

Rec'd 10:35A
6/7/2021



Corporation of Harpers Ferry

1000 WASHINGTON STREET • P.O. BOX 217

Harpers Ferry, West Virginia 25425

304-535-2206 • FAX 304-535-6520

Wayne Bishop,

Mayor

BARBARA HUMES, JAY PREMACK, ED WHEELLESS, CHRISTIAN PECHUEKONIS, NANCY SINGLETON CASE, COUNCIL MEMBERS
KEVIN GARDEN, RECORDER

May 31, 2021

CERTIFIED MAIL – RETURN RECEIPT
& VIA ELECTRONIC MAIL TO jack.m.rife@wv.gov

The Honorable Michael R. Graney
Deputy Cabinet Secretary, Department of Commerce
West Virginia Development Office
State Capitol Complex – Building 3, Suite 600
1900 Kanawha Blvd. E.
Charleston, WV 25305

RE: Comments on and objection to the Tourism Development District
Application from SWaN Hill Top House Hotel, LLC

Dear Mr. Graney:

I am writing in my capacity as Mayor and on behalf of a large cross section of concerned Citizens of Harpers Ferry that oppose the Tourism Development District currently proposed for land within the Corporation of Harpers Ferry. The proposed TDD is located on hollowed ground, historically known as Magazine Hill, adjoining Camp Hill, in the center of a nationally designated Historic District, in the center of a National Historical Park. See attached letters of concern and opposition from the United States Department of Interior/Harpers Ferry National Park Service, and the National Trust for Historic Preservation.

Although members of our Town Council may disagree, please know that Citizens vehemently object to the TDD State control as it represents a cauldron of legal and policy offences that are rightly upsetting to many Harpers Ferry citizens. Our Town's elected officials have received many, many calls and correspondences from citizens expressing their surprise, dismay, and shock that the State has created legislation and law designed to essentially deprive them of the voice and local control. To be sure, the TDD will violate the West Virginia's Constitutional and State Law, will usurp certain powers uniquely and properly vested in our Town's laws, ordinances, Comprehensive Plan, Zoning, and historical guidelines. See attached petition attached from 60 residents.

Historic District
Where The Shenandoah Meets The Potomac

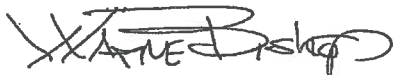
The Honorable Michael R. Graney
May 31, 2021
Page 2

The TDD shall not be subject to the Town's home rule powers, zoning, historical preservation, land use, regulations, utilities, sale of alcoholic beverages, building inspection & code enforcements and license requirements for the next century.

Please be advised that special competences would be required within your agencies to deal with:

- private land and storm water issues, potential boundary disputes.
- Disposal of hazardous materials.
- Blasting and the proposed ridge top removal adjacent to quiet residential neighborhoods, visitor parking, Day care Center, bus stop, National Park resources and wildlife including endangered species (see attached subsurface report and blasting plans, expectations).

Respectfully submitted,

A handwritten signature in black ink that reads "Wayne Bishop". The signature is written in a cursive style with a large, stylized "W" and "B".

Wayne Bishop
Mayor

Enc.



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RECORDER
KEVIN GARDEN

TOWN CLERK
NANCY CUMMINS

COUNCIL MEMBERS

BARBARA HUMES
HARDWICK S. JOHNSON, JR.
CHARLOTTE THOMPSON
ED WHEELLESS
MIDGE FLINN YOST

August 23, 2018

Superintendent Tyrone Brandyburg
United States Department of the Interior
Harpers Ferry National Park Service
P.O. Box 65
Harpers Ferry, WV 25425

RE: Hill Top House Hotel Project

Dear Superintendent Brandyburg:

Attached for your use and review is a letter to The Town of Harpers Ferry from the Harpers Ferry National Historical Park dated January 24, 2017 signed by Acting Superintendent George McHugh. In this letter there are a number of items/issues that drew the interest and some concerns by the Park Leadership.

The Town of Harpers Ferry is currently reviewing concept plans for a new Hill Top Hotel. This is the ideal time for Park experts to get involved and comment if there are issues or general comments that could interface with the Town's review or perhaps current community that relate to Park resources.

Please feel free to contact me directly or please feel free to schedule a meeting with the Mayor and the Hotel Management team.

We appreciate your excellent working relationship with our Community.

Sincerely,


Wayne Bishop
Mayor

enc.

Historic District
Where The Shenandoah Meets The Potomac



United States Department of the Interior

NATIONAL PARK SERVICE

HARPERS FERRY NATIONAL HISTORICAL PARK

P. O. BOX 65

HARPERS FERRY, WEST VIRGINIA 25425

IN REPLY REFER TO:

1.A.1. (HAFE L30)

January 24, 2017

Mayor Gregory F. Vaughn
Corporation of Harpers Ferry
P.O. Box 217
Harpers Ferry, West Virginia, 25425
FOR HAND DELIVERY

Dear Mayor Vaughn:

The purpose of this letter is to provide the National Park Service's current perspective on the proposed Promontory Overlay District. As you know, in November 2015, former Park Superintendent Rebecca Harriett expressed support for adopting an ordinance as a good management tool for defining the scope of any future development on the Promontory. I also believe a zoning ordinance provides the Town the most effective way to achieve land use and design goals that are compatible with the historic nature of town. There are certain key issues that deserve additional attention, however. I would therefore wish to take this opportunity to reiterate and to expound upon some key concerns of the National Park Service in regards to any future development within the proposed zoning district.

Specifically, we are very concerned about the following potential direct impacts to National Park Service property and values:

Visual Impacts and Compatibility

Harpers Ferry has long been famous for its scenic views. Construction of a hotel or other facility the size of what is permitted in the ordinance will have a major visual impact on the surrounding neighborhood and various areas administered by the National Park Service. This includes not only Harpers Ferry National Historical Park, but also the Appalachian National Scenic Trail, the Chesapeake and Ohio Canal National Historical Park, and Potomac Heritage National Scenic Trail.

We expect this development to be visible from several key observation points along the C&O Canal and Maryland Heights trail system and overlook; the Potomac Street corridor and train station; as well as several other vantage points on Camp Hill. Given the significance of these areas, we recommend requiring any applicant to provide a careful and full analysis of visual impacts to these National Parks and we would expect the Town to reject any plan that would significantly detract from scenic views. The extent to which a development effects scenic views is a very significant consideration in determining if that development is compatible in scale and intensity with the surrounding area.

Blasting

As the steward of thirteen buildings on Camp Hill worth nearly \$53 million, most of which are of historic masonry construction, the NPS is deeply concerned about the effects of any blasting on nearby buildings and their associated infrastructure. Our preference is that blasting be prohibited. If blasting is permitted, we would like to ensure that the party performing the blasting has a plan, satisfactory to adjacent property owners, that demonstrates how an applicant will avoid or minimize impacts from blasting (seismic vibrations, noise, dust, etc.). Alternate means of subsurface construction should also be considered. If such procedures are not in place and protections against damage cannot be adequately ensured, blasting must be expressly prohibited in the ordinance. Therefore, we urge you to require any developer who proposes blasting to perform geotechnical evaluations prior to blasting and to have those results examined by an independent evaluator. Expert opinion is needed to inform decisions regarding blasting in the Promontory Overlay District.

Utilities

It is difficult at present to determine the scale of any increase in capacity of public water and sewer infrastructure required by a development within the Promontory Overlay District. This is a very significant consideration in determining whether a development is compatible in scale and intensity with the surrounding area. There will be potential cumulative impacts to Harpers Ferry National Historical Park that require analysis.

Additional Concerns

We have additional concerns that are not possible to evaluate at present without additional information. These are:

- Environmental effects on adjacent properties including, but not limited to, containment of hazardous materials and debris, impacts to wildlife and habitat, and effects on night sky darkness and soundscapes.
- Storm water management and erosion control.
- Increased usage of Lower Town via Shenandoah Street by construction vehicles and delivery trucks, especially during demolition and construction phases.
- Noise pollution from sources such as increased traffic, generators, and other heating and cooling equipment.
- Potential use and access to Byrne's Island in the Potomac River.
- Paper streets, historic circulation patterns, and continued public access to existing rights-of-way.
- Undiscovered historic and archeological resources related to Magazine Hill.
- Incorporation of green building techniques and sustainability.

The National Park Service is charged with preserving both the historic character and natural landscape of Harpers Ferry and commemorating the many significant events that occurred here. Because of our mission, the NPS is a major stakeholder in any proposed development on the Promontory. We are encouraged by the hard work undertaken by the Town's elected officials, commission members, employees and volunteers and also for the input of so many of its passionate citizens. All have worked towards a similar goal of managing development on the Promontory so that it is harmonious with its surroundings. You can be sure that my staff and I stand ready to work with you to protect our cherished historic and natural resources. Thank you for your consideration.

Sincerely,



George McHugh
Acting Superintendent

cc: via email:

Recorder Kevin Carden (kevin.carden@harpersferrywv.us)
Councilmember Hap Becker (hapbecker@gmail.com)
Councilmember Betsy Bainbridge (betsybainbridge@yahoo.com)
Councilmember Jerry Hutton (jerwar@frontiernet.net)
Councilmember Hardy Johnson (hardwick.johnson@harpersferrywv.us)
Councilmember Charlotte Thompson(charlotte.thompson@harpersferrywv.us)
Chairman, Harpers Ferry Planning Commission, Richard Cunningham (planning@harpersferrywv.us)

Nat'l Inst



Corporation of Harpers Ferry

RECORDER
KEVIN GARDEN

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Wayne Bishop

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MIDGE FLINN YOST

TOWN CLERK
NANGY GUMMINS

August 23, 2018

Mr. Rob Nieweg
Senior Field Director & Attorney
Washington Field Office
National Trust for Historic Preservation
2600 Virginia Ave., NW Suite 1100
Washington, DC 20037

RE: Hill Top House Hotel, Harpers Ferry, WV

Dear Rob:

On June 6, 2016, the Town of Harpers Ferry received your letter outlining a number of items/issues that should receive professional review (see your attached letter).

At this time, the Town of Harpers Ferry has received a new concept from the owners of the hotel property. The Mayor has assembled a team of legal counsels, civil engineers and planners and architects; however, we ask for your assistance with the concept review and the subsequent working drawing review.

I believe you can be an asset to the process and the Hotel owner's team.

Please contact me at your earliest convenience so we can plan a path forward.

Sincerely,

Wayne Bishop
Mayor

enc.

Historic District
Where The Shenandoah Meets The Potomac



**National Trust for
Historic Preservation**
Save the past. Enrich the future.

June 6, 2016

VIA EMAIL

The Hon. Gregory F. Vaughn
Town Council of Harpers Ferry
P.O. Box 217
Harpers Ferry, WV 25425

Re: Hilltop House Hotel

Dear Mayor Vaughn and Members of the Town Council:

I am writing on behalf of the National Trust for Historic Preservation regarding the preservation of historic Harpers Ferry. Local members of the National Trust have expressed their serious concerns regarding the proposal to construct a large hotel within the Harpers Ferry Historic District.

In May 2016 a team of National Trust staffers took a "windshield" tour of Harpers Ferry as part of an orientation visit for a nearby Trust project. In Harpers Ferry we were immediately impressed by the historic town's exceptional natural beauty and distinctive architectural character. It is readily apparent to us that Harpers Ferry's residents and visitors benefit every day from generations of careful stewardship of the historic town and its setting. Surely the aesthetic quality of Harpers Ferry is a major reason many people come to Harpers Ferry for a visit or to make their home.

The concerned residents who have contacted the National Trust do not oppose construction of a hotel, as we understand it, but are seriously concerned about the potential adverse impacts of a large hotel in a residential neighborhood within the Historic District. We join local residents in urging the Town Council and the hotel developer to make certain that the scale, massing, and design of the new hotel is compatible with the small town context of Harpers Ferry. Given the national importance of Harpers Ferry, the National Trust recommends:

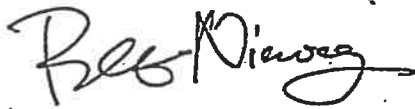
- **Viewshed Analysis:** The Town should prepare visual simulations of the planned hotel as seen, with and without leaves on the trees, from multiple vantage points within and outside of the town. This viewshed analysis will allow decision-makers, the hotel developer, and interested stakeholders to fully understand the visual impacts of the planned hotel. The National Trust can provide technical guidance about this objective analytical tool.

- **Architectural Peer Review:** The Town should convene a panel of experienced architects skilled in historic preservation and expert in the design of compatible new "infill" structures within historic districts. The panel will review the hotel plan, assess visual simulations, identify potential adverse impacts, and suggest alternative approaches to reduce harm from the hotel project. We anticipate that the National Park Service, Preservation Alliance of West Virginia, and the Division of Culture and History's State Historic Preservation Office are able to recommend independent architects to serve on the peer review panel.

In the National Trust's experience, viewshed analysis and architectural peer review can be successfully used, without undue expense or delay, as part of the collaborative, public-private process necessary to ensure that unique and irreplaceable historic places like Harpers Ferry are properly preserved.

Thank you in advance for considering the views of the National Trust for Historic Preservation.

Sincerely,



Rob Nieweg
Senior Field Director & Attorney
Washington Field Office

COMMENTS ON THE INADVISABILITY
OF HARPERS FERRY SUSPENDING ITS INTENTION
TO CONTEST ANY DESIGNATION AS A "TOURISM DEVELOPMENT DISTRICT"

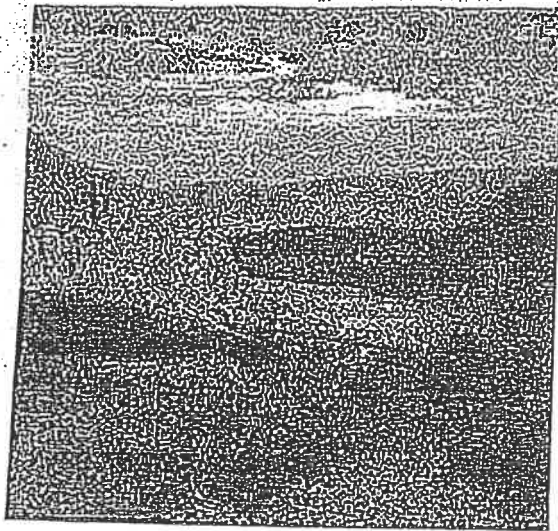
(1) If the West Virginia Development Office approves a project in Harpers Ferry as a Tourism Development District ("TDD") pursuant to West Virginia Code § 5B-1-9 and its implementing regulation, W.V.C.S.R. § 145-16, the Town will suffer the following consequences:

- The Development Office and the TDD will have the authority to enter into agreements for "all permits and regulations related to the subsequent operation of the Project." § 145-16-3.33.
 - The TDD may include within its territory Harpers Ferry's "public rights of way and easements." § 145-16-4.8.
 - The Development Office and the TDD may agree on ground rules overriding local regulations for the construction and operation of the TDD regarding eight subjects, including land use, historic preservation, demolition, lighting/dark skies, and sale of alcoholic beverages. § 145-16-4.14.
 - The reasonableness of the Town's water, sewer, and development charges shall be subject to review by the Public Service Commission. § 145-16-10.
 - Any inspection of the TDD's "design, acquisition, construction, and equipping" shall be done "pursuant to standards approved by the Development Office." § 145-16-10.1.10.
 - The TDD shall continue to exist even if the Legislature terminates or fails to renew the TDD Act. § 145-16-12.
 - The TDD shall not be subject to the Town's home rule powers, including any authority granted pursuant to the Home Rule Statute, West Virginia Code § 8-1-5a. § 145-16-13.1.
 - The TDD shall not be subject to Harpers Ferry's regulation regarding, among other things:

Zoning / Historic preservation / Viewshed / Land use regulation / Sale of alcoholic beverages / Building inspection and code enforcement / License requirements.
- § 145-16-13.1.1 through .6.
- The TDD will not be "subject to any municipal . . . consent or approval [of] any state or county action pursuant to the Code, including, but not limited to," the establishment of TIF districts. § 145-16-13.1.7.

(2) Harpers Ferry would lose its ability to control the social, environmental, traffic, and historic features of the Town for the next century.

THIS PLACE MATTERS: PRESERVE THE PUBLIC OVERLOOK AT HARPERS FERRY



The Harpers Ferry promontory overlook is a world-renowned heritage landscape. With views of protected National Parks spanning three states, the overlook is situated on public land that has been accessible to the public and controlled by the Town of Harpers Ferry.

The scenic overlook has been enjoyed freely by the public with an adjacent private hotel for more than 130 years. This public heritage landscape must be preserved for the enjoyment of residents and visitors in perpetuity.

Town residents welcome a world-class hotel on private land, but the public land at the Harpers Ferry promontory overlook should not be sold to nor controlled by private investors!

The fast-track sale of our public land and rights is slated to happen as early as this week, despite an on-going dispute of the public land and boundaries. The sale will impact adjacent residential landowners along the disputed boundary. It will override current ordinances that exclude the control or use of our public land in the development of a hotel at the promontory. Further, any agreement to transfer ownership or control of our streets will trigger WV S.B. 657, which relinquishes our rights to influence the project development within the Harpers Ferry Historic District, and voids the hotel overlay district boundaries and ordinances our town spent 3 years developing with input from the private investors of the hotel, National Park Service, historic district residents, merchants, Make It Happen PAC members, county representatives, and land use attorneys. The National Trust for Historic Preservation has stated that WV S.B. 657, "would allow a state agency to preempt duly enacted local historic preservation ordinances, and, thereby, increase the risk that heritage tourism assets will be compromised." At this point, the private investors have provided no design of the public promontory overlook area, just renderings of a large curved green roof area available for hotel guests.

Please join Harpers Ferry historic district residents in a common-sense approach that allows for prompt hotel development without encroaching on our public scenic overlook. Sign below if you agree that:

Any public land or street deal requires a design review of the scenic Promontory Overlook and:

- ensures that there are no clauses that turn the land over to private control under any circumstances
- ensures the hotel is designed around 24/7 public access and public control of the Promontory Overlook
- ensures the overlook is designed at its current flagpole elevation with no deforestation at lower elevations
- ensures that the overlook is not moved to a stormwater run-off lot
- ensures that there is no staircase or elevator required to access the public overlook

A timely approval process can be achieved only after the Promontory Overlook design is submitted and:

- there is a public review of the design, including files that are fully illustrated and made publicly available electronically
- includes visual cues and circulation patterns through landscape design that denote public right-of-way boundaries
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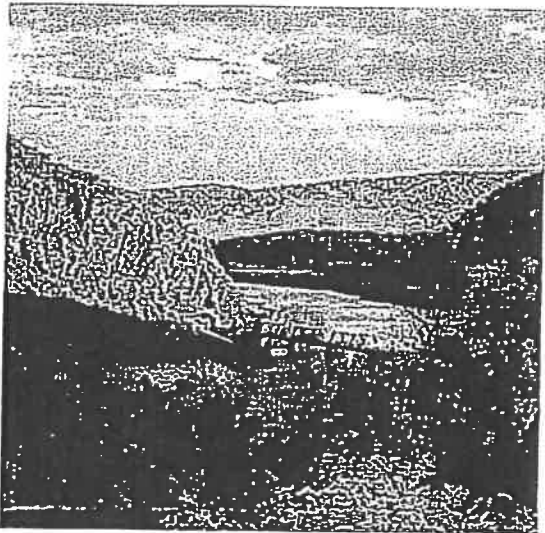
Name: Earl Parker & Deborah Dillmore Date: 12/3/20

Address: 700 E. Ridge St. Harpers Ferry, WV 25425

PLEASE CLICK HERE TO UPLOAD YOUR SIGNED DOCUMENT.
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RECEIVED
DEC 17 2020
BY: DK

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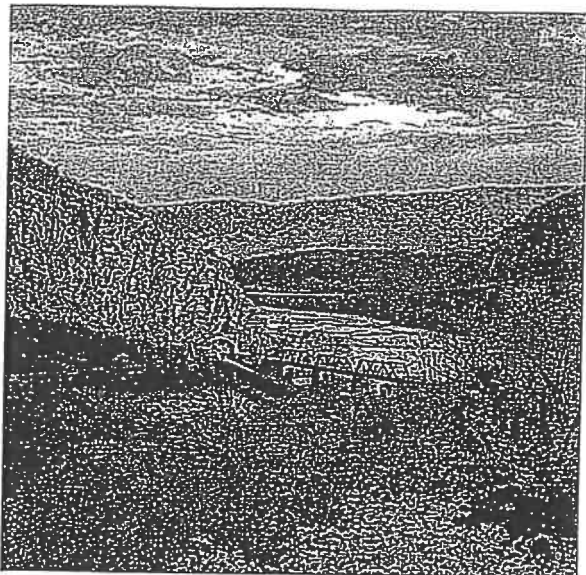
Name: Rita & James Dinkens Date: 12/9/2020

Address: 600 Cliff St, Harpers Ferry, WV

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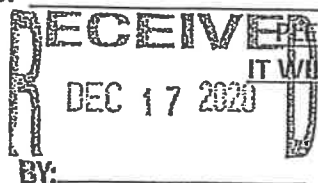
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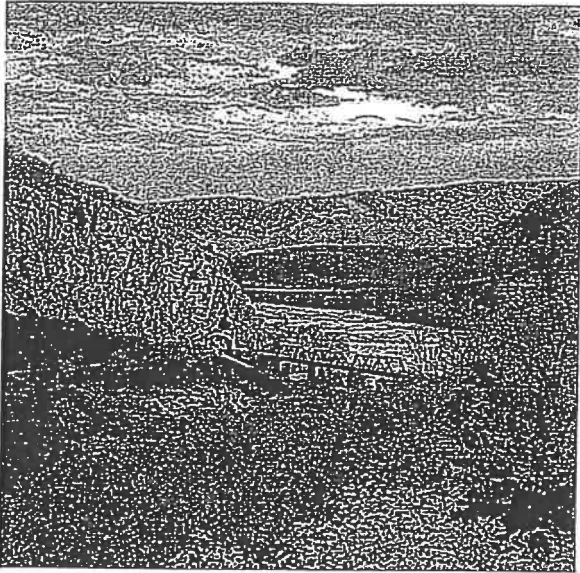
Name: Patrick Tierney Date: 12/16/20

Address: 690 Washington St.



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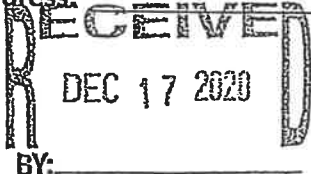
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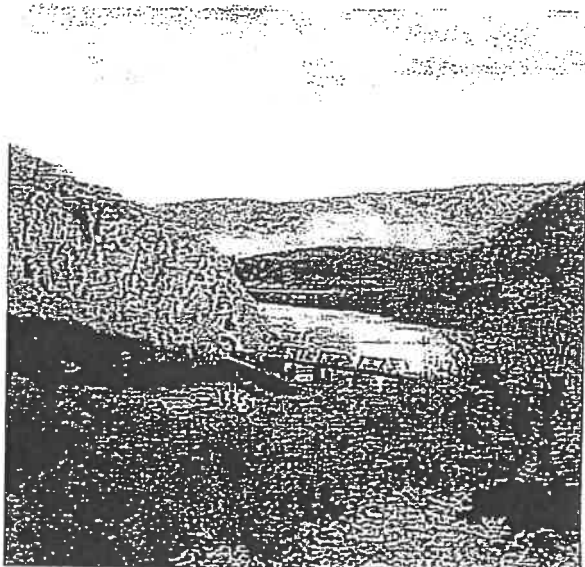
Name: Nena Tierney Date: 12/16/20

Address: 690 Washington St.



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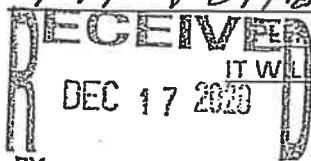
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A timely approval process can be achieved only after the Promontory Overlook design is submitted and:

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Name: Karen Sagisi-Kon Rigs Date: 12/1/2020

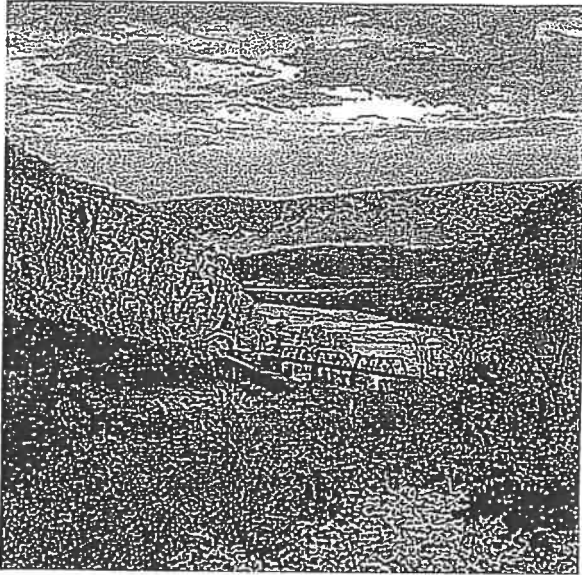
Address: 991 Putnam Street Harpers Ferry WV 25425



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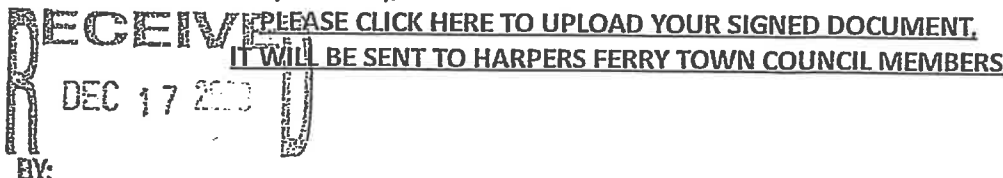
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Name: _____ Bruce and Cathy Wilkin _____ Date: _____ 12/1/2020 _____

Address: 570 McDowel St , Harpers Ferry, WV 25425



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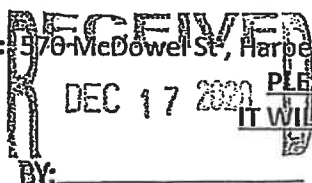
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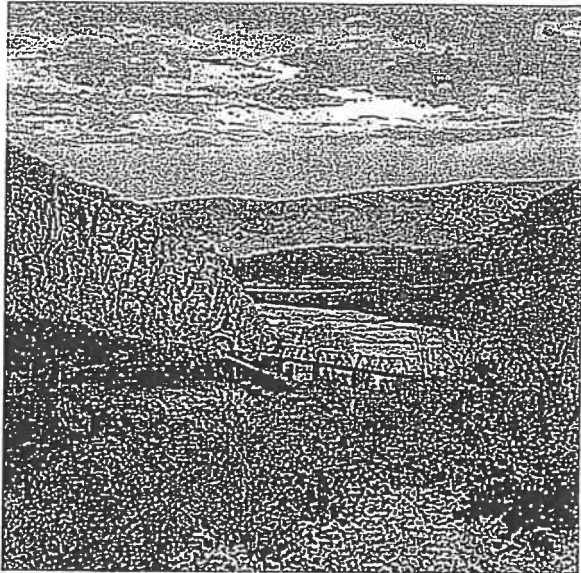
Name: Bruce and Cathy Wilkin Date: 12/1/2020

Address: 370 McDowell St, Harpers Ferry, WV 25425

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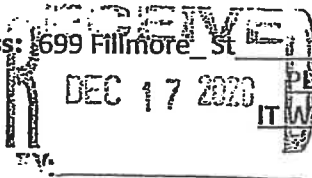
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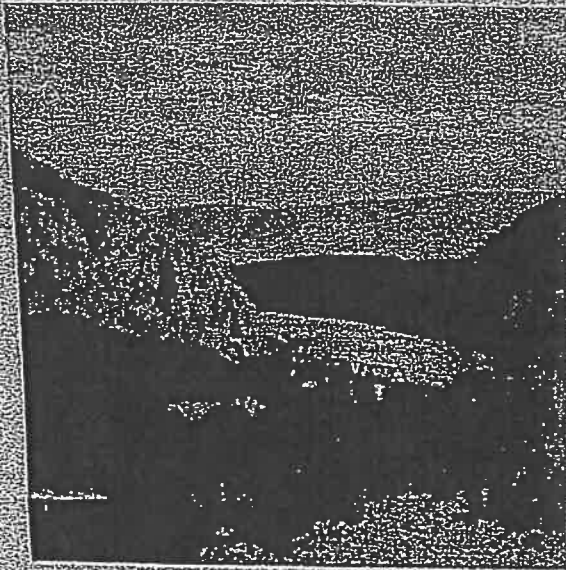
Name: Carole Carter Date: 11/30/20

Address: 699 Fillmore St



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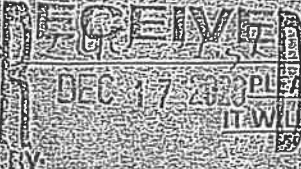
Name:

Aaron Green

Date: *12-8-20*

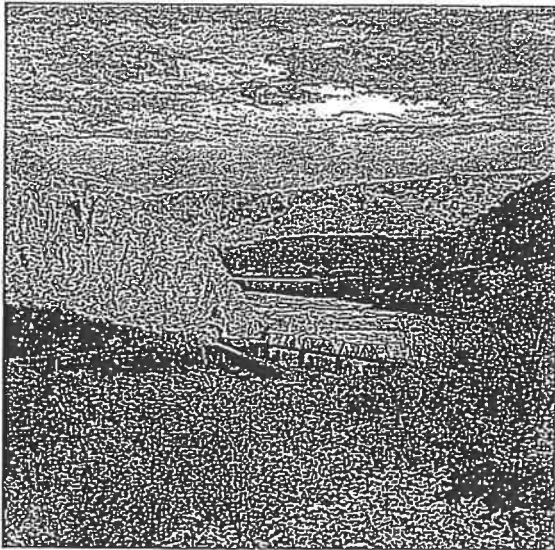
Address:

151 S. Harpers Ferry, WV 29425



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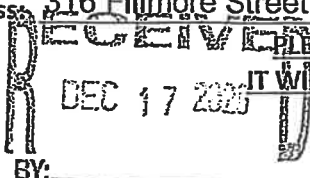
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Name: Midge Flinn Yost

Date: 11/29/20

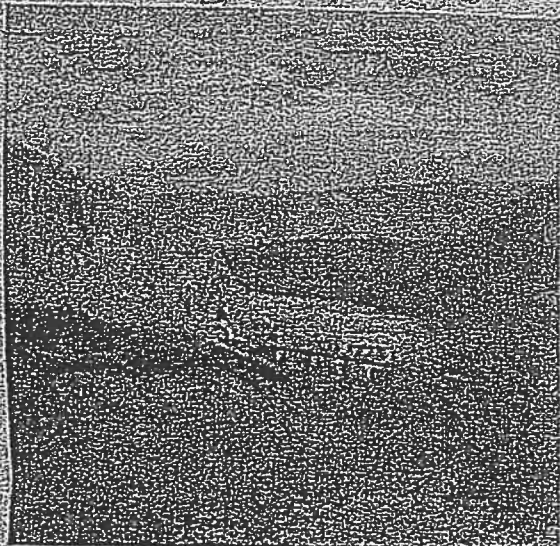
Address: 316 Fillmore Street, Harpers Ferry WV 25425



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Name: Nancy C. Meyer

Date: Dec 7, 2020

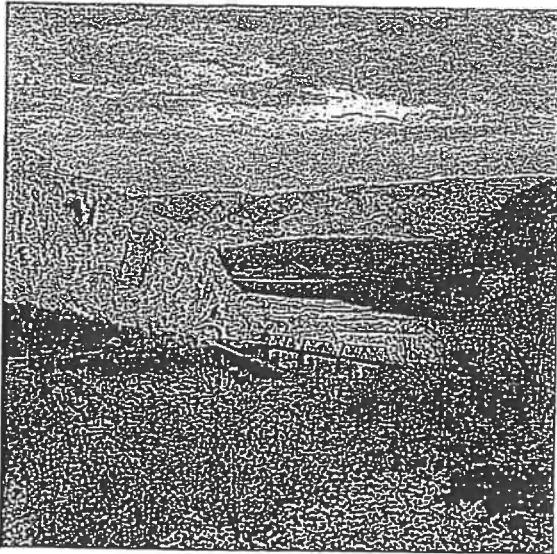


Address: 10000 Moore St Harpers Ferry WV 25425

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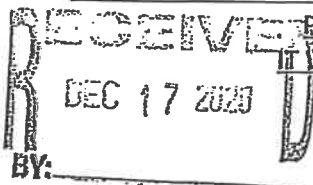
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Name: Andrea Brown

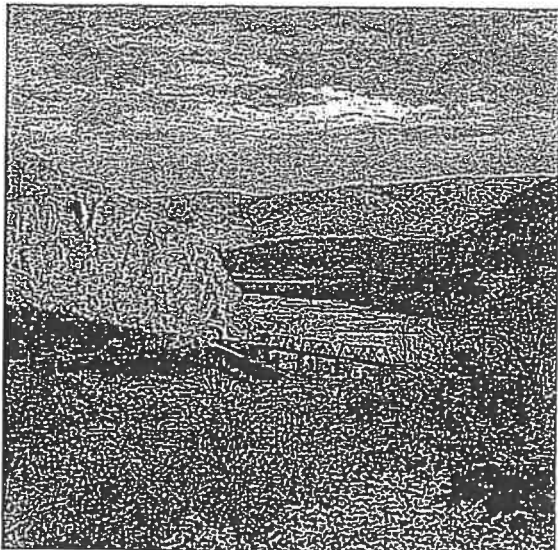
Date: 11/30/2020

Address: 961 Putnam St., Harpers Ferry, WV 25425



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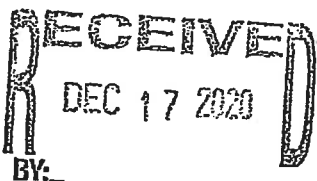
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Name: Alexander Fleming Date: December 1, 2020

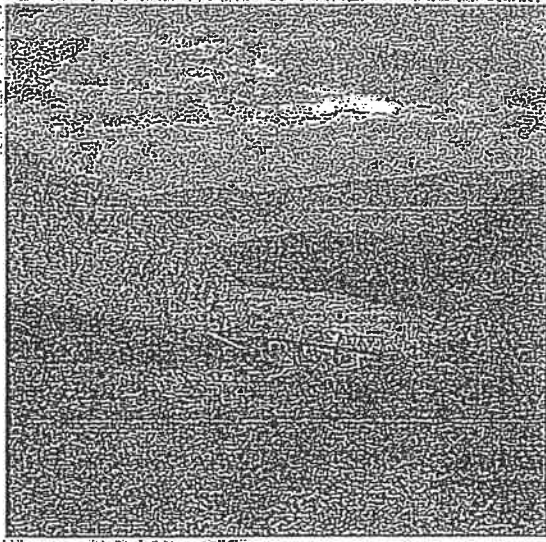
Address: 550 E. Ridge St. Harpers Ferry WV 25425

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Deborah Fleming

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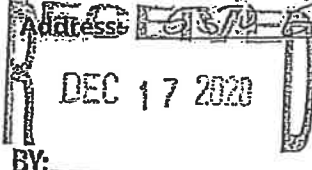
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Name: Deborah A. Fleming Date: 12/4/2020

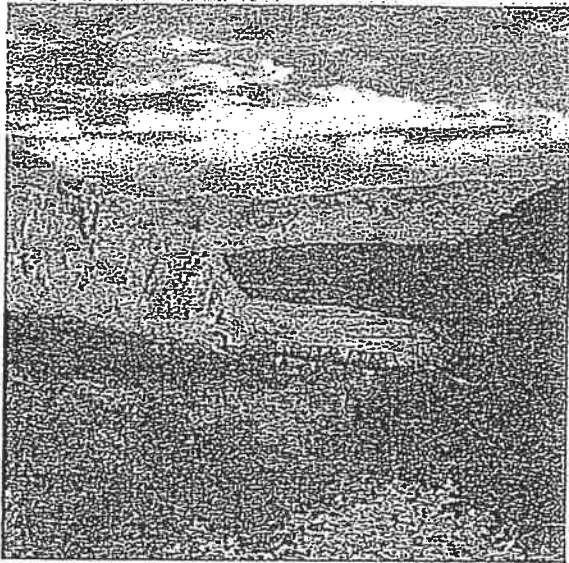
Address: 1379 E. Ridge St.

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Name: Lauren Spears Date: 12-8-20

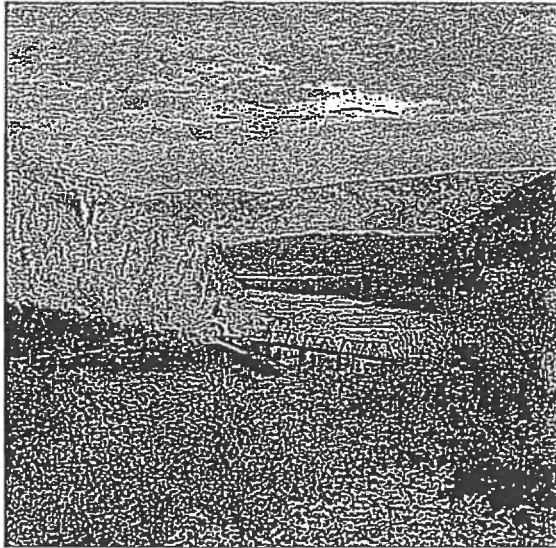
Address: 2401 Harpers Ferry, WV 25425

DEC 17 2020

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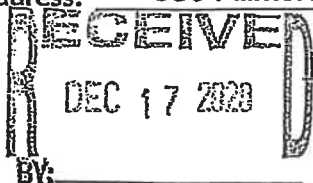
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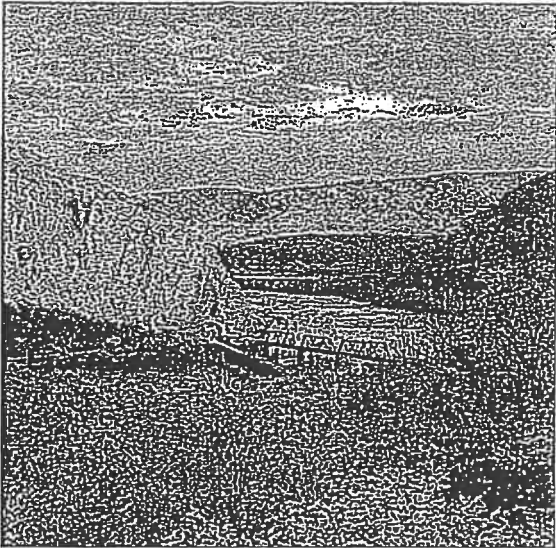
Name: Kim Wheatley Date: 12/9/20

Address: 380 Fillmore St.



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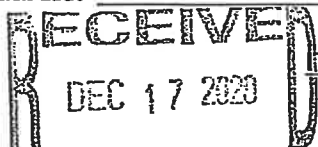
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Name: Ken Dill Date: 11/30/2020

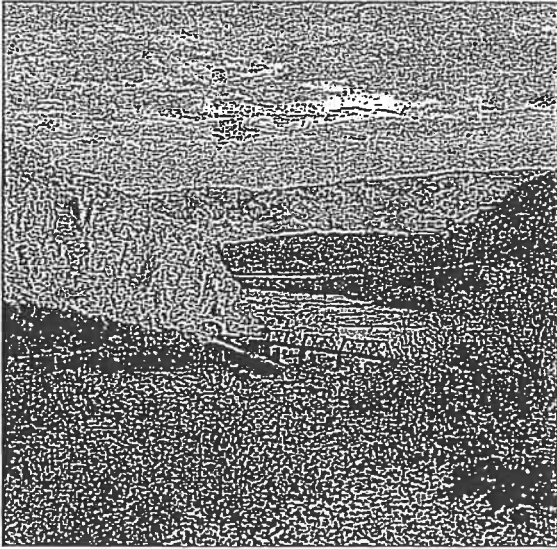
Address: 961 Putnam St., Harpers Ferry, WV 25425



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BY: _____

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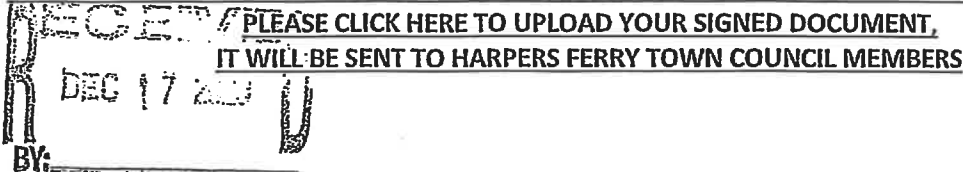
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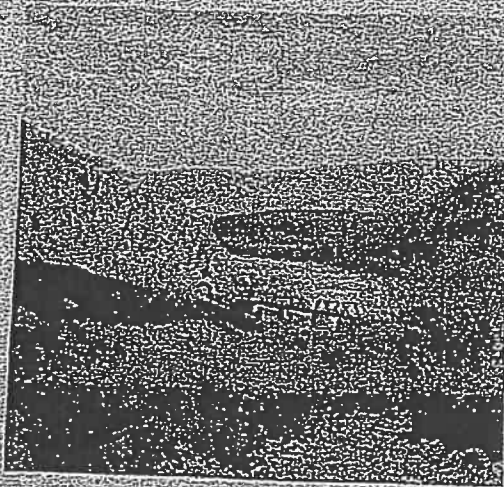
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Name: Keegan Simmons Date: 12/7/20

Address: 105 Putnam Court, Harpers Ferry, WV



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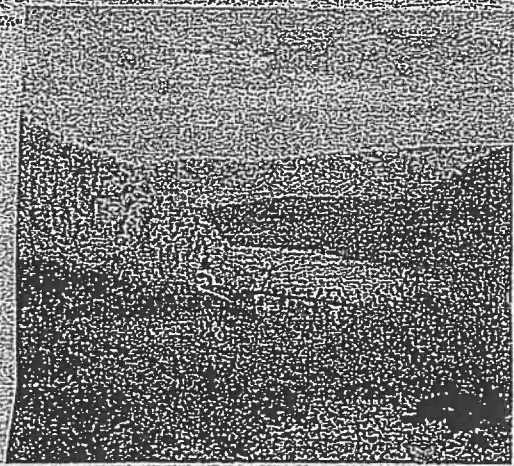
Name: [Signature] Date: 12/16/20

Address: 635 E. Ridge St



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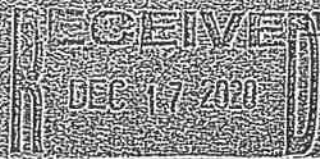
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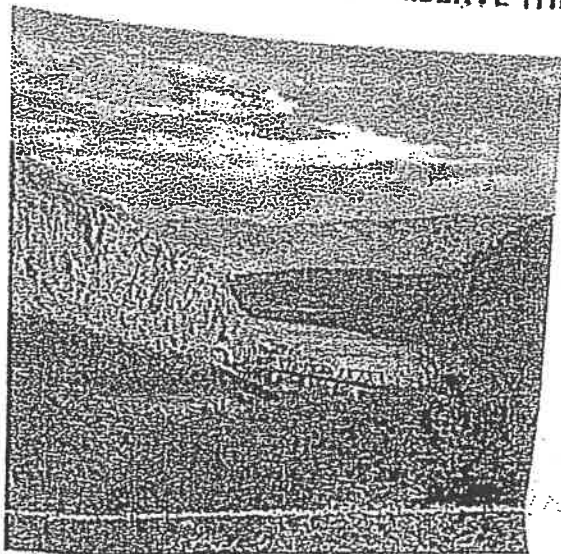
Name: [Signature] Date: 12/1/20

Address: 135 E. Park St

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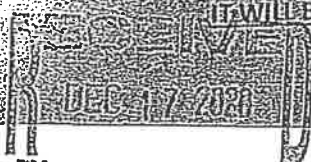
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Name: Jesse Melton, Co-ordinator Date: 11-7-2020

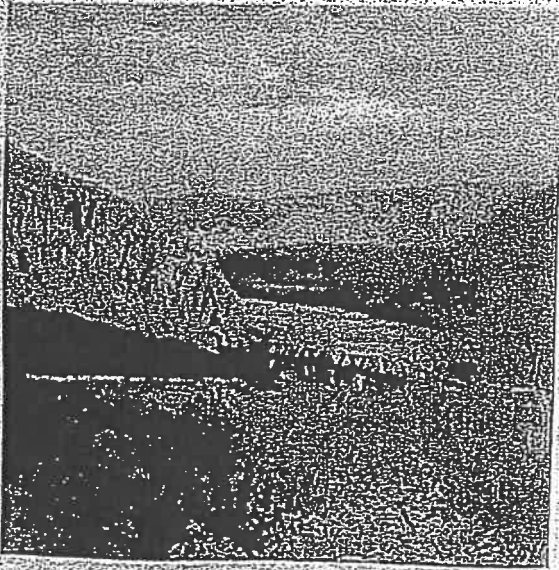
Address: 1010 W. Ridge St. Harpers Ferry, WV 25425

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Name:

Delroy Walker Lloyd Peters Date: *12-9-20*

Address:

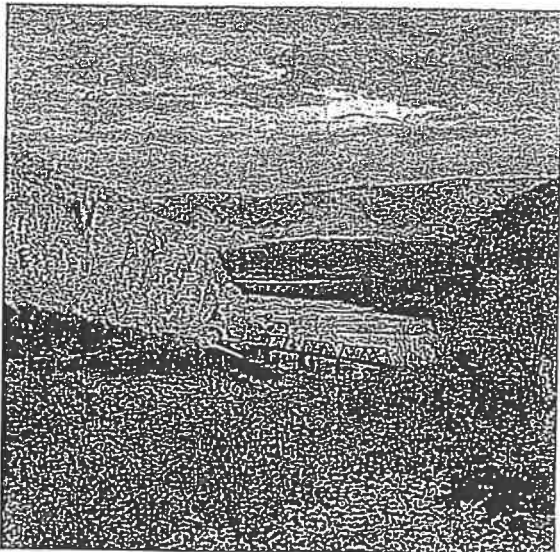
10 How 103 Harpers Ferry, WV

DEC 17 2020

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BY

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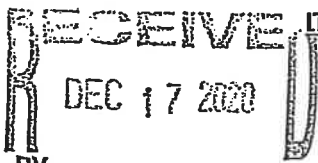
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Name: Linda Rago

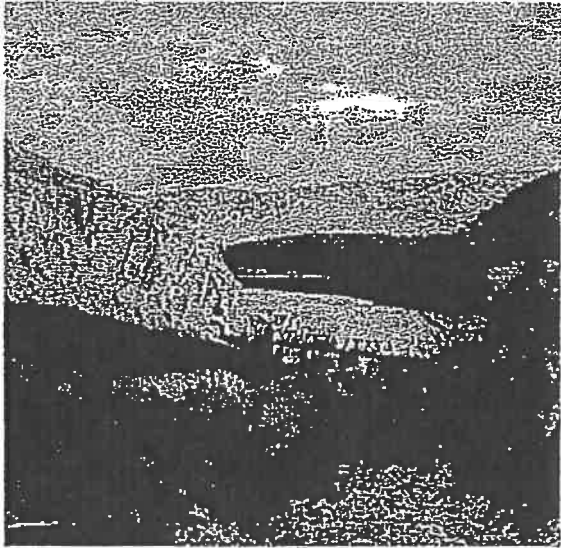
Date: 11/30/20

Address: 700 Washington St. Harpers Ferry, WV 25425

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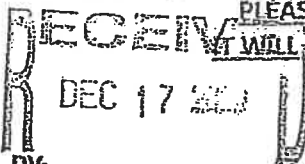
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Name: Rita & James Diskany Date: 12/9/2020

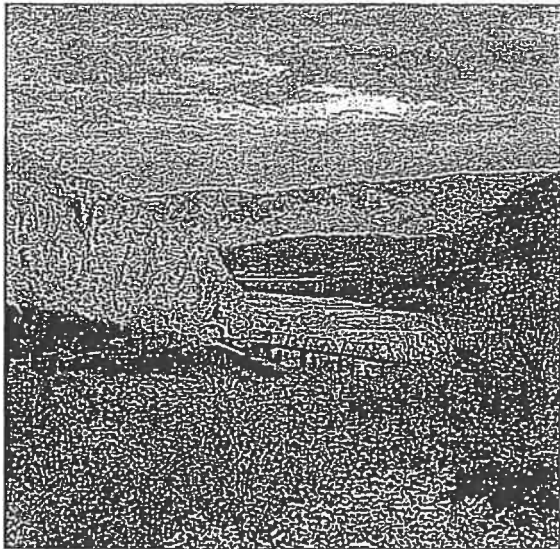
Address: 600 Elk St, Harpers Ferry, WV

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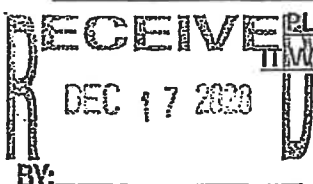
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Name: Heidi Simmons

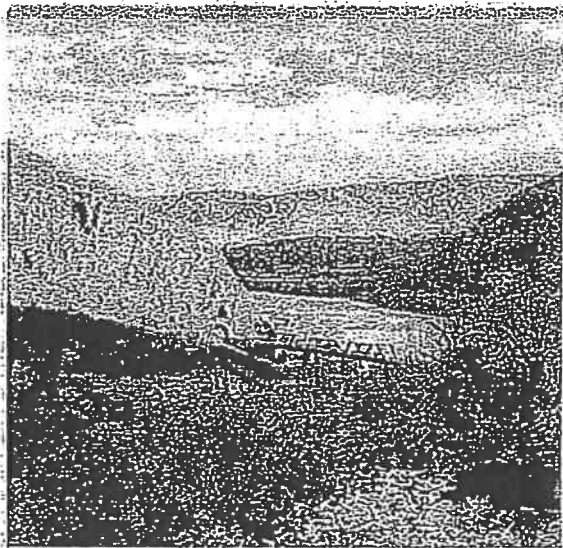
Date: 12/7/20

Address: 105 Putnam Court, Harpers Ferry, WV



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Name: Louie Sagisi Date: 12/1/2020

Address: 94th Putnam St. Harpers Ferry, WV 25425

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BY: _____

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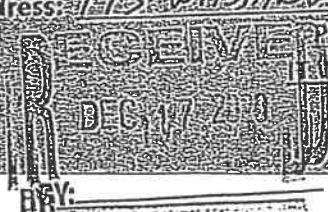
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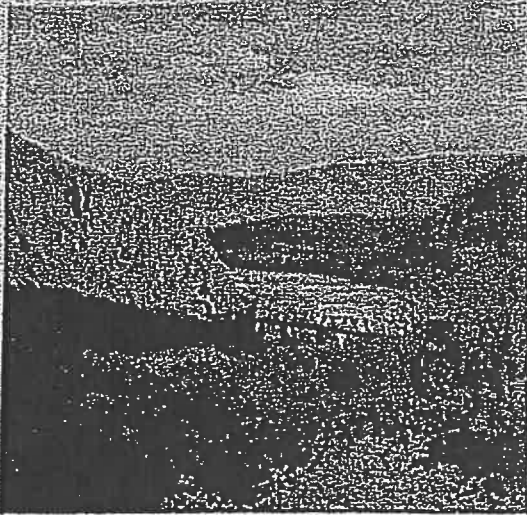
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Name: Margy Price / Dan Miller Date: 12/1/20
 Address: 943 WASHINGTON ST. (POB 438) HARPERS FERRY, W.V.



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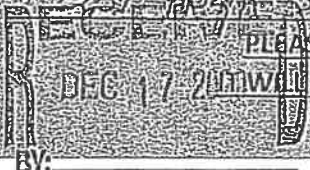
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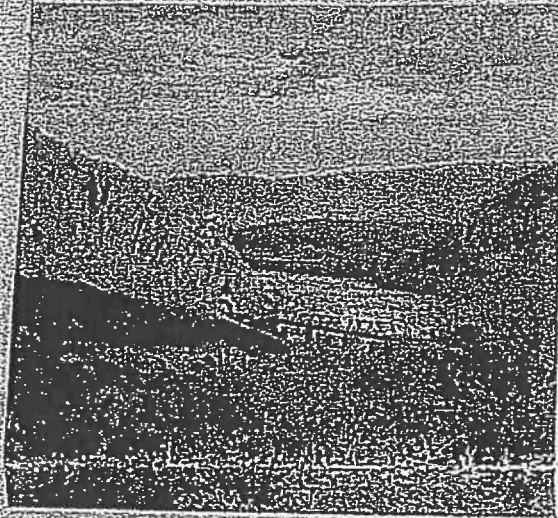
Name: Put your Name Date: 12.3.20

Address: 231 High St Harpers Ferry WV 25425



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Name: Rebekah Johnson Date: 5 Dec 2020

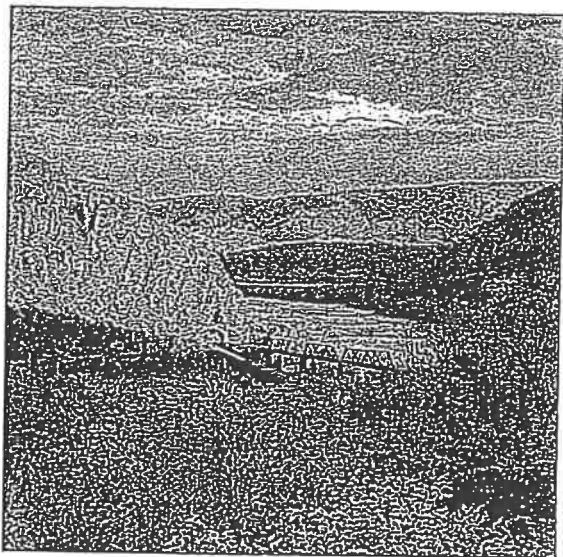
Address: 594 W Washington St. Harpers Ferry, WV 25425

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DEC 17 11:00 AM
RT

USA

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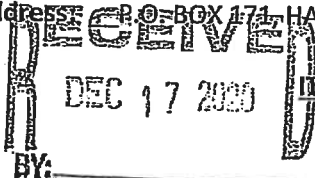
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Name: ROBERTA MEADE-CURRY Date: 12-06-2020

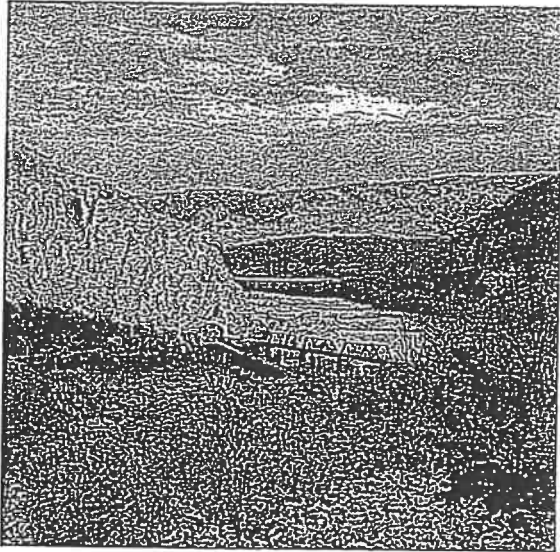
Address: PO BOX 171, HARPERS FERRY, WV 25425



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BY: _____

THIS PLACE MATTERS: PRESERVE THE PUBLIC OVERLOOK AT HARPERS FERRY



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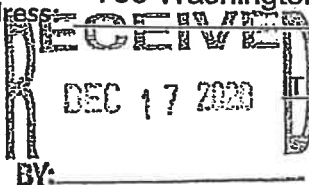
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Name: Ron Rago

Date: 11/30/20

Address: 700 Washington St. Harpers Ferry, WV 25425

Address:



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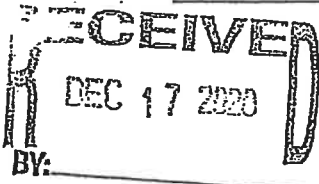
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Name: _____

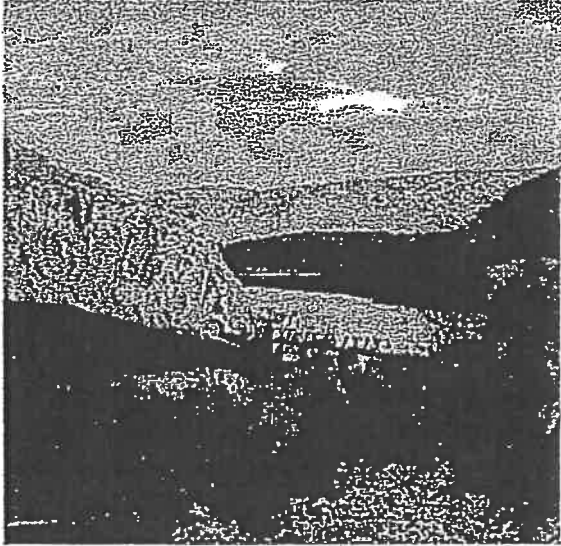
Date: 12/04/20

Address: 401 Henry Clay St, Harpers Ferry, WV 25425

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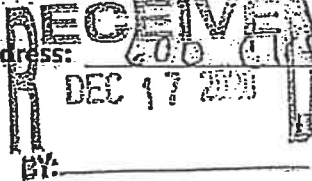
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Name: Rita A. Dumbauld Date: 12/9/2020

Address: 200 Cliff St, Harpers Ferry, WV



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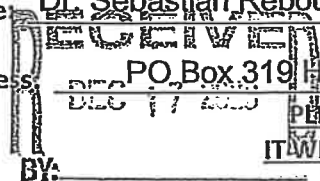
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Name: Dr. Sebastian Reboul and Dr. Cheryl Reboul Date: 12/8/20

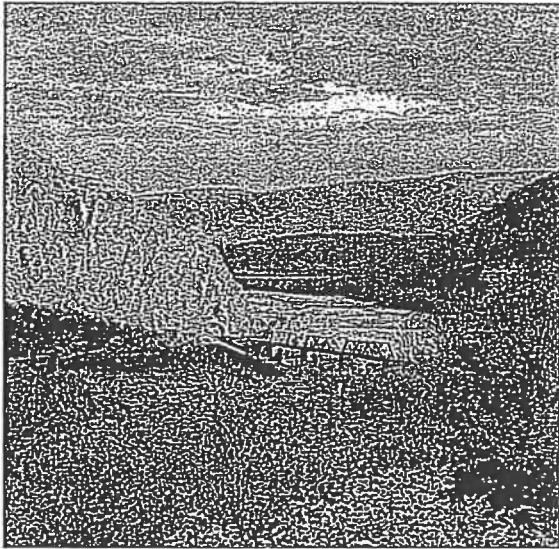
Address: PO Box 319 HF WV



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Mr. Cheryl Reboul

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Address: PO Box 319 HF WV

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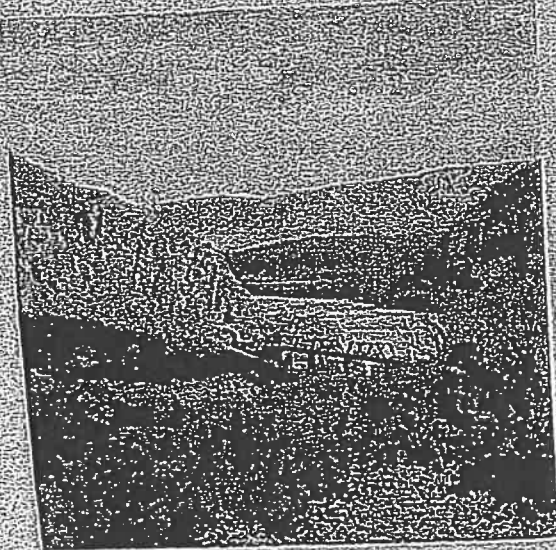
Name: Sharon Stieritz Sharon Stieritz Date: 12/8/20

Address: 240 HIGHL ST. APT. B HARPERS FERRY, W.V. 25425

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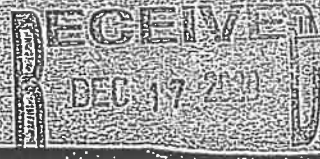
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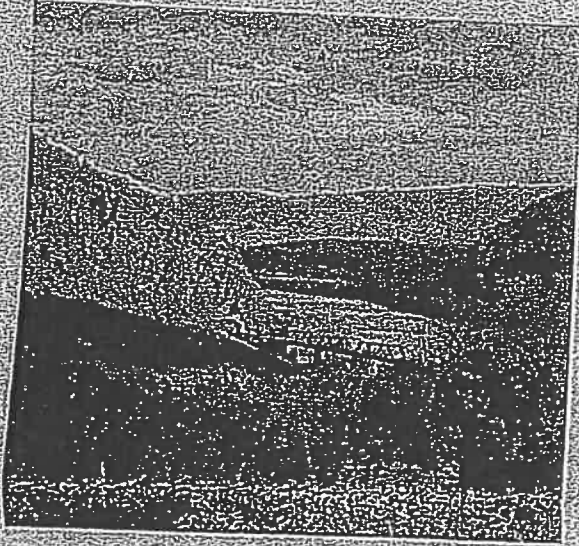
Name: Sharon M. Spragg Date: Dec. 1, 2020

Address: 981 Pulman St

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Name: SHAUN AMOS Date: 12/5/20

Address: 10911 WEST RIDGE, H.F. 25425

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Name: Shawn Thomas Date: 12/07/20

Address: 970 E Ridge St Harpers Ferry, WV 25425

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DEC 11 10:46 AM EST '20 HARPERS FERRY TOWN COUNCIL MEMBERS

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The scenic overlook has been enjoyed freely by the public with an adjacent private hotel for more than 130 years. This public heritage landscape must be preserved for the enjoyment of residents and visitors in perpetuity.

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The fast-track sale of our public land and rights is slated to happen as early as this week, despite an on-going dispute of the public land and boundaries. The sale will impact adjacent residential landowners along the disputed boundary. It will override current ordinances that exclude the control or use of our public land in the development of a hotel at the promontory. Further, any agreement to transfer ownership or control of our streets will trigger WV S.B. 657, which relinquishes our rights to influence the project development within the Harpers Ferry Historic District, and voids the hotel overlay district boundaries and ordinances our town spent 3 years developing with input from the private investors of the hotel, National Park Service, historic district residents, merchants, Make It Happen PAC members, county representatives, and land use attorneys. The National Trust for Historic Preservation has stated that WVS.B. 657, "would allow a state agency to preempt duly enacted local historic preservation ordinances, and, thereby, increase the risk that heritage tourism assets will be compromised." At this point, the private investors have provided no design of the public promontory overlook area, just renderings of a large curved green roof area available for hotel guests.

Please join Harpers Ferry historic district residents in a common-sense approach that allows for prompt hotel development without encroaching on our public scenic overlook. Sign below if you agree that:

Any public land or street deal requires a design review of the scenic Promontory Overlook and:

- ensures that there are no clauses that turn the land over to private control under any circumstances
- ensures the hotel is designed around 24/7 public access and public control of the Promontory Overlook
- ensures the overlook is designed at its current flagpole elevation with no deforestation at lower elevations
- ensures that the overlook is not moved to a stormwater run-off lot
- ensures that there is no staircase or elevator required to access the public overlook

A timely approval process can be achieved only after the Promontory Overlook design is submitted and:

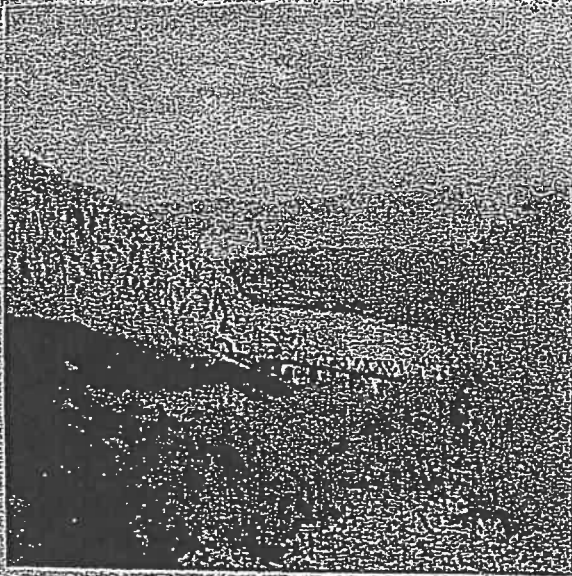
- there is a public review of the design, including files that are fully illustrated and made publicly available electronically
- includes visual cues and circulation patterns through landscape design that denote public right-of-way boundaries
- excludes psychological or physical barriers in landscape design that make the public feel unsure or unwelcome
- ensures multi-modal access (pedestrian, bicycle, wheelchair, vehicles and/or other modalities not yet invented)
- provides for amenities such as benches, plantings, and historical markers at the elevation of the current flagpole

Name: Stephen Sheraf Date: 12/7/2020
Address: 150 Public Works Harpers Ferry WV 25425

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IT WILL BE SENT TO HARPERS FERRY TOWN COUNCIL MEMBERS

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Name: William J. McAfee III

Date: 7 Dec 2020

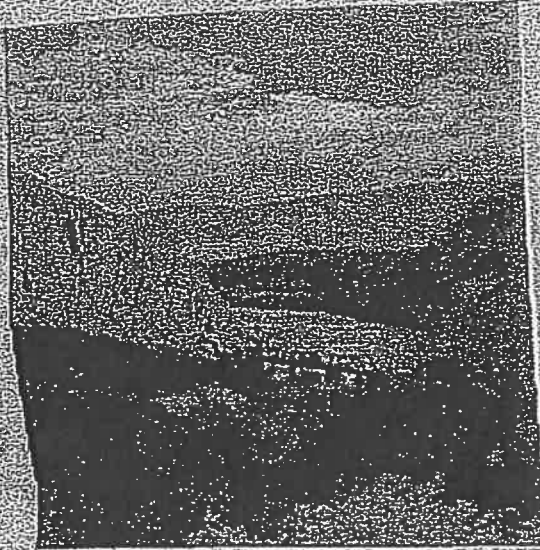
Address: 166 Zacher, Taylor St., Harpers Ferry, WV 25425

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Name:

Gandy Wynn

Date:

12/9/2020

Address:

113 E. FALL MONK ST.

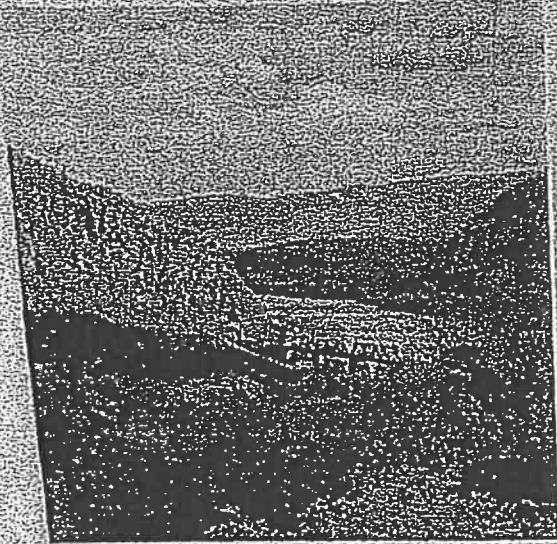
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Name: Yvonne Moore, Zack Morse Date: 12-7-2020

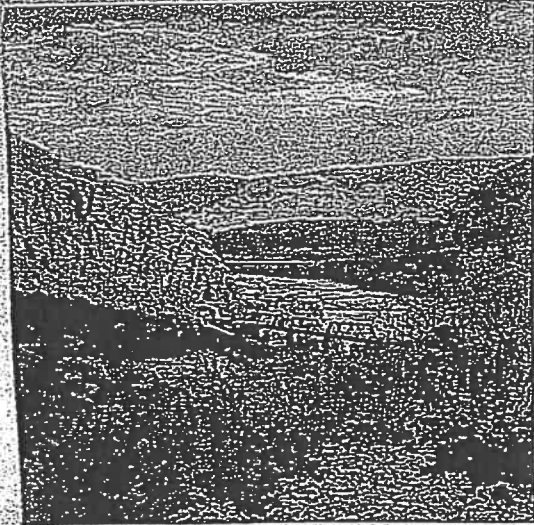
Address: 31 High Street, Harpers Ferry, WV 25435

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- ensures the hotel is designed around 24/7 public access and public control of the Promontory Overlook
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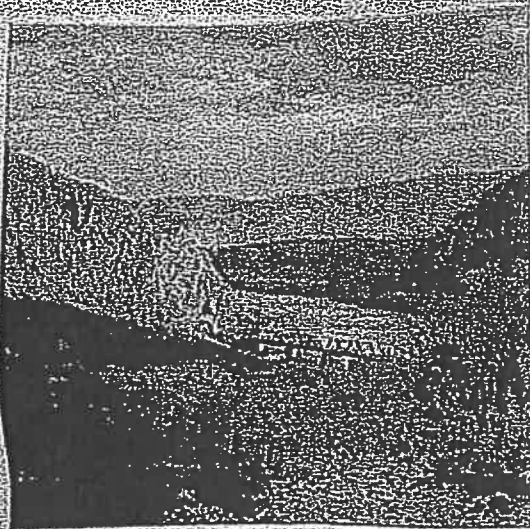
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- provides for amenities such as benches, plantings, and historical markers at the elevation of the current flagpole

Name: Paul Mearns Date: 7 Dec 20

Address: 198 Park Row Harpers Ferry WV 25423

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Name: George Owens Date: 12/3/2020

Address: 899 Washington St. Harpers Ferry W.V. 25425

BY: George Owens
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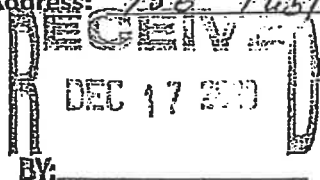
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Name: Sony Dean

Date: 7 Dec 2020

Address: 106 Public Way Apt 114 WV 25425

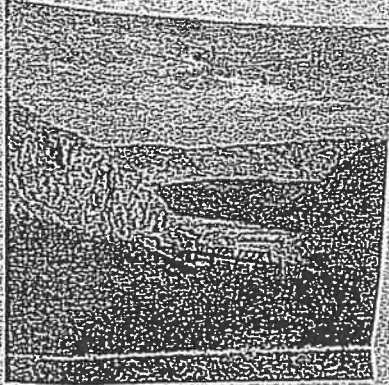


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Name: Tom McLean, Chairman Date: 11/27/2012

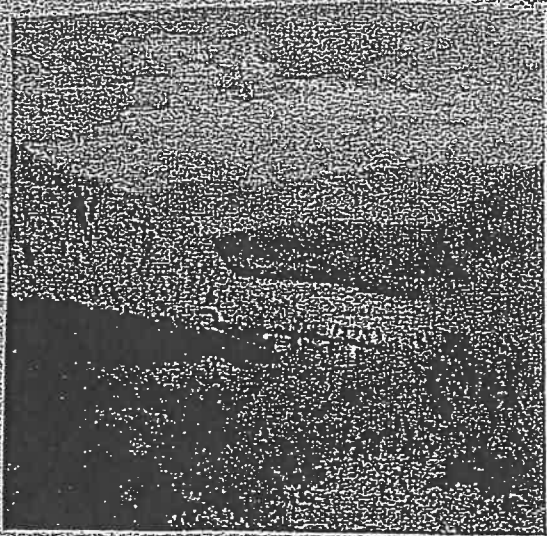
Address: 1010 W. Rose St., Harpers Ferry, WV 25420

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Name: Marilyn Price / Dan Miller Date: 12/1/20

Address: 943 PRINCESTON ST. (POB 438) HARPERS FERRY, W.V.

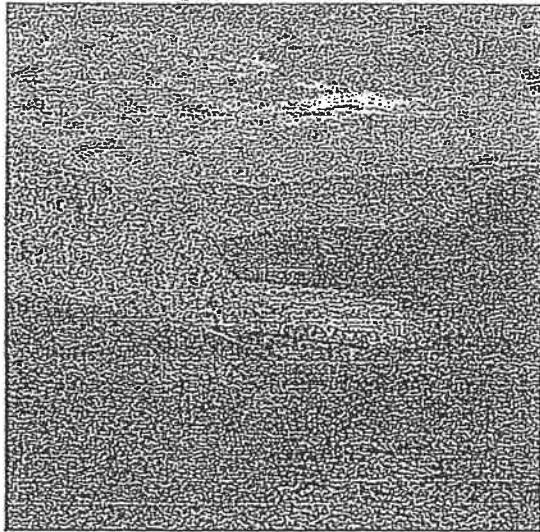
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BY:

David Simmons

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Name:

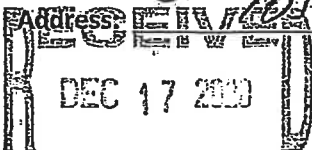
David F. Sim

Date:

12/6/2020

Address:

PERMAN CT - HF, WV 25425

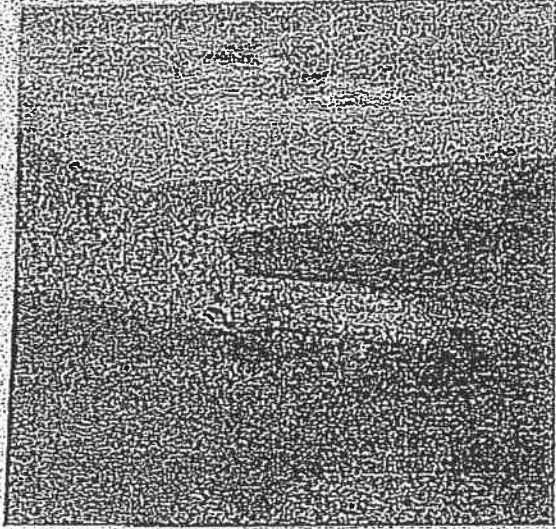


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BY:

Carl Wehrens

THIS PLACE MATTERS: PRESERVE THE PUBLIC OVERLOOK AT HARPERS FERRY



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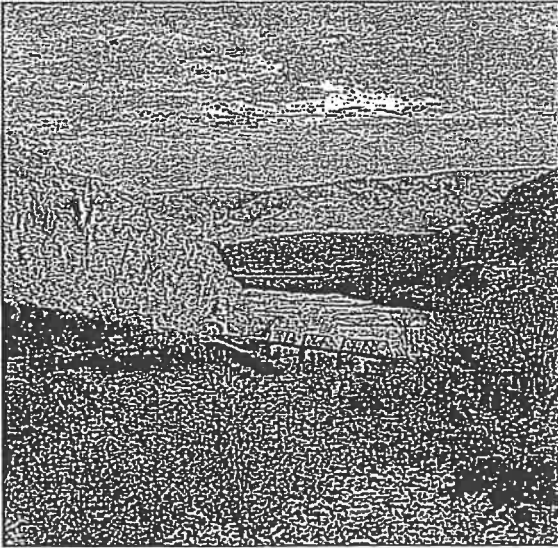
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Name: Carl Wehrens Date: 12/13/20

Address: 100 E. Ridge St. Harpers Ferry, WV 25425

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Name: _____ Elayne Edel _____ Date: _____ 11/30/20 _____

Address: _____ 597 E ridge St 25425 _____

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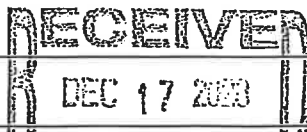
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Name: Bart Wheatley

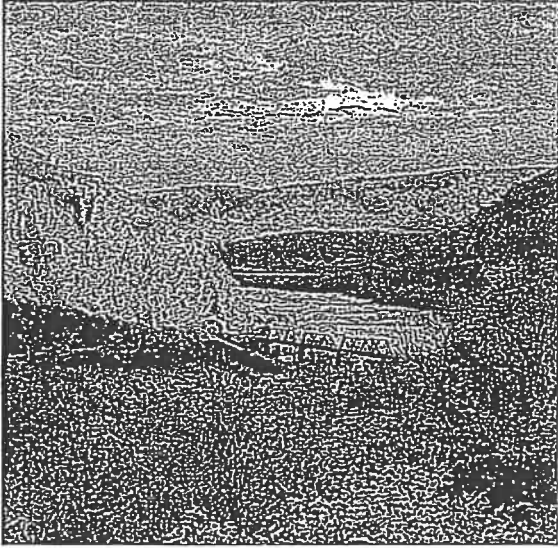
Date: 12/9/20

Address: 380 Fillmore St.



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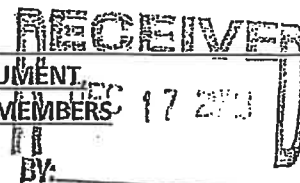
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Name: BENJAMIN BUCKLEY  Date: 12-06-2020

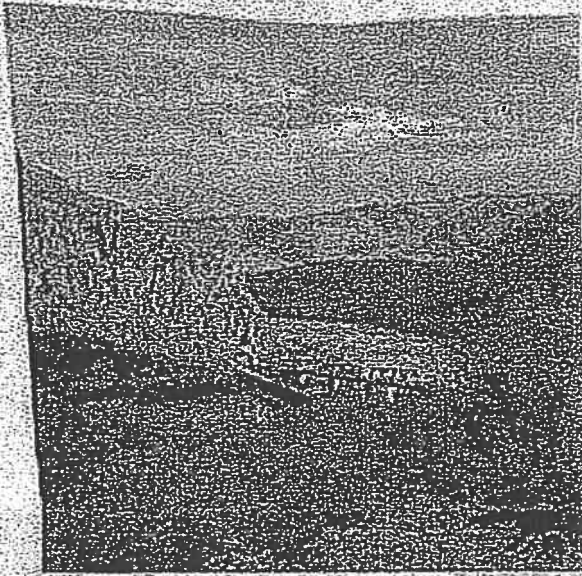
Address: P.O. BOX 171, HARPERS FERRY, WV 25425

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Dr. Ian Wenner

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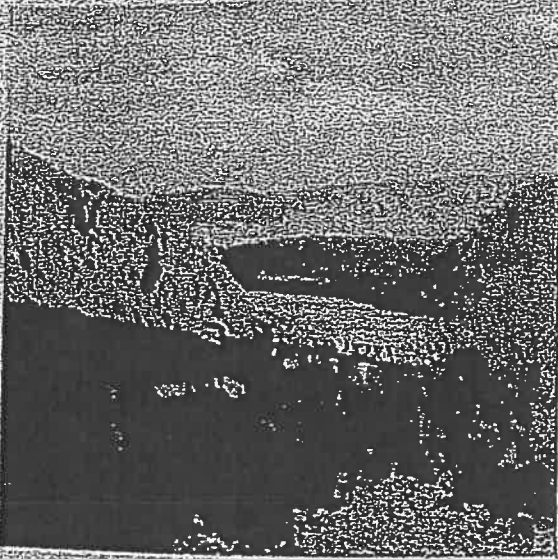
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Name: Emily Ann Gillman Date: 12/17/2016

Address: 470 Fillmore St.

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Name: Carlin McFadden Date: 12-8-20

Address: 381 Henry Clay St., Harpers Ferry, WV

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11/17/20

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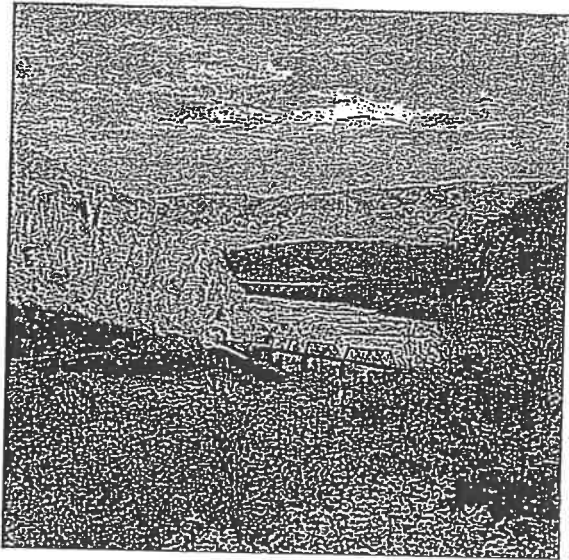
Name: [Signature] Date: 12/04/20

Address: 401 Henry Clay St, Harpers Ferry, WV 25425

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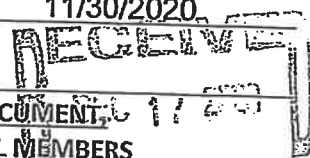
Name: Elizabeth Riordan

Date: 11/30/2020

Address: 400 Fillmore St. Harpers Ferry WV 25425

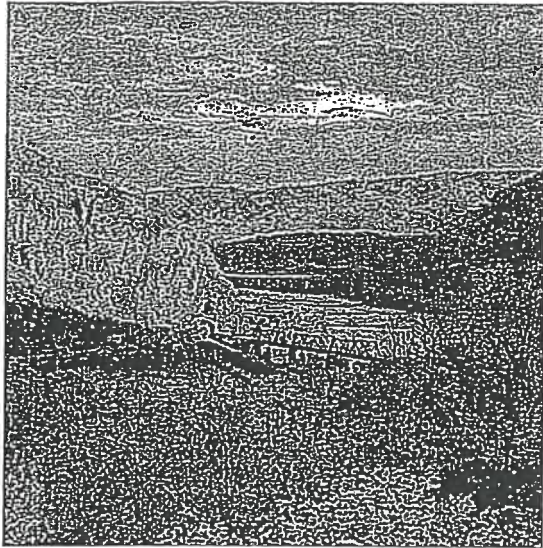
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BY: _____



John Riordan

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This public heritage landscape must be preserved for the enjoyment of residents and visitors in perpetuity.

Town residents welcome a world-class hotel on private land, but the public land at the Harpers Ferry promontory overlook should not be sold to nor controlled by private investors!

The fast-track sale of our public land and rights is slated to happen as early as this week, despite an on-going dispute of the public land and boundaries. The sale will impact adjacent residential landowners along the disputed boundary. It will override current ordinances that exclude the control or use of our public land in the development of a hotel at the promontory. Further, any agreement to transfer ownership or control of our streets will trigger WV S.B. 657, which relinquishes our rights to influence the project development within the Harpers Ferry Historic District, and voids the hotel overlay district boundaries and ordinances our town spent 3 years developing with input from the private investors of the hotel, National Park Service, historic district residents, merchants, Make It Happen PAC members, county representatives, and land use attorneys. The National Trust for Historic Preservation has stated that WV S.B. 657, "would allow a state agency to preempt duly enacted local historic preservation ordinances, and, thereby, increase the risk that heritage tourism assets will be compromised." At this point, the private investors have provided no design of the public promontory overlook area, just renderings of a large curved green roof area available for hotel guests.

Please join Harpers Ferry historic district residents in a common-sense approach that allows for prompt hotel development without encroaching on our public scenic overlook. Sign below if you agree that:

Any public land or street deal requires a design review of the scenic Promontory Overlook and:

- ensures that there are no clauses that turn the land over to private control under any circumstances
- ensures the hotel is designed around 24/7 public access and public control of the Promontory Overlook
- ensures the overlook is designed at its current flagpole elevation with no deforestation at lower elevations
- ensures that the overlook is not moved to a stormwater run-off lot
- ensures that there is no staircase or elevator required to access the public overlook

A timely approval process can be achieved only after the Promontory Overlook design is submitted and:

- there is a public review of the design, including files that are fully illustrated and made publicly available electronically
- includes visual cues and circulation patterns through landscape design that denote public right-of-way boundaries
- excludes psychological or physical barriers in landscape design that make the public feel unsure or unwelcome
- ensures multi-modal access (pedestrian, bicycle, wheelchair, vehicles and/or other modalities not yet invented)
- provides for amenities such as benches, plantings, and historical markers at the elevation of the current flagpole

Name: John Riordan

Date: RECEIVED
DEC 17 2011

Address: 400 Fillmore

**PLEASE CLICK HERE TO UPLOAD YOUR SIGNED DOCUMENT,
IT WILL BE SENT TO HARPERS FERRY TOWN COUNCIL MEMBERS**

Subsurface Exploration and Geotechnical Evaluation
Hilltop House Hotel Development Project
Harpers Ferry, West Virginia
Specialized Engineering Project No. 084088

Prepared for:

Mr. Mike Miller
Swan Investors
P.O. Box 6266
Leesburg, VA 20178

Prepared by:

Specialized Engineering
9607 Dr. Perry Road, Suite 102
Ijamsville, Maryland 21754

March 28, 2008

 **SPECIALIZED ENGINEERING**
Engineers • Geologists • Inspectors

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Engineers • Geologists • Inspectors

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March 25, 2008

Swan Investors
P.O. Box 6266
Leesburg, VA 20178

Attention: Mr. Mike Miller

Reference: Subsurface Exploration and Geotechnical Evaluation
HILLTOP HOUSE HOTEL DEVELOPMENT PROJECT
Harpers Ferry, West Virginia
Specialized Engineering Project No. 084088

Dear Mr. Miller:

Specialized Engineering is pleased to submit our report concerning the subsurface exploration and geotechnical evaluation for the site of the proposed Hilltop House Hotel Development located on Ridge Street in Harpers Ferry, Jefferson County, West Virginia.

The report explains the exploration procedures, describes the general site and subsurface conditions, and presents evaluations and recommendations relevant to geotechnical considerations for the project. If project characteristics presented in this report are changed, this office should be notified so that the design recommendations may be reviewed and revised, as necessary.

If you have any questions concerning this report or require additional assistance on the project, please do not hesitate to contact us.

Respectfully submitted,
Specialized Engineering



Charles R. Mitchell, PE
Principal



Al Nouri, PhD, PE
Principal

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1.0 EXECUTIVE SUMMARY

We have completed the subsurface exploration and geotechnical evaluation of the **PROPOSED HILLTOP HOUSE HOTEL DEVELOPMENT** project located on Ridge Street in Harpers Ferry, Jefferson County, West Virginia. Fourteen (14) soil test borings were drilled across the site to auger refusal depths ranging from 5 feet to 19.5 feet below the existing surface grades. In order to determine the character and continuity of refusal materials at the project site, rock coring was performed at three (3) borings for a 10-foot run each. Man-placed fill was encountered at the locations of six (6) of the fourteen (14) borings drilled and extended to depths ranging from 2.5 feet to 8.5 feet below existing surface grades.

The data developed during this study indicate that the subsoil and groundwater conditions at the site are generally suitable for the construction of the proposed building provided the recommendations in the report are followed.

Shallow foundations (continuous and spread footings) are considered adequate for the support of the proposed buildings. The footings should be supported on the undisturbed suitable-bearing natural soils, decomposed and weathered rock or on controlled structural fill placed on suitable natural soils.

Excavations during the development of the site in the areas of the building addition or the areas of the proposed new buildings will depend primarily on whether any of the structures will have a below-grade level or not due to the fact that rock was encountered at relatively shallow depth in parts of the site. The depth to competent rock varies considerably over the site. For a building without a basement, foundation excavations can generally be achieved with conventional earth-moving equipment (dozers, pans and hoes). However, if the proposed buildings will have basements, then rock excavations techniques such as ripping, hoe-ramming and/or blasting should be anticipated. The extent of rock excavation will depend on the selected finished floor elevation and the depth of the below-grade level.

Encountering groundwater is not anticipated during the development of the site. However, perched water may be encountered during the site development, especially if the excavations are carried out during wetter months or following prolonged periods of heavy precipitation. It is our opinion that conventional dewatering measures such as diversion ditches, interceptor drains and sump pumps should be adequate.

The onsite soils of Strata I and II, except moderately to highly plastic soils ($LL > 40$ and $PI > 20$), are generally suitable for use in engineered fills for the building pad, pavements, and utility trenches, subject to moisture adjustments and other limitations presented in the report.

Recommendations relative to earthwork and the design and construction of the building foundations are detailed in the report.

The owner/designer should not rely solely upon the executive summary and must read and evaluate the entire contents of this report, prior to utilizing our engineering recommendations in the preparation of design and construction documents.

It should be noted that this geotechnical exploration was conducted prior to the completion of the development plans for this project. Accordingly, this geotechnical study should be considered, at this stage, as preliminary. After the development plans are more complete and details relative to the structural concept of the proposed buildings and parking structure are known, Specialized Engineering should review the final design plans so that the analyses and recommendations can be reviewed and/or revised as necessary.

2.0 PROJECT INFORMATION

2.1 PROPOSAL AND PROJECT AUTHORIZATION

This geotechnical investigation for **PROPOSED HILLTOP HOUSE HOTEL DEVELOPMENT** project in Harpers Ferry, West Virginia, was planned and performed in accordance with the scope of services outlined in our proposal No. B08-6482 dated March 3, 2008. Mr. Mike Miller of Swan Investors authorized the work.

2.2 PROJECT DESCRIPTION

The site is on a large crest overlooking the Potomac and Shenandoah Rivers located on Ridge Street in Harpers Ferry, West Virginia. The project site includes the old Hilltop House Hotel, which was constructed 1888, the hotel annex building, paved parking lot behind the hotel building, parking areas across the street and several houses most of which are vacant.

The conceptual development plans for this site has not been finalized, however, we understand the potential improvements may include expansion of the existing hotel with a possible partial below-grade level, possible addition/replacement of the annex structure and a parking structure with a possible partial below-grade parking level. The findings of this geotechnical study should support the site development plans.

Since the project is in the early stages of planning, details relative to the structural concept of the proposed building addition or the parking structure are not available at this time. However, for this study, we have assumed that hotel building will be a four-story structure with one below-grade level. Based on past experience, we anticipate the building will be supported on individual columns and bearing wall footings with loads of up to approximately 500 kips and 5.0 kips per linear foot, respectively. Column loading of the parking structure cannot be estimated without knowing the number of parking levels planned.

If any of the noted information is incorrect or has changed, please inform Specialized Engineering so that we may review the geotechnical data and amend the recommendations presented in this report, if appropriate.

2.3 PURPOSE AND SCOPE OF WORK

The scope of services for this study included a site reconnaissance of the project area and the determination of subsurface conditions through field exploration and laboratory testing. The study included an evaluation of the site and subsurface conditions relative to the proposed construction and the preparation of a report of findings. The subsurface exploration was developed to address the following:

- Develop data relative to subsurface soil and groundwater conditions to relevant depths at various locations across the site.

Hilltop House Hotel
Harpers Ferry, West Virginia
Specialized Engineering Project No. 084088

- Address problem areas, if any, with special reference to groundwater conditions and the presence of highly plastic soils susceptible to shrinkage and swelling associated with changes in the natural moisture contents of these soils.
- Evaluate the suitability of on-site materials for use in controlled structural fill for the building pads.
- Evaluate the conditions disclosed and formulate recommendations for earthwork and the design and construction of the building foundations.

The scope of our services, presented in this report, did not include an environmental assessment for determining the presence or absence of wetlands, or hazardous or toxic materials in the soil, bedrock, groundwater, or air, on or below or around this site. Any statements in this report or on the test logs regarding odors, colors, unusual or suspicious items or conditions are strictly for the information of our client. Specialized Engineering did not provide any service to investigate or detect the presence of mold, moisture as related to mold or other biological contaminants in or around any structure, or any service that was designed or intended to prevent or lower the risk of the occurrence of the amplification of the same. As such, Specialized Engineering cannot and shall not be held responsible for the occurrence or recurrence of mold amplification.

2.4 SUBSURFACE EXPLORATION

A total of fourteen (14) test borings, designated B-1 through B-14, were drilled at the site by a truck-mounted CME-45C drill rig using continuous flight hollow-stem augers, and extended to auger refusal depths ranging from 5 feet to 19.5 feet below the existing surface grades. In Borings B-4, B-5 and B-6, rock coring was performed below the auger refusal depths utilizing an NQ-size rotary coring bit, in general accordance with ASTM D 2113 test method, and 10-foot rock cores were recovered in each boring. The depths of individual test borings are indicated on the boring logs in the **APPENDIX B** of this report.

The test boring locations were proposed by Specialized Engineering and were established in the field by a survey crew from William H. Gordon Associates, the project civil engineers, who provided the ground surface elevations at the individual test locations.

Drilling and soil sampling were conducted in accordance with the procedures generally recognized and accepted as standard methods of exploration of subsurface conditions related to earthwork and foundation engineering projects. Representative soil samples were obtained by employing split-spoon sampling procedures in general accordance with ASTM D1586 test method. Soil samples obtained from the borings were identified according to boring number and depths, and a representative portion of each sample was sealed in a moisture-tight glass jar to protect against moisture loss. The soil and rock samples from the borings were subsequently transported to the Specialized Engineering laboratory for visual classification and further evaluation.

These two ridges are formed by Lower Cambrian quartzite, a rock that is very resistant to the attack of weathering and erosion.

Specifically, the subject property is mapped as underlain by the Lower Cambrian-aged Harpers Formation of the Chilhowee Group. The Harpers Formation is mainly a laminated to massively bedded, dark greenish-gray to brownish gray, phyllitic metasilstone interbedded with dark-greenish gray metasandstone. The Harpers Formation is highly cleaved with obscure bedding. Thickness of unit ranges from 662 to 2564 feet with the metasandstone beds varying from 22 to 64 feet thick.

3.3 SUBSOIL CONDITIONS

Approximately 3 to 12 inches of topsoil were encountered at the locations of nine (9) of the fourteen (14) borings. Pavement section consisting of an asphalt layer, approximately 3 inches thick, underlain by a gravel base was encountered at the three (3) borings located within the paved areas. Approximately 10 inches of gravel were encountered at the locations of two (2) of the test borings. Approximately 1.5 to 8.5 feet of man-placed fill were encountered at six (6) of the fourteen (14) borings drilled. Below the man-placed fill, topsoil or pavement section, three natural soil and rock strata representative of the site geology were encountered at the test boring locations. The man-placed fill and the natural soil/rock strata are briefly described hereunder:

MAN-PLACED FILL

As stated above, man-placed fill was encountered at the locations of six (6) of the fourteen (14) borings drilled and extended to depths ranging from 2.5 feet to 8.5 feet below existing surface grade. The fill, which appears to be an old fill, consisted of generally brown sandy silts and silty clays with rock fragments, trace organics and construction debris. The fill materials exhibited standard penetration test (SPT) "N"-values ranging from 3 blows per foot (bpf) to 12 bpf, with the higher values likely due to the presence of rock fragments. The encountered "N"-values generally indicate the sandy soils have relative densities ranging from very loose to medium dense, while the cohesive soils have consistencies ranging from soft to stiff. Due to the composition of the encountered fill and its variable strength characteristics, the fill is considered uncontrolled.

STRATUM I – RESIDUAL SOILS

Stratum I was encountered in all fourteen (14) test borings beneath the fill, topsoil or pavement section and extended to depths of 2.5 feet to 16.5 feet below the existing surface grades. The soils of this stratum generally consist of tan, brown and gray silty soils with rock fragments (USCS Designations: ML). The SPT "N" values within the soils of this stratum ranged from 6 bpf 54 bpf, generally indicating consistencies ranging from medium stiff to very hard for the cohesive soils relative densities ranging from medium loose to very dense for the non-cohesive soils.

STRATUM II – DECOMPOSED ROCK AND HIGHLY WEATHERED ROCK

Stratum II was encountered below the soils of Stratum I in thirteen (13) of the fourteen (14) test borings and extended to auger/spoon refusal depths ranging from 5 feet to 18.5 feet below existing surface grades. The SPT "N" values within Stratum II ranged from 60 bpf to 50 blows per 1 inch of penetration, generally indicating a very dense material. Decomposed rock is generally considered to be a soil like material with SPT N-values in excess of 60 blows per foot of advancement of the sampling spoon but less than 50 blows per 6 inches (50/6"). When removed via the sampling apparatus they are generally given soil composition classifications; however, in situ the materials are very dense rock-like to rock materials. Highly weathered rock is usually defined in the range between 50 blows per 6 inches (50/6") and 50 blows per 1 inch of penetration (50/1").

STRATUM III – BEDROCK (PHYLLITE)

Bedrock is denser than 50 blows per 1 inch of penetration. Spoon and/or auger refusal, which generally indicates bedrock, was encountered in all of the fourteen (14) borings drilled at depths ranging from 5 feet to 19.5 feet below existing grades, corresponding to elevations ranging from 490 feet to 470 feet.

Rock (Phyllite) was encountered beneath the decomposed rock of Stratum II in the borings at auger/spoon refusal depth. Rock cores were obtained from Borings B-4, B-5 and B-6 to a depth of 10 feet below refusal depths. Description of the rock cores are listed in the table below:

Boring	Core Depth (ft)	Core Elevation (ft)	REC %	RQD %	Comp. Strength (psi)	Rock Description
B-4	5.1-10.1	490.0-485.0	79	8	---	Greenish brown Fine grained, moderately weathered, thinly bedded
	10.1-15.1	485.0-480.0	100	28	7,578	Greenish brown Fine grained, slightly weathered, thinly bedded
B-5	19.5-24.5	470.0-465.0	95	33	12,295	Greenish brown Fine grained, moderately weathered, thinly bedded
	24.5-29.5	465.0-460.0	95	47	---	Greenish brown Fine grained, slightly weathered, thinly bedded
B-6	8.5-13.5	486.4-482.4	97	22	---	Greenish brown Fine grained, moderately weathered, thinly bedded
	13.5-18.5	482.4-476.4	100	23	11,700	Greenish brown Fine grained, slightly weathered, thinly bedded

(REC is Core Recovery and RQD Is the Rock Quality Designation)

The RQD values above, ranging from 8 to 47, indicate that the Rock Mass Quality of the rock has classifications ranging from "Very Poor" to "Poor" with an average Unconfined Compressive Strength of 10,500 pounds per square inch (756 tsf).

The above subsurface description is of a generalized nature provided to highlight the major soil strata encountered. The boring logs included in the appendices should be reviewed for specific information as to individual test boring locations. The stratification lines shown on the test boring logs represent the conditions only at the actual test boring locations. The stratification lines represent the approximate boundaries between subsurface materials and the actual transition may be gradual.

3.4 GROUNDWATER CONDITIONS

Groundwater was not encountered during the drilling operations in any of the fourteen (14) borings drilled. The borings were backfilled upon completion of drilling operations for safety concerns, so the 24-hour groundwater observations could not be made. Cave in depths at the borings ranged from 2.75 feet to 17 feet below existing surface grades.

The groundwater observation presented in this report was the condition at the time of our field activities. Fluctuation in groundwater levels should be anticipated. We recommend that the Contractor determine the actual groundwater levels at the time of construction to determine groundwater impact on the proposed construction procedure.

4.0 GEOTECHNICAL EVALUATION

The data developed during this study indicate that the subsoil and groundwater conditions are generally suitable for the development of the site and construction of the proposed additional buildings provided the recommendations presented hereafter are followed.

Shallow foundations (continuous and spread footings) are considered adequate for the support of the proposed buildings. The footings should be supported on the undisturbed suitable-bearing natural soils, decomposed and weathered rock or on controlled structural fill placed on suitable natural soils.

Excavations during the development of the site in the areas of building addition or the areas of the proposed additional buildings will depend primarily on whether any of the structures will have a below-grade level or not due to the fact that rock was encountered at relatively shallow depth in parts of the site. The depths to decomposed rock/weathered rock and competent rock encountered in the borings drilled are listed in the following table:

Boring	Boring Elev. (ft)	Depth to Decomposed/ Weathered Rock (ft)	Depth to Competent Rock (ft)	Elev. Of Competent Rock (ft)
B-1	491.12	6.0	12.7	478.42
B-2	494.66	6.0	13.8	480.86
B-3	489.11	8.5	13.8	475.31
B-4	494.96	2.5	5.1	489.86
B-5	489.66	13.5	19.5	470.16
B-6	494.76	7.5	8.5	486.26
B-7	488.70	5.0	8.6	480.10
B-8	489.19	8.5	9.2	479.99
B-9	493.64	6.0	14.4	479.24
B-10	492.84	N/A	16.6	476.24
B-11	495.37	14.5	14.8	480.57
B-12	499.42	2.5	6.0	493.42
B-13	497.79	8.5	14.6	483.19
B-14	477.06	2.5	8.4	468.66

The table above indicates that depth to competent depth varies considerably over the site. The rock elevation on the hotel side (Borings B-1 through B-7) varies from 470.16 feet to 489.86 feet, a difference of approximately 20 feet. The rock elevation on the other side Ridge Street (Borings B-8 through B-12) varies from 476.24 feet to 493.42 feet, a difference of approximately 17 feet. The rock elevation in the vicinity of the existing hotel annex (Borings B-13 and B-14) varies by approximately 14.5 feet. When the locations of the proposed structures are decided, the depth to rock could be determined within each foot print by air-track drilling which quick is and relatively inexpensive.

The type of excavation anticipated during the development of this site will depend primarily on whether any of the proposed buildings will have a basement. For a building without a basement, foundation excavations can generally be achieved with conventional earth-moving equipment (dozers, pans and hoes). However, if the proposed buildings will have basement, then rock excavations should be anticipated. The extent of rock excavation will depend on the selected finished floor elevation and the depth of the below-grade level.

Rock excavation techniques such as ripping, hoe-ramming and/or blasting are anticipated at the site during the building excavations. Factors that should be considered in determining most suitable rock excavation method fall into two groups; the first related to the rock mass and the second related to the foundation design. The first includes the characteristics of the rock mass to be excavated such as hardness or strength, degree of fracture, jointing, bedding and foliation. The second include the amount of material to be excavated, required rate of excavation, type of finished excavation surface and the amount of working space available.

It is generally assumed that excavations can be made in decomposed and highly weathered rock by ripping with heavy earth-moving equipment to depths that are generally limited to materials where SPT "N" values are equal 50 blows per 6 inches of penetration and down to auger/ spoon refusal depths as recorded in the test borings. Hoe ramming and/or blasting are usually anticipated below these depths where competent rock is likely encountered. However, rippability of rock depends on type of equipment used in addition to rock structure such as joints, fractures, beddings, faults or other discontinuities. Rock that may be rippable using a very large tractor may not be rippable using smaller equipment.

Should blasting be necessary, we recommend that a pre-blast survey be performed for any surrounding or nearby developments. The pre-blast survey should include a visual survey of both the interior and exterior of any structures adjoining the planned development. Any noted distress such as cracking of slabs, walls or masonry/brick veneer should be noted on a sketch of the structure and documented with either still or video photography. We also recommend that vibration monitoring be performed during blasting operations. The vibration monitoring equipment should be capable of measuring peak particle velocity and frequency. Preferably, the distance of the blast from the monitoring equipment should be determined and recorded, along with the specifics of the blast event such as weight of the charge, and the number and sequence of delays. Contingency funds for this additional expense should be allocated.

Blasting should be performed by qualified specialty contractors experienced in such work and should be monitored to reduce the potential of causing damage to adjacent properties and structures. Over blasting, "overshooting", the rock should be avoided during rock blasting. If the charge is excessive or set too deep below planned excavation, the rock mass will fracture along bedding planes, resulting in some loosened rock remaining at the bottom of the excavation. Where "overshooting" occurs, the loosened and disturbed materials must be removed and replaced with lean concrete.

If any of the proposed buildings will have a basement, then approximately 10 feet of excavations would be required to reach the planned elevation of the below-grade level. The excavation could have a temporary slope not steeper than 1.5H: 1V if property limits permit. However, if the excavations at parts of the site are close to Pershing Drive or one of the adjacent apartment buildings, then a temporary excavation support system such as conventional soldier beams and lagging would be needed.

Encountering groundwater is not anticipated during the development of the site. However, perched water may be encountered during the site development, especially if the excavations are carried out during wetter months of following prolonged periods of heavy precipitation. It is our opinion that conventional dewatering measures such as diversion ditches, interceptor drains and sump pumps should be adequate.

The onsite soils of Strata I and II, except moderately to highly plastic soils ($LL > 45$ and $PI > 20$), are generally suitable for use in engineered fills for the building pad, pavements, and utility trenches, subject to moisture adjustments and other limitations presented in the report.

Due to the moisture sensitive nature of the on-site soils, the presence of standing water and poor site drainage conditions during construction will lead to softening and a general deterioration of the fine-grained soils. The grading should, therefore, be carried out in such a way as to promote positive drainage of surface water runoff, and ponding of water shall not be permitted. This should minimize potential problems associated with fine-grained soils although they may not be eliminated. If such problems occur, the geotechnical engineer should be consulted for an evaluation of the conditions.

5.0 RECOMMENDATIONS

5.1 SITE PREPARATION AND EARTHWORK

The following recommendations are intended for the satisfactory performance of the earthwork that may be involved to attain the planned grades within the building pad area:

- All uncontrolled fill and any soft/loose soils encountered near the planned grades should be undercut to a suitable undisturbed subgrade as recommended by the Geotechnical Engineer of Record.
- If any of the proposed buildings will have a below-grade level, then the uncontrolled fill encountered in that part of the site will be excavated in its entirety.
- Following the stripping and excavation of all unsuitable materials, grading operations may proceed. The Geotechnical Engineer of Record should observe the site for proper stripping and preparation prior to fill placement.
- The bottom of the stripped areas should be proofrolled in the presence of the Geotechnical Engineer of Record with at least two (2) passes of a loaded dump truck that has a minimum axle load of 10 tons or similar equipment. All loose and soft areas should be excavated to suitable-bearing subgrade. The excavated materials should be replaced with soils satisfying the controlled fill requirements detailed later in this report. The excavated fills should be evaluated for suitability to be reused by the Geotechnical Engineer of Record or his qualified representative.
- The building pad should be prepared by excavation or by placing controlled fill to an elevation 8 inches below the floor level of slabs-on-grade. The footings should be excavated after the building areas have been properly prepared.

- Material satisfactory for controlled fill should include clean soil or bankrun sand and gravel (GW, GM, and SM). GC and SC materials may be used provided that the density and the liquid limit and plasticity index of the finer fraction of the material satisfy the following limitations:

Maximum Dry Density	≥ 105 pcf
Liquid Limit (%)	≤ 40
Plasticity Index	≤ 20

CL and ML materials satisfying the above requirements and limitations may be used with approval of the Geotechnical Engineer of Record. Highly plastic clays and elastic silts (MH, CH) should not be used as controlled fill. The fill materials should be free from topsoil, organics and rock fragments having a major dimension greater than 3 inches.

- Some of the excavated fill soils, except soils with $LL > 40$ and $PI > 20$ if encountered, may be suitable for reuse in controlled structural fill, subject to the approval Geotechnical Engineer of Record and moisture adjustments and the maximum dry density requirement specified above.
- Fill placement should be in maximum 8-inch thick, loose, horizontal lifts compacted uniformly with the proper equipment.
- Fill required to support the footings and slabs-on-grade should be compacted to at least ninety-five percent (95%) of the maximum dry density as established by ASTM D698 test method (Standard Proctor). The moisture content of the fill should be within plus or minus two (± 2) percentage points of the optimum moisture content.

For proper site preparation, the earthwork should be performed under the supervision of and to the satisfaction of the Geotechnical Engineer of Record.

5.2 FOUNDATIONS

As stated earlier, shallow foundations (continuous and spread footings) supported on undisturbed, suitable-bearing virgin soils/weathered rock or controlled structural fills, provided that the supporting subgrade soils are prepared in accordance with Section 5.1 "Site Preparation And Earthwork", are considered adequate for the support of the proposed building.

The footings may be sized and designed on the basis of allowable bearing pressures indicated below, subject to observation and approval of soil conditions at the bottom of footing excavations for suitable soil bearing by the Geotechnical Engineer of Record or his qualified representative.

SOIL CONDITIONS AT SUBGRADE	ALLOWABLE BEARING PRESSURE (psf)	MINIMUM WIDTH OF FOOTINGS (inches)
Undisturbed Soils of Strata I Or Controlled Structural Fill	Isolated Footings	30
	Continuous Footings	24
Decomposed Rock	Isolated Footings	30
	Continuous Footings	24
Bedrock	Isolated Footings	30
	Continuous Footings	24

5.2.1 DEPTH OF FOOTINGS

The embedment depth of all footing subgrades is governed by the minimum depth requirements for protection against frost heave in accordance with the 2006 International Building Code. The depth of frost in Jefferson County, West Virginia, is approximately 30 inches. Therefore, we recommend that the bottom of the footings be located at least 30 inches below the lowest adjacent finished exterior grade.

5.2.2 ANTICIPATED SETTLEMENTS

The footings, if designed on the basis of recommended allowable bearing pressures, are expected to experience a maximum total settlement of 1 inch with differential settlement between adjacent walls limited to ½-inch over a 30-foot span.

5.2.3 FOOTING EXCAVATIONS

Because of possible variations in subsurface conditions and related bearing capacity, all footing excavations and trenches should be observed and approved by the Geotechnical Engineer of Record. Water and possibly some loose soil may collect in the footing excavations as a result of surface precipitation and near ground surface seepage. Therefore:

- Water, loose soil and soil softened by water should be removed from the bottom of the footing excavations before placing concrete.

- Footing excavations should not be left open for long periods. If the concrete can not be placed due to inclement weather conditions or any other unforeseen circumstances, the bottom of the footing excavations and trenches should be protected by undercutting 3 inches and placing a 3-inch thick lean-mix concrete (2,000 psi) workmat immediately upon approval and before reinforcing steel is placed.

Backfill around and above the footing should satisfy the controlled fill requirements described in Section 5.1 'Site Preparation and Earthwork'.

5.3 FLOOR SLAB

The following recommendations are intended for the placement of the slab-on-grade.

- Floor slab excavation should be proofrolled and prepared as described under 'Site Preparation and Earthwork'.
- A free-draining granular blanket of crushed stone or gravel should be placed under the floor slab for lateral drainage and as a capillary barrier. The thickness of this blanket should be at least 6 inches.
- A 6-mil thick impermeable plastic membrane (vapor barrier) should be placed directly under the concrete floor slab and over the granular material.
- The entire floor slab area should be reinforced with a welded wire fabric as a minimum or as otherwise specified by the structural engineer.
- The column points and periphery walls should be isolated from the floor slab to minimize the possibility of the floor slab cracking due to relative displacement.
- The floor slab should be designed on the basis of modulus of subgrade reaction "k" of not more than 150 pci.

5.4 BELOW GRADE WALLS

If any of the proposed buildings will have a below-grade level, the exterior walls are expected to extend, partially or totally, below the final exterior grades, depending on location. These exterior walls should be designed to resist lateral earth pressures developed from the surrounding soils. The design of the below-grade walls should be governed by the type, grain-size distribution and unified soil classification of the material to be backfilled against the walls. Since these below-grade walls are expected to be relatively rigid, the following criteria should be used to design these walls:

BACKFILL MATERIAL	EQUIVALENT FLUID PRESSURE (pcf)
SANDY SILTS (ML)	60
SILTY SAND (SM)	45

The liquid limit and plasticity index of the backfill material should not exceed 40 and 15, respectively. Heavy compaction and other construction equipment should not operate closer than 5 feet to the walls. The backfill should be compacted with small vibratory compaction equipment such as tampers or walk-behind rollers to reduce any potential damage to the wall.

The lateral earth pressures provided assumes that appropriate drainage measures are provided behind the walls and below the slab-on-grade to reduce the possibility of developing hydrostatic pressure behind the walls. Otherwise, hydrostatic pressure should be accounted for in the design. A linear distribution should be used to represent the distribution of earth pressure with depth. Additional lateral pressure due to surcharge loading that exists within a 45-degree wedge from the toe of the wall should be considered.

5.5 PERIPHERAL DRAINAGE

Although groundwater was not encountered below an anticipated finished grade elevations of one below-grade level, perimeter drainage system shall be installed to relieve any hydrostatic pressure which may be induced by seepage from behind the exterior walls.

The following recommendations discuss the minimum provisions for effective damp proofing/water proofing of the below-grade structures (sublevel floors) and installation of peripheral drainage and are intended to be a guideline. The drains should discharge by gravity at an appropriate location. The location and outfalls from the peripheral drains should be shown on the plan.

- Exterior faces of all below-grade walls should be coated with a heavy coating of bituminous material. In addition, the exterior faces of all walls should be covered with 6-mil plastic sheeting. Alternatively, the exterior face (s) of the wall should be treated with DECO-20 - a penetrating concrete sealer, a product of Dean Enterprises, Inc. or an equivalent product.

Alternatively, drainage behind the walls may be provided by prefabricated drainage panels such as Geotech Drainage Board, Miradrain, or other similar products. The drainage panel should have a permeable non-woven geotextile fabric affixed to the earth side of the panel. The geotextile fabric should have an apparent opening size (AOS) not larger than the No. 70 sieve.

- An exterior tile drain (perforated 4-inch diameter schedule 40 PVC pipe) should be installed in approximately 18 inches of No. 57 gravel along the footings with at least 2 inches of gravel below the pipe. The gravel filter should be completely covered with a non-woven geotextile fabric (AOS #70 Sieve, Gradient Ratio 2 or less), to minimize the potential for migration of fines into the filter.
- The floor slab subgrade should be shaped to slope uniformly towards the inner periphery of the below-grade structure. Bleeder pipes, penetrating through the base of the perimeter walls, should be covered with adequate amounts of gravel and should be connected with the gravel blanket (average thickness of 4 inches), which is to be placed below the concrete slab for lateral drainage and as a capillary barrier.
- The walls should be backfilled with non-expansive, free-draining material for which they have been designed. Plastic soils classified as CL, CH, MH, SC, and GC per the Unified Soil Classification System, should **not** be used as backfill.
- Fine-grained soils, excluding plastic silts and clays (MH and CH soils), should be placed in the top 12 to 18 inches, as a 'cap' to reduce infiltration of surface run-off into the backfill. Furthermore, the 'cap' should be graded to slope away from the building.
- Exterior slopes within the first 10 feet of the building should be a minimum of five percent (5%) to prevent ponding and to reduce the seepage of water in the backfill.
- The area around the building should be graded with slopes no flatter than three percent (3%) to reduce the potential for wet landscaped areas.
- The roof drains must discharge beyond the limits of excavations for sub-level walls.

5.6 SEISMIC CONSIDERATIONS

Based on the subsurface conditions encountered at the site, structural design shall use the following site coefficients for seismic design based on Section 1615 of the International Building Code (2006):

Seismic Site Class	C
Spectral response acceleration at short periods, S_s	0.164
Spectral response acceleration at 1-second period, S_1	0.051
Site coefficient, F_a	1.2
Site coefficient, F_v	1.7

Based on information obtained from our soil test borings and our review and knowledge of local geology, it is our opinion that the potential for liquefaction of the soils at the site due to earthquake activity is relatively low.

The Contractor is solely responsible for designing and constructing stable, temporary excavations and should shore, slope, or bench the sides of the excavations as required to maintain stability of both the excavation sides and bottom. The Contractor's "responsible person", as defined in 29 CFR Part 1926, should evaluate the soil exposed in the excavations as part of the Contractor's safety procedures. In no case should slope height, slope inclination, or excavation depth, including utility trench excavation depth, exceed those specified in all local, state, and federal safety regulations.

We are providing this information solely as a service to our client. Specialized Engineering does not assume responsibility for construction site safety or the Contractor's or other parties' compliance with local, state, and federal safety or other regulations.

6.3 CONSTRUCTION OBSERVATIONS

All development and construction work should be performed under the observation of the Geotechnical Engineer of Record, his qualified representative or the City or County staff.

7.0 REPORT LIMITATIONS

The recommendations submitted are based on the available subsurface information obtained by Specialized Engineering and preliminary drawing information furnished by William H. Gordon Associates for the proposed project. If there are any revisions to the plans for this project or if deviations from the subsurface conditions noted in this report are encountered during construction, Specialized Engineering should be notified immediately to determine if changes in the foundation recommendations are required. If Specialized Engineering is not retained to perform these functions, we will not be responsible for the impact of those conditions on the geotechnical recommendations for the project.

Specialized Engineering warrants that the findings, recommendations, specifications, or professional advice contained herein have been made in accordance with generally accepted professional geotechnical engineering practices in the local area. No other warranties are implied or expressed.

After the plans and specifications are more complete, Specialized Engineering should be retained and provided the opportunity to review the final design plans and specifications to check that our engineering recommendations have been properly incorporated into the design documents. At that time, it may be necessary to submit supplementary recommendations. This report has been prepared for the exclusive use of Swan Investors and their architects and engineering consultants for the specific application to the **PROPOSED HILLTOP HOUSE HOTEL DEVELOPMENT** project located on Ridge Street in Harpers Ferry, Jefferson County, West Virginia.

APPENDIX A

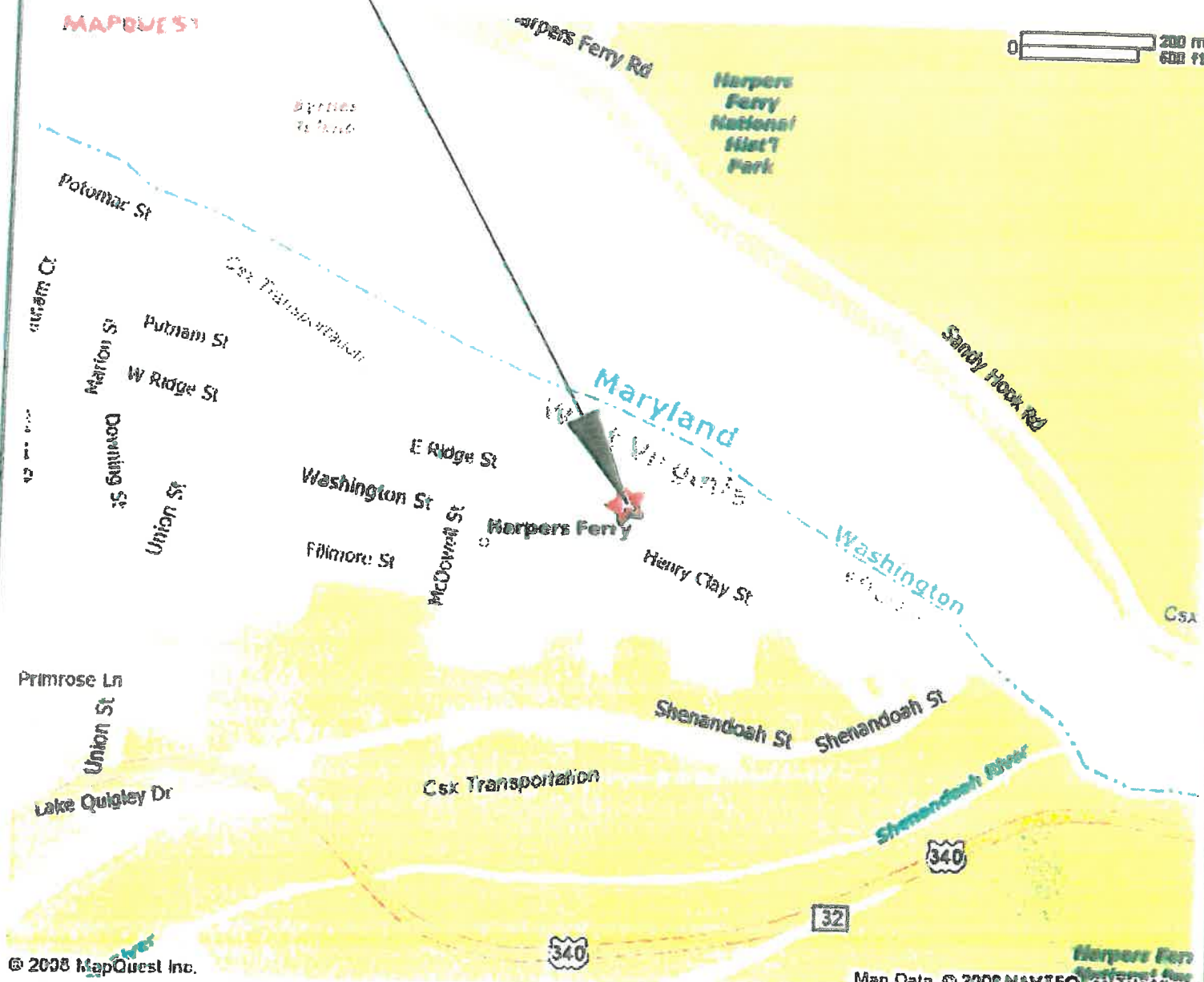
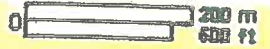
**Vicinity Map &
Boring Location Plan**



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Engineers • Geologists • Inspectors

SITE

MAPQUEST



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Construction Quality Control-Environmental Consulting
Geotechnical & Forensic Engineering

9607 Dr. Perry Road, Suite 102, Hamsville, Maryland 21754
Phone: 301-607-4180 Fax: 301-607-4331

SITE LOCATION PLAN

PROJECT NAME:

HILLTOP HOUSE HOTEL

PROJECT NO.:

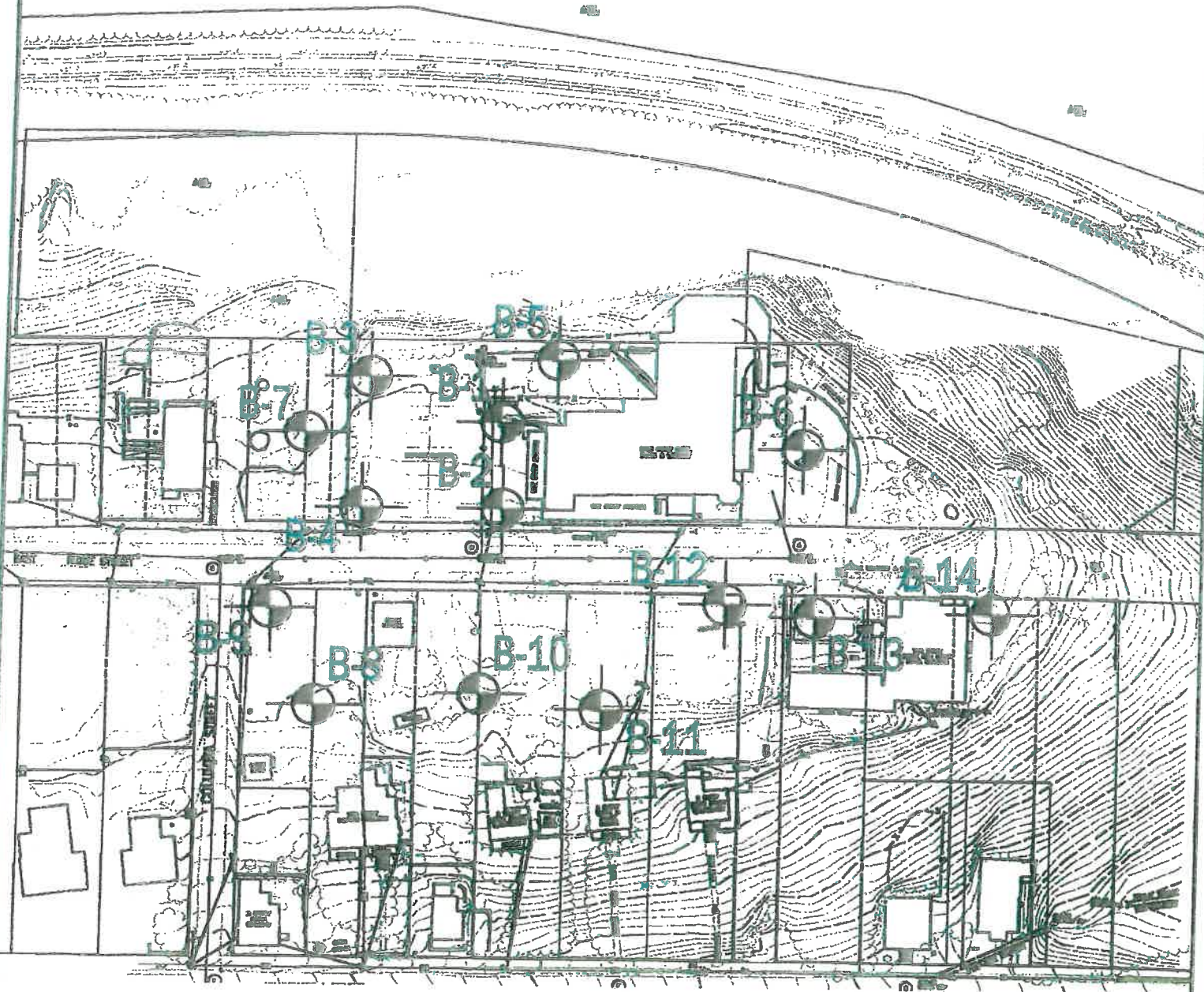
084088

SCALE: NTS

LEGEND:



APPROXIMATE LOCATION OF BORING



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Geotechnical & Forensic Engineering*

9607 Dr. Perry Road, Suite 102, Ijamsville, Maryland 21754
Phone: 301-607-4180 Fax: 301-607-4331

BORING LOCATION PLAN

PROJECT NAME:

HILLTOP HOUSE HOTEL

PROJECT NO.:

084088

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 Consulting & Forensic Engineering

BORING NUMBER B-01

PAGE 1 OF 1

CLIENT Swan Investors
 PROJECT NUMBER 084088
 DATE STARTED 3/17/08 COMPLETED 3/17/08
 DRILLING CONTRACTOR Connelley and Associates Inc.
 DRILLING METHOD HSA
 LOGGED BY S. Gyurisn CHECKED BY A. Nouri
 NOTES _____

PROJECT NAME Hilltop House Hotel Development
 PROJECT LOCATION Harpers Ferry, WV
 GROUND ELEVATION 491.12 ft CAVE-IN DEPTH 6.6'
 GROUND WATER LEVELS:
 AT TIME OF DRILLING None
 AT END OF DRILLING None
 AFTER DRILLING None

ELEVATION (ft)	DEPTH (ft)	GRAPHIC LOG	MATERIAL DESCRIPTION	SAMPLE TYPE NUMBER	SAMPLE DEPTH (ft)	RECOVERY % (ROD)	BLOW COUNTS (N VALUE)	% < #4 SIEVE	% < #200 SIEVE	▲ SPT N VALUE ▲			
										PL	MC	LL	
490			TOPSOIL: 4 inches	S1	0.0 1.5	100	3-5-4 (9)			20	40	60	80
			FILL: brown, with, with construction debris, moist, medium stiff, silty clay										
	5		SILTY SAND: tan, and rock fragments, dry, medium dense, (SM)	S2	2.5 4.0	100	15-14-8 (22)		10				
485			DECOMPOSED ROCK: tan, and rock fragments, very dense, silt	S3	5.0 6.4	100	11-15- 50/5"						>>
	10			S4	8.5 8.7	100	50/2"						>>
480			Auger Refusal at 12.7 feet.	S5	12.5 12.7	100	50/2"						>>

GEOTECH BH PLOTS 08-0603 LOGS.GPJ BORINGS COMMENT: 12.7 08.GDT 2/20/08

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BORING NUMBER B-02

PAGE 1 OF 1

CLIENT Swan Investors PROJECT NAME Hilltop House Hotel Development
 PROJECT NUMBER 084086 PROJECT LOCATION Harpers Ferry, WV
 DATE STARTED 3/17/08 COMPLETED 3/17/08 GROUND ELEVATION 494.66 ft CAVE-IN DEPTH 6.5'
 DRILLING CONTRACTOR Connelley and Associates Inc. GROUND WATER LEVELS:
 DRILLING METHOD HSA AT TIME OF DRILLING None
 LOGGED BY S. Gvyrish CHECKED BY A. Nouri AT END OF DRILLING None
 NOTES AFTER DRILLING None

ELEVATION (ft)	DEPTH (ft)	GRAPHIC LOG	MATERIAL DESCRIPTION	SAMPLE TYPE NUMBER	SAMPLE DEPTH (ft)	RECOVERY % (RQD)	BLOW COUNTS (N VALUE)	% < #4 SIEVE	% < #200 SIEVE	▲ SPT N VALUE ▲		
										PL	MC	LL
			ASPHALT: 3 inches									
			FILL: brown, moist, medium stiff, clayey silt	S1	0.0 1.5	100	11-4-7 (11)					
			SILT: tan, trace sand, dry, medium dense, (ML)	S2	2.5 4.0	100	7-9-15 (24)					
490	6			S3	5.0 8.3	100	19-27- 50/4"					
			DECOMPOSED ROCK: very dense									
485	10			S4	8.5 9.8	100	34-36- 50/4"					
			Auger Refusal at 13.8 feet.	S5	13.5 13.8	100	50/4"					

GEOTECHNICAL PLOTS 08-0086 LOGS.GPJ BORINGS CLIENT 12.7.08.GDT 2/22/08

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BORING NUMBER B-03

PAGE 1 OF 1

CLIENT Swan Investors

PROJECT NAME Hilltop House Hotel Development

PROJECT NUMBER 084088

PROJECT LOCATION Harpers Ferry, WV

DATE STARTED 3/17/08 COMPLETED 3/17/08

GROUND ELEVATION 489.11 ft CAVE-IN DEPTH 8'

DRILLING CONTRACTOR Connelley and Associates Inc.

GROUND WATER LEVELS:

DRILLING METHOD HSA

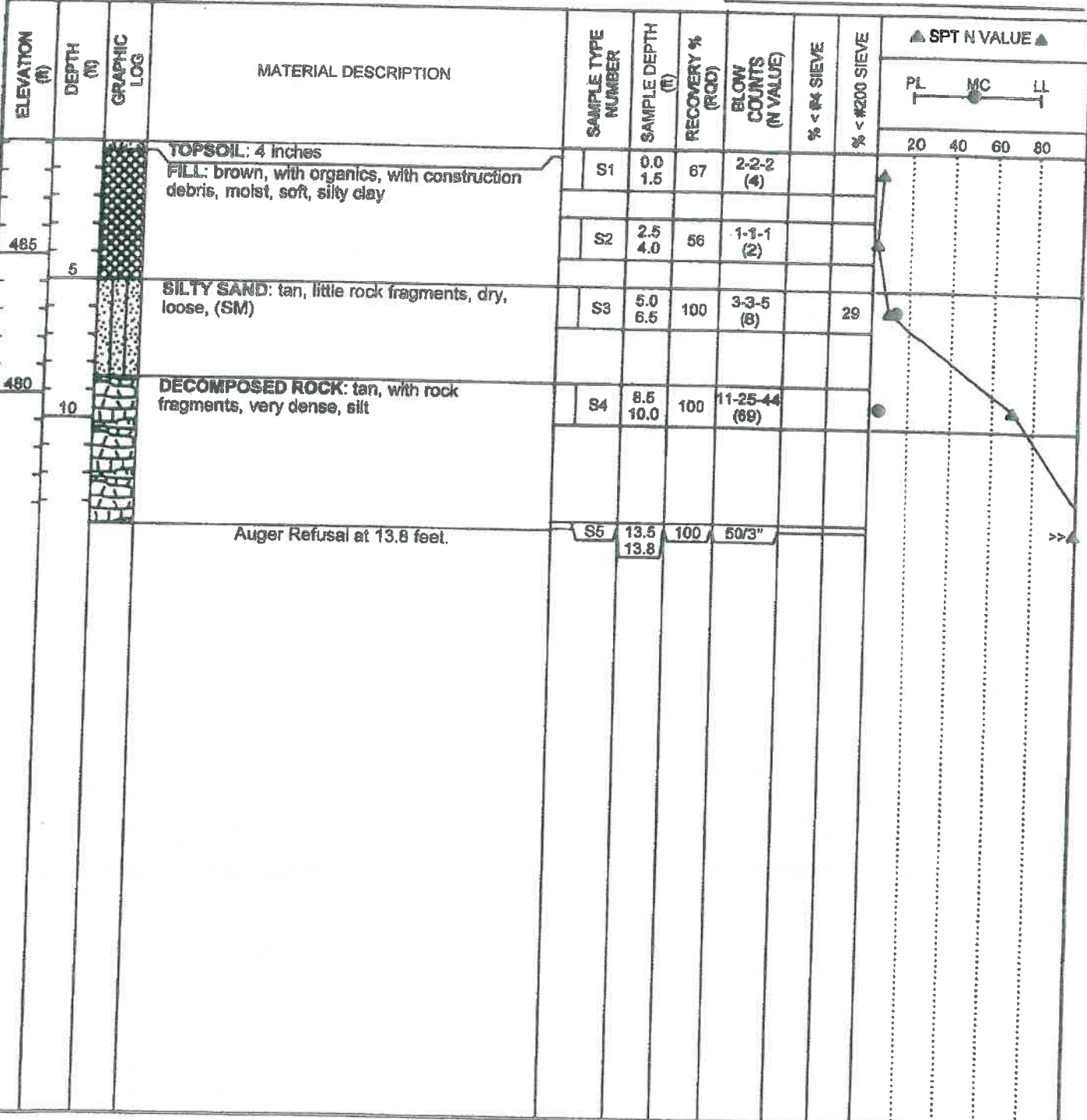
AT TIME OF DRILLING None

LOGGED BY S. Gyuris CHECKED BY A. Nouri

AT END OF DRILLING None

NOTES _____

AFTER DRILLING None



GEO TECH IN PLOTS 08-0001 LOGS.GPJ BORINGS CURRENT 12 7 08.GDT 3/18/08

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BORING NUMBER B-05

PAGE 1 OF 1

CLIENT Swan Investors

PROJECT NAME Hilltop House Hotel Development

PROJECT NUMBER 064088

PROJECT LOCATION Harpers Ferry, WV

DATE STARTED 3/18/08 COMPLETED 3/18/08

GROUND ELEVATION 489.66 ft CAVE-IN DEPTH 17'

DRILLING CONTRACTOR Connelley and Associates Inc.

GROUND WATER LEVELS:

DRILLING METHOD HSA

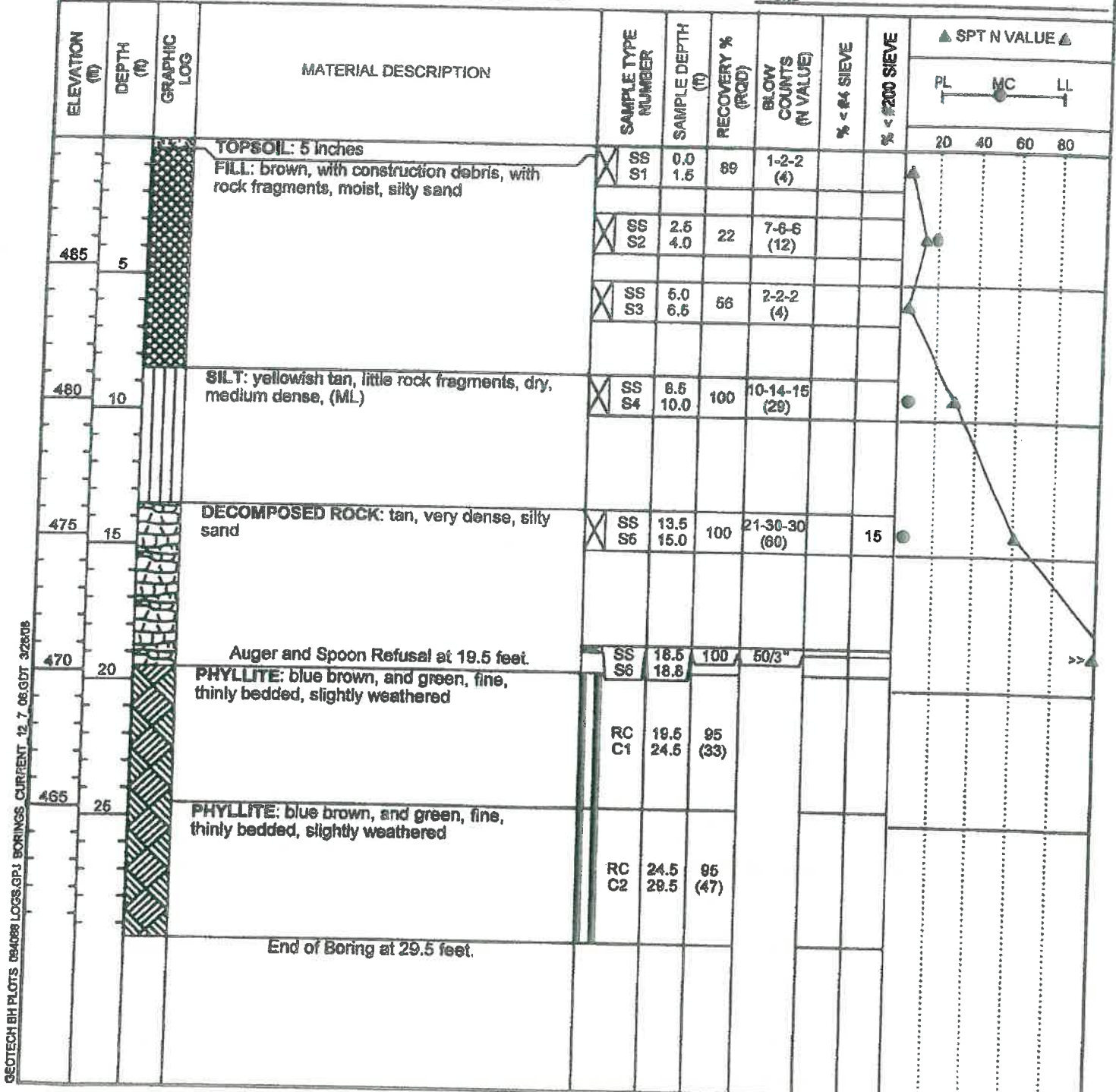
AT TIME OF DRILLING None

LOGGED BY S. Gyurlin CHECKED BY A. Nouri

AT END OF DRILLING None

NOTES

AFTER DRILLING None



GEOTECH BH PLOTS 064088 LOGS.GPJ BORINGS CURRENT 12.7.08.GDT 3/26/08

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BORING NUMBER B-06

PAGE 1 OF 1

CLIENT Swan Investors

PROJECT NAME Hilltop House Hotel Development

PROJECT NUMBER 084088

PROJECT LOCATION Harpers Ferry, WV

DATE STARTED 3/18/08 COMPLETED 3/18/08

GROUND ELEVATION 494.76 ft CAVE-IN DEPTH 7.5'

DRILLING CONTRACTOR Connelley and Associates Inc.

GROUND WATER LEVELS:

DRILLING METHOD HSA

AT TIME OF DRILLING None

LOGGED BY S. Gyurysin CHECKED BY A. Nouri

AT END OF DRILLING None

NOTES

AFTER DRILLING None

ELEVATION (ft)	DEPTH (ft)	GRAPHIC LOG	MATERIAL DESCRIPTION	SAMPLE TYPE NUMBER	SAMPLE DEPTH (ft)	RECOVERY % (ROD)	BLOW COUNTS (N VALUE)	% < #4 SIEVE	% < #200 SIEVE	▲ SPT N VALUE ▲		
										PL	MC	LL
			TOPSOIL: 8 inches									
			CLAYEY SILT: brown, with sand, with rock fragments, moist, medium stiff, possible fill, (ML)	SS S1	0.0	78	2-2-10 (12)					
				SS S2	2.5	66	1-3-3 (6)					
490	5		SANDY SILT: tan, moist, medium dense, (ML)	SS S3	5.0	100	8-5-6 (11)		29			
			DECOMPOSED ROCK: gray, very dense Auger and Spoon Refusal at 8.2 feet.	SS S4	7.5	100	50/2"					
			PHYLLITE: blue brown, and green, fine, thinly bedded, slightly weathered	SS S5	8.4	100	50/1"					
485	10			RC C1	8.5	97						
			PHYLLITE: blue brown, and green, fine, thinly bedded, slightly weathered		13.5	100						
480	15			C2	18.5	(23)						
			End of Boring at 18.5 feet.									

GEO TECH IN PLOTS 084088 LOGS.GPJ BORINGS_CURRENT_12_7_08.GDT 3/28/08

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BORING NUMBER B-07

PAGE 1 OF 1

CLIENT Swan Investors PROJECT NAME Hilltop House Hotel Development
 PROJECT NUMBER 084088 PROJECT LOCATION Harpers Ferry, WV
 DATE STARTED 3/18/08 COMPLETED 3/18/08 GROUND ELEVATION 486.7 ft CAVE-IN DEPTH 5'
 DRILLING CONTRACTOR Connelley and Associates Inc. GROUND WATER LEVELS:
 DRILLING METHOD HSA AT TIME OF DRILLING None
 LOGGED BY S. Gyuris CHECKED BY A. Nouri AT END OF DRILLING None
 NOTES AFTER DRILLING None

ELEVATION (ft)	DEPTH (ft)	GRAPHIC LOG	MATERIAL DESCRIPTION	SAMPLE TYPE NUMBER	SAMPLE DEPTH (ft)	RECOVERY % (ROD)	BLOW COUNTS (N VALUE)	% < #4 SIEVE	% < #200 SIEVE	▲ SPT N VALUE ▲			
										PL	MC	LL	
			Topsoil 12"							20	40	60	80
			SANDY SILT: tan and black, with rock fragments, moist, (MLS)	X SS S1	0.0 1.5	100	1-1-1 (2)						
485			SILT: tan, with rock fragments, medium dense, (ML)	X SS S2	2.5 4.0	100	2-8-14 (22)						
	5		DECOMPOSED ROCK: very dense	X SS S3	5.0 6.5	100	26-29-31 (90)						
				SS S4	7.0 7.3		60/4"						>>
			Auger and Spoon Refusal at 8.6 feet.	SS S5	8.5 8.6	83	60/1"						>>

GECOTECH BH PLOTS ORANGE LOGS.OP1 BORING CURRENT 12.7 IN. GWT 3/18/08

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Geotechnical & Foundation Engineering

BORING NUMBER B-08

PAGE 1 OF 1

CLIENT Swan Investors PROJECT NAME Hilltop House Hotel Development
 PROJECT NUMBER 084088 PROJECT LOCATION Harpers Ferry, WV
 DATE STARTED 3/18/08 COMPLETED 3/18/08 GROUND ELEVATION 489.19 ft CAVE-IN DEPTH 8'
 DRILLING CONTRACTOR Connelley and Associates Inc. GROUND WATER LEVELS:
 DRILLING METHOD HSA AT TIME OF DRILLING None
 LOGGED BY S. Gyuris CHECKED BY A. Nouri AT END OF DRILLING None
 NOTES AFTER DRILLING None

ELEVATION (ft)	DEPTH (ft)	GRAPHIC LOG	MATERIAL DESCRIPTION	SAMPLE TYPE NUMBER	SAMPLE DEPTH (ft)	RECOVERY % (ROD)	BLOW COUNTS (N VALUE)	% < #4 SIEVE	% < #200 SIEVE	▲ SPT N VALUE ▲							
										PL	MC	LL					
			TOPSOIL: 10 inches														
			SILTY CLAY: light brown, trace rock fragments, moist, soft, FILL	S1	0.0 1.5	100	1-2-1 (3)										
485	5		SANDY SILT: tan, some rock fragments, moist, medium dense, (ML)	S2	2.5 4.0	100	6-7-10 (17)		42								
			SILT: whiteish tan and red, and rock fragments, dry, very dense, (ML)	S3	5.0 6.5	100	11-26-25 (51)										
480			DECOMPOSED ROCK	S4	8.5	100	50/5"										
			Auger and Spoon Refusal at 9.2 feet.	S5	8.9		50/3"										
				S6	9.2		50/0"										

GEOTECH BH PLOTS 084088 LOGS.GPJ BORINGS CURRENT 12.7.06.GDT 3/20/08

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BORING NUMBER B-09

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CLIENT Swan Investors

PROJECT NAME Hilltop House Hotel Development

PROJECT NUMBER 084088

PROJECT LOCATION Harpers Ferry, WV

DATE STARTED 3/17/08 COMPLETED 3/17/08

GROUND ELEVATION 493.64 ft CAVE-IN DEPTH 7.5'

DRILLING CONTRACTOR Connelley and Associates Inc.

GROUND WATER LEVELS:

DRILLING METHOD HSA

AT TIME OF DRILLING None

LOGGED BY S. Gyrish CHECKED BY A. Nouri

AT END OF DRILLING None

NOTES _____

AFTER DRILLING None

ELEVATION (ft)	DEPTH (ft)	GRAPHIC LOG	MATERIAL DESCRIPTION	SAMPLE TYPE NUMBER	SAMPLE DEPTH (ft)	RECOVERY % (FOO)	BLOW COUNTS (N VALUE)	% < #4 SIEVE	% < #200 SIEVE	▲ SPT N VALUE ▲			
										PL	MC	LL	
			TOPSOIL: 7 inches	S1	0.0 1.5	100	1-2-2 (4)						
			SILT: tan, some rock fragments, dry, (ML)										
490	6		Grades to medium dense	S2	2.5 4.0	100	4-7-11 (18)						
			DECOMPOSED ROCK: very dense	S3	5.0 6.3	1	21-38- 50/4"						
485	10			S4	8.5 8.8	100	50/3"						
480			Auger Refusal at 14.4 feet.	S5	13.6 14.4	100	13-50/5"						

GSEOTECH \PLOTS 084088 LOGS.GPJ BORINGS CURRENT 12 7 08.GDT 3/26/08

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BORING NUMBER B-10

PAGE 1 OF 1

CLIENT Swan Investors PROJECT NAME Hilltop House Hotel Development
 PROJECT NUMBER 064088 PROJECT LOCATION Harpers Ferry, WV
 DATE STARTED 3/18/08 COMPLETED 3/18/08 GROUND ELEVATION 492.84 ft CAVE-IN DEPTH _____
 DRILLING CONTRACTOR Connelley and Associates Inc. GROUND WATER LEVELS:
 DRILLING METHOD HSA AT TIME OF DRILLING None
 LOGGED BY S. Gyurisn CHECKED BY A. Nouri AT END OF DRILLING None
 NOTES _____ AFTER DRILLING None

ELEVATION (ft)	DEPTH (ft)	GRAPHIC LOG	MATERIAL DESCRIPTION	SAMPLE TYPE NUMBER	SAMPLE DEPTH (ft)	RECOVERY % (RQD)	BLOW COUNTS (N VALUE)	% < #4 SIEVE	% < #200 SIEVE	▲ SPT N VALUE ▲			
										PL	MC	LL	
490	5	[Cross-hatched pattern]	Crushed Stone and brown Silt 10 inches	S1	0.0 1.5	100	8-9-7 (16)			20	40	60	80
			CLAYEY SILT: reddish tan, moist, stiff, (ML)	S2	2.5 4.0	100	2-5-5 (10)						
485	10	[Vertical lines]	Grades to very stiff	S3	5.0 6.5	100	6-7-9 (16)						
			SILT: yellowish tan, dry, very dense, (ML)	S4	8.5 10.0	100	11-20-34 (64)						
480	15	[Vertical lines]	Auger and Spoon Refusal at 16.6 feet.	S5	13.5 15.0	100	13-13-21 (34)						
				S6	16.5 16.6	100	50/1"						

GEOTECH BH PLOTS 06/068 LOGS.GPJ BORINGS CURRENT 12_7_06.GDT 3/28/08

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BORING NUMBER B-11

PAGE 1 OF 1

CLIENT Swan Investors PROJECT NAME Hilltop House Hotel Development
 PROJECT NUMBER 084088 PROJECT LOCATION Harpers Ferry, WV
 DATE STARTED 3/17/08 COMPLETED 3/17/08 GROUND ELEVATION 495.37 ft CAVE-IN DEPTH 7'
 DRILLING CONTRACTOR Connolley and Associates Inc. GROUND WATER LEVELS:
 DRILLING METHOD HSA AT TIME OF DRILLING None
 LOGGED BY S. Gyurisn CHECKED BY A. Nour AT END OF DRILLING None
 AFTER DRILLING None

ELEVATION (ft)	DEPTH (ft)	GRAPHIC LOG	MATERIAL DESCRIPTION	SAMPLE TYPE NUMBER	SAMPLE DEPTH (ft)	RECOVERY % (ROD)	BLOW COUNTS (N VALUE)	% < #4 SIEVE	% < #200 SIEVE	▲ SPT N VALUE ▲					
										PL	MC	LL			
			TOPSOIL: 3 inches								20	40	60	80	
			SILTY CLAY: reddish brown, moist, FILL Black, sand, rock fragments, dry, FILL	S1	0.0 1.6	100	1-2-2 (4)								
			SILT: gray and brown, trace sand, little rock fragments, dry, medium dense, (ML).	S2	2.6 4.0	100	8-8-8 (14)								
490	5			S3	5.0 6.5	100	5-7-10 (17)								
			Grades to dense	S4	8.5 10.0	100	12-19-19 (38)								
485	10			S5	13.5 14.8	100	47-48- 50/3"								
			DECOMPOSED ROCK: very dense Auger Refusal at 14.8 feet.												

GEO TECH BH PLOTS DECOMPOSED ROCK BORINGS CURRENT 12.7.08.G007 2/20/08

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Geotechnical & Forensic Engineering

BORING NUMBER B-12

PAGE 1 OF 1

CLIENT Swan Investors PROJECT NAME Hilltop House Hotel Development
 PROJECT NUMBER 084088 PROJECT LOCATION Harpers Ferry, WV
 DATE STARTED 3/17/08 COMPLETED 3/17/08 GROUND ELEVATION 499.42 ft CAVE-IN DEPTH 2.75'
 DRILLING CONTRACTOR Connelley and Associates Inc. GROUND WATER LEVELS:
 DRILLING METHOD HSA AT TIME OF DRILLING None
 LOGGED BY S. Gyurisfn CHECKED BY A. Nauri AT END OF DRILLING None
 NOTES _____ AFTER DRILLING None

ELEVATION (ft)	DEPTH (ft)	GRAPHIC LOG	MATERIAL DESCRIPTION	SAMPLE TYPE NUMBER	SAMPLE DEPTH (ft)	RECOVERY % (ROD)	BLOW COUNTS (N VALUE)	% < #4 SIEVE	% < #200 SIEVE	▲ SPT N VALUE ▲			
										PL	MC	LL	
495	5		ASPHALT: 3 inches	S1	0.0								
			CRUSHED STONE: 3 inches		1.5	88	22-15-25 (40)						
			SILT: tan, trace sand, dry, dense, possible fill										
			DECOMPOSED ROCK: very dense	S2	2.5	100	50/4"						
			Auger and Spoon Refusal at 6.0 feet.	S3	5.0	80	50/5"						
				S4	5.4								
					6.0		50/0"						
					6.0								

GEOTECH IN PLOTS 08-088 LOGS.GPJ BORINGS CURRENT 12.7.08.GDT 3/23/08

SPECIALIZED ENGINEERING

Construction Quality Control/Environmental Consulting
Geotechnical & Forensic Engineering

BORING NUMBER B-13

PAGE 1 OF 1

CLIENT Swan Investors

PROJECT NAME Hilltop House Hotel Development

PROJECT NUMBER 084088

PROJECT LOCATION Harpers Ferry, WV

DATE STARTED 3/17/08 COMPLETED 3/17/08

GROUND ELEVATION 497.79 ft CAVE-IN DEPTH 7'

DRILLING CONTRACTOR Connelley and Associates Inc.

GROUND WATER LEVELS:

DRILLING METHOD HSA

AT TIME OF DRILLING None

LOGGED BY S. Gyurisln CHECKED BY A. Nouri

AT END OF DRILLING None

NOTES _____

AFTER DRILLING None

ELEVATION (ft)	DEPTH (ft)	GRAPHIC LOG	MATERIAL DESCRIPTION	SAMPLE TYPE NUMBER	SAMPLE DEPTH (ft)	RECOVERY % (ROD)	BLOW COUNTS (N VALUE)	% < #4 SIEVE	% < #200 SIEVE	▲ SPT N VALUE ▲			
										PL	MC	LL	
495	5		Fill: Crushed stone with silty clay	S1	0.0 1.5	44	7-6-6 (12)			20	40	60	80
			SILT: gray and red, and rock fragments, dry, dense, (ML)	S2	2.5 4.0	100	12-17-15 (32)						
			Grades to trace rock fragments	S3	5.0 6.5	100	12-14-24 (38)						
490	10		DECOMPOSED ROCK: tan, dry, very dense, sandy silt	S4	8.5 9.3	100	24-50/3"						
485				S5	13.5 13.7	100	50/2"						
			Spoon Refusal at 14.6 feet.	S6	14.5 14.6	100	50/1"						

GSETECH\EM1 PLOTS\BORING LOGS\OPJ BORING CURRNT\12.7_08.DOT 3/20/08

SPECIALIZED ENGINEERING

Construction Quality Control-Environmental Consulting
Geotechnical & Forensic Engineering

BORING NUMBER B-14

PAGE 1 OF 1

CLIENT Swan Investors PROJECT NAME Hilltop House Hotel Development
 PROJECT NUMBER 084088 PROJECT LOCATION Harpers Ferry, WV
 DATE STARTED 3/17/08 COMPLETED 3/17/08 GROUND ELEVATION 477.06 ft CAVE-IN DEPTH 4'
 DRILLING CONTRACTOR Connelley and Associates Inc. GROUND WATER LEVELS:
 DRILLING METHOD HSA AT TIME OF DRILLING None
 LOGGED BY S. Gyuris CHECKED BY A. Nouri AT END OF DRILLING None
 NOTES AFTER DRILLING None

ELEVATION (ft)	DEPTH (ft)	GRAPHIC LOG	MATERIAL DESCRIPTION	SAMPLE TYPE NUMBER	SAMPLE DEPTH (ft)	RECOVERY % (RQD)	BLOW COUNTS (N VALUE)	% < #4 SIEVE	% < #200 SIEVE	▲ SPT N VALUE ▲			
										PL	MC	LI	
475			TOPSOIL: 3 inches SILT: tan and black, little rock fragments, little sand, moist, loose, (ML).	S1	0.0 1.5	100	2-4-6 (10)						
	6		DECOMPOSED ROCK: tan, with rock fragments, dry, very dense, silt	S2	2.5 2.8	100	50/3"						
470				S3	5.0 5.3	26	50/4"						
			Spoon Refusal at 8.4 feet.	S4	8.3 8.4	100	50/1"						

GEOTECH BH PLOTS 084088 LOGS OF J BORINGS CURRENT 12.7.08 GDT 3/28/08

APPENDIX C

Laboratory Test Results



SPECIALIZED ENGINEERING
Engineers • Geologists • Inspectors

SPECIALIZED ENGINEERING

Construction Quality Control - Environmental Consulting
Geotechnical & Forensic Engineering

SUMMARY OF TEST RESULTS

PAGE 1 OF 2

CLIENT Swan Investors

PROJECT NAME Hilltop House Hotel Development

PROJECT NUMBER 084088

PROJECT LOCATION Harpers Ferry, WV

Borehole	Depth (ft)	Classification	Liquid Limit	Plastic Limit	Plasticity Index	Moisture Content (%)	%<#4 Sieve	%<#200 Sieve	N Value	Other Tests
B-01	0								(9)	
B-01	2.5					35		10	(22)	
B-01	5								(65)	
B-01	8.5									
B-01	12.5									
B-02	0								(11)	
B-02	2.5					9.2			(24)	
B-02	5								(77)	
B-02	8.5					12			(86)	
B-02	13.5									
B-03	0								(4)	
B-03	2.5								(2)	
B-03	5					12		29	(8)	
B-03	8.5					4.6			(69)	
B-03	13.5									
B-04	0								(20)	
B-04	2.5					3				
B-04	5									
B-04	5.1									
B-04	10.1									
B-05	0								(4)	
B-05	2.5					18.2			(12)	
B-05	5								(4)	
B-05	8.5					5.2			(29)	
B-05	13.5					4.74		15	(60)	
B-05	18.5									
B-05	19.5									
B-05	24.5									
B-06	0					9.2			(12)	
B-06	2.5		29	2	27	17.3			(6)	
B-06	5					14.2		29	(11)	
B-06	7.5									
B-06	8.4									
B-06	8.5									
B-06	13.5									
B-07	0								(2)	
B-07	2.5					5			(22)	
B-07	5					3.8			(60)	
B-07	7									
B-07	8.5									
B-08	0								(3)	
B-08	2.5					17.3		42	(17)	

SUMMARY OF ALL SAMPLE TEST RESULTS 084088 LOGS.GPJ GINT US.GDT 2/26/08

SPECIALIZED ENGINEERING

Construction Quality Control/Environmental Consulting
Geotechnical & Pavement Engineering

SUMMARY OF TEST RESULTS

PAGE 2 OF 2

CLIENT Swan Investors

PROJECT NAME Hilltop House Hotel Development

PROJECT NUMBER 084088

PROJECT LOCATION Harpers Ferry, WV

Borehole	Depth (ft)	Classification	Liquid Limit	Plastic Limit	Plasticity Index	Moisture Content (%)	% <#4 Sieve	% <#200 Sieve	N Value	Other Tests
B-08	5					6.8			(51)	
B-08	8.5									
B-08	8.9									
B-08	9.2									
B-09	0								(4)	
B-09	2.5					12.4			(18)	
B-09	5					9			(88)	
B-09	8.5									
B-09	13.5									
B-10	0								(16)	
B-10	2.5		43	10	33	23.3			(10)	
B-10	5								(16)	
B-10	8.5					10.8			(54)	
B-10	13.5								(34)	
B-10	16.5									
B-11	0								(4)	
B-11	2.5					11.3			(14)	
B-11	5		28	23	5	9.7			(17)	
B-11	8.5					7.4			(38)	
B-11	13.5								(96)	
B-12	0					6.2			(40)	
B-12	2.5									
B-12	5									
B-12	6									
B-13	0								(12)	
B-13	2.5					8.7			(32)	
B-13	5					13.8			(38)	
B-13	8.5									
B-13	13.5									
B-13	14.5									
B-14	0					10.3			(10)	
B-14	2.5					2.3				
B-14	5									
B-14	8.3									

SUMMARY OF ALL SAMPLE TEST RESULTS 084088 LOGS.GPJ GINT US.GDT 3/28/08

APPENDIX D
ASFE Bulletin



SPECIALIZED ENGINEERING
Engineers • Geologists • Inspectors

Important Information About Your Geotechnical Engineering Report

Subsurface problems are a principal cause of construction delays, cost overruns, claims, and disputes.

The following information is provided to help you manage your risks.

Geotechnical Services Are Performed for Specific Purposes, Persons, and Projects

Geotechnical engineers structure their services to meet the specific needs of their clients. A geotechnical engineering study conducted for a client may meet only a limited number of your construction objectives, or may address only one aspect. Therefore, it is important to understand the scope and limitations of the geotechnical engineering study performed for the project. Before you apply the findings of your geotechnical engineering report to a project, first confer with the geotechnical engineer who prepared it. A geotechnical engineer *not* involved in a project should apply the report to any proposed project except the one originally contemplated.

Read the Full Report

Service problems have occurred because clients rely on a geotechnical engineering report without reading it. Before you use an engineering report, you must read it carefully.

A Geotechnical Engineering Report is Based on A Unique Set of Project-Specific Factors

Geotechnical engineers consider a number of unique, project-specific factors when establishing the scope of a study. Typical factors include: the client's goals, objectives, and risk management preferences; the ground nature of the structure involved; its size and configuration; the location of the structure on the site; and other proposed or existing site improvements such as access roads, parking lots, and underground utilities. Unless the geotechnical engineer who conducted the study specifically indicates otherwise, *do not rely on a geotechnical engineering report that was*

- not prepared for you
- not prepared for your project
- not prepared for the specific site explored, or
- completed before important project changes were made.

Typical changes that can erode the reliability of an existing geotechnical engineering report include those that affect:

- the location of the proposed structure, as when it is changed from a parking garage to an office building, or from a light industrial plant to a refrigerated warehouse.

- elevation, configuration, location, orientation, or weight of the proposed structure
- composition of the design team or
- project ownership.

A geotechnical engineer should never geotechnical engineering report to be used on other projects, and request an assessment of that impact. *Do not rely on a geotechnical engineering report unless you accept responsibility or liability for problems that arise because of unanticipated developments or when they are not intended.*

Subsurface Conditions Can Change

A geotechnical engineering report is based on conditions that existed at the time the study was performed. *Do not rely on a geotechnical engineering report if subsurface conditions may have been affected by the passage of time. Unanticipated events, such as soil stabilization or adjacent projects, can affect subsurface conditions. Factors such as earthquakes or groundwater fluctuations always exist. The geotechnical engineer before applying the report to develop a project should evaluate. A limited amount of additional testing and analysis could prevent major problems.*

Most Geotechnical Findings Are Professional Opinions

Site exploration identifies subsurface conditions only at those points where subsurface tests are conducted or samples are taken. Geotechnical engineers review field and laboratory data and then apply their professional judgment to render an opinion about subsurface conditions throughout the site. Actual subsurface conditions may differ - - sometimes significantly - from those indicated in your report. Retaining the geotechnical engineer who developed your report to provide construction observation is the most effective method of managing the risks associated with unanticipated conditions.

A Report's Recommendations Are Not Final

Do not over-rely on the construction recommendations included in your report. *These recommendations are not final*, because geotechnical engineers develop them principally from judgment and opinion. Geotechnical engineers can finalize their recommendations only by observing actual

subsurface could be significant. For a detailed list of geotechnical engineers who do not accept either direct or indirect responsibility for the results of a geotechnical engineering report, download our new construction observatory.

A Geotechnical Engineering Report Is Subject to Misinterpretation

Other design team members' misinterpretation of geotechnical engineering reports has resulted in costly problems. Lower the risk by having your geotechnical engineer confer with appropriate members of the design team after submitting the report. Also, retain your geotechnical engineer to review pertinent elements of the design team's plans and specifications. Contractors can also misinterpret a geotechnical engineering report. Reduce that risk by having your geotechnical engineer participate in critical pre-construction conferences and by providing construction observations.

Do Not Redraw the Engineer's Logs

Geotechnical engineers prepare field boring and test log reports and the interpretation of test logs and accuracy data. To prevent errors or omissions, the logs included in a geotechnical engineering report should never be redrawn for inclusion in architectural or structural drawings. Only photographic reproductions of logs are acceptable. But to ensure that a photograph was taken from the report, include the following:

Give Contractors a Complete Report and Guidance

Some owners and design professionals mistakenly believe that the contract is liable for unanticipated subsurface conditions by force majeure they provide for bid preparation. To help prevent costly problems, give contractors the complete geotechnical engineering report, but prefaced with a clearly written letter of transmittal that offers advice on factors that the report was not intended for purposes of bid development and that the report is advisory. It should also state that the geotechnical engineer who prepared the report is not liable for any cost overruns or other claims that result from the report's use. The letter should also state that the geotechnical engineer is not liable for any cost overruns or other claims that result from the report's use. The letter should also state that the geotechnical engineer is not liable for any cost overruns or other claims that result from the report's use. The letter should also state that the geotechnical engineer is not liable for any cost overruns or other claims that result from the report's use.

Read Responsibility Provisions Closely

Some clients, design professionals, and contractors do not recognize that geotechnical engineering is far less exact than other engineering disciplines. This lack of understanding has created unrealistic expectations that

lead to a disproportionate claim against geotechnical engineers. The first of such problems, geotechnical engineers, commonly include a variety of extraordinary provisions in their reports. Sometimes drafted in reliance on a lawyer, these provisions tend to place geotechnical engineers' responsibilities beyond repair and to be difficult to ignore. They state responsibilities and risks. *Read these provisions closely.* Ask questions. Your geotechnical engineer should responsibly and frankly

Geoenvironmental Concerns Are Not Covered

The equipment, techniques, and personnel used to perform a *geoenvironmental* study differ significantly from those used to perform a *geotechnical* study. For that reason, a geotechnical engineering report does not usually address geoenvironmental concerns, such as issues in connection with: (a) about the location of hazardous and underground storage tanks or reported contamination; (b) *identified environmental problems have not been fully investigated.* If you have not yet retained your own geoenvironmental consultant, use your geotechnical consultant for use over appropriate areas. *Do not rely on a geotechnical report prepared by someone else.*

Obtain Professional Assistance To Deal with Mold

Diverse state agencies regulate building design, construction, quality, and maintenance. To prevent errors and omissions of mold from growing in or on a structure, the following all-risk strategies should be developed in the engineering report and integrated into a construction plan and contract with the contractor's ability to address a mold prevention consultant. Because just a small amount of water or moisture can lead to the development of severe mold infestations, a variety of mold prevention strategies focus on keeping building surfaces dry. While groundwater, water infiltration, and similar issues may have been addressed at part of the geotechnical engineering study, whose findings are covered in this report, the geotechnical engineer is charged with providing mold prevention recommendations. *none of the services performed in connection with the geotechnical engineer's study were designed or conducted for the purpose of mold prevention in this report will not of itself be sufficient to prevent mold from growing in or on the structure involved.*

Rely on Your ASFE-Member Geotechnical Engineer for Additional Assistance

Membership in ASFE/The Best People on Earth exposes geotechnical engineers to a wide array of risk management techniques that can be of genuine benefit for everyone involved with a construction project. Confer with your ASFE-member geotechnical engineer for more information.



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