

**MINUTES OF
FAUQUIER COUNTY PLANNING COMMISSION
FEBRUARY 28, 2002**

The Fauquier County Planning Commission held its regular meeting on Thursday, February 28, 2002, beginning at 3:00 P.M. in the Meeting Room of the Warren Green Building, 10 Hotel Street, Warrenton, Virginia. Those members present were Mr. Richard Robison, Chairman; Mrs. Ann McCarty, Vice Chairman; Mr. Serf Guerra, Secretary; Mr. Bob Sinclair and Mr. Jim Stone. Also present at the meeting were Mr. Rick Carr, Mrs. Elizabeth Cook, Mr. Brian Davis, and Mrs. P.J. Gallagher, Clerk.

1. **APPROVAL OF MINUTES - JANUARY 31, 2002**

On motion made by Mr. Robison and seconded by Mr. Guerra, it was moved to approve the minutes of January 31, 2002, as amended. The motion carried unanimously.

2. **CAPITAL IMPROVEMENTS PLAN FY2003-2007**

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

On motion made by Mr. Guerra and seconded by Mr. Robison, it was moved to recommend approval of the CIP.

Mr. Guerra stated that he would also like to say when we forward all these things to the Board of Supervisors that they give strong consideration to the absolute needs, not the wants. He indicated that in the past they have gone away from that and he is hoping that this year they will pay particular attention to certain items which he mentioned during our work session. He further stated if the Commission will allow, he would like to have his comments from the work session made a part of this record.

The remainder of the Commission agreed to having Mr. Guerra's comments during the work session made a part of these minutes.

Mr. Guerra stated that he is happy to endorse what the Committee has done and only wishes the Board will go forth in that regard.

Mr. Guerra's comments from the work session are as follows: *"I did serve in the capacity of Chairman of the Library of Virginia, which is statewide, and I am a strong advocate of libraries. I believe that is the best answer to education since a lot of the kids just drop out of school and stop learning. I want to mention that libraries are in a category just like motherhood, you can't be against them, and I am not. But the libraries know that brick and mortar, not the libraries, are not an intensive need as it was 5 to 6 years ago, predominately because of the computer situation. There is now, not only just in this County, but throughout the State and throughout the nation, that there are fewer visitations now to the library that are physical. One of the reasons for that is because of computers, because you can get on line and find out information. You don't have to go into a library and look at some of these other things. So my question is that we look very seriously as to what the need is rather than the wants. This is what I have been talking about for some time. Sometimes we get those two mixed up. It is nice to have that, but in view of the physical constraints that we are facing in the County, I am sure that the Board realizes that. Just*

to give you an example, this is a paper which is not widely broadcast, but this is from the County library. How many of you realize that there are reciprocal agreements between our County and the contiguous libraries. For example, surrounding us there is, and I am going to read directly from the library, "The regular procedure for entering into a out of county library. But, Central Rappahannock, Stafford, Frederick, and so forth would allow people down in the lower end, Lee District, access. They have a great amount of volume of books. You have Culpeper County which is just on the west side of our County. Fairfax County is a little bit further away from us, but they are reciprocal, and if anyone has the time and inclination, go to Fairfax. That exceeds, by at least 10 times, what we have in this County. Falls Church, the Handley Library in Winchester are also good. Loudoun County, right on Route 50, is a very good library. Prince William County, for those in New Baltimore, which is about 12 minutes from the Fire Department right on Route 29. From there to the Bull Run Library it takes me 12 minutes. And if you have not experienced it, you would be surprised. Rappahannock County has a good library. Then of course, there is Alexandria and Arlington. All of these libraries are accessible to Fauquier County. You can borrow from them just like you would borrow from the County. Some of the libraries believe that you have got to be within minutes, that is not so. State libraries recommend that libraries should be reachable in a half-hour of driving. But all of these with the exception of Fairfax and some of the others are within a half-hour. The proposed New Baltimore library is on Route 29, believe it or not, is about 6 minutes from the main library here in Warrenton. Six minutes not a half-hour. We have an excess of learning facilities. Let's not get on the bandwagon and say that the library go forth. Consider it very carefully whether the need is there. If the need is established, I am 100% for it. But I think that we are talking about tax dollars now, we have to consider that too. If need be, I will talk about this at the 3:00 p.m. session."

The motion for approval carried unanimously.

3. **SPECIAL EXCEPTION (#SEA02-S-01) - FREDERICK W. & BARBARA J. EICKHOFF, AND LEON H. & PATRICIA A. EGGERS, OWNERS, AND RICHARD SANDERS, APPLICANT** - applicant wishes to amend the conditions of a previously approved special exception to allow for the vacation of an interparcel connections. The property contains 3.57 acres, is zoned Residential-1 (R-1), and is located off Dumfries Road (Route 605) in Lake Whippoorwill Subdivision, Scott District. (PIN's #6995-63-3951-000 and #6995-63-5559-000)

Mr. Davis reviewed his staff memorandum, a copy of which is attached to and made a part of these official minutes. He stated that the applicant has asked for a 60 day postponement, with a 30 day deadline to submit any new materials.

Mr. Sinclair stated that he has a concern about the request from the applicant; and stressed that we get the update in 30 days from the applicant as stated.

On motion made by Mr. Sinclair and seconded by Mr. Robison, it was moved to postpone the request until the April meeting, at the request of the applicant, for further review. The motion carried unanimously.

4. **COMPREHENSIVE PLAN AMENDMENT (NEW BALTIMORE SERVICE DISTRICT) FOR A STREET INTERCONNECTION WITH OLD ALEXANDRIA TURNPIKE (ROUTE 693)**

Mr. Carr reviewed the staff report, a copy of which is attached to and made a part of these official minutes. He stated that the recommendation also needs to include the upgrade of the one-lane bridge located on Old Alexandria Turnpike. It needs to be replaced with a two-lane bridge.

Mr. Sinclair stated that during the work session, a man from the New Baltimore Fire Department, stated that when there is an accident on Route 29 traffic is funneled along Old Alexandria Pike across this bridge. He stated that this bridge work needs to be done as expeditiously as possible.

On motion made by Mr. Sinclair and seconded by Mr. Robison, it was moved to recommend approval of the request. The motion carried unanimously.

5. **COMPREHENSIVE PLAN AMENDMENT (BEALETON SERVICE DISTRICT)
REGARDING THE ELIMINATION OF THE ROUTE 28/17 INTERCHANGE**

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

Mr. Guerra requested that the comments from the work session be included as a part of these official minutes. He further stated that this project has been known about for 10-12 years, and there has been considerable work done by the Commission and the Board. He further stated that a letter was sent to Richmond in July from the Board of Supervisors.

A more detailed discussion from the morning work session is included as follows:

"Mr. Robison stated that he would like to point out to people that this is a work session, it is not a public hearing and people may speak if they are called upon to speak, but we are not going to allow everyone to speak because of the time restraints that we are under."

"Mr. Carr summarized what was done at the Bealeton, Opal, Remington Town Hall Meeting as it relates to the overall transportation plan and referred to the map graphics placed around the room that deal with the Bealeton Land Use plan and Transportation Plans, currently being prepared by the citizen planning committee. Those are there if anybody has any particular questions. I know you have done your reading, so I am not going to repeat items in the report. At the conclusion of the Planning Commission public hearing, it was stated that Bob Moore needed to be invited for questions regarding the interchange. We have the interchange design behind me, and Bob and Dave are here to respond to specific questions that you might have. Dick Keller is here to respond to interchange issues. Also, he can help us in terms of other aspects of the transportation plan which the citizen committee completed. Dell Ennis, at the public hearing, had asked for some nominal time before the Planning Commission."

