

**CLARKE COUNTY PLANNING COMMISSION
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Clarke County Planning Commission

AGENDA – Business Meeting

Friday, November 6, 2020 – 9:00AM

Berryville/Clarke County Government Center – Main Meeting Room

1. Approval of Agenda
2. Approval of Minutes
 - a. September 29, 2020 Work Session
 - b. October 2, 2020 Business Meeting

PUBLIC HEARING

3. Revised 2020 Recreation Component Plan for Clarke County, Virginia

Minor Subdivision Applications

4. **MS-20-04, Aaron Sims.** Request approval of a two-lot Minor Subdivision for the property identified as Tax Map 13-A-53, located at 988 Westwood Road, Russell Election District, zoned Agricultural-Open Space-Conservation (AOC).
5. **MS-20-05, Todd & Barbara Johnson.** Request approval of a two-lot Minor Subdivision for the property identified as Tax Map 8-A-55B, located at 1674 & 1752 Summit Point Road, Russell Election District, zoned Agricultural-Open Space-Conservation (AOC).

Certificate of Appropriateness Application

6. **CA-20-03, Robert Claytor / Todd Shenk.** Request approval for a change in the previously approved certificate of appropriateness (in conjunction with SP-18-02) in order to alter the color scheme for the Handy Mart diesel pump canopy located at 8153 John Mosby Highway, identified as Tax Map 28-A-20B, zoned Historic Access Corridor Overlay District (HC) and Highway Commercial (CH).
7. **Board/Committee Reports**
 - a. Board of Supervisors (Matthew Bass)
 - b. Board of Septic & Well Appeals (George Ohrstrom, II)
 - c. Board of Zoning Appeals (Anne Caldwell)
 - d. Historic Preservation Commission (Doug Kruhm)
 - e. Conservation Easement Authority (George Ohrstrom, II)
 - f. Broadband Implementation Committee (Brandon Stidham)

Other Business

Adjourn

UPCOMING MEETINGS:
Comprehensive Plan Committee Friday, November 6 (9:30AM or immediately following Commission Business Meeting) Main Meeting Room
Commission Work Session Wednesday, December 1 (3:00PM)
Commission Business Meeting Friday, December 4 (9:00AM)



Clarke County Planning Commission

DRAFT MINUTES – Work Session

Tuesday, September 29, 2020 – 3:00PM

Berryville/Clarke County Government Center – Main Meeting Room

ATTENDANCE:			
George L. Ohrstrom, II (Chair/Russell)	✓E	Pearce Hunt (Russell)	✓
Randy Buckley (Vice-Chair/White Post)	✓	Scott Kreider (Buckmarsh)	X
Matthew Bass (Board of Supervisors)	✓	Douglas Kruhm (Buckmarsh)	X
Anne Caldwell (Millwood)	✓	Frank Lee (Berryville)	✓
Buster Dunning (White Post)	✓	Gwendolyn Malone (Berryville)	✓
Robert Glover (Millwood)	✓	Doug Lawrence (BOS alternate)	X

E – Denotes electronic participation

Note: George L. Ohrstrom, II participated electronically due to health issues related to the current pandemic.

STAFF PRESENT: Brandon Stidham (Director of Planning), Ryan Fincham (Senior Planner/Zoning Administrator), Alison Teetor (Natural Resources Planner), Chris Boies (County Administrator)

CALL TO ORDER: By Mr. Stidham at 3:03PM.

1. Approval of Agenda

The agenda was approved by consensus as presented by Staff.

2. Review of Agenda Items for October 2, 2020 Business Meeting

Mr. Stidham noted that Item #2 is the draft minutes from the September 4 Business Meeting. He said to let Staff know of any corrections to be made in advance of the meeting and he would produce a revision on yellow sheets.

