

*MINUTES OF  
FAUQUIER COUNTY PLANNING COMMISSION  
SEPTEMBER 29, 2011*

*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 29, 2011, beginning at 12:30 p.m., in the Warren Green Building, Second Floor Conference Room, Warrenton, Virginia. Members present were Mr. Ken Alm, Chairperson; Ms. Adrienne Garreau, Vice-Chairperson; Mr. Jim Stone, Secretary; Mr. John Meadows, and Mr. Bob Lee. Also present were Ms. Tracy Gallehr, Mr. Rick Carr, Mrs. Kimberley Fogle, Mrs. Susan Eddy, Ms. Kimberley Johnson, Ms. Mary Sherrill, Ms. Sandra O'Connell, Ms. Kim Abe, Ms. Kristen Slawter, Ms. Alison Brewer, Mr. Andrew Hushour, Mr. Harvey Clark, and Mr. Adam Shellenberger.*

*Mrs. Fogle introduced Alison Brewer, who was recently hired as the Stormwater Management Coordinator.*

*SPEX12-SC-001, SPEX12-SC-002, & SPPT12-SC-004 – Karen M. Kennedy (Owner)/Mountainside Montessori, a Virginia Nonstock Corporation (Applicant) – Mountainside Montessori School (Belvoir Road)*

Mrs. Dargis reviewed the application.

*SPEX11-CR-012, SPPT11-CR-031, & CCRV12-CR-001 – Colonial Pipeline Company (Owner)/Rappahannock Electric Cooperative (Applicant) – Elk Run Substation*

Mrs. Dargis reviewed updates to the application.

*CPAM12-XX-001 – A Comprehensive Plan Amendment to Chapter 6 – Service Districts – Bealeton, Opal and Remington Service District Plan, to Amend Transportation Elements of the Bealeton Service District Plan*

Mrs. Eddy reviewed the proposed Comprehensive Plan Amendment.

**Zoning Ordinance Text Amendment to Sections 3-309 and 5-905 Regarding Baseball Hitting and Archery Ranges**

Mr. Hushour reviewed the proposed text amendment.

**APPROVAL OF MINUTES – August 25, 2011 and September 7, 2011**

Planning Commissioners discussed the August 25, 2011 and September 7, 2011 minutes.

**BOARD OF ZONING APPEALS AGENDA**

Ms. Johnson reviewed the Board of Zoning Appeals' agenda.

**TRANSPORTATION COMMITTEE AGENDA**

Mrs. Eddy reviewed the Transportation Committee agenda.

**Design Standards Manual – Transportation**

Ms. O'Connell reviewed the proposed Transportation element of the Design Standards Manual.

**Water Supply Plan**

Mrs. Sherrill reviewed the proposed Water Supply Plan.

**Fiscal Impact Model**

Ms. Slawter reviewed the Fiscal Impact Model.

**Conceptual Sketch Plan Process**

Mrs. Fogle reviewed the Conceptual Sketch Plan process.

**Planning Commissioners' Time**

Mr. Alm led the discussion.

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 29, 2011, 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. Jim Stone, Secretary; Mr. John Meadows and Mr. Bob Lee. Also present were Ms. Tracy Gallehr, Mr. Rick Carr, Mrs. Susan Eddy, Mrs. Melissa Dargis, Mr. Andrew Hushour and Mrs. Rebecca Kellert.*

1. **APPROVAL OF MINUTES** – August 25, 2011 and September 7, 2011

On motion made by Mr. Stone and seconded by Mr. Meadows, it was moved to approve the August 25, 2011 and September 7, 2011 minutes.

The motion carried unanimously.

2. **BOARD OF ZONING APPEALS AGENDA**

No comment.

3. **TRANSPORTATION COMMITTEE AGENDA**

No comment.

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

4. **ANNOUNCEMENTS**

Mr. Alm announced that the Planning Commission meeting scheduled for December 5, 2011 has been moved to December 12, 2011.

5. **CITIZENS' TIME**

No one spoke.