"Mr. Bob Moore stated that obviously on the 17/28 interchange project there is some disagreement about what to do. I as the Resident Engineer and David, one of my folks that helped with a number of things, were determined to work through with everybody on the process. Whatever the outcome is in the end, we are going to keep our good working relationship together and move on. I think David and one other person met with you guys about a month ago, and I was not able to attend, and we left that meeting knowing that we would return here and give an update on where we, VDOT, are at with the project and also any changes that may have been worked out about some of the concerns that have been surfacing recently. We have a couple of ideas on how to help some things there. There is no change as far as eliminating where the department is heading at this time and that is to the public hearing. That has not been set. If we were to set that public hearing date today it would be about 60 days before we would actually hold the hearing. We won't know when to set that hearing until after March 8th because of that being the day that, unless there is a special session or something, that the General Assembly will get out of Richmond and then the department will have a better view of what the budget for our

County work will look like. Then we would go and look at the current schedules of things to see if it is still on tract or is there an adjustment that will most likely delay some projects. Right now, this project is scheduled for construction in 2004. As of today, that date is still there. One of the concerns that we thought we could take a look at any maybe do something with was how traffic flow is affected in and around a commercial area. We talked with the Quarles folks and obviously they have concerns because we are impacting them, we are closing the entrance that allows access in and out there on Route 28 as we know it today. Same thing over on 7-Eleven, we are blocking their entrance off there also. Quarles is very concerned about that. We talked to them about a couple of things. We have not come up with anything constructive yet as far as helping the traffic flow in and out of their site assuming this interchange will go. We are still working on it. 7-Eleven and the shopping center area, we have a couple of ideas that we are going to be talking to them about doing some things that will help the customer flow on their properties there. Your attention is directed just to the right of 7-Eleven where that service road picks up, that travels down to the right, that is designed to pick up the shopping center traffic about where you would go in and out of the shopping center area now from 28. Of course, with this concept you would be able to do that at that location after this thing is built. So we are designing a service road that would travel north about 900 ft. and you would get in an out of 28 like you are doing now, but it would be about 900' to the north instead of where you come in and out now. It would travel along in front of those homes and they, of course, would have access there."

"Mr. Robison asked if those are homes in front of that service road?"

"Mr. Moore stated on the bottom side, yes. Most of them are small homes right now. He presented a small sketch on two ideas of how to handle that traffic flow that may be on the 7-Eleven property and wants to get to 28 or shopping center traffic that wants to get into 7-Eleven. These are just two ideas we will pass around. The first thing coming around is a very small scale drawing of this interchange concept. The next two sheets are a couple of ideas that we are going to be talking about to help the flow. As far as what to do with this project, the final decision will be made after the public hearing. I would encourage us to go through this public hearing process and get input from everybody regardless of what position someone may be taking on it."

"Mr. Guerra stated that he would like to ask Bob or David a question. This is a copy of a letter, dated January 21, 2002, that Sharon McCamy sent and was widely distributed at the last month's meeting. I also gave this letter to all the Commissioners. This letter does bother me on several items she has put down. I would like to ask you both your opinions on these so-called dots, these bullets that she has stated. First, do you have a copy of that?"

"Mr. Moore stated yes."

"Mr. Robison asked if the letter Mr. Guerra is referring to is dated January 21st."

"Mr. Guerra stated yes, a letter to the citizens of Lee District as well as Fauquier County citizens. First of all, it says why is VDOT putting all of their effort into an 18 acre interchange at Bealeton that does the following? Is it correct that it is 18 acres?"

"Mr. Moore stated that he is not sure of the exact acreage."

"Mr. Guerra asked whether for 14.5 million dollars, traffic going north on Route 17 cannot turn right on 28 to go to Manassas. Is that true or false?"

"Mr. Moore stated in our design you will be able to go up 28."

"Mr. Guerra asked would you say that statement is false?"

"Mr. Moore replied yes. You will be able to go right on a ramp and come around and make a left to go north on 28."

"Mr. Guerra stated the next statement in this same bullet says trucks and other through traffic have to go through the Bealeton Station Subdivision. Is that true or false?"

"Mr. Moore stated I think there may be concern at Reynards Crossing and everything is developed out that some traffic will use that as a cut-through."

"Mr. Guerra stated that Bealeton Station is considerably south of that, and is more practical as we have mentioned that Reynards Crossing is what it is. It is kind of confusing that the Lee District Supervisor should know the difference between Bealeton Station and Reynards Crossing."

"Mr. Moore stated I don't feel comfortable responding exactly to that, but I don't believe we are going to see a cut-through pattern there because all of that is going to be designed to generally meander through there where timing wise it is going to be quicker to stay on Route 17 and go up to the new interchange and go north on Route 28."

"Mr. Guerra stated in other words the observation again would be false."

"Mr. Moore stated I don't like to call it false, but it would be different than our interpretation. I'll say again, I don't believe that is going to be a cut-through to avoid going up to the interchange to go to Route 28 towards Manassas. I think it is still going to be a lot quicker."

"Mr. Guerra stated you would interpret that as being false then. The next bullet says for 14.5 million dollars a half clover-leaf will be built that will be right up on the high school ballfields as close as 42 feet that will wall off both the schools and the currently zoned commercial in the area. Furthermore, a half clover-leaf is almost always the 15 year prelude to a full clover leaf."

"Mr. Moore replied I don't think we will ever see a full clover-leaf down there. We have looked at other options down there like a diamond and that sort of thing, and they are all very impactful as far as the commercial properties. The school property, obviously looking at the design, we have squeezed that in real tight to reduce the impact as much as we can on the school property. This is generally the same concept that we at VDOT looked at with County staff some year ago as far as possibly happening there. Of course, in the Comprehensive Plan there is a circle drawn for future improvements or interchanges. We had looked at that some years ago, even with school officials, in terms of what might happen in this intersection area at the time that Liberty was actually on paper. We did not want to impact the playing fields or anything so what we have there is a good effort by the designed to hold down impact as much as possible. The entrance to Liberty on 17 and the one on 28 to Grace Miller we located thinking that there could possibly be an interchange of some sort at 17 and 28 in the future. In other words they were pushed out far enough so we wouldn't have to close them down for a future interchange. That statement then is not true."

"Mr. Carr stated that actually there is something that needs to be stated in providing the conceptual interchange designs, as prepared and refined, to the County. Bob has been really good. His response on the ballfields was related to a much earlier draft."

"Mr. Guerra stated that he is referring to the letter dated 1/21. This is what went out to a lot of people which were not privileged to what you are about to tell me."

"Mr. Carr stated that he is just sharing with you that some of the early interchange designs had the ramp closer to the field. This interchange ramp revision has been tightened up dramatically. It is about 100' from the edge of that softball field whereas before, the ramp itself was much closer."

"Mr. Guerra asked what you are saying right now, people who have received this letter do they know what you are just telling us?"

"Mr. Carr replied I have no idea what folks know out there."

"Mr. Guerra stated lets keep to this 21st letter. Again, Bob or Dave, would you say that that remark is not true?"

"Mr. Robison asked if there is a point to this?"

"Mr. Guerra replied absolutely there is. If you would be patient enough you will see it."

"Mr. Moore stated I will try and answer your question. I would say that one is inaccurate."