Mr. Stidham reviewed the proposed Motions to Recognize Service for Pete Maynard, Robina Rich Bouffault, and Mary Daniel along with certificates of appreciation for each former member. He said that Staff prepared the motions and certificates in response to Commissioners’ comments at the last meeting. Chair Ohrstrom asked if Commissioners could make personalized comments about the outgoing members in conjunction with the motions. Mr. Stidham replied that after the motion is made and Chair Ohrstrom asks for discussion on the motion, any Commissioner could provide their personalized comments that would be included in the minutes. Commissioners had no additional comments or questions and Mr. Stidham noted that Staff is looking for formal action on the motions at the Business Meeting.

Mr. Fincham provided an overview of minor subdivision application MS-20-02 (Channing Carroll (deceased), Karen Day, & Glenda Cunningham (owners)/Matthew Day (applicant)). Mr. Fincham noted that the outstanding items listed on Page 17 of 22 have since been provided by the applicant’s agent. He drew the Commission’s attention to the aerial map on Page 20 of 22 to note that the house site and drainfield location are already cleared. He then discussed the condition of the existing private access

easement that serves the subject property and would be used for the new proposed lot. He distributed several photographs of the private access easement and Wildcat Hollow Road in the subject property vicinity. He noted that the existing private access easement has plenty of pull-off area within 900 feet of the public road right of way. He also noted Plat Note #20 provided by the applicant and their agent requests application of Subdivision Ordinance §9-E to allow for a variation of the private access easement requirements in §8-J-2. He said that this is the first such request made by an applicant that he has encountered in his tenure. He said that the private access easement is currently used entirely by family members and that they do not want to have their road modified. He also said that they plan to create a road maintenance agreement and are willing to put in writing that they do not want the road to be altered. Regarding §8-J-2 requirements, he noted that subsection c-9 requires a minimum travel way surface width of 14 feet and that the property owners are happy with the current 11-12 width. He also noted that the private access easement currently serves two lots and ultimately would serve a total of four lots. He said that this request came in two hours prior to this Work Session.

Chair Ohrstrom asked if this would set a precedent for a future applicant to ask for a variation to paving requirements on a 9-lot subdivision. Mr. Fincham said that his understanding about precedent is that it is very narrow and has to be the same situation across the board, and also noted that the revised Subdivision Ordinance regulations are different on this issue. Mr. Stidham said that the 9-lot example is a different situation and precedent would not apply. He said a future applicant with the same number of proposed lots and a similar family situation requesting variation of the travel way width requirement would be a similar fact pattern that could be subject to precedent. He noted that the Commission has encountered similar applications in the past and referenced the Weiss minor subdivision and another in the village of Pine Grove. He said in these cases, the applicant added a plat note indicating that the private access easement would be upgraded to comply with §8-J-2 requirements prior to issuance of any building permit to construct a home on the new lots. Regarding §9-E, it was noted by the County Attorney during the Ordinance Update Project that blanket variances to the Subdivision Ordinance are not authorized by the Code of Virginia, but that you can create provisions that allow waivers of specific design standards. He also noted that the current draft of the revised Subdivision Ordinance includes a process to allow private access easement design standards to be waived for existing easements in good condition, without impediments to ingress/egress for emergency vehicles, and where all applicable landowners provide notice in writing that they do not want the easement modified. He said that the Commission could apply §9-E as requested by the applicant and it would be up to anyone who opposes the minor subdivision to challenge that the Commission does not have authority under State Code to take this action. He added that since all of the potential parties are family members and are willing to provide written statements that they do not want the easement modified, then the Commission would be relatively safe from legal action. He also said that precedent would ultimately be addressed with adoption of the new Subdivision Ordinance.

