

Received 10/22/18

Rockingham County Planning Commission  
Rhonda Cooper - Deputy Director – Department of Community Development  
20 E.Gay Street, Harrisonburg, VA 22802



Re: **REZ 18-223**

My name is Larry Brown, I live at 3136 Nutmeg court in the Belmont subdivision.

I am writing to express my concerns about the volume of additional vehicle traffic that the development of an additional 50 residences would produce on the existing streets ( primarily Nutmeg) in Belmont.

My home is at the corner of Westwind and Nutmeg, and each day we experience a tremendous volume of traffic in the early morning (between 6 and 8:30AM) and again in the evening (between 4 and 6PM). This traffic has increased substantially since we moved in to our home 9 years ago. Especially, as the dump trucks, and various contractors and builders have built the first 23 homes of the development now under discussion.

I understand that as a rough rule of thumb, traffic from the average single family residence will be about 5 round trips per day or a total of 10 if funneled over the same roadway. This will mean the proposed addition houses will probably generate over 500 vehicle trips somewhere. If you look at the cited traffic count from 2009 ( almost 10 years ago) *and prior to a number of today's homes* you will see there was already 1,100 VPD at that time. That means, the new homes will probably increase Nutmeg traffic by over 40% PER DAY

Clearly the developers knew of the concern about excess traffic on the Belmont Subdivision streets when they agreed and included the seven conditions and proffers as part of their original rezoning application. I draw you attention to point **7B** that states “ Additionally, after the alternate access is developed, the remaining land will be developed in such a way that all new traffic will use alternate acces until the last lots are developed”. You can also see in the VDOT comments that even back in 2005 VDOT was aware of the significant public input about concerns in potential increase in traffic volume.

Therefore, I ask that the Planning Commission deny the request to modify the original agreement, and require the developer to construct the alternate access roads he promised in the 2005 agreement.

Sincerely,

A handwritten signature in cursive script that reads "Larry Brown".

Larry Brown

3136 Nutmeg Court

Harrisonburg, VA 22810

410-251-0478

LBTURKEY2@qmail.com



October 9, 2018

AMENDED  
- letter received 10/17/18 @

Ms. Rhonda Cooper  
Deputy Director of Community Development  
Rockingham County Administration Building  
20 East Gay Street  
Harrisonburg, VA 22802

Mr. Bradford Dyjak  
Director of Planning  
Rockingham County Administration Building  
20 East Gay Street  
Harrisonburg, VA 22802

Dear Ms. Cooper and Mr. Dyjak:

I would like to follow up to my comments at the Tuesday, October 2<sup>nd</sup> Rockingham County Planning Commission meeting regarding RZ18-273, the request to amend existing proffers on a piece of property owned by Carl Berkey.

As I stated at the meeting, I am totally opposed to removing the condition of having a Knox box on Tulip Terrace//White Oak Drive. There are several points that need to be clarified and also added to my comments.

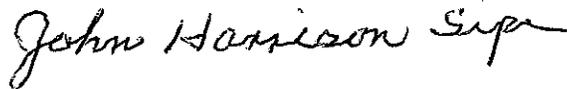
First, the request only mentions 25.704 acres when in fact it is a 51 acre property. The request as submitted leads one to believe that is the total land that would be developed and a density of twenty-five residents when in fact the land was zoned for over fifty homes. Thus we are not looking at 200 cars entering either Walnut Creek Drive and Tulip Terrace/White Oak Drive but ultimately 400 cars. By only requesting half of the total property, the applicant is not accurately reflecting the total affect on Belmont Estates. If approval is given for the first half of the property, there is no reason to believe Mr. Berkey would even request approval for the second phase. These issues were thoroughly discussed in 2005 and thus the reasoning to require a road to Silver Lake Road instead of using Belmont Estates as their ingress and egress.

Ms. Cooper/Ms. Dyjak  
October 9, 2018  
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Second, the 51 acre parcel IS NOT part of Belmont Estates and thus should not have access through Belmont Estates. As a separate home development, all cars should travel out of the development onto either Silver Lake Road or a road connecting with Erickson Avenue as proposed in the initial rezoning (Erickson Avenue has been determined not to be an option).

Lastly, I do believe the whole rezoning process should be restarted as proper notification was not given to ANY of the Belmont Estates residents who would be affected - especially myself and the residents of 1206 Tulip Terrace.

