

Written Testimony Received

Recommendations to Board of Zoning Appeals on request to amend an existing Conditional Use Permit, and to Town Council on request for modifications of site plan requirements for Green Hedges School, located at 415 Windover Ave NW, in the RS-12.5 Zoning District.

| Testimony Number | Name of Submitter                   | Address of Submitter               |
|------------------|-------------------------------------|------------------------------------|
| 1                | Penny Oszak & Elizabeth DiFrancisco | 221 Nutley St NW & 434 Knoll St NW |
| 2                | Howard Uman                         | 114 Wilmar Pl NW                   |
| 3                | Pablo Perez                         | 501 Windover Ave NW                |
| 4                | Melissa Maillett                    | 214 Nutley St NW                   |
| 5                | Penny Oszak                         | 221 Nutley St NW                   |
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# GREEN HEDGES SCHOOL

## INTRODUCTION AND PURPOSE OF THIS DOCUMENT

This document has been prepared by residents living adjacent to and impacted by Green Hedges School to provide Town Council, reviewing or approval boards, Town staff, and the public with a comprehensive, factual, and consolidated record of the School's historical approvals, governing conditions, and neighborhood impacts. It is also intended to evaluate and place the School's proposed Conditional Use Permit (CUP) and Site Plan Modification applications within their full historical, regulatory, and neighborhood context.

Green Hedges School has operated at 415 Windover Avenue since 1955 and has pursued repeated expansions through a series of CUPs, Site Plan Modifications, variances, and related approvals granted over multiple decades. These approvals were granted incrementally, often by different reviewing bodies, and frequently included specific conditions intended to limit intensity of use and mitigate impacts on the surrounding residential neighborhood. Unless expressly modified or superseded, those conditions remain in full force and effect.

Over time, the accumulation of approvals—combined with uncompleted commitments, missed deadlines, and evolving interpretations of prior conditions—has created ambiguity regarding which restrictions remain applicable and how they should be enforced. This document is intended to eliminate that ambiguity by providing a complete and organized record of prior approvals and their associated conditions.

The first portion of this document (*Green Hedges School History 1955-2017 p2*):

- Provides a chronological history of Green Hedges School's expansions and approvals from 1955 through the present;
- Identifies conditions, restrictions, and limitations imposed through prior CUPs and Site Plans that remain applicable unless expressly superseded;
- Documents patterns of incomplete or delayed implementation of approved improvements, including buffers, lighting, sidewalks, and other neighborhood protections;
- Summarizes longstanding and ongoing neighborhood impacts, including traffic congestion, parking shortages, noise, excessive density, prolonged construction impacts, and inadequate buffering; as well as the history of enforcement complaints associated with these issues.

The second portion of the document (*Green Hedges School Current Application & Neighbors' Concerns p5*):

- Outlines the scope, scale, and intensity of the proposed development;
- Identifies the zoning variances and modifications being requested, as well as the proposed phasing of construction; and
- Considers the cumulative impacts of the proposed expansion in light of the site's historical approvals, existing neighborhood conditions, and the residential zoning context in which the School operates.

Finally, the document sets forth specific, enforceable conditions recommended by neighboring residents should any new CUP or Site Plan approval be granted (*Neighbors Recommended CUP Conditions p11*). These recommended conditions are intended to mitigate documented impacts, ensure compliance with applicable zoning standards, establish clear operational limits, and provide enforceable timelines and accountability mechanisms. They are also intended to avoid the ambiguity and enforcement challenges that have resulted from fragmented and overlapping approvals in the past.

The purpose of this document is not to oppose reasonable, code-compliant improvements to Green Hedges School's facilities. Rather, it is to ensure that any future approvals are informed by the complete historical record, reflect the cumulative impacts of past and proposed development, and appropriately balance the School's operational objectives with the **health, safety, and quality of life of the surrounding residential community.**

## GREEN HEDGES SCHOOL HISTORY 1955-2017

Green Hedges School has been located in the Town of Vienna at 415 Windover Ave since 1955 and has pursued repeated expansions over the past seven decades.

### Conditional Use Permits (CUPs) and Site Plan Modifications – 1961 - 2017

CUPs and/or Site Plan Modifications for Green Hedges School have been approved for the following years:

- 1961. Student increase from 60 to 75. Town Attorney letter dated 4/6/1961 determined that increase in students would not change the non-conforming use.
- 1964. Additional classroom, bathroom, and exit driveway.
- 1970. Addition of a one-story building with two additional classrooms, and student increase to 100. Construction **was not completed until 1976-1977**.
- 1978. Add an addition, add a parking lot behind the existing buildings, and student increase to 120.
- 1981. Lot consolidation to include 427 Windover (Rice Art Center) to be used for additional classrooms.
- 1985. Build an additional 4,700 square feet of space as a multi-purpose type building with two classrooms and two additional bathrooms, student increase to 190. A condition of the approval required construction to be completed by May 1987; due to delays, the condition was modified to require **that construction begin by May 1987**.
- 1997. Construction of two additional class rooms and consolidation of Kilmer residence and rear yards of 221 and 227 Nutley St NW (four lots consolidated into one). Add a new driveway along Windover Ave to include on-site parking spaces. This was the **last Site Plan modification to be reviewed and approved by Town Council; construction was not completed until 2000**. This project was widely viewed as **the last expansion that could be reasonably accommodated** within the surrounding neighborhood. This understanding was documented in the Town Council Meeting held on December 15<sup>th</sup>, 1997.
- 2000. Construction of a 6,750 square foot playing field behind 227 and 221 Nutley St NW.
- 2007. Demolish the Stable Building and incorporate it with the expanded Kilmer Hall. New additions would be constructed on both one- and two-story platforms at the existing one-story Kilmer Hall. Construction of a 2-story tall underground athletic center. Reconfigure the existing entry drive and parking area (restripe 54 space parking lot. Create additional green space. Add a sidewalk along the Nutley St Entrance. Replace existing lighting to be compliant. Demolish 227 Nutley St and the existing athletic field be relocated to the 227 Nutley St site. Full Time Equivalent increase to 37.
  - Approved by Board of Zoning Appeals only as a three-phase, 12–15-year project; **only the second story additional to the Stable was completed in 2013**. While not all Site Plan Modifications require Town Council review, the scale and scope of this modification **were significant and should have been reviewed and approved by Town Council**.
- 2017. Lot consolidation of 202 Lewis St @ approximately .023 acres to establish an educational garden. Full Time Equivalent increase from 37 to 42. Utilize two parking spaces to increase total parking at 415 Windover Ave to 57 spaces.

### Historic Conditions and Restrictions (1961–2017)

During the 2017 CUP expansion proceedings, the Town Attorney was consulted and advised that a subsequent CUP application does not reopen, negate or otherwise invalidate prior approved uses, conditions, or future improvement approvals. Accordingly, all conditions, restrictions, variances improved under prior CUPs and Site Plans remain in full force and effect unless expressly modified or superseded by a later CUP or Site Plan Approval.

**Given Green Hedges School's long history of incremental approvals spanning multiple decades, we strongly recommend that any future CUP and/or Site Plan approval expressly incorporate, restate, and replace all prior conditions and variances, thereby superseding earlier CUPs and Site Plans in their entirety. This approach would eliminate ambiguity, ensure enforceability, and provide clarity for the Town, the School, and surrounding neighbors.**

The following is what the neighbors believe to be the complete list of applicable CUP conditions and restrictions approved between 1964 and 2017 (based upon historical CUPs):

1970

- All permanent parking spaces shall be to the rear of the proposed building.
- No prepared parking spaces shall be developed along the entrance driveway between Nutley St and the permanent parking areas.

1978

- The edge of the parking lot will be screened with fast growing trees and shrubbery. **Complaints filed.**
- Two speed bumps will be installed between the new parking lot and Nutley St.

1981

- Use of the Rice Arts Center is limited solely to classrooms and storage of instructional materials. **Complaint filed.**

1985

- No parking or standing permitted on Nutley St. **Complaints filed.**
- Student enrollment increased to a maximum of 190 students.

1996

- Waiver from public street improvement requirements, in lieu of which Green Hedges was required to construct a storm drainage system along the northwesterly side of Windover Ave connecting to an existing system near Nutley St.
- The Kilmer House may be used as a residence only until Mrs. Kilmer vacates the premises; thereafter, use by Green Hedges is limited solely to administrative services.
- Additional escrow contribution of up to \$2,000, not to exceed a total of \$7,000, for the Town of Vienna to construct a meandering asphalt sidewalk from the southerly Green Hedges driveway along Windover Ave to the intersection of Windover and Nutley.
- Town Council's site plan modification was approved based upon statements from the Chair of the Board of Directors for Green Hedges School that there are no plans to increase enrollment, staff or facilities (other than that considered by the Town Council on December 15, 1997), **nor are any such additions likely to be approved by the Town in the future.** This was added to the CUP order. **Complaints filed.**

2000

- Use of the athletic field by the School is limited to school hours of operation between 8:00 a.m. and 6:00 p.m. daily. **Complaints filed.**

2007

- Maximum 190 students.
- Hours of school activities:
  - Normal school activities, including daily physical education and after-school programs: 7:00 a.m. – 6:00 p.m., Monday through Friday.
  - Extracurricular activities, special events, and infrequent or intermittent activities: **Complaints filed.**
    - Weekdays: until 9:00 p.m.
    - Saturdays: 9:00 a.m. – 5:00 p.m.
    - Sundays: 10:00 a.m. – 2:00 p.m.
  - With prior notification and approval from abutting neighbors, one-time events outside these hours may be permitted. Board of Trustees meetings are permitted on Sunday evenings. **Complaints filed.**
  - Rental of school facilities, including the underground athletic facility when completed, is limited to: **Complaints filed.**
    - Weekdays: 3:00 p.m. – 9:00 p.m.
    - Saturdays: 9:00 a.m. – 5:00 p.m.
    - Sundays: 9:30 a.m. – 2:00 p.m.
- The School shall mitigate negative impacts to the surrounding neighborhood from traffic and parking for all activities, including facility rentals, and shall provide and enforce off-street parking. **Complaints filed.**
- Priority scheduling and reduced rental rates for neighborhood youth teams, clubs, and organizations.
- Maximum capacity of the athletic facility limited to 375 persons, or the Fire Marshall's limit, whichever is less.
- Construction may be phased; however, the first phase must commence within 18 months of CUP approval. **Complaints filed.**

- Rental policies and one-time events to be reviewed annually, or as needed, with abutting neighbors and the Town's Director of Planning and Zoning.
- Best efforts to preserve existing trees on neighboring properties. **Complaints filed.**

#### 2017

- Increase in Full Time Equivalent employees from 37 to 42.
- Two parking spaces at 202 Lewis St restricted to maintenance, custodial, and administrative personnel only; signage required. **Complaints filed.**
- Two parking spaces at 202 Lewis St to be screened with landscaping consistent with the approved Site Development Plan (5' evergreens along Lewis St and 8' evergreens along the northern property boundary). **Complaints filed.**
- Total parking spaces at 415 Windover Ave and 202 Lewis St not to exceed 56. **Complaints filed.**
- Maximum lot coverage of 31.22%.

### Pattern of Uncompleted Commitments

Over decades, numerous CUPs and Site Plan modifications were approved yet portions of the work were **never started or completed**. As a result:

- Promised buffers, green space, sidewalks, and compliant lighting were not delivered
- Meanwhile the School benefited from increased density, enrollment and staffing

Given the long history of approvals and the ongoing, well-documented impacts to the surrounding community, further expansion of this site exceeds the reasonable capacity of the neighborhood and warrants formal recognition by the Town Council.

### Longstanding Neighborhood Impacts

Since **1964**, surrounding neighbors have consistently raised concerns regarding:

- Excessive **density**
- **Traffic** congestion
- **Parking** shortages
- **Lack** of Buffers
- **Prolonged impact of construction activity**
- **Noise** Impacts
- **Storm Water** issues

### Enforcement History

To date, neighbors have filed **over 80 Complaints** against the School (see Appendix A). While not every complaint resulted in a zoning violation, the volume and consistency of these complaints underscore the ongoing and significant impacts the School has had on the surrounding neighbors' quality of life.



# GREEN HEDGES SCHOOL CURRENT APPLICATION

## Recent Expansion Efforts – 2022 - 2026

In **2022**, Green Hedges School began planning for another expansion and submitted a Conditional Use Permit application and Site Plan modification in **October 2023**. Based on Town feedback, the School spent the following 2 years revising its proposal and submitted a new CUP and Site Plan Modification on **July 29, 2025**.

While the CUP and Site Plan modification are separate applications, the School has stated its proposed updates and improvements are **contingent upon approval of both**.

## Proposed Development:

Green Hedges School proposes the following improvements and operational changes as part of its 2025 application:

- Renovation and expansion of Kilmer Hall, the main school building
  - Existing: approximately 15,495 square feet in a single story
  - Proposed: 38,860 square feet in a single level
  - Notably, portions of the Schools' narrative characterize this as an increase of approximately 6,445 square feet, **which appears inconsistent with the stated total building size**
- Demolition of the Rice Arts Center (approximately 2,197 square feet) and construction of a new Academic Building in the same general location,
  - Proposed Building: 35-foot tall, 12,690 square feet
- Enrollment increase to maximum of 225 students, phased at ten additional students per year beginning after the issuance of the Occupancy Permit for the New Academic building
- Staff increase to a maximum of 50 full-time employees, phased at two additional full-time employees per school year following the issuance of the Occupancy Permit,
- Parking and circulation improvements, including
  - A total of 66 code-compliant parking spaces
  - Improved vehicular circulation and additional on-site car queuing capacity
- Relocation and expansion of the recreation field to Windover Ave and Lewis St areas
- Updates to playground areas along Knoll St and Windover Ave
- Stormwater management improvements to meet current state requirements
- Landscaping and fencing enhancements along School perimeter to provide a visual and acoustic buffering for adjacent properties
- Dedication of right-of-way along Lewis St and construction of new sidewalks along Lewis St and Windover Ave

## Construction Phasing

The School proposes phased construction but the exact phasing will depend on final design details, **fundraising efforts, construction costs**, and permitting. The current phasing plan is as follows:

- Phase 1
  - Demolition of Rice Arts Center and construction of the New Academic Building.
  - Construction of new parking areas
  - Construction of new grass field
  - Installation of bicycle parking
  - Landscaping enhancements
  - Construction of new fencing
  - Construction of sidewalks along Lewis St and Windover Ave
- Phase 2
  - Renovation and expansion of Kilmer Hall
  - Construction of new playgrounds
  - Additional landscaping improvements within playground areas

## Variances and Modifications Requested

The School is requesting the following modifications to the Town's Zoning Code

- Section 18-824(7): Extension of the commencement period for construction from 6 months to 24 months following issuance of the CUP
- Section 18-218.2: Modification of lot coverage requirements from the permitted 25% to 47.8%
  - The School is currently approved for up to 32.2% coverage
- Section 18-402: Modification of required frontage improvements to allow for a modified sidewalk configuration and street section on Lewis St and Windover Ave
- Section 18-582: Waiver of the requirement for a dedicated loading space (one per every 100,000 square feet of gross floor area) with loading proposed to be accommodated elsewhere on site
- Section 18-560: Modification of interior parking lot landscaping, (one landscaping island per ten parking spaces) to allow for underground stormwater facilities in both parking areas
- Section 18-561.1: Modification of the required 15-foot buffer with approximately **56% of the property not meeting the minimum buffer width**
- Section 18-583: Modification of bicycle parking requirements, specifically the long-term parking standard (one short-term and one long-term space per 2,500 square feet)



## NEIGHBORS' CONCERNS

The neighbors' long standing and primary concerns related to Green Hedges School have consistently centered on density, traffic, parking, inadequate buffers, and noise. The current application proposes increases in density and traffic, does not comply with required buffer standards, and does nothing to mitigate existing noise impacts. In several respects, it exacerbates them.

### Phasing and Completion Deadline

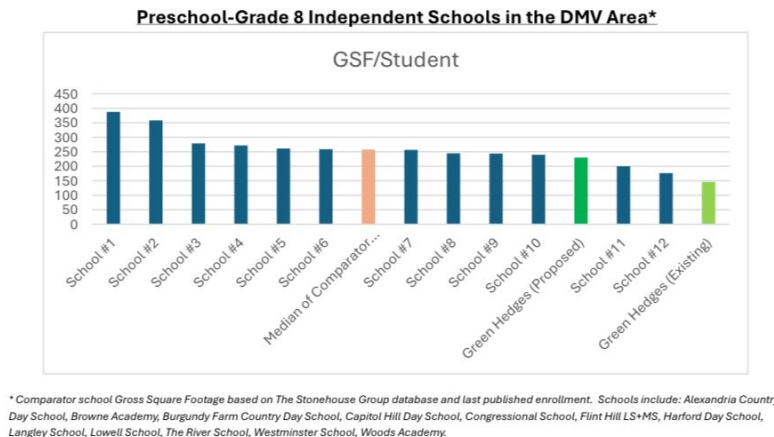
The current Green Hedges proposal anticipates a multi-year construction period. Given the School's documented history of missed deadlines and subsequent unreviewed and unapproved site plans, the neighboring community insists that any approvals be conditioned on a firm timeline.

Specifically, all approved phases of the Site Plan must be fully completed within three (3) years of final approval by both the Board of Zoning Appeals and the Town Council. Failure to complete all phases within this three-year period shall result in the automatic revocation of the Conditional Use Permit. In such event, Green Hedges School shall be required to submit and obtain approval of an amended CUP and Site Plan.

Additionally, to the extent practicable, all improvements facing or impacting neighboring residential properties – including but not limited to buffers, fencing or walls, and lighting – shall be completed prior to the commencement of any other site modifications or construction activities.

