

**MINUTES OF
FAUQUIER COUNTY PLANNING COMMISSION
AUGUST 26, 2010**

**Work Session
12:30 p.m.
Second Floor Conference Room, Warren Green Building,
10 Hotel Street, Warrenton, Virginia**

The Fauquier County Planning Commission held a Work Session on Thursday, August 26, 2010, beginning at 12:30 p.m., in the Warren Green Building, Second Floor Conference Room, 10 Hotel Street, Warrenton, Virginia. Members present were Ms. Ann McCarty, Chairperson; Ms. Adrienne Garreau, Vice-Chairperson; Mr. John Meadows, Secretary; Mr. Ken Alm, and Mr. Jim Stone. Also present were Mrs. Tracy Gallehr, Mrs. Susan Eddy, Ms. Kimberley Johnson, Mr. Rick Carr, Mrs. Kimberley Fogle, Mrs. Melissa Dargis, and Ms. Cynthia Porter-Johnson.

SPEX10-CR-023, WAVR10-CR-037, & WAVR10-CR-038 – Clarence & Margaret Gill (Owners/Applicants) – Gill Property

Ms. Porter-Johnson reviewed the staff report.

SPEX10-SC-021, SPEX11-SC-001, & SPPT10-SC-026 – Karen M. Kennedy (Owner)/Mountainside Montessori, a Virginia Nonstock Corporation (Applicant) – Mountainside Montessori School

Mrs. Dargis reviewed the staff report.

PROPOSED FAUQUIER COUNTY GREEN BUILDING POLICY FOR PUBLIC BUILDINGS

Mr. Carr reviewed the staff report.

APPROVAL OF MINUTES

Planning Commissioners discussed the July 29, 2010 minutes. Mr. Meadows stated that Page 13 of the minutes should be amended as follows:

Mr. ~~Max Born~~ Maxwell Bowen, Lee District, spoke in favor, stating that the salvage yard is a good business and the owner helps the community.

BOARD OF ZONING APPEALS AGENDA

Planning Commissioners discussed the Board of Zoning Appeals agenda.

MARSHALL SERVICE DISTRICT PLAN REVISION

Mrs. Eddy reviewed proposed revisions to the plan.

The meeting was adjourned at 3:55 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, August 26, 2010, beginning at 6:30 p.m. in the Warren Green Meeting Room, 10 Hotel Street, Warrenton, Virginia. Members present were Ms. Ann McCarty, Chairperson; Ms. Adrienne Garreau, Vice-Chairperson; Mr. John Meadows, Secretary; Mr. Ken Alm and Mr. Jim Stone. Also present were Mrs. Tracy Gallehr, Mr. Rick Carr, Mrs. Susan Eddy, Mrs. Melissa Dargis, Ms. Cynthia Porter-Johnson, and Mrs. Fran Williams.

1. **APPROVAL OF MINUTES** – July 29, 2010

On motion made by Mr. Meadows and seconded by Mr. Stone, it was moved to approve the July 29, 2010 minutes, as amended.

The motion carried unanimously.

2. **BOARD OF ZONING APPEALS AGENDA**

No comment.

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

3. **ANOUNCEMENTS**

Mr. Stone stated that a Planning Commission work session has been scheduled for 10:00 a.m., Wednesday, September 1, 2010, relating to a proposed Zoning Ordinance

text amendment to Article 8 – Signs. The meeting will be held in the Warren Green Meeting Room, First Floor, 10 Hotel Street, Warrenton, Virginia.

4. **CITIZENS TIME**

No one spoke.

5. **SPECIAL EXCEPTIONS/SPECIAL PERMIT**

- **SPEX10-SC-021, SPEX11-SC-001, & SPPT10-SC-026 – Karen M. Kennedy (Owner)/Mountainside Montessori, a Virginia Nonstock Corporation (Applicant) – Mountainside Montessori School** – Applicant wishes to obtain a Category 5 Special Exception to operate a primary school and a Special Permit to operate a preschool. Applicant also wishes to obtain a Category 30 Special Exception to waive the public sewer requirement at the site. 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.

Ms. McCarty opened the public hearing.

Merle Fallon, Esquire, representative, stated that the applicant respectfully requests approval of these applications.

Mr. Gregory Carlson, Scott District, stated that this property drains onto his parcel through underground streams and a culvert. Mr. Carlson expressed concern about possible contamination of his well and the underground streams.

In that there were no further speakers, Ms. McCarty 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, with the following amended conditions:

Mountainside Montessori School
(SPEX10-SC-021, SPEX11-SC-001, and SPPT10-SC-026)
Planning Commission Amended Conditions

1. The Special Exceptions and Special Permit are granted to operate a pre-school 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 used 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 received in the Planning Office on August 25, 2010, except as specifically modified by these development conditions or as necessary to meet Zoning Ordinance requirements.

2. The Special Exceptions and Special Permit shall be valid for ten (10) years from the date of Board of Supervisors’ approval, and shall then be eligible for three 10-year administrative renewals from the Zoning Administrator.
3. The maximum number of students approved at the Preschool and Primary School shall be 160.
4. 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.
5. 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 limited to students at the school shall be allowed if operated within this established time-frame.
6. Two (2) weekend activities per month and three (3) weekday evening 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.
7. The aesthetic and character of existing structures on the site shall be maintained; all new structures shall be of similar aesthetic and character to the proposed new school building, as shown on the Special Exception/Special Permit plat, Sheet 3.
8. 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, not to exceed 3,000 square feet; and a single story “farm school” classroom building, as identified on the plat, not to exceed 2,500 square feet.
9. 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.
10. The “future amphitheater” shall be located in the area shown on the Special Exception/Special Permit plat.
11. There shall be no amplified sound or outward directed lighting at the amphitheatre.

