

**MINUTES OF
FAUQUIER COUNTY PLANNING COMMISSION
NOVEMBER 7, 2001**

The Fauquier County Planning Commission held a reconvened meeting on Wednesday, November 7, 2001, beginning at 4:00 P.M. in the 4th Floor Conference Room of the County Court and Office Building, 40 Culpeper Street, Warrenton, Virginia. Those members present were Mr. Bob Sinclair, Chairman; Mr. Richard Robison, Vice Chairman; Mr. Serf Guerra, Secretary; Mr. Mark Rohrbaugh and Mrs. Ann McCarty. Also present at the meeting were Mr. Rick Carr, Mrs. Elizabeth Cook, Mr. Brian Davis, Mrs. Carolyn Bowen, Ms. Holly Meade, and Mrs. P.J. Gallagher, Clerk.

PRELIMINARY PLAT (#PP01-S-08) - BROOKSIDE COMMUNITIES, LLC, AND BROOKSIDE DEVELOPMENT, LLC, OWNERS/APPLICANTS - applicants wish to obtain preliminary plat approval to subdivide 954.86 acres into nine-hundred seventy-five (975) lots. The property is zoned Residential-1 (R-1) and Planned Residential Development (PRD), and is located on Riley Road (Route 676), Scott District. (PIN's #7905-75-6107-000, #7905-63-8907-000, #7905-54-1314-000, #7905-53-4817-000, #7905-82-5007-000, #7905-93-5747-000, #7915-06-7362-000, #7915-16-2290-000, #7915-35-2459-000, #7915-34-4195-000, #7915-22-4253-000, #7915-22-0001-000, #7915-11-7109-000, #7915-20-4957-000, #7915-20-3117-000 and #7914-29-7852-000)

Mr. Carr stated that staff has had several sessions with the Engineering Group and has had the opportunity to discuss the proposed alignments for Vint Hill Parkway and other key project roads that loop around and which are different than that shown on the concept development plan. He stated that it is because of the approved rezoning at Vint Hill and the approved Waterfield proffers, which allow the flexibility for the Parkway to be realigned through the Waterfield preliminary subdivision as proposed. As a result of the existing wetlands and the Vint Hill Parkway alignment, the Department found that the two key project roads are in substantial compliance with the CDP. He identified plat sheet 2A (see file, the colored map) as the one that reflects the discussion with The Engineering Group, and identifies areas where we could actually introduce more street connections and more of the traditional design. That sheet replaces the other subdivision sheets in regards to actual lotting.

Mrs. Cook reviewed the staff report and the exhibit plat prepared by staff indicating areas of concern on individual items.

Mr. Sinclair asked about the perimeter buffer, and Mrs. Cook replied that it is 50 feet around the property except that it is 100 feet along Lake Drive. The 50 foot buffer is intended to be situated between the proposed lot lines and the project's perimeter property lines.

Mr. Rohrbaugh asked if staff has any particular problems with pipestems and Mrs. Cook replied that staff has not really looked at each individual one to see if it is appropriate and that she feels in some cases they may be pushing the limits of three per pipestem.

Mrs. Cook continued to review the exhibit plat.

Mr. Carr advised the Commission that if it were to approve the preliminary subdivision conditionally, it must be stated that the designated pipestem lots need to be taken out and placed somewhere within the plat to be made consistent with the concept development plan. In addition, the conditions need to be left broad enough so that the preliminary plat does not have to return and be revised due to the pending Brookside Farm Proffer Amendments.

Mr. Sinclair asked if this is similar to what was done with the Vint Hill Parkway before 1998, when it did not exist and we left language in the Waterfield proffers that would allow it.

Mr. Carr responded in the affirmative, and indicated such language provided flexibility so that staff and the applicant don't have to come back to the Commission to ask for further refinements.

