateway of Warrenton should
12 represent the values of the town. It should be
13 something that we're proud of. It should be
14 something that attracts homeowners, increases home
15 values, brings in revenue, brings in new businesses
16 and is -- offers stability in a downturned economy.
17 It's not a data center. My proposition would be a
18 university campus extension.

19 University campuses. A publication put
20 out by the Federal Reserve Bank of New York:
21 Universities are engines of growth, have a direct
22 economic impact, raises skills of the area

1 workforce, helps local businesses create jobs for
2 skilled workers. Universities spend money in their
3 local area and employees local workers.

4 Research activities raise demand for
5 high-skilled workers, which has spill-over effects
6 into the local economy. New companies are drawn to
7 the area because of these research projects.

8 I went out and did an Internet search
9 on colleges and universities and how they help the
10 local economies, and the page just filled up. It
11 just goes on and on and on about the economic
12 advantages to having a university in your town.

13 So if not a data center, then what?
14 This is my proposition.

15 MAYOR NEVILL: Thank you, ma'am.

16 MS. SONNENBERG: Okay. Thank you.

17 MR. CLOUGH: Morgan Sosa, Wu Spencer,
18 Margrete Stevens, Elizabeth Tesendori, Francis
19 Thompkins, J.T. Thompkins, Patricia Tucker, Arthur
20 Van Keller -- Von Keller, Anne-Marie Wash Wharton.

21 MS. STEVENS: Good evening, or good morning.

22 I'm tired, but I'm here to speak. My

1 name is Margrete Stevens. With my husband Michael,
2 I live on a farm in the Cedar Run District. We have
3 owned the farm for 30 years. It dates back to 1820.

4 I come from Denmark. My husband is
5 English. We could have retired elsewhere, but we
6 chose Fauquier County. We love our farm. We love
7 this part of Virginia, and we love Warrenton.

8 Tonight, I want to add my voice to all
9 of those who have spoken out against the data
10 center, but I also want to invite you, as you come
11 towards the end of what, I think, is your road, to
12 look back the beginning of this project.

13 You'll recall that some months after
14 the initial submission of the application, Amazon,
15 when challenged, conceded that the noise study that
16 had been submitted with the application was in fact
17 a draft and not final.

18 I have worked as a lawyer for 30 years
19 in international arbitration. During those
20 30 years, I have never known a party to instruct a
21 law firm to submit a document in draft form without
22 marking it as such: Crossed, writing "draft" up in

1 the right corner.

2 I suggest to you that the original
3 draft could not possibly have been an oversight or a
4 clerical error. Instead, it was likely a deliberate
5 decision to muddle the noise issue from the very
6 beginning. But who can say for sure --

7 (Applause.)

8 MS. STEVENS: -- what it really was because
9 it's difficult to prove, and this is all now in the
10 history.

11 But it seems that Amazon succeeded in
12 this strategy. The noise conditions to be attached
13 to Amazon's special permit have been under
14 deliberation until this month. I just understand
15 that it was even discussed this morning.

16 We have also learned recently that
17 enforcements mechanisms may not be workable. These
18 are not issues to deal with in the 11th hour on the
19 cusp of voting. These are issues that need to be
20 resolved before you make your final decision.

21 This project is flawed. Its
22 implementation is uncertain. It's hugely unpopular.

1 And most importantly, it is destructive and
2 irreversible.

3 And I urge you to vote no.

4 MS. TESSANDORI: Hi. Good evening. My name
5 is Beth Tessandori, and I live at 96 Meadowview lane
6 in Warrenton in Ward 2.

7 First of all, props to everybody that
8 came out, and props to Robert Duvall. Wow.

9 Our neighborhood is known as Monroe
10 Estates, and I'm speaking on behalf of our HOA
11 associations.

12 Monroe Estates is a quiet neighborhood
13 of 48 homes that was built 20 years ago. As the
14 crows fly, we are approximately one and one-half
15 mile from the proposed data center on Blackwell
16 Road.

17 At first glance, you might not think
18 Monroe Estates has a direct interest in your vote
19 tonight on this current application. However, our
20 neighborhood sits alongside the historic Alwyngton
21 Manor, built in 1855 by John Quincy Marr.

22 Adjacent to Monroe Estates runs the old

1 wire factory down Old Meetze Road. By now you're
2 well familiar with this site as option one for
3 Dominion's energy location for a large substation
4 that would provide power to the Amazon data center
5 on Blackwell Road.

6 Substations are huge, ugly; and while
7 not as noisy as a data center, still not what you
8 would expect near a beautiful wedding venue or a
9 nice quiet neighborhood.

10 Our neighbor on Old Meetze, Steven
11 Wojcik, has told you the wire factory property is
12 also a drainage collection area for the town's storm
13 water management, complete with a large pond at the
14 center of an even larger wetland. A completely
15 inappropriate site for a large substation, and as
16 Dominion has said, unnecessary if you choose not to
17 approve Amazon's application.

18 In addition to the substation, you are
19 aware that the owner of this property, David Dobson,
20 is marketing the wire factory for an
21 eight-data-center building totalling 700,000 square
22 feet. That is three times the amount that the

1 Blackwell Road proposal is.

2 Amazon has already considered this
3 property and will most certainly be the next SUP
4 application before you if Blackwell is approved.

5 Mr. Mayor, we appreciate that at least
6 twice you have stated opposition to a data center or
7 substation at this location.

8 On December 13th, you wrote: I stand
9 by my opinion that the wire factory site is
10 inappropriate for a data center due to proximity to
11 residential and historic neighborhoods, and know
12 that some of my voting colleagues share my opinion.
13 I prefer option B for that proposed substation, and
14 for those same reasons, I will advocate for that.

15 We ask you to remember that opinion
16 when Mr. Dobson, one of the three advocates for the
17 data center who have spoken in these hearings, comes
18 before you. We would like to know that these words
19 will reconcile with the second special use permit
20 when it comes before this council.

21 How can the council possibly stop the
22 SUP at the old wire factory once you have set a

1 precedence on Blackwell Road?

2 You stated that your opinion is based
3 on proximity to a historic neighborhood. We agree.
4 Our neighborhood is --

5 MAYOR NEVILL: Thank you, ma'am.

6 MS. TESSANDORI: -- 300 feet from the wire
7 factory.

8 MAYOR NEVILL: Thank you.

9 UNIDENTIFIED SPEAKER: If it was an HOA
10 (indiscernible).

11 MAYOR NEVILL: Okay. An HOA. I'm sorry.
12 If you'd like another two minutes, you may continue.

13 (Applause.)

14 MS. TESSANDORI: We have heard arguments
15 that Amazon will somehow add to the town's economic
16 viability. Have you asked your residents what we
17 would give up in exchange for no data center? How
18 about we only collect garbage once a week? That
19 number alone would probably get you pretty close to
20 a few hundred thousands dollars a year that you seem
21 to think that you will get from Amazon.

22 I'm sure we could give you dozen more

1 suggestions that are better than a data center.

2 In your last hearing, Mr. Heroux asked:
3 If not a data center on the Blackwell property, then
4 what? But that question is irrelevant. Just
5 because citizens don't approve -- don't want to have
6 a data center approved there doesn't mean citizens
7 can't come up with an alternative.

8 Likewise, just because Amazon rushed
9 ahead, paid a huge sum of money for a property, does
10 not mean the town must grant them this special use
11 permit. They are a large corporation that made a
12 business decision. That decision should not place
13 the onus on this council to grant them anything.

14 And the drive of some of the council to
15 do so calls into question what arrangements were
16 made behind closed doors.

17 (Applause.)

18 MS. TESSANDORI: I thank you again for your
19 time. And if you must vote tonight, do it with a
20 clear conscience and vote with your constituents.

21 (Applause.)

22 MR. SNOW: Hi. My name is Jonathan Snow. I

1 did not hear my name, but I did sign up earlier
2 today so I want to speak out.

3 My name is Jonathan Snow. I live at
4 5443 Wemberly Drive in Warrenton, up in the Scott
5 District.

6 Mayor, Councilmembers, town staff, I
7 feel like I'm going to repeat a lot of what's
8 already been stated today. So this is yet another
9 testimony, but I tried to switch it up a little bit.

10 I'm tired. You're tired. We're all
11 tired. But I'm here and I wouldn't be anywhere
12 else. This is so important. This is about us, and
13 this is about where we're going.

14 I'm sure you've heard "Keep Austin
15 Weird." We've all heard "Keep Austin Weird" about
16 Austin, Texas. It is a weird place, but it didn't
17 get there by accident. It's got a university there.
18 They don't make decisions. They attract high-tech,
19 they attract university students, but they make
20 decisions to keep themselves different.

21 We've got something that's a lot better
22 than weird. We've got special. I've heard that

1 word so many times tonight. Keep Warrenton special.

2 That is what's different here. When
3 people ask us about our hometown, people that are
4 not from here, people who visit here, we cannot help
5 but extol the unique wonderful things here. We say
6 this is special.

7 You can obviously tell that the
8 community cares deeply about this town. I've heard
9 the silly notion about the silent majority of data
10 center lovers hiding out at home or out at dinner
11 tonight in local restaurants foregoing this meeting.
12 If they cared that much, they'd be here, too.

13 The doers, the people who want to keep
14 this place special are all here, and you can't help
15 but hear the overwhelming message.

16 We've asked a lot of questions about
17 data centers and what they would really do to our
18 town. We voiced a lot of concerns about what people
19 are seeing and hearing in neighboring counties.

20 What we haven't heard from anyone is a compelling
21 reason for the project that is currently proposed.

22 Why there? How will environmental

1 factors be honestly -- by a third party be
2 maintained and enforced? How can we be assured that
3 this town government cares about process and about
4 the people given everything that we've heard
5 tonight?

6 How can we be assured that a crazy
7 train of data center lawyers won't be rolling down
8 tomorrow banging on your door to sell this town
9 out?

10 The only compelling reasoning I've
11 heard today is from one guy for why the SUP should
12 be approved: I am here on behalf of Amazon. Get
13 out of my way. We'll take our own noise reading
14 once a year. Thank you.

15 Compelling.

16 Are you okay with that? Should you be
17 okay with that? If so, you are naive.

18 Where is the compelling case for the
19 other position? What's the argument? What's the
20 advocacy?

21 This country writ large is bleeding.
22 We have a crisis of trust. And increasingly the

1 people are being pushed aside at the behest of a
2 small minority of powerful interests. We can solve
3 our problems, and we should do so starting at the
4 lowest levels of government.

5 We all need people we can believe in.

6 Robert Duvall gets it. Do you?

7 Stand up and lead, listen to your
8 people, hold Amazon to account.

9 MAYOR NEVILL: Thank you, sir.

10 (Applause.)

11 MR. CLOUGH: Francis Thompkins, J.T.
12 Thompkins, Patricia Tucker, Arthur Von Keller,
13 Anne-Marie Walsh Wharton, Melissa Weidenfeld, Dave
14 Wynn, Bridget Wolfe, Barry Wilson, William Woodward.

15 MS. WALSH: Good evening, gentlemen. I'm
16 Ann-Marie Walsh, and I live on Bear Wallow Road.

17 And just a few comments to make that I
18 do have. And the speakers that we've had so far
19 have been tremendous. Congratulations to you all.

20 We were talking -- I've heard several
21 comments about a referendum. Well, believe it or
22 not, we have a community not terribly far away from

1 us that there was a proposed cell tower development,
2 we can call it, and they had a referendum, and they
3 defeated it. The name of that town -- and if you go
4 visit them -- it's Sperryville. Yep. Nearby
5 Sperryville defeated it.

6 So it made me think about, why aren't
7 the citizens of Warrenton having that same option?
8 And I'm glad it came up tonight.

9 In addition, seems to be that
10 justifying this project is because of a revenue
11 shortfall that may be is happening or is being
12 predicted. If that is the case, then the town
13 leaders, town staff, are responsible, not the
14 citizens.

15 (Applause.)

16 MS. WALSH: There is an erosion of public
17 trust that is growing deeper and deeper and deeper
18 by the week for each of you with the exception of
19 our two new members. I don't include you in that at
20 all.

21 In the local newspaper very recently
22 there was report that the Town expected tax revenue

1 in four years at about 4.7 million from Amazon.

2 Which is bubble gum to Amazon.

3 My concern is that perhaps what's
4 driving this a little bit is the desire of the town
5 to have a three-level deck parking -- or parking
6 deck, excuse me -- directly behind the post office
7 in Old Town, Warrenton, which is unnecessary and
8 unneeded. We have parking. It's just not dealt
9 with correctly.

10 And I will mention this to you, as well
11 as to the attorney for Amazon that's been here all
12 evening: Amazon is not a good neighbor. Believe
13 me, they are not. And you can just look at what
14 they did with -- in Fairfax with the schools, and a
15 book that was -- Amazon was selling that wasn't
16 selling too well. It was written by a Marxist
17 professor to turn over the country, and all those
18 bad kind of things. And Amazon contacted the school
19 system in Fairfax: Would you like to have this book
20 for your classes?

21 Of course, we would.

22 Well, people heard about it, and you

1 didn't hear much more about it. And it turned out
2 they donated those books to schools that had
3 minority -- more minorities than they had the white
4 students, and they got a tremendous tax deduction
5 for it.

6 So they are not a good neighbor.

7 And another question I'd like to ask
8 is: Who are they selling the data to?

9 MAYOR NEVILL: Thank you.

10 MR. CLOUGH: Dave Wynn, Bridget Wolfe, Barry
11 Wolfson, William Woodward, Susan Yankitis --

12 UNIDENTIFIED SPEAKER: "Yankitis."

13 MR. CLOUGH: "Yankitis." Alfred Young,
14 Ellen Zaro Belane, Andrew Ziewert, Amy Ziewert,
15 Kevin O'Neill, Aaron O'Donnell, Andrew Orleans,
16 Corianne Pafford.

17 UNIDENTIFIED SPEAKER: Susan Yankitis had to
18 leave, but she asked me if I just reinforce everyone
19 else's statement saying that she, too, is opposed
20 for all the reasons already stated. And to say vote
21 no.

22 Thank you.

1 MR. CLOUGH: Richard Rose, Dale Sites,
2 Sandra Sites, Kenneth Thomas, Susan Litus, Brandon
3 Wilson, Roseanne Woodruff, Bill Wright, William
4 Ziegler.

5 (No responses.)

6 MR. CLOUGH: Last call for any of the names
7 that I've called.

8 (No responses.)

9 MR. CLOUGH: Mr. Mayor, I have no other
10 names on my list.

11 (Indiscernible comments.)

12 MR. CLOUGH: He's going to ask for you to
13 come up. Just give it a second.

14 MAYOR NEVILL: So all of the names have been
15 called who signed up previously?

16 MR. CLOUGH: All of the names that have
17 signed up, I've called, yes, sir.

18 MAYOR NEVILL: Okay. Then, if you have not
19 signed up and wish to speak, you may please approach
20 the podiums. If there's several of you, just line
21 up, and you can take your turns as it goes on
22 yielding from side to side if that makes a sense.

1 MR. CLOUGH: We'll start on the left side
2 here and alternate sides.

3 Please state your name clearly.

4 MR. WILSON: Yes, my name is Ken Wilson. I
5 live at 88 Frazier Road here in -- right in the
6 town.

7 Brandon Wilson is my son. You just
8 called his name. He's been -- not as famous as
9 Robert Duvall working in film, but he's working in
10 film tonight so he couldn't make it.

11 I fell in love with Warrenton, like
12 you've heard from so many others. I was in college
13 at George Mason driving through the town to visit
14 friends in Charlottesville. I had my girlfriend,
15 who is now my wife.

16 About the 5th trip we took, she said
17 let's drive through Old Town Warrenton. I thought,
18 what, there's an older McDonald's, an older gas
19 station? She said, no, there's a sign that says
20 "Old Town."

21 Well, we came up there, drove down Main
22 Street once, and I said, let's park the car and take

1 a look around.

2 Well, the few minutes looking around
3 turned into about two and a half hours. We almost
4 missed dinner. But from then on, we always had a
5 special spot in our heart.

6 And when we escaped from Fairfax County
7 27 years ago, I continued to work in Fairfax, and I
8 put up with that commute because it's worth it here.
9 We came here because my little town of Fairfax City
10 that I grew up in as a child was no longer a little
11 town.

12 We wanted our children -- we wanted to
13 raise our children in Warrenton, the Warrenton that
14 we saw. And we knew it was going to change, but
15 this is a phenomenal -- this change is -- it's
16 earthquake proportions. Once you break it, there's
17 never going back again.

18 This is a terrible idea. And the idea
19 of voting on something without the information --
20 for you new members, I mean, this is crazy, you
21 know. You need that information. It needs to be
22 out in the open. This is a bad idea, and it doesn't

1 need to be in the town.

2 Data centers are important, but stuffed
3 into the middle of one of the last really great
4 little towns in Virginia is just unspeakable, and I
5 hope you vote no.

6 Really more to the point, I do hope you
7 throw it to the citizens, because I don't think
8 you're going to find anybody in that alleged silent
9 majority who likes the idea. It's not going to
10 happen.

11 (Applause.)

12 MR. WILSON: Please let us speak for you.
13 And I realize you guys are in a terrible bind.
14 Amazon, you know, we've heard it. They are
15 incredibly powerful. But, you know what, if you
16 could just hand it over to the citizens, maybe we
17 could back you up on this. We could take care of it
18 for you. Let us do it.

19 Thank you.

20 MR. STEFANIK: My name is Roy Stefanik. I
21 live at 5731 Wilshire Drive in Warrenton.

22 It's very late. I'll keep my comments

1 very brief. You know, I agree entirely with the
2 gentleman who just spoke ahead of me. You're
3 talking about a company that their annual earnings
4 are about 16,000 times your annual budget. So if
5 you try to challenge them, if you try to take them
6 on or you try to push them around using ordinances
7 or other types of legal means, they have the
8 capacity to run rings around you.

9 My concern for you is that -- for all
10 of us -- and I'm speaking metaphorically. I'm not
11 trying -- I don't mean this literally. But, you
12 know, if you allow the data center here, it's like
13 the equivalent of tossing a hand grenade into the --
14 into the community here, and there's going to be
15 shrapnel, and there's going to be people who are
16 going to be hurt by it by all the reasons that have
17 been described previously.

18 And that also means that you-all have
19 the potential to be hit with shrapnel as a result of
20 those positions, too, as time goes on and you find
21 out, you know, some of the things that Amazon may
22 potentially do.

1 And there's also been talk here about
2 whether -- you know, there's been FOIA requests.
3 There's been FOIA requests and, you know, questions
4 of, you know, prior emails. And if there's a
5 finding of information that was supposed to have
6 been disclosed earlier and we -- and, you know, the
7 community finds out that these things have been
8 going on without their knowing, there will be even
9 greater shrapnel for everybody involved.

10 So I think it's best to try to avoid
11 any kind of long-term damage, and please vote no.

12 Thank you.

13 MS. BOENISH: Speaking as an individual from
14 the Scott District. Jean Boenish. My text number
15 is (310) 676-1935.

16 There is no reason to be misled into
17 prematurely discussing details of points that are
18 already prohibited by the superseding laws you took
19 an oath to uphold and govern by.

20 Point 1, as Mr. Semple pointed out,
21 Town SUP applications cannot separate out
22 consideration and impacts of electrification and

1 facility's requirements. That is only one way this
2 application has been incomplete and disingenuous
3 from the start.

4 Point 2, the town code states, quote:
5 Special use permits may be granted upon finding that
6 the use, with conditions, will not have a
7 deleterious impact and will reflect the spirit and
8 intent of the comprehensive plan, as well as this
9 ordinance.