"Mr. Guerra went onto the next bullet. For 14.5 million dollars, there is no planning for pedestrian connections in Bealeton despite repeated statements of local concern that we have middle and high school children walking across Route 17. I presume that she used middle school as Grace Miller which is an elementary not middle school."

"Mr. Moore stated we are planning sidewalks that will run from that shopping center all the way down to the Grace Miller intersection. That will be a signalized intersection which will also help handle pedestrian traffic. In the interest of safety we don't want to encourage pedestrian traffic out on 17 any more than we have to, nor on 28, but we recognize what's happening. The community is developing down there, so we feel a signal at Grace Miller will probably be the best way to handle it, plus sidewalk added wherever it seems appropriate."

"Mr. Guerra requested the next bullet, for 14.5 million dollars for businesses in Bealeton does not get improved access, in fact their access will be significantly limited. Interchanges such as this one puts commercial activity to about 2000 feet away from the central point of the interchange. The only landowner that might benefit is currently proposing a very large 10,000 acre incorporated town around a VRE station. This landowners project may have some Planning Commission support, but I am highly skeptical of a new incorporated 10,000 resident town on top of all our other growth."

"Mr. Moore replied that I mentioned earlier we are looking to see what can be done to help commercial traffic in and around those areas so we will continue working on that. Yes, this thing impacts anywhere you do any kind of work it has a certain amount of impact, but we are working hard to help as best we can. As far as the local traffic goes, especially in and out of the commercial areas, especially around 7-Eleven and Food Lion on that corner there, and we will

continue working those owners of those properties to see what can be done. Actually, onto their property we may well be able to do some things there. We have made limited contact with site owners, and we want to get in contact with the shopping center folks there so that we can sit down and go over this. This is an ongoing process, but worthwhile process."

"Mr. Dave Cabbage stated after some preliminary discussions with the property manager, not the store manager, they want to visit us to see the designs and see how that affects their internal flow. They have not seen the drawing that you all have viewed today about additional access through the shopping center. That would be new information to them. That would help assist their traffic flow seeing as how they are losing only one point of access in one direction."

"Mr. Guerra asked how would you comment on this statement?"

"Mr. Moore replied we have an ongoing effort to try to address that concern as far as blocking or impacting the commercial flow. Another comment I might add is the service road I mentioned earlier is about 900 feet in front of those homes. That impacts those properties somewhat also. for the future we would anticipate probably those changing to some other uses beyond residential as time goes on. But, those homes will be able to get in and out pretty easily. The worse scenario, I guess, if you were looking at why you would not like that service road is where you turn now to get into the shopping center It might make you go 900 feet down and turn and come back 900 feet. But if you are somebody that came into the shopping center area off of Route 17 and you wanted to go north on Route 28, you would just go over there and get on the service road and go down 900 feet and hop out on Route 28 to head north."

"Mr. Cabbage stated there are two points that I have noticed here that are the most valid. We are not limiting any movements that are there today, other than to the 7-Eleven and Quarles, and that activity will be pushed 2000 feet out. Our design only goes 900 feet. Those are the differenced that we have addressed."

"Mr. Guerra stated to make it a little bit easier, would you say that this segment impacts here? Why isn't VDOT planning an interchange that is less land impactive when they can do so?"

"Mr. Moore replied we have looked at other options. I think this surfaced early on and we have looked at different designed in this general area and most of those, if you hold it in this area are more impacted than what we are showing. Obviously, if you come to the south some, you are sitting down on some expensive property, and businesses that are trying to make a living. Perhaps shifting this design off somewhere, you are getting into bigger cost and perhaps more impact with wetlands and a number of different things. You have got the schools one way, you have the residential development to the south (Meadowbrook). So after looking at all that we still felt this was probably the best way to go with design and location."

"Mr. Guerra asked what do you want to say to that bullet?"

"Mr. Moore replied that we have looked at other options as far as less impactive and have not found any."

Mr. Guerra went on to the next bullet which stated, " why is VDOT not putting this kind of money into furthering the four-laning of Route 28 from Prince William? It goes on to say that VDOT could take the money and use it for the four-laning portion of Route 28 starting from Prince William in an orderly progression that wouldn't destroy the commercial center of a community that would improve your commutes immediately."

"Mr. Moore stated it would be easier, obviously, to go up from Catlett to Prince William because there is a 110' right-of-way there now. Our reason for starting here first is because of the increase in traffic flow and a certain amount of accidents here and our concern for what the immediate future (5-10 years) is going to bring in this area as far as further increase in traffic volumes and generally what we anticipate is an increase in accidents at this intersection. So with the initial shot of funding that we have received, there obviously was not enough to say, okay we are going to do all of this all the way up. That is why we centered in here instead of up north. I would like to be doing that up north also at the same time. I might just put out a reminder that this funding was set aside through special action by the General Assembly last year, that they were site specific as far as which road to put funding on. That's how this allocation was set up, we utilized on Route 28. Inside VDOT we made the decision that this is the most crucial part that we should look at now vs. 5 or 10 years from now."

"Mr. Stone stated three years ago your man down in Culpeper and you were saying you were going to come from the Prince William County line and take care of where the problem is, and deal with it that way. I can't really believe that there was any real dramatic change in the situation at 28 and 17 that would have caused this interchange improvement now. I have to think that there is some other reason for putting a white elephant in the middle of basically a rural community. In a planning process, it affects its future for years to come. This change seems almost perverse."

"Mr. Moore stated three years ago we were anticipating a lot more funding to be on Route 28 than it is now. Like I mentioned a moment ago, we have had no choice on this."

"Mr. Stone questioned why waste funds here rather than wait and put them where they are needed?"

"Mr. Moore stated that we don't feel that funds are being wasted."

"Mr. Guerra asked would you say that this statement too is inaccurate?"

"Mr. Moore stated the question is they are asking why we are not putting money on further four-lanes. That is a question, I don't think that would be inaccurate. Then they suggest that we take the money and use it to four-lane a portion of Route 28. It looks like it is more of a question."

"Mr. Guerra asked how would you answer it?"

"Mr. Moore stated that as far as where we put the money we felt this was the more crucial part. Three years ago I think most of us at VDOT anticipated a lot more funding on Route 28 than we have, so we have had to pick and choose where we felt it was best utilized."

"Mr. Guerra asked if this is best utilized from a VDOT standpoint and Mr. Moore replied yes. Mr. Guerra went onto the next bullet which asked why is VDOT planning an interchange that is essentially a large scale limited access design in the middle of an established community that bisects three schools. If it is to facilitate four-laning of a limited access road even a four lane road at Route 28 and the current growth there can never be limited access. Lets have road designs that acknowledge reality."

"Mr. Moore stated that Route 28 through our area will not be limited access, there is no plan to do that. All of our interchange designs do include limited access, obviously to keep future

entrances off the ends of your ramps, also to push out as much as we can potential for future signal lights right off the end of those ramps. Of course, we are going to have those here, but it is mainly to keep the side road congestion from developing."

"Mr. Guerra stated so in other words four-laning is still there."

"Mr. Moore stated four-laning is still being planned to be done, but we are not planning limited access all the way up to Route 28."

"Mr. Guerra stated our traffic consultant shows that with the addition of two left-hand turn lanes the interchange will have a Level of Service C, a reasonable Level of Service through the year 2010. Other areas such as Route 29/15 have currently a Level of Service F, yet VDOT is not planning to address those needs. Why isn't VDOT priority by Level of Service and issues of safety?"

