

**MINUTES OF  
FAUQUIER COUNTY PLANNING COMMISSION  
September 27, 2012**

**Site Visit  
10:30 a.m.  
Warrenton Chase  
Intersection of Duhollow Road (Route 672) and Frytown Road (Route 674)  
Warrenton, Virginia**

*The Fauquier County Planning Commission attended a site visit on Thursday, September 27, 2012, beginning at 10:30 a.m., at Warrenton Chase, intersection of Duhollow Road (Route 672) and Frytown Road (Route 674), Warrenton, Virginia. Members present were Mr. Ken Alm, Chairperson; Ms. Adrienne Garreau, Vice-Chairperson; Mr. Dell Ennis, Secretary; Mr. John Meadows; and Mr. Bob Lee. Also present were Ms. Holly Meade, Mr. Jim Sawyer, Mr. Don Del Rosso, Mr. Roy Beckner, Mr. Mike Lynn, Mr. Mark Grandstaff, and Ms. Susan Helander.*

Mr. Roy Beckner, representative, led a tour of the sewage treatment facility. Mr. Beckner also responded to specific questions, which were raised by members of the Commission, staff and the public, during the tour.

The meeting was adjourned at approximately 11:30 a.m.

**Work Session  
12:30 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 27, 2012, beginning at 12:30 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. Dell Ennis, Secretary; Mr. Bob Lee, and Mr. John Meadows. Also present were Ms. Tracy Gallehr, Mrs. Susan Eddy, Ms. Kimberley Fogle, Ms. Kimberley Johnson, Mr. Andrew Hushour, Ms. Holly Meade, Ms. Sandra O'Connell, Ms. Wendy Wheatcraft and Mr. Adam Shellenberger.*

**SPECIAL EXCEPTION AMENDMENTS – SEAM13-CR-001 & SEAM13-CR-002 – RFI  
WC, LC (OWNER/APPLICANT) – WARRENTON CHASE**

Ms. Meade reviewed the applications.

**PRELIMINARY PLAT & WAIVER – PPLT12-MA-001 & WVRP12-MA-001 – DAVID H. FARRAR (OWNER/APPLICANT) – FARRAR SUBDIVISION**

Ms. O’Connell reviewed the application.

**PRELIMINARY PLAT & SPECIAL EXCEPTION – PPLT11-MA-004 & SPEX12-MA-016 – ALWINGTON FARM, LLC (OWNER)/ALWINGTON FARM DEVELOPERS, LLC (APPLICANT) – ARRINGTON SUBDIVISION**

Ms. Meade reviewed the application.

**CLOSED MEETING**

On motion made by Mr. Lee and seconded by Mr. Meadows, it was moved to go into a closed meeting, pursuant to *Code of Virginia* Section 2.2-3711.A.(7) for the purpose of consultation with legal counsel relating to the Arrington Subdivision applications on the Planning Commission agenda today.

The motion carried 5 – 0, as follows:

AYES: Mr. Alm, Ms. Garreau, Mr. Ennis, Mr. Lee, Mr. Meadows

NAYS: None

ABSTENTION: None

ABSENT: None

Upon reconvening from the closed meeting, Mr. Alm 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. Lee and seconded by Mr. Ennis.

The motion carried 5 – 0, as follows:

AYES: Mr. Alm, Ms. Garreau, Mr. Ennis, Mr. Lee, Mr. Meadows

NAYS: None

ABSTENTION: None

ABSENT: None

**ZONING ORDINANCE TEXT AMENDMENT** – A Zoning Ordinance Text Amendment to Sections 3-307, 5-700, and 15-300 to allow a single-family dwelling unit as a Category 7, Adaptive Use.

Mr. Hushour reviewed the proposed text amendment.

**ORLEAN VOLUNTEER FIRE COMPANY NO. 11**

Mr. Shellenberger reviewed the upcoming application for a new fire station and water storage facility.

**APPROVAL OF MINUTES – July 26, 2012 and August 30, 2012**

Planning Commissioners discussed the July 26, 2012 and August 30, 2012 minutes.

**BOARD OF ZONING APPEALS AGENDA**

Planning Commissioners discussed the agenda.

**TRANSPORTATION COMMITTEE AGENDA**

Planning Commissioners discussed the agenda.

**OPAL UPDATE**

Mrs. Eddy gave an update on the Opal Steering Committee work.

The meeting was adjourned at 5:00 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, September 27, 2012, 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. Dell Ennis, Secretary; Mr. Bob Lee, and Mr. John Meadows. Also present were Ms. Tracy Gallehr, Mrs. Susan Eddy, Ms. Kimberley Fogle, Mr. Andrew Hushour, Ms. Holly Meade, Ms. Sandra O’Connell and Mr. Don Del Rosso.*

Mr. Alm announced that the agenda order would be revised to consider Item #2 (PPLT11-MA-004 – Arrington Subdivision) following Item #4 (SPEX12-MA-016 – Arrington Subdivision) after considering Item #5 (SEAM13-CR-001 & SEAM13-CR-002 – Warrenton Chase).

