

**MINUTES OF
FAUQUIER COUNTY PLANNING COMMISSION
FEBRUARY 21, 2006**

The Fauquier County Planning Commission held its Public Hearing on Tuesday, February 21, 2006, beginning at 7:00 P.M. at the Warren Green Meeting Room, 10 Hotel Street, Warrenton, Virginia. Those members present were Mr. Jim Stone, Chairman; Mrs. Ann McCarty, Vice Chairman; Mr. Richard Robison; and Mr. Holder Trumbo. Also present at the meeting were Mr. Rick Carr, Mr. Kevin Burke, Mrs. Diedre Clark, Mrs. Rebecca Kauffman, and Ms. Carissa Blevins.

1. **THE PLEDGE OF ALLEGIANCE**
2. **ANNOUNCEMENTS**

Mr. Stone announced that the Planning Commission will hold its next meeting on Thursday March 30, 2006 at the Warrenton Community Center. He also stated that tonight is Mr. Richard Robison's last Planning Commission meeting after seven years of faithful service. He noted Mr. Robison chaired the Planning Commission for three (3) years and also serves on the Board of Supervisors all while maintaining a cheerful attitude. Mr. Stone thanked Mr. Robison for his service and expertise.

3. **CITIZENS' TIME**

No one spoke.

4. **CAPITAL IMPROVEMENT PLAN – Fiscal Years 2007-2016** – The CIP lists proposed projects for the School Division and General County Government, which includes Library, General Services, Parks & Recreation, Extension Office and the SPCA. Included within the document, for example, is also a summary of each project recommended for consideration, along with justifications for projects not recommended

Mr. Bryan Tippie reviewed the Capital Improvement Plan (CIP) a copy of which is attached to and made part of these official minutes.

Mr. Stone opened the public hearing.

Mr. John Griffin, Cedar Run District, recommended full funding in the FY 2007 for the third High School and two additional elementary schools and suggested they be open by August 2008.

Mr. Don Cruikshank, Scott District, stated that he is upset because the Capital Review Committee (CRV) pared down the School Board's request for funding. He said the Planning Commission is responsible for these schools being built promptly and for good stewardship of funds. He also said that the School Board

has requested funds to renovate Fauquier High School, but the funds are being cut out and thinks this need to be re-evaluated. He continued to say he supports the School Board's request for funding for the third High School and two elementary schools as well as the renovations for Fauquier High School.

Ms. Clair Peyton, Marshall District, stated that she is here to support the School Board. She said her children attend the schools here in the county and that the teachers and students are stressed because the schools are overcrowded now and that this matter needs to be addressed sooner rather than later. She continued that she would like to see the School Board's request fully funded to help give these children a better education.

Ms. Odetta Dietz, Center District, commented she is here to show support for the School Board and that she has recently served on the Elementary School Redistricting Committee and is happy to see another elementary school being planned for the future.

Mr. Jake Lemann, Scott District, said he thinks that as wealthy as this county is that we should be able to provide adequate school facilities for our children. He stated that the children should not be in trailers but in real buildings and that the Planning Commission needs to re-evaluate the amount of money that is going to these schools.

Mr. Bob Sinclair, Scott District, stated that he is taken aback because of the absence of funding for an elementary school in the southern end of the county and for the fourth high school. He said he appreciates the funding for the central elementary school but asked that the Commission please consider the southern region.

Ms. Denise Schefer, Scott District, said she is a nine year resident of Fauquier County and came to support the School Board. She stated that Fauquier County elementary schools are estimated to reach full capacity in 2009, middle schools in 2010, and the High School will reach capacity the day it opens. She also said the Planning Commission should recommend fully funding the School Board.

Ms. Nancy Minter, Center District, said she the Planning Commission needs to adopt the School Board's proposed budget because the County needs to get rid of all the trailers that the schools have been using. She stated that putting these trailers in does not alleviate the crowdedness of the cafeteria, the libraries, or common areas, and when driving down Route 28, the need is visible by the growing number of houses in this area.

Ms. Sheryl Wolfe, Lee District, stated she is concerned about the land purchase for fourth High School being pushed off until 2015.

Ms. Dana Hansson-Giventa, Scott District, stated she has observed the budget process over the last few months and that Dr. Martin has reviewed the Capital

Improvement Plan at the School Board meeting outlining the expected growth of enrollment at the elementary and high school levels. She said that the County is trying to alleviate the growth by using trailers, but this is not a solution. She also said the draft CIP moves the land acquisition date too far for the new elementary and high schools. She said she does not understand why the CRC is allowed to declare their recommendation without the public's suggestions recorded. She said she has seen no justification for moving the proposed funding dates. She continued to say that at the joint meeting between the School Board and the Board of Supervisors a Supervisor expressed surprise that high school number 4 was not in the CIP for the near future and he agreed that they should be looking for land now. She stated she does not understand why the needs of the School Board are overlooked and she asked that Planning Commission make changes to the CIP and address the needs of the School Board.

Ms. Sally Murray, Center District, said she is concerned about the process of the CRC, and she finds this process lacking because no one from the CRC ever came to the Board and told them that they would not be able to meet their entire request. She said she would like to have seen more communication, and she thinks that things need to be laid out more clearly for the public too.

Mr. Duke Bland, Marshall District, stated that the community and our constituents are trying to convey the same message, that it is important to adopt the School Board's requested funding. He said the funding for High School number 4 should be made available in the year 2007.

Mr. Brian Whyson, Scott District, commented that he did not come here tonight to speak on this matter but wanted to thank the Planning Commission for cost control. He said his daughter has courses at Fauquier High School in trailers, and that is suitable.

Mr. Robert Dunleavy, Scott District, said that five years ago we were told that a new high school would be needed by 2008, and there is a reason for that. He said the School Board uses a notational growth that estimates what the educational needs will be for the new residents and right now we need to focus on the new high schools.

Mr. Ernie Gray, Lee District, said he does not come here to put school projects ahead of any other projects because they are all important, but the community expects the Planning Commission to look towards the future needs of the county. He stated that Prince William County has been reactive to growth and has many classrooms in trailers as a result, but Loudon County, is more forward thinking only has eighteen trailers. He stated this year Fauquier will have seventy. He urged the Planning Commission to start looking forward and that the county needs to try to stop making the numbers fit into nice little boxes. He continued to say that the Planning Commission needs to service the needs of those who live here and will be living here in the future.

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

Mr. Stone stated that everything that the School Board put into their submission for the Capital Improvement Plan is still included, though it may be on a different time schedule or dollar amount. He continued if the amount of funding has a zero showing it means that the CRC did not know how the money would be spent; for instance the intention for \$23 million allotted for the Fauquier High School renovations was not clearly described. He noted the CRC should have started meeting in May, but did not receive any submission from the School Board until September. He said that they were welcome to come to any of those meeting to discuss what the School Board needed, but they did not always attend. He added the CRC is charged with keeping within the guidelines set by the Board of Supervisors in relations to the citizen's tax rate. He concluded if all these requests were granted exactly as submitted, it would be too much for the County to handle.

Mr. Trumbo stated that he appreciates the efforts of the CRC and the struggles they faced balancing the wants, desires and needs of the different County agencies. He said he will be joining the Committee this year so that he can see for himself, and that his concerns also revolve around high school number 4. He said the time frame for high school number 4 is a little misleading and while he does not have any suggestions on what kind of budget should be allotted but thinks that something should be there in place of that zero. He also said that he would like to see something in the budget for the renovations for Fauquier High School instead of a zero. He continued he knows this plan is not engraved in stone and there is always next year to work to improve the numbers and the funding schedule.

Mrs. McCarty said she appreciated very much the work of the CRC and thinks that they were very thoughtful in their decisions.

Mr. Robison said he also appreciates the work done by the CRC and the long and tedious process they endured. He stated it should be noted that this is just a plan and everything after 2007 is subject to change. He said he is pleased to see that the new elementary school has moved up and that we now have additional funding for the third High School. He said the focus should be on what will be funded in 2007.

Mr. Stone stated that this process begins again in May and the CRC will again look at everything that is submitted. He said with more justification and further analysis things could change. He added everything the School Board requested for 2007 could not be funded.

Mr. Stone, seconded by Mr. Robison, moved to forward to the Board of Supervisors with a recommendation of further discussion and revision.

The motion carried unanimously.

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

- a. Zoning Ordinance Text Amendment adding a Public Reservoir Management and Protection Overlay District

Mrs. Diedre Clark reviewed the staff memorandum, a copy of which is attached to and made part of these official minutes.

Mr. Stone opened the public hearing.

Mr. Brian Whyson, Scott District, stated that this amendment will affect his reserve drain field. He also said he has an old cemetery next to his property where people come to visit, and he feels if someone wants to be buried there, it should continue to be allowed.

Mr. Ed Kedzierski, Center District, asked that when the Planning Commission uses terms that they are more clearly defined.

Ms. Jamie Barry, Marshall District, stated that she lives in a buffered area next to Fletcherville and requested that her property be grandfathered. She added she wants to have clarity on what this means. She stated that the last time her property was evaluated it was declared that her property was in a floodplain. She continued that if the county is worried about water pollution; the focus should be on the run off from Route 17. She also said she is concerned about the value of her land and indicated her tax assessment should be lowered as a result of this amendment, if passed. She concluded the County will have to be excellent in its record keeping if this is passed.

Mr. Bob Counts, representative for Airlie Foundation, stated that the Airlie Foundation owns about 2500 acres that would be affected and asked that the Planning Commission postpone action at this time as the affected party was only made aware of the proposed amendment very recently. He said the attorney representing the applicant will ask for a 90 day postponement in order to evaluate the impacts, as 20 percent of the property is in the buffer. He added they will want to be sure this will not preclude future expansion and maintenance of wells and septic.

Mr. Glenn Moore, attorney for the Airlie Foundation, stated that this amendment will limit this area's future development potential. He said this will have an adverse affect on the property value and Airlie has a number of questions on how this will affect their property as 20 percent of it will lie in the buffer zone. He said no one would suggest that the county continue to do something that would cause unsanitary water. He continued that they want to be able to take a look to see if these steps

really need to be taken to protect the water and they are asking for ninety days to go over all the information.

Mr. Gary Rahena, representative for Kimmaren Corp., stated that Kimmaren owns a lot of the property within this district. He said the Airlie Reservoir was basically given to the County by Kimmaren with certain agreements governing future uses. He said he would like to work with staff to make sure that this agreement is not violated. He continued that the Airlie and Kimmaren are greatly affected by the 300 foot buffer and would like to further evaluate the amendment.

Ms. Bibbi Ann Lynatt, Center District, stated she would like to have guidelines written concerning the grandfathering properties. She questioned resale values if grandfathering did not transfer to future owners.

Mr. John Spencer, Center District, stated he has some questions about the drafting of the proposed amendment and why are there no storm water management ponds adjacent to Route 17. He continued that the highway run off is one of the major threats to Bethel Academy and the environment and thinks that should be considered.

Mr. Kevin Carter, representing the Airlie Foundation, stated that he presented a letter to the Planning Commission earlier this evening asking for a deferment for at least 90 days. He continued this would have a significant impact on Airlie, and that they would like some time to get all the facts together. He stated that high water quality has been insured by Airlie for sometime now and that Airlie has been a good steward of the land.

Mr. Bob Heffner, Marshall District, stated that this project may be more involved than anticipated. He said that Spotsylvania County has the Chesapeake Bay Act, which is similar, and is causing more problems and is making it difficult to do anything in that area. He stated that Spotsylvania County is having a hard time policing the trees and streams in that area. He continued to say that in the Warrenton Service District problems will arise from the shopping centers and homes. He said that Route 17 is causing most of the problems. He suggested the Planning Commission look into this further, as they may regret passing such an amendment.

Mr. Chuck Medvitz, Scott District, said he thinks that this is important, but there is one side that has not been touched upon. He is concerned about where the records of whom and what is grandfathered in will be located and questioned if it will be accessible to the public. He thinks the staff needs to put some more thought into this Ordinance.

Mr. John Albertella, Center District, stated he commends the County on taking the initiative to put this ordinance into place. He said he hopes that the question of who and what is grandfathered in is adequately addressed. He continued that the property owners in Ivy Hill tried their best to police the water pollution in this area and know all the problems that can arise. He stated that the two most important pollutants are the highway and farms. He said that there does not need to be an accident to cause highway pollution, it is caused by day to day liquids dripping from the cars and running into the local ponds. He would like to see state-of-the-art water retention ponds in this area. He knows this will be a political decision and wishes the Planning Commission the best of luck with it's decision on this Ordinance.

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

Mr. Stone, seconded by Ms. McCarty, moved to postpone action indefinitely with the public hearing left open.

The motion carried unanimously.

- b. Zoning Ordinance Text Amendment to Section 4-106 of the Planned Residential Development District (PRD) Regarding Use Limitations

Mr. Rick Carr reviewed the staff memorandum 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.

Mr. Trumbo, seconded by Mr. Stone, moved to postpone action until the March 30, 2006 meeting with the public hearing left open.

The motion carried unanimously.

There being no further business, the meeting adjourned at 8:30 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, Warrenton, Virginia, for a period of one year.