10 The findings have been that even with
11 conditions the SUP is indeed expected to have a
12 deleterious impact. This prohibits granting the
13 SUP. And it will not reflect the spirit and intent
14 of the comprehensive plan, also prohibiting granting
15 the SUP. And its incompleteness and disingenuous
16 are inadequate to meet the ordinance, also
17 prohibiting granting the SUP.

18 Point 3, the town did not initiate
19 eminent domain to acquire threatened properties, as
20 the town charter allows, so the town has no right to
21 threaten or harm residential atmospheres by granting
22 this SUP.

1 (Applause.)

2 MS. BOENISH: Point 4, residential proximity
3 is the initial and insurmountable problem with this
4 SUP no matter what type of potential pollution
5 hazard or accident is considered.

6 Also, adding any pollution potential
7 from this SUP's new source does the opposite of the
8 Virginia Codes, "policy of the Commonwealth to
9 minimize the transfer of environmental wastes."

10 Point 5, Article 1, Section 3 of the
11 Virginia Constitution is the ultimate recourse
12 Virginians have for protecting themselves.

13 By flouting warnings to not violate
14 legal implementation of Article 1, Section 3 of the
15 Virginia Constitution, on November 9th, 2022, three
16 of the Town Council Members negligently elected to
17 forfeit their Town Council seats.

18 The town has chosen not to address
19 legal activation of that ultimate and constitutional
20 community protective mechanism. Nevertheless, it
21 leaves four non-negligent voters on the council.

22 MAYOR NEVILL: Thank you, ma'am.

1 (Applause.)

2 MR. WARD: Yes, sir. My name is Wally Ward.
3 I live at 192 Pinnacle Court.

4 I signed up on the computer. I did all
5 the stuff. I put in my email address. I put in my
6 phone number, sat here and listened for 5 hours
7 while some people have been called up three or four
8 times. And I guess I didn't do it right. Next time
9 I'll come into the town hall and get somebody to do
10 it for me. Okay.

11 I got a couple questions. I'm really
12 disappointed to see that my Ward 1 councilman isn't
13 here tonight. I'm curious how many people could not
14 come in and could phone it in? We just want this
15 meeting with just you and everybody else on the
16 phone? What's the scoop on that? Is that legal?
17 You've got a lawyer up there. I'd like to find out.

18 Number two, you have two new councilman
19 and another councilman who want to find out about
20 all these mysterious emails. You-all voted no,
21 we're not going to let them read it. We're going to
22 make them vote on it. I don't think that's very

1 nice.

2 Number three, Mr. Mayor, you have said
3 in the paper you believed in open government. FOIA,
4 the Freedom of Information Act, is not the ceiling.
5 It's the floor. Open government would mean we
6 didn't even need the file this Freedom of
7 Information Act stuff.

8 (Applause.)

9 MR. WARD: You've got the guy with the most
10 obvious, obvious conflict of interest getting up and
11 loudly proclaiming he doesn't have it. I don't
12 think there's anybody in the audience that believes
13 that. Not a one.

14 (Applause.)

15 MR. WARD: And finally, the four H's, if I
16 was on a town council anywhere in America and I
17 wanted to make people lose faith and confidence in
18 my government, the integrity, the openness and
19 honesty, I don't think they could have done a better
20 job than that.

21 That's all I've got to say.

22 Oh, and, by the way, vote against it.

1 MS. HAMBLY: Hi. My name is Dorothy Hambly.
2 I live on 152 Moffett Avenue.

3 UNIDENTIFIED SPEAKER: (Inaudible.)

4 MS. HAMBLY: Oh, okay. Sorry. I've never
5 done this before. But you did just say that if you
6 have not signed up but you want to speak now, you
7 can. So I figured I'd come down here.
8 I just want to say I moved to Fauquier
9 County this year. Been here since June. But I did
10 previously work here for a couple years on
11 automotive art sales.

12 But before this, I did live in Loudoun
13 County for eight years, and you've really got to
14 take it to heart, you do have a very special small
15 town here that a lot of other counties are quickly
16 losing, especially in Loudoun County, which was once
17 viewed as one of the most beautiful areas in Virginia,
18 and now has been completely overtaken with data
19 centers to the point where a lot of times in the
20 county meetings they will simply rubber stamp any
21 data center that comes in.

22 And I've tried to get lots of my

1 friends motivated to come and speak at those
2 meetings; and, you know, what they say, it doesn't
3 even matter because the Amazon and other data center
4 lawyers will be right there with their money and
5 their influence and it won't even matter; and that
6 is the wrong attitude for citizens to have. Their
7 voice and their vote always matters and should be
8 listened to.

9 And the last thing I will say is that
10 for four years we lived on a very beautiful and
11 picturesque property on Route 50 almost to
12 Middleburg, and there was two houses there. One of
13 them was about 100 years old. And what happened is
14 they decided to make a data center, \$17 million was
15 the price tag of that about 15, 20 acres, whatever
16 it was in land.

17 Obviously, the tenants that live there
18 were working class, could not possibly afford to buy
19 out that property. And the landlord that we all
20 paid the rent to had cancer, so they basically
21 waited until he died and sold for millions of
22 dollars. All the tenants had to leave at

1 Christmastime of that year, which was absolutely
2 heartbreaking. And for the people that did try to
3 stay, the rent as much as quadrupled.

4 And what all this amounts to is that if
5 you just rubber stamp data centers just because of
6 the money, the working class will not be able to
7 afford to live in your county and your town, and it
8 is going to destroy the character of your locality.

9 Thank you-all for listening.

10 MS. BEAUCHAMP: For the record I did sign up
11 and my name was not called. Erin Beauchamp,
12 B-E-A-U-C-H-A-M-P.

13 16 years ago my husband and I left the
14 overdevelopment of Prince William County where we
15 grew up, and we found refuge in the quiet of
16 Warrenton.

17 I'm a public servant, just like
18 yourselves. I'm a vastly underpaid kindergarten
19 teacher right here in Fauquier County Public
20 Schools. But I stay here because I'm a part of this
21 community, and that's more important to me than
22 going where there's higher pay thanks to tax revenue

1 from lots of big corporations.

2 As you can imagine, we talk a lot in
3 kindergarten about listening. I won't rehash all
4 that you've heard from experts and lay people alike
5 against this SUP. You've heard from the masses.
6 But I want to ask you: Have you heard with more
7 than your ears? Have you listened with your whole
8 brain, with your heart, with your conscience?

9 As you sit before us this evening, you
10 hold immense power over the future of our town and
11 county. This power has been entrusted to you by We
12 the People, the foundation of representative
13 democracy. It is your duty as representatives in
14 this democracy to carry out the wishes of the
15 people. We the People say no to this data center.

16 If you betray that trust placed in you
17 by We the People, you will certainly be voted out.
18 You'd better be real sure that the scratch that
19 Amazon promised to line your pockets with is enough
20 to buy you a one-way ticket and a new identity,
21 because you'll never be able to show your face
22 around here again.

1 (Applause.)

2 MS. BEAUCHAMP: But, you know what, that's
3 not even what counts right now. What counts here is
4 a mother's wisdom. I often tell my sons that the
5 only thing they have to do to make me proud is to be
6 kind and do the right thing. When you wake up
7 tomorrow morning, will you be able to look yourself
8 in the mirror and be proud of who you are because
9 you've done the right thing? Will your mom be
10 proud?

11 Thank you.

12 MS. LOCKE: My name is Patricia Locke. I
13 live at 7336 Iron Bit Drive in Warrenton, Virginia.

14 We moved here from New Jersey in 2015.
15 My son has lived here. He has a farm in Amissville.
16 We also have land in Amissville.

17 We moved to Warrenton mostly because of
18 my mom. She lived with us. And rather than build
19 on the land in Amissville, we moved here to --
20 because it was a beautiful place, and it was close
21 to a hospital. And I decided to make it, after she
22 passed, our forever home, which now I'm sort of

1 wondering.

2 I don't know why with all the facts
3 that you've been given you can even have to think
4 about this.

5 (Applause.)

6 MS. LOCKE: Not only all the negative things
7 that you've been told with pollution, the noise, but
8 even further than that, the noise pollution on
9 people will cause illnesses. The air pollution will
10 cause illnesses.

11 I don't know -- they're going to come
12 back at you. These people are going to get sick.
13 You can't have 24 hours of constant noise and not
14 have it disrupt your mind.

15 I just don't understand. And I do not
16 understand why, if you want a decision made, you
17 can't give the facts to your members -- your two
18 members. You don't want to give the emails. You
19 don't want us to know, but you want a decision made.
20 You can't make a decision without having all the
21 facts. I don't know how they would. I don't know
22 how with clear conscience you can actually vote

1 anything but no on the data centers.

2 Thank you.

3 MS. BYFIELD: Mr. Mayor, before my time
4 begins, I'd like to respectfully request a check-in
5 with Councilmember Sutphin, just a confirmation that
6 she is still with us.

7 MAYOR NEVILL: She is still with us.

8 MS. SUTPHIN: Yes, I'm still with you.

9 MS. BYFIELD: Thank you. Okay. So my name
10 is Nicole Byfield. I own and live in the Highlands
11 of Warrenton singles.

12 I oppose this SUP. I would like to
13 yield the remainder of my time to my husband Steve.

14 MR. BYFIELD: Good morning.

15 Councilmember Hamby, in the last
16 meeting during your closing remarks you commented
17 about support for the data center. You said, "I
18 know that it looks like everybody is against, but
19 there are a lot of people for."

20 While that statement may be factually
21 correct to some degree, it remains an abstract
22 notion. No one has yet qualified or quantified that

1 statement.

2 Firstly, it should be noticed that the
3 comprehensive plan, while not an actionable
4 guarantee, was, however, a formal statement of
5 intent. Absent a public outcry to the comp plan
6 since its passing, it's reasonable to assume that
7 the intent still stands as a community's wishes.

8 Now, without a public demonstration of
9 support for the data center, we're all left to
10 wonder why the average citizen would desire one. It
11 would seem as though the strongest argument would go
12 something like this: The additional tax revenue
13 will help keep our taxes low.

14 Once again, this is another abstract
15 notion. While revenue is necessary for a town to
16 function, equally, if not more important, is how
17 that revenue is managed. Additional revenue alone
18 does not necessarily keep taxes down.

19 One only need to look to our neighbors
20 and ask the following: Why is it that with all of
21 the data centers Loudoun and Prince William have
22 higher real estate taxes than we do?

1 While I'm sure there's a logical
2 explanation for this, it does nothing to
3 substantiate the most common argument for support.

4 As is evident from these meetings there
5 is apparently no benefit to the average citizen from
6 this data center that is great enough to motivate
7 the illusive silent majority to speak on behalf of
8 support for this SUP.

9 Protect Fauquier, along with CFFC and
10 PEC did their due diligence. Their petition puts a
11 name to each one of thousands of voices of
12 opposition. We aren't left with an amorphous
13 suggestion of "a lot of people." As the saying
14 goes, they brought receipts.

15 I would like to contextualize some of
16 the signatures from that petition. Councilman
17 Hamby, more people have signed that petition in your
18 ward than voted for you in the 2020 election.

19 (Applause.)

20 MR. BYFIELD: Councilman Heroux, more people
21 signed that petition in your ward then voted for
22 you. Now, full disclosure, the bar wasn't very high

1 considering there's only so many members on the Town
2 Council. Now, I don't bring that up as a slight,
3 but it's worth highlighting the fact that you're
4 filling a vacancy that was created by a conflict of
5 interest associated with the applicant.

6 Councilmember Sutphin, my own ward
7 representative, you ran opposed, winning 54 percent
8 of the vote. Not only did more people sign the
9 petition just in Ward 1 than voted for you, but
10 there are more signatures from our ward than the
11 combined total of yours and your opponent's votes.

12 (Applause.)

13 MR. BYFIELD: Lastly, Councilmember Sutphin,
14 at the November 9th Town Council meeting, in regards
15 to your vote on the Harris Teeter gas station, you
16 stated, and I quote, "The safety, health, and
17 welfare of it being so close to their homes, I just
18 don't think that I can support it at this time."

19 MAYOR NEVILL: Thank you, sir.

20 MR. BYFIELD: "I just can't. I have to
21 think of my constituents" --

22 MR. MAYOR: Thank you, sir.

1 MR. BYFIELD: -- "and what they want, and
2 when it severely impacts their well-being, I cannot
3 support it."

4 MR. MAYOR: Thank you, sir. Your time is
5 up.

6 MR. BYFIELD: Once again, your constituents
7 are counting on you.

8 (Applause.)

9 MR. PUTNAM: Good morning. My name is Hutch
10 Putnam, native Warrentonian.

11 I moved back here to my hometown about
12 a year and a half ago to raise my three children
13 here. I live just outside of the town limits at
14 7716 Warrington Chase Drive, but I'm also an owner
15 -- a property owner within the town limits and
16 overseer of a number of other properties within the
17 town limits.

18 I wasn't really going to say anything,
19 but I wanted to make sure that I lent my voice in
20 opposition to the approval of this SUP. There's
21 probably really only one sliver of this that -- or
22 aspect of this argument against the data centers to

1 which I really feel like I can express, you know, or
2 shed a little bit of light on to. Everybody here,
3 with great passion and articulation, has covered so
4 much.

5 Last 25 years, I've worked in real
6 estate. You know, I was a contractor, homebuilder,
7 broker, and now developer. And though I can't
8 necessarily disclose all the details here tonight,
9 please know that there are developers, there are
10 investors, there are entrepreneurs, there are
11 business people that have creative, feasible, and
12 revenue-producing ideas, not necessarily just for,
13 you know, this particular parcel, but ones that are
14 very, very close to it, ones that are in the
15 historic district.

16 And the interesting thing about these
17 ideas and these things, which I'll probably be up
18 here talking to you here in the coming months, is
19 that all of them are by-right uses or align
20 perfectly with the comprehensive plan.

21 So if your decision, you know, is
22 swayed towards approval of this SUP because the

1 notion is, if not this, then what -- it's been
2 sitting there for decades underutilized -- know that
3 there are alternatives that can bring this town
4 sustainable revenue and are compatible with the
5 character of our town.

6 (Applause.)

7 MR. PUTNAM: So there's really no need to
8 give up the ghost on this. The goal of solidifying
9 the future financial viability of the obligations of
10 this town can be accomplished. They truly can.
11 Just not this way.

12 (Applause.)

13 MS. RUFFNER: Hi, guys. I'm back up here
14 for round two, and this time I'm feeling a little
15 fired up.

16 You guys have sat here and watched this
17 town bleed their hearts out to you with emotion,
18 with rationale, with facts. Science to emotional,
19 we've run the gamut out here, and you have a member
20 who has scrolled Facebook this evening.

21 You want to talk about a transparency
22 issue. You want to talk about mistrust. We are out

1 here bleeding our hearts out at 1:00 a.m., missing
2 our families on the day of love. Well, it's over
3 now, right? And you guys are literally so
4 disrespectful -- not a general blanket. Some of you
5 I can see haven't pulled a phone out.

6 But to sit here and watch and know that
7 people are on there -- so there's a benefit of being
8 young. I'm tech savvy enough to find out and notice
9 how long people have been on here.

10 So we are out here asking you guys for
11 something, and this is a slap in the face. This is
12 literally exactly the problem. You guys are not
13 listening. You are being disrespectful to your
14 constituents.

15 So if you want to talk about issues,
16 this is one of those. So hear your people, focus on
17 your job. Some of you didn't get this because you
18 wanted it. Some were gifted it. The rest of you
19 ran for this.

20 And there are things that will have
21 late nights, but respect us, because we, like you,
22 love it here.

1 And if I was in a position like you
2 guys, you would never look to the boss, a leader of
3 any organization, any town, to say, you know what,
4 what meme is on Facebook?

5 So this here is an issue. It's an
6 issue beyond the data centers. It's an issue
7 beyond, you know, power towers. It's an issue
8 beyond planning. This is an issue of respect from
9 us to y'all.

10 And for the record, that's Montana
11 Ruffner, Scott District.

12 (Applause.)

13 MAYOR NEVILL: Is there anyone else here who
14 desires to speak on the issue this evening?

15 MR. MOONEY: Mr. Mayor, I'd like to make one
16 -- just one point of clarification.

17 The couple that talked, she yielded her
18 time. And in fairness, it is 1:00 or whatever it
19 is. But I don't know if he also signed up. But he
20 should also be given his chance if he did.

21 UNIDENTIFIED SPEAKER: (Indiscernible).

22 MR. CLOUGH: Sir, we can't hear you for the

1 record.

2 MR. BYFIELD: Good morning, again. I just
3 want to say -- use this time here to say I hope my
4 -- as I explain this, I hope my tone wasn't
5 offensive. I didn't mean to be disrespectful at
6 all.

7 I had a lot here, as you could see, to
8 try to cram in, and having practiced this to fit it
9 in in a certain amount of time. So I hope that no
10 -- at no point my tone came across as disrespectful.

11 So I honestly appreciate all of your
12 service to this community. As I've been watching
13 for the past few months, I will -- I empathize with
14 you. Let's just put it that way. I know these long
15 days. I know the last meeting, same as this, 1:00
16 in the morning.

17 So, thank you.

18 MAYOR NEVILL: Thank you, sir.

19 (Applause.)

20 MAYOR NEVILL: Do any other individuals wish
21 to speak?

22 (No responses.)

1 MAYOR NEVILL: I'm hearing none. At 1:14
2 a.m., we'll close the public hearing.

3 MR. HEROUX: Mr. Mayor.

4 MAYOR NEVILL: And turn the issue over to
5 council.

6 MR. HEROUX: Mr. Mayor.

7 MR. SEMPLE: Mayor, may I be recognized?

8 MR. HEROUX: Mr. Mayor, I move the Town
9 Council to adopt the following resolution for
10 approval of SUP 2203, a resolution pursuant to
11 Section 11-3.10 of the zoning ordinance of the Town
12 of Warrenton for approval of the application for a
13 special use permit 2203.

14 Whereas Warrenton, Virginia, herein
15 after referred to as a town, is a municipal
16 corporation located within the County of Fauquier;
17 and whereas Amazon Data Services, Inc., the
18 applicant, is requesting a special use permit
19 approval on a parcel of land containing
20 approximately 41.793 acres identified as GPIN
21 698469-2419-000, located off Blackwell Road and Lee
22 Highway in the town of Warrenton, and herein after

1 referred to as "the property."

2 And whereas the applicant has applied
3 for a special use permit pursuant to section
4 3-4.12.3 of the zoning ordinance to allow for
5 approximately 220,000-square-foot data center to be
6 located on the property here, herein after the
7 special use permit.

8 And whereas the applicant requested
9 waivers and modifications to increase the building
10 height from 35 feet to 37 feet, increased the fence
11 height from 6 feet to 8 feet, and decrease the
12 parking loading space requirement from 22 spaces to
13 one space.

14 And whereas pursuant to Section 11-3 of
15 the zoning ordinance, upon petition of the applicant
16 for approval of the special use permit, the Planning
17 Commission upon advertisement and notice properly
18 given pursuant to Section 15.2-2204 of the Virginia
19 Code, held a public hearing on November 15th, 2022;
20 November 22nd, 2022; and December 20th, 2022.

21 And whereas the Town Council received
22 and considered the recommendation of the Planning

1 Commission for denial of the special use permit.

2 And whereas the Town Council of the
3 town of Warrenton held a public hearing on January
4 10th, 2023, upon notice properly and duly given, and
5 whereas the Town Council of the Town of Warrenton
6 held an open -- the public hearing on January 10th,
7 2023, to February 14th, 2023, upon notice properly
8 and duly given.

9 And whereas the Town Council has
10 considered the issues and the applicant addressed
11 the applicable factors listed in Section 11-3.10.3
12 of the zoning ordinance for the town of Warrenton.

