Clarke County

Planning Commission
Regular Meeting Minutes
April 1, 2016

A regular meeting of the Planning Commission of Clarke County, Virginia, was held at the Berryville/Clarke County Government Center, Berryville, Virginia, on Friday, April 1, 2016.

ATTENDANCE
George L. Ohrstrom, II, Chair; Anne Caldwell, Vice Chair; Robina Bouffault; Randy Buckley; Mary Daniel (arrived late); Frank Lee; Gwendolyn Malone; Cliff Nelson and Jon Turkel.

ABSENT
Scott Kreider and Doug Kruhm

STAFF
Brandon Stidham, Planning Director; Ryan Fincham, Senior Planner/Zoning Administrator; and Debbie Bean, Recording Secretary.

CALLED TO ORDER
Chair Ohrstrom called the meeting to order at 9:05 a.m.

APPROVAL OF AGENDA
The Commission voted to approve the Agenda as presented.
Yes: Caldwell, Bouffault (seconded), Buckley, Lee, Malone, Nelson (moved), Ohrstrom and Turkel
No: No one
Absent: Daniel, Kreider and Kruhm

Commissioner Daniel entered the meeting.

APPROVAL OF MINUTES
The Commission voted to approve the briefing meeting minutes of March 1, 2016 with one minor correction.
Yes: Caldwell (moved), Bouffault, Buckley, Daniel, Lee, Malone, Nelson, Ohrstrom and Turkel (seconded)
No: No one
Absent: Kreider and Kruhm

The Commission voted to approve the regular meeting minutes of March 4, 2016 with one typographical correction.
Yes: Caldwell (seconded), Bouffault (moved), Buckley, Daniel, Lee, Malone, Nelson, Ohrstrom and Turkel
No: No one
Absent: Kreider and Kruhm

Set Public Hearing

RZ-16-01, Catherine Loy (owner) and Philip Jones (applicant). Request the rezoning of a 2,223 square foot portion of a 14,165 square foot proposed adjusted parcel from Forestal-Open-Space Conservation (FOC) to Rural Residential (RR). The purpose of the request is to rezone all of the subject property to the RR District to avoid having a split-zoned parcel. The subject properties are located at or near 609 Laurel Lane, Buckmarsh Electoral District, and are referenced as Tax Map Parcel 17A1-8-100 & 100A, 17A1-8-31, & 17A1-A-1.

Mr. Fincham stated that Shenandoah Retreat Land Corporation agreed to a Boundary Line Adjustment (BLA) consisting of 2,223 square feet of land with Catherine Loy, owner of 609 Laurel Lane in the Retreat. He said the BLA is necessary because it was discovered that the existing home encroached on the Corporation's parkland area. He stated that when the owner approached staff for a BLA approval he explained that the County Subdivision Ordinance Section 10-D-3 would not permit a BLA between parcels in separate zoning districts and a rezoning would be required prior to approval of a BLA. He stated that if the proposed rezoning request is approved, then the rezoning and boundary line adjustment will be recorded. After discussion with Staff and the Commission, Chair Ohrstrom called for a motion.

The Commission voted to set public hearing on this request for the next regular meeting of the Planning Commission on May 6, 2016.

Yes: Caldwell (seconded), Bouffault, Buckley, Daniel, Lee, Malone (moved), Nelson, Ohrstrom and Turkel

No: No one

Absent: Kreider and Kruhm

Public Hearing Items -- CANCELLED

SUP-16-01/SP-16-01, Hecate Energy, LLC. Request approval of a Special Use Permit (SUP) and Site Plan to construct a 20MW solar power plant, large photovoltaic, in the Agricultural-Open Space-Conservation (AOC) District per §3-A-1-a-3(s) of the Zoning Ordinance. The property is identified as Tax Map #27-A-5, located on the north side of Lord Fairfax Highway (U.S. 340) with frontage on the west side of Gun Barrel Road (Rt. 644), north side of Double Tollgate Road (Rt. 670), north side of Highland Corners Road (Rt. 669), and east side of Stonewall Jackson Highway (U.S. 522) in the White Post Election District.

