

**MINUTES OF
FAUQUIER COUNTY PLANNING COMMISSION
SEPTEMBER 19, 2019**

**Work Session
9:00 a.m.
Warren Green Meeting Room
10 Hotel Street, Warrenton, Virginia**

The Fauquier County Planning Commission held a Work Session on Thursday, September 19, 2019, beginning at 9:00 a.m., in the Warren Green Meeting Room, 10 Hotel Street, Warrenton, Virginia. Members present were Mr. John Meadows, Chairperson; Ms. Adrienne Garreau, Vice-Chairperson; Mr. Bob Lee, Mr. Matthew Smith and Ms. Diane Roteman. Also present were Ms. Tracy Gallehr, Ms. Holly Meade, Mr. Adam Shellenberger, Ms. Amy Rogers, Ms. Heather Jenkins and Ms. Kara Krantz.

REZONING – REZN-19-011186 – LAKESIDE HOMES, LLC, HOMEOWNERS ASSOCIATION OF BROOKSIDE, JAMES M. & KATHLEEN K. ROHR (OWNERS)/LAKESIDE HOMES, LLC (APPLICANT) – BROAD RUN ESTATES

Mr. Adam Shellenberger reviewed the application and Commissioners decided to schedule a site visit.

PLAN OF DEVELOPMENT – PLOD-19-011429 – ECH-VINT HILL ASSOCIATES, LLC (OWNER)/PIEDMONT LAND CONSULTING, LLC (APPLICANT) – VINT HILL LANDBAY
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Ms. Kara Krantz reviewed the application.

SPECIAL EXCEPTION – SPEX-19-011533 – SILVERBACK RANCH, LLC (OWNER)/KRIS BOUCHER (APPLICANT) – SILVERBACK RANCH

Ms. Kara Krantz reviewed the application and Commissioners discussed revisions to the conditions.

APPROVAL OF MINUTES – AUGUST 15, 2019

Planning Commission members discussed the minutes.

PRELIMINARY PLAT AMENDMENT – PREP-19-010875 – OLD SALEM COMMUNITY DEVELOPMENT II, LLC, BOARD OF SUPERVISORS OF FAUQUIER COUNTY &

GROVE LANE, LLC (OWNERS)/OLD SALEM COMMUNITY DEVELOPMENT II, LLC (APPLICANT) – CUNNINGHAM FARM SUBDIVISION

Ms. Holly Meade stated that the Cunningham Farm application was postponed.

BOARD OF ZONING APPEALS AGENDA

Ms. Holly Meade stated that the meeting will likely be cancelled.

COMMISSIONERS' TIME

Ms. Holly Meade announced the upcoming agenda items scheduled for next month's Planning Commission meeting.

Ms. Tracy Gallehr summarized the recent minor changes to the Virginia Code legislation regarding proffers.

In that there was no further business, the meeting was adjourned at 10:25 a.m.

<p><i>Regular Meeting 6:30 p.m. Warren Green Meeting Room, First Floor 10 Hotel Street, Warrenton, Virginia</i></p>

The Fauquier County Planning Commission held its Regular Meeting on Thursday, September 19, 2019, beginning at 6:30 p.m., in the Warren Green Meeting Room, 10 Hotel Street, Warrenton, Virginia. Members present were Mr. John Meadows, Chairperson; Ms. Adrienne Garreau, Vice-Chairperson; Mr. Bob Lee, Mr. Matthew Smith and Ms. Diane Roteman. Also present were Ms. Tracy Gallehr, Ms. Holly Meade, Mr. Adam Shellenberger, Ms. Amy Rogers, Ms. Kara Krantz and Mrs. Meredith Meixner.

1. **ADOPTION OF THE AGENDA**

Planning Commission members unanimously voted to adopt the agenda.

2. **CITIZENS' TIME**

None.

3. **APPROVAL OF MINUTES** – August 15, 2019

On motion made by Ms. Adrienne Garreau and seconded by Ms. Diane Roteman, it was moved to approve the August 15, 2019 minutes.

The motion carried unanimously.