Chair Ohrstrom said that he is concerned that if we do not have the legal authority to grant a variation, then the Commission probably should not be doing it. Commissioner Caldwell said that the road looks perfectly fine to her and she asked which section of the road is narrower than the balance of the road. Mr. Fincham replied that the road width is pretty uniform throughout with the smallest measurement being 10 feet and the largest measurement being 12 feet. Commissioner Caldwell asked if this is for the entire distance from Wildcat Hollow Road and Mr. Fincham replied yes. Commissioner Caldwell said that this issue is a result of the unfortunate misuse of the word “variance” and a more appropriate word would be “waiver.” She added that she is not particularly concerned with potential legal issues. Mr. Fincham noted that in the past cases where the plat note approach was used to defer the easement

modifications, those applicants were not looking to build homes immediately. In this case, the family member is ready to build now. Commissioner Lee said that if this is proposed to be changed in the new Ordinance anyway, this would be a short-lived variation if granted and he does not feel that this would set a precedent. Commissioner Bass agreed and said once the new Ordinance is adopted, you would not have to worry about a legal challenge. Chair Ohrstrom asked if this would become nonconforming under the new Ordinance. Mr. Stidham replied that it may not be nonconforming, adding that he thinks the only missing piece from the new Ordinance would be an inspection by Fire & Emergency Services staff to confirm sufficient ingress/egress for emergency vehicles. Mr. Fincham noted that the applicant has said that emergency services vehicles have used that road a few times in the past and although he has not seen a fire truck on the road, other large trucks have used it and have had more trouble on Wildcat Hollow Road than they have had on the private access easement.

Chair Ohrstrom asked about Staff's recommendation. Mr. Fincham replied that he is still recommending deferral but only because he has not heard back from the Virginia Department of Transportation (VDOT). He reviewed VDOT's comments and noted that the applicant's agent has provided changes to address the comments. He is now waiting for confirmation from VDOT staff and, if he receives it, will be able to recommend approval subject to the family members providing written statements opposing modifications to the road as previously discussed. Chair Ohrstrom asked if the applicant is requesting deferral. Mr. Fincham replied no and said that he is expecting VDOT's comments to be provided tomorrow.

Mr. Stidham concluded by noting the Board/Committee Reports to be given at the Business Meeting and that he will be making the presentation on Land Use and Zoning that was deferred from the September meeting.

3. Old Business Items

Revised Recreation Component Plan – Report from Comprehensive Plan Committee

Ms. Teetor provided a report on the revised Recreation Component Plan. Chair Ohrstrom said that this was a very nicely done job and thanked Ms. Teetor for working on it. Ms. Teetor noted that Chair Ohrstrom brought a few typos to her attention that she will be correcting. She then conducted a page-by-page review of the proposed changes. Commissioner Bass noted punctuation typos on Page 16 of 31 in the description of Long Branch Plantation and in the description of Locke's Mill on Page 17 of 31. Also on Page 17 of 31, he noted that the in the third line of the Barns of Rose Hill description the word "our" should be "the." He also noted a missing end quotation marks on Page 19 of 31 after the word "countryside" in the Scenic Byways paragraph. Commissioners also noted the word "a" should be "an" before the word "historic" on Page 22 of 31 in the description of Sky Meadows State Park.

Mr. Stidham said that the next step would be to add an item to the Business Meeting agenda to set public hearing on the Revised Recreation Component Plan for the November 6 Business Meeting. He said the Commission could defer action if they want to spend more time reviewing the Plan. Chair Ohrstrom said that he has read the draft Plan and thinks that it is ready for public hearing and asked what Commissioners want to do. Commissioners Bass, Lee, and Malone all commented that they agree with scheduling public hearing. Chair Ohrstrom asked if there is a way to put the draft Plan out there to get additional comments, like posting it to the County website. Mr. Stidham noted that Staff always posts documents for public hearing on the County website and references the link in the public hearing advertisement. He added that Ms. Teetor has also circulated the draft to people that worked on the original Plan. He concluded by

saying that he will add a new Item #5 to the Business Meeting agenda immediately following the minor subdivision application to schedule public hearing on the draft Plan.

