



William H. Gordon Associates, Inc.

Engineers • Surveyors • Land Planners • Landscape Architects

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West Virginia On the Rise

An Economic Outlook on West Virginia Development

As the DC metropolitan area extends its influence to surrounding areas, the Eastern Panhandle of West Virginia has increasingly been thrust into the spotlight. Jefferson and Berkeley Counties, located along the Shenandoah and Potomac Rivers, have been well kept secrets for the last century. Located approximately 60 miles from the National Mall in Washington DC, the region is booming. Fueled by residential growth available for a fraction of the prices found in Northern Virginia and the DC metro area, the Panhandle is seeing increased demand in all development sectors, including commercial, tourism, professional and business services. This region, its people and those reaping the benefits of investment in this area are driving the long dormant economy of West Virginia.

The extended outlook for the Eastern Panhandle Region is very positive. People seeking a new home are attracted to the area because of its proximity to the Metro area, natural beauty and significantly lower cost of an equivalent single family home. As the region steadily adds residents and jobs, it will no doubt live up to its goal of strengthening and expanding the area's economy, and in doing so, help make it one of the very best places to live and work in the country.

According to F.W. Dodge data, construction starts in 2004 in the Eastern Panhandle Region totaled \$473.3 million. Putting it into perspective, that's about 23.2 percent of West Virginia's \$2,037.6 million construction starts in 2004. The majority of this construction fell under the residential sector. However, the population growth will spur additional non-residential construction, including commercial development, office buildings, roads, highways, water and sewer projects.

Assistance is being given to those who want to

expand, build and improve West Virginia. The Governor has established a Community Partnership Program encouraging the support of meaningful public improvements in communities. Eligible activities under this partnership include, but do not limit to, the following:

- ◆ Construction and renovation of public facilities
- ◆ Municipal and courthouse facilities
- ◆ Flood protection and storm drainage
- ◆ Business and industrial parks
- ◆ Parking facilities

Another form of assistance West Virginia has to offer is the Economic Infrastructure Bond Fund. The purpose of this bond is to provide funding for projects likely to foster and enhance economic growth and development, with a strong emphasis on business and industrial parks. Eligible activities

under this bond include, but are not limited to, the following:

- ◆ Acquisition of land
- ◆ Construction of new facilities
- ◆ Improvements to or expansion of existing buildings and sites

With these great opportunities extended to its residents, West Virginia will continue to grow and exceed expectations. It is apparent that WHGA is in the right setting to actively provide service to those who are willing to build and improve the landscape that is West Virginia.



Boundary Survey Standards

Retracing survey records means more effort on surveyors' part

In almost every development project, the boundary survey is the first block in the foundation of any development plan. It is not only important to know your site constraints, but equally important to reveal any boundary issues such as gaps, overlaps or area discrepancies so that they may be resolved during the development process. A boundary survey serves that need. Boundary surveys are not only necessary, they are required at both state and county levels in all cases when a new line of partition is created.

In West Virginia, the State Code demands a significant part of the act of performing a boundary survey to be focused on retracing the original survey or surveys that created each and every line that comprises the property. Chapter 30, Article 13A, Section 26, Paragraph C states that "the record search shall include the record description based on current and prior deeds, conveyance, from a common grantor, or if necessary, the original survey grant. It shall also include descriptions of adjoining properties... ." What this means is that even if the current deed references a plat of a resurvey recently recorded in the county plat book, the original out conveyance whether it was created in the previous deed a few years earlier, a land grant 150 years ago or a portion of an old turnpike from the 1700's, must be researched and used in the process of performing the survey. This requirement must also be repeated for the subject property and adjoining properties until a common grantor is reached. The requirements add considerable effort, and unfortunately, cost to the process. The time required for this research can be as much as one to two hours per adjoining property. In certain situations, the surveyor may have to travel to an adjacent county to find the original survey or grant because it was recorded in that location prior to the existence of the county in which the surveyed property is located. For example, Hampshire County was the first county established in West Virginia. Berkeley County, established in 1772, was originally part of Hampshire County. Accordingly, if the original survey of a parcel of land in Berkeley County was recorded prior to 1772, you will not find it in the Berkeley County land records. Unfortunately, the surveyor may not know this until the chain of title has been traced back to Deed Book 1.

Other requirements that dictate a substantial amount of time are stated in Chapter 30, Article 13A, Section 26, Paragraph E:

Item 3 - "A reasonable attempt at notifying the adjoining... ."

Item 4 - "A reasonable attempt of talking to the adjoining or others having knowledge of the boundaries... ."

Some owners would like the surveyor to have no part in notifying the adjoining; however, the law cannot be ignored. What represents "a reasonable attempt" is undefined, but some type of an attempt must be made.

On the whole, the minimum standards for boundary surveys in West Virginia require the surveyor to play an even larger and more time-consuming role in the performance of a boundary survey than is required in other states. Many clients are surprised to learn of these standards that dictate considerably more effort beyond what is actually performed in the field.

