



Clarke County Planning Commission

AGENDA – Business Meeting

Friday, September 6, 2024 – 9:00AM

Berryville/Clarke County Government Center – Main Meeting Room

For more information on this public meeting, please contact the Clarke County Department of Planning at (540) 955-5132 or visit the Clarke County website at www.clarkecounty.gov.

<u>CALL TO ORDER/ADMINISTRATIVE MATTERS</u>		
1	Approval of Agenda	p. 1-3
2	Approval of Minutes	pp. 4-15
	-- July 9, 2024 Work Session	pp. 4-9
	-- July 12, 2024 Business Meeting	pp. 10-15

<u>MINOR SUBDIVISION APPLICATIONS</u>		
3	<u>MS-23-12/MLSE-23-05, Suromi, LLC.</u> Request approval of a two-lot minor subdivision and maximum lot size exception for the property identified as Tax Map #23-A-37, located on the the west side of Springsbury Road (Rt. 613) approximately 2/3 mile north of Lockes Mill Road (Rt. 618), Millwood Election District, zoned Agricultural-Open Space-Conservation (AOC).	pp. 16-39
	-- Staff report	pp. 16-23
	-- Land development application	pp. 24-26
	-- Applicant’s request for waiver (8/16/2024)	p. 27
	-- Virginia Department of Health (VDH) review letter (4/1/2024)	p. 28
	-- Virginia Department of Transportation (VDOT) review email (4/11/2024)	p. 29
	-- Hillis-Carnes review letter (3/15/2024)	pp. 30-32
	-- Resistivity testing approval letter (3/18/2024)	p. 33
	-- Hillis-Carnes review letter (7/16/2024)	pp. 34-36
	-- Resistivity testing approval letter (7/16/2024)	p. 37
	-- Virginia Department of Health (VDH) review letter (8/16/2024)	p. 38
	-- Subdivision plat	p. 39
4	<u>MS-24-04, Russell & Jacqueline McGrath.</u> Request approval of a two-lot minor subdivision for the property located at 2445 Kimble Road, Tax Map #8-A-3, Russell Election District, zoned Agricultural-Open Space-Conservation (AOC).	pp. 40-56
	-- Staff report	pp. 40-45
	-- Land development application	pp. 46-48
	-- Hillis-Carnes review letter (7/18/2024)	pp. 49-51
	-- Resistivity testing approval letter (7/20/2024)	p. 52
	-- Virginia Department of Health (VDH) review letter (7/2/2024)	p. 53
	-- Virginia Department of Transportation (VDOT) review email (7/9/2024)	p. 54
	-- Virginia Department of Health (VDH) review email (8/22/2024)	p.55
	-- Subdivision plat	p. 56

5	<u>MS-24-05/MLSE-24-02, Alison Teetor.</u> Request approval of a two-lot minor subdivision and maximum lot size exception for the property identified as Tax Map #11-A-5A, located on the the west side of salem Church Road (Rt. 655) approximately 1 mile north of Old Winchester Road (Rt. 723), White Post Election District, zoned Agricultural-Open Space-Conservation (AOC).	pp. 57-73
	-- Staff report	pp. 57-62
	-- Land development application	pp. 63-65
	-- Virginia Department of Health (VDH) review letter (8/8/2024)	pp. 66-67
	-- Septic pumpout correspondence	p. 68
	--Clarke County Easement Authority review letter (8/22/2024)	p. 69
	-- Virginia Department of Health (VDH) review email (8/26/2024)	p. 70
	-- Virginia Department of Transportation (VDOT) review email (8/28/2024)	pp. 70-72
	-- Subdivision plat	p. 73

REPORTS/OTHER BUSINESS/ADJOURN

6	Board and Committee Reports	--
	<ul style="list-style-type: none"> • Board of Supervisors (Terri Catlett) • Board of Septic & Well Appeals (George Ohrstrom, II) • Board of Zoning Appeals (John Staelin) • Historic Preservation Commission (Bob Glover) • Conservation Easement Authority (George Ohrstrom, II) 	
7	Other Business	--
A	<u>Continued Discussion</u> , Rural Lands Plan update	--
8	Projected Upcoming Agenda Items, September -- December	pp. 74-76
9	Adjourn	--

UPCOMING MEETINGS:	
Comprehensive Plan Committee	Tuesday, September 10 (2:00PM) – A/B Meeting Room
Ordinances Committee	Thursday, September 19 (2:00PM) – A/B Meeting Room
Policy & Transportation Committee	No upcoming meetings
Plans Review Committee	No upcoming meetings
Commission Work Session	Tuesday, October 1 (3:00PM) -- Main Meeting Room
Commission Business Meeting	Friday, October 4 (9:00AM) -- Main Meeting Room



Clarke County Planning Commission

DRAFT MINUTES – Work Session

Tuesday, July 9, 2024 – 3:00PM

Berryville/Clarke County Government Center – Main Meeting Room

ATTENDANCE:			
George L. Ohrstrom, II (Chair/Russell)	X	Ronnie “Ron” King (Buckmarsh)	✓
Randy Buckley (Vice-Chair/White Post)	✓	Frank Lee (Berryville)	✓
Terri Catlett (Board of Supervisors)	✓	Gwendolyn Malone (Berryville)	✓
Buster Dunning (White Post)	X	Ryan Reed (Buckmarsh)	✓E
Robert Glover (Millwood)	X	John Staelin (Millwood)	✓
Pearce Hunt (Russell)	✓	Doug Lawrence (BOS alternate)	X

E – Participated electronically

STAFF PRESENT: Brandon Stidham (Director of Planning), Jeremy Camp (Senior Planner/Zoning Administrator), Danielle Ritter (Office Manager/Zoning Officer), Chris Boies (County Administrator), Michelle Ridings (Economic Development Director)

OTHERS PRESENT: Bill Waite (Industrial Development Authority)

CALL TO ORDER: By Vice-Chair Buckley at 3:00PM.

1. Approval of Agenda

The Commission approved the agenda by consensus as presented by Staff.

2. Appoint Temporary Chair for Discussion of SUP-23-03/SP-23-04, Harry Z. Isaacs % Long Branch Farm

Mr. Stidham stated that a temporary Chair needs to be appointed for the Long Branch discussion since Vice-Chair Buckley has a conflict of interest. Mr. Stidham added that Commissioner Lee may be willing to fill that role. Commissioner Lee agreed.

The Commission voted 8-0-3 to appoint Commissioner Lee as temporary chair for discussion of SUP-23-03/SP-23-04, Harry Z. Isaacs % Long Branch Farm.

Motion to appoint Commissioner Lee as temporary chair for discussion of SUP-23-03/SP-23-04, Harry Z. Isaacs % Long Branch Farm			
Ohrstrom (Chair)	ABSENT	King	AYE
Buckley (Vice-Chair)	AYE	Lee	AYE
Catlett	AYE	Malone	AYE (moved)
Dunning	ABSENT	Reed	AYE
Glover	ABSENT	Staelin	AYE (seconded)
Hunt	AYE		

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3. Review of July 12 Business Meeting Agenda Items

A. Conflict of Interest Statements

Mr. Stidham noted Vice-Chair Buckley's conflict of interest with the Long Branch Farm special use permit (SUP) and site development plan application as he is the applicant in that case. He noted that Vice-Chair Buckley read the conflict of interest statement into the record of the January 2, 2024 work session.

B. Agenda Review

Mr. Stidham began the review with edits to the June 4, 2024 Work Session minutes. He stated the first edit was at the bottom of page 8 on the second line from the bottom, there was an extra 't' in the word 'not'. The second edit was on page 9 halfway through the page, the word 'that' should be changed to the word 'the'. He added that 5 lines from that edit, the words 'it is' should be added after the words 'he does not see'. Mr. Stidham asked if there were any other edits anyone wanted to add at this time. After no comments Mr. Stidham reminded the Commission that when they motion to approve the minutes for the Work Session, they will motion to approve as amended.

Vice-Chair Buckley yielded the Chair to Commissioner Lee for the Long Branch discussion.

Mr. Camp began with the giving the staff report on Long Branch and stated that the public hearing is scheduled for Friday, July 12. Mr. Camp stated that since the last meeting Long Branch has submitted the resistivity application, revised site development plan, and submitted an application to the Virginia Department of Health (VDH). Mr. Camp added that the original staff report for the meeting has been amended since they have received the site development plan. He stated that the amended staff report also includes two proposed changes to the special use permit conditions that have come up after further reviewing and digesting the VDH's approval. He stated that condition number 6 would add a statement to clarify that when there is a discrepancy between the County's special use permit conditions and the State and Local regulations, the more stringent would apply. He continued and stated that there is also a change proposed to condition number 10 to increase the maximum number of people for the smaller events from 50 to 54. He stated that it was observed in the VDH comments that they are not including employees in the original 50 and they allow them separately. He stated that Staff is now recommending full approval with the public hearing scheduled on July 12.

Mr. Camp asked if there were any questions. Commissioner Staelin asked if having the events designated back to back would affect the septic system. Chair Lee stated that there was a 1500 gallon tank placed and that is more than enough to handle the events designated and it will never reach the point where there is too much effluent in there. Commissioner Staelin stated that his question has been answered.

Chair Lee yielded the Chair to Vice-Chair Buckley after the discussion concluded.

Mr. Stidham presented the public hearing items on the agenda. He began with TA-23-01, Regulations for Permanent Campgrounds and Temporary Camping which is where they have incorporated the primitive campground modifications in with the temporary camping regulations. He stated that Staff has not received any call or emails regarding the text amendment at this time. Mr. Stidham continued to the next text amendment that is scheduled for public hearing which is TA-24-04, Temporary Use of Major Recreational Equipment. He stated that this text amendment is to add some clarification in the temporary use section to clarify that use of major recreational equipment for camping or sleeping is prohibited in the residential zoning districts and it is allowed in the AOC and FOC districts only in accordance with the temporary camping use. He stated that they have advertised public hearings on both text amendments.

Mr. Stidham stated that they have the Board and Committee reports on the agenda as well as the review of the upcoming agenda items from July through October.

C. Status of Deferred Applications

Mr. Camp presented the deferred applications beginning with Watermelon Park. He stated that after submitting the revised site plan the VDH had some significant comments that need to be addressed. He stated that their revision had some new buildings that they are proposing to be used for retail with an employee break room. He stated that the building department is looking at the additional structures on the revision. He stated that if they do decide to keep the building for retail that it would require a separate special use permit (SUP). He added that they will be having a meeting with them but the applicant needed a month to go over everything. Mr. Camp stated that the next deferred application was the Suromi, LLC minor subdivision. He stated that they are working on getting the resistivity approval as well as a newer application. Mr. Camp stated the next deferred application was Berryville Berries and they are deferring voluntarily for personal reasons and plan to be back on track in September. Mr. Camp asked if there were any questions on the deferred applications. Commissioner Staelin asked if the retail store proposed at Watermelon Park will be for campers only or open to the public. Mr. Camp stated that the applicant has not elaborated on that detail. Commissioner Staelin asked if there was a difference from a zoning point of view. Mr. Camp stated that they currently have an existing retail store that has always been there which was previously approved. Mr. Stidham added that they would be better off merging all of the retail activities under the store that they have had for years. Mr. Camp added that they have only responded that they received the comments. Commissioner Catlett asked if they sell alcohol in the existing store. Mr. Camp stated to his knowledge they do not.

4. Old Business – None Scheduled

5. New Business

A. Discussion, Development of New Zoning District for Double Tollgate Plan Area

Mr. Boies stated he wanted to update the Planning Commission on action that the Board of Supervisors took at their last meeting in July. He stated that they approved the purchase of a 40 acre parcel on the camp seven property from the Commonwealth for \$100,000 and stated that this is the piece that contains the old brick building that was part of the prison and the old

package plant that served that building and processed the sewage. He added that the property also has a number of outbuildings that are currently being used by the farmer. Mr. Boies then introduced Mr. Waite from the Industrial Development Authority and Ms. Ridings who is the Director of Economic Development and Tourism to the Commission.

Mr. Boies continued and stated that they have not done a full analysis of the brick building but they believe it could be reused for economic development purposes. He stated that part of the resolution that the Board of Supervisors adopted when they authorized the purchase was to ask the Planning Commission to develop the zoning district for this property. He stated that after speaking with Mr. Stidham the only industrial park zoning we have in the ordinance is for the area around Berryville and there is nothing to rezone this property to unless they decided to zone it under highway commercial. He added that highway commercial is wide open on the number of potential uses on the property but it does not allow some uses that may be more appropriate. He stated that the Planning Commission would be asked to develop a new zoning ordinance or a new zoning district and then the Board of Supervisors would come forward and ask to rezone the property to that new zoning district. He added that the Planning Commission could start from scratch and figure out what the best use of this property would be.

Mr. Boies added that he had hoped to kick off that conversation with a presentation from the State Economic Development on July 25 and invite two Planning Commissioners to the meeting however the state backed out on the meeting earlier this week. Mr. Boies stated that they will still be having the meeting and they would still like to have some Planning Commissioners attend that meeting which will be held on site and Ms. Ridings is working on giving them access to do so that day. He stated that the Industrial Development Authority has a few business matters they need to attend that day including a resolution to accept the property but for the most part they hope to discuss what could potential happen on the property.

Mr. Boies stated that as the Planning Commission thinks about the Committee that is going to work on this zoning district to also include some member of the Industrial Development Authority so they can be a part of the process. Mr. Boies asks if there were any questions. Commissioner Lee asked if the Industrial Development Authority has any idea of what they would like to see on that property. Mr. Boies stated that they have not had many conversations about it and have not discussed it as a group. Commissioner Lee states that he realizes it is early in the process and he just wanted to have as much input as they can from the Industrial Development Authority. Mr. Boies stated that the Board of Supervisors is looking for things that will produce tax revenues. He added that it would be helpful to get the State here to share what they are seeing across the Commonwealth since they are the agency that companies reach out to when they want to locate in Virginia. He added that some of the Board of Supervisors have said that they see something similar to what they did in Berryville. Commissioner Lee added that he thinks the Berryville situation would be very adaptable to what they are looking at and that they have done a good job on their part. Commissioner Catlett added that she thinks it is a really unique opportunity and she hopes that they get a lot of good input prior to making a decision. Commissioner Lee asked if they had a timeframe of when the Board of Supervisors would like to see this start happening. Mr. Boies stated that everything is going to take quite a bit of time and with the sewer being available at the end of the next calendar year they would like to see work start pretty quickly since it is going to take a while to develop a proposal. He added that they will

also need to have a public hearing on the proposal to make sure that the public is on board and then they will need to rezone the property after that.

Mr. Boies stated that the Planning Commission would need to discuss which the right Committee to place this project under. Commissioner Staelin stated that Warren County states they make a lot of money off of distribution places and asked if they have investigated that. Mr. Boies stated that they have not in great detail and their assumption was based on the Comprehensive Plan that they would not be looking for high traffic so they have ruled out that piece of it. Mr. Stidham added that the first action item is looking for two volunteers to attend the meeting later this month. Commissioner Lee volunteered. Commissioner Staelin stated he would go if no one else volunteered. Mr. Stidham stated that Commissioners Lee and Staelin were nominated and if they happen to change their mind or they want to swap out with someone to let him know. Commissioner Staelin stated that not everyone is here and someone else may be more interested and it depends on the scheduling. Commissioner Lee asked if the date was July 25. Mr. Boies stated it was indeed July 25 at 1:00pm.

Mr. Stidham stated that the next action item is to decide on which Committee they want to assign this task to and that they would most likely start work sometime in September. He added that the Ordinances and Policy Transportation Committees have open work schedules now with no upcoming projects. Mr. Stidham asked if they had any thoughts as to which Committee they feel is best to take on this project. Commissioner Catlett asked if it made more sense if it was the Ordinance Committee. Mr. Stidham stated that the Ordinance Committee focuses on text amendments that are more of a technical nature and the Policy Committee focuses on the policy issues and that it could go either way. Mr. Stidham adds that it seems like the Commission does not have a preference. Chair Buckley stated that it seems to be whatever Mr. Stidham thinks is best. Mr. Stidham suggests they assign this to the Ordinances Committee. Mr. Stidham adds that the other recommendation would be to invite two members of the Industrial Development Authority to sit in with the Ordinances Committee to provide input. Mr. Stidham asked if everyone was okay with doing that and everyone agreed.

B. Mid-Year Review of Project Priority List

Mr. Stidham stated that they have completed the top priority which was finishing the updated Transportation Plan. He added that the primary work currently is with the Comprehensive Planning Committee working on the New Rural Lands Plan. He added that a number of the goals listed have not been marked completed but they are coming close to finishing up. He stated that they are planning to bring some issues of particular interest to the September's Work Session to get the Commission's input. He added that the campground regulations text amendment is still in the works. He stated the text amendment regarding the country inns and assembly accessory uses has been forwarded. He stated that the cesspools text amendment has been advanced as well. Mr. Stidham stated that the application reviews impacted by the text amendments has been deferred to 2025. He stated that they have also found an offline solution to requiring a need of easement and road maintenance agreement for shared accessing units that doesn't require a text amendment. Mr. Stidham asked the Commission if there is anything else they would want them to tackle in the work plan for 2024. The Commission had nothing to add.

ADJOURN

The Commission agreed by consensus to adjourn the meeting at 3:34PM.

George L. Ohrstrom, II (Chair)

Danielle Ritter (Clerk)



Clarke County Planning Commission

DRAFT MINUTES – Business Meeting

Friday, July 12, 2024 – 9:00AM

Berryville/Clarke County Government Center – Main Meeting Room

ATTENDANCE:			
George L. Ohrstrom, II (Chair/Russell)	X	Ronnie “Ron” King (Buckmarsh)	✓
Randy Buckley (Vice-Chair/White Post)	✓	Frank Lee (Berryville)	✓
Terri Catlett (Board of Supervisors)	✓	Gwendolyn Malone (Berryville)	✓
Buster Dunning (White Post)	✓	Ryan Reed (Buckmarsh)	✓
Robert Glover (Millwood)	X	John Staelin (Millwood)	✓
Pearce Hunt (Russell)	✓	Doug Lawrence (BOS alternate)	X

STAFF PRESENT: Brandon Stidham (Director of Planning), Jeremy Camp (Senior Planner/Zoning Administrator), Danielle Ritter (Office Manager/Zoning Officer).

OTHERS PRESENT: Ruth Almeter

CALL TO ORDER: By Vice-Chair Buckley at 9:00AM.

1. Approval of Agenda

The Commission voted 9-0-2 to approve the agenda as presented by Staff.

Motion to approve the agenda as presented by Staff:			
Ohrstrom (Chair)	ABSENT	King	AYE (seconded)
Buckley (Vice-Chair)	AYE	Lee	AYE
Catlett	AYE	Malone	AYE (moved)
Dunning	AYE	Reed	AYE
Glover	ABSENT	Staelin	AYE
Hunt	AYE		

2. Approval of Minutes

A. June 4, 2024 Work Session

The Commission voted 9-0-2 to approve the June 4, 2024 minutes as amended by Staff.

Motion to approve the June 4, 2024 meeting minutes as amended by Staff:			
Ohrstrom (Chair)	ABSENT	King	AYE
Buckley (Vice-Chair)	AYE	Lee	AYE (seconded)
Catlett	AYE	Malone	AYE (moved)
Dunning	AYE	Reed	AYE
Glover	ABSENT	Staelin	AYE
Hunt	AYE		

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B. June 7, 2024 Business Meeting

The Commission voted 9-0-2 to approve the June 7, 2024 minutes as presented by Staff.

Motion to approve the June 7, 2024 meeting minutes as presented by Staff:			
Ohrstrom (Chair)	ABSENT	King	AYE
Buckley (Vice-Chair)	AYE	Lee	AYE
Catlett	AYE	Malone	AYE (seconded)
Dunning	AYE	Reed	AYE
Glover	ABSENT	Staelin	AYE (moved)
Hunt	AYE		

3. Appoint Temporary Chair for Item #4, SUP-23-03/SP-23-04, Harry Z. Isaacs % Long Branch Farm

Vice-Chair Buckley noted that he will not be able to be a part of the discussion with Long Branch do to his conflict of interest. He moved to appoint Commissioner Lee as temporary chair for that discussion item.

Motion to appoint Commissioner Lee as Temporary Chair:			
Ohrstrom (Chair)	ABSENT	King	AYE
Buckley (Vice-Chair)	AYE (moved)	Lee	AYE (seconded)
Catlett	AYE	Malone	AYE
Dunning	AYE	Reed	AYE
Glover	ABSENT	Staelin	AYE
Hunt	AYE		

Vice-Chair Buckley left the dais.

