

Timeline: Amazon Data Center Matter — Town of Warrenton, VA

Compiled from Town records, FOIA releases, meeting minutes, correspondence, contemporaneous news reporting, court opinions, and Commission analysis. Each entry carries a footnote with a short excerpt from its source; where the source is published online, the footnote links directly to it. Local documents held only in the Commission's source files (FOIA releases, internal correspondence, the CFFC-compiled spreadsheet) are cited by title but are not publicly linkable. Where sources conflict on a date, both are noted. This is a working draft and will be updated as the Commission's review continues.

Background (2007–2018)

May 2007 — Wilson's "Warrenton Greene" Planned Unit Development (PUD) application is submitted for the land near Country Chevrolet later purchased by Amazon.¹

June 2009 — The Planning Commission approves the Warrenton Greene rezoning application, associated special use permits, and zoning text amendment; the applicant withdraws in February 2011 due to the economy.²

September 2011 — Town Council receives a briefing from the county's economic development office on a data center proposal for the 43.2-acre parcel near Country Chevrolet: staff was "assisting Nina Weissberg on the use of the 43.2 acre parcel near Country Chevrolet for a data center," concluding a large center would need more power than the grid could then support.³

January 2016 — Town Council establishes several incentive zones (including technology, defense production, and tourism) allowing certain businesses to apply for tax rebates.⁴

July 11, 2017 — Town Council directs staff to "examine changes to the Zoning Ordinance" to bring economic development, including technology businesses, to Industrial-zoned land.⁵

January 23, 2018 — Planning Commission work session minutes show the Commission questioning where in Town a data center could be located; the topic is directed to a subcommittee before any action.⁶

March 13, 2018 — Center District Supervisor Chris Granger notes a meeting planned regarding the "proposed data center."⁷

¹"Wilson's Warrenton Greene application submitted for Planned Unit Development (PUD) in May 2007" — "Amazon Timeline Updated" (spreadsheet compiled by Citizens for Fauquier County, covering Feb. 2021–Feb. 2023; Commission source files)

²"The Planning Commission approved the rezoning application, SUP's and associated zoning text amendment (June 2009). Withdrawn by Applicant in Feb 2011 due to the economy." — "Amazon Timeline Updated" (spreadsheet compiled by Citizens for Fauquier County, covering Feb. 2021–Feb. 2023; Commission source files)

³"Mr. [David] Norden stated that the County Economic Development Office was assisting Nina Weissberg on the use of the 43.2 acre parcel near Country Chevrolet for a data center and the conclusion was to do a enormous data center but it would require a tremendous amount of power for which the grid is not here" — [FauquierNow, "Amazon's data center proposal for Warrenton: How we got here" \(James Jarvis, updated through Feb. 2023\)](#)

⁴"The council established several incentive zones, including technology, defense production and tourism, in which certain types of businesses would be able to apply for tax rebates." — [FauquierNow, "Amazon's data center proposal for Warrenton: How we got here" \(James Jarvis, updated through Feb. 2023\)](#)

⁵"The Warrenton Town Council asked staff to "examine changes to the Zoning Ordinance" that "may assist in bringing economic development within its boundaries," including "technology businesses." — [FauquierNow, "Amazon's data center proposal for Warrenton: How we got here" \(James Jarvis, updated through Feb. 2023\)](#)

⁶"The Commission questioned what a good location for a data center would be in Town. Staff is currently evaluation the industrial zone... This topic will be taken to a subcommittee first before any action is taken." — "Amazon Timeline Updated" (spreadsheet compiled by Citizens for Fauquier County, covering Feb. 2021–Feb. 2023; Commission source files)

⁷"Chris Granger, Center District Supervisor, notes a meeting planned for the "proposed data center." — "Amazon Timeline Updated" (spreadsheet compiled by Citizens for Fauquier County, covering Feb. 2021–Feb. 2023; Commission source files)

December 18, 2018 — The Warrenton Comprehensive Plan Background Report discusses the Town's national-security and technology-sector presence and asks how the Town can leverage growth in cybersecurity, data storage, and cloud centers for economic development.⁸

2019–2020

2019–2021 — The Town undertakes its Comprehensive Plan amendment process, including over 3,300 hours of public comment and response and 13 public hearings.⁹

2021

January 7–13, 2021 — CBRE broker Bob Gibbs delivers a Letter of Intent naming “Amazon Web Services, Inc. or its designee” as buyer of the 41.70-acre Weissberg property (parcel 6984-69-2419) for \$39,615,000 (\$950,000/acre); Wilson Land, LLC's Nina Weissberg signs January 13. The Letter of Intent is expressly “subject to a Nondisclosure Agreement in favor of Buyer” that will “exclude the identity of Buyer unless required to do so by law” — a confidentiality obligation over Amazon's role that predates, by more than six weeks, Amazon's outside counsel first contacting the Town.¹⁰

February 16, 2021 — The certified draft of the 2040 Comprehensive Plan states that “environmentally heavy uses that draw significant water, like data centers, are better served in locations not utilizing public water and sewer.”¹¹

February 24, 2021 — Amazon's outside counsel John Foote and land use planner Jessica Pfeiffer (Walsh, Colucci) contact Town Manager Brandie Schaeffer about a potential data center user and property. Rob Walton returns the call and mentions the old wire factory site.¹²

April 13, 2021 — Town Council adopts Plan Warrenton 2040, 6–1. During the same work session, Schaeffer requests Council initiate a data center zoning text amendment; Council unanimously approves a consent-agenda item directing staff to “analyze and prepare a text amendment.”¹³

May 25, 2021 — Planning Commission holds a work session on the proposed text amendment. Staff (Rob Walton) says the data center applicant “prefers to remain anonymous.” Vice Chair James

⁸“How can the Town leverage the growth in cybersecurity, data storage, and cloud centers as part of an economic development strategy to bring new residents and employers to Warrenton?” — “Amazon Timeline Updated” (spreadsheet compiled by Citizens for Fauquier County, covering Feb. 2021–Feb. 2023; Commission source files)

⁹“Town's amendment process of 2002 Comprehensive Plan, supplemented in 2009, includes over 3,300 hours of public comment and responses and 13 public hearings.” — “Amazon Timeline Updated” (spreadsheet compiled by Citizens for Fauquier County, covering Feb. 2021–Feb. 2023; Commission source files)

¹⁰“Buyer: Amazon Web Services, Inc. or its designee... Purchase Price: \$39,615,000 or \$950,000.00 per acre... Confidentiality: This Letter of Intent will be subject to a Nondisclosure Agreement in favor of Buyer. It is understood by Buyer that Seller may be legally required to disclose certain details of this transaction but will exclude the identity of Buyer unless required to do so by law.” — CBRE, Inc. (Bob Gibbs), Letter of Intent to Wilson Land, LLC re: Parcel 6984-69-2419, Jan. 7, 2021 — “Exhibit 3 – CBRE's Letter of Intent – Wilson Land LLC” (Commission source files)

¹¹“Environmentally heavy uses that draw significant water, like data centers, are better served in locations not utilizing public water and sewer.” — “Amazon Timeline Updated” (spreadsheet compiled by Citizens for Fauquier County, covering Feb. 2021–Feb. 2023; Commission source files)

¹²“John Foote (Foote) and Jessica Pfeiffer (Pfeiffer) contact Town Manager Brandie Schaeffer (Schaeffer) with potential data center user and property in mind... Rob Walton (Walton) returns the call - looking at old wire factory.” — “Amazon Timeline Updated” (spreadsheet compiled by Citizens for Fauquier County, covering Feb. 2021–Feb. 2023; Commission source files)

¹³“The council unanimously approved its consent agenda, which included a resolution directing staff to “analyze and prepare a text amendment to the Town Zoning Ordinance to amend the current I District Regulations.” The council approved the 2040 Comprehensive Plan 6-1.” — [FauquierNow, “Amazon's data center proposal for Warrenton: How we got here” \(James Jarvis, updated through Feb. 2023\)](#)

“During work session, Schaeffer requests Town Council (TC) to initiate data center text amendment to allow Staff to examine the issue” — “Amazon Timeline Updated” (spreadsheet compiled by Citizens for Fauquier County, covering Feb. 2021–Feb. 2023; Commission source files)

Lawrence questions why the Commission is asked to consider a data center use with no applicant seeking approval.¹⁴

June 15, 2021 — Planning Commission holds a public hearing on the text amendment. John Foote, representing Amazon, discloses Amazon has “a contract on the Weissberg property.” The Commission votes unanimously to defer a vote 30 days.¹⁵

June 17, 2021 — Amazon's Amy Vetal emails Walton about the text amendment, noting “time is of the essence”; Becky Ford requests an in-person meeting to discuss the Weissberg property.¹⁶

June 25, 2021 — Becky Ford (Amazon) sends a non-disclosure agreement (NDA) to Walton. Walton signs and transmits his NDA the same day (12:58 PM), ahead of a June 28 meeting; Zoning Administrator Kelly Machen signs hers June 28.¹⁷