4. New Business Items

Discussion – Role of Planning Commission in Capital Improvement Plan Process

Mr. Boies said that this discussion is intended to prepare the Commission for reviewing the Capital Improvement Plan (CIP) at next month's meeting. He said the CIP is a spending plan that localities use to plan out large capital expenditures over a five-year period. He said it allows you to project out your financial needs and that this process is more important in Clarke County because we tend to not issue debt for projects, instead saving money and paying for projects in cash. He said in counties that tend to build out more than Clarke County, you would see CIP projects like road infrastructure improvements, water and sewer lines, and the like. He added that our CIP will not look like these plans and instead will focus on projects that preserve our existing facilities. He said he has met with department heads and constitutional officers to discuss their needs and will be meeting with Mr. Stidham and the Finance Office to assemble a draft CIP for the Commission to review. The draft CIP will be five years and Year One will automatically tie into the upcoming budget process which starts in December and is adopted in April or May. He said the CIP will include a list of projects, estimated costs, and need descriptions for each.

Commissioner Lee asked if the Commission will be asked to make a recommendation. Mr. Boies replied that per State Code the Commission is required to make a recommendation on the CIP to the Board of Supervisors. Commissioner Lee asked if the Commission would give itemized recommendations or an overall recommendation and Mr. Boies replied that it would be an overall recommendation but can include specific recommendations about particular items. Chair Ohrstrom said that he understood that planning commissions are responsible for determining conformity to the comprehensive plan and do not get involved in financial planning. He asked why the Planning Commission is being asked to comment on the financial plan, adding that he could see the Commission focusing on whether the CIP projects conform to the Comprehensive Plan. Mr. Boies replied that the Commission's role is to help plan for the community's future which involves reviewing the CIP. He said that implementation of the CIP is the Board's responsibility through adoption of the annual budget. He said Code of Virginia §15.2-2239 is pretty specific in regards to planning commissions' responsibilities in the CIP process. He added that the thought years ago was that a jurisdiction's capital needs should match the jurisdiction's long range planning. He gave an example of a project to extend roads and public utilities to a rural area being potentially in conflict with a comprehensive plan that does not identify that rural area as a planned area for future growth. He said you are not reviewing the pennies and dimes in the CIP but rather how it conforms to the Comprehensive Plan. Chair Ohrstrom said that he understands Mr. Boies's explanation. Commissioner Caldwell said that Chair Ohrstrom brought up the most important point for the Commission to understand and that she is fine with the process.

Mr. Stidham noted that since we are holding Work Sessions again, we will have two opportunities to discuss the CIP next month. Commissioner Bass asked if individual Commissioners should be thinking about or suggest new projects. Mr. Boies replied that Commissioners are welcome to offer suggestions but that it is going to be difficult for Commissioners to know the County's specific needs. He added that the CIP process will be simple in this first year but will get more complex over time to include the Schools' CIP plan and other master plans.

5. Other Business

None

Mr. Stidham noted that the Comprehensive Plan Committee will be meeting next if any Commissioners wanted to stay and observe that meeting.

ADJOURN: The Work Session was adjourned by consensus at 3:43PM.

Brandon Stidham (Clerk)



Clarke County Planning Commission

DRAFT MINUTES - Business Meeting

Friday, October 2, 2020 – 9:00AM

Berryville/Clarke County Government Center – Main Meeting Room

ATTENDANCE:			
George L. Ohrstrom, II (Chair/Russell)	✓ E	Pearce Hunt (Russell)	✓
Randy Buckley (Vice-Chair/White Post)	✓	Scott Kreider (Buckmarsh)	X
Matthew Bass (Board of Supervisors)	✓	Douglas Kruhm (Buckmarsh)	X
Anne Caldwell (Millwood)	✓	Frank Lee (Berryville)	✓
Buster Dunning (White Post)	✓	Gwendolyn Malone (Berryville)	✓
Robert Glover (Millwood)	✓	Doug Lawrence (BOS alternate)	X

E – Denotes electronic participation

L – Denotes arrived late

Note: George L. Ohrstrom, II participated electronically due to health issues related to the current pandemic.

STAFF PRESENT: Brandon Stidham (Director of Planning), Ryan Fincham (Senior Planner/Zoning Administrator) and Debbie Bean (Recording Secretary)

CALL TO ORDER: By Chair Ohrstrom at 9:00 AM.