PUBLIC HEARING CONTINUED

4. SUP-23-03/SP-23-04, Harry Z. Isaacs % Long Branch Farm

Temporary Chair Lee stated that Vice-Chair Buckley has a conflict of interest with this application as he is the applicant. Vice-Chair Buckley read statements into the record of the January 2, 2024 work session disqualifying himself from participating in the deliberation of this matter.

Mr. Camp presented the staff report.

Commissioner Staelin asked Temporary Chair Lee to go over the drain field information that was discussed in the Work Session. Temporary Chair Lee stated that the old system was not compatible with the use they are proposing for the property. He added that a new system was designed and it has been approved by the Virginia Health Department (VDH). He added that the new drain field has been approved with a resistivity test and has a valid construction permit at this time. Commissioner Staelin added that he had asked during the work session if it mattered

whether the events are in a row or if they needed to be spaced out. Temporary Chair Lee added that the system is well over designed and it has a 1500 gallon holding tank. Temporary Chair Lee added that the system is more than adequate for the proposed use.

Temporary Chair Lee asked for comments or questions from the Commission and none were offered. Chair Lee then stated the following:

For this morning's public hearing, please state your name and address for the record prior to addressing the Commission.

You will have a maximum of three minutes to address the Commission or ten minutes if you are identified as representing a recognized group or are speaking on behalf of a group of citizens present at the public hearing. The Planning Director will serve as the timekeeper for the public hearing.

All speakers shall be civil in tone and demeanor and shall not make personal, impertinent, slanderous, or profane remarks, or any threatening or intimidating gestures, to any commissioner, staff, the applicant, or the general public.

Speakers shall address the Commission and shall not address the audience, answer questions from the audience, or engage in debate with anyone in the audience.

Please note that the purpose of the public hearing is to provide your comments to the Commission and for the Commission to receive those comments. The public hearing is not the appropriate forum to engage in dialogue with the Commission or staff. You are welcome to raise questions during your speaking time which the Commission may address after the public hearing.

If you have brought documentation for the Commission, please provide it to staff prior to or at the conclusion of your comments.

I also want to say that we all live in a small community and there are strong feelings on both sides of any issue in a public hearing. I would urge that everyone exercise restraint, respect each other, and remain polite to all.

I will now open the public hearing.

Ruth Almeter (Montana Hall): She stated that she is a neighbor to Long Branch where she and her husband raise cattle and nine children. She added that she feels agricultural land should stay agricultural land in Clarke County. She states that she loves land and she also loves Long Branch but she wants them to figure out another way to pay their bills. She stated that she does not support the weddings and when Long Branch has had weddings in the past she is able to hear the music clearly on her property. She added that she does like Long Branch and if any of her neighbors said they wanted to start a wedding venue she would be saying the same thing. She added that she is not against Long Branch doing different things but just nothing with amplified events.

Temporary Chair Lee closed the public hearing after no other speakers.

Commissioner Staelin added that he does understand what was said however the County does have some of the tightest rules and this process has taken a while because they have had to downsize things from the original application to fit these rules. He added that the Health Department had downsized it a little more and that most of the events will be with no amplified sound.

Temporary Chair Lee asked for a motion to recommend approval of the SUP-23-03 and SP-23-04 to the Board of Supervisors. The Commission voted 8-0-3 to recommend approval of the SUP-23-03 and SP-23-04 to the Board of Supervisors.

Motion to recommend approval of the SUP-23-03 and SP-23-04 to the Board of Supervisors			
Ohrstrom (Chair)	ABSENT	King	AYE
Buckley (Vice-Chair)	ABSTAINED	Lee	AYE (moved)
Catlett	AYE	Malone	AYE (seconded)
Dunning	AYE	Reed	AYE
Glover	ABSENT	Staelin	AYE
Hunt	AYE		

Vice-Chair Buckley returned to the dais. Temporary Chair Lee yielded the chair to Vice-Chair Buckley

PUBLIC HEARINGS

5. TA-23-01, Regulations for Permanent Campgrounds and Temporary Camping

Mr. Stidham presented the staff report.

Vice-Chair Buckley asked if the Commission had any questions. No questions were presented.

Vice-Chair Buckley opened the public hearing.

Vice-Chair Buckley closed the public hearing after no comments were made.

Vice-Chair Buckley asked for a motion for this text amendment. The Commission voted 9-0-2 to recommend approval of the text amendment to the Board of Supervisors. Mr. Stidham added that this will go to the Board of Supervisors in their August meeting.

Motion to recommend approval of the text amendment to the Board of Supervisors.			
Ohrstrom (Chair)	ABSENT	King	AYE
Buckley (Vice-Chair)	AYE	Lee	AYE (seconded)
Catlett	AYE	Malone	AYE
Dunning	AYE	Reed	AYE
Glover	ABSENT	Staelin	AYE (moved)
Hunt	AYE		

6. TA-24-04, Temporary Use of Major Recreational Equipment

Mr. Stidham presented the staff report.

Vice-Chair Buckley asked if the Commission had any questions. No questions were presented.

Vice-Chair Buckley opened the public hearing.

Vice-Chair Buckley closed the public hearing after no comments were made.

Vice-Chair Buckley asked for a motion for this text amendment. The Commission voted 9-0-2 to recommend approval of the text amendment to the Board of Supervisors. Mr. Stidham added that this will go to the Board of Supervisors in their August meeting.

Motion to recommend approval of the text amendment to the Board of Supervisors.			
Ohrstrom (Chair)	ABSENT	King	AYE
Buckley (Vice-Chair)	AYE	Lee	AYE (moved)
Catlett	AYE	Malone	AYE (seconded)
Dunning	AYE	Reed	AYE
Glover	ABSENT	Staelin	AYE
Hunt	AYE		

7. Board and Committee Reports

Board of Supervisors (Catlett)

Commissioner Catlett stated that the biggest thing was the item that was discussed during the work session which is the pending purchase of the Camp 7 property and she feels it is important for the Planning Commission to make the most of that opportunity.

Board of Septic & Well Appeals (Ohrstrom)

Mr. Stidham stated they do not have any applications right now and they are working on some potential text amendments to the well and septic ordinances.

Board of Zoning Appeals (Staelin)

Commissioner Staelin that nothing new has come up.

Historic Preservation Commission (Glover)

Mr. Camp stated that the HPC was awarded the CLG grant to update their guidelines and the Board of Supervisors agreed to fund the matching share for the project. He added that the July meeting was canceled but they will likely schedule a special meeting soon due to a new application review.

Conservation Easement Authority (Ohrstrom)

Vice-Chair Buckley stated there is nothing new to report other than business as usual.

8. Other Business

9. Projected Upcoming Agenda Items, June - September

Mr. Stidham stated that there is no August meeting for the planning commission. He added that the Comp Plan meeting is scheduled for August 19. He added in September the planning commission will have two meeting and will discuss the rural lands plan and getting some feedback from the Commission on that. He added that they will also discuss the development of the new zoning district for the Double Tollgate property. He added that there are applications still decided if they want to move forward as well as some that they are still waiting for more information to move forward.

After no comments or questions Vice-Chair Buckley asked for a motion to adjourn the meeting.

ADJOURN

The Commission voted 9-0-2 to adjourn the meeting at 9:45AM.

Motion to adjourn:			
Ohrstrom (Chair)	ABSENT	King	AYE
Buckley (Vice-Chair)	AYE	Lee	AYE (moved)
Catlett	AYE	Malone	AYE (seconded)
Dunning	AYE	Reed	AYE
Glover	ABSENT	Staelin	AYE
Hunt	AYE		

George L. Ohrstrom, II (Chair)

Danielle L. Ritter (Clerk)

MINOR SUBDIVISION (MS-23-12)
MAXIMUM LOT SIZE EXCEPTION (MLSE-23-05)
September 6, 2024 Planning Commission Meeting
STAFF REPORT -- Department of Planning

The purpose of this staff report is to provide information to the Planning Commission to assist them in reviewing this proposed minor subdivision application with a waiver request and maximum lot size exception. It may also be useful information for the public.

CASE SUMMARY:

Applicant/Owner:

Suromi, LLC (Micheline B. Martindale, Trustee)

Location:

- Tax Map Parcel #23-A-37
- The subject property is located along Springsbury Road (Route 613), approximately 2/3 of a mile north of Lockes Mill Road (Route 618).
- Millwood Election District (Commissioners Glover & Staelin)
- AOC (Agricultural-Open Space-Conservation) Zoning District

Request:

The application proposes to create 1 new lot from an existing 76.9408-acre lot in the AOC District. A maximum lot size exception is requested on the basis of an existing pre-1980 dwelling. A waiver is requested to the private access easement requirements on the basis of conservation within the existing and possible future conservation easements. The resulting lots would include one 27 acre lot (Lot 2/New) and one 49.9408 acre lot (Lot 1/Residue).

Original Lots:

76.908 acres (23-A-37) – 1 dwl., 4 DURs

Proposed Lots:

27.00 acres (Lot 2/New) – 0 dwl., 1 DUR

49.9408 acres (Lot 1/Residue) – 1 dwl., 3 DUR

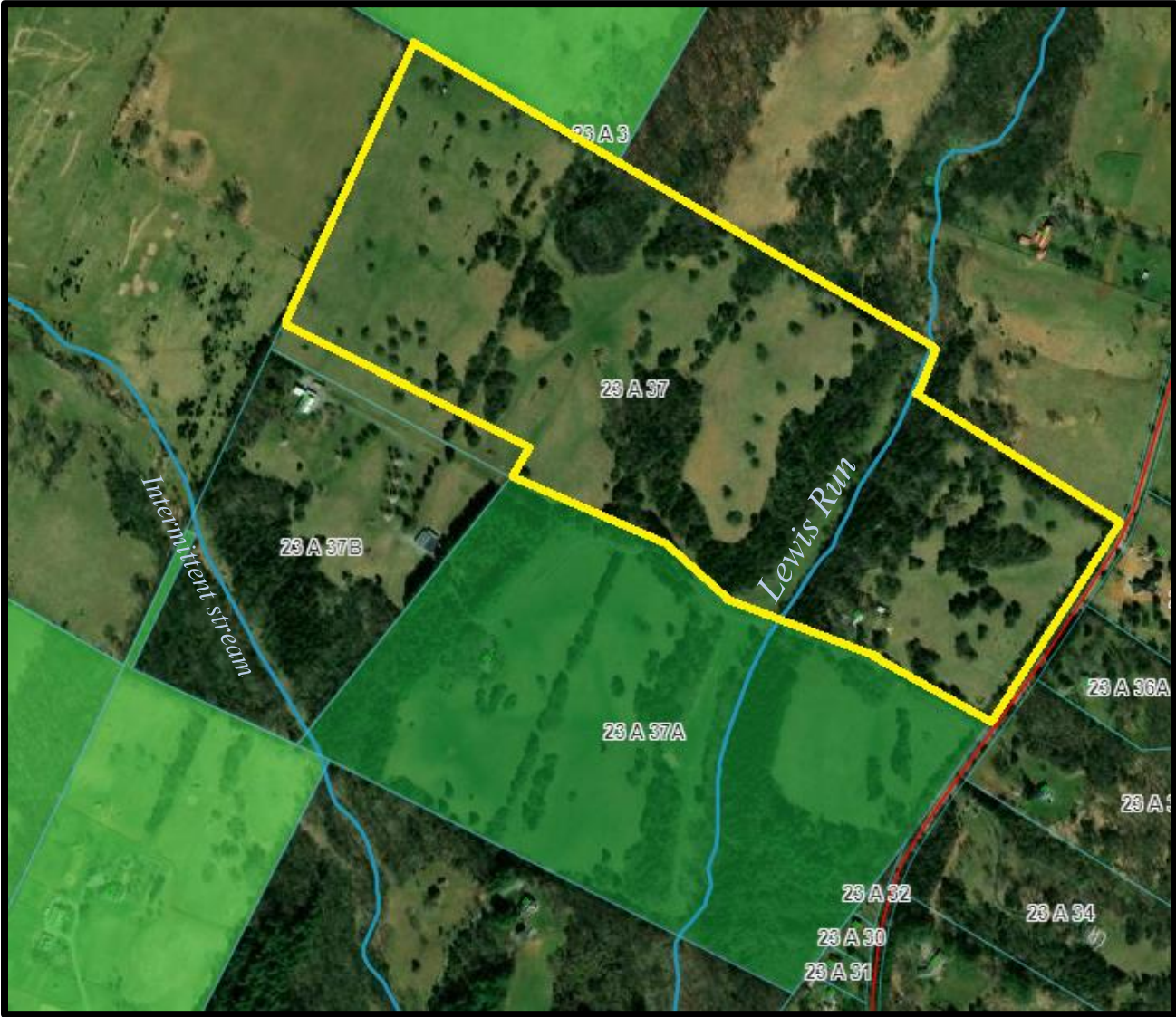
76.908 acres

76.908 acres

Vicinity Map:



AERIAL ILLUSTRATION



Staff Discussion/Analysis:

Agricultural and Forestal District:

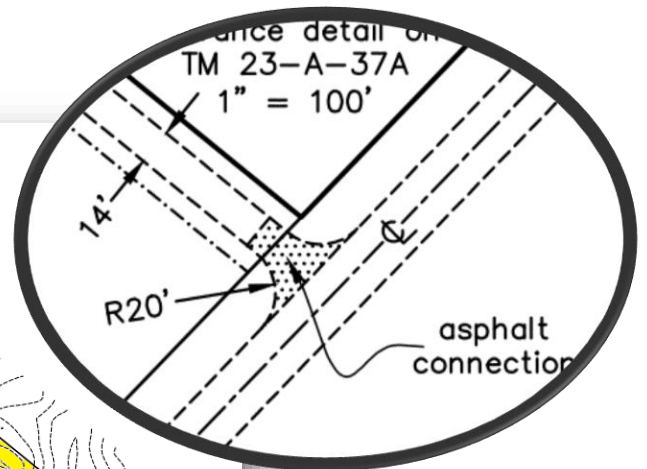
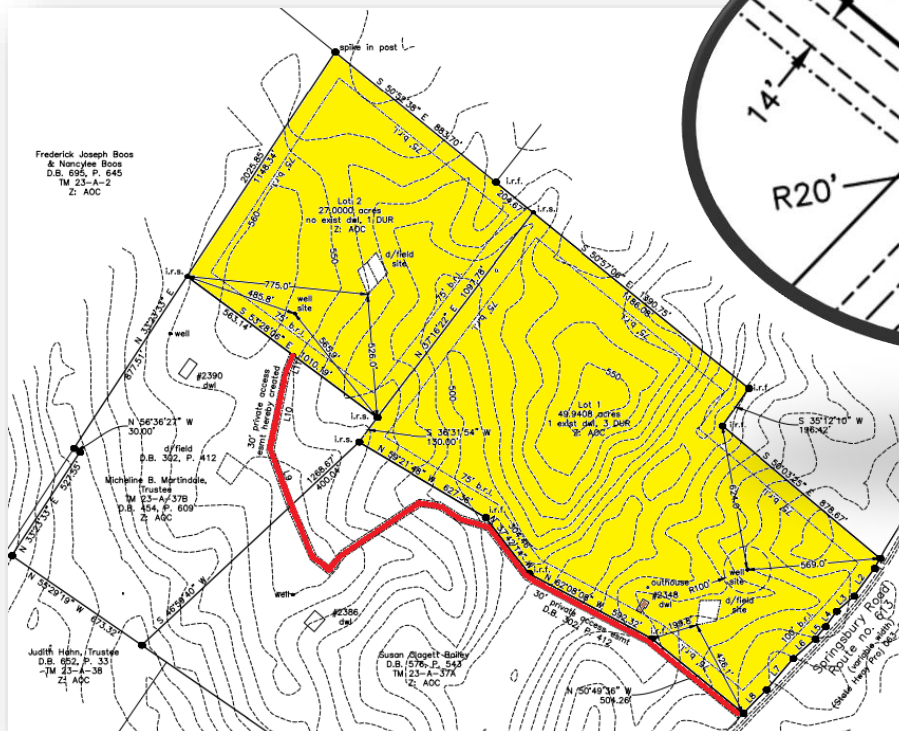
The subject property is within the Agricultural and Forestal District, last updated by Clarke County in 2022. §48-4A-1 of the County Code allows lots in the Agricultural and Forestal District to be subdivided with a limitation that only “one additional lot shall be permitted for any parcel within the District during the term of the District...” The proposed subdivision conforms to this requirement.

Access:

Access to the new lot (Lot 2) is proposed via an existing 30’ private access easement off of Springsbury Road (Route 613). This road is shown in the illustration below in red. The residue lot would retain ample frontage along the state highway and also has access to the private access easement, used currently by the existing old dwelling located on it. Tax Map #23-A-37B and 23-A-37A also have access to the private access easement, a total of four lots including the proposed new lot.

VDOT provided comments on April 11, 2024. Their comments indicated that site distance was not met for a separate entrance along Lot 1 and that access would be required from the existing private access easement entrance. VDOT further commented that a joint-use maintenance agreement should be created and recorded for the entrance, and the entrance would need to be upgraded to a low-volume commercial entrance and be paved, as required for the number of dwellings that would use it. The applicant has submitted a draft joint-use maintenance agreement and shown the upgraded asphalt entrance on the plat. A note was also added that the construction of the entrance is required prior to the issuance of any permits for new residential construction (Note #8).

Existing 30’ Private Access Easement



The applicant submitted a waiver request to the requirements of Section 4.3 of the Subdivision Ordinance related to the existing 30' private access easement. The applicant's stated justification for this is included in the attached letter dated August 16, 2024. The existing 30' private access easement is located on the adjacent lot (TM #23-A-37A) that is within a conservation easement. The applicant states that *"(w)e are requesting a waiver because the existing driveway crosses a stream (Lewis Run) and we are concerned that the construction practices that would be required to bring the driveway up to current standards will disturb the natural resources we are trying to protect in Clarke County."*

Pursuant to Section 4.5.3B-4b of the Clarke County Subdivision Ordinance the Planning Commission has the authority to issue waivers to the private access easement requirements for existing private access easements proposed for a new lot or lots. It does stipulate that written consent by the owners of the lots served by the easement shall consent. The applicant has obtained written consent as required. The additional fact that the property is in a conservation easement and has a stream that traverses it are additional factors to support the applicant's request. Wayne Whetsell, the Clarke County Fire Chief, inspected the existing private access easement and reported no concerns with it regarding access for emergency service vehicles. Below is a picture of the private access easement taken from Springsbury Road.



Water and Sewage Disposal:

The proposed new lot (Lot 2) has a drainfield site approved for a conventional primary and reserve system for 3 bedrooms, 6 people, and 450 gpd.

The residue lot (Lot 1) has a drainfield site approved for a conventional primary and alternative reserve system for 3 bedrooms, 6 people, and 450 gpd. This site was identified after the initial submittal of the minor subdivision application when it was determined that the existing system was not in compliance with current requirements. The application was deferred temporarily during this time.

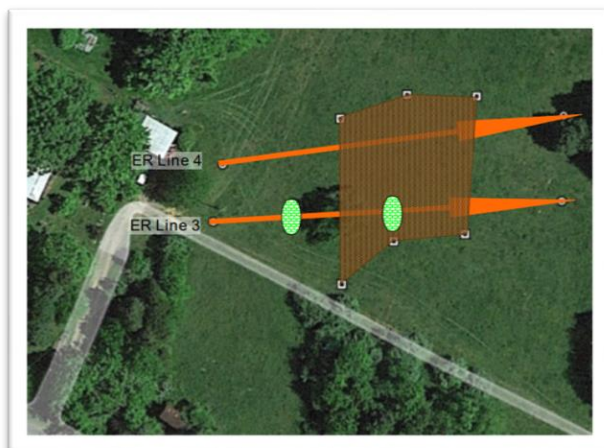
VDH provided review comments on April 1, 2024 and most recently on August 16, 2024, noting that approval will be granted when the subdivision is approved by the County.

Karst Plan / Resistivity Test:

Resistivity for the new lot (Lot 2) was approved on March 18, 2024 after having been reviewed by the County's Karst Consultant who found that the conditions met the minimum parameters as defined within the County Ordinance. The resistivity testing was conducted by Forrest Environmental Services, Inc. in December 2023.



Resistivity for the residue lot (Lot 1) was approved on July 15, 2024 after having been reviewed by the County's Karst Consultant who found that the conditions met the minimum parameters as defined within the County Ordinance. Forrest Environmental Services, Inc. conducted the resistivity scans in June of 2024.