Sincerely,



John Harrison Sipe  
3385 White Oak Drive  
Harrisonburg, VA 22801

cc: David Rees, Chairman, Rockingham County Planning Commission  
Brent Trumbo, Rockingham County Planning Commissioner  
Rodney Burkholder, Rockingham County Planning Commissioner  
William Loomis, Rockingham County Planning Commissioner  
Keith Sheets, Rockingham County Planning Commissioner

**From:** [Sandra Rose](#)  
**To:** [Bradford R. Dyjak](#)  
**Subject:** Amended Proffered Conditions TM 107-(A)-166  
**Date:** Tuesday, October 30, 2018 9:55:12 AM

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Mr. Dyjak:

My husband and I will have been living on Nutmeg Court, Belmont Estates, two years on Nov. 21st. We loved the neighborhood and views, but for the last year we have experienced a real traffic problem. We have been inundated with dump trucks, concrete trucks, low-bed trucks with backhoes, land movers, etc. not even counting the numerous sub-contractors used with regular residential construction.

It is also rare that anyone abides by the 25 MPH speed limit. Hardly a day goes by that we do not have a problem exiting our driveway due to heavy and speedy traffic. There was a child killed on this street several years ago which we did not know at the time we purchased.

We live in a mostly settled, retired community but there are families with children here. I am always concerned when those children ride their bikes in the street.

We noticed in Mr. Berkey's ammended proffer that there was no mention of how these construction vehicles will get to Tulip Terrace and White Oak Drive. I assume they will magically appear there without the use of Nutmeg Court, Pin Oak, Drive or Flint. This was an obvious omission on his part.

We hope you will not approve this request due to increased heavy-commercial traffic on our residential streets. We would suggest that Mr. Berkey construct an alternate road onto his proposed additional development from either Silver Lake Road or #33 West before any further opening of lots and construction of houses thereon.

We thank you for your consideration in this regard and for the well-being of our residents.

Respectfully, Robert and Sandra Rose, 3196 Nutmeg Court

**From:** [Thomas B. Pender](#)  
**To:** [Bradford R. Dyjak](#)  
**Subject:** RE218-273, Rezoning Request of Partners Development, Inc. Cottontail Trail, Mt. Crawford, VA. 22841  
**Date:** Monday, October 29, 2018 2:09:17 PM

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Dear Mr. Dyjak:

I am a homeowner who resides at 1066 Tulip Terrace in Belmont Estates (we have owned it since July of 2017). We live on the corner Tulip as it intersects with White Oak Drive. Other than hearing from our neighborhood association, we have received no notice of the proposed rezoning action and we live 100 yards or less from where we think the cut through to Tulip is proposed. This seems unsatisfactory, to put it mildly.

Is it possible this proponent still seeks to hide the ball? I hope you all can get him to mail us notice of his plans.

Regardless, Tulip Terrace is not a long street and it makes almost an S curve and has a nice depression about 100 yards from Nutmeg Ct. It is plainly not a good street to use as a cut through to Nutmeg and then Ericsson. The amount of potential traffic will be hazardous and VDOT has already opined to that effect from what I have learned. That being true, why is this action even being considered?

Moreover, the intersection with Tulip and White Oak is problematic. Virtually no one from White Oak stops at the stop signs (as per Mr. John Sipe) and from my own observation as I mow my grass directly at the corner. I think another issue will be that some folks will avoid Tulip and turn right at White Oak and then turn left to Quince and then one way or another to Nutmeg at a point of very low visibility. In short, there are enough problems inherent in the area and making more is a bad idea.

I also note the original action was approved with assurances that it was sufficient. What is wrong with holding a person to his word?

Thank you for your consideration and I look forward to the public meeting.

Thomas B. Pender  
540 217-2029

Sent from my iPad

**From:** [Martin Kalb](#)  
**To:** [Bradford R. Dyjak](#)  
**Cc:** [Sallie Wolfe-Garrison](#)  
**Subject:** Re: Re-zoning  
**Date:** Monday, October 29, 2018 7:56:58 PM  
**Attachments:** [image002.jpg](#)  
[image002.jpg](#)

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Dear Mr. Dyjak, Dear Ms. Wolfe-Garrison,

First, thank you for taking the time to forward the documentation to me - that is much appreciated.

My wife and I moved into the neighborhood (Belmot Estates) last year; the prehistory, and rezoning of the area of interest here has thus taken place before we lived in this particular neighborhood. Generally speaking, I can see reasons for the expansion of the residential area. I do have concerns and points to consider, outlined here.

