

Subj: **Re: FW: Comments on Sept 8 Meeting on LOD**  
 Date: 9/18/2009  
 To:  
 CC:

Thank you for taking time to let me know your thoughts concerning the Limestone Overlay District Public Hearing issues and for asking me to give serious consideration to extension of public utilities from the Town of Leesburg to Raspberry Falls.

In an effort to provide both yourself and the Raspberry Falls Community full information about the option of extension of public water from the Town of Leesburg to Raspberry Falls and onto Luckets, I have again consulted with the Town on their utility extension policies and their policies of selling bulk water. I have copied my initial request for information and the response from Randy Shoemaker, Department Head for Leesburg Utilities at the bottom of this e-mail. I will list the current status changes that will need to occur in sequential order:

1. For extension of public lines from Leesburg there would need to be a change to both Loudoun County's Comprehensive Plan and Leesburg's Town Plan. Currently the area north of Town is not identified in the Urban Growth Area that the Town has designated for eventual annexation and provision of public utilities, the geographical area recognized in the County's General Plan. Leesburg's Urban Growth Area and the area that is expected by both entities to be annexed is generally to the south-east of Town. From those Plan changes there would follow an Annexation agreement between the Town and County on the area to be served and the conditions of annexation.

2. For extension of lines from Leesburg into the AR-1 zoning district, Leesburg currently requires properties to be contiguous with the town boundary and then be annexed (as happened with Tuscarora High School). Annexation is accomplished with a Boundary Line Adjustment process. The County requested the BLA and annexation for needed public facilities (a School).

In addition to the County's changed General Plan policies, for extension of lines not contiguous to Leesburg's town border there would need to be a change to Leesburg's Town Plan and a change on their annexation policies. As Leesburg's current policies stand, Raspberry Falls is not contiguous to the Town boundary and there are other properties between Raspberry Falls and the Town Boundary. As annexation policies currently stand in Leesburg, annexation of Raspberry Falls would have to include the Raspberry Falls property owners who are currently on individual water and septic systems, the Sattlebrook community on individual well and septic systems and the Behavioral Hospital. These three entities in addition to Raspberry Falls would have to petition the Town for extension and annexation to use the BLA process, that is if the County had changed its General Plan and the Town had changed its Town Plan to allow extension into the AR-1 zoning area. Annexation would of course bring the services provided by Leesburg and the additional taxes that pay for those services.

3. In any scenario of extension of public water from Leesburg, Leesburg would expect Raspberry Falls to pay for the infrastructure upfront (as do developers) and then Raspberry Falls would be rebated if other communities hooked up in the future.

4. In the case of Leesburg selling bulk water to Loudoun Water as you can see from Mr. Shoemaker's reply, Leesburg would be breaking new ground. If Leesburg were to decide to sell bulk water, still the cost of the infrastructure would be borne by the residents of Raspberry Falls.

I have full empathy for anyone who has ever worried about the quantity and quality of their drinking water whether it has as its source, groundwater or surface water. Nothing I have read either in the past or currently on the subject has given me reason to consider the matter closed for having to worry about. Someone sent me a link to the New York Times recent series on clean water as a national issue so looks like our local discussions are timely too.

As you know the ordinance has been sent to the Board's Land Use/Transportation Committee and I think that with the help of my colleagues, we will thoroughly review the ordinance and recommendations sent us by Loudoun's Planning Commission. I hope that you will continue to follow the discussion and provide your thoughts as well as sharing this information with other members of the Raspberry Falls Community. By way of this note I have asked Naomi to send this information to our e-mail list in the Community also.

Thank you again for being active in this discussion.

My best regards,  
Sally

Subj: **RE: Need Water Extension Information**  
 Date: 9/14/2009 2:00:18 PM Eastern Daylight Time  
 From: [rshoemaker@leesburgva.gov](mailto:rshoemaker@leesburgva.gov) (Randy Shoemaker)  
 To: [SallyKurtz@aol.com](mailto:SallyKurtz@aol.com) (SallyKurtz@aol.com), [JWells@leesburgva.gov](mailto:JWells@leesburgva.gov) (John Wells)

Tuesday, April 27, 2010 America Online: SallyKurtz

CC: Naomi.LithgowFoidl@loudoun.gov (Naomi.LithgowFoidl@loudoun.gov)

Sally,

Sorry I wasn't able to pass along my comments in written form last Friday but it was nice speaking with you again. Please note the following response to your questions.

1. Extension of water lines beyond the Town limit, for example:

a. Do you require annexation of all properties abutting the Town that could be served along the line?

The town's policy on extension of water and sewer requires that the property be contiguous to the town. Therefore, all properties abutting the utility would be required to be brought into the town.

b. Who would you expect to pay for the infrastructure needed to convey the water?

All costs associated with extension of water and sewer lines shall be borne by the applicant.

2. What are your policies on the selling of bulk water to Loudoun Water and the cost of that bulk water?

The Town of Leesburg has never considered the sale of bulk water to customers outside of the town. Any agreement of that nature would be breaking new ground for the town and would likely become very controversial.

3. Essentially as we all know to begin with - there would need to be a Comprehensive Plan amendment initiated by the Loudoun BOE to extend public utilities into the Rural area (AR-1) north of Town, so in addition to that, exactly what would be the policies of the Town of Leesburg if such an amendment would occur?

The area in question is outside the town's water and sewer service areas and as such, at a minimum, would require amendment of the town's Water System Master Plan, involving state regulatory agencies. I'm also certain that approval of the waterline extension would require an amendment of the town's comprehensive plan.

Sally, as I'm sure you are aware, there are numerous other issues that would need to be addressed not only from a political standpoint but also from an engineering standpoint as well. Of major concern is water age which will definitely affect water quality, given their distance from our system and the fact they will be a system end user, likely requiring water storage.

I'm hopeful this addresses your concerns. Let me know if you have further questions I can help with.

Randy .

**From:** SallyKurtz@aol.com [mailto:SallyKurtz@aol.com]

**Sent:** Thursday, September 10, 2009 8:58 AM

**To:** John Wells; Randy Shoemaker

**Cc:** Naomi.LithgowFoidl@loudoun.gov

**Subject:** Need Water Extension Information

Hi John and Randy,

As the County's consideration of a Limestone Overlay District has moved to the BOS, a group of citizens in the Raspberry Falls subdivision north of Town has urged the Board of Supervisors to provide public water to them from the Town of Leesburg.

I would appreciate your knowledge of the Utility Policies for: 1. extension of water lines beyond the Town limit, for example, a. do you require annexation of all properties abutting the Town that could be served along the line, b. who would you expect to pay for the infrastructure needed to convey the water and additionally 2. your policies on the selling of bulk water to Loudoun Water and the cost of that bulk water.

Essentially as we all know to begin with - there would need to be a Comprehensive Plan amendment initiated by the Loudoun BOS to extend public utilities into the Rural area (AR-1) north of Town, so in addition to that, exactly what would be the policies of the Town of Leesburg if such an amendment would occur.

I will also try to reach you by tele in case there is further need for clarification to my request. Thank you both for helping me give accurate information to my constituency. I will convey these policies to them. I do appreciate your help. 540-822-4385 is my home phone, can be reached there most of this day and tomorrow if we don't touch base today.

My best regards,

Sally