

**MINUTES OF
FAUQUIER COUNTY PLANNING COMMISSION
SEPTEMBER 28, 2004**

The Fauquier County Planning Commission held its regular meeting on Tuesday, September 28, 2004, 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. Chuck Floyd, Ms. Holly Meade, Mr. Kevin Burke and Mrs. Rebecca Kauffman.

1. **APPROVAL OF MINUTES** – August 26, 2004

Mr. Robison, seconded by Mrs. McCarty, moved to approve the August 26, 2004 minutes as amended.

The motion carried unanimously.

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

- a. Zoning Ordinance Text Amendment to Section 3-302 regarding home occupations in commercial and industrial zones.

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

Mr. Meadows, seconded by Mr. Stone, moved to schedule a public hearing for October.

The motion carried unanimously.

- b. Initiation of a text amendment to section 15-1301 of the Fauquier County Zoning Ordinance in order to add soundproofing and odor requirements for Kennels located in the R-1/Residential district.

Mr. Benson 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 October.

The motion carried unanimously.

3. **PRELIMINARY PLATS**

- a. **#PPLT04-LE-013 – Dunn Brothers, Inc., owners and applicants – Oak Meadows Subdivision** – applicant wishes to subdivide approximately 5.9 acres into nine (9) lots. The property, which is in the Bealeton Service District, is located on the south side of Oak Shade Road (Route 661), Lee District. (PIN #6889-75-7223-000)

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

Mr. Meadows, seconded by Mr. Stone, moved to postpone action for up to 90 days at the request of the applicant.

The motion carried unanimously.

- b. **#PPLT05-LE-003 - Robert J. & Amanda J. Brown, owners and applicants - Tinpot Overlook** - applicants wish to subdivide approximately 33.7 acres into three (3) lots. The property is zoned Rural Agricultural (RA), and is located on the northeast side of Cemetery Road (Route 658), Lee District. (PIN #6878-68-2748-000)

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

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

1. The Final Plat shall be in general conformance with the Preliminary Plat entitled “Tinpot Overlook” dated July 12, 2004, signed by James R. Ashley July 15, 2004, except as modified by these conditions. This approval is for a maximum of three (3) residential lots. The following items shall be addressed on the Preliminary Plat prior to scheduling for Board of Supervisors’ action:
 - a. Label sheet 3 of 4 as Preliminary Soil Map.
 - b. Sheet 1, Area Tabulation, shall be corrected to reflect the non-common open space required as 28.68 acres instead of 28.3763.
 - c. Sight distance profile shall be corrected to reflect a sight distance of 610 feet instead of 550 feet.
 - d. The type of primary and reserve drainfield area shall be stated for each lot.
2. When submitting the Final Construction Plans, a complete landscape plan shall be provided with full detail of planting type, size and location pursuant to Article 7-603.2 of the Zoning Ordinance.

12. Two copies of this final soil map with CPSS signature shall be submitted to the Soil Scientist Office before Final Plat approval is made.
13. Signature sets of the Final Construction Plans will require original CPSS signature.
14. 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 12A, 15B, 17B, 17C, 48B, 417B, 440B, 440C, 440D 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."
15. The following statement shall be included on final soils map and E & S plans:
"PRIOR TO FINAL CONSTRUCTION PLAN APPROVAL, IT SHALL BE AGREED THAT ALL DRAINFIELD AREAS ARE TO BE SURROUNDED BY SAFETY FENCING AND NO CONSTRUCTION TRAFFIC SHALL CROSS NOR SHALL LAND DISTURBANCE OCCUR IN THESE AREAS. THE FENCING OF THESE AREAS IS TO BE VERIFIED BY COUNTY STAFF BEFORE THE ISSUANCE OF THE LAND DISTURBING PERMIT."
16. 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."
17. Soil mapping units 73B, 73C, 77B, 77C, 77D, 77E, 160B, and 173B are usually shallow to bedrock. The following statement shall be placed on the Final Construction Plan: "The County recommends that before road or home construction begins in soil mapping units, 73C, 77B, 77C, 77D, 77E, 160B, and 173B, a site specific evaluation be conducted so that shallow to bedrock areas are identified. These areas may require blasting if deep cuts or excavation is done."
18. Areas of steep slopes shall be avoided at all cost due to high erosion hazard. Proper erosion and sedimentation practices shall be installed before construction begins. Soil mapping units 77D & E should be left in their natural state.
19. Mapping Units 5A and 178A may contain hydric soils (wetlands). An approved wetland delineation shall be required for the first submission of the Final Construction Plans.

The motion carried unanimously.

