

**MINUTES OF
FAUQUIER COUNTY PLANNING COMMISSION
December 5, 2012**

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

The Fauquier County Planning Commission held a Work Session on Wednesday, December 5, 2012, beginning at 10:00 a.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. Holly Meade, Mr. Andrew Hushour, Mr. Don Del Rosso, Ms. Wendy Wheatcraft, Mr. Harvey Clark and Mr. Adam Shellenberger.

Planning Commissioners discussed revising the agenda order.

SPECIAL EXCEPTION – SPEX13-SC-007 – FAUQUIER COUNTY SCHOOL BOARD (OWNER)/FAUQUIER COUNTY PUBLIC SCHOOLS (APPLICANT) – W. G. COLEMAN ELEMENTARY SCHOOL & MARSHALL MIDDLE SCHOOL

Mr. Shellenberger reviewed the application.

SPECIAL EXCEPTION – SPEX13-CR-008 – FAUQUIER COUNTY SCHOOL BOARD (OWNER)/FAUQUIER COUNTY PUBLIC SCHOOLS (APPLICANT) – SOUTHEASTERN ALTERNATIVE SCHOOL

Mr. Shellenberger reviewed the application.

SPECIAL EXCEPTION & WAIVER – SPEX13-MA-005 & WVRP13-MA-002 – COURTENAY MORRIS HANSEN (OWNER/APPLICANT) – HANSEN PROPERTY

Ms. Meade reviewed the applications.

APPROVAL OF MINUTES – October 25, 2012; October 25, 2012 (Opal Steering Committee); and November 13, 2012

Planning Commissioners discussed the October 25, 2012; October 25, 2012 (Opal Steering Committee); and November 13, 2012 (Opal Steering Committee) minutes.

BOARD OF ZONING APPEALS AGENDA

Planning Commissioners discussed the agenda.

TRANSPORTATION COMMITTEE AGENDA

Planning Commissioners discussed the agenda.

CLOSED MEETING

On motion made by Mr. Alm 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 Telecommunication Tower applications on the Planning Commission agenda today and telecommunications in general.

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. Alm and seconded by Mr. Meadows.

The motion carried 5 – 0, as follows:

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

NAYS: None

ABSTENTION: None

ABSENT: None

CLOSED MEETING

On motion made by Mr. Alm and seconded by Ms. Garreau, 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 Barrel Oak Winery ordinance litigation.

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. Alm and seconded by Ms. Garreau.

The motion carried 5 – 0, as follows:

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

NAYS: None

ABSTENTION: None

ABSENT: None

SPECIAL EXCEPTION AMENDMENT – SEAM13-SC-003 – CECIL THOMAS CAMPBELL, TRUSTEE & OTHERS (OWNERS)/SPRINT (APPLICANT) – SPRINT WA33XC108/CAMPBELL PROPERTY

Mr. Del Rosso reviewed the application.

SPECIAL EXCEPTION AMENDMENT – SEAM13-LE-004 – JAMES R. & BETTY L. MILLS, TRUSTEES ET AL & PINNACLE TOWERS, INC. PMB 353 (OWNERS)/SPRINT (APPLICANT) – SPRINT WA54XC874/MILLS PROPERTY

Mr. Del Rosso reviewed the application.

SPECIAL EXCEPTION AMENDMENT – SEAM13-CR-005 – CATLETT VOLUNTEER FIRE COMPANY & CROWN ATLANTIC COMPANY, LLC (OWNERS)/SPRINT (APPLICANT) – SPRINT WA54XC435/CATLETT VOLUNTEER FIRE DEPARTMENT

Mr. Del Rosso reviewed the application.

TELECOMMUNICATIONS SPECIAL EXCEPTION – TWSE13-CR-002 – DAVID M. GRAVES, ROBERT A. GRAVES, & AMERICAN TOWERS, INC. (OWNERS)/SPRINT (APPLICANT) – SPRINT WA54XC876/GRAVES PROPERTY/AMERICAN TOWER

Mr. Del Rosso reviewed the application.

TELECOMMUNICATIONS SPECIAL EXCEPTION – TWSE13-LE-003 – AMERICAN TOWERS, INC. (OWNER)/SPRINT (APPLICANT) – SPRINT WA54XC880/AMERICAN TOWER

Ms. Wheatcraft reviewed the application.

TELECOMMUNICATIONS SPECIAL EXCEPTION & COMPREHENSIVE COMPLIANCE REVIEW – TWSE11-MA-001 & CCRV13-MA-001 – MELVIN MORRISON POE, TRUSTEE & OTHERS (OWNERS)/NEW CINGULAR WIRELESS PCS, LLC (APPLICANT) – HUME TOWER/POE PROPERTY

Mr. Clark reviewed the application.

TELECOMMUNICATIONS SPECIAL EXCEPTION – TWSE13-MA-001 – BETTY A. TRIBLE (OWNER)/VERIZON WIRELESS (APPLICANT) – VERIZON WIRELESS – COBBLER/TRIBLE PROPERTY

Ms. Wheatcraft reviewed the application.

SPECIAL EXCEPTION – SPEX13-SC-006 – VICTORIA R. & WILLIAM FRIEL EDMANDS (OWNERS/APPLICANTS) – VINTAGE RIDGE VINEYARD

Ms. Meade reviewed the application.