June 28, 2021 — After Amazon's Becky Ford sends Rob Walton and Zoning Administrator Kelly Machen a non-disclosure agreement, Walton relays the Town Attorney's informal advice on whether Council and Planning Commission members should sign: they “don't have to do anything, don't want to, no requirement,” but that any documents left with PC/TC members “are subject to FOIA including NDAs.”¹⁸

July 7–22, 2021 — In emails obtained via a Fauquier County FOIA request, Amazon's Becky Ford (AWS Infrastructure Global Expansion, Economic Development) continues arranging “Town of Warrenton Individual Briefings with Town Council Members” on the data center text amendment; County Commissioner of the Revenue Eric Maybach finalizes projected tax-revenue scenarios for Ford and AWS's Tony Burkart; and County economic-development staff send Ford a map of the County's Technology Zones/Service Districts — all before the Planning Commission's July 20 public hearing on the amendment.¹⁹

July 14–19, 2021 — Town scheduling records show Ford individually briefing, or scheduling briefings with, nearly every sitting Council and Planning Commission member in the week before the July 20 public hearing: Mayor Nevill (8:30 a.m., July 15); Council members Heather Sutphin, Sean Polster, and William Semple; and Planning Commission members Ali Zarabi, James Lawrence, Steve Ainsworth,

¹⁴“Walton said data center applicants “prefer to remain anonymous as long as they possibly can, and that is why the [council] has asked staff to take a look at a text amendment.”” — [FauquierNow, “Amazon's data center proposal for Warrenton: How we got here”](#) (James Jarvis, updated through Feb. 2023)

¹⁵“Foote said his client, Amazon Data Service, had “a contract on the Weissberg property” and was authorized to file an application for a special use permit to build a data center on the property as soon as the town approved the text amendment.” — [FauquierNow, “Amazon's data center proposal for Warrenton: How we got here”](#) (James Jarvis, updated through Feb. 2023)

¹⁶“She asked to set up a time to “further discuss the text amendment to allow for data center use in the Town of Warrenton” and noted that “time is of the essence.”” — [FauquierNow, “Amazon's data center proposal for Warrenton: How we got here”](#) (James Jarvis, updated through Feb. 2023)

¹⁷“Robert F. Walton, Director of Community Development, emailed his signed NDA on Friday, June 25, 2021, at 12:58 PM. Kelly Machen, Zoning Administrator, emailed her signed NDA on Monday, June 28, 2021” — “Signed NDAs and Transmittal Dates” memo, from Town of Warrenton FOIA response (Commission source files)

¹⁸“Below is response from Town Attorney regarding NDA: They don't have to do anything don't want to, no requirement. Can if wish but any documents left with PC/TC members are subject to FOIA including NDAs” — “INDEX TO DOCUMENTS (Consolidated)” — chronological document/email log compiled from Town, County, and Amazon correspondence, Feb. 2021–July 2022 (Commission source files)

¹⁹“RE: Town of Warrenton Individual Briefings with Town Council Members, Data Center Text Amendment... Would it be possible to get your help with a list of existing industrial employers in Fauquier County? Also, could you help provide information on tax structure and estimated annual revenue to the Town and Fauquier County?” — Email, Becky Ford (AWS) to Rob Walton, “RE: Town of Warrenton Individual Briefings with Town Council Members, Data Center Text Amendment,” July 7, 2021 (Fauquier County FOIA release, Commission source files)

“I am about to send you over the info finalizing spreadsheet now.” — Email chain, Ford (AWS)/Burkart (AWS)/Maybach (Fauquier Commissioner of the Revenue), “Town of Warrenton-Fauquier County Data Center Tax Discussion,” July 12, 2021 (Fauquier County FOIA release, Commission source files)

“Please find attached a map of the Service District in Fauquier County, these also serve as the boundaries of the Technology Zones.” — Email, Beverly Pullen (Fauquier Co. Economic Development) to Becky Ford (AWS), “Technology Zones/Service Districts,” July 22, 2021 (Fauquier County FOIA release, Commission source files)

and jointly Susan Helander and James Hartman — each briefing held one-on-one or in pairs, none bringing together three or more members at once.²⁰

July 14, 2021 — At a meeting recorded by Schaeffer, Council Member Ali Zarabi asks whether the data center's end user will be a government entity; Amazon representatives decline to disclose, saying “Amazon will own so it is not a factor.”²¹

July 20, 2021 — Planning Commission holds a public hearing and votes 5–1 to recommend approval of the text amendment allowing data centers by special use permit in the Industrial District.²²

August 10, 2021 — Town Council adopts the data center zoning text amendment, 7–0, with supplemental use regulations (25-acre minimum lot size, cooling and screening requirements, underground utility lines, generator mufflers, etc.).²³

August 11, 2021 — The day after Council adopts the zoning text amendment, Town Manager Brandie Schaeffer emails Fauquier County officials discussing revenue planning explicitly “IF the Town Council approves AWS in a special permit” — identifying Amazon by name in internal correspondence more than eight months before Amazon's SUP application is filed.²⁴

September 20, 2021 — The Town sends Amazon a zoning confirmation letter for the parcel (GPIN 6984-69-2419), confirming a data center is permissible with Town Council approval of a special use permit.²⁵

September 20–27, 2021 — Amazon Data Services, Inc. completes its purchase of the Weissberg property for \$39,703,350 (assessed at \$3,336,800).²⁶

September 28, 2021 — Councilman William Semple emails Schaeffer and the town attorney raising concern about press reports that NDAs had been signed and asking “what's the remedy, since the underlying thrust required an amendment to the zoning ordinance and an SUP?” Schaeffer replies that most of what came out of the July briefings “didn't substantially change what was then known by public,” concluding “so far no harm except to optics.”²⁷

²⁰“James Hartman and I would like to come on Wednesday, what times do you have available?... I would be available before 11 either of those dates... can meet at 9 or earlier or 5 either day... July 19 1pm works for me... anytime from noon to 2 would work great” — “INDEX TO DOCUMENTS (Consolidated)” — chronological document/email log compiled from Town, County, and Amazon correspondence, Feb. 2021–July 2022 (Commission source files)

²¹“Ali: Will the end user be government? Can't disclose but Amazon will own so it is not a factor.” — “Data Center End User Memo,” from Town of Warrenton FOIA response (Commission source files)

²²“The Warrenton Planning Commission held a public hearing on the text amendment and voted 5-1 recommending approval of the text amendment that would allow data centers to be built in the I District with a special use permit.” — [FauquierNow, “Amazon's data center proposal for Warrenton: How we got here” \(James Jarvis, updated through Feb. 2023\)](#)

²³“The Warrenton Town Council voted to approve data center text amendment 7-0.” — [FauquierNow, “Amazon's data center proposal for Warrenton: How we got here” \(James Jarvis, updated through Feb. 2023\)](#)

²⁴“AWS has asked what if anything they can do on assurance, and I'm not sure “legally” what is an option... IF the Town Council approves AWS in a special permit, I will recommend earmarking the projected revue against asset replacement schedules and one time CIP money” — Email, Brandie Schaeffer to Fauquier County staff, Aug. 11, 2021 (Fauquier County FOIA release, Commission source files)

²⁵“The town of Warrenton sent Amazon a zoning confirmation request letter for GPIN 6984-69-2419-000 indicating that a data center was permissible with the approval of a special use permit from the Town Council.” — [FauquierNow, “Amazon's data center proposal for Warrenton: How we got here” \(James Jarvis, updated through Feb. 2023\)](#)

²⁶“Amazon completed a \$39.7 million purchase of the Weissberg property.” — [FauquierNow, “Amazon's data center proposal for Warrenton: How we got here” \(James Jarvis, updated through Feb. 2023\)](#)

“Amazon Data Services, Inc purchases Weissberg property for \$39,703,350; assessed at \$3,336,800.” — “Amazon Timeline Updated” (spreadsheet compiled by Citizens for Fauquier County, covering Feb. 2021–Feb. 2023; Commission source files)

²⁷“What's the remedy, since the underlying thrust required an amendment to the zoning ordinance and an SUP? Most of what came out of my meeting didn't substantially change what was then known by public. So far no harm except to optics.” — “INDEX TO DOCUMENTS (Consolidated)” — chronological document/email log compiled from Town, County, and Amazon correspondence, Feb. 2021–July 2022 (Commission source files)

October 21, 2021 — Amazon's attorneys send a data center pre-application to Town staff. Separately, Supervisor Chris Butler emails Dominion Energy's Jeanne Underwood requesting a meeting on the Amazon project's power needs.²⁸

November 10, 2021 — A formal pre-application meeting is held with 19 representatives from Town staff, Amazon, Amazon's engineers and architect, and Amazon's attorney and land use planner.²⁹