"Mr. Moore replied that Dick Keller may be able to help us a little on that too as far as this statement. Some of our view, and I may have to fall back to David on some of the technical parts of this because he has worked with our traffic planner in VDOT, but what we see is you will move your congestion from one point to the other, in other words if you have a level of F out on 17 and you put two left-turn lanes in, that would improve that area right there but as you turn to go down 28, and nothing is done to 28 those two left-turn lanes will bottleneck down there somewhere so you are going to have a certain amount of congestion or at least backup there. In some views you might move that level of F from one point to the other in that needed area there."

"Mr. Sinclair stated Mr. Chairman, in consideration of time, Mr. Ennis has advised me that Bob has addressed each of these points in a letter."

"Mr. Robison asked if it is the letter dated February 1st."

"Mr. Moore replied yes, that pretty much addresses Mrs. McCamy's bullet items here."

"Mr. Moore stated Dell states that Bob has already provided us with a copy."

"Mr. Guerra stated this is true, with the exception that I would like to put this into the record."

"Mr. Stone stated we have here with us Dick Keller who has studied this at the expense of the County and we are on the topic where he might be able to enlighten us as to where manageability of that intersection without this monstrosity."

"Mr. Guerra replied without what?"

"Mr. Stone replied this monstrosity."

"Mr. Robison asked if it could be wrapped up fairly quickly."

"Mr. Guerra stated I will try to be brief. I only have two more items. Can you answer that second to last comment."

"Mr. Moore stated that implies that VDOT prioritizes by level of service and issues of safety and we routinely do that."

"Mr. Guerra stated so that is inaccurate."

"Mr. Moore stated we feel like there has been quite a bit of effort to address these things and get it to public hearing and see what the outcome of that public hearing process will be."

"Mr. Stone stated that is an interesting statement because when we had the Route 28 public hearing VDOT was at that time not even tabulating the results of public hearings and I had to go down and get the results and tabulate them myself. Are you now tabulating them?"

"Mr. Moore stated I am talking about the public hearing held here."

"Mr. Stone asked do you normally tabulate these, and to you pay any attention to them?"

"Mr. Moore replied yes sir."

"Mr. Stone stated good, that is a nice change."

"Mr. Moore stated he disagrees with that remark and Mr. Guerra stated he did also."

"Mr. Robison requested not to get into arguments."

"Mr. Guerra stated I do have a concern here, these are statements that were put out and distributed throughout Fauquier County and I want to show that according to VDOT, I am asking VDOT to analyze these and get their answer, and so far it doesn't look like the statements distributed to the public are accurate. Finally, the last bullet inquires, why is VDOT planning and promoting this project in a time period when they don't have enough money to fix potholes."

"Mr. Moore stated recently the Governor, all the way down to VDOT management, has confirmed that we are going to continue getting maintenance allocation and the plan is to increase those 4% each year in order to maintain what we have got. So, I don't think there are going to be any cuts as far as having to go without patching potholes. The construction money, obviously we are in a slow down period of time all across this country, and I think we will be in a slow down for a period of time if 9/11/01 had not happened. So once we know the figures coming out of the General Assembly then we can put a better handle on projects around the State as far as schedule. We are looking to move ahead as best we can."

"Mr. Guerra stated that answers that question. I don't have any further questions at this time."

"Mr. Robison stated it might be helpful if we hear from Dick Keller at this point."

"Mr. Carr stated just as a preamble, one thing that we did with Catlett, Calverton, Midland and the Bealeton, Opal, Remington, was to complete some traffic analyses for the Route 28 corridor. Kellerco's work was coordinated with Bob Moore and VDOT. Along Route 28 we have done level of service analyses, safety improvement analyses, complete with recommendations. These have been made available to VDOT and Don Askew, and folks have been very complimentary in terms of the detail. The other aspect with the Bealeton planning effort, when I say Bealeton it always includes Opal and Remington, is we wanted to look at the extension of improvements all the way down to Route 29, so we were very focused on this particular interchange, along with Oak Shade and our Liberty High School intersection. Dick why don't you fill us in and answer the question that Jim had."

"Mr. Dick Keller stated this is a technique that we use when we took the existing traffic counts at Oak Shade at 17/28 and also the middle school and high school access, at these three intersections and we projected traffic using 4% per year to 2010-2020. The thing that gets confusing is I recall the intersection at 17 and 28 is currently a C level service in the morning and afternoon which is not bad at all. When we projected the traffic for 10 years what we found is that if we made Route 28 an extra lane through the intersection in both the north and south direction. The intersection functioned effectively. That had nothing to do with a turn lane. There is a lot of excess pavement out there at those approaches. So we just said if you can make it through-lanes, two lanes in each direction, you would get a C Level of Service in 2010. If you did not do that it would be a D Level of Service in 2010. That does not imply that you might have to widen the intersection a little bit. This is a typical project that we would do anywhere else."

"Mr. Guerra stated I am a strong advocate of informed citizenry, but I question how much accurate information there was. I can honestly say that I have received two phone calls in opposition that talked to me as the Lee District representative about that intersection. Those in favor kept my line busy. I am just saying that the thing we have to regard, if a citizen puts his name down it should state that he is well informed of what is going on. My conclusion and my exercise is that it was a little bit too long and I know that some of you Commissioners wanted to know why it was going on. I want to show you that this letter was widely distributed and coming from a Supervisors. Most people will believe a Supervisor or an elected official. Now I want to show you that we have VDOT's answers and that is why I asked them specifically to put this as a matter of record this afternoon. That was my full intent."

"Mr. Sinclair asked when is the public hearing?"

"Mr. Moore stated it has not been set, and if we were to set it today it would be at least 60 days."

"Mr. Sinclair asked if that will be before officials from the Virginia Department of Transportation and on the heal of that they will render a decision. Is that a fair statement?"

"Mr. Moore stated it usually takes probably three months after the hearing to get an official decision out of the Department."

On motion made by Mr. Guerra it was moved to postpone the request until we hear from VDOT.

The motion failed for lack of a second. Mr. Guerra objected to the Chair's ruling and requested Mr. Burke's opinion.

Mr. Kevin Burke, Deputy County Attorney, stated that Roberts Rules of Order stated that there does not need to be a second to a motion for it to go to the Board of Supervisors, but it has been the practice of the Commission to do so. He stated that the Chairman needs to have a call for the vote.

The motion failed 1-4 with Mr. Robison, Mrs. McCarty, Mr. Sinclair and Mr. Stone, voting against the motion.

Mr. Stone stated that he takes the opposite view of his colleague. He stated that he is impressed with the planning and thought of the Bealeton Community, but this has been something that he has feared for the last 4 years.

On motion made by Mr. Stone and seconded by Mrs. McCarty, it was moved to recommend approval of the Comprehensive Plan amendment regarding the interchange.

Mr. Sinclair commended the co-chairs of the Bealeton, Opal, Remington Committee and also Mr. Dick Keller our Transportation Consultant. He stated that he supports the motion.

Mr. Robison stated that there has been a public hearing and this item has been postponed once. He stated that the discussion needs to be moved to VDOT and the Board of Supervisors. He stated that he received a 13 page fax with 11 pages of over 100 signatures on a petition.

Mr. Guerra stated that he does not feel that the citizenry has had a chance to respond to this change. He stated that there were meeting notices mailed to the Bealeton Service District citizens, but nothing to Cedar Run and Lee Districts. He stated that he attended the meeting last Thursday, and a great majority did not know what was going on.