12. Use of the amphitheatre shall be limited in use to students of the school.
13. For additional screening and noise attenuation for the amphitheatre, 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.
14. The riding ring may be used as a riding ring in conjunction with the school use.
15. 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.
16. 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 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.
17. The entrance shall comply with the VDOT Standards for Commercial Entrances.
18. The school shall have an emergency plan that includes emergency forms to be signed by parents and/or legal guardians that provide details regarding emergency care. A copy of the blank form and plan shall be submitted to the Fauquier County Zoning Administrator prior to the initial Site Plan approval.
19. The school shall have a written emergency plan in case of accident, fire, snow, or other unforeseen occurrence. This includes an emergency call plan, posted evacuation maps, written procedures, and practice drills as mandated by state and county codes. A copy of this document shall be submitted to the Fauquier County Zoning Administrator prior to the initial Site Plan approval.
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 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.

6. **SPECIAL EXCEPTION/WAIVERS**

- **SPEX10-CR-023, WVRP10-CR-017, & WVRP10-CR-018 – Clarence & Margaret Gill (Owners/Applicants) – Gill Property** – Applicants wish to obtain a Category 26 Special Exception to reduce the non-common open space requirement to allow four (4) 10-acre family transfer lots plus the residue. Applicants also wish to obtain waivers of Zoning Ordinance Sections 7-302.1.A.2 and 7-302.1.A.3 to allow for a private street off an existing private street and a right-of-way that is less than fifty (50) feet in width. The property is located on the southwest side of Meetze Road (Route 643), Cedar Run District. (PIN #6991-98-4061-000) (Cynthia Porter-Johnson, Staff)

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

Ms. McCarty opened the public hearing.

Mr. Chris Anthon, representative, stated that the applicants would like to give each of their four children a ten acre parcel. Mr. Anthon noted that this would eliminate two development rights as well as allow these parcels to be kept in the Land Use program.

Mr. James Gulick, Cedar Run District, spoke in opposition to the approval of this request. Mr. Gulick stated that he and his children own the adjacent farm and expressed concern that a subdivision in such close proximity would interfere with his right to hunt and target practice on his property. Mr. Gulick further stated that this proposal would encourage a future 50' right-of-way from Meetze Road to the proposed subdivision.

In that there were no further speakers, Ms. McCarty closed the public hearing.

On motion made by Mr. Stone and seconded by Ms. Garreau, it was moved to send these items to the Board of Supervisors with a recommendation of denial of the Special Exception and a recommendation of approval regarding some of the transportation elements of the application, as follows:

RESOLUTION OF THE FAUQUIER COUNTY PLANNING COMMISSION
SPECIAL EXCEPTION APPLICATION SPEX10-CR-023,
WAVR10-CR-037 & WAVR10-CR-038
(GILL PROPERTY)

BE IT RESOLVED by the Planning Commission of Fauquier County, That in the matter of Special Exception SPEX10-CR-023, WAVR10-CR-037 and WAVR10-CR-038, said Commission hereby makes the following affirmative findings and recommendation:

1. That the provisions of the Zoning Ordinance for a Special Exception are not met in this application, the Planning Commission finding that said application will negatively impact the welfare of the residents of Fauquier County.
2. The required amount of non-common open space is necessary to protect the scenic, natural or historic resources contained on the site.
3. That the proposed use will be incompatible with existing or planned development in the general area, as set forth in Section 5-006 of said Zoning Ordinance, and will be incompatible with the general area and the Comprehensive Plan. The Zoning Ordinance and the Comprehensive Plan encourage the protection of the County's rural character through the creation of smaller lots and the protection of as much rural land as possible.
4. That the proposed use fails to comply with and is not in conformity with all the applicable standards of Article 5 of said Zoning Ordinance and all other applicable requirements of said Zoning Ordinance.
5. That the Waiver of Zoning Ordinance Section 7-302.1.A.2 to allow for a private street to connect to a private street would be appropriate for up to five (5) lots as proposed in this planned subdivision.

NOW, THEREFORE, be it resolved by the Planning Commission of the County of Fauquier, Virginia, That the subject applications, SPEX10-CR-023 and WAVR10-CR-038, be forwarded to the Board of Supervisors of Fauquier County with a recommendation of denial and application WAVR10-CR-037 be forwarded to the Board of Supervisors of Fauquier County with a recommendation of approval subject to the following condition:

1. The private street shall be limited to a maximum of five (5) lots.

The motion carried unanimously.

7. **PROPOSED FAUQUIER COUNTY GREEN BUILDING POLICY FOR PUBLIC BUILDINGS** – A public hearing to consider recommending a proposed Board of Supervisors' Policy to plan, design, finance, construct, operate and maintain its

facilities to be sustainable. The proposed policy includes the U.S. Green Building Council's LEED rating system and Reference Guide as the design and measurement standard used to determine the level of achievement for sustainable buildings under this policy. (Frederick P.D. Carr, Staff)

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

Ms. McCarty opened the public hearing.

Mr. Bill Clark, Marshall District, spoke in support of this proposed policy.

In that there were no further speakers, Ms. McCarty closed the public hearing.

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

The motion carried unanimously.

In that there was no further business, the meeting was adjourned at 7:10 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.