

**MINUTES OF
FAUQUIER COUNTY PLANNING COMMISSION
DECEMBER 19, 2002**

The Fauquier County Planning Commission held its regular meeting on Thursday, December 19, 2002, beginning at 3:00 P.M. in the 4th Floor Conference Room of The Fauquier County Courthouse, 40 Culpeper Street, Warrenton, Virginia. Those members present were Mr. Richard Robison, Chairman; Mrs. Ann McCarty, Vice Chairman; Mr. Serf Guerra, Secretary; and Mr. Bob Sinclair. Also present at the meeting were Mr. Rick Carr, Mr. Robert Counts, Mrs. Elizabeth Cook, Ms. Deirdre Clark, Mrs. Carolyn Bowen, and Ms. Beckie Williams.

1. **APPROVAL OF MINUTES** – October 24, 2002 & November 21, 2002

On motion made by Mr. Robison and seconded by Mrs. McCarty, it was moved to postpone the approval of the October minutes until the January 23, 2003 Planning Commission meeting and approve the November minutes.

The motion carried unanimously.

2. **CAPITAL IMPROVEMENTS PLAN FY2004-2008**

In accordance with Section 15.2-2239 of the Code of Virginia, the Planning Commission is reviewing the proposed Fauquier County Capital Improvements Plan (CIP) for Fiscal Years 2004-2008. The CIP is the County's statement of intent regarding programming of its public facilities, such as schools, libraries, parks and recreation facilities, over the next six fiscal years. Prior to forwarding this plan to the Board of Supervisors, the Commission will hold a public hearing to receive citizen comments on the plan.

Mr. Guerra thanked Mrs. Severin for the information received on library usage. By extrapolation of figures provided by the library staff, Mr. Guerra showed that over 12,000 citizens could be served by extending Thursday and Friday evenings 2 hours longer. This represents an 8 % increase over the annual visitation.

Mr. Carr stated that he would be scheduling Maria DelRosso to speak at the January meeting.

On motion made by Mr. Robison and seconded by Mrs. McCarty, it was moved to postpone action for 30 days.

The motion carried unanimously.

3. **SIGNAGE DESIGN PACKAGE**

Vint Hill Economic Development Authority, owner – applicant has submitted its proposed *Signage Design Package* for approval under Section 8-1600 of the Fauquier County Zoning Ordinance. The property is located between Routes 215, 793, 652, and 602 in the Chestnut Run Magisterial District. (former PIN's 7915-88-6141-000 and 7915-75-9953-000)

4. **INITIATION OF PROPOSED SUBDIVISION AND ZONING ORDINANCE TEXT AMENDMENTS**

- a. Initiation of Subdivision Ordinance Text Amendment to update the Virginia Code References, numbering inconsistencies, and other clarifications. (Postponed September 26, 2002, until December 19, 2002, for further review.)
- b. Initiation of Subdivision Ordinance Text Amendments to Section 5 - General Standards of Design, Section 6 - Street Classifications, Section 7 - Minimum Street Improvements Required, Section 8 - Special Area Requirements for Use of Street Standards and Section 17 - Geometric Design Specifications to update the street, sidewalk and trail design, construction standards, specifications and requirements. (Postponed September 26, 2002, until December 19, 2002, for further review.)
- c. Initiation of Subdivision Ordinance Text Amendments to Section 9 - Preliminary Plats and Section 10 - Final Plats to address the processing of constructions plans, profiles, and specifications through the Technical Review Committee. (Postponed September 26, 2002, until December 19, 2002, for further review.)

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

On motion made by Mr. Robison and seconded by Mrs. McCarty, it was moved to postpone action on items 4a, 4b, and 4c for 60 days.

The motion carried unanimously.

- d. Initiation of Zoning Ordinance Text Amendment to Section 5-015 (Revocation of a Special Permit or Special Exception) to bring into conformance with the Code of Virginia.
- e. Initiation of Zoning Ordinance Text Amendment to Section 15-300 (Definitions) regarding inoperable vehicles.

