

**MINUTES OF
FAUQUIER COUNTY PLANNING COMMISSION
JUNE 30, 2005**

The Fauquier County Planning Commission held its regular meeting on Thursday, June 30, 2005, beginning at 4:00 P.M. in the 2nd Floor Conference Room of the Warren Green Building, 10 Hotel Street, Warrenton, Virginia. Those members present were Mr. Jim Stone, Chairman; Mrs. Ann McCarty, Vice Chairman; Mr. John Meadows, Secretary; Mr. Richard Robison; and Mr. Holder Trumbo. Also present at the meeting were Mr. Rick Carr, Mrs. Elizabeth Cook, Mr. Todd Benson, Mr. Kevin Burke, Ms. Holly Meade and Mrs. Rebecca Kauffman.

Mr. Robison moved to amend the agenda to add new Items #3.f., a text amendment regarding livestock on less than five (5) acres; #3.g., a text amendment regarding setbacks; #4.b., Raymond Farm Preliminary Plat Extension; and #4.c., Foxhaven Subdivision Preliminary Plat Extension.

The motion carried unanimously.

1. **APPROVAL OF MINUTES** – May 26, 2005

Mr. Stone, seconded by Mrs. McCarty, moved to approve the May 26, 2005 minutes as amended.

The motion carried unanimously.

2. **Initiation of a resolution establishing an expansive soil testing policy for Fauquier County, in compliance with the Virginia Uniform Statewide Building Code**

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

Mr. Stone, seconded by Mr. Meadows, moved to schedule a public hearing for next month's Planning Commission meeting.

Mr. Meadows announced a work session, regarding this resolution, has been scheduled for July 28th, at 11:00 a.m.

The motion carried unanimously.

3. **PROPOSED TEXT AMENDMENTS TO THE ZONING AND SUBDIVISION ORDINANCES AND THE DESIGN STANDARDS MANUAL**

- a. Initiation of a Zoning Ordinance Text Amendment to Section 8-1401 to permit additional identification signs in Conservation, Agriculture, Village, Residential and Mobile Home Zones.

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

For the purposes of convenience and good zoning practices, Mr. Meadows, seconded by Mr. Stone, moved to initiate a Zoning Ordinance Text Amendment to Section 8-1401 to permit additional identification signs in Conservation, Agriculture, Village, Residential and Mobile Home Zones, and to schedule a public hearing for the Planning Commission's July meeting.

The motion carried unanimously.

- b. Zoning Ordinance Text Amendment to Table 1 of Article 9 and Sections 9-701 through 9-705 to delete current noise standards and replace with new noise standards.

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

Mr. Stone, seconded by Mrs. McCarty, moved to forward, as amended, to the Board of Supervisors with a recommendation of approval.

The motion carried unanimously.

- c. Initiation of a Zoning Ordinance Text Amendment to Section 5-001 to permit the approval of a use normally only permitted by Special Permit to be permitted with a companion Special Exception approval.

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

For the purposes of convenience and good zoning practices, Mr. Stone, seconded by Mr. Meadows, moved to initiate a Zoning Ordinance Text Amendment to Section 5-001 to permit the approval of a use normally only permitted by Special Permit to be permitted with a companion Special Exception approval, and to schedule a public hearing for the Planning Commission's July meeting.

The motion carried unanimously.

- d. Initiation of a resolution to consider an amendment to the Zoning Ordinance to Permit Boundary Line Adjustments between parcels zoned Rural Agriculture or Rural Conservation without a reduction in density.

Mr. Kevin Burke reviewed the staff memorandum, a copy of which is attached to and made part of these official minutes.

For the purposes of convenience and good zoning practices, Mr. Stone, seconded by Mr. Meadows, moved to initiate a Zoning Ordinance Text Amendment to permit Boundary Line Adjustments between parcels zoned Rural Agriculture or Rural Conservation without a reduction in density, and to schedule a public hearing for the Planning Commission's July meeting.

