

VIRGINIANA FILE

PWC - Harrison's Sites
GRAYSON'S HILL

case settled

Prince William Public Library
Manassas, Va.

By BARBARA DUBUC
Last month's out-of-court settlement between the Town of Dumfries and the owners of the Potomac Landfill should finally pave the way to rezone the 83-acre site, which is the largest tract of undeveloped land within Dumfries' total 960 acres.

Although the debris landfill opened in 1983 and changed owners two years later, the town has not rezoned the property from its R-1, residential status, or issued a business license for the landfill operations.

"The Town of Dumfries and Potomac Landfill have attempted to resolve their differences in exchange for certain items on both sides," says Town Attorney Robert Bendall, who confirmed that an Order of Stipulation was filed on Dec. 21 with the Hon. Percy Thornton.

Bendall says that Potomac Landfill has filed two applications for rezoning in accordance with the order and a public hearing will be scheduled to address the applications.

Potomac Landfill has agreed to put in certain letters of credit, paid \$5,000 for settlement of agreed-upon back taxes, and will comply with the town's gross receipt tax, Bendall says.

In exchange, the town has agreed to expedite the landfill's previously proposed rezoning request for M-1, industrial in some areas, and B-1, business in others, and has agreed to consider a tire recycling center proposed for the southeast corner of the property.

Some other highlights of the order are:

- A minimum 50-foot buffer around the entire landfill; as great as 400-feet in some parts, with nothing disturbed along the interstate, south and east.
- A prohibition against constructing any structure in a 200-foot setback around the west, south, and east sides of the property.
- Erection of soil and water management facility, with no land disturbed within the 50-foot buffer.
- B-1, business zoning for the area where the trucks now come in.
- Dump truck access to the pro-

See LANDFILL, page 8

LANDFILL

Continued from page 7

erty limited to Greentree Lane. Maximum construction debris height of 195 feet.

• A land "swap" giving the town ownership of Civil War historical area in the vicinity of the water tank.

The landfill—never approved by the Town of Dumfries—was legally based on a permit containing the word "landfill" issued by the town engineer, and interpreted by the town council to mean filling-in up to 100-foot-deep gullies.

The legality of the landfill development was upheld by the Virginia Supreme Court in October 1984.

Crippen Corporation, the operators of Stump Dump, Inc. in Great Falls, purchased the property from developers J. V. Elrod and Robert Davis in September 1985 for \$4 million.

In other pending litigation between the town and local businesses, Bendall says the Sterling Trucking Co. zoning violation case was settled in favor of the town, and that

cases against the Blue Ridge Construction Co. and Marine Structural Applications are still pending.

There will be a Feb. 10 Commissioner's Hearing at Town Hall on the right-of-way case brought by "landlocked" developer Walter Hanson against the Soled brothers, says Bendall.

Hanson brought suit to obtain access to his land along Cabin Branch Road. This road was part of the old pyrite mine railroad spur known as the "Dinky track."

The right-of-way dispute arose because easements were not built in to all of the old family-owned deeds along the total 28-acre tract. The Town of Dumfries, which originally earmarked town property behind Hanson's for ballfields, is also affected by the dispute.

"Because of the age of some of the witnesses, the Commissioner is hearing the case at Town Hall," says Bendall.

He says that although he has not intervened, he is closely monitoring the case for the town.

Dumfries asks state Supreme Court to hear dumping case



By Clifford Owen—Potomac News

Dust and noise at the Dumfries landfill prompted neighbors' complaints

By EILEEN MEAD
of the Potomac News.

The town of Dumfries will appeal to the Virginia Supreme Court today to stop a Battery Hill landfill operation, which the town claims is illegal.

Dumfries town attorney Charles F. Sievers said he is scheduled to give an oral argument before the Supreme Court this morning as to why the court should hear the appeal. If the court accepts the appeal, it will be heard later.

J.V. Elrod and Robert J. Davis have operated a commercial landfill for nearly a year in an attempt to fill gullies and valleys on 83 acres on the hill overlooking the town.

Lee Lansing, Dumfries engineer and zoning administrator, said Mr. Davis has talked of building condominiums, high rise apartments, mini-warehouses, an industrial park or single family houses on the lot at various times.

The site is now zoned for single family dwellings. When the owners attempted to get the zoning changed to permit townhouses, townspeople fought the proposal until the developer withdrew the plan.

Mr. Lansing said certain portions of the land are

adequate for building, but the terrain is very rugged with deep gullies, some 30 to 40 feet deep. Some of those gullies are being filled.

He said he has a map showing the original topography of the land, and he will use that to determine which portions of the 83 acres are suitable for building.

"Some jurisdictions, including Prince William County, have a law stating that nothing can be built on a landfill for a period of 20 years. Dumfries does not have such a law," Mr. Lansing said.

The town claims that a permit issued by a former town official earlier is "illegal."

That permit spells out the types of materials that may be used as filler, and it includes earth, tree stumps, concrete blocks (broken in pieces less than two square feet).

Residents of Grayson Village Mobile Home Park, near the state access road leading to the site, say the large trucks cause noise and dust. They say that nearly 30 trucks a day sometimes pass by.

Large trucks are charged about \$35 to dump and smaller trucks, \$15, according to town records.

Potomac News 9/27/84.