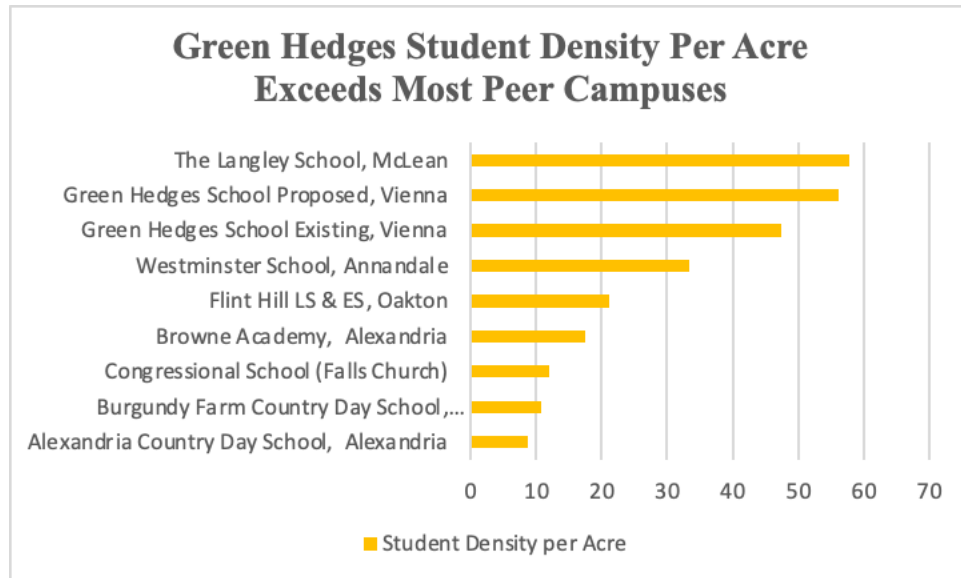
### Density and Institutional Expansion in a Residential Neighborhood

Green Hedges has stated that its need to expand is driven by the fact that the existing school is “significantly undersized (56% vs. median) relative to peer preschool–Grade 8 independent schools in the DMV area.” Despite operating within a residential neighborhood with limited expansion capacity, the School's stated objective is to reach approximately 91% of the median gross square footage (GSF) per student for comparable private schools.



\*Chart taken from the Green Hedges Campus Plan

A further review of the Virginia peer schools reflects the following student/density parameters. As shown in the chart below, Green Hedges School's proposed student density per acre is among the highest when compared to their peer independent schools in Northern Virginia, exceeding both its existing condition and the densities observed at most peer campuses. Several comparative schools achieve lower student density through substantially larger campus acreage, **underscoring the relationship between site size and operational intensity.**



Green Hedges further asserts that increased enrollment is necessary to maintain competitiveness with other independent schools throughout Northern Virginia, the District of Columbia, and suburban Maryland, citing rising operational costs and a fixed tuition base at 190 students.

The surrounding residential neighbors should not bear the burden of enabling a private institution to remain competitive with schools located outside the Town of Vienna, particularly where those schools are sited on substantially larger campuses or in non-residential zoning districts.

We are confident that the Town Council would not support granting restaurants, retail establishments, or office facilities zoning variances that fundamentally alter the Town's character – such as expanded hours of operation, reduced parking requirements, or increased lot coverage – simply to make those businesses “more competitive” with similar uses in neighboring jurisdictions.

Green Hedges School is a private institution operating within a residential zoning district. Granting variances on the basis of competitiveness in this context establishes an inconsistent and concerning precedent, raising the question of why this applicant should be treated differently from other private entities subject to the same zoning constraints.

### **Lot Coverage and Inappropriate Comparisons**

While modifications to lot coverage are sometimes granted for institutional uses in residential zoning districts, such allowances are typically made for public or governmental uses that serve a broader civic purpose. The School's comparison of its lot coverage modification to public schools or a police station is inappropriate.

A private school is not required to expand to fulfill a public mandate. This expansion is discretionary and serves the School's interest and it is not essential.

Although the proposed expanded facilities may physically accommodate additional students and staff, the surrounding residential neighborhood cannot accommodate the resulting impacts.

### **Phase 2 Proposed Expansion and Intensity of Use**

In Phase 2, the School proposes expanding the Multi-Purpose Room into a gymnasium and enhanced performance space. Such a facility has the potential to **significantly increase the intensity of use, particularly if rented or used outside of normal school hours.**

To prevent impacts that would be incompatible with the surrounding residential neighborhood, any approval should include clear and enforceable conditions limiting:

- Days and hours of use
- Maximum occupancy
- Permitted users (e.g., school-only use)

Additionally, Green Hedges already lacks sufficient on-site parking to support its current extracurricular activities. Increasing enrollment, staffing and rental use will further compound existing parking and traffic issues.

## Review of the School’s Supplemental Submission

The School submitted a supplemental document asserting that the Campus Plan improves conditions while supporting increased enrollment and faculty, addressing:

- Traffic and Circulation, particularly at arrival and dismissal
  - Note: **Faculty and staff were not included in the traffic analysis.**
- Buffers with contiguous residential properties
- Sound Management
- Stormwater Management

## Buffers

The neighbors oppose any modification to the required buffer zones. The school acknowledges that its current proposal cannot meet zoning buffer requirements. That burden should not be shifted to the surrounding residents. Instead, the School should revise its plans to comply fully with all applicable zoning codes.

All required buffers should include dense, year-round plantings. Existing “buffers” at 434 Knoll St and 206 Lewis St are routinely cut back each fall, rendering them ineffective.

Because children currently play directly adjacent to neighboring fence lines, the neighbors request a condition requiring that **all buffer zones be designated as passive areas**, with **NO human activity** permitted other than maintenance.

Regardless of ownership, the property at 206 Lewis St is not included in the campus improvement plan and should therefore be required to meet all applicable zoning requirements independently.

## Sound Management

The School provided a sound analysis based on data collected between Saturday, October 11, through Monday, October 13<sup>th</sup> and Monday, October 27 and Thursday, October 30, 2025 correlating sound levels with arrival, playground, lunch, recess, and dismissal periods.

In the absence of a Town of Vienna noise ordinance with specific decibel limitations, the Fairfax County Noise Ordinance (Chapter 108.1-4-2.) provides guidance. In residential areas between 7:00am and 10:00pm, continuous sound levels must be below 60 dBA.

| Date                                                                                                  | Continuous Sound, dBA<br>7AM - 10PM<br>(Max 60 dBA) | Impulse Sound, dBA<br>7AM - 10PM<br>(Max 100 dBA) | Notes         |
|-------------------------------------------------------------------------------------------------------|-----------------------------------------------------|---------------------------------------------------|---------------|
| Oct 11, 2025                                                                                          | 45                                                  | 66                                                | No School Day |
| Oct 12, 2025                                                                                          | 53*                                                 | 69                                                | No School Day |
| Oct 13, 2025                                                                                          | 42                                                  | 68                                                | No School Day |
| Oct 27, 2025                                                                                          | 53                                                  | <b>83</b>                                         | School Day    |
| Oct 28, 2025                                                                                          | 54                                                  | <b>87</b>                                         | School Day    |
| Oct 29, 2025                                                                                          | 54                                                  | <b>84</b>                                         | School Day    |
| *Note, the data trend showed gradual increase in decibels representative of yard work around the area |                                                     |                                                   |               |

\*Chart taken from Green Hedges Campus Plan

The School asserts that the proposed increase in enrollment would result in only negligible increases in noise levels and that an installation of a six-foot wooden fence would provide an estimated 5-8 dBA reduction.

However, the above chart indicates a substantial increase in sound levels (**+20 dBA**) generated by School operations.

Neighbors have concerns regarding the methodology, timing, and completeness of the School's sound data collection and have formally requested from the School additional data points to allow for a more accurate and representative analysis.

In parallel, neighbors are conducting an independent sound analysis to evaluate existing and projected noise impacts.

## NEIGHBOR RECOMMENDED CUP CONDITIONS

Should Green Hedges be granted a new Conditional Use Permit and/or Site Plan approval, the neighbors respectfully request the following conditions be included as binding and enforceable conditions of approval. These conditions are intended to mitigate ongoing and documented School impacts to the surrounding residential neighborhood.

1. Kilmer House Use and Exterior  
The Kilmer House shall be used solely for administrative office purposes. No exterior alterations, expansions, or modifications to the structure shall be permitted.
2. School Days and Hours of Operation  
Green Hedges School operations shall be limited to Monday through Friday, 7:00 a.m. to 6:00 p.m., except as otherwise expressly permitted under this CUP.
3. Maximum Enrollment and Staffing  
The School shall not exceed 190 students and 42 full-time equivalent employees at any time.
4. Parking Maximum  
The total number of parking spaces at 415 Windover Ave shall not exceed 66 spaces.
5. Lot Coverage  
Total lot coverage shall not exceed 31.22 percent.
6. Project Phasing and Completion  
The approved project may be constructed in phases; however, all phases shall be completed within three (3) years of final approval by the Board of Zoning Appeals and the Town Council. Failure to complete all phases within three (3) years shall result in revocation of the Conditional Use Permit, and Green Hedges School shall be required to apply for an amendment to the CUP and Site Plan.
7. Corrective Drainage Improvements  
Corrective grading to address existing drainage issues affecting the rear yards of 434 Knoll St and 416 Knoll St shall be completed by the applicant prior to issuance of the CUP, as determined necessary by the Department of Public Works and upon request of other abutting property owners.
8. Construction Traffic Timing Restrictions  
Construction vehicles and equipment, other than passenger cars, vans, or pickup trucks, shall not enter or exit the site between 6:30–8:30 a.m. and 3:00–6:00 p.m. during the school year.
9. Construction Parking Restrictions  
All construction vehicles and equipment shall be parked on-site or at an approved off-street location. No construction-related parking shall be permitted on Windover Ave, Lewis St, Nutley Str, or Knoll St.
10. Occupancy Limits  
Maximum occupancy of any multi-purpose room, auditorium, gymnasium, or other communal space shall not exceed limits established by the Fire Marshall.
11. Noise Ordinance  
All contractors and vendors shall be subject to the Town of Vienna noise ordinances, and the School shall be responsible for compliance. Repeated violations by contractors shall be deemed violations by the School.
12. Student Drop-Off and Vehicle Stacking  
All student drop-off and pick up shall occur entirely on-site only. All vehicles shall enter the site and utilize designated on-site drop-off and pick-up areas. Vehicle stacking shall be accommodated exclusively on-site. Under no circumstances shall vehicles queue or stage off-site. If on-site stacking capacity is reached, vehicles shall be directed to continuously circulate until space becomes available. Green Hedges shall be

solely responsible for enforcing this condition, including the provision of on-site staff or the hiring of police officers to manage traffic and ensure compliance.

13. On-Site Parking and Overflow Parking

All parking shall occur on-site within areas shown on the approved Site Plan. No overflow parking shall be permitted on surrounding streets, including Nutley St, Windover Ave, Knoll St, or Lewis St. Off-site parking shall be secured for overflow events or rentals, and staff shall be assigned to direct traffic accordingly.

14. Buffering and Landscaping

No modification or reduction of required buffers shall be permitted. All buffers shall comply fully with the applicable zoning code. Buffer areas shall include dense, year-round vegetative screening, consisting of a continuous barrier of evergreen trees to provide visual and noise attenuation throughout all seasons. Buffer plantings shall not be cut back, thinned, or removed except for maintenance or replacement of dead or diseased material, subject to Town approval. All buffer areas shall be designated as passive space. No playground use, circulation, storage, seating or programed activity shall occur within buffer zones.

15. Fencing and Masonry Walls

A minimum six-foot (6') solid wood fence shall be installed along all property lines abutting residential uses. A minimum six-foot (6') masonry wall shall be required wherever driveways, loading areas, or parking areas directly abut residential properties. All fencing and masonry walls shall be permanently maintained in good condition. Any damaged, deteriorated, or removed fencing shall be promptly repaired or replaced to ensure continuous compliance with applicable screening and buffering requirements.

16. Rental Use Restrictions

Rental use shall be limited to internal school buildings only and shall not include outdoor facilities. Rental hours shall be limited to Monday–Friday, 3:00–8:00 p.m., and Saturday, 9:00 a.m.–2:00 p.m. The campus shall be fully closed within one (1) hour of the last scheduled activity. Rental group size shall not exceed 20 participants. Rental policies and one-time events shall be reviewed annually, or as needed, with abutting neighbors and the Director of Planning and Zoning.

17. The gymnasium and performance space or multi-purpose room shall be used exclusively for school-related activities. Rental, leasing, or use by outside organizations or individuals shall be prohibited. Use of the gymnasium shall be limited to:

- School days between 8am and 6pm
- School sponsored events only
- Maximum occupancy shall not exceed limits set by the Fire Marshall

18. Special Events and Extracurricular Activities

Special events and extracurricular activities shall be limited to 12 events per school calendar year. Weekday events shall conclude with campus closure by 9:00 p.m. Saturday events shall occur between 9:00 a.m. and 2:00 p.m., with campus closure by 3:00 p.m. Written mail and email notice of all such special events and extracurricular activities shall be provided to abutting neighbors at least two (2) weeks in advance.

19. Outdoor Play Areas

Outdoor recreational play areas shall not be located adjacent to residential property lines without required buffer separation. Outdoor student activity shall be limited to designated areas shown on the approved Site Plan. Use of outdoor recreational play areas shall be limited to Monday–Friday, 8:00 a.m.–6:00 p.m. Use of outdoor areas shall be continuously monitored by staff at all times. No more than 40 children shall be outdoors at any one time during standard school days and hours. No lighting shall be permitted, and play areas shall be fenced.

20. Noise Controls

The use of outdoor amplification, including whistles, speakers, bullhorns, or PA systems shall be prohibited. The proposed six-foot wooden fence shall not substitute for required buffers and shall not be relied upon as the sole noise mitigation measure

21. Mechanical Equipment and Noise Mitigation  
Generators, HVAC systems, and mechanical equipment shall be located toward the interior of the site, with components placed indoors to the maximum extent feasible. All equipment shall comply with zoning noise and screening.
22. Solid Waste and Refuse Collection  
Dumpsters and refuse areas shall be located as far from residential properties as practicable. Dumpsters and refuse areas shall be fully compliant with all zoning enclosure and screening standards.
23. Outdoor Lighting  
Outdoor lighting shall not exceed 12 feet in height and shall be fully shielded and directed downward away from adjacent residential properties. No exterior lighting shall remain illuminated after 7pm, except for safety lighting.
24. Upon approval of this Conditional Use Permit and any associated Site Plan, all prior Conditional Use Permits, Site Plans, special exceptions, variances, approvals, and associated conditions previously granted for Green Hedges School are hereby expressly superseded, replaced, and rendered null and void.
25. This Conditional Use Permit and associated Site Plan shall constitute the sole and controlling land use authorization governing the use, operation, development, and expansion of Green Hedges School. No prior approval, condition, or representation shall have any force or effect unless it is expressly incorporated into this Conditional Use Permit.



## **IN CLOSING**

Neighborhood residents recognize Green Hedges School's right to maintain and improve its facilities, so long as those improvements comply with the residential zoning standards that protect our community. We would support such efforts just as we would for any other neighbor.

Residents object to repeated requests for preferential treatment through additional zoning allowances, variances, or expanded conditional use permissions that would further intensify use of the property and impose added impacts on an already burdened residential neighborhood. Residents therefore urge the Town Council to reaffirm and enforce strict compliance with all existing CUP and zoning conditions, including those governing noise, buffering, and operational limitations, in order to protect the health, safety, and welfare of the surrounding community.

Over the past several years, residents have filed numerous formal complaints documenting recurring impacts associated with the School's operations, including noise, traffic, and parking concerns, as well as issues related to compliance with existing conditions. These complaints reflect a consistent pattern of impacts rather than isolated or occasional incidents and have required repeated Town attention. While the School continues to operate under its current approvals, the documented issues raise reasonable concerns regarding the site's ability to accommodate additional intensity. Taken together, this record provides a sound basis for the Town Council to carefully evaluate whether further expansion would be compatible with the surrounding neighborhood or serve the public interest.

## **APPENDIX A**

**See File Attached in email sent to ToV on 1/5/2026 Named:**

**Zoning and CUP Complaints Reported to ToV DPZ\_Green Hedges School\_12-22-2025.pdf**

Zoning and Conditional Use Permit (CUP) Complaints to the Department of Planning and Zoning related to the  
Green Hedges School, 415 Windover Ave NW, Vienna

| No. | Applicable Requirement per CUP and/or Zoning                                                                                                                                                                                  | Date of Alleged Violation            | Complaint Details                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Date Reported (Email Date)                        | Violation Determination Y/N | Town of Vienna Zoning Administrator Opinion/Resolution                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
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| 1   | 2007 CUP - rental of school building                                                                                                                                                                                          | 4/25/2022,<br>5/9/2022, 6/6/2022     | Rental of outside grounds.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | 4/26/2022,<br>5/9/2022,<br>6/6/2022               | Y                           | <b>Zoning violation:</b> The Notice of Violation sent by Town of Vienna to Green Hedges dated May 20, 2022 indicated that the rental of the property is not permitted for activities on the playing fields or the parking lots, but for inside the building.<br><br>The Green Hedges School acknowledged this violation, and stated they would contain the rental uses to the interior of the building.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 2   | 2007 CUP - infrequent events extending beyond school hours                                                                                                                                                                    | 4/29/2022,<br>6/2/2022               | Several vs infrequent events and lack of notification of such events to abutting neighbors.<br>"As a follow up to this complaint, I'd like to inform you that "Field Day", identified below as scheduled for 5/27, apparently was rescheduled to today without any notification to neighbors. I recognize that the school can schedule special events during school hours but this event is held outside. In addition to the expected increase in noise levels, (I had to move my activity indoors), it also included a balloon popping machine that sounds like gunfire pops. After what happened in Texas last week, this was unnerving to say the least. When I heard the increased noise level, I texted the headmaster to ask if it was Field Day. Once I heard the gun pops, I again texted saying, I heard gun fire. Shortly there after an email was sent out saying the school campus was fine and they had rescheduled Field Day to today.<br>So gunfire popping was actually the balloon machine and screaming was excitement. This just again highlights the need for better notification to neighbors for these sorts of events.<br>I've attached 2 voice recordings that reflect the "excitement" <25> and the "popping" <18> sounds." | 4/29/2022,<br>6/2/2022                            | Y/N                         | Rentals of the Green Hedges facility are permitted per the Conditional Use Permits.<br><br><b>Zoning violation:</b> The failure to provide notification for such events is a violation of the 2007 Conditional Use Permit.<br><br>At a follow-up meeting to the May 2022 Notice of Violation, Town of Vienna staff emphasized the need to maintain the requirements of the Conditional Use Permit by limiting the number of events to being infrequent, and by providing on-site and off-site non-street over-flow parking for use by event attendees.<br><br>Since the follow-up meeting, Green Hedges has provided the community and Town staff a list of events to be held at the school, and information about parking options that would be sent to the attendees of these events. Staff has also asked that signage be provided for the event, so that attendees can know where off-site off-street parking is provided.                                                                                                                                                                     |
| 3   | 2017 CUP - Parking space for 2 spots at Meadow Garden on Lewis Street, CUP requirements for signage restricting parking use to School Staff and tree screening per CUP.                                                       | 5/6/2022,<br>5/17/2022,<br>6/21/2022 | More than 2 cars parked in Meadow Garden, No signage per CUP, lack of tree screening per CUP<br>"According to the 2017 CUP, parking in the "Meadow Garden" located at 202 Lewis Street is limited to TWO parking spots. On May 6th, 2022, it was observed that FOUR cars were parked in the 2 spot parking space. See photo #1.<br>Additionally, the 2017 CUP was approved based upon the fact that screening of the parking spaces from the surrounding neighborhood would include 5 ft evergreen trees to be planted along Lewis St frontage and 8 foot evergreens to be planted along the northern property boundary. As you can see from Photos #2, such tree screening does not exist. from Photos #2, such tree screening does not exist."                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | 5/6/2022,<br>5/9/2022,<br>5/17/2022,<br>6/21/2022 | Y                           | <b>Zoning violation:</b> The Town found that Green Hedges was not compliant with the 2017 Conditional Use site plan provision that 1) limited parking to no more than two cars at Meadow Garden (200 Lewis Street) and 2) required appropriate parking signage. These violations were included in the May 2022 Notice of Violation that was sent to Green Hedges. The Green Hedges School placed a sign restricting parking to two cars for maintenance staff per the Conditional Use Permit.<br><br>In response to the concern about tree screening and required landscaping, the Town Arborist reviewed the existing plantings and found that the existing plantings are similar in quantity and species to those approved within the 2017 Conditional Use Permit.                                                                                                                                                                                                                                                                                                                               |
| 4   | 2000 CUP - Hours of Use of Athletic Field restricted to M-F 8-6.                                                                                                                                                              | 5/9/2022,<br>5/12/2022,<br>6/6/2022  | Use of Athletic Field after hours<br>"According to the 2000 CUP, the "athletic field" use is limited to school hours of 8am - 6pm Monday through Friday.<br>The athletic field was being used tonight at 8:10pm by the fitness group. The fitness group is STILL conducting class outdoors (reference Green Hedges Complaint #1 filed by Elizabeth DiFrancisco.). In addition to the parking lot, they are now utilizing the athletic field which is in violation of the 2000 CUP.<br>I respectfully request that the 2000 CUP be enforced and this violation be addressed immediately.<br>The surrounding neighbors and I would like to enjoy our evenings and weekends outside in peace and quiet, in our residential neighborhood."                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | 5/9/2022,<br>5/12/2022,<br>6/6/2022               | Y                           | <b>Zoning violation:</b> In the Notice of Violation sent by Town of Vienna to Green Hedges dated May 20, 2022, the school was instructed to maintain the hours for the field use per the 2000 Conditional Use Permit.<br><br>The Green Hedges School noted that one rental group was using the grounds after hours outside of the school building, and would be directed to move back into the building.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 5   | 2007 CUP - school to mitigate negative impact on surrounding neighborhoods from traffic and parking for all events and activities including rentals and shall provide and enforce off street parking for all such activities. | 5/11/2022                            | Off Street Parking not enforced<br>"According to the 2007 CUP, "The School shall continue to mitigate any negative impact on the surrounding neighborhoods from traffic and parking for all events and activities, including private groups or individuals renting the School's facilities. The School shall provide and enforce off-street parking for all such activities."<br>This afternoon Green Hedges held a 3rd grade musical. In addition to parking on the athletic field right outside my fence line, cars were parked on Windover Ave and Nutley St NW. Please see pictures attached.<br>I respectfully request that the 2007 CUP be enforced and this violation be addressed immediately.<br>Please note these violations are not new. However, the surrounding neighbors and I have had enough. We will continue to document each and every violation as they occur."                                                                                                                                                                                                                                                                                                                                                                  | 5/11/2022,<br>5/12/2022                           | Y                           | <b>Zoning violation:</b> In the Notice of Violation sent by Town of Vienna to Green Hedges dated May 20, 2022, the school was instructed to follow the CUP provision to mitigate the impact of events by ensuring the provision of off-site off-street parking for those events. In addition, Green Hedges was instructed to follow the requirement of the zoning code that parking may be only on improved surfaces (e.g., not on athletic fields).<br><br>The Green Hedges School provided a list of events that would be held on campus for the remainder of the 2021-2022 school year, and of the parking instructions provided to participants. Staff has requested the 2022-2023 events schedule.<br><br><b>UPDATE:</b> The Town of Vienna has subsequently (Complaint #11 changed to #6) received a complaint of parking off-campus during a September 8, 2022 event. Town staff is investigating. If the projected parking demand for the event was within the supply of parking on campus, no violation would have occurred. Parking on a public street is not a zoning or CUP violation. |

| Zoning and Conditional Use Permit (CUP) Complaints to the Department of Planning and Zoning related to the<br>Green Hedges School, 415 Windover Ave NW, Vienna |                                                                                                                                                                                                                               |                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                               |                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
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| No.                                                                                                                                                            | Applicable Requirement per CUP<br>and/or Zoning                                                                                                                                                                               | Date of Alleged<br>Violation | Complaint Details                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Date Reported<br>(Email Date) | Violation<br>Determinatio<br>n Y/N | Town of Vienna Zoning Administrator Opinion/Resolution                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 6a                                                                                                                                                             | 2007 CUP - school to mitigate negative impact on surrounding neighborhoods from traffic and parking for all events and activities including rentals and shall provide and enforce off street parking for all such activities. | 5/12/2022                    | <p>"According to the 2007 CUP, “The School shall continue to mitigate any negative impact on the surrounding neighborhoods from traffic and parking for all events and activities, including private groups or individuals renting the School’s facilities. The School shall provide and enforce off-street parking for all such activities.”</p> <p>&gt; This evening, at 7:00pm, May 12, 2022, Green Hedges held yet another school event. In addition to parking on the athletic field, which according to the 2000 CUP is only to be used M-F 8am-6pm, cars were parked along Nutley St NW. Please see pictures attached.</p> <p>In addition, the event ending at 9pm, continued until 9:30pm, as people were exiting the event - loud conversation, car doors slamming, car horns honking. I respectfully request that the 2000 AND 2007 CUP be enforced and this violation be addressed immediately.</p> <p>Please note these violations are not new. However, the surrounding neighbors and I have had enough. We would like to enjoy our evenings in peace and quiet in our residential neighborhood. We will continue to document each and every violation as they occur."</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | 5/12/2022                     | N                                  | Originally addressed as a response to Comment 6b.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 6b                                                                                                                                                             | 2007 CUP - school to mitigate negative impact on surrounding neighborhoods from traffic and parking for all events and activities including rentals and shall provide and enforce off street parking for all such activities. | 9/8/2022                     | <p><i>(Changed from #11 to match email records)</i></p> <p>Off Street Parking not enforced</p> <p>"There was a “back to school” night at Green Hedges this evening -9/8/22- and once again cars are parked on Nutley. I did not walk around the neighborhood to check other streets. Clearly this is a violation of their CUP and needs to be addressed and enforced. Other schools hire staff members to direct traffic. Perhaps Green Hedges needs to do so as well In addition to the street parking, there was an extra car in the headmasters driveway. While it could just be a visitor, I am hoping the driveway is not going to be used for parking school events."</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | 9/8/2022                      | N                                  | <p>The school must provide off-street parking that anticipates event attendance numbers; however, 1) it is not possible to predict attendance and parking demand perfectly , and 2) members of the public are permitted to park on public streets. If unsafe parking conditions are taking place, emergency services should be contacted at the time of the event. The Town will continue to work with the Green Hedges School to update its predictions of parking demand and insist that, when necessary, the school provide off-site off-street parking.</p> <p>Parking on 227 Nutley a is not limited within the Conditional Use Permits.</p> |
| 7                                                                                                                                                              | 2007 CUP - First phase of construction to begin within 18 months of approval of CUP.                                                                                                                                          | 5/19/2022                    | <p>Phase 1 started April 8, 2013</p> <p>"According to the 2007 CUP granted on March 21, 2007, one the terms of the CUP (reference Section DD # 8) states “construction of improvements may be phased; the first phase of construction shall begin within 18 months of the approval of this conditional use permit.”</p> <p>During the recent Planning Commission Work Session on 5/11, where Green Hedges presented their massive expansion plans, Commissioner Kenney inquired as to what was in Phase 1. No one could answer.</p> <p>I submitted a FOIA request for this information and received from the Town of Vienna, the attached letter from Gregory Hembree, then Zoning Administrator for the Town of Vienna. The letter is dated April 8, 2013 and states the Phase 1 Site Development Plan prepared March 21, 2013, consisted of “demolish the existing Stable Building and constructing a new 2-story 26,748sf educational building in approximately the same area. The permit also includes associated site work, including utility connections, sidewalks, and patios.”</p> <p>The terms of the 2007 CUP stipulated Phase 1 beginning within 18 months of March 21, 2007 and the letter from Mr. Hembree identifying Phase 1 as the Stable Building construction is dated April 8, 2013, 6 years later NOT 18 months.</p> <p>As such, I respectfully request the 2007 CUP be voided as the CUP conditions were not met and no other phases have started."</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | 5/19/2022                     | N                                  | <p>Staff has determined that no violation has taken place. Building permits were approved by zoning officials in 2013.</p> <p>If a permit is issued in error, the Town has 6 months from the date of issuance to force a correction of the permit or revoke the permit. Once the 6-month period has passed, the work associated with the permit is vested.</p>                                                                                                                                                                                                                                                                                    |
| 8                                                                                                                                                              | 2017 CUP - 202 Lewis St consolidation into Green Hedges plat.                                                                                                                                                                 | 5/26/2022                    | <p>Due to assurances by Green Hedges during 1997 CUP, consolidation should be revoked</p> <p>"I am writing with respect to Green Hedges latest massive expansion plans presented to Planning Commission on 5/11/2022. In that presentation, Green Hedges identified their purchase of yet another SF residential home - 206 Lewis Street in 2020, and indicated their intent to incorporate that property into their plat. The property is currently being used as a rental. In the 5/11 meeting, they had no specific plans for the property use.</p> <p>Green Hedges School purchased 202 Lewis Street in 2015 and was able to gain approval in 2017 to incorporate it into their plat for an “educational garden”.</p> <p>However, during the 1997 CUP discussions, Green Hedges repeatedly indicated they would not purchase any more property, construct any additional facilities, nor increase student or staff numbers. For example, Town Council Meetings Minutes dated 12/15/1997, Bullet #6. “It was moved to Amend the Main Motion, that the Main Motion is approved in reliance on assurances that there are no plans to increase enrollment, staff or facilities at Green Hedges School; and upon the expressed understanding and agreement by school representatives, particularly the Chairman of the Board of Director during this proceeding, that no additional facilities will be requested or is likely to be approved by the Town in the foreseeable future.”</p> <p>Additionally, in the March 1998 Vienna Newsletter in the Town Council Action Section it states: “Approved a request by Green Hedges School, 415 Windover Ave NW for a site plan modification to increase lot coverage to 34.5%. The modification is granted with the understanding that the school has no plans to increase enrollment or construct additional facilities beyond those cited in the application.”</p> <p>Based upon these assurances by Green Hedges, which have been ignored, I respectfully request that the 2017 CUP be voided and NO further consolidation of property into the Green Hedges plat be allowed."</p> | 5/26/2022                     | N                                  | Any such statements made in 1997 were not part of the directive by the BZA. As such, there is no violation of the CUP or any other provision.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |

**Zoning and Conditional Use Permit (CUP) Complaints to the Department of Planning and Zoning related to the  
Green Hedges School, 415 Windover Ave NW, Vienna**

| No. | Applicable Requirement per CUP and/or Zoning                                                                                                                                                                                  | Date of Alleged Violation  | Complaint Details                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Date Reported (Email Date) | Violation Determination Y/N | Town of Vienna Zoning Administrator Opinion/Resolution                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
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| 9   | CUP - N/A<br><br>Chapter 10 - OFFENSES, MISCELLANEOUS: Sec. 10-20. - Nuisances—Maintaining prohibited. (Noise Complaint)                                                                                                      | Various dates<br>6/21/2022 | "I am writing with respect to Green Hedges School and a general increase in associated noise levels (not associated to special events). Please know, I am fully aware that I moved next to a small private school. I expect to hear children playing and laughing during recess. Children laughing and playing is a wonderful sound. Periodic moments of excitement are anticipated and special events held outdoors will bring increased noise.<br>Over the last few years, children are outside almost all day long and blood curdling screaming is occurring with increased frequency and appears to be the older children. Efforts to address this directly with the school have largely been ignored.<br>According to the Town Noise Ordinance, Section 10-20.1. "excessive, unnecessary or unusually loud noises" that are "unusual and unnatural in their time and place" on residential areas. While children playing at a school is natural, the blood curdling screaming is unusual and interrupting to the peace and quiet of the surrounding neighbors. As such, we are no longer able to enjoy our outdoor space. I have attached voice recordings to provide an example of what I am referring to. I would appreciate the Town assessing this matter and let me know what action can be taken."<br>Increased frequency of unusual noise - Green Hedges Garbage Collection at 6:40AM | 6/8/2022,<br>6/21/2022     | Y/N                         | The Police Department has visited the site in response to complaints, as recently as September 2, 2022. The Police Department has not observed any noise violations.<br><br><b>Zoning violation:</b> The May 20, 2022 Notice of Violation stated that events and activities are intended to be interior to the building unless otherwise stated, and that amplification systems are not allowed for events without prior approval.                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 10  | No Complaint No. 10 in email records                                                                                                                                                                                          |                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                            |                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 11  | Complaint #11 in chronological order was titled "Complaint #6 - Repeat" To match email records, the complaint will be called #6 and #6b.                                                                                      |                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                            |                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 12  | 2007 CUP - rental of school building                                                                                                                                                                                          | 9/11/2022                  | rental of outside grounds<br><br>"I recognize that the Green Hedges 2007 CUP provides for school facility rentals. However, a school facility as defined in VA Code (see section below) is a building, not a parking lot, playground, or any other outside area. The group that rents the school facility on Sundays utilizes the outdoor playground during their rental time.<br>VA Code Section 15.2-2820. Definitions.<br>"Educational facility" means any building used for instruction of enrolled students, including but not limited to any day-care center, nursery school, public or private school, institution of higher education, medical school, law school, or career and technical education school.<br>I respectfully request that any rentals at Green Hedges take place inside the building (and their rental agreements immediately updated to reflect this)."                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | 9/11/2022                  | N                           | This definition is from Code of Virginia Chapter 28.2. Virginia Indoor Clean Air Act, and not a general regulation for school campuses. Other town, county, state, and federal laws require schools and educational facilities to have playgrounds, parking lots, and other exterior features.<br><br>The Green Hedges School has been instructed to move all rental activities into the building (for example, fitness classes). However, there is no prohibition on users gathering informally outside of the facility or informally using playgrounds and parking lots.<br><br>The Green Hedges School grounds are open, and some users may not be directly associated with any rental group or school activity after school or permitted activity hours. Doing so does not constitute a zoning or CUP violation on the part of the Green Hedges School as long as other provisions are not violated. |
| 13  | 2007 CUP - school to mitigate negative impact on surrounding neighborhoods from traffic and parking for all events and activities including rentals and shall provide and enforce off street parking for all such activities. | 10/1/2022                  | Off Street Parking not enforced<br><br>"According to the 2007 CUP, “The School shall continue to mitigate any negative impact on the surrounding neighborhoods from traffic and parking for all events and activities, including private groups or individuals renting the School’s facilities. The School shall provide and enforce off-street parking for all such activities.”<br>Today Green Hedges held a school event. We were assured by the Dept of Planning that Green Hedges was mitigating parking on neighboring streets by utilizing offsite parking. From Dept of Planning: “.....and that sufficient off-site parking be provided through an agreement with the provider and that signage indicate where that parking is.” There was a small sign at 2 Green Hedges entrances telling event goers that additional parking was available at the Elks Lodge. That was clearly not sufficient The Elks Lodge was at capacity by 11:45. Cars drove through the Elks Lodge, found no parking, and parked on Nutley. I have pictures if required.<br>I respectfully request that the 2007 CUP be enforced and this violation be addressed immediately."                                                                                                                                                                                                                                  | 10/1/2022                  | N                           | The school must provide off-street parking which anticipates event attendance numbers. In this case, it is possible that the attendance numbers were underestimated. The Town will ask for the Green Hedges School to produce updated estimates of parking demand for future special events, though exact predictions are not possible.<br><br>In addition, there is no prohibition on members of the public parking on public streets. If unsafe parking conditions are taking place, emergency services should be contacted at the time of the event.                                                                                                                                                                                                                                                                                                                                                  |
| 14  | 2007 CUP - infrequent events extending beyond school hours                                                                                                                                                                    | 11/4/2022                  | Many vs infrequent events<br><br>"I recognize that the Green Hedges 2007 CUP allowed for the potential of infrequent activities that may extend beyond the stated school hours.<br>"From the 2007 CUP: “Extracurricular Activities, special school events, and similar infrequent activities: the hours of use may be extended to 9:00pm during the week, and between 9:00am to 5:00pm on Saturdays, and 10:00am to 2:00pm on Sundays. With prior notification to abutting neighbors, one-time events, outside these hours, may be allowed. The Board of Trustees meetings shall be permitted to continue on Sunday evenings.”<br>The reason for this CUP complaint is that there appears to be several “special school events” and “similar activities” held at Green Hedges. Since Spring, we’ve been aware of 14 of these events, in addition to multiple summer camps, Thanksgiving Camp and Christmas Camp."                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | 11/4/2022                  | N                           | There is no numerical limit event at the school grounds on any Conditional Use Permit. This has been noted as an issue to be recommended for future consideration during Conditional Use Permit processes. The school has been, and will again be, reminded that the CUP allows for infrequent events.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 15  | 2007 CUP - rental of school building                                                                                                                                                                                          | 11/13/2022                 | rental of outside grounds<br><br>"Hello - for a while after this complaint was filed, the church group did not utilize the playground. However, last week and again today, they were on the playground (With a dog too). Can this please be addressed? Are the rental agreements updated to reflect inside use only??"                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | 11/13/2022                 | N                           | The Green Hedges School has been instructed to move all rental activities into the building, but this direction does not prohibit users from informally gathering outside of the facility or using playgrounds and parking lots.<br><br>The Green Hedges School grounds are open, and some users may come on the property that are, or are not, directly associated with any rental group or school activity, after school or permitted activity hours. Their doing so does not constitute a violation on the part of the Green Hedges School.                                                                                                                                                                                                                                                                                                                                                           |

Zoning and Conditional Use Permit (CUP) Complaints to the Department of Planning and Zoning related to the  
Green Hedges School, 415 Windover Ave NW, Vienna

| No. | Applicable Requirement per CUP and/or Zoning                                                                                                                                                                                  | Date of Alleged Violation | Complaint Details                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Date Reported (Email Date) | Violation Determination Y/N | Town of Vienna Zoning Administrator Opinion/Resolution                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
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| 16  | 2007 CUP - school to mitigate negative impact on surrounding neighborhoods from traffic and parking for all events and activities including rentals and shall provide and enforce off street parking for all such activities. | 12/5/2022                 | "Excess of 56 cars parked in parking lot, Nutley St entrance blocked by parked cars, multiple cars parked in residential driveways, cars parked illegally on Windover<br><br>Green Hedges had an event this morning ~ An 8:15am winter concert. Off campus parking was indicated. Approximately 65 cars were parked in the Green Hedges parking lot where only 56 spots are allowed via their CUP. Additionally, 4 cars were parked in the driveway of 227 Nutley and 6 cars in the Rice Arts Center driveway. What is most disconcerting is the fact that the Nutley St. entrance to the school was blocked by parked cars. The shuttle bus, apparently hired by the school, was unable to pull into the school and had to back all the way out to Nutley St. Should emergency vehicles be required at the school, they would not be able to enter via Nutley St entrance."                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | 12/5/2022                  | Y/N                         | <p>The school must provide off-street parking that anticipates event attendance numbers; however, 1) it is not possible to predict attendance and parking demand perfectly , and 2) members of the public are permitted to park on public streets. If unsafe parking conditions are taking place, emergency services should be contacted at the time of the event. The Town will continue to work with the Green Hedges School to update its predictions of parking demand and insist that, when necessary, the school provide off-site off-street parking.</p> <p>Parking on 227 Nutley and the Rice Arts Center driveway is not limited within the Conditional Use Permit. The 2017 Conditional Use site plan places limits on the parking at the Lewis Street garden, but no parking restrictions exist for 227 Nutley, or the Rice Center.</p> <p><b>Zoning violation:</b> The parking of excess cars on the site, outside of approved parking spaces is a zoning violation. Vehicles shall only be parked in marked approved spots and not block access aisles or exits to/from public rights-of-way. The Green Hedges School has been notified that this is a zoning violation.</p> |
| 17  | CUP - N/A<br><br>Chapter 18 - Zoning: Sec. 18-135. - Additional improvements required.                                                                                                                                        | 12/28/2022                | "It appears that Green Hedges parking lot lighting is not compliant with Town of Vienna Zoning Code Section 18-135.<br>Sec. 18-135. - Additional improvements required.<br><br>Where off-street parking areas adjoin a lot in a detached residential zone, said parking areas shall be screened in accordance with the provisions of section 18-172. Any lights used to illuminate said parking areas shall not exceed ten feet in height above grade and shall be so arranged and hooded as to confine all direct light rays entirely within the boundary lines of the parking areas.<br><br>Green Hedges received approvals for CUP amendments and site plan modifications in 1997, 2000, 2008, and 2015. During any of these modifications, the lighting could have been brought into compliance.<br>Here is a picture of the type of lighting in place.<br><br>Additionally, as you can see from the 1st photo above, the interior building lights often remain on all night."                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | 12/28/2022                 | N                           | <p>The lights posts that exceed 10' in height have been in existence on the site since the 1970s based on previously approved site plan documents. Per the State Code, these fixtures are allowed to remain as they are "vested," an existing condition before the Code Change was made, or a condition maintained for 12 years or more.</p> <p>Staff has notified the Green Hedges School that in the request for expansion, all lighting proposed must be compliant with Sec. 18-135. - Additional improvements required.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 18  | CUP - N/A<br><br>Chapter 9 - MOTOR VEHICLES AND TRAFFIC: Sec. 9-13. - Parking in public place in excess of 48 hours prohibited.<br><br>Chapter 18 - Zoning: Sec. 18-[1]30.                                                    | 1/5/2023                  | "Over the last 6 months, the neighbors have noticed cars parked overnight or for several days in the Green Hedges parking lot. Section 9-13 of the Vienna Town Code prohibits parking in a public parking lot in excess of 48 hours. Since this is a private school, this is a private parking lot. Section 18-30 (admittedly related to commercial zone) indicates said parking lot is specifically used by patrons or customers of said business."                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | 1/5/2023                   | N                           | Overnight parking in a private lot is not a zoning violation, unless the vehicle is inoperable, untagged, or above a certain weight.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 19  | CUP - N/A<br><br>Chapter 9 - MOTOR VEHICLES AND TRAFFIC: Section 9-12.3. - Where stopping, standing or parking prohibited.                                                                                                    | Various dates             | "I am filing a formal complaint for Green Hedges School. Green Hedges School has an entrance at Nutley St, an exit point on Windover, and a short entry point on Windover, supposedly for visitors, with limited parking for visitors. Green Hedges School drop off and pick up has been to enter on Nutley St and exit on Windover. At some point last year (?), Green Hedges School modified their drop off pick up process (also documented in their expansion application) to drop off and pick up the younger children on Windover. Cars queue up at the visitor entry on Windover and then circle to exit on Windover. Unfortunately, this queuing has occasionally backed up into Windover, but even more egregious is the fact that the entire visitor entry and designated pick up points in front of Kilmer Stable are designated as fire lanes. I realize pick up and drop off may last 30 minutes (?) but 30 minutes in an emergency is valuable time.<br><br>According to Section 9.12.3 of the Town Code, parking or standing is prohibited in a fire lane and where signs are posted.<br>Please note that the fire lane on Nutley St is also blocked during pick up and drop off as well, so emergency access to the school is not accessible, endangering the school and surrounding residents.<br>I respectfully request this be addressed immediately to ensure our safety.<br>Pictures of fire lanes on Windover visitor entry. Signs on both sides of entry." | 1/12/2023                  | N                           | <p>The stacking or queuing of occupied vehicles into the right-of-way, or within the site within fire lanes is not a zoning violation.</p> <p>Planning and Zoning staff also conferred with the Police Department, who informed us that they do not consider this concern a matter for enforcement if the vehicle is occupied and moving along with the queue</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 20  | CUP - N/A<br><br>Chapter 9 - MOTOR VEHICLES AND TRAFFIC: Sec. 9-13. - Parking in public place in excess of 48 hours prohibited.<br><br>Chapter 18 - Zoning: Sec. 18-[1]30. Requirements.                                      | Various dates             | "As previously reported, and in the last 2 weeks, the neighbors have noticed cars parked overnight or for several days in the Green Hedges School parking lot. As per the 2008 CUP, the stated school hours are 7:00am-6:00pm Monday through Friday. Also, per the 2008 CUP, rentals are allowed until 9pm Monday - Friday but currently no rental agreement is effect beyond 8pm. There is absolutely no provision for overnight use of the school facilities. I recognize that schools are a "conditional permitted use" in a residential zone, however, the days/hours of such use are clearly stated in the CUP. "                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | 1/26/2023                  | N                           | <p>Overnight parking in a private lot is not a zoning violation, unless the vehicle is inoperable, untagged, or above a certain weight.</p> <p>The presence of a vehicle is not a use subject to the time restrictions of campus activities.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |

Zoning and Conditional Use Permit (CUP) Complaints to the Department of Planning and Zoning related to the  
Green Hedges School, 415 Windover Ave NW, Vienna

| No. | Applicable Requirement per CUP and/or Zoning                                                                                                                                                                                                                                                                                            | Date of Alleged Violation | Complaint Details                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Date Reported (Email Date) | Violation Determination Y/N | Town of Vienna Zoning Administrator Opinion/Resolution                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
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| 21  | 2000 CUP - Hours of Use of Athletic Field restricted to M-F 8-6, infrequent events extending beyond school hours                                                                                                                                                                                                                        | 1/26/2023                 | <p>Excessive Noise &amp; 2007 CUP – infrequent events extending beyond school hours</p> <p>"I am filing yet another formal complaint for Green Hedges School. Green Hedges School - see attached - notified neighbors of a class room astronomy event taking place in the school parking lot yesterday evening. However, per their 2000 CUP, the athletic field use is restricted to school use Monday - Friday 8am - 6pm. The kids were on the athletic field, screaming and playing games, well past 6pm. Photos/videos available upon request.</p> <p>I respectfully request that this violation of CUP use be addressed. If the School cannot manage use of the athletic field as per CUP conditions, it should be fenced (as identified in their 2007 CUP) and locked at 6pm to prevent unauthorized access."</p>                                                                                                                                    | 1/27/2023                  | Y                           | <p><b>Zoning violation:</b> The Green Hedges School has been notified that the event was a violation of the 200 CUP requirement that the athletic field not be used outside of the hours of 8:00am - 6:00pm. While the event was stated to take place in the parking lot, the event overflowed onto the athletic field.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 22  | 2007 CUP - rental of school building                                                                                                                                                                                                                                                                                                    | Various dates             | <p>"I am filing a formal complaint for Green Hedges School.</p> <p>Again, the Sunday rental group was outside playing on the playground.</p> <p>This has been reported numerous times. What is being done to address these issues? What can I do to facilitate resolution?"</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | 1/29/2023                  | N                           | <p>The Green Hedges School has been instructed to move all rental activities into the building, but this direction does not prohibit users from informally gathering outside of the facility or using playgrounds and parking lots.</p> <p>The Green Hedges School grounds are open, and some users may come on the property that are, or are not, directly associated with any rental group or school activity, after school or permitted activity hours. Their doing so does not constitute a violation on the part of the Green Hedges School.</p>                                                                                                                                                                                                                                                                                                                                                           |
| 23  | 2007 CUP - rental of school building                                                                                                                                                                                                                                                                                                    | Various dates             | <p>"I am filing a formal complaint for Green Hedges School. I recognize that the Green Hedges 2007 CUP provides for school facility rentals. However, a school facility as defined in VA Code (see section below) is a building, not a parking lot, playground, or any other outside area. The group that rents the school facility on Sundays utilizes the outdoor playground during their rental time.</p> <p>VA Code Section 15.2-2820. Definitions.</p> <p>"Educational facility" means any building used for instruction of enrolled students, including but not limited to any day-care center, nursery school, public or private school, institution of higher education, medical school, law school, or career and technical education school.</p> <p>Given this issue has been reported numerous times to no effect, I respectfully request that all rental privileges at Green Hedges be revoked.</p> <p>Pictures available upon request. "</p> | 2/12/2023                  | N                           | <p>This definition is from Code of Virginia Chapter 28.2. Virginia Indoor Clean Air Act, and not a general regulation for school campuses. Other town, county, state, and federal laws require schools and educational facilities to have playgrounds, parking lots, and other exterior features.</p> <p>The Green Hedges School has been instructed to move all rental activities into the building (for example, fitness classes). However, there is no prohibition on users gathering informally outside of the facility or informally using playgrounds and parking lots.</p> <p>The Green Hedges School grounds are open, and some users may not be directly associated with any rental group or school activity after school or permitted activity hours. Doing so does not constitute a zoning or CUP violation on the part of the Green Hedges School as long as other provisions are not violated.</p> |
| 24  | <p>2017 CUP - Site Plan</p> <p>2007 CUP - school to mitigate negative impact on surrounding neighborhoods from traffic and parking for all events and activities including rentals and shall provide and enforce off street parking for all such activities.</p> <p>Chapter 18 - Zoning: Article 25. - Site Plan Control Provisions</p> | Continuous                | <p>"I am filing a formal complaint for Green Hedges School. Per the 2017 CUP order, item #3, “The total number of parking spaces at 415 Windover Ave NW and 202 Lewis St NW shall not exceed 56.”</p> <p>Last summer, Green Hedges School restriped their parking lots and have now striped in excess of 56 parking spaces.</p> <p>With the mid day event last week, only 1 parking space was vacant, so once again they exceeded the 56 parking spaces allowed."</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | 2/19/2023                  | N                           | <p>The Zoning Administrator reviewed the number of parking spaces on site with two site visits during the school day and by reviewing aerial photographs from multiple years. The lined spaces match the number of spaces allowed per the Conditional Use Permit, and no parking was observed outside of the lined spaces. Some additional lines are painted adjacent to the athletic field. These spaces are from the COVID-19 outdoor classroom set-up and not used for parking.</p>                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 25  | <p>2017 CUP - Site Plan</p> <p>2007 CUP - school to mitigate negative impact on surrounding neighborhoods from traffic and parking for all events and activities including rentals and shall provide and enforce off street parking for all such activities.</p> <p>Chapter 18 - Zoning: Article 25. - Site Plan Control Provisions</p> | Continuous                | <p>"I am filing a formal complaint for Green Hedges School with respect to an ongoing parking violation.</p> <p>More often than not, a car is parked in the Green Hedges parking lot (visitor parking area) in an area that is stripped with diagonal lines as an indication for “no parking”. It is not a valid parking spot.</p> <p>Perhaps when Staff addresses Complaint #24 (striped parking spots exceed the 56 allowed) - which is a CUP violation - they can explain to Green Hedges, the car is not legally parked and may be ticketed in the future."</p>                                                                                                                                                                                                                                                                                                                                                                                       | 3/8/2023                   | N                           | <p>During site visits during the school day staff did not observe any examples of this complaint. The Zoning Administrator has reminded the Green Hedges School that all parking is to be within existing spaces, and cars may not be left unattended in areas not designated for parking. The Town does not ticket illegally parked cars on private property.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |



Zoning and Conditional Use Permit (CUP) Complaints to the Department of Planning and Zoning related to the  
Green Hedges School, 415 Windover Ave NW, Vienna

| No. | Applicable Requirement per CUP and/or Zoning                                                                                                                                                                                                                                                                                     | Date of Alleged Violation | Complaint Details                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Date Reported (Email Date) | Violation Determination Y/N | Town of Vienna Zoning Administrator Opinion/Resolution                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
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| 26  | 2017 CUP - Site Plan<br><br>2007 CUP - school to mitigate negative impact on surrounding neighborhoods from traffic and parking for all events and activities including rentals and shall provide and enforce off street parking for all such activities.<br><br>Chapter 18 - Zoning: Article 25. - Site Plan Control Provisions | 3/9/2023                  | "Green Hedges had another event on 3/9 at 7:00pm ~ a Middle School play. Use of their parking lot and off campus parking at Elks Lodge was indicated. Approximately 64 cars were parked in the Green Hedges parking lots where only 56 spots are allowed per their CUP. (Including cars parked in areas not striped as parking spots ~ reference Complaint #25.). The Elks Lodge, approximately 45 spots, was filled, 4 cars were parked in the Rice Arts Center driveway, one car was parked illegally on Windover and Nutley St was packed with the overflow.<br>Please note, the 2007 CUP clearly states the School is required to “enforce” off-street parking for events and rentals.<br>The 2017 CUP clearly states the total number of parking spaces at Green Hedges shall NOT exceed 56.<br>Given this is a continual issue when Green Hedges holds events, I respectfully request this privilege be revoked or, at a minimum, be limited to the number they are allowed to park in their lot. "                                                                                                                                                                                                                                                                       | 3/10/2023                  | N                           | The school must provide off-street parking that anticipates event attendance numbers; however, 1) it is not possible to predict attendance and parking demand perfectly , and 2) members of the public are permitted to park on public streets. If unsafe parking conditions are taking place, emergency services should be contacted at the time of the event. The Town will continue to work with the Green Hedges School to update its predictions of parking demand and insist that, when necessary, the school provide off-site off-street parking.                   |
| 27  | 2007 CUP - rental of school building                                                                                                                                                                                                                                                                                             | 3/26/2023                 | "I am filing a formal complaint for Green Hedges School. I recognize that Green Hedges 2007 CUP provides for school facility rentals. However, a school facility is defined as a building, not a parking lot, not a playground, nor any other outside space. The Northern Virginia Ethical Society rents space from Green Hedges for their meetings. They held such a meeting Sunday, March 26,2023. The members were seen entering and exiting the building to utilize the playground during their meeting. At one point a picnic was set up during the event. These were not random people who happened to wander by to use the playground - as has been suggested previously. These people were seen entering and exiting the building so they are indeed the rental group. The neighbors would like to enjoy their outdoor space in peace and quiet. During the school week, this is impossible due to the all day long unusually loud screaming. We look forward to the weekends to enjoy our own back yards. I therefore respectfully request that the Green Hedges rental groups be contained to the rental space and when their event is over, they exit the area quietly."                                                                                             | 3/26/2023                  | N                           | This definition is from Code of Virginia Chapter 28.2. Virginia Indoor Clean Air Act, and not a general regulation for school campuses. Other town, county, state, and federal laws require schools and educational facilities to have playgrounds, parking lots, and other exterior features.<br><br>The Green Hedges School has been instructed to move all rental activities into the building (for example, fitness classes). However, there is no prohibition on users gathering informally outside of the facility or informally using playgrounds and parking lots. |
| 28  | 2007 CUP - rental of school building                                                                                                                                                                                                                                                                                             | Various dates             | I am filing a formal complaint for Green Hedges. School hours are identified as Monday-Friday 8am-6pm.<br>In the last few weeks, we have seen an increase of after school hours/days activity at Green Hedges. I cannot say if it is Green Hedges students or otherwise, and I don’t really care. I can state - we cannot use our outdoor space M-F 8am - 6pm. Evening and weekends MUST be quiet hours for the residents. How do we address this NOW?<br>This is beyond detrimental to the residents.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | 4/13/2023                  | N                           | Town staff requested a new account of the number of site rentals and activities. The rental agreements provided did not show a increase in rental groups or activities of those groups.                                                                                                                                                                                                                                                                                                                                                                                    |
| 29  | 2007 CUP - school to mitigate negative impact on surrounding neighborhoods from traffic and parking for all events and activities including rentals and shall provide and enforce off street parking for all such activities.                                                                                                    | 5/18/2023                 | I am filing a formal complaint for Green Hedges School.<br>Green Hedges had another event last night. A Middle School concert. There was no notification to residents and Off street parking was not enforced.<br>Please note, the 2007 CUP clearly states the School is required to “enforce” off-street parking for events and rentals.<br>Given this is a continual issue when Green Hedges holds events, I respectfully request this privilege be revoked.<br>Note: Photo evidence available upon request.<br><br>What’s the impact to surrounding neighbors? Neighbors can’t park in front of their own houses. Should they be having company, there would be no place for their company to park. Should they have been planning a graduation celebration, or dinner party, they would not be able to use their outside space due to the noise.                                                                                                                                                                                                                                                                                                                                                                                                                            | 5/19/2023                  | N                           | The school must provide off-street parking that anticipates event attendance numbers; however, 1) it is not possible to predict attendance and parking demand perfectly , and 2) members of the public are permitted to park on public streets. If unsafe parking conditions are taking place, emergency services should be contacted at the time of the event. The Town will continue to work with the Green Hedges School to update its predictions of parking demand and insist that, when necessary, the school provide off-site off-street parking.                   |
| 30  | Chapter 10 - OFFENSES, MISCELLANEOUS: Section 10-20. - Nuisances—Maintaining prohibited.                                                                                                                                                                                                                                         | 5/27/2023                 | I am filing a formal complaint for Green Hedges. On Saturday, May 27th, I noticed a Blade Runners sign posted on the side of the Nutley entrance to Green Hedges. The sign indicated that an agronomic application would be applied to that site on 5/28. The sign said to contact them if there were any concerns or questions. I contacted Blade Runners and left a voice mail to no avail. I also sent an email to Jenn at Green Hedges. (Received a reply on Tuesday.) My messages to both indicated that absolutely no spraying should be done near my fence line. (If we only had a buffer?). On May 28, I noticed the Blade Runner spray truck at Green Hedges. I talked to the gentleman to find out what chemicals were in the spray. He said it was an herbacide and I would need to contact Blade Runners to get the spec sheet. I asked him not to spray near any of the neighboring fence lines. I contacted Blade Runners today to get the spec sheet and was told only the client could request it. I’ve sent an email to Jenn requesting that information.<br>We have previously asked for advance notification of spraying activity. A sign posted in a driveway is not advance notification.<br>Additionally, Town Code Section 10.20.1 was clearly violated. | 5/30/2023                  | N                           | The use of agronomic applications for lawn care is not a zoning violation.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |



| Zoning and Conditional Use Permit (CUP) Complaints to the Department of Planning and Zoning related to the<br>Green Hedges School, 415 Windover Ave NW, Vienna |                                                                                                                                                                                                                               |                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                            |                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
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| No.                                                                                                                                                            | Applicable Requirement per CUP and/or Zoning                                                                                                                                                                                  | Date of Alleged Violation | Complaint Details                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Date Reported (Email Date) | Violation Determination Y/N | Town of Vienna Zoning Administrator Opinion/Resolution                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 31                                                                                                                                                             | 2007 CUP - school to mitigate negative impact on surrounding neighborhoods from traffic and parking for all events and activities including rentals and shall provide and enforce off street parking for all such activities. | 10/14/2023                | <p>I am filing a formal complaint for Green Hedges. On Saturday, October 14th, Green Hedges held their annual Dragon Fest. They received approval from the Town Manager to hold said event.</p> <p>According to the 2007 CUP “The School shall continue to mitigate any negative impact on the surrounding neighborhoods from traffic and parking for all events and activities, including private groups or individuals renting the School’s facilities. The School shall provide and enforce off-street parking for all such activities.”</p> <p>There was no signage at todays event identifying where offsite parking was located. The Elks Lodge was full by 11:30 and cars parked on Nutley St. Department of Planning and Zoning has determined this condition is not enforceable. I disagree. There are several creative ways to “enforce” this condition.</p> <p>Additionally, in an email from David Levy, he indicated “ For an approved special event, they may use inflatables on the playing field. It is not a violation of the CUP.”</p> <p>No where in the 2000 CUP does it indicate the athletic field can be used for special events. The 2000 CUP clearly states the athletic field use is restricted to school use Monday - Friday 8am-6pm. This condition is specifically to protect the residents from the associated noise outside of school days/hours. Given the rainy weather, inflatables were not used on the athletic field but I am concerned about this deviation from the CUP conditions and the impact of “special events” on the surrounding neighborhood ~ especially given the 2007 CUP states an “infrequent” number of special events - which is vague so in actuality there is no limit to the number of special events that can be held.</p> <p>Photographic evidence attached.</p> | 10/16/2023                 | N                           | The school must provide off-street parking that anticipates event attendance numbers; however, 1) it is not possible to predict attendance and parking demand perfectly , and 2) members of the public are permitted to park on public streets. If unsafe parking conditions are taking place, emergency services should be contacted at the time of the event. The Town will continue to work with the Green Hedges School to update its predictions of parking demand and insist that, when necessary, the school provide off-site off-street parking.                                                                                                                                                                                                                                                   |
| 32                                                                                                                                                             | Chapter 9 - MOTOR VEHICLES AND TRAFFIC: Section 9-12.3. - Where stopping, standing or parking prohibited.                                                                                                                     | 11/17/2023                | <p>I am filing a formal complaint for Green Hedges. At many of the meetings, during Green Hedges CUP modification requests, Green Hedges stated that if there are stacked cars in their entrance lane, the cars are instructed to circle and come around the block so as not to impede traffic flow. This is not happening. Cars are stacked at the Nutley entrance. If cars are heading north on Nutley, they have to cross the yellow line into oncoming traffic to go around stacked cars. IF cars headed south on Nutley and turning into the stacked driveway, they block all southbound traffic until they can enter into Green Hedges.</p> <p>Even though, this was stated numerous times, of course, it wasn't made a condition of the CUP, however it is a dangerous situation.</p> <p>I respectfully request you inform Green Hedges of their prior commitments and request this be made a condition in any further CUP modification.</p> <p>Please note- now that they have added Windover as a pickup/drop off, I've seen the same occur there.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | 11/17/2023                 | N                           | The stacking or queuing of occupied vehicles into the right-of-way, or within the site within fire lanes is not a zoning violation. If a citizen is observing a dangerous condition in the Town's right-of-way, the Police Department should be contacted at the time the unsafe condition is taking place.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 33                                                                                                                                                             | Chapter 4 - Design Control District Decision of the Board of Architectural Review - PF-65-20-BAR - 12/17/2020                                                                                                                 | Various dates             | <p>I am filing a formal complaint for Green Hedges. Green Hedges went before the BAR on 12/17/2020 for Fence Modifications for the split rail fence on Windover Ave near the Kilmer House (Admin Building).</p> <p>The BAR approved the fence modifications with the stipulation that it was to be removed at the end of July 2021. The fence modification is still in place and it is November 2023.</p> <p>I respectfully request the BAR conditioned approval be enforced.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | 11/17/2023                 | N                           | <p><b>REVISED:</b> The Board of Architectural Review approved a revision to the 12/17/2020 decision on 9/16/2021 that permits the plastic fencing to remain.</p> <p><i>Note: A prior version of this table noted this as a violation, however, the Zoning Administrator located the approval and has revised the table.</i></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 34                                                                                                                                                             | 2007 CUP - infrequent events extending beyond school hours                                                                                                                                                                    | 12/7/2023                 | <p>I am filing a formal complaint for Green Hedges. This evening, December 7th, Green Hedges held a Holiday Concert. No notification was provided to surrounding residents. The event concluded around 8pm and could have been uneventful if the kids didn't start playing basketball and screaming in the parking lot. I appreciate celebrating the season and enjoy holiday parties myself.</p> <p>However, advanced notifications of such events is a requirement of the CUP and the neighbors would appreciate a quiet departure so we can enjoy our in home seasonal festivities.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | 12/6/2023                  | N                           | <p><b>REVISED:</b> The 2007 CUP states, "For extracurricular activities, special school events, and similar infrequent or intermittent activities, the hours of use may be extended to 9:00 PM during the week and between 9:00 AM to 5:00 PM on Saturdays and 10:00 AM to 2:00 PM on Sundays. With prior notification and approval from abutting neighbors, one-time events outside these time periods shall be permitted to continue on Sunday evenings."</p> <p>This, or any other Conditional Use Permit for the Green Hedges School, does not require notification to the community for events taking place Sundays, only after the hours permitted.</p> <p><i>Note: A prior version of this table noted this as a violation, however, the Zoning Administrator has corrected this statement.</i></p> |
| 35                                                                                                                                                             | CUP - N/A<br>Chapter 9 - MOTOR VEHICLES AND TRAFFIC: Section 9-12.3. - Where stopping, standing or parking prohibited.                                                                                                        | Various dates             | <p>I am filing a formal complaint for Green Hedges. At many of the meetings, during Green Hedges CUP modification requests, Green Hedges stated that if there are stacked cars in their entrance lane, the cars are instructed to circle and come around the block so as not to impede traffic flow. This is not happening. Cars are stacked at the Nutley entrance. If cars are heading north on Nutley, they have to cross the yellow line into oncoming traffic to go around stacked cars.</p> <p>Today the cars stacked almost a block away to Windover.</p> <p>I can't stress enough that statements made during CUP modification requests need to be incorporated as “Conditions” so they can be enforced. This is a dangerous situation.</p> <p>I respectfully request you inform Green Hedges of their prior commitments and request this be made a condition in any further CUP modification.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | 12/15/2023                 | N                           | The stacking or queuing of occupied vehicles into the right-of-way, or within the site within fire lanes is not a zoning violation. If a citizen is observing a dangerous condition in the Town's right-of-way, the Police Department should be contacted at the time the unsafe condition is taking place.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |

Zoning and Conditional Use Permit (CUP) Complaints to the Department of Planning and Zoning related to the  
Green Hedges School, 415 Windover Ave NW, Vienna

| No. | Applicable Requirement per CUP and/or Zoning                                                                                                                                                                                  | Date of Alleged Violation | Complaint Details                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Date Reported (Email Date) | Violation Determination Y/N | Town of Vienna Zoning Administrator Opinion/Resolution                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
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| 36  | 2007 CUP - infrequent events extending beyond school hours                                                                                                                                                                    | 1/7/2024                  | <p>I am filing a formal complaint for Green Hedges School. I recognize their CUP allows rentals of their facilities. However, at 12:30pm today, 3 young children exited the multi purpose room door into the playground. They then began to bang on the chain link fence, tease and bark at the residents’ dogs. There were no adults present to supervise the children.</p> <p>This is unacceptable and unfair to the surrounding residents. If the rental groups cannot maintain civility and respect for the neighbors, the rentals need to cease.</p> <p>If and when Green Hedges application to expand, yet again, comes before you, please keep this and all the other complaints in mind when assessing impacts to the neighborhood.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | 1/7/2024                   | N                           | <p>The following response was sent by email from the Zoning Administrator on 1/10/2024:</p> <p>The presence of people associated with the weekend rentals of the site, or community residents, on the playgrounds or playing field outside of school hours does not constitute a violation of zoning or the Conditional Use Permits for the Green Hedges School. The 2007 Conditional Use Permit mentions that the campus is open to the community, and no Conditional Use Permits for the school prohibit members of the community or participants from rentals from gathering in small groups informally or using the playground equipment. Formal events and gatherings, outside of those allowed by Special Event Permits, must be within the school building.</p> <p>The Town of Vienna does not regulate the presence of pets on school grounds. I have also noticed this signage on Fairfax County Public Schools property, but this is not a regulation based on zoning or site plan requirements, which are the Town of Vienna’s purview.</p> |
| 37  | 2007 CUP - school to mitigate negative impact on surrounding neighborhoods from traffic and parking for all events and activities including rentals and shall provide and enforce off street parking for all such activities. | 2/15/2024                 | <p>I am filing a formal complaint for Green Hedges School. I recognize their CUP allows for special events, to occur. However, their CUP also states that Green Hedges would enforce off street parking for such events. Today, 2/15, a grade 3 play took place. Notification indicated that parking would occur on site. Unfortunately, once again, the CUP conditions are not being met. Parking occurred all along Nutley St. and blocked neighbors’ mailboxes. There was no offsite parking provided, no staff member directing attendees to off site parking.</p> <p>I recognize that the zoning administrator, Andrea West, has consistently responded to these specific complaints with the following:<br/>“The school must provide off-street parking that anticipates event attendance numbers; however, 1) it is not possible to predict attendance and parking demand perfectly , and 2) members of the public are permitted to park on public streets. If unsafe parking conditions are taking place, emergency services should be contacted at the time of the event. The Town will continue to work with the Green Hedges School to update its predictions of parking demand and insist that, when necessary, the school provide off-site off-street parking.”<br/>Given this is a constant occurrence for every event, I respectfully request the Town to address it more forcefully.<br/>Photographic evidence provided.</p>                                                                                                                                                                                                                                                                                                             | 2/15/2024                  | N                           | <p>The school must provide off-street parking that anticipates event attendance numbers; however, members of the public are permitted to park on public streets. If unsafe parking conditions are taking place, the Town of Vienna Police Department should be contacted at the time of the event.</p> <p>The Town will continue to work with the Green Hedges School to update its predictions of parking demand and insist that, when there is a reasonable expectation that parking demand will exceed the amount of parking permitted under the CUP, the school provide off-site off-street parking.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 38  | 2017 Site Plan                                                                                                                                                                                                                | Continuous                | <p>I am filing a formal complaint for Green Hedges School, specifically related to their lack of buffers for abutting residential properties. My property abuts Green Hedges on 2 sides. On one side, a chain link fence is all that separates the School’s playground from my property. You can imagine how noisy it gets with 20-40-60 kids in a playground all day long. On the other side, which is backs to the entrance driveway, there used to be somewhat of a buffer. It was lovely during spring and summer but did lose some luster in winter ~ but was better than nothing. It was helpful to block noise, traffic, school children playing, etc.</p> <p>Sadly, this past week, Green Hedges clear cut the entire buffer. When I asked the headmistress why, she said it would grow back in a few months. Clear cutting a buffer is really no buffer. To mitigate the sound and sight lines, we, the residents, inserted plastic slats in the chain link fencing and additionally added wind screens, to block views and sounds.</p> <p>According to the site plan submitted in 2017, there is to be a buffer along the back of my yard. Given what was there is now gone, the School is not maintaining the site as approved. Clear cutting buffers and cutting down trees with no replacement is a violation of the approved Site plan. additionally, the buffer also blocked the overflow light pollution from the light pole on the property line.</p> <p>I respectfully request an evergreen buffer be planted immediately that is consistent with the approved site plan. I would like to request a light shield be installed immediately, so our back yard is not illuminated all night long.<br/>Photographic evidence provided.</p> | 2/25/2024                  | Y                           | <p><b>Zoning Violation:</b> The removal of trees and landscaping from an approved site plan is a zoning violation. Town staff observed that the landscaping on the site has been altered to not be in compliance with the 2017 site plan.</p> <p>The Green Hedges School has been notified of this violation. The school must submit a plan to replace the landscaping and trees that have been removed. They also have the option, similar to any property owner with a site plan, to submit a proposed revision to the site plan. Any such revision would need to show how the revised landscaping would meet 1) the need for buffers, and 2) the requirements for tree canopy coverage.</p> <p>The site plan does not prohibit the trimming and pruning of trees in a method appropriate for the plan species.</p>                                                                                                                                                                                                                                  |
| 39  | 2017 Site Plan                                                                                                                                                                                                                | Continuous                | <p>I am filing a formal complaint for Green Hedges School, specifically related to their lack of buffers for abutting residential properties. My property abuts Green Hedges playground. A chain link fence separates the School’s playground from my property. You can imagine how noisy it gets with 20-40-60 kids in a playground all day long.</p> <p>According to the 2016/17 Site Plan a dense buffer of evergreen trees were to be in place. A row of Holly trees were planted which would have been sufficient. Sadly, Green Hedges decided to raise the canopy of the Holly trees effectively removing a good portion of the buffer. As such, the School is not maintaining the site as approved.</p> <p>Clear cutting buffers, cutting down trees with no replacement, and raising tree canopies is a violation of the approved Site plan.</p> <p>I respectfully request an evergreen buffer be planted immediately that is consistent with the approved site plan.<br/>Photographic evidence provided.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | 2/25/2024                  | Y                           | <p><b>Zoning Violation:</b> The removal of trees and landscaping from an approved site plan is a zoning violation. Town staff observed that the landscaping on the site has been altered to not be in compliance with the 2017 site plan.</p> <p>The Green Hedges School has been notified of this violation. The school must submit a plan to replace the landscaping and trees that have been removed. They also have the option, similar to any property owner with a site plan, to submit a proposed revision to the site plan. Any such revision would need to show how the revised landscaping would meet 1) the need for buffers, and 2) the requirements for tree canopy coverage.</p> <p>The site plan does not prohibit the trimming and pruning of trees in a method appropriate for the plan species.</p>                                                                                                                                                                                                                                  |
| 40  | 2017 Site Plan                                                                                                                                                                                                                | Continuous                | <p>I am filing a formal complaint for Green Hedges School for failing to maintain the 2017 Site Plan and CUP.</p> <p>The 2017 CUP was approved based upon the fact that screening of the parking spaces from the surrounding neighborhood would include 5 ft evergreen trees to be planted along Lewis St frontage and 8 foot evergreens to be planted along the northern property boundary. As you can see from the attached photos, no such tree screening exist along the northern property boundary.</p> <p>Back in 2022, the town arborist visited the site and made a determination that sufficient screening existed. Recently the area has been clear cut and NO such screening exists. Green Hedges Schools’ response was “they now own that property”.</p> <p>I respectfully request this be addressed and the appropriate tree screening be installed as per the Site Plan and CUP order.<br/>Photographic evidence provided.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | 3/19/2024                  | Y                           | <p><b>Zoning Violation:</b> The removal of trees and landscaping from an approved site plan is a zoning violation. Town staff observed that the landscaping on the site has been altered to not be in compliance with the 2017 site plan.</p> <p>The Green Hedges School has been notified of this violation. The school must submit a plan to replace the landscaping and trees that have been removed. They also have the option, similar to any property owner with a site plan, to submit a proposed revision to the site plan. Any such revision would need to show how the revised landscaping would meet 1) the need for buffers, and 2) the requirements for tree canopy coverage.</p> <p>The site plan does not prohibit the trimming and pruning of trees in a method appropriate for the plan species.</p>                                                                                                                                                                                                                                  |

**Zoning and Conditional Use Permit (CUP) Complaints to the Department of Planning and Zoning related to the  
Green Hedges School, 415 Windover Ave NW, Vienna**

| No. | Applicable Requirement per CUP and/or Zoning | Date of Alleged Violation | Complaint Details                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Date Reported (Email Date) | Violation Determination Y/N | Town of Vienna Zoning Administrator Opinion/Resolution                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
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| 41  | 1978 Site Plan<br>1978 CUP                   | Continuous                | Madam Mayor, Town Council, Department of Planning & Zoning, Commissioner Kenney, Chairwoman Plowigan, Chairman Dhanjal, Town Staff,<br>I am filing a formal complaint for Green Hedges School for failure to comply with the 1978 CUP and Site Plan.<br>The 1978 CUP was conditioned that the edge of the parking lot be screened with fast growing trees and shrubbery.<br>The 1978 Site Plan shows trees lining the proposed parking lots.<br>In the BZA meeting held on 5/17/1978, to gain approval, the School said “they would be glad to plant fast grows growing trees and shrubbery to screen the area.”<br>I respectfully request that Green Hedges screen the parking lots as stated in the 1978 CUP and Site Plan.                                                                                                                                                                                                                                                                                                                | 3/24/2024                  | N                           | The 2017 site plan is the applicable site plan to landscaping and trees on the Green Hedges site and the 1978 site plan is invalid.<br><br>The 1978 conditional use permit condition was not included in subsequent site plans approved, and is therefore no longer a valid condition.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 42  | 1981 CUP                                     | Continuous                | I am filing a formal complaint for Green Hedges School for failure to comply with the 1981 CUP.<br>The 1981 CUP was to incorporate 427 Windover Ave as additional classroom space.<br>The 1981 CUP was conditioned that the use be limited to use as classrooms and storage of instructional material.<br>In the BZA Public Hearing on 6/27/1981, the School stated “the driveway will not be used for they will continue to use the present one and there is adequate parking in the rear for all their needs.”<br>The School has traditionally parked at least 3 vehicles in the driveway of 427 Windover (referred to as the Rice Arts Center.)<br>However, the School recently acquired a “bus” which is now parked in the driveway of the Rice Arts Center. This does not “look” residential and is not screened at all. Vehicles are one thing, especially when they vacate at 4pm. The bus has not moved for 2 weeks.<br>I respectfully request that the 1981 CUP conditions be enforced and that no parking occurs at this location. | 3/24/2024                  | N                           | REVISED: The Zoning Administrator, in a prior decision, see #16 of this document, dated 12/5/2022, stated that parking was not restricted at the Rice Center as it was at the Lewis Street garden.<br><br>See response to Complaint No. 48 below                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 43  | 1985 CUP                                     | Continuous                | I am filing a formal complaint for Green Hedges School for failure to comply with the 1985 CUP.<br>The 1985 CUP was conditioned that “no parking or standing be permitted on Nutley St.”<br>Please reference Complaints #19, 32, and 35 for photographic evidence.<br>I respectfully request that the 1985 CUP condition be enforced.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | 3/25/2024                  | N                           | The stacking or queuing of occupied vehicles into the right-of-way, or within the site within fire lanes, is not a zoning violation. If a citizen is observing a dangerous condition in the Town's right-of-way, the Police Department should be contacted at the time the unsafe condition is taking place.<br><br>The school must provide off-street parking that anticipates event attendance numbers; however, 1) it is not possible to predict attendance and parking demand perfectly , and 2) members of the public are permitted to park on public streets. If unsafe parking conditions are taking place, emergency services should be contacted at the time of the event. The Town will continue to work with the Green Hedges School to update its predictions of parking demand and insist that, when there is a reasonable expectation that parking demand for an event will exceed the amount of parking permitted on site through the CUP, the school provide off-site off-street parking. |
| 44  | 2017 Site Plan                               | Continuous                | I am filing a formal complaint for Green Hedges School for failure to comply with the approved 2017 Site Plan.<br>The 2017 Site Plan shows a heavily treed buffer between the playground and the adjacent property at 434 Knoll St NW and a line of trees all along the adjacent properties on Knoll St.<br>The trees between the playground and 434 Knoll St have been removed.<br>The tree line along the rest of the adjacent properties on Knoll St no longer exists. Some trees remain but have been pruned so they no longer provide the necessary buffer. Reference complaint #39.<br>I respectfully request the Site Plan be enforced and the treed buffers be put in place.                                                                                                                                                                                                                                                                                                                                                         | 3/25/2024                  | Y                           | <b>Zoning Violation:</b> The removal of trees and landscaping from an approved site plan is a zoning violation. Town staff observed that the landscaping on the site has been altered to not be in compliance with the 2017 site plan.<br><br>The Green Hedges School has been notified of this violation. The school must submit a plan to replace the landscaping and trees that have been removed. They also have the option, similar to any property owner with a site plan, to submit a proposed revision to the site plan. Any such revision would need to show how the revised landscaping would meet 1) the need for buffers, and 2) the requirements for tree canopy coverage.<br><br>The site plan does not prohibit the trimming and pruning of trees in a method appropriate for the plan species.                                                                                                                                                                                            |
| 45  | 2007 CUP                                     | Continuous                | I am filing a formal complaint for Green Hedges School for failure to comply with current lighting standards.<br>With the approval of the School’s 2007 CUP, the School’s lighting was to be upgraded into then current standards. The bulk of the 2007 project was never constructed so the current lighting is still not compliant.<br><br>Given there is no tree buffer (even though the approved site plans reflect trees), one light shines directly into my backyard at 434 Knoll St all night long. Since it is unlikely any additional construction will occur at the School, I respectfully request that Green Hedges bring this one light into current standards ~ shield it? Put a timer on it so it doesn’t stay lit all night long? Put a weaker light bulb in it? (Also the other parking lot lights but this one is most annoying.)<br>Any assistance the Town can provide would be much appreciated.                                                                                                                         | 3/26/2024                  | N                           | The Department of Planning and Zoning has reviewed the official record of the 2007 Board of Zoning Appeals meeting and the approval documents, including the 2007 site plan, and 2007 Conditional Use Permit order, and there is no reference to updating the lighting site-wide.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 46  | 2007 CUP                                     | 4/29/2024                 | I am filing a formal complaint for Green Hedges School for failure to comply with the approved 2007 CUP conditions.<br>The 2007 CUP conditions allow for rentals on Sundays from 9:30 am - 2:00 pm. However, there is a flower show scheduled for Sunday, April 29th from 9:30-6:00pm. It would seem the Town granted permission for said event. This event violates the CUP conditions around rentals. Does the Town not recognize CUP conditions??<br>The CUP also allows for “INFREQUENT School events on Sundays from 10:00am - 2:00pm and with prior approval from abutting neighbors, one-time events outside these time periods may be allowed.” This is not a School event and no abutting neighbors were consulted to provide approval ~ if it was.<br>I respectfully request the School and the Town abide by and enforce the CUP conditions.                                                                                                                                                                                      | 4/12/2024                  | N                           | Excerpt from an email from David Levy, Director of the Department of Planning and Zoning, sent to the complainant on 4/17/2024:<br><br>"Please bear in mind that the CUP actually requires that this campus be available for community events, in service of Town residents. For years, the campus has been used for the Walk on the Hill event, which is a resident-oriented Town-wide event. The Special Event Permit simply states that there is approval from the Town."                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 47  | 2017 CUP                                     | 4/29/2024                 | I am filing a formal complaint for Green Hedges School for failure to comply with the approved CUP conditions.<br>The 2017 CUP states that no more than 56 cars shall be parked at 415 Windover and the Lewis St garden.<br>On Sunday, a flower show event was held at Green Hedges. There was no estimate for parking requirements or off street parking options that I saw in the application for special permit nor any emails between the School and ToV for this event<br>The main parking lot had 55 cars parked (some not in designated spots, some in fire lanes), 2 cars parked in the Lewis St garden, plus the bus at the Rice Arts Center.<br>Video and Photo evidence attached.                                                                                                                                                                                                                                                                                                                                                 | 4/29/2024                  | Y                           | <b>Zoning Violation:</b> The approval of the special event for the Flower Show and "Walk on the Hill" event did not include any allowances for parking outside of the designated spaces on the site.<br><br>The Department of Planning and Zoning has notified the Green Hedges School of this site plan violation.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |

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| 48  | 2017 Site Plan                               | 5/14/2024                 | <p>I am filing a formal complaint for Green Hedges School for failure to comply with the approved CUP conditions and Site Plans. Referencing Complaint #42 - which Staff had identified has a zoning violation - stated the 2017 Site Plan did not allow for any parking at the Rice Arts Center. Today 3 vehicles - a pick up truck, the School bus, and a passenger vehicle were parked at the Rice Arts Center.</p> <p>I respectfully request the CUP conditions and Site Plans be adhered to.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | 5/14/2024                  | N                           | <p>The zoning administrator, in a prior decision, see #16 of this document, dated 12/5/2022, stated that parking was not restricted at the Rice Center as it was at the Lewis Street garden.</p> <p>Per the 8/22/2024 email from David Levy:<br/>"After reviewing the 1981, 1997, 2007, and 2017 Conditional Use Permit (CUP) orders/approvals, including the conditions of those approvals, and the site plan documents, we have reached a conclusion on the parking at the Rice Arts Center.</p> <p>Parking is not prohibited (and therefore is permitted) on the asphalt driveway at the Rice Arts Center, which is a free-standing structure on the campus at 415 Windover Ave NW. As you all may know, the Green Hedges School operates under a Conditional Use Permit (CUP), as approved by the Board of Zoning Appeals (BZA). The approval document includes the conditions under which the school may operate in all sorts of matters. Per the conditions of the 2017 CUP for the Green Hedges School, which is the most recent CUP update, there is a limit of total parking that is permitted on the campus at 415 Windover Ave NW. That campus include the main area plus the Rice Arts Center (the location in question) and 202 Lewis St NW. Therefore, any parking on the asphalt driveway at the Rice Arts Center must be included within the 56 parking spaces permitted by the 2017 CUP. A relevant excerpt from the 2017 order is included here. Please note that all mentions of "415 Windover Avenue NW" include the Rice Arts Center."</p> |
| 49  | 2007 CUP                                     | 5/15/2024                 | <p>I am filing a formal complaint for Green Hedges School for failure to comply with approved CUP conditions. Today the School held a middle school play in the afternoon. While alternative parking locations were supposedly provided for, there is clearly no "enforcement" being practiced by the School.</p> <p>The 2007 CUP clearly states "the school shall provide and enforce off street parking for all such activities."</p> <p>I respectfully request the CUP conditions be adhered to and the School implement enforcement practices for all such events.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                              | 5/15/2024                  | N                           | <p>The school must provide off-street parking that anticipates event attendance numbers; however, 1) it is not possible to predict attendance and parking demand perfectly , and 2) members of the public are permitted to park on public streets. If unsafe parking conditions are taking place, emergency services should be contacted at the time of the event. The Town will continue to work with the Green Hedges School to update its predictions of parking demand and insist that, when there is a reasonable expectation that parking demand for an event will exceed the amount of parking permitted on site through the CUP, the school provide off-site off-street parking and communicate to those who will be attending the event the location of the off-site off-street parking, along with direction that they use it.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 50  | 2017 CUP                                     | 5/15/2024                 | <p>I am filing a formal complaint for Green Hedges School for failure to comply with the approved CUP conditions. The 2017 CUP states with respect to Hours of School activities:</p> <p>Extracurricular Activities, special school events, and similar infrequent activities: the hours of use may be extended to 9:00pm during the week, and between 9:00am to 5:00pm on Saturdays, and 10:00am to 2:00pm on Sundays.</p> <p>My understanding and clarified by Director David Levy -</p> <p>One time events outside these time periods may be allowed with prior approval from abutting neighbors.</p> <p>We received notification today of a special event that is outside of the stated hours (6:30am), however I received no such request for approval.</p> <p>I respectfully request the CUP conditions be adhered to.</p> <p>Photographic evidence attached.</p>                                                                                                                                                                 | 5/15/2024                  | N                           | <p>REVISED RESPONSE – The notice from the school was provided on May 15, 2024, before the out -of -hours field trip drop-off on May 17th, 2024. This would give the neighborhood the opportunity to communicate concerns with the school. The 2007 CUP specifically states: "For extracurricular activities, special school events, and similar infrequent or intermittent activities, the hours of use may be extended to 9:00 PM during the week and between 9:00 AM to 5:00 PM on Saturdays and 10:00 AM to 2:00 PM on Sundays. With prior notification and approval from abutting neighbors, one-time events outside these time periods shall be permitted to continue on Sunday evenings."</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 51  | CUP & 2017 Site Plan                         | 5/16/2024                 | <p>I am filing a formal complaint for Green Hedges School for failure to comply with the approved CUP conditions and Site Plans. Referencing Complaint #42 - which Staff had identified has a zoning violation - stated the 2017 Site Plan did not allow for any parking at the Rice Arts Center. Today vehicles were parked at the Rice Center - including the unsightly School bus.</p> <p>I respectfully request the CUP conditions and Site Plans be adhered to and these continuing violations include daily fines.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | 5/16/2024                  | N                           | <p><i>See response to Complaint No. 48 above</i></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 52  | 2000, 2007 Site Plan<br>2000 CUP             | Continuous                | <p>I am filing a formal complaint for Green Hedges School for failure to comply with approved CUP conditions and Site Plans. In the approved 2000 Site Plan and 2000 CUP, the creation of a 6,750 sf playing field was approved with restricted use of operation between 8am - 6pm M-F.</p> <p>The 2000 Site plan clearly shows the athletic playing field adjacent to 227 Nutley St NW (the current headmasters residence). In 2007, Green Hedges received approval to relocate the athletic field replacing the headmasters house, however this was never accomplished. In the interim, the School has continually increased the size and location of the athletic playing field which now runs from the Nutley driveway entrance clear across to the edge of the property at 213 Nutley St.</p> <p>This does not confirm to the 2000 or 2007 Site Plans.</p> <p>I respectfully request the 2000 CUP conditions and 2000 Site Plans be adhered to and the athletics field location and size conform to what was approved in 2000.</p> | 5/17/2024                  | N                           | <p>The 2000 site plan and the 2000 CUP both reference the approximate limits of a new field. The CUP references a field of approximately 6,750 square feet, and the site plan shows the approximate limits of the field. (When measured, the approximate limits actually show a size much larger than 6,750 square feet.). As a result, it appears that there is no strict definition of where the field would be, making it difficult to conclude that there is a violation when children are playing outside of an "approximate" limit. In addition, the CUP does not prohibit play outside of the field area, as long as the playing remains within the general approved area and within the hours permitted.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 53  | 2007 CUP                                     | 5/28/2024                 | <p>I am filing a formal complaint for Green Hedges School for failure to comply with the approved CUP conditions. The 2017 CUP states with respect to Hours of School activities:</p> <p>Extracurricular Activities, special school events, and similar infrequent activities: the hours of use may be extended to 9:00pm during the week, and between 9:00am to 5:00pm on Saturdays, and 10:00am to 2:00pm on Sundays.</p> <p>My understanding and clarified by Director David Levy -</p> <p>One time events outside these time periods may be allowed with prior approval from abutting neighbors.</p> <p>We received notification today of another special event that is outside of the stated hours (6:30am), however I received no such request for approval.</p> <p>I respectfully request the CUP conditions be adhered to.</p> <p>Photographic evidence attached.</p>                                                                                                                                                           | 5/28/2024                  | N                           | <p>The early morning field trip departure falls within the scope of permitted school activities and does not violate the CUP conditions. As a courtesy, on May 26, 2024, Green Hedges School sent an email to neighbors notifying them of the scheduled early morning departure (6:30 AM) for the May 28th field trip.</p> <p>According to the 2017 CUP, extracurricular activities, special school events, and similar infrequent activities are allowed extended hours until 9:00 PM on weekdays and specific hours on weekends. The CUP also states that neighbor approval is only required for one-time events taking place outside of the approved hours on Sunday evenings, per the provision:<br/>"With prior notification and approval from abutting neighbors, one-time events outside these time periods shall be permitted to continue on Sunday evenings."</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |

Zoning and Conditional Use Permit (CUP) Complaints to the Department of Planning and Zoning related to the  
Green Hedges School, 415 Windover Ave NW, Vienna

| No. | Applicable Requirement per CUP and/or Zoning | Date of Alleged Violation | Complaint Details                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Date Reported (Email Date) | Violation Determination Y/N | Town of Vienna Zoning Administrator Opinion/Resolution                                                                                                                                                                                                                                               |
|-----|----------------------------------------------|---------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------|-----------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 54  | CUP & 2017 Site Plan                         | 6/5/2024                  | I am filing a formal complaint for Green Hedges School for failure to comply with the approved CUP conditions and Site Plans. Referencing Complaint #42 - which Staff had identified has a zoning violation - stated the 2017 Site Plan did not allow for any parking at the Rice Arts Center. Today 1 vehicle was parked at the Rice Arts Center.<br>I respectfully request the CUP conditions and Site Plans be adhered to.                                                                                                                                                                                                                                                                                                                                                                       | 6/5/2024                   | N                           | See response to Complaint No. 48 above                                                                                                                                                                                                                                                               |
| 55  | CUP & 2017 Site Plan                         | 6/6/2024                  | Again - today. Photo evidence for complaint (Image of parking at Rice Center)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | 6/6/2024                   | N                           | See response to Complaint No. 48 above                                                                                                                                                                                                                                                               |
| 56  | CUP & 2017 Site Plan                         | 6/19/2024                 | Again, today. (Image of parking at Rice Center)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | 6/19/2024                  | N                           | See response to Complaint No. 48 above                                                                                                                                                                                                                                                               |
| 57  | CUP & 2017 Site Plan                         | 8/6/2024                  | I am filing a formal complaint for Green Hedges School for failure to comply with the approved CUP conditions and Site Plans. Referencing Complaint #42 - which Staff had identified has a zoning violation - stated the 2017 Site Plan did not allow for any parking at the Rice Arts Center. Today 2 vehicles were parked at the Rice Arts Center.<br>I respectfully request the CUP conditions and Site Plans be adhered to.                                                                                                                                                                                                                                                                                                                                                                     | 8/6/2024                   | N                           | See response to Complaint No. 48 above                                                                                                                                                                                                                                                               |
| 58  | CUP & 2017 Site Plan                         | 8/7/2024                  | Again today. What are the penalties being imposed for each infraction??                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | 8/7/2024                   | N                           | See response to Complaint No. 48 above                                                                                                                                                                                                                                                               |
| 59  | CUP & 2017 Site Plan                         | 8/8/2024                  | Again today. Bus hasn't moved.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | 8/8/2024                   | N                           | See response to Complaint No. 48 above                                                                                                                                                                                                                                                               |
| 60  | CUP & 2017 Site Plan                         | 8/9/2024                  | (Image of parking at Rice Center)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | 8/9/2024                   | N                           | See response to Complaint No. 48 above                                                                                                                                                                                                                                                               |
| 61  | CUP & 2017 Site Plan                         | 8/10/2024                 | (Image of parking at Rice Center)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | 8/10/2024                  | N                           | See response to Complaint No. 48 above                                                                                                                                                                                                                                                               |
| 62  | CUP & 2017 Site Plan                         | 8/11/2024                 | (Image of parking at Rice Center)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | 8/11/2024                  | N                           | See response to Complaint No. 48 above                                                                                                                                                                                                                                                               |
| 63  | CUP & 2017 Site Plan                         | 8/12/2024                 | (Image of parking at Rice Center)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | 8/12/2024                  | N                           | See response to Complaint No. 48 above                                                                                                                                                                                                                                                               |
| 64  | CUP & 2017 Site Plan                         | 8/13/2024                 | Tuesday 8/13. Still there.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | 8/13/2024                  | N                           | See response to Complaint No. 48 above                                                                                                                                                                                                                                                               |
| 65  | CUP & 2017 Site Plan                         | 8/14/2024                 | Wednesday 8/14 - still there. (Image of parking at Rice Center)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | 8/14/2024                  | N                           | See response to Complaint No. 48 above                                                                                                                                                                                                                                                               |
| 66  | CUP & 2017 Site Plan                         | 8/15/2024                 | Yup, still there.(Image of parking at Rice Center)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | 8/15/2024                  | N                           | See response to Complaint No. 48 above                                                                                                                                                                                                                                                               |
| 67  | CUP & 2017 Site Plan                         | 8/16/2024                 | The bus is still parked at Rice Arts Center which has been determined to be a zoning violation.<br>I have Jenn's address and phone number (headmaster) if you need her contact info, please let me know.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | 8/16/2024                  | N                           | See response to Complaint No. 48 above                                                                                                                                                                                                                                                               |
| 68  | CUP & 2017 Site Plan                         | 8/17/2024                 | Saturday 8/17. Business is still there. We will continue to report until there is an updated response.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | 8/17/2024                  | N                           | See response to Complaint No. 48 above                                                                                                                                                                                                                                                               |
| 69  | CUP & 2017 Site Plan                         | 8/18/2024                 | Sunday 8/18. Bus is still there.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | 8/18/2024                  | N                           | See response to Complaint No. 48 above                                                                                                                                                                                                                                                               |
| 70  | CUP & 2017 Site Plan                         | 8/19/2024                 | Monday 8/19. Still there.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | 8/19/2024                  | N                           | See response to Complaint No. 48 above                                                                                                                                                                                                                                                               |
| 71  | CUP & 2017 Site Plan                         | 8/20/2024                 | Tuesday 8/20. Still there. (Image of parking at Rice Center)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | 8/20/2024                  | N                           | See response to Complaint No. 48 above                                                                                                                                                                                                                                                               |
| 72  | CUP & 2017 Site Plan                         | 8/21/2024                 | Wednesday. 8/21. (Image of parking at Rice Center)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | 8/21/2024                  | N                           | See response to Complaint No. 48 above                                                                                                                                                                                                                                                               |
| 73  | 2007 CUP                                     | 10/19/2024                | I am formally filing Complaints #73 through #77 for Green Hedges School. The School held a Dragonfest event - their annual fund raiser - on Saturday, October 19.<br>Complaint # 73. The notification from the School to the residents indicated the event was from 11am to 2pm. However, the event went until 2:30pm. It is important that the residents receive accurate information on the timings of such events as it impacts their ability to enjoy their own property. Many residents actually leave town during these events. (Which are not infrequent.)                                                                                                                                                                                                                                   | 10/21/2024                 | N                           | The event approval allowed for cleanup until 4:00pm and the event took place during school hours.                                                                                                                                                                                                    |
| 74  | 2007 CUP                                     | 10/19/2024                | According to the 2007 CUP, "The School shall continue to mitigate any negative impact on the surrounding neighborhoods from traffic and parking for all events and activities, including private groups or individuals renting the School's facilities. The School shall provide and enforce off-street parking for all such activities." There was no enforcement of off-street parking.                                                                                                                                                                                                                                                                                                                                                                                                           | 10/21/2024                 | N                           | The school must provide additional off-street parking alternatives, but enforcement of parking is not permitted by private citizens on the Town's right-of-way. Streets in this area are open to public parking. This has been addressed in multiple previous staff responses to similar complaints. |
| 75  | 2007 CUP                                     | 10/19/2024                | The Special Event permit approved by the Town of Vienna specifically stated the names of 2 individual who were to direct (and enforce?) off street parking for the entire event. There were no such individuals at the entrance to the School throughout the event.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | 10/21/2024                 | N                           | The Town of Vienna approval letter stated that Jinene Christian and Tan Nguyen would be present to direct drivers to designated parking lots, but it did not specify that they would need to be at the entrances to the school.                                                                      |
| 76  | 2007 CUP                                     | 10/19/2024                | According to Director Levy's interpretation of the 2007 CUP "To clarify - the CUP lays out that Green Hedges is permitted, without any application/approval from the Town, to hold infrequent school or extra-curricular activities outside of the designated hours if they have prior approval of the abutting neighbors."<br><br>The Special Event permit approved by the Town of Vienna was for the hours of 8am - 4:00pm. As an abutting neighbor, I was not asked for prior approval to start at 8am as per the CUP conditions.                                                                                                                                                                                                                                                                | 10/21/2024                 | N                           | The activity was held during the school hours from 7:00am to 6:00pm, not Sunday evenings.                                                                                                                                                                                                            |
| 77  | 2000 CUP                                     | 10/19/2024                | The 2000 CUP specifically restricts the use of the School's athletic field to Monday - Friday from 8am to 6pm. The event utilized the athletic field on Saturday outside of the stated conditions. It is disappointing that the CUP conditions are not being followed by the School OR the Town of Vienna. Town Manager, Mercury Peyton and Director Levy were reminded of this condition and yet the special event permit was approved regardless.                                                                                                                                                                                                                                                                                                                                                 | 10/21/2024                 | N                           | The school has held limited activities on the athletic field outside of the school hours through the Town's special event process. The CUP is a consideration when reviewing the application.                                                                                                        |
| 78  | 2007 CUP                                     | 12/11/2024                | On 12/11/2024, Green Hedges held a Holiday Concert (notice attached). The notice stated that parking would be held on campus. With some quick back of the envelope math - grades 3-8, 6 grades at 15 students per grade is 90 students ~ maybe there are some siblings, maybe some parents don't attend. Regardless, according to the 2007 CUP, "The School shall continue to mitigate any negative impact on the surrounding neighborhoods from traffic and parking for all events and activities, including private groups or individuals renting the School's facilities. The School shall provide and enforce off-street parking for all such activities." There was no enforcement of off-street parking for this event. Cars were parked on the street and filled the Elks Lodge parking lot. | 12/11/2024                 | N                           | Cars were parked in the provided off-site parking. The Police should be called when cars are parked illegally along the Town's right-of-way.                                                                                                                                                         |
| 79  | 2007 CUP                                     | 12/11/2024                | Per the conditions of the 2017 CUP for the Green Hedges School, there is a limit of 56 parking spaces total at 415 Windover Ave NW. This limit was exceeded at this event.<br><br>Additionally, cars were parked illegally on Windover Ave in front of the School and the Town of Vienna police were notified. Strangely enough, about 15 minutes after the phone call to the police, people came running out of the School to move their cars.                                                                                                                                                                                                                                                                                                                                                     | 12/11/2024                 | N                           | Cars were parked in the provided off-site parking and the Police Department responded to the illegal parking.                                                                                                                                                                                        |

Zoning and Conditional Use Permit (CUP) Complaints to the Department of Planning and Zoning related to the Green Hedges School, 415 Windover Ave NW, Vienna

| No. | Applicable Requirement per CUP and/or Zoning | Date of Alleged Violation | Complaint Details                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Date Reported (Email Date) | Violation Determination Y/N | Town of Vienna Zoning Administrator Opinion/Resolution                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|-----|----------------------------------------------|---------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------|-----------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 80  | 2007 CUP                                     | 2/22/2025                 | <p>I am filing a format complaint for Green Hedges School. The 2007 CUP states:</p> <p>"Extracurricular Activities, special school events, and similar infrequent activities: the hours of use may be extended to 9:00pm during the week, and between 9:00am to 5:00pm on Saturdays, and 10:00am to 2:00pm on Sundays."</p> <p>On Saturday, February 22, 2025, shortly after 7pm, a School bus drove into the parking lot to drop off children’s while parents were waiting for pickup. 7pm is well after the 5pm CUP condition.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | 2/23/2025                  | N                           | The Department of Planning and Zoning does not consider a bus dropping off children on a campus, to be picked up by parents, to be a school event that is inconsistent with the Conditional Use Permit (CUP). Schools do field trips for all sort of reasons – visiting museums, sports at other schools, etc., where the arrival and departure times are based on travel needs and distance, not school hours.                                                                                                                                                                                                                                                                      |
| 81  | 2000 CUP                                     | 3/1/2025                  | <p>I am filing a formal complaint for Green Hedges School. According to the 2000 CUP, the athletic field use is restricted to school use Monday - Friday 8am-6pm.</p> <p>Today, there was some sort of gathering at the School (we’ve reached out to Staff to determine if this is a new rental as it is recurring every Saturday). The group used the playground and then moved to the athletic field.</p> <p>I respectfully request this violation of the CUP be addressed. If the School cannot manage use of the athletic field as per CUP, the field should be fenced (as identified in the 2007 CUP) and locked to prevent unauthorized access.</p> <p>Photographic evidence attached.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | 3/1/2025                   | N                           | The photographic evidence provided shows four adults with some small children on the field. The Department of Planning and Zoning found no evidence that the use of the field was related to an organized event or organized portion of the campus rental. The 2000 Conditional Use Permit states: <i>Testimony from the applicant indicated that the new field is important to the school and children from neighboring properties as a recreational use. It was noted that this is a project that is generally supported by the surrounding area. It was also stated that the limitation on hours of operation did not preclude use of the field after hours by area children.</i> |
| 82  | n/a                                          | Multiple                  | <p>I am filing a formal complaint for Green Hedges School.</p> <p>On Friday, 8/8, at 5:30am, Green Hedges School had a mulch delivery. This is a violation of the noise ordinance. Green Hedges was notified of the infraction and reminded of the noise ordinance restrictions.</p> <p>On Monday, 11/3, Green Hedges had maintenance contractors onsite working prior to the noise ordinance time restrictions. This is a violation of the noise ordinance. Again, Green Hedges was notified of the infraction and reminded of the noise ordinance restrictions.</p> <p>On Saturday, 11/22, Green Hedges had garbage collection occurring at 6:28am. This is a violation of the noise ordinance. Again, Green Hedges was notified of the infraction and reminded of the noise ordinance restrictions. They were also told any further infractions would result in a police report and formal complaint filed with the Town.</p> <p>On Saturday, 12/6, Green Hedges had garbage collection occurring at 6:15am. This is a violation of the noise ordinance. As previously communicated to the School, the police were called. However, during the phone call, the garbage truck left the scene, so we requested a police report be made for the record.</p> <p>These are noise ordinance violations which is a police matter but I wanted a formal complaint on record as this appears to be a repeating issue.</p> | 12/18/2025                 | N                           | <p>Enforcement of the Town’s noise ordinance is handled by the Police Department. The incidents you referenced have been appropriately directed to the police for investigation, response, and documentation, and future violations should continue to be reported directly to the Police Department so they can address the situation in real time.</p> <p>The Zoning Administrator has reviewed the information provided and determined that these incidents do not constitute zoning violations.</p>                                                                                                                                                                              |
| 83  | n/a                                          | 12/20/2025                | <p>I am submitting this as a formal complaint regarding Green Hedges School.</p> <p>On Saturday, 12/20 at 6:19am, garbage collection occurred at Green Hedges School. This activity is a violation of the Town of Vienna noise ordinance. Due to the early hour disturbance, the Vienna police were called to report the violation.</p> <p>While we recognize this incident is a noise ordinance matter involving police enforcement, Green Hedges operates under a CUP and has full control over the actions and schedules of their contractors. Compliance with Town ordinances is a basic tenet of a CUP holder.</p> <p>Failure to comply with Town laws, particularly repeated violations, should be considered relevant to CUP compliance and should be taken into account in the review of any future CUP applications submitted by the School.</p> <p>Please confirm receipt of this Complaint and advise how this violation will be addressed within the context of Green Hedges CUP.</p>                                                                                                                                                                                                                                                                                                                                                                                                                   | 12/20/2025                 | N                           | <p>Enforcement of the Town’s noise ordinance is handled by the Police Department. The incidents you referenced have been appropriately directed to police for investigation, response, and documentation, and future violations should continue to be reported directly to the Police Department so they can address the situation in real time.</p> <p>The Zoning Administrator has reviewed the information provided and determined that these incidents do not constitute zoning violations.</p>                                                                                                                                                                                  |

New decisions by the Town of Vienna Department of Planning and Zoning.

Revised decisions edited since the table was distributed previously.



[REDACTED]

**Sent:** Saturday, January 10, 2026 4:02 PM

**To:** COUNCIL <council@viennava.gov>; Town Manager <manager@viennava.gov>; O'Brien, Kelly <Kelly.O'Brien@viennava.gov>

**Subject:** Green Hedges Expansion - Opposed

***CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.***

Town Council:

I am writing in concern of the planned expansion of the Green Hedges school. I am opposed to this initiative.

Having been impacted, negatively, by non-residential neighbors, and having to go through multiple iterations to make my voice heard and achieve the desired goal, I have found that the effort required of adjacent neighbors to defend themselves against non-residential neighbors is stressful and unfair.

My residential neighbors have always engaged, proactively and fairly to minimize discomfort and achieve a harmonious resolution. My commercial neighbors never did that.

Given the repeated impact and often failure to comply with the conditions of CUP and expansion in the past, I feel their request should be denied.

Thank you for your consideration,

Howard Uman  
114 Wilmar Pl NW

**To:** [REDACTED]  
**Subject:** [Murphy, Jennifer](#); [Levy, David](#); [O'Brien, Kelly](#)  
**Date:** Green Hedges School  
Tuesday, January 13, 2026 8:01:42 AM

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***CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.***

Dear Planning Commission Members,

I am writing to respectfully oppose the proposed expansion of Green Hedges School.

The School is located within an established residential neighborhood that already experiences ongoing impacts related to noise, traffic, parking, and site intensity under the School's current approvals. These impacts have been documented over time and remain unresolved. Increasing enrollment, staffing, and physical intensity would further burden surrounding homes and streets that were not designed to accommodate such an institutional-scale use.

Of particular concern is the number and nature of zoning variances and waivers requested as part of this application. These requests seek relief from standards specifically intended to protect residential neighborhoods and, taken together, would materially alter the scale and character of the use. Granting multiple variances to enable further expansion raises serious concerns about precedent and whether the proposal can truly be considered compatible with its surroundings without harm to public health, safety, and neighborhood character.

For these reasons, I respectfully urge the Planning Commission to recommend denial of the application as submitted.

Thank you for your time and consideration.

Sincerely,

Pablo Perez

501 Windover Ave NW

Vienna, VA 22191



**From:** [REDACTED]  
**To:** [Murphy, Jennifer](#); [Levy, David](#); [O'Brien, Kelly](#)  
**Subject:** Green Hedges Expansion and Impact on the Neighborhood Surrounding  
**Date:** Tuesday, January 13, 2026 11:30:01 AM

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***CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.***

Hello:

I am a 30-year resident of Vienna - 214 Nutley St., NW, across from Green Hedges School on Nutley St. I am responding to the applicant's presentation and its impact on the neighborhood.

We have lived amongst the Green Hedges school activity for many years, and have had to repeatedly stand up to them on issues of their growth - following promises of no growth, for so many years, it is almost a custom that this happens every few years - despite the school promising not to expand each time.

This is also on the heels of the public schools' (Louise Archer and Madison High School) also being expanded - both physically and more students. And with the new businesses nearby on Maple, that have parking deficits, our little neighborhood has become unmanageable for much of the time. The town really needs to examine this area of town and determine a long term plan for it - do you want it to be commercial or residential?

This being said, to address specifically Green Hedges issues:

The current application proposes nearly doubling building square footage, increasing enrollment to 225 students, increasing staff, increasing parking, and increasing lot coverage to nearly 48 percent—well beyond what residential zoning permits. To make that work, the School is requesting multiple zoning modifications because the site simply cannot meet code. This neighborhood has already absorbed significant impacts: congestion during arrival and dismissal, chronic parking shortages, noise from outdoor play and events, and inadequate buffers. The enrollment increase - including staff increase will only exacerbate an already crowded situation and increase density for what is now a residential neighborhood. The burden lies on us neighbors who can't get out of our driveways at certain times and need to be constantly reporting when people are parking illegally.

Green Hedges is located on narrow residential streets—Windover Avenue, Lewis Street, and Nutley Street—none of which were designed to function as collector roads for an institutional use of this intensity. Yet every school day, arrival and dismissal bring congestion, vehicle stacking, and circulation conflicts that spill into surrounding streets.

The current application proposes an increase in enrollment from 190 to 225 students and an increase in staff, yet the traffic analysis submitted by the School does not fully account for faculty and staff vehicle trips. That omission matters. Staff arrive and depart during the same peak periods as students, and excluding those trips understates real-world traffic impacts.

The School asserts that on-site queuing will resolve off-site impacts. But neighbors regularly observe vehicles queuing on Windover and Nutley during arrival, dismissal, special events, and extracurricular activities. These conditions obstruct driveways, reduce sight lines, and create unsafe conditions for pedestrians, cyclists, and emergency vehicles.

Parking presents a similar issue. While the School proposes additional on-site spaces, history shows that on-site parking has never fully met demand during events, rentals, or after-school activities. As a result, overflow parking routinely occurs on residential streets, despite long-standing CUP conditions prohibiting it.

The proposal also anticipates expanded facilities—including a future gymnasium and performance space—which historically generate parking demand well beyond normal school operations. Yet the application relies on operational assurances rather than enforceable guarantees that all parking demand will be accommodated on-site.

Traffic and parking impacts are not minor inconveniences. They affect neighborhood safety, emergency access, and the basic ability of residents to enter and exit their own homes. Granting additional enrollment and intensity without resolving these long-standing issues will only compound them.

In addition, the noise of the school is an issue. Green Hedges operates in a residential neighborhood where quiet enjoyment of homes is a fundamental expectation. Noise impacts are not incidental here—they are ongoing, well documented, and directly tied to the School's intensity of use. The School asserts that increased enrollment will result in only negligible noise increases and that a six-foot wooden fence will provide a 5 to 8 dBA reduction. But a fence is not a substitute for required buffers, and it does nothing to address impulse noise generated by outdoor play, whistles, or amplified instruction. More students, more outdoor activity, and more extended use will inevitably increase noise, regardless of fencing.

We request that these issues are considered and the plan altered, or strict, enforceable limits on outdoor activity, hours of use and noise-generating facilities to protect the surrounding community.

Thank you for consideration of the Nutley St. neighborhood.

Sincerely,  
Melissa Maillett

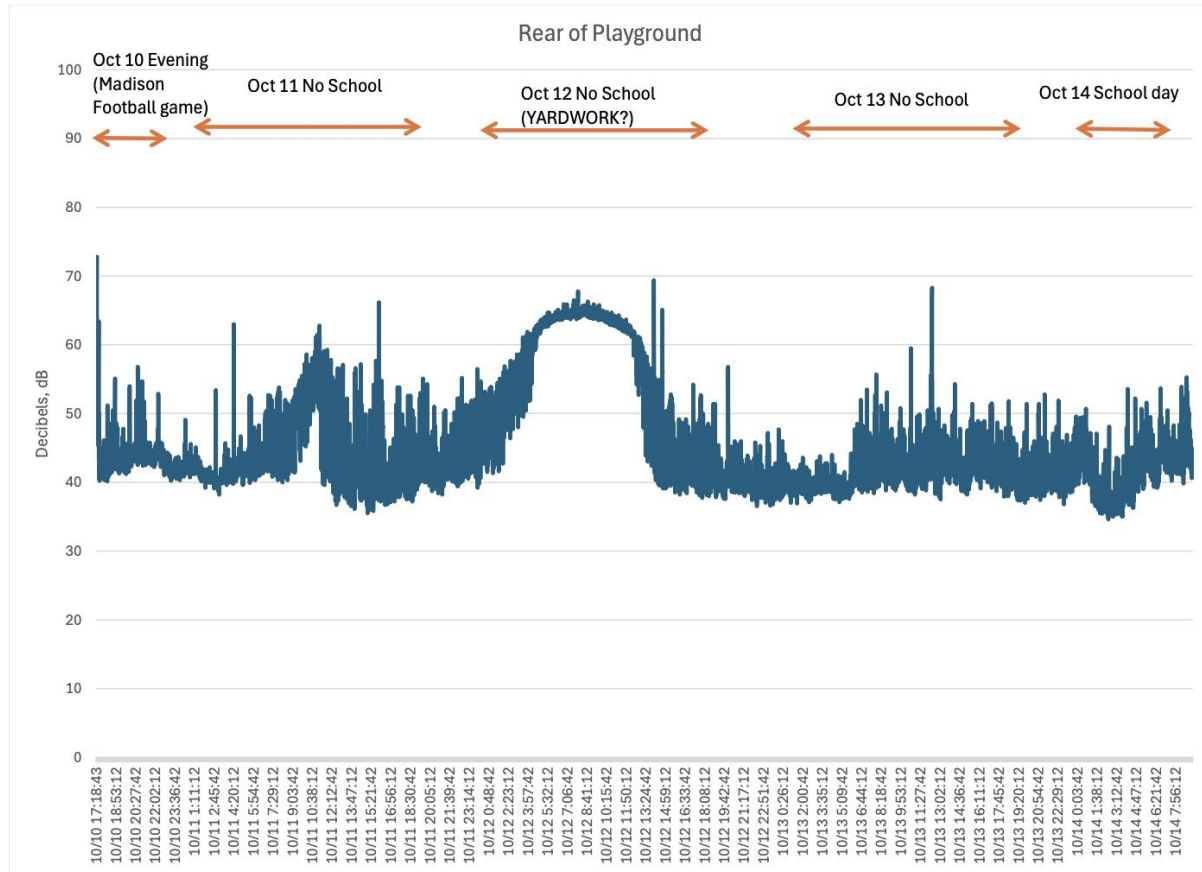
From: [REDACTED]  
 To: [REDACTED]  
 Cc: [REDACTED]  
 Subject: Green Hedges School CUP and Site Plan Modifications- Neighbors' Sound Analysis  
 Date: Tuesday, January 13, 2026 1:09:10 PM  
 Attachments: [GHS Sound Analysis.docx](#)

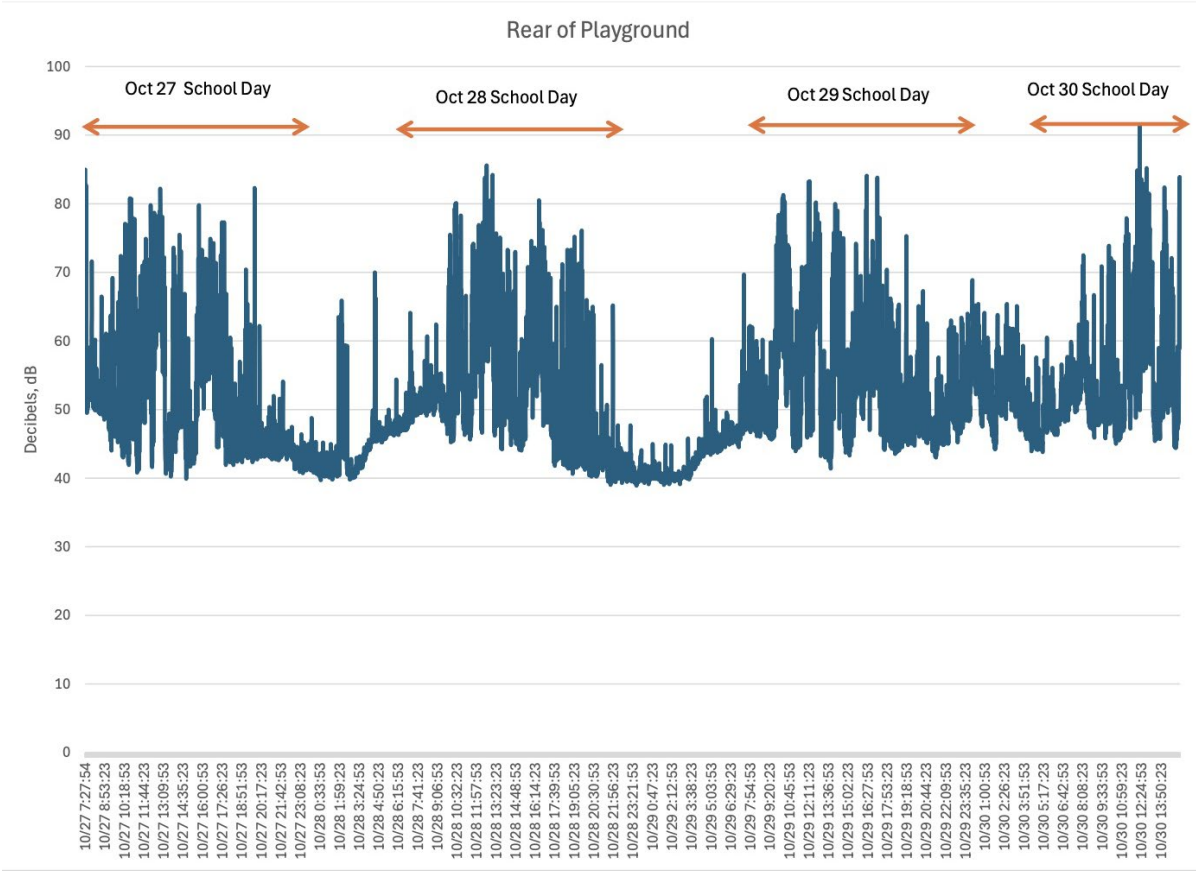
**CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.**

Madam Mayor, Members of Town Council, Planning Commissioners, Department of Planning and Zoning Staff, Town Manager, Town Attorney, and Chiefs of Police:

Please accept the following documents as rebuttal to the School's sound analysis and further opposition to the Green Hedges CUP and Site Modifications.

Penny Oszak  
 221 Nutley Street Northwest





## **Summary of School's Noise Analysis Methodology (Reference Page 18 of the Campus Plan)**

Green Hedges School conducted sound monitoring during two periods in October 2025:

- Baseline (No School): October 11–13, 2025
- School in Session: October 27–30, 2025

Monitoring was conducted between 7:00 AM and 10:00 PM, and results were summarized using daily average and daily peak sound levels. In the absence of a Town of Vienna noise ordinance, the School relied on the Fairfax County Noise Ordinance, which sets a 60 dBA continuous sound threshold during daytime hours in residential areas.

The School concluded that:

- Continuous sound levels did not exceed 60 dBA during monitoring
- Impulse sound levels remained below the 100 dBA threshold
- Daily averages and peaks were within acceptable limits

## **Limitations of the School's Analysis**

While the School's monitoring collected useful raw data, its presentation methodology materially understates actual neighborhood impact for the following reasons:

- **Overly Broad Averaging Window**  
Averaging sound levels across a 15-hour window (7:00 AM–10:00 PM) equally weights hours when the School is not operating, masking elevated noise during active school periods.
- **Daily Peak Readings Lack Duration Context**  
A single peak value does not indicate whether elevated noise lasted seconds, minutes, or extended periods—an essential factor in assessing residential compatibility.
- **Failure to Isolate Operational Activity**  
The School did not isolate arrival, recess, lunch, playground, and dismissal periods, despite acknowledging that noise was mapped to these activities.

## **Independent Three-Day School-Hour Noise Impact Analysis**

To evaluate operational impacts more accurately, neighbors requested and analyzed the raw sound data provided by the School, focusing exclusively on active school hours.

Monitoring Period: October 27–29, 2025

Hours Analyzed: 8:00 AM – 4:00 PM

Sampling Interval: ~30 seconds

Analytical Method: Fixed 30-minute windows

Threshold Evaluated: Exceedances above 60 dBA

## **Executive Finding**

Noise monitoring over three consecutive school days demonstrates a persistent and repeatable pattern of excessive noise. Sound levels repeatedly exceeded 60 dBA for extended periods, with frequent peaks above 80 dBA. The duration, intensity, and consistency of these exceedances establish that the impacts are operational in nature and materially interfere with the use and enjoyment of adjacent residential properties.

## **Daily Summary Metrics**

October 27, 2025

- Average Sound Level (8:00 AM – 4:00 PM): ~63 dBA
- Peak Sound Level: 82.2 dBA
- Highest Impact Window: 12:30–12:59 PM (26 exceedances above 60 dBA)

October 28, 2025

- Average Sound Level (8:00 AM – 4:00 PM): ~64 dBA
- Peak Sound Level: 85.6 dBA
- Highest Impact Window: 12:30–12:59 PM (29 exceedances above 60 dBA)

October 29, 2025

- Average Sound Level (8:00 AM – 4:00 PM): ~61 dBA
- Peak Sound Level: 83.3 dBA
- Highest Impact Window: 12:00–12:29 PM (23 exceedances above 60 dBA)

## **Findings of Excessive Noise with Time-Window Cross-References**

### **1. Sustained Midday Noise (Documented)**

- Oct 27, 10:30–10:59 AM: 33 exceedances; max 80.8 dBA
- Oct 27, 11:30–11:59 AM: 33 exceedances; max 74.9 dBA
- Oct 28, 12:30–12:59 PM: 29 exceedances; max 85.6 dBA
- Oct 29, 12:30–12:59 PM: 30 exceedances; max 80.2 dBA

These windows reflect uninterrupted elevated noise lasting 30 minutes or more, confirming sustained activity rather than isolated events.

### **2. Extreme Peak Events**

- Oct 28, 12:30–12:59 PM: 85.6 dBA
- Oct 29, ~12:14–12:15 PM: 83.3 dBA
- Oct 27, 12:30–12:59 PM: 82.2 dBA

Sound levels above 80 dBA are commonly associated with construction equipment or heavy machinery and are inconsistent with normal residential conditions.

### **3. Repetitive Daily Pattern**

Across all three days, the highest concentration of exceedances occurred between approximately 10:00 AM and 1:00 PM, with multiple consecutive 30-minute windows exceeding 20–30 readings above 60 dBA. This repeatability confirms a predictable operational source, not background neighborhood noise.

### **4. Prolonged Residential Exposure**

Elevated noise extended beyond midday into early afternoon on multiple days (e.g., October 27: 1:00–1:29 PM; October 29: 2:00–2:29 PM), demonstrating prolonged daily exposure for adjacent residences.

## **Corroboration with School’s Own Sound Graphs**

The School’s sound analysis graphs (attached to correspondence) further corroborate these findings by showing:

- 3–4 distinct peak periods per day
- Peak durations ranging from 20 to 45 minutes
- Alignment with predictable outdoor school activities
- Sustained average levels near 75 dBA, with repeated peaks at or above 80 dBA

## **Conclusion**

When analyzed using school-hour-specific averages, duration-based windows, and repeatability metrics, the same raw data relied upon by the School demonstrates frequent, sustained, and excessive noise during normal operations. These impacts are concentrated during predictable periods, exceed commonly accepted residential thresholds, and materially affect adjacent properties. The record therefore supports the need for clear, enforceable noise mitigation and operational limits as a condition of any approval.

**Note:** This analysis reflects noise generated from the playground adjacent to 434 and 428 Knoll Street only and does not account for other recreational areas currently in use or proposed for expansion.