SPECIAL EXCEPTION – SPEX13-MA-001 – BRIAN C. & SHARON L. ROEDER (OWNERS/APPLICANTS) – BARREL OAK WINERY

Ms. Meade reviewed the application.

SPECIAL EXCEPTION – SPEX13-MA-004 – DAN S. & CHERYL S. MORTLAND (OWNERS/APPLICANTS) – FOX MEADOW WINERY

Ms. Meade reviewed the application.

The meeting was adjourned at 4:30 p.m.

**Regular Meeting
6:30 p.m.
Warrenton Middle School Auditorium, 244 Waterloo Street
Warrenton, Virginia**

The Fauquier County Planning Commission held its regular meeting on Wednesday, December 5, 2012, beginning at 6:30 p.m. in the Warrenton Middle School Auditorium, 244 Waterloo 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. Holly Meade,

Mr. Don Del Rosso, Ms. Wendy Wheatcraft, Mr. Harvey Clark and Mr. Adam Shellenberger.

Mr. Alm announced that the agenda order of the public hearing items would be revised.

1. **APPROVAL OF MINUTES** – October 25, 2012; October 25, 2012 (Opal Steering Committee); and November 13, 2012 (Opal Steering Committee)

On motion made by Ms. Garreau and seconded by Mr. Meadows, it was moved to approve the October 25, 2012; October 25, 2012 (Opal Steering Committee); and November 13, 2012 (Opal Steering Committee) minutes.

The motion carried unanimously.

2. **BOARD OF ZONING APPEALS AGENDA**

No comment.

3. **TRANSPORTATION COMMITTEE AGENDA**

No comment.

<p style="text-align: center;"><i>Public Hearings 6:30 p.m. Warrenton Middle School, 244 Waterloo Street Warrenton, Virginia</i></p>
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1. **ANNOUNCEMENTS**

None.

2. **CITIZENS' TIME**

None.

3. **ZONING ORDINANCE TEXT AMENDMENT** – A Zoning Ordinance Text Amendment to Section 15-300 Regarding the Limited Allowance of the Service of Automobiles as Part of a Farm Equipment Sales, Rental and Service Establishment. (Andrew Hushour, Staff)

Mr. Alm announced that this item was postponed by staff prior to the meeting.

4. **SPECIAL EXCEPTION – SPEX13-MA-001 – BRIAN C. & SHARON L. ROEDER (OWNERS/APPLICANTS) – BARREL OAK WINERY** – An application for a Category 18 Special Exception to allow farm winery special events. The property is located at 3623 Grove Lane, Marshall District. (PIN 6050-25-9665-000) (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, requested a recommendation of approval for this special exception.

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 subject to the following revised conditions:

**BARREL OAK WINERY
SPEX13-MA-001**

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, “Barrel Oak Winery, LLC” dated August 17, 2012, received in the Department of Community Development on October 11, 2012, provided that agricultural structures may be constructed or added to without further amendment to this Special Exception, except as modified by these conditions.
2. Special Events, as defined in Article 15-300 of the Zoning Ordinance under Farm Winery Definitions, shall be limited to 24 per calendar year, with a maximum of 250 attendees at any one event. No more than two (2) Special Events shall be allowed in any one calendar month.
3. In accord with Zoning Ordinance Section 5-1810.2 (3) one additional Special Event shall be allowed per calendar year with a maximum of 500 attendees, provided that appropriate accommodations are made for temporary facilities during the event. This shall be the only time temporary facilities are allowed on-site.
4. With the exception of condition number 3 above, no activities or events (including wine tasting and Special Events) shall result in more than the authorized occupancy limits under the Health Department septic permit. The applicant shall provide a copy of the approved Health Department septic permit to the Department of Community Development.

5. The closing time for any Special Event shall be no later than 9:00 p.m. Monday through Thursday, 11:00 p.m. Friday and Saturday, and 10:00 p.m. Sunday.
- ~~6. The owner shall provide to the Zoning Administrator evidence reasonably satisfactory to the Zoning Administrator of adequate security, emergency services and traffic control for all Special Events as required in Zoning Ordinance Section 5-1810.2 (7).~~
7. The Special Exception shall remain in effect until its end date notwithstanding any change of ownership of the Farm Winery or transfer of title to the Farm Winery property, provided that in the event of any such transfer, the Farm Winery shall provide written notice thereof to the County within ten (10) days following such transfer.
8. The applicants shall plant ~~fast growing evergreens along the rear western elevation of the winery building.~~ The evergreens shall to be strategically placed to substantially screen the lower level of the service area from the Grove Lane and Route 66 viewshed.
9. The applicants shall plant evergreens along the western edge of the driveway to substantially screen the main parking area.
10. The applicants shall plant evergreens to substantially screen the southeastern edge of the main parking area.
11. The Special Exception shall be granted for a period of three (3) years from the date of Board of Supervisors' approval.
12. The entrance sign shall be in conformance with VDOT site distance and right-of-way compliance regulations. Any necessary zoning and building permits shall be acquired for the entrance sign.

The motion carried unanimously.