Mr. Carr stated for clarification, that along the edge of the project property, as it relates to the perimeter 50 foot buffer, that buffer is to be located outside of the individual lots per the approved Waterfield proffers. The reason that proffer was established at that time in the rezoning process was to assure that the Homeowners Association maintained that property and not worry about individual lot owners coming in and taking out trees and putting in fences and doing a variety of things which may not be consistent with that hedge. Secondly, it created approximately 75 feet of setback from project homes and existing neighborhood properties.

Mrs. Cook again continued to review the staff report and the exhibit plat.

Mr. Sinclair stated that he thinks this proposal is in concert with what the New Baltimore Planning Group had in mind. He stated that we are talking about trails that are natural in content and do not have sidewalks being included in the proposed trail system.

Mr. Carr indicated that this public path system is also consistent with the Parks and Recreation Department recommendation to have the Waterfield community provide public access to the existing water bodies for recreation purposes.

Mr. Guerra stated that last Thursday, when we met, there was some consideration being discussed about both Henry's Pond and the lake and the way they were designed. Some of the lots would have access to the pond or lake, whereas the others would not, and asked if this has been addressed.

Mrs. Cook indicated that there is open space around Lake Ann.

Mr. Carr stated that there are some issues regarding Lake Ann and property ownership on the west side of the lake. He further suggested that, on the east side of Lake Ann, the applicant provide more public access/community access for Waterfield. He further stated that one thing the applicant is planning is to encourage people to come and walk to the commercial area and commercial recreation areas and to walk over to Lake Ashby. He stated that staff would like to see them develop this more along the southern edge and take advantage of the existing gas line to provide the community with better access to the Lake Ashby area, and all the existing lakes.

Mr. Guerra stated that he recalls some residences in this area that according to boundary lines went directly into the pond and was told by Mr. Carr that these properties on the westside of Lake Ann are not part of this specific application.

Mr. Carr stated again that public access is what staff is encouraging on the other portion of this lake and the others, in specific areas, so that the community has better access to the lake for enjoyment.

Mr. Sinclair acknowledged the gas line easement and the need to exclude lots; he asked how many lots currently proposed have lot lines into this easement.

Mrs. Cook replied that there are not many, that this is a condition that we need to determine and if need be get with the gas company about whatever is needed to be done. She stated that staff has not received the information from the applicant on this as to whether it is an easement or a right-of-way and what conditions need to be placed on it.

Mr. Sinclair stated that we are indicating to the applicant that this needs to be addressed. He also suggested that the applicant needs to provide staff with some kind of tree preservation plan as well, that that when this reaches the construction phase that this needs to be made a part of the final plan.

Mrs. Cook stated that one of the exhibits in the proffers is an open space tree preservation plan. She also stated that the applicant has submitted a revised open space plan.

Mr. Carr stated that one way to deal with pipe-shaped lots is to replace them with villas, single family attached, condominiums, which would also allow for more open space to be planned.

Mr. Guerra stated that the Commission does not have the revised/colored map and yet the date on their plan is the same as the colored map and they are both Sheet 2A.

Mrs. Cook stated that this was a staff prepared graphic for the work session, with designated plat issues needing refinement. Those refinements were identified on the new plats Sheet 2A for ease of reference.

Mr. Guerra stated that this document should have been given a different designation since we do not have this colored map.

Mrs. Cook stated that this graphic could become part of the record outlining needed preliminary plat revisions if the project were denied. If the preliminary plan is approved by the Board of Supervisors this plat will go in our files with the conditions.

Mr. Sinclair stated that this is the same map included within the Commission's packet, only colored to show the recommendations of staff.

Mr. Guerra asked Mr. Robison if this method is agreeable with him based on his experience as an architect. Further, he stated that he understands what staff is saying and commends the staff for the work that they have done over last year; nevertheless, if it comes out and says 2A-24, dated November 5, and I have this copy and I don't get the altered copy, I am a little bit puzzled with what applies.

