

**CLARKE COUNTY
PLANNING COMMISSION
MINUTES
2007 June 5– 7:30 p.m.
ENDERS FIRE HALL**

A special meeting of the Planning Commission of Clarke County, Virginia was held at John Enders Fire Company Social Hall, Berryville, Virginia, on Tuesday, 2007 June 5.

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; Debbie Bean, Recording Secretary.

CALL TO ORDER

Chair McKay called the meeting to order at 7:30 p.m.

<u>MAJOR SUBDIVISION/BOUNDARY LINE ADJUSTMENT</u>	}	
<u>PUBLIC USE IN ACCORD WITH COMPREHENSIVE PLAN</u>	}	<u>PUBLIC HEARING</u>
<u>SPECIAL USE</u>	}	
<u>SITE PLAN</u>	}	

The Clarke County School Board (The Salvation Army, property owner) requests approval of a:

- (1) Major Subdivision and Boundary Line Adjustment,
- (2) Determination that the proposed new High School is “substantially in accord with the adopted Comprehensive Plan” per Virginia Code Section 2232,
- (3) Special Use for an 800 student new High School (with future expansion to 1000 students) in the AOC Zoning District, and
- (4) Site Plan for an 800 student new High School (with future expansion to 1000 students), located at 642 Westwood Road, Tax Map Parcels 13-((A))-13, 56, 59 & 59A, Longmarsh Magisterial District, zoned Agricultural Open-Space-Conservation (AOC). SUP-07-01, S-07-02

Chair McKay stated that the engineers would be giving a brief discussion on the status of the proposed high school. He said public comments would be taken when the engineers are finished.

John Reno with PHR&A, project engineer, gave a brief overview on where the project stands at the present time. He stated that it will take 5 days to clear the lot for the resistivity test and the first day is today. He stated that Andrew Forrest with Forrest Environmental Services, would need about five days to generate the data for the results of the test. He stated that the issue with storm water is whether there would be an adequate and defined channel for the storm water flow. He stated he has been trying to get the explanation from DCR for the explanation of an adequate and defined channel. He stated that until he gets the regulations from DCR he has nothing concrete to tell us about the storm water.

Rick Travers with VIEW Engineering, the County’s engineering consultant, was present to answer questions. He was asked to give an explanation on the difference between retention and detention ponds. He stated that retention ponds hold the water for a period of time and detention ponds allow the water to go out at a designed rate.

John Finnigan, Senior Project Manager with Brailsford and Dunlavey, stated they have been working on the easements. He stated that the sale of these easements is contingent upon approval of this request. He stated

there is no reason to get easements on land they do not own if this is not approved. He stated they are still working on the storm water management issue. He said that VDOT expects to have comments to them by the end of next week. He stated we are continually responding to the issues that arise at each of these public hearings. He said the goal is to be completed by 2007 June 22.

Chuck Johnston stated that while a defined channel is not specifically defined in DCR regulations, DCR staff will provide direction as what would be acceptable and Mr. Reno needs to get this resolved. Mr. Dunning stated that PHR&A knew the meaning of defined channel in the 1986 when the current high school was built and he does not understand why they do not know the meaning now. Mr. Reno stated regulations have changed since then.

Chair McKay asked for public comments.

Alton Echols, Berryville resident, stated that he has done this kind of work for many years. He stated that he knows what an adequate channel is. He said he understands that this requires a 48 inch pipe and the cost will cost \$90.15 a linear foot. He stated the firm out of DC is stating it will cost \$65.00 a foot. If they can be wrong about these figures what else are they incorrect about? He feels this matter has not been handled very well.

Joe Henderson, County resident, explained that the high school site is upstream of Horsepen Spring, which feeds Chapel Run and how he improved Chapel Run through his property to support native Brook trout. He stated he is concerned with the overflow of water from the proposed high school. He said that surges would kill a spring fed creek like this. He stated that the County needs to preserve its resources. He distributed bottles of water from Chapel Run.

Lucia Ross Henderson, County resident, read a letter on behalf of Stephen Reeser of the Virginia Department of Game and Inland and Fisheries. She stated that the overflow of water in the spring would cause the fish to die.

Bud Nagelvoort, County resident, read a letter to the Planning Commission stating that he is fearful the discharge of water from the high school will destroy the fish in Chapel Run. He said the fish couldn't survive in warm water; the water must be no warmer than 54 degrees. He said the water in Chapel Run is 54 degrees and if the overflow of water went in the spring it would kill these fish.

Chris Bates, County resident, stated that he is very disappointed that the School Board engineers have not gotten any further than they have on this project.

Jim Doherty, Berryville area resident, read a letter to the Planning Commission with his concerns regarding this proposal. He stated that he feels this site is not appropriate. He provided a copy of the letter to the Planning Commission.

Louise McKay, County resident, stated there comes a time when the County needs to stop.

Ed Novak, County resident and teacher at Clarke County High School, stated that he feels the Commission is dragging its feet with this project and that it needs to work with the School Board and get this project done.

Denny Richardson, adjacent property owner, stated he feels the Planning Commission is trying to prevent flooding and to do the right thing. He showed a picture of his home surrounded by water after a storm. He asked if anyone is actually reading the information that the Planning Commission has supplied to the community. He feels an addition could be done on the current school.

Robina Rich Bouffault, County resident, stated there continues to be too many unanswered questions. She stated that the Planning Commission needs to just say no to this proposal.

Randy Jones, Berryville resident, stated that we can talk all night but it is getting us no where. He said it is clearly about a broken process between the School Board and the County.

There being no further public comments, Chair McKay called for a motion.

The Commission voted unanimously to close the public hearing postpone action on this request until 2007 June 20 at 9:00 a.m.

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

No: No one

There being no further discussion, the meeting was adjourned at 9:30 p.m.

Beverly B. McKay, Chair

Charles Johnston, Clerk to the Commission

Minutes prepared by
Debra L. Bean, Recording Secretary