The motion carried 4 to 1 with Mr. Guerra voting against the motion.

6 **PRELIMINARY PLATS**

- a. **#PP02-C-01 - Warrenton North, LLC, owner, and Thomas J. Ross, applicant** - applicant wishes to obtain preliminary plat approval to subdivide approximately 22.28 acres of a 47.200 acre parcel into eighteen (18) lots. The property is zoned Residential-1 (R-1), and is located on Old Bust Head Road (Route 672), Center District. (PIN #6985-61-4023-000)

Mrs. Cook reviewed her staff memorandum, a copy of which is attached to and made a part of these official minutes.

Mr. Tom Ross, applicant, stated that the issues raised are resolvable through conditions. He stated that the SWM and road plans are not final, therefore, the County Engineers comments can be addressed also. He stated that issues raised are not deniable issues and that he does not feel that it is necessary to postpone the application.

Mr. Robison stated that he has not heard from the applicant in two months and that the applicant will request postponement forcing us to make a decision. He further stated that the Commission does not accept information at the last minute.

On motion made by Mr. Robison and seconded by Mr. Stone, it was moved to deny the preliminary plat in that there are still outstanding issues as stated in the staff report.

Mr. Carr suggested that the applicant work with staff prior to the Board of Supervisors meeting.

The motion carried unanimously.

- b. **#PP02-S-02 - D. Gregory Norris, Jr. & Others, Trustee, owner, and Al-Seeley-Prospect Development, applicant** - applicant wishes to obtain preliminary plat approval to subdivide approximately 9.5389 acres into six (6) lots. The property is zoned Residential-1 (R-1), and is located on Old Bust Head Road (Route 674), in the New Baltimore Service District, Scott District. (PIN #6996-86-8312-000)

7. This plat shall be filed in the front office of Community Development and used exclusively for obtaining soils information for this proposed subdivision.
8. This map shall be submitted to the Soil Scientist Office before final construction plan approval is made.
9. The applicant shall meet all State and local regulations regarding use of abandoned drainfield sites prior to placement of any structures within these areas.
10. This approval recognizes that the grading, location, and design of the site entrance at Old Bust Head Road may impact the location of proposed drainfields and house sites, especially for Lot 6. Final design shall determine whether six lots may be developed, if final design requires modification of more than two lots side boundaries a preliminary plat amendment application may be required as determined by the Director of Community Development.
11. The applicant shall work with the Virginia Department of Transportation (VDOT) and the County Engineers Office during the final construction plan design and during site construction to limit erosion and increased runoff along Route 694 (Old Bust Head Road).
12. All non-conventional sewage disposal systems shall have an operation, maintenance, and monitoring schedule established and approved by the Health Department and the County Soil Scientist prior to final construction plan approval. This operation and maintenance contract must be valid for the lifetime of the system.
13. Prior to final plat and construction plan approval, the applicant shall submit a detailed landscape plan as required pursuant to Section 7-600 of the Zoning Ordinance.

The motion carried unanimously.

- c. **#PPA02-L-01 - HABU Development, LLC, owner/applicant** - applicant wishes to obtain a preliminary plat amendment to allow the location of alleyways at the rear of the interior lots. The property is zoned Residential-2 Cluster (R-2), contains 55.6836 acres, and is located on the north side of Clarkes Road (Route 608) near Hidden Meadows Lane, Lee District. (PIN #6981-42-5489-000)

Mr. Robison stated that the application has been withdrawn, therefore, no action is needed.

- d. **#PP02-C-04 - Academy Hill Development, LLC, owner/applicant** - applicant wishes to subdivide 87.808 acres into sixty-one (61) lots. The property is zoned Residential (R-1), and is located on the south side of Academy Hill Road (Route 678) east of its intersection with Millfield Drive, Center District. (PIN's #6984-93-2775-000 and #6984-83-4176-000)

Mrs. Cook reviewed her staff report, a copy of which is attached to and made a part of these official minutes. She stated that the applicant has asked for a 30 day postponement.

On motion made by Mr. Robison and seconded by Mr. Stone, it was moved to postpone the preliminary plat until the April meeting, at the request of the applicant, for further review. The motion carried unanimously.

- e. **#PP02-M-05 - Jeffrey K. & Jordan E. Rizer, owners, and Jeff Lippincott, applicant - Rosewood Subdivision** - applicant wishes to subdivide approximately 132.5 acres into four (4) lots plus a residue lot. In addition, the applicant is requesting a waiver of the hydrogeologic testing requirement. The property is zoned Rural Agriculture (RA) and Rural Conservation (RC), and is located off Wilson Road (Route 691) near its intersection with Cannonball Gate Road (Route 690), Marshall District. (PIN #6965-14-1145-000)

Mrs. Cook reviewed her staff memorandum, a copy of which is attached to and made a part of these official minutes. She stated that the applicant has reduced the request to three (3) lots, therefore the hydrogeologic testing waiver is not required.

Mrs. McCarty thanked the applicant for agreeing to the buffer.

On motion made by Mrs. McCarty and seconded by Mr. Sinclair, it was moved to approve the preliminary plat subject to the following conditions:

1. A Virginia Certified Professional Soil Scientist (CPSS) shall adjust the Type I Soil Map soil lines onto the final working plat. This shall be done in the field and checked for any additional soil information to be added to the final scale plat map.
2. A signature block shall be placed on this plat for the CPSS to sign which states:

Preliminary Soils Information Provided by the Fauquier County Soil Scientist Office via a Type I Soil Map (1"=400') Dated April 18, 2001.	
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	
_____ Va. Certified Professional Soil Scientist CPSS #3401-_____	_____ Date

3. Interpretive information from the Type I Soil Report for each mapping unit shown on the above plat shall be placed on the same soil map. Also a Symbols Legend shall be placed on the plat map to identify spot symbols. Rock outcrops shall be added to the map and symbols legend.
4. The following two statements shall be placed on the same plat map:
 - a. The County recommends that no below grade basements be constructed on soil mapping unit 17B due to wetness unless the foundation drainage

system of the structure is designed by a Virginia Licensed Professional Engineer.

- b. The County recommends that before road or home construction begins in the soil mapping units 140B & C and 340E 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.
5. The following statement shall be noted on the final drainfield plat: "Before a home is started the builder shall mark the drainfield area off and not disturb it during construction".
6. The foundation drainlines shall be daylighted for gravity flow on all structures. This soils information shall be provided by the applicant to the Building Department at the time of application.
7. This plat shall be filed in the front office of Community Development and used exclusively for obtaining soils information for this proposed subdivision.
8. This map shall be submitted to the Soil Scientist's Office prior to final plat approval.
9. Prior to action by the Board of Supervisors, the preliminary subdivision plan shall be revised to correctly reflect the acreage of the residue parcel.
10. The applicant has voluntarily agreed to provide a 50-foot tree preservation buffer at the rear of Lots 4 and 5, therefore, this buffer shall be located as shown on the preliminary subdivision plat entitled Rosewood Subdivision Plan dated December 12, 2001, revised February 12, 2002, and received in the Planning Office on February 14, 2002. The Homeowners Association documents associated with this development and the record plat shall identify the location and provide for continuation of this buffer.
11. The applicant has voluntarily agreed to provide a 50-foot tree preservation buffer along Wilson Road; this buffer shall be located such that appropriate sight distance is available at the development entrance to Wilson Road. This buffer shall be indicated on the preliminary plat prior to Board of Supervisors action on this application. The Homeowners Association documents associated with this development and the record plat shall identify the location and provide for continuation of this buffer.