Mr. Robison stated that he also has a concern about that, and he also has concerns about getting this information late last night and having to make a decision on it today.

Mrs. McCarty stated that she also has concerns about getting the information late, and the revised conditions today.

Mr. Sinclair asked if the new conditions are an enhancement to what we have already been given and Mrs. Cook replied yes, in more typical condition language with some language refinements and additions.

Mrs. Cook stated that some VDOT conditions were added relating to transportation improvements. She stated that staff took the issues listing and converted them to a refined list of conditions should the Commission want to use them as a motion for approval and worked on it a little bit more today.

Mr. Guerra asked what sheet he needs to vote on, the one he has, or the one that has been colored, how are we going to identify it?

Mr. Sinclair stated that in all fairness to staff, he agrees that it is the same sheet. He stated that staff has been strapped with time to address these issues, and this one graphic was done to visually identify plat areas needing revisions for the Commission.

Mr. Guerra asked Chairman Sinclair if he has information that the rest of the Commission does not have, and Mr. Sinclair replied no.

Mr. Robison stated that he does have some concerns with the conditions.

Mrs. McCarty stated that she does not understand where the commercial recreation area is; she does not see it on the plans.

The commercial area is in the same location as originally proposed in the Waterfield rezoning; it was noted in the graphics in response to Mrs. McCarty. The Engineering Group also provided an illustrative of how that commercial recreation area might be developed.

Mr. Carr stated that sheet 2A was received late Monday. Even though it is an illustrative, the graphic presented the basic uses that are being proposed in the commercial area so we can understand what the applicant has in mind for the 55,000 sq. ft. of retail. He stated that another topic discussed is how do you make the more traditional neighborhood effectively fit within the commercial area so that folks will be encouraged to walk downtown to the area to get coffee, pick up laundry, or whatever is needed. Subject to the illustrative, he stated that what staff is hearing from The Engineering Group is that building size and location could vary, once actual users are identified for the area. The basic concept they do want to honor.

Mrs. McCarty asked how much commercial area is proposed, and Mr. Carr replied that the current proffers authorize up to 55,000 sq. ft.

Mr. Merle Fallon, attorney representing the applicants, stated that the current proffers are 55,000 sq. ft., and that is what they are limited to under this plan. He stated that the proposed proffer amendment is also for 55,000 sq. ft.

Mr. Robison stated that he feels the illustrative plan is a little confusing. He stated that he is not sure how the pedestrian emergency access and the pedestrian trail systems are going to work. He referenced a note on the plan stating "This plan is for illustrative purposes only. All building locations, dimensions and site improvements may be changed". He stated that by the time the plans are revised it may not even look like what we have now.

Mr. Fallon reminded the Planning Commission that the commercial area is currently one lot. He stated that if the developer wants to put buildings and things like that on the property they are going to have to come back with a preliminary plan/site plan for County approval. He stated that the purpose of this illustrative plan is simply to show the Planning Commission what could be done if the developer comes back with a preliminary plan to subdivide that portion, and will know what uses are going to be designated to what lot and how the design will work with the people that want to locate there. He stated that they do not have that information now. He further stated that he just confirmed with the engineer that they don't have a clue as to what they are doing in there.

Mr. Kevin Burke, Deputy County Attorney, stated that it is his understanding that this plat, the commercial recreation area, was looked at by staff as far as how it would connect to that part of the development and to the rest of the development. He stated that Condition #19 addresses this.

Mr. Robison stated that he feels Condition #19 is a little too loose.

Mrs. Cook stated that we need to have the date of the illustrative plan as to when we received it so that it is very clear which plan we are referring to in the conditions.

Mr. Rohrbaugh asked if the commercial area would have to be subdivided if there is more than one business to be located there, and Mrs. Cook replied that, if there is going to be more than one property owner, further subdivision would be required.

Mr. Fallon stated that before a site plan is done for the commercial portion, the property would have to be subdivided which would go through the preliminary/final plat stage.