- f. Initiation of Zoning Ordinance Text Amendment to Section 15-300 (Definitions) regarding definition of agriculture as it pertains to forestry products.

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

On motion made by Mr. Guerra and seconded by Mrs. McCarty, it was moved to schedule the public hearing for items 4d, 4e, and 4f for the January 23rd Planning Commission meeting

The motion carried unanimously.

5. **PRELIMINARY PLATS**

- a. **#PP02-S-12 - Llewellyn J. Evans, Jr., owner and Airlie Estates, LLC, applicant - Airlie Estates** - applicant wishes to obtain preliminary plat approval to subdivide approximately 17.56 acres into twenty-four (24) lots. The property is zoned Residential-1 (R-1), and is located on the northeast side of Airline Road (Route 605), Scott District. (PIN's #6995-15-0169-000 and 6995-15-2925-000) (Postponed October 24, 2002, until December 19, 2002, at the request of the applicant.)
- b. **#PP02-S-13 - Lillie E. Smith Estate, owner, and Robert H. Rogers, III, applicant - Smithridge Subdivision** - applicant wishes to obtain preliminary plat approval to subdivide approximately 16.7 acres into fourteen (14) lots. The property is zoned Residential-1 (R-1), and is located on the southeast side of Routes 15/29, Lee District. (PIN #6888-32-5186-000) (Postponed November 21, 2002, until December 19, 2002, at the request of the applicant.)

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

On motion made by Mr. Guerra and seconded by Mr. Robison, it was moved to defer action for 30 days, at the applicant's request.

The motion carried unanimously.

- c. **#PP03-L-01 - James W. Ott, owner and Wayne K Shover, applicant - Ott's Landing** - applicant wishes to obtain preliminary plat approval to subdivide approximately 7.46 acres of a +/- 31 acre parcel into twenty-two (22) lots. The property is zoned Residential-4 (R-4), and is located between U.S. 15/29 and Duey Street, Lee District. (part of PIN #6878-80-7704-000) (Postponed November 21, 2002, until December 19, 2002, at the request of the applicant.)

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

On motion made by Mr. Guerra and seconded by Mrs. McCarty, it was moved to defer action for 60 days, at the applicant's request.

The motion carried unanimously.

- d. **#PP03-CR-02 – J. Randolph Parks, Trustee, owner, and Mike Stumpo, applicant – Sycamore Springs** – applicant wishes to obtain preliminary plat approval to subdivide approximately 16.8 acres into six (6) lots. The property is zoned Rural Residential – 2 (RR-2), and is located on the east side of Routes 15/29/17, south of its intersection with Beach Road, Cedar Run District. (PIN #6982-46-7184-000) (Postponed November 21, 2002, until December 19, 2002, at the request of the applicant.)

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

On motion made by Mr. Robison and seconded by Mrs. McCarty, it was moved to defer action for 60 days, at the applicant's request.

The motion carried unanimously.

- e. **#PP03-C-05 – Marliece Williams, David W. Sanasack, owners and STBI – Warrenton, LLC, applicant – Warrenton Hunt** – applicant wishes to obtain preliminary plat approval to subdivide approximately 153 acres into 85 single family residential lots. The property is zoned Residential-1 (R-1) and is located on the north side of Duhollow Road (Route 672) at its intersection with Frytown Road (Route 674), Center District. (PIN # 6994-02-8294-000, #6994-13-8021-000 and #6984-92-6454-000) (Postponed September 26, 2002 until December 19, 2002, at the request of the applicant.)

- f. **#PP03-C-09 – Auburn Hill, LLC, owner/applicant – The Hills at Old Auburn** – applicant wishes to obtain preliminary plat approval to subdivide approximately 151.5783 acres into six (6) lots. The property is zoned Rural Agriculture (RA), and is located on the west side of Lunsford Road (Route 674), at its intersection with Old Auburn Road (Route 670), Center District. (PIN #6993-35-8981-000) (Postponed November 21, 2002, until December 19, 2002, at the request of the applicant.)

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

On motion made by Mr. Robison and seconded by Mr. Guerra, it was moved to defer action for 30 days, at the applicant's request.