2022

January 18, 2022 — Fauquier County, the Town of Warrenton, Dominion Energy, and Amazon Web Services hold a joint “collaborative discussion” on the electrical infrastructure needed to serve the data center — formal, named coordination among the Town, County, utility, and Amazon roughly three months before Amazon's SUP application is filed.³⁰

February 25, 2022 — After a collaborative Town/County/Dominion meeting on the proposed Blackwell substation, Schaeffer emails Mayor Nevill and Town Council that her “position to staff and Council is no statements to the press and allow County [to] handle directly,” adding that while “nothing before Council now,” Council “will have a legislative action on this item and being involved early will lead to more ‘controlled and favorable outcome for all.’”³¹

April 13–14, 2022 — Amazon formally files its data center Special Use Permit (SUP) application (33.62 acres). The next day, Dominion Energy proposes to the Fauquier Board of Supervisors a new substation behind Country Chevrolet and connecting transmission lines.³²

April 22, 2022 — Amazon's SUP application is routed for review; Planning Manager Denise Harris advises it is not yet officially “accepted” pending an executed Land Use Affidavit.³³

²⁸“Amazon's attorneys send a data center pre-application for a special use permit to the town staff. Supervisor Chris Butler emails Jeanne Underwood, Northern Virginia external affairs liaison for Dominion Energy” — [FauquierNow, “Amazon's data center proposal for Warrenton: How we got here” \(James Jarvis, updated through Feb. 2023\)](#)

²⁹“Pre-Application Meeting with 19 representatives from Town Staff, Amazon, Amazon's engineers and architect, Amazon's attorney Foote and land use planner Pfeiffer.” — “Amazon Timeline Updated” (spreadsheet compiled by Citizens for Fauquier County, covering Feb. 2021–Feb. 2023; Commission source files)

“Wednesday Nov. 10 at 2 pm is confirmed-will send clanedar invite and zoom link... 19 pple with town, amazon and attys — Confirmed Amazon pre-app mtg — Pre-application zoom meeting” — “INDEX TO DOCUMENTS (Consolidated)” — chronological document/email log compiled from Town, County, and Amazon correspondence, Feb. 2021–July 2022 (Commission source files)

³⁰“Follow-up to January 18 Collaborative Discussions: Fauquier Co., Town of Warrenton, Dominion Energy, and AWS... I wanted to take a moment to express our thanks for the collaborative discussion that was held on Tuesday, January 18, regarding the proposed Dominion Energy facilities required to serve data center and other load growth in the Fauquier County/Town of Warrenton areas.” — Email, Jeanne Underwood (Dominion Energy) to Fauquier Co. and Town of Warrenton staff, “Follow-up to January 18 Collaborative Discussions: Fauquier Co., Town of Warrenton, Dominion Energy, and AWS,” Jan. 21, 2022 (Fauquier County FOIA release, Commission source files)

³¹“Staff reached out early Feb requesting time I could brief you on Amazon developments. I've met with some. All info will go public at next BOS meeting. My position to staff and Council is no statements to the press and allow County handle directly. Nothing before Council now but you will have a legislative action on this item and being involved early will lead to more “controlled and favorable outcome for all”” — “INDEX TO DOCUMENTS (Consolidated)” — chronological document/email log compiled from Town, County, and Amazon correspondence, Feb. 2021–July 2022 (Commission source files)

³²“Amazon's Data Center Application, dated April 13, 2022 (Amazon's timeline lists filing date as April 8, 2022)... Land Development Application (Lists Acres for Proposed use: 33.62)” — “Amazon Timeline Updated” (spreadsheet compiled by Citizens for Fauquier County, covering Feb. 2021–Feb. 2023; Commission source files)

“Dominion Energy shared a proposal with the Fauquier Board of Supervisors to build a substation behind the Country Chevrolet dealership in Warrenton” — [FauquierNow, “Amazon's data center proposal for Warrenton: How we got here” \(James Jarvis, updated through Feb. 2023\)](#)

³³“Denise Harris, Community Development Department Planning Manager (Harris), advises Walton in 2 emails that she's routed the application for review but it's not officially accepted within 15 days because she's waiting for executed Land Use Affidavit.” — “Amazon Timeline Updated” (spreadsheet compiled by Citizens for Fauquier County, covering Feb. 2021–Feb. 2023; Commission source files)

May 3–6, 2022 — Mayor Nevill and Amazon's Becky Ford and Jay Reinke exchange emails, passing along an email advisory from the Piedmont Environmental Council (PEC) about the data center; a separately compiled timeline describes PEC there as “vocal with concerns about everything we do as a town.” Nevill's email to Ford ends by writing he looks “forward to seeing this project move forward collaboratively and positively for all.” The Town accepts the application as complete on May 6. The underlying email chain itself was not located in the Commission's source files; both citations below rely on secondary summaries of records described as produced pursuant to FOIA litigation.³⁴

June 7–8, 2022 — Mayor Nevill and Becky Ford meet at Town Hall; a friendly email exchange follows, with Nevill thanking Ford “for being a constructive partner.”³⁵

June 14, 2022 — Amazon's outside counsel John Foote asks Town Planning Manager Denise Harris “how many such requests you have received, and from whom, with respect to AWS” regarding public-records requests on the project. The Town's Lyndie Paul responds the same day with a list identifying the names and affiliations of eight residents and organizations who had filed FOIA requests about the data center.³⁶

July 12, 2022 — Town Council holds a closed session to discuss Town Manager Brandie Schaeffer's resignation, then formally accepts it on the Consent Agenda and appoints Tommy Cureton as Interim Town Manager.³⁷

July 17, 2022 — Schaeffer's last day of Town employment; she moves to Amazon's Economic Development – Global Infrastructure Expansion department, the same department as AWS's Town liaison, Becky Ford.³⁸

July 26, 2022 — The Planning Commission holds its first work session with Amazon on the data center proposal.³⁹

August 9, 2022 — Councilman Renard Carlos emails the Town Council raising conflict-of-interest concerns about Schaeffer's new position at Amazon and requests legal review of the Town's conflict-of-interest policy.⁴⁰

³⁴“Mayor Nevill's email to Ford ends with, “I look forward to seeing this project move forward collaboratively and positively for all.”” — “Amazon Timeline Updated” (spreadsheet compiled by Citizens for Fauquier County, covering Feb. 2021–Feb. 2023; Commission source files)

“Email exchanges between Mayor Nevill and Amazon's Becky Ford and Jay Reinke Re: Passing on PEC's email advisory on Amazon data center from Piedmont Environmental Council (PEC), who is “vocal with concerns about everything we do as a town”. Mayor Nevill's email to Ford ends with, “I look forward to seeing this project move forward collaboratively and positively for all.” (Emails produced pursuant to FOIA litigation).” — “Timeline” (data center chronology compiled by Amy Trotto, describing emails produced pursuant to FOIA litigation), in Citizens for Fauquier County/Piedmont Environmental Council/Protect Fauquier, “Standard of Review & Evaluation” composite analysis (Commission source files)

³⁵“Nevill to Ford: Sincere pleasure working with AWS, appreciate the care and understanding you show in developing your proposed venture in Warrenton... thank you for being a constructive partner.” — “Amazon Timeline Updated” (spreadsheet compiled by Citizens for Fauquier County, covering Feb. 2021–Feb. 2023; Commission source files)

³⁶“Can you let us know how many such requests you have received, and from whom, with respect to AWS?... The FOIA requests we have received are below: [lists names, association and document category for 8 requests]... Thank you so much Lyndie. It is very kind of you to have provided this.” — “INDEX TO DOCUMENTS (Consolidated)” — chronological document/email log compiled from Town, County, and Amazon correspondence, Feb. 2021–July 2022 (Commission source files)

³⁷“Mayor Nevill said that Council would add agenda item two after the agenda review as a closed session to discuss the Town Manager's resignation... Acceptance of the Town Manager's Resignation — Approved as Presented” — Town Council meeting minutes, July 12, 2022 (Commission source files)

³⁸“Schaeffer's last day of employment with Town, working in Amazon's Economic Development – Global Infrastructure Expansion Department, same department as AWS' Town Liason Becky Ford.” — “Amazon Timeline Updated” (spreadsheet compiled by Citizens for Fauquier County, covering Feb. 2021–Feb. 2023; Commission source files)

³⁹“The Warrenton Planning Commission had its first work session with Amazon to discuss the company's proposal to build a data center.” — [FauquierNow, “Amazon's data center proposal for Warrenton: How we got here” \(James Jarvis, updated through Feb. 2023\)](#)

⁴⁰“As we all know by now the former town manager has recently accepted a job with Amazon... I also share their concern because of the unknown answers in regards to any potential conflict of interest on this matter.” — Renard Carlos, email to Town Council, “Former Town Manager Recent Employment,” Aug. 9, 2022 (Commission source files)