Maximum Lot Size Exception:

The applicant is requesting a maximum lot size exception to the AOC District regulations that limit the average size of new lots to 3 acres. This request is made on the basis of there being a pre-1980 dwelling on the property. Section 6.2.6 of the Zoning Ordinance authorizes the Planning Commission to grant maximum lot size exceptions of any size determined when one of three criteria is met. The applicant meets criteria #2 for having a pre-1980 dwelling (exception). The existing exception on the property is the house addressed as 2348 Springsbury Road (illustrated below).



Staff Review Comments:

The subject 76.908 acres has 4 Dwelling Unit Rights (DURs). The proposed subdivision would use one of those and create a 27-acre lot, leaving 3 DURs remaining on the residue lot. The residue lot also contains a pre-1980 dwelling with an exception. The application includes a request for a maximum lot size exception and a waiver request to the private access easement requirements.

The request for a maximum lot size exception qualifies based on the criteria found under Section 6.2.6 of the Clarke County Zoning Ordinance; specifically, Section 6.2.6C-2 for having a pre-1980 dwelling (exception).

The waiver request is based on the authorizing code found under Section 4.5.3B-4b of the Clarke County Subdivision that authorizes the Planning Commission to grant waivers to the private access easement requirements for additional lots created on existing private access easements. The applicant has provided the written consent from the impacted property owners. The applicant has also made a case that the waiver is for conservation purposes due to the presence of an existing conservation easement over the majority of the private access easement and an existing stream (Lewis Run).

Conditional on a favorable determination by the Planning Commission on the request for a maximum lot size exception, and the requested waiver, the proposed subdivision appears to meet the requirements of Section 4.1.1 of the Clarke County Subdivision Ordinance and the AOC District regulations found under Section 4.1.2 of the Clarke County Zoning Ordinance. It is located within the Agricultural and Forestal District, but one new lot is allowed under the terms of that district.

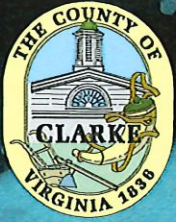
Recommendation:

Staff recommends approval of the proposed maximum lot size exception and minor subdivision application with the waiver requested under the condition that the joint maintenance agreement include a provision that ensures that the private access easement shall be maintained in the future for safe access by emergency service vehicles. Safe access shall include maintenance of the road surface and clearing of encroaching vegetation.

Staff does not object to the requested waiver based on the unique circumstances which would not establish a common precedent for other applications unless they were to meet the same unique conditions, including being within an existing conservation easement and having a perennial stream that traverses the private access easement. The applicant has also expressed an interest in expanding the conservation easement. The existing private access easement has been evaluated by the Fire Chief, who has no concerns about access for emergency service purposes. The recommended condition (above) is intended to ensure that this adequate access is maintained in the future.

History:

December 8, 2024	Application submitted and fees paid (minor subdivision with waiver request and MLSE)
December 18, 2024	Resistivity application submitted for new lot (Lot 2).
March 18, 2024	Resistivity approved for new lot (Lot 2).
April 1, 2024	VDH comments received.
April 11, 2024	VDOT comments received.
July 16, 2024	Draft maintenance agreement provided by applicant.
June 27, 2024	Resistivity application submitted for residue lot (Lot 1).
July 16, 2024	Resistivity approved for residue lot (Lot 1).
August 16, 2024	VDH comments received (2).
August 19, 2024	Revised plat submitted.
August 21, 2024	Revised plat submitted.
September 3, 2024	Scheduled date for Planning Commission Worksession.
September 6, 2024	Scheduled date for Planning Commission Business Meeting.



LAND DEVELOPMENT APPLICATION

General Information

Date: 12-7-23	Tax Map #: 23-A-37B, 23-A-37,
Zoning District: AOC	Lot Size: 79.9639, 24.2862
Site Address: 2386 SPRINGSBURY RD, 2390 SPRINGSBURY RD	
Property Owner's Name: SUSAN BAILEY, MICHELENE MARTINDALE, SUROMI	
Property Owner's Mailing Address:	
Applicant's Name: (if different than owner)	
Applicant's Mailing Address: (if different than owner)	
Phone: 5405338548	Email: wickim@gmail.com

Application Type

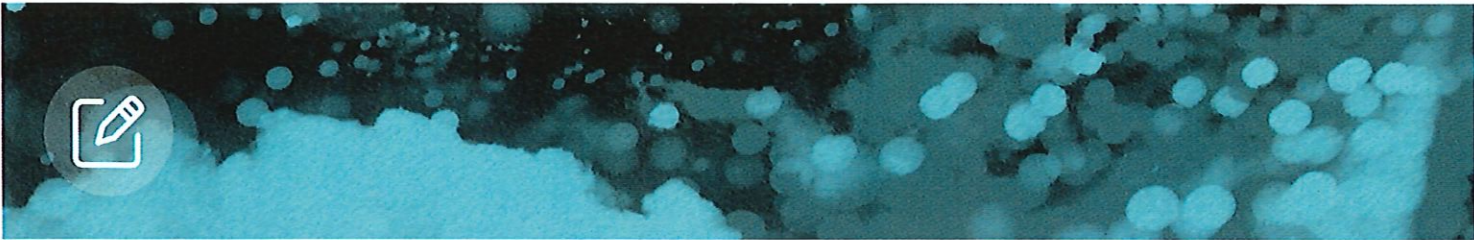
Site Plan	<input type="radio"/>	Major Subdivision	<input type="radio"/>
Administrative Site Plan	<input type="radio"/>	Minor Subdivision	<input checked="" type="radio"/>
Rezoning	<input type="radio"/>	Boundary Line Adjustment	<input checked="" type="radio"/>
Special Use Permit	<input type="radio"/>	Lot Consolidation / Merger	<input type="radio"/>
Karst Plan	<input type="radio"/>	Administrative Subdivision (>100 acre parcels)	<input type="radio"/>
Zoning Ordinance Text Amendment	<input type="radio"/>		
Other:	<input type="radio"/>		

Application Details

Name of Project or Subdivision: SUROMI

Existing Use(s): RESIDENTIAL, AGRICULTURE

Proposed Use(s): RESIDENTIAL, AGRICULTURE



Additional Details

Description of the proposed development or subdivision:

A MAXIMUM LOT SIZE EXEMPTION ON TM 23-A-37 (SUEOMI) TO SUBDIVIDE 2.7 ACRES TO BECOME LOT 2 AS SHOWN ON THE SURVEY FROM STUART DUNN. A BOUNDARY LINE ADJUSTMENT TO ADD 3 ACRES TO TM 23-A-37B (MARTINDALE) & TAKE IT FROM SUEOMI. CRITERIA: MLSE PRE-1980 DWELLING (2348 SPRINGSBURY)

Number of Existing Lots:

3

Number of Proposed Lots (proposed and residual):

4

Are you requesting any exemptions, such to the maximum average lot size?

If yes, describe the justification for such request.

SEE ABOVE

Check all that apply:

Conservation Easement	<input type="radio"/>	Floodplain	<input type="radio"/>
Historic Overlay District	<input type="radio"/>	Public Water	<input type="radio"/>
Historic Accessory Corridor	<input type="radio"/>	Public Sewer	<input type="radio"/>
Spring Conservation Overlay District	<input type="radio"/>	Karst Soils	<input type="radio"/>

By checking here, and signing below, I attest that all Clarke County delinquent taxes and charges for the subject property are paid and up-to-date and that all information provided on this application is accurate.

MM

Signature of Property Owner

12-7-23

Date

Office Use Only

ACTION TAKEN: _____

FEE: _____

COMMENTS: _____

Zoning Administrator

Date

5154
5183
GIS Acct #

MISCELLANEOUS PAYMENT RECPT#: 928337
Clarke County
524 Westwood Road

Berryville, VA 22611

DATE: 12/08/23 TIME: 16:01:59
CLERK: 2600regis DEPT:
CUSTOMER#:

COMMENT:

CHG: SUBD Subdivision Fee 4000.00

AMOUNT PAID: 4000.00

PAID BY:
PAYMENT METH: CHECK
 7355

REFERENCE:

AMT TENDERED: 5500.00
AMT APPLIED: 5500.00
CHANGE: .00

SUROMI, LLC
Susan Bailey
Micheline Martindale
Robin Carmichael

August 16, 2024

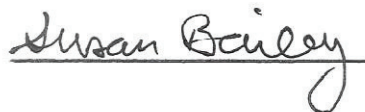
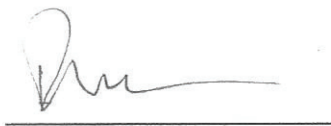
SUBJECT : REQUEST FOR WAIVER

Hello members of the planning commission,

We are writing to you to request a waiver for the construction plans on the existing driveway on the property owned by Susan Clagett Bailey, D.B. 576, P. 543, TM 23-A-37A and proposed access easement leading to proposed Lot 2. This driveway has previously been approved as a 30' private access easement as recorded in D.B. 302, P. 412 (see plat of Boundary Line Adjustment and Subdivision). We are requesting a waiver because the existing driveway crosses a stream (Lewis Run) and we are concerned that the construction practices that would be required to bring the driveway up to current standards will disturb the natural resources we are trying to protect in Clarke County. The parcel owned by Susan Clagett Bailey is currently in Conservation Easement as recognized by the Clarke County Conservation Easement Authority. There are potentially 3 more neighboring parcels that could be placed in conservation easement, should we be able to move forward with our Boundary Line Adjustments, Minor Subdivision and Maximum Lot Size Exemption as shown in the survey by Stuart Dunn. All 4 parcels would be preserved in Open Space Easement. The driveway in question would therefore only ever provide access to a maximum of four houses located on TM 23-A-37A, TM 23-A-37B, Lot 2 : 27 acres and Lot 1 : 49.9408 acres. We would relinquish one DUR on the largest parcel owned by SUROMI (Lot 1 : 49.9408 acres). The other two parcels (each 27 acres) do not have any additional DURs to relinquish but we would happily place them in Conservation Easement should we come to an agreement about the waiver.

We appreciate your time in considering our request. Please contact us with any questions.

Sincerely,
Susan Bailey
Micheline Martindale, cell : 540-533-8548
Robin Carmichael





Lord Fairfax Health District

Clarke County Health Department
100 North Buckmarsh Street
Berryville, Virginia 22611
Tel. (540) 955-1033 ~ Fax (540) 955-4094
www.vdh.virginia.gov



April 1, 2024

Jeremy Camp
Senior Planner/Zoning Administrator
101 Chalmers Ct
Berryville, Virginia 22611

RE: MINOR SUBDIVISION PRELIMINARY REVIEW COMMENTS

Health Department I.D. #: 043-24-064
Subdivision Name: Suromi, LLC
Tax Map #: 23-A-37
Proposed Lots: 2 New Lots

Dear Mr. Camp,

Pursuant to your request, we have evaluated the aforementioned minor subdivision proposal, and offer the following comments at this point in the review process.

OWNER/APPLICANT ITEMS:

1. Proposed Lot 1 (49.9408 acres) has an existing 2-bedroom dwelling (#2348) with no record of a sewage disposal system. Article II of the subdivision ordinance 4.5.6-E requires lots with existing dwellings to have an approved septic system with a 100% reserve area.
2. The project OSE located a drainfield site with a 100% reserve area on proposed lot 2 (27.0000 acres) to serve a future 3 bedroom dwelling (450 gpd). The proposed design is an alternative secondary treatment trench dispersal system with a drip reserve area. The site and soil were field reviewed by this office on March 22, 2023 and appeared to be suitable for the proposed design. Resistivity has been conducted over this site and has been approved by the county. The applicant has not yet applied for a certification letter for proposed lot 1 (27.0000 acres) as required.

This letter does not serve as an approval of the proposed subdivision, or its parts. If you have any questions, please contact me at 540.955.1033

Sincerely,

A handwritten signature in blue ink that reads "Carter L. Neiswander".

Carter Neiswander, EHS

Zimbra

jcamp@clarkecounty.gov

Clarke- Rt. 613- Suromi LLC/ Martindale**From :** Boyce, Arthur (VDOT) <bobby.boyce@vdot.virginia.gov>

Thu, Apr 11, 2024 12:21 PM

Subject : Clarke- Rt. 613- Suromi LLC/ Martindale

📎 2 attachments

To : Jeremy Camp (jcamp@clarkecounty.gov)
<jcamp@clarkecounty.gov>**Cc :** Stuart Dunn (dunnland1@verizon.net) <dunnland1@verizon.net>,
Will & Micki Martindale (wickim@gmail.com) <wickim@gmail.com>,
Johnson, Joseph (VDOT) <JosephW.Johnson@vdot.virginia.gov>**COMMONWEALTH of VIRGINIA****DEPARTMENT OF TRANSPORTATION**Staunton/Edinburg Land Development
14031 Old Valley Pike
Edinburg, VA 22824

Dear Mr. Camp:

We have reviewed the above referenced subdivision plat dated January 30, 2024 by Dunn Land Surveys for impacts to the local roadway. Route 613 is a rural road with poor geometric alignment, narrow shoulders, and substandard drainage. This application is creating two additional lots, which will increase the trips on Springsbury Road (Route 613) by twenty trips per day. Our comments are as follows:

- We could not find a location along the road frontage for Lot 1 that met sight distance or would not require relocating or lowering of Berryville's water supply line. These lot will need to use the existing private easement for access.
- The existing entrance does not meet the State's minimum requirements for three or more dwellings. This entrance will need to be upgraded to meet VDOT's entrance design standards for a low-volume commercial entrance and be paved. A detailed sketch plan will be required for the design, the minimum width should be 18' wide with 25' radii. The grade on the entrance will also need to be flattened to create a landing so users will have sight distance to exit the entrance safely. No permits should be issued for any construction until a VDOT entrance permit has been obtained to upgrade the existing entrance.
- A joint-use maintenance agreement should be created and recorded between all the parcels allowed access through this entrance.
- A Land Use Permit shall be obtained before any work is performed on the State's right-of-way. The permit is issued by this office and will require application fees and surety coverage. Once satisfactory application has been made, a permit will normally take 7-14 days to process and issue.

We appreciate the County's efforts to include VDOT in the early planning stages for development and the opportunity to provide comments on this subdivision. We ask that you include a copy of this letter in the file for the subdivision. If you have any questions or need further information, please do not hesitate to give me a call.

Sincerely,



Bobby Boyce
*Land Development Engineer /
Edinburg Residency*
Virginia Department of Transportation
540-534-3211
bobby.boyce@VDOT.Virginia.gov

March 15, 2024

Mr. Brandon Stidham
Director of Planning Clarke County
101 Chalmers Court, Suite B
Berryville, VA 22611

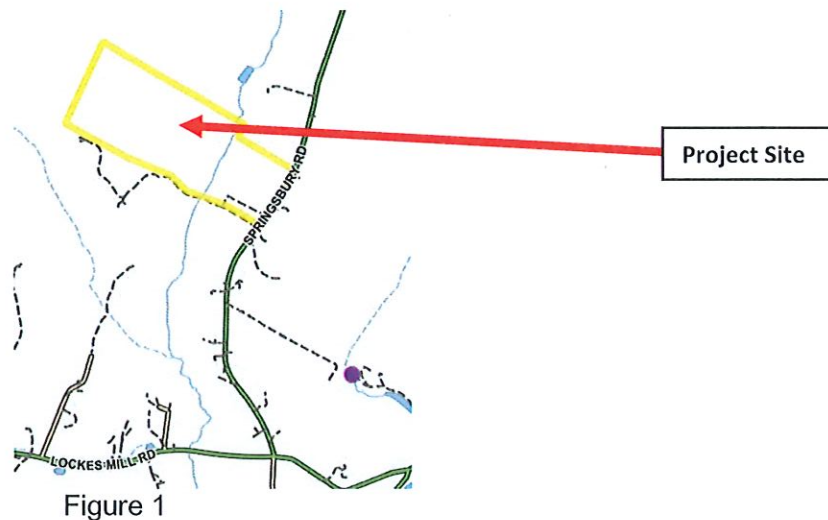
10228 Governor Lane Blvd.
Suite 3007
Williamsport, MD 21795
Phone (301) 582-4662
Fax (301) 582-4614
www.hcea.com

Re: Geophysical Report Review of Revised Report
2548 Springsbury Road
Tax Map No.: 23-A-37
Berryville, Virginia
HCEA Project Number: H23085

Mr. Stidham:

Hillis-Carnes Engineering Associates, Inc. (HCEA) is pleased to submit this technical review services for the above referenced project. This secondary review has been performed utilizing Clarke County's Septic Ordinance dated December 21, 2021, to assess if the provided report meets the general intent of the requirements. The document provided by your office for our review was prepared by Forrest Environmental Services, Inc. (FES) dated December 2023, FES Project Number: 23265 which was resubmitted to your office in March 2024.

The project site is located along the western portion of Springsbury Road; located approximately 1.5 miles north of the intersection of Springsbury Road and Lockes Mill Road in Berryville, Virginia. (Figure 1).



Within the provided report, two east-west electrical resistivity (ER) lines were performed across the proposed septic field (Figure 2). Depths to bedrock appears to be between 5 to 15 feet under the approved drainage field areas.



Figure 2 (Excerpt from FES Report)

According to the report, six (6) minor Karst features were located within 50 feet of the proposed septic field as required by the County Ordinance. Within the revised submitted report Figure 3 indicates the six anomalies, five rock floats and one mud-filled seams and indicated that there is low risk of impact to the proposed septic fields collapse and groundwater contamination.

The report was evaluated for the following parameters as required by the ordinance:

Dipole-Dipole Electrical Survey Minimum Parameters	Review Compliance Findings
Two lines performed	Yes
Lines orientated perpendicular to regional geologic strike	Yes
20-feet of survey results at the end of lines	Yes
200 soundings per line	Yes
40-feet depth in the area to be evaluated	Yes
Report Minimum Parameters	
Directional orientation, site map, color profiles, identifying hazards, consistent color scale, treatment area identified	Yes
Amount of overburden	Yes
Elevations	Yes
Geologic structure	Yes
Low, moderate, high-risk evaluation	No
Other	

Based on our review of the revised report, it does meet the minimum parameters as defined within the County Ordinance for septic fields.

Our review has been prepared for the exclusive use of the project site. Our services were performed in accordance with contemporary geophysical engineering practices. No warranty, either expressed or implied, is made. Our review is based on design information furnished to us.

It is important to note that our review was done in an effort to assist planning and design personnel in the preparation of generalized drawings and specifications for the project. As a result of this, potential contractors should be encouraged to conduct their own individually tailored studies to assess surface conditions, soil types, and conditions, rock levels and conditions, excavation slope gradients, and ground water/perched water levels and conditions.

We appreciate the opportunity to provide our professional review of this project. Should you have any questions regarding our findings, please do not hesitate to contact our office.

Sincerely,

HILLIS-CARNES ENGINEERING ASSOCIATES, INC.



Cindy S. Shepeck
Senior Geologist
cshepeck@hcea.com



Rajesh Goel, P.E
Regional Manager
rgoel@hcea.com



Clarke County Department of Planning
Berryville-Clarke County Government Center
101 Chalmers Court, Suite B
Berryville, VA 22611

March 18, 2024

Suromi LLC
Ms. Micki Martindale
2390 Springsbury Rd
Berryville, Virginia 22612

RE: Resistivity Test
Tax Map# 23-A-37; 2548 Springsbury Rd.

A resistivity test was conducted on the property described above, and a report generated by Forrest Environmental Services, Inc. in December 2023 defined as Project Number 23265. The test results were sent to Hillis-Carnes Engineering Associates, Inc. for review.

Based on the resubmitted engineer's report and the Hillis-Carnes Engineering Associate, Inc. re-review (Project H23085) dated March 15, 2024, this site passes the resistivity test, and if all other requirements are met, may be issued a permit by the Health Department.

If you have any questions or concerns regarding this information, please call the Planning Department at (540) 955-5132.

Sincerely,

A handwritten signature in blue ink that reads "Lorien Lemmon".

Lorien Lemmon
Clarke County Conservation Planner | GIS Coordinator

c. Clarke County Health Department

July 16, 2024

Mr. Brandon Stidham
Director of Planning Clarke County
101 Chalmers Court, Suite B
Berryville, VA 22611

10228 Governor Lane Blvd.
Suite 3007
Williamsport, MD 21795
Phone (301) 582-4662
Fax (301) 582-4614
www.hcea.com

Re: Geophysical Report Review of Revised Report
2348 Springsbury Road ER Lines 3 & 4
Tax Map No.: 23-A-37 – Suromi LLC
Berryville, Virginia
HCEA Project Number: H23085

Mr. Stidham:

Hillis-Carnes Engineering Associates, Inc. (HCEA) is pleased to submit this technical review services for the above referenced project. This secondary review has been performed utilizing Clarke County’s Septic Ordinance dated December 21, 2021, to assess if the provided report meets the general intent of the requirements. The document provided by your office for our review was prepared by Forrest Environmental Services, Inc. (FES) dated June 2024, FES Project Number: 24169.

