

**CLARKE COUNTY
PLANNING COMMISSION
MINUTES
2008 February 1 – 10:30 a.m.
BOARD OF SUPERVISORS MEETING ROOM**

A regular meeting of the Planning Commission of Clarke County, Virginia, was held at the County Circuit Courthouse, Berryville, Virginia, on Friday, 2008 February 1.

ATTENDANCE

Beverly McKay, Chair; George Ohrstrom, Vice Chair; Jay Arnold; Barbara Batterton; Mary Daniel; A. R. Dunning, Jr.; Kathy Smart; and Bob Wade.

ABSENT

Anne Caldwell, Pat McKelvy, and Cliff Nelson

STAFF

Charles Johnston, Planning Administrator; Jesse Russell, Zoning Administrator; Alison Teetor, Natural Resource Planner; Nancy Olin, Enforcement Officer; Barbara L. Longersbeam, acting Recording Secretary.

CALL TO ORDER

Chair McKay called the meeting to order at 10:35 a.m.

APPROVAL OF AGENDA

The Commission voted unanimously to approve the agenda.

Yes: Arnold, Batterton, Daniel, Dunning (moved) McKay, Smart (seconded), Ohrstrom, and Wade

No: No one

Absent: Caldwell, McKelvy and Nelson

APPROVAL OF MINUTES

The Commission voted unanimously to approve the briefing minutes of 2008 January 8.

Yes: Arnold, Batterton, Daniel, McKay, Smart (moved), Ohrstrom (seconded) Wade, and Dunning

No: No one

Absent: Caldwell, McKelvy and Nelson

The Commission voted unanimously to approve the regular minutes of 2008 January 11 with one correction to show that Mr. Ohrstrom was not present at the table but was present by telephone due to illness.

Yes: Arnold, Batterton (seconded), McKay, Daniel, Smart (moved), Ohrstrom, Dunning, and Wade

No: No one

Absent: Caldwell, McKelvy and Nelson

SITE PLAN – PUBLIC HEARING

Robert Claytor, H. N. Funkhouser & Co. (Agent: David Falkenstein, Greenway Engineering) requests approval of Site Plan for 6,867 sq ft gas/convenience store on a 2.1-acre portion of Tax Map Parcel 28-A-20A, zoned Highway Commercial, CH, Greenway Magisterial District. SP-07-10

Mr. Johnston presented a brief overview of this matter and remarked that the public hearing was continued from the January meeting due to issues with VDOT. He stated that there are still issues with this project that need to be resolved and he suggested that the public hearing be continued in order.

Robert Claytor, the applicant, was present and inquired as to whether he could go ahead with a land disturbance permit. He stated he would like to get the project started in early spring. It was the consensus of the Commission that the planning staff could approve a land disturbance permit for the site when requested by the applicant.

Chairman McKay asked if a water and oil separator could be used to prevent run off problems. Mr. Claytor said he does not favor a separator, but that their plans address this matter in a different way.

After discussion with staff and the Commission, Chair McKay asked for public comments.

Ann Morgan, resident in the area, was present and expressed concerns about the possibility of pollution from oil run off. She asked if grates could be used to channel the run off into the sewer.

Mr. Claytor replied that the Sanitary Authority probably would not allow this.

The Commission discussed ground water issues.

Commissioner Dunning commented to Mr. Claytor that the Commission wants to work with him in getting this project off the ground.

The Commission voted unanimously to continue the public hearing until the 2008 April 4 meeting in order to allow time to resolve issues with VDOT.

Yes: Arnold, Batterton, Daniel, Dunning, McKay, Smart (seconded), Ohrstrom (moved), and Wade

No: None

Absent: Caldwell, McKelvy, Nelson

MAJOR SUBDIVISION – CONT'D PUBLIC HEARING

Anne C. Morgan, requests approval for a three-lot subdivision, maximum lot size exception, and boundary line adjustment for Tax Map 29-((A))-7, located at 85 Iron Rail Lane, Greenway Magisterial District, zoned Agricultural-Open Space-Conservation (AOC). S-07-07, MLSE-07-02, BLA-07-17

Mr. Russell explained this request. He stated that this request was postponed at the 2008 January 11 meeting. He stated that the Health Department has reviewed this matter and suggested that it be postponed until the March meeting.

There being no public comments, the Commission voted unanimously to postpone action and continue the public hearing until the next regular meeting of the Commission on 2008 March 7.

Yes: Arnold, Batterton, Daniel, Dunning (moved), McKay, Ohrstrom, Smart (seconded), and Wade

No: No one

Absent: Caldwell, McKelvy and Nelson

Report on status of U.S.G.S. Groundwater Study of Clarke County

Due to inclement weather, Mr. Nelms was unable to attend the meeting and this matter will be rescheduled.

Overview of Proposed Berryville Waste Water Outfall Line

Mr. Johnston stated the Town of Berryville is reactivating its 2004 request for approval of Special Use and Site Plan for a new outfall for its wastewater treatment plant.

Keith Dalton, Town Manager for the Town of Berryville, presented a brief review of the proposed Wastewater Treatment Plant, stating that the proposed route was generally located south of the right of way for Virginia Route 7.

Representatives of the engineering consultants Stearns & Wheeler were present to address this matter and gave a power point overview of the project. It was stated that they are working to meet all of the requirements of DEQ.

A lengthy discussion ensued following the presentation.

(Kathy Smart left the meeting at 11:30 a.m.)

REPORTS

Board of Supervisors – Pete Dunning

Chuck Johnston reported that the Board of Supervisors have set a public hearing for their next meeting for the proposed auto repair business in Shenandoah Farms.

Sanitary Authority – Pete Dunning

Commissioner Dunning stated that the Sanitary Authority is working on a grant for funding of the Boyce Wastewater Treatment Plant.

Board of Septic & Well Appeals – Pete Dunning

Nothing to report

Board of Zoning Appeals – Anne Caldwell

Nothing to report

Historic Preservation Commission – Cliff Nelson

Commissioner Nelson stated that the next meeting is scheduled for 2008 January 22 at 8:30 a.m. in the Board of Supervisors Room.

Conservation Easement Authority – Pat McKelvy

Alison Teetor reported that several properties are being considered by the Authority.

Natural Resource Activities – Alison Teetor

Ms. Teetor reported that she is continuing to work on drought issues. There has been some useful rain, however much more is needed.

Enforcement Officer – Nancy Olin

Ms. Olin's progress reports for 2008 January 7 thru 2008 January 25 were reviewed.

There being no further discussion to come before the Planning Commission, the meeting was adjourned at 12:25 a.m. until the next regular meeting of the Commission on 2008 March 7.

Beverly B. McKay, Chair

Charles Johnston, Clerk to the Commission