6. **PROPOSED TEXT AMENDMENTS TO THE ZONING AND SUBDIVISION ORDINANCES, THE FAUQUIER COUNTY CODE AND THE COMPREHENSIVE PLAN**

- Zoning Ordinance Text Amendment to Sections 3-309 and 5-905 regarding baseball hitting and archery ranges. (Andrew Hushour, Staff)

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

The motion carried unanimously.

7. **SPECIAL EXCEPTIONS/SPECIAL PERMIT**

- **SPEX12-SC-001, SPEX12-SC-002, & SPPT12-SC-004 – Karen M. Kennedy (Owner)/Mountainside Montessori, a Virginia Nonstock Corporation (Applicant) – Mountainside Montessori School (Belvoir Road)** – Applications for extensions of a Category 5 Special Exception to operate a Montessori preschool and primary school for a maximum of one hundred sixty (160) students; a Category 5 Special Permit to operate a Montessori preschool; and a Category 30 Special Exception to waive the public water requirement. The property is located at 4206 Belvoir Road (Route 709), Scott District. (PIN #6979-68-0106-000 and 6979-68-1478-000) (Melissa Dargis, Staff)

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

Mr. Alm opened the public hearing.

Mrs. Valerie Amster, applicant, spoke in support of the approval of these applications.

Mr. George Fetterer, Scott District, stated that while he has no problem with the application as submitted, he is concerned that a large trailer has recently been moved onto the property.

Merle Fallon, Esquire, representative, stated that the property owner is responsible for placing the trailer on the property, not the school, and this is a Zoning issue which needs to be resolved.

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

On motion made by Ms. Garreau 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 following amended conditions:

**SPEX12-SC-001, SPEX12-SC-002, & SPPT12-SC-004 – Karen M. Kennedy  
(Owner)/Mountainside Montessori, a Virginia Nonstock Corporation  
(Applicant) – Mountainside Montessori School (Belvoir Road)**

1. The Special Exceptions and Special Permit are granted to operate a preschool and primary school pursuant to Sections 3-305.1 and 3-305.2 of the Zoning Ordinance and to waive connection to the Public Sewer System pursuant to Section 3-330 of the Zoning Ordinance. The use and site shall be in general conformance with the information submitted with the application and as shown on the “Special Exception Plat for Mountainside Montessori School,” sealed on August 25, 2010 and as modified on September 3, 2010 and received in the Planning Office on September 3, 2010, except as specifically modified by these development conditions or as necessary to meet Zoning Ordinance requirements.
2. The applicant shall have up to two (2) years from the November 10, 2011 (date to be changed to reflect the actual date of approval) Board of Supervisors’ approval to demonstrate diligent pursuit of the permits (SPEX12-SC-001, SPEX12-SC-002, & SPPT12-SC-004 ) on the site
3. The Special Exceptions and Special Permit shall be valid for ten (10) years from this Board of Supervisors’ approval, and shall then be eligible for three 10-year administrative renewals from the Zoning Administrator.
4. The maximum number of students approved at the Preschool and Primary School shall be one hundred sixty (160).
5. Children who attend the school shall be a minimum of 18 months old. The maximum age of children attending the school is fourteen (14) years of age; this means children shall be aged 14 or younger at the beginning of each school year.
6. Regular hours of operation for the school shall be from 7:00 a.m. to 7:00 p.m., Monday through Friday. A before and after school program primarily for students at the school shall be allowed if operated within this established time frame.
7. Two (2) weekend activities per month and three (3) weekday after hours activities per month are authorized to occur outside of regular operating hours, plus routine Parent/Child Night, Back-to-School Night or Parent Education Sessions. The aforementioned events shall conclude no later than 10:00 p.m.
8. The aesthetic and character of existing structures on the site shall be maintained; the new “proposed school building” and “future classroom building” shall be of

similar aesthetic and character to the elevation for the proposed new school building, as shown on the Special Exception/Special Permit plat, Sheet 3.