New face at WHGA's Charles Town office



Being welcomed to the William H. Gordon Associates' Charles Town, West Virginia team is Ms. Kristen Ringstaff. Kristen graduated from George Mason University in 2000 with a B.S. degree in Civil, Environmental and Infrastructure Engineering.

She has spent the last six years working mainly in Loudoun County on large-scale, residential, commercial and industrial projects. She has also performed significant work in Jefferson County.

Since joining WHGA, Kristen has enjoyed working on various residential and commercial projects in Jefferson and Berkeley Counties. In addition, she is participating in the Jefferson County Citizens for Economic Preservation Organization (JCCEP).

Jefferson County Infrastructure

Upgrades necessary for future development

The Eastern Panhandle of West Virginia is quickly becoming the destination for families and young professionals seeking relief from the high housing prices found in adjacent jurisdictions. Jefferson County is 24 miles from Leesburg, Virginia, 27 miles from Frederick, Maryland and 63 miles from downtown Washington, D.C. Its location, along with the beauty of the Blue Ridge Mountains and the Shenandoah, and Potomac Rivers, make it attractive to developers and homebuyers alike.

Jefferson County recently overcame one of its greatest hurdles. The voters of the County have passed a school bond for \$19,000,000 that, when added to the \$25,000,000 of funding that was contingent on the passage of the bond, results in \$45,000,000 for the construction of a new high school and the renovation of the existing high school. This funding, in addition to a school impact fee, will ensure that the County has the capital to expand their facilities in the future.

Now that the school bond has passed, the single most important issue facing the County is the expansion of the Charles Town sewer plant. This plant is the primary source of sewage treatment for Jefferson County, and the Cities of Ranson and Charles Town. The plant is currently near capacity, and while plans are in place to upgrade the facility, a moratorium on sewer taps in the near future is almost certain.

The immediate limitation on the plant is not its treatment capacity, but the amount of treated water it can discharge into Evitts Run. To overcome this limitation, a force main is under design to convey the plant discharge directly to the Shenandoah River. This upgrade would provide an additional 500,000 GPD capacity to the plant. Once this upgrade is completed, an additional treatment basin will be added to the plant to further upgrade its capacity.

In the short term, this sewer plant will not be able to accommodate new development dependent on public sewer. Large developments such as Huntfield (Greenvest) and Norborne Glebe (Arcadia Builders) are already in place and are in line to use what little capacity is left in the plant. Additionally, to enter into the development review process, the County requires a letter from the sewer service provider stating that they have

capacity to serve any proposed development. At this time, these letters are not being provided. The West Virginia Bureau of Public Health is rejecting water and sewer connection requests for a wide range of residential and commercial subdivisions on the basis that the wastewater treatment plant may not have enough capacity to handle the daily sewage flow.

In summary, the short-term progress for both new and existing projects will be delayed until sewer upgrades are complete. Unless projects undertake the costly construction of package treatment plants, they will need to wait for the proposed improvements to the Charles Town plant. The current estimate for the completion of this project is between 12 and 18 months, barring legal challenges and lawsuits. The long-term prospects for Jefferson County remain strong. Its location and the new high school (set for completion in 2008) are both factors that will continue to provide a basis for a strong residential development market. For those developers who can establish a market presence and maintain through the sewer moratorium, the rewards could be great.

The environment in Jefferson County, as in all counties under development pressure, is a dynamic situation with new information and updates being provided on a weekly basis. William H. Gordon Associates' Charles Town office in Jefferson County, WV, is monitoring the progress of the situation and its challenges. Mark Dyck, Director, is involved in providing information to current and prospective clients in the Jefferson County marketplace.

Land Use in the Eastern Panhandle Region

Recognizing and understanding development opportunities

As development opportunities are pursued in the perimeter regions of the DC Metropolitan area, counties and municipalities are recognizing that the ordinances and regulations that have served them for the last twenty years cannot adequately address the challenges offered by the new growth. 2005 was a formative year for the development of new policy in the Eastern Panhandle. This policy has been driven through efforts at both the local and state levels and WHGA has played a significant role in both arenas.

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WHGA Instrumental in Charles Town Annexation

A historical achievement for West Virginia and WHGA

The City of Charles Town has not approved an annexation since 2002. However, December 5, 2005 will now hold a great historical significance for Charles Town with the approval of the annexation of a 19 1/2-acre infill project named Jefferson Heights. Although comparatively small in size, the Jefferson Heights annexation was monumental to the City as it set the precedent and enacted land-use policies to guide future growth for the City for both the short and long-term. WHGA was instrumental in facilitating the innovative process and outcome.

In response to Mayor Peggy Smith's workforce affordable housing initiative, Jefferson Heights first provided a variety of housing options and price points to accommodate a broad base of prospective homeowners. These options were a mix of single family homes, townhouses and condos totaling 228 units. Such diversification of housing within such a compact

development such as Jefferson Heights is not allowed within the County ordinances. This is the primary reason why Christopher Shultz, owner and developer of Jefferson Heights, petitioned the City for annexation. Jefferson Heights has agreed that a percentage of the total units realized in the development program will be designated as affordable units. These units will initiate the City's inventory of workforce affordable units to help offset the growing problem of providing local housing for public safety personnel and teachers. Additionally, the Jefferson Heights team are members of the Mayor's workforce affordable housing task force and, through that effort, will assist the City in developing the rules, regulatory framework and legal language to administer the program for the short and long-term. Linda Erbs, WHGA's Director of Engineering and Land Use Services, was appointed by the Mayor to

serve on this task force.