August 10, 2022 — Local group Protect Fauquier, Citizens for Fauquier County, and the Piedmont Environmental Council host a community town hall opposing the proposed data center.⁴¹

August 11, 2022 — Supervisor Chris Granger's resignation from the Board of Supervisors becomes effective, which Granger attributed to a potential conflict of interest after his wife, Schaeffer, went to work for Amazon.⁴²

September 8, 2022 — Dominion announces it will delay filing its transmission line application until 2023 and says the data center could instead be powered using distribution lines.⁴³

September 9, 2022 — Amazon submits an updated application with noise and tree studies, later found by the Town to be out-of-date and preliminary.⁴⁴

October 3, 2022 — A “noise meeting” is held between Town staff, Amazon representatives, Foote, and a Polysonics acoustic engineer.⁴⁵

October 14, 2022 — Citizens for Fauquier County (CFFC) files its “Second” VFOIA request (docketed T000177-101422) — the request at the center of the Town's years-long records dispute over Amazon-related emails.⁴⁶

October 25, 2022 — At its second Planning Commission work session, Amazon presents new building renderings and balloon-test results, and announces it will cost-share underground distribution lines with Dominion.⁴⁷

October 28, 2022 — Amazon submits a revised Land Use Application and SUP conditions: the substation is removed from the site plan, and Amazon adds commitments on noise compliance, job fairs, and workforce-development partnerships.⁴⁸

November 10, 2022 — CFFC sends the Town a six-page letter outlining its grievances over the Town's handling of its July and October FOIA requests, a precursor to litigation. Separately, Dominion tells Fauquier supervisors it will scrap its earlier transmission-line routes and consider a new substation location.⁴⁹

⁴¹“The local citizen group Protect Fauquier and nonprofit organizations Citizens for Fauquier County and Piedmont Environmental Council hosted a community town hall to highlight the groups concerns regarding the proposed Amazon data center.” — [FauquierNow, “Amazon's data center proposal for Warrenton: How we got here”](#) (James Jarvis, updated through Feb. 2023)

⁴²“Granger later announced, in July, he would resign after his wife, Schaeffer, left the town and went to work for Amazon. Granger said he resigned because of the possibility there could be a future conflict of interest... Granger officially resigned Aug. 11.” — [FauquierNow, “Amazon's data center proposal for Warrenton: How we got here”](#) (James Jarvis, updated through Feb. 2023)

⁴³“Dominion announced it planned to delay filing its application to build a 230 kV transmission line with the State Corporation Commission until 2023.” — [FauquierNow, “Amazon's data center proposal for Warrenton: How we got here”](#) (James Jarvis, updated through Feb. 2023)

⁴⁴“Post Work Session Second Submission, attaches Exhibits: Tree Study (Exh. 1)(declared out-of-date 10/28/22 and not revised)” — “Amazon Timeline Updated” (spreadsheet compiled by Citizens for Fauquier County, covering Feb. 2021–Feb. 2023; Commission source files)

⁴⁵“NOISE MEETING between Town Staff Harris, Walton, Machen, Latack; Amazon's Becky Ford and Lanka DeSilva; Amazon's attorney Foote; Polysonics acoustic engineer Chris Karner” — “Amazon Timeline Updated” (spreadsheet compiled by Citizens for Fauquier County, covering Feb. 2021–Feb. 2023; Commission source files)

⁴⁶“the “Second Request” filed October 14, 2022 (T000177-101422 — the one everything in this project has focused on” — Commission analysis of CFFC's VFOIA requests and the Town's 2025 records release (Commission working files)

⁴⁷“During its second work session with the Warrenton Planning Commission, Amazon announced it would share the cost of building underground distribution lines from an unspecified substation with Dominion.” — [FauquierNow, “Amazon's data center proposal for Warrenton: How we got here”](#) (James Jarvis, updated through Feb. 2023)

⁴⁸“Amazon agrees to fund ungrounding electrical distribution lines from any future substation and confirms no substation will be built on the property.” — [FauquierNow, “Amazon's data center proposal for Warrenton: How we got here”](#) (James Jarvis, updated through Feb. 2023)

⁴⁹“CFFC announced earlier this month it would be filing a lawsuit after it sent a six-page letter on Nov. 10 to the town outlining its grievances regarding the two FOIA requests it submitted in July and October.” — [FauquierNow, “Citizens for Fauquier County files lawsuit against Warrenton over Amazon-related records request”](#) (James Jarvis, Dec. 28, 2022)

November 15, 2022 — The Planning Commission holds its first public hearing on Amazon's SUP; Foote presents (no Amazon representatives attend), 58 speakers oppose and 1 favors the project, and over 400 written comments are submitted. The hearing is extended to Nov. 22 to accommodate speakers who did not get a chance to speak.⁵⁰

November 22, 2022 — The Planning Commission's continued public hearing ends with a unanimous motion to postpone indefinitely pending additional information (a complete noise study, an accurate tree-removal study, and elevations from Lee Highway).⁵¹

November 27–30, 2022 — While Amazon's SUP application is still before the Planning Commission — which had voted five days earlier to postpone its recommendation indefinitely — Heroux emails Council members Hamby and Hartman a “Draft Thoughts on Conditions” memo proposing SUP conditions on noise enforcement and change-of-control. The next day, Amazon's outside counsel John Foote sends Heroux a Zoom invitation for a Nov. 30 call titled “Call with Jay Heroux,” copying Amazon representatives Jay Reinke, Becky Ford, and Kyle Crass; Heroux forwards the invitation to Community Development Director Rob Walton (Nov. 28) and to Council Member Brett Hamby (Nov. 29). The meeting goes forward as scheduled (3:30–4:30 p.m.) — Walton tells Heroux that afternoon Interim Town Manager Chris Martino “may join,” and Heroux replies “Sounds good” — making it a private meeting among two sitting Council members, Town staff, and Amazon's attorney and representatives, held before the Planning Commission had made any recommendation to Council.⁵²

November 28, 2022 — The Town publishes a press release claiming the Planning Commission “acted outside its authority” by failing to make a recommendation on Amazon's application; Town Attorney Martin Crim argues the Commission's decision violated state law, and Interim Town Manager Christopher Martino acknowledges Council may consider the application without a Commission recommendation.⁵³

December 1, 2022 — Mayor Nevill signals the Town Council plans to give the Planning Commission an ultimatum: vote on Amazon's application or have it sent to Council without a recommendation.⁵⁴

“Precker told supervisors Dominion plans to scrap its previously proposed transmission line routes and build a new substation at one of two possible locations” — [FauquierNow, “Amazon's data center proposal for Warrenton: How we got here” \(James Jarvis, updated through Feb. 2023\)](#)

⁵⁰*“The Warrenton Planning Commission voted to extend its public hearing on Amazon's data center application until Nov. 22 to accommodate people who did not get a chance to speak during Tuesday's meeting. The majority of people who spoke at the hearing opposed the project.” — [FauquierNow, “Amazon's data center proposal for Warrenton: How we got here” \(James Jarvis, updated through Feb. 2023\)](#)*

⁵¹*“The Warrenton Planning Commission voted unanimously to delay a public hearing on Amazon's application indefinitely. Lawrence motioned to postpone the public hearing and claimed the application was “incomplete.” — [FauquierNow, “Amazon's data center proposal for Warrenton: How we got here” \(James Jarvis, updated through Feb. 2023\)](#)*

⁵²*“Jay H – Jay Reinke needs to push this a half hour if that is OK.” — Email chain among Jay Heroux, John Foote, Rob Walton, and Brett Hamby re: “Call with Jay Heroux” Zoom meeting, Nov. 27–30, 2022 (Suzan Fultz FOIA production, “Heroux_FOIA_docs.pdf,” Commission source files)*

“That's fine. I'd like a member of town staff to attend as well. Let me give them a call to see who is available. Thank you. Jay.” — Email chain among Jay Heroux, John Foote, Rob Walton, and Brett Hamby re: “Call with Jay Heroux” Zoom meeting, Nov. 27–30, 2022 (Suzan Fultz FOIA production, “Heroux_FOIA_docs.pdf,” Commission source files)

“Hi Jay, Mr. Martino may join our call this afternoon. Just wanted to let you know. Thank you, Rob... Sounds good. Thanks Rob.” — Email chain among Jay Heroux, John Foote, Rob Walton, and Brett Hamby re: “Call with Jay Heroux” Zoom meeting, Nov. 27–30, 2022 (Suzan Fultz FOIA production, “Heroux_FOIA_docs.pdf,” Commission source files)

“Call with Jay Heroux — Wednesday, November 30, 2022, 3:30 PM → 4:30 PM (1 hour) — Foote, John (Organizer); Ford, Becky (Optional); Jay Reinke; John B. Heroux; Kyle Crass (Optional); Pfeiffer, Jessica” — Jay Heroux Town Outlook calendar entry, “Call with Jay Heroux,” Nov. 30, 2022 (Suzan Fultz FOIA production, image, Commission source files)