The project site is located along the western portion of Springsbury Road; located approximately 1.5 miles north of the intersection of Springsbury Road and Lockes Mill Road in Berryville, Virginia. (Figure 1).



Figure 1

Within the provided report, two east-west electrical resistivity (ER) lines referenced as ER Lines 3 and 4 were performed across the proposed septic field (Figure 2). Depths to bedrock appears to be near surface to 30 feet under the approved drainage field area.

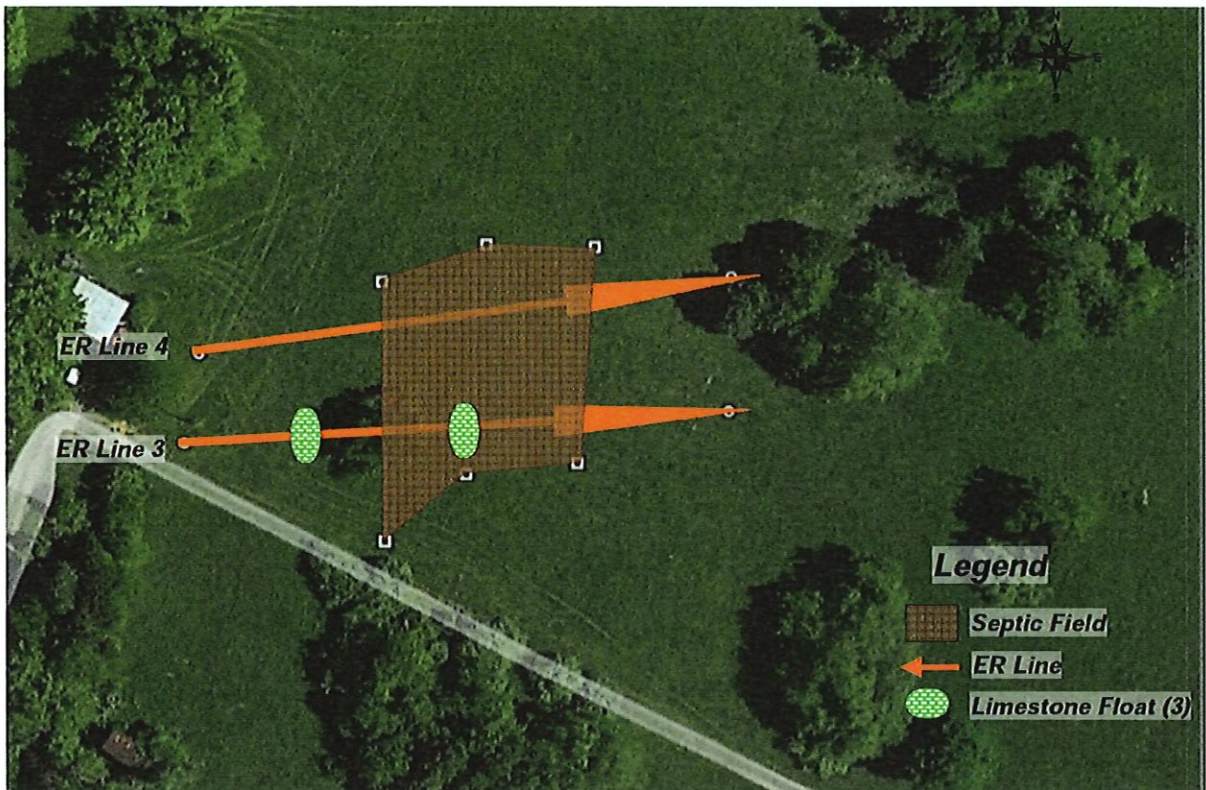


Figure 2 (Excerpt from FES Report – Figure 3)

According to the report, two (2) minor Karst features were located in the septic area and within 50 feet of the proposed septic field as required by the County Ordinance. Within the revised submitted report Figure 3 indicates the two limestone rock floats and there is low risk of impact to the proposed septic field collapse and groundwater contamination.

The report was evaluated for the following parameters as required by the ordinance:

Dipole-Dipole Electrical Survey Minimum Parameters	Review Compliance Findings
Two lines performed	Yes
Lines orientated perpendicular to regional geologic strike	Yes
20-feet of survey results at the end of lines	Yes
200 soundings per line	Yes
40-feet depth in the area to be evaluated	Yes
Report Minimum Parameters	
Directional orientation, site map, color profiles, identifying hazards, consistent color scale, treatment area identified	Yes
Amount of overburden	Yes
Elevations	Yes
Geologic structure	Yes
Low, moderate, high-risk evaluation	Yes
Other	Incorrect address in section 2

Based on our review of the revised report, it does meet the minimum parameters as defined within the County Ordinance for septic fields.

Our review has been prepared for the exclusive use of the project site. Our services were performed in accordance with contemporary geophysical engineering practices. No warranty, either expressed or implied, is made. Our review is based on design information furnished to us.

It is important to note that our review was done in an effort to assist planning and design personnel in the preparation of generalized drawings and specifications for the project. As a result of this, potential contractors should be encouraged to conduct their own individually tailored studies to assess surface conditions, soil types, and conditions, rock levels and conditions, excavation slope gradients, and ground water/perched water levels and conditions.

We appreciate the opportunity to provide our professional review of this project. Should you have any questions regarding our findings, please do not hesitate to contact our office.

Sincerely,

HILLIS-CARNES ENGINEERING ASSOCIATES, INC.



Cindy S. Shepeck
Senior Geologist
cshepeck@hcea.com



Rajesh Goel, P.E
Regional Manager
rgoel@hcea.com



Clarke County Department of Planning
Berryville-Clarke County Government Center
101 Chalmers Court, Suite B
Berryville, VA 22611

July 16, 2024

Suromi LLC
c/o Ms. Micki Martindale
2390 Springsbury Rd
Berryville, VA 22611

RE: Resistivity Test
Tax Map# 23-A-37; 2348 Springbury Rd

A resistivity test was conducted on the property described above, and a report generated by Forrest Environmental Services, Inc. in June 2024 defined as Project Number 24169. The test results were sent to Hillis-Carnes Engineering Associates, Inc. for review.

Based on the engineer's report and the Hillis-Carnes Engineering Associate, Inc. review (Project H23085) dated July 16, 2024, this site passes the resistivity test, and if all other requirements are met, may be issued a permit by the Health Department.

If you have any questions or concerns regarding this information, please call the Planning Department at (540) 955-5132.

Sincerely,

A handwritten signature in blue ink that reads "Lorien Lemmon".

Lorien Lemmon
Clarke County Conservation Planner | GIS Coordinator

c. Clarke County Health Department

(540) 955-5132
www.clarkecounty.gov

1



Lord Fairfax Health District

Clarke County Health Department
100 North Buckmarsh Street
Berryville, Virginia 22611
Tel. (540) 955-1033 ~ Fax (540) 955-4094
www.vdh.virginia.gov



August 16, 2024

Jeremy Camp
Senior Planner/Zoning Administrator
101 Chalmers Ct
Berryville, Virginia 22611

RE: MINOR SUBDIVISION PRELIMINARY REVIEW COMMENTS

Health Department I.D. #: 043-24-064
Subdivision Name: Suromi, LLC
Tax Map #: 23-A-37
Proposed Lots: 2 New Lots

Dear Mr. Camp,

Pursuant to your request, we have evaluated the aforementioned minor subdivision proposal, and offer the following comments at this point in the review process.

OWNER/APPLICANT ITEMS:

1. Proposed Lot 1 (49.9408 acres) has an existing 2-bedroom dwelling (#2348) with no record of a sewage disposal system. The project OSE has located a site for a new conventional sewage disposal system with a 100% alternative TL-2 drip reserve area with a design capacity of 450 gallons per day, 3 bedrooms, and 6 maximum occupants. Resistivity has been conducted on this site and approved. The applicant has already applied for a certification letter for this site and it will be issued once the lots are officially subdivided and the plats are recorded at the courthouse.
2. The project OSE located a conventional drainfield site with a 100% conventional reserve area on proposed lot 2 (27.0000 acres) to serve a future 3 bedroom dwelling (450 gpd). The site and soil were field reviewed by this office in 2022 and appeared to be suitable for the proposed design. Resistivity has been conducted over this site and has been approved by the county. The applicant has already applied for a certification letter for this site and it will be issued once the lots are officially subdivided and the plats are recorded at the courthouse.

This letter does not serve as an approval of the proposed subdivision, or its parts. If you have any questions, please contact me at 540.955.1033

Sincerely,

Carter Neiswander, EHS

LINE	BEARING	DISTANCE
L1	S 29°17'09" W	48.58'
L2	S 36°15'49" W	147.40'
L3	S 49°02'13" W	99.00'
L4	S 36°02'50" W	80.45'
L5	S 39°44'52" W	68.94'
L6	S 48°28'51" W	125.40'
L7	S 40°38'11" W	175.29'
L8	S 43°54'25" W	141.34'
L9	N 19°59'05" W	252.27'
L10	N 11°31'12" E	338.18'
L11	N 21°24'15" E	80.53'

Estate of William C. Staples
 W.B. 109, P. 382
 TM 23-A-3
 Z: AOC

Frederick Joseph Boos
 & Nancy Lee Boos
 D.B. 695, P. 645
 TM 23-A-2
 Z: AOC

Camryn Fausey
 & Jonathan Fausey
 D.B. 663, P. 683
 TM 23-A-6
 Z: AOC

Judith Helm, Trustee
 D.B. 682, P. 33
 TM 23-A-38
 Z: AOC

Michelle B. Martindale
 Manager of Surumi, LLC
 2390 Springsbury Road, Berryville VA 22611

Darwin K. Jones
 & Michelle M. Jones
 D.B. 280, P. 499
 TM 23-2-5
 Z: AOC

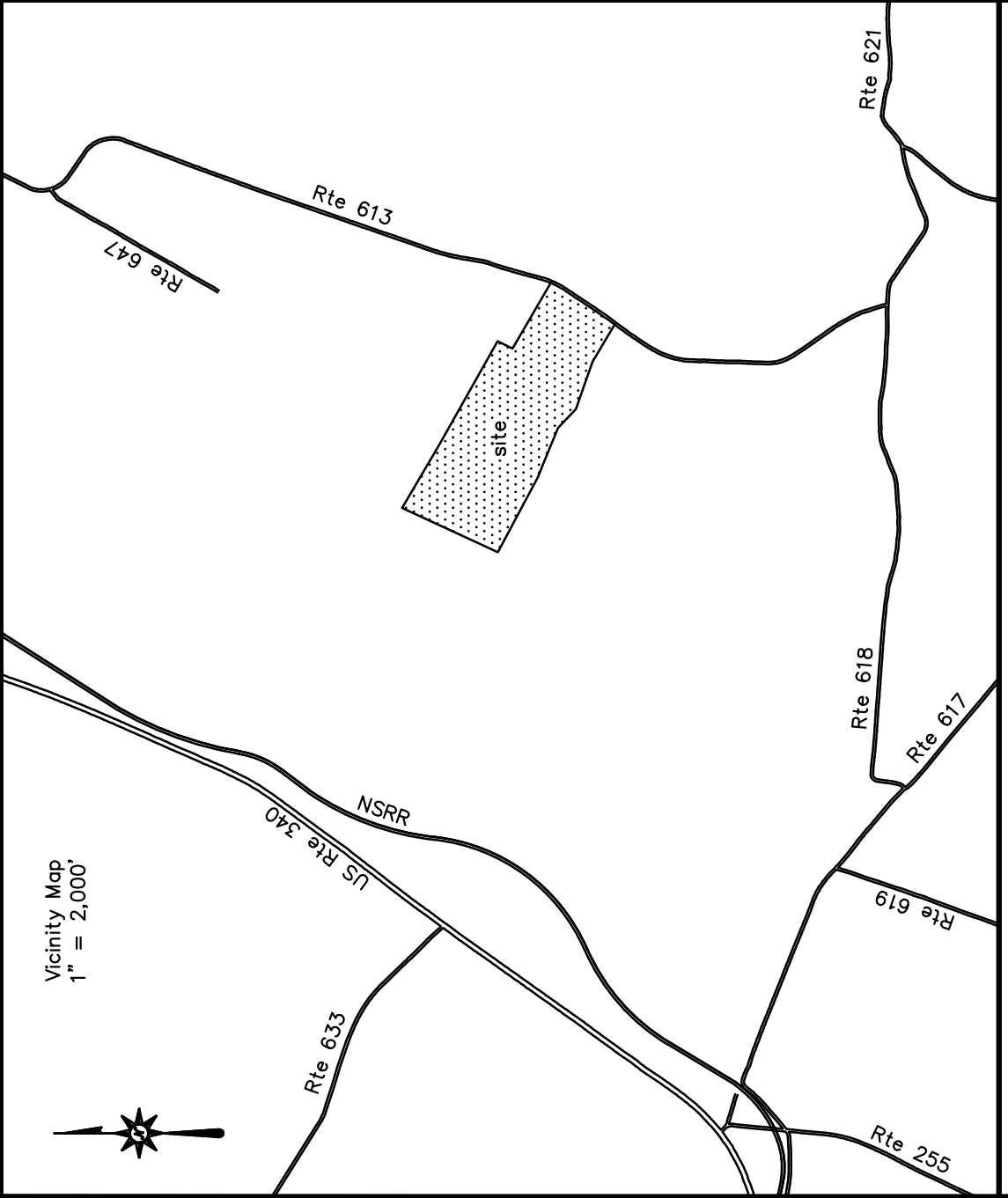
Susan Baggett Bailey
 D.B. 576, P. 543
 TM 23-A-37A
 Z: AOC

Lot 1
 49,940.8 acres
 1 exist dwl, 3 DUR
 Z: AOC

Lot 2
 27,000.0 acres
 no exist dwl, 1 DUR
 Z: AOC

Lot 3
 0.0000 acres
 no exist dwl, 1 DUR
 Z: AOC

- Notes:**
- These lands are in Flood Zone X, established from FIRM Community Panel no. 51043C0151D, effective September 28, 2007.
 - Zoned: AOC; use: agricultural and residential
 - Building setbacks as follows: 100' from the center line of Route no. 613, 75' from the edge of the edge of the 30' private access easement, 75' from all property lines, 50' from any intermittent stream, 100' from any perennial stream, spring or sinkhole.
 - i.r.s. = iron rod set; i.r.f. = iron rod found; i.p.f. = iron pipe found; esmt = easement; b.r.l. = building restriction line; DUR = dwelling unit right; TM = tax map and parcel number
 - These tracts are in the AOC (Agricultural - open space - conservation) zoning district. Agriculture is the primary economic activity of this Zoning District. Owners, residents, other users of property in the AOC district may be subjected to inconvenience, discomfort and the possibility of injury to property and health arising from agricultural operations even though conducted in accordance with best management practices and/or in accordance with existing laws and regulations of the Commonwealth and County. Such agricultural operations may generate noise, odors and dust, may involve the operation of machinery, including aircraft, the storage and disposal of manure and the application of fertilizer, soil amendments and pesticides. Owners, occupants and users of land in the AOC District should be prepared to accept such inconveniences or discomfort as a normal and necessary aspect of living in a Zoning District in a County with a strong rural character and an active agricultural sector.
 - Vegetated property buffer except for those land uses listed as exempt, existing woody vegetation within 25' of all property lines shall be retained on parcels of less than 20 acres, as per Section 4-1-1 of the Clarke County Zoning Ordinance.
 - Before fertilizers and pesticides are used for lawn or landscaping purposes, a soil test should be conducted. The application of such chemicals shall be limited due to the potential for groundwater contamination and should not exceed that determined necessary by the soil test.
 - Pursuant to Section 4.5.3 of the Clarke County Subdivision Ordinance, this minor subdivision includes a waiver to the private access easement requirements of Section 4.3 of the Clarke County Subdivision Ordinance on the basis of minimizing land disturbance within the existing conservation easement and possible future conservation easements. The entrance to Springsbury Road, Route no. 613, shall be upgraded to meet VDOT's entrance design standards before any permits are issued for new residential construction on Lot 1 or Lot 2.
 - The 30' private access easement does not meet the standards necessary for inclusion in the system of State highways and will not be maintained by VDOT or Clarke County and are not eligible for rural addition funds appropriated by the Virginia General Assembly and allocated by the Commonwealth Transportation Board.
 - This plat of Minor Subdivision, Maximum Lot Size Exception and Easement is to be recorded within six months of the date of approval. Else it shall become null and void.
 - The drainfield site on Lot 1 has been approved by the Clarke County Health Department for a conventional primary and alternative reserve system for 3 bedrooms, 6 people and 450 gpd. The drainfield site on Lot 2 has been approved by the Clarke County Health Department for a conventional primary and reserve system for 2 bedrooms, 6 people and 450 gpd.



Surveyor's Certificate: I, W. Stuart Dunn, a duly authorized Land Surveyor in the State of Virginia, do hereby certify that this plat of Minor Subdivision, Maximum Lot Size Exception and Easement is of the land standing in the name of Surumi, LLC, and was acquired as stated in the Owner's Certificate. I certify that these parcels of land are properly and accurately described and are within the boundaries of the original tracts. I further certify that the corners shown hereon have been set in accordance with the Subdivision Ordinance of Clarke County, Virginia.

W. Stuart Dunn, CLS #2000
 Berryville, Virginia

Owner's Certificate: The undersigned fee simple owner hereby certifies that the foregoing Minor Subdivision and Maximum Lot Size Exception of 76.9408 acres, being Tax Map 23-A-37, recorded in the name of Surumi, LLC in deeds recorded in Deed Book 719, Page 742, Book 302, Page 412, and Deed Book 258, Page 375, of record in the Clerk's Office of the Circuit Court of Clarke County, Virginia, is made with the free consent and in accordance with the desires of the undersigned owner, and trustees, if any, of said land and the same is hereby confirmed and submitted for record in the aforesaid Clerk's Office.

Michelle B. Martindale
 Manager of Surumi, LLC
 2390 Springsbury Road, Berryville VA 22611

I, _____, a Notary Public for said City/County of Clarke, in the State of Virginia, do hereby certify that Micheline B. Martindale, whose name is signed in the Owner's Certificate has acknowledged the same before me.