Mr. Carr suggested that the Commission ask the applicant if they are willing to at least bring the retail site plan and present it to the Commission for their administrative review. That action would enable the Commission to assure it is consistent with the conditions, if this preliminary subdivision is approved, and how it is complying with those conditions.

Mr. Fallon stated that he does not think the applicant will have a problem with that, particularly since there will be a need to subdivide these lots.

Mr. Sinclair questioned the applicant on the recreational areas, as raised by staff, including Land Bay M.

Mr. Fallon stated that if you look at the concept plan, it shows 22 maximum houses on Land Bay M, and we are showing no houses on it. He stated that we could come back with a preliminary plat amendment to put 22 houses on this property at some point in the future, and not do the recreational facility at that location. He further stated that he thinks, what staff is saying at this point, is it needs to be addressed and the appropriate place to address it is between now and December 20th.

Mrs. Cook stated that yes, if you did not do it now or in some future amendment, and that staff feels there will be more amendments for a variety of reasons.

Mr. Fallon stated that for the purpose of this preliminary plan, you are not approving a baseball field there, you are simply approving it as a blank space.

Mr. Rohrbaugh stated that we still have the proffer amendment and other applications to consider.

Mr. Carr stated that there are 3 groupings of applications plus the preliminary subdivision that deals with the balance of Brookside.

Mr. Rohrbaugh stated that if any one of these applications does not pass, it basically kills everything else.

Mrs. McCarty asked about the proffers and was told by Mr. Carr that they are typically included on the final plat as a separate sheet. Mrs. McCarty also asked if there is a copy of the old proffers, and was told by Mr. Carr that they can be made available to the Commission.

Mr. Guerra asked if this request has to be voted on today?

Mr. Carr replied that the applicant has not provided permission to postpone the request. He stated that the applicant has asked that the Commission act today, and indicated that they wanted to get this application before the Board of Supervisors on the Consent Agenda for the November 19th regular meeting.

Mr. Sinclair stated that this was discussed at the last Planning Commission meeting. The conclusion was that this application would either go up or down based on the quantity or quality of information that was received for this meeting today.

Mr. Guerra stated that he is still uncomfortable with the volume of information and the lack of adequate time to dissect the facts. He stated that his main concern was on the affordable housing which Mr. Fallon explained to him prior to this meeting. He further stated that he does not see affordable housing addressed at all. Also, he is uncomfortable with the whole general thing; that he feels he is being pushed and he does not like that. Mr. Guerra stated that he cannot give a positive vote at this point, the only vote he can give would be a negative one.

Mrs. McCarty stated that it was courageous for Mr. Guerra to state that. She stated that it is hard for the Commission to understand what is going on if they get information at the last moment.

Mr. Sinclair stated that he agrees with Mrs. McCarty, that there is no way he can speed read something that he got 15 minutes before the meeting started.

Mr. Guerra stated that it is too bad that the Commission did not have all the sheets before this meeting. He commended staff for getting something that is readable to him and that he spent a lot of time on this last night and this morning.

Mr. Rohrbaugh stated that the point he tried to make a few minutes ago was how many additional votes we will have on this application. He stated that we do have future opportunities to make this thing go away if we want to. He further stated that this information was received late, and that he still has concerns about the proffers and some of the other workings within this project that will come at a later date. He thinks the applicant tried to make clear some of the issues that we were looking at earlier. He is not 100% satisfied with everything that has been received, but he is comfortable enough that if it goes forward today that he will have another opportunity to vote it down and that could happen. Mr. Rohrbaugh made it clear about a couple of issues at the work session last week about what he wanted to see happen, and if they don't happen he cannot vote for this in December.

