

**MINUTES OF  
FAUQUIER COUNTY PLANNING COMMISSION  
SEPTEMBER 17, 2015**

**Work Session  
1:00 p.m.  
Warren Green Building  
Second Floor Conference Room  
10 Hotel Street, Warrenton, Virginia**

*The Fauquier County Planning Commission held a Work Session on Thursday, September 17, 2015, beginning at 1:00 p.m., in the Warren Green Building, Second Floor Conference Room, 10 Hotel Street, Warrenton, Virginia. Members present were Mr. Ken Alm, Chairperson; Ms. Adrienne Garreau, Vice-Chairperson; Mr. Bob Lee, Mr. John Meadows and Mr. Dell Ennis. Also present were Ms. Mary Catherine Anderson, Ms. Kimberley Fogle, Ms. Kimberley Johnson, Ms. Holly Meade, Mr. Chuck Floyd, Mr. Andrew Hopewell, Mr. Adam Shellenberger, Mr. Don Del Rosso, Ms. Wendy Wheatcraft, Ms. Marie Pham, Mr. David Ek, Ms. Heather Jenkins, Mr. Ben Holt and Mr. Milt Herd.*

**COMPREHENSIVE PLAN – CHAPTER 2, HERITAGE RESOURCES**

Ms. Wendy Wheatcraft reviewed the proposed amendment.

**FORM BASED CODE**

Ms. Kimberley Johnson led the discussion.

**SPECIAL EXCEPTION – SPEX-15-003587 – MARK AND PIA E. EHN HARDY (OWNERS)/CWS VII, LLC AND VERIZON WIRELESS (APPLICANTS) – CWS WARRENTON WEST**

Ms. Wendy Wheatcraft reviewed the application.

**SPECIAL EXCEPTION – SPEX-15-003539 – BEEREN & BARRY INVESTMENTS, LLC (OWNER/APPLICANT) – MORRISVILLE WOODS**

Ms. Marie Pham reviewed the application.

**SPECIAL EXCEPTION – SPEX-15-003185 – DENISE MARIE AL-BASHIR & ABDULLAH REHAB BAKHSH (OWNERS)/EARTH VILLAGE EDUCATION, INC. (APPLICANT) – EARTH VILLAGE EDUCATION**

Mr. Don Del Rosso reviewed the application.

**WAIVER – WAIV-15-003573 – BRAINTREE INVESTMENTS, LLC & ARGENT DEVELOPMENT, LLC (OWNERS)/FERNGATE INVESTMENTS, LLC (APPLICANT) – FERNGATE INVESTMENTS, LLC**

Mr. Chuck Floyd reviewed the application.

**ARRINGTON – VARIOUS APPLICATIONS**

Mr. Adam Shellenberger indicated that the applications will be heard at the next public hearing.

**COMPREHENSIVE PLAN AMENDMENT – COMA-15-003449 – CIVIL WAR PRESERVATION TRUST (OWNER/APPLICANT) – CIVIL WAR TRUST TRACT**

Ms. Wendy Wheatcraft reviewed the application.

**APPROVAL OF MINUTES – JULY 13, 2015 AND JULY 16, 2015**

Planning Commission members discussed the minutes.

The meeting was adjourned at 5:00 p.m.

<p style="text-align: center;"><i>Regular Meeting</i> <i>6:30 p.m.</i> <i>Warren Green Meeting Room</i> <i>10 Hotel Street, Warrenton, Virginia</i></p>
---

*The Fauquier County Planning Commission held its regular meeting on Thursday, September 17, 2015, beginning at 6:30 p.m. in the Warren Green Meeting Room, 10 Hotel Street, Warrenton, Virginia. Members present were Mr. Ken Alm, Chairperson; Ms. Adrienne Garreau, Vice-Chairperson; Mr. Bob Lee, Mr. John Meadows and Mr. Dell Ennis. Also present were Ms. Mary Catherine Anderson, Ms. Kimberley Fogle, Ms. Holly Meade, Mr. Chuck Floyd, Mr. Don Del Rosso, Ms. Wendy Wheatcraft, Ms. Marie Pham and Ms. Heather Jenkins.*

1. **APPROVAL OF MINUTES** – July 13, 2015 and July 16, 2015

On motion made by Ms. Adrienne Garreau and seconded by Mr. Bob Lee, it was moved to approve the July 13, 2015 and July 16, 2015 minutes.

The motion carried unanimously.

2. **WAIVER – WAIV-15-003573 – BRAINTREE INVESTMENTS, LLC & ARGENT DEVELOPMENT, LLC (OWNERS)/FERNGATE INVESTMENTS, LLC (APPLICANT) – FERNGATE INVESTMENTS, LLC** – An application to waive the requirements of Section 8-1 of the Fauquier County Subdivision Ordinance related to a four (4) foot wide pedestrian trail. The property is located at 6767 John Barton Payne Road, Marshall Virginia, Marshall District. (PIN 6935-67-2862-000) (Chuck Floyd, Staff)

Mr. Chuck Floyd reviewed the 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 Mr. Dell Ennis, it was moved to forward this item to the Board of Supervisors with a recommendation of approval.