The motion carried unanimously.

- g. **#PP03-M-13 – Judith C. Ellis, owner and Mike Stumpo, applicant – Woodmont Forest** – applicant wishes to subdivide approximately 20.33 acres of a +/- 29.736 acre parcel, into twenty (20) lots. The property is zoned Village and Rural Agriculture (V/RA) and is located at 9259 Springs Road, Marshall District. (part of PIN #6962-67-5339-000) (Postponed November 21, 2002, until December 19, 2002, at the request of the applicant.)

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

On motion made by Mrs. McCarty and seconded by Mr. Sinclair, it was moved to defer action for 60 days, at the applicant's request.

The motion carried unanimously.

- h. **PP03-M-15 – DTM, LLC, owner/applicant – Enon School Estates – Lot 4** - applicant wishes to subdivide approximately 70.0 acres into two (2) lots. The property is zoned Rural Agriculture and Rural Conservation (RA/RC) and is located on the west side of Enon School Road, south of its intersection with Bear Mountain Drive, Marshall District. (PIN #6956-59-9082-000)

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

On motion made by Mrs. McCarty and seconded by Mr. Sinclair, it was moved to postpone action for 60 days, at the applicant's request.

The motion carried unanimously.

- i. **PP03-S-16 – R.E. Faylor Contracting, Inc., owner/applicant – Gray's Mill Village** – applicant wishes to subdivide approximately 6.7 acres into five (5) lots. The property is zoned Residential-1 (R-1) and is located on the east side of Gray's Mill Road (Route 674), north of its intersection with Chittenden Drive in the New Baltimore Service District, Scott District. (PIN #6995-94-7313-000) (Preliminary Plat was previously denied by the Planning Commission.)

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

On motion made by Mr. Sinclair and seconded by Mrs. McCarty, it was moved to approve this request.

The motion carried unanimously.

6. **SPECIAL EXCEPTIONS**

- a. **#SE02-S-22 and #SE02-S-23 - Llewellyn J. Evans, Jr., owner, and Airlie Estates, applicant** - applicant wishes to obtain special exception approval under Category 29 which would allow for a waiver of the public street requirements and Category 31 which would allow for a waiver of the public/central water requirements. The property contains 47.56 acres, is zoned Residential-1 (R-1), and is located on Airlie Road (Route 605), Scott District. (PIN's #6995-15-0169-000 and #6995-15-2925-000) (Postponed October 24, 2002, until December 19, 2002, at the request of the applicant.)
- b. **#SE02-L-27 - D.C. Diamond Corporation, owner/applicant** - applicant wishes to obtain special exception approval under Category 23 of the Zoning Ordinance, which would allow for grading and construction of a road in the floodplain. The property contains 85.84 acres, is zoned Rural Agriculture (RA), and is located on the southwest side of Catlett Road (Route 28), Lee District. (PIN #6889-31-7311-000) (Postponed October 24, 2002, until December 19, 2002, at the request of the applicant.)

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

On motion made by Mr. Guerra and seconded by Mr. Robison, it was moved to defer action for 60 days, per the applicant's request.

The motion carried unanimously.

- c. **#SE03-C-04 and SE03-C-05 – Marliece Williams and David W. Sanasack, owners, and STBI-Warrenton, LLC, applicant - Warrenton Hunt** – applicant wishes to obtain special exception approval under Category 30, which would allow for a waiver of the public/central sewer requirement and Category 31, which would allow for a waiver of the public/central water requirements. The property contains approximately 153 acres, is zoned Residential-1 (R-1), and is located on the north side Meetze Road (Route 64), the north side of Duhollow Road (Route 672) and the west side of Frytown Road (Route 674), Center District. (PINs #6984-92-6454-000, 6994-02-8294-000, and 6994-13-8021-000)

(Postponed September 26, 2002, until December 19, 2002, at the request of the applicant.)

