



July 25, 2022

Town of Warrenton Planning Commission  
18 Court Street  
Warrenton, Virginia 20186

RE: Special Use Permit Application (SUP 2022-03) AWS Data Center

Dear Commissioners,

Citizens For Fauquier County/CFFC appreciates the opportunity to submit our initial comments for your consideration on Amazon's Application for a Data Center that has been prematurely forwarded to you for review during your July 26, 2022 work session. After having reviewed the entire contents of the Town's file, including the Applicant's Resubmission filed on July 20, 2022, CFFC has serious concerns about the incomplete and unacceptable state of Amazon's Blackwell Road Data Center application, the process and procedures that are being followed by the Town in processing this Application, and the failure to require Dominion's special use permit for a substation to be submitted with this Application, and our initial comments will be limited to those areas of concern.

For the reasons stated below, CFFC respectfully requests that the Planning Commission DEFER FUTURE WORK SESSIONS and REJECT the Application as incomplete and return it to the Applicant, or RETURN the Application to the Planning Manager, with direction to:

- 1) Properly review and respond to the Applicant's Resubmission dated July 18, 2022, filed with the Town on July 20, 2022, and if still incomplete, as CFFC demonstrates is clearly still the case, reject and return it to the Applicant;
- 2) Obtain all SUP criteria and any information, data and studies needed for the Planning Commission (PC) and Town Council (TC) to reach conclusive evaluations about this significant Application, many of which are identified below, within 60 days of rejection of the Application;
- 3) Reroute the Resubmission and completed application, with the studies and other appropriate data if and once received, to the various Agencies for a proper review;
- 4) Require submission of the substation SUP to be evaluated and determined simultaneously with Amazon's application; and
- 5) Schedule a site visit of one of the tens of comparable Amazon/Dominion data center/substation complexes in Virginia.

Only after this proper process has been followed should this Application be forwarded to the Planning Commission and Town Council for review.

### BACKGROUND

CFFC has been working to preserve the natural, historic and agricultural resources of Fauquier County for more than 50 years. We are an all-volunteer group of citizens and represent members who place a high value on our open spaces, scenic clear vistas, clean air and water, and the quietude and quaint character of our small town. Our members either live, work, shop, dine or otherwise support the Town of Warrenton, and proudly consider Warrenton our home and County seat.

It is not by accident that Fauquier County has been able to preserve its special rural character – it is only through thoughtful, well-researched planning that has allowed the type of economic development that is compatible with our special County, and has denied those that are not, that has kept Fauquier “Fauquier”. We have been involved in many of these land use processes, and CFFC submits that Amazon’s Data Center and its affiliated Dominion substation at this gateway location pose the greatest threat to changing Fauquier County that we have ever faced, and the future of Fauquier County is in your and Warrenton Town Council’s hands.

### THE PROCESS

CFFC is very concerned that this Application is being fast-tracked, without proper regard for or compliance with the Town’s Special Use Permit process. In fact, it’s incomprehensible to understand how a special use permit Application involving a highly technical, intensely impactful use that needs outdoor commercial equipment, rooftop commercial equipment, 50,000 gallon diesel fuel tanks, an electrical substation along the Town’s commercial corridor, transmission lines and new electrical infrastructure being run for miles on undetermined courses throughout Town and the County and being extremely intrusive whether placed above ground or underground; that is widely and commonly known as a massive consumer of electricity and water from various sources, and is loud, bright, and has emissions and environmental concerns; and that on its face is wholly incompatible with the neighborhood and community, Plan Warrenton 2040, and the vision to secure an anchor tenant that will revitalize the existing commercial enterprises and neighborhoods, was ever submitted as a skeleton-version of a SUP Application, accepted as complete, or forwarded for evaluation to the PC.

By accepting as complete and processing such a boldfaced, incomplete and inadequate Special Use Permit Application, filled with unsubstantiated assurances and devoid of any objective data or information or the required studies and impact analysis required for all other SUP land use applications, the Town is setting a very low bar and bad precedent for ALL future applications,

particularly future Amazon data center Applications (according to FOIA'd documents, Amazon plans at least 2 with up to 6 potential data centers for Warrenton).