My commission expires: _____ day of _____ 2024

Notary Public: _____

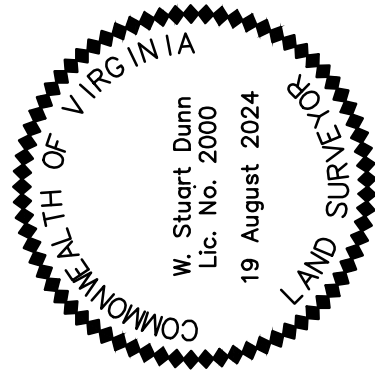
Given under my hand this _____ day of _____ 2024

Plat of Minor Subdivision, and Maximum Lot Size Exception and Easement of the Land of

Surumi, LLC

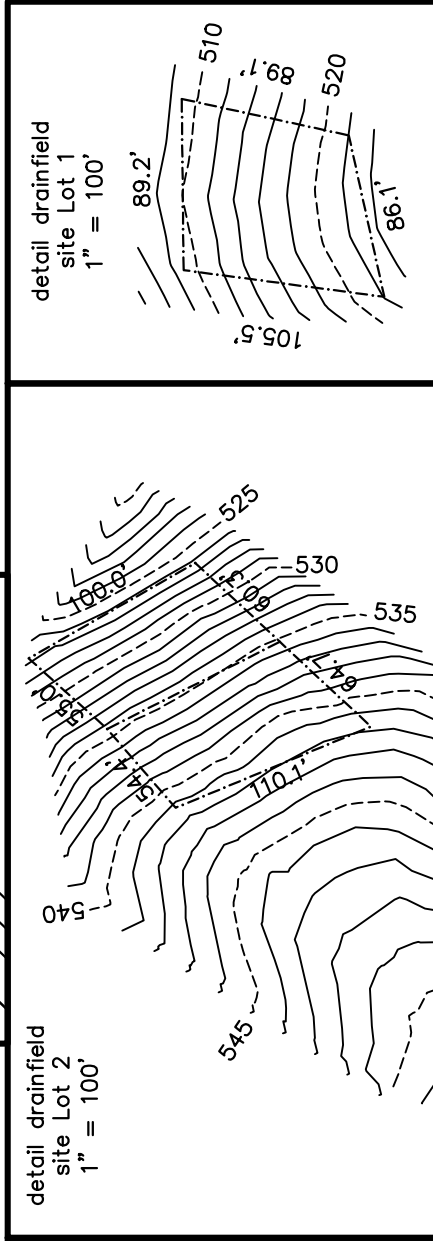
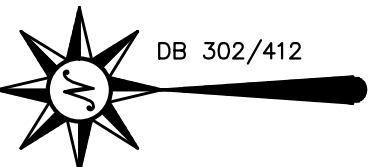
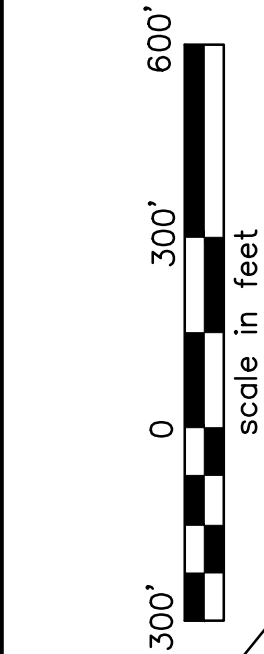
Deed Book 719, Page 742 Deed Book 302, Page 412 Deed Book 258, Page 375
 Tax Map 23-A-37

Battletown Magisterial District, Clarke County, Virginia



Dunn Land Surveys, Inc.
 106 North Church Street
 Berryville, Virginia 22611
 Tel: 540-955-3388
 30 January 2024
 rev 5 July 2024
 19 August 2024

Survey no. 3588B



Approval:

Clarke County Zoning Administrator	date:
Chairman of Planning Commission	date:
Clarke County Health Department	date:

Area Tabulation:

76.9408 acres	area of TM 23-A-37	1 exist dwl, 4 DUR
49.9408 acres	area of Lot 1, portion of TM 23-A-37	1 exist dwl, 3 DUR
27.0000 acres	area of Lot 2, portion of TM 23-A-37	no exist dwl, 1 DUR
0.0000 acres	area dedicated for public use	

MINOR SUBDIVISION (MS-24-04)

September 6, 2024 Planning Commission Meeting
STAFF REPORT -- Department of Planning

The purpose of this staff report is to provide information to the Planning Commission to assist them in reviewing this proposed minor subdivision application. It may also be useful information for the public.

CASE SUMMARY:

Applicant/Owner:

Russell McGrath and Jacqueline McGrath

Location:

- Tax Map Parcel #8-A-13
- The subject property is located along Kimble Road (Route 653), approximately 2/3 of a mile north of the intersection of Kimble Road and Stringtown Road. The existing dwelling on the property is addressed as 2445 Kimble Road.
- Russell Election District (Commissioners Ohrstrom & Hunt)
- AOC (Agricultural-Open Space-Conservation) Zoning District

Request:

The application proposes to create 1 new lot from an existing lot in the AOC District that is currently approximately 69 acres. The resulting lots would be one new lot of 3.00 acres and a residue of approximately 66 acres.

Original Lots:

69.7734 acres (8-A-13) – 1 dwl., 2 DURs

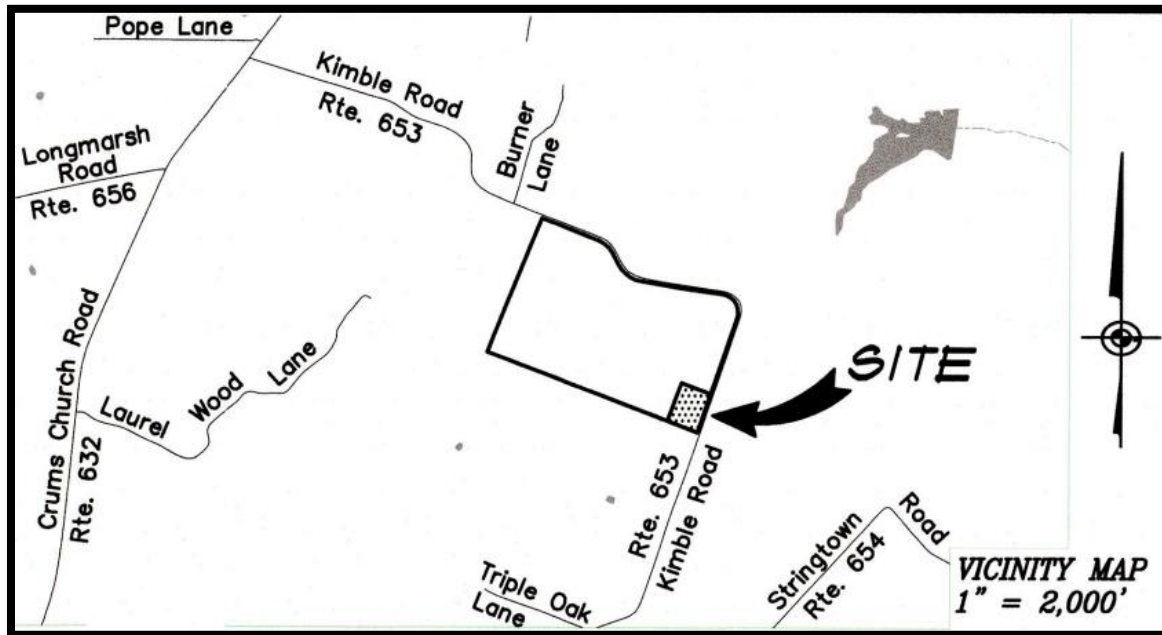
69.7734 acres

Proposed Lots:

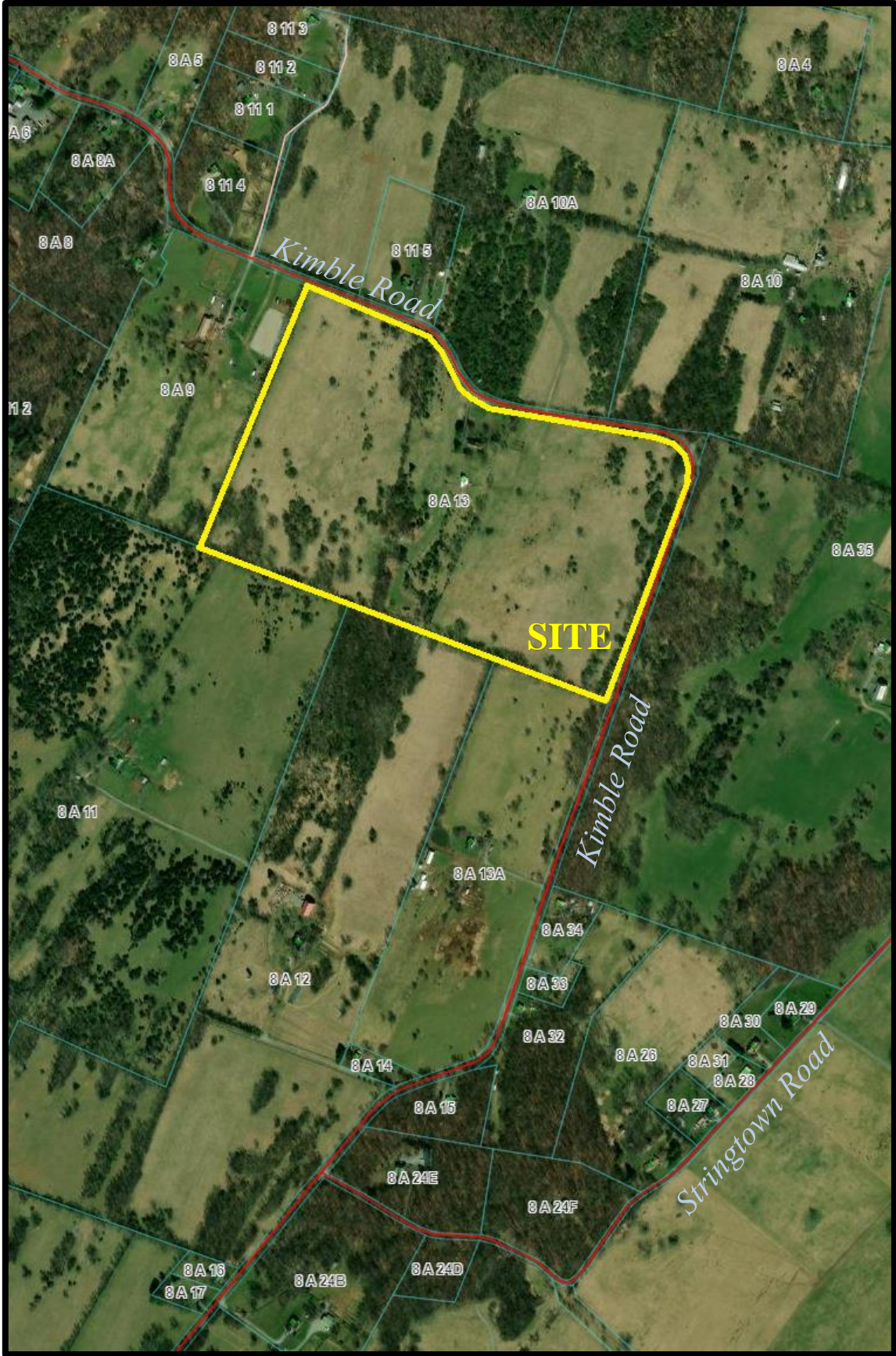
3.00 acres (Lot 1/New) – 0 dwl., 1 DUR
66.7734 acres (Residue) – 1 dwl., 1 DUR

69.7734 acres

Vicinity Map:



AERIAL ILLUSTRATION

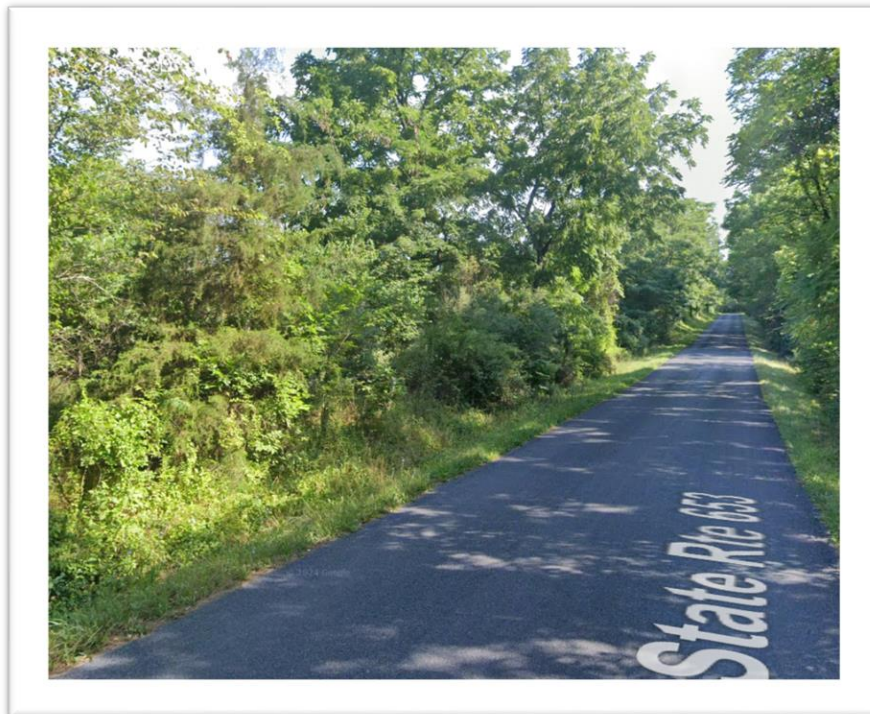


Staff Discussion/Analysis:

Access:

Access to the new lot (Lot 1) is proposed from the existing state highway that it fronts, Kimble Road. The residue lot would continue to use the existing driveway that is also located directly off of Kimble Road.

VDOT provided comments on July 9, 2024. They found no issues, stating that they found adequate sight distance for a private single-family dwelling. They indicated that when the new entrance is put in it would need to be closer to the north side of the lot due to the slight vertical curve heading south.



Water and Sewage Disposal:

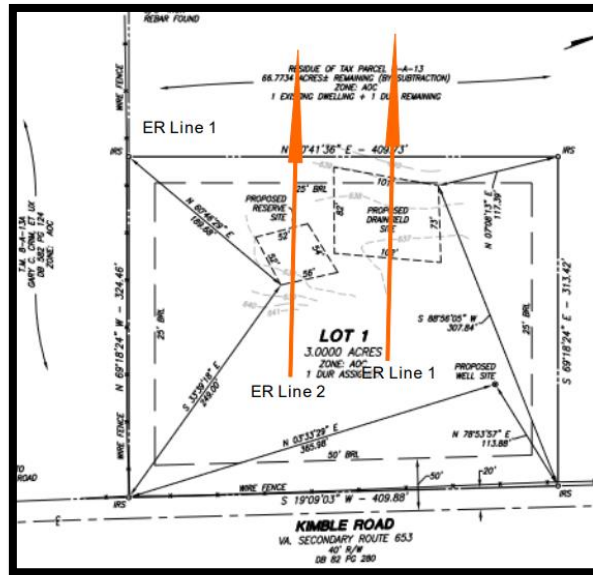
The proposed new lot (Lot 1) has an approved drainfield site for a conventional system with a capacity of 450 gpd, 3 bedrooms, and 6 occupants maximum.

The residue lot has an existing on-site sewage disposal system that was approved in 1991, and was rated for a 3 bedroom system with 6 maximum occupants, and 450 gpd. The system was approved with a 50% conventional reserve area.

VDH provided review comments on July 2, 2024. They reported that the on-site sewage disposal system for the new lot was field reviewed on April 24, 2024 and appeared to be suitable for the proposed design. They also identified that the residue lot only had a 50% reserve area. Per code the applicant was required to upgrade the reserve area to 100%. VDH confirmed by email on August 22, 2024 that the reserve area was redesigned for a 100% TL-3 alternative drip reserve. This change was made to the plat and the location of the existing on-site disposal system on the residue lot is now shown on an inset illustration on the plant.

Karst Plan / Resistivity Test:

Resistivity for the new on-site sewage disposal system was conducted by Forrest Environmental Services, Inc. and reviewed by the County's Karst Consultant, Hillis-Carnes Engineering Associates, Inc. Approval was granted on June 20, 2024. The residue lot redesigned for a 100% alternative reserve area did not require resistivity because they were utilizing the same space as the existing system and reserve area.



Staff Review Comments:

The subject 69.7734 acres has 2 Dwelling Unit Rights (DURs) and 1 existing dwelling. The proposed subdivision would assign one DUR to a new 3-acre lot. The residue lot would retain the existing dwelling and the 1 remaining DUR. The new lot complies with the maximum average lot size requirement for the AOC District.

To meet the subdivision ordinance requirements, the applicant has received approval from VDH for the conversion of the existing conventional 50% reserve area to a 100% alternative reserve area. This meets the subdivision ordinance requirements.

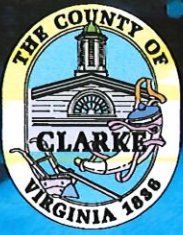
The proposed minor subdivision appears to comply with all applicable regulations found under Section 4.1.1 of the Clarke County Subdivision Ordinance and the AOC District regulations found under Section 4.1.2 of the Clarke County Zoning Ordinance.

Recommendation:

Staff recommends approval of the proposed minor subdivision application (MS-24-04) for the creation of 1 new 3 acre lot on Tax Map 8-A-13.

History:

June 7, 2024	Application submitted Resistivity application submitted.
June 10, 2024	Application fees paid.
June 20, 2024	Resistivity approved.
July 2, 2024	VDH comments received – issues found.
July 9, 2024	VDOT comments received – no issues.
August 22, 2024	Updated VDH comments received – issues addressed. Applicant submitted a revised plat.
September 3, 2024	Scheduled date for Planning Commission Worksession.
September 6, 2024	Scheduled date for Planning Commission Business Meeting.



LAND DEVELOPMENT APPLICATION

General Information

~~MS-643~~ MS-643

Date: June 7, 2024	Tax Map #: 8-A-13	MS-24-04
Zoning District: AOC	Lot Size: 69.77	
Site Address: 2445 Kimble Road		
Property Owner's Name: Maude I Woodyard Trustee <i>sold to McGrath</i>		
Property Owner's Mailing Address: 2445 Kimble Rd, Berryville, VA 22611		
Applicant's Name: Russ and Jacqueline McGrath <i>(if different than owner)</i>		
Applicant's Mailing Address: <i>(if different than owner)</i>		
Phone: 703-300-3476	Email: russandjacki@yahoo.com	

Application Type

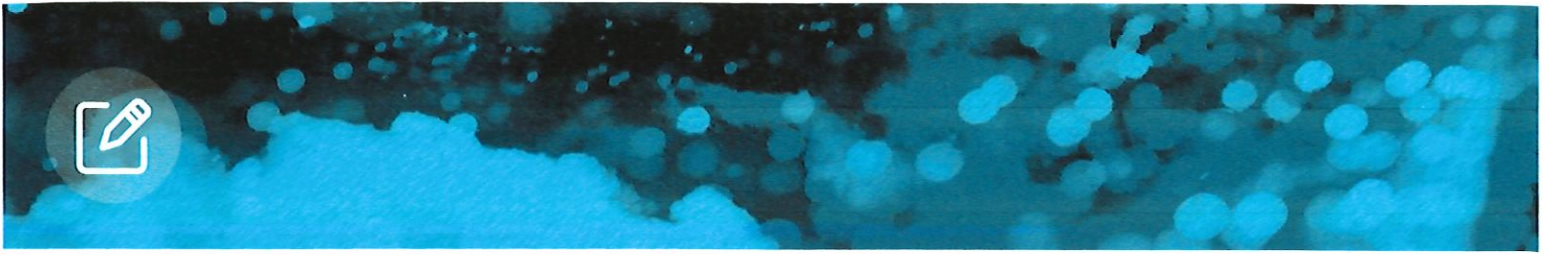
Site Plan	<input type="radio"/>	Major Subdivision	<input type="radio"/>
Administrative Site Plan	<input type="radio"/>	Minor Subdivision	<input checked="" type="radio"/>
Rezoning	<input type="radio"/>	Boundary Line Adjustment	<input type="radio"/>
Special Use Permit	<input type="radio"/>	Lot Consolidation / Merger	<input type="radio"/>
Karst Plan	<input type="radio"/>	Administrative Subdivision (>100 acre parcels)	<input type="radio"/>
Zoning Ordinance Text Amendment	<input type="radio"/>		
Other:	<input type="radio"/>		

Application Details

Name of Project or Subdivision: 2445 Kimble Road

Existing Use(s): Residential with Agricultural uses

Proposed Use(s): Create 1 additional DUR on the property frontage



Additional Details

Description of the proposed development or subdivision:

Creation of 1 additional residential parcel at the property frontage

Number of Existing Lots: 1

Number of Proposed Lots (proposed and residual): 1

Are you requesting any exemptions, such to the maximum average lot size?