- d. **#SE03-S-15 – Cecil T. Campbell, Trustee & Others, owners, and Ravinder Varma, applicant – New Baltimore Shell Center** – applicant wishes to obtain special exception approval under Category 23, which would allow for the crossing of a floodplain. The property contains approximately 2.36 acres and is located on the south side of Routes 29/211/15, Scott District. (PIN #7906-83-6405-000) (Postponed November 21, 2002, until December 19, 2002, at the request of the applicant.)

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

On motion made by Mr. Sinclair and seconded by Mr. Robison, it was moved to defer action for 60 days, per the applicant's request.

The motion carried unanimously.

7. **REZONING REQUESTS**

- **#RZ02-L-08 - Helen F. Helm, owner, and Richard M. Barb, LLC, applicant** - applicant wishes to rezone approximately 139.5 acres from Residential-1 (R-1) to Residential-2 (R-2). The property is located off James Madison Highway (Routes 15/29) and Business Routes 15/29 in the Remington Service District, Lee District. (PIN's #6888-13-8870-000 and #6888-15-4359-000) (Postponed November 21, 2002 until December 19, 2002, at the request of the applicant.)

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

Mr. Robison stated that this is a good layout and a good plan; however, he is concerned about the increase in the number of lots and the impact this will cause for schools and transportation. He affirmed that he would not be able to support this.

On motion made by Mr. Guerra and seconded by Mr. Sinclair it was moved to recommend approval of this request, subject to the conditions noted by staff.

The motion carried 3 to 1 with Mr. Robison in opposition.

8. **INITIATION OF AN AMENDMENT TO THE COMPREHENSIVE PLAN FOR THE WARRENTON SERVICE DISTRICT (ST. LEONARD'S FARM)**

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

On motion made by Mr. Robison and seconded by Mrs. McCarty, it was moved to schedule this item for public hearing to track with the rezoning request.

The motion carried unanimously.

9. **ZONING ORDINANCE WAIVER**

- **Waiver of Section 7-302.1.B, Limitation on a private street connecting directly to a state maintained street – Ronald L. Harding, owner** – Old Devils Turnpike (private street) near Bristersburg Road (Route 616), Cedar Run District. (PIN #7920-78-9858-000)

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

On motion made by Mr. Robison and seconded by Mr. Sinclair, it was moved to postpone action until the 7:00 p.m. public meeting on the 7th of January, 2003.

The motion carried unanimously.

10. **BOARD OF ZONING APPEALS AGENDA**

Mr. Robison asked the Commission if they had any questions regarding these cases.

Mr. Guerra stated that the Board of Zoning Appeals needs to concentrate on the traffic patterns generated by the many trucks from the Remington area to the citizens of Loudoun County.

The Fauquier County Planning Commission reconvened its Public Hearing on Thursday, December 19, 2002, beginning at 7:08 P.M. in The Barn at Lord Fairfax Community College, 6480 College Street, Warrenton, Virginia. Those members present were Mr. Richard Robison, Chairman; Mrs. Ann McCarty, Vice Chairman; Mr. Serf Guerra, Secretary; and Mr. Bob Sinclair. Also present at the meeting were Mr. Rick Carr, Mrs. Elizabeth Cook, Mr. Robert Counts and Ms. Beckie Williams, Administrative Secretary.

11. **THE PLEDGE OF ALLEGIANCE**

Mr. Robison led the Commission and public in the Pledge of Allegiance.

12. **CITIZENS TIME**

No one spoke.

13. **SUBDIVISION ORDINANCE TEXT AMENDMENT** – Amend Section 2-39(A)(1) of the Subdivision Ordinance to include in the definition of “immediate family members” spouses, siblings, aunts, uncles, nieces, and nephews.

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

Mr. Robison opened the public hearing.

Ms. Kitty Smith, Marshall District, stated she did not think it was appropriate to approve this amendment. She said this definition has been in effect since 1981 and it is based on the state code.

Steven Ashburn , Center District, expressed that the law as it stands is adequate.

Hope Porter, Marshall District, stated that the County is a facing a 5% growth rate and the County needs to slow it down.

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

Mr. Guerra stated that there is no reason to change the present ordinance.

Mr. Sinclair concurred with Mr. Ashburn from the Center District.