This Application has the potential to permanently change small town Warrenton, it's use is significant and impactful, and the time to compel Amazon to comply with Warrenton's rules and regulations and stop its trajectory path to Town Council is now.

#### REVIEWING AGENCIES' COMMENTS

Complete applications are forwarded to all agencies whose comments "are necessary or desirable for full and appropriate review of the merits of the application." ZO 11-3.9.4.4. This is an important step in the SUP process, yet the Town forwarded the Application to the Agencies for review prior to acceptance, and containing none of the information, objective data, impact analysis, or studies that are necessary for the Agencies to properly determine the merits of all areas of the Application under their purview.

This is clearly demonstrated in the Public Works and Utilities Review by the Town Engineer (Memorandum, dated June 2, 2022). When reviewing the impact on the Town's water supply, which the Engineer states cannot "support industry and data centers for non-potable water uses", the only information provided by the Applicant is "the data center will utilize public water, and will require a connection to the Town's public sewer system. Details on this can be provided during the special use permit review process." (April 13, 2022 Statement of Justification, p. 2). With its Resubmission on July 20, 2022, Amazon now reveals that water is needed for "domestic use, humidification, and limited landscaping", exterior air cooled chillers, fire water storage tanks and electric power requirements, yet still fails to provide any estimation of water demand or impact analysis to the Town's water supply. Although Amazon omits the water usage requirements relating to the multiple generators and back-up generators, it is widely documented that water usage for electricity, generators and cooling (Amazon claims no water is used for cooling) use a tremendous amount of water. The Town needs to require Amazon to provide the water usage demands of all sources of water for its data center, as well as the sewage utility uses and impacts, so that the Public Works Department may determine the impacts on the Town's water and sewer supply systems.

The incomplete state of the Application continues to snowball as the Agencies' comments contain more questions than opinions, none of which were addressed by the Applicant prior to forwarding to the Planning Commission, rendering the Agencies' current comments on file of little to no value when evaluating this Application.

Resubmission and the omitted information, studies and data, once received, need to be referred back for comments to the various agencies prior to PC and TC review.

#### SELECTED SIGNIFICANT OMISSIONS

ENVIRONMENTAL IMPACTS FOR STREAMS, WETLANDS, SOIL TYPES, FLORA AND FAUNA. In the Resubmission, the Applicant discretely mentions that "According to the Geotech's

recommendations, blasting may be required for removal of weathered or intact rock.” Blasting, at this location? An impact analysis and the Geotech’s study must be provided.

ELECTRICITY AND NEED FOR SUBSTATION SUP APPLICATION. All SUP applications must include the source and demand of electricity and an impact analysis on the Town’s electrical utility facilities and system, and the Town has specifically requested elaboration on Amazon’s energy needs at start-up and operational, after having received no information on power needs in the April 13 Application. Despite having 3 months to supply this information, the Applicant still refuses to divulge their energy needs, other than it will need power from Dominion’s onsite electric substation once the “data center’s operations are projected to ramp up...” This is a very significant omission, as the lack of transparency of information on electricity demands and contradictory data relating to Amazon’s data center needs, as well as information uncovered in FOIA’d documents concerning quiet meetings held between the Town, Amazon, Dominion and the County over the past year, indicate that approval of this Application without a determination of the electricity needs of this data center, now and in the future, will have severe consequences for Warrenton and Fauquier County.

Dominion has held various public meetings over the past few months outlaying the miles of new 230kv transmission lines they claim are required to service Amazon’s data center, and that are made necessary as a result of a load letter from Amazon to Dominion. Like Amazon, Dominion refuses to produce the load letter, refuses to disclose Amazon’s electricity demands, and will not be submitting the load letter to the SCC when it seeks route approval. If the Town allows Amazon and Dominion to continue to conceal this very significant information – which is required by the Town’s Zoning Ordinance and has been requested by the Town’s Planning Department – the first glimpse of how this Application impacts Warrenton’s electric facilities, systems and capacity will be well after Dominion’s application for route approval is filed with the SCC, placing the citizens who oppose the data center, substation, and the power lines at an extreme and unfair disadvantage with the Town and the SCC. Further, by refusing to be transparent with this information, and planning infrastructure that appears to far exceed the electrical demands of Amazon’s single data center, Dominion and Amazon appear poised to develop a proliferation of data centers in Warrenton, which coincides with the Mayor of Warrenton’s recent submission of a Boundary Line Adjustment Agreement prepared for signature by Chris Granger, Chair of Fauquier County Board of Supervisors, which will add 1744 acres of County land into the Town’s limits. (See, Letter from H.E. Carter Nevill Town of Warrenton Town Council Mayor to Chris Granger, Chair, dated July 11, 2022).