In addition, WHGA drafted a proffer package for the client that made the development appealing to the City. In addition to the workforce affordable units, a first for the City, and the commitment to draft the policy, procedures and deed language to administer the new housing program, the proffers also provide right-of-way for a potential new road still under consideration in the draft Comprehensive Plan, and a per unit contribution to the City to offset capital improvement costs for future projects.



An aerial view of Charles Town, West Virginia.

At the Planning Commission public hearing, the neighbors living adjacent to Jefferson Heights praised WHGA's plan and development design. The design blends the new construction into the existing community through architectural, tree preservation efforts and landscaping

enhancements. However, the annexation drew concerns from the community because of perceived traffic concerns. WHGA was able to overcome this concern by revising our development plan in less than 24 hours for a meeting with the community and City leaders to address the citizens' concerns and to gain their consensus for the changes.

This annexation is a remarkable achievement for WHGA and for the City of Charles Town. Although the annexation proposal presented huge challenges, it brings great benefits to the community. From the City's decision for annexation, current and new residents will benefit both economically and culturally, creating healthy growth for the future of Charles Town.

New Public Safety Center for Jefferson County

William H. Gordon Associates, teaming with Hayes, Seay, Mattern & Mattern Architects, was just awarded a new contract for the design and construction of a new Public Safety Center for Jefferson County, West Virginia. This facility will not only provide space for the existing needs of the Sheriff's Department and the Emergency 911 Communications Center, but also plans for the future growth of the County. Jefferson County projects that the Sheriff Department's staff and services will double by 2020, and that other public safety agencies anticipate similar growth. The new state-of-the-art facility will include the Office of Emergency Services, the County Office of Homeland Security and the County Ambulance Authority. The new center consolidates all these groups into one location for more efficient operations and greater public protection.

The new center will be located next to the existing West Virginia State Police Barracks and County Emergency Communications Center. The new 35,000 square foot building, associated infrastructure and amenities will use about half of this 14-acre site. Design considerations for the building and site will address security for both the public and staff. Not only will the physical construction of the building be solidified, but security devices will be incorporated in the site design itself.

Governor Joe Manchin speaks to JCCEP members

On October 20, 2005, WHGA Senior Associate Mark Dyck, a Jefferson County Citizens for Economic Preservation (JCCEP) Board Member, had the opportunity to present an overview of specific development issues to West Virginia Governor Joe Manchin.

Mark reviewed the impact that current policy, initiated by the West Virginia Division of Culture

and History, was having on the development industry in the Eastern Panhandle. The address was in conjunction with four other presenters that outlined the various challenges faced by the development industry, including the "no growth" inclinations of local politicians and the need for new sewer plants. After enjoying member presentations, Governor Manchin, the key speaker at the JCCEP meeting that day, shared his thoughts on West Virginia. He spoke to JCCEP members on the potential for economic development in the Eastern Panhandle and how that region could benefit the State as a whole.

JCCEP is the focal point for efforts in Jefferson County to ensure that all levels of government recognize the benefit of the local development industry.



WHGA Senior Associate Mark Dyck with West Virginia's Governor Joe Manchin at October's JCCEP meeting.

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WHGA's efforts have been focused on regulations being created that protect both the Development Community and the residents of the affected jurisdictions. Sound land use policies recognize the importance of property rights and the role land development plays in the evolutions of a community. Through the efforts of WHGA, the discussion has been elevated from the rally cry, to stop all growth, to one in which it is understood that growth will occur, and that a great opportunity exists to make the growth better. This is an ongoing challenge as one citizen group after another is created to stop growth.

Tremendous opportunity exists in the Eastern Panhandle for growth that observes the fundamental elements of neighborhood and community. WHGA has invested heavily in this region as a key component of its corporate strategies. The continued participation in the evolution of land use policy protects this investment and the interests of our clients.

Windemere at Charles Town, West Virginia

Unique design for the up-and-coming area

Windemere, an innovative planned community of over 1500 homes, is the Charles Town offices showcase project. Developed by the Mark Building Company in partnership with Kinsley Construction, Windemere will include design features and amenities that are unprecedented for the area.

This unique subdivision boasts over 17 acres of lakes, with eleven distinctive communities that will be interconnected by sidewalks and bike paths. At the heart of it all will be a well-appointed community activities center, The Windemere Club. The center will include a swimming pool, athletic field, playground and

hard-surface tennis courts. The Community Clubhouse will feature a fitness center, changing rooms and well-appointed meeting rooms.

Currently, site work has begun on several hundred acres in preparation for Phase I of the project. This phase will contain 187 single-family homes to be followed shortly thereafter by 110 townhouses and 72 condominium units.



A view of the master plan for Windemere, located in Charles Town, West Virginia.

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