1. Approval of Agenda

A motion to approve the revised Business Meeting Agenda as presented by Staff was adopted 9-0-2.

Motion to Approve October 2, 2020 revised Business Meeting Agenda as presented			
Ohrstrom (Chair)	AYE	Hunt	AYE
Buckley (Vice-Chair)	AYE	Kreider	ABSENT
Bass	AYE	Kruhm	ABSENT
Caldwell	AYE (seconded)	Lee	AYE
Dunning	AYE	Malone	AYE (moved)
Glover	AYE		

2. Approval of Minutes – September 4, 2020 Business Meeting

Chair Ohrstrom noted one edit needed on page 2 of 22 in this set of minutes. He said that the wording on the second page, second paragraph and in the second line reads, “He stated that Staff cleaned the wording” and he suggested it should be “He stated that Staff changed the wording.” The Commission agreed to make this change.

A motion to approve the meeting minutes with one edit noted was adopted 9-0-2.

Motion to Approve September 4, 2020 Business Meeting Minutes with one edit:			
Ohrstrom (Chair)	AYE	Hunt	AYE
Buckley (Vice-Chair)	AYE	Kreider	ABSENT
Bass	AYE	Kruhm	ABSENT
Caldwell	AYE (moved)	Lee	AYE
Dunning	AYE	Malone	AYE (seconded)
Glover	AYE		

3. Motions to Recognize Service – Pete Maynard, Robina Bouffault, and Mary Daniel

The following motion to approve the recognition of Pete Maynard for his service on the Planning Commission was adopted 9-0-2:

The Clarke County Planning Commission hereby recognizes the service of Commissioner Pete Maynard, who served as Commissioner for the Russell Election District from April 16, 2019 until his death on February 9, 2020. During his tenure, Commissioner Maynard also served as a member of the Commission’s Comprehensive Plan Committee. Pete’s service was cut short but he certainly showed a caring attitude about the future of Clarke County and we will miss him.

Motion to Approve the Recognition of Service for Pete Maynard as presented:			
Ohrstrom (Chair)	AYE	Hunt	AYE
Buckley (Vice-Chair)	AYE	Kreider	ABSENT
Bass	AYE	Kruhm	ABSENT
Caldwell	AYE	Lee	AYE (seconded)
Dunning	AYE	Malone	AYE (moved)
Glover	AYE		

The following motion to approve the recognition of Robina Rich Bouffault for her service on the Planning Commission was adopted 9-0-2:

The Clarke County Planning Commission hereby recognizes the service of Commissioner Robina Rich Bouffault, who served as Commissioner for the White Post Election District from January 17, 2012 to April 30, 2020. During her tenure, Commissioner Bouffault also served on the following committees:

- *Subdivisions Committee*
- *Site Plans Committee*
- *Plans Review Committee*
- *Policy & Capital Improvement Plan (CIP) Committee*
- *Policy & Transportation Committee*
- *Comprehensive Plan Committee*
- *Double Tollgate and Waterloo Subcommittee*
- *Telecommunications Subcommittee*
- *Economic Development Strategic Plan Subcommittee*
- *Business Intersection Area Plans Subcommittee*
- *Agricultural Land Plan Subcommittee*
- *Broadband Implementation Committee*

Motion to Approve the Recognition of Service for Robina Bouffault as presented:			
Ohrstrom (Chair)	AYE	Hunt	AYE
Buckley (Vice-Chair)	AYE (moved)	Kreider	ABSENT
Bass	AYE	Kruhm	ABSENT
Caldwell	AYE (seconded)	Lee	AYE
Dunning	AYE	Malone	AYE
Glover	AYE		

The following motion to approve the recognition of Mary Daniel for her service on the Planning Commission was adopted 9-0-2:

The Clarke County Planning Commission hereby recognizes the service of Commissioner Mary Daniel, who served as the Board of Supervisors Liaison to the Planning Commission from January 11, 2016 to May 1, 2020. She previously represented the Berryville Election District as Commissioner from June 17, 2002 to April 30, 2008. Mary was a great liaison person for the Commission, she kept us really well informed about what the Board was doing. We hope she enjoys her new judicial position.