Allowing Dominion and Amazon to secure the type of electrical infrastructure sufficient to service multiple data centers with an approval of this Application, without citizen input regarding the impact and without thoughtful and well-researched planning, is not how Fauquier has managed to remain “Fauquier”, but rather, is how Loudoun became known for its largest concentration of data centers in the world, and how western Prince William, in just the last few years, is on target to surpass Loudoun’s data center footprint.

NOISE. There is a complete lack of transparency in the information provided on noise, and due to the location of this data center-so close to our commercial hub and just 400 feet from nearby residences-and the fact that the generators and air chillers are outdoors-noise is a very significant criteria for the TC and PC to evaluate. All SUP applications must include the noise impact and abatement studies to determine the potential impact on adjoining properties and neighborhoods (ZO 11-3.10.2.8). Further, the Town has requested elaboration on generator noise impacts and details about the bi-monthly generator testing, and reaffirms the requirement for a noise abatement study. The Applicant has failed to answer the Town's questions regarding testing, provides no information on the manufacturer, type, size, number or cumulative dba levels of the generators, and fails to provide the actual study that would shed light on this significant information. No information or study addressing the impact of noise from the air chillers is provided as well. Instead, the Applicant expects the Town to accept its ludicrous assurance that "data centers are a relatively quiet use". By accepting an Applicant's assurances rather than requiring and reviewing the actual studies, the Town is setting a very poor precedent for future land use development applications.

WATER Although an analysis of the impact on the Town's water supply facilities and systems is required with every SUP application, no water usage estimation or impact analysis was provided with the Application. The Town subsequently specifically requested submission of the community facilities impact data for the public water demand, yet at the time of forwarding to the PC, no such information had been supplied, and none is provided with the July 20, 2022 Resubmission.

SIZE, LAYOUT, SCREENING AND BUFFERING According to Zoning Ordinance Art 9-26.1, all mechanical equipment, any portion of a data center visible from a residential district, and any substation associated with the data center must be screened from adjacent properties and rights of way. The Applicant provides a general layout for a one story +/-37 foot high building A and +/-8.17 acre substation site to be subdivided by others in the SUP plan, but provides no level of detail or certainty of size and location upon which the visual impact to the community and neighborhood may be properly evaluated. In its Resubmission, Amazon reveals that mechanical equipment will be placed on the roof, but provides no information on the added height attributed to the equipment. We have no information on the substation – no size, height, lighting, noise, emissions data, etc, - and this accessory use to the data center is situated along Blackwell Road's commercial side. CFFC submits that the Applicant's plan for screening, consisting of shrubs and fencing, will do little to minimize the visual impact of this project at this elevated, prominent, gateway location, and is inadequate.

There are many other omissions – the failure to address the fire department's concerns, the potential need to widen Blackwell Road and bring Blackwell Road up to grade (Town of Warrenton Police Department's Comments) and the impact on traffic, disruption to businesses and neighbors, and cost of such extensive road projects, for instance – that support CFFC's

request to the PC to reject and return this Application to the Planning Department and/or the Applicant.

CONCLUSION

This Application is inadequate and incomplete and acceptance and forwarding this Application for a vote before the Town Council would set a very low bar and poor precedent for future land use development applications. CFFC respectfully requests the Planning Commission to reject this Application or return it to the Planning Department with directions as stated above.

Thank you for your time, and your thoughtful and serious consideration of this very impactful Application that may determine the fate and future of Fauquier County.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Kevin Ramundo". The signature is fluid and cursive, with a long horizontal stroke at the end.

Kevin Ramundo, President