5. **TELECOMMUNICATIONS SPECIAL EXCEPTION & COMPREHENSIVE COMPLIANCE REVIEW – TWSE11-MA-001 & CCRV13-MA-001 – MELVIN MORRISON POE, TRUSTEE & OTHERS (OWNERS)/NEW CINGULAR WIRELESS PCS, LLC (APPLICANT) – HUME TOWER/POE** – An application for a Category 20 Special Exception to construct a one hundred fifty-five (155) foot stealth monopole telecommunications tower and related equipment shelter; and a Comprehensive Plan Conformance Determination in accord with *Code of Virginia* Section 15.2-2232, as to whether the location of this facility on this property is substantially in accord with the Comprehensive Plan. The property is located at 12093 Hume Road, Marshall District. (PIN 6928-36-7628-000) (Harvey Clark, Staff)

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

Mr. Alm opened the public hearing.

Mr. Greg Rapisarda, representative, spoke in support of this application. He explained that AT&T chose the Poe Property because it is a desirable location and meets all Zoning Ordinance requirements.

Mr. William Stribling, Marshall District, described the current cell service as spotty and spoke in favor of this Special Exception. However, he would like AT&T to consider changing the faux pine tree design to a regular tower.

Ms. Charlotte Robb, Marshall District, stated that when the power is out there is no telephone service and spoke in support of this tower to benefit the community in an emergency.

Mr. John Whitelaw, Marshall District, agreed with the previous speakers. He added that a recent hurricane took out the landline phones and he was without power for two days.

Mr. Dave Cybulski, Marshall District, expressed concern that the telecommunication companies are not investing in landlines and stated he supports having this tower installed.

Mr. Irvin Woods, Marshall District, spoke in favor of the tower and explained that it will be visible from his property. He continued that if the residents of Hume are in support, then the county should not be concerned with how the tourists feel. Mr. Woods has a farm and feels he will benefit from having cell service in case of an emergency on his property.

Mr. Mark Freeman, Marshall District, explained he is a new resident in Hume near the proposed site and works from home. Therefore he strongly supports approval of this Special Exception to improve communication.

Ms. Virginia Wright, Marshall District, stated she also is an adjoining property owner to the proposed site and spoke in favor of approving this Special Exception with the pine tree style tower. Ms. Wright further stated she is a real estate broker needing cell service at all hours, and expressed her concern for her elderly neighbors' safety when storms take down power lines.

Mrs. Anne Whitelaw, Marshall District, spoke in support of the cell tower and stated that safety should come before aesthetics.

Ms. Lydia Ferguson, Marshall District, spoke in favor of this Special Exception, stating high speed internet service is necessary these days in order to work from home.

Mr. Wick Robb, Marshall District, stated he agrees with the previous speakers and stressed the importance of the education of our young, who are the future of Fauquier County. He explained that students need high speed internet service to complete schoolwork and that they currently drive into town to use the facilities at Lord Fairfax Community College.

Ms. Kay Young, Marshall District, expressed her agreement with the previous speakers and added that she is also a real estate agent who would benefit from high speed internet service. Ms. Young stated she will be thankful to have the tower and is fine with the pine tree tower design.

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 approval with a height of 138 feet, allowing two carriers.

The motion failed 2 – 3, as follows:

AYES: Ms. Garreau and Mr. Lee

NAYS: Mr. Meadows, Mr. Alm and Mr. Ennis

ABSTENTION: None

ABSENT: None

After discussion, on motion made by Mr. Meadows and seconded by Mr. Ennis, it was moved to forward this item to the Board of Supervisors with a recommendation of approval with a height of 155 feet and subject to the following conditions:

**HUME TOWER/POE PROPERTY
TWSE11-MA-001 AND CCRV13-MA-001**

1. The site shall be in general conformance with the information and drawings, Special Exception Plat Exhibit C dated August 26, 2012, submitted with the special exception application except as specifically modified by the conditions below, or as necessary to meet Zoning Ordinance requirements.
2. A grounding plan shall be required prior to the issuance of a building permit.
3. A VDOT entrance permit shall be required before site plan approval.
4. Existing trees on-site, within 200 feet of the telecommunications tower, shall not be removed except as needed to construct the facility.
5. No commercial advertising or signs shall be allowed on the tower or associated structures.
6. Removal of the facility is subject to the terms identified in Zoning Ordinance Section 11-107.2. The site shall be restored as closely as possible to its original condition.

7. Except for minor maintenance, existing mature tree growth and natural land forms on-site shall be preserved in accordance with the tree save area shown on page Z02A on the Special Exception Plat Exhibit "C" dated August 26, 2012.
8. The existing access road to the tower site shall continue to be used, with no additions.
9. Before proceeding to the zoning/building permit phase, site plan review and approval shall be required.
10. The project shall comply with all other applicable Zoning Ordinance requirements.

The motion carried 3 – 2, as follows:

AYES: Mr. Meadows, Mr. Alm and Mr. Ennis

NAYS: Ms. Garreau and Mr. Lee

ABSTENTION: None

ABSENT: None

6. **SPECIAL EXCEPTION – SPEX13-SC-007 – FAUQUIER COUNTY SCHOOL BOARD (OWNER)/FAUQUIER COUNTY PUBLIC SCHOOLS (APPLICANT) – W. G. COLEMAN ELEMENTARY SCHOOL & MARSHALL MIDDLE SCHOOL** – An application for a Category 20 Special Exception to upgrade an existing water storage system. The properties are located at 4096 and 4048 Zulla Road, Scott District. (PIN 6070-61-7275-000 and 6070-62-8346-000) (Adam Shellenberger, Staff)
7. **SPECIAL EXCEPTION – SPEX13-CR-008 – FAUQUIER COUNTY SCHOOL BOARD (OWNER)/FAUQUIER COUNTY PUBLIC SCHOOLS (APPLICANT) – SOUTHEASTERN ALTERNATIVE SCHOOL** – An application for a Category 20 Special Exception to upgrade an existing water storage system. The property is located at 4484 Catlett Road, Cedar Run District. (PIN 7911-30-8998-000) (Adam Shellenberger, Staff)

Mr. Shellenberger reviewed the staff reports for Item #6 and Item #7, copies of which are attached to and made part of these official minutes.