13 And whereas the Town Council finds that
14 the application meets the criteria for approval in
15 the Town of Warrenton zoning ordinance, and that the
16 application is consistent with the Town of
17 Warrenton's comprehensive plan based on the analysis
18 in the staff report.

19 And whereas the Town Council, in
20 consideration of all the foregoing, is of the
21 opinion that the application for the special use
22 permit be approved subject to certain conditions.

1 Now, therefore, be it resolved that the
2 Warrenton Town Council approves SUP 03 subject to
3 the attached special use permit with conditions of
4 approval, dated February 14th, 2023, and all
5 documents referenced in the conditions of approval
6 with requested waivers and modifications listed
7 above.

8 MAYOR NEVILL: So moved by Councilman
9 Heroux.

10 MR. HAMBY: Second.

11 MAYOR NEVILL: Seconded by Councilman Hamby.

12 Turn it over to discussion to council.
13 Start to my right, and ask Mr. Mooney.

14 MR. MOONEY: Do we go in order, Mr. Mayor,
15 or...

16 (Simultaneous speakers.)

17 MAYOR NEVILL: (Indiscernible.)

18 MR. MOONEY: Would you like to go?

19 MR. SEMPLE: Yes. Thank you.

20 As I understand it, let me explain to
21 you what I see is the prerogative we have as
22 legislators up here on the dais.

1 The law, as I understand it, is that we
2 are granted a presumption of validity in our
3 decision.

4 Reasonableness of a legislative action.
5 Legislative action is presumed to be reasonable.
6 However, if the presumptive reasonableness of the
7 action is challenged by probative evidence of
8 unreasonableness, that challenge must be met by
9 evidence of reasonableness, and the legislative
10 action will be upheld if such evidence is sufficient
11 to make the issue fairly debatable.

12 And that's the key phrase "fairly
13 debatable."

14 The relevant question, however, is not
15 who presented the greatest number of expert
16 witnesses or even who won the battle of the experts,
17 but rather whether there is any evidence in the
18 record sufficiently probative to make a fairly
19 debatable issue of a decision. The evidence must
20 meet both quantitative and qualitative tests.

21 The town, however, is required to
22 follow its own ordinances; and that's *Renkey v.*

1 County Board of Arlington County 2006.

2 There, in that decision, they
3 determined that when the county rezoned a portion of
4 the landowner's property from R5 to CR without
5 complying with the eligibility requirement set out
6 in its own ordinance requiring that a site must
7 first be rezoned C3 before it could be rezoned CR,
8 its action was arbitrary and capricious, therefore,
9 rendering the rezoning void and of no effect.

10 The authorization section for the
11 special use permits is found at Section 11.3-10.1
12 under Article 11 of the town ordinance.

13 The relevant section states in part:
14 Special use permits may be granted to establish or
15 construct uses or structures which have the
16 potential for a harmful impact upon the health,
17 safety, and welfare of the public upon finding that
18 the use with conditions will not have a deleterious
19 impact and will reflect the spirit and intent of the
20 comprehensive plan, as well as its ordinance.

21 In my opinion, if the town does not
22 expressly follow the requirements of this section --

1 and even if it believes it does -- its decision
2 could be construed as unauthorized and therefore
3 null, void, and without effect.

4 The reason -- the question here is
5 whether the decision reflects the spirit and intent
6 of the comprehensive plan, and in my -- and could it
7 be challenged with evidence of unreasonableness; and
8 I don't believe any expert in the world would get up
9 there who could sufficiently find sufficient --
10 sufficient probative evidence where that application
11 meets that requirement.

12 The second instance where the town
13 violates its own ordinance can be found in Section
14 11-3.10.2 under Article 11 of the town ordinance.

15 This section states 11-3.10.2,
16 Application: Application for a special use permit
17 shall be filed on the appropriate form, therefore as
18 provided by the zoning administrator and in
19 accordance with the instructions which accompany the
20 form.

21 Special use permits shall contain the
22 same information as required for zoning amendment

1 applications set forth in Section 11-3.9.

2 In addition, unless waived in part by
3 the zoning administrator -- and that did not happen
4 -- the application shall provide all of the
5 information, data, and studies needed to allow the
6 Planning Commission, and -- not "or" -- and the Town
7 Council to reach conclusive evaluations.

8 Here the question is whether the
9 requirements of the application have been met, or
10 whether the information, data, and studies made
11 available were sufficient to allow both the Planning
12 Commission and the Town Council to reach conclusive
13 evaluations.

14 At the very least, the Planning
15 Commission, upon making its recommendation, declared
16 that it had not received sufficient information to
17 reach conclusive evaluations.

18 The Town Council further effectively
19 denied the commission the opportunity to do so
20 because it stated that irrespective of whether the
21 commission made a recommendation or not, the town
22 would take up the matter.

1 From the staff report, here's what the
2 Planning Commission actually said. The Planning
3 Commission recommended denial 311 -- Ainsworth
4 against, Zarabi abstained -- to the Town Council
5 based on the following reasons: Lack of information
6 regarding noise. The information provided is
7 insufficient to assure that when the facility is
8 operational it will comply. And to enforce the
9 notion we placed in the special use, our attorneys
10 essentially said that this will end up in
11 litigation.

12 I've see nothing since from a modeling
13 -- from the applicant's own sound experts, which is
14 a model, that contravenes this particular
15 recommendation from the Planning Commission.

16 I mean, you can model it. They model
17 it. As I said in the morning session, they modeled
18 the Titanic. They just -- no one just expected an
19 iceberg.

20 Lack of information regarding power.
21 This is a particular bone that I wish to pick for
22 me. We have nothing in writing. All we know is

1 that there's no longer a substation on their -- on
2 their property. But the impact has to include the
3 electrical impact, just as it includes
4 transportation, just as it includes all the other
5 impacts that are listed, and we must consider under
6 the 31 criteria. And I will get into those.

7 I believe that it is important -- it
8 behooves us to understand the overall impact of this
9 of this application, and it doesn't matter whether
10 it's on the property or not. We have traffic
11 studies. We should be able to look at the power
12 impact.

13 And, as I said this morning, this --
14 Dominion has already proposed running -- it's taking
15 a 30 -- I mean, a zero to 40 foot right of way right
16 center line down Falmouth Street, up East Lee
17 Street, right through Walker Drive.

18 And it affects not just my ward. It
19 affects both Wards 1 and 3. And that's an impact
20 that I just think is just intolerable. It sets a
21 precedent. It will mean that in the future data
22 centers can be built around any small, little town,

1 and they can just run these power lines wherever
2 they want without any benefit at all to the
3 residents. Not at all. Nothing. We get zero out
4 of this.

5 So the third issue is tax
6 justification. One of the things I have not heard
7 from anybody on this dais is why we're doing this.
8 And the one -- I've heard a variety of
9 reasons. I mean, there's some secret federal
10 client, or that if we don't do it, they'll take over
11 and somehow or other assert the supremacy clause and
12 we can't have any bearing on it.

13 But the biggest reason is revenue.
14 Now, I heard this morning they're not going to build
15 thing out for seven years, and the revenue
16 depreciates. And they could -- they don't have to,
17 they may not, but they could ask for a three-year
18 incentive where they don't have to do anything at
19 all.

20 And then, what's the fourth problem?
21 What if there's litigation? I mean, they may want
22 to go ahead and just continue on in face of all

1 that. But what you're seeing is a huge delay in
2 whatever revenue there will be.

3 But the second point is, is that based
4 on our own ordinance, that revenue must be
5 consistent with the comprehensive plan. It says so
6 under 17. And I'll get right to it.

7 It is 17 under -- excuse me while I'm
8 looking it up -- under the 31 steps of evaluation:
9 Whether the proposed special use will provide
10 desired employment and enlarge the tax base by
11 encouraging economic development activities
12 consistent with the comprehensive plan.

13 That's not -- that's unavoidable. You
14 have to see whether -- that economic development.

15 So let's go to the comprehensive plan.
16 Somebody asked, well, has anybody looked at the
17 comprehensive plan? I have. And, in fact, I have
18 three volumes like this about the comprehensive plan
19 that I prepared when we looked at this back -- way
20 back when, the same night we initiated this
21 amendment. We initiated the same night we adopted
22 this. We had every opportunity to put data centers

1 into this plan. And did we? No. The fact is
2 there's one mention of data centers, and that's only
3 in one of the character districts, and it recommends
4 that they shouldn't have it because it would require
5 too much power.

6 But now let's just see what's in the
7 comprehensive plan. The future land use
8 descriptions --

9 MAYOR NEVILL: (Indiscernible.)

10 MR. SEMPLE: Excuse me?

11 MAYOR NEVILL: You have a minute remaining.

12 MR. SEMPLE: A minute?

13 MAYOR NEVILL: Yes.

14 MR. SEMPLE: Okay. I have one minute. I'm
15 being timed. Okay.

16 I'll tell you right here, all you have
17 to do is look through this and you will see, through
18 the design characteristics -- and I can't read all
19 this off in a minute, but the fact is New Town is
20 not designed for a data center. It's designed for
21 everything but.

22 It's a mixed used,

1 high-intensely-economic development involving all
2 kinds of various benefits to our town, and this data
3 center will not.

4 Thank you.

5 (Applause.)

6 MAYOR NEVILL: Councilman Mooney.

7 MR. MOONEY: My question -- my question is
8 for Mr. Crim. We're timed? We have a time to -- we
9 have a timed response for this?

10 MAYOR NEVILL: Robert's Rules affords each
11 member ten minutes for each time. There's two
12 options to speak, and ten minutes towards each time.

13 MR. SEMPLE: Point of order. Will we be
14 able to speak twice?

15 MAYOR NEVILL: Yes. Yes, sir.

16 MR. MOONEY: Good evening. Mr. Mayor,
17 colleagues, and citizens. Thank you all for being
18 here at 1:30 in the morning once again.

19 I've written this out -- I've written
20 out this formal statement here because I'm so
21 frustrated and upset, and I'm seriously concerned
22 about saying something inappropriate in my remarks.

1 First, I'd like to say that there's
2 probably some of you out there who at some point
3 will not be very happy with me on one condition or
4 another. I'm sure of it. I'm human and you're
5 human, so I'm sure.

6 Second, I'm a Marine, and I'm proud of
7 it. We have a way of getting things done and are
8 literally famous for getting things done. Our
9 beloved country has sent Marines to get things done
10 for nearly 250 years. And when we go, we take -- we
11 take hard the responsibility of being true to those
12 who sent us.

13 It is said of Marines that we are the
14 few and the proud. We are both. Our motto, as you
15 all know, is Semper Fidelis. Always Faithful.
16 Faithful to one another, and to those who send us to
17 get things done. There's no better company than a
18 Marine when you're outnumbered and facing something
19 daunting and unpleasant.

20 I want to be clear that I deeply
21 respect and appreciate the colleagues I'm honored to
22 have joining me in opposition to this application.

1 Mr. McGuire and I are new members of
2 this council, still relatively fresh off the
3 election and door knocking and listening to the
4 people of this town in every single ward. We are
5 the two councilman who represent every citizen in
6 the Town of Warrenton.

7 These good people are the ones who sent
8 me, who sent us. They sent all of us here to get
9 things done for them. And this is -- and they did
10 not send me here, nor us, to participate in
11 evasiveness or an irregular process, nor to advance
12 dubious initiatives that are opposed overwhelmingly
13 by those who sent us under this big dark cloud.

14 Of note for claiming -- and some of
15 these thoughts have already been said, but I'm going
16 to say them again for the record: Claiming a silent
17 majority in favor of the Amazon application, I tell
18 you there is no such thing. Look out there and see
19 part of the vocal majority that opposes it on
20 Valentine's Day plus. Valentine's Day and some
21 hours.

22 It pains me to admit that I've joined a

1 town leadership that has lost completely the trust
2 of its citizens. It pains me even more to
3 acknowledge that I fully understand how that trust
4 was lost.

5 For the last 18 months, Warrenton
6 government has behaved, in part of the time, as if
7 ignoring the citizens. And at other times it's like
8 we're at war with the citizens.

9 So many appearances -- and I say
10 "appearances" -- of impropriety without concern for
11 the message that those send to the people that
12 elected us -- or got appointed. So many dismissive
13 and impolite comments made when the public
14 righteously complains.

15 There's much about this to complain
16 about from the former manager leading Amazon through
17 this process and then acquiring this great job
18 afterwards, and yet the council never undertook an
19 independent investigation which remains a critical
20 un-taken step in reassuring the public, not --
21 reassuring the public, not because, you know, she's
22 gone, but because Amazon remains.

1 And they wish to become -- they wish to
2 become the most visible corporate citizen in
3 Warrenton. They're used to getting their way.

4 And what is "their way"? You know, if
5 that's to get what they want including potentially
6 through, you know, improperly influencing employees,
7 we all have a right to know who we are inviting into
8 our town as a great neighbor.

9 When citizen groups try to obtain the
10 correspondence the ex-manager exchanged with Amazon
11 during that period, the citizens were blocked to the
12 point that the town went to court to prevent anyone
13 from seeing what the email traffic said.

14 And when the judge, who made a ruling
15 defining the "or" to mean "and" and caused the town
16 to prevail on executive privilege, the town
17 leadership celebrated the successful continued
18 hiding of the truth from the public and town
19 officials, and said it was a victory for the
20 citizens.

21 And the final touch of bizarre and
22 interesting, when Councilmen Semple and McGuire and

1 I asked to see the same correspondence in a
2 controlled environment on a computer in Town Hall,
3 we were blocked from the -- from this by the town
4 staff and leadership, to which I just tried to get a
5 vote to see before we got to make this vote, and got
6 rejected.

7 Why? While this executive privilege is
8 asserted against the public, it cannot be raised
9 against us. We are members of the elected
10 government.

11 The last I checked, the town manager
12 and town attorney, who are both employees, are
13 elected -- is not an elected official [sic] -- the
14 town attorney and manager, who are both employees --
15 neither of them are elected officials as the three
16 of us are. Neither of them have a vote in this
17 critical application before us for the most
18 consequential decision in this town's history, and
19 possibly ever will have.

20 Yet they have arranged to see the
21 emails as if it's like we cannot even -- we -- even
22 though we have the responsibility to govern the town

1 and keep it out of trouble. We have the
2 responsibility to govern the town and keep it out of
3 trouble.

4 This withheld material could shed
5 critical light onto what is now taking place
6 frequently seemingly in the dark. And these
7 situations continue.

8 Meetings with some of my colleagues
9 with Amazon -- and some of those meetings even just
10 the day before our big January public hearing and
11 right after -- collaboration from some of our
12 colleagues with no participation from town staff or
13 town attorney present crafting the positions, the
14 conditions that Amazon -- in ways they are subject
15 to nearly everyone now observing [sic]. And these
16 conditions that Amazon had a month to review after
17 our last session, I had three hours to review before
18 this.

19 These are conditions. In a business
20 deal, in the Marine Corps, you would be fired giving
21 that much time. It's embarrassing.

22 One of the colleagues is a professional

1 in the same industry shared by Amazon and data
2 centers -- has been called out by many people
3 tonight giving the appearance -- the appearance --
4 whether it's actual or not, our town code of ethics
5 requires us on council to avoid even the appearance
6 of impropriety. The appearance.

7 So I call on this colleague to recuse
8 himself from this vote only --

9 (Applause.)

10 MR. MOONEY: -- in my opinion -- in my
11 opinion, to give the public -- to give the public
12 back some small, small part of the confidence that
13 it has lost in us. But it appears he intends to
14 stand behind the opinion of the town attorney who
15 kept the emails from elected officials without a
16 majority vote.

17 There is much wrong in this
18 application, with this application's path to
19 process. My colleague, Mr. Semple, has done an
20 admirable job listing these issues -- an admirable
21 job. I thank him and endorse him.

22 How much time do I have left?

1 First, although it is important --
2 first, although it is the most important thing,
3 there seemed to always be some (indiscernible)
4 seemed to always lose sight of the fact that an SUP
5 application, the most important consideration is
6 preventing undesirable outcomes for those living
7 near the impacted locations, my constituents, as an
8 at-large member. This means full mitigation of the
9 problems that come with the permitted use.

10 Because the applicant has no right only
11 to ask for it -- no right for the permit, only ask
12 for it.

13 So where there will be noise and
14 vibration, it must be at a level that is in -- at an
15 impact the citizens will find acceptable, and this
16 level must be with certainty before the noise and
17 vibration begin.

18 I reached out and had a meeting with a
19 technical expertise [sic] to go over this noise
20 study because we received no briefing until today,
21 this morning, when I asked for it. And it was not
22 given to me by the staff. It was given to me by the

1 applicant without an independent sound study. A
2 month ago we were handed this complex noise study,
3 as I stated earlier, on the day we were supposed to
4 vote for the application.

5 And I'm ashamed and embarrassed to
6 acknowledge that some of my colleagues were prepared
7 to vote on this application then without even
8 reading the study, let alone understanding it.

9 And of note, today, we found out that
10 the equipment used in the noise study that the
11 Planning Commission didn't even get to hear may not
12 even be the same equipment that's used on the data
13 center.

14 For this SUP, it is also additionally
15 required that the permanent use be in accordance
16 with the comp plan. Yes, the comp plan that the
17 citizens, the town, experts, everybody in the local
18 community worked for three years -- nearly three
19 years to complete, which did not -- which did not
20 contemplate data centers, as Mr. Semple already
21 said.

22 We know that some pretend to ignore

1 this application is not in accordance with the comp
2 plan and doesn't advance the comp plan and
3 objectives and doesn't further the vision. The same
4 night -- what we don't know is why or how it worked
5 out which is why we will -- we will see the email
6 correspondence one way or another.

7 And I ask my colleagues in all
8 sincerity: Don't you want to see those before an
9 embarrassing vote again? A vote where you could
10 betray your constituents' happiness and destroy the
11 tranquility of our community all for the allure of a
12 tax that would equal only about 3 percent of our
13 budget or maybe -- because we don't even have an
14 economic impact study by the applicant.

15 I also believe that we have spent
16 probably the first year of revenue that we would
17 make figuring this whole thing out.

18 And I will come back to my time later.

19 MAYOR NEVILL: Councilman Hamby.

20 MR. HAMBY: I'm going to switch gears. This
21 certainly is a great town. It always has been. But
22 one of the things about this town is every few years

1 or generations it rips itself apart.

2 I understand -- I certainly heard both
3 sides all the time in-person, videos, walking down
4 the street. People ask from time to time, and more
5 often than not: Why another auto parts store? Why
6 another fast food restaurant?

7 A lot of it is, this is why. We tear
8 ourselves apart every time an economic development
9 issue comes about, Walmart, Home Depot. It's the
10 same thing. It ruins friendships. It makes people
11 mad. We go into just a spin. I do understand.

12 This is an economic development
13 opportunity on a piece of land. I've heard
14 everything from the town annexed the land into town
15 after Amazon came. It's not true. It's been in
16 town since 1960. We did not zone it industrial.
17 It's been zoned industrial for decades.

18 I've seen a turnstile of applicants go
19 through. Walmart has tried. Costco has tried.
20 Target has tried. There's been talk of satellite
21 colleges over the years. Residential. Everything
22 has been tried there. And I even pulled some stuff

1 out from the old archives. We've tried several
2 times. We've tried multi-families. We've tried
3 everything else. I even got the thing from
4 Ms. Schaeffer, the Warrenton Green, that they tried
5 '07, '09-ish when that was. But even then it didn't
6 work.

7 And one of the big problems with the
8 Blackwell Road site is transportation. So when they
9 ran all the presentation back in the day for the
10 Warrenton Green spot, they had 29 access. There is
11 no 29 access now. But Blackwell Road is the only
12 thing that VDOT will allow in and out.

13 So all this has morphed. You know,
14 it's turned into -- it's turned into mortal combat.
15 It just happens. I get it. Everybody's really
16 charged up and everybody feels the way that they
17 feel about their side.

