

**MINUTES OF
FAUQUIER COUNTY PLANNING COMMISSION
AUGUST 17, 2017**

**Work Session
10:00 a.m.
Warren Green Meeting Room
10 Hotel Street, Warrenton, Virginia**

The Fauquier County Planning Commission held a Work Session on Thursday, August 17, 2017, beginning at 10:00 a.m., in the Warren Green Meeting Room, 10 Hotel Street, Warrenton, Virginia. Members present were Ms. Adrienne Garreau, Chairperson; Mr. John Meadows, Vice-Chairperson; Mr. Bob Lee, Mr. Ken Alm and Mr. Matthew Smith. Also present were Ms. Tracy Gallehr, Ms. Kimberley Fogle, Ms. Holly Meade, Mr. Andrew Hopewell, Mr. Adam Shellenberger, Mr. Rob Walton, Ms. Heather Jenkins, Ms. Marie Pham, Mr. Ben Holt and Ms. Julie Bolthouse, Piedmont Environmental Council.

REMINGTON WALKS

Ms. Julie Bolthouse, Piedmont Environmental Council, gave a presentation on the proposed Remington Walks project, which proposes to “develop a plan for future walking routes, trails, sidewalks, parks, and bikeways” in Remington. There was a discussion about the Commission meeting with the Remington Town Council in the fall for further collaboration. Commissioner Meadows said he would take the lead on coordinating such a meeting.

PRIVATE STREET POLICY

Ms. Marie Pham led the discussion on the revised Private Street Policy in the Transportation Chapter of the Comprehensive Plan.

PRELIMINARY PLAT - PREP-17-006901 - CEDAR GROVE SUBDIVISION – An application to subdivide approximately 15.07 acres into a 45 lots, and an associated Waiver of Section 18-1.A.1 of the Subdivision Ordinance regarding hydrogeologic testing.

Ms. Heather Jenkins and Mr. Rob Walton reviewed the Preliminary Plat application and its associated waiver request.

CLOSED MEETING:

On motion made by Mr. John Meadows and seconded by Mr. Bob Lee, it was moved to go into a closed meeting, pursuant to *Code of Virginia* Section 2.2-3711.A.(8) for the purpose of consultation with legal counsel pertaining to specific legal matters requiring the provision of legal advice by counsel relating to the Preliminary Plat and associated waiver request for the Cedar Grove Subdivision.

The motion carried 5 – 0, as follows:

AYES: Mr. John Meadows, Mr. Bob Lee, Mr. Matthew Smith, Ms. Adrienne Garreau and Mr. Ken Alm

NAYS: None

ABSTENTION: None

ABSENT: None

Upon reconvening from the closed meeting, Mr. John Meadows read the following Certification of Closed Meeting:

The Fauquier County Planning Commission, having adjourned into a closed meeting this day for the purposes stated in the resolution authorizing such meeting, does hereby certify that to the best of each member's knowledge:

1. Only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act; and
2. Only such public business matters as were identified in the motion by which the closed meeting was convened, were heard, discussed, or considered in the closed meeting.

This certification shall be recorded in the minutes of the Planning Commission on motion of Mr. Mr. John Meadows and seconded by Mr. Bob Lee.

The motion carried 5 – 0, as follows:

AYES: Mr. John Meadows, Mr. Bob Lee, Mr. Matthew Smith, Ms. Adrienne Garreau and Mr. Ken Alm

NAYS: None

ABSTENTION: None

ABSENT: None

APPROVAL OF MINUTES – July 20, 2017

Planning Commission members discussed the minutes.

ZONING ORDINANCE TEXT AMENDMENT – TEXT-17-007638 – A Zoning Ordinance Text Amendment to Section 7-501 to require public water for commercial development in the Warrenton Service District.

Mr. Rob Walton reviewed the proposed amendment.

COMPREHENSIVE PLAN AMENDMENT – COMA-17-007643 – A Comprehensive Plan Amendment to Chapter 6 of the Comprehensive Plan to allow public water inside the Warrenton Service District subject to the Fauquier County/Town of Warrenton/WSA Master Sewer and Water Agreement.

Mr. Andrew Hopewell reviewed the proposed amendment.

ZONING ORDINANCE TEXT AMENDMENT – TEXT-17-007409 – A Zoning Ordinance Text Amendment to Articles 3, 5 and 15 to add Abattoirs as a Special Exception Use in the Rural Agricultural (RA) zoning district.

Ms. Kimberley Fogle reviewed the proposed amendment.