The motion carried unanimously.

- e. Introduction of the Design Standards Manual – Chapter 1 and 2

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

Mr. Stone, seconded by Mr. Trumbo, moved to schedule a public hearing for July.

The motion carried unanimously.

- f. Initiation of a Zoning Ordinance Text Amendment to Section 2-512, 6-102 and 6-105 to establish density, housing, maintenance and setback standards for livestock on parcels smaller than five acres and to permit livestock on under two acres in Residential-2 (R-2) districts.

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

For the purposes of convenience and good zoning practices, Mr. Trumbo, seconded by Mr. Robison, moved to initiate a Zoning Ordinance Text Amendment to Section 2-512, 6-102 and 6-105 to establish density, housing, maintenance and setback standards for livestock on parcels smaller than five acres and to permit livestock on under two acres in Residential-2 (R-2) districts, and to schedule a public hearing for the Planning Commission's July meeting.

The motion carried unanimously.

- g. Initiation of a Zoning Ordinance Text Amendment to Section 2-309 to require a portion of Open Space to be utilized for a 200-foot buffer

adjacent to parcels zoned Rural Agriculture (RA), Rural Conservation (RC) and Village (V).

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

For the purposes of convenience and good zoning practices, Mr. Stone, seconded by Mr. Meadows, moved to initiate a Zoning Ordinance Text Amendment to Section 2-309 to require a portion of Open Space to be utilized for a 200-foot buffer adjacent to parcels zoned Rural Agriculture (RA), Rural Conservation (RC) and Village (V), and to schedule a public hearing for the Planning Commission's July meeting.

The motion carried unanimously.

4. **PRELIMINARY PLAT EXTENSION**

- a. **Prospect Development Co. Inc., owner and applicant - Heddings Springs Estates** - applicants wish to obtain an extension of a previously approved preliminary plat (#PPLT04-CR-004). The property is located on the northwest side of Heddings Road (Route 794), Cedar Run District. (PIN #7940-79-2131-000)

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

Mr. Stone, seconded by Mrs. McCarty, moved to approve.

The motion carried unanimously.

- b. **Raymond Hufnagel, owner and John H. Thillman, applicant – Raymond Farm** – applicant wishes to obtain an extension of a previously approved preliminary plat (#PPLT04-CT-007). The property, which is in the Warrenton Service District, is located in the southeast quadrant of the U.S. 15/29 and Dumfries Road (Route 605) intersection, Center District. (PIN #6995-21-1875-000)

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

Mr. Stone, seconded by Mr. Meadows, moved to approve.

The motion carried unanimously.

- c. **Lewis N. and William F. Springer, owners and applicants – Foxhaven Subdivision** – applicants wish to obtain an extension of a previously

approved preliminary plat (#PPLT04-LE-006). The property is located on the northwest side of Catlett Road (Route 28), Lee District. (PIN #6889-54-9393-000, 6889-74-0648-000 and 6889-75-2303-000)

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

Mr. Meadows, seconded by Mrs. McCarty, moved to approve.

The motion carried unanimously.

5. **PRELIMINARY PLATS**

- **#PPLT05-SC-021 – Bishops Run, LLC, owner and applicant – Bishops Run Subdivision** – applicant wishes to subdivide approximately 54.41 acres into ninety-nine (99) lots. The property is located on both sides of Riley Road (Route 676), Scott District. (PIN #7916-12-8941-000 and 7916-22-4949-000)

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

Mr. Trumbo, seconded by Mr. Meadows, moved to approve subject to the following conditions.