18 When it goes down to -- you know, even
19 the wire factory comes in. There's nothing proposed
20 on the wire factory. I get it. But when Orchard
21 Ridge came through and they were going to put
22 housing on the wire factory, same thing: Turned

1 down. And even the stuff for the -- I'll just call
2 it the new Warrenton Green proposal.

3 Look, I understand it. If you don't
4 want a data center, I understand. I hear your
5 opinion. But some of the stuff that's on there,
6 like, they're proposing a grocery store possibly.
7 I'm pretty sure that some of the groups have opposed
8 the grocery store that's proposed at 605. They're
9 proposing housing on it. Do they suggest that the
10 town goes into an unmanned -- or unchecked mandate
11 for a new school seats? And the satellite college
12 is back again.

13 I think that the county has done a very
14 good job at Laurel Ridge. They just built the tech
15 building, and now we can think about putting a
16 different college on a different end of town.

17 But in the end, the town did not sell
18 property to Amazon. That was a private transaction.
19 The town does not own the property now. The
20 application before us is for a data center.

21 And I understand how people feel.
22 Believe me. I've been hearing it for months. We've

1 had stuff like this before, and I understand. And

2 it will continue. I understand. Hang on here.

3 UNIDENTIFIED SPEAKER: (Indiscernible.)

4 MAYOR NEVILL: Excuse me?

5 UNIDENTIFIED SPEAKER: (Indiscernible.)

6 MR. HAMBY: I understand.

7 UNIDENTIFIED SPEAKER: (Indiscernible.)

8 MR. HAMBY: But at the --

9 UNIDENTIFIED SPEAKER: (Indiscernible)

10 comprehensive plan.

11 MAYOR NEVILL: Excuse me. The councilman

12 has the floor, please.

13 MR. HAMBY: But --

14 UNIDENTIFIED SPEAKER: (Indiscernible).

15 MAYOR NEVILL: The councilman has the floor,

16 please.

17 MR. HAMBY: The pros.

18 UNIDENTIFIED SPEAKER: There's no pros

19 (indiscernible).

20 MAYOR NEVILL: The councilman has the floor,

21 please.

22 UNIDENTIFIED SPEAKER: (Indiscernible).

1 MAYOR NEVILL: The councilman has the floor,
2 please.

3 UNIDENTIFIED SPEAKER: I don't care.

4 MR. HAMBY: Okay.

5 UNIDENTIFIED SPEAKER: (Indiscernible.)

6 MR. HAMBY: Okay. Well, let's go the other
7 way, right.

8 Vint Hill. Vint Hill OVH data center
9 sits in the middle of Vint Hill. People have been
10 coming up here to town, Warrenton, talking about
11 data centers.

12 Now, I have enjoyed going to Old Bust
13 Head a lot, right, over the years, My beverage has
14 never vibrated off the table, and I've always been
15 able to have a conversation, yet the data center is
16 right out back, right? Right across the street.

17 The housing at Vint Hill backs up to
18 OVH right across the street.

19 UNIDENTIFIED SPEAKER: (Indiscernible).

20 MAYOR NEVILL: Excuse me, please.

21 MR. HAMBY: I understand. Hold on.

22 UNIDENTIFIED SPEAKER: (Indiscernible).

1 MR. HAMBY: Hold on.

2 UNIDENTIFIED SPEAKER: (Indiscernible).

3 MR. HAMBY: Okay. And then if OVH does
4 expand as is going around, right, how could they
5 build it across the street from the Portland VA
6 Hospital? If data centers are so bad, how could
7 they build -- the state, the local, and the federal
8 government proposed to build across the street.

9 UNIDENTIFIED SPEAKER: (Indiscernible).

10 MR. HAMBY: Okay. Okay. Maybe they don't
11 care.

12 So pros: There's no traffic at a data
13 center. Pros: There's no school seats at a data
14 center. Pros: There's not a lot of services
15 involved in the data center.

16 UNIDENTIFIED SPEAKER: (Indiscernible).

17 MR. HAMBY: The benefits are tax money
18 generated. So whether it's \$800,000 or whether it's
19 \$1.4 million -- I've heard both, we've asked
20 Mr. Maybach, I think, twice. He's given us
21 estimates twice. I think it's \$2.3 million to the
22 county. In between 800- and \$1.2 million to the

1 town per year.

2 UNIDENTIFIED SPEAKER: (Indiscernible).

3 MR. HAMBY: Okay. I'll -- go ahead. I'll
4 -- you can move on.

5 MAYOR NEVILL: Excuse me. Please be
6 respectful. The Councilmen have the time to speak
7 during the discussion.

8 Councilmen -- or Vice Mayor Hartman.

9 MR. HARTMAN: Okay. I'm just going to keep
10 this simple and short and sweet.

11 I feel that the -- I have all the
12 information that I need, and that the application
13 does meet the criteria for approval in the town
14 zoning ordinance; and that the applicant is -- the
15 application is consistent with the Town of
16 Warrenton's comprehensive plan in spirit and intent
17 based on staff analysis.

18 I feel that the applicant has met the
19 SUP requirements. As simple as that. And has
20 answered questions that were perhaps unanswered --
21 felt unanswered by the Planning Commission.

22 And quite simply, like it or not, the

1 applicant owns the land, and this is an SUP before
2 us regarding that, and they have presented the
3 application for SUP consideration. And I believe
4 that they have met the requirements. So I have all
5 the information that I need to make my reasonable
6 and informed opinion.

7 Thank you.

8 MAYOR NEVILL: Thank you, sir.

9 Councilwoman Sutphin, I'm sorry. I
10 overlooked you.

11 Councilwoman Sutphin.

12 MS. SUTPHIN: Hello. Yes, I'm here. Let me
13 -- I actually wrote a few things down myself.

14 So sitting here I actually did get an
15 email from someone, and it said it perfectly.

16 Many years ago I regularly attended
17 budget hearings. My interest was the school system.
18 Many people spoke on behalf of the schools. At the
19 end of the hearing, the late John Adams, who was
20 chairman of the board of supervisors would say he
21 appreciated everyone who attended, but there were
22 many, many, many more citizens who couldn't or

1 didn't attend for one reason or another, and he had
2 to represent them as well.

3 I can't agree with this more. I have
4 heard so many. And you know what, their names don't
5 even matter. I don't need to prove. I know in my
6 heart. I've had emails, messages, phone calls from
7 people expressing they're scared or intimidated to
8 come to these meetings because of the way they see
9 people treated.

10 We had several people today who were in
11 support, and they got disrespected. So what makes
12 people feel that they're going to be okay coming in
13 and expressing their opinions?

14 When I took an oath, I represent all of
15 Warrenton and all of my ward. I have neighbors who
16 agree. I feel like I've gotten all the information.
17 I feel that Amazon has bent over backwards to try to
18 meet our demands. We owe them respect just like we
19 owe every one of the other businesses respect.

20 So thank you for giving me the time,
21 but I feel like that's about all I need to say. And
22 I respect each and every one of my fellow councilman

1 for their opinions.

2 And I totally agree with everything
3 that Councilman Hamby said. This happens. But I
4 love my town. I love my community. And I'm going
5 to do what I feel is best in my heart.

6 So, thank you.

7 MAYOR NEVILL: Thank you, Councilwoman.

8 Councilman Heroux.

9 Please, we've asked -- please keep the
10 order and allow the councilmembers to speak.

11 MR. HEROUX: Thank you, Mr. Mayor.

12 I've done a lot of research on this, so
13 please bear with me here.

14 I want to start with property rights
15 and use. This land has been part of Warrenton since
16 1960. For 63 years, owners of this land -- I think
17 there were various ones -- had opportunities to
18 develop it. It has been zoned for industrial for
19 decades. I have a map that shows industrial in
20 1970.

21 To my knowledge, no one has requested
22 that the land be brought into any kind of

1 conservation easement. Well, I think that's
2 unallowable in a service district of which Warrenton
3 is.

4 But as someone said earlier, we've
5 made, I think, remarkable achievements in the
6 town -- or, I'm sorry, in the county where a
7 significant part of our county, like 26, 30 percent
8 is actually under conservation easement. Which is a
9 good thing, but this land has particularly remained
10 vacant for decades.

11 We all know that a text amendment to
12 change the industrial zoning to allow data centers
13 was approved in 2021. Four members of this Council
14 that are here tonight voted for it. Three members
15 who are not here -- you know, are not part of this
16 council anymore, they also approved it. That text
17 amendment was unanimous to allow data centers by SUP
18 on all Warrenton industrially-zoned land.

19 And I say "by SUP" as opposed to
20 by-right, which in Fauquier County there are use
21 cases where you can do it by-right. You won't have
22 a hearing. And we did that to be able to work with

1 applicants to get the right situation and use cases
2 for the citizens.

3 And even prior town councils before
4 this council have talked about data centers on that
5 land. The prior owner of this land legally and
6 within all their rights sold the land. The legal
7 title that Amazon purchased identified the land as
8 industrial zone. It didn't say New Town District.
9 It said industrial.

10 The land was sold in a private sale
11 transaction. The town did not own this land, and
12 the town is not in the business of approving land
13 purchases and picking winners and losers. This is
14 not communist China. In this country we approve and
15 encourage private property ownership which many of
16 us here benefit from; and property rights. And we
17 rely on the private sector to bring jobs and
18 opportunity to town.

19 Now, let's talk about (indiscernible)
20 zone land use. This SUP brings to use -- use to
21 this land that's really done not so much for us for
22 a very long time. But it more importantly

1 eliminates the risk of other by-right uses on this
2 land that can cause much greater negative impact to
3 the town.

4 In particular, it could be a crematory.
5 It could be a frat house, a sorority house. All
6 sorts of uses around -- mechanical uses. And
7 particular to this -- to this applicant, a
8 distribution center. By-right. Okay. Trucks
9 rolling out of there 24 hours a day. It brings --
10 by-right. It doesn't come to vote. It happens.

11 It brings a land use type that does not
12 bring additional cost to the town. We've talked
13 about rooftops and how they -- you know, school
14 buses and schools. Nothing wrong with rooftops, but
15 that is a cost.

16 It doesn't put a lot of demand on town
17 services, like our police, fire, and water. For
18 example, we have a car wash in town that uses 3
19 million gallons of water from the town a year.

20 This SUP does not create a traffic and
21 parking problem for the town. As Councilman Hamby
22 pointed out, the only access to this property is on

1 Blackwell Road. VDOT has denied any actions or any
2 planning to make it off of 15 or 17. It's
3 inaccessible.

4 The SUP develops land that's supposed
5 to be urban and dense, okay. I mentioned earlier
6 Warrenton is a service district. We are supposed to
7 be residential, commercial, and industrial dense.
8 That's why we have a service district. And that is
9 done so the remainder of the county can remain
10 rural, as I think we're doing a good job doing.

11 The SUP does not ruin a commercial --
12 or, I'm sorry, a rural and historic entrance to the
13 town. The entrance to the town is commercial.

14 We have great partners with Country
15 Chevrolet and Sheetz and CVS and the Hampton Inn.
16 They employ our citizens. They pay taxes.

17 There's over 300 lights -- I counted
18 them -- of all types at night as you enter the Town
19 of Warrenton. That's not rural. It's busy and it's
20 loud, as we talked about today at the -- at the
21 hearing.

22 Let's talk about the comprehensive

1 plan. And I've read it. There's 246 goals, 28 with
2 historic resources; 29 -- or 49 with community
3 facilities; 21 with housing; 21 office space, parks
4 and environment; 44 were transportation circulation;
5 28 with economic and fiscal resilience; and 55 with
6 land use.

7 There are at least five areas in the
8 economic area alone that align with the
9 comprehensive plan. I encourage you to read it.

10 Let's talk about the character
11 districts. The (indiscernible) property falls into
12 a character district referred to in the
13 comprehensive plan as the New Town District. And
14 New Town, again, is mixed use, large lots, etc.

15 Nothing in the comprehensive plan
16 rezoned the AWS property from its current legal land
17 use of industrial to some other use. That didn't
18 happen.

19 The rough estimate of New Town District
20 total acreage, my estimate -- don't take this to the
21 bank -- is about 137 acres. The AWS property is 41
22 acres. That's about 30 percent. That means 70% of

1 the land that's in the New Town District is still
2 available for development.

3 I know a speaker came up here and said
4 there's some great ideas. I look forward to hearing
5 those. There's already an idea being worked through
6 the town for an apartment complex so -- in the New
7 Town District. So there's plenty of land left in
8 New Town District to go there and do what we want to
9 achieve consistent with the plan.

10 I won't go into the details here. You
11 know, again, the staff report, I think, does a good
12 job. We've got no issues on fire safety. I think
13 we made enormous progress on the noise with the
14 conditions that the applicant did agree to.

15 Lighting, again, they're going to
16 reduce it at night by 50 percent. That's an
17 ordinance requirement. And, again, I counted 300
18 lights in the entrance to town. That is not rural.

19 Location and footprint. I mean, you
20 know, it is in a -- again, it shows the
21 documentation that they've submitted. I hope you've
22 all looked at the new elevation drawings they

1 showed. Amazon made an attempt here, I think, to
2 blend the architecture a little bit more naturally
3 with what we have here. They're doubling up the
4 landscaping to put more trees in there to hide it;
5 and, again, do more prevention on the sound.

6 The timing and phasing was described.
7 And I know from the traffic perspective, anytime you
8 have construction, there's going to be traffic. But
9 most of that, according to the last testimony,
10 should happen during any of the excavation and then
11 when the powered shell is done, okay. That's done
12 in about 12 to -- about 12 months, I believe.
13 Construction traffic should decrease.

14 I mentioned about road improvements.
15 VDOT has said no road improvements. The only access
16 here is Blackwell Road. Imagine some high usage,
17 high density instance in that property and the
18 traffic nightmare that it would create at Blackwell
19 Road.

20 Talked about water and town resources.
21 Again, the initial load into the -- into the Amazon
22 data center is about 190,000 gallons. Compare that

1 to the wharf: 435,000 gallons is what's needed to
2 run the wharf.

3 We got a lot of better (indiscernible)
4 use cases there with the hospital needing 15 million
5 gallons, warrenton Training Center uses 4.7 million
6 gallons, and we got a laundromat that uses about
7 2.7.

8 Let's talk about jobs. Okay. I've
9 heard a lot of people scoff at 52 jobs. Now, I'll
10 tell you from a personal experience, my father --
11 when I was in high school, my father lost his job.
12 We almost lost our house and everything. We would
13 have been happy with one job, let alone 52.

14 52 jobs at the -- at the salaries that
15 Amazon has described here is about \$6.9 million of
16 annual payroll into town. This property has never
17 generated \$6.9 million of annual payroll.

18 It creates 52 jobs that perhaps some of
19 our residents who are commuting into Loudoun County
20 and Prince William County -- they can stay -- they
21 can work in town. They can be home with their
22 families at night. They can have dinner with their

1 families.

2 I'm going to tell you that vacant
3 (indiscernible) land only means -- sorry -- only
4 means three things. When you see vacant
5 industrially-zoned land, it means it's not meeting
6 the potential to create opportunities for our
7 citizens. The citizens are carrying way too much of
8 a tax burden, and we're waiting for the next best
9 thing that comes around.

10 I'll hold my comments here, Mr. Mayor,
11 so others can speak.

12 MAYOR NEVILL: Councilman McGuire.

13 MR. MCGUIRE: Thank you, Mayor. I want to
14 thank everyone for coming out tonight.

15 Democracy is very important to me. My
16 father and all my uncles fought in World War 2.
17 They were wounded. I had an uncle that was a
18 prisoner of war. I also served in Iraq and
19 Afghanistan.

20 I think it's important that we listen
21 to our citizens because otherwise we come -- become
22 the oppressive government.

1 A lot of people do not want this.
2 People are up here talking about economic benefit
3 and everything else. We don't see the second and
4 third order effects of this. You know, this is
5 going to open up the floodgates to proliferation of
6 more of these data centers.

7 And there's all this information that
8 has been withheld from us. It's a question of, do
9 we have, like, open and honest government? Do we
10 have transparency?

11 I mean, I never thought I would ask --
12 sit on a dais as an elected official and ask to see
13 information to make a vote and then be denied by my
14 colleagues. I mean, that's -- that's unthinkable.

15 (Applause.)

16 MR. MCGUIRE: If it's open and honest,
17 then -- and there's nothing wrong, then it should be
18 seen. That's the rule I grew up with.

19 So I question a lot of this. And
20 that's going to be a lasting effect for everybody on
21 this dais that votes for this. They own this vote.
22 They've already voted to deny us information about

1 it. I think that's atrocious.

2 But, also, I think you have to look at
3 the noise ordinance and things like that. And today
4 during the work session Deputy Chief Carter got up
5 there and explained that basically if there's noise
6 complaint, a good police officer goes out there and
7 listens with their good ears -- and nothing against
8 the police. I was the police for many years -- a
9 police officer for many years. And they determine
10 whether or not it's offensive or not.

11 I can't imagine that we're not in the
12 21st century leveraging technology to do
13 enforcement.

14 So basically just on the appearance of
15 that alone, and by the fact that we're not going to
16 go with technology, it's a wash. You know, that's
17 like looking at somebody and saying they're speeding
18 or not. If we don't use technology, you know
19 basically what they're telling you good citizens is
20 your complaints mean nothing. They don't want to
21 listen to you.

22 You're going to complain and basically

1 it's going to go nowhere, and I just -- I think
2 that's atrocious. It's appalling that we would not,
3 like, change our noise ordinance to reflect the use
4 of technology.

5 And this is a rush. I don't know why.
6 It's like Councilman Mooney mentioned, we received
7 the noise study. We don't have enough time to read
8 it. I'm not a scientist. I suggest the council
9 actually hires an independent sound study and we
10 look at this thing.

11 You know, there's other sources of
12 revenue.

13 And I'm also -- you know, a lot of
14 people don't know my background. I'm from Chicago;
15 that's the land of corruption. The land of
16 corruption. I'm here in Virginia for a reason.

17 I want to tell you one thing: I've
18 never been in a government body where good citizens
19 have said "raise my taxes so I can keep the town I
20 have." That speaks volumes. Volumes. And you know
21 what, you will be heard. This fight is not over.
22 This fight is not over. Trust me on that.

1 (Applause.)

2 MAYOR NEVILL: Council members are afforded
3 a second time to speak during discussion. I will
4 turn it over to Councilman Semple who led us off.

5 MR. SEMPLE: Again?

6 MAYOR NEVILL: You have your second
7 opportunity, sir.

8 MR. SEMPLE: Thank you. Turn this on.
9 Bring it over here.

10 Okay. I listened to Mr. Heroux, and --

11 UNIDENTIFIED SPEAKER: (Indiscernible).

12 MR. SEMPLE: Excuse me?

13 UNIDENTIFIED SPEAKER: (Indiscernible).

14 MR. SEMPLE: No, please.

15 MAYOR NEVILL: Councilman Semple has the
16 floor. Point of order.

17 MS. BOENISH: (Indiscernible).

18 MAYOR NEVILL: Councilman Semple has the
19 floor. The motion --

20 MS. BOENISH: (Indiscernible.)

21 MAYOR NEVILL: No, I'm sorry. Ms. Boenish,
22 I'm sorry.

1 MR. SEMPLE: Please.

2 MAYOR NEVILL: Councilman Semple has the
3 floor.

4 MS. BOENISH: (Indiscernible).

5 MAYOR NEVILL: Ms. Boenish. All right.
6 I'll reset your time, Mr. Semple.

7 MR. SEMPLE: Thank you.

8 Mr. Heroux makes much of the fact that
9 the property has been around in our -- within the
10 town limits since 1960. I guess it has technically
11 been around since the Ice Age, and it's been used
12 for agricultural purposes which I guess is a
13 non-conforming use. But, gee, someone said, what's
14 wrong with that?

