

**MINUTES OF  
FAUQUIER COUNTY PLANNING COMMISSION  
MAY 28, 2009**

*The Fauquier County Planning Commission held its regular meeting on Thursday, May 28, 2009, beginning at 6:30 p.m. in the Warren Green Meeting Room, 10 Hotel Street, Warrenton, Virginia. Those members present were Mr. Jim Stone, Chairman; Mr. John Meadows, Vice-Chairman; Ms. Adrienne Garreau, Secretary; Ms. Ann McCarty and Mr. Ken Alm. Also present at the meeting were Mr. Rick Carr, Mrs. Tracy Gallehr, Mrs. Susan Eddy, Ms. Kimberley Johnson, Mrs. Bonnie Bogert and Mrs. Rebecca Kellert.*

**Regular Meeting  
6:30 P.M.  
Warren Green Meeting Room, 10 Hotel Street, Warrenton, Virginia**

1. **APPROVAL OF MINUTES** – April 30, 2009

On motion made by Ms. Garreau and seconded by Ms. McCarty, it was moved to postpone action on this item until the next regularly scheduled meeting.

The motion carried unanimously.

2. **CONSIDERATION OF BYLAWS** – Consider changes to Article V – Meetings, to amend starting times. (Susan Eddy, Staff)

On motion made by Mr. Meadows and seconded by Ms. Garreau, it was moved to approve the amended Bylaws, as follows:

**BYLAWS  
FAUQUIER COUNTY PLANNING COMMISSION**

*Adopted 10 June 1953  
Amended 28 March 1973  
Amended 26 April 1978  
Amended 30 May 1985  
Amended 25 February 1999  
Amended 28 February 2001  
Amended 25 March 2004  
Amended 27 January 2005  
Amended 15 February 2007  
Amended 28 May 2009*

## ARTICLE I – AUTHORITY

The Fauquier County Planning Commission was created by motion of the Fauquier County Board of Supervisors dated December 14, 1950, in accordance with Chapter 25, Title 15.3 of the Code of Virginia.

## ARTICLE II – MEMBERS

The Planning Commission shall consist of not less than five (5) or more than fifteen (15) persons. One (1) member of the County Board of Supervisors can be a member. Except for the one member of the Board of Supervisors who may be appointed, no other member shall hold an elective public county office.

The terms of the appointed member shall be for four (4) years except the original appointees' terms which may be various lengths.

## ARTICLE III – OFFICERS AND ELECTIONS

The Planning Commission shall elect from its membership the following officers, whose terms shall be for one year, with eligibility for reelection.

- Chairman
- Vice Chairman
- Secretary

## ARTICLE IV – DUTIES OF OFFICERS

The Chairman shall be a citizen member of the Commission and shall:

- Preside at all meetings.
- Appoint committees, special and/or standing.
- Rule on all procedural questions (subject to a reversal by a majority vote of the members present).
- Carry out other duties as assigned by the Commission.

The Vice Chairman shall be a citizen member of the Commission and shall:

- Act in the absence or inability of the Chairman to act.

The Secretary shall:

- Be responsible for written records of all basic transactions of the Commission.
- Notify members of meetings.
- Keep a file of all official records and reports of the Commission.
- Give notice of all hearings and public meetings.

## ARTICLE V – MEETINGS

The Planning Commission shall meet once a month in regular session on the last Thursday of each month in the Warren Green Building, Warrenton, Virginia. On that day, the work session will begin at 12:30 p.m., while the regular meeting and public hearing shall

commence at **6:30 p.m.** However, the Planning Commission may on occasion amend this meeting schedule. Any changes to the regular meeting schedule shall be posted on the County's web page under the Planning Commission's calendar.

Special meetings of the Commission may be called by the Chairman or by two members upon written request to the Secretary. The Secretary shall mail to all members, at least five (5) days in advance of a special meeting, a written notice fixing the time and place of the meeting and purpose thereof.

Written notice of a special meeting is not required if the time of the special meeting has been fixed at a regular meeting or if all members are present at the special meeting or file a written waiver of notice.

All meetings, hearings, and records shall be open to the public. An executive session may be held only in accord with the Code of Virginia, 2.1-344.

#### ARTICLE VI – VOTING

A majority of the members shall constitute a quorum and no action of the local Commission shall be valid unless authorized by a majority vote of these present and voting.

#### ARTICLE VII – ORDER OF BUSINESS

The order of business for the regular meeting shall be:

- Call to Order
- Approval of Minutes
- Unfinished Business
- New Business
- Miscellaneous/Other
- Adjournment

The order of business for the public hearing will be:

- Public Hearing
- Miscellaneous/Other

#### ARTICLE VIII – AMENDMENTS

These by-laws may be changed by a recorded two-thirds (2/3) vote of the entire membership after thirty (30) days prior notice.

#### ARTICLE IX – POLICY

1. Any member of the Commission shall be entitled to move or second any question for action by the Commission. Any matter properly brought before the Commission shall be voted upon by it, either affirmatively or negatively, and each member of the Commission shall vote upon every matter properly raised, unless he or she shall have a conflict of interest thereon, as defined in the 1950 Code of

Virginia, as amended, in which case he or she shall state the nature of such conflict and abstain.

2. In cases where a public hearing is required, no member shall be entitled to vote on the matter unless he or she was present at the public hearing, or has reviewed the official record with respect to the matter, in which case he or she, prior to voting, shall state publicly for the record, that he or she has reviewed the record and feels sufficiently informed to vote on the matter.
3. Each member placing a motion before the Commission should include the rationale for his or her motion.
4. In cases where a matter has been resolved, and a member(s) wishes to submit a supplementary report, the intention to do should be expressed at a public hearing.
5. All supplementary reports or individual letters concerning Planning Commission business should be on official stationery and file copies should be maintained in the Office of the Planning Commission. No letter written by a Member or Members of the Commission on Commission stationery and signed by such Member(s) may be forwarded to the intended recipient until such letter has lain in the Commission offices for a minimum of two working days during which time the staff shall have made every reasonable effort to notify all other Members of the content of such letter; and no letter relating to policy shall be forwarded over the signature of the Chairman or other member of the Commission, acting in an official capacity, which has not been approved by the majority of Members of the Commission.
6. Except where it appears to the contrary in this Article, the parliamentary procedure of the Commission shall be governed by Robert's Rules of Order most recently revised.

The motion carried unanimously.

Mr. Stone stated that there will be additional changes to the Bylaws at the next regularly scheduled meeting.

### 3. **COMPREHENSIVE PLAN AMENDMENT**

- Initiation of a Comprehensive Plan Amendment to Chapter 9, Public Facilities and Utilities, to amend the text concerning the plan for libraries. (Susan Eddy, Staff)

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

On motion made by Ms. Garreau and seconded by Ms. McCarty, it was moved to initiate this item.

Ms. Garreau stated that this will be discussed at a later meeting in further detail.

The motion carried unanimously.

4. **BOARD OF ZONING APPEALS AGENDA**

No comments.

5. **TRANSPORTATION COMMITTEE AGENDA**

No comments.

<p style="text-align: center;"><i>Public Hearings</i> <i>7:00 P.M.</i> <i>Warren Green Meeting Room, 10 Hotel Street, Warrenton, Virginia</i></p>
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6. **THE PLEDGE OF ALLEGIANCE**

7. **ANNOUNCEMENTS**

Mr. Stone stated that citizens may speak for three (3) minutes. Mr. Stone also stated that Item 9.b. (Farm Wineries) on the agenda would be postponed for up to 90 days with substantial changes made.

8. **CITIZENS' TIME**

No one spoke.

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

- a. Zoning Ordinance Text Amendment to Sections 3-316, 5-1600, and 15-300 Related to Blacksmith Shops and Similar Artisan Shops in the Rural Agricultural District (Kim Johnson, Staff)

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

Mr. Stone opened the public hearing.

In that there were no speakers, Mr. Stone 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.

The motion carried unanimously.

- b. Zoning Ordinance Text Amendment to Sections 3-318.17-18, 6-102, 5-1810 and 15-300 Related to Farm Wineries (Kim Johnson, Staff)

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

Mr. Stone opened the public hearing.

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

On motion made by Ms. McCarty and seconded by Ms. Garreau, it was moved to postpone action on this item for up to 90 days, with the public hearing left open.

The motion carried unanimously.

- c. Subdivision Ordinance Text Amendments to Sections 9-5 (Preliminary Plan Requirements) and 10-5 (Final Plat Requirements) of the Subdivision Ordinance to require inclusion on preliminary plans and final plats of mapped dam break inundation zones. (Susan Eddy, Staff)

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

Mr. Stone opened the public hearing.

In that there were no speakers, Mr. Stone 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.

The motion carried unanimously.

#### 10. **SPECIAL EXCEPTIONS**

- **SPEX09-CT-007 – George C. & Helen F. Elmore (Owners)New Cingular Wireless PCS, LLC d/b/a AT&T Mobility (Applicant)** – Applicant wishes to obtain a Category 20 Special Exception to allow for the construction of a one hundred ten (110) foot monopole, with associated antennas and equipment cabinet(s). The property is located at 7511 Elmores Lane, Center District. (PIN #7904-15-6717-000) (Bonnie Bogert, Staff)

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

Mr. Stone opened the public hearing.

Mr. Jim Michal, representative, expressed agreement with the staff report and stated that this location would provide greater coverage for wireless customers.

In that there were no further speakers, Mr. Stone 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.

Ms. McCarty stated that she is opposed because of the height of the proposed tower. She did not believe that co-location had been adequately provided.

Mr. Stone stated that it would accommodate customers in the area.

Ms. Garreau stated that there is no better place for a tower but does not encourage any future applications requesting an extra 30 feet in height.

The motion carried 4 to 1, as follows:

AYES: Mr. Alm, Mr. Stone, Mr. Meadows, Ms. Garreau

NAYS: Ms. McCarty

ABSTENTION: None

ABSENT: None

11. **COMPREHENSIVE PLAN AMENDMENT**

- **CPAM09-SC-008** - A Comprehensive Plan Amendment to the New Baltimore Service District Plan concerning the alignment of Route 215. (Susan Eddy, Staff)

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

Mr. Stone opened the public hearing.

In that there were no speakers, Mr. Stone closed the public hearing and commended the Transportation Committee for their work on this project.

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.

The motion carried unanimously.

In that there was no further business, the meeting was adjourned at 7:19 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.*