⁵³*“The Town of Warrenton published a press release claiming the Town Planning Commission “acted outside its authority by failing” to make a recommendation to the council regarding Amazon's application.” — [FauquierNow, “Amazon's data center proposal for Warrenton: How we got here” \(James Jarvis, updated through Feb. 2023\)](#)*

⁵⁴*“Warrenton Mayor Carter Nevill signaled the Town Council plans to give the Town Planning Commission an ultimatum in which commissioners must either vote on the application or have it sent to the council without their recommendation.” — [FauquierNow, “Amazon's data center proposal for Warrenton: How we got here” \(James Jarvis, updated through Feb. 2023\)](#)*

December 13–15, 2022 — Town Council votes 4–3 (Council members Semple, Polster, and Carlos opposed) to adopt a resolution taking up the SUP application directly regardless of a Planning Commission recommendation, and sets it for Council's January hearing. (The Commission's compiled internal timeline dates this vote Dec. 13; FauquierNow's contemporaneous reporting dates it Dec. 15 — both describe the same 4–3 resolution.)⁵⁵

December 20, 2022 — The Planning Commission votes 3–1 (Zarabi abstaining) to recommend Council deny the SUP, citing insufficient information on noise, power source, tax revenue, view-shed impact, Comprehensive Plan compliance, and the lack of a decommissioning plan.⁵⁶

December 28, 2022 — Citizens for Fauquier County files its VFOIA mandamus lawsuit against the Town in Fauquier Circuit Court, alleging the Town illegally withheld 3,150 records (3,142 involving Schaeffer, 8 involving Mayor Nevill) under the “working papers and correspondence” exemption for the mayor or chief executive officer.⁵⁷

2023

January 5, 2023 — FauquierNow reports that Ward 5 residents, organized by Eric and Christina Gagnon, are circulating a letter — ultimately signed by 33 residents — asking Heroux to recuse himself from voting on Amazon's SUP application because of his role at Definitive Logic, an AWS government-contracting partner; Gagnon tells the paper the Town's Code of Ethics reaches not just an actual conflict but “the appearance of a conflict.”⁵⁸

January 6, 2023 — A court hearing is held on CFFC's mandamus action. The Town's counsel argues the “working papers and correspondence” exemption can independently cover both the Mayor and the Town Manager. The Town releases eight emails specifically involving Mayor Nevill the day before the hearing.⁵⁹

January 7, 2023 — Heroux files a signed Conflict of Interest Act Declaration with the Town Clerk stating he has no personal interest or conflict of interest in the Amazon proposal, asserting — based on information he and Definitive Logic colleague Chip Volz provided the Town Attorney — that Definitive Logic “does not contract with the U.S. intelligence community (the rumored end user of the proposed data center)” and that his ownership interest, including unvested stock options, is under 3% of the company.⁶⁰

⁵⁵“The Warrenton Town Council voted 4-3 to approve a resolution intending to hold a public hearing on the Amazon data center application in January... Council members Semple, Ward 2, Sean Polster, At-Large, and Renard Carlos, At-Large, opposed the resolution.” — [FauquierNow, “Amazon's data center proposal for Warrenton: How we got here” \(James Jarvis, updated through Feb. 2023\)](#)

“TC public hearing. TC adopts Resolution to take SUP Application from PC following PC public hearing whether or not a Recommendation is made, and to place it on the TC's January public hearing Agenda.” — “Amazon Timeline Updated” (spreadsheet compiled by Citizens for Fauquier County, covering Feb. 2021–Feb. 2023; Commission source files)

⁵⁶“The Warrenton Planning Commission voted 3-1 to recommend the Town Council deny Amazon's application. Commissioners Lawrence, Helander and Ryan Stewart recommended the Town Council deny the application. Ainsworth recommended approval. Zarabi abstained from voting.” — [FauquierNow, “Amazon's data center proposal for Warrenton: How we got here” \(James Jarvis, updated through Feb. 2023\)](#)

⁵⁷“The suit, filed by CFFC legal counsel Whiteford, Taylor & Preston L.L.P., claims the town suppressed 3,150 records, 3,142 involving former Town Manager Brandie Schaeffer and eight involving Mayor Carter Nevill” — [FauquierNow, “Citizens for Fauquier County files lawsuit against Warrenton over Amazon-related records request” \(James Jarvis, Dec. 28, 2022\)](#)

⁵⁸“In addition to personally emailing and speaking with Heroux, Ward 5 resident Eric Gagnon said he and his wife, Christina, have drafted a letter to the town, arguing that Heroux should recuse himself from voting because his company may stand to gain if Amazon builds a data center in Warrenton. Gagnon said 33 residents have signed the letter... “Further, the town Code of Ethics says that if you have the appearance of a conflict, that's also crossing the line,” Gagnon told FauquierNow.” — [FauquierNow, “Warrenton Town Council member faces conflict of interest accusations over Amazon data center” \(James Jarvis, Jan. 5, 2023\)](#)

⁵⁹“CFFC's counsel described the Town's position to the judge... ‘you could take the position that is being taken by the Town here, which is you get both.’” — Commission analysis of CFFC's VFOIA requests and the Town's 2025 records release (Commission working files)

January 10, 2023 — At the morning work session preceding that evening's public hearing, Council members question Amazon's Jay Reinke on the company's rationale for purchasing the site before SUP approval was assured. McGuire presses Reinke to explain an earlier reference to "best business practices" in response to Mooney and to identify the underlying "business need," which Reinke declines to specify, calling it proprietary. Semple asks why Amazon bought the land — reportedly at roughly ten times its assessed value, per Mooney's question — before knowing whether the SUP would be approved; Reinke calls it "a business risk we deemed appropriate at the time" and says "if we paid 10X then that's our fault, for sure." Pressed further by Semple on what made the parcel attractive despite that risk, Reinke states, "We understood that there was a...we had rumors out there was a phenomenal Town Council to deal with, that made it attractive, partly, um, I say that tongue in cheek." When Semple immediately asks him to explain the "phenomenal" characterization, Reinke says, "I was trying to give you a compliment, but..." and, pressed again on why the Council was "phenomenal," answers only, "It...was tongue in cheek...purely tongue in cheek...yea. Purely a business decision to be here in this area."⁶¹

January 10, 2023 — Town Council holds a public hearing on the SUP, then tables the vote for 30 days after Amazon's legal team requests more time to review new preconditions Council raised during the hearing.⁶²

January 10, 2023 — The Fauquier Times reports that FOIA records obtained by Suzan Fultz show Heroux and Council member Brett Hamby had arranged, through Town staff, the Nov. 30, 2022 Zoom meeting with Amazon's attorney John Foote while the application was still before the Planning Commission — part of a broader pattern of Council members holding private one- and two-member briefings with Amazon timed to avoid triggering Virginia's open-meetings law (one such briefing, held by Councilwoman Heather Sutphin, is separately confirmed in the same reporting). Councilman Bill Semple tells the paper he is "not in favor of ex-parte meetings at any time when an application is pending," adding, "When something is in the hands of a board or commission, we don't interfere. And when it comes to us, we take it up as a body."⁶³

January 20, 2023 — Governor Glenn Youngkin announces Amazon Web Services' plan to invest \$35 billion by 2040 in data center campuses across Virginia, calling it the largest economic investment in the Commonwealth's history.⁶⁴

February 9, 2023 — FauquierNow reports the Town has released Town Attorney Martin Crim's opinion — based on information from Heroux and Definitive Logic's Chip Volz — that no conflict of

⁶⁰ "Definitive Logic does not currently receive any direct revenue or repayments from Amazon. Definitive Logic does not contract with the U.S. intelligence community (the rumored end user of the proposed data center)... Heroux's interest, including unexecuted options, is less than 3% of the outstanding stock." — [FauquierNow, "Town Council member Jay Heroux says no conflict of interest on Amazon data center proposal" \(Feb. 9, 2023\)](#)

⁶¹ "REINKE: We understood that there was a...we had rumors out there was a phenomenal Town Council to deal with, that made it attractive, partly, um, I say that tongue in cheek... SEMPLE (interrupting): Excuse me, you said a "phenomenal" Town Council? REINKE: Yea, I was trying to give you a compliment, but... SEMPLE: Why was the Town Council "phenomenal?" REINKE: It...was tongue in cheek...purely tongue in cheek...yea. Purely a business decision to be here in this area. [1:46:41 in the video timeline]" — Verbatim transcript excerpt, Town of Warrenton Town Council Work Session, Jan. 10, 2023, Q&A with Amazon Web Services' Jay Reinke (Council members McGuire, Mooney, and Semple questioning), timestamps 1:43:40–1:47:35 in the Town's recorded video of the meeting; recording publicly archived through the Town's official meetings/recordings portal (Commission source files)