- c. #PPLT05-LE-004 - Virginia M. Menmuir, Trustee, owner and applicant - Summer Sky – applicant wishes to subdivide approximately 199.0 acres into five

(5) lots. The property is zoned Rural Agricultural (RA), and is located on the west side of Union Church Road (Route 632), Lee District. (PIN #7805-66-0235-000)

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

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

1. The Final Plat shall be in general conformance with the Preliminary Plat entitled "Menmuir Subdivision" dated July 7, 2004, signed by Carson G. Balzrette on 7-15-04 and received in the Planning Office on July 16, 2004, except as modified by these conditions. This approval is for a maximum of four (4) residential lots and a non-common open space residue. The following items shall be addressed prior to scheduling for Board of Supervisors action:
 - The boundary lines of the entire residue parcel shall be shown on the Preliminary Plat.
 - The proposed right-of-way dedication shall be shown on the Preliminary Plat.
 - Identify topography and state source pursuant to Subdivision Ordinance Section 9-5(A)(11).
 - A note shall be added to the Preliminary Plat stating that no objects may be placed in the sight distance easement that would obstruct the sight distance.
 - The type of primary and reserve drainfield area shall be stated for each lot on the Preliminary Plat.
2. Pursuant to Section 7-603 of the Fauquier County Zoning Ordinance, a landscape plan shall be submitted with the Final Construction Plans for approval.
3. No objects shall be placed in the sight distance easement that would obstruct the sight distance from Lot 5.
4. A deed of non-common open space shall be recorded with the Final Plat.
5. Dedication shall be provided to meet the requirements of Sections 4-3, 4-19, and 5-7 of the Fauquier County Subdivision Ordinance, or 25-feet from the edge of the property line to the centerline of Union Church Road.
6. All driveway culverts shall be a minimum of 15 inches in diameter and pass the 10-year storm.
7. The driveway culverts shall be a minimum of 15 inches by 30 feet.
8. The house on Lot 5 shall be located out of the swale and above the 10-year water surface elevation of the swale.

9. 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. Where possible, all exterior foundation drainage systems shall be designed to gravity daylight without assistance from mechanical means. All discharged water (mechanical or gravity) must be conveyed to an adequate channel. Drainage easements, where necessary, shall be placed on the final plat. A note that “Basements are not recommended in mapping units 10B, 13B, 313B, 413B, 434B, and 434C. 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.”
10. The source of the soils map and interpretive information shall be clearly stated on the same sheet as the soil map. “Preliminary soils information via a Type I Soil Map (original scale 1” = 400’) and report from Fauquier County Soil Scientist office dated July 12, 2004.”
11. A Virginia Certified Professional Soil Scientist (CPSS) needs to adjust the Type I Soil Map soil lines 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.
12. Interpretive information from the Type I soil report for each mapping unit shown on the 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.
13. This final soil map shall be filed in the Building Department to be used exclusively for obtaining soils information for this proposed subdivision.
14. Two copies of this Final Soil Map with CPSS signature shall be submitted to the Soil Scientist Office before Final Plat approval is made.
15. The Final Construction Plan signature sets shall require original CPSS signature.
16. These statements under Home Sites and Road Construction shall be placed on the same sheet as the Final Soils Map.
 - a. The County recommends that no below grade basements be constructed on soil mapping units 10B, 13B, 313B, 413B, 434B, 434C 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.
 - b. 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.

- c. The following statement shall be included on final soils map and E & S plans: **PRIOR TO FINAL CONSTRUCTION PLAN APPROVAL, IT SHALL BE AGREED THAT ALL DRAINFIELD AREAS ARE TO BE SURROUNDED BY SAFETY FENCING AND NO CONSTRUCTION TRAFFIC SHALL CROSS NOR SHALL LAND DISTURBANCE OCCUR IN THESE AREAS. THE FENCING OF THESE AREAS IS TO BE VERIFIED BY COUNTY STAFF BEFORE THE ISSUANCE OF THE LAND DISTURBING PERMIT.**”

The motion carried unanimously.

- d. **#PPLT05-LE-007 – Virginia M. Menmuir, Trustee, owner and applicant – Summer Sky** – applicant wishes to subdivide approximately 23.3 acres into two (2) lots. The property is located on the east side of Union Church Road (Route 632), Lee District. (PIN #7805-64-8880-000)

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

Mr. Meadows, seconded by Mr. Robison, moved to postpone action for up to 90 days at the request of the applicant.

The motion carried unanimously.

- e. **#PPLT05-MA-009 - Frederick W. & Deborah H. Nizer, owners and applicants - Nizer Subdivision** - applicants wish to subdivide approximately 26.6 acres into two (2) lots. The property is located on the northwest side of Tapps Ford Road (Route 645), Marshall District. (PIN #6924-36-2854-000)

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

Mrs. McCarty, seconded by Mr. Stone, moved to postpone action for 30 days.

The motion carried unanimously.

4. **ZONING ORDINANCE WAIVER**

- **Waiver of Zoning Ordinance Section 7-302.1.B, Limitation on a private street connecting directly to a state maintained street – Jon and Jessica Arnold, owners/applicants** – applicants are seeking a waiver of private street requirements to allow Nugget Court (private street) to be used for a proposed family division. The property is located south of Courtney’s Corner Road (Route 637) north of the Village of Sumerduck, Lee District. (PIN #7806-70-7780-000)

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 forward to the Board of Supervisors with a recommendation of approval.

The motion carried unanimously.

5. **BOARD OF ZONING APPEALS AGENDA**

Mr. Robison stated he would like to forward his earlier comments regarding decibel levels on Items 2 and 4.

The Planning Commission rescheduled the Bealeton area site visit for Tuesday, October 19, 2004 leaving from the Bealeton Library at 10:30 a.m.

There being no further business, the meeting was adjourned.

Due to flash flooding in the area, the public hearing was postponed until the next regularly scheduled Planning Commission public hearing on October 28, 2004.

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.