Mrs. McCarty agreed with all speakers.

On motion made by Mr. Guerra and seconded by Mrs. McCarty, it was moved to recommend denial of the text amendment.

The motion carried unanimously.

14. **SPECIAL EXCEPTIONS**

- a. **#SE03-C-11 – George C. & Helen F. Elmore, owner, and Bechtel Telecommunications – A T & T Wireless Service, Inc., applicant** – applicant wishes to obtain special exception approval under Category 20, which would allow for the construction of a monopole, antennas, and related equipment and a review for Comprehensive Plan compliance

pursuant to State Code 15.2 – 2232. The property contains 55.5 acres and is located at the end of Elmores Lane, south of Rogues Road (Route 602), Center District. (PIN #7904-15-6717-000) (November 21, 2002 public hearing held open until December 19, 2002.)

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

Mr. Robison opened the public hearing.

Terry Cooke, representing AT & T wireless, stated his belief that the information provided to staff answered most questions. He acknowledged the lack of visibility for the Commission to see the last balloon test, so he would like to schedule a new one.

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

Mr. Robison recommended to Mr. Cooke that he contact Mr. Stone with available dates for the balloon testing. He suggested they schedule the test in December with backup dates in January, in case of inclement weather.

On motion made by Mr. Robison and seconded by Mr. Sinclair, it was moved to postpone action until the Commission's January 7, 2003 meeting.

The motion carried unanimously.

- b. **#SE03-L-17 – Michael and Barbara Wintermyer, owners/applicants** – applicants wish to obtain special exception approval under Category 26, which would allow for a decrease in the non-common open space requirement. The property is zoned Rural-Agriculture (RA) and is located on the southwest side of Cemetery Road (Route 658), Lee District. (PIN #6879-30-1974-000)

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

Mr. Robison opened the public hearing.

Mr. Michael Wintermyer, applicant, stated that he would conform to the surrounding property and would only build one additional home.

Mr. Dave Nash, real estate broker, stated that the County would benefit from this approval as well as Mr. Wintermyer. He announced that the

County would gain appealing lots as well as the agreement that additional growth would be waived.

Mr. Ken Smith, adjacent owner, stated that he does not have a problem with this application because it looks better than dividing it four ways. However, he would like to remind the County that he has offered to give up his dividing rights as long as he can keep his property in the Agricultural and Forestal District to expand his dairy. Mr. Smith stated he is neutral.

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

Mr. Guerra stated that he received only one call from a neighbor who was concerned that this would end up a huge development.

On motion made by Mr. Guerra and seconded by Mr. Robison, it was moved to approval this request.

The motion carried unanimously.

- c. **#SE-03-S-18 – Earl R. Simpson, owner, ASQUIP, INC., contract owner, and DuBrook Concrete, Inc., applicant** – applicant wishes to obtain special exception approval under Category 17, which would allow for the construction of a concrete batching plant. The property is zoned Industrial – 2 (I-2), and is located at the intersection of Routes 55 and 622, Scott District. (PIN #6979-57-4795-000)

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

Mr. Robison opened the public hearing.

Mr. Mel Howard, employee of DuBrook Concrete, Inc. and resident of Fauquier County spoke for this request. Mr. Howard stated that he would be happy to answer any questions.

Mr. Jack Whiting, Marshall District, declared that there are two important issues that need to be resolved regarding this application: transportation and water. He stated that the concrete was going to go somewhere and he wanted to know which roads were going to be used. Mr. Whiting argued that 270 truckloads would impact the roads seriously. He stated that the intersection of Whiting Road and Route 55 is presently dangerous due to the amount of traffic in and out of the Recycling Center. Mr. Whiting pointed out that in 2 years there would be a Youth Sports Complex at that corner, where there are no sidewalks. He stated that the idea of recycling

water is a good one; however, he asked how much will be taken from the Marshall Service District. Mr. Whiting strongly recommended the Commission carefully look at this application.

Mrs. Meredith Whiting, Marshall District, stated that 270 trips per day, at 10 hours per day equals 27 trips an hour, which is one trip every 2 minutes. She affirmed that this was a lot of traffic. Mrs. Whiting asked where the 32,000 gallons per day would come from.

