



42395 Ryan Road, Suite 201, Brambleton Virginia 20148

Chair Phyllis Randall
Loudoun County Board of Supervisors
1 Harrison Street, SE
Leesburg, VA 20177

November 7, 2022

RE: BCA Opposes Proposed AIOD – Slow the Process, Involve Others

Dear Chair Randall,

The Brambleton Community Association (BCA or Association) Board of Directors and staff have reviewed a great deal of information on the proposed AIOD and attended several meetings on the subject. The proposed districts significantly impact homeowners and residents in Brambleton. At least three-fourths of the community will end up in the new LDN 60-65 district – and even more in the one-mile buffer. Impacts on Brambleton homeowners include a negative effect on property values, costly upgrades and surveys, unwanted easements, and ineffective disclosure requirements – for the purpose of future economic development of the airport.

BCA Opposes the proposed AIOD for the following reasons (in no specific order):

1. **Negative Impact on Property Values** – Properties moved to LDN 65+ and LDN 60-65 will decrease in value. Brambleton has many homes that will be relocated to the new LDN 60-65 district. What is the impact to assessed values and taxes? More time needs to be spent to involve the Tax Assessors Office and real estate appraisers so an accurate impact on property values and tax base can be estimated.
2. **Staff Analysis** – The County staff analysis is focused on the impacts to properties within LDN 65+ and downplays impacts to properties in LDN 60-65 and the one-mile buffer. Staff uses a 20-year-old article with references going back to 1987 to justify its statements on the impact on property values and disclosure. More time is needed for an updated study and analysis.
3. **Process Lacking a Comprehensive Approach** – A more comprehensive and inclusive approach is needed. FAA and impacted landowners/stakeholders need to be included in the process. Slow down the process and involve existing property owners, FAA, and other stakeholders as part of the whole process. These stakeholders deserve more involvement than just the Board's Public Input. What will keep MWAA from changing its plan again the day after the County realigns its zoning?
4. **Incompatible Uses** – Proposed changes will reduce future residential in Brambleton. BCA desires additional residential on parcels south of Evergreen Mills Road (PIN: 161269137 and 201298144)

– not data centers. Impacting these parcels with the newly aligned LDN 65 or higher restrictions will likely result in data centers directly across from existing residential. This is undesirable and incompatible.

5. **Lack of Disclosure Effectiveness** – Disclosure requirement encumbers existing property owners and does nothing to address actual airport noise concerns. The airport disclosure is just one more page in a several hundred-page resale disclosure packets that the purchasing owners don't read.
6. **Disclosure Authority** – Virginia state statute sets the disclosure requirements for homeowner associations. Loudoun County is placing a disclosure requirement on a homeowners association that is in addition to the disclosure requirements set by the State. Does this disclosure requirement apply to condominium associations, property owner associations, apartment complexes, etc.? Has this power been expressly granted to Loudoun County by the state?
7. **No Consideration for Abatement** – There are no grants and subsidization for noise abatement for the properties that are moved within the LDN 65 or higher or the LDN 60-65. Why should this expense be placed on the existing homeowner because the County wants to secure economic development benefits for the next 50 years?
8. **Questionable Underlying Data Validity** – AIOD is based on MWAA computer modeling of current and future potential noise contours. Unlike 19 other major metropolitan airports in the nation, including Reagan National and Baltimore-Washington International, MWAA has chosen a computer modeling method of noise contour map development instead of using actual acoustical sensors to measure noise levels. Subsequently, FAA has not approved the MWAA noise contour map, and therefore impacted residents will not be eligible for national-level subsidies for acoustical treatments. This places an undue burden on residents because of a lack of rigorous and FAA-approved methodical processes in noise contour map development.
9. **Aviation Easements** – Landowners should be financially compensated for any easement granted to MWAA or the County for economic development. They should not have to surrender this property right without personal gain.
10. **Industry Advancements** – MWAA is planning for the next 50 years. No mention or consideration has been given to the continued evolution of the airplane and airports. Tremendous advancements have been made over the past 50 years regarding airplane environmental and noise pollution. The evolution will continue into the next 50 years. The evolution of the airplane is occurring faster than the expansion of IAD. Will runways even be necessary 30 to 50 years from now?
11. **Misleading/Incomplete Information** – Summary information on County Website is incomplete and misleading. For example, your website information on LDN 60 or Higher states, "LDN 65 or Higher: Properties located within this area are generally closest to the airport and experience the greatest noise levels caused by airplane overflights. New residential development is not permitted in this area." There is no mention of what is required for existing residential. This leads an existing resident to believe that there is no impact on their property because it is existing, not "new." Similarly, with the LDN 60-65 statement on the County website. "LDN 60-65: Properties located within this area are closer to the airport. Any residential development in this area requires disclosures at the time of sale; acoustical treatments for new residential construction and new additions to existing residences; and an easement established prior to construction of a new residence granting the right of overflight in the airspace above the property." An aviation easement will be required from an existing property owner seeking a

zoning permit for their property in this realigned district. This is incomplete and misleading. This change in zoning has a considerable impact on our community.

We appreciate your time and review of the concerns coming from the Brambleton Community Association. We ask that you slow the process, involve impacted stakeholders, and seriously consider the impacts on current and future landowners. MWAA should not be the sole authority advising the County on this matter. In the future, what will stop MWAA from changing its flight paths in 10, 15, or 20 years and expecting Loudoun County to realign its zoning once again? Thank you for your time and serious consideration of your request.

Sincerely,

Richard Stone

Richard Stone PCAM, LSM
General Manager

Cc. Loudoun County Board of Supervisors
BCA Board of Directors
Brambleton Residents