9. The “future farm school” building shall be designed to look like a residential structure and shall be similar in appearance to the residences in the area; alternatively, it may be designed to look like an agricultural building.
10. New construction on-site shall be limited to the following: one single story school building, not to exceed 5,000 square feet located behind the existing house on the site; an additional single story classroom building located southwest of the existing house, not to exceed 3,000 square feet; and a single story “farm school” classroom building located in front of the existing house, as identified on the plat, not to exceed 2,500 square feet.
11. The existing house shall be allowed to be maintained as a residence or it may be converted for school use if brought up to appropriate building code standards, per the Fauquier County Building Official. The two existing outbuildings on the site shall also meet building code requirements, as necessary, prior to any school use.
12. The “future amphitheater” shall be located in the area shown on the Special Exception/Special Permit plat.
13. There shall be no amplified sound or outward directed lighting at the amphitheater.
14. Use of the amphitheater shall be limited to members of the school community such as students, parents, teachers, etc.
15. For additional screening and noise attenuation for the amphitheater, an earthen berm shall be installed with an additional tree buffer area. The additional tree buffer shall be 100 feet wide and shall be installed in the area shown on the Special Exception/Special Permit Sheet 4, Landscaping and Lighting Plan.
16. The riding ring may be used as a riding ring in conjunction with the school use.
17. Signage at the site shall be limited to one monument sign no more than six (6) feet in height and twenty-four (24) square feet in size, or one projecting sign of no more than six (6) feet in height and nine (9) square feet in size.
18. The use is authorized to utilize an on-site septic system, with the maximum capacity of the system not to exceed 1,200 gallons per day. The septic and well on-site shall meet all Virginia Department of Health (VDH) regulations. The waiver to connect to the public sewer system is granted only in conjunction with the time period of this special permit and special exception, including the administrative renewals.
19. The entrance shall comply with Virginia Department of Transportation (VDOT) Standards for Commercial Entrances.

20. Canopy trees shall be planted along the Belvoir Road frontage of the front property line and spaced a maximum of thirty (30) feet on center. These canopy trees shall be counted toward the broader Zoning Ordinance requirements for a Front Buffer Yard. Shrubs and understory trees shall be located closer to the road and power line; canopy trees shall be located farther away from the road to stay outside of the overhead utility easement.
21. To protect the character of the surrounding area, no new non-agricultural buildings, recreational/sports fields or children's playground equipment shall be permitted within 200 feet of the edge of the property fronting Belvoir Road. However, this area may be used for outdoor school activities.
22. The location of electrical power access shall be provided in a manner such as to not damage or remove the existing mature trees that are located along the driveway of the property.
23. A Boundary Line Adjustment to dissolve the internal property lines shall be recorded prior to approval of the Site Plan.
24. No subdivision of the property shall be made so long as an operational school is located on the site.

The motion carried unanimously.

8. **SPECIAL EXCEPTION/SPECIAL PERMIT/COMPREHENSIVE COMPLIANCE REVIEW**

- a. **SPEX11-CR-012, SPPT11-CR-031, & CCRV12-CR-001 – Colonial Pipeline Company (Owner)/Rappahannock Electric Cooperative (Applicant) – Elk Run Substation** – Applications for a Category 20 Special Exception and Special Permit to replace an existing control building and expand the utility compound; 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 11576 Rogues Road (Route 602), Cedar Run District. (PIN #7808-96-0433-000, 7808-86-7510-000, and 7808-97-4064-000) (Melissa Dargis, Staff)

Mrs. Dargis 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. Sam Wilson, applicant, spoke in support of approval of the application. In that there were no further speakers, Mr. Alm closed the public hearing.