Mr. Alm opened the public hearing.

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

On motion made by Ms. Garreau and seconded by Mr. Meadows, it was moved to forward Item #6 (SPEX13-SC-007) to the Board of Supervisors with a recommendation of approval subject to the following conditions:

**W.G. COLEMAN ELEMENTARY SCHOOL &
MARSHALL MIDDLE SCHOOL
SPEX13-SC-007**

1. This Special Exception is granted for and runs with the land indicated in this application as PIN 6070-61-7275-000 and PIN 6070-62-8346-000.
2. This Special Exception is granted only for the purpose(s), structure(s) and/or uses indicated on the Special Exception plat "Fauquier County Public Schools – Water System Improvements" dated October 3, 2012 and received in the Planning Office on October 18, 2012, as approved with this application, as qualified by these development conditions.
3. The plan shall comply with the provisions in Article 12 of the Fauquier County Zoning Ordinance. Such provisions shall be reviewed with the Site Plan application.
4. The existing underground tanks shall be abandoned either by removing them from the ground, or filling them in place following industry accepted procedures and fill materials.
5. The proposed precast concrete building shall be located within the existing wooded area and have an “*EASI-Brick™*” finish (as shown in the EASI-SET brochure). An alternative finish may be substituted if the Zoning Administrator deems it to be compatible with the surrounding buildings and environment.
6. The aboveground water storage tanks and associated structures shall not exceed a building height of 16’.
7. The aboveground storage tanks shall be painted or finished in a tone which is compatible and blends with the surrounding school structures or the natural environment.
8. An access and maintenance easement, containing the well site and utility lines serving Marshall Middle School, shall be recorded prior to Site Plan approval. The easement is to be located on the W.G. Coleman Elementary School site (PIN 6070-61-7275-000).
9. All equipment and facilities not located within an enclosed building shall be effectively screened. The landscaping and/or screening materials shall be installed so that they also screen views of the equipment from Zulla Road (Route 709).

The motion carried unanimously.

On motion made by Mr. Ennis and seconded by Mr. Meadows, it was moved to forward Item #7 (SPEX13-CR-008) to the Board of Supervisors with a recommendation of approval subject to the following conditions:

**SOUTHEASTERN ALTERNATIVE SCHOOL
SPEX13-CR-008**

1. This Special exception is granted for and runs with the land indicated in this application as PIN 7911-30-8998-000.
2. This Special Exception is granted only for the purpose(s), structure(s) and/or uses indicated on the Special Exception plat "Fauquier County Public Schools – Water System Improvements" dated October 3, 2012 and received in the Planning Office on October 18, 2012, as approved with this application, as qualified by these development conditions.
3. The plan shall comply with the provisions in Article 12 of the Fauquier County Zoning Ordinance. Such provisions shall be reviewed with the Site Plan application.
4. The existing underground tank shall be abandoned either by removing it from the ground, or filling it in place following industry accepted procedures and fill materials.
5. The proposed precast concrete building shall be located within the existing wooded area and have an “EASI-BrickTM” finish (as shown in the EASI-SET brochure). An alternative finish may be substituted if the Zoning Administrator deems it to be compatible with the surrounding buildings and environment.
6. The aboveground water storage tank and associated structures shall not exceed a building height of 12’.
7. The aboveground storage tank shall be painted or finished in a tone which is compatible and blends with the surrounding school structures.
8. The water tank and any associated equipment/facilities not located within an enclosed building shall be effectively screened.

The motion carried unanimously.

8. **SPECIAL EXCEPTION AMENDMENT – SEAM13-SC-003 – CECIL THOMAS CAMPBELL, TRUSTEE & OTHERS (OWNERS)/SPRINT (APPLICANT) – SPRINT WA33XC108/CAMPBELL PROPERTY** – An application for a Category 20 Special Exception Amendment to add two (2) new microwave dishes on an existing telecommunications tower. The property is located at 6517 James Madison Highway, Scott District. (PIN 6976-86-3344-000) (Don Del Rosso, Staff)
9. **SPECIAL EXCEPTION AMENDMENT – SEAM13-LE-004 – JAMES R. & BETTY L. MILLS, TRUSTEES ET AL & PINNACLE TOWERS, INC. PMB 353 (OWNERS)/SPRINT (APPLICANT) – SPRINT WA54XC874/MILLS PROPERTY** – An application for a Category 20 Special Exception Amendment to install three (3) new microwave dishes on an existing telecommunications tower. The property is located at