15 Nina Weissberg attempted to create
16 Warrenton Green, which was approved, during --
17 around 2007-2006 era; and she was very excited about
18 it. And it was a mixed-use development. But she
19 ran into the recession.

20 She also, when we approved the
21 comprehensive plan, hardily endorsed New Town and
22 70-foot apartment buildings she hoped one day she

1 could build.

2 Yes, it's true that at some point the
3 town did consider a data center back in 2011, but I
4 can tell you right now, they thought it was -- it
5 didn't happen. And they thought a large data center
6 would take up too much power.

7 So it doesn't matter. This is a
8 special use permit. This means it has -- and the
9 criteria, I have not heard anything from my fellow
10 councilman that I would say that would rise to the
11 fairly debatable level to approve this thing.

12 That is, I can't see anything in
13 anything they've said so far that in my opinion
14 would justify this opinion under the law and under
15 this.

16 Now, I have prepared, and I distributed
17 to Council, a 44-page document. Now, I only started
18 this early -- when I finally was able to get some of
19 the latest details in the noise ordinance. And
20 speaking of that, I'll talk about that in a second.
21 Circulated it around, and it's on the record.

22 50 jobs, that's great. But, you know;

1 let's just -- this is hypothetical. Hypothetical
2 what they can do -- what other uses for the property
3 is really not one of the criteria in the ordinance.

4 We must rely on the ordinance itself to
5 define how a special use permit is decided; and
6 we're not doing that.

7 I looked up -- just as a lark, I looked
8 up what the traffic would be for a fulfillment
9 center. And it's a fairly massive looking building.
10 And a fulfillment center, it showed a traffic study
11 of 3,600 cars additional per day, and it would
12 create not 50 jobs, but a thousand jobs. A thousand
13 jobs.

14 So if we're making comparisons to
15 potential uses, a fulfillment center may be just the
16 ideal thing. Because that traffic use was one-third
17 of the traffic use that would have been created by
18 Walker Drive. And you looked at the (indiscernible)
19 report, it was one-fifth the traffic use, and yet
20 this Town Council approved that application.

21 And here's a case, by the way, where
22 Amazon wherein that Walker Drive application the

1 applicants were willing to contribute towards
2 amelioration. There were three traffic circles.
3 They were going to contribute \$400,000. \$300,000 at
4 traffic -- right in front of Hidden Creek Lane.
5 This applicant is going to contribute money, yes, to
6 Dominion so that it can build distribution lines
7 through our ward. That, to me, is key difference.
8 So among other things, I just want to
9 say that I cannot at this point within ten minutes
10 go down all the evaluation criteria which I think is
11 relevant. But I've talked about the comprehensive
12 plan. You can look in the sections in New Town and
13 find for yourself.

14 The fact that you can -- I think even
15 the applicant himself -- or themselves said that
16 while you can't really -- the comprehensive plan, I
17 think -- I'll look for a comment here by them, but
18 in fact it looked to me like an effort to not
19 mention the -- to conform to the comprehensive plan.
20 It picked from here to here.

21 We're talking about -- even the staff
22 report did not say it was consistent with the

1 comprehensive plan. It did not make that
2 declarative statement. It only described what was
3 in the comprehensive plan, but it was otherwise
4 silent on whether it was consistent.

5 So I don't think that there's any
6 argument at all that this is consistent with the
7 comprehensive plan. And I believe there isn't any
8 probative evidence that it is.

9 Not only that, I don't think there's
10 any probative evidence under any of these other
11 criteria that they met that really are sufficient to
12 justify the SUP that is to protect the citizens from
13 the noise and from all of the other harms created by
14 this singular use. And that's what it is.

15 And it doesn't matter whether it's an
16 industrial use now or has been. The criteria must
17 compare with the comprehensive plan. There isn't a
18 comprehensive plan, we know, that immediately
19 launches into being with all of the zoning
20 accompanying it.

21 I mean, it's a given that eventually
22 your zoning will reconcile with your plan. But this

1 SUP is designed, and there are possible uses under
2 the industrial zone that might be good to an SUP.
3 That doesn't mean that you couldn't find one in an
4 industrial zone. It just means this one doesn't
5 work right.

6 And that's what my argument is about
7 this, and why we hadn't carefully considered.

8 As far as the noise ordinance is
9 concerned, well, I circulated to council 19 comments
10 on the noise ordinance because I thought it was
11 deficient in terms of its enforceability, in terms
12 of its language. Here it is. And yet we haven't
13 made one change.

14 I asked this morning, for example, that
15 instead of using the word "mitigation" or "to
16 mitigate," they might use word "to comply." And
17 mitigation does not mean to comply.

18 I'm sorry about this sound.

19 So I'm really disappointed, but I do
20 want to say something about my residents and all you
21 who have come out. I ran -- I'm not a politician.

22 I don't know what's happening. Am I

1 hearing? Is it -- all right. Unfortunately, my
2 hearing aids just gave out.

3 When I ran for office, I took -- I took
4 my job seriously. I love my ward. I love my
5 residents. I divide them into 13 little
6 neighborhoods. They all had something different,
7 something unique.

8 And I love walking my dog around.

9 You've probably see me on the Greenway. I mean
10 that's the joy of what I do. I didn't do this to
11 put this on my tombstone. I did this because of you
12 guys. And I'm sorry that this decision is being
13 made over the will of the people.

14 Thank you.

15 (Applause.)

16 ADMINISTRATIVE JUDGE: Councilman Mooney.

17 MR. MOONEY: This is why I ran. This is why
18 I ran, because the citizens are here at daggone 2:15
19 in the morning. So energetic. That's awesome.
20 Thank you for being here.

21 To finish off my statement, to
22 Mr. Hamby's point, I don't -- I don't believe the

1 application is complete based off of the noise study
2 and everything else.

3 And nobody sleeps right next to OVH.

4 And from a revenue standpoint, we could
5 just open up another Chick-fil-A on the other side
6 of town and make three times the revenue.

7 (Applause.)

8 MR. MOONEY: And to Ms. Sutphin's comment,
9 David Dobson has been here at every single meeting;
10 and he's doing great.

11 To Mr. Heroux's point, there wouldn't
12 be a distribution center there. VDOT has to approve
13 a driveway that I put an ADU on to approve two more
14 cars to go into a driveway. So I don't think they
15 would approve the distribution center on that lot.

16 And if our test is that we made \$500
17 for the past few years, then no offense.

18 Mr. Cureton, we should knock down the wharf and put
19 a data center there, and we should put a data center
20 at Eva Walker Park, and we should put a data center
21 at Rady Park and all the other parks that don't make
22 us any money.

1 (Applause.)

2 MR. MOONEY: So that's not a good test in my
3 opinion. In my opinion. And I think that it's -- I
4 think it's a shame that we didn't get, as a council,
5 a chance to discuss between ourselves and our
6 attorney whether these conditions will even be
7 binding in a court of law in the state of Virginia.
8 One lady -- one lady came up here and
9 talked about bait and switch, and I just want to
10 highlight some of the whys from our potential
11 applicants, if that's allowed.

12 You know, many of our potential
13 applicants for town manager talked about how
14 incredible our town is and how incredible our 2040
15 comprehensive plan was, and the leadership and the
16 input from the citizens, and the amazing community
17 development of our 2040 plan. If they get here they
18 might feel like they got a bait and switch.

19 And then I just want to read from the
20 Fauquier County Visitor's Guide. It says: Take a
21 breath. You know you're in Fauquier County when the
22 air changes.

1 And that's why I live here. I'm the
2 youngest person on the council, and this decision
3 will affect me and my family and our future in this
4 town.

5 And I am also sorry.

6 And I want to point out that we are
7 blessed. We are truly, truly blessed to live in a
8 great place in a world that is not so great.

9 Thank you guys for being here.

10 MAYOR NEVILL: Councilman Hamby.

11 MR. HAMBY: I think we did pretty good -- we
12 did a pretty good job on the conditions. I think
13 that we started from the -- from the Arizona side.
14 I think we have pretty tight conditions.

15 Certainly been a move through
16 conditioning a data center, and I feel like we're
17 certainly well ahead of the other areas with data
18 centers conditions-wise.

19 Some of the other stuff. I know that
20 there's been a lot of conjecture and everything else
21 as we've gone through this.

22 You know, the 2017 council, you know,

1 we unanimously voted to pursue data centers, but
2 nothing happened for quite a while. Fauquier County
3 was the one that actually introduced, actually,
4 Amazon to the Weissberg property when all this
5 started.

6 So as we move forward past this, I've
7 certainly got a lot to say. So I'm hoping Robin and
8 Jarvis stay after. Whatever time this ends. But as
9 you move forward, there's certainly a lot -- there's
10 a lot to be said.

11 I know that for the last few months
12 it's been -- at least on this end, right, it's been
13 -- we've been constantly under attack, daytime,
14 nighttime, weekends, even at the Super Bowl.

15 So that's all I have to say. We can
16 move on.

17 MAYOR NEVILL: Thank you, sir.

18 Vice Mayor.

19 MR. HARTMAN: I don't really have anything
20 else to add to my previous comments other than, you
21 know, I was born and raised here. I love this town.
22 I made a career here. I retired here.

1 And, you know, I've traveled all over
2 the world and all over the country, and I could have
3 gotten jobs anywhere and moved anywhere, but I chose
4 to stay here.

5 And I do love this town. I love my
6 neighborhood. I like where I live. And my father
7 was a business person in this town. He was actually
8 on council.

9 I heard from you, now you're going to
10 hear from me. My mother was an educator in this
11 very building. I sat out there somewhere and
12 graduated from this school.

13 So my support for the SUP, I stated
14 earlier. And, you know, it's got nothing to do with
15 whether or not I value our lifestyle and things of
16 that in Warrenton.

17 That's all I have to say.

18 MAYOR NEVILL: Councilwoman Sutphin, do you
19 have anything further?

20 MS. SUTPHIN: No. I think I've already said
21 everything. But thank you everyone for coming.

22 MAYOR NEVILL: Thank you, ma'am.

1 Councilman Heroux.

2 MR. HEROUX: Yeah. Thank you, Mr. Mayor.

3 I'm sorry I forgot to say this in the
4 beginning: I want to apologize to the women in the
5 audience here that you had to hear a joke about
6 prostitution. That was very inappropriate.

7 As a deacon in this community, I go
8 around to some places that probably most of you have
9 never been in. We have sex trafficking in this
10 community, and I've talked with these women. They
11 live very difficult trapped lives. It's not funny.

12 So let's talk about -- my comments that
13 I've been working through here have actually been
14 all based on the SUP criteria.

15 So when we talk about tax revenue, that
16 is an evaluation criteria consideration. Not "the"
17 consideration, but certainly a consideration. I did
18 mention the \$500 that's, you know, from the prior
19 owner. Any tax revenue bill that citizen gives us
20 is valuable. I'm not demeaning \$500.

21 Amazon, I believe they're real estate
22 bill was 12,500. Yeah, we can say they're a big

1 company, they can afford it. But paid it.

2 You know, we've had estimates of about
3 \$4.5 million over five years or four years for this.

4 You know, I went back and looked at that. I said,
5 well, what does that really mean? If we say it's
6 about 900k a year, what does that really mean?

7 And went back and looked in the budget.
8 And it pays for town refuse and recycling costs for
9 about a year with some money left over. It covers
10 most of the budget for our line item on street
11 maintenance for line item 4200, which is about \$1.1
12 million.

13 It covers close to 60 percent of the
14 wharf operating costs, which is about \$1.6 million.
15 The wharf loses about half a million dollars a year
16 because it doesn't bring in enough revenue to cover
17 its operating expenses, on top of the \$4.6 million
18 that we still own on the wharf.

19 We cover the cost of annual debt
20 service. That's about, I think, 438k or 735k. It's
21 somewhere in that range. And some of my numbers may
22 be off.

1 And then, you know, it basically covers
2 almost 60 percent of our legal, HR, and finance.
3 So, you know, put the number in context of what it
4 means to you and us as services.

5 All the other items on affordable
6 housing, storage, open space, fuel storage,
7 accessory, I thought the staff report covered that
8 -- covered that well.

9 One thing I have heard a lot from folks
10 is about, you know, becoming like Prince William
11 County or Loudoun County. I had the same concern.
12 You know, I was, like, wow. You know, how does that
13 happen?

14 But as I settled into this role, I
15 began to understand a couple things that -- you
16 know, put me at the top of the list of not
17 understanding things.

18 First of all, this Council only has
19 jurisdiction over 4.25 square miles, and that's
20 about 264 acres of industrial zone. That's all we
21 control.

22 By comparison, Prince William County is

1 348 square miles. 81 times the size of Warrenton.
2 The digital Gateway that they recently approved is
3 3.3 square miles, or 2,100 acres. The data center
4 opportunity zone is 15.6 square miles, or 10,000
5 acres.

6 Loudoun County is about 520 square
7 miles, 122 times the size of Warrenton. I estimate
8 their data center space might cover -- they have 25
9 million square feet. I don't know how many acres
10 that is. 500 or so.

11 Compare that to Fauquier County. We're
12 647 square miles, or 414,000 acres. And if my
13 numbers are right, I think only about 4,000 of those
14 acres are actually zoned industrial.

15 And we've -- like I said earlier, we've
16 done, I think, some phenomenal work in protecting
17 easements in the land that have just created, as
18 you've said and I agree with you, just some
19 beautiful landscape. And I congratulate the folks
20 that have done that. But this is the service
21 district, and it is designed to be dense so we can
22 do that all up there.

1 My point on becoming Prince William and
2 Loudoun County is that if we were to do that, we'd
3 pretty much have to plow the town under to become
4 like that. We have limited use here. Limited land
5 space to do this. And so that's pretty unreasonable
6 or unlikely.

7 Anything on the Fauquier County side
8 with regards to data centers and any of the
9 industrial zoning properties in the county, that
10 needs to be, you know, discussed with our good
11 friends on the Board of Supervisors.

12 And everything I read from them and
13 some of my conversations with them, I don't hear
14 anything from the Fauquier Board of Supervisors that
15 are saying open the floodgates, we're ready to take
16 on Prince William County. I just do not hear that,
17 and I don't believe that is their intention at all.

18 In regards to the Warrenton Training
19 Center, I know there's been some issues there. I'm
20 sorry to hear that. And I would suggest that you
21 call Senator Tim Kaine and Senator Warner and our
22 Congressman. That's federal land. We have

1 absolutely no jurisdiction over what they do there.
2 If it's -- if it's not -- if it's a disturbance, if
3 there's something going on there, that's who you
4 need to talk to. Because we can't roll in there and
5 do much about that.

6 Look, the town has worked really hard
7 on this with the applicant and staff. The applicant
8 has taken a lot of additional steps here. They have
9 rights. They purchased the land. Just like if any
10 of us was to come here, we have rights to listen and
11 to plead our -- you know, to present our case.

12 They've not asked for tax breaks.
13 They're investing \$550 million in our town. That
14 tax revenue also goes to the county. That goes back
15 into our schools. And so I encourage my
16 councilmembers to support this SUP.

17 And I want to thank the town staff for
18 a lot of hard work that they've done over the past
19 year in some very difficult situations, and, I
20 think, in some cases some pretty unfair accusations
21 that I just don't believe to be true. So I
22 encourage my councilmembers to support the SUP.

1 Thank you, Mr. Mayor.

2 MAYOR NEVILL: Thank you, sir.

3 Councilman McGuire.

4 MR. MCGUIRE: Yes, I think the current SUP
5 is not in compliance with the 2040 plan. And, also,
6 I think we need to amend the noise ordinance.

7 And, also, you know, we've heard people
8 -- some of my councilmembers resonate and talk about
9 certain things about property rights and everything
10 else. We will hear that again as people sell land
11 and people try to get more data centers and
12 everything else, you will hear that echoed. Okay.

13 Also, if we're worried about spending
14 and we need revenue, maybe we need to take a hard
15 look at what our output is. If we're losing money
16 on certain things, maybe we need to, like, raise the
17 rates on things, you know. Nothing is free, you
18 know I think, you know, people need to look at --
19 take a hard look and what we're spending our money
20 on. And, you know, we have a low tax rate.

21 And I think a lot of people would like
22 to keep things the way they are then give way to,

1 like, a data center that's going to have impacts for
2 years to come.

3 And, also, I think, you know, you try
4 to ride the tiger, you usually end up inside.

5 And I think the other thing is second
6 or third order effects. I'm a historian myself.

7 We're making a seminal moment here, a pivotal moment
8 for the town. It will never be the same as we know
9 it. Whether that's good or bad, we're going to
10 change the face of this place. Okay.

11 So we're going to change the face of
12 Main Street potentially, our green space, our horse
13 country, all that, by one vote. So I ask my
14 councilmembers to really think long and hard, not
15 about tomorrow, but about tomorrows and what we're
16 doing here. And I think it's very important.

17 So, thank you.

18 (Applause.)

19 MAYOR NEVILL: That closes the debate.

20 We'll call the question. All in favor?

21 (Multiple responses.)

22 MAYOR NEVILL: Opposed?

1 (Multiple responses.)

2 MAYOR NEVILL: Councilwoman Sutphin?

3 MS. SUTPHIN: So let me just make sure that

4 I understand --

5 MAYOR NEVILL: I'm sorry, Councilwoman

6 Sutphin --

7 MS. SUTPHIN: -- that if I --

8 MAYOR NEVILL: Councilwoman Sutphin, the

9 question is called to approve -- I'm sorry. I

10 should have restated that.

11 So the motion on the floor is to

12 approve the SUP condition as stated by Councilman

13 Heroux. So let me go back and restate the question,

14 which is a motion before us to approve --

15 MR. MCGUIRE: Mayor, I'm sorry, for a

16 second. I thought the motion is on the floor. I

17 thought it's not to approve or disapprove. Right?

18 I thought he read the motion saying it's up for

19 vote.

20 MAYOR NEVILL: Yeah, there's a motion on the

21 floor --

22 MR. MCGUIRE: Right.

1 MAYOR NEVILL: -- to call --

2 MR. MCGUIRE: But I'm just saying --

3 MAYOR NEVILL: -- the question. I restate
4 the motion.

5 MR. MCGUIRE: I wouldn't say, like, it's up
6 for approval. It's up for vote.

7 MAYOR NEVILL: Okay. Calling the question.
8 The motion on the floor is a resolution
9 pursuant to Section 11-3.10 of the zoning ordinance
10 of the Town of Warrenton for approval of application
11 for a special use permit as submitted by Councilman
12 Heroux.

13 So that is the motion. The question is
14 called. So I'll restate the roll call -- or, i'm
15 sorry, I'll restate the: All in favor?

16 (Multiple responses.)

17 MAYOR NEVILL: Opposed?

18 (Multiple responses.)

19 UNIDENTIFIED SPEAKERS: (Indiscernible).

20 MAYOR NEVILL: The motion did receive a
21 second at the beginning.

22 Motion carries 4 votes to 3.

1 That brings us now to the consent
2 agenda. I seek a motion to approve the consent
3 agenda.

4 MR. HAMBY: Move to approve the consent
5 agenda.

6 MAYOR NEVILL: So moved by Councilman Hamby.

7 MR. HARTMAN: Second.

8 MAYOR NEVILL: Seconded by Vice Mayor
9 Hartman. Please -- order, please.

10 Is there discussion on the motion?

11 Please. We'll restore order.

12 UNIDENTIFIED SPEAKER: (Indiscernible).

13 MAYOR NEVILL: Motion on the floor is to
14 approve the consent agenda.

15 Is there discussion on the motion?

16 (No responses.)

17 MAYOR NEVILL: Hearing none, I'll call the
18 question. All in favor?

19 (Multiple responses.)