If yes, describe the justification for such request.

no

Check all that apply:

Conservation Easement	<input type="radio"/>	Floodplain	<input type="radio"/>
Historic Overlay District	<input type="radio"/>	Public Water	<input type="radio"/>
Historic Accessory Corridor	<input type="radio"/>	Public Sewer	<input type="radio"/>
Spring Conservation Overlay District	<input type="radio"/>	Karst Soils	<input checked="" type="radio"/>

Francuelino McGrath

Signature of Property Owner

6-7-24

Date

Office Use Only

ACTION TAKEN: _____

FEE: _____

COMMENTS: _____

Zoning Administrator

Date

GIS Acct #

Clarke County Government
TREASURERS OFFICE
101 Chalmers Ct
Berryville, VA 22611
(540) 955-5160
Welcome

06/10/2024 10:54AM Register
006797-0019 000182013

PERMITS / INSPECTIONS

Minor Subdivision - FEE
2024 Item: MS-643IMS
Balance due: \$0.00
Balance unpaid: \$0.00 \$4,000.00

\$4,000.00

Subtotal \$4,000.00
Total \$4,000.00

CHECK \$4,000.00
Check Number 155

Change due \$0.00

Paid by: RUSSELL MCGRATH

Thank you for your payment

Clarke County Government COPY
DUPLICATE RECEIPT

June 18, 2024

Mr. Brandon Stidham
Director of Planning Clarke County
101 Chalmers Court, Suite B
Berryville, VA 22611

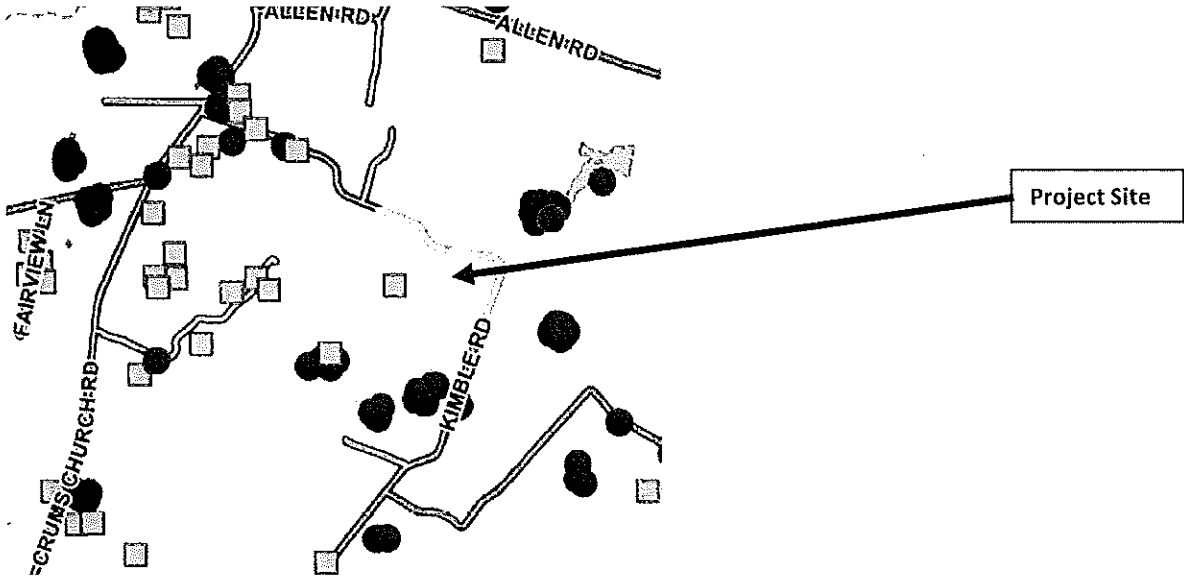
10228 Governor Lane Blvd.
Suite 3007
Williamsport, MD 21795
Phone (301) 582-4662
Fax (301) 582-4614
www.hcea.com

Re: Geophysical Report Review
2445 Kimble Road – Ms. Jacqueline McGrath
Tax Map No.: 8-A-13
Berryville, Virginia
HCEA Project Number: H23085

Mr. Stidham:

Hillis-Carnes Engineering Associates, Inc. (HCEA) is pleased to submit this technical review services for the above-referenced project. This review has been performed utilizing Clarke County's Septic Ordinance dated December 21, 2021, to assess if the provided report meets the general intent of the requirements. The document provided by your office for our review was prepared by Forrest Environmental Services, Inc. (FES) dated June 2024, FES Project Number: 24250.

The project site is located along the southern side of Kimble Road, approximately 0.9 miles east of the intersection of Crums Church Road and Kimble Road in Berryville, Virginia. (Figure 1).



Source: Clarke County MapsOnline

Within the provided report, two roughly northwest-southeast electrical resistivity (ER) lines were performed across the proposed septic field (Figure 2). Depths to bedrock appear to be near 15 to 20 feet under the approved drainage field area. The geophysical report indicated no Karst features within the proposed septic field area.

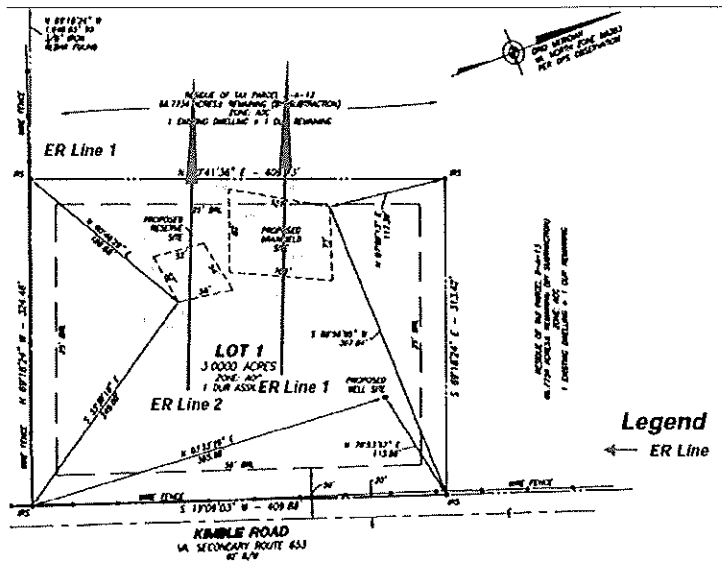


Figure 2 (Excerpt from FES Report – Fig. 2)

According to the report, there are no Karst features located within the proposed septic area or within the 50 feet buffer of the proposed septic field. The site has been referenced as low risk for future collapse or groundwater contamination as required by the County Ordinance.

The report was evaluated for the following parameters as required by the ordinance:

Dipole-Dipole Electrical Survey Minimum Parameters	Review Compliance Findings
Two lines performed	Yes
Lines orientated perpendicular to regional geologic strike	Yes
20-feet of survey results at the end of lines	Yes
200 soundings per line	Yes
40-feet depth in the area to be evaluated	Yes
Report Minimum Parameters	
Directional orientation, site map, color profiles, identifying hazards, consistent color scale, treatment area identified	Yes
Amount of overburden	Yes
Elevations	Yes
Geologic structure	Yes
Low, moderate, high-risk evaluation	Yes
Other	ER Lines are not labeled on Fig 2

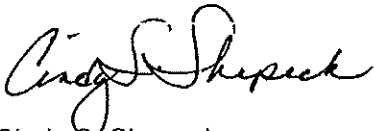
Based on our review of the report, it does meet the minimum parameters as defined within the County Ordinance for septic fields.

Our review has been prepared for the exclusive use of the project site. Our services were performed in accordance with contemporary geophysical engineering practices. No warranty, either expressed or implied, is made. Our review is based on design information furnished to us.

It is important to note that our review was done in an effort to assist planning and design personnel in the preparation of generalized drawings and specifications for the project. As a result of this, potential contractors should be encouraged to conduct their own individually tailored studies to assess surface conditions, soil types and conditions, rock levels and conditions, excavation slope gradients, and groundwater/perched water levels and conditions.

We appreciate the opportunity to provide our professional review of this project. Should you have any questions regarding our findings, please do not hesitate to contact our office.

Sincerely,
HILLIS-CARNES ENGINEERING ASSOCIATES, INC.



Cindy S. Shepeck
Senior Geologist
cshepeck@hcea.com



Rajesh Goel, P.E
Regional Manager
rgoel@hcea.com



Clarke County Department of Planning
Berryville-Clarke County Government Center
101 Chalmers Court, Suite B
Berryville, VA 22611

June 20, 2024

Russ & Jacqueline McGrath
2445 Kimble Rd.
Berryville, VA 22611

RE: Resistivity Test
Tax Map# 8-A-13; 2445 Kimble Rd.

A resistivity test was conducted on the property described above, and a report generated by Forrest Environmental Services, Inc. in June 2024 defined as Project Number 20250. The test results were sent to Hillis-Carnes Engineering Associates, Inc. for review.

Based on the engineer's report and the Hillis-Carnes Engineering Associate, Inc. review (Project H23085) dated June 18, 2024, this site passes the resistivity test, and if all other requirements are met, may be issued a permit by the Health Department.

If you have any questions or concerns regarding this information, please call the Planning Department at (540) 955-5132.

Sincerely,

A handwritten signature in cursive script that reads "Lorien Lemmon".

Lorien Lemmon
Clarke County Conservation Planner | GIS Coordinator

c. Clarke County Health Department

(540) 955-5132
www.clarkecounty.gov

1



Lord Fairfax Health District

Clarke County Health Department
100 North Buckmarsh Street
Berryville, Virginia 22611
Tel. (540) 955-1033 ~ Fax (540) 955-4094
www.vdh.virginia.gov



July 2, 2024

Jeremy Camp, Senior Planner/Zoning Administrator
101 Chalmers Ct
Berryville, Virginia 22611

RE: MINOR SUBDIVISION PRELIMINARY REVIEW COMMENTS

Health Department I.D. #:	043-24-114
Subdivision Name:	Jaqueline McGrath and Russell McGrath
Tax Map #:	8-A-13
Proposed Lots:	2 New Lots

Dear Mr. Camp,

Pursuant to your request, we have evaluated the aforementioned minor subdivision proposal, and offer the following comments at this point in the review process.

OWNER/APPLICANT ITEMS:

1. The project OSE located a new drainfield site with a 100% reserve area on proposed Lot 1 (3.0000 acres) to serve a future 3 bedroom dwelling. The proposed design is a conventional primary area with a TL-3 drip reserve area. The site and soils were field reviewed by this office on April 24, 2024 and appeared to be suitable for the proposed design. The applicant has not yet applied for a certification letter for proposed Lot 1 (3.0000 acres) as required.
2. There is an existing dwelling (#2445) on the residue lot (66.7734 acres) with an existing sewage disposal system. There is an operation permit on file for this system dated March 7, 1991, and it was rated for a three bedroom system with 6 maximum occupants, 450 gallons per day. The system is a conventional septic drainfield that was constructed to meet the standards of the time with a 50% reserve area.

This letter does not serve as an approval of the proposed subdivision, or its parts. If you have any questions, please contact me at 540.955.1033

Sincerely,


Carter Neiswander, EHS

Zimbra

jcamp@clarkecounty.gov

Request for Review Comments - Minor Subdivision in Clarke County, VA - Kimble Road TM 8-A-13

From : Spielman, Joseph (VDOT) <Joseph.Spielman@vdot.virginia.gov> Tue, Jul 09, 2024 12:27 PM
Subject : Request for Review Comments - Minor Subdivision in Clarke County, VA - Kimble Road TM 8-A-13 1 attachment
To : jcamp@clarkecounty.gov
Cc : Funkhouser, Rhonda (VDOT) <Rhonda.Funkhouser@VDOT.Virginia.gov>, Johnson, Joseph (VDOT) <JosephW.Johnson@vdot.virginia.gov>

Mr. Camp,

VDOT has reviewed our portion of the new Minor Subdivision plat on Kimble Road, TM 8-A-13, and have found that there is adequate sight distance for a private single-family dwelling. The entrance will need to be closer to the north side of the lot along Kimble Road due to the slight vertical curve heading south. The entrance was not labeled on the plat; however we typically review all private entrances for Clarke County and can address the location during that process.

We appreciate the opportunity to review this minor subdivision, and if there are any questions, please feel free to reach out.

My office number is 540-535-1829.

Ryan

**Joseph Ryan Spielman***Land Development Engineer / Edinburg Residency*

Virginia Department of Transportation


540-535-1829

joseph.spielman@vdot.virginia.gov

Zimbra

jcamp@clarkecounty.gov

Re: Kimble Rd Plat

From : Neiswander, Carter (VDH) <Carter.Neiswander@vdh.virginia.gov> Thu, Aug 22, 2024 02:17 PM
Subject : Re: Kimble Rd Plat  2 attachments
To : Jeremy Camp <jcamp@clarkecounty.gov>

Hi Jeremy,

The project OSE submitted some redesign information for the existing 50% reserve area on the residue lot certifying that it is sized adequately for a 100% TL-3 drip reserve area.

Miss Carter Neiswander
Environmental Health Specialist
Clarke County Health Department

Phone: (540) 277-3570 | Mobile: (804) 835-2904

[Lord Fairfax Health District](#) | [Facebook](#) | [Virginia Dept of Health](#)

Clarke County Health Department
100 N Buckmarsh St
Berryville, VA 22611
Main Phone: (540) 955-1033 | Fax: (540) 955-4094



From: Jeremy Camp <jcamp@clarkecounty.gov>
Sent: Thursday, August 22, 2024 12:04 PM
To: Neiswander, Carter (VDH) <carter.neiswander@vdh.virginia.gov>
Subject: Fwd: Kimble Rd Plat

Hello Carter,

Attached is a revised plat submitted for the minor subdivision on Kimble Road previously reviewed. They've shown the drainfield on the residue parcel and are accounting for a recalculation of the reserve area capacity per your comments.

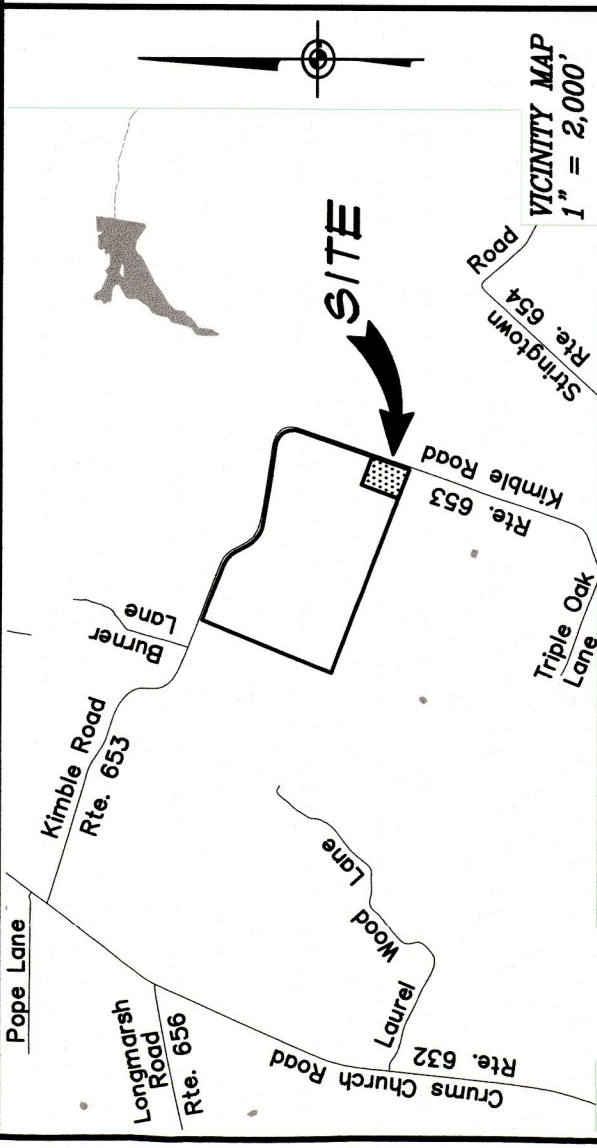
Do you have any comments on these changes?

Thanks,
Jeremy

From: "Marisa Whitacre" <mawhitacre@greenwayeng.com>
To: "Jeremy Camp" <jcamp@clarkecounty.gov>
Sent: Thursday, August 22, 2024 9:40:28 AM
Subject: Kimble Rd Plat

Jeremy,

Attached is the revised plat, please take a look and let me know if you see anything you would like changed. If you would like a hard copy let me know.



- NOTES**
1. THE BOUNDARY INFORMATION SHOWN HEREON IS BASED ON A CURRENT FIELD SURVEY BY THIS FIRM.
 2. NO TITLE REPORT FURNISHED. EASEMENTS MAY EXIST THAT ARE NOT SHOWN.
 3. THE SUBJECT PROPERTY LIES ENTIRELY WITHIN ZONE X, AREA OF MINIMAL FLOOD HAZARD, PER N.F.I.P. FLOOD INSURANCE RATE MAP No. 51043C0055D DATED SEPTEMBER 28, 2007 AS DETERMINED BY GRAPHIC PLOTTING ON THE REFERENCED MAP.
 4. PARENT TAX PARCEL IDENTIFICATION: 8-A-13 ZONE: AOC
 5. CURRENT OWNERS OF RECORD & SUBDIVIDERS:
JACQUELINE MCGRATH & RUSSELL MCGRATH
2445 KIMBLE ROAD
BERRYVILLE, VA 22611
 6. BUILDING SETBACK REQUIREMENTS FOR LOT 1:
FRONT = 50' FROM CENTERLINE OF SECONDARY HIGHWAY
SIDE AND REAR = 25'

- PROPOSED USE:** SINGLE-FAMILY DETACHED RESIDENTIAL.
7. LOT 1 IS SUBJECT TO A 25' VEGETATED PROPERTY BUFFER ALONG ALL LOT LINES PER CLARKE COUNTY ZONING ORDINANCE §7.4.1.
 8. **AGRICULTURAL OPERATIONS NOTICE**
THIS PROPERTY IS IN THE AGRICULTURAL-OPEN SPACE-CONSERVATION (AOC) ZONING DISTRICT. AGRICULTURE IS THE PRIMARY ECONOMIC ACTIVITY OF THIS ZONING DISTRICT. OWNERS, RESIDENTS AND OTHER USERS OF PROPERTY IN THE AOC DISTRICT MAY BE SUBJECT TO INCONVENIENCE, DISCOMFORT AND THE POSSIBILITY OF INJURY TO PROPERTY AND HEALTH ARISING FROM AGRICULTURAL OPERATIONS EVEN THOUGH CONDUCTED IN ACCORDANCE WITH BEST MANAGEMENT PRACTICES AND/OR IN ACCORDANCE WITH EXISTING LAWS AND REGULATIONS OF THE COMMONWEALTH AND THE COUNTY. SUCH AGRICULTURAL OPERATIONS MAY GENERATE NOISE, ODORS AND DUST, MAY INVOLVE THE OPERATION OF MACHINERY INCLUDING AIRCRAFT, THE STORAGE AND DISPOSAL OF MANURE, AND THE APPLICATION OF FERTILIZER, SOIL AMENDMENTS AND PESTICIDES. OWNERS, OCCUPANTS AND USERS OF LAND IN THE AOC DISTRICT SHOULD BE PREPARED TO ACCEPT SUCH INCONVENIENCES OR DISCOMFORT AS A NORMAL AND NECESSARY ASPECT OF LIVING IN A ZONING DISTRICT IN A COUNTY WITH A STRONG RURAL CHARACTER AND AN ACTIVE AGRICULTURAL SECTOR.
 9. **FERTILIZERS AND PESTICIDES NOTICE**
FERTILIZERS AND PESTICIDES ARE USED FOR LAWN OR LANDSCAPING PURPOSES. A SOIL TEST SHOULD BE CONDUCTED. THE APPLICATION OF SUCH CHEMICALS SHOULD BE LIMITED DUE TO THE POTENTIAL FOR GROUNDWATER CONTAMINATION AND SHOULD NOT EXCEED THAT DETERMINED NECESSARY BY THE SOIL TEST.
 10. PROPOSED DRAINFIELD SITE SERVING LOT 1 IS A CONVENTIONAL SYSTEM APPROVED FOR A MAXIMUM OF 450 GPD, 3 BEDROOMS MAXIMUM AND 6 OCCUPANTS MAXIMUM.

AREA TABULATION

EXISTING AREA OF TAX PARCEL 8-A-13 (PER PLAT DB 575 PG 949) = 69.7734 ACRES±
LESS LOT 1 = 3.0000 ACRES
RESIDUE OF TAX PARCEL 8-A-13 (BY SUBTRACTION) = 66.7734 ACRES±

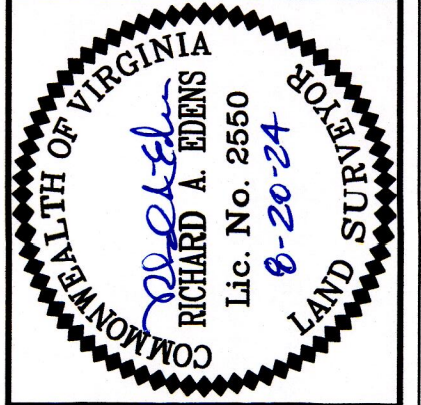
SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THE LAND CONTAINED IN THIS MINOR SUBDIVISION IS A PORTION OF THE LAND CONVEYED TO JACQUELINE MCGRATH AND RUSSELL MCGRATH, A MARRIED COUPLE, BY DEED DATED JANUARY 9, 2024 OF RECORD IN THE CLARKE COUNTY CIRCUIT COURT CLERK'S OFFICE IN DEED BOOK 718 AT PAGE 873. I FURTHER CERTIFY THAT MONUMENTS HAVE BEEN PLACED IN ACCORDANCE WITH THE REQUIREMENTS OF THE CLARKE COUNTY SUBDIVISION ORDINANCE AS SHOWN HEREON.

Richard A. Edens
RICHARD A. EDENS, L.S.