George Fetterer, Scott District, seconded everything that was previously stated. He asked if there is a guarantee that Belvoir Road will not be used. He asked if this batching plant would be expanded in future years. Mr. Fetterer stated that this is not a good area for this application.

Richard Griffith, representing his mother who lives on Belvoir Road across from the rear of the proposed site. Mr. Griffith stated that he is buying the house next to her. He stated that 270 trips would turn this road into a major thoroughfare. Mr. Griffith stated that he is concerned for the young children, future children, and senior citizens in the area. He stated that they are fighting with VDOT now because the 55 mph speed limit is too high and motorists are going too fast as it is.

Kitty Smith, Marshall District, stated she is familiar with the area. She acknowledged that the land is zoned Industrial; however, she asked if we really want this type of use in this area. Ms. Smith stated that the Whittings' covered the major issues very well. She voiced that the Commission should ask the applicant to provide a hydrogeology study before they make a recommendation.

Andrew Waters, Marshall District, agreed with all of the previous speakers. Mr. Waters asked if the 270 trips per day included material brought to the site or if it was normal coming and going. He reiterated the traffic problem at the intersection of Route 55 and Whiting Road and stated that traffic is not easily visible.

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

Mr. Sinclair stated the speakers that are in opposition addressed all the issues discussed during the Commission's work session. He agreed that traffic and water are major issues. He advised that a hydrogeological study was being prepared at the Sports Complex. Mr. Sinclair stated that the applicant requested a 90-day deferral to address issues and he requested that a traffic study, a hydrogeological study, and other studies as needed be provided to staff.

Mrs. McCarty stated that this application would have a significant influence the Marshall Service District. She said that a careful look at the hydrogeological study and traffic study should be taken. Mrs. McCarty asked that the public hearing be kept open.

Mr. Robison stated he needed additional clarification on the issues.

On motion made by Mr. Sinclair and seconded by Mr. Robison, it was moved to defer action for 60 days, per the applicant's request.

The motion carried unanimously.

- d. **#SER03-S-01 – Meadow Outdoors Foundation, Inc., owner/applicant – Great Meadows Field Events Center** – applicant wishes to obtain special exception renewal for application SE95-S-01 under Category 9, which would allow for the continuation of equestrian and other family oriented events. The property is located on the east side of James Madison Highway (Route 17), Scott District. (PIN #6978-95-2610-000)

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

Leslie VanSant, Executive Director of Meadow Outdoors Foundation, Inc., stated that she has made every effort to become friends with the neighbors of Great Meadows. She commented that she has only received positive feedback from the adjacent property owners.

Mr. Sinclair asked Ms. VanSant approximately how many neighbors she contacted and how many surveys she received.

Ms. VanSant, replied she contacted everyone who is contiguous with the property and the properties across Route 245. She elaborated, saying it was approximately 30 to 40 surveys; however, most feedback was verbal.

Mr. Jack Whiting, Marshall District and member of Economic Development Advisory Council for Fauquier County. Mr. Whiting explained that Economic Development did a tourism study, which included a representative from Great Meadows. He indicated that Great Meadows is very important to the economy of Fauquier County. Mr. Whiting pointed out that this area introduces people to the County.

Ms. Kitty Smith, Marshall District, agreed with Jack Whiting. She reiterated Great Meadows served the County in numerous ways. However, there are two issues she wanted to point out, the lighting and the traffic issues. Ms. Smith drew attention to the fact that Fauquier County adopted a new lighting ordinance and the Commission should enforce this

before approving this request. She commended Great Meadows for the good job they do controlling traffic during Gold Cup, but was concerned with traffic issues during all day events like the Wine Festival. Ms. Smith requested the Commission make Meadow Outdoors Foundation analyze and improve this matter.

Mr. Blake Gallagher, The Plains Fire Chief, announced that he was asked by the Director of Great Meadows in 1999 to handle all events at Great Meadows. He stated that he has a good relationship with Great Meadows and the Sheriffs Department and he is personally requesting the Commission renew this application.