11435 Lucky Hill Road, Lee District. (PIN 6888-48-2692-000 and 6888-48-2737-000)
(Don Del Rosso, Staff)

10. **SPECIAL EXCEPTION AMENDMENT – SEAM13-CR-005 – CATLETT VOLUNTEER FIRE COMPANY & CROWN ATLANTIC COMPANY, LLC (OWNERS)/SPRINT (APPLICANT) – SPRINT WA54XC435/CATLETT VOLUNTEER FIRE DEPARTMENT** – An application for a Category 20 Special Exception Amendment to install two (2) new microwave dishes on an existing telecommunications tower. The property is located at 3447 Catlett Road, Cedar Run District. (PIN 7922-93-4822-000 and 7922-93-6983-000) (Don Del Rosso, Staff)
11. **TELECOMMUNICATIONS SPECIAL EXCEPTION – TWSE13-CR-002 – DAVID M. GRAVES, ROBERT A. GRAVES, & AMERICAN TOWERS, INC. (OWNERS)/SPRINT (APPLICANT) – SPRINT WA54XC876/GRAVES PROPERTY/AMERICAN TOWER** – An application for a Category 20 Special Exception to install two (2) new microwave dishes on an existing telecommunications tower. The properties are located at 3427 and 3429 Ensors Shop Road, Cedar Run District. (PIN 7827-57-3632-000 and 7827-57-3585-000) (Don Del Rosso, Staff)
12. **TELECOMMUNICATIONS SPECIAL EXCEPTION – TWSE13-LE-003 – AMERICAN TOWERS, INC. (OWNER)/SPRINT (APPLICANT) – SPRINT WA54XC880/AMERICAN TOWER** – An application for a Category 20 Special Exception to install two (2) new microwave dishes on an existing telecommunications tower. The property is located at 5955 Sumerduck Road, Lee District. (PIN 6895-78-7689-000) (Wendy Wheatcraft, Staff)

Mr. Del Rosso reviewed the staff reports for Item #'s 8, 9, 10 and 11, copies of which are attached to and made part of these official minutes.

Ms. Wheatcraft reviewed the staff report for Item #12, a copy of which is attached to and made part of these official minutes.

Mr. Alm opened the public hearing.

Mr. James Michal, representative, spoke in favor of the Campbell tower and explained the microwave dishes are needed in order for existing T-1 lines to be upgraded. He respectfully requested approval for this amendment.

Ms. Julie Martin, Marshall District, spoke in opposition to the addition of microwave dishes and feels they are unsafe.

Mr. Jack Andrews, representative, spoke in support of Items 9 – 12 and concurred with the explanation of the first speaker, Mr. Michal.

Mr. Mike Hawkins, Cedar Run District, spoke in favor of the cell tower approvals to improve broadband, transferring data and increased internet speed needed to run his business in the Catlett area.

Mr. James Adams, Scott District, an adjoining property owner to the Campbell tower, stated that he works from home and spoke in favor of approving this application.

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

On motion made by Ms. Garreau and seconded by Mr. Ennis, it was moved to forward Item #8 (SEAM13-SC-003) to the Board of Supervisors with a recommendation of approval subject to the following conditions:

**SPRINT WA33XC108/CAMPBELL PROPERTY
SEAM13-SC-003**

1. The applicant shall obtain all necessary FAA (Federal Aviation Administration) approvals and the tower will conform to all FCC (Federal Communication Commission) and FAA regulations at all times.
2. The tower shall be painted appropriately so as to minimize visual impacts.
3. The height of the tower shall not exceed 199 feet.
4. The tower shall not be lighted.
5. The applicant shall make reasonable efforts to permit collocation by any telecommunication users and if access is denied, provide written documentation as to why the collocation is not permitted.
6. If the tower is taken out of service or abandoned due to changing technology or for some other reason for 18 months, the tower and the accessory uses will be removed at the owner's expense.
7. The applicant shall provide to the County public service agencies, at no cost to the locality, one acceptable site on the tower and necessary space in the equipment room.
8. The applicant shall protect the viewshed by preserving any existing trees, outside the immediate limits of construction, within the area circumscribed by the 900 foot contour line, as shown on the special exception plat, dated June 11, 1997, and on the line originating from the point surveyed as N39 degrees 20'39"E bearing a southeasterly direction which intersects the outside edge of the driveway cul-de-sac and terminating at the 900 foot contour line.
9. The two (2) microwave dishes shall be a maximum of three (3) feet in diameter and of a material or color that matches the exterior of the telecommunication tower.
10. Future replacement or addition of by-right antennas and associated by-right equipment, which do not require Special Exception approval, shall be processed administratively

The motion carried unanimously.

On motion made by Mr. Meadows and seconded by Mr. Ennis, it was moved to forward Item #9 (SEAM13-LE-004) to the Board of Supervisors with a recommendation of approval subject to the following conditions:

**SPRINT WA54XC874/MILLS PROPERTY
SEAM13-LE-004**

1. The special exception is granted for and runs with the land indicated in this application and is not transferable to other land.
2. This special exception is granted only for the purpose(s), structure(s) and/or uses indicated on special exception plat approved with the application, as qualified by these development conditions.
3. This special exception is subject to the provisions of Article 12 of the Fauquier County Zoning Ordinance, Site Plans, as may be determined by the Fauquier County Department of Community Development.
4. The use shall comply with Federal Aviation Administration (FAA) and Federal Communications Commission requirements at all times.
5. This approval is for a lattice tower with a tower height not to exceed 120 feet.
6. The tower shall be lighted only to meet FAA requirements with no additional lighting permitted.
7. The tower shall be painted with a graduated painting design for a maximum camouflage effect with a dark green base fading to white at the top so as to minimize visual impact as permitted by FAA regulations.
8. Prior to the issuance of the Zoning permit, one (1) telecommunications provider shall have an executed lease with the applicant. The owner/applicant shall provide co-location opportunities to other carriers so long as it is technologically possible. The applicant shall provide written documentation to the Fauquier County Zoning Administrator in the event that any future co-location cannot be accomplished.
9. The applicant shall design the lattice structure and foundation to support a 25% increase in height for future County use only. In the event that County public service agencies have a need for radio service in this vicinity, the tower owner shall extend the height of the tower for County use and provide necessary space in the equipment shed, upon request of the Board of Supervisors. Such extension shall be at no cost to the locality. There shall be no rental or maintenance fees charged to the County for this use.
10. The owner of each antennae or tower shall submit a report to the Zoning Administrator once a year, no later than July 1, which states the current user status of the tower.
11. Any antenna or tower shall be disassembled and removed from the site within 90 days of the discontinuance of the use of the tower for wireless telecommunications purposes.

Removal includes the removal of the antennas, telecommunication towers, fence footers, underground cables and other related equipment/structures. If there are two (2) or more users, then this provision shall not become effective until all users cease using the tower.

12. An ingress/egress easement for public emergency and maintenance vehicles shall be granted to the County and indicated on the Final Site Plan.
13. Any wireless communications system operator shall take all necessary steps to resolve any radio frequency interference between a wireless communications system on the tower and any present or future County public safety wireless communications system.
14. The limits of clearing and grading for the entire ~~47.41~~ 44.24-acre parcel shall be indicated on the site plan. To the extent possible, existing mature tree stands shall remain. There shall be no disturbance beyond the indicated limits of clearing and grading.
15. In order to further protect mature tree stands on the property, any tree within 100 feet of the limits of clearing and grading and 60 feet or taller in height shall be marked. These trees shall be marked on the ground with a filter fabric fence or equivalent demarcation at the dripline prior to clearing and grading and at all times during construction. Signage affirming "restricted access" shall be provided on the temporary fence highly visible to construction personnel.
16. Prior to site plan approval, a structural analysis shall be completed by a qualified engineer in accordance with ANSI EIA/TIA-222-F.
17. Prior to site plan approval, the applicant shall obtain an official FAA air hazard determination.
18. The three (3) microwave dishes shall be a maximum of 28 inches, 38 inches and 49.7 inches in diameter and of a material or color that matches the exterior of the telecommunication tower.
19. Future replacement or addition of by-right antennas and associated by-right equipment, which do not require Special Exception approval, shall be processed administratively.

The motion carried unanimously.

On motion made by Mr. Ennis and seconded by Mr. Meadows, it was moved to forward Item #10 (SEAM13-CR-005) to the Board of Supervisors with a recommendation of approval subject to the following conditions:

**SPRINT WA54XC435/CATLETT VOLUNTEER FIRE DEPARTMENT
SEAM13-CR-005**

1. The use shall comply with all FAA requirements at all times.
2. The tower shall be lighted only to meet FAA requirements with no additional lighting permitted.
3. The height of the tower shall not exceed 180 feet.
4. The tower structure of this special exception telecommunications facility request shall be of a monopole type construction.
5. The tower shall be painted appropriately so as to minimize visual impact as permitted by FAA regulations.
6. ~~A landscaping plan will be submitted with the site plan.~~
6. The applicant shall plant twenty-three (23), six (6) to eight (8) foot Scotch Pines around the western, southern and eastern sides of the telecommunication tower compound.
7. Prior to the issuance of a zoning permit, one (1) telecommunications provider shall have an executed lease with the applicant. The applicant shall provide written documentation to the Fauquier County Zoning Administrator in the event that any future co-location cannot be accommodated.
8. The applicant shall provide to the County public service agencies, at no cost to the locality, one acceptable site on the tower and necessary space in the equipment room.
9. Annual Report. The owner of each antenna or tower shall submit a report to the Zoning Administrator once a year, no later than July 1. The report shall state the current user status of the tower.
10. Antenna and Tower Removal. Any antenna or tower shall be disassembled and removed from the site within ninety (90) days of the discontinuance of the use of the tower for wireless telecommunications purposes. Removal includes the removal of the antennas, telecommunication towers, fence footers, underground cables and landowner's approval. If there are two (2) or more users of a single tower, then this provision shall not become effective until all users cease using the tower.
11. The two (2) microwave dishes shall be a maximum of 28 inches in diameter and of a material or color that matches the exterior of the telecommunication tower.
13. Future replacement or addition of by-right antennas and associated by-right equipment, which do not require Special Exception approval, shall be processed administratively.

The motion carried unanimously.