The motion carried unanimously.

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

1. **CITIZENS' TIME**

Mr. Irvin Woods, Hume resident, expressed his frustration for AT&T not completing the approved and widely supported cell tower in Hume. Mr. Woods requested that the County review policies that seem to allow a company to lock up territories and that impedes other carriers from building in the same area.

2. **ANNOUNCEMENTS**

None.

3. **SPECIAL EXCEPTION – SPEX-15-003185 – DENISE MARIE AL-BASHIR & ABDULLAH REHAB BAKHSH (OWNERS)/EARTH VILLAGE EDUCATION, INC. (APPLICANT) – EARTH VILLAGE EDUCATION** – An application for a Category 5 Special Exception to operate an outdoor technical school offering a variety of environmental education activities. The property is located at 9125 Lake Daniel Road, Marshall District. (PIN 6959-95-2421-000) (Don Del Rosso, Staff)

Mr. Don Del Rosso reviewed the staff report, a copy of which is attached to and made part of these official minutes.

Mr. Ken Alm opened the public hearing.

Mr. Kevin MacDonald, applicant, explained the goals of Earth Village and described the environmental activities they provide. Mr. MacDonald indicated the school would be an asset to the community and distributed various examples of items created there.

Mr. Scott Johnston, Marshall District resident and neighbor, spoke in support of the school and expressed his excitement for the concept and opportunities it will provide to the County.

Ms. Carrie Blair, Scott District resident, spoke in support of Earth Village and their mission. Ms. Blair spoke highly of their character and that they will be an asset to the community.

Ms. Mary Shapiro, Marshall District resident, spoke in favor of Earth Village and stated that she is honored to have them as her neighbor. Ms. Shapiro noted her background in environmental education and expressed her excitement for the difference the school will make for the County.

In that there were no further speakers, Mr. Ken Alm closed the public hearing.

Mr. Bob Lee stated that he supports the project but due to access issues, action should be deferred until the next meeting.

On motion made by Mr. Bob Lee and seconded by Ms. Adrienne Garreau, it was moved to postpone this item for thirty days.

The motion carried unanimously.

4. **SPECIAL EXCEPTION – SPEX-15-003539 – BEEREN & BARRY INVESTMENTS, LLC (OWNER/APPLICANT) – MORRISVILLE WOODS** – An application for a Category 29 Special Exception to waive the public street requirement. The property is located at 12751 Foxtrot Road, Cedar Run District. (PIN 7816-66-3572-000 (Marie Pham, Staff)

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

Mr. Ken Alm opened the public hearing.

Mr. Ray Crawford, Cedar Run resident and neighbor, expressed his concerns for drainage, future maintenance, tree removal and impacts to his driveway entrance.

Mr. Robert Newsom, Cedar Run resident and neighbor, explained that the right-of-way easement runs along his property. Mr. Newsom stated that the widening will put the road closer to his home and inquired who will pay for the maintenance.

Mr. Holmes Smith, applicant's engineer, stated that he does not want to affect the neighbors' property and explained the roadway width requirement to accommodate emergency vehicles.

Mr. Smith agreed to improve the drainage situation and to minimize impacts to neighboring properties.

Mr. Mitchell Brown, Cedar Run resident and neighbor, shared his concerns for culverts, drainage and ditch maintenance.

Ms. Angelita Crawford, Cedar Run Resident and neighbor, spoke in opposition to the new road and shared her concern for drainage issues. Ms. Crawford indicated that she has been misled by the developers and the renters of the subject property had no knowledge of what the developers were doing.

In that there were no further speakers, Mr. Ken Alm closed the public hearing.

On motion made by Mr. Dell Ennis and seconded by Mr. John Meadows, it was moved to forward this item to the Board of Supervisors with a recommendation of approval, subject to the revised conditions.

After discussion, on motion made by Mr. John Meadows and seconded by Mr. Dell Ennis, it was moved to amend the previous motion to include condition #10.

The motion to amend carried unanimously.

**Morrisville Woods  
SPEX-15-003539**

1. The Special Exception is granted only for the purpose(s), structure(s) and/or uses indicated, and shall be in general conformance with the Special Exception Plat titled "Special Exception Plat Subdivision of Lot 3," dated July 1, 2015 and received by the Fauquier County Department of Community Development on July 13, 2015, except as modified by these development conditions.
2. The four (4) existing parcels in the Morrisville Woods Subdivision, and one (1) proposed parcel divided from Lot 3, PIN 7816-66-3572-000, shall be restricted from direct access onto Elk Run Road (Route 806). These five (5) lots shall be required to access Foxtrot Road.
3. Within the existing 50-foot wide ingress/egress easement, the applicant shall improve the existing private gravel street to a Type III private gravel street that is eighteen (18) feet wide with a minimum of two (2) foot gravel shoulders on either side for a total gravel surface width of twenty-two (22) feet. The gravel road shall consist of a six (6) inch minimum base of #57 stone and a layer of 21A gravel at a minimum depth of four (4) inches. The gravel shoulders shall be a minimum depth of six (6) inches of 21A gravel.
4. The applicant shall install a turnaround to accommodate fire apparatus prior to the issuance of the Certificate of Occupancy for Lot 3B. The turnaround shall be designed in conformance with the Virginia Statewide Fire Prevention Code.
5. The proposed entrance on Elk Run Road (Route 806) shall meet all Virginia Department of Transportation (VDOT) requirements.