Mr. Sinclair stated that for the information of staff, although there have been changes, that helps him absolutely none at all because it was not presented in a timely fashion. He stated that in his judgment this adds confusion, and we do not need any more confusion about this application. He stated that staff has done an admirable job in putting forth these conditions with the short plan resubmittal and review timelines since November 29th. He further stated that he agrees with Mr. Rohrbaugh that there will be other times in the immediate future that we can deal with more specific issues.

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

1. Land bay and lot configurations shall be in substantial conformance with the approved Concept Development Plan, as determined by the Director of Community Development, unless final engineering reveals environment constraints which prevent such conformance.

2. The distance between the water's edge of Henry's Pond and the residential lots surrounding Henry's Pond shall be increased to provide a more clearly delineated and useable community access feature as indicated in the Concept Development Plan.
3. Open space buffers need to be located between project residential lot lines and all adjacent properties, and indicated on the final subdivision plat.
4. A 100-foot buffer shall be provided along the Lake Drive lots and indicated on the final subdivision plan.
5. The final subdivision plan shall provide for more community access to the lakes, pond, and open space through an interior trail network that allows for more connections to the open space areas.
6. Through-street connections shall be provided from Brookside Crossing to Brookmont Lane and Fox Chase Court to Lake Drive.
7. The design of Brittle Run Road shall be modified as a cul-de-sac as indicated on the concept development plan.
8. Final street name identifications shall be in conformance with the provisions of the Fauquier County Code.
9. Sheets of the CDP, unless modified and determined to be substantially in conformance, shall remain in force and shall be addressed with the submission of final construction plans and profiles, the final record plat, and other associated documents. (Examples are Sheets 4 and 5).
10. Tree preservation plans shall be in conformance with the approved proffers and concept development plan and indicated on the final construction plan. (For example see Sheet 12 of the 1998 CDP that makes provision for undisturbed natural areas). However, this condition is subject to amendment.
11. The residential and non-residential lots must comply with all Zoning and Subdivision Ordinance requirements unless specifically amended with the adopted modifications and the approved CDP, proffers, and modifications. These requirements include but are not limited to lot size, setbacks, lot widths, cul-de-sac lengths, use of pipestem lots, intersection locations, driveway locations, roadway classifications, right-of-way widths, lot configurations, tree preservation, tree canopy and landscaping, architectural design standards, and open space.
12. Final lot sizes shall not be less than the Land Bay minimum lot size identified within the approved CDP. These lots must be reconfigured to meet the CDP minimums on the final subdivision plan.
13. The applicant shall provide the County any subsequent revisions to its final Phase I Wetland Report. Those revisions shall indicate any official wetland determination made by the U.S. Army Corps of Engineers (USACOE) and recommended mitigation actions, which the applicant needs to accomplish resulting from site construction. Prior to

issuance of any land disturbing permit or associated occupancy permits, the applicant shall demonstrate to the Department of Community Development that all Federal wetland requirements, if any, have been completed to the satisfaction of the USACOE.

14. Lake Ashby, Henry's Pond and Lake Ann shall be inspected and verified for soundness and stability by a professional qualified to perform dam safety inspections. If needed, the requisite engineering repairs shall be completed and approved by the Department of Community Development prior to issuance of any occupancy permit for the first phase of a designated section in which the lakes or pond are located. If these ponds are to be utilized as SWM and BMP facilities for this project, as-builts of the entire structure shall be provided prior to final construction plan approval to include accurate stage/storage information, existing outlet locations, sizes and inverts, spillway dimensions and any other information necessary to verify pond functions.
15. Required BMP facilities shall be addressed with the final construction plans.
16. The estimated 100-year water surface elevation of Lake Ashby, Lake Ann and Henry's Pond shall be provided prior to final construction plan approval.
17. The applicant shall provide written documentation to verify whether the gas line is within an easement or right-of-way. Consent of the gas company must be obtained prior to the location of any facilities, structures, or lots within the easement/right-of-way.
18. Proposed storm drain easements must not end wherever they hit a natural drain. In the event that storm drains run across an individual lot, additional easements shall be recorded to ensure that lot owners do not impact the drainage patterns. Any such drains shall be verified for adequacy to convey stormwater to the satisfaction of the County Engineer prior to final construction plan approval.
19. The street connections from the surrounding development to the commercial/recreation area shall be in substantial conformance with those connections shown on the illustrative plan provided by the applicant.
20. Water and sanitary lines shall be provided along lot lines and not located interior to residential lots.
21. No fill shall be provided in the floodplain. Restrictions need to be placed on lots that have floodplain in order to meet provision of Section 2-412 of the Zoning Ordinance.
22. Pump station(s), electric substation(s)/switch(es), and gas distribution infrastructure facilities shall require special exception approval and should be identified and reflected on the final construction plans and record plat. The location and siting of such facilities shall be coordinated with utility providers to establish specific facility requirements, and final provisions shall be made at the construction plan stage. Access, aesthetics, and disturbance avoidance/minimization should be considered.
23. The entire limits of offsite drainage shall be provided in map-form with the final construction plans.