On motion made by Mr. Ennis and seconded by Mr. Meadows, it was moved to forward Item #11 (TWSE13-CR-002) to the Board of Supervisors with a recommendation of approval subject to the following conditions:

**SPRINT WA54XC876/GRAVES PROPERTY/AMERICAN TOWER
TWSE13-CR-002**

1. The applicant shall obtain all necessary FAA (Federal Aviation Administration) approvals and the tower will conform to all FCC (Federal Communication Commission) and FAA regulations at all times.
2. The tower shall be painted appropriately so as to minimize visual impacts.
3. The height of the tower shall not exceed 142 feet.
4. Signals or lights or illumination shall not be permitted on any antenna, unless required by the Federal Communications Commission (FCC), the Federal Aviation Administration (FAA), State or Federal authorities, or the County.
5. No Commercial advertising or signs shall be allowed on the tower or associated structures.
6. The applicant shall make reasonable efforts to permit collocation by any telecommunication users and if access is denied provide written documentation as to why the collocation is not permitted.
7. Removal of the facility is subject to the terms identified in Zoning Ordinance Section 11-107.2. The site shall be restored as closely as possible to its original condition.
8. The applicant shall provide to the County public service agencies, at no cost to the locality, one acceptable site on the tower and necessary space in the equipment room.
9. The two (2) microwave dishes, one a maximum of 38 inches in diameter and the other a maximum of 28 inches in diameter, shall be of a material or color that matches the exterior of the telecommunication tower.
10. Future replacement or addition of by-right antennas and associated by-right equipment, which do not require Special Exception approval, shall be processed administratively.

The motion carried unanimously.

On motion made by Mr. Meadows and seconded by Mr. Ennis, it was moved to forward Item #12 (TWSE13-LE-003) to the Board of Supervisors with a recommendation of approval subject to the following conditions:

**SPRINT WA54XC880/AMERICAN TOWER
TWSE13-LE-003**

1. The applicant shall obtain all necessary Federal Aviation Administration (FAA) approvals, and the tower shall conform to all Federal Communication Commission (FCC) and FAA regulations.
2. The height of the tower shall not exceed 140 feet.
3. Signals or lights or illumination shall not be permitted on any antenna, unless required by the Federal Communications Commission (FCC), the Federal Aviation Administration (FAA), State or Federal authorities, or the County.
4. With the exception of minor maintenance, the applicant shall retain existing vegetation around the facility.
5. No commercial advertising or signs shall be allowed on the tower or associated structures.
6. The applicant shall make reasonable efforts to permit collocation by any telecommunication user and if access is denied, provide written documentation as to why the collocation is not permitted.
7. Removal of the facility is subject to the terms identified in Section 11-107.2 of the Zoning Ordinance. The site shall be restored as closely as possible to its original condition.
8. The two (2) microwave dishes, one a maximum of 28 inches in diameter and the other a maximum of 38 inches in diameter, shall be of a material or color that matches the exterior of the existing telecommunication tower.
9. Future replacement or addition of by-right antennas and associated equipment, which do not require Special Exception approval, shall be processed administratively.

The motion carried unanimously.

13. **SPECIAL EXCEPTION – SPEX13-MA-004 – DAN S. & CHERYL S. MORTLAND (OWNERS/APPLICANTS) – FOX MEADOW WINERY** – An application for a Category 18 Special Exception to allow farm winery special events. The property is located at 3310 Freezeland Road, Marshall District. (PIN 6012-13-2349-000) (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.

Ms. Julie Martin, Marshall District, stated the County's noise ordinance is not enforceable and provided a copy of an email from Assistant Commonwealth Attorney, Amy M. (Pascoe) Cassandra, Esquire, addressed to Lieutenant Ray Acors stating her reasons. Ms. Martin said that amplified music is disturbing for neighbors of all wineries asking for Special Exception events and strongly urged for the noise ordinance to be revised.

Mr. Norris Goff, Marshall District, stated he is an adjacent property owner to the winery and though he has heard events, he is not against this Special Exception. He voiced his concerns for private parties and whether there will be control over how much alcohol will be served in addition to the wine.

Mr. Mike Hawkins, Cedar Run District, spoke in support of this request and commented that he does not agree with the County interfering in what property owners want to do.

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

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

**FOX MEADOW WINERY
SPEX13-MA-004**

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 submission materials, provided that agricultural structures may be constructed or added to without further amendment to this Special Exception, except as modified by these conditions.
2. Special Events, as defined in Article 15-300 of the Zoning Ordinance under Farm Winery Definitions, shall be limited to 18 per calendar year, with a maximum of 100 attendees at any one event. No more than two (2) Special Events shall be allowed in any one calendar month.
3. No activities or events (including wine tasting and Special Events) shall result in more than the authorized occupancy limits under the Health Department septic permit.
4. The closing time for any Special Event shall be no later than 9:00 p.m. Monday through Thursday, 11:00 p.m. Friday and Saturday, and 10:00 p.m. Sunday.
5. The Special Exception shall remain in effect until its end date notwithstanding any change of ownership of the Farm Winery or transfer of title to the Farm Winery property, provided that in the event of any such transfer, the Farm Winery shall provide written notice thereof to the County within ten (10) days following such transfer.
6. With the exception of minor maintenance, the applicants shall not remove any existing trees located between the parking area, as delineated on the Special Exception plat, and

the property line shared with the Thompson Wildlife Management Area (PIN 6012-23-4492-000).

7. The Special Exception shall be granted for a period of three (3) years from the date of Board of Supervisors' approval.

The motion carried unanimously.

14. **SPECIAL EXCEPTION & WAIVER – SPEX13-MA-005 & WVRP13-MA-002 – COURTENAY MORRIS HANSEN (OWNER/APPLICANT) – HANSEN PROPERTY** – An application for a Category 31 Special Exception to waive the public/central water and the hydrogeologic testing requirements. The property is located at 9082 John S. Mosby Highway, Marshall District. (PIN 6054-95-2545-000) (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.