⁶² "The Warrenton Town Council tables a vote on the Amazon data center proposal for 30 days after the tech giant's legal team requested more time to review several new preconditions council members put forward during the public hearing." — [FauquierNow, "Amazon's data center proposal for Warrenton: How we got here" \(James Jarvis, updated through Feb. 2023\)](#)

⁶³ "Documents recently made public through the Virginia Freedom of Information Act reveal a meeting scheduled for Nov. 30, 2022, wherein Jay Heroux (Ward 5) and Brett Hamby (Ward 3), with community development director Rob Walton, planned to meet with Amazon's lawyer John Foote and other company officials, apparently to work on conditions that Amazon might proffer to win approval. At the time, Amazon's application was before the planning commission... "I'm not in favor of ex-parte meetings at any time when an application is pending," [Semple said]... "When something is in the hands of a board or commission, we don't interfere," he said. "And when it comes to us, we take it up as a body." — [Fauquier Times, "Residents claim council members may be talking with Amazon representatives in private meetings" \(Peter Cary/Piedmont Journalism Foundation, Jan. 10, 2023\)](#)

⁶⁴ "Amazon Web Services Plans to Invest \$35 Billion in the Commonwealth by 2040 to Expand Data Center Campuses" — [Office of Governor Glenn Youngkin, news release, Jan. 20, 2023](#)

interest bars Heroux from voting, along with Heroux's signed declaration. Mayor Nevill states in an email that state conflict-of-interest law “overrules any local rules regarding participation in votes by council” and that he would “never advise any council member to recuse themselves based on supposition or innuendo.”⁶⁵

February 14–15, 2023 — At a public hearing held at Fauquier High School, Town Council votes 4–3 in the pre-dawn hours to approve Amazon's Special Use Permit. Sutphin, Hamby, Hartman, and Heroux voted in favor; Mooney, McGuire, and Semple voted against. The same night, Council also voted unanimously to let all Council members (not the public) review the 3,142 disputed Schaeffer emails.⁶⁶

March 2–9, 2023 — In private correspondence outside the Town's public record, Ward 5 resident Eric Gagnon compiles research disputing the completeness of Heroux's Jan. 7 disclosure — noting that Heroux's own former company, Digital Mobilizations, was absorbed into Definitive Logic and, according to Digital Mobilizations' own published company description, does work “deeply rooted within the U.S. Intelligence Community,” which Gagnon argues is in tension with the declaration's statement that Definitive Logic “does not contract with the U.S. intelligence community.” A May 31, 2023 email in the same chain (from a correspondent using the address associated with Councilman William Semple) cites an archived Definitive Logic careers-page posting for a “Mid-level Test Systems Engineer” under the “Digital Mobilizations” practice, requiring an active Top Secret clearance and referencing National System of Geospatial-Intelligence (NSG) work — cited as further evidence of an intelligence-community tie not reflected in the declaration.⁶⁷

March 17, 2023 — Citizens for Fauquier County and ten individual Warrenton-area residents file suit in Fauquier County Circuit Court against the Town of Warrenton and Amazon Data Services, Inc., seeking to overturn the SUP approval. The suit — later amended and referenced in Commission files as Cross v. Town Council — alleges the Town violated its own Zoning Ordinance and Comprehensive Plan, that Amazon's application lacked required traffic, noise, odor, lighting, and tree-preservation studies, that no second public hearing was held, and that Council improperly amended the zoning ordinance by resolution rather than by ordinance. CFFC president Kevin Ramundo says the suit “recognizes that the town of Warrenton has ignored its own zoning ordinances, its own comprehensive plan, its own legally prescribed processes, and the clearly expressed desires of the vast majority of its citizens.”⁶⁸

August 31, 2023 — Town Clerk Stephen Clough sends a letter to the Virginia Secretary of Public Safety and Homeland Security, as required under Va. Code § 2.2-3705.2(14), reporting six named citizens who had requested to view or receive exempted portions of Amazon's Site Development Plan.⁶⁹

⁶⁵ “‘Under applicable law, the Mayor has no authority to require anyone to recuse themselves,’ Nevill said in an email Tuesday. ‘Mr. Heroux made a declaration on the record that he can make a decision fairly, objectively, and in the public interest, and I trust that he made the right decision. Furthermore, I would never advise any council member to recuse themselves based on supposition or innuendo.’ Nevill further claimed the state's conflict of interest law ‘overrules any local rules regarding participation in votes by council.’” — [FauquierNow, “Town Council member Jay Heroux says no conflict of interest on Amazon data center proposal” \(Feb. 9, 2023\)](#)

⁶⁶ “In a 4-3 decision, the Warrenton Town Council voted in the pre-dawn hours Wednesday to approve Amazon Data Services' request for a special-use permit... council also voted unanimously to approve a resolution to allow all council members -- though not the public -- to review the 3,142 emails” — [FauquierNow/InsideNova, “Despite opposition, Warrenton Town Council approves Amazon data center proposal” \(James Jarvis, Feb. 15, 2023\)](#)

⁶⁷ “Jay Heroux's own company, Digital Mobilizations, was folded into Definitive Logic when he joined DL. A company description of Digital Mobilizations indicates that it ‘is deeply rooted within the U.S. Intelligence Community.’ Interesting that in his COIA disclosure, Heroux denies that DL does any work with the intelligence community.” — Eric Gagnon, private correspondence with Chuck Cross (and later Yak Lubowsky, William Semple) re: Heroux/Definitive Logic disclosure issues, Feb.–May 2023 (Commission source files)

⁶⁸ “The environmental nonprofit Citizens for Fauquier County and 10 local residents have filed a lawsuit in the Fauquier Circuit Court to try to stop an Amazon data center in Warrenton... ‘This suit recognizes that the town of Warrenton has ignored its own zoning ordinances, its own comprehensive plan, its own legally prescribed processes, and the clearly expressed desires of the vast majority of its citizens in approving this data center,’ CFFC president Kevin Ramundo said.” — [Data Center Dynamics, “Local activists file lawsuit to stop Amazon data center in Warrenton, Northern Virginia” \(Sebastian Moss, Mar. 31, 2023\)](#)

⁶⁹ “I have received the following FOIA Requests relating to the site development plan. Cynthia Burbank... Amy Trotto... Zanas Talley... Peter Carry... David Winn... Denise Scheffer” — Stephen Clough, Town Clerk, letter to VA Secretary of Public Safety and Homeland Security, Aug. 31, 2023 (Commission source files)

2024

April 16–18, 2024 — In email exchanges, Interim Town Manager Frank Cassidy confirms that individuals who viewed the redacted site plans at Town Hall were reported to Homeland Security; the state FOIA Council separately confirms the reporting requirement applies even to citizens who viewed only the redacted “Public File” version.⁷⁰

May 16–23, 2024 — Citizens for Fauquier County files an appeal with the Warrenton Board of Zoning Appeals challenging Zoning Administrator's April 18, 2024 approval of Amazon's Site Development Plan, citing alleged non-compliance with the Town's zoning ordinance and SUP conditions. Director of Community Development Rob Walton rejects the appeal (May 23), asserting the Board of Zoning Appeals “lacks the power” to hold a Town ordinance invalid and that, by statute, only the site plan's proponent (Amazon) may appeal a site-plan approval, and only to circuit court. CFFC disputes this reading of state law, calling the Town's intervention “unprecedented,” and warns of further legal action if its appeal is not transmitted to the Board.⁷¹

July 30, 2024 — The Virginia Court of Appeals rules that the “working papers and correspondence” FOIA exemption provides a single exemption per locality — the Town cannot claim it for both the Mayor and the Town Manager — and holds the trial court erred in letting the Town pick its own sample for in-camera review. The Court of Appeals remands the case to the circuit court for rehearing.⁷²

August 13, 2024 — Following the Court of Appeals ruling, Town Council votes 4–3 to authorize the Town Attorney to appeal that ruling to the Supreme Court of Virginia — Vice Mayor Hartman and Council members McGuire, Hamby, and Sutphin in favor; Council members Gagnon, Semple, and Mooney opposed. Mayor Nevill tells FauquierNow the appeal is driven by a desire for “clarity on the interpretation” of the FOIA exemption “for the sake of effective governance and transparency”; CFFC president Kevin Ramundo calls the appeal “the town's latest effort to avoid releasing thousands of public records related to Amazon's data center.”⁷³

2025

January 14, 2025 — Following the Court of Appeals ruling, Town Council votes 6–1 to adopt Resolution 25-01-07, directing the Town Clerk to release the emails withheld under the CEO/Mayor exemption unless otherwise exempted by law.⁷⁴

“Any public body receiving a request for records excluded under clauses (a) and (b) of this subdivision 14 shall notify the Secretary of Public Safety and Homeland Security” — [Code of Virginia § 2.2-3705.2](#)