1. The Final Plat shall be in general conformance with the Preliminary Plat entitled “Bishop’s Run” dated May 25, 2005, and received in this office on June 23, 2005, except as modified by these conditions. This approval is for a maximum of ninety-nine (99) residential lots. The following items shall be addressed on the Preliminary Plat prior to scheduling for Board of Supervisors’ action:
 - a. Site Tabulations should be corrected on Sheet 1 of 8 of the Preliminary Plat to reflect the current proposal of 26 single-family conventional and 73 single-family clustered lots.
 - b. The following note shall be place on the Preliminary Plat, *“The floodplain boundaries shown on this Preliminary Plat are believed to be accurate based on an engineering study conducted by the applicant, but the study and boundaries have not been reviewed or approved by the County or FEMA. The applicant acknowledges that approval of this Preliminary Plat is conditional, based on approval of the boundaries by FEMA. The applicant further acknowledges that the Final Construction Plans cannot be approved prior to approval of FEMA of the revised boundaries. Should FEMA review establish different boundaries, any lots or*

improvements shown within the floodplain will not be approved, and an amendment to the Preliminary Plat may be required”.

- c. *The 100-year FEMA floodplain limits shall be added to the Preliminary Plat.*
2. The conceptual landscaping shown along Riley Road on the Preliminary Plat is not consistent with the level of conceptual landscaping approved with the Concept Plan. More landscaping shall be required on the Final Construction Plan.
3. Evidence from the Fauquier County Water and Sanitation Authority shall be provided allowing the overlapping of easements prior to Construction Plan approval.
4. Street Names shall be required with the Final Plan in accordance with Section 7-11 of the Fauquier County Subdivision Ordinance.
5. A Major Site Plan shall be required for the single-family attached houses per Section 3-301 of the Zoning Ordinance.
6. Prior to Construction Plan approval, the applicant shall obtain a Conditional Letter of Map Revision (CLOMR) from FEMA for the 100-year Floodplain Boundary. Development shall not be allowed within the boundaries of the 100-year flood elevation without a Special Exception pursuant to Article 4-400 of the Zoning Ordinance.
7. Prior to Construction Plan approval, the applicant shall obtain all applicable permits from DEQ, VMRC and U.S. Army Corps of Engineers.
8. Applicant shall provide an inter-parcel access connection to the adjoining parcel (i.e., 7916-12-2141-000) at the location as generally shown on the preliminary subdivision plat.
9. Prior to final plat approval, the interpretive information from the Type 1 soil report for each mapping unit shall be shown on the final subdivision plan.
10. Applicant shall provide an internal system of sidewalks and/or paved trails generally as shown of the Preliminary Plat with connections to the proposed common open space.
11. All road design and construction shall be in accordance with VDOT’s 2005 Subdivision Street Requirements.

12. Applicant shall work with and follow VDOT's guidelines for placement of landscaping materials within the Riley Road right-of-way as provided for with the Rezoning approval.
13. At the time of Construction Plan submittal, the applicant shall provide a detailed landscaping plan for the common open space in accordance with Landscaping Proffers # 1, 2 & 3 and Section 7-600 of the Fauquier County Zoning Ordinance.
14. At the time of Construction Plan approval, the applicant shall have a professional engineer design foundation drainage systems for any residential lots having hydric soils. The designs shall utilize a variety of engineering and construction methods, including but not necessarily limited to, over-lot grading techniques, sump pumps in conjunction with subsurface drains which connect to the storm sewer system (no connections within VDOT right-of-way), french drains and related design measures to minimize the risk of wet basements.
15. At the time of Construction Plan approval, the applicant shall provide an Active Recreational Area of no less than 3 contiguous acres outside the 100-year floodplain for the residential community, generally in the location noted on the Preliminary Plat. The active recreational facilities provided at said site may include, but shall not be limited to, play apparatus equipment, picnicking areas and outdoor game/sport field facilities.
16. The County recommends that no below grade basements be constructed on soils with high water table due to wetness unless the foundation drainage system of the structure is designed by a licensed professional engineer to assure a dry basement and preclude wet yards and recirculation of pumped or collected water. Unless, in the opinion of the County Engineer, the topography of the lot in relation to the overlot-grading plan precludes grading the site to drain the basement to daylight, all basements shall be designed to gravity daylight without assistance from mechanical means. All discharged water (mechanical or gravity) must be conveyed to the subdivision stormwater collection system and discharged through the stormwater management facilities. Drainage easements, where necessary, shall be placed on the final plat. A note shall be placed on the final plat stating, "Basements are not recommended in mapping units 6A, 14B, 62B, 63B, 78A, 79A, and 178A. Basements in these mapping units are subject to flooding due to high seasonal water tables. Sump systems may run continuously, leading to possible premature pump failure."
17. Several lots are located in what is currently designated as FEMA Floodplain. A LOMR shall be required prior to Final Construction Plan submittal for any of the affected lots and roads accessing them. There are 12 lots affected. In addition, the recreation area and both stormwater management ponds are in