6. The driveways and entrances shall be designed and constructed to minimize, to the greatest extent practical, the amount of surface run-off exiting to or entering from the adjacent street through the entrance.
7. The applicant shall provide a stop sign at the intersection of Foxtrot Road and Elk Run Road (Route 806) prior to the issuance of a Certificate of Occupancy for Lot 3B. The stop sign shall be in accordance with the Manual on Uniform Traffic Control Devices (MUTCD).
8. The applicant shall update the existing Private Street Maintenance Agreement to include Lots 3A and 3B and provide for the following:
  - Repair, maintenance and improvement of the proposed private street;
  - Access for emergency vehicles and maintenance vehicles;
  - The provision, installation, and maintenance of all required signs on the private street;
  - Snow removal; and
  - Mowing.

~~The agreement shall be signed by the property owners and recorded with the final plat.~~
9. The owner shall deed restrict Lots 3A and 3B from further subdivision. This restriction shall be recorded with the final plat and deed.
10. With the first submission of the Construction Plan to the County, the applicant shall demonstrate that they have notified all of the property owners in the Morrisville Woods Subdivision.

The original motion as amended carried unanimously.

5. **SPECIAL EXCEPTION – SPEX-15-003587 – MARK AND PIA E. EHN HARDY (OWNERS)/CWS VII, LLC AND VERIZON WIRELESS (APPLICANTS) – CWS WARRENTON WEST** – An application for a Category 20 Special Exception to construct a 119 foot monopole telecommunications tower concealed as a pine tree with a fenced equipment compound. The property is located at 7722 Lee Highway, Marshall District. (PIN 6974-33-4578-000) (Wendy Wheatcraft, Staff)

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

Mr. Ken Alm opened the public hearing.

Ms. Sarah Harris, Marshall District resident and adjacent property owner, spoke in opposition to the tower due to the height and distance from her residence. Ms. Harris indicated that the current trees on the property will not adequately screen the tower because they are deciduous and expressed concern for her property value.

Mr. Frank Stearns, applicants' representative, distributed photos of the current tree coverage and stated that the proposed tower site is well screened. Mr. Stearns requested that the Planning Commission follow the staff's recommendation of approval.

Ms. Pia Ehn-Hardy, owner, indicated that she does not want to impact the neighbor's property and agreed the tower should be screened.

In that there were no further speakers, Mr. Ken Alm closed the public hearing.

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

**CWS Warrenton West  
SPEX-15-003587**

1. This Special Exception is granted only for the purpose(s), structure(s) and/or uses indicated on the Special Exception Plat "CWS Site #131-Warrenton West" dated June 18, 2015, and received in the Planning Office on July 20, 2015 as approved with this application and as modified by the associated conditions below.
2. The installation of one security light, no more than 100 watts or equivalent, is permitted on any equipment shelter constructed within the compound in the future. Entrances to equipment shelters shall face west or south. The applicants shall be required to provide the details of the light fixture and a photometric plan with the first submission of the Site Plan application, along with an explanation of how the light meets the requirement of Article 9 of the Zoning Ordinance, Performance Standards for Glare.
3. The applicants shall provide ~~a landscaping buffer with a row of evergreen trees along the east side of the tower compound~~ **an evergreen buffer to sufficiently screen the compound from the adjacent property to the east. Plantings shall be spaced in a natural random pattern and consist of native materials.**
4. All antennas shall be installed behind artificial foliage and screened with a material that matches the foliage.
5. The design of any equipment shelter constructed within the tower compound shall be architecturally consistent with the buildings within the area of the facility with regards to materials and appearance.

The motion carried unanimously.

6. **COMPREHENSIVE PLAN AMENDMENT – COMA-15-003449 – CIVIL WAR PRESERVATION TRUST (OWNER/APPLICANT) – CIVIL WAR TRUST TRACT** – An application to amend the future land use from Medium Density Residential to Park/Open Space in the Remington Service District. The properties are located at 12231 River Road, Lee District. (PIN 6877-96-8484-000 and 6877-96-6353-000) (Wendy Wheatcraft, Staff)

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

Mr. Ken Alm opened the public hearing.

Mr. W. Jay Steiner, Lee District resident, expressed his hope that the park will be supervised and protected from those that litter and trespass in order to access the Rappahannock River.

In that there were no further speakers, Mr. Ken Alm closed the public hearing.

On motion made by Mr. John Meadows and seconded by Mr. Dell Ennis, it was moved to forward this item to the Board of Supervisors with a recommendation of approval.

In that there was no further business, the meeting was adjourned at 7:52 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**