1. **APPROVAL OF MINUTES** – July 26, 2012 and August 30, 2012

On motion made by Mr. Meadows and seconded by Mr. Lee, it was moved to approve the July 26, 2012 and August 30, 2012 minutes.

The motion carried unanimously.

2. **PRELIMINARY PLAT & WAIVER – PPLT12-MA-001 & WVRP13-MA-001 – DAVID H. FARRAR (OWNER/APPLICANT) – FARRAR SUBDIVISION (Item #3)**  
– An application to subdivide approximately 3.333 acres into three (3) lots and to waive the pedestrian trail requirement along the private street. The property is located on the north side of John Marshall Highway (Route 55), Marshall District. (PIN 6001-64-5443-000) (Sandra O’Connell, Staff)

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

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

**FARRAR SUBDIVISION**  
**PPLT12-MA-001 & WVRP12-MA-001**

1. The final plat shall be in general conformance with the Preliminary Plat “Farrar Subdivision” signed by David R. Hall on August 25, 2012, except as noted in the following conditions.
2. The proposed home on Lot 4 shall only have access off the existing private street, and shall not be permitted to have driveways which access John Marshall

Highway. A note stating “Lot 4 shall only have access off the existing private street.” shall be noted on the Final Plat.

3. The proposed trail shall be relocated from within the right-of-way of John Marshall Highway onto the front of Lots 3 and 4 and placed within a 10’ Public Trail Easement. The 10’ Public Trail Easement shall be shown on the Final Plat.
4. A revised Landscaping Plan meeting the requirements of the Zoning Ordinance shall be submitted to Community Development before the Final Plat is approved.
5. In the event the proposed landscaping and trail are not installed at the time of Final Plat, the following note shall be added to the Final Plat:  
*The landscaping and/or trail as shown on the Preliminary Plat and Construction Plan “Farrar Subdivision” and approved by Fauquier County on “    (date)    ” shall be planted, installed or bonded in accordance with the current County policy according to specifications prior to approval of any Certificate of Occupancy pursuant to Article 7-604.2 of the Fauquier County Zoning Ordinance.*
6. The application for the Land Disturbing Permit for the Private Street shall be submitted before the Final Plat is approved.
7. An agreement in lieu of a plan or an erosion and sediment control plan is required before any land disturbing activities associated with construction of the homes begin.
8. The following shall be recorded prior to or concurrently with the Final Plat:
  - a. A road maintenance agreement between Existing Lot 1, Proposed Lot 2 and Proposed Lot 4 which ensures access rights and continuing maintenance and repair of the private street.
  - b. A Tree Canopy Preservation Easement, which ensures protection of the existing and proposed trees, used toward the Zoning Ordinance tree canopy and street tree requirements as shown on the Preliminary Plat “Farrar Subdivision.”
  - c. A trail maintenance agreement which ensures the public access and continuing maintenance and repair of the trail.
  - d. Covenants for the design requirements of the houses and driveways meeting the Special Exceptions Conditions 4 through 8 of SPEX10-MA-005.

The motion carried unanimously.

3. **BOARD OF ZONING APPEALS AGENDA (Item #4)**

No comment.

4. **TRANSPORTATION COMMITTEE AGENDA (Item #5)**

No comment.

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

1. **ANNOUNCEMENTS**

None.

2. **CITIZENS' TIME**

None.

3. **ZONING ORDINANCE TEXT AMENDMENT** – A Zoning Ordinance Text Amendment to Sections 3-307, 5-700, and 15-300 to allow a single-family dwelling unit as a Category 7, Adaptive Use. (Andrew Hushour, Staff)

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

Ms. Garreau asked why the Commercial Village (CV) District was not included. Mr. Hushour replied that historically it has never been included. Ms. Garreau then asked if a commercial building could be retrofitted to residential. Mr. Hushour answered that there would be limitations.

Mr. Alm opened the public hearing.

Ms. Julie Bolthouse, Piedmont Environmental Council (PEC), stated the Ordinance does help to encourage the preservation and reuse of historic structures; however PEC is concerned about abuse of the Ordinance and unintended consequences. With the limitation of only the age of the building determining the eligibility, the 50-year-old structure, regardless of its significance can be used to open rural districts to commercial businesses and additional residential that otherwise was not allowed. Further, there is the question of how a use is awarded for adaptive reuse that would be extinguished or continued if a structure was destroyed making it difficult for the County to decide to extinguish the use. Lastly, listing receptions as an allowable use is unnecessary as receptions are generally allowed in restaurants based on the definition in the County Code and could leave it open to potential ambiguity and for purposes not intended by the drafters. Ms. Bolthouse requested the Planning Commission postpone their recommendation until PEC's concerns are considered.

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

After discussion, on motion made by Mr. Lee and seconded by Ms. Garreau, it was moved to forward this item to the Board of Supervisors with a recommendation of approval.

The motion carried unanimously.

4. **SPECIAL EXCEPTION AMENDMENTS – SEAM13-CR-001 & SEAM13-CR-002 – RFI WC, LC (OWNER/APPLICANT) – WARRENTON CHASE (Item #5)** – An application to amend a previously approved Category 30 Special Exception to waive the public sewer requirement and a Category 20 Special Exception for a community sewer system on property described as Warrenton Chase and located at the intersection of Duhollow Road and Frytown Road, Cedar Run District. (Various PIN's) (Holly Meade, Staff)

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

Mr. Alm opened the public hearing.