COMMISSIONERS' TIME

Mr. Bob Lee asked about the status of the text amendment for the Traditional Neighborhood Design (TND) Incentive District. Ms. Holly Meade indicated that it would be back on the Planning Commission agenda in the next month or two.

The meeting was adjourned at 12:30 p.m.

***Regular Meeting
6:30 p.m.
Warren Green Meeting Room
10 Hotel Street, Warrenton, Virginia***

The Fauquier County Planning Commission held its regular meeting on Thursday, August 17, 2017, beginning at 6:30 p.m. in the Warren Green Meeting Room, 10 Hotel Street, Warrenton, Virginia. Members present were Ms. Adrienne Garreau, Chairperson; Mr. John Meadows,

Vice-Chairperson; Mr. Bob Lee, Mr. Ken Alm, and Mr. Matthew Smith. Also present were Ms. Tracy Gallehr, Ms. Kimberley Fogle, Ms. Holly Meade, Mr. Rob Walton and Ms. Heather Jenkins.

1. **APPROVAL OF MINUTES** – July 20, 2017

On motion made by Mr. Matthew Smith and seconded by Mr. John Meadows, it was moved to approve the July 20, 2017 minutes.

The motion carried unanimously.

Ms. Tracy Gallehr announced that staff would give a presentation on the Hydrogeologic Testing Waiver and allow the public to comment. Afterwards, staff will review the Preliminary Plat application. The Planning Commission will consider both requests together and vote at one time.

2. **PRELIMINARY PLAT – PREP-17-006901 – CEDAR GROVE LTD LIABILITY CO. (OWNER/APPLICANT) – CEDAR GROVE SUBDIVISION** – An application to subdivide approximately 15.07 acres into a 45 lots, and an associated Waiver of Section 18-1.A.1 of the Subdivision Ordinance regarding Hydrogeologic Testing. The property is located south of the intersection of Emerald Lane and Lunceford Lane, and to the north of the I-66 westbound lane, Marshall District. (PIN 6969-36-8870-000, a portion of) (Heather Jenkins, Staff)

Ms. Heather Jenkins reviewed the Subdivision Ordinance Waiver of Hydrogeologic Testing request.

Ms. Adrienne Garreau asked if anyone would like to speak to the Waiver of Hydrogeologic Testing.

Mr. Chuck Floyd, applicant’s representative, noted that the Subdivision Ordinance allows the testing requirement to be waived when a public system is proposed that will be operated by the Water and Sanitation Authority (WSA). This application proposes to connect this subdivision into their infrastructure. Therefore, the requirement of a hydrogeologic study is an unnecessary expense for the applicant since the proposed subdivision will have public water and will be the responsibility of WSA.

There were no other speakers.

Ms. Heather Jenkins reviewed the Preliminary Plat staff report, a copy of which is attached to and made part of these official minutes.

On motion made by Mr. Bob Lee and seconded by Ms. Adrienne Garreau, it was moved to deny this item, based on the following Resolution to Deny and List of Deficiencies:

RESOLUTION

A RESOLUTION TO DENY PREP-17-006901 –
AN APPLICATION FOR A WAIVER OF SECTION 18-1.A OF THE SUBDIVISION
ORDINANCE REGARDING HYDROGEOLOGIC TESTING AND
DENIAL OF CEDAR GROVE SUBDIVISION PRELIMINARY PLAT
(PIN 6969-36-8870-000, A PORTION OF, MARSHALL DISTRICT)

WHEREAS, Cedar Grove LLC (Applicant) is seeking approval of a Preliminary Plat pursuant to Section 9 of the Subdivision Ordinance and an associated waiver of the hydrogeologic testing requirement found in Section 18 of the Subdivision Ordinance; and

WHEREAS, the Applicant proposes to subdivide a portion of the 187.6792-acre subject property PIN 6969-36-8870-000, consisting of 15.07-acres which is zoned R-4 and contained within a service district; and

WHEREAS, the Preliminary Plat shows the subdivision of the 15.07-acre development area into forty-five (45) residential lots of less than one acre in size using the cluster subdivision provisions of Article 3 of the Zoning Ordinance; and

WHEREAS, Sections 18-1.A.1 and 3 of the Subdivision Ordinance requires the completion of hydrogeologic testing prior to the approval of all Preliminary Plats consisting lots of less than one (1) acre in size or for those proposed developments within a service district; and

WHEREAS, the requirement for hydrogeologic testing may be waived by the Planning Commission in accordance with Sections 4-27 and 18-1.A.1 and 3 of the Subdivision Ordinance; and

