

SAIGON CITIZENS' ASSOCIATION  
7419 SPENCER COURT  
MCLEAN, VA 22102-21265

April 15, 2020

To: 495NorthernExtension@VDOT.virginia.gov  
From: Saigon Citizens' Association

Subj: Reference "I-495 Express Lanes Northern Extension Study"

We understand that April 15<sup>th</sup> is the last date to submit comments related to plans to extend the 495 Express Lanes by approximately three miles from the I-495 and Dulles Toll Road interchange to the vicinity of the American Legion Bridge and Maryland line.

The Saigon Citizens' Association sent the attached letter on June 19, 2019, expressing the community's concern regarding the encroachment of the new sound wall into our neighborhood after construction of the expanded Beltway. We send this second letter today at the request of a Saigon resident to support his latest letter on the same subject.

Requests:

1. Honor the promise conveyed by Abi Lerner that VDOT will "straighten out" the Beltway sound wall behind 987 Spencer Road rather than continue its current indented profile at that point. (See map at Attachment 1.) The properties at 987 and 989 Spencer Road are less than 150 feet from the current sound wall, and the residents wish to maintain as much distance as possible from the sound wall.
2. We question if building the trail in conjunction with the Beltway Expansion meets the standards for eminent domain specified in Virginia Code § 1-219.1. Limitations on eminent domain (Attachment 2). We question whether the installation of the paved trail was a requirement of VDOT or whether it was added by Fairfax County, and if the trail meets Virginia's definition of a park.
3. If the paved trail is peculiar to this neighborhood and the trail will not be built to parallel the entire three-mile stretch of expanded Beltway, then we request that you retain the small mulched trail that currently parallels the Beltway sound wall in their backyards rather than build a paved trail for the following reasons:
  - a. The neighborhood wishes to avoid ATVs, motorcycles, and electric bicycles from using a paved trail. The mulched trail allows current hikers to use the trail but does not invite extensive use, but a paved trail would invite vehicles. We wish to avoid the noise, maintain privacy and security, and prevent neighborhood burglaries by those who would use such vehicles to commit crimes.

**1** The preliminary noise wall plans indicate that the future noise wall is not anticipated to have the same indentation as the existing wall.

There is an existing noise barrier adjacent to this property. Portions of this existing barrier (including the portion in front of the noted homes) would be impacted by the project and therefore would need to be relocated to avoid conflict with the proposed additional lanes. The current location of the proposed noise barrier shown on the plans are considered preliminary. The noise barrier location and parameters would be finalized during the detailed design phase. VDOT would make every effort to 'straighten out' the relocated noise barrier and maximize the distance between the relocated barrier and the noted homes following the appropriate guidelines for noise barrier design.

**2** The paved trail is being constructed to make the project consistent with the trail facility included in the Fairfax County Comprehensive Plan. It is being constructed parallel to I-495 within the sections where the roadway project is being constructed.

**3** The paved trail is expected to be built along the entire section of I-495 within the study area.

**1**

**2**

**3**

b. Retention of the mulched trail would preserve expensive, beautiful, and sound insulating landscaping, such as tall oak and tulip poplar trees, flowering dogwood and cherry trees, and mature azaleas and rhododendron. This would preserve the beauty, privacy, and value of these properties. A paved trail would destroy the privacy of these properties since any trail user would stare directly into large windows of their houses. Felling a tall, mature tree is the very definition of irremediable damage because it cannot be replaced as it is.

4. If VDOT persists in building a paved trail, then we request that VDOT and its private partner provide the following exceptions for 987 and 989 Spencer Road:

a. Waive the right of way required by VDOT for the trail for 150 feet on either side of these properties.

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b. Reduce the width of the planned ten-foot-wide paved asphalt trail to a width of six feet and reduce the cleared shoulders from seven feet on each side to three feet on each side. That would reduce the total cleared width of the trail and its shoulders from 24 to 12 feet and save valuable landscaping.

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c. Just compensation for property taken for a trail is considered to be the difference of a property's value before the taking less what the value is after the taking. We request that the VDOT appraisers itemize the components of just compensation to include: the portion attributable to the land taken; land improvements taken; and residual damages in order to provide sufficient funds to restore privacy by building an 8-foot-tall wooden fence between the houses and the trail.

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Thank you for your time and consideration.

Sincerely Yours,

Patricia Foley  
Secretary,  
Saigon Citizens' Association

Attachments:  
As Stated

CC:  
Dranesville Supervisor  
Saigon Citizens' Association Board of Directors  
Residents of 987, 989, and 1010 Spencer Road

4 Compensation would be negotiated with the property owners during the right-of-way phase of the project. In most cases, VDOT reaches an agreement with affected property owners. In those cases where agreement cannot be reached, the final compensation would be determined by the courts.

5 The 10-foot minimum pavement width standard helps ensure the safety of pedestrians and bicyclists using the shared-use path.

6 The amount of proper compensation will be negotiated with the property owners during the right-of-way phase of the project. In most cases, VDOT reaches an agreement with affected property owners. In those cases where agreement cannot be reached, the final compensation would be determined by the courts.