Ms. Dawn Arruda, Cedar Run District, expressed her concerns for the maintenance of the alternative system and would like it to be monitored by a public entity. Ms. Arruda would also like the developers to meet with the community and explain how the system will work.

Mr. Joseph Contrucci, representative, spoke in support of the application.

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

On motion made by Mr. Ennis and seconded by Mr. Meadows, it was moved to forward this item to the Board of Supervisors with a recommendation of approval subject to the set of conditions drafted during the work session that allowed the system to be privately owned, with a caveat that would allow the system to be turned over to FCWSA or another public entity should that opportunity arise.

Mr. Lee expressed support for the amendments, but stated he is not ready to vote.

Mr. Alm commented that he would like time to understand the material provided.

Mr. Meadows expressed concern about holding up this application when these amendments will save money for the residents using the system.

Ms. Garreau encouraged Warrenton Chase to have an open house at the facility and explained that she would like time to ensure the language of the conditions are agreeable to all.

The motion failed 3 – 2, as follows:

AYES: Mr. Meadows, Mr. Ennis

NAYS: Ms. Garreau, Mr. Lee, Mr. Alm

ABSTENTION: None

ABSENT: None

On motion made by Ms. Garreau and seconded by Mr. Lee, it was moved to postpone action on this item until the next regularly scheduled meeting, with the public hearing closed.

Mr. Ennis asked Ms. Garreau which conditions she would like to change. Ms. Garreau replied that her goal is to protect the County and its taxpayers, and feels more time is needed to finalize the conditions.

The motion carried 3 – 2, as follows:

AYES: Ms. Garreau, Mr. Lee, Mr. Alm

NAYS: Mr. Meadows, Mr. Ennis

ABSTENTION: None

ABSENT: None

5. **SPECIAL EXCEPTION – SPEX12-MA-016 – ALWINGTON FARM, LLC (OWNER)/ALWINGTON FARM DEVELOPERS, LLC (APPLICANT) – ARRINGTON SUBDIVISION (Item #4)** – An application for a Category 31 Special Exception to allow for a waiver of the public/central water requirement. The property is located on the west side of James Madison Highway, Marshall District. (PIN 6983-42-8913-000 and a portion of 6983-36-8598-000) (Holly Meade, Staff)

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

Mr. Alm opened the public hearing.

Merle Fallon, Esquire, representative, explained that the applicant has submitted a hydrogeological testing proposal and is agreeable to the Planning Commission tabling the Special Exception request until the study has been completed.



Mr. Ward O'Brien, Marshall District, voiced his concerns regarding added traffic from 122 houses using Lovers Lane and Route 29. Further, he supports preserving the cultural heritage of Fauquier County and believes the aesthetics of Lovers Lane should not be altered.

Mr. Jo Tarrt, Marshall District and Representative for Citizens Concerned for Historic Lee's Ridge, also shared his concerns for traffic and the impact the proposal will have on the water source of the 50 neighboring families.

Ms. Ann Rezelman, Cedar Run District, agreed with the previous concerns about traffic and aesthetics.

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

On motion made by Mr. Lee and seconded by Ms. Garreau, it was moved to forward this item to the Board of Supervisors with a recommendation of denial.

After discussion, Mr. Meadows and Mr. Ennis asked Mr. Lee if he would consider amending his motion and support tabling the item until the hydrogeological study is complete. Mr. Lee replied that he would prefer to keep the motion as is.

The motion carried 3 – 2, as follows:

AYES: Ms. Garreau, Mr. Lee, Mr. Alm

NAYS: Mr. Meadows, Mr. Ennis

ABSTENTION: None

ABSENT: None

Mr. Alm announced that the Public Hearing has now ended and they will continue with the last item from the Regular Meeting.

6. **PRELIMINARY PLAT – PPLT11-MA-004 – ALWINGTON FARM, LLC (OWNER)/ALWINGTON FARM DEVELOPERS, LLC (APPLICANT) – ARRINGTON SUBDIVISION (Item #2)** – An application to subdivide approximately 439.65 acres into one hundred twenty-two (122) lots. The property is located on the west side of James Madison Highway (Routes 15/17/29), Marshall District. (PIN 6983-42-8913-000 and a portion of 6983-36-8598-000) (Holly Meade, Staff)

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

Mr. Alm granted permission for Mr. Merle Fallon to speak.

Merle Fallon, Esquire, representative, respectfully requested approval based on his statements during the work session, earlier that day.

On motion made by Mr. Lee and seconded by Ms. Garreau, it was moved to deny the Preliminary Plat since it does not meet all requirements of the Fauquier County Zoning Ordinance and Subdivision Ordinance.

Mr. Meadows added that he does not support this version of the plan with traffic from the subdivision coming out onto Leeton Court and with houses placed in the viewshed from Route 29.

The motion carried unanimously.

In that there was no further business, the meeting was adjourned at 7:48 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***