4. **POSTPONED – PRELIMINARY PLAT AMENDMENT – PREP-19-010875 – OLD SALEM COMMUNITY DEVELOPMENT II, LLC, BOARD OF SUPERVISORS OF FAUQUIER COUNTY & GROVE LANE, LLC (OWNERS)/OLD SALEM COMMUNITY DEVELOPMENT II, LLC (APPLICANT) – CUNNINGHAM FARM SUBDIVISION** – An application to amend the Preliminary Plat for the Cunningham Farm Subdivision, previously approved on May 9, 2014 (PPLT14-MA-002). The properties are located adjacent to Grove Lane and Clifton Street, Marshall District. (PIN 6969-59-3597-000, 6969-38-3778-000 and 6969-39-1347-000) (Josh Frederick, Staff)

Mr. John Meadows stated that this item was postponed prior to the meeting.

5. **PLAN OF DEVELOPMENT – PLOD-19-011429 – ECH-VINT HILL ASSOCIATES, LLC (OWNER)/PIEDMONT LAND CONSULTING, LLC (APPLICANT) – VINT HILL LANDBAY K** – An application for a Plan of Development as a prerequisite to an Infrastructure Plan Amendment. The properties are located off Kennedy Road, Scott District. (PIN 7915-77-5430-000, 7915-77-2958-000 and 7915-77-7044-000) (Kara Krantz, Staff)

Ms. Kara Krantz reviewed the staff report.

On motion made by Ms. Adrienne Garreau and seconded by Mr. Bob Lee, it was moved to approve this item, subject to the following condition:

**VINT HILL LANDBAY K
PLOD-19-011429**

1. Subdivision of the property shall be in general conformance with the “Plan of Development – Vint Hill Landbay K,” dated June 26, 2019, prepared by J2 Engineers, Inc., and received by the Department of Community Development on August 9, 2019, and as modified as may be necessary to meet Zoning Ordinance and engineering requirements.

The motion carried unanimously.

6. **BOARD OF ZONING APPEALS AGENDA**

Mr. John Meadows stated that the meeting was cancelled.

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

1. **ANNOUNCEMENTS**

None.

2. **SPECIAL EXCEPTION – SPEX-19-011533 – SILVERBACK RANCH, LLC (OWNER)/KRIS BOUCHER (APPLICANT) – SILVERBACK RANCH** – An application for a Category 3 Special Exception to allow a Tourist Home in the Fiery Run Agricultural and Forestal District. The property is located at 14047 Hume Road, Marshall District. (PIN 5998-96-8500-000) (Kara Krantz, Staff)

Ms. Kara Krantz reviewed the staff report.

Mr. John Meadows opened the public hearing.

In that there were no speakers, Mr. John Meadows closed the public hearing.

On motion made by Mr. Bob Lee and seconded by Ms. Adrienne Garreau, it was moved to forward this item to the Board of Supervisors with a recommendation of approval, subject to the following revised conditions:

**SILVERBACK RANCH
SPEX-19-011533**

1. The Special Exception is granted only for PIN 5998-96-8500-000, runs with the land as indicated in the application, and shall not be transferred to other land.
2. This Special Exception is granted only for the purpose(s), structure(s) and/or uses indicated on the Silverback Ranch Special Exception Exhibit received by Community Development July 16, 2019, except as qualified by these development conditions.
3. The use shall be limited to the existing house and the maximum occupancy shall not exceed ten (10) guests. **There shall be no additional guests permitted for weddings, rehearsal dinners, or other small events without approval of a Special Exception for Class C Events.**
4. The property shall only be rented to one party at a time. Single room rentals and occupancy by multiple parties simultaneously shall not be permitted.
5. Adequacy of water and sewer is required to approve the Site Plan.

6. All applicable Virginia Department of Health and Fauquier County Building and Zoning permits shall be obtained prior to commencement of the use.
7. No on-site food service shall be provided.
8. Water shall be tested annually for fecal coliform bacteria by a certified lab. Certification of the testing shall be provided to the Fauquier County Health Department and Fauquier County Zoning Administrator.
9. **On-site** signage related to the use shall be limited to a maximum of six (6) square feet. Illumination of signage shall be prohibited. **Off-site signage shall not be permitted without Special Permit approval pursuant to Section 8-602.3 of the Zoning Ordinance.**
10. **A notice that contains the following verbatim language in at least 14 point font shall be posted or displayed in a prominent location to advise any occupants of State and local laws governing certain uses of the property. This notice of prohibited activity shall also be included in any online listings advertising this property for rent.**

NOTICE TO OCCUPANTS

Pursuant to the Statewide Fire Prevention Code, fireworks are not permitted to be used on this property. "Fireworks" means any firecracker, torpedo, skyrocket, or other substance or object, of whatever form or construction, that contains any explosive or inflammable compound or substance, and is intended, or commonly known as fireworks, and which explodes, rises into the air or travels laterally, or fires projectiles into the air (*Code of Virginia* Sections 27-94 through 101).