⁷⁰“Have individuals who reviewed the redacted, blacked-out site-plans available at Town Hall been reported to VA Homeland Security? ... Yes.” — Email correspondence, Suzan Fultz / Frank Cassidy / FOIA Council, April 2024 (Commission source files)

⁷¹“The group filed an appeal on May 16... challenging the zoning administrator's April 18 decision to approve the Amazon site development plan... “Your request asks the Board of Zoning Appeals (BZA) to hold a Town Ordinance invalid, which the BZA lacks the power to do. Only a court can hold a Town ordinance invalid.”... “This attempt by the Town to intervene in the legitimate activities of the BZA is not only unprecedented...” — [FauquierNow, “Citizens for Fauquier County nonprofit challenges Warrenton official's rejection of Amazon data center appeal”](#) (May 2024)

⁷²“the appeals court held that the correspondence exemption provides a single exemption for political subdivisions... the city/town must choose between the two [the mayor and the manager]” — [Citizens for Fauquier Cnty. v. Town of Warrenton](#), 81 Va. App. 363 (Va. Ct. App. July 30, 2024)

⁷³“The decision to appeal was narrowly approved by a 4-3 vote, with Vice Mayor James Hartman and councilmembers David McGuire, Brett Hamby and Heather Sutphin in favor and councilmembers Eric Gagnon, Bill Semple and Paul Mooney opposed... “Our interpretation of the code led to the claimed exemptions; it never and continues to not be about the content. We believe it is crucial for municipalities to have clarity on this clause for the sake of effective governance and transparency,” Nevill told FauquierNow... “The town's decision to appeal to the Virginia Supreme Court may be nothing more than its latest effort to avoid releasing thousands of public records related to Amazon's data center in Warrenton.”” — [FauquierNow, “Warrenton Town Council appealing court ruling related to Amazon data center emails”](#) (Grace Schumacher, Aug. 29, 2024)

⁷⁴“The release follows a Jan. 14 resolution passed by the Warrenton Town Council by a 6-1 vote, which directed Town Clerk Stephen Clough to make the emails available to the public unless exempted by law.” — [FauquierNow, “Town of Warrenton releases previously withheld emails following council resolution”](#) (Grace Schumacher, Feb. 19, 2025)

January 14, 2025 — Separately, and coincidentally the same date as Council's records-release resolution, the parties in the Cross v. Town Council zoning-amendment litigation enter an agreed circuit-court order freezing the status quo — including barring Amazon from applying for further building permits — pending the court's ruling on the zoning-amendment challenge. This order later becomes the basis for the Town's argument that Amazon cannot obtain a “vested rights” determination while the litigation is pending (see Feb. 3, 2026, below).⁷⁵

February 18, 2025 — The Town releases the previously withheld Schaeffer/Nevill emails on its public-records portal; Town spokesperson Lyndie Paul says 509 remaining pieces of correspondence stay withheld under attorney-client-privilege and personnel exemptions.⁷⁶

Summer 2025 — Town Council — reconstituted after the 2024 election, in which three new members and two re-elected members ran on anti-data-center positions — votes to repeal the Data Center Zoning Amendment, removing data centers as a permitted use in the Town Code going forward. The ordinance (Exhibit 38 in the Cross litigation record, “Data Center Repeal Amendment Ordinance 2025-10”) applies only prospectively and has no effect on the already-approved Amazon SUP.⁷⁷

September 2025 — About a month after the repeal, an attorney for Amazon asks the Town to confirm the company still holds a vested right to develop the Blackwell Road site notwithstanding the zoning change.⁷⁸

Late October 2025 — Zoning Administrator Heather Jenkins denies Amazon's vested-rights request, writing that the company does not have a right to such a determination because of the pending Cross litigation.⁷⁹

November 2025 — Amazon, through attorney Gordon Todd, appeals Jenkins's denial to the Warrenton Board of Zoning Appeals, bringing the vested-rights question before the Board for the first time.⁸⁰

2026

February 3, 2026 — The Warrenton Board of Zoning Appeals votes 4–0 to defer any decision on Amazon's vested-rights appeal until the Cross lawsuit is decided, following a fifteen-minute closed-door conference with its newly hired attorney, Matthew Crist — the Board's first legal representation in years. Vice Chair A. Van Baggett recuses himself from the vote, citing a potential conflict of interest; he works as a project manager at Arcadis, a large engineering firm that sometimes designs data centers. Amazon attorney Gordon Todd argues Amazon has acted in good faith and wants a vested-rights determination to mitigate its investment risk. Representing the Town, former Town Attorney Chap Petersen — who left the position at the end of 2025 but continues handling the Town's Amazon cases while newly hired interim Town Attorney Philip Strother comes up to speed — argues a vested-rights determination would violate the Jan. 14, 2025 agreed order and, separately, would not itself authorize construction (“It's not a

⁷⁵ “‘The bottom line is the purpose of the agreed order was basically to freeze everything in place until we have a determination from the circuit court,’ Petersen said, indicating that Amazon's request might have also violated the order.” — [Fauquier Times](#), “Warrenton Board of Zoning Appeals defers action on Amazon appeal” (Tate Hewitt, Feb. 5, 2026)

⁷⁶ “Paul told FauquierNow the only emails that have not been released at this point are the 509 pieces of correspondence that fall under the attorney-client privilege and personnel exemptions.” — [FauquierNow](#), “Town of Warrenton releases previously withheld emails following council resolution” (Grace Schumacher, Feb. 19, 2025)

⁷⁷ “They were arguing over whether Amazon still has a right to build its planned data center at 719 Blackwell Road after the Warrenton Town Council voted last summer to erase data centers from the town code – removing them as a permitted use in Warrenton.” — [Fauquier Times](#), “Warrenton Board of Zoning Appeals defers action on Amazon appeal” (Tate Hewitt, Feb. 5, 2026)

⁷⁸ “A month after that change, an attorney for Amazon asked the town to confirm that the data center giant still had a vested right to develop the land.” — [Fauquier Times](#), “Warrenton Board of Zoning Appeals defers action on Amazon appeal” (Tate Hewitt, Feb. 5, 2026)

⁷⁹ “They got an answer in late October, when Heather Jenkins, the town's zoning administrator, denied that request – writing that they do not have a right due to pending litigation – the Cross lawsuit.” — [Fauquier Times](#), “Warrenton Board of Zoning Appeals defers action on Amazon appeal” (Tate Hewitt, Feb. 5, 2026)

⁸⁰ “Amazon attorney Gordon Todd appealed that decision in November, bringing the matter before the Board of Zoning Appeals.” — [Fauquier Times](#), “Warrenton Board of Zoning Appeals defers action on Amazon appeal” (Tate Hewitt, Feb. 5, 2026)

determination necessary to build or operate anything... It's certainly not permission to start construction"). Amazon cannot apply for any building permits until the Cross lawsuit is resolved or the agreed order is rescinded.⁸¹

March 9, 2026 — A three-day bench trial begins at the Fauquier County Circuit Court, before Judge Stephen Sincavage, on the narrowed zoning-amendment (void-ab-initio) issue in the Cross litigation — the sole issue the parties agreed would require a judge's ruling, after plaintiffs were granted standing.⁸²

June 15, 2026 — Judge Sincavage hears final oral arguments in the Cross case. As of this revision (early August 2026), he has not yet issued a ruling.⁸³

July 30, 2026 — CFFC's attorney, Michael Brady, asks Circuit Court Judge James Plowman to let CFFC formally intervene in Amazon's vested-rights case and to consolidate it with the Cross litigation and with a second CFFC action — a writ of mandamus asking a judge to order the Board of Zoning Appeals to review whether the 2021 data-center zoning change is valid — arguing the three cases involve “the same parties...the same property...and the same question of use.” Amazon's attorney, Matthew Westover, opposes both motions, arguing CFFC was not aggrieved by the Board of Zoning Appeals' decision and that the three cases involve “vastly different legal issues.” Judge Plowman denies both the motion to intervene and the motion to formally consolidate, but says he will informally suggest to Judge Sincavage and Chief Judge Douglas L. Fleming that all three cases be assigned to Sincavage for consistency — “But I can't make any promises.”⁸⁴

July 31, 2026 — Reviewing the Town's 2025 FOIA email release, members of the Commission on Open and Transparent Government complete a reconciliation analysis identifying several unresolved discrepancies between the volume of records the Town's process indicates were reviewed and what was actually produced. The Commission is continuing to investigate this matter.⁸⁵

Sources

Online, publicly linkable:

- [FauquierNow, “Amazon's data center proposal for Warrenton: How we got here” \(James Jarvis, updated through Feb. 2023\)](#)

⁸¹“On Tuesday Feb. 3, the board voted 4-0 to defer any decision until a pending lawsuit, *Charles and Marygay Cross vs. the Town of Warrenton*, is decided – possibly delaying a decision for years and keeping an alternative legal door open for the data center giant... Vice Chair A. Van Baggett excused himself from the vote at the beginning of the meeting, citing a potential conflict of interest... He works as a project manager at Arcadis, a large engineering firm that sometimes designs data centers.” — [Fauquier Times, “Warrenton Board of Zoning Appeals defers action on Amazon appeal” \(Tate Hewitt, Feb. 5, 2026\)](#)