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

Mr. Sinclair voiced his concerns with lighting and traffic.

Mrs. McCarty agreed with Mr. Sinclair, but also wanted the noise levels explored.

On motion made by Mr. Sinclair and seconded by Mr. Robison, it was moved to defer action until January, giving staff and the Commission the chance to meet with the applicant.

The motion carried unanimously.

15. **REZONING**

#RZ03-M-08 – Fauquier Heritage & Preservation Foundation, Inc., owner/applicant – applicant wishes to amend current proffer conditions to allow the development of a transportation museum in addition to the current allowed office use. The property is zoned Commercial – 1 Conditional and is located at 4110 Winchester Road, Marshall Service District. (PIN #6969-68-7960-000)

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

Mr. Sinclair stated that since he was a member of the Fauquier Heritage & Preservation Foundation, Inc., he would not vote for or against this proposal.

Mr. Robison opened the public hearing.

Meredith Whiting, Marshall District. Mrs. Whiting emphasized that this project was well supported. She stated that they have received over 50 letters for this proposal.

John Gott, Foundation Chairman, stated he was in favor of this application. He declared that this project was very important to Fauquier County and to northern Fauquier County. He stated that this attraction brings in tourists from all over.

Kevin Lee, Senior Vice President of Marshall National Bank, speaking for himself and Duke Yowell. Mr. Lee stated that the bank was in favor of this application and that the Planning Commission should approve this request. He stated that he did not know anyone in opposition to this request.

Charles Joseph, owner of a dental practice in Marshall, affirmed that this was a good tourist attraction to Marshall and brings in a lot of taxes for the County. He stated that with this approval, everyone would win.

Jack Whiting, Marshall District, stated that he took part in the making of the Marshall Comprehensive Plan. He agreed that there has been no objection to this transportation museum and that this is a major tourist attraction.

Michael Starn, Cedar Run District, stated that he supported this program. He stated that the Fauquier Heritage and Preservation Foundation had done a good job but physical history is lacking. He commented that Fauquier County needed to expand its physical history and he would personally donate a horse drawn carriage to the museum. He advised that he is the historian for the U.S. Marine Corps, which would be willing to make donations to the museum.

Andy Waters, stated that this building is a wonderful resource and it truly enriched him.

Tom David, Director of the Foundation Board, stated that he backs up John Gott's statements. He personally has seen people just stopping by the office.

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

Mrs. McCarty stated that she dearly loves this area. She confirmed that it is a keystone linking Main Street and Route 17.

Mr. Robison agreed that this building is an asset to Fauquier County but he has concerns. He declared that there was a proffer in the original approval that stated there would not be any changes to the outside structure; however, there have been many changes to the outside. He stated that these changes were very inappropriate and detracted from the historical value. He argued that the owner did not properly care for this structure and this could have been stopped if it went through an ARB review. He stated that these changes must be corrected before he can consider approving this application. Mr. Robison recommended that the Fauquier Heritage and Preservation Foundation withdraw this application, correct their mistakes, and reapply. He reiterated that the modifications should not have occurred according to the proffers.

Mr. Guerra asked Mr. Sinclair if he would make a comment.

Mr. Sinclair stated that it was inappropriate for him to say anything.

Mrs. McCarty advised that the Zoning Administrator stated that this building would be on the ground without the efforts of this group. She asked Kevin Burke to comment on this matter.

Kevin Burke stated that the Zoning Administrator is in charge of interpreting the proffers. He remarked that the TEA-21 funds were in jeopardy and the Planning Commission really should move this application on, even if it is with a denial.

Mr. Guerra remarked that he considered this a no-brainer until he was approached with the failings of this project. He stated that he empathizes with the concerns and he would be willing to postpone this application; however, there is little or no time because of the TEA-21 grant. He stated that he believes the Foundation will correct their mistakes.

On motion made by Mrs. McCarty and seconded by Mr. Guerra, it was moved to approve the request.

The motion carried 2 to 1, with Mr. Robison in opposition and Mr. Sinclair abstaining.