WHEREAS, Sections 18-1.A.1 and 3 state the Planning Commission may waive the hydrogeologic testing requirement when a public system is proposed upon the recommendation of the Fauquier County Water and Sanitation Authority (WSA) that the testing is unnecessary or would create an undue hardship; and

WHEREAS, the WSA has not recommended a waiver of the hydrogeologic testing requirement as WSA does not have water available to serve this proposed development; and

WHEREAS, the Planning Commission has determined that the Applicant's request to waive the requirement for hydrogeologic testing fails to satisfy the ordinance standards in Sections 4-27, 18-1.A.1 and 3 for a waiver; now, therefore, be it

RESOLVED by the Fauquier County Planning Commission this 17th day of August 2017, That the waiver of hydrogeologic testing be, and is hereby, DENIED; and

WHEREAS, the Fauquier County Planning Commission has evaluated and considered all evidence presented; and

WHEREAS, the Commission finds that all requirements of the Fauquier County Zoning Ordinance and Subdivision Ordinance have not been met with this application; and

WHEREAS, a list of deficiencies which must be corrected before the Preliminary Plat can be approved is attached to this resolution; now, therefore, be it

RESOLVED by the Fauquier County Planning Commission this 17th day of August 2017, That the preliminary plat in application PREP-17-006901 be, and is hereby, DENIED.

DENIAL

LIST OF DEFICIENCIES
PREP-17-006901– CEDAR GROVE SUBDIVISION PRELIMINARY PLAT
(PIN 6969-36-8870-000, A PORTION OF, MARSHALL DISTRICT)

1. Sections 18-1.A.1 and 3 of the Fauquier County Subdivision Ordinance requires hydrogeologic testing be conducted and a report received prior to the approval of the preliminary plat. The applicant shall either provide the required hydrogeologic report or proof that a waiver of the testing and report has been obtained.
2. Section 9-5.B.34 of the Fauquier County Subdivision Ordinance requires that a jurisdictional determination from the USACE be received before approval of the preliminary plat. The application shall provide a copy of a valid USACE jurisdictional determination.

The motion carried unanimously.

Public Hearings
6:30 p.m.
Warren Green Meeting Room, First Floor, 10 Hotel Street
Warrenton, Virginia

1. **CITIZENS' TIME**

No one spoke.

2. **ANNOUNCEMENTS**

None.

3. **ZONING ORDINANCE TEXT AMENDMENT – TEXT-17-007409** – A Zoning Ordinance Text Amendment to Articles 3, 5 and 15 to add Abattoirs as a Special Exception Use in the Rural Agricultural (RA) zoning district. (Kimberley Fogle, Staff)

Ms. Kimberley Fogle reviewed the staff report, a copy of which is attached to and made part of these official minutes.

Ms. Adrienne Garreau opened the public hearing.

In that there were no speakers, Ms. Adrienne Garreau adjourned the public hearing.

On motion made by Mr. Bob Lee and seconded by Ms. Adrienne Garreau, it was moved to postpone action on this item, with the public hearing left open.

The motion carried unanimously.

4. **ZONING ORDINANCE TEXT AMENDMENT – TEXT-17-007638** – A Zoning Ordinance Text Amendment to Section 7-501 to require public water for Commercial development in the Warrenton Service District. (Rob Walton, Staff)

5. **COMPREHENSIVE PLAN AMENDMENT – COMA-17-007643** – A Comprehensive Plan Amendment to Chapter 6 of the Comprehensive Plan to allow public water inside the Warrenton Service District subject to the Fauquier County/Town of Warrenton/WSA Master Sewer and Water Agreement. (Andrew Hopewell, Staff)

Mr. Rob Walton reviewed the staff reports for items 4 and 5, copies of which are attached to and made part of these official minutes.

Ms. Adrienne Garreau opened the public hearing.

In that there were no speakers, Ms. Adrienne Garreau closed the public hearing.

On motion made by Mr. Ken Alm and seconded by Ms. Adrienne Garreau, it was moved to forward items 4 and 5 to the Board of Supervisors with a recommendation of approval.

The motion carried unanimously.

In that there was no further business, the meeting was adjourned at 6:46 p.m.

A tape recording of the meeting, as well as the associated staff reports and attachments for each agenda item, are retained on file in the Department of Community Development's Planning Office, 10 Hotel Street, Third Floor, Warrenton, Virginia, for a period of one year.

THE AGENDA MAY BE MODIFIED ON ADOPTION BY THE PLANNING COMMISSION IN THE FORM OF ADDITIONS, DELETIONS OR REVISIONS