⁸²“Sincavage is presiding over the original lawsuit in which CFFC and several Warrenton residents are suing the town and Amazon in an attempt to prevent the data center's construction... Sincavage oversaw a trial in March and heard final arguments on June 15 but has not yet issued ruling in the case.” — [Fauquier Times, “Judge denies citizen group's request to join data center lawsuit” \(Tate Hewitt, Jul. 30, 2026\)](#)

⁸³“Sincavage oversaw a trial in March and heard final arguments on June 15 but has not yet issued ruling in the case.” — [Fauquier Times, “Judge denies citizen group's request to join data center lawsuit” \(Tate Hewitt, Jul. 30, 2026\)](#)

⁸⁴“CFFC's attorney, Michael Brady, had asked Fauquier County Circuit Court Judge James Plowman to allow the group to be named a party on a lawsuit involving the Amazon data center... Brady also asked that all three unresolved lawsuits be consolidated and heard by Judge Stephen Sincavage... Plowman agreed, denying both the motion to intervene and the motion to formally consolidate the three cases. But Plowman said he understood Brady's plea for judicial consistency and said he would suggest to Judge Sincavage and Chief Judge Douglas L. Fleming that all three cases be overseen by Sincavage. “But I can't make any promises,” Plowman said.” — [Fauquier Times, “Judge denies citizen group's request to join data center lawsuit” \(Tate Hewitt, Jul. 30, 2026\)](#)

⁸⁵“this discovery... it took the Commission's own independent analysis to catch it — findings include: (1) the Town's own records use at least four different counts for what appears to be overlapping or related correspondence — 8,034, 3,142, 2,633, and 1,246 — without any document reconciling how the figures relate; (2) the 1,246-email “Blue Correspondence” production (six release batches, Apr.–Jul. 2022, Bates-stamped TOW000001–TOW003050) is a distinct, routine release, not the 3,142-email set that had been withheld and was the subject of CFFC's mandamus suit; and (3) the separately reported figure of 509 items still withheld does not appear in the reconciliation record and has not been traced to a specific release batch or privilege log.” — Commission reconciliation analysis of the Town's 2025 FOIA email release, comparing production counts and search methodology (Commission working files, incl. Archive vs. Withheld Emails Memo, Keyword vs. AI Search Report, and Nevill Non-Gov Email Consolidated Report), completed July 31, 2026

- [FauquierNow/InsideNova, “Despite opposition, Warrenton Town Council approves Amazon data center proposal” \(James Jarvis, Feb. 15, 2023\)](#)
- [FauquierNow, “Citizens for Fauquier County files lawsuit against Warrenton over Amazon-related records request” \(James Jarvis, Dec. 28, 2022\)](#)
- [FauquierNow, “Town of Warrenton releases previously withheld emails following council resolution” \(Grace Schumacher, Feb. 19, 2025\)](#)
- [Office of Governor Glenn Youngkin, news release, Jan. 20, 2023](#)
- [Code of Virginia § 2.2-3705.2](#)
- [Code of Virginia § 2.2-3705.7](#)
- [Citizens for Fauquier Cnty. v. Town of Warrenton, 81 Va. App. 363 \(Va. Ct. App. July 30, 2024\)](#)
- [FauquierNow, “Warrenton Town Council member faces conflict of interest accusations over Amazon data center” \(James Jarvis, Jan. 5, 2023\)](#)
- [Fauquier Times, “Residents claim council members may be talking with Amazon representatives in private meetings” \(Peter Cary/Piedmont Journalism Foundation, Jan. 10, 2023\)](#)
- [FauquierNow, “Town Council member Jay Heroux says no conflict of interest on Amazon data center proposal” \(Feb. 9, 2023\)](#)
- [Data Center Dynamics, “Local activists file lawsuit to stop Amazon data center in Warrenton, Northern Virginia” \(Sebastian Moss, Mar. 31, 2023\)](#)
- [FauquierNow, “Citizens for Fauquier County nonprofit challenges Warrenton official's rejection of Amazon data center appeal” \(May 2024\)](#)
- [FauquierNow, “Warrenton Town Council appealing court ruling related to Amazon data center emails” \(Grace Schumacher, Aug. 29, 2024\)](#)
- [Fauquier Times, “Warrenton Board of Zoning Appeals defers action on Amazon appeal” \(Tate Hewitt, Feb. 5, 2026\)](#)
- [Fauquier Times, “Judge denies citizen group's request to join data center lawsuit” \(Tate Hewitt, Jul. 30, 2026\)](#)

Local documents (Commission source files, not independently published online):

- “Amazon Timeline Updated” (spreadsheet compiled by Citizens for Fauquier County, covering Feb. 2021–Feb. 2023; Commission source files)
- “Signed NDAs and Transmittal Dates” memo, from Town of Warrenton FOIA response (Commission source files)
- “Amazon Representatives Memo,” from Town of Warrenton FOIA response (Commission source files)
- “Data Center End User Memo,” from Town of Warrenton FOIA response (Commission source files)
- Town Council meeting minutes, July 12, 2022 (Commission source files)
- Renard Carlos, email to Town Council, “Former Town Manager Recent Employment,” Aug. 9, 2022 (Commission source files)
- Stephen Clough, Town Clerk, letter to VA Secretary of Public Safety and Homeland Security, Aug. 31, 2023 (Commission source files)
- Email correspondence, Suzan Fultz / Frank Cassidy / FOIA Council, April 2024 (Commission source files)
- Commission analysis of CFFC's VFOIA requests and the Town's 2025 records release (Commission working files)
- CBRE, Inc. (Bob Gibbs), Letter of Intent to Wilson Land, LLC re: Parcel 6984-69-2419, Jan. 7, 2021 — “Exhibit 3 – CBRE's Letter of Intent – Wilson Land LLC” (Commission source files)
- Email, Becky Ford (AWS) to Rob Walton, “RE: Town of Warrenton Individual Briefings with Town Council Members, Data Center Text Amendment,” July 7, 2021 (Fauquier County FOIA release, Commission source files)
- Email chain, Ford (AWS)/Burkart (AWS)/Maybach (Fauquier Commissioner of the Revenue), “Town of Warrenton-Fauquier County Data Center Tax Discussion,” July 12, 2021 (Fauquier County FOIA release, Commission source files)
- Email, Beverly Pullen (Fauquier Co. Economic Development) to Becky Ford (AWS), “Technology Zones/Service Districts,” July 22, 2021 (Fauquier County FOIA release, Commission source files)
- Email, Brandie Schaeffer to Fauquier County staff, Aug. 11, 2021 (Fauquier County FOIA release, Commission source files)

- Email, Jeanne Underwood (Dominion Energy) to Fauquier Co. and Town of Warrenton staff, “Follow-up to January 18 Collaborative Discussions: Fauquier Co., Town of Warrenton, Dominion Energy, and AWS,” Jan. 21, 2022 (Fauquier County FOIA release, Commission source files)
- Email chain among Jay Heroux, John Foote, Rob Walton, and Brett Hamby re: “Call with Jay Heroux” Zoom meeting, Nov. 27–30, 2022 (Suzan Fultz FOIA production, “Heroux_FOIA_docs.pdf,” Commission source files)
- Jay Heroux Town Outlook calendar entry, “Call with Jay Heroux,” Nov. 30, 2022 (Suzan Fultz FOIA production, image, Commission source files)
- Eric Gagnon, private correspondence with Chuck Cross (and later Yak Lubowsky, William Semple) re: Heroux/Definitive Logic disclosure issues, Feb.–May 2023 (Commission source files)
- Commission reconciliation analysis of the Town's 2025 FOIA email release, comparing production counts and search methodology (Commission working files, incl. Archive vs. Withheld Emails Memo, Keyword vs. AI Search Report, and Nevill Non-Gov Email Consolidated Report), completed July 31, 2026
- “INDEX TO DOCUMENTS (Consolidated)” — chronological document/email log compiled from Town, County, and Amazon correspondence, Feb. 2021–July 2022 (Commission source files)
- “Timeline” (data center chronology compiled by Amy Trotto, describing emails produced pursuant to FOIA litigation), in Citizens for Fauquier County/Piedmont Environmental Council/Protect Fauquier, “Standard of Review & Evaluation” composite analysis (Commission source files)
- Verbatim transcript excerpt, Town of Warrenton Town Council Work Session, Jan. 10, 2023, Q&A with Amazon Web Services' Jay Reinke (Council members McGuire, Mooney, and Semple questioning), timestamps 1:43:40–1:47:35 in the Town's recorded video of the meeting; recording publicly archived through the Town's official meetings/recordings portal (Commission source files)