

BROOKSTONE RIDGE
A RESIDENTIAL SUBDIVISION
Jefferson County, West Virginia

COMMUNITY IMPACT STATEMENT

NOVEMBER 2006
REVISED FEBRUARY 2007
REVISED MARCH 2007
REVISED APRIL 2007



BROOKSTONE RIDGE
RESIDENTIAL SUBDIVISION
Shepherdstown, West Virginia

COMMUNITY IMPACT STATEMENT

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A. General Description of the Project

1. Name, Address and Telephone Number of Owner/Developer

Owner/Developer

Robert S. Leonard & Amy R. Leonard and/or Assigns
103 South Tennessee Avenue
Martinsburg, WV 25401
304-263-5308

2. Name, Address and Telephone Number of Contact Person

Alpha Associates, Incorporated
Mr. Richard Klein, P.E.
535 West King Street
Martinsburg, WV 25401
304-264-0051

3. Tract Size, Shape, Location and Zoning

Tract Size – 97.55 Acres

Shape – Irregular

Zoning – Rural

Location – Property is bounded by Scrabble Road (WV County Numbered Route 5) on the south, Shepherd Grade Road (WV County Numbered Route 5/2) on the east, Silver Spring Road (WV County Numbered Route 5/1) and Dam #4 Road (WV County Numbered Route 5/7) on the north, and Rocky Marsh Run on the west. See site location map in Appendix A. Also included in the appendix is a list of all adjoining property owners.

4. Project Design or Layout

This project is being planned to provide single-family homes in the Shepherdstown vicinity. The sketch map of the layout is provided in the envelope at the back of the document. The proposed plan for the subdivision includes a gravel street with roadside ditches and storm water management.

The subdivision will be carried out according to Subsection 5.7(d)1 of the Jefferson County Zoning and Land Development Ordinance, allowing for the creation of one (1) lot for every fifteen (15) acres with a minimum lot size of three (3) acres. According to these criteria, the property owners will create six lots ($97.55 \text{ acres} \div 15 \text{ acres/lot} = 6 \text{ lots}$), exhausting the subdivision rights for the tract under Section 5.7(d)1. The property owners will then create a child-to-parent lot of approximately 2.12 acres and a parent-to-child lot of 1.51 acres on the property in accordance with Section 2.1(b) of the Jefferson County Subdivision Ordinance.

5. Number, Approximate Size and Location of Proposed Lots or Building Sites –

The lot layout is shown on the sketch map. The subdivision will include the following:

- Single Family Lots – 6 on 21.63 acres
- Child-to-Parent Lot – 1 on 2.12 acres
- Parent-to-Child Lot – 1 on 1.51 acres
- Residue Parcel with Existing Dwelling – 1
- Road Right-of-way – 1 on 1.94 acres

The six newly created will all be around the minimum lot size of 3.0 acres. The overall subdivision density is 0.09 lots per acre. (Without considering the residue parcel, the subdivision density is 0.29 lots per acre.)

6. General Description of Surface Conditions

The land slated for development is gently rolling countryside that was once pasture. The general slopes vary between one and twenty-five percent. The western quarter of the property (near Rocky Marsh Run) has fairly dense tree cover, while the remainder of the property is marked by pockets of trees and large open fields. There are some outcrops of limestone throughout the property and evidence of two sinkholes. The sinkholes are on the residue property and are outside the bounds of the proposed development.

7. Soil and Drainage Characteristics

- a. Soil Types (Soils maps are included in Appendix B)
 - Fk – Funkstown silt loam
 - HbB – Hagerstown silt loam, 3 to 8 percent slopes
 - HbC – Hagerstown silt loam, 8 to 15 percent slopes
 - HeB – Hagerstown silt loam, 3 to 8 percent slopes, very rocky
 - HeC – Hagerstown silt loam, 8 to 15 percent slopes, very rocky
 - HgE – Hagerstown-Opequon-Rock outcrop complex, 15 to 35 percent slopes
 - HrC – Hagerstown-Rock outcrop complex, 8 to 15 percent slopes
 - La – Lappans (marl) loam
- b. These soils are deep and well drained except for the Fk and La, which are subject to flooding, and the HgE, which consists of rocky areas on the banks of Rocky Marsh Run. The majority of the soils are considered fair for construction purposes. Hard limestone is usually found within a few feet of the surface and must be contended with if excavation is extensive.
- c. Storm water management will be provided at several locations. Drainage from a majority of the site is towards the southwestern corner, while a small portion of the site flows toward Silver Spring Road (the northern boundary). All of the drainage eventually makes its way to Rocky Marsh Run, which flows in a northeasterly direction along the western boundary of the property. Storm water management will be designed in accordance with the county regulations, whereby flows will be limited to predevelopment conditions. Water quality safeguards will also be designed according to county standards and requirements as well as the West Virginia Department of Environmental Protection Construction Stormwater NPDES requirements. There should be no adverse impact on any existing condition downstream of this project.
- d. Soil and erosion control measures will be in place during the construction of all roads, storm drainage facilities and other infrastructure.

8. Existing Natural or Man Made Features including Vegetative Cover, Water Bodies, Quarries and Rock Outcroppings

The man made features on this property include the primary dwelling of the property owners, and an old farm house (currently vacant) with some outbuildings. The owners have declared that the old farm house is uninhabitable. Overhead power lines that are owned by Allegheny Power follow Silver Spring Road, running parallel with the road. Another power line, owned by Allegheny Power, runs along Scrabble Road. Rocky Marsh Run traverses along the western boundary of the property, flowing in a northeasterly direction. There are no quarries, other water bodies, or wetlands on the property. As stated above, vegetative cover is a combination of open fields and wooded areas. There are some rock outcroppings on the site, mainly located within the pockets of trees. Evidence of two sinkholes has been found on the farm, but is outside the bounds of the proposed development.

9. General Location of Existing Structures

The primary dwelling of the property owner is located on the south-central portion of the site, just off of Scrabble Road. The vacant farm house and outbuildings are located on the southwest corner of the property, also on Scrabble Road and are to remain in place.

10. General Location and Description of Existing Easements or Rights-of-Way

There are two power line easements on the property, one running along the boundary with Silver Spring Road and the other running near the boundary with Scrabble Road. The West Virginia Division of Highways claims a prescriptive easement on the south boundary for C.R. 5, on the east boundary for C.R. 5/2, and on the north boundary for C.R. 5/1. There are no other known utility easements or other easements on the property.

11. Existing Covenants and Restrictions

There are no covenants or restrictions on the property.

12. Approximate size, location and purpose of areas to be dedicated

The road right-of-way and stormwater management facilities will be dedicated to the Home Owner’s Association. Power and telephone easements will be dedicated to the respective utility companies. The Developer will reserve utility easements of 10’ from the side and rear lines of each lot, 40’ from the rear boundary of the lots on the perimeter of the existing property, and 20’ from all street lines.

13. Intended Improvements

The developer intends to grade, drain and gravel the proposed roads within the development. The road will be an open-section gravel road with ditches. Note that the property owners intend to seek a variance for the residue lot from Section 8.2.a.1 of the Subdivision Ordinance, which states, “Lots must be served by internal subdivision roads unless otherwise approved by the Planning Commission.” The property owners wish to keep their existing driveway entrance onto WV County Route 5 (Scrabble Road), rather than accessing the new subdivision road. Storm water management will be provided in accordance with the County Regulations. Power and telephone services will be installed. The installation of septic systems and water wells for each lot will be the responsibility of the future lot owners.

14. Intended Land Uses

The intended land use is for a residential subdivision consisting of 9 single-family homes. One home exists and is situated in the residue parcel.

15. Intended Earthwork that would alter the Natural Topography

The earthwork as conceived at this time will follow the natural topography, while still complying with the County’s design requirements. Based on the preliminary layout, approximately 3% of the land will be cleared for the construction of the roads, utilities and storm water management. Utility line easements generally will run with the streets.

16. Proposed Covenants and Restrictions

Please see attached draft of the proposed covenants and restrictions in Appendix C.

17. Tentative Development and Construction Schedule

It is anticipated that the infrastructure for this project will be constructed over a period of approximately 6 months. Build out of the housing in the subdivision is anticipated in three to four years.

18. Market Surveys and Feasibility Studies

A market study that clearly demonstrates the market for additional single-family homes in the Shepherdstown area is included in Appendix D.

19. Anticipated Project Costs

The preliminary construction cost estimate for the project is:

Total	\$ 272,104.00
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20. Anticipated Funding Sources

The funding will be provided by the developer utilizing private lending institutions.

B. Relationship to the Community – Physical Impacts

1. Earthwork

The earthwork as conceived at this time will follow the natural topography, while still complying with the County’s design requirements. Based on the preliminary layout, approximately 3% of the land will be cleared for the construction of the roads, utilities and storm water management. Blasting will be necessary at times for the construction of roads and utility lines, but it should not be extensive, and will not be done unless necessary. All attempts will be made to balance the cut and fill for the project. Natural drainage courses may be altered slightly by the construction, but should not be greatly affected. Storm water management facilities will be provided in accordance with the requirements, as will soil and erosion control measures during construction.

2. Conversion of Farm Land

Approximately 47.1 acres (43.6%) of the property is woodland, 43.0 acres (39.8%) is hay fields farmed by a local farmer for the last 15 years, and the remainder is the yard area surrounding the homes on the property. Of the hay fields, approximately 19.3 acres will be taken by the lots, with the remaining 23.7 acres still farmed by the local farmer. The owner has indicated that the proposed subdivision layout allows for the preservation of the more productive hay fields for continued farming.

3. Wildlife populations and Endangered Species

This tract of land is inhabited by the typical Jefferson County wildlife that includes whitetail deer, skunks, raccoons, opossums, groundhogs, squirrels, foxes, and turkeys. As these species have proven themselves to be highly adaptable to the development of this region, it is highly unlikely that this project will have an adverse affect on these species. On the contrary, based on observation in the general Shepherdstown area, it seems that the population of these species continues to grow as hunting pressure decreases due to development. The WVDNR indicates that there are no known records of any rare, threatened and endangered species on this property. However, they warn that the Madison Cave isopod may occur in the project area as it has been known to inhabit pockets of groundwater in Karst areas such as those found in Jefferson County. The letter from the WVDNR has been included in Appendix E.

4. Ground Water and Surface Water

There are no reported water contamination problems within 1000 feet of this development. The following surface water sensitive areas are located within a one mile radius of the development: (1) a Riverine open water permanently-flooded wetland (R5OWH) just south of the project on Rocky Marsh Run as identified on the National Wetlands Inventory Map, (2) a Palustrine emergent seasonally-flooded wetland (PEM5C) about ¼ mile north of the project on the banks of the Potomac River near the mouth of Rocky Marsh Run as identified on the National Wetlands Inventory Map, (3) the Potomac River impoundment created by Dam #4 about ¼ mile north of the project, (4) a spring within the boundaries of the National Conservation Training Center Property (as shown on the Shepherdstown USGS Quadrangle), and (4) two pockets of Palustrine emergent seasonally-flooded wetlands (PEM5C) about 1 mile south of the project on Rocky Marsh Run as identified on the National Wetlands Inventory Map. All storm water discharges will be controlled through storm water management facilities, that will then discharge into existing natural overland drainage ways prior to entering Rocky Marsh Run. Letters from the WV State Division of Health and the Jefferson County Health Department are included in Appendix F.

5. Compatibility of the project in terms of Land Use

The construction of residential housing in this area is in accordance with the Zoning Regulations. The large lot sizes of between 1.5 to 4.4 acres should allow for flexibility in siting the homes and driveways in order to create an attractively laid out subdivision, as well as preserve natural tree breaks where possible. This project is bounded by single-family lots of comparable size on both the north (across Silver Spring Road in the Leisure Acres Subdivision) and west (across Rocky Marsh Run).

6. Impact on Sensitive Natural Areas

As there are no known wetlands (Letter in Appendix E) or water recharge areas within this development area, this project should have no impact on any of these items. Rocky Marsh Run is a moderately sized meandering stream with stable banks in the vicinity of this subdivision. The impact on the stream will be minimized by the proper design of the storm water management facilities. A wetlands area exists downstream from the project on the banks of the Potomac River at the mouth of Rocky Marsh Run, as shown on the wetlands map in Appendix G. As this wetlands is approximately 1/4 mile downstream, it should not be affected by the project. A known sinkhole was located on the property by the USGS in the early 1990's (see Appendix G). The location of the sinkhole was verified by an on-site visit. An additional sinkhole near the first was also found. Both sinkholes have been shown on the sketch plan. Neither sinkhole is located within the newly created lots or rights-of-way in the subdivision. Drainage from the roadways will be routed around the sinkholes, and therefore the sinkholes should not be impacted by the development. However, both sinkholes will be remediated according to the West Virginia Department of Environmental Protection Sinkhole Guidance Document if required by the WVDEP.

C. Relationship to the Community – Social Impacts

7. Demand on Schools

Based on information provided by the Jefferson County Planning Commission staff, the West Virginia Education Information System and the WV School Building Authority, this subdivision will generate the following number of children:

Shepherdstown Elementary School (Kindergarten through Fifth Grade)

8 Single Family Homes @ 0.17 per unit = 1.36
Capacity of Shepherdstown Elementary School (WVSBA) = 391 Children
2006 School Year Enrollment (WVEIS) = 348 Children

Shepherdstown Middle School (Sixth Grade through Eighth Grade)

8 Single Family @ 0.09 per unit = 0.72
Capacity of Shepherdstown Middle School (WVSBA) = 425 Children
2006 School Year Enrollment (WVEIS) = 409 Children

Ninth Grade Complex

8 Single Family @ 0.03 per unit = 0.24
Capacity of Ninth Grade Complex (WVSBA) = 595 Children
2006 School Year Enrollment (WVEIS) = 631 Children

Jefferson High School

8 Single Family @ 0.09 per unit = 0.72
Capacity of Jefferson County High School (WVSBA) = 1,232 Children
2006 School Year Enrollment (WVEIS) = 1,709 Children

It should be noted that a new high school is currently under construction and slated to open in the fall of 2008. Renovation of the existing high school is also under way. At the time that the new high school is opened, the Ninth Grade Complex will be converted to a middle school. These developments should serve to provide extra capacity for both the middle school and high school levels. The 2006 School Year Enrollment chart from the West Virginia Education Information System is included in Appendix H.

8. Traffic Impact Data

- a. The most current available ADT (2005 Count) for Shepherd Grade Road, taken approximately 3 miles south of this development is 3200. The most current available ADT (2005 Count) for Scrabble Road, taken just west of this development is 850.
- b. Trip generation is estimated as follows:

Peak Hour Estimates:

8 Single Family @ .8 per unit = 6.4 vehicles per hour

Average Daily Traffic (ADT)

8 Single Family @ 8 per unit = 64 ADT

- c. This project will have one intersection with Shepherd Grade Road (WV 5/2). The WV Division of Highways has reviewed and concurred with the intersection design. The nearest key intersection would be the intersection of Shepherd Grade Road (WV 5/2) and Scrabble Road (WV 5). See back pocket of report for approved WVDOH Entrance Permit.
- d. There are no Highway Problem Areas within one mile of this project according to Map 3 "Highway Problem Areas" and Table 2 "Highway Problem Areas" in the 2004 Jefferson County Comprehensive Plan. Copies of the map and table have been provided in Appendix K.

9. Demographic Impact

According to the 2004 Comprehensive Plan, Appendix A – Demographic Analysis, pg.112, the population is expected to increase from 42,190 (2000 census) to 49,871 in 2010, an increase of 7,681 people. Based on 2.54 persons per home (2000 census), this equates to 3,024 housing units or 300 to 400 housing units per year, to keep pace with the population growth projected. The annual average from 1990 to 2000 was 325 new households (Appendix A, pg.113). This subdivision consists of 8 additional housing units, to be constructed over approximately 3 to 4 years. This represents but a small fraction of the projected need and will have little impact on the overall growth of the region.

10. Health and Emergency Services

Emergency ambulance services are provided by the Shepherdstown Fire Department, which is located on Rt. 45, approximately 4.5 miles away. Jefferson Memorial Hospital in Charles Town is approximately 15 miles away and City Hospital in Martinsburg is approximately 11 miles away. There are at least two doctor's office in Shepherdstown and three dentist's offices. A letter from Jefferson Memorial Hospital concerning available health care is included in Appendix I.

11. Fire Protection

The project will be served by the Shepherdstown Volunteer Fire Department. A letter of confirmation of fire and ambulance availability has been included in Appendix I. A confirmation of secondary response has also been included.

12. Police Protection

Police protection will be provided by the Jefferson County Sheriff's office, with backup from the Shepherdstown Police Department and the WV State Police. Letters from the Law Enforcement Agencies are included in Appendix I.

13. Trash Removal

Trash removal will be provided by Apple Valley Waste Services, Inc.

14. Electrical Service

Electrical service will be provided by Allegheny Power.

15. Telephone Service

Telephone service will be provided by Frontier Communications Telephone Systems.

16. Sewer and Water Service

Sewer and water service will be provided by individual on-site septic and well systems.

17. Relationship of the Project to the Comprehensive Plan

The Comprehensive Plan lists the following goals:

- "The intent of this plan is ... to shape future growth in a manner that preserves the most important features of Jefferson County: the rural landscape, the natural beauty of the rivers, the rolling terrain and the strong sense of community." (Jefferson County, WV Comprehensive Plan 2004, page 8)
- "This Plan recommends that Jefferson County's natural features, particularly stream valleys, be conserved as green space and that significant natural features be afforded protection as development proceeds." (Jefferson County, WV Comprehensive Plan 2004, page 8)

This project, while introducing development to an agricultural area, does serve to preserve the rural landscape, as the newly created lots take up a small percentage of the area of the parent parcel, leaving much of the land undisturbed. In addition, the proposed lot layout leaves the hillside above Rocky Marsh Run as an undisturbed natural buffer, serving to provide protection for the stream. For these reasons, Brookstone Ridge Subdivision should be considered as compatible with the Comprehensive Plan.

18. Housing Supply and Demand

According to Jefferson County's 2004 Comprehensive Plan (Section III and Appendix A), there is a shortage of acceptable housing, and will continue to be this way for a long time. A complete market analysis is included in Appendix D. It clearly shows that the need for additional housing in the Shepherdstown area continues to exist. This project will furnish only a small portion of the demand.

19. Proximity to Known Historic Features

In the near vicinity (1/4 mile), as shown on the map in Appendix J, the West Virginia History Database lists the following historical features:

- Louthan Farm (Map #75)
- Hollida Residence (Map # 84)
- Leonard Farm House (Map # 85)
- Staley Farm House (Map # 86)

Copies of the printouts from the database and pictures are also in the Appendix. It is noted that the property identified as #85 on the map is the vacant farm house at the southwest corner of the subject property.

20. Recreation

This project is within close driving distance of a number of recreational areas. Public access to the Potomac River at Dam No. 4 is approximately 1 mile away. Morgan's Grove Park is approximately 5 miles away. The Chesapeake & Ohio Canal National Historical Park is also approximately 5 miles away. The Antietam National Battlefield Park is approximately 9 miles away, and the Harpers Ferry National Historical Park is approximately 15 miles away. Rocky Marsh Run is a stocked trout stream that is currently used by the public.

D. Relationship to the Community – Economic Impacts

21. Property Tax Evaluation

It is estimated that the development will generate \$ 20,261 in residential property taxes based on the following:

- a. Jefferson County Property Tax Guide, Class II Rates
- b. Appraised Value of Project: \$2,800,000 (with houses)
- c. Assessed Value (60% of above): \$1,680,000
- d. Total County Tax Rate: 1.2060/\$100 (2006 Rate)
- e. Tax Computation: \$20,261

22. Anticipated Bank Deposits

It is anticipated that the majority of the residents will make use of the local banks, thereby increasing deposits. The majority of home loans in this area are also financed locally.

23. Anticipated Local Spending

At this time, it would be assumed that the majority of the services and supplies will be through local suppliers and contractors, thus helping the local economy.

24. Local Employment Implications

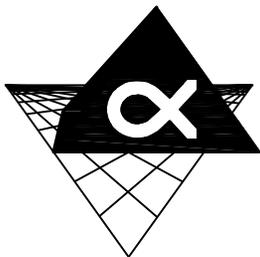
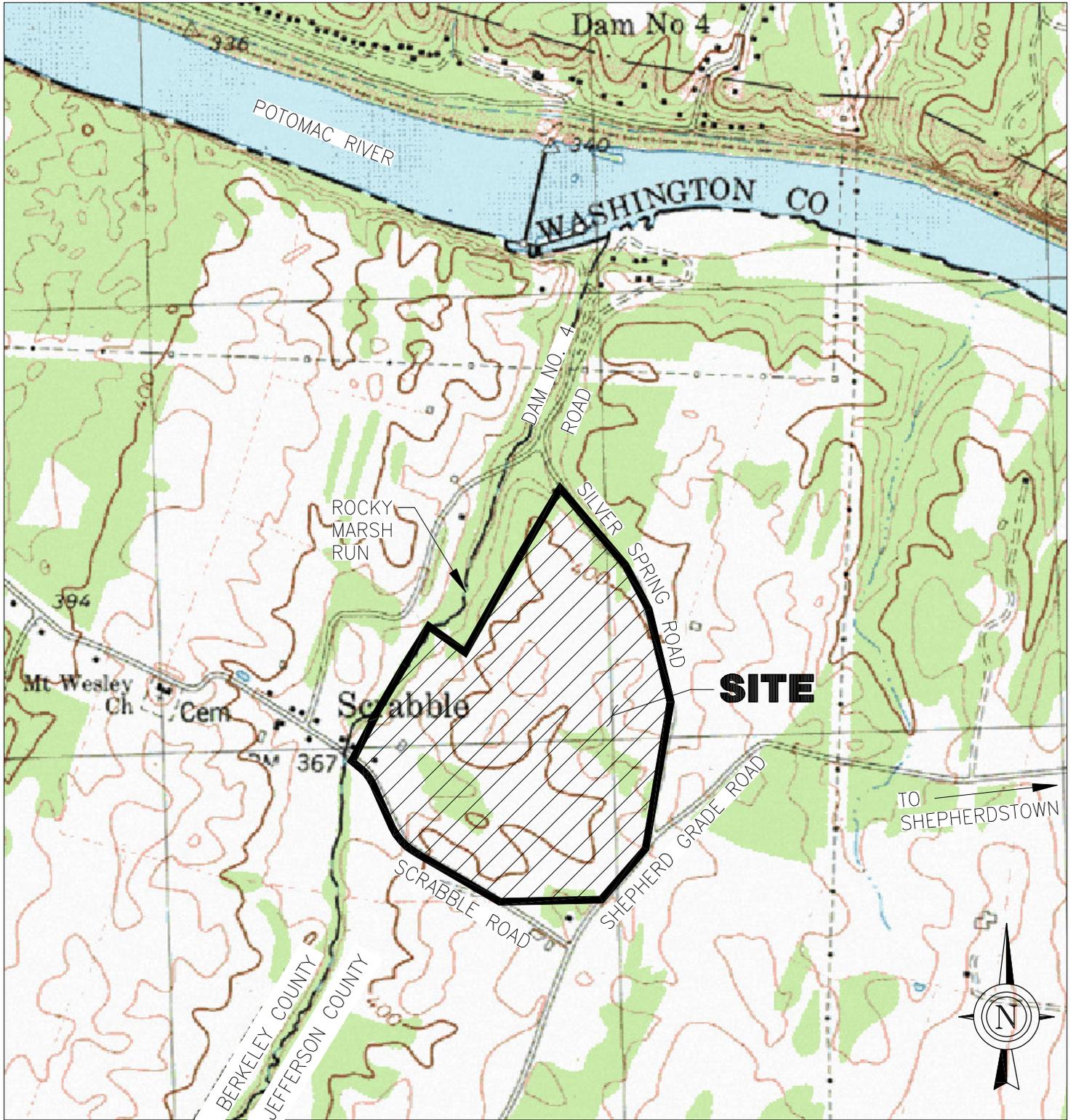
It is anticipated that the construction of the entire infrastructure, as well as all of the buildings, will be done by local contractors thus helping with local employment needs.