Chapter 13.5 of the *Fauquier County Code* prohibits noise that is either plainly audible within any nearby dwellings or exceeds 65 decibels at the property line between the hours of 10:00 p.m. and 7:00 a.m., except Friday and Saturday evenings, when the hours of noise limitation shall be 11:00 p.m. to 7:00 a.m. the following day.

11. An approved Site Plan shall be required prior to the establishment of the use.

The motion carried unanimously.

3. **REZONING – REZN-19-011186 – LAKESIDE HOMES, LLC, HOMEOWNERS ASSOCIATION OF BROOKSIDE, JAMES M. & KATHLEEN K. ROHR (OWNERS)/LAKESIDE HOMES, LLC (APPLICANT) – BROAD RUN ESTATES** – An application to rezone approximately 112.39 acres from Residential: 1 Unit Per Acre (R-1) to Residential: 4 Units Per Acre (R-4). The properties are located at 4525, 4569, 4589, 4627 and 4629 Broad Run Church Road, Scott District. (PIN 7906-90-4594-000, 7906-90-0728-000, 7906-91-7338-000, 7906-91-6062-000, 7906-81-7310-000, 7916-00-5721-000, 7916-00-8844-000, 7916-10-0714-000, 7916-10-1643-000, 7916-10-2576-000, 7916-10-1218-000, 7916-00-9374-000, 7916-00-8482-000, 7916-00-7580-000, 7916-00-7233-000, 7916-00-7919-000 and 7916-00-7838-000) (Adam Shellenberger, Staff)

Mr. Adam Shellenberger reviewed the staff report.

Mr. John Meadows opened the public hearing.

Mr. Chuck Floyd, applicant's representative, explained that there are ongoing revisions to the proposed application and that the applicant has recently received a copy of the Capital Impact model for this project from County staff to review. He discussed how future traffic impacts from the Ringwood subdivision would be alleviated and transferred to a new area under this proposal. These other projects have been placed on hold during the review of the Broad Run Estates Rezoning application. If denied, the other projects will move forward. Mr. Floyd continued that they held a community meeting with the intent to be sensitive to each neighborhood involved. In closing, he expressed agreement if the Planning Commission decides to postpone.

Ms. Lynn Ebert, Scott District and Broad Run Church Road resident, spoke in opposition and commented how bad the traffic was on Broad Run Church Road during the Route 29 construction. She voiced her concerns for the possible impacts that this subdivision would cause – traffic from multiple cars per home, overcrowded schools, and higher taxes. Ms. Ebert stated that the growth from R-1 zoning to R-4 is unnecessary and the application should be denied.

Mr. Denis Lyddane, Scott District and Broad Run Church Road resident, spoke against the application and questioned why the proposed houses would be located on Broad Run Church Road. He wondered if it was due to a past hurricane that caused the area in the rear to flood.

Mr. Nate Guilmain, Scott District and Point Road resident, spoke in support and said that as a Brookside resident he appreciates the design quality of Lakeside Homes. He added that there is already approved housing and that Lakeside would make it look better with front facing houses.

Ms. L. Renee Orr, Scott District and Chestnut Oak Lane resident, spoke in opposition and stated that the project should stay one house per acre. She indicated that traffic is already an issue and that improvements need to be made to our road system. Ms. Orr added that she was not aware of a community meeting.

Mr. Gerald Grove, Cedar Run District and Ringwood Road resident, spoke in favor of the rezoning and preserving the Ringwood property.

Ms. Patricia van Gils, Scott District and Brydon Court resident, spoke against the requested changes and echoed that the infrastructure is not set up for the number of proposed homes. She also pointed out that water is a problem now and more homes would be bad.

Mr. Henry Tarring, Scott District and Hummingbird Lane resident, expressed concern with whether the proposed development plan is actually what will be built and stated that he is okay with the concept plan. He expressed further concern for the proper management of the green space, noting that Home Owners' Associations are not always effective.