DATE: MAY 8, 2024
SCALE: 1" = 60'
DRAWN BY: RAE
FILE No. 8584
SHEET 1 OF 1
DRAWING No. 24-01

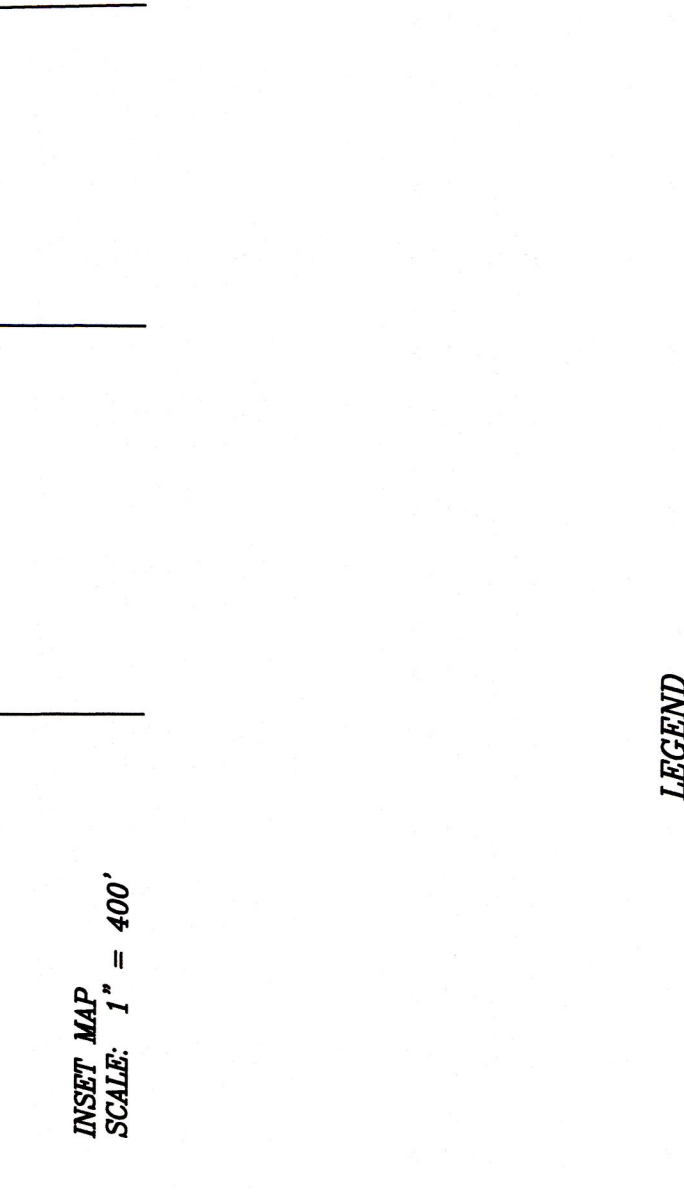
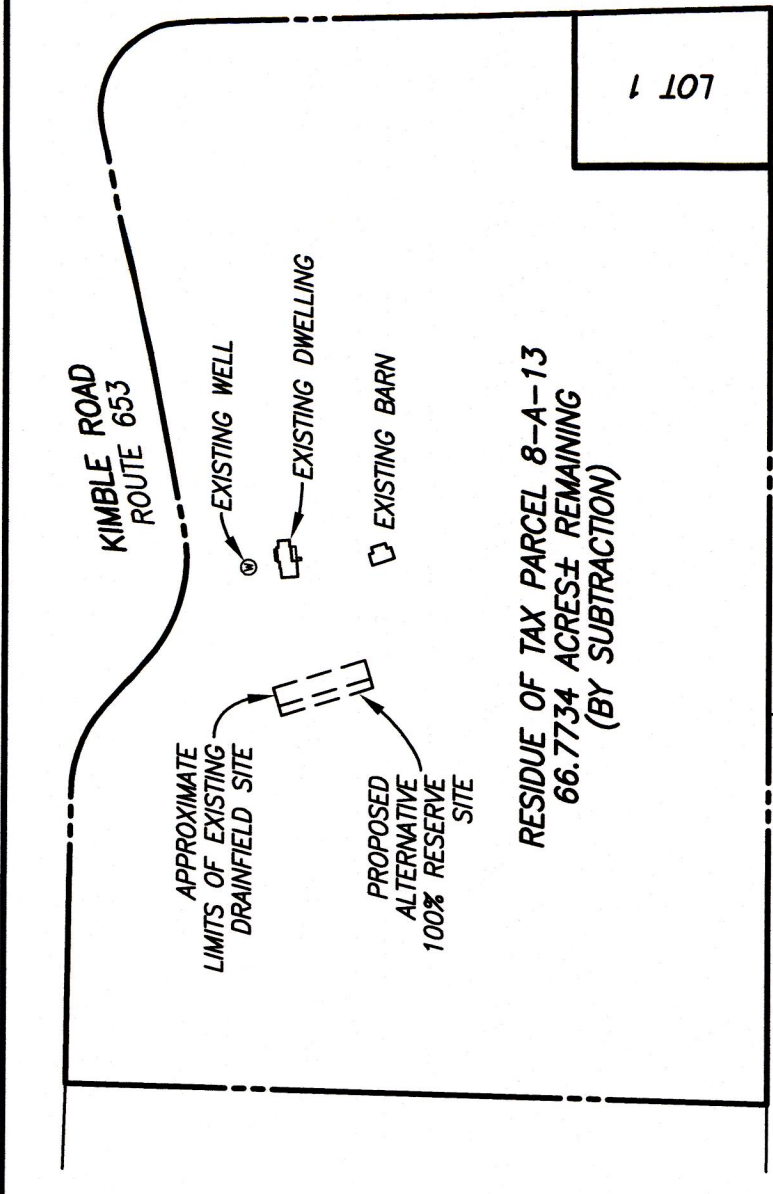
FINAL PLAT FOR MINOR SUBDIVISION
OF A PORTION OF THE LAND OF
JACQUELINE MCGRATH AND RUSSELL MCGRATH
DEED BOOK 718 PAGE 873 TAX MAP 8-A-13
LONGMARSH MAGISTERIAL DISTRICT, CLARKE COUNTY, VIRGINIA



DATE	REVISION	REVISED PER HEALTH DEPT. COMMENTS
8/20/24		

CLARKE COUNTY HEALTH DEPARTMENT	DATE
CLARKE COUNTY PLANNING COMMISSION	DATE
CLARKE COUNTY ZONING ADMINISTRATOR	DATE

GREENWAY ENGINEERING, INC.
151 Windy Hill Lane
Winchester, Virginia 22602
Telephone: (540) 662-4185
FAX: (540) 722-9528
www.greenwayeng.com



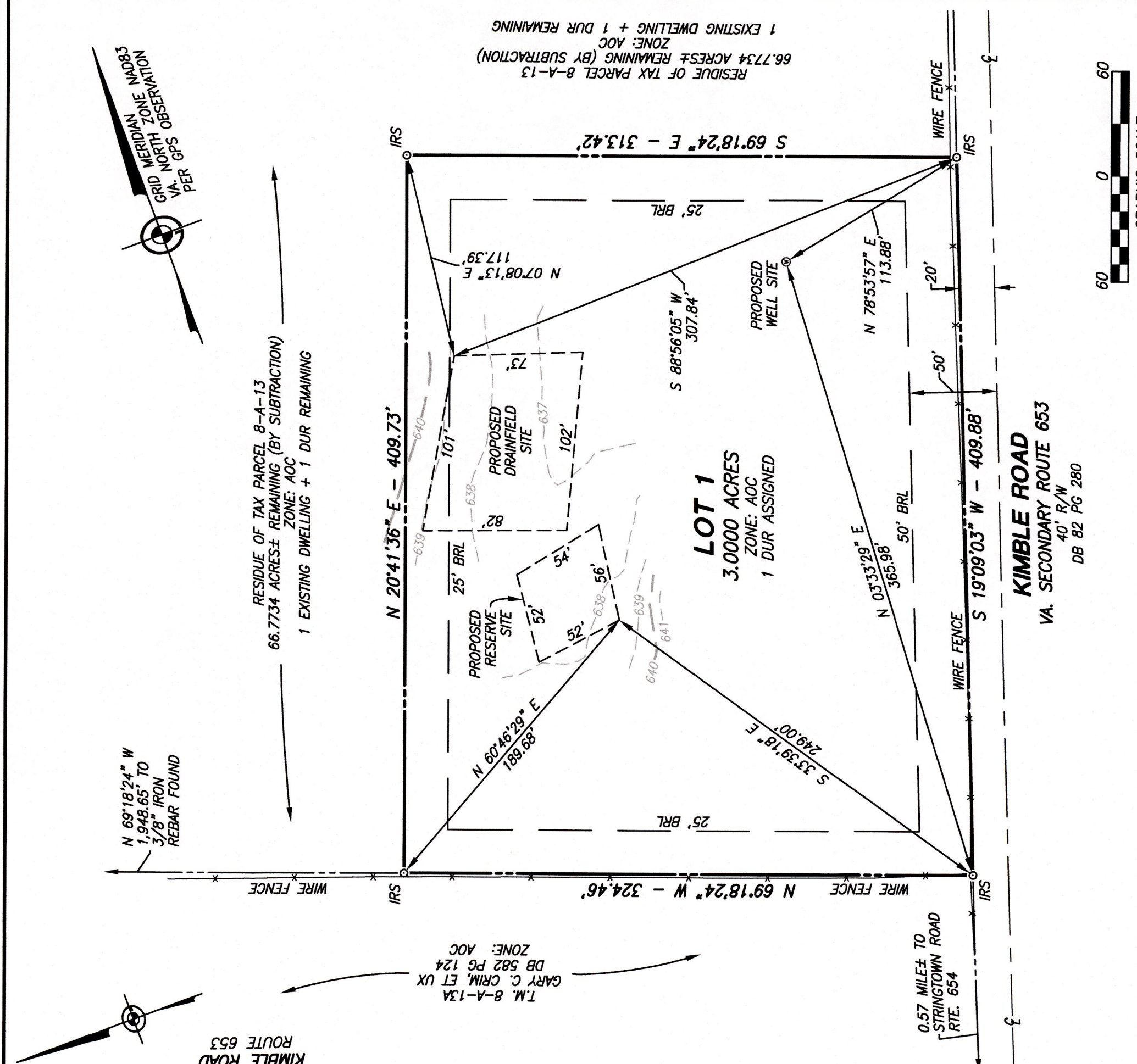
- LEGEND**
- BRL = BUILDING RESTRICTION LINE PER ZONING ORDINANCE
 - DUR = DWELLING UNIT RIGHT
 - IRS = 1/2" IRON REBAR & CAP SET
 - ⊥ = CENTERLINE OF PAVEMENT
 - *—*— = EXISTING FENCE LINE

OWNER'S CERTIFICATE

THE ABOVE AND FOREGOING MINOR SUBDIVISION OF THE LAND OF JACQUELINE MCGRATH AND RUSSELL MCGRATH, AS APPEARS ON THIS PLAT, IS WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNERS, PROPRIETORS, AND TRUSTEES, IF ANY.

JACQUELINE MCGRATH
RUSSELL MCGRATH

COMMONWEALTH OF VIRGINIA
CITY / COUNTY OF _____ TO WIT:
THE FOREGOING OWNER'S CERTIFICATE WAS ACKNOWLEDGED
BEFORE ME THIS _____ DAY OF _____, 20____
BY JACQUELINE MCGRATH AND RUSSELL MCGRATH.
MY COMMISSION EXPIRES _____, 20____.
REGISTRATION No. _____ NOTARY PUBLIC



APPROVALS:

CLARKE COUNTY HEALTH DEPARTMENT _____ DATE _____
CLARKE COUNTY PLANNING COMMISSION _____ DATE _____
CLARKE COUNTY ZONING ADMINISTRATOR _____ DATE _____

NOTE: THIS PLAT SHALL BECOME NULL AND VOID ON IF NOT RECORDED AMONG THE LAND RECORDS OF CLARKE COUNTY WITHIN SIX MONTHS OF THE FINAL APPROVAL DATE.

GREENWAY ENGINEERING
151 Windy Hill Lane
Winchester, Virginia 22602
Telephone: (540) 662-4185
FAX: (540) 722-9528
www.greenwayeng.com

MINOR SUBDIVISION (MS-24-05)
MAXIMUM LOT SIZE EXCEPTION (MLSE-24-02)
September 6, 2024 Planning Commission Meeting
STAFF REPORT -- Department of Planning

The purpose of this staff report is to provide information to the Planning Commission to assist them in reviewing this proposed minor subdivision application and maximum lot size exception. It may also be useful information for the public.

CASE SUMMARY:

Applicant/Owner:

Alison Teetor

Location:

- Tax Map Parcel #11-A-5A
- The subject property is located along Salem Church Road (Route 655), approximately 1 mile north of the intersection of Salem Church Road and Old Winchester Road.
- White Post Election District (Commissioners Buckley & Dunning)
- AOC (Agricultural-Open Space-Conservation) Zoning District

Request:

The application proposes to create 1 new lot from an existing lot that is approximately 54.9 acres. The new lot would be 4.95 acres in size, resulting in a remaining residue of approximately 50 acres. A maximum lot size exception request accompanies the minor subdivision application and is based on the criteria that the property is located within a conservation easement.

Original Lots:

54.9544 acres (11-A-5A) – 1 dwl., 1 DURs

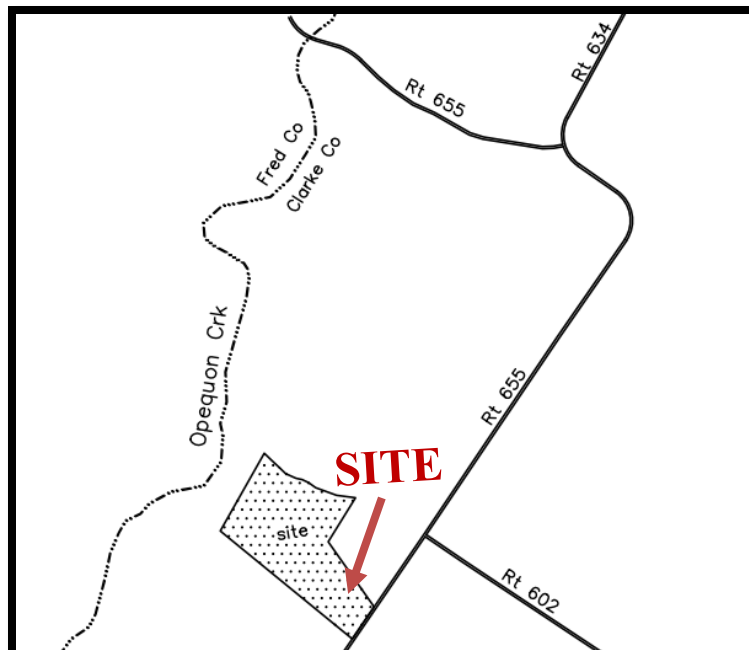
Proposed Lots:

4.95 acres (Lot 1/New) – 0 dwl., 1 DUR
50.0044 acres (Residue) – 1 dwl., 0 DUR

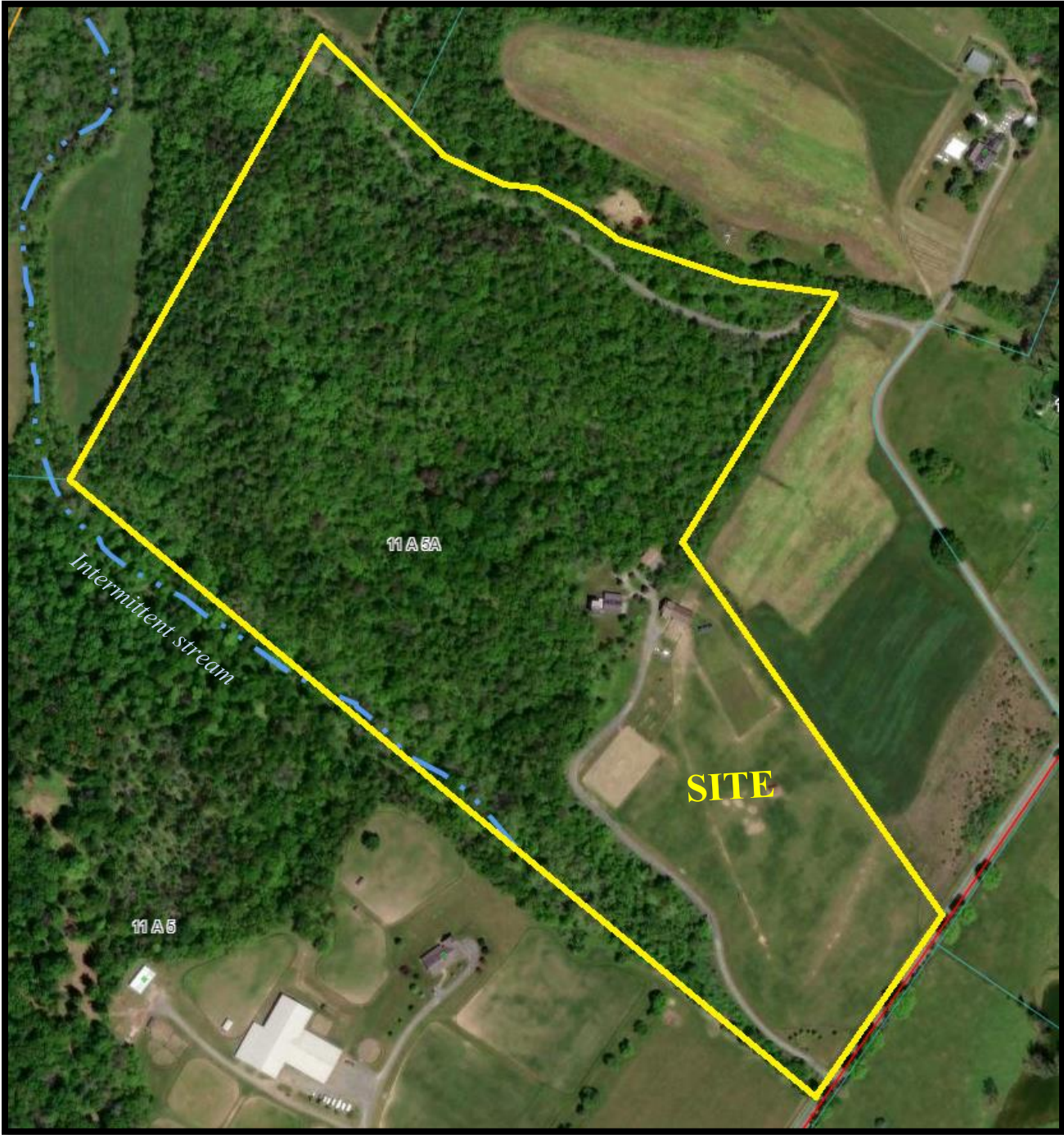
54.9544 acres

54.9544 acres

Vicinity Map:



AERIAL ILLUSTRATION



Staff Discussion/Analysis:

Agricultural and Forestal District:

The subject property is within the Agricultural and Forestal District, last updated by Clarke County in 2022. §48-4A-1 of the County Code allows lots in the Agricultural and Forestal District to be subdivided with a limitation that only “one additional lot shall be permitted for any parcel within the District during the term of the District...” The proposed subdivision conforms to this requirement.

Conservation Easement:

The property is located within an existing conservation easement held by the Clarke County Conservation Easement Authority. On behalf of the Clarke County Conservation Easement Authority, Lorien Lemmon reviewed the minor subdivision application and provided comments on August 22, 2024. She reported that the proposed subdivision is allowed per the terms of the conservation easement and had no objections. The plat was modified to show a building envelope for conservation purposes. Future buildings will be required in this area, subject to permitting and other County regulations.

Access:

Access to the new lot (Lot 1) is proposed via an entrance off of Salem Church Road. The residue lot will continue to use the existing separate entrance off of Salem Church Road, as shown on the plat.

VDOT provided review comments on August 29, 2024. Gregory T. Hoffman, Permit Specialist, reported by email that “VDOT has no issues with the subdivision”.



Water and Sewage Disposal:

The proposed new lot (Lot 1) provides for a new drainfield site with a 100% reserve. The capacity is 3 bedrooms. It is a proposed alternative TL-3 trench dispersal system with a 100% TL-3 drip reserve area.

The existing on-site sewage disposal system used by the existing dwelling on the residue is a conventional system with an operating permit from 2010. It is designed for 600 gallons per day, 4 bedrooms, and 8 persons. The existing on-site sewage system is currently used for the existing 3 bedroom dwelling and a 1 bedroom apartment in the barn. It currently has a 50% reserve area.