In that there were no 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 approval subject to the following conditions:

**HANSEN PROPERTY
SPEX13-MA-005 & WVRP13-MA-002**

1. This Special Exception is granted only for the purpose(s), structure(s) and/or uses indicated on the Special Exception Plat titled “Special Exception (Category 31) Hansen Property,” dated October 1, 2012, received in Community Development on October 3, 2012, approved with the application, as qualified by these development conditions.
2. No new entrances onto John S. Mosby Highway (Route 50) shall be created for this subdivision.
3. Lot 1 shall have a maximum of one well.

The motion carried unanimously.

15. **SPECIAL EXCEPTION – SPEX13-SC-006 – VICTORIA R. & WILLIAM FRIEL EDMANDS (OWNERS/APPLICANTS) – VINTAGE RIDGE VINEYARD** – An application for a Category 18 Special Exception to allow farm winery special events. The property is located at 8517 Maidstone Road, Scott District. (PIN 6061-36-4829-000) (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.

Ms. Julie Martin, Marshall District, expressed concern regarding the amount of traffic on this rural road; that Vintage Ridge no longer functions as a winery, but now as an event center; and inquired how they can have events if the drainfield is not approved.

Mr. Mike Hawkins, Cedar Run District, added that he does not see a difference if someone is pulling a horse to go to an event or coming to a farm to pick grapes, as they both are agricultural in nature.

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

Ms. Garreau stated that the applicant has requested postponement of this application.

On motion made by Ms. Garreau and seconded by Mr. Ennis, it was moved to postpone action on this item at the applicant's request, with the public hearing left open.

The motion carried unanimously.

16. **TELECOMMUNICATIONS SPECIAL EXCEPTION – TWSE13-MA-001 – BETTY A. TRIBLE (OWNER)/VERIZON WIRELESS (APPLICANT) – VERIZON WIRELESS – COBBLER/TRIBLE PROPERTY** – An application for a Category 20 Special Exception to construct an eighty (80) foot stealth silo telecommunications facility and associated equipment. The property is located at 9572 Ivanhoe Lane, Marshall District. (PIN 6040-98-5704-000) (Wendy Wheatcraft, Staff)

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

Mr. Alm opened the public hearing.

Mr. Frank Stearns, representative, stated there is a need for wireless service in this area; the application meets all the County requirements; and the eighty foot silo will blend in with the rural nature of the area. He continued that there is community support and the applicant is in agreement with the conditions listed in the staff report. Mr. Stearns concluded by requesting a recommendation of approval for this application.

Mr. Don Meadows, Marshall District, indicated he lives across I-66 from the proposed site and strongly supports approval of this application.

Mr. Stephen Lofaro, Marshall District, stated he is an adjoining property owner directly across the street from the proposed site. He spoke in opposition, indicating the silo will not fit in with the scenery and will be 40 feet higher than the existing silo. Mr. Lofaro noted that his cell service works fine at his residence.

Mr. Fred Stine, Marshall District, concurred with the need for communication and safety within the community and supports a recommendation of approval.

Mr. Neil Ende, representative for Mr. Lofaro, stated the application is missing facts and engineering data that Verizon should have provided to prove the need for the facility.

Mr. Jack Owens, Marshall District, explained he is an adjacent neighbor who needs improved broadband and strongly supports approval of this special exception.

Ms. Julie Martin, Marshall District, voiced her concern that the height of the tower at eighty feet will not be enough to cover beyond Lea Road and connect to Hume.

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

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

**VERIZON WIRELESS – COBBLER/TRIBLE PROPERTY
TWSE13-MA-001**

1. The site shall be in general conformance with the Special Exception exhibit titled “Verizon Wireless Cobbler Site Plan” dated May 15, 2012 except as specifically modified by the conditions below or as necessary to meet Zoning Ordinance requirements.
2. An 8 foot high board-on-board wood security fence with a locked gate shall be provided around the entire facility compound. The board fence shall be painted black to match the existing fencing along Ivanhoe Lane.
3. Except for minor maintenance, existing trees within 200 feet of the telecommunication facility shall not be removed.
4. A mix of evergreen trees and deciduous shrubs shall be planted along the perimeter of the fencing.
5. The applicant’s wireless equipment, along with the equipment of two additional carriers, shall be stored in an equipment structure designed and constructed to resemble a farm outbuilding. The maximum height of the structure shall be no more than 12 feet, as required by Section 11-102.3(b)(7) of the Zoning Ordinance.
6. Signals, lights or illumination shall not be permitted on any portion of the facility, unless required by the Federal Communications Commission (FCC), the Federal Aviation Administration (FAA), State or Federal authorities, or the County.
7. No commercial advertising or signs shall be allowed on the tower or associated structures.

8. Removal of the facility is subject to the terms identified in Zoning Ordinance Section 11-107.2. The site shall be restored as closely as possible to its original condition.
9. Before proceeding to the zoning/building permit phase, site plan review and approval shall be required.
10. A VDOT entrance permit shall be required before site plan approval.
11. The project shall comply with all other applicable Zoning Ordinance requirements.

The motion carried unanimously.

In that there was no further business, the meeting was adjourned at 8:48 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**