

**CLARKE COUNTY
PLANNING COMMISSION
MINUTES
12 January 2007**

A regular meeting of the Planning Commission of Clarke County, Virginia was held at the County Circuit Courthouse, Berryville, Virginia, on Friday, the 12th day of January 2007.

ATTENDANCE

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

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 agenda for 12 January 2007 was unanimously approved.

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

No: No one

APPROVAL OF MINUTES

The briefing minutes for 31 October 2006 were unanimously approved.

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

No: No one

The regular minutes of 3 November 2006 were unanimously approved with one grammatical correction.

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

No: No one

The minutes for 15 November 2006 were unanimously approved.

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

No: No one

The minutes for 28 November 2006 were unanimously approved.

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

No: No one

ELECTION OF CHAIR and VICE CHAIR

Mr. Johnston asked for nominations of Chair to the Commission. Commissioner McKelvy nominated Commissioner McKay for the position of Chair of the Planning Commission for 2007.

The Commission voted unanimously to elect Commissioner McKay as Chair of the Planning Commission for 2007.

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

No: No one

Mr. Johnston asked for nominations of Vice Chair to the Commission. Commissioner Smart nominated Commissioner Ohrstrom for the position of Vice Chair of the Planning Commission for 2007.

The Commission voted unanimously to elect Commissioner Ohrstrom as Vice Chair of the Planning Commission for 2007.

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

No: No one

MEETING DATES FOR 2007

The Commission voted unanimously to approve the meeting dates for 2007 as presented.

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

No: No one

COMMITTEE APPOINTMENTS FOR 2007

The committee appointments were unanimously approved as presented with the addition of Bryan Conrad on the special committee of the Transportation Plan (for Comprehensive Plan).

STATUS OF HIGH SCHOOL SUBDIVISION/SITE PLAN

Chip Schutte was present to give an update on the progress of the high school. He said the School Board is on the verge of hiring a project manager. He said a meeting on 9 January 2007 took place with the engineers and they are working on the calculations of stormwater. He stated that an approval from DCR is needed before a site plan can be submitted to the Planning Commission. He commented that a traffic impact analysis has been sent to VDOT. He said the School Board Engineers are awaiting the review from Rick Travers. He stated that the School Board Engineers are talking about diverting water to the back of the project instead of the front. Commissioner Dunning stated that he understood that Mr. Schutte had said that the gym and auditorium might not be built at this time so as to stay within the project's budget. The Planning Commission thanked Mr. Schutte for attending our meeting and answering questions about the proposed project.

TEXT AMENDMENT – PUBLIC HEARING

The Clarke County Planning Commission will consider the amendment of the County Subdivision Ordinance, Section 8-C, S Design Requirements for Streets, and Section 8-J-1, General Regulations for Private Access Easements, so as to:

- 1. state that any private access easement not constructed to VDOT standards will not be eligible for VDOT maintenance nor eligible for VDOT improvement funds to make it eligible for VDOT maintenance,**
- 2. limit the use of private access easements to not more than two lots not in the AOC and FOC Zoning Districts and not more than nine lots that are in the AOC and FOC Zoning Districts, (thereby requiring the construction of a public road built to VDOT standards when that road serves 10 or more lots),**
- 3. require access easements to have an asphalt surface when they serve 5 or more parcels,**
- 4. require improvements to existing private access easements serving new subdivision parcels, and**
- 5. change other technical engineering standards for the construction of private access easements. TA-06-10**

Mr. Johnston explained this item. He stated this proposed amendment is derived from comments from the Planning Commission. After discussion with staff and the Commission, Chair McKay asked for public comments.

Chris Rogers, Clarke County property owner, was present and stated his concerns about this amendment and how it will affect his property. He stated he spoke with his neighbors and they asked him to attend the public hearing and represent them.

Michael Ware, Clarke County property owner, asked questions about access easements.

There being no further public comments, Chair McKay closed the public hearing.

The Planning Commission discussed the idea of reviewing this amendment further and having it reviewed by Bob Mitchell, the County's land use attorney.

The Planning Commission voted unanimously to continue the public hearing until the next regular meeting of the Commission on 2 February 2007 in order to allow time for the Planning Commission to further discuss the amendment and to have the amendment reviewed by Bob Mitchell, the County's land use attorney.

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

No: No one

TEXT AMENDMENT – SET PUBLIC HEARING

The Clarke County Planning Commission will consider an amendment to the Clarke County Zoning Ordinance, Section 4-I-3-f, Regulations for Temporary Signs, so as to allow one temporary sign for businesses of up to 16 square feet (instead of the current limit of 8 sq foot) and establish Section 4-I-3-g, Freestanding Community Event Information Signs, so as to allow such signs of up to 16 square feet in each of the following areas: Millwood, Pine Grove/The Retreat, Shenandoah Farms, and White Post. TA-07-01

Mr. Johnston explained this item. He said this amendment is two changes to the sign ordinance, one change would provide commercial enterprises a temporary sign of 16 feet instead of 8 feet. He stated that the second change would be to freestanding community event information signs so as to allow such signs of up to 16 square feet in certain areas.

The Commission voted unanimously to set public hearing for this amendment for the next regular meeting on 2 February 2006.

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

No: No one

TEXT AMENDMENT – SET PUBLIC HEARING

The Clarke County Planning Commission will consider the amendment of the Clarke County Zoning Ordinance, Section 3-5-E, Stream Protection Overlay District & Section 3-A-1-4-f Vegetated Property Buffer, so as add revegetation requirements in the event clearing limits within the buffers is exceeded. TA-06-15

Mr. Johnston explained this request. He stated that Ms. Teetor has been working on this amendment and she can answer any questions. Ms. Teetor stated that the proposed buffers are now in the FOC Zoning District as a result of the Mountain Land Plan and this amendment would establish the same standards for the AOC Zoning District.

The Commission voted unanimously to set public hearing for this amendment for the next regular Planning Commission on 2 February 2007.

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

No: No one

DRAFT 2007 COMPREHENSIVE PLAN

1. Public Hearings

◆ **17 January 2007 at 7:30 p.m.**

Boyce Volunteer Fire Hall, 1 South Greenway Avenue, Boyce, VA

◆ **22 January 2006 at 7:30 p.m.**

Clarke County Circuit Courthouse, 102 North Church Street, Berryville, VA

2. CIP Committee

3. Transportation Committee

Mr. Johnston reminded the Planning Commission there would be two public hearings on the Comprehensive Plan on 17 January and 22 January 2007. He stated the CIP Committee is hoping to set up a meeting by the end of the month. He said the Transportation Committee would be setting up a meeting by the end of January. He stated he is trying to get a computer mapping of the accidents, fatalities, injuries and property damage.

REPORTS

Board of Supervisors – Pete Dunning

Mr. Johnston stated there would be a public hearing on 16 January 2007 regarding the lighting text amendment at 6:30 p.m.

Sanitary Authority - Pete Dunning

Commissioner Dunning spoke briefly about the real estate drop and how it could possibly impact the budget and projects of the Sanitary Authority.

Board of Septic & Well Appeals – Pete Dunning

Commissioner Dunning stated that a variance was submitted to the Board of Septic and Well Appeals regarding a house that sold as a potential four or five bedroom house with a one bedroom drainfield. He said the house actually only has a one bedroom perk and that the owners claimed they did not understand this when they purchased the home. The owners were asking the Board of Septic and Well Appeals to approve a alternative sewer system. The Board denied this request.

Board of Zoning Appeals – Anne Caldwell

Nothing to report

Historic Preservation Commission – Cliff Nelson

Commissioner Nelson stated that the next meeting is scheduled for the 23 January 2007.

Conservation Easement Authority – Pat McKelvy

Commissioner McKelvy stated the donation drive has been really effective. Mr. Dunning made a suggestion to have a 2nd co-holder in order to preserve everything they have accomplished in the last 4 or 5 years. Commissioner McKelvy said this is the policy of the Authority and is sought whenever possible.

Natural Resource Activities – Alison Teetor

Ms. Teetor gave a brief description on the following items that she is currently working on:

- Farm and Ranchland Protection Grant activities
- Conservation Easement Authority – purchase and donation easements, file updates
- Zoning Ordinance Conversion
- Flood Plain Ordinance update

Transportation Committee – Review of Secondary Road Plan – set meeting

Mr. Johnston stated he is working with Jeff Lineberry of VDOT to brief the Planning Commission on the Secondary Road Plan. The Board of Supervisors will have a work session on this plan on 12 February at 11:00 a.m.

Enforcement Officer – Nancy Olin

Ms. Olin's progress reports for 1 December 2006 thru 31 December 2006 were reviewed.

There being no further discussion, the meeting was adjourned at 10:50 a.m. until the next meeting of the Planning Commission on 2 February 2007 at 9:00 a.m.

Beverly McKay, Chair

Charles Johnston, Clerk

Minutes prepared by
Debra L. Bean
Recording Secretary