Mr. Stidham stated that the Applicant has submitted a formal request to defer the scheduled April 1, 2016 Public Hearing for one month to the Commission's May 6 meeting in order to resolve the outstanding issues described in the Staff Report. He said that no formal action is required by the Planning Commission on this deferral and no presentations will be made by Staff or by the Applicant at the April 1 meeting.

Minor/Major Subdivision

MS-16-03, Grace Ritzenberg and Charles Wakeley. Request approval of a two lot Minor Subdivision and Maximum Lot Size Exception for the property identified as Tax Map #16-A-39, located at 67 North Hill Lane in the Buckmarsh Election District zoned Agricultural Open-Space Conservation (AOC)

Mr. Fincham explained this request. He said the Applicant is requesting a two lot Minor Subdivision and Maximum Lot Size Exception for the subject property. He stated that since the March 29, 2016 Briefing Meeting, a site visit was made by Alison Teetor (Clarke County Natural Resources Planner), Ryan Fincham (Zoning Administrator), Todd Lam and Zackery Salisbury (Clarke County Health Department) and Bob Marshall (Cloverleaf Environmental Consulting, Inc.) to evaluate the features noted in the Health Department comment letter. He said that Staff determined that the two features identified in a Health Department file sketch meet the definition of a spring in the Clarke County Septic Ordinance. He said that there is a discussion occurring between Staff, the consultant, the Health Department, the surveyor, and the county attorney to resolve these issues. He said that VDOT has contacted Staff in regard to the clearing requirement for the entrance of North Hill Farm. He said that VDOT has advised that all 60 feet of the proposed sight distance easement should be cleared of trees as a condition of subdivision approval.

Stuart Dunn, surveyor agent for the Applicants, was present and asked if the Planning Commission wants the trees removed before the Zoning Administrator signs off on the plat. Chair Ohrstrom stated that the Commission wants VDOT comments back before making that decision.

Mr. Fincham stated that Staff recommends that the Commission defer action on the plat and return it to the applicant for required revisions as follows:

- Show all features on the preliminary plat as requested by Staff, VDOT, VDH and the Commission;
- Resolve the Health Department issues concerning the springs and existing and proposed septic fields; and
- Resolve VDOT issues concerning clearing at the proposed subdivision entrance.

After discussion with Staff and the Commission, Chair Ohrstrom called for a motion.

The Commission voted to defer action on this request until the next regular meeting of the Planning Commission scheduled for May 6, 2016 in order to allow time for the Applicant to make the required revisions listed above.
Yes: Caldwell, Bouffault, Daniel (moved) Lee, Malone (seconded), Nelson, Ohrstrom and Turkel
No: No one
Absent: Kreider and Kruhm
Abstain: Buckley

Board/Committee Reports

Board of Supervisors (Mary Daniel)
Commissioner Daniel stated that the Board approved the "Scope of Services" for the telecommunications study. She said that the Board received a presentation from the Artisan Trail and they voted to join the Artisan Trail Network.

Board of Septic & Well Appeals (Mary Daniel)
No report.

Board of Zoning Appeals (Anne Caldwell)
No report.

Historic Preservation Commission (Anne Caldwell)
Commissioner Caldwell stated that the awards luncheon will be in May. She said that she and Commissioner Kruhm attended a training session last week which now means that the HPC has members that are qualified because they have received formal training.

Conservation Easement Authority (George Ohrstrom, II)
Chair Ohrstrom stated the Easement Authority is currently working through a couple of easements.

On motion by Commissioner Turkel and seconded by Commissioner Lee the meeting was adjourned at 9:31 a.m.

George L. Ohrstrom, II, Chair

Brandon Stidham, Director of Planning

Minutes prepared by Debbie Bean, Recording Secretary