25. Expected changes in Property Values

A development of this nature should cause property values to rise, since the development of raw land with utilities and roads adds value to the raw land. The property value of the existing land will be changed from Class 1 to Class 2, thereby increasing taxes paid to the county as well. The development should also cause neighboring property values to go up.

APPENDIX

A



ALPHA

ASSOCIATES, INCORPORATED
ARCHITECTS • ENGINEERS • SURVEYORS

535 WEST KING ST.
MARTINSBURG, WV. 25401

PHONE: 304-264-0051
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TOLL FREE: 877-264-0051

BROOKSTONE RIDGE PROPERTY LOCATION MAP

SCALE 1" = 1000'

Brookstone Ridge Property Adjoiners

<u>Owner</u>	<u>Address</u>	<u>Tax District</u>	<u>Tax Map</u>	<u>Parcel</u>	<u>DB</u>	<u>Page</u>
Kenneth W. Fiddler & Cheryl L. Maxwell	511 Silver Spring Road Shepherdstown, WV 25443	Shepherdstown	2	6	935	43
Elias Caleb Jones	P.O. Box 1371 Charles Town, WV 25414	Shepherdstown	2	8	1013	333
Rocky Marsh L.L.C.	233 Lowe Drive Shepherdstown, WV 25443	Shepherdstown	2	9	1028	401
John M. & Colleen E. Spencer	3013 RayJohn Lane Herndon, VA 20171	Shepherdstown	2	10.10	417	396
Van Court & Demaris Wilkins	P.O. Box 1254 Shepherdstown, WV 25443	Shepherdstown	2	10.2	499	681
Ernest L. Fuss	P.O. Box 1802 Shepherdstown, WV 25443	Shepherdstown	2	10.3	574	283
Irene H. Dunn	4992 Scrabble Rd. Shepherdstown WV. 25443	Shepherdstown	2	14	842	515
Robert & Victoria Gardner	5194 Scrabble Rd. Shepherdstown WV. 25443	Shepherdstown	2	15	1010	394
Helen & Francis Overholt	27 Leisure Way Shepherdstown, WV 25443	Shepherdstown	2	28	940	527
Fiona Larsen	79 Leisure Way P.O. Box 455 Shepherdstown, WV 25443	Shepherdstown	2	29	937	706
Donald L. Jr. & Christine Hoage	151 Leisure Way Shepherdstown, WV 25443	Shepherdstown	2	30	1000	360
Sarah & Werner Barz	73 Ella Drive Shepherdstown, WV 25443	Shepherdstown	2	31	970	549
Sarah & Werner Barz	73 Ella Drive Shepherdstown, WV 25443	Shepherdstown	2	32	987	250
Stephen & Marjorie Welcome	211 Ella Drive Shepherdstown, WV 25443	Shepherdstown	2	33	907	81

Brookstone Ridge Property Adjoiners

<u>Owner</u>	<u>Address</u>	<u>Tax District</u>	<u>Tax Map</u>	<u>Parcel</u>	<u>DB</u>	<u>Page</u>
Tina & Victor Marvel	P.O. Box 4391 Leesburg, VA	Shepherdstown	2	34	1004	386
Michael & Mary Ellen Hart	293 Brookline Drive Charles Town, WV 25414	Shepherdstown	2	35	991	32
John H. Davies & John A. Sangster	9 Bellevue Road Wellesley Hills, MA 02181	Opequon	9	4	214	518
Virginia & Angelo J. Provenzano	1121 Hollida Lane Martinsburg, WV 25401	Opequon	9	4.1	576	29
Jack C. H. Small	220 Dam #4 Road Shepherdstown, WV 25443	Opequon	9	7.1	266	666
Stephen & Julie A. Kane	3009 Scrabble Road Martinsburg, WV 25401	Opequon	9	P/O 7	818	538

APPENDIX

B

SOIL SURVEY OF BERKELEY COUNTY, WEST VIRGINIA; JEFFERSON COUNTY, WEST VIRGINIA

Brookstone Ridge Soils Map



0 50 100 200 Meters

0 200 400 800 1,200 1,600 Feet

SOIL SURVEY OF BERKELEY COUNTY, WEST VIRGINIA; JEFFERSON COUNTY, WEST VIRGINIA

Brookstone Ridge Soils Map

MAP LEGEND

-  Soil Map Units
-  Cities
-  Detailed Counties
-  Detailed States
-  Interstate Highways
-  Roads
-  Rails
-  Water
-  Hydrography
-  Oceans
-  Escarpment, bedrock
-  Escarpment, non-bedrock
-  Gully
-  Levee
-  Slope
-  Blowout
-  Borrow Pit
-  Clay Spot
-  Depression, closed
-  Eroded Spot
-  Gravel Pit
-  Gravelly Spot
-  Gully
-  Lava Flow
-  Landfill
-  Marsh or Swamp
-  Miscellaneous Water
-  Rock Outcrop
-  Saline Spot
-  Sandy Spot
-  Slide or Slip
-  Sinkhole
-  Sodic Spot
-  Spoil Area
-  Stony Spot
-  Very Stony Spot
-  Perennial Water
-  Wet Spot

MAP INFORMATION

Source of Map: Natural Resources Conservation Service
 Web Soil Survey URL: <http://websoilsurvey.nrcs.usda.gov>

Coordinate System: UTM Zone 18

Soil Survey Area: Berkeley County, West Virginia
 Spatial Version of Data: 1
 Soil Map Compilation Scale: 1:24000

Soil Survey Area: Jefferson County, West Virginia
 Spatial Version of Data: 3
 Soil Map Compilation Scale: 1:24000

Map comprised of aerial images photographed on these dates:
 4/11/1988

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend Summary

Berkeley County, West Virginia

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
La	Lappans (marl) silt loam	0.2	0.2

Jefferson County, West Virginia

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
Fk	Funkstown silt loam	8.5	8.7
HbB	Hagerstown silt loam, 3 to 8 percent slopes	0.1	0.1
HbC	Hagerstown silt loam, 8 to 15 percent slopes	16.1	16.4
HeB	Hagerstown silt loam, 3 to 8 percent slopes, very rocky	1.4	1.4
HeC	Hagerstown silt loam 8 to 15 percent slopes, very rocky	27.2	27.7
HgE	Hagerstown-Opequon-Rock outcrop complex, 15 to 35 percent slopes	24.2	24.6
HrC	Hagerstown-Rock outcrop complex, 8 to 15 percent slopes	15.2	15.5
La	Lappans (marl) loam	5.4	5.5

Component Legend

Jefferson County, West Virginia

Map unit symbol and name	Pct. of map unit	Component name	Component kind	Pct. slope		
				Low	RV	High
Fk:						
Funkstown silt loam						
	85	Funkstown, silt loam	Series	0	1	3
	10	Toms, silt loam	Series	0	2	3
	5	Holly, loam	Series	0	1	3
HbB:						
Hagerstown silt loam, 3 to 8 percent slopes						
	85	Hagerstown, silt loam	Series	3	5	8
	5	Funkstown, silt loam	Series	0	4	8
	5	Vertrees, silt loam	Series	3	5	8
	3	Duffield, silt loam	Series	3	5	8
	2	Opequon, silty clay loam	Series	3	5	8
HbC:						
Hagerstown silt loam, 8 to 15 percent slopes						
	85	Hagerstown, silt loam	Series	8	11	15
	5	Funkstown, silt loam	Series	0	4	8
	5	Vertrees, silt loam	Series	8	11	15
	3	Duffield, silt loam	Series	8	11	15
	2	Opequon, silty clay loam	Series	8	11	15
HeB:						
Hagerstown silt loam, 3 to 8 percent slopes, very rocky						
	75	Hagerstown, silt loam	Series	3	5	8
	10	Vertrees, silt loam	Series	3	5	8
	5	Funkstown, silt loam	Series	0	4	8
	5	Opequon, silty clay loam	Series	3	5	8
	5	Rock outcrop	Miscellaneous area	3	5	8

Component Legend

Jefferson County, West Virginia

Map unit symbol and name	Pct. of map unit	Component name	Component kind	Pct. slope		
				Low	RV	High
HeC:						
Hagerstown silt loam 8 to 15 percent slopes, very rocky						
	75	Hagerstown, silt loam	Series	8	11	15
	10	Vertrees, silt loam	Series	8	11	15
	5	Funkstown, silt loam	Series	0	4	8
	5	Opequon, silty clay loam	Series	8	11	15
	5	Rock outcrop	Miscellaneous area	8	11	15
HgE:						
Hagerstown-Opequon-Rock outcrop complex, 15 to 35 percent slopes						
	45	Hagerstown, silt loam	Series	15	25	35
	30	Opequon, silty clay loam	Series	15	25	35
	20	Rock outcrop	Miscellaneous area	15	25	35
	5	Funkstown, silt loam	Series	0	4	8
HrC:						
Hagerstown-Rock outcrop complex, 8 to 15 percent slopes						
	65	Hagerstown, silt loam	Series	8	11	15
	20	Rock outcrop	Miscellaneous area	8	11	15
	10	Opequon, silty clay loam	Series	8	11	15
	5	Funkstown, silt loam	Series	0	4	8
La:						
Lappans (marl) loam						
	95	Lappans, marl loam	Series	0	1	3
	5	Fairplay, marl silt loam	Series	0	1	3

Map Unit Description (Brief, Generated)

Jefferson County, West Virginia

[Minor map unit components are excluded from this report]

Map unit: Fk - Funkstown silt loam

Component: Funkstown, silt loam (85%)

The Funkstown, silt loam component makes up 85 percent of the map unit. Slopes are 0 to 3 percent. This component is on drainageways on karst. The parent material consists of loamy alluvium derived from limestone. Depth to a root restrictive layer is greater than 60 inches. The natural drainage class is moderately well drained. Water movement in the most restrictive layer is moderately high. Available water to a depth of 60 inches is high. Shrink-swell potential is low. This soil is frequently flooded. It is not ponded. There is no zone of water saturation within a depth of 72 inches. Organic matter content in the surface horizon is about 3 percent. Nonirrigated land capability classification is 2w. This soil does not meet hydric criteria.

Map unit: HbB - Hagerstown silt loam, 3 to 8 percent slopes

Component: Hagerstown, silt loam (85%)

The Hagerstown, silt loam component makes up 85 percent of the map unit. Slopes are 3 to 8 percent. This component is on hillslopes on karst. The parent material consists of clayey residuum weathered from limestone. Depth to a root restrictive layer is greater than 60 inches. The natural drainage class is well drained. Water movement in the most restrictive layer is moderately high. Available water to a depth of 60 inches is high. Shrink-swell potential is moderate. This soil is not flooded. It is not ponded. There is no zone of water saturation within a depth of 72 inches. Organic matter content in the surface horizon is about 3 percent. Nonirrigated land capability classification is 2e. This soil does not meet hydric criteria.

Map unit: HbC - Hagerstown silt loam, 8 to 15 percent slopes

Component: Hagerstown, silt loam (85%)

The Hagerstown, silt loam component makes up 85 percent of the map unit. Slopes are 8 to 15 percent. This component is on hillslopes on karst. The parent material consists of clayey residuum weathered from limestone. Depth to a root restrictive layer is greater than 60 inches. The natural drainage class is well drained. Water movement in the most restrictive layer is moderately high. Available water to a depth of 60 inches is high. Shrink-swell potential is moderate. This soil is not flooded. It is not ponded. There is no zone of water saturation within a depth of 72 inches. Organic matter content in the surface horizon is about 3 percent. Nonirrigated land capability classification is 3e. This soil does not meet hydric criteria.

Map unit: HeB - Hagerstown silt loam, 3 to 8 percent slopes, very rocky

Component: Hagerstown, silt loam (75%)

The Hagerstown, silt loam component makes up 75 percent of the map unit. Slopes are 3 to 8 percent. This component is on hillslopes on karst. The parent material consists of clayey residuum weathered from limestone. Depth to a root restrictive layer is greater than 60 inches. The natural drainage class is well drained. Water movement in the most restrictive layer is moderately high. Available water to a depth of 60 inches is high. Shrink-swell potential is moderate. This soil is not flooded. It is not ponded. There is no zone of water saturation within a depth of 72 inches. Organic matter content in the surface horizon is about 3 percent. Nonirrigated land capability classification is 3s. This soil does not meet hydric criteria.

Map unit: HeC - Hagerstown silt loam 8 to 15 percent slopes, very rocky

Component: Hagerstown, silt loam (75%)

The Hagerstown, silt loam component makes up 75 percent of the map unit. Slopes are 8 to 15 percent. This component is on hillslopes on karst. The parent material consists of clayey residuum weathered from limestone. Depth to a root restrictive layer is greater than 60 inches. The natural drainage class is well drained. Water movement in the most restrictive layer is moderately high. Available water to a depth of 60 inches is high. Shrink-swell potential is moderate. This soil is not flooded. It is not ponded. There is no zone of water saturation within a depth of 72 inches. Organic matter content in the surface horizon is about 3 percent. Nonirrigated land capability classification is 3e. This soil does not meet hydric criteria.

Map Unit Description (Brief, Generated)

Jefferson County, West Virginia

Map unit: HgE - Hagerstown-Opequon-Rock outcrop complex, 15 to 35 percent slopes

Component: Hagerstown, silt loam (45%)

The Hagerstown, silt loam component makes up 45 percent of the map unit. Slopes are 15 to 35 percent. This component is on hillslopes on karst. The parent material consists of clayey residuum weathered from limestone. Depth to a root restrictive layer is greater than 60 inches. The natural drainage class is well drained. Water movement in the most restrictive layer is moderately high. Available water to a depth of 60 inches is high. Shrink-swell potential is moderate. This soil is not flooded. It is not ponded. There is no zone of water saturation within a depth of 72 inches. Organic matter content in the surface horizon is about 3 percent. Nonirrigated land capability classification is 7s. This soil does not meet hydric criteria.

Component: Opequon, silty clay loam (30%)

The Opequon, silty clay loam component makes up 30 percent of the map unit. Slopes are 15 to 35 percent. This component is on upland slopes on karst. The parent material consists of clayey residuum weathered from limestone, unspecified. Depth to a root restrictive layer, bedrock, lithic, is 12 to 20 inches. The natural drainage class is well drained. Water movement in the most restrictive layer is moderately high. Available water to a depth of 60 inches is very low. Shrink-swell potential is high. This soil is not flooded. It is not ponded. There is no zone of water saturation within a depth of 72 inches. Organic matter content in the surface horizon is about 2 percent. This soil does not meet hydric criteria.

Component: Rock outcrop (20%)

Generated brief soil descriptions are created for major soil components. The Rock outcrop is a miscellaneous area.

Map unit: HrC - Hagerstown-Rock outcrop complex, 8 to 15 percent slopes

Component: Hagerstown, silt loam (65%)

The Hagerstown, silt loam component makes up 65 percent of the map unit. Slopes are 8 to 15 percent. This component is on hillslopes on karst. The parent material consists of clayey residuum weathered from limestone. Depth to a root restrictive layer is greater than 60 inches. The natural drainage class is well drained. Water movement in the most restrictive layer is moderately high. Available water to a depth of 60 inches is high. Shrink-swell potential is moderate. This soil is not flooded. It is not ponded. There is no zone of water saturation within a depth of 72 inches. Organic matter content in the surface horizon is about 3 percent. Nonirrigated land capability classification is 6s. This soil does not meet hydric criteria.

Component: Rock outcrop (20%)

Generated brief soil descriptions are created for major soil components. The Rock outcrop is a miscellaneous area.

Map unit: La - Lappans (marl) loam

Component: Lappans, marl loam (95%)

The Lappans, marl loam component makes up 95 percent of the map unit. Slopes are 0 to 3 percent. This component is on flood plains on karst. The parent material consists of calcareous loamy lacustrine deposits derived from marl. Depth to a root restrictive layer is greater than 60 inches. The natural drainage class is well drained. Water movement in the most restrictive layer is moderately high. Available water to a depth of 60 inches is high. Shrink-swell potential is low. This soil is occasionally flooded. It is not ponded. There is no zone of water saturation within a depth of 72 inches. Organic matter content in the surface horizon is about 3 percent. Nonirrigated land capability classification is 2w. This soil does not meet hydric criteria. The calcium carbonate equivalent within 40 inches, typically, does not exceed 85 percent.

Map Unit Description

Jefferson County, West Virginia

Fk Funkstown silt loam

Setting

Landscape: Karst, river valleys
Elevation: 270 to 600 feet
Mean annual precipitation: 33 to 46 inches
Mean annual air temperature: 40 to 64 degrees F
Frost-free period: 141 to 168 days

Composition

Funkstown, silt loam, and similar soils: 85 percent
Minor components: 15 percent

Description of Funkstown, silt loam

Setting

Landform: Drainageways
Landform position (two-dimensional): Toeslope
Down-slope shape: Concave
Across-slope shape: Concave
Parent material: Loamy alluvium derived from limestone

Properties and Qualities

Slope: 0 to 3 percent
Drainage class: Moderately well drained
Capacity of the most limiting layer to transmit water (Ksat): Moderately high or high (0.57 to 1.98 in/hr)
Depth to water table: About 20 to 28 inches
Frequency of flooding: Frequent
Frequency of ponding: None
Calcium carbonate maximum: 0 percent
Gypsum maximum: 0 percent
Available water capacity: High (about 9.6 inches)

Interpretive Groups

Land capability (non irrigated): 2w
Other vegetative classification: Moist Loams (ML2)

Typical Profile

0 to 12 inches: silt loam
12 to 29 inches: gravelly silt loam
29 to 45 inches: silty clay loam
45 to 80 inches: channery silt loam

Minor Components

Toms, silt loam soils

Percent of map unit: 10 percent
Landform: Drainageways
Landform position (two-dimensional): Toeslope
Down-slope shape: Linear
Across-slope shape: Concave
Other vegetative classification: Fertile Loams (FL2)

Holly, loam soils

Percent of map unit: 5 percent
Landform: Flood plains
Landform position (two-dimensional): Toeslope
Down-slope shape: Concave
Across-slope shape: Concave
Other vegetative classification: Wetlands (W1)

Map Unit Description

Jefferson County, West Virginia

HbB Hagerstown silt loam, 3 to 8 percent slopes

Setting

Landscape: Karst
Elevation: 300 to 600 feet
Mean annual precipitation: 33 to 46 inches
Mean annual air temperature: 40 to 64 degrees F
Frost-free period: 141 to 168 days

Composition

Hagerstown, silt loam, and similar soils: 85 percent
Minor components: 15 percent

Description of Hagerstown, silt loam

Setting

Landform: Hillslopes
Landform position (two-dimensional): Backslope, summit
Down-slope shape: Convex
Across-slope shape: Convex
Parent material: Clayey residuum weathered from limestone

Properties and Qualities

Slope: 3 to 8 percent
Drainage class: Well drained
Capacity of the most limiting layer to transmit water (Ksat): Moderately high or high (0.60 to 2.00 in/hr)
Calcium carbonate maximum: 0 percent
Gypsum maximum: 0 percent
Available water capacity: High (about 10.3 inches)

Interpretive Groups

Land capability (non irrigated): 2e
Other vegetative classification: Moist Loams (ML2)

Typical Profile

0 to 4 inches: silt loam
4 to 14 inches: silt loam
14 to 65 inches: silty clay

Minor Components

Vertrees, silt loam soils

Percent of map unit: 5 percent
Landform: Hillslopes
Landform position (two-dimensional): Backslope
Down-slope shape: Convex
Across-slope shape: Convex
Other vegetative classification: Moist Loams (ML2)

Funkstown, silt loam soils

Percent of map unit: 5 percent
Landform: Drainageways
Landform position (two-dimensional): Toeslope
Down-slope shape: Concave
Across-slope shape: Concave
Other vegetative classification: Moist Loams (ML2)

Duffield, silt loam soils

Percent of map unit: 3 percent
Landform: Hillslopes
Landform position (two-dimensional): Backslope, summit
Down-slope shape: Convex
Across-slope shape: Convex
Other vegetative classification: Moist Loams (ML2)