The motion carried unanimously.

7. **WAIVER OF SECTION 4-11(1)(A) OF THE SUBDIVISION ORDINANCE
REQUIREMENT FOR A CENTRAL WATER SYSTEM - RIDGE PLACE SUBDIVISION -
O. WILLIAM GROVES, OWNER**

Mrs. Cook advised the Commission that Mr. Groves was pursuing his options and particularly considering connection to public water. He has asked for and indefinite postponement.

On motion made by Mr. Guerra and seconded by Mr. Stone, it was moved to postpone the waiver request until the April meeting, at the request of the applicant, for further information. The motion carried unanimously.

8. **ZONING ORDINANCE TEXT AMENDMENT TO SECTION 9-1006 (OUTDOOR RECREATIONAL LIGHTING)**

Mr. Carr reviewed the staff report, a copy of which is attached to and made a part of these official minutes. He stated that the Commission needs to advertise this for a public hearing at the March meeting.

Mr. Sinclair asked what date was the work session?

Mr. Robison replied that this will be discussed during the same work session as the Suffield Meadows application which is to be held on Thursday, March 14, 2002, at 4:00 P.M. in the 4th Floor Conference Room.

On motion made by Mr. Guerra and seconded by Mrs. McCarty, it was moved to advertise the text amendment for a public hearing at the March meeting. The motion carried unanimously.

9. **INITIATION OF PROPOSED ZONING ORDINANCE TEXT AMENDMENTS**

- a. Initiation of a Zoning Ordinance Text Amendment to Section 3-401 to change the maximum density in the Residential (R-1) zoning district from 0.9 dwelling units per acre to 1.0.

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

Mr. Stone stated that he does not see what we will be getting out of this. He stated that there is no conflict with any State code and there will be no gain.

Mr. Guerra stated that he disagrees with Mr. Stone, in that you cannot have .9 of a house.

Mr. Sinclair stated that this needs to be presented to the public and give them time to comment.

Mrs. McCarty stated that she does not necessarily agree with this, but a public hearing is needed.

Mr. Guerra stated we need to get input from citizens during a public hearing.

On motion made by Mr. Guerra and seconded by Mr. Sinclair, it was moved to advertise the text amendment for a public hearing at the March meeting. The motion carried 4 to 1 with Mr. Stone voting against the motion.

- b. Initiation of a Zoning Ordinance Text Amendment to Section 3-404 to change the measurement of the required front yard from the centerline of a right-of-way to the front property line.

Mr. Carr stated that this deals with several categories of the Zoning Ordinance.

On motion made by Mr. Robison and seconded by Mr. Stone, it was moved to advertise the text amendment for a public hearing at the March meeting. The motion carried unanimously.

- c. Initiation of a Zoning Ordinance Text Amendment to Section 7-603 to bring the Zoning Ordinance into conformity with the Code of Virginia regarding tree canopy requirements.

On motion made by Mr. Sinclair and seconded by Mr. Robison, it was moved to advertise the text amendment for a public hearing at the March meeting. The motion carried unanimously.

- d. Subdivision Ordinance Text Amendment to Section 9-6 to provide for submission of a denied preliminary plat to the Planning Commission for review and approval.

Mr. Carr stated that once a preliminary plat is denied, with reasons, the applicant would be able to come to the Commission once it is fixed. He further stated that the new ordinance would not allow denied preliminary plats to move forward to the Board.

On motion made by Mr. Robison and seconded by Mr. Stone it was moved to amend the agenda to add Item 9.d. and to advertise this item for a public hearing at the March meeting. The motion carried unanimously.

Mr. Robison stated that he would like to encourage staff to bring forward next month a text amendment concerning interparcel connection.

10. **BOARD OF ZONING APPEALS AGENDA**

- a. **Review of Minutes of the February 7, 2002, Meeting**
- b. **Special Permit (#48784) - Sumerduck Baptist Church, owners** - applicants are requesting special permit approval for an addition to an existing place of worship. This property is zoned Village (V) and is located at 5354 Sumerduck Road, Sumerduck, VA 22742, Lee District.
- c. **Variance (#48831) - Stephane, J.R. and Sylvia Mainville, owners** - applicants are requesting a variance to the front setback requirement for proposed additions to an existing single-family dwelling constructed more than 100 years ago. The porch of the existing nonconforming structure lies 51.8 feet from the centerline of Route 647, wherein the Zoning Ordinance requires 90 feet for new construction. The additions will not be located closer to the centerline of Route 647 (Crest Hill Road) than the existing structure. Applicants are requesting a variance of 38.2 feet. The property is zoned Rural Agriculture (RA) and is located at 9429 Crest Hill Road, Marshall, VA 20115, Marshall District.
- d. **Special Permit (#48855) - Grace Independent Bible Church, owners** - applicants are requesting special permit approval to construct a place of worship of approximately 11,000 sq. ft. The property is zoned Rural Agriculture (RA) and is located on Free State Road (Route 721), Marshall, VA 20115, Marshall District.

- e. **Special Permit (#48860) - Roger C. Harris, owner** - applicant is requesting special permit approval to operate an auto repair garage from an existing detached garage as a residential business with a maximum of four vehicles on the property at any one time. The property is zoned Rural Agriculture (RA) and is located at 1452 Cromwell Road, Catlett, VA 20119, Cedar Run District.
- f. **Special Permit (#48871) - Joshua Winder and Nina McKee, owners** - applicants are requesting special permit approval to locate a professional office (accounting office) with three (3) or less employees in an existing accessory building. The property is zoned Rural Agriculture (RA) and is located at 7237 Leeds Manor Road, Marshall, VA 20115, Marshall District.

The Commission made no comments.

MEETING DATES

Mr. Carr stated that the meeting for October, November, December 2002, and January 2003, will be as follows:

- October 24, 2002, instead of October 31, 2002.
- November 21, 2002, instead of November 28, 2002.
- December 19, 2002, instead of December 26, 2002.
- January 23, 2003, instead of January 30, 2003.

On motion made by Mr. Guerra and seconded by Mr. Robison, it was moved to approve the meeting dates as listed above. The motion carried unanimously.

There being no further business the meeting was recessed at 4:00 P.M.

The Fauquier County Planning Commission reconvened its meeting at 7:00 P.M. on Thursday, February 28, 2002, for public hearings, in the Meeting Room of the Warren Green Building, 10 Hotel Street, Warrenton, Virginia. Those members present were Mr. Richard Robison, Chairman; Mrs. Ann McCarty, Vice Chairman; Mr. Serf Guerra, Secretary; Mr. Bob Sinclair and Mr. Jim Stone. Also present at the meeting were Mr. Rick Carr, Mrs. Elizabeth Cook, Mr. Brian Davis, Mrs. P.J. Gallagher, Clerk, and Mr. Kevin Burke, Deputy County Attorney.

11. **CITIZENS TIME**

Mr. John Meadows, Lee District, thanked the Commission for their action on the Route 28/17 Comprehensive Plan Text Amendment. He stated that this will help the village of Bealeton and showed that the Committee is moving in the right direction.