On motion made by Mr. Stone 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 following amended conditions:

**SPEX11-CR-012, SPPT11-CR-031 & CCRV12-CR-001**  
**Colonial Pipeline Company (Owner)/Rappahannock Electric Cooperative**  
**(Applicant) – Elk Run Substation**

1. The approved Special Exception (SPEX11-CR-012) and Special Permit (SPPT11-CR-031) shall be granted for and run with the land indicated in this application and shall not be transferable to other land.
2. The Special Exception and Special Permit are granted only for the purpose(s), structure(s) and/or uses indicated, and shall be in general conformance with the Category 20 Special Exception Plat, “Elk Run Substation Expansion,” dated and sealed on June 22, 2011, as approved with the applications, as qualified by these development conditions.
3. The approved uses on the site include facilities and appurtenant structures for the Colonial Pipeline pumping station (as outlined in the May 6, 1971 Special Permit) and facilities and appurtenant structures for the Rappahannock Electric Cooperative electrical substation, including an upgrade of the facility from 115k volts to 230k volts.
4. A landscape/buffering plan shall be prepared and submitted with the Site Plan for the facility, pursuant to Zoning Ordinance requirements for approval by the Department of Community Development.
5. No trees on the site shall be removed for construction of the substation facility except the minimum amount of trees required to be removed in constructing the required Stormwater Management Facility.
6. Prior to Site Plan approval, either a Boundary Line Adjustment or Lot Consolidation will be required in order for the use to meet setback requirements.
7. If the facility is permanently decommissioned, and operations have ceased for a two-year period, then the applicant is required to remove all facility equipment and infrastructure represented in the approved site plan. In addition, all mandatory federal and state environmental cleanup requirements must be met, and the site returned to its natural state within three years after the referenced two-year termination of operations.
8. Fifteen Viburnum trees shall be planted to screen the utility compound as shown on the Landscape Plan exhibit dated September 29, 2011.
9. Lightning masts at the site shall be limited to 80 feet in height.



10. New fencing installed at the site shall be limited to 10 feet in height.
11. The applicant shall offer to plant up to fifteen (15) trees that are 2 inch DBH size on adjacent property PIN 7808-86-4558-000, for screening purposes.”

Ms. Garreau stated that it is with some reluctance that she supports this application (i.e., its conformance to the Comprehensive Plan and its impact on surrounding property values). However, Ms. Garreau pointed out that this facility has been in its current location since 1971.

Mr. Alm expressed his desire that the applicant can work with the community to mitigate some of the impacts on this area.

Mr. Stone concurred with Mr. Alms statement.

The motion carried unanimously.

9. **COMPREHENSIVE PLAN AMENDMENT**

- **CPAM12-XX-001** – A Comprehensive Plan Amendment to Chapter 6 – Service Districts – Bealeton, Opal and Remington Service District Plan, to amend transportation elements of the Bealeton Service District Plan. (Susan Eddy, Staff)

Mrs. Eddy reviewed the staff report, a copy of which is attached to and made part of these official records.

Mr. Alm opened the public hearing.

Mr. Don Tharpe, Lee District, stated that he is the applicant of the White Marsh project. Mr. Tharpe stated that he would like to see continuity of roundabouts in the area of Route 28 and Route 17, elimination of land reservation for a future road going out to Route 28, as well as a speed limit reduction on Route 17 from 45 miles per hour to 35 miles per hour.

Mr. Meadows noted that synchronized traffic lights would also help slow down traffic. Mr. Meadows asked Mr. Tharpe when he planned to place his land in a conservation easement so that the land reservation can be removed from the Comprehensive Plan.

Mr. Tharpe responded that this would be contingent on the County allowing him to do so. In addition, Mr. Tharpe stated that he would be willing to do so with the stipulation of an educational facility being allowed at this location.

Ms. Renée Andersen, Cedar Run District, stated that she lives in Opal and frequently drives through the Bealeton area. Ms. Andersen expressed concern about safety (i.e., pedestrians walking along Route 17 with such a high volume of traffic

and large trucks, as well as the topography in the area related to constructing roundabouts).

Mr. Lee stated that in order for the Virginia Outdoors Foundation, a state entity, or a private land trust to accept an easement in any political subdivision in the Commonwealth of Virginia, the easement must be in conformance with the Comprehensive Plan.

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

On motion made by Mr. Meadows and seconded by Mr. Stone, it was moved to postpone action on this item until the December 12, 2011 meeting or later, with the public hearing left open.

The motion carried unanimously.

In that there was no further business, the meeting was adjourned at 7:15 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.*