Opequon, silty clay loam soils

Percent of map unit: 2 percent

Map Unit Description

Jefferson County, West Virginia

Landform: Upland slopes
Landform position (two-dimensional): Backslope
Down-slope shape: Convex
Across-slope shape: Convex
Other vegetative classification: Not Suited (NS)

Map Unit Description

Jefferson County, West Virginia

HbC Hagerstown silt loam, 8 to 15 percent slopes

Setting

Landscape: Karst
Elevation: 300 to 600 feet
Mean annual precipitation: 33 to 46 inches
Mean annual air temperature: 40 to 64 degrees F
Frost-free period: 141 to 168 days

Composition

Hagerstown, silt loam, and similar soils: 85 percent
Minor components: 15 percent

Description of Hagerstown, silt loam

Setting

Landform: Hillslopes
Landform position (two-dimensional): Backslope, summit
Down-slope shape: Convex
Across-slope shape: Convex
Parent material: Clayey residuum weathered from limestone

Properties and Qualities

Slope: 8 to 15 percent
Drainage class: Well drained
Capacity of the most limiting layer to transmit water (Ksat): Moderately high or high (0.60 to 2.00 in/hr)
Calcium carbonate maximum: 0 percent
Gypsum maximum: 0 percent
Available water capacity: High (about 10.3 inches)

Interpretive Groups

Land capability (non irrigated): 3e
Other vegetative classification: Moist Loams (ML2)

Typical Profile

0 to 4 inches: silt loam
4 to 14 inches: silt loam
14 to 65 inches: silty clay

Minor Components

Funkstown, silt loam soils

Percent of map unit: 5 percent
Landform: Drainageways
Landform position (two-dimensional): Toeslope
Down-slope shape: Concave
Across-slope shape: Concave
Other vegetative classification: Moist Loams (ML2)

Vertrees, silt loam soils

Percent of map unit: 5 percent
Landform: Hillslopes
Landform position (two-dimensional): Backslope
Down-slope shape: Convex
Across-slope shape: Convex
Other vegetative classification: Moist Loams (ML2)

Duffield, silt loam soils

Percent of map unit: 3 percent
Landform: Hillslopes
Landform position (two-dimensional): Backslope, summit
Down-slope shape: Convex
Across-slope shape: Convex
Other vegetative classification: Moist Loams (ML2)

Opequon, silty clay loam soils

Percent of map unit: 2 percent

Map Unit Description

Jefferson County, West Virginia

Landform: Upland slopes
Landform position (two-dimensional): Backslope
Down-slope shape: Convex
Across-slope shape: Convex
Other vegetative classification: Not Suited (NS)

Map Unit Description

Jefferson County, West Virginia

HeB Hagerstown silt loam, 3 to 8 percent slopes, very rocky

Setting

Landscape: Karst
Elevation: 300 to 600 feet
Mean annual precipitation: 33 to 46 inches
Mean annual air temperature: 40 to 64 degrees F
Frost-free period: 141 to 168 days

Composition

Hagerstown, silt loam, and similar soils: 75 percent
Minor components: 25 percent

Description of Hagerstown, silt loam

Setting

Landform: Hillslopes
Landform position (two-dimensional): Backslope, summit
Down-slope shape: Convex
Across-slope shape: Convex
Parent material: Clayey residuum weathered from limestone

Properties and Qualities

Slope: 3 to 8 percent
Drainage class: Well drained
Capacity of the most limiting layer to transmit water (Ksat): Moderately high or high (0.60 to 2.00 in/hr)
Calcium carbonate maximum: 0 percent
Gypsum maximum: 0 percent
Available water capacity: High (about 10.3 inches)

Interpretive Groups

Land capability (non irrigated): 3s
Other vegetative classification: Moist Loams (ML2)

Typical Profile

0 to 4 inches: silt loam
4 to 14 inches: silt loam
14 to 65 inches: silty clay

Minor Components

Vertrees, silt loam soils

Percent of map unit: 10 percent
Landform: Hillslopes
Landform position (two-dimensional): Backslope
Down-slope shape: Convex
Across-slope shape: Convex
Other vegetative classification: Moist Loams (ML2)

Funkstown, silt loam soils

Percent of map unit: 5 percent
Landform: Drainageways
Landform position (two-dimensional): Toeslope
Down-slope shape: Concave
Across-slope shape: Concave
Other vegetative classification: Moist Loams (ML2)

Opequon, silty clay loam soils

Percent of map unit: 5 percent
Landform: Upland slopes
Landform position (two-dimensional): Backslope
Down-slope shape: Convex
Across-slope shape: Convex
Other vegetative classification: Not Suited (NS)

Rock outcrop

Percent of map unit: 5 percent

Map Unit Description

Jefferson County, West Virginia

Map Unit Description

Jefferson County, West Virginia

HeC Hagerstown silt loam 8 to 15 percent slopes, very rocky

Setting

Landscape: Karst
Elevation: 300 to 600 feet
Mean annual precipitation: 33 to 46 inches
Mean annual air temperature: 40 to 64 degrees F
Frost-free period: 141 to 168 days

Composition

Hagerstown, silt loam, and similar soils: 75 percent
Minor components: 25 percent

Description of Hagerstown, silt loam

Setting

Landform: Hillslopes
Landform position (two-dimensional): Backslope, summit
Down-slope shape: Convex
Across-slope shape: Convex
Parent material: Clayey residuum weathered from limestone

Properties and Qualities

Slope: 8 to 15 percent
Drainage class: Well drained
Capacity of the most limiting layer to transmit water (Ksat): Moderately high or high (0.60 to 2.00 in/hr)
Calcium carbonate maximum: 0 percent
Gypsum maximum: 0 percent
Available water capacity: High (about 10.3 inches)

Interpretive Groups

Land capability (non irrigated): 3e
Other vegetative classification: Moist Loams (ML2)

Typical Profile

0 to 4 inches: silt loam
4 to 14 inches: silt loam
14 to 65 inches: silty clay

Minor Components

Vertrees, silt loam soils

Percent of map unit: 10 percent
Landform: Hillslopes
Landform position (two-dimensional): Backslope
Down-slope shape: Convex
Across-slope shape: Convex
Other vegetative classification: Moist Loams (ML2)

Rock outcrop

Percent of map unit: 5 percent

Opequon, silty clay loam soils

Percent of map unit: 5 percent
Landform: Upland slopes
Landform position (two-dimensional): Backslope
Down-slope shape: Convex
Across-slope shape: Convex
Other vegetative classification: Not Suited (NS)

Funkstown, silt loam soils

Percent of map unit: 5 percent
Landform: Drainageways
Landform position (two-dimensional): Toeslope
Down-slope shape: Concave
Across-slope shape: Concave
Other vegetative classification: Moist Loams (ML2)

Map Unit Description

Jefferson County, West Virginia

Map Unit Description

Jefferson County, West Virginia

HgE Hagerstown-Opequon-Rock outcrop complex, 15 to 35 percent slopes

Setting

Landscape: Karst
Elevation: 300 to 600 feet
Mean annual precipitation: 33 to 46 inches
Mean annual air temperature: 40 to 64 degrees F
Frost-free period: 141 to 168 days

Composition

Hagerstown, silt loam, and similar soils: 45 percent
Opequon, silty clay loam, and similar soils: 30 percent
Rock outcrop: 20 percent
Minor components: 5 percent

Description of Hagerstown, silt loam

Setting

Landform: Hillslopes
Landform position (two-dimensional): Backslope, summit
Down-slope shape: Convex
Across-slope shape: Convex
Parent material: Clayey residuum weathered from limestone

Properties and Qualities

Slope: 15 to 35 percent
Drainage class: Well drained
Capacity of the most limiting layer to transmit water (Ksat): Moderately high or high (0.60 to 2.00 in/hr)
Calcium carbonate maximum: 0 percent
Gypsum maximum: 0 percent
Available water capacity: High (about 10.3 inches)

Interpretive Groups

Land capability (non irrigated): 7s
Other vegetative classification: Very Rocky, Limy Soils (RL2)

Typical Profile

0 to 4 inches: silt loam
4 to 14 inches: silt loam
14 to 65 inches: silty clay

Description of Opequon, silty clay loam

Setting

Landform: Upland slopes
Landform position (two-dimensional): Backslope
Down-slope shape: Convex
Across-slope shape: Convex
Parent material: Clayey residuum weathered from limestone, unspecified

Properties and Qualities

Slope: 15 to 35 percent
Depth to restrictive feature: 12 to 20 inches to Lithic bedrock
Drainage class: Well drained
Capacity of the most limiting layer to transmit water (Ksat): Moderately high or high (0.20 to 1.98 in/hr)
Calcium carbonate maximum: 0 percent
Gypsum maximum: 0 percent
Available water capacity: Very low (about 2.3 inches)

Interpretive Groups

Other vegetative classification: Very Rocky, Limy Soils (RL2)

Typical Profile

0 to 6 inches: silty clay loam
6 to 16 inches: clay

Map Unit Description

Jefferson County, West Virginia

Description of Rock outcrop

Properties and Qualities

Slope: 15 to 35 percent

Depth to restrictive feature: 0 to 0 inches to Lithic bedrock

Capacity of the most limiting layer to transmit water (Ksat): Moderately low or high (0.06 to 5.95 in/hr)

Gypsum maximum: 0 percent

Typical Profile

0 to 60 inches: unweathered bedrock

Minor Components

Funkstown, silt loam soils

Percent of map unit: 5 percent

Landform: Drainageways

Landform position (two-dimensional): Toeslope

Down-slope shape: Concave

Across-slope shape: Concave

Other vegetative classification: Moist Loams (ML2)

Map Unit Description

Jefferson County, West Virginia

HrC Hagerstown-Rock outcrop complex, 8 to 15 percent slopes

Setting

Landscape: Karst
Elevation: 300 to 600 feet
Mean annual precipitation: 33 to 46 inches
Mean annual air temperature: 40 to 64 degrees F
Frost-free period: 141 to 168 days

Composition

Hagerstown, silt loam, and similar soils: 65 percent
Rock outcrop: 20 percent
Minor components: 15 percent

Description of Hagerstown, silt loam

Setting

Landform: Hillslopes
Landform position (two-dimensional): Backslope, summit
Down-slope shape: Convex
Across-slope shape: Convex
Parent material: Clayey residuum weathered from limestone

Properties and Qualities

Slope: 8 to 15 percent
Drainage class: Well drained
Capacity of the most limiting layer to transmit water (Ksat): Moderately high or high (0.60 to 2.00 in/hr)
Calcium carbonate maximum: 0 percent
Gypsum maximum: 0 percent
Available water capacity: High (about 10.3 inches)

Interpretive Groups

Land capability (non irrigated): 6s
Other vegetative classification: Very Rocky, Limy Soils (RL2)

Typical Profile

0 to 4 inches: silt loam
4 to 14 inches: silt loam
14 to 65 inches: silty clay

Description of Rock outcrop

Properties and Qualities

Slope: 8 to 15 percent
Depth to restrictive feature: 0 to 0 inches to Lithic bedrock
Capacity of the most limiting layer to transmit water (Ksat): Moderately low or high (0.06 to 5.95 in/hr)
Gypsum maximum: 0 percent

Typical Profile

0 to 60 inches: unweathered bedrock

Minor Components

Opequon, silty clay loam soils

Percent of map unit: 10 percent
Landform: Upland slopes
Landform position (two-dimensional): Backslope
Down-slope shape: Convex
Across-slope shape: Convex
Other vegetative classification: Not Suited (NS)

Funkstown, silt loam soils

Percent of map unit: 5 percent
Landform: Drainageways
Landform position (two-dimensional): Toeslope
Down-slope shape: Concave

Map Unit Description

Jefferson County, West Virginia

Across-slope shape: Concave
Other vegetative classification: Moist Loams (ML2)

La Lappans (marl) loam

Setting

Landscape: Karst
Elevation: 300 to 700 feet
Mean annual precipitation: 33 to 46 inches
Mean annual air temperature: 40 to 64 degrees F
Frost-free period: 141 to 168 days

Composition

Lappans, marl loam, and similar soils: 95 percent
Minor components: 5 percent

Description of Lappans, marl loam

Setting

Landform: Flood plains
Landform position (two-dimensional): Toeslope
Down-slope shape: Linear
Across-slope shape: Linear
Parent material: Calcareous loamy lacustrine deposits derived from marl

Properties and Qualities

Slope: 0 to 3 percent
Drainage class: Well drained
Capacity of the most limiting layer to transmit water (Ksat): Moderately high or high (0.57 to 5.95 in/hr)
Depth to water table: About 48 to 72 inches
Frequency of flooding: Occasional
Frequency of ponding: None
Calcium carbonate maximum: 99 percent
Gypsum maximum: 0 percent
Available water capacity: High (about 10.1 inches)

Interpretive Groups

Land capability (non irrigated): 2w
Other vegetative classification: Moist Loams (ML2)

Typical Profile

0 to 7 inches: marly loam
7 to 42 inches: marly loam
42 to 64 inches: marly clay loam
64 to 99 inches: marly loam

Minor Components

Fairplay, marl silt loam soils

Percent of map unit: 5 percent
Landform: Flood plains
Landform position (two-dimensional): Toeslope
Down-slope shape: Linear
Across-slope shape: Linear
Other vegetative classification: Wetlands (W2)

APPENDIX

C

DECLARATION OF RESERVATIONS AND RESTRICTIVE COVENANTS

BROOKSTONE RIDGE SUBDIVISION

THIS DECLARATION, made this _____ day of _____, 20____, by Robert S. Leonard and Amy R. Lamp Leonard (“Developer”).

WITNESSETH:

WHEREAS, Developer is the owner of the real property described in Article II of this Declaration and desires to create thereon a primarily residential community, with Roads and Other Common Facilities (as hereinafter defined) for the benefit of said community; and

WHEREAS, Developer desires to provide for the preservation of the values and amenities in said community and for the maintenance, including snow removal, of all Roads and Other Common Facilities (as hereinafter defined), and to this end, desires to subject the real property described in said Article II to the covenants, restrictions, easements, charges and liens hereinafter set forth, each and all of which is and are for the benefit of said property and each Owner thereof; and

WHEREAS, Developer has deemed it desirable for the efficient preservation of the values and amenities in said community to create an agency to which should be delegated and assigned the powers of maintaining and administering the community program and facilities, and administering and enforcing the covenants and restrictions, and collecting and disbursing the assessments and charges hereinafter created; and

WHEREAS, Developer will or has incorporated under the laws of the State of West Virginia as a non-profit, non-stock corporation, The Brookstone Ridge Homeowners Association, Inc., for the purpose of exercising the functions aforesaid.

NOW, THEREFORE, the Developer declares that the real property described in Article II hereunder is and shall be held, transferred, sold, conveyed and occupied subject to the covenants, restrictions, easements, charges and liens (sometimes referred to as "Covenants and Restrictions") hereinafter set forth.

ARTICLE I
DEFINITIONS

The following words when used in this Declaration or any Supplemental Declaration (unless the context shall prohibit) shall have the following meanings:

(a) "Association" shall mean and refer to The Brookstone Ridge Homeowners Association, Inc.

(b) "The Properties" shall mean and refer to all such existing properties as are subject to this Declaration, or any supplemental Declaration, as described in Article II, Section 1, hereof.

(c) "Roads and Other Common Facilities" shall mean the areas of land shown on any recorded subdivision plat(s) of The Properties which are intended to be devoted to the common use of the owners of The Properties and include any “Common Area(s)” as labeled on said plat(s).

(d) "Lot" shall mean and refer to any tract or plot of land, except a Common Area, as shown upon any recorded subdivision plat of The Properties.

(e) "Owner" shall mean and refer to the record owner, whether one or more persons or entities, of the fee simple title to any Lot situated upon The Properties but, notwithstanding any applicable theory of mortgage law, shall not mean or refer to the mortgagee unless and until such mortgagee has acquired title pursuant to foreclosure or proceedings in lieu of foreclosure.

(f) "Member" shall mean and refer to all those Owners who are or become members of the Association as provided in Article III, Section 1, hereof.

ARTICLE II
PROPERTIES SUBJECT TO THIS DECLARATION

Section 1. Lot. The real property which is, and shall be, held, transferred, sold, conveyed, and occupied subject to this Declaration is located in the Shepherdstown District of Jefferson County, West Virginia.

Lots 1 – 7, inclusive, Brookstone Ridge Subdivision, and the Child to Parent Lot, located within Brookstone Ridge Subdivision, as are more fully shown upon a Plat of Survey thereof prepared by Alpha Associates, Incorporated, dated _____, 2006, and recorded in the Office of the Clerk of the County Commission of Jefferson County, West Virginia, in Plat Book _____, at page _____, and any subsequent re-plats or re-surveys thereof.

AND BEING part of the same real estate conveyed to Robert S. Leonard and Amy R. Lamp (now known as Amy R. Lamp Leonard), by deed from Virginia L. Riner and C. Archie Riner, wife and husband, dated December 6, 1999, recorded in the Office of the Clerk of the County Commission of Jefferson County, West Virginia, in Deed Book 932, page 741, all of which real property shall hereafter be referred to as "Existing Property."

Section 2. Additions to Existing Property. Additional land may become subject to this Declaration in the following manner:

(a) WITHOUT CONSENT: Additional land, including but limited to future sections of the Brookstone Ridge Subdivision, if any, may be annexed by the Developer without the consent of Members, provided, however, that street widths shall remain substantially the same as those initially constructed, and further provided that the land use restrictions shall remain substantially the same as provided for in this said Declaration. Provided, however, that no additional Lots annexed pursuant to this Section to the Existing Property shall be less than two (2) acres in size.

(b) OTHER ADDITIONS WITH CONSENT. Additional property and common areas may be annexed to The Existing Property with the consent of a majority of each class pursuant to a vote of the Association's Members.

(c) SUPPLEMENTARY DECLARATION. The additions authorized under the two preceding subsections shall be made by filing of record a Supplementary Declaration of Covenants and Restrictions with respect to the additional property, which shall extend the scheme of the Covenants and Restrictions of this Declaration to such property. Such Supplementary Declaration may contain such

complimentary additions and modifications to the Covenants and Restrictions contained in this Declaration as may be necessary to reflect the different character, if any, of the added properties and as are not inconsistent with the scheme of this Declaration. In no event, however, shall such Supplementary Declaration revoke, modify, or add to the Covenants established by this Declaration within The Existing Property after final conveyance by the Developer.

(d) MERGERS. Upon merger or a consolidation of the Association with another Association as provided in the Articles of Incorporation, the properties, rights, and obligations of The Brookstone Ridge Homeowners Association, Inc., may, by operation of law, be transferred to another surviving or consolidated association, or alternatively, the properties, rights and obligations of another association may, by operation of law, be added to the properties, rights and obligations of The Brookstone Ridge Homeowners Association, Inc., as a surviving corporation pursuant to a merger. The surviving or consolidated association shall administer the Covenants and Restrictions established by this Declaration or any supplemental Declaration for the Existing Property, together with the covenants and restrictions established upon any other properties, as one scheme. No such merger or consolidation, however, shall effect any revocation, change, or addition to the covenants established by the Declaration(s) within the Existing Property, except as hereinafter provided. Any such proposed merger or consolidation shall be approved by at least sixty percent (60%) of the membership of The Brookstone Ridge Homeowners Association, Inc., or shall be prohibited.

Section 3. Amendment of Declaration and Conflict. Developer reserves the right to amend, delete or add to this Declaration or any supplemental Declaration on a property-wide or individual basis at any time by subsequent recorded document, but in no event shall such subsequent recordation apply retroactively to eliminate rights previously conveyed by Developer with other Lots except as may be permitted elsewhere in this Declaration. In the event of any conflict between the plat or subsequently recorded subdivision documents, the most restrictive provision shall apply.

Section 4. Plat Amendment. Developer, their representatives and assigns, reserve the right to modify the plans of the subdivision plat, to change the size and boundaries of any Lots owned by Developer, change the size and shape of blocks, sections and Lots, and the directions and location of streets and other ways shown thereon, or of annulling the same; provided, however, that no change shall be made which shall alter the shape or size of any Lot which has been sold, or the direction of any street or way upon which it abuts so as to cut such Lot off from convenient access to public highways, without the consent of the Owner thereof.

ARTICLE III MEMBERSHIP AND VOTING RIGHTS IN THE ASSOCIATION

Section 1. Membership. Every person or entity who is a record Owner of a fee, or undivided fee, interest in any Lot which is subject by covenants of record to assessment by the Association, shall be a Member of the Association, provided that any such person or entity who holds such interest merely as a security for the performance of an obligation shall not be a Member, and further provided that the Developer, without regard to the assessments required as set forth herein, shall be entitled to one membership for each Lot for which it is a record Owner of a fee interest.

Section 2. Voting Rights. The Association shall have two classes of voting membership, which shall, except for the distinctions set forth herein, be equal in all respects.

Class A. Class A members shall be all those Owners as defined in Section 1, with the exception of the Developer. Class A Members shall be entitled to one (1) vote for each Lot in which they hold the interests required for membership by Section 1. When more than one (1) person holds such interest or

interests in any Lot, such persons shall be members, and the vote for such Lot shall be exercised as they among themselves determine, but in no event shall more than one (1) vote be cast with respect to any such Lot.

Class B. Class B membership shall be limited to the Developer. The Class B Member shall be entitled to three (3) votes for each Lot in which it holds the interest required for membership by Section 1. The Class B membership shall cease when the Developer owns no more Lots in the Existing Property.

Section 3. Members' Voting Rights Subject to Assessment. Each Member's right to vote is subject to that Member's good standing with the Association. Every Member of the Association shall ensure that any assessment due for each Lot owned is current with the Association. In the event of a default continuing in excess of two (2) months from the due date of an annual assessment, delinquent payers or Members shall automatically be prohibited from voting privileges on issues exclusively concerning monetary expenditures. Voting privileges shall be reinstated upon delinquent assessments being brought current with the Association, which assessments may then include statutory interest due for the period of default. Delinquent Members must apply to the Association Board of Directors for reinstatement, and the Association Minutes shall reflect the default and reinstatement of the Board. This provision shall not supersede the right of the Association to attach a lien to any Lot with overdue assessments, and shall not prevent the Association from pursuing any other available remedy against delinquent Lot owners.