12. **SPECIAL EXCEPTIONS**

- a. **#SE02-M-15 - Upperville Volunteer Fire Company, owner, and Sprint PCS/APC Realty & Equipment Company, LLC, applicant** - applicants wish to obtain special exception approval under Category 20 of the Zoning Ordinance which would allow for the location of wireless telecommunications antennas within a proposed 100' flagpole and the installation of related equipment cabinets near the base of the flagpole within a fenced area. The applicant is also seeking a Comprehensive Plan Determination for this request. The property contains 1.4 acres, is zoned Village Commercial (VC), and is located at

9167 James Mosby Highway (U.S. Route 50), Marshall District. (PIN #6054-75-3784-000)

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

Mr. Robison opened the public hearing.

Ms. Syeda Naqvi, representing Sprint PCS, stated that this is in compliance with the Comprehensive Plan and that it will be a flagpole behind the existing building that will be 100 feet tall. She stated that the Fire Department is close to getting a permit for the flagpole. She stated that their antennas would be installed within the flagpole. She showed the Commission propagation maps.

Mr. Alwyn Dippenaar, representing Sprint PCS, stated that the coverage goes for 3½ miles.

Ms. Naqvi stated that they get better coverage at 100 feet.

Mr. Sinclair asked the distance between the green areas on the map and was told approximately ¾ mile.

Ms. Naqvi showed the Commission pictures of the balloon test that was done.

Mr. Sinclair asked when the balloon test was done and Ms. Naqvi replied on February 8th and 9th and again on the 22nd.

Ms. Naqvi stated that the weather conditions on the 22nd were not good. She stated that they can arrange for another test, if needed.

Mr. Sinclair stated that he Commission was called about the balloon test, but when they arrived nothing was there.

Mr. Guerra stated that 200' would provide more coverage and would be more useful for safety reasons and asked why the applicants have not asked for more height?

Mr. Alwyn Dippenaar, stated that they have not asked for more height because of the visual impacts.

Mr. Guerra asked if visual impact is more important than safety?

Mr. Alwyn Dippenaar, stated that it can only be so high to be considered a flagpole, any taller it would be considered a monopole.

Mr. Guerra stated that the Board of Supervisors has approved a radio system that will utilize several towers and Mr. Alwyn Dippenaar, stated that they could make use of those towers.

Ms. Naqvi stated that this is not a tower, it is a 100' flagpole that will create virtually no visual impact. She presented more information, a copy of which is attached to and made

a part of these official minutes. She asked that the record be kept open in order for other information to be presented, and for the third balloon test to be done.

Mr. Paul Camasaura, Marshall District, stated that tower height is important, there are dead zones in this area, and safety reasons are why this is needed. He stated that this is an appropriate use for this property.

Mr. Merle Fallon, attorney representing Upperville Fire Department, stated that on October 22, 2001, the Zoning Administrator issued a ruling that the 100' flagpole is a by-right use, that the flagpole will be there. He stated that the Zoning Administrator also made a determination that a telecommunication antenna used by the rescue squad can be located at any height. He further stated that the fire department can lease to three (3) different carriers and that it will be used for their own use also. He stated that there will be a flag hanging from the pole and that this is the type of use we want. He stated that there is practically no cell phone use in Upperville and urged the Commission to recommend approval of this request.

Mr. Guerra asked about interference from trees.

Mr. Fallon stated that below 78' it would be difficult to locate a tower.

Ms. Donna Williams, President of Upperville Fire Department, stated that this will help the fire department and urged the Commission to recommend approval.

Mr. Chuck Medvitz, Scott District, stated that he supports the staff recommendation. He stated that the applicants have found an interesting loop-hole in the ordinance, and that there could be a proliferation of flagpoles throughout the County. He stated that this will set a precedent and asked how many 100' flagpoles we want in Fauquier County. He further stated that there are many more issues that need to be looked at and that this is budget driven on the carriers side.

Ms. Kitty Smith, Marshall District, stated that coverage can be accomplished with 80' towers. She stated that we need to stick with what the ordinance recommends and not approve every flagpole that comes along.

In that no one else appeared to speak for or against the request, Mr. Robison closed the public hearing.

Mr. Robison stated that last Friday the applicants failed to provide their scheduled balloon test. He stated that they wasted the time of he and other Commissioners, and that he is not in favor of this application.

Mrs. McCarty stated that we have a good telecommunications ordinance that we need to adhere to, and that the public hearing should not be kept open.

On motion made by Mrs. McCarty and seconded by Mr. Robison, it was moved to recommend denial of the request, for reasons noted in the resolution, specifically:

- No qualified engineering firm examined the loading changes to ensure that the structure would be capable of supporting the proposed equipment,
- No NEPA report was provided,

- There is no documentation to support the applicants contention that antennae emissions comply with all applicable EPA and FCC emission requirements,
- Neither the State Historic Preservation Offices nor the President's Advisory Council on Historic Preservation were given the opportunity to review the facility's impact on historic resources in the area,
- Finally, quoting Christer Carshult, Fauquier County Engineer, "even though stealth technology is encouraged and has certainly been explored with this request, in the spirit of patriotism and the essence of proper flag etiquette, a flagpole should be a flagpole".

Mr. Sinclair stated that the ordinance restricts to 80 feet structures along the Route 50 corridor. He stated that we worked for a year to get a fair ordinance to protect the vistas of the County. He stated that he supports the motion for denial.

Mr. Guerra stated that he cannot support denial of the request. He stated that it is not right that aesthetics override safety. He stated that this is a fire station and that 200' would cover a lot more area. He stated that shorter towers pin cushion Fauquier County.

Mr. Stone stated that he recognizes the ordinance and this is a transparent attempt to loop-hole the ordinance.

Mr. Robison quoted from the staff report *"in the spirit of patriotism and the essence of proper flag etiquette, a flagpole should be a flagpole"*.

The motion carried 4 to 1 with Mr. Guerra voting against the motion.

- b. **#SE02-S-13 and #SE02-S-14 - Semple Family Limited Partnership, owners, and AML Development Corporation, applicant** - applicant wishes to obtain special exception approval under Category 26 of the Zoning Ordinance which would allow for an age-restricted continuing care facility, and Category 20 which would allow for the use of a mass drainfield central sewage system. The property contains 120 acres, is zoned Rural Agriculture (RA), and is located on the northwest side of Route 15/29, Scott District. (PIN #6995-79-4111-000) (See discussion below.)

12. **COMPREHENSIVE PLAN AMENDMENT (#CPA02-S-04) - SEMPLE FAMILY LIMITED PARTNERSHIP, OWNER, AND AML DEVELOPMENT CORPORATION, APPLICANT** - applicant wishes to obtain a Comprehensive Plan Amendment to allow the Fauquier County Water and Sanitation Authority to extend water service to the property, which is beyond the New Baltimore Service District boundary. The property contains 120 acres, is zoned Rural Agriculture (RA), and is located on the northwest side of Route 15/29, Scott District. (PIN #6995-79-4111-000)

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

Mr. Robison opened the public hearing.

Mr. Ben Jones, the attorney representing the owner and applicant, stated on March 18, 1997, the Board of Supervisors amended the Zoning Ordinance for residential care facilities, and that this application has been contemplated by the applicant since 1997. He presented Mr. Gary Hill's resume, a copy of which is attached to and made a part of these official minutes. He further

stated that this project will bring one-half million dollars annually in real estate taxes, and that no school seats will be needed in that there will be no children at the facility. He presented a petition with over 50 signatures in favor of the request, a copy of which is attached to and made a part of these official minutes.