20 MAYOR NEVILL: Opposed?

21 MR. SEMPLE: Abstain.

22 MR. MOONEY: What was the motion?

1 MAYOR NEVILL: Motion to approve the consent
2 agenda.

3 MR. MCGUIRE: Abstain.

4 MR. MOONEY: I abstain.

5 MAYOR NEVILL: So I have four ayes. I have
6 two abstentions.

7 Council McGuire?

8 MR. MCGUIRE: I said I abstain.

9 MR. HAMBY: Abstain for a reason?

10 MAYOR NEVILL: They don't have to state it.
11 They have an absolute right for that.

12 Okay. So that brings us now to new
13 business. And, I'm sorry, we have three items under
14 new business. First is the appointment of the
15 acting town manager. And we have -- or I'm sorry --
16 I'm sorry?

17 MR. CLOUGH: There was the update to the
18 agenda so the acting town manager was added to the
19 consent earlier.

20 MAYOR NEVILL: I'm sorry?

21 MR. CLOUGH: There was an update to the
22 agenda for this evening. The acting town manager

1 appointment was part of the consent agenda.

2 MAYOR NEVILL: Okay. I'm sorry. Hang on
3 just a second. I'm having a hard time hearing you.
4 My hearing aid must have just given out.

5 UNIDENTIFIED SPEAKER: My computer died.

6 MR. CLOUGH: Yeah. That was part of the
7 consent.

8 MAYOR NEVILL: Okay.

9 MR. CLOUGH: That was part of the consent.

10 MAYOR NEVILL: Oh, it's good. Okay.

11 MR. CLOUGH: This is just unfinished. And
12 then the new business for Mr. Mooney.

13 MAYOR NEVILL: Okay. I'm sorry. I was
14 looking at an earlier draft of the agenda.

15 So new business would be then
16 Councilman Mooney's request. So giving him an
17 opportunity to make a motion to direct the staff to
18 release the emails.

19 MR. MOONEY: Mr. Mayor, I make a motion to
20 direct the staff to release the emails.

21 MAYOR NEVILL: Can you state specifically
22 which emails?

1 MR. MOONEY: All of the 3,000 emails on the
2 FOIA request.

3 MAYOR NEVILL: So moved by Councilman
4 Mooney.

5 MR. SEMPLE: I'll second.

6 MAYOR NEVILL: Second by Councilman Semple.
7 Discussion on the motion?

8 MR. MOONEY: I think it's a great idea.
9 (Applause.)

10 MAYOR NEVILL: Councilman Semple.

11 MR. SEMPLE: I've already spoken to the
12 issue before, and I think it's absolutely necessary
13 that we get to see those.

14 MAYOR NEVILL: Councilman Hamby.

15 MR. HAMBY: (Inaudible.)

16 MR. MCGUIRE: Go ahead.

17 MAYOR NEVILL: Any further discussion?

18 Councilman McGuire -- Vice Mayor, I'm sorry.

19 (Simultaneous speakers.)

20 MR. MCGUIRE: Yes. Go ahead.

21 MR. HARTMAN: Yeah, you know, I just -- I
22 read today's news a little bit, and I saw in

1 Fauquier Now -- and to quote them: The nonprofit's
2 legal counsel, Whiteford Taylor Preston, said in a
3 previous release they do not believe the town's
4 actions represent a fair and open process and plan
5 to file an appeal soon.

6 So I agree with Mr. Mooney, I think
7 it's a good idea. But I'd like to see -- I'd like
8 to give it 30 days. Let's see if there's an appeal
9 filed. Let's see what the courts have to say. Let
10 that process run out.

11 And no matter what the decision is,
12 once that process has run out, at the end of the
13 day, I don't think there's anything to hide there, I
14 think we should release those emails and have
15 everybody look at them.

16 MR. SEMPLE: Well, why didn't we do it
17 before?

18 MR. MCGUIRE: Mr. Mayor.

19 MAYOR NEVILL: Mr. McGuire.

20 MR. MCGUIRE: No, I think there should be no
21 time frame on it. I think we should see those now.
22 I mean, I don't know what I don't know. And I'm not

1 accusing anybody of anything, but I would just like
2 to know what the background is.

3 I agree with the Vice Mayor. He wants
4 to release them. I'm in favor of that. I'm glad
5 he's supporting this. But I think the 30 days, it
6 should not be in conjunction with the lawsuit. We
7 are members of Town Council. We have a fiduciary to
8 the town. I need to know those sooner than later.

9 MR. SEMPLE: Mr. Mayor, may I say something?

10 MAYOR NEVILL: Mr. Semple.

11 MR. SEMPLE: Look, whatever happens with the
12 CFFC lawsuit is irrelevant to this question. I
13 asked for the right as a member of council to be
14 able to look at emails. I even offered to do it in
15 camera. I offered to do it in association with
16 others who could watch me so I wouldn't spirit them
17 away or somehow use them to my own benefit.

18 I'm a member of council. I should be
19 able to see this. We are the government.

20 And I asked, and I did not receive a
21 reply, from Mr. Crim what his legal theory was that
22 we needed to have four votes.

1 And so I think this is an issue. I
2 want to investigate it further. I want to find out
3 if there is a legal basis that we have to require
4 this. Why we need even others on council under
5 these circumstances to have access to the -- to what
6 happens on staff?

7 I can understand we have our ethics
8 requirements and there are limitations, but I think
9 just to ask -- this means that when you have four
10 people who decide that they want to hide something,
11 the other three have no access to it. They can just
12 decide to stall them out if they want to.

13 And I think that is really a critical
14 issue in terms of transparency and honest
15 government. Thank you.

16 MR. HAMBY: Mr. Mayor, Mr. Mooney's motion
17 was to release it to council, correct?

18 MAYOR NEVILL: Yes. Just for clarification,
19 that is released to council eyes only.

20 MR. HAMBY: I have no problem with that.
21 And as long as -- it's not going to affect the
22 appeal process if an appeal is filed, correct?

1 Yeah, I have no problem with that.

2 MAYOR NEVILL: Mr. Mooney.

3 MR. MOONEY: That's great. I don't know why
4 everybody wouldn't want to see them.

5 Mr. Hamby, you mentioned that it passed
6 unanimously to approve the -- the -- holy -- it's
7 3:00 in the morning -- it passed unanimously to
8 approve the zoning text amendment, but if that was
9 based off of nefarious appearance or whatever, I
10 would expect that the elected officials and my
11 colleagues would have -- too late now -- would have
12 wanted to see that before we -- before we voted on
13 it.

14 And I'm -- yes, I would like to see the
15 emails now, you know. And I don't know why I have
16 to ask.

17 MAYOR NEVILL: Further discussion?

18 MS. SUTPHIN: I would think --

19 MR. HARTMAN: I must have misunderstood --

20 (Simultaneous speakers.)

21 MAYOR NEVILL: I'm sorry.

22 Councilwoman Sutphin, you have the

1 floor.

2 MR. HARTMAN: Sorry.

3 MS. SUTPHIN: I'm sorry. Vice Mayor

4 Hartman, I didn't mean to interrupt.

5 MR. HARTMAN: Go right ahead.

6 MS. SUTPHIN: Possibly if we did this at a
7 later date we could go into closed session where
8 it's only the council and our legal team to look at
9 these emails. And it would only be -- this is just
10 to the council, correct?

11 UNIDENTIFIED SPEAKER: Yes.

12 MAYOR NEVILL: Yes, ma'am.

13 MR. HARTMAN: Okay.

14 MS. SUTPHIN: I honestly don't think there's
15 anything to hide, but I think this should be closed
16 into the council.

17 MAYOR NEVILL: Understood. Thank you.

18 Vice Mayor.

19 MR. HARTMAN: (Inaudible) clarify it. I was
20 confused that the motion was to release to the
21 council.

22 MAYOR NEVILL: Okay.

1 MR. HARTMAN: I was concerned about the
2 appeal process if released to the public. I am in
3 favor of eventually at some point when the time is
4 right releasing all of this publicly, for the
5 record.

6 MAYOR NEVILL: Councilman Heroux.

7 MR. HEROUX: Yeah, I guess on this one,
8 Mr. Mayor, I just want to make sure for all parties
9 that however this is released within council that
10 it's very clear the responsibilities members have of
11 reviewing the information and what can be disclosed
12 and not disclosed.

13 I think we've just got to be very, very
14 clear on that because there's pending litigation
15 that I think -- you know, whether it's our side or
16 the other side, make sure that process stays pure.
17 I mean, I just want to make sure there's guidance on
18 this, that information is not flying around that
19 messes it up for whoever.

20 So I have no problem releasing it, but
21 we -- as long as there's very good guidance on what
22 the responsibilities are of all the Councilmembers

1 with regards to releasing this information and the
2 sensitiveness of some of that information that may
3 have nothing to do with Amazon.

4 MR. MCGUIRE: Mr. Mayor.

5 MAYOR NEVILL: Hang on. Just a quick
6 question.

7 MR. MCGUIRE: Okay.

8 MAYOR NEVILL: Mr. Martino, I'm sorry. Just
9 Councilman Heroux's request is that if this motion
10 is to pass, just that's there clear guidance for the
11 Councilmembers upon review through counsel to ensure
12 that what is protected rightfully under FOIA remains
13 so pending the outcome of any further litigation.

14 MR. MARTINO: We can have staff work with
15 them. It will take a lot of Stephen's time and a
16 lot of Lindy's time. I haven't seen any of these.
17 But we'll work with the Council to make that happen.

18 MR. CLOUGH: Mike, sir.

19 UNIDENTIFIED SPEAKER: It's on.

20 MR. SEMPLE: Mr. Mayor, I don't understand
21 what the town manager has to do with this request.

22 MAYOR NEVILL: I'm just asking for -- if

1 staff will be part of it. It has to assemble the
2 information. And just to provide, you know, the --
3 obviously to the request of Mr. Heroux, the
4 framework.

5 MR. SEMPLE: I don't get the understanding
6 why staff would be looking at these emails before we
7 do.

8 MAYOR NEVILL: Because --

9 MR. SEMPLE: It would seem to me
10 presumptively that the Town Council should have
11 access to the emails. I don't belabor this.

12 I'm not -- I mean, I don't know what
13 FOIA exception would apply if we were to go to
14 closed session to review these emails. Perhaps
15 there's one. But, to me, it seems it should be
16 fairly straightforward that -- and I think we have a
17 code of ethics which requires us to hold things in
18 confidence.

19 So I think -- I mean, I think there's
20 an implication that somehow or the other one of the
21 three people who are making this request are going
22 to just send it to the press.

1 MR. HAMBY: Mr. Mayor, Mr. Martino said he
2 had not read them and that he was going to compile
3 them for (inaudible).

4 MR. CLOUGH: Mr. --

5 MR. MARTINO: My understanding is you're
6 asking for staff support.

7 MR. MCGUIRE: I'm sorry, I can't hear what
8 is being said.

9 MR. MARTINO: My understanding is you're
10 asking for staff support to help make these
11 available to you.

12 UNIDENTIFIED SPEAKER: And you'll be reading
13 them?

14 MR. MARTINO: Me? I'm not going to read
15 them.

16 UNIDENTIFIED SPEAKER: Okay.

17 MR. MARTINO: I have no need to read them.

18 UNIDENTIFIED SPEAKER: (Indiscernible).

19 MR. MARTINO: I mean, Steven and Lindy. And
20 we'll pull them together for you to take a look at.

21 MR. MCGUIRE: Mr. Mayor.

22 MAYOR NEVILL: Mr. McGuire.

1 MR. MCGUIRE: Yes. So my understanding is
2 we'll be able to see these. They will not be
3 redacted or anything else like that. We'll see all
4 the emails complete, everything else?

5 MAYOR NEVILL: Mr. Crim?

6 MR. CRIM: (Inaudible).

7 MR. MCGUIRE: Okay. And then obviously
8 there would be some guidelines as to what we cannot
9 speak about because there's a pending lawsuit. So I
10 understand that.

11 MR. CRIM: Mr. Mayor, in response to
12 Mr. McGuire's question about the emails. There is
13 -- there are emails, just a small number, that have
14 to do with tax information, so we would have to
15 redact that because it would be a crime to share
16 that other than for the purposes of collection or
17 assessment.

18 So those numbers will have to be
19 blacked out, but we can get everything else to you.

20 Does that make sense?

21 MR. MCGUIRE: Yes.

22 MR. HEROUX: Mr. Mayor.

1 MAYOR NEVILL: Mr. Heroux.

2 MR. HEROUX: That's my point. I'm not
3 implying that any council member is going to do
4 anything wrong or with the press, but there are some
5 restrictions here to protect the privacy of some of
6 the citizens.

7 So I'm just -- let's have some guidance
8 on that so everybody knows the rules of the road
9 when they're looking at the emails. That's all I'm
10 saying.

11 MR. MOONEY: Mr. Mayor, with -- may I? With
12 all due respect, I understand what I can disclose
13 and not disclose. Thank you.

14 MAYOR NEVILL: Call the question.

15 All in favor?

16 (Multiple responses.)

17 MAYOR NEVILL: Opposed?

18 (No audible responses.)

19 MAYOR NEVILL: Ms. Sutphin, are you an aye
20 or a nay?

21 MS. SUTPHIN: An aye.

22 MAYOR NEVILL: Thank you. Motion carries

1 unanimously, and the documents will be assembled by
2 staff. And members of council who wish to review
3 them will be contacted and arrangements will be made
4 for such time for them to take the review.

5 That will bring us to unfinished
6 business which is a resolution directing staff to
7 close 2nd Street to vehicular traffic. And I will
8 seek a motion.

9 MR. HAMBY: The motion for 2nd Street. This
10 afternoon I was able to meet with Casey (ph) from
11 Molly's. We had -- the permanent bollards needed to
12 be acquired at a cost of \$5,500. They've agreed to
13 -- three businesses, they're going to split it with
14 us.

15 So instead of being the permanent
16 bollards, we want the bollards like on the Greenway
17 where you can pull them out for emergency use. You
18 know what I'm talking about, right?

19 So I would move that we move forward
20 with the 2nd Street closure except change the
21 monetary from 5,500 to one-half for the town and
22 one-half for the businesses.

1 MAYOR NEVILL: Okay. Looking at the
2 resolution. The resolution does not specify -- oh,
3 no. Okay. So be it further resolved -- so I guess
4 the motion would be to adopt the resolution
5 directing staff to close 2nd Street to vehicle
6 traffic with an amendment -- or no, this wouldn't be
7 an amendment. We've changed the wording that the
8 Town Council hereby directs staff to purchase and
9 install with cooperation or with --

10 UNIDENTIFIED SPEAKER: Removable.

11 MAYOR NEVILL: -- with removable bollards in
12 partnership with businesses on Main Street paying
13 for -- is that --

14 MR. CURETON: Can we go with just a basic
15 "in partnership with EOTW"?

16 MAYOR NEVILL: Yes, absolutely.

17 MR. CURETON: Thank you.

18 MAYOR NEVILL: So the motion would be to
19 direct staff to close 2nd Street to vehicular
20 traffic. And the last line to clarify that the
21 bollards are not permanent, but they are removable
22 bollards for safety purposes. And in partnership in

1 terms of funding with EOTW.

2 MR. CURETON: Yes, sir.

3 MAYOR NEVILL: Is that clear to staff?

4 MR. CURETON: Yes, sir.

5 MAYOR NEVILL: Is that clear to council?

6 (Multiple responses.)

7 MAYOR NEVILL: We have a motion. Do we have
8 a second?

9 MR. HARTMAN: I'll second.

10 MAYOR NEVILL: Seconded by the Vice Mayor.

11 Turn it over to discussion.

12 Councilman Mooney.

13 MR. MOONEY: Yeah, I just want to verify
14 that other restaurants around town are -- you said
15 are -- they're able to rent their 8 by 10 area of
16 2nd Street, right? So they don't have to be on Main
17 Street. They don't have to be in Old Town. If
18 another restaurant wants to pay the town money, they
19 can -- they can get one of those spots, or is it
20 just the restaurants right there in Old Town?

21 MR. CURETON: If a business on Main Street
22 want to enter into an agreement with another

1 business on Main Street to facilitate the use of the
2 space that is directly in front or adjacent to their
3 space, they are more than welcome to collaborate
4 with one another to produce that agreement.

5 MR. MOONEY: But not another business, like,
6 say, on Broadview or something like that?

7 MR. CURETON: If El Agave wants to serve
8 meals to 2nd Street, they are more -- we are more
9 than happy to, you know, allow that.

10 MR. MOONEY: I've just been asked by
11 different restaurant owners to be granted the same
12 level of business opportunities --

13 MR. CURETON: Absolutely.

14 MR. MOONEY: -- as the people on Main
15 Street.

16 MR. HAMBY: And this agreement is between
17 three businesses that are working together. So I'm
18 sure that EOTW probably has or could have agreements
19 with whoever else would like to.

20 MR. MOONEY: Okay.

21 MR. CURETON: Correct. And, historically,
22 we have actually had other restaurants within town

1 that are not on Main Street actually offer a parklet
2 if you will. I believe El Agave did it in the first
3 year when parklets were made available to
4 restaurants.

5 MAYOR NEVILL: Further discussion?

6 (No responses.)

7 MAYOR NEVILL: All in favor?

8 (Multiple responses.)

9 MAYOR NEVILL: Councilwoman Sutphin.

10 MS. SUTPHIN: Aye.

11 MAYOR NEVILL: Thank you. Opposed?

12 (No responses.)

13 MAYOR NEVILL: Carries unanimously. And the
14 resolution is adopted.

15 That brings us to the town attorney's
16 report.

17 MR. CRIM: In light of the hour, Your Honor,
18 I'm going to omit the report this month.

19 MAYOR NEVILL: Thank you, sir.

20 Turn to the town manager's report.

21 MR. MARTINO: Thank you, Mr. Mayor. I do
22 have a few things to share, and I will be brief

1 given the hour.

2 But the first item is about filling our
3 police chief position. I've had the opportunity to
4 brief you individually and as the council earlier
5 today. And Acting Chief Carter has demonstrated
6 that he can lead the force forward.

7 And after speaking with you and some
8 other community leaders, it is really with my great
9 pleasure that I would like to announce the promotion
10 of Acting Chief Tim Carter to be the new police
11 chief for the Town of Warrenton, and just ask you to
12 join me in congratulating the chief.

13 (Applause.)

14 MS. SUTPHIN: If I were there in person, I
15 would be standing up and clapping, as well.

16 MR. MARTINO: Any words of wisdom you want
17 to share very quickly?

18 UNIDENTIFIED SPEAKER: Yeah, you're a cop.

19 MR. CLOUGH: It's on. You've just to speak
20 into it.

21 CHIEF CARTER: Are you sure? All right.
22 I'm not used to being that close to a microphone.

1 Sorry. Forgive me. Are you sure it's on? There we
2 go.

3 You know, I'll go with something I
4 wrote, just to make sure I keep it -- I'll be brief,
5 which everybody knows that's difficult for me.

6 I want to say I'm honored and I'm
7 humbled to be named as the chief of police of the
8 Warrenton Police Department. I've served this town
9 with pride for over 30 years, and this is without a
10 doubt the highlight of my career.

11 But it is so in part because of the
12 dedicated men and women that I get -- that I have
13 the pleasure to lead and the wonderful community and
14 supportive community that I have the privilege to
15 serve.

16 I want to thank Mr. Martino and the
17 council for their vision and faith in me. I'll do
18 everything in my power to be worthy of it.

19 And my goal for our department is to
20 continue the community-centric focus that we have
21 had these last three years. That is of utmost
22 importance to me.