ARTICLE IV PROPERTY RIGHTS IN THE COMMON PROPERTIES

Section 1. Members' Easements of Enjoyment. Every Member of the Association, including Developer, their representatives, agents and assigns, shall have a right and easement of enjoyment in and to the Roads and Other Common Facilities. A right of use of same and like easement shall be appurtenant to and shall pass with the title to every Lot; provided, however, that the Developer, their representatives, agents and assigns shall enjoy said easements and rights of use and enjoyment perpetually, regardless of whether the Developer owns any Lots. Developer reserves an easement to maintain sales offices within the Existing Property, and to erect sales signs within the Existing Property in locations chosen by Developer. An easement to complete construction of all facilities and utilities in the Existing Property is also reserved by Developer and is assignable at Developer's discretion. Developer may permit the use of the Roads and Other Common Facilities by purchasers or potential purchasers at Developer's discretion. Developer reserves the perpetual, non-exclusive, assignable right to the use of all Roads and Other Common Facilities for any purpose at any time, including, but not limited to, providing access to and from other properties and subdivisions for their owners, guests and invitees at any time and from time to time. In the event the Roads and Other Common Facilities are so utilized by such others, the Association shall invoke the right of collecting maintenance from the user owners, who shall in turn be provided the same voting rights as to the Roads and Other Common Facilities as the Members of the Association.

Section 2. Extent of Members' Easements. The rights and easements of enjoyment created hereby shall be subject to the right of the Association to dedicate or transfer the maintenance responsibilities for the Roads and Other Common Facilities to any public agency, authority, or utility for such purposes and subject to such conditions as may be agreed to by the members, provided that no such dedication or transfer, or determination as to the purposes for the same or as to the conditions thereof, shall be effective unless the provisions in the Articles of Incorporation for the Association as to such transfer are complied with.

ARTICLE V
COVENANT FOR MAINTENANCE ASSESSMENTS

Section 1. Creation of the Lien and Personal Obligation of Assessments. Except the Developer and the Owners of Lots not subject to maintenance assessments under Section 10(d) herein, each Owner of a Lot in the Existing Property, by acceptance of a Deed therefore, whether or not it shall be so expressed in any such Deed or other conveyance, shall be deemed to covenant and agree to pay to the Association the annual assessments to be fixed, established, and collected from time to time as hereinafter provided. The annual assessments, together with such interest thereon and costs of collection thereof, shall be a charge on the land and shall be a continuing lien upon the Lot against which each such assessment is made. Each such assessment, together with legal interest thereon and the cost of collection thereof, shall also be the personal obligation of each person who was the owner of such property at the time when the assessment fell due. Nothing herein shall be construed as requiring the Developer to maintain the Roads and Other Common Facilities or any Lots after Developer ceases to own the same, and in consideration of the initial construction, said Developer shall be exempt from collection of assessments regardless of the number of Lots owned by Developer.

Section 2. Purpose of Assessments. The assessments levied by the Association shall be used exclusively for the purpose of promoting the health, safety, and welfare of the Owners of real estate within the Existing Property, the improvement and maintenance of Roads and Other Common Facilities devoted to this purpose and related to the use and enjoyment of the common facilities. Such levies may be expended specifically to include, but are not limited to, the payment of taxes, insurance and expenses for utilities on any common facilities, and repair, replacement, and additions thereto, and for the cost of labor, equipment, materials, management, and supervision thereof, and such other purposes as may be set forth in the Articles of Incorporation and the By-Laws of the Association. The Association shall obtain and keep current the insurance required by West Virginia Code 36B-3-113, as amended.

Section 3. Basis and Maximum of Annual Assessments. The maximum annual assessment shall be \$300.00 per assessed Lot, in accordance with West Virginia Code 36B-1-203(2) (1994), as adjusted pursuant to West Virginia Code 36B-1-114, as amended. The assessment may be reduced annually by a vote of the Members as hereinafter provided. The officers and Board of Directors of the Association shall at all times maintain and operate the Association on a non-profit basis. Unless otherwise provided herein or in the Association articles and bylaws, any change in assessments shall have the assent of a majority of the votes of each class of members who are voting in person or by proxy at a regular or duly called special meeting pursuant to the advancement of provisions contained in the Association documents aforesaid.

Section 4. Assessment Account Balance. Notwithstanding the above assessment adjustment provisions, no decrease in the assessment amounts under Two Hundred Dollars (\$200.00) annually per Lot shall occur unless the assessment fund account reflects a balance of at least Fifty Thousand Dollars (\$50,000.00).

Section 5. Date of Commencement of Annual Assessments. The annual assessments provided for herein shall be on a calendar year basis, due and payable by the first business day in January annually. Lot owners purchasing from Developer will be responsible for payment at closing of the assessment pro-rated to the end of the year in which they purchase, at the initial rate of Two Hundred Dollars (\$200.00) annually. Such pro-rated assessments may be utilized by Developer for the maintenance of the Roads and other Common Facilities during the period of Developer ownership thereof. Developer may collect such annual assessments as are herein provided to fund such maintenance during the ownership period, and Developer shall enjoy all remedies of the Association in the event of non-payment of the assessment by Lot Owners. Assessments paid

to the Developer shall be held in an interest-bearing bank account and unused funds shall be transferred to the Association upon its initial elections of officers comprised of Owners at the time the initial Directors of the Association resign. Subject to other conditions herein, the meeting for elections may be held at the Developer's discretion. At that meeting, the Developer will execute a Deed to the Association for the Roads and Other Common Facilities and will attend to the prompt recordation thereof in the aforesaid County. The Association shall accept such Deed and the ownership of said Roads and Other Common Facilities at that time, provided, however, that Developer shall not deed the Roads and Other Common Facilities to the Association nor organize initial elections from the Owners of Lots therein until the Roads and Other Common Facilities have been completed in accordance with any County specifications.

Section 6. Assessment Certificates. The Association shall upon demand at any time furnish to any Owner liable for said assessments a certificate in writing signed by a duly authorized officer of the Association, setting forth whether said assessment has been paid. Such certification so stating shall be conclusive evidence of the payment of any assessment therein stated to have been paid.

Section 7. Assessment as Personal Obligation of the Owner. If an assessment is not paid on the date when due as aforesaid, such assessment shall become delinquent and shall, together with such interest thereon and cost of collection thereof, become a continuing lien on the Lot of the then Owner, his heirs, devisees, personal representatives and assigns. If not reduced to a lien as hereinafter provided, the personal obligation of the then Owner to pay such assessment shall remain his personal obligation for the statutory period and shall not pass to his successors in title unless expressly assumed by them.

Section 8. Remedies of the Association. If the assessment is not paid within thirty (30) days after the delinquency date, the assessment shall bear interest from the date of delinquency at the highest legal rate. The Association or any Owner may bring an action at law against the payor personally obligated to pay the same, and there shall be added to the amount of such assessment the costs of preparing and filing the complaint in such action, and in the event a judgment is obtained, such judgment shall include interest on the assessment as above provided and a reasonable attorney fee to be fixed by the Court together with the costs of the action. In addition, the Association may file a lien attaching the Lot of the non-paying Owner without first obtaining a judgment.

Section 9. Subordination of the Lien to Mortgages. The lien of the assessments provided for herein shall be subordinate to the lien of any mortgage or mortgages now or hereafter filed; provided, however, that such subordination shall apply only to the assessments which have become due and payable prior to a sale or transfer of such property pursuant to a decree of foreclosure, or any other proceeding in lieu of foreclosure. Such sale or transfer shall not relieve such Lot from liability for any assessments thereafter becoming due, nor from the lien of any such subsequent assessment.

Section 10. Exempt Property. Notwithstanding anything herein to the contrary, the following special properties subject to this Declaration shall be exempted from the assessments, charges and liens created herein:

- (a) all properties to the extent of any easement or other interest therein dedicated and accepted by a public authority and devoted to public use;
- (b) all properties exempted from taxation by the laws of the State of West Virginia, upon the terms and to the extent of such legal exemption; and

- (c) all properties owned by Developer during the period of Developer ownership only, whether during initial, original ownership or pursuant to foreclosure or proceedings in lieu of foreclosure.

ARTICLE VI
SETBACK MINIMUMS

No building or any part thereof shall be erected on any Lot closer or nearer than forty (40) feet from the front street lines, fifteen (15) feet from the side boundary lines, and fifty (50) feet from the rear boundary lines.

ARTICLE VII
UTILITY EASEMENTS AND ROAD RIGHT-OF-WAY

The Developer reserves unto themselves, their successors and assigns, the right to construct and maintain all utility and electric lines, or to grant rights-of-way therefore, with the right of ingress and egress for the purpose of installing or maintaining the same on, over or under the utility easements or rights of way shown on any plat of the Existing Properties. Such utility easements are to include, but are not limited to, telephone or electric light poles, conduits, equipment, sewer, gas and water lines. Any Owner placing structures, plantings or improvements or other materials within the aforesaid easements undertakes any interference with the utility easements at his or her own risk and is deemed to waive any and release any and all parties from any and all claims or damages to said improvements if and when maintenance or other work is performed within the easement area. Each road right-of-way is forty (40) feet in total width, being twenty (20) feet on either side of the roadway center line. Street lines shall be measured from the edge of the right-of-way.

ARTICLE VIII
RESIDENTIAL AND AREA USE

(a) Residential Use. All Lots shall be used for residential and personal retreat purposes only. No more than one (1) dwelling may be erected on any Lot without the approval of the Board of Directors.

(b) Construction Standards. Each Dwelling shall contain not less than 2,500 square feet of floor area. Each residence of more than single-story design shall contain not less than 1,500 square feet of the first floor area. Split foyer designs shall be considered one-story with only the upper level being used to compute floor area. Porches, patios, carports, garages, basements and attics shall not be considered in computing the area for purposes of this restriction. Further, areas on the second floor with less than 7 ½ foot ceilings shall not be considered in computing the area for purposes of this restriction. Variances may be granted by the Board of Directors or its designee with regard to this covenant. Modular homes with a roof pitch of less than 7/12 shall not be permitted. All wells shall be pressure grouted. Chimneys shall be in proportion to the dwelling. There shall be no exposed concrete foundations of a structure, same shall be sided with brick, stone, stucco, brick veneer or stone veneer.

No plastic or aluminum house siding or covering is permitted to be installed on the outside of any improvements including dormers, garages, outbuildings, etc. This restriction applies to siding only and shall not prohibit PVC fencing, posts, pillars, soffits, etc. At least twenty-five percent (25%) of the exterior of each dwelling shall consist of one or more masonry products, including brick, stone, stucco, brick veneer or stone veneer.

Any detached garage or storage building shall be kept in good repair, shall be constructed of new materials and must conform generally in appearance with any dwelling upon a Lot, although such garages or storage buildings need not be constructed of materials identical to an existing dwelling. No such garages or storage buildings shall precede the construction of the dwelling. Each Lot Owner shall maintain any such garages or storage buildings placed upon any Lot and no unsightly or dilapidated buildings or other structures shall be permitted on any Lot.

All driveways must be properly constructed of concrete, pavers or asphalt by the completion of construction of the dwelling.

(c) Construction Period. All exterior construction must be completed and closed within one (1) year of the commencement date of excavation. All dwellings shall have an enclosed permanent foundation.

(d) Lot Maintenance. Each Lot Owner, his successors and assigns, shall be individually responsible for the maintenance of his home and lot and for requiring that the activity thereon shall conform to the restrictive covenants. The property shall be kept reasonably trimmed and neat at all times, including but not limited to the seeding, watering and mowing of all lawns, the pruning and cutting of all trees and shrubbery and the painting or other appropriate external care of all buildings and all improvements, all in a manner and with such frequency as is consistent with good property management. No trash, garbage, rubbish, waste, or other materials shall be deposited on the property except when deposited in covered sanitary containers and the same shall be maintained free from man-made debris and unsightly conditions. The outdoor storage of building materials except for during reasonable periods of active construction and outdoor placement of indoor furniture are examples of conditions that shall be deemed unsightly. Lots must be maintained free from conditions that create nuisances in the subdivision.

The Lot Owner shall keep the improvements upon his lot in good repair in order to prevent the existence of any unsightly condition that reasonably tends to detract from or diminish the aesthetic appearance of the development. Owners shall be specifically responsible for the painting (or other appropriate external care) of all buildings and structures on the lot in a manner and with such frequency as is consistent with good property management and maintenance. Improvements which have been partially or totally destroyed by fire or act of God shall not be permitted to remain in such condition for more than ninety (90) days from the time of such destruction or damage.

In the event that a Lot Owner fails to maintain his home or lot in accord with this section, the Developer, their heirs and assigns, or the Association, not less than ten (10) days after giving notice of the violation(s) and their intentions, through the U.S. Mail, return receipt requested, at the address of the subject lot, or at such other address as the Lot Owner shall have provided in writing to the Developer, their heirs and assigns, or to the Association, shall have the right to enter the lot for the purpose of performing necessary work to correct the failure, such as mowing the lawn and performing necessary clean up work or repairs, including the removal of junk, trash and rubbish, and to assess the owner for all costs so incurred. Said assessment shall constitute a lien against the lot which the Developer, their heirs and assigns, or the Association, as applicable, shall have the right to perfect by recordation and to proceed to suit and judgment for said costs, plus all reasonable costs of collection including attorney fees and expenses incurred in the collection of such assessment, subject however, to the subordination of such lien as set forth in Section 9 of Article V of this Declaration.

(e) Manufactured Homes Prohibited. No mobile homes, house trailers, double-wide trailer homes, mobile homes or manufactured homes as defined by W.Va. Code §17A-1-1(qq), (rr) and (ss) and

42 U.S.C. § 5401, et seq. shall be permitted within the subdivision. It is acknowledged that modular homes are expressly not included within the definition of manufactured homes and shall be permitted. Travel trailers and boats are permitted as long as they are operational, registered and licensed and are not permitted to become unsightly.

(f) Appurtenances. Propane and other above ground tanks, solar devices, chimney flues, hot tubs (by means of a snap cover when not in use), hot tub pumps, swimming pool pumps and filtration systems, satellite dishes, and similarly exposed mechanical equipment, shall be aesthetically concealed from view on all sides and shall be shielded in such a manner as to minimize noise and safety risks, to the extent technically feasible. Perimeter lot fencing shall not exceed four and one half (4 ½) feet in height. No above-ground pool shall be erected, constructed or installed on any Lot. Swimming pools shall be fenced so as to discourage entry over, through or under the fence, with locked gates. Swimming pools shall be properly maintained and property covered in winter.

(g) Sight Distance at Intersection. All Property located at street intersections shall be landscaped so as to permit safe sight across the street corners. No fence, wall, hedge or shrub planting which obscures or obstructs sight lines at elevations between two and six feet above the roadway may be within the triangular area formed by street property lines and an imaginary line connecting them at points seventy-five (75) feet from the intersection of the street lot lines. No trees will be placed, maintained or permitted within this area unless the foliage line is maintained at sufficient height to prevent obstruction of such sight lines.

(h) Rentals. In the event a Lot Owner leases his residence, the Lot Owner has an affirmative duty to provide a copy of all covenants and restrictions to such tenant.

ARTICLE IX SEWAGE; JUNK AND ON-SITE FUEL STORAGE

No dwelling shall be erected or maintained on any Lot unless there is constructed with it a septic system for disposal of sewage, which must be approved by the West Virginia Division of Health. No outside toilet or closet shall be erected on any Lot. Junk, inoperative or unlicensed vehicles or other motor-driven vehicles shall not be stored or kept on any Lot for a total of more than 60 days, unless housed in a garage of the type described above.

No on-site storage of gasoline, heating or other fuels shall be permitted on any part of the Property, except up to twenty (20) gallons of fuel may be stored upon the Lot for emergency purposes, operation of lawn mowers and similar tools or equipment and outdoor grills. However, this shall not prohibit the storage of heating oil or propane gas or other fuels for the heating of enclosed areas providing that the storage tanks are screened and installed as fixtures by those duly qualified to install the same.

ARTICLE X PARKING

No automobiles or other motor vehicles shall be parked in or within twenty-five (25) feet from the rights-of-way or roads of the subdivision, and no on-street parking is permitted by Lot Owners. Visitors, guests, delivery vehicles or others legitimately using said roads and streets are excepted and are permitted to temporarily park along said streets.

ARTICLE XI
ADVERTISING

No advertising signs or billboards of any nature shall be erected, placed or maintained on any Lot, with the exception of address, identification signs, builders' job location signs, real estate signs offering the premises for sale and political campaign signs, none of which exceptions shall exceed four square feet (4') in size. Developer shall have the right to construct subdivision entrance signs and structures, which shall remain erected on the Lot upon which each is situate. The Association shall repair and maintain such signs and structures, and shall have the right to enter upon the Existing Property on which the same are affixed as is reasonably necessary for maintenance. While Developer owns any Lots in The Properties, any signs offering any Lot for sale (other than those Lots owned by Developer) shall be not more than twelve (12) inches square, double-sided, display the words, "For Sale", a telephone number and shall disclose whether the Lot is sold by the Owner or a broker/real estate agent, who shall be identified. Such signs shall be professionally made.

ARTICLE XII
DOMESTIC ANIMALS

No swine, livestock, horses or poultry shall be raised, bred or kept on any Lot for personal use or commercial purposes, but household pets, such as dogs and cats, may be kept provided they are not permitted to run at large so as to become an annoyance to other Lot Owners and further provided that they are not bred or maintained for commercial purposes. No domestic animals or pets shall be permitted which pose a risk to human health and safety or to the safety of other pets which are properly maintained within the Existing Properties. Dogs must be confined to the owners' premises or maintained on a leash at all times. The persistent disturbance created by pets such as the persistent barking of a dog shall not be permitted and may constitute a nuisance for purpose of this covenant and no lot shall be used for the accumulation and/or harboring of pets in a manner that constitutes or creates a nuisance. All pets shall be licensed and vaccinated in accordance with State laws.

ARTICLE XIII
COMMERCIAL USE

No Lot shall be used for commercial purposes, save that Lots may be utilized for in-home occupations although no signs or advertisements thereof will be permitted within the Existing Property, subject to the requirements of all local zoning ordinances. While business invitees thereof all have use of the subdivision roadways, such use shall be for ingress and egress only. Such in-home occupational use shall not be permitted to become a nuisance to other Lot Owners.

ARTICLE XIV
NUISANCE

There shall be no noxious emissions of dust, sweepings, cinders, gases or other substances into the atmosphere, provided that properly operating residential stoves and fire places from residential chimneys and BBQ grill emissions, as well as properly operated motors used in the ordinary course of residential living, and the lawful burning of brush shall not be deemed included within this prohibition. The burning of household trash is expressly included within this prohibition.

No noxious, illegal, or offensive use of property shall be permitted on any Lot, nor shall anything be done thereon that may be, or become, an annoyance or nuisance to the neighborhood. Excessive noise that intrudes upon the peaceful enjoyment of a resident's property, including, but not limited to, vehicular engine

noise and sound systems emanating from a vehicle, is not permitted. The directing of spot lights or flood lights upon surrounding lots so as to cause annoyance is not permitted.

Nor shall the Existing Property be used for any purpose, which may endanger the health or unreasonably disturb the quiet enjoyment of any occupant of adjacent or neighboring properties.

The discharge of any firearms within the Existing Property is prohibited.

ARTICLE XV
WASTE; HAZARDOUS USES

No Lot shall be used or maintained as a dumping ground for rubbish. Trash, garbage, or other waste shall not be kept except in sanitary containers. All containers or other equipment for the storage or disposal of such materials shall be kept in a clean and sanitary condition. All Lots shall be kept free and clear of trash and rubbish at all times and shall be kept mown, and no salvage or junk yard operations are permitted within The Existing Properties. Each Lot Owner is responsible for obtaining weekly trash collection service. The Association shall ensure that trash collection is provided to each Lot regardless of whether the Lot is occupied, and trash collection charges shall be collectable from Lot Owners not complying with the sanitation requirements of the covenants in addition to the assessment set forth herein. The lien procedure available for delinquent payments shall be utilized in order to ensure the non-accumulation of waste in the Existing Property.

Nothing shall be done or kept on the properties which will increase the rate of insurance applicable for permitted uses for other lots or the common areas or any part thereof without prior written consent of the Developer, their heirs and assigns, including, without limitation, any activities which are unsafe or hazardous with respect to any person or property. No person shall permit anything to be done or kept on the properties which will result in the cancellation of any insurance on any other lot, or the common areas or any part thereof or which would be in violation of any law, regulation or administrative ruling. No vehicle of any size which transports flammable or combustible or explosive charge may be kept or driven on the common areas or on any lot area at any time, except in the case of vehicles carrying flammable materials to be used in licensed and authorized construction and blasting, propane tanks and other like substances reasonably and customarily necessary for the full use and enjoyment of residential real estate. Each owner shall comply with all Federal, State and local statutes, regulations, ordinances, or other rules intended to protect the public health and welfare as related to land, water, groundwater, air or other aspects of the natural environment (the "Environmental Laws"). Environmental Laws shall include, but are not limited to, those laws regulating the use, generation, storage or disposal of hazardous substances, toxic wastes and other environmental contaminants (collectively, the "Hazardous Materials"). No Lot Owner shall knowingly use, generate, manufacture, store, release, dispose of or knowingly permit to exist in, on, under or about such owner's lot and the common areas, or any portion of the properties, or transport to or from any portion of these properties any Hazardous Materials except in compliance with the Environmental Laws. No waste shall be committed on the common areas.

ARTICLE XVI
VEHICLES

No trail bikes, mini-bikes or similar all terrain vehicles, or snowmobiles shall be permitted to be driven upon the roads within The Existing Property.

ARTICLE XVII
CAMPING

Use of the Lots for camping, which includes, but is not limited to, tents, travel trailers/campers and recreational vehicles, shall not be permitted.

ARTICLE XVIII
SWALE AND DRAINAGE AREAS

All drainage patterns and swale areas shown on the plat across Lots within The Existing Property are reserved and shall not be disturbed, barricaded or filled. Permanent easements are reserved over these natural patterns for storm water runoff.

ARTICLE XIX
VIOLATIONS

In the event of violations or the Association's enforcement of any of the covenants and restrictions applying to The Existing Property, the costs and expenses attendant thereto shall be paid by the violator as part of any judgment or remedy obtained.

ARTICLE XX
NO FURTHER SUBDIVISION

No Lot within The Existing Property shall be further subdivided, divided or portioned in any way by sale, gift, devise or other method, except to allow for nominal boundary line adjustments in accordance with the Jefferson County Land Ordinances. This shall not in any way restrict the Developer's development rights as set forth in the Declaration. Further, no Lot within The Existing Property shall be used as a right of way easement for access to any other Lot or to adjoining real estate without the expressed written permission of the Developer or their assigns.

WITNESS the following signatures and seals.

Robert S. Leonard

Amy R. Lamp Leonard

STATE OF WEST VIRGINIA,
COUNTY OF BERKELEY,

The foregoing instrument was acknowledged before me this ____ day of _____,
20____, by Robert S. Leonard and Amy R. Lamp Leonard, husband and wife.

My commission expires:

(SEAL)

Notary Public

THIS DOCUMENT PREPARED BY:

Amy R. Lamp Leonard, Esquire
Bowles Rice McDavid Graff and Love, LLP
Post Office Drawer 1419
Martinsburg, West Virginia 25402

Please mail to the above.

APPENDIX

D



PREMIER
PROPERTIES

907 NORTH ROYAL AVENUE
FRONT ROYAL, VA 22630
BUS. (540) 636-7700
FAX (540) 636-7892

1682 S. PLEASANT VALLEY RD.
WINCHESTER, VA 22601
BUS. (540) 662-4500
FAX (540) 662-4742

1010 OX ROAD
WOODSTOCK, VA 22664
BUS. (540) 459-7099
FAX (540) 459-4222

500 FOXCROFT AVENUE
MARTINSBURG, WV 25401
BUS. (304) 263-4800
FAX (304) 263-1200

November 13, 2006

Alpha Associates, Incorporated
535 West King Street
Martinsburg, WV 25401

Gentlemen:

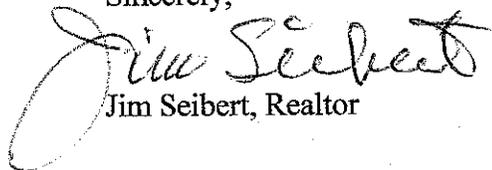
Bob and Amy Leonard are proposing to develop a portion of their land near the Potomac River in the vicinity of Shepherdstown, into seven 3 acre residential lots, including a private road serving the lots. They have requested that I provide a Realtor's opinion of demand for these lots in our market.

The subject property is on relatively flat land, near the Potomac River and near Shepherdstown. Both of these are ideal locations for those seeking land for a home site. Location is a primary concern to those persons desiring to build their home, both retired or working anywhere locally, or in the Washington-Baltimore corridor.

The Realtors' multiple listing service shows ten lots listed for sale in the 2 to 4 acre size range in the Shepherdstown area. As indicated in the attached list, six of the offered properties are in the same subdivision. With the spring building season approaching, the current offerings probably will not be sufficient to meet the demands for the area.

In conclusion, it is my opinion that there is sufficient demand for this product and the location is superior.

Sincerely,


Jim Seibert, Realtor

Metropolitan Regional Information Systems, Inc
Listing Summary

Lot-Land

Status	ML#	Address	ListPrice	Postal City	Lot SF	Lot AC	Zoning	Perc Type/Sites	# Sites	DOMM	DOMP
ACTIVE	JF5391917	Ella Drive	\$159,000	SHEPHERDSTOW	131,987	3.03	NA	Approved Perc/		389	389
ACTIVE	JF5551594	Morgan`S Grove Rd	\$175,900	SHEPHERDSTOW	91,040	2.09	NA	/		238	238
ACTIVE	JF6013643	99 Heather Ln	\$175,000	SHEPHERDSTOW	87,120	2.00	RES	/		214	214
ACTIVE	JF6040212	1 Rattlesnake Run Lane	\$250,000	SHEPHERDSTOW	165,397	3.80	R	Approved Perc/		192	192
ACTIVE	JF6045451	5 Rattlesnake Run Lane	\$270,000	SHEPHERDSTOW	137,867	3.16	R	Approved Perc/ 1		188	188
ACTIVE	JF6045475	6 Rattlesnake Run Lane	\$265,000	SHEPHERDSTOW	135,341	3.11	R	Approved Perc/ 1		188	188
ACTIVE	JF6045512	7 Rattlesnake Run Lane	\$290,000	SHEPHERDSTOW	130,898	3.01	R	Approved Perc/ 1		188	188
ACTIVE	JF6045522	8 Rattlesnake Run Lane	\$290,000	SHEPHERDSTOW	130,898	3.01	R	Approved Perc/ 1		188	188
ACTIVE	JF6045534	9 Rattlesnake Run Lane	\$285,000	SHEPHERDSTOW	130,898	3.01	R	Approved Perc/ 1		188	188
ACTIVE	JF6119823	Tinsley Circle	\$239,000	SHEPHERDSTOW	89,734	2.06	RR	/		124	124

Courtesy of: Jim Seibert

Home: (304) 267-4872

Cell: (304) 264-6597

Company: Coldwell Banker Premier

Office: (304) 263-4800

Office: (304) 263-4800

Email: jimseibert@premiermove

Fax: (304) 263-1200



APPENDIX

E



DIVISION OF NATURAL RESOURCES

Wildlife Resources Section

Operations Center

P.O. Box 67

Elkins, West Virginia 26241-3235

Telephone (304) 637-0245

Fax (304) 637-0250

Joe Manchin III
Governor

Frank Jezioro
Director

July 19, 2006

Mr. Richard W. Klein
Alpha Associates, Inc.
535 West King Street
Martinsburg, WV 25401

Dear Mr. Klein:

We have reviewed our files for information on rare, threatened and endangered (RTE) species and sensitive habitats for the area of the proposed Leonard subdivision in Jefferson County, WV.

We have no known records of any RTE species or sensitive habitats within the project area; however, the federally threatened Madison Cave isopod (*Antrolana lira*) may occur in the project area. In West Virginia, this species is known to occur in a cave near Charles Town, and from groundwater wells near Leetown and Rippon. The Madison Cave isopod may occur in pockets of groundwater throughout the karst areas of Jefferson and Berkeley counties. Please contact the U.S. Fish and Wildlife Service (304-636-6586) regarding any necessary coordination. For more information on the Madison Cave isopod please see the species fact sheet on our website: www.wvdnr.gov/wildlife/RETSpecies.asp.

This response is based on information currently available and should not be considered a comprehensive survey of the area under review.

Thank you for your inquiry, and should you have any questions please feel free to contact me at the above number, extension 2048. Enclosed please find an invoice.

Sincerely,

Barbara Sargent

Environmental Resources Specialist
Natural Heritage Program

enclosure

u:\BDSInv\Alpha.doc

APPENDIX

F

Jefferson County Health Department

ROSEMARIE CANNARELLA, M.D., M.P.H.
HEALTH OFFICER



1948 WILTSHIRE ROAD, SUITE 1
KEARNEYSVILLE, WV 25430
ENVIRONMENTAL: (304) 728-8415
FAX: (304) 728-3314
MEDICAL: (304) 728-8416
FAX: (304) 728-3319

August 4, 2006

Richard W. Klein, PE
Alpha Associates, Incorporated
535 West King Street
Martinsburg, WV 25401

Dear Mr. Klein:

The Jefferson County Health Department has received your request for information regarding contaminated wells within 1000 feet of the proposed Leonard Subdivision. The property is located at the intersection of Shepherd Grade Road and Silver Spring Road.

A review of our records shows that this department is unaware of any bacteriologically contaminated wells within that area. If you have any questions, please contact the Jefferson County Health Department at 728-8415.

Sincerely,

A handwritten signature in cursive script that reads "Rosemarie Cannarella MD MPH".

Rosemarie Cannarella, MD, MPH
Health Officer

Cc: Paul Raco, Jefferson County Planning, Zoning, & Engineering
Richard Wheeler, District Sanitarian, WVBPH
Lisa Dunn, Sanitarian Supervisor



STATE OF WEST VIRGINIA
DEPARTMENT OF HEALTH AND HUMAN RESOURCES
BUREAU FOR PUBLIC HEALTH
OFFICE OF ENVIRONMENTAL HEALTH SERVICES

Joe Manchin III
Governor

Martha Yeager Walker
Secretary

July 18, 2006

Richard W. Klein, P.E.
Alpha Associates, Incorporated
535 West King Street
Martinsburg, WV 25401

RE: Leonard Subdivision
Jefferson County, West Virginia

Dear Mr. Klein:

There are no active public water supply wells within 1,000 feet of the proposed development.
If you have any questions, please call me at 304-725-9453.

Sincerely,

A handwritten signature in cursive script that reads "Alan Marchun".

Alan F. Marchun
Kearneysville District Health Office

AFM:yw

KEARNEYSVILLE DISTRICT OFFICE
1948 Wiltshire Road, Suite 6
Kearneysville, West Virginia 25430
Telephone: 304-725-9453 Fax: 304-725-3108

APPENDIX

G



Natural Resources Conservation Service
209 East Third Avenue
Ranson, WV 25438

July 17, 2006

Mr. Richard Klein, PE
Alpha Associates, Inc.
230 West King Street
Martinsburg, WV 25401

Subject: Leonard Subdivision

Dear Mr. Klein,

As per your request, enclosed you will find an aerial photo of the proposed Leonard Subdivision with our "Known Sinkhole" data layer shown. According to the data collected by the USGS in the early 1990's there are sinkholes in or near the project site. We recommend an on-site visit to ground proof the data and to check for additional sinkholes that may have formed since 1990 and to mark the exact location of the sinkholes.

I hope this information will be of value to you. Should you need further assistance, please call.

Respectfully,

A handwritten signature in black ink, appearing to read "R. Schnably", written over a horizontal line.

Robert Schnably
District Conservationist

Enclosures

Known Sinkholes



Customer(s): Alpha Associates, Inc
Leonard Subdivision

District: EASTERN PANHANDLE CONSERVATION DISTRICT

Field Office: RANSON SERVICE CENTER

Agency: NRCS



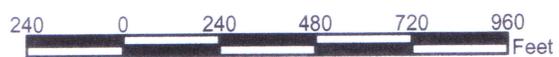
Legend

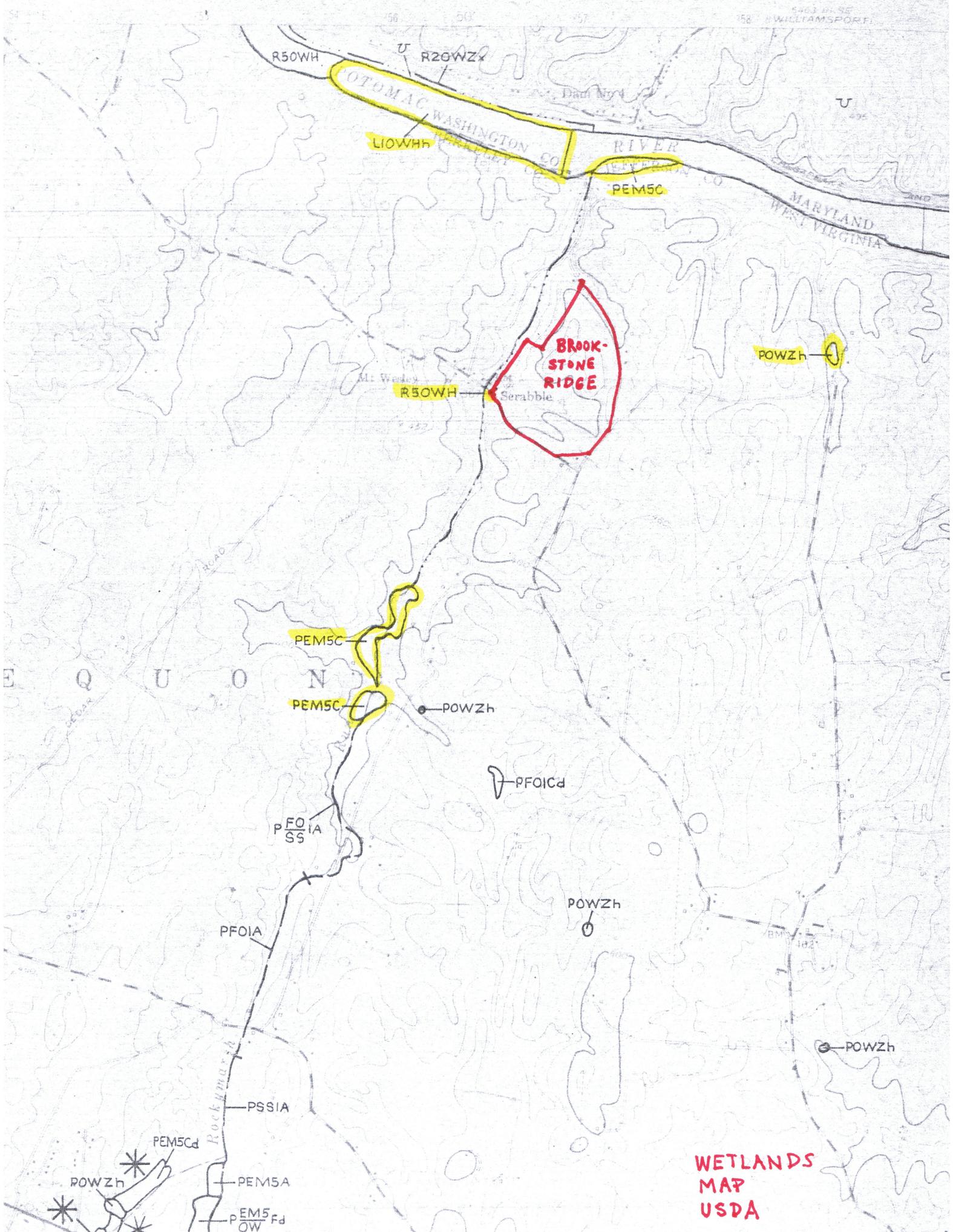
- Known Sinkholes

Note:

Sinkhole locations are approximate.
Not all sinkholes have been identified
or located on this map.

Image: USGS Topo Map





POTOMAC RIVER
WASHINGTON CO
LIOWH
R50WH
R20WZ

BROOKSTONE RIDGE
R50WH
Serabble

PEM5C
PEM5C
POWZh

PFOIA
SS

PFOICd

POWZh

POWZh

PFOIA

PSSIA

PEM5Cd

ROWZh

PEM5A

PEM5Fd
OW

WETLANDS
MAP
USDA

APPENDIX

H



2006-2007 Second Month Enrollment Report FTE

12/18/2006 9:22:59AM

JEFFERSON COUNTY SCHOOLS

	PK	K	01	02	03	04	05	06	07	08	09	10	11	12	Total
201 BLUE RIDGE ELEMENTARY	0.00	69.00	89.00	87.00	77.00	62.00	93.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	477.00
202 NORTH JEFFERSON	8.00	49.00	76.00	56.00	44.00	41.00	59.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	333.00
203 PAGE JACKSON ELEMENTARY	13.00	139.00	157.00	120.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	429.00
204 RANSON ELEMENTARY	9.00	64.00	82.00	65.00	58.00	53.00	50.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	381.00
205 SHEPHERDSTOWN	0.00	67.00	63.00	53.00	52.00	62.00	51.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	348.00
206 C. W. SHIPLEY ELEMENTARY	0.00	70.00	95.00	66.00	67.00	67.00	81.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	446.00
207 SOUTH JEFFERSON	0.00	83.00	101.00	77.00	80.00	68.00	91.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	500.00
208 WRIGHT DENNY	0.00	0.00	0.00	0.00	126.00	106.00	134.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	366.00
209 T A LOWERY ELEMENTARY	121.00	102.00	88.00	91.00	81.00	75.00	74.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	632.00
401 CHARLES TOWN MIDDLE	0.00	0.00	0.00	0.00	0.00	0.00	0.00	302.00	296.00	298.00	0.00	0.00	0.00	0.00	896.00
402 HARPERS FERRY MIDDLE	0.00	0.00	0.00	0.00	0.00	0.00	0.00	170.00	157.00	144.00	0.00	0.00	0.00	0.00	471.00
403 SHEPHERDSTOWN MIDDLE	0.00	0.00	0.00	0.00	0.00	0.00	0.00	134.00	122.00	153.00	0.00	0.00	0.00	0.00	409.00
501 JEFFERSON HIGH SCHOOL	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	630.14	649.00	574.43	486.00	2,339.57
Total	151.00	643.00	751.00	615.00	585.00	534.00	633.00	606.00	575.00	595.00	630.14	649.00	574.43	486.00	8,027.57

APPENDIX

I



WVUH·EAST

CityHospital JEFFERSON
Memorial Hospital

July 28, 2006

Alpha Associates, Inc.
535 West King Street
Martinsburg, West Virginia 25401
Attn: Richard W. Klein, PE

RE: Leonard Subdivision
Jefferson County, West Virginia

Dear Mr. Klein:

This is in response to your letter to me dated July 11, 2006, concerning the request for hospital services for the proposed Leonard Subdivision.

As President & CEO of West Virginia University Hospitals-East, both Jefferson Memorial Hospital and City Hospital would be glad to provide hospital services for the proposed Development.

Sincerely,

A handwritten signature in black ink that reads "Roger Eitelman".

Roger M. Eitelman
President & CEO

RME:ssd



SHEPHERDSTOWN FIRE DEPARTMENT, INC.

8052 Martinsburg Pike • PO Box F • Shepherdstown, WV 25443
(304) 876-2311 • ShepherdstownFireDepartment.com

Office of the Fire Chief

July 26, 2006

Richard Klein
Alpha Associates
535 W. King Street
Martinsburg WV 25401

RE: Leonard Subdivision

Dear Mr. Klein

The Shepherdstown Volunteer Fire Department will provide fire and ambulance service to the above proposed subdivision to the best of our ability. Our members are committed to providing the best service available to the Shepherdstown community and surrounding area.

Please contact me if you should need any additional information. Thank you very much.

Sincerely,

Ross L. Morgan
Fire Chief



Independent Fire Co. No. 1, Inc.

Springwood, WV

Mailing

Branch

P.O. Box 25

2000 1st St. SW

Charles Town, WV 25414

Martinsburg, WV 25406

Phone: 304-728-1510

Fax: 304-728-4100

Fax to 264 0707

January 5, 2007

Alpha Associates Incorporated.
535 West King Street
Martinsburg, WC 25401

Reference: Planning Commission Requests

Attached is a letter that states the Jefferson County Fire Chiefs position on the requests for letters from the Mutual Aid Fire Companies.

Edwin D. Smith
Fire Chief

Independent Fire Co. No. 1, Inc.**Organized 1884**

Mailing:
P.O. Box 925
Charles Town, WV 25414

Location:
200 W. 2nd Ave.
Ranson, WV 25438

Phone: 304-725-2514

Fax: 304-728-6006

January 3, 2007

Paul Raco
Director
Jefferson County Planning Commission
PO Box 338
Charles Town, WV 25414

Mr. Raco,

The Jefferson County Fire Chiefs have met January 2, 2007 and discussed issues relating to growth and the requests from developers for impact statements. We have several issues that we wish to discuss.

The first item is the new request or requirement for a letter of impact from secondary response Fire Companies. Several requests have been received recently asking for the second letter. It is the position of the Fire Chiefs that we will not respond to the letters as secondary Companies. We do not want to imply a standard of service that may be different than the responsible Fire Company has already stated. The Jefferson County Fire Companies have a "Mutual Aid Agreement" where we will support each other with equipment and firefighters as available.

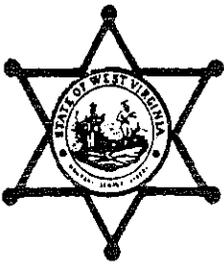
The other issues involve County Planning ordinances and how we can implement changes. We would like to have a Planning representative attend our next meeting which will be on March 6, 2007 at Independent Fire Company starting at 7 PM. We are compiling a list of questions and suggestions that will be forwarded to you a few days before the meeting.

We believe that a meeting will be very beneficial to all the involved organizations.

You can contact me at 279-2938 if additional information is needed or to confirm attendance.

Thank you,


Edwin D. Smith
Independent Fire Company
Fire Chief



Telephone: 728-3205
Tax Office: 728-3220
Fax: 728-3299

SHERIFF and TREASURER of Jefferson County

Everett "Ed" Boober
P.O. Box 9
Charles Town, WV 25414

July 25, 2006

*Alpha Associates Inc
535 West King St
Martinsburg, WV 25401*

Dear Mr. Klein:

This is in response to your request that this department furnish you with an account with respect to our ability to respond to calls for service regarding matters of law enforcement and preservation of the peace at the proposed Leonard subdivision site located at the intersection of Shepherd Grade Road & Silver Springs Road, in Jefferson County, West Virginia.

The Sheriff's Department is charged with the affirmative duty of investigating criminal activity, preserving the peace, and enforcing the law. This duty extends to all corners of the county and to any community, subdivision or a business property without regard to size or location.

However, as our community continues to grow, it becomes progressively more difficult to assure timely response due to the significant increase in the numbers of calls for service with the staffing that is currently being provided to the Sheriff's Department. On occasion, calls for service must be handled on a priority basis where the most-serious, urgent type of events must receive priority in response and other, less serious calls for service, are responded to as quickly as manpower becomes available.

The foregoing should not be construed as an expression from this office that we are unable or unwilling to respond to calls for service in a timely manner. Given the resources and level of manpower with which we are obligated to work, our level of service is, and will continue to be responsive, timely, and efficient in carrying out our duties and responsibilities in the areas of law enforcement, criminal investigation and preservation of the peace in the Jefferson County community.

Sincerely,

*Everett "Ed" Boober
Sheriff and Treasurer*



WEST VIRGINIA STATE POLICE

Kearneysville, West Virginia
July 24, 2006

Richard W. Klein, PE
Alpha Associates, Inc.
535 West King Street
Martinsburg, West Virginia 25401

RE: Providing police services for a proposed subdivision

Dear Sir:

This officer has reviewed your request for comment about police services for your proposed subdivision. This agency, as a law enforcement agency, doesn't have the luxury of declining police services. The West Virginia State Police will respond to any call for service within our area of responsibility; however, with the ever growing population of Jefferson County and the decrease in our manpower, we are forced to prioritize non-emergency calls for service.

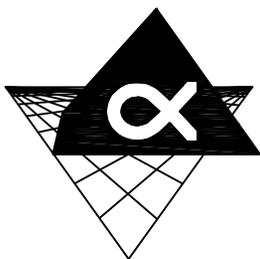
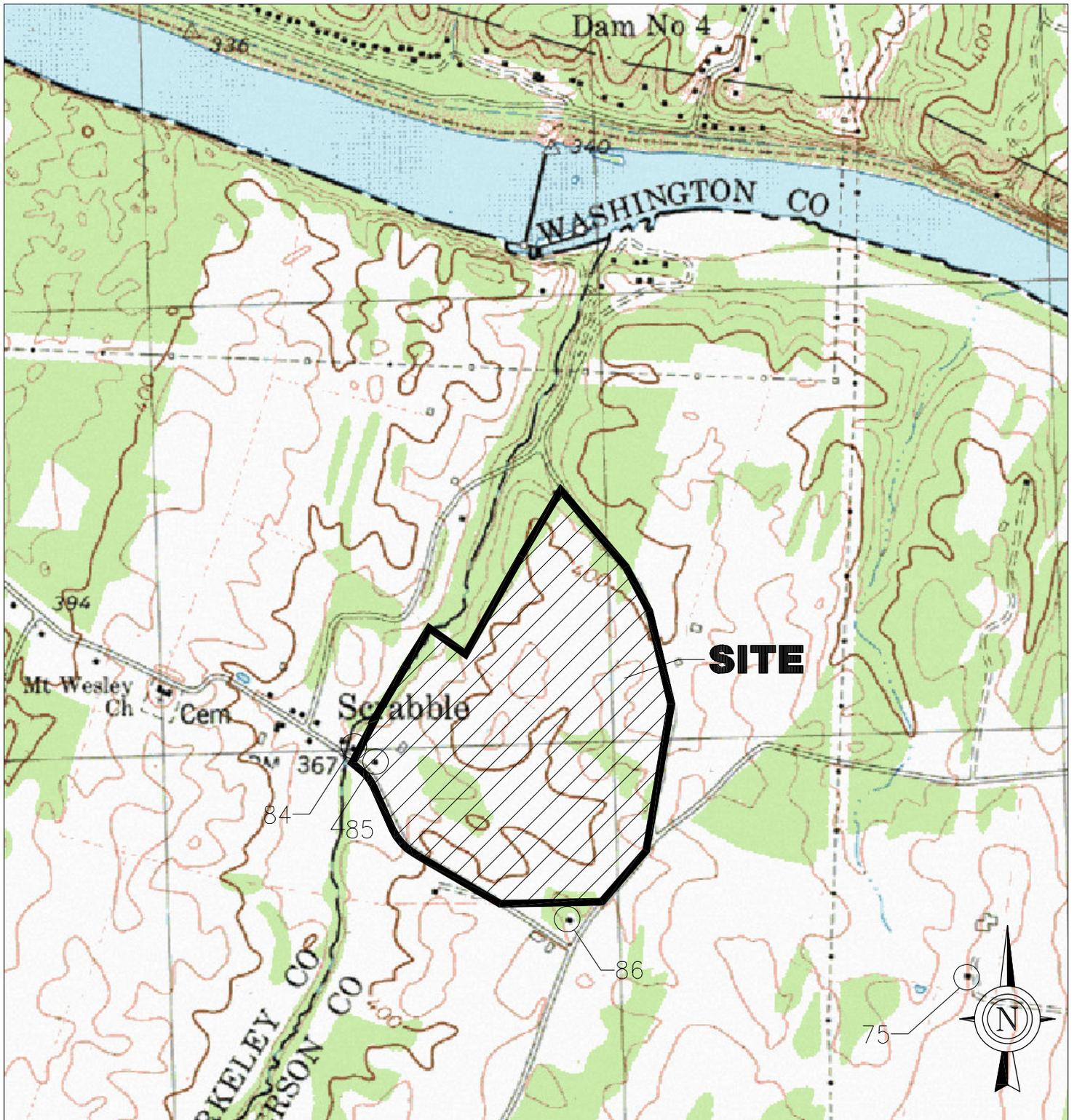
Respectfully submitted,

A handwritten signature in black ink that reads "Sgt. E.D. Anderson".

Sergeant E. D. Anderson
West Virginia State Police
Charles Town Detachment

APPENDIX

J



ALPHA

ASSOCIATES, INCORPORATED
ARCHITECTS • ENGINEERS • SURVEYORS

535 WEST KING ST.
MARTINSBURG, WV. 25401

PHONE: 304-264-0051
FAX: 304-264-0707
TOLL FREE: 877-264-0051

BROOKSTONE RIDGE
HISTORICAL PROPERTIES MAP

SOURCE: WEST VIRGINIA HISTORICAL DATABASE
WEST VIRGINIA DIVISION OF CULTURE AND HISTORY

SCALE 1" = 1000'

Landmarks Commission No. 75

Photographs: House, front and right side; House, stone section; smoke house

Present Owner: John C. and Shirley L. Day

Mailing Address: RFD Shepherdstown

Original Owner: *

Assessor Map #: 2, parcel 10; Deed Book 248, p. 168.

Approximate Lot Size: 221 acres

Property Currently Zoned: *

Assessment: Land - 14,500; Improvements - 8,900; Total - 23,400

Physical Condition: Structure - Fair; Grounds - *; Neighborhood - *

Common Name: Day or Louthan Farm; Sycamore; Louthan Springs

Address: Shepherd Grade

Area: Shepherdstown

Architect/Builder: *

Date of Construction: ca 1800; Source - state tax records

Architectural Style: *

Present Use: residence

Original Use: *

Incidence in Area: *

Importance to Its Neighborhood: *

Accessible to Public: no

Architectural Significance: County

Significance of Interiors: *

Significance of Landscaping: *

Historic Significance: *

Representation in Other Surveys: *

PHYSICAL DESCRIPTION

Facade Material: brick and stone

Foundation: stone

Roof Form: *

Porch or Veranda: 2; Height: 1 story

Building Height in Stories: 2

Roof Dormers: none

Chimneys: 4; Where: *

Facade Emphasis: *

Window Sash: 1st: 6/6, wood section has 9/6; *2nd; *3rd

Entrance: *

INTERIOR DETAILS

Mantels: *

Overmantles: *

Staircase: *

Wainscotting: *

Interior Doors of Period: *

Door and window Frames: *

Other Panelling: *

Ceiling Cornices: *

Chair Rails: *

Base Molds: *

Wallcoverings of Period: *

Hardware: *

Ceiling Medallions: *

Original Floors: *

Other Interior Details: *

Significant Outbuildings: stone smokehouse

Landscaping: *

Other Notes: *



Landmarks Commission No. 75 – Louthan Farm (front view)
(Historic Photo from WV History Database – date unknown)



Landmarks Commission No. 75 – Louthan Farm (side view)
(Historic Photo from WV History Database – date unknown)



Landmarks Commission No. 75 – Louthan Farm (stone smokehouse)
(Historic Photo from WV History Database – date unknown)

Landmarks Commission No. 84

Photographs: House, front and left side

Present Owner: Thomas B. Jones

Mailing Address: Shepherdstown, RR1

Original Owner: Mark Hollida

Assessor Map #: *

Approximate Lot Size: 1 acre

Property Currently Zoned: *

Assessment: Land - 400; Improvements - 3,600; Total - 4,000

Physical Condition: Structure - Good; Grounds - Good; Neighborhood - Good

Common Name: *

Address: *

Area: *

Architect/Builder: *

Date of Construction: about 1730?; Source - Thomas Jones

Architectural Style: *

Present Use: residence

Original Use: residence and mill

Incidence in Area: *

Importance to Its Neighborhood: *Great/Moderate/Minor

Accessible to Public: no

Architectural Significance: County/Local

Significance of Interiors: *

Significance of Landscaping: *

Historic Significance: *

Representation in Other Surveys: *

PHYSICAL DESCRIPTION

Facade Material: white frame

Foundation: stone

Roof Form: gable

Porch : 2; Height: 8 feet

Building Height in Stories: 2

Roof Dormers: none

Chimneys: 3; Where: kitchen, D roo, living room

Facade Emphasis: *

Window Sash: 1st;

Entrance: *

INTERIOR DETAILS

Mantels: 1

Overmantles: none

Staircase: 1

Wainscotting: none

Interior Doors of Period: 3 original

Door and window Frames: *

Other Panelling: none

Ceiling Cornices: none

Chair Rails: none

Base Molds: none
Wallcoverings of Period: none
Hardware: some original but not really old
Ceiling Medallions: none
Original Floors: 3
Other Interior Details: *
Significant Outbuildings: none
Landscaping: none
Other Notes: *



Landmarks Commission No. 84 – Hollida Residence
(Historic Photo from WV History Database – date unknown)



Landmarks Commission No. 84 – Hollida Residence
(Current Photo – 04/17/07)

Landmarks Commission. No. 85

Photographs: *

Present Owner: Floyd Small

Mailing Address: *

Original Owner: *

Assessor Map #: *

Approximate Lot Size: *

Property Currently Zoned: *

Assessment: Land - *; Improvements - *; Total - *

Physical Condition: Structure - * Good/Fair/Poor; Grounds - Good/Fair/Poor; Neighborhood - Good/Fair/Poor

Common Name: *

Address: *

Area: *

Architect/Builder: *

Date of Construction: *; Source - *

Architectural Style: *

Present Use: *

Original Use: *

Incidence in Area: *

Importance to Its Neighborhood: *Great/Moderate/Minor

Accessible to Public: *

Architectural Significance: *National/State/County/Local/Part of Scene/Other

Significance of Interiors: *

Significance of Landscaping: *

Historic Significance: *

Representation in Other Surveys: * National Register/State Survey/HABS

PHYSICAL DESCRIPTION

Facade Material: *

Foundation: *

Roof Form: *

Porch or Veranda: *; Height: *

Building Height in Stories: *

Roof Dormers: *

Chimneys: *; Where: *

Facade Emphasis: *

Window Sash: *1st; *2nd; *3rd

Entrance: Fan *; Lintel *; Trans *; Sidelights *; Undecorated *

INTERIOR DETAILS

Mantels: *

Overmantles: *

Staircase: *

Wainscotting: *

Interior Doors of Period: *

Door and window Frames: *

Other Panelling: *

Ceiling Cornices: *

Chair Rails: *
Base Molds: *
Wallcoverings of Period: *
Hardware: *
Ceiling Medallions: *
Original Floors: *
Other Interior Details: *
Significant Outbuildings: *
Landscaping: *
Other Notes: *



Landmarks Commission No. 85 – Leonard Farm House (front view)
(Current Photo – 04/17/07)



Landmarks Commission No. 85 – Leonard Farm House (front/right view)
(Current Photo – 04/17/07)

Landmarks Commission No. 86

Photographs: *

Present Owner: Staley Brothers

Mailing Address: *

Original Owner: *

Assessor Map #: *

Approximate Lot Size: *

Property Currently Zoned: *

Assessment: Land - *; Improvements - *; Total - *

Physical Condition: Structure - * Good/Fair/Poor; Grounds - Good/Fair/Poor; Neighborhood - Good/Fair/Poor

Common Name: *

Address: Scrabble Road, red corner

Area: *

Architect/Builder: *

Date of Construction: *; Source - *

Architectural Style: *

Present Use: *

Original Use: *

Incidence in Area: *

Importance to Its Neighborhood: *

Accessible to Public: *

Architectural Significance: *

Significance of Interiors: *

Significance of Landscaping: *

Historic Significance: *

Representation in Other Surveys: *

PHYSICAL DESCRIPTION

Facade Material: wood

Foundation: *

Roof Form: *

Porch or Veranda: *; Height: *

Building Height in Stories: *

Roof Dormers: *

Chimneys: *; Where: *

Facade Emphasis: *

Window Sash: *1st; *2nd; *3rd

Entrance: Fan *; Lintel *; Trans *; Sidelights *; Undecorated *

INTERIOR DETAILS

Mantels: *

Overmantles: *

Staircase: *

Wainscoting: *

Interior Doors of Period: *

Door and window Frames: *

Other Panelling: *

Ceiling Cornices: *

Chair Rails: *
Base Molds: *
Wallcoverings of Period: *
Hardware: *
Ceiling Medallions: *
Original Floors: *
Other Interior Details: *
Significant Outbuildings: *
Landscaping: *
Other Notes: *



Landmarks Commission No. 86 – Staley Farm House (front view)
(Current Photo – 04/17/07)



Landmarks Commission No. 86 – Staley Farm House (side view)
(Current Photo – 04/17/07)

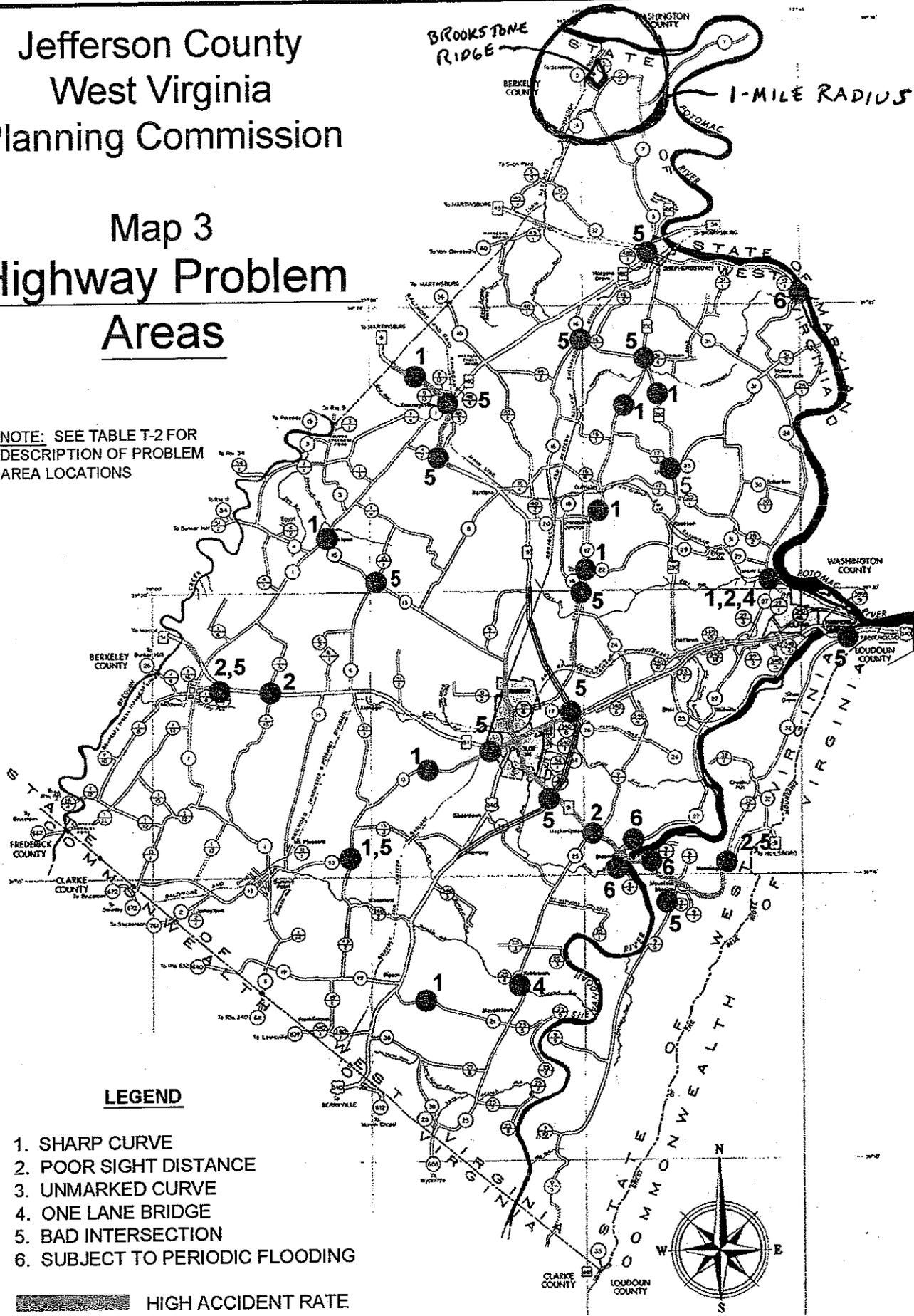
APPENDIX

K

Jefferson County West Virginia Planning Commission

Map 3 Highway Problem Areas

NOTE: SEE TABLE T-2 FOR
DESCRIPTION OF PROBLEM
AREA LOCATIONS



LEGEND

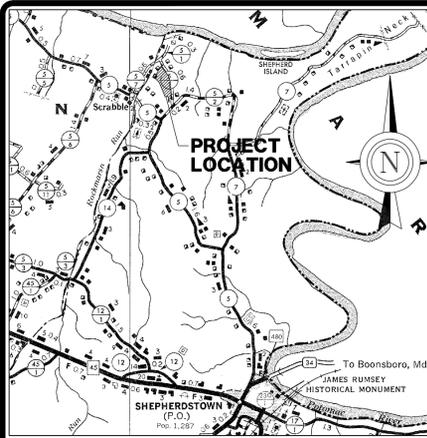
- 1. SHARP CURVE
- 2. POOR SIGHT DISTANCE
- 3. UNMARKED CURVE
- 4. ONE LANE BRIDGE
- 5. BAD INTERSECTION
- 6. SUBJECT TO PERIODIC FLOODING

HIGH ACCIDENT RATE

TABLE T-2
Highway Problem Areas

Route Number	Road Class	Location	Problem
340	P	Shenandoah River Bridge to VA Line	Curvy, rough shoulders, falling rocks, stone retaining wall at edge of road.
340	P	Intersection with Rt. 32	Inadequate turning area onto Rt. 32.
340	P	Intersection with Rt.9	Poor access from Rt. 340 (By-pass) east-bound off ramp onto Rt. 9 west-bound lane.
9	P	Intersection with Rt. 340	Poor access from Rt. 9 (By-pass) west-bound off ramp onto Rt. 340 west-bound lane.
9	P	Intersection with Rt. 32/2	Poor intersection angle causing poor visibility.
9	P	Intersection with Rt. 1/2 & 48/3	Numerous intersections.
9	P	Intersection with Rt. 480	Poor left turn movements onto Rt. 480 & Rt. 1
9	P	Intersection with 9/3	Poor sight distance.
51	S	Intersection with Rt. 1/5 & 1/13	Poor sight distance turning onto Rt. 1/5 & Rt. 1/13.
51	S	From Opequon Creek to Charles Town	Hidden driveways.
230	S	1 mile South of Rt. 17	S-Curve
230	S	Intersection with Rt. 31/1 & 16/1	Poor visibility/sight distance.
1/7	L	Intersection with Rt. 51 (Middleway)	Poor sight distance & intersection angle.
1/17	L	Between Rt. 1 & Rt. 13	Rough one-lane dirt road.
9/3	L	Intersection with Rt. 9 (Cattail Run Rd. & Rt. 9)	Poor sight distance pulling onto Rt. 9.
9/4	L	From Rt. 9 at Bloomery to the dead-end	Within 100 year flood plain, periodic flooding.
9/5	L	From Rt. 9, South to VA Line (Mission Road)	Many curves on 2 - lane paved section with large subdivisions.
13	L	Intersection with Rt. 51 in Charles Town	Poor intersection angle causing poor visibility.
13	L	Intersection with Rt. 51/1	Poor intersection angle causing poor visibility.
13	L	Intersection with Rt. 13/2	90-degree turn.
16/1	L	Intersection with Rt. 16	Poor intersection angle causing poor visibility.
17	L	1/2 Mile South of Duffields	Two 90-degree turns.
17	L	1 Mile South of Rt. 230 Intersection	S-Curves
18	L	Intersection with Rt. 17 North of Rt. 24	Poor intersection angle causing poor visibility.
21	L	1 Mile East of Rt. 340 at Rippon	Two 90-degree turns.
22	L	Intersection with Rt. 17	Poor visibility.
Rt. 32	L	Intersection with Rt. 340	Poor intersection angle causing poor visibility, steep grade of road is dangerous when icy or wet.

Road Classifications: P = Primary, S = Secondary, L = Local Service Road



VICINITY MAP

SCALE: 1"=2000'

- EXISTING DRIVEWAY
- EXISTING RIGHT-OF-WAY
- PROPOSED RIGHT-OF-WAY
- PROPOSED SETBACK
- X EXISTING FENCE
- ADJOINING PROPERTY LINE
- PROPERTY LINE
- PROPOSED LOT LINES
- FUTURE LOT LINES
- EXISTING RIVER/STREAM/CREEK
- EXISTING POWER POLE
- EXISTING ROAD CENTERLINE
- PROPOSED ROAD CENTERLINE
- EXISTING ROAD
- PROPOSED ROAD
- EXISTING TREE LINE
- EXISTING ELECTRIC LINE
- EXISTING BUILDING
- EXISTING CONTOUR

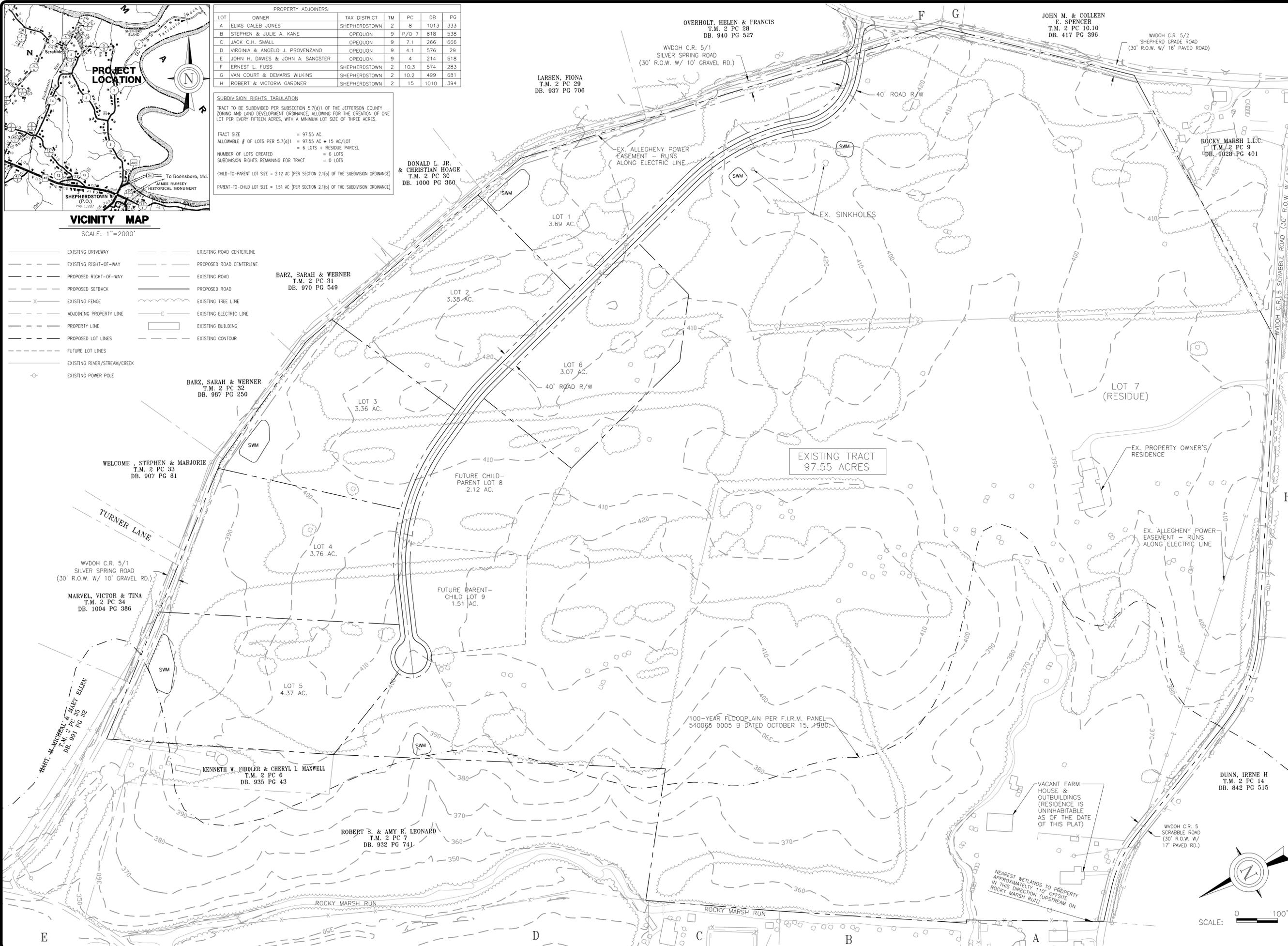
PROPERTY ADJOINERS						
LOT	OWNER	TAX DISTRICT	TM	PC	DB	PG
A	ELIAS CALEB JONES	SHEPHERDSTOWN	2	8	1013	333
B	STEPHEN & JULIE A. KANE	OPEQUON	9	P/O 7	818	538
C	JACK C.H. SMALL	OPEQUON	9	7.1	266	666
D	VIRGINIA & ANGELO J. PROVENZANO	OPEQUON	9	4.1	576	29
E	JOHN H. DAVIES & JOHN A. SANGSTER	OPEQUON	9	4	214	518
F	ERNEST L. FUSS	SHEPHERDSTOWN	2	10.3	574	283
G	VAN COURT & DEMARIS WILKINS	SHEPHERDSTOWN	2	10.2	499	681
H	ROBERT & VICTORIA GARDNER	SHEPHERDSTOWN	2	15	1010	394

SUBDIVISION RIGHTS TABULATION

TRACT TO BE SUBDIVIDED PER SUBSECTION 5.7(d)(1) OF THE JEFFERSON COUNTY ZONING AND LAND DEVELOPMENT ORDINANCE, ALLOWING FOR THE CREATION OF ONE LOT PER FIFTY FIVE ACRES, WITH A MINIMUM LOT SIZE OF THREE ACRES.

TRACT SIZE = 97.55 AC.
 ALLOWABLE # OF LOTS PER 5.7(d)(1) = 97.55 AC ÷ 15 AC/LOT = 6 LOTS + RESIDUE PARCEL
 NUMBER OF LOTS CREATED = 6 LOTS
 SUBDIVISION RIGHTS REMAINING FOR TRACT = 0 LOTS

CHILD-TO-PARENT LOT SIZE = 2.12 AC (PER SECTION 2.1(b) OF THE SUBDIVISION ORDINANCE)
 PARENT-TO-CHILD LOT SIZE = 1.51 AC (PER SECTION 2.1(b) OF THE SUBDIVISION ORDINANCE)



BARZ, SARAH & WERNER
T.M. 2 PC 32
DB. 987 PG 250

BARZ, SARAH & WERNER
T.M. 2 PC 31
DB. 970 PG 549

WELCOME, STEPHEN & MARJORIE
T.M. 2 PC 33
DB. 907 PG 81

WVDOH C.R. 5/1
SILVER SPRING ROAD
(30' R.O.W. W/ 10' GRAVEL RD.)

MARVEL, VICTOR & TINA
T.M. 2 PC 34
DB. 1004 PG 386

HEBET, H. MICHELLE & MARY ELLEN
T.M. 2 PC 35
DB. 991 PG 32

KENNETH W. FIDDLER & CHERYL L. MAXWELL
T.M. 2 PC 6
DB. 935 PG 43

ROBERT S. & AMY R. LEONARD
T.M. 2 PC 7
DB. 932 PG 741

LARSEN, FIONA
T.M. 2 PC 29
DB. 937 PG 706

OVERHOLT, HELEN & FRANCIS
T.M. 2 PC 28
DB. 940 PG 527

WVDOH C.R. 5/1
SILVER SPRING ROAD
(30' R.O.W. W/ 10' GRAVEL RD.)

JOHN M. & COLLEEN
E. SPENCER
T.M. 2 PC 10.10
DB. 417 PG 396

WVDOH C.R. 5/2
SHEPHERD GRADE ROAD
(30' R.O.W. W/ 16' PAVED ROAD)

ROCKY MARSH L.L.C.
T.M. 2 PC 9
DB. 1028 PG 401

DUNN, IRENE H
T.M. 2 PC 14
DB. 842 PG 515

EXISTING TRACT
97.55 ACRES

100-YEAR FLOODPLAIN PER F.I.R.M. PANEL
540065 0005 B DATED OCTOBER 15, 1980.

VACANT FARM
HOUSE &
OUTBUILDINGS
(RESIDENCE IS
UNINHABITABLE
AS OF THE DATE
OF THIS PLAT)

NEAREST WETLANDS TO PROPERTY
IN THIS DIRECTION (UPSTREAM ON
ROCKY MARSH RUN)



ALPHA ASSOCIATES, INCORPORATED
ARCHITECTS • ENGINEERS • SURVEYORS
535 WEST KING STREET
MARTINSBURG, WV 25401
phone: 304-264-0051
fax: 304-264-0107
toll free: 877-264-0051
email: alpha@alphaassoc.com
www.alphaassoc.com

OWNER/DEVELOPER:
ROBERT S. LEONARD
AMY R. LEONARD
103 SOUTH TENNESSEE AVE.
MARTINSBURG, WV 25401
(304)-263-5308

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REVISIONS	ITEM	DATE
JCDPZE COMMENTS	2/9/07	
JCDPZE COMMENTS	3/8/07	
JCDPZE COMMENTS	4/18/07	

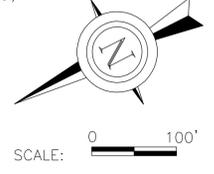
SKETCH PLAT
SCALE: 1" = 100'

**BROOKSTONE RIDGE SUBDIVISION
SHEPHERDSTOWN DISTRICT
TM 2 PAR 7; DB 932 PG 741
JEFFERSON COUNTY, WEST VIRGINIA**

DR'N.: DFS
P.M.: EHI P.I.C.: RWK
PROJ. NO.: 0511137.00
DATE: NOVEMBER 2006
SHEET NO.: 1

Tuesday, May 01, 2007 4:29:27 PM
Z:\0414\051113700\CIVIL\SKETCH PLAT.DWG

SCALE
1" = 1"
SHT. SIZE
24x36



PERMIT TO ENTER UPON, UNDER, OVER OR ACROSS THE STATE ROADS OF THE STATE OF WEST VIRGINIA, AS PROVIDED FOR IN SECTION 6, ARTICLE 16, CHAPTER 17; SECTION 9, ARTICLE 16, CHAPTER 17; SECTION 8, ARTICLE 4, CHAPTER 17, WEST VIRGINIA CODE, 1931, AS AMENDED.

THIS PERMIT, Made this 12th day of April 20 06, between the WEST VIRGINIA DEPARTMENT OF TRANSPORTATION, DIVISION OF HIGHWAYS, a statutory corporation hereinafter called DIVISION and Dr. Robert Leonard

Address: 103 South Tennessee Avenue, Martinsburg, WV 25401 Phone No: 304-263-5308

hereinafter called APPLICANT.

Mail To: Eric H. Iser, P.E.
Alpha Associates, Inc.
535 West King Street
Martinsburg, WV 25401

WITNESSETH

In consideration of the hereinafter set out covenants and in accordance with Section 6, Article 16, Chapter 17; or Section 9, Article 16, Chapter 17; or Section 8, Article 4, Chapter 17, of the Official Code of West Virginia, 1931, as amended, and the rules and regulations promulgated thereunder, APPLICANT does hereby apply to enter

Route No. & Type C.R. 5/1 (SLS) West Side DOH Project No. _____ (if applicable);

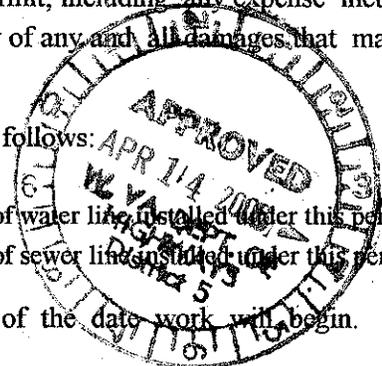
at The intersection of C.R. 5/1 and C.R. 5/2 Mile Post 0.00

in Jefferson County, for the purposes hereinafter set forth and in accordance with the

plans and specifications which are attached hereto and made a part hereof: To construct and maintain one 18' entrance with 21' radii, realigning and grading the intersection of CR 5/1 with CR 5/2 to serve 7 lots in proposed Leonard Subdivision. Entrance shall be constructed of a minimum 3 1/2" bituminous concrete placed upon 9" compacted stone base, as detailed on attached drawings. Should this subdivision further subdivide, expand, or change in use or ownership, this permit shall be void and a new permit applied for which fits the circumstances. Storm water management and drainage shall be as detailed on attached drawings.

APPLICANT further agrees to accept the conditions hereinafter set forth:

1. APPLICANT shall deposit with DIVISION the sum of \$ _____ in the form of a certified check, money order, or executed bond with surety satisfactory to DIVISION to cover any damage and inspection costs DIVISION may sustain by reason of the granting of this permit, including any expense incurred in restoring said highway to its original condition or the proper repair of any and all damages that may result within one (1) year from the date of the completion of said work.
2. APPLICANT agrees to reimburse DIVISION for inspection costs as follows:
 - A. For any inspection costs incurred under this permit.
 - B. At \$ _____ per linear foot for _____ feet of water line installed under this permit
 - C. At \$ _____ per linear foot for _____ feet of sewer line installed under this permit
3. APPLICANT shall notify DIVISION at least 48 hours in advance of the date work will begin. Failure to comply will be cause for cancellation of this permit.
4. APPLICANT agrees to protect its employees, equipment and users of the highway at all times in accordance with the current Division of Highways manual "Traffic Control For Streets and Highways Construction and Maintenance Operation".
5. APPLICANT agrees to comply with all applicable state and federal laws in the performance of work under this permit.
6. Supplementary conditions cited on the reverse side of this permit are understood and agreed to be a part hereof.
7. The work authorized under this permit shall be completed on or before (Date): April 30, 2007



RECOMMENDED: [Signature]
Title Staff Engineer

[Signature] on behalf of Dr. Robert Leonard
Signature and Title of Applicant

BOND REQUIREMENT:
BOND NO. _____ /DATE _____
Attached On File

APPROVED: [Signature]

INSPECTION: Owner/Consultant
Full Time Part Time
Periodic Reimbursable No Cost

Title District Manager
West Virginia Division of Highways

AUTHORIZATION NO: _____ PERMIT NO: 5-06-0350



WEST VIRGINIA DEPARTMENT OF TRANSPORTATION

Division of Highways

Office of the District Engineer

District Five

Joe Manchin III
Governor

P. O. Box 99 · Burlington, West Virginia 26710-0099 · 304/289-3521

April 21, 2006

Eric H. Iser, P.E.
Alpha Associates, Inc.
535 West King Street
Martinsburg, WV 25401

Dear Mr. Iser:

Leonard Subdivision
Permit No. 5-06-0350

This letter will serve as an addendum for the above noted permit to change the radii from 21 to 25 feet.

Ask the owner to attach a copy of this letter to his copy of the permit.

Yours truly,

A handwritten signature in black ink that reads "Robert B. Hout".

Robert B. Hout
Staff Engineer

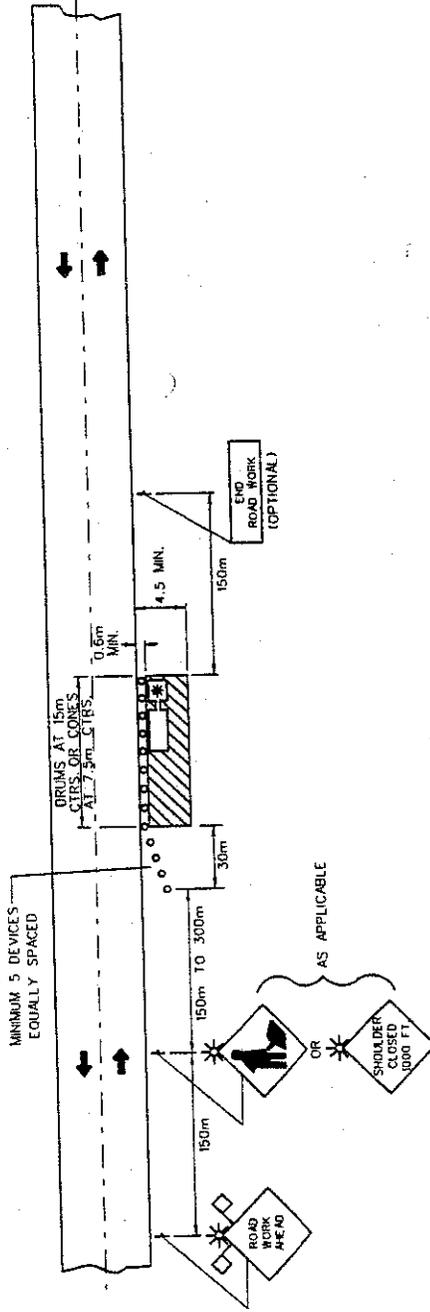
RBH:k

cc Jefferson County Planning Commission
Jefferson County
OM (Permit File)
Permit File (5-06-0350)

ADDENDUM

APPLICANT'S RESPONSIBILITY

- (1) Construct approach in conformance to permit and attached drawings.
- (2) Be sure that permit is in the possession of individual constructing approach and is followed.
- (3) Notify Division of Highways' County Office immediately upon completion of approach. If approach is not constructed in accordance to "Rules and Regulations for Constructing Driveways on State Highway Rights-of-Way", it will be the applicant's responsibility to correct.
- (4) The applicant shall maintain his approach as follows:
 - (A) If approach includes a culvert, it shall be kept clean as well as inlet and outlet end to the culvert.
 - (B) If approach is on ascending (plus) grade, a depression shall be maintained over pipe to prevent water and debris from flowing into the highway.
 - (C) If approach is constructed with a depressed gutter as specified on permit, it shall be maintained so as not to interfere with the purpose it was made.
 - (D) Maintain the surface of the approach as specified on permit from edge of pavement to the right of way line.
 - (E) Keep brush cut, tall grass cut, and trees trimmed on both sides of the driveway for an unobstructed view of the roadway.
- (5) If this entrance is within a previously approved subdivision with internal access, this permit may be invalid.
- (6) This permit is for highway use only. Applicant is responsible for any permits required from other state and federal agencies. (USACE, DNR, DEP, etc.)
- (7) The West Virginia Department of Transportation, Division of Highways Standard Specifications for Roads and Bridges, as adopted in 1994, is to be the governing authority pertaining to materials and methods of construction within Division of Highways right of way. (This is to be used for any widening or major construction within Division of Highways Right of Way.)



GENERAL NOTES

- OVERNIGHT OPERATIONS ILLUSTRATED AND IF SUCH, USE DRUMS FOR DAYLIGHT OPERATIONS ONLY, DELETE TYPE 'B' LIGHTS AND USE CONES OR DRUMS AS DIRECTED BY THE ENGINEER.
 - ANY UNATTENDED OBSTACLE OR EXCAVATION IN THE WORK AREA OVERNIGHT SHALL BE PROTECTED BY TYPE 'I' OR TYPE 'II' BARRICADES WITH FLASHING LIGHTS. (TYPE "A").
 - IF THE WORK OPERATION REQUIRES THAT FOUR OR MORE WORK VEHICLES ENTER THE THROUGH TRAFFIC LANES IN A ONE HOUR PERIOD A FLAGGER SHALL BE PROVIDED AND THE FLAGGER SIGN SHALL BE USED (AT 150m IN ADVANCE).
 - ALL VEHICLES, EQUIPMENT, WORKERS AND THEIR ACTIVITIES ARE RESTRICTED AT ALL TIMES TO ONE SIDE OF THE PAVEMENT UNLESS OTHERWISE AUTHORIZED BY THE ENGINEER.
- * WORK VEHICLE (IF USED) SHALL HAVE DUAL FLASHERS AND FLASHING AMBER DOME LIGHT OPERATING.

SYMBOLS

- WORK AREA
- SIGN WITH 450mm BY 450mm (MINIMUM) ORANGE FLAGS ATTACHED. (2 FLAGS PER SIGN) AND TYPE 'B' LIGHT.
- SIGN ON PORTABLE OR PERMANENT SUPPORT.
- CONES OR DRUMS.

TYPICAL APPLICATIONS

- CULVERT EXTENSIONS.
- SIDE SLOPE CHANGES.
- GUARDRAIL INSTALLATION AND MAINTENANCE.
- DELINEATOR INSTALLATION AND MAINTENANCE.
- LANDSCAPING OPERATIONS.
- CLEANING DITCHES AND DRAINAGE STRUCTURES.
- SHOULDER REPAIR.
- SIGNING OPERATIONS.

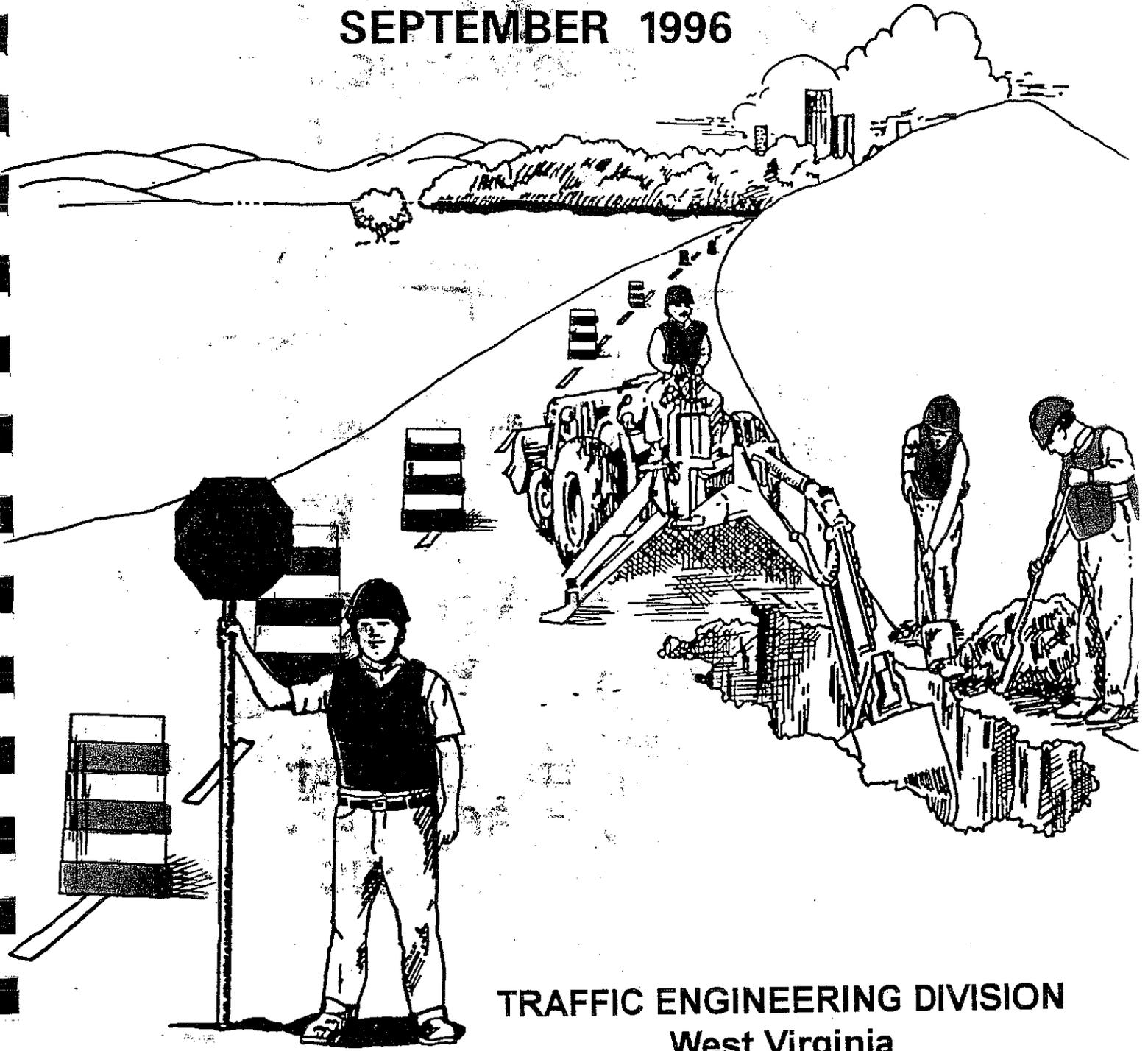
CASE A3

TWO-LANE, TWO-WAY TRAFFIC.
 DAY OR NIGHT OPERATIONS.
 (STATIONARY)

WHERE, AT ANY TIME, ANY VEHICLE, EQUIPMENT, WORKERS OR THEIR ACTIVITIES WILL ENCROACH IN THE AREA BETWEEN 0.6 METERS AND 4.5 METERS FROM THE EDGE OF PAVEMENT.

TRAFFIC CONTROL FOR STREET AND HIGHWAY CONSTRUCTION AND MAINTENANCE OPERATIONS

SEPTEMBER 1996



TRAFFIC ENGINEERING DIVISION
West Virginia
Division of Highways

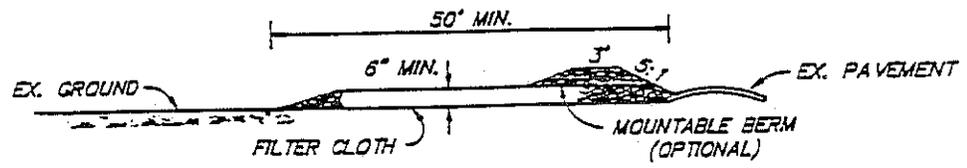
MULCHING

STABILIZED CONSTRUCTION ENTRANCE

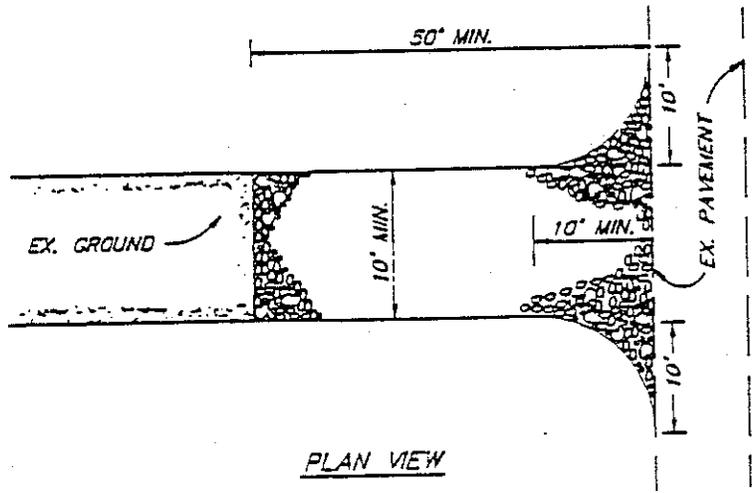
(NOT TO SCALE)

ay 15
 October 15
 140 lbs. / ac.
 1000 lbs. / ac.
 ns / ac.
 gal. / ac.

50 lbs. / ac.
 ns / ac.
 gal. / ac.



PROFILE



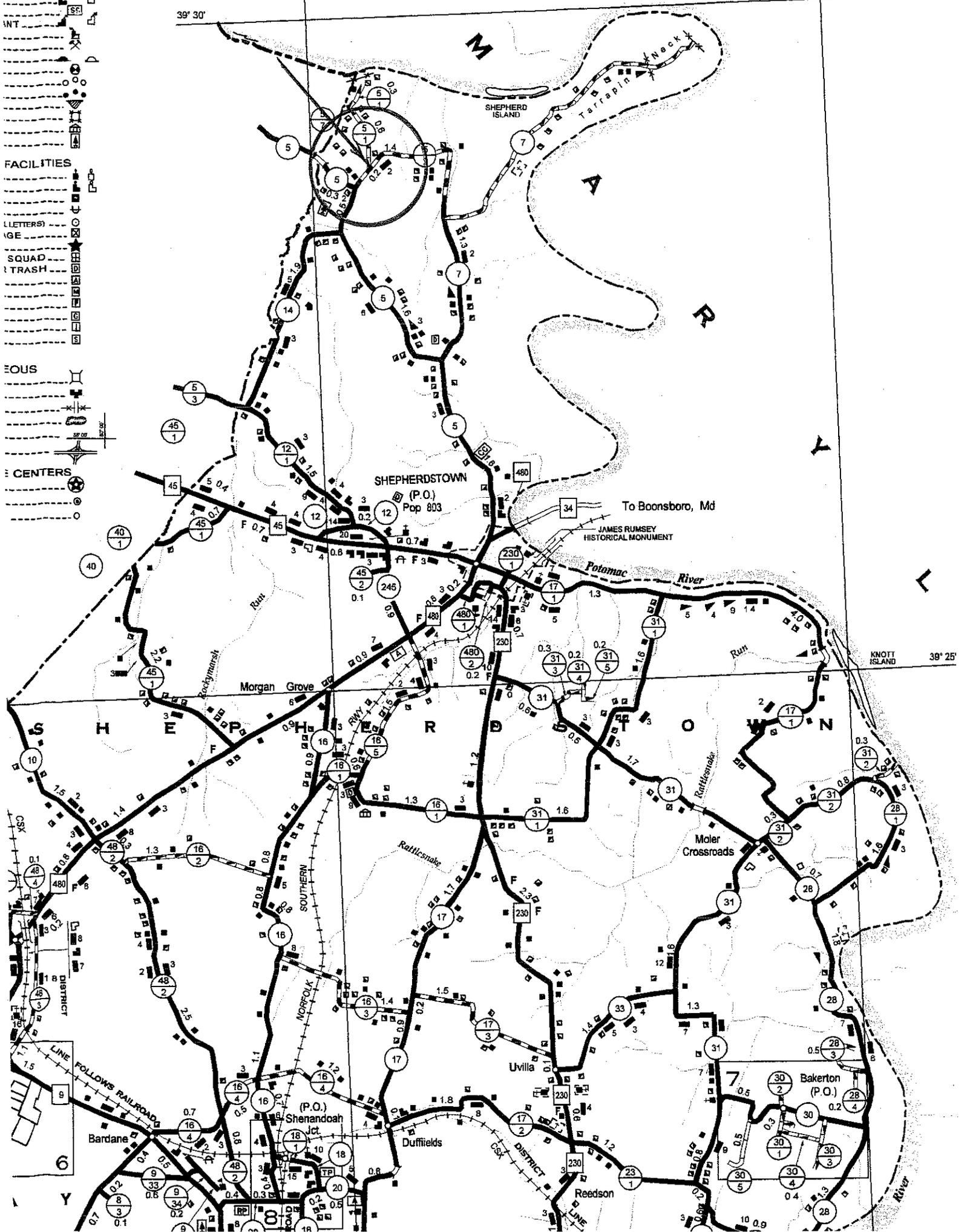
PLAN VIEW

- 1) STONE SIZE - USE 2" STONE, OR RECLAIMED OR RECYCLED CONCRETE EQUIVALENT.
- 2) LENGTH - AS REQUIRED, BUT NOT LESS THAN 50' (EXCEPT ON A SINGLE RESIDENCE LOT WHERE 30' MIN. LENGTH WOULD APPLY).
- 3) THICKNESS - NOT LESS THAN SIX (6) INCHES.
- 4) WIDTH - TEN (10) FOOT MINIMUM, BUT NOT LESS THAN THE FULL WIDTH AT POINTS WHERE INGRESS OR EGRESS OCCURS.
- 5) FILTER CLOTH WILL BE PLACED OVER THE ENTIRE AREA PRIOR TO PLACING OF STONE. FILTER CLOTH WILL NOT BE REQUIRED ON A SINGLE FAMILY RESIDENCE LOT.
- 6) SURFACE WATER - ALL SURFACE WATER FLOWING OR DIVERTED TOWARD CONSTRUCTION ENTRANCES SHALL BE PIPED ACROSS THE ENTRANCE. IF PIPING IS IMPRACTICAL A MOUNTABLE BERM WITH 5:1 SLOPES SHALL BE PERMITTED.
- 7) MAINTENANCE - THE ENTRANCE SHALL BE MAINTAINED IN A CONDITION WHICH WILL PREVENT TRACKING OR FLOWING OF SEDIMENT ONTO PUBLIC RIGHTS-OF-WAY. THIS MAY REQUIRE PERIODIC TOP DRESSING WITH ADDITIONAL STONE AS CONDITIONS DEMAND AND REPAIR AND/OR CLEANOUT OF ANY MEASURES USED TO TRAP SEDIMENT. ALL SEDIMENT SPILLED, DROPPED WASHED OR TRACKED ONTO PUBLIC RIGHTS-OF-WAY MUST BE REMOVED IMMEDIATELY.
- 8) WASHING - WHEELS SHALL BE CLEANED TO REMOVE SEDIMENT PRIOR TO ENTRANCE ONTO PUBLIC RIGHTS-OF-WAY. WHEN WASHING IS REQUIRED, IT SHALL BE DONE ON AN AREA STABILIZED WITH STONE AND WHICH DRAINS INTO AN APPROVED SEDIMENT TRAPPING DEVICE.
- 9) PERIODIC INSPECTION AND NEEDED MAINTENANCE SHALL BE PROVIDED AFTER EACH RAIN.

39° 30'

39° 30'

- INDUSTRY
- WATER
- FACILITIES
- LETTERS
- AGE
- SQUAD
- TRASH
- BOATS
- CENTERS



39° 25'

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ALPHA
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535 WEST KING STREET
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phone: 304-264-0051
fax: 304-264-0707
toll free: 877-264-0051
email: alpha@alphaassoc.com
www.alphaassoc.com

OWNER/DEVELOPER:
DR. ROBERT LEONARD
103 SOUTH TENNESSEE AVE.
MARTINSBURG, WV 25401
(304)-263-5308

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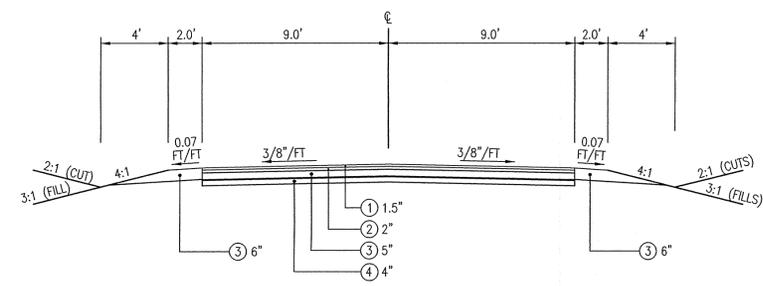
REVISIONS	
ITEM	DATE

**PRELIMINARY
ENTRANCE
DESIGN**

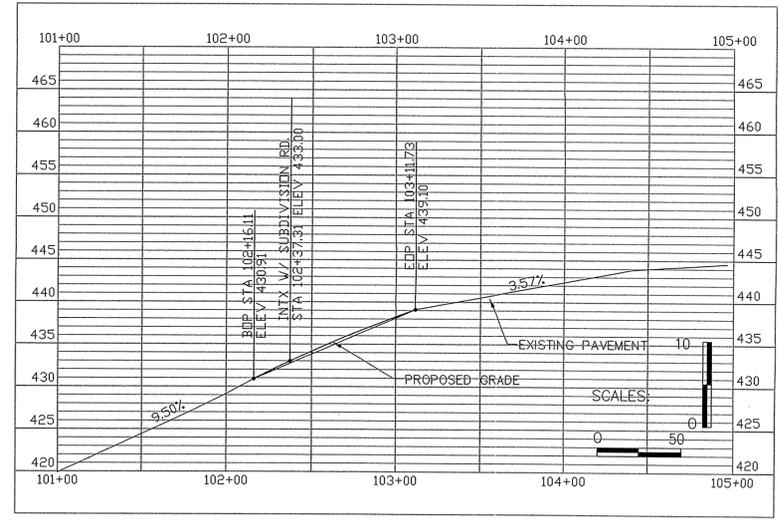
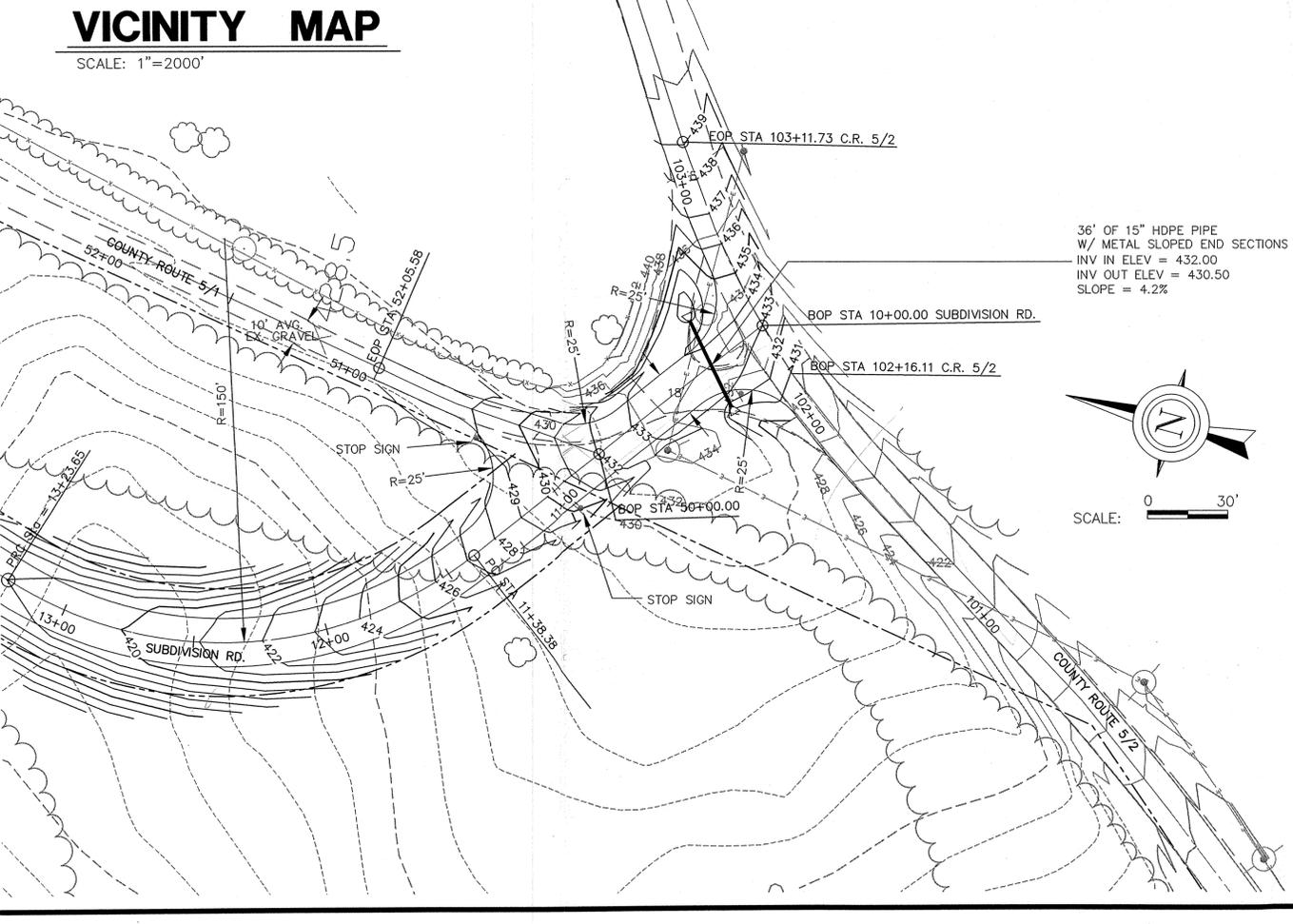
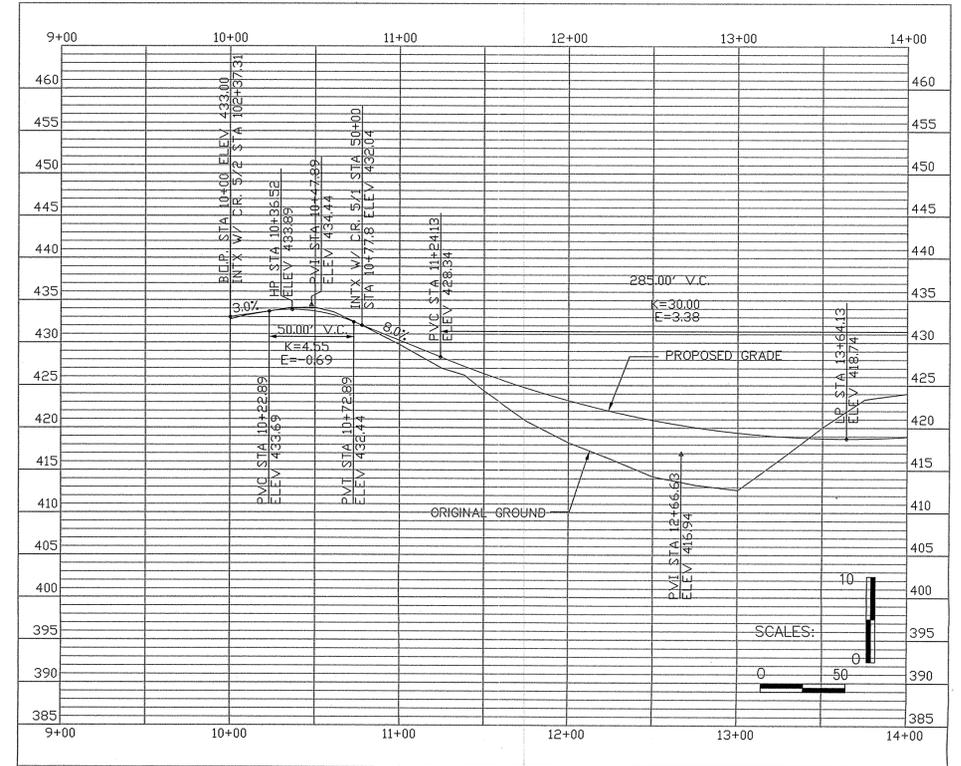
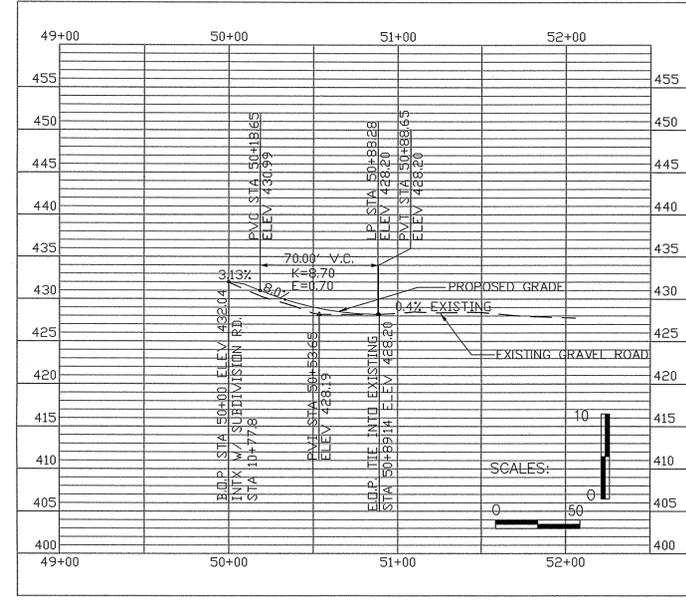
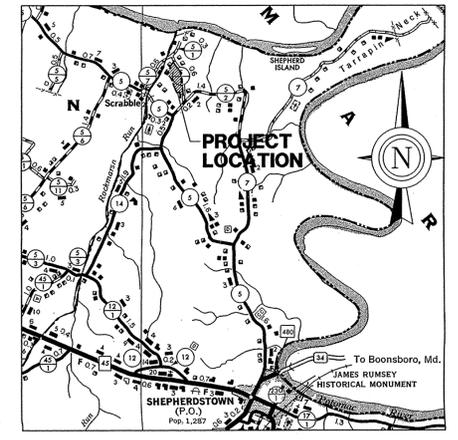
SCALE: AS SHOWN

**LEONARD SUBDIVISION
SHEPHERDSTOWN DISTRICT
TM 2 PAR 7; DB 932 PG 741
JEFFERSON COUNTY, WEST VIRGINIA**

DR'N.: DFS
P.M.: EHI P.I.C.: RWK
PROJ. NO.: 0511137.00
DATE: MARCH 2006
SHEET NO.:
1



- ① WDOH ITEM 401002-001 MARSHALL HOT-MIX ASPHALT WEARING COURSE, STONE OR GRAVEL, TYPE 1, PER TON
 - ② WDOH ITEM 401001-001 MARSHALL HOT-MIX ASPHALT BASE COURSE, STONE OR GRAVEL, TYPE 1, PER TON
 - ③ WDOH ITEM 307001-000 AGGREGATE BASE COURSE, CLASS 1, PER CUBIC YARD
 - ④ AASHTO #1 STONE
- NOTES: 1) WIDTH OF PAVEMENT FOR C.R. 5/1 TO MATCH EXISTING GRAVEL ROAD WIDTH.
2) OVERLAY ON C.R. 5/2 TO CONSIST OF BASE 1 CAPPED W/ 1" OF WEARING COURSE WHERE THICKNESS ALLOWS. ELSE WHERE, USE WEARING COURSE ONLY.



Thursday, March 30, 2006 3:33:15 PM
Z:\DATA\051113700\CIVIL\A051113700-ENGR.DWG
SCALE
1" = 1"
SHT. SIZE
24x36