Mr. Gary Hill, applicant, stated that there will be a social lifestyle for people living at the facility, there will be trails, health care needs will be provided, natural amenities, a club house, residential comfort and safety, automatic fire sprinklers, security systems, and will be a special place for its residents. He stated that there will be no demand on County services and that it will be connected to the New Baltimore Fire and Rescue system. He stated that this will be a unique community that focuses on housing and health care needs.

Ms. Karen Presley, Insurance Agent and resident of Vint Hill, stated that she is impressed with this community. She stated that seniors visit her with insurance needs and housing needs. She stated that this community will provide, non-slip surfaces, security system, easy access services, on-site van, sprinkler systems and peace of mind for its residents. She asked that the Commission made serious consideration of this project.

Ms. Bo Miller stated that he is in favor of this request, and that a facility like this is needed in the County.

Father Alex Darvey, Center District, stated that he is in favor of the request, that this kind of housing is needed in the County.

Mary Russell, Cedar Run District, stated that the County has needed this type facility for a long time and that this will not detract from the area.

Gary Newell, Cedar Run District, stated that we need to be concerned about the elderly members of our community. He stated that his grandmother lived in this type facility and that he is very much in favor of it.

Mrs. Leslie Wise, resident of Snow Hill Subdivision, presented her comments in favor of the request, a copy of which are attached to and made a part of these official minutes.

Mr. Philip Ramsey, Scott District, stated that he is in favor of this request.

Mrs. Semple stated that 26 years ago they bought Suffield Farms, and that the previous owner wants to be able to come home.

Mary Ann Wasenburg, President Snow Hill Homeowners Association, stated that this will be a class act and well planned out development. She stated that a detailed list of concerns of neighbors has been given to Mr. Hill. She stated that a flyer has been handed out throughout Snow Hill opposing the request, and that the flyer was not signed and they do not know who sent it.

Mr. Guerra commended the citizens for identifying yellow journalism and their disregard of information that is not signed.

Mr. Pete Jackson, Scott District, stated that he would use this facility. He stated that there will be minimal traffic, and that he has no problems with the mass sewage system. He presented a

petition to the Commission, a copy of which is attached to and made a part of these official minutes. He stated that he does not want to have to leave Fauquier County.

Mr. Sammy Sharikas, realtor with Remax, stated that he is in favor of this request and that it is well planned out.

Mr. Roy Beckner, Prince William County, stated that he lived in Fauquier County from 1977 to 1997 and that he would love to come back. He stated that this is a good plan and asked the Commission to recommend approval.

Mr. Brooke Semple, Scott District, stated that there are other facilities similar to this in Fauquier County, but none are exactly like this proposed facility. He stated that this will provide assisted living in your own home and that there is a huge demand for such services.

Mrs. Carol Comasaro, Marshall District, stated that she is in favor of the request.

Mr. Chuck Gremaric, New Baltimore Fire Department, stated that this is a universal design, that residential sprinklers and a central alarm system are a great amenity, and that he is very much in favor of this request.

Ms. Gretchen Yahn, Marshall District, stated that she is in favor of the request. She stated that it is done in good taste and would be worthwhile for Fauquier County.

Mr. Paul Comasaro, Marshall District, stated that older people want to stay independent and that he favors this request.

Mr. Mark Smith, Scott District, stated that there is a need for this type facility and that sewer should be run to the property.

Mr. Tom Harris, Center District, asked the Commission to recommend denial of this request. He stated that in 1987 the parent parcel was subdivided and that this is the remaining 85% open space which is limited to agricultural uses. He stated his concerns about failure of the sewage system, and that there is land currently at Vint Hill for this type facility.

Mr. Larry King, Scott District, stated that the flyer going around Snow Hill was from him and it was for the purpose of getting the residents of Snow Hill to be present at this meeting. He stated concerns about his quality of life and that this should not be at this location on agricultural land. He urges the Commission to recommend denial of this request.

Mrs. Mara Seaforest Chavarone, Cedar Run District, stated that there is too little information provided and that this needs to be at a safer location. She also stated that this property is located within the Occoquan Watershed.

Mr. Chuck Medvitz, Scott District, stated that he is opposed to this request. He stated that this has been presented as a generally excellent concept, but a commercial facility is not needed on Route 29, that it will set a bad precedent. He stated that traffic management on Route 29 is already bad and that putting another entrance on Route 29 will cause more problems. He also stated that another traffic light would also cause more problems on Route 29.

Mr. Greg Dodge, Scott District, presented information, a copy of which is attached to and made a part of these official minutes. He stated that this is a wonderful project but not at this location. He stated concerns about failure of the sewage system and traffic impact.

Mrs. Linda Dodge, Scott District, presented information, a copy of which is attached to and made a part of these official minutes. She stated that they do not want a sewage treatment facility next to their property and asked if this is consistent with the Zoning Ordinance. She also stated concerns about the value of their property being affected.

Ms. Janet James, Scott District, stated that the need is there but not at this location, and asked that the Commission please give this a lot of thought.

Mr. Ron James, Scott District, stated that he would not want to live at this facility because of the location. He stated that central sewage should be provided and that he is opposed to the sewage treatment plant.

Ms. Kitty Smith, Marshall District, commended staff on a good staff report. She stated that this property is not located within the Service District and that in 1992 the owners asked that it be put in the Service District and the request was denied. She stated that Route 29 is already overloaded with traffic and that the Jamison and Waterfield projects are coming. She stated that this is the open space of a previous development, and that she does not feel that this property can be developed as proposed.

Mr. Joe Mercado, Scott District, stated that he is opposed to this request, that this is a rural area and not ready for this type of facility.

Mrs. Cathy Mercado, Scott District, stated that they have lived in Fauquier County for 30 years and that everything will change with this request. She stated that traffic will increase, the soil is not good, that this is the wrong place for this type facility. She also stated concerns about affects to existing wells in the area.

Mrs. Darcy Wooldridge, Scott District, presented information, a copy of which is attached to and made a part of these official minutes. She urged the Commission to visit the site and see the existing traffic problems. She stated that a traffic light would not help the situation. She also stated concerns about the sewage treatment system.

Mr. Mark Wooldridge, Scott District, stated his concerns about the sewage treatment system, contamination of their well, and devaluation of property in the area.

Mr. Dave Vernon, Scott District, stated his concerns about their wells drying up and stated that he is opposed to this request.

In that no one else appeared to speak for or against the requests, Mr. Robison closed the public hearing.

Mr. Robison stated that it is good to see so many residents of the area come out to speak.

Mr. Sinclair stated that he agrees with Mr. Robison. He stated that a work session was held earlier in the day on this application, and that there are many miles yet to travel, issues that need to be addressed. He stated that there will be a work session on March 14th at 4:00 P.M. in the 4th Floor Conference Room.

On motion made by Mr. Sinclair and seconded by Mr. Robison, it was moved to postpone the special exception requests until the March meeting and that a work session will be held on March 14th to discuss the special exceptions and Comprehensive Plan amendment.

Mr. Robison stated that this is a sweet and sour application, with positive and negative impacts. He stated that he supports the postponements in order for the Commission to make the best possible recommendation to the Board of Supervisors.

The motion carried unanimously.

On motion made by Mr. Sinclair and seconded by Mr. Robison, it was moved to postpone the Comprehensive Plan amendment until the March meeting and that a work session be held on March 14th. The motion carried unanimously.

There being no further business, the meeting was adjourned at 9:22 P.M.

A tape recording of the meeting is on file in the Department of Community Development, 40 Culpeper Street, Warrenton, Virginia, for a period of one year.