VDH provided review comments on August 8, 2024. They reported that they field reviewed the new drainfield site on July 22, 2024. They also identified the 50% reserve of the existing system that needed to be upgraded to meet the County's subdivision requirements for a 100% reserve on all lots.

The applicant submitted design specifications to modify the existing reserve area from a conventional 50% reserve to a 100% alternative (TL-3 drip system) reserve. The plat was modified to show this change. By email on August 26, 2024, VDH confirmed that all requirements have been met regarding the modification.

Karst Plan / Resistivity Test:

Resistivity is not required on the property because the new on-site sewage disposal system is not located in karst soils.

Maximum Lot Size Exception:

The applicant is requesting a maximum lot size exception to the AOC District regulations that limit the average size of new lots to 3 acres. The new lot is proposed to be 4.95 acres. The applicant meets the criteria found under Section 6.2.6C-3 of the Clarke County Zoning Ordinance for approval of the requested maximum lot size exception. The lot, and residue, is located within a permanent conservation easement.

Staff Review Comments:

The subject 54.9544 acres has 1 Dwelling Unit Rights (DURs) and 1 existing dwelling. The subdivision would assign the remaining DUR to the proposed new 4.95 acre lot, leaving the residue with the existing dwelling and no additional DURs.

The request for a maximum lot size exception qualifies for consideration based on the criteria found under Section 6.2.6C-3, being that the property is currently within a permanent conservation easement.

The proposed subdivision appears to meet the requirements of Section 4.1.1 of the Clarke County Subdivision Ordinance and the AOC District regulations found under Section 4.1.2 of the Clarke County Zoning Ordinance. It is located within the Agricultural and Forestal District, but one new lot is allowed under the terms of that district.

Recommendation:

Staff recommends approval of the proposed maximum lot size exception (MLSE-24-02) and minor subdivision application (MS-24-05) for the creation of one new lot off of 11-A-5A.

History:

July 24, 2024	Application submitted and fees paid (minor subdivision and MLSE)
August 8, 2024	VDH comments received – issue reported re: residue reserve
August 26, 2024	VDH comments received (2) – issue addressed.
August 28, 2024	VDOT comments received.
August 20, 2024	Revised plat submitted.
September 3, 2024	Scheduled date for Planning Commission Worksession.
September 6, 2024	Scheduled date for Planning Commission Business Meeting.



General Information

Date: 7/24/24 Tax Map #: 11-A-SA
 Zoning District: AOC Lot Size: 54.95
 Site Address: 939 Salem Church Rd Boyce, VA 22620
 Property Owner's Name: Alison Teefer
 Property Owner's Mailing Address: same
 Applicant's Name: (if different than owner)
 Applicant's Mailing Address: (if different than owner)
 Phone: 540 336 5567 Email: ateefer@gmail.com

Application Type

Site Plan	<input type="radio"/>	Major Subdivision	<input type="radio"/>
Administrative Site Plan	<input type="radio"/>	Minor Subdivision	<input checked="" type="radio"/>
Rezoning	<input type="radio"/>	Boundary Line Adjustment	<input type="radio"/>
Special Use Permit	<input type="radio"/>	Lot Consolidation / Merger	<input type="radio"/>
Karst Plan	<input type="radio"/>	Administrative Subdivision (>100 acre parcels)	<input type="radio"/>
Zoning Ordinance Text Amendment	<input type="radio"/>	maximum lot size except	
Other:	<input type="radio"/>		

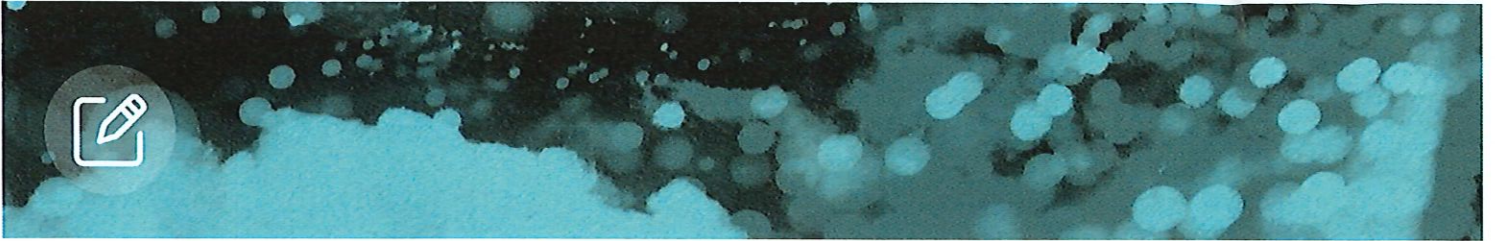
Application Details

Property is in Conservation Easement

Name of Project or Subdivision:

Existing Use(s):

Proposed Use(s):



Additional Details

Description of the proposed development or subdivision:

cut off 1 - 4.95 ac lot

Number of Existing Lots: 1

Number of Proposed Lots (proposed and residual): 2

Are you requesting any exemptions, such to the maximum average lot size? yes

If yes, describe the justification for such request. conservation easement

Check all that apply:

Conservation Easement	<input checked="" type="checkbox"/>	Floodplain	<input type="checkbox"/>
Historic Overlay District	<input type="checkbox"/>	Public Water	<input type="checkbox"/>
Historic Accessory Corridor	<input type="checkbox"/>	Public Sewer	<input type="checkbox"/>
Spring Conservation Overlay District	<input type="checkbox"/>	Karst Soils	<input type="checkbox"/>

Alison Teuber

Signature of Property Owner

2/24/24

Date

Office Use Only

ACTION TAKEN: _____

FEE: _____

COMMENTS: _____

Zoning Administrator

Date

890

GIS Acct #

Clarke County Government
TREASURERS OFFICE
101 Chalmers Ct
Berryville, VA 22611
(540) 955-5160
Welcome

07/24/2024 04:13PM Register
006851-0002 000182872

PERMITS / INSPECTIONS

Maximum Lot Size

Exception - FEE

2024 Item: MS-24-05|MLSE

Balance due: \$0.00

Balance unpaid: \$0.00

\$1,500.00

Minor Subdivision - FEE

2024 Item: MS-24-05|MS

Balance due: \$0.00

Balance unpaid: \$0.00

\$4,000.00

\$5,500.00

Subtotal

\$5,500.00

Total

\$5,500.00

CHECK

Check Number 7281

\$5,500.00

Change due

\$0.00

Thank you for your payment

CUSTOMER COPY



Lord Fairfax Health District

Clarke County Health Department

100 North Buckmarsh Street

Berryville, Virginia 22611

Tel. (540) 955-1033 ~ Fax (540) 955-4094

www.vdh.virginia.gov



August 8, 2024

Jeremy Camp, Senior Planner/Zoning Administrator
101 Chalmers Ct
Berryville, Virginia 22611

RE: MINOR SUBDIVISION PRELIMINARY REVIEW COMMENTS

Health Department I.D. #: 043-24-114
Subdivision Name: Alison Teetor, Trustee
Tax Map #: 11-A-5A
Proposed Lots: 2 New Lots

Dear Mr. Camp,

Pursuant to your request, we have evaluated the aforementioned minor subdivision proposal, and offer the following comments at this point in the review process.

OWNER/APPLICANT ITEMS:

1. The project OSE located a new drainfield site with a 100% reserve area on proposed Lot 1 (4.9500 acres) to serve a future 3 bedroom dwelling. The proposed design is an alternative TL-3 trench dispersal system with a 100% TL-3 drip reserve area. The site and soils were field reviewed by this office on July 22, 2024 and appeared to be suitable for the proposed design. The applicant has not applied for a certification letter for proposed Lot 1 (4.9500 acres) as required.
2. There is an existing three (3) bedroom dwelling (#939) and barn apartment (no 911 address) on the residue lot (50.0044 acres). Both are served by the same existing conventional sewage disposal system with an operation permit dated June 29, 2010 for a 600 gallons per day system with a total of 4 bedrooms (3 in main house, 1 in barn apartment) and 8 persons total (6 in main house, 2 in barn apartment). The existing sewage disposal system has a 50% reserve area. A 100% reserve area and proof that the septic tank has been pumped within the last 5 years is required for subdivision approval.

This letter does not serve as an approval of the proposed subdivision, or its parts. If you have any questions, please contact me at 540.955.1033

Sincerely,

Carter Neiswander, EHS

Zimbra

jcamp@clarkecounty.gov

Re: New Minor Subdivision - Clarke County, VA - Request for Review Comments - TM 11-A-5A (Salem Church Road)

From : Alison Teetor <ateetor@clarkecounty.gov> Sat, Aug 17, 2024 11:25 AM
Subject : Re: New Minor Subdivision - Clarke County, VA - Request for Review Comments - TM 11-A-5A (Salem Church Road) 📎 2 attachments
To : Carter Neiswander <Carter.Neiswander@vdh.virginia.gov>
Cc : Jeremy Camp <jcamp@clarkecounty.gov>

Hi Carter,
Attached is my septic pumpout receipt - 2/6/2024 - its not a great copy let me know if you need anything else.

Alison

Alison Teetor
Clarke County Conservation Easement Specialist
101 Chalmers Ct.
Berryville, VA 22611
(540) 955-5177 (voice)

From: "Carter Neiswander" <Carter.Neiswander@vdh.virginia.gov>
To: "Alison Teetor" <ateetor@clarkecounty.gov>
Sent: Thursday, August 15, 2024 8:26:11 AM
Subject: Re: New Minor Subdivision - Clarke County, VA - Request for Review Comments - TM 11-A-5A (Salem Church Road)


Hi Alison,

You'll have to work with an OSE to redesign the existing reserve area to make it 100%.

Miss Carter Neiswander
Environmental Health Specialist
Clarke County Health Department

Phone: (540) 277-3570 | Mobile: (804) 835-2904

[Lord Fairfax Health District](#) | [Facebook](#) | [Virginia Dept of Health](#)

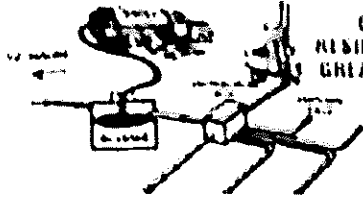
Clarke County Health Department
100 N Buckmarsh St
Berryville, VA 22611
Main Phone: (540) 955-1033 | Fax: (540) 955-4094
 **Lord Fairfax Health District**

From: Alison Teetor <ateetor@clarkecounty.gov>
Sent: Thursday, August 15, 2024 7:38 AM
To: Neiswander, Carter (VDH) <carter.neiswander@vdh.virginia.gov>
Subject: Fwd: New Minor Subdivision - Clarke County, VA - Request for Review Comments - TM 11-A-5A (Salem Church Road)

September 6, 2024 Planning Commission Business Meeting

67 of 76

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640-955-2960

PO #		DATE	
NAME			
ADDRESS			
CITY			
STATE		ZIP CODE	
PHONE NUMBER			
UNIT	DESCRIPTION	COST	
	SEPTIC, GL. HEAVY SOLIDS		
	DIGGING, EXTRA HOSE, SNAKING		
	REPAIRS		
	RISER, LID, D-BOX		
	FILTER, TERRA LIFT, JETTING		
	SEPTIC INSPECTION		
	PORTABLE TOILET RENTAL		
	EXTRA MONTHLY CLEANINGS, 1x, 2x, 3x, 4x		
	GREASE TRAPS		
	GREY WATER TANK		
NET 15 DAYS / OVER 15 DAYS - PENALTY 10%			
REMARKS		SUBTOTAL	
		TAX	
		TOTAL	

Return Pink Copy with Payment - Thank You!

Scanned with CamScanner

MEMORANDUM

TO: Planning Commission
FROM: Lorien Lemmon
DATE: August 22, 2024
SUBJECT: Alison Teetor Minor Subdivision Request

Alison Teetor placed property identified by Clarke County Tax Map# 11-A-5A located at 939 Salem Church Rd into easement with the County in 2010. In accordance with estate planning, Ms. Teetor would like to exercise her right to subdivide her property. The deed of easement allows for division as follows:

2. DIVISION.

A. The Property shall not be divided into, or separately conveyed as, more than two parcels; provided, however, (i) the permitted additional lot shall not exceed 4.95 acres, (ii) the subdivision creating such lot shall be approved by the Clarke County Conservation Easement Authority, as well as the County, and (iii) in no event shall the subdivision creating the lot result in a residual parcel of less than fifty (50) acres.

The Clarke County Conservation Easement Authority met on August 9th and approved the terms of the subdivision.

Zimbra

jcamp@clarkecounty.gov

Re: New Minor Subdivision - Clarke County, VA - Request for Review Comments - TM 11-A-5A (Salem Church Road)

From : Neiswander, Carter (VDH) <Carter.Neiswander@vdh.virginia.gov> Mon, Aug 26, 2024 03:14 PM
Subject : Re: New Minor Subdivision - Clarke County, VA - Request for Review Comments - TM 11-A-5A (Salem Church Road) 3 attachments
To : Jeremy Camp <jcamp@clarkecounty.gov>

Hi Jeremy,

Alison paid for the certification letter. all of our requirements have been met.

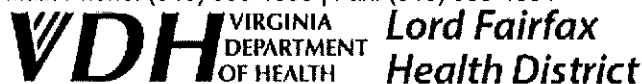
Miss Carter Neiswander

Environmental Health Specialist
 Clarke County Health Department

Phone: (540) 277-3570 | Mobile: (804) 835-2904

[Lord Fairfax Health District](#) | [Facebook](#) | [Virginia Dept of Health](#)

Clarke County Health Department
 100 N Buckmarsh St
 Berryville, VA 22611
 Main Phone: (540) 955-1033 | Fax: (540) 955-4094



From: Jeremy Camp <jcamp@clarkecounty.gov>
Sent: Monday, August 26, 2024 9:48 AM
To: Neiswander, Carter (VDH) <carter.neiswander@vdh.virginia.gov>
Subject: Fwd: New Minor Subdivision - Clarke County, VA - Request for Review Comments - TM 11-A-5A (Salem Church Road)

Hello Carter,

Allison dropped off these papers last week related to the conversion of her reserve area n(50%) to an alternative reserve (100%). They've also modified the plat to reflect this change.

Let me know if this is adequate for you.

--Jeremy

From: "Carter Neiswander" <Carter.Neiswander@vdh.virginia.gov>
To: "Alison Teetor" <ateetor@clarkecounty.gov>
Cc: "Jeremy Camp" <jcamp@clarkecounty.gov>
Sent: Tuesday, August 20, 2024 8:16:18 AM
Subject: Re: New Minor Subdivision - Clarke County, VA - Request for Review Comments - TM 11-A-5A (Salem Church Road)

Thank you

Zimbra

jcamp@clarkecounty.gov

RE: For Your Review - New Minor Subdivision - Clarke County, VA - Request for Review Comments - TM 11-A-5A (Salem Church Road)

From : Hoffman, Gregory (VDOT) <Gregory.Hoffman@VDOT.Virginia.gov> Wed, Aug 28, 2024 03:59 PM
Subject : RE: For Your Review - New Minor Subdivision - Clarke County, VA - Request for Review Comments - TM 11-A-5A (Salem Church Road) 1 attachment
To : Funkhouser, Rhonda (VDOT) <Rhonda.Funkhouser@VDOT.Virginia.gov>
Cc : Jeremy Camp <jcamp@clarkecounty.gov>

Mr. Camp,
 The Virginia Department of Transportation has reviewed the Minor Subdivision of lot 11-A-5A.
 The Virginia Department of Transportation has no issues with the subdivision.
 Thanks,
 Greg



Gregory T. Hoffman
Permit Specialist – Clarke & Frederick Counties
 VDOT - Edinburg Residency | Land Use
 2275 Northwestern Pike | Winchester, VA 22603
 Phone #540.535.1824
 Email: gregory.hoffman@vdot.virginia.gov

From: Funkhouser, Rhonda (VDOT) <Rhonda.Funkhouser@VDOT.Virginia.gov>
Sent: Wednesday, August 28, 2024 3:46 PM
To: Hoffman, Gregory (VDOT) <Gregory.Hoffman@VDOT.Virginia.gov>
Subject: FW: For Your Review - New Minor Subdivision - Clarke County, VA - Request for Review Comments - TM 11-A-5A (Salem Church Road)

From: Funkhouser, Rhonda (VDOT)
Sent: Tuesday, August 13, 2024 2:03 PM
To: Hoffman, Gregory (VDOT) <Gregory.Hoffman@VDOT.Virginia.gov>
Subject: For Your Review - New Minor Subdivision - Clarke County, VA - Request for Review Comments - TM 11-A-5A (Salem Church Road)

Greg – For your review per Joe. Thanks.

From: Funkhouser, Rhonda (VDOT)
Sent: Thursday, August 1, 2024 11:16 AM
To: Johnson, Joseph (VDOT) <JosephW.Johnson@vdot.virginia.gov>
Subject: FW: New Minor Subdivision - Clarke County, VA - Request for Review Comments - TM 11-A-5A (Salem Church Road)

Who would you like this logged to? Greg recently issued a LUP for a private entrance to this same applicant on Salem Church Road.

From: Jeremy Camp <jcamp@clarkecounty.gov>

Sent: Monday, July 29, 2024 8:43 AM

To: Johnson, Joseph (VDOT) <josephw.johnson@vdot.virginia.gov>; Neiswander, Carter (VDH) <carter.neiswander@vdh.virginia.gov>

Cc: Funkhouser, Rhonda (VDOT) <rhonda.funkhouser@vdot.virginia.gov>; Danielle Ritter <dritter@clarkecounty.gov>

Subject: New Minor Subdivision - Clarke County, VA - Request for Review Comments - TM 11-A-5A (Salem Church Road)

Hello Mr. Johnson and Ms. Neiswander,

Attached is a new minor subdivision application in Clarke County for the creation of a lot along Salem Church Road on tax map #11-A-5A.

Please review and provide comments for your respective agencies for consideration by the Planning Commission.

Thank you,
Jeremy F. Camp, Senior Planner / Zoning Administrator
Department of Planning
Clarke County, VA

101 Chalmers Court, Suite B
Berryville, VA 22611
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**PROJECTED UPCOMING AGENDA ITEMS, SEPTEMBER – DECEMBER
(9/6/2024 Business Meeting)**

SEPTEMBER

COMMITTEE MEETINGS

Comprehensive Plan Committee:

- Tuesday, September 10 at 2:00PM (A/B meeting room) -- Rural Lands Plan, continued work on plan development

Ordinances Committee:

- Thursday, September 19 at 2:00PM (A/B meeting room) – Double Tollgate zoning district development

OCTOBER

OCTOBER 1 WORK SESSION

- No items identified

OCTOBER 4 BUSINESS MEETING

Set Public Hearings:

- SUP-23-01/SP-23-01, Blake & Tamara Bullard (Berryville Berries)
- SUP-23-02/SP-23-02, John U. Miller (Watermelon Park)

Public Hearing:

- SP-24-01, Town of Berryville

Minor Subdivisions:

- MS-23-08, Regan Partnership, LP
- MS-24-06, Buckmarsh, LLC

COMMITTEE MEETINGS

Comprehensive Plan Committee (to be scheduled):

- Rural Lands Plan – Follow-up from Commission discussion, public outreach planning

Ordinances Committee (to be scheduled):

- Double Tollgate zoning district development – ongoing work

OTHER MEETINGS

Rural Lands Plan outreach workshops (to be scheduled, October – November)

NOVEMBER

OCTOBER 29 WORK SESSION

- Discussion, 2025-2030 Capital Improvement Plan

NOVEMBER 1 BUSINESS MEETING

Public Hearings:

- SUP-23-01/SP-23-01, Blake & Tamara Bullard (Berryville Berries)
- SUP-23-02/SP-23-02, John U. Miller (Watermelon Park)

Action Item:

- Recommendation to Board of Supervisors on 2025-2030 Capital Improvement Plan

COMMITTEE MEETINGS

Comprehensive Plan Committee (to be scheduled):

- Rural Lands Plan – ongoing work

Ordinances Committee (to be scheduled):

- Double Tollgate zoning district development – ongoing work

OTHER MEETINGS

Rural Lands Plan outreach workshops (to be scheduled, October – November)

DECEMBER

DECEMBER 3 WORK SESSION

- Update, Double Tollgate zoning district development
- Overview of Items for January 2025 Organizational Meeting

DECEMBER 6 BUSINESS MEETING

- No items identified

COMMITTEE MEETINGS

Comprehensive Plan Committee (to be scheduled):

- Rural Lands Plan – ongoing work

Ordinances Committee (to be scheduled):

- Double Tollgate zoning district development – ongoing work