Ms. Vernona Kreitz, Scott District and Beverleys Mill Road resident, spoke in opposition and commented that she purchased a horse farm in Fauquier because they were drawn to the rural heritage. She applauded the recently updated Rural Lands Plan and asked the Commissioners to recommend denial of the rezoning. Ms. Kreitz said she appreciates the developer's desire to redesign, but is opposed to the increased density. She urged them to consider a cohesive master plan developed with the County's vision and character.

Ms. Barbara Shannon-Reed, Cedar Run District and Ringwood Road resident, spoke in support and stated that she attended the community meeting. She added that her neighbors also support preserving the Ringwood property.

Mr. Mark Knisely, Scott District and Meaghan Lane resident, spoke in opposition and noted that he was unaware of a community meeting. He stated that the schools are already at capacity and there will be negative traffic impacts if more housing is approved. Mr. Knisely raised concern with creating an island where the proposed higher density subdivision will have no pedestrian connectivity to other subdivisions, schools or trails.

Ms. Rachel Pack, Scott District and Valley Drive resident, expressed her opposition and concerns for possible environmental impacts. She explained how South Run flows into Lake Brittle, which in turn flows into Lake Manassas and ultimately into the Chesapeake Bay.

Ms. Leigh Von Haden, Scott District and Baldwin Ridge Road resident, spoke against the application and stated that the additional density is a big deal. She voiced her concern for impacts to the water quality and noted that the school enrollment is already near capacity. Ms. Von Haden explained that her family chose to move to the area because they love the County's vision and urged the Commission members to keep the density low.

Ms. Michelle Pack, Scott District and Valley Drive resident, spoke in opposition and pointed out that the addition of 169 houses would bring a lot of traffic to a small stretch of road.

Ms. Carie Hammond, Scott District and Freemont Hill Court resident, spoke against the rezoning and stated that keeping the density low fits with the County's Comprehensive Plan.

Ms. Sandra Sites, Cedar Run District and Riley Road resident, spoke in opposition and expressed concern for traffic impacts if this is approved. She noted that it currently takes twenty-five minutes to go seven miles.

Mr. Colley Siciliano, Scott District and Pond Mountain Road resident, spoke against the proposed application and agreed with the previous speakers' concerns regarding impacts from higher density and increased traffic.

Ms. Michele Schaner, Scott District and Lake Drive resident, expressed her opposition to the rezoning and explained that she moved from Prince William County because of uncontrolled growth. She stressed the importance of smart responsible growth, pointing out that Brookside is not built out yet and questioned if the 100 acres at Buckland Farm will be developed into

residential. Ms. Schaner highlighted a section of the proposed proffers that discuss how the Home Owners' Association (HOA) will be created and that it may be joined with the Brookside HOA. She added that the pool there is already crowded.

Ms. Ida Light, Scott District and Beverleys Mill Road resident, spoke against the application and asked that the Commission members consider the impacts to older subdivisions. She explained that the sixty year old septic systems can't meet the reserve requirements and are told they cannot connect to public sewer and water; therefore are forced to seek an alternative system if they fail.

Ms. Donna Rosamond, Scott District and Rock Springs Road resident, spoke in opposition and explained that the new houses are getting public sewer and the older homes are not. She commented that the area needs transportation improvements and not more houses.

Ms. Laura Wahl, Cedar Run District and Ringwood Road resident, spoke in support for granting a Conservation Easement on the Ringwood property.

Ms. Mary Page, Scott District and Buckmaster Lane resident, spoke in opposition and urged that connectivity is the key when funneling development in the Service District.

Mr. Larry Kovalik, Center District and Brookshire Drive resident, expressed concern that increased density adds to transportation issues and said that infrastructure should be in place first. He commented that clustering development with open space has its merits.

Ms. Linda Williams, Scott District and Kensington Lane resident, spoke against the rezoning and noted there are no longer dark skies like there used to be. She stated that the roads have not changed but now have teenagers from Kettle Run driving and it is dangerous. Ms. Williams stated that she would like a minimum number of homes built.

In that there were no further speakers, Mr. John Meadows adjourned the public hearing.

Ms. Adrienne Garreau stated that she would like to leave the public hearing open and that staff and the reviewing agencies will continue to work with the applicant.

On motion made by Ms. Adrienne Garreau and seconded by Mr. Bob Lee, it was moved to postpone action on this item for 90 days, with the public hearing left open.

The motion carried unanimously.

In that there was no further business, the meeting was adjourned at 7:42 p.m.

A 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***