1. My recent attendance at a meeting tied to flood water brought up the point that once an area has been rezoned, and a structure has been approved and built, the county has no way of mandating much. This has led to numerous problems and concerns within the community - at that particular meeting, it was tied to the Walmart in Dayton, and flooding. I am deeply troubled by the idea that once all is approved, developers cannot be mandated to update or address certain issues - I have to on some level as a private property owner. I thus hope that this development will be "regulated" much better - otherwise, I can see a growing pushback within the community tied to additional developments. I would certainly make my voice heard much more widely if I do not feel development happens in a sustainable manner.
2. For this particular project, I am concerned about the traffic impact on Erichsen, and broader fears that this part of town will soon look like the area around Port Republic on the other side of Harrisonburg. More and wider roads will not fix the growing traffic concerns that have been emerging in Harrisonburg over the last years - and I thus hope the planning commission takes that into account now. More specifically, are there conversations about bike lanes and sidewalks, bus stops, green spaces, and parks? That needs to happen **before** developing another chunk of land. For instance, and in this case, the neighborhood needs to be connected to town (bus, bike, walk) - otherwise, thousands of cars will eventually block up this part of town as well, and that cannot be in anyone's interest.

I would appreciate if my comments are considered - and I am happy to forward them in a different manner, or to someone else.

Thank you much.

Best,

Martin Kalb

**From:** [Luke Sackett](#)  
**To:** [Bradford R. Dyjak](#)  
**Subject:** Suspected Spam:Fwd: Re-Zoning Request - Amending Proffers - Public Hearing November 7th!  
**Date:** Monday, October 29, 2018 8:59:30 AM

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Bradford,

I live on White Oak Dr. currently and am just now hearing about this expansion of Belmont. I don't know exactly what is planned, but I do want to voice my concerns about what could possibly be a rumor about a gate or knox box going in to prevent traffic from White Oak residents being allowed access to Nutmeg out to Erickson. If true, and all White Oak residents need to now take the Silver Lake Rd., the commute to and from work that my wife and I take would have a significant amount of time added to it. I hope that this is just a rumor and that there would still be access to Erickson from any resident that lives on White Oak Dr.

Thanks for your time.

**From:** [Christine Freeman](#)  
**To:** [Bradford R. Dyjak](#); [rodburkholder@comcast.net](mailto:rodburkholder@comcast.net); [Sallie Wolfe-Garrison](#); [chris@harrisonburghomes.com](mailto:chris@harrisonburghomes.com)  
**Subject:** Re-Zoning Request  
**Date:** Sunday, October 28, 2018 12:40:15 PM

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We want to express our concerns regarding the request filed by Carl Berkey with Rockingham County to amend proffers on the 25.7-acre development that adjoins our neighborhood. We understand that one of the amendments would allow this new development to be incorporated with Belmont Estates using existing streets without developing a new access off Silver Lake Road.

We moved to Belmont Estates in 1989 and lived on the lower end of Nutmeg Court for 25 years, close to the cul-de-sac end with very little through traffic. Nutmeg Court has been in controversy for years regarding the volume, speed, and distracted driving of traffic. We really did not understand the depth of these issues until 2014 when we moved to the top end of Nutmeg closer to the Erickson Avenue exit. We now see current Nutmeg Court traffic as a major concern with no plan or improvement solution on the horizon.

Our concerns:

- The volume of traffic on Nutmeg significantly increased with the first 24 lot development. During that development phase, residential traffic obviously increased, but contractors, heavy equipment, and delivery trucks increased as well.
- Speeding on this street is now a huge concern. We are outdoor people and witness DAILY the speeding that takes place on Nutmeg. It's a "runway" to/from Erickson for everyone. Distracted/inhibited driving is already bad, and will only get worse with increased volume. Texting, using GPS for deliveries (or now locating the Airbnb which is located on Nutmeg), morning sun glare, and on street parking all contribute to the current traffic mess.

We understand the request is trying to keep the community together and make travel easier, but mentioning future safety concern for fire & rescue should elevate the priority for the current issues. Walkers fear Nutmeg Court, cars parked on the street risk being sideswiped (especially at the pinch point in the turn), at least 2 sets of mailboxes have been wiped out, backing out of a driveway has become a challenge, and a tragic accident resulted from these contributors.

These concerns were acknowledged in 2005 when the entrance proffer was stipulated. Conditions have not improved on Nutmeg and will only continue to add to our safety concerns with the development of 51 more residential lots and substantially more Nutmeg traffic.

We ask that you please investigate the valid safety concerns of Nutmeg Court residents and the Belmont Community before voting to amend the proffer.

Thank you for your consideration.

Randy & Chris Freeman  
2975 Nutmeg Court  
Email: [cepfreeman@gmail.com](mailto:cepfreeman@gmail.com)  
Cell: 540-560-9563  
Cell: 540-908-8221