

**CLARKE COUNTY
PLANNING COMMISSION
Minutes
2008 March 7 – 9:00 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 March 7.

ATTENDANCE

Beverly McKay, Chair; George Ohrstrom, Vice Chair; Jay Arnold; Anne Caldwell, A. R. Dunning, Jr.; Pat McKelvy, Cliff Nelson, Kathy Smart; Bob Wade; and Mary Daniel.

ABSENT: Barbara Batterton

STAFF

Charles Johnston, Planning Administrator; Jesse Russell, Zoning Administrator; Alison Teetor, Natural Resource Planner; Nancy Olin, Enforcement Officer; Debbie Bean, Recording Secretary.

CALL TO ORDER

Chair McKay called the meeting to order at 9:05 a.m.

APPROVAL OF AGENDA

The Commission voted unanimously to approve the agenda.

Yes: Arnold, Daniel (seconded), McKay, McKelvy, Nelson (moved), Smart, Ohrstrom, and Wade

No: No one

Absent: Batterton, Caldwell, and Dunning

APPROVAL OF MINUTES

The Commission voted unanimously to approve the briefing minutes of 2008 January 29.

Yes: Arnold, Daniel, McKay, McKelvy (moved), Nelson, Smart, Ohrstrom, and Wade (seconded)

No: No one

Absent: Batterton, Caldwell, and Dunning

The Commission voted unanimously to approve the regular minutes of 2008 February 1.

Yes: Arnold (moved), Daniel, McKay, McKelvy, Nelson, Smart, Ohrstrom, and Wade (seconded)

No: No one

Absent: Batterton, Caldwell, and Dunning

Commissioner Caldwell arrived at the meeting.

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, and zoned Agricultural-Open Space-Conservation (AOC). S-07-07, MLSE-07-02, BLA-07-17

Mr. Russell explained this request. He stated that the applicant has submitted a written request to withdraw the major subdivision.

MINOR SUBDIVISION

Anne C. Morgan, requests approval for a two-lot subdivision and maximum lot size exception for Tax Map 29-((A))-7, located at 85 Iron Rail Lane, Greenway Magisterial District, and zoned Agricultural-Open Space-Conservation (AOC). MS-08-, MLSE-07-02, BLA-07-17

Mr. Russell explained this request. He stated that the applicant proposes to do two lots. He stated there were some questions about the drainfield location. He stated that another site has been found which meets the setbacks to the spring. He stated the applicant is planning to put the remainder of this property into conservation easement. He said that the Health Department has approved this request and that the resistivity test has been conducted and approved by the County's consulting engineer.

Commissioner Dunning arrived at the meeting.

The Commission voted unanimously to approve this request.

Yes: Arnold, Caldwell, Daniel, Dunning, McKay, McKelvy, Nelson, Smart (seconded), Ohrstrom (moved), and Wade

No: No one

Absent: Batterton

MINOR SUBDIVISION

Richard Dimmel requests approval for a one-lot subdivision for Tax Map 29-((A))-18, located at 6004 John Mosby Highway, Greenway Magisterial District, zoned Agricultural-Open Space-Conservation (AOC). MS-08-02

Mr. Russell explained this request. He stated that this request was previously approved in June 2007. He said that the applicant failed to have the subdivision recorded during the required 6-month time limit.

The Commission voted unanimously to approve this request on the conditions that there will be a 75-foot building restriction line and that the 50-foot vegetated buffer is installed before the Zoning Administrator signs the plats and that if any trees die in the vegetated buffer, the applicant will replace them.

Yes: Arnold, Caldwell, Daniel, Dunning, McKay, McKelvy, Nelson, Smart (moved), Ohrstrom, and Wade (seconded)

No: No one

Absent: Batterton

MINOR SUBDIVISION

Estate of Savannah M. McDonald (Deloris M. Hausenfluck, Agent) requests approval for a two-lot subdivision and maximum lot size exception for Tax Map 7-((A))-57, located 268 Triple J Road, Longmarsh Magisterial District, zoned Agricultural-Open Space-Conservation (AOC). MS-08-01

Mr. Russell explained this request. He stated that VDOT and the Health Department have approved this site. He said that the resistivity test has been conducted and approved.

The Commission voted unanimously to approve this request on condition that the right of way width be determined before the Zoning Administrator signs the plats.

Yes: Arnold, Caldwell, Daniel, Dunning (moved), McKay, McKelvy, Nelson, Smart, Ohrstrom, and Wade (seconded)

No: No one

Absent: Batterton

REPORT on Status of U.S.G.S. Groundwater Study of Clarke County – David Nelms

Mr. Nelms gave a slide presentation regarding the hydrogeologic character of the groundwater in the County.

Commissioner Dunning left the meeting.

ANNUAL REPORT

The annual report for 2007 was discussed.

REPORTS

Board of Supervisors – **Pete Dunning**

Mr. Johnston reported on the actions of the Board.

Sanitary Authority - **Pete Dunning**

Nothing to report

Board of Septic & Well Appeals – **Pete Dunning**

Nothing to report

Board of Zoning Appeals – **Anne Caldwell**

Commissioner Caldwell stated the Board of Zoning Appeals met on February 19, 2008 and voted to not appeal the Circuit Court's decision on the Kirk flag pole case based on the recommendation of the County's land use attorney, Robert Mitchell.

School Construction – **Cliff Nelson**

Robinna Rich Bouffault, Chair of the School Board and Commissioner Nelson, school construction liaison for the Planning Commission, gave a brief discussion of the status of the school project. Ms. Bouffault distributed a schedule to the Planning Commission showing the progress of the school site selection. Ms. Bouffault stated that a final report would be prepared with the different sites and the costs of these sites. Commissioner Ohrstrom complimented Ms. Bouffault on the report that was provided to the Planning Commission.

Historic Preservation Commission – **Cliff Nelson**

Commissioner Nelson stated that the next meeting is scheduled for 2008 March 25 at 8:30 a.m.

Conservation Easement Authority – **Pat McKelvy**

Ms. Teetor stated that they have completed an easement purchase of a 46-acre farm owned by Thomas Russell located near Double Tollgate and he retired three dwelling unit rights.

Natural Resource Activities – **Alison Teetor**

- Drought Response Plan
- Stormwater Ordinance Revision
- Rainbarrel workshop coordination
- Conservation Easement Authority
- Annual Report

Ms. Teetor gave a brief discussion regarding her activities. She stated that a rain barrel demonstration would be conducted in March and June.

Enforcement Officer – **Nancy Olin**

Ms. Olin's progress reports for 2008 January 25 thru 2008 February 27 were reviewed.

There being no further discussion to come before the Planning Commission, the meeting was adjourned at 11:25 a.m. until the next regular meeting of the Commission on 2008 April 4.

Beverly B. McKay, Chair

Charles Johnston, Clerk to the Commission

Minutes prepared by
Debra L. Bean, Recording Secretary