24. Verification that the pond upstream of the Brookside Parkway crossing has a sound and stable embankment shall be required. Verify that the proposed floodplain crossing will not impact Lots 385, 387, and 388 of Brookfield Farm.
25. There shall be no significant increase in flood levels or velocity of floodwaters offsite as a result of any floodplain crossing, as determined to the satisfaction of the County Engineer prior to construction plan approval for the phase of the development that includes the floodplain crossing.
26. Prior to construction plan approval for the phase of the development that includes the floodplain crossing, the applicant shall obtain a Conditional Letter of Map Revision (CLOMR) from the Federal Emergency Management Agency (FEMA). The applicant shall request a final Letter of Map Revision (LOMR) within 90 days of completing construction of the floodplain crossing. Bonding will be required to cover the amount of the LOMR fee, the as-built plans and any other requirements as outlined in FEMA's CLOMR.
27. The floodplain study submitted to FEMA shall include the crossing and roadways, as well as any future trail construction.
28. The final plat for each phase of the subdivision shall show the revised floodplain limits. In no instance shall more than 25% of any individual residential to be covered with floodplain.
29. The floodplain crossing shall use a "Con-span" or another alternative design accepted by the Department of Community Development and the Virginia Department of Transportation. Such design shall be indicated on the final subdivision plat.
30. Any land disturbed within the floodplain shall be stabilized with either temporary or permanent seed in accordance with Virginia Erosion and Sediment Control Regulations.
31. Prior to the issuance of any additional land disturbing permits for this project, the applicant shall submit written evidence indicating to the County Engineer that the U.S. Army Corp of Engineers has approved any disturbance within wetland area.
32. A complete set of the approved proffers shall be superimposed on the final subdivision plan.
33. The applicant shall restrict and direct construction traffic to Waterfield through the Vint Hill Parkway (Brookside Parkway). The construction access with Vint Hill and associated agreements shall be provided prior to construction plan approval.
34. All road design and construction shall be in accordance with VDOT's "Subdivision Street Requirements" manual and VDOT's "Road and Bridge Standards".
35. Road and other construction shall insure drainage water will not rise higher than 18" below the shoulder of proposed or existing public roads. At a minimum, culverts shall be designed to accommodate the following flood frequencies: Secondary and subdivision streets - 10 year, primary and parkways - 25 year.

36. All utilities placed within the highway right-of-way shall be placed on the outer three to five feet of the edge of the right-of-way. Manholes shall not be located in the pavement or shoulder of highways. Detention from this condition requires prior approval by VDOT and will only be considered on a case-by-case basis.
37. Trees within street right-of-way shall not be credited towards satisfying Fauquier County's tree canopy ordinance.
38. Unpaved portions of street right-of-way shall not be credited towards open space requirements.
39. Design and grading within wetlands and floodplain shall accommodate the ultimate four lane road sections for Parkway and/or Major Collector crossings of the floodplain. Areas not immediately scheduled for four-lane road section shall be graded to sub-grade, stabilized, and seeded.
40. The applicant shall make provision for public water and sewer service to the development pursuant to the approved proffer statement.

The motion failed 2-3 with Mr. Guerra, Mrs. McCarty and Mr. Robison voting against the motion.

Mr. Kevin Burke stated that, before there is a motion on the next recommendation, he wants to point out to the Commission, for formation of the motion, the Virginia Code with respect to denial of preliminary plats states that "If the local agent or Commission does not approve the preliminary plat, the local agent or Commission shall set forth reasons of such denial and state what corrections or modifications will permit approval by such agent or commission". He further stated that the Commission has within their documentation the conditions that staff has prepared, which they have asserted would permit the approval of the preliminary plat. He stated that he would recommend that whatever denial motion is developed needs to incorporate those conditions within it. A motion to deny the preliminary plat should set forth within it the reasons for the denial and state the corrections that are required in order to get the plat to conform with the concept development plan.

Mr. Sinclair stated that this is what he was trying to say when he asked for specificity.

Mrs. McCarty asked if a motion for denial can be prepared, and Mr. Carr replied that he will do so at the direction of the Commission.

Mr. Robison stated that he left a message with Mrs. Cook to this affect.

Mr. Carr stated that there are several ways in which a motion can be patterned. He stated that the Commission has found that the applicant has many areas of inconsistency with the concept development plan associated with open space, tree preservation, transportation, road lengths, lots in areas reserved for open space, etc. The project can be denied specifically for those reasons. [Please note that the applicant is still empowered to prepare formal plats.]

Mr. Guerra stated that his reason for voting nay was very simple. He does not feel comfortable with this application. He stated that he is not sure, but when the staff proposed this to the applicant, did the applicant refuse to address the issues identified within the staff report?

Mr. Carr stated that the applicant has not said no, and they have not said yes either.

Mr. Fallon stated that every preliminary plat that is approved has conditions.

Mr. Guerra stated that for the record he is not comfortable because he has not had sufficient time to digest this information as submitted. He stated that it may be a good plan, and in the back of his mind it might be, but at this moment he is not comfortable, today, maybe tomorrow, or a few days after I have had more chance to look at this I might become more comfortable. He stated that since 6:00 last night he has taken a lot of time to look at this and that he regrets that we did not get these plans 2-3 weeks ago or a month ago.

Mr. Carr suggested that if the Commission would like to take a little break he can draft some language for the Commission to read and to take action on.

Mr. Sinclair recessed the meeting for 10 minutes in order for staff to draft a motion.

Mr. Sinclair reconvened the meeting at 5:20.

On motion made by Mr. Guerra and seconded by Mr. Robison it was moved as follows: In accordance with the provisions of the Fauquier County Subdivision Ordinance and Section 15.2-2260 of the Code of Virginia, 1950, as amended, I hereby move to deny Subdivision Plat #PP01-S-08, Brookside Farm because the application is not consistent with the approved concept development plan for Waterfield. Inconsistencies include transportation, street layout, open space, buffers, and lot locations. Additional deficiencies in the preliminary plat are outlined in the staff report dated November 6, 2001. In addition, the original submittal was not in compliance with the approved concept development plan, and the revisions thereto were not submitted in a timely fashion to permit an orderly review.

The motion carried 3-2 with Mr. Rohrbaugh and Mr. Sinclair voting against the motion.

Mr. Sinclair stated that he would like to say to Rick and Liz and all the staff, they worked hard to see that this information was put together and he knows that for a fact. He stated that staff worked long and hard and they are to be commended.

Mr. Guerra stated that he agrees with Mr. Sinclair.

Mr. Fallon also stated that the staff worked very hard on this application.

There being no further business, the meeting was adjourned at 5:30 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.