the currently designated FEMA Floodplain. SCS methodology (i.e. TR-55, TR-20) shall be used. A Special Exception will be required for these facilities if the floodplain boundaries are not revised by a LOMR.

18. All ponds and outfall structures shall be kept 25 feet from the property lines. Trees, shrubs, and any other woody plants shall not be planted on the embankment or adjacent areas extending at least 25 feet beyond the embankment toe and abutment contacts. This area shall be within a maintenance easement. Tree save areas and landscaping cannot be in these areas.
19. No stormwater runoff generated from new development shall be discharged into a jurisdictional wetland without adequate treatment.
20. An overlot grading plan shall be provided as part of the Final Construction Plan. This plan shall show sump pump discharge locations and roof downspout locations.
21. Proof of provisions for adequate fire flow shall be required with the first submission of the Final Construction Plan.
22. All applicable State and Federal permits shall be filed with the first submission of the Final Construction Plans. This includes the COE/DEQ permits for disturbance of wetlands.
23. For BMP/SWM calculations, all of the areas of the development shall be counted as part of the site for these calculations. This includes open space and recreation areas.
24. Some of the soils types in the areas of the proposed ponds are characterized as having a high water table. Ponds 1 and 2 show cutting into the natural ground up to 12 to 14 feet. Dry ponds do not seem appropriate because they most likely will not stay dry. Any dry pond design shall address base flow, springs, and high water table to assure that the ponds will be dry year round and function as intended.
25. All houses shall be above the 10-year water surface elevation of adjacent swales.
26. Installation of culverts shall not cause water to pond on an adjacent property for a 10-year storm, unless a drainage easement is granted. This includes PIN 7916-21-2517.
27. The 2, 10, and 100-year storms shall be routed through the SWM/BMP facilities with the pond full to the BMP elevation and unavailable for storage.

28. A separate emergency spillway shall be provided for ponds. The emergency spillway shall pass no less than the 100-year storm.
29. Conservation areas used for qualifying open spaces shall be limited to floodplain and protected wetland corridors that have no overlying encumbrances such as trails, utilities, roads, etc.
30. On single family detached lots 1-7, 9-11, 14, 15, 19-24, 27, 28, 34-37, 40, 41, and 46, and single family attached lots 42-45, houses or structures shall not be placed in the drainageway due to wetness and concentrated water flow.
31. Basements are not recommended on map units with high seasonal water tables, due to potential for flooding. This would include map units 14B, 62B, 63B, 78A, 79A, and 178A: single family detached lots 1-7, 9-11, 14-29, 34-36, 40, 41, 46, 47, 51-54, and single family attached 1-8, 13-29, 32-37, 42-45.
32. A geotechnical study shall be completed before design and construction of foundations for building on single family detached lots 19, 20, 23-26, 28-29, 34-36, 40, 41, 46, 47, and single family attached lots 6-8, 24-28, 35-37, and 42-45, 47 and 48..
33. The following are the requirements of the final soil report that shall be included in the Final Construction Plans:
34. A Virginia Certified Professional Soil Scientist (CPSS) needs to adjust the preliminary soil map with revisions onto the final construction plan. This needs to be done in the field and checked for any additional soils information to be added to the final construction plan.
35. A signature block shall be placed on this plat for the CPSS to sign which states:

Preliminary Soils Information Provided by the Dominion Soils via Preliminary Soils Report (scale 1:200) Dated _____.	
This Virginia Certified Professional Soil Scientist has field reviewed and adjusted the preliminary soil information onto the final plat (1"=___') and certifies that this is the Best Available Soils Information to Date for Lots 1-____.	
Va. Certified Professional Soil Scientist CPSS #3401-_____	DATE

36. Interpretive information from the Preliminary Soils Report for each mapping unit shown on the above final construction plan shall be placed on the same

sheet as the soil map. Also a Symbols Legend shall be placed on the final construction plan to identify spot symbols.

37. The statements under Home Sites and Road Construction shall be placed on the same sheet as the final soils map.
38. This final soil map will be filed in the Building Department to be used exclusively for obtaining soils information for this proposed subdivision.
39. Two copies of this final soil map with CPSS signature need to be submitted to the Soil Scientist Office before final plat approval is made.
40. The final signature sets will require original CPSS signature.
41. Due to landscape position (drainageways) and high seasonal water tables the following statement shall be placed on the final construction plan to be placed in the front office of Community Development: "The County recommends that no below grade basements be constructed on soil mapping units 14B, 62B, 63B, 78A, 79A, and 178A due to wetness unless the foundation drainage system of the structure is designed by a Virginia Licensed Professional Engineer. The foundation drainlines should be daylighted for gravity flow on all structures."
42. The following statement shall be placed on the Final Construction Plan: "Foundations placed in soil mapping units that show a moderate, high, or very high shrink-swell potential in the most recent *Interpretive Guide to the Soils of Fauquier County*, Virginia will require a geotechnical evaluation in order to determine proper design."
43. Final engineering shall clearly demonstrate that the existing wetland bank will not be impacted by the site development. VDOT shall not support final plan approval until this is satisfactorily addressed. VDOT approval shall be required for relocation of the wetland bank access road and vacation of the drainage easements. If needed, the existing VDOT SWM/BMP easement shall be vacated prior to Final Construction Plan approval.
44. All land rights VDOT currently has for the abutting SWM easement along Route 676 are to be fully resolved and all deeds acquiring or revising the existing easement shall be recorded prior to VDOT approval of the Final Construction Plan.

Mr. Trumbo noted while, at this time, the FEMA stipulations are included, it may be a different situation in the future as there are changes in the works.

The motion carried unanimously.

6. **COMPREHENSIVE PLAN AMENDMENTS**

- **Warrenton Service District** – Consider proposed amendments to the Comprehensive Plan Chapter 6 - Warrenton Service District Plan

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

Mr. Robison, seconded by Mr. Stone, moved to forward to the Board of Supervisors with a recommendation of approval with the following revisions.

Mr. Robison moved to remove areas of the Service District that are not served by water or sewer except for the Frytown water remediation bubble consisting of approximately 10-15 lots.

The motion failed 4-1 with Mr. Robison in opposition.

Mr. Robison, seconded by Mr. Stone, moved to remove all text and diagrams referring to the 211/17 connector.

The motion failed 3-2 with Mr. Stone and Mr. Robison in opposition.

Mr. Robison, seconded by Mr. Stone, moved to affirm that areas not served by public sewer in the Service District shall not be given an exemption from the two hundred (200) percent reserve requirement on the private septic systems.

The motion carried unanimously.

Again Mr. Robison, seconded by Mr. Stone, put forth the motion to forward the proposed amendments to the Warrenton Service District Plan, with the approved revision, to the Board of Supervisors with a recommendation of approval.

The motion carried unanimously.

7. a. **BOARD OF ZONING APPEALS AGENDA**

Mr. Robison, commenting on Item #4, recommended no outdoor amplified sound be allowed.

b. **TRANSPORTATION COMMITTEE AGENDA**

No comments.

There being no further business, the meeting was adjourned.

The Fauquier County Planning Commission held its Public Hearing on Thursday, June 30, 2005, 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. John Meadows, Secretary; Mr. Richard Robison; and Mr. Holder Trumbo. Also present at the meeting were Mr. Rick Carr, Ms. Elizabeth Cook, Mr. Kevin Burke, Mr. Todd Benson, Ms. Melissa Dargis, and Mrs. Rebecca Kauffman.

8. **THE PLEDGE OF ALLEGIANCE**

9. **ANNOUNCEMENTS**

Mr. Trumbo announced on July 13, 2005 from 8:30 a.m. to 5:00 p.m. the Rappahannock-Rapidan Regional Commission will host a conference entitled "Living Towns" in Marshall, Virginia.

10. **CITIZENS' TIME**

No one spoke.

11. **PROPOSED TEXT AMENDMENTS TO THE ZONING AND SUBDIVISION ORDINANCES**

- a. Zoning Ordinance Text Amendment to modify the C-1/Commercial Neighborhood zoning district regulations in order to provide flexibility in set back requirements for commercial uses

Mr. Benson 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 closed the public hearing.

Mr. Stone, seconded by Mr. Robison, moved to forward to the Board of Supervisors with a recommendation of approval.

The motion carried unanimously.

- b. Zoning Ordinance Text Amendment to Section 6-101 to allow accessory structures to be placed on the property not hosting a primary use when such property is one of several adjacent lots used as one place of residence

Mr. Benson 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 closed the public hearing.

Mr. Stone, seconded by Mr. Robison, moved to forward to the Board of Supervisors with a recommendation of approval.

The motion carried unanimously.

12. **COMPREHENSIVE PLAN AMENDMENT**

- **#CPAM05-LE-0011 – Newman Investments, LC, owner, and Planning Commission, sponsor – Newman Trucking Company** – the Planning Commission wishes to obtain a Comprehensive Plan Amendment, which would include 41.4968 acres of Industrial Park (I-1) zoned property identified as PIN 6888-47-8194-000 and 6888-56-8421-000 in the Remington Service District with a land use designation of Industrial. The parcels are located on north side of Lucky Hill Road (Route 655) and on the west side of Remington Road (Route 656), Lee District.

Mr. 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 closed the public hearing.

Mr. Meadows noted the colored maps will only include the Newman property in the Service District, not the adjoining parcel. He also indicated of the ninety (90) foot right-of-way that is being reserved fifty (50) feet of that is an existing road and twenty (20) feet are being reserved on either side.

Mr. Stone thanked Mr. Meadows for all his hard work on this application.

The motion carried unanimously.

13. **REZONING**

- **#REZN05-SC-009 – Belvoir Ridge of Virginia, LLC, owner and Centex Homes, applicant – Belvoir Ridge** – applicant wishes to rezone approximately 58.26 acres of a ±64.93-acre parcel from Industrial Park (I-1), Industrial General (I-2) and Residential-1 (R-1) to Residential-2 (R-2) Cluster to allow for the construction of eighty-seven (87) dwelling units.

The property is located on Belvoir Road (Route 709) south of its intersection with John Marshall Highway (Route 55), Scott District. (PIN #6979-57-4795-000)

Mrs. Dargis 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. John Foote, representative for the applicant, noted this is a relatively new application and stated the applicant agrees to a postponement in order to work further with staff.

Mr. George Fetterer, Scott District, stated he is concerned with the proposed density. He noted the Comprehensive Plan suggests feathering out development on the Service District edges, and commented this application does not follow the Plan. He said the increased traffic will overwhelm the roads which are already inundated. He added the intersection of Belvoir Road and Route 17 is dangerous and the speed limit on Belvoir Road would need to be further reduced to be 25 mph. Mr. Fetterer mentioned the property abuts Industrial zoned property and is next to a junkyard creating concerns for children in the new residential area. He suggested buffers or barriers would need to be in place. He expressed his dismay in finding that the proposed turning lane into the development would take away half of his front lawn.

Mr. Trumbo clarified the eighteen (18) bonus units are no longer a part of the application.

Mr. Scott Filling, Scott District, stated additional traffic at the already busy intersection of Belvoir Road and Route 17 would be dangerous. He noted the citizens' previously requested a reduction of the speed limit on Belvoir Road and traffic still passes at fifty-five (55) mph. Mr. Filling also expressed concerns that vehicles may run off course and harm the cattle on Belvoir Farm.

Ms. Erica Wiley, Scott District and representative for her community, thanked County Staff for pointing out the constraints of the property in regards to water/sewer and entrance issues. She continued that these issues can likely be overcome with good planning and engineering, but she stated there will be no way to fix what will happen to the character of the current community even if the density is decreased. She noted the Comprehensive Plan calls for lower density on the edges of the Service District and asked that the Planning Commissioner honor the Plan and deny this project as it currently stands.

Ms. Jolly deGive, Marshall District and on behalf of the Piedmont Environmental Council, stated she is happy the applicant agreed to a postponement as there is a great deal of work to do. She added the current development plan does not blend with the Marshall community. She also voiced her concerns about traffic in the area.

Mr. James Ferebee, Scott District, stated he lives right behind these farms and wonders what will happen to the wildlife he so enjoys. He added this plan calls for too much density in a small area.

Dr. Kitty Smith, Marshall District and member of Citizens' Planning Committee, stated the Comprehensive Plan calls for lower density on the edges of the Service District. She indicated that Residential-1 (R-1) zoned property would be more appropriate here. Dr. Smith noted if this subdivision were constructed as currently planned, the new residents would account for forty (40) percent of the traffic on Belvoir Road. She said it is also troublesome that there is only one entrance into the proposed community, especially so close to a railroad crossing. She concluded the density should be reduced and an entrance off Route 55 should be added.

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

Mr. Trumbo asked that Mr. Foote relay the citizens' comments to the applicant, in that this is the direction the community and the Planning Commission would like to go. He said the Comprehensive Plan calls for lower density in this area and Marshall is still very rural. He again encouraged Mr. Foote to work towards what the citizens are asking for and suggested the applicant construct a web site regarding the development and hold an informational meeting in Marshall.

Mr. Trumbo, seconded by Mr. Meadows, moved to postpone indefinitely at the request of the applicant.

Mrs. McCarty stated since this is in the Marshall Service District, she shares interest with Mr. Trumbo and believes the density and design guidelines should fit in with what is called for in the Comprehensive Plan.

The motion carried unanimously.

14. **REZONING AND COMPREHENSIVE PLAN AMENDMENT**

- **#CPAM04-SC-002 and REZN05-SC-006 – Walter R. & Erbie S. Brown; Theodore M. & Evelyn A. Smith & Orace R. (Jr.) & Rebecca M. Whitelock, owners, and Richmond American Homes of Virginia, Inc., applicant – Edmar Farms** – applicant wishes to obtain a Comprehensive

Plan Amendment, which would change the land use designation of ±117.87 acres from Low Density Residential 1 Unit Per 10 Acres to Low Density Residential Up to 2 Dwelling Units Per Acre and include the property in the WSA Public Water and Sewer Phase I (2000-2010) to allow for the development of 61 dwellings on ±69.3 acres of land, ±40 acres of open space, and a 120-foot right-of-way dedication for a new alignment for the continuation of the Vint Hill Parkway. The applicant also wishes to rezone the 117.87 acres from Rural Agriculture (RA) to Residential-2 (R-2) in order to accommodate the proposed 61 single family detached units. The property, which is in the New Baltimore Service District, is adjacent to Vint Hill Road (Route 215) near its intersection with Broad Run Church Road (Route 600), Scott District. (PIN #7916-60-3676-000, 7916-50-5946-000, 7915-79-0416-000, 7915-69-3536-000, and 7916-40-7543-000)

Mrs. Dargis 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. John Foote, representative for the applicant, stated he was instructed by the applicant to call for action from the Planning Commission this evening, but due to the owner's unexpected illness, the applicant is now asking for a 90-day postponement.

Mr. Everett Garber, Scott District and adjoining property owner, stated he is on the current New Baltimore Service District Citizens' Planning Committee and noted this proposal is wrong on many levels. He said sewer is a limiting factor in that it is already over capacity and in a deficit situation. Mr. Garber remarked Route 600 is a curvy, country road and the additional traffic will only worsen the condition. He said when Bishops Run is built out, the schools will be at capacity. Mr. Garber added this property is on the edge of the Service District and even though Bishops Run created too much demand on the sewage system, at least it was in the triangle to which sewer was allotted. He concluded the applicant needs a reality check.

Mr. Peter Schmidt, adjoining property owner, expressed his sympathy for the owner in this time of ill-health, but stated the applicant has made it very difficult for area residents to follow this proposal as it has been going on, at this level, for over twenty (20) months. He questioned the applicant's motivation in the continual postponement and noted the application has often been brought before the Planning Commission at inopportune times such as during the holidays. Mr. Schmidt stated Ritchie School is already overcrowded and into trailers now. He added that Residential-2 (R-2) zoning next to horse property is dangerous and has

likely stayed rural for a reason. He asked the Planning Commission to deny the application tonight and reject any further requests for deferral.

Robert Dunleavy, Scott District, stated according to the Comprehensive Plan the property is slated to receive sewer after the year 2010, but this should not be allowed based on what may or may not happen in the future. He stated the application should be denied based on sewer availability alone. He indicated it would cost seventy (70) million dollars to build a new wastewater treatment center, and he would like to see that delayed as long as possible.

Mr. Charles Ross, adjoining property owner, stated the County should stand by the Comprehensive Plan. He said if it is changed for this property owner, then he should be granted the same privileges on his adjoining one hundred (100) acre property. He predicted if this is approved, it will not end here.

Mr. Fred Dowell, adjoining property owner, questioned what the run-off from the new development on the property will do to the watershed, which runs to Lake Manassas. He noted the high number of accidents at the intersection of Routes 600 and 215. Mr. Dowell asked about the water resources for the project and relayed his concerns that the development will cause problems with his well. He ended that this application has been deferred time and time again and asked the Planning Commission to deny the proposal tonight. He voiced his suspicion that the applicant is trying to drag out the process in hopes of tiring the public and silencing their comments.

Mr. James Ferebee, Scott District, stated he spoke earlier, in error, in regards to the Belvoir Ridge Rezoning application. He said he is actually an adjoining property owner to the proposed Edmar Farms and would like to apply his earlier comments here. He also expressed frustration with the continual postponement but indicated he will keep coming back in opposition.

Ms. Helen Ford, Scott District, stated she is in opposition to building more houses in Fauquier County.

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

Mr. Trumbo stated he has nothing new to add. He indicated the applicant knows his feelings, but he will honor the applicant's final request for postponement. He stated the postponement will not go past ninety (90) days. Mr. Trumbo expressed his apologies to the citizens for their repeat visits to the public hearings in regards to this application.

Mr. Trumbo, seconded by Mr. Meadows, moved to postpone action for up to 90 days, at the request of the applicant, with the public hearing left open.

The motion carried unanimously.

Mrs. McCarty stated she understands the citizens' frustrations and commented the Planning Commissioners can easily be reached by telephone or e-mail. She urged the public to call or write if they can not attend the public hearing.

Mr. Meadows stated he heard the citizens' comments questioning whether the applicant was trying to wear them down by deferring so many times. Mr. Meadows assured the public that the Planning Commission will not let this slip through the cracks.

Mr. Stone stated this application was headed for denial after today's work session and if it were not for the owner's illness, this would have been denied. He assured the public that the Planning Commission hears their concerns.

The motion carried unanimously.

Mr. Stone announced the next public hearing will be held July 28, 2005.

There being no further business, the meeting adjourned at 7:46 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.