1 And the last thing that I will say
2 since we did work through Valentine's Day is I want
3 to thank my wife and my daughter for the countless,
4 countless hours over the last 30 years. I know my
5 daughter's only 16, but my wife's been with me that
6 entire time. You know, it's a lot of time away, but
7 they supported me in my passion for service to this
8 town. I love them for it. And I thank them for
9 that because this moment right here would not have
10 been possible without that support.

11 So, thank you.

12 (Applause.)

13 MAYOR NEVILL: Thank you, Chief.
14 Congratulations. We will have a swearing-in
15 ceremony at the start of the next Town Council
16 meeting in March. We should probably schedule that
17 at 6:00.

18 MR. MARTINO: Right.

19 MAYOR NEVILL: We'll rely on Betty Compton
20 to get word out to the community so that anybody
21 wishes to come and celebrate the pinning of the
22 chief's badge onto now-Chief Carter can come and

1 please celebrate. So announcements on that will go
2 out. And again, it will confirm the time on that.

3 MR. MARTINO: Right. Thank you. Thank you.

4 Next item very quickly: Again, I had
5 the opportunity to brief you on this. It's the
6 town's pay for performance program. And I have
7 really come to recognize and rely on the great
8 workforce that you have here in Warrenton. They're
9 very passionate, very dedicated, and very engaged to
10 make a difference; and I see that every day.

11 And so this pay for performance, it
12 might be a small thing, but right now the evaluation
13 date is September 30th, but the merit pay date isn't
14 until July 1. And so we're going to adjust that
15 merit pay date to better align with the actual
16 performance evaluation.

17 So we'll do that over -- in two steps.
18 Will move the merit pay date from July 1 to April 1
19 this year, and then from April 1 to January next
20 year, and then it'll be very close to the evaluation
21 date as it was before we went to the one evaluation
22 date. So that's the second thing I want to share

1 with you.

2 And then we have two ordinances that we
3 want to bring amendments that we want to bring to
4 the Council next month. So I want to let you know
5 we'll be advertising for those public hearings to
6 amend the ordinance.

7 The first is to indemnify town
8 employees who may be subject to litigation or
9 liability during the normal course of their duties
10 as a town employee. That is a situation that came
11 up recently.

12 And the second is an ordinance to amend
13 the town code to provide for the appointment of the
14 town clerk by the town manager; and that's something
15 that the Council had been talking about in the past
16 year. And so we'll be able to clean that up again
17 to make it -- more alignment.

18 So that's what I have for you this
19 evening. And, again, thank you for your support.

20 I think that the pay plan adjustment
21 date is going to be very well received by the
22 workforce. They'll very much appreciate it. And

1 I'll make sure they know that you were in the lead
2 on that.

3 Thank you.

4 MAYOR NEVILL: Thank you, sir. Greatly
5 appreciate it. And grateful for staff.

6 We'll turn it over to councilmembers'
7 time. I will start to my right.

8 Councilman Mooney.

9 MR. MOONEY: Thank you for all the citizens
10 that are here. I appreciate everything everybody
11 has done for this process. And, yeah, I'm sorry
12 about the resolution that happened.

13 And I also want to thank my wife for
14 this 3:00 a.m. night on Valentine's Day.

15 So, thank you and have a good night.

16 (Applause.)

17 MAYOR NEVILL: Councilman Semple.

18 MR. SEMPLE: Well, I can't tell those of you
19 out there how disappointed I am. I thought that --
20 when I represented you -- or voted into office, your
21 first obligation was your constituents [sic]. I
22 mean, I thought that's what I ran on. And I just

1 don't see anything here where my constituents
2 benefit.

3 UNIDENTIFIED SPEAKER: That's just because
4 you're not benefitting, also.

5 UNIDENTIFIED SPEAKER: You didn't get to see
6 (indiscernible).

7 MR. SEMPLE: Unfortunately, at this
8 particular point I can hardly hear because my
9 hearing aids collapsed about an hour ago.

10 So I -- but I just want to say thanks
11 for all those who worked so hard and came here
12 tonight on Valentine's Day and showed up with such
13 fervor and passion trying to save our town from --
14 I don't care what you say, but pretty soon we're
15 going to see these data centers -- we already have a
16 proposal on the street from the farm along the
17 Greenway for \$950,000 an acre. And they've already
18 made the proposal and annexed the end of the town.
19 So here we go.

20 And for those of us who -- and I have
21 to admit from the time I was a little kid and I came
22 to Fauquier County when I was 3 years old, and my

1 granddaddy said, "They're going to build 66 over my
2 dead body." And they almost did because he's buried
3 in Emmanuel Church about 600 feet from the on-ramp.

4 And I said to my wife, "They're going
5 to bury this damn distribution line over my dead
6 body." And she said, "Don't say that." And now I'm
7 actually faced with the specter they might.

8 And so, it's been a sad day for me.

9 On a positive note, I want to say
10 congratulations to the Chief. I really do look
11 forward to working with him.

12 I thank Mr. Martino for his service.
13 And he -- I don't think he'll be here at the next
14 meeting.

15 Will you?

16 Yeah, I think you'll be retired. I
17 mean, our next -- so thank you for all your work.
18 You've done a tremendous job in restoring the
19 confidence of our staff and the work they do. And I
20 have great confidence that you will enjoy your
21 retirement. I guess you will retire.

22 MR. MARTINO: Again.

1 MR. SEMPLE: Again. And maybe after this it
2 will be permanent.

3 And I look forward to Tommy taking on
4 the role temporarily. He's done a great job the
5 time before.

6 So, that's all I have to say. Thank
7 you.

8 MAYOR NEVILL: Councilman Mooney has
9 requested another --

10 MR. MOONEY: Thank you. Thank you,
11 Mr. Mayor.

12 I just I want to say two more things.
13 I want to thank the staff for tonight. Nothing -- I
14 want to thank Stephen for his outstanding work as
15 the Town Clerk.

16 And I want to let the citizens know
17 that I'm still really excited to be here and serve
18 for you, and I'm going to keep doing the best I can.

19 So, thank you.

20 (Applause.)

21 MR. MOONEY: Thank you, Mr. Mayor.

22 MAYOR NEVILL: Councilman Hamby.

1 MR. HAMBY: It's certainly been a long day
2 starting at 9:00. Thanks to everybody that came out
3 on all of the meetings. This has been starting
4 since May of last year.

5 Congratulations to the Chief.

6 Thank you to the staff. I know that we
7 changed venues and had to move just about everything
8 we own over to the high school. It's late in the
9 hour. And that's all I have.

10 MAYOR NEVILL: Thank you, sir.

11 Vice Mayor.

12 MR. HARTMAN: Yeah, it's late in the hour,
13 so I'm going to hold off on my remarks I had
14 prepared.

15 And one of the unfortunate parts of
16 going, what, fourth, I think, is that everybody has
17 already said what I wanted to say, but I'll repeat
18 it: Thank you to the staff, Stephen, Tommy,
19 everybody that put this on, the staff that's in the
20 back room that no one has seen tonight.

21 The men and women of the police
22 department, thank you very much.

1 Betty, your volunteers.

2 I know I'm going to forget somebody, so
3 I won't go on.

4 Congratulations, Chief Carter. I
5 think, what was it, 1992, I was on the hiring
6 committee that hired you. So this has all come full
7 circle. It's pretty wild.

8 Mr. Martino, you're going to be sorely
9 missed. It's been a pleasure having you as interim
10 these last few months. Time flew by, but it's been
11 a pleasure to watch you work and your leadership
12 management style. And I just -- we can't thank you
13 enough. So, thank you, sir.

14 And I think that's it. Thank you.

15 MAYOR NEVILL: Councilwoman Sutphin.

16 (No response.)

17 MAYOR NEVILL: Councilwoman Sutphin.

18 MS. SUTPHIN: I'm here. So I wanted to
19 start off by thanking all of our employees for their
20 endless contributions, all of the things that
21 (indiscernible.) It is just crazy all of the behind
22 the scenes that they do. So pulling this off was

1 something that's fantastic, honestly. Just to make
2 sure that all of our constituents are heard.

3 And, Stephen, who has helped me
4 tremendously, because I was visiting my brother who
5 had been really sick for the past two weeks, working
6 with me to make sure that my computer is up and that
7 everything is working correctly. You've been a huge
8 staple and a wonderful addition to our staff.

9 I could go on and on and on and thank
10 people on our staff, robin, Denise. But all of the
11 police officers that are there, all of the
12 volunteers, everybody that's there to make this
13 happen.

14 I want to make it perfectly clear that
15 each one of us that are sitting up there love our
16 community, and that's why we're involved. I am sad
17 (indiscernible) that it's been put under scrutiny
18 that we don't care about our town.

19 So I just want to put it out there that
20 all of us have lost plenty of sleep, have been under
21 a tremendous amount of stress. Some that you don't
22 even know about.

1 And that's one of the things I always
2 realize: Before you cut somebody down, see where
3 they're coming from. Each of us have different
4 things that we're going through and different
5 reasons why we vote how we vote and how we feel.

6 Thank you to each of my Council
7 members, and our wonderful Mayor, who has tried to
8 keep some type of dignity to the meetings. It's
9 been a little bit difficult.

10 But thank you, everybody, for holding
11 down the fort.

12 And, Mr. Martino, we are going to miss
13 you. I love teasing you and giving you a hard time.

14 And all of the work that Tommy put in,
15 as well.

16 And a special congratulations to Chief
17 Carter. That has a nice ring to it. I'm very proud
18 of you, and I know you're going to do our town
19 wonderful.

20 So thank you, and good night.

21 MAYOR NEVILL: Thank you, Councilwoman.

22 Councilman Heroux.

1 MR. HEROUX: Thanks, Mr. Mayor.

2 Chief Carter, congratulations. It's
3 fantastic news. Well deserved and well done.

4 Mr. Martino, I'm going to miss you.
5 Fantastic job. And just enjoyed your counsel and
6 mentoring over the past few months. I wish you-all
7 the best.

8 To the staff -- great job again
9 tonight, Stephen. I mean, just phenomenal. And all
10 the staff. In this job I'm just amazed every day at
11 how the staff keeps the machine going and keeps the
12 town running. It's just an amazing team.

13 Onward, I am very optimistic about the
14 future of Warrenton. It can continue. It is a
15 great community, can continue to be a great town.

16 We have some fantastic proposals we're
17 hearing about with housing and road improvements and
18 parks. I mean, there is just bright features [sic].

19 And, you know, admittedly, I'm a guy
20 that's on a sunny side of the mountain. That's
21 where I want to be. And I think this is going to be
22 a great place.

1 I would ask as we go forward here, you
2 know, we talk about our community and all that's
3 good about it, but there are people in our community
4 that are really struggling. We got people sleeping
5 at Walmart at night. We got people that sleep in
6 the woods. We got people in some of our motels that
7 are really, really struggling. We've got elderly
8 that are lonely.

9 We got women that get beat up by their
10 husbands and boyfriends, and they got nowhere to go;
11 and then they find them and they drag them out of a
12 room by their hair. We've got some problems here.
13 So we got to get after that, okay, as we look at
14 these plans.

15 And then Valentine's Day, last but not
16 least, I'm sorry to my wife I was here tonight. But
17 Happy Valentine's Day and I love you.

18 MAYOR NEVILL: Mr. McGuire.

19 MR. MCGUIRE: Yeah, I just want to thank all
20 the good citizens that stuck it out and came out
21 tonight.

22 Chief Carter, Warrenton PD, I

1 appreciate your support.

2 Your comprehensive plan, and all that
3 stuff that you did to make this happen, the staff,
4 Stephen, Mr. Martino, Tommy, appreciate it.

5 Mr. Martino, you will be missed. I
6 enjoyed your banter and everything else.

7 And also, the people behind the scenes
8 that are doing a lot of stuff that don't get
9 recognition, I appreciate that.

10 And lastly but not least, my fellow
11 councilmembers, you know, I appreciate you-all,
12 like, listening to me. You didn't have to agree
13 with me per se, but I think, you know, we all have
14 good intentions.

15 And I was really appreciative that the
16 looking at the emails is passed. I think that sends
17 a really -- a message to everyone, especially me
18 that, you know, we're moving in the right direction
19 for open and fair and honesty and transparency. I
20 appreciate that.

21 Thank you, Mr. Mayor.

22 MAYOR NEVILL: Thank you, sir.

1 And again, as I will be the broken
2 record here to thank all of the volunteers this
3 evening.

4 I want to first of all start with all
5 of the citizens who came out and spoke and who have
6 been speaking since July. You know, as I said, we
7 have been listening. Our job obviously is to weigh
8 all aspects. And we have heard you. We understand
9 your passion, and we definitely share the same
10 concerns.

11 However, we are also forced and charged
12 with fiduciary responsibilities towards, you know,
13 applicants, the town, the future, and looking
14 towards what is before us and what our
15 responsibility as elected officials in a republic
16 requires us to do.

17 And I appreciate the care with which
18 all of my fellow councilmembers took this entire
19 process. It was a very -- a lot of thought. A lot
20 of meetings were taken with staff to learn more. A
21 lot of individual research was taken by individual
22 members.

1 I have spent [sic] way down rabbit
2 holes visiting sites, just learning as much as
3 possible, and I really appreciate all of the effort
4 that everyone did to bring facts to their decision.

5 I want to thank Betty and the
6 volunteers. It's been a long night. It's been
7 incredible that -- your devotion to stand all this
8 time. It's a testament to your fortitude.

9 I want to thank the officers again for
10 providing security and safety to all of the members
11 of the public who came here this evening, ensuring
12 that everyone arrived safely and were able to depart
13 safely.

14 Stephen, for all of your clerking
15 duties and responsibilities ensuring this was a
16 successful meeting.

17 Mr. Crim, for your legal guidance and
18 -- to Council, continually.

19 Jonathan, Stephen, and the entire IT
20 team bringing a remote live-streaming capability and
21 making it seem to work flawlessly. You guys
22 continue to over-deliver.

1 And, you know, we need to find more
2 support for you as this is a big ask. And I know
3 that accessibility and openness in government relies
4 on a strong IT investment, and we have opportunities
5 there to increase that accessibility so that our
6 process -- our democratic process is more available
7 to the public. And look forward to working with
8 council towards investing in ensuring that that
9 becomes more accessible.

10 I want to thank Denise, Rob, and
11 Stephanie, who I believe are probably still here
12 this evening. It's been long. They've been putting
13 in so much work and so much effort on this; and,
14 again, I think they faced a lot of unfair criticism.
15 And I am sorry for that. They have done their jobs
16 faithfully, dutifully, and with the best interest of
17 this town in providing factual information to both
18 the Planning Commission and to Council so that we
19 could reach a decision.

20 I Congratulate Chief Carter on a
21 well-deserved, well-earned promotion. We look very
22 much forward to you continuing to lead this

1 department into the 21st century with modern
2 policing, community policing.

3 This department is a shining star in
4 the Commonwealth, and I look forward and know that
5 you will continue to lead it to be, again, the envy
6 of towns across this Commonwealth. And I hope that
7 that is respected and rewarded and acknowledged by
8 other communities just what is going on here in
9 Warrenton, in our Warrenton police department in
10 outreach with the community. I just -- you know,
11 keep it going. You're going to do a great job.

12 And to Mr. Martino, echoing what
13 everyone else has said, it's been an absolute
14 pleasure working with you. The command of respect
15 -- the respect that you've commanded from staff,
16 universal -- I mean, it is just to -- to hear from
17 everyone in staff how much they've enjoyed working
18 with you, the leadership you've brought.

19 We had a strong staff. We had a good
20 vision. And you've taken something and accelerated
21 it, and you've imbued in them a new sense of
22 commitment to the future of Warrenton. So thank you

1 very much for taking time out of retirement to
2 provide your guidance.

3 And to Tommy, I look forward to your
4 leadership in -- as interim and future leadership
5 within the role in the Town of Warrenton.

6 So, and with that, at some time at 3:12
7 on February 15th, we'll call us adjourned.

8 (The Town Council meeting was adjourned
9 at 3:12 a.m. on February 15, 2023.)

CERTIFICATE OF TRANSCRIBER

I, Roanna Ossege, do hereby certify that this transcript was prepared from the digital audio/video recording of the foregoing proceeding, that said transcript is a true and accurate record of the proceedings to the best of my knowledge, skills, and ability; that I am neither counsel for, related to, nor employed by any of the parties to the action in which this was taken; and, further, that I am not a relative or employee of any counsel of attorney employed by the parties hereto, nor financially or otherwise interested in the outcome of this action.


Roanna Ossege

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The Town of Warrenton
P.O. Box 341
Warrenton, VA 20188
P (540) 347-1101
F (540) 349-2414

February 14th, 2023 Regular Town Council Meeting
Minutes

Attachment 4: Signed legislation

FORM MOTION FOR CONVENING A CLOSED MEETING 02/14/2023

I move that the Council convene in closed session to discuss the following:

- ☒ As permitted by Virginia Code § 2.2-3711 (A)(1), a personnel matter involving:
Discussion, consideration, or interviews of prospective candidates for employment or appointment; OR
assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of
specific public officers, appointees, or employees of the Town;
specifically dealing with **Town Manager Recruitment, Acting Town Manager Appointment, Police
Department Personnel Update**
- ☐ As permitted by Virginia Code § 2.2-3711 (A)(3), a matter involving:
discussion or consideration of the acquisition of real property for a public purpose; OR
disposition of publicly held real property
specifically involving _____ [Give location of property], because discussion in an
open meeting would adversely affect the City's bargaining position or negotiating strategy.
- ☐ As permitted by Virginia Code § 2.2-3711 (A)(4), a matter requiring the protection of the privacy of
individuals in personal matters not involving the public business.
- ☐ As permitted by Virginia Code § 2.2-3711 (A)(7), consultation with legal counsel or briefing by staff
members or consultants pertaining to:
probable litigation involving _____ [Give subject]; OR
the pending case of _____ [Give case name],
where such consultation or briefing in open meeting would adversely affect the negotiating or litigating
posture of the City.
- ☒ As permitted by Virginia Code § 2.2-3711 (A)(8), consultation with legal counsel regarding specific legal
matters requiring the provision of legal advice by such counsel, relating to **Walmart Tax Matter
Update, process and substance for consideration of SUP 2022-03** [Give nature of matter].
- ☐ As permitted by Virginia Code § 2.2-3711 (A)(29), discussion of the award of a public contract for
[Give nature of the contract] involving the expenditure of public funds, including interviews of bidders or
offerors, and discussion of the terms or scope of such contract, where discussion in an open session
would adversely affect the bargaining position or negotiating strategy of the City Council.
- ☐ As permitted by Virginia Code § 2.2-3711 (A)(19), a matter involving: **Police Department Briefing on
Safety of Town Council, RSM Briefing of Information Technology evaluation.**

[IDENTIFY THE APPLICABLE PARAGRAPH OF § 2.2-3711(A) OR OTHER LAW AND GIVE
THE SUBJECT MATTER AND PURPOSE FOR THE CLOSED SESSION.]

Votes: Ms. Heather Sutphin; Mr. William Semple; Mr. Brett Hamby; Mr. James Hartman; Mr. Jay Heroux;
Mr. David McGuire, Mr. Paul Mooney

Ayes:

Nays:

Absent from Vote:

Absent from Meeting:

CERTIFICATION MOTION AFTER RECONVENING IN PUBLIC SESSION:

(requires a recorded roll call vote)

I move that the Council certify that, in the closed session just concluded, nothing was discussed except the matter or matters (1) specifically identified in the motion to convene in closed session and (2) lawfully permitted to be discussed in a closed session under the provisions of the Virginia Freedom of Information Act as cited in that motion.

Votes: Ms. Heather Sutphin; Mr. William Semple; Mr. Brett Hamby; Mr. James Hartman; Mr. Jay Heroux; Mr. David McGuire, Mr. Paul Mooney

Ayes:

Nays:

Absent from Vote:

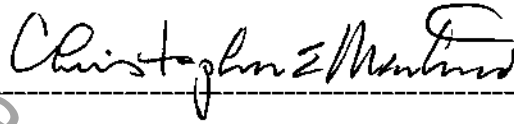
Absent from Meeting:

For Information:

Town Clerk

Effective date: February 14th, 2023

Christopher E. Martino, Town Recorder



Not yet approved by Town Council

February 14th, 2023
Town Council
Regular Meeting

A RESOLUTION ANNOUNCING A SPECIAL MEETING UNDER VIRGINIA CODE § 2.2-3712 (B) WITHIN THE NEXT 15 DAYS AT TOWN HALL, 21 MAIN STREET FOR THE PURPOSES OF INTERVIEWING CANDIDATES FOR THE POSITION OF TOWN MANAGER

WHEREAS, Warrenton, VA (Hereinafter "the Town") is a municipal corporation located within the County of Fauquier; and

WHEREAS, the Town Council has been working with Baker Tilly, a recruiting firm, to advertise and recruit candidates for the position of Town Manager; and

WHEREAS, at a Special Meeting on February 10th, 2023, the Town Council identified candidates to proceed with and interview; and

WHEREAS, Virginia Code § 2.2-3712 (B) states "The notice provisions of this chapter shall not apply to closed meetings of any public body held solely for the purpose of interviewing candidates for the position of chief administrative officer. Prior to any such closed meeting for the purpose of interviewing candidates, the public body shall announce in an open meeting that such closed meeting shall be held at a disclosed or undisclosed location within 15 days thereafter"; and

WHEREAS, the Warrenton Town Council wishes to conduct interviews within the next 15 days from the period February 15th, 2023 through March 1st, 2023; and

NOW, THEREFORE, BE IT RESOLVED that the Warrenton Town Council Hereby adopts a resolution announcing a Special Meeting under Virginia code § 2.2-3712 (b) within the next 15 days at Town Hall, 21 Main Street for the purposes of interviewing candidates in closed session for the position of Town Manager.

ATTACHMENT:

Votes:

Ayes: Ms. Heather Sutphin, Mr. Brett Hamby, Mr. James Hartman, Mr. John "Jay" Heroux

Nays:

Abstained: Mr. William Semple, Mr. David McGuire, Mr. Paul Mooney

Absent from Meeting:

For Information:

Town Manager

Town Clerk

ATTEST: _____



Town Recorder

February 14th, 2022
Town Council
Regular Meeting

A RESOLUTION INSTRUCTING THE TOWN CLERK TO ENTER THE APPROPRIATE CITIZEN TIME COMMENTS FROM THE TOWN COUNCIL MEETING ON JANUARY 10TH, 2023 INTO THE RECORD FOR THE PUBLIC HEARING ON AMAZON SUP 2022-03

WHEREAS, Warrenton, VA (Hereinafter "the Town") is a municipal corporation located within the County of Fauquier; and

WHEREAS, the Town has implemented new technology for citizens to sign up to speak for citizens time and the public hearings; and

WHEREAS, due to sign up errors and confusion at the January 10th, 2023 Town Council meeting, some citizens spoke on the Public Hearing item SUP 2022-03 at Citizen's time; and

WHEREAS, due to the importance of this topic, the Town Council wishes to have all comments from the citizens made available on the record for consideration; and

NOW, THEREFORE, BE IT RESOLVED that the Warrenton Town Council Hereby resolves to instruct the Town Clerk to enter the appropriate citizen time comments from the Town Council meeting on January 10th, 2023, into the record for the public hearing on amazon sup 2022-03

BE IT FURTHER RESOLVED that only those speakers who made comments during the actual public hearing will be restricted from making a comment during the continuation on February 14th, 2023 to ensure fairness and equality to all.

ATTACHMENT: None

Votes:

Ayes: Ms. Heather Sutphin, Mr. Brett Hamby, Mr. James Hartman, Mr. John "Jay" Heroux

Nays:

Abstained: Mr. William Semple, Mr. David McGuire, Mr. Paul Mooney

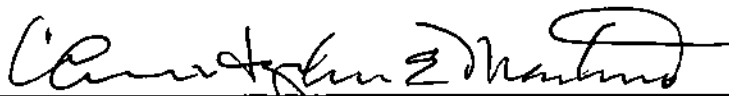
Absent from Meeting:

For Information:

Town Manager

Town Clerk

ATTEST:



Town Recorder

February 14th, 2023
Town Council
Regular Meeting

**RESOLUTION PURSUANT TO SECTION 11-3.10 OF THE ZONING ORDINANCE OF THE
TOWN OF WARRENTON FOR APPROVAL OF APPLICATION FOR A
SPECIAL USE PERMIT 22-03**

WHEREAS, Warrenton, VA (Hereinafter "the Town") is a municipal corporation located within the County of Fauquier; and

WHEREAS, Amazon Data Services, Inc., ("the Applicant"), is the requesting a Special Use Permit approval on a parcel of land containing approximately 41.793 acres, identified as GPIN 6984-69-2419-000, located off Blackwell Road and Lee Highway in the Town of Warrenton and hereinafter referred to as the "Property"; and

WHEREAS, the Applicant has applied for a Special Use Permit pursuant to §3-4.12.3 of the Zoning Ordinance, to allow for approximately 220,200 square-foot data center to be located on the Property, hereinafter the "Special Use Permit"; and

WHEREAS, the Applicant requested waivers and modifications to increase the building height from 35 feet to 37 feet, increase the fence height from six feet to eight feet, and decrease the parking loading space requirement from 22 spaces to one space; and

WHEREAS, pursuant to §11-3 of the Zoning Ordinance upon petition of the Applicant for approval of the Special Use Permit, the Planning Commission upon advertisement and notice properly given pursuant to §15.2-2204 of the Virginia Code held a Public Hearing on November 15, 2022, November 22, 2022, and December 20, 2022; and

WHEREAS, the Town Council received and considered the recommendation of the Planning Commission for denial of the Special Use Permit; and

WHEREAS, the Town Council of the Town of Warrenton held a Public Hearing on January 10, 2023, upon notice properly and duly given; and

WHEREAS, the Town Council of the Town of Warrenton held open the Public Hearing on January 10, 2023 to February 14th, 2023, upon notice properly and duly given; and

WHEREAS, the Town Council has considered the issues and the Applicant addressed the applicable factors listed in §11-3.10.3 of the Zoning Ordinance for the Town of Warrenton; and

WHEREAS, the Town Council finds that the Application meets the criteria for approval in the Town of Warrenton Zoning Ordinance and that the Application is consistent with the Town of Warrenton's Comprehensive Plan based on the analysis in the staff report; and

WHEREAS, the Town Council, in consideration of all of the foregoing, is of the opinion that the application for the Special Use Permit be approved subject to certain conditions;

NOW, THEREFORE, BE IT RESOLVED that the Warrenton Town Council approves

SUP 22-03, subject to the attached Special Use Permit with Conditions of Approval dated February 14th, 2023, and all documents referenced in the Conditions of Approval, with requested waivers and modifications listed above.

ATTACHMENT:
Conditions of Approval

Votes:

Ayes: Ms. Heather Sutphin, Mr. Brett Hamby, Mr. James Hartman, Mr. John "Jay" Heroux

Nays: Mr. William Semple, Mr. David McGuire, Mr. Paul Mooney.

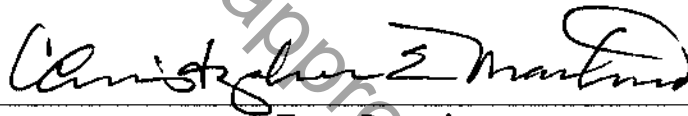
Absent from Vote:

Absent from Meeting:

For Information:

Community Development Director,
Town Attorney

ATTEST: _____



Town Recorder

Not yet approved by Town Council

February 14th, 2023
Town Council
Regular Meeting

**A RESOLUTION TO AUTHORIZE THE SETTLEMENT OF THE WALMART ERRONEOUS TAX
ASSESSMENT CASE**

WHEREAS, Warrenton, VA (Hereinafter "the Town") is a municipal corporation located within the County of Fauquier; and

WHEREAS, the Town Council of the Town of Warrenton desires to settle the pending erroneous tax assessment case filed by Wal-Mart Real Estate Business Trust for mutually agreeable terms; and

WHEREAS, the amount to be refunded to Wal-Mart Real Estate Business Trust Property based on the agreed upon assessments for tax years 2015 through 2021 is \$9,251.96; now, therefore, be it; and

NOW, THEREFORE, BE IT RESOLVED that the Warrenton Town Council Hereby is Authorizing the Town Attorney to negotiate and settle the pending matter, Wal-Mart Real Estate Business Trust v. Fauquier County Board of Supervisors.

ATTACHMENT: None

Votes:

Ayes: Ms. Heather Sutphin, Mr. Brett Hamby, Mr. James Hartman, Mr. John "Jay" Heroux

Nays:

Abstained: Mr. William Semple, Mr. David McGuire, Mr. Paul Mooney

Absent from Meeting:

For Information:

Director of Finance

ATTEST: _____


Town Recorder

February 14, 2023
Town Council
Regular Meeting

A RESOLUTION DIRECTING STAFF TO CLOSE SECOND STREET VEHICLE TRAFFIC

WHEREAS, Warrenton, VA (Hereinafter "the Town") is a municipal corporation located within the County of Fauquier; and

WHEREAS, the Town developed and implemented the RollOutWarrenton! program as a temporary program to assist businesses in navigating the restrictions from the COVID-19 pandemic; and

WHEREAS, the 2022 RollOutWarrenton! program ended for the 2022 season on Nov 1, 2022 after successfully assisting businesses and providing an effective model for increasing pedestrian traffic and additional events along Main Street; and

WHEREAS, the Town Council Voted to reopen Second Street at the December 13th, 2023 Town Council meeting; and

WHEREAS, based on suggestions and feedback from the local vendors and Experience Old Town Warrenton the Town Council has evaluated the options before them; and

NOW, THEREFORE, BE IT RESOLVED that the Warrenton Town Council Hereby directs Staff to close Second Street to Vehicle traffic,

BE IT FURTHER RESOLVED that the Warrenton Town Council Hereby directs Staff to purchase and install semipermanent bollards for the closure to ensure pedestrian safety on Second Street splitting the cost equally with Experience Old Town Warrenton.

Votes:

Ayes:

Nays:

Absent from Vote:

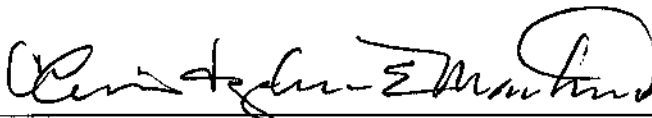
Absent from Meeting:

For Information:

Director of Public Works

Deputy Town Manager

ATTEST:



Town Recorder

February 14th, 2023
Town Council
Regular Meeting

February 14th, 2023
Town Council
Regular Meeting

A RESOLUTION APOINTING THOMAS CURETON AS THE TOWN RECORDER FOR THE TOWN OF WARRENTON, VIRGINIA

WHEREAS, Warrenton, VA (Hereinafter "the Town") is a municipal corporation located within the County of Fauquier; and

WHEREAS, pursuant to Town Code Section 2-96 the Town of Warrenton is required to appoint a Town Recorder; and

WHEREAS, Christopher E. Martino was appointed as the Town Recorder on August, 9th, 2022, for an indefinite term; and

WHEREAS, the Interim Town Manager's term expires on February 25th, 2023, thus creating a vacancy; and

WHEREAS, a Town Recorder is needed to fulfill the position until a new Town Manager is selected; and

NOW, THEREFORE, BE IT RESOLVED that the Warrenton Town Council is hereby appointing Thomas Cureton as the Town Recorder for an indefinite period.

ATTACHMENT: None

Votes:

Ayes: Ms. Heather Sutphin, Mr. Brett Hamby, Mr. James Hartman, Mr. John "Jay" Heroux

Nays:

Abstained: Mr. William Semple, Mr. David McGuire, Mr. Paul Mooney

Absent from Meeting:

For Information:

Town Clerk

Town Attorney

ATTEST: _____



Town Recorder

February 14th, 2023
Town Council
Regular Meeting

A RESOLUTION APOINTING THOMAS CURETON AS THE ACTING TOWN MANAGER

WHEREAS, Warrenton, VA (Hereinafter "the Town") is a municipal corporation located within the County of Fauquier; and

WHEREAS, pursuant to Town Charter Section 6-1 the Town of Warrenton is required to appoint a Town Manager; and

WHEREAS, Christopher E. Martino was appointed as the Interim Town Manager on August, 9th, 2022, for a six month term; and

WHEREAS, the Interim Town Manager's term expires on February 25th, 2023, thus creating a vacancy; and

WHEREAS, an Acting Town Manager is needed to fulfill the position until a new Town Manager is selected; and

NOW, THEREFORE, BE IT RESOLVED that the Warrenton Town Council Hereby is hereby appointing Thomas Cureton as the Acting Town manager for a period of no more than 45 days or until a new Town Manager is appointed.

ATTACHMENT: None

Votes:

Ayes: Ms. Heather Sutphin, Mr. Brett Hamby, Mr. James Hartman, Mr. John "Jay" Heroux

Nays:

Abstained: Mr. William Semple, Mr. David McGuire, Mr. Paul Mooney

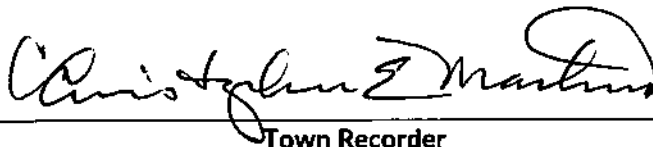
Absent from Meeting:

For Information:

Town Clerk

Town Attorney

ATTEST: _____



Town Recorder

February 14th, 2023
Town Council
Regular Meeting

A RESOLUTION APOINTING CHRISTOPHER E. MARTINO AS THE INTERIM TOWN MANAGER

WHEREAS, Warrenton, VA (Hereinafter "the Town") is a municipal corporation located within the County of Fauquier; and

WHEREAS, pursuant to Town Charter Section 6-1 the Town of Warrenton is required to appoint a Town Manager; and

WHEREAS, Christopher E. Martino was appointed as the Interim Town Manager on August, 9th, 2022, for a six month term; and

WHEREAS, the Interim Town Manager's term expires on February 22nd, 2023, thus creating a vacancy; and

WHEREAS, The Town Council desires Mr. Martino to facilitate the Budget Retreat being held on February 25th, 2023 as the Interim Town Manager; and

NOW, THEREFORE, BE IT RESOLVED that the Warrenton Town Council is hereby appointing Christopher E. Martino as the Interim Town manager for a period of three days through February 25th, 2023.

ATTACHMENT: None

Votes:

Ayes: Ms. Heather Sutphin, Mr. Brett Hamby, Mr. James Hartman, Mr. John "Jay" Heroux

Nays:

Abstained: Mr. William Semple, Mr. David McGuire, Mr. Paul Mooney

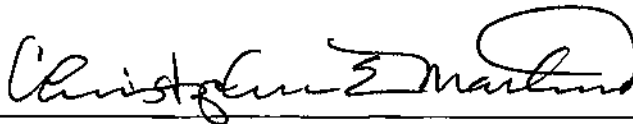
Absent from Meeting:

For Information:

Town Clerk

Town Attorney

ATTEST: _____



Town Recorder

February 14th, 2023
Town Council
Regular Meeting

**A RESOLUTION ANNOUNCING A DATE AND VENUE CHANGE FOR THE WARRENTON TOWN
COUNCIL BUDGET RETREAT**

WHEREAS, Warrenton, VA (Hereinafter "the Town") is a municipal corporation located within the County of Fauquier; and

WHEREAS, the Town Council had previously voted to have the Budget Retreat for 2023 off site at the PATH Foundation on February 18th, 2023; and

WHEREAS, The Town Council wishes to move the date from February 18th 2023 to February 25th, 2023 due to the focus on the February 14th, Town Council meeting preparations; and

WHEREAS, the PATH Foundation location is unavailable on February 25th, 2023; and

WHEREAS, the Warrenton Town Council has identified the Warrenton Police Department community room as a suitable location; and

NOW, THEREFORE, BE IT RESOLVED that the Warrenton Town Council Hereby adopts a resolution announcing date and venue change to the February Budget Retreat.

NOW, BE IT FURTHER RESOLVED that the date will now be February 25th, 2023 and the location for the retreat will be the Warrenton Police Department Community Room.

ATTACHMENT:

Votes:

Ayes: Ms. Heather Sutphin, Mr. Brett Hamby, Mr. James Hartman, Mr. John "Jay" Heroux

Nays:

Abstained: Mr. William Semple, Mr. David McGuire, Mr. Paul Mooney

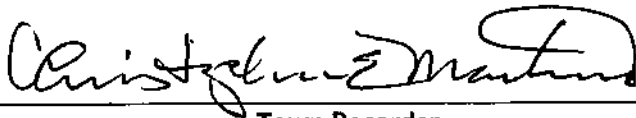
Absent from Meeting:

For Information:

Town Manager

Town Clerk

ATTEST: _____



Town Recorder

**A PROCLAMATION RECOGNIZING FEBRUARY 2023
AS BLACK HISTORY MONTH IN THE TOWN OF WARRENTON, VIRGINIA**

WHEREAS, Black History Week was originally initiated in 1926 by Dr. Carter G. Woodson, a native of Buckingham County, Virginia; and

WHEREAS, since the Bicentennial year of 1976, Americans of all walks of life have come together during the month of February to honor the accomplishments of Black Americans in every area of endeavor throughout our history; and

WHEREAS, African Americans have contributed greatly to the heritage, progress, and advancement of the United States of America, the Commonwealth of Virginia, Fauquier County, and the Town of Warrenton; and

WHEREAS, the history and culture of African Americans make up an important part of the history and culture of the United States, the Commonwealth of Virginia and the Town of Warrenton; and

WHEREAS, in the late 1980's Karen Hughes White and Karen King Lavore began to share their individual genealogies, finding common threads and connections; and

WHEREAS, The Afro-American Historical Association of Fauquier County was established by Karen Hughes White and Karen King Lavore in 1992 to further our community's appreciation and understanding of Fauquier County and Warrenton African American history, genealogy and culture; and

WHEREAS, The Afro-American Historical Association is home to a 4,269 square foot museum located in The Plains, VA housing 1,634 artifacts detailing the rich history of Fauquier County's Black residents and those of the historic Black communities in Warrenton, such as Oliver City, Madisontown, Haiti Street, and the historic landmarks of Eva Walker Park and the Rosenwald Schools; and

WHEREAS, The Afro-American Historical Association regularly conducts programs, special events, lectures exhibits and open houses celebrating the collective and individual lives and artistry of our community's past and current residents, such as: The AAHA Virtual Genealogy and Local History Series; Historic African Churches; Annual Community Celebrations; Veterans and Military Day; Art Collections and Music Day; and

WHEREAS, The Afro-American Historical Association's library and archives and its rich inventory of books, transcripts, monographs, photographs, letters and other memorabilia are open to the public for research; and

WHEREAS, The Afro-American Historical Association recently opened its new Digital Map Center and webpage allowing all to explore our historic African American communities through story maps that "tell the history of the lives of those often overlooked and omitted Americans from history's pages"; and

WHEREAS, The Afro-American Historical Association is an invaluable resource to the Warrenton community; and

NOW, THEREFORE, BE IT PROCLAIMED that the Warrenton Town Council hereby proclaims the month of February 2023 as "Black History Month" in the Town of Warrenton; and

BE IT FURTHER PROCLAIMED The Warrenton Town Councils recognizes the Afro-American Historical Association and the contributions that it has made to the Town, its progress, and its prosperity.




H. E. Carter Nevill
Mayor
Town of Warrenton