Motion to Approve the Recognition of Service for Mary Daniel as presented:			
Ohrstrom (Chair)	AYE	Hunt	AYE
Buckley (Vice-Chair)	AYE	Kreider	ABSENT
Bass	AYE	Kruhm	ABSENT
Caldwell	AYE	Lee	AYE (moved)
Dunning	AYE	Malone	AYE (seconded)
Glover	AYE		

4. Minor Subdivision Application

MS-20-02, Channing Carroll (deceased), Karen Day, & Glenda Cunningham (Owners) / Matthew Day (Applicant). Request Approval of a two lot Minor Subdivision for the property identified as Tax Map 39-A-20, located near 2056 Wildcat Hollow Road in the White Post Election District zoned Forestal Open-Space Conservation (FOC).

Mr. Fincham said that this a minor subdivision request which we discussed at the Work Session meeting. He said that he handed out a Supplementary Staff Report and unless someone has some questions about the first Staff Report he will move on to the Supplementary Staff Report. He said that Staff recommends deferral of this request to the November 6, 2020 Business Meeting in order for the applicant to get the documents needed for approval. Chair Ohrstrom thanked Mr. Fincham for his presentation and he said it was very professionally done. There was one speaker.

- **Stuart Dunn, Dunn Land Surveys, Inc.** Mr. Dunn said that the letter we are waiting on should be coming from Bobby Boyce with the Virginia Department of Transportation (VDOT). He said that Mr. Boyce has not been on site. He said he was on site with Travis Duncan, Entrance Specialist with VDOT and he was the one that initially approved the entrance. He said that Mr. Fincham has been on site and this is almost at the end of Wildcat Hollow Road. He stated that the only people that have access are property owners and residents of 2056 and 2066 Wildcat

Hollow Road including property Tax Map #39-A-20. He stated that he really does not understand why we cannot approve this conditionally right now.

Chair Ohrstrom said that he understands how he feels about this and he asked the Commission what they think about it.

Commissioner Caldwell stated that despite her prior pleas not to do conditional approvals she feels that this entrance issue is sort of trivial and the road does not have heavy traffic. She said that the applicant has been willing to do whatever VDOT requires and everything seems to be in order.

Chair Ohrstrom stated that he agrees with everything that Commissioner Caldwell said. He said that the issues for this application are not as severe as prior conditional approvals.

Chair Ohrstrom asked the Commission if anyone else has a comment on this.

Commissioner Bass said that normally he does not agree with conditional approvals but he is inclined to agree with Commissioner Caldwell and Chair Ohrstrom.

There being no further comments on this request, Chair Ohrstrom called for a motion.

Commissioner Lee stated that he is recusing himself from voting on this application

A motion to approve the Minor Subdivision on condition that any expected comments from VDOT be fulfilled by the applicant was adopted 8-0-3.

Motion to Approve the Minor Subdivision on condition that any expected comments from VDOT be fulfilled by the applicant.			
Ohrstrom (Chair)	AYE	Hunt	AYE
Buckley (Vice-Chair)	AYE	Kreider	ABSENT
Bass	AYE	Kruhm	ABSENT
Caldwell	AYE (moved)	Lee	RECUSED
Dunning	AYE	Malone	AYE (seconded)
Glover	AYE		

5. Revised 2020 Recreation Component Plan for Clarke County, Virginia

Mr. Stidham said he handed out a revised agenda this morning in order to add #6 which is for setting a public hearing date for the Revised 2020 Recreation Component Plan for Clarke County. He said this is a follow-up to the discussion from the Work Session Meeting. He said that we are looking for a motion today to set public hearing for the November 6, 2020 Planning Commission Business Meeting. Mr. Ohrstrom asked Ms. Teetor if she will be giving a Power Point presentation at the public hearing. Ms. Teetor said that she will do that. Chair Ohrstrom said that Ms. Teetor did an excellent job on this plan and thanked her for all the hard work she has done.

Chair Ohrstrom called for a motion to set public hearing on the Revised 2020 Recreation Component Plan.

A motion to set the public hearing for the Revised 2020 Recreation Component Plan for November 6, 2020 was approved 9-0-2.

Motion to set the public hearing for the Revised 2020 Component Plan for November 6, 2020 was approved.			
Ohrstrom (Chair)	AYE	Hunt	AYE
Buckley (Vice-Chair)	AYE	Kreider	ABSENT
Bass	AYE	Kruhm	ABSENT
Caldwell	AYE (seconded)	Lee	AYE
Dunning	AYE	Malone	AYE (moved)
Glover	AYE		

6. Board/Committee Reports

Board of Supervisors (Matthew Bass)

Commissioner Bass said that Maral Kalbian (County Historian) gave a presentation regarding the Confederate statue in front of the Courthouse. He said that the presentation is now available on the County website. He stated that the main issue is that the County does not own the property nor do they own the statue. He said that the Board decided to create a citizens committee for this issue. He said that he does not know at this time how big of a committee this will be nor what the time line will be. He stated that hopefully he will know within a few weeks. He said that the other news is that the Board was finally able to clear some money for the small businesses program and he has delivered 5 or 6 checks to local folks and he still has more to deliver today.

Board of Septic & Well Appeals (George Ohrstrom, II)

Chair Ohrstrom had nothing to report.

Board of Zoning Appeals (Anne Caldwell)

Commissioner Caldwell had nothing to report.

Historic Preservation Commission (Doug Kruhm)

Commissioner Kruhm was absent.

Conservation Easement Authority (George Ohrstrom, II)

Chair Ohrstrom said that we are still working on several different easements. He said that one that was quite promising fell through and it had nothing to do with the policies of the Clarke County easement authority or the state of Virginia. It was a new ruling from the IRS about getting into the minutia of talking about building envelopes on easements and whether they needed to be supplied up front. He said that this could possibly become a requirement but we will have to wait and see. In said in the meantime we will continue to work on ones we have in the pipeline.

Broadband Implementation Committee (Brandon Stidham)

Mr. Stidham stated that they have not met since the last meeting. He said that the next meeting is scheduled for October 21, 2020 at 2:00 pm.

Chair Ohrstrom said that he has been talking to Doug Lawrence and he has taken a real interest in broadband.

Commissioner Caldwell said that she has some information about service providers. She said that her neighbor Turi Turkel has taking an interest in broadband and she contacted Virginia Air which is on the County website and they are a reseller of AT&T service. She said as she understands it AT&T rents most of the space on the tower on top of the mountain on the Virginia/West Virginia line. She said that they then broadcast to the quarry tower on Route 7 and they are able with the help of a sophisticated antenna getting unbelievable service and it is not very expensive. She said that one caveat is that Virginia Air has been sold to another provider and she does not know how this is going to go. She said they will have to wait and see.

Other Business

7. Presentation, Clarke County Land Use and Zoning Overview

Mr. Stidham gave a Power Point presentation on the Clarke County Land Use and Zoning Overview. He asked if there were any questions.

Commissioner Caldwell said that the presentation was very helpful.

Chair Ohrstrom stated this was a very good presentation. He said that he has a question about a place like the Black Penny in Millwood even though the commercial aspect of that property is no longer valid because the Special Use Permit ended two years ago. He stated that a place like the Black Penny could be adapted for reuse. He said that we might need to rethink this even though the Special Use Permit under that particular use has ended. He stated that instead of taking that use off of the County tax rolls and now the only thing that can be done with the property is a single family home. He said that we should think about what we can do so it does not happen again in the future. He stated that other than that it was an absolutely wonderful presentation.

Mr. Stidham stated in regard to Chair Ohrstrom's concern he said that developing a Village Plan would help to answer those questions particularly in Millwood. He said with the Village Plan process we may need to decide to create another zoning district or overlay district that allows more flexibility.

Mr. Stidham stated that we were going to have the Policy Committee meeting after the Business meeting today but it has been canceled due to lack of a quorum and it will have to be rescheduled.

ADJOURN: Motion to adjourn the meeting at 10:00 AM was approved by consensus.

George L. Ohrstrom, II (Chair)

Debbie Bean (Recording Secretary)



Clarke County Planning Department

101 Chalmers Court, Suite B

Berryville, Virginia 22611

(540) 955-5132

www.clarkecounty.gov

MEMORANDUM

TO: Planning Commission members

FROM: Alison Teetor

DATE: October 5, 2020

SUBJECT: Recreation Component Plan 5 year update

Enclosed for your review is the final revised draft of the Recreation Component Plan as discussed at the October 2nd Planning Commission meeting. As you recall, the Recreation Component Plan requires a five year review in accordance with Code of Virginia §15.2-2230 and was originally adopted on August 18, 2015. The Commission adopted a resolution to initiate the five-year review of the Plan that is limited to documenting changes to recreational resources, programs, and facilities that have been added or modified since the Plan's adoption, and incorporating resources that are not addressed in the current Plan. These include but were not limited to:

- Add reference to initiatives to support the Appalachian Trail Community designation.
- Activity status of resources such as Locke's Mill and public campgrounds.
- Privately-maintained river lots.
- Whether to incorporate agribusinesses with an outdoor component such as wineries.

No changes were to be made to the Plan's Goals (Chapter II) or Strategies (Chapter III).

The Comprehensive Plan Committee met on June 22nd and August 26th to update the plan to reflect changes in the resource inventory, including some additions and deletions. These changes were included in the draft provided to the Committee at the August 26th meeting.

At the August 26th meeting, members made additional suggestions regarding wording changes and confirming that Mountain Lake Campground is open for business. The Plan was presented to the Planning Commission at their September 29th work session and at the October 2nd business meeting members approved setting public hearing for the November 6th business meeting.

In brief the following changes were made:

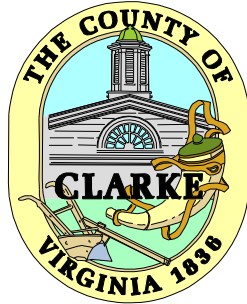
- Pg 7 – added partnerships with Federal, State and non-profit agencies
- Pg 8 – added information about Appalachian Trail Hike Brochure and parking lot expansion efforts
- Pg 12-13 – highlighted individual Passive Recreation sites to be consistent with the Special Use format

- Pg 13 – revised the description of Long Branch
- Pg 14 – added Lockes Mill
- Pg 16 – added section on Scenic Byways including a map detailing designated roads
- Pg 17 – added reference to the Hawk Watch Sign what was installed in 2018
- Pg 18 – revised Watermelon Park description
- Pg 19 – removed reference to the Family Campground as it is similar to other river lots that are rented privately
- Pg 19 – revised the description of the Mountain Lake Campground after validating it is still operational

Map 1 – was updated to provide clarity and the appendices were also updated to ensure website references are current.

Recommendation:

Recommend adoption to the Board of Supervisors.



Recreation Component Plan For Clarke County, Virginia

An Implementing Component of the 2013 Comprehensive Plan



Adopted by the Board of Supervisors on (date to be determined)

ACKNOWLEDGEMENTS

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Randy Buckley, Vice Chair (White Post Voting District)
Anne Caldwell (Millwood Voting District)
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DATE OF PLANNING COMMISSION PUBLIC:

November 6, 2020

DATE OF BOARD OF SUPERVISORS PUBLIC HEARING:

To be determined

**Recreation Component Plan
For Clarke County, Virginia**

An Implementing Component of the 2013 Comprehensive Plan

Adopted by the Board of Supervisors on (date to be determined)

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RECREATION COMPONENT PLAN

I. Executive Summary

Clarke County has numerous natural resