



HILL TOP HOUSE HOTEL

HARPERS FERRY, WV

Notice of Hill Top House Hotel Pre-Permit Submittal and Schedule

This is the agreed upon notification to the WVDED that SWaN Hill Top has submitted the following permit plan for third-party plan review. This will initiate the agreed upon streamlined schedule outlined below.

Permit: Demolition Permit Plan

Engineer of Record: Gordon & Associates

Third Party Reviewer: Urban, LTD

Date Submitted: October 14, 2021

Schedule:

| | |
|----------|---|
| 10-14-21 | Submitted to Third-Party Plan Reviewer |
| 10-28-21 | Third-Party Plan Reviewer's Letter of Recommendation or Review Comments Due |

Once SWaN has received the Third-Party Plan Reviewer's Letter of Recommendation we will provide to the WVDED for a 10-day review.

Appreciatively,

Laurel Ziemianski
SWaN Hill Top House Hotel Project Manager



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Notice of Hill Top House Hotel Site Activity #001

This is a notification to the WVDED that SWaN Hill Top will be installing a six-foot construction safety fence at the Tourism Development District (TDD) boundary. This is a life-safety measure used to secure the construction site.

The completion of this fencing will temporarily close:

- Columbia Street north of Washington Street
- East Ridge Street east of TDD boundary
- Promontory Overlook
- Columbia Street Overlook

The above areas will reopen to the public for 24/7 access once the proposed Hill Top House Hotel is constructed and operating.

Appreciatively,

Laurel Ziemianski
SWaN Hill Top House Hotel Project Manager



HILL TOP HOUSE HOTEL

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Notice of Hill Top House Hotel Site Activity #002

This is a notification to the WVDED that SWaN Hill Top will be installing MOT (Maintenance of Traffic) signs at the Tourism Development District (TDD) boundary on Thursday, November 11, 2021. This is a common standard completed before road closures due to construction.

Also, in preparation for upcoming demolition, movable barriers will be placed near road fence gates. The road gates will remain open until the demolition team mobilizes in a few weeks.

As a reminder, demolition will temporarily close:

- Columbia Street north of Washington Street
- East Ridge Street east of TDD boundary
- Promontory Overlook
- Columbia Street Overlook

The above areas will reopen to the public for 24/7 access once the proposed Hill Top House Hotel is constructed and operating.

Appreciatively,

Laurel Ziemianski
SWaN Hill Top House Hotel Project Manager



HILL TOP HOUSE HOTEL

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Notice of Hill Top House Hotel Permit Application Submittal Permit #001

This is notification to the WVDED that SWaN Hill Top is submitting the following permit application for their review and approval. This will initiate the agreed upon 10-day review process.

**Permit: Roof Replacement Permit Application
500 E Ridge St.
Harpers Ferry, WV 25425**

General Contractor: Pinnacle Enterprises, LLC

Third Party Reviewer: Not applicable

Date Submitted: November 24, 2021

Schedule:

| | |
|----------|--|
| 11-24-21 | Submitted to WVDED for Review |
| 12-10-21 | Review Comments or Approved Permit Placard Due |

Once SWaN has received the approved permit we will schedule the contractor to begin.

Appreciatively,

Laurel Ziemianski
SWaN Hill Top House Hotel Project Manager



HILL TOP HOUSE HOTEL

HARPERS FERRY, WV

Notice of Hill Top House Hotel Permit Application Submittal Permit #002

This is notification to the WVDED that SWaN Hill Top is submitting the following permit application for their review and approval. This will initiate the agreed upon 10-day review process.

**Permit: Demolition Permit Application
400 E Ridge St.
Harpers Ferry, WV 25425**

General Contractor: Turner Construction Co.

Third Party Reviewer: Urban, Ltd.

Date Submitted: November 24, 2021

Schedule:

| | |
|----------|--|
| 11-24-21 | Submitted to WVDED for Review |
| 12-10-21 | Review Comments or Approved Permit Placard Due |

Once SWaN has received the approved permit we will schedule the contractor to begin.

Appreciatively,

Laurel Ziemianski
SWaN Hill Top House Hotel Project Manager



HILL TOP HOUSE HOTEL

HARPERS FERRY, WV

**Notice of Hill Top House Hotel Site Activity
#003**

This is a notification to the WVDED that SWaN Hill Top is beginning the roof replacement at 500 E Ridge Street on December 20, 2021. This was approved by WVDED Hill Top TDD Permit 21-1148TDD (attached) on December 10, 2021.

Appreciatively,

Laurel Ziemianski
SWaN Hill Top House Hotel Project Manager



HILL TOP HOUSE HOTEL

HARPERS FERRY, WV

Notice of Hill Top House Hotel Site Activity #004

This is a notification to the WVDED that SWaN Hill Top is slipping the beginning of the demolition process at 400 E Ridge Street, from Monday, January 10, 2022, to Wednesday, January 12, 2022. Both gates will be locked at the onset of demolition activity for life-safety measures.

Site access will be for authorized personnel only beginning that day.

Appreciatively,

Laurel Ziemianski
SWaN Hill Top House Hotel Project Manager



HILL TOP HOUSE HOTEL

HARPERS FERRY, WV

**Notice of Hill Top House Hotel Site Activity
#005**

This is a notification to the WVDED that SWaN Hill Top is beginning the demolition mobilization process at 400 E Ridge Street on Wednesday, January 12, 2022. Both gates will not be locked until the environmental group begins on site activity next week.

Appreciatively,

Laurel Ziemianski
SWaN Hill Top House Hotel Project Manager



HILL TOP HOUSE HOTEL

HARPERS FERRY, WV

VIA ELECTRONIC MAIL: megan.e.smith@wv.gov

Meghan Smith
Manager, Business and Industrial Development
West Virginia Department of Economic Development
1900 Kanawha Blvd. East
Charleston, West Virginia 25305

April 2, 2024

Re: SWaN Hill Top House Hotel, LLC
Hill Top House Hotel Building Permit Applications

Dear Ms. Smith,

The Hill Top House Hotel project will be submitting three building permit applications next week for WVDED to review and approve. This letter serves as a courtesy notification of submittal of these permit applications.

The three structures which we will be applying for building permits are:

- 1) Main Hotel
- 2) Lodge
- 3) Yellow House

We will be sending a ShareFile with folders in the following format:

- Folder 1: Final Plan for Review
 - Final Plan (to be used for review)
 - Letter of Recommendation (Third-Party)
 - Completed application form
- Folder 2: Comment Cycle 1
 - Cycle 1 plan set
 - Cycle 1 Comments
 - Cycle 1 Responses
- Folder 3: Comment Cycle 2
 - Cycle 2 plan set
 - Cycle 2 Comments
 - Cycle 2 Responses
-etc.

Referencing and noting the TDD Agreement, Exhibit F, Section 4.12.2, Building Permits, f:

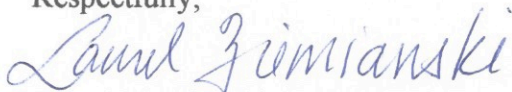
f. Upon receipt of such Recommendation and once Site Permit has been secured, the West Virginia State Development Office will then have ten (10) business days to issue an approval of the Building Permit Drawings, based on the Recommendation of the Third-Party Plan Reviewer. This approval by the Development Office shall serve as the de-facto Building Permit.

The Third-Party Plan Reviewer has reviewed these plans extensively and in detail according to the listed Standards and Guidelines agreed upon in the TDD Agreement, Exhibit F, 4.14.1, and has issued their Letters of Recommendation which are placed in the "Final Plan for Review" Folder electronically accessed by ShareFile. The 10-day review period will begin on the date these applications are received at your office.

Also, we are sending a ShareFile Folder for the Site Plan with the permit application, as you recall, was filed with your office in November 2023. Please acknowledge approval as per Section "f" above.

We are excited to be reaching this milestone and appreciate your hard work and dedication to this project!

Respectfully,



Laurel Ziemianski
SWaN Hill Top House Hotel Project Manager
C: 703-728-4160
lziemianski@swaninvestors.com



Department of Homeland Security

Cabinet Secretary Mark A. Sorsaia
State Fire Marshal Kenneth E. Tyree, Jr.

Phone: (304) 558-2191

Fax: (304) 558-2537

OFFICE OF THE STATE FIRE MARSHAL

WV State Fire Commission - 4th Floor North
1700 MacCorkle Ave SE
Charleston, WV 25314
www.firemarshal.wv.gov

March 8, 2024

M. Arthur Gensler Jr. & Associates (Variance Request Submitter)

Contact Ph# (202) 368-9946

Attn: Derek Ware

2020 K Street, Suite 200

Washington DC 20006

Ref Project: **Modification Request Response** for Hill Top House Hotel;

Jefferson Co./ Address: 400 East Ridge St., Harpers Ferry WV 25425

Arch Dwg Pending Submittal/Hotel

Type Const.: II (222)

Stories: 4 SF: tbd

Dear Mr. Derek Ware:

The request for modification for this future pending project has been received and reviewed. The plans for the referenced project have not been submitted yet and nor has construction begun on this project at this time but is pending in the future. This future review relates to State Fire Code requirements only. It does not address Building Code or ADA requirements. **The above referenced request includes the following comments:**

1. As the Authority Having Jurisdiction, this modification request is being accepted and approved based on nationally recognized standards that have been in applicable national consensus standards for years and also our newly passed 2024 legislation, pending completion which includes updates to the State Fire Code that will recognize buildings at or exceeding 75 foot in height from the highest occupiable story as High Rise Buildings, thus eliminating the current 40 foot high rise definition rule. It is understood that the entire project will be reviewed by these codes currently completing the legislative process.
2. We will look forward to this pending project's architectural, mechanical, electrical, plumbing, and fire protection plan review submissions and look forward to not only working with you as the designers but with all general contractors and sub-contractors licensed and acquired for this project.
3. Project's plan(s) submittal intent shall be to meet the WV State Fire Code and other applicable codes and standards which are adopted as a part of the WV State Fire Code (see 87-1-2)

*The Authority Having Jurisdiction (AHJ), and other individuals charged by the AHJ, charged with the enforcement of this Code or any other official duties, acting in good faith and without malice in the discharge of their duties, shall not thereby be rendered personally liable for any damage that could accrue to persons or property as a result of any act or by reason of any act or omission in the discharge of their duties. The AHJ, acting in good faith and without malice in the discharge of the organizations' public duty, shall not thereby be rendered liable for any damage that could accrue to persons or property as a result of any act or by reason of any act or omission in the discharge of such duties. Any suit brought against the AHJ, or such individuals because of such act or omission performed in the enforcement of any provision of such codes or other pertinent laws or ordinances implemented through the enforcement of this Code or enforced by the code enforcement agency shall be defended by this jurisdiction until final termination of such proceedings, and any

judgment resulting therefrom shall be assumed by this jurisdiction. This Code shall not be construed to relieve from or lessen the responsibility of any person owning, operating, or controlling any building or structure for any damages to persons or property caused by defects, nor shall the code enforcement agency or its parent jurisdiction be held as assuming any such liability by reason of the inspections authorized by this Code or any permits or certificates issued under this Code. (See NFPA 1, Section 1.9)

Please Note: WV State Fire Code, Section 2.1 states: *“The standards and requirements as set out and established by NFPA 1 OF THE 2021 edition of “The National Fire Codes” published by the National Fire Protection Association (“NFPA) and has the same force and effect as if set out verbatim in this rule and is hereby adopted and promulgated by the State Fire Commission as a part of the State Fire Code with the following exceptions or additions:...”.* **NFPA 1 and NFPA 101 which is a referenced publication of NFPA 1, Fire Code.**

Should you have any further questions about this request for a proposed modification that would be serviced by this office, contact us at 304-558-2191.

Yours for better fire protection,

Kenneth E. Tyree Jr.

Kenneth E. Tyree Jr.

State Fire Marshal

KET Jr.

Cc: Agsten Construction (Sam Hull), Dirar Ahmad, File, Inspection, Owner



Madison Dale LLC
Kevin D Ash
President
42395 Ryan Rd, STE 112-122
Brambleton, VA 20148

WV Department of Economic Development
1900 Kanawha Blvd.
Building 3, Suite 600
Charleston, WV 25305

Re: Hill Top House Hotel Monthly Update

Attn: Meghan Smith

October 2, 2023

SWaN Hill Top engaged Madison Dale LLC in November 2022 as a consultant to expertly analyze the Hill Top House Hotel design and budget in order to create a plan to value engineer the design for a \$140 million budget. After months of design and estimating iterations, the balance was met, and the construction documents began development. Earlier this month we submitted three of the construction documents (Site Plan, Yellow House and Lodge) for third-party review to seek recommendation letters in preparation for permit submittal to the WV Department of Economic Development. The estimated schedule is as follows:

Site Plan Review - The plan has already been submitted and we have the first round of comments. Urban Engineering, the third-party reviewer, will submit revisions to the third-party reviewer by September 22 and should have fully approved site plan by October 10.

The Yellow House - The Architectural, Structural, and MEP plans were submitted two weeks ago to third-party review. The third-party reviewer is Bowman consulting. They should have the first review comments to the design team by September 29. I would allot 30 days for responses back-and-forth for an approved plan to be out on or before October 30.

The Lodge - The Architectural, Structural, and MEP plans were submitted two weeks ago to third-party review. The third-party reviewer is Bowman consulting. They should have the first review comments to the design team by October 6. I would allot 30 days for responses back-and-forth for an approved plan to be out on or before November 6.

The Main Hotel - The Architectural plans from Gensler have been submitted to the third-party reviewer, Bowman. However, the structural and MEP plans are lagging by about 30 days. The third-party reviewer anticipates having first round comments on the architectural plans on or about October 16. We anticipate having structural and MEP comments approximately

November 15. This would put a full design set of plans for the hotel complete to the state on or about December 15.

Madison Dale LLC ensures that the TDD constraints quantifying significant change in square footage and budget are within the guidelines stated:

- Square footage change should not exceed 25,000 sqft.
- Budget change should not exceed \$15 million.

The SWaN Hill Top team is in the process of securing an incremental property tax financing incentive (TIF) with the Jefferson County Commission. The TIF application was submitted in June 2023, a public hearing was held in August 2023, and the decision awaits a vote after the fifth commissioner is appointed.

We hope to have a permit application submitted to your office for the Hill Top House Hotel site plan within the next two weeks. Please alert your consulting team at the Jefferson County Engineering and Planning Department that this first permit application is on the way.

Respectfully,
Kevin Ash
President
Madison Dale, LLC

A handwritten signature in black ink, appearing to read 'Kevin Ash', written in a cursive style.