

**From:** JOHN LITZENBERGER jllitzen@aol.com  
**Subject:** Re: Letters re: SE 2018-HM-024 Orr  
**Date:** 24 May 2019 at 18:20  
**To:** James Hart jhart@harthoranlaw.com  
**Cc:** jeff@parnes.net, Carol Hawn cahawn@verizon.net, ctalm@aol.com, earlemcconn3971@aol.com, jamesneighbors65@gmail.com, stephen.chulick@gmail.com, tedtam@aol.com, jwjohnston@deloitte.com, kbdowd7108@gmail.com, lggrimm@aol.com, Donte.Tanner@fairfaxcounty.gov



Thanks Jim, I think it's good that all these questions/issues are getting out before the PC hearing so they hopefully can be addressed beforehand.

Thanks  
John

Sent from my iPhone

On May 24, 2019, at 4:48 PM, James Hart <[jhart@harthoranlaw.com](mailto:jhart@harthoranlaw.com)> wrote:

Jeff/John I sent a few more questions to staff, we have been getting letters on this all week.

Have a safe and enjoyable holiday weekend.

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**From:** James Hart [<mailto:jhart@harthoranlaw.com>]  
**Sent:** Friday, May 24, 2019 4:40 PM  
**To:** 'Antonucci, Katelyn' <[Katelyn.Antonucci@fairfaxcounty.gov](mailto:Katelyn.Antonucci@fairfaxcounty.gov)>; 'Mayland, William' <[William.Mayland@Fairfaxcounty.gov](mailto:William.Mayland@Fairfaxcounty.gov)>  
**Cc:** 'Cooper, Jill G.' <[Jill.Cooper@fairfaxcounty.gov](mailto:Jill.Cooper@fairfaxcounty.gov)>; 'Gorney, Joseph' <[Joseph.Gorney@fairfaxcounty.gov](mailto:Joseph.Gorney@fairfaxcounty.gov)>; 'Martin, Lindsey' <[Lindsey.Martin@fairfaxcounty.gov](mailto:Lindsey.Martin@fairfaxcounty.gov)>; 'Carter, John' <[John.Carter@fairfaxcounty.gov](mailto:John.Carter@fairfaxcounty.gov)>; 'Harrison, Goldie' <[Goldie.Harrison@fairfaxcounty.gov](mailto:Goldie.Harrison@fairfaxcounty.gov)>; 'Byron, Barbara A.' <[Barbara.Byron@fairfaxcounty.gov](mailto:Barbara.Byron@fairfaxcounty.gov)>; 'Leslie, Amber-Lee' <[Amber-Lee.Leslie@fairfaxcounty.gov](mailto:Amber-Lee.Leslie@fairfaxcounty.gov)>; 'Strobel, Lynne J.' <[lstrobel@thelandlawyers.com](mailto:lstrobel@thelandlawyers.com)>  
**Subject:** RE: Letters re: SE 2018-HM-024 Orr

Katie Thanks

FWIW I was pretty sure the neighbors in the subdivisions on the Sully side are all on well and septic, even if there is a water line in HM Rd. So the effects on the wells may be of interest.

On a different case someone said a water well is like a teabag and that we are all dipping teabags into the same cup, the same aquifer, the same groundwater is the source for all the wells, so I would like to understand how that will work, and if the depth matters.

Somebody [?] at the Sully land use meeting said said 3 houses by right could go on this lot [which is many fewer bathrooms than 88 beds] I didn't understand what 1.7 was for.

Sorry for so many questions. Have a safe and enjoyable weekend.

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**From:** Antonucci, Katelyn [<mailto:Katelyn.Antonucci@fairfaxcounty.gov>]  
**Sent:** Friday, May 24, 2019 4:29 PM  
**To:** James Hart <[jhart@harthoranlaw.com](mailto:jhart@harthoranlaw.com)>; Mayland, William <[William.Mayland@Fairfaxcounty.gov](mailto:William.Mayland@Fairfaxcounty.gov)>  
**Cc:** Cooper, Jill G. <[Jill.Cooper@fairfaxcounty.gov](mailto:Jill.Cooper@fairfaxcounty.gov)>; Gorney, Joseph

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<Barbara.Byron@fairfaxcounty.gov>; Leslie, Amber-Lee <Amber-  
Lee.Leslie@fairfaxcounty.gov>; 'Strobel, Lynne J.' <lstrobel@thelandlawyers.com>  
**Subject:** RE: Letters re: SE 2018-HM-024 Orr

There is an existing 16" water line under Hunter Mill Road, though there are homes in this area on private wells.

I don't have the expertise to opine on the long-term environmental effects, but will coordinate with the Health Department and Stormwater Planning to cover that in the report.

Correct. The property contains 291,224 sf. Conventional lots in the R-E district need a minimum of 75,000 sf. Theoretically the property could be developed by-right with 3 homes.

**KATIE ANTONUCCI**

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**From:** James Hart [<mailto:jhart@harthoranlaw.com>]  
**Sent:** Friday, May 24, 2019 4:18 PM  
**To:** Antonucci, Katelyn <[Katelyn.Antonucci@fairfaxcounty.gov](mailto:Katelyn.Antonucci@fairfaxcounty.gov)>; Mayland, William <[William.Mayland@Fairfaxcounty.gov](mailto:William.Mayland@Fairfaxcounty.gov)>  
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Katie Thanks

Is there public water available on HM Rd? I thought all the neighbors were on wells.

Even if there were just 5% of contaminants [?] going in to the soil from the 88 beds, is there a long term environmental effect? Does the effectiveness of the system decrease over time? Is there any study showing what happens after several years of this sort of thing?

1.7 houses rather than 3 houses by right?

Sorry for all the questions.

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**From:** Antonucci, Katelyn [<mailto:Katelyn.Antonucci@fairfaxcounty.gov>]  
**Sent:** Friday, May 24, 2019 4:05 PM  
**To:** James Hart <[jhart@harthoranlaw.com](mailto:jhart@harthoranlaw.com)>; Mayland, William <[William.Mayland@Fairfaxcounty.gov](mailto:William.Mayland@Fairfaxcounty.gov)>  
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Harrison, Goldie <[Goldie.Harrison@fairfaxcounty.gov](mailto:Goldie.Harrison@fairfaxcounty.gov)>; Byron, Barbara A.  
<[Barbara.Byron@fairfaxcounty.gov](mailto:Barbara.Byron@fairfaxcounty.gov)>; Leslie, Amber-Lee <[Amber-Lee.Leslie@fairfaxcounty.gov](mailto:Amber-Lee.Leslie@fairfaxcounty.gov)>

**Subject:** RE: Letters re: SE 2018-HM-024 Orr

Hi Commissioner Hart,

I have been forwarded several of the letters from the PC clerk as well, but had not received the specific one that you had attached. Thank you for passing it along.

Granted, this is not my area of expertise, but my understanding from discussions with the Stormwater Planning Division is that the Difficult Run stream valley has been designated as impaired due to the sediment (from erosion) and e coli. After speaking with the Health Department, it is believed that the containments may be largely due to conventional septic systems that are old, poorly maintained, and otherwise inefficient. I don't have answers to some of your other more specific questions at the moment but can do my best to provide an answer in the staff report.

One of the citizens contacted the Virginia Department of Health for their opinion on the applicant's proposed septic design. VDH replied with the following:

*"Given the size of this facility, it would likely be required to meet 10 mg/l BOD5, 10 mg/l TSS, and 8 mg/l total nitrogen prior to being applied to the soil. Disinfection may be required as well depending on the site conditions. These are very low limits and are generally protective of groundwater even before you consider that there is additional removal of any remaining contaminants in the soil... However soils in general are typically very good at removing contaminants through a combination of chemical, physical, and biological reactions that occur in them."*

The Health Department has indicated to me that the septic system proposed by the applicant will be able to clean over 95% of containments from the water before it is dripped into the soil. It was stated by both the applicant and the Health Department that the proposed septic system is much more advanced than conventional systems, and will have comparable environmental impacts as if the property were developed with 1.7 homes.

The Health Department is preparing a certified letter for the proposed septic system as part of this SE application. Both the Virginia Department of Health and Fairfax County's Health Department will review the proposed septic system prior to construction and permit issuance.

The proposed facility will be connected to public water.

**KATIE ANTONUCCI**

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**From:** James Hart [<mailto:jhart@harthoranlaw.com>]

**Sent:** Friday, May 24, 2019 3:36 PM

**To:** Antonucci, Katelyn <[Katelyn.Antonucci@fairfaxcounty.gov](mailto:Katelyn.Antonucci@fairfaxcounty.gov)>; Mayland, William <[William.Mayland@Fairfaxcounty.gov](mailto:William.Mayland@Fairfaxcounty.gov)>

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**Subject:** FW: Letters re: SE 2018-HM-024 Orr

Katie/Bill

We got this letter today [and we have many others in a similar vein], not sure if you all are seeing all the letters we get. I had a couple more environmental questions, based on this letter:

Is there already a fecal coliform problem in this stream? She refers to both Difficult Run and Angelico Branch, I assume they are connected.

Does a large facility like this affect fecal coliform levels in any way?

What is the cause of the fecal coliform problem, too many houses on septic?

Is there some sort of objective measurement of too much development or too many drainfields which relates to fecal coliform levels? Or related to distance from an RPA or stream?

If there is fecal coliform in a stream, does that or whatever is causing it affect the nearby wells?

Is the depth of the well a consideration also?

I assume the medical facility also would be on well water? Have we done that before, and is there any testing of that?

Thanks and have a good weekend.

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<[image001.jpg](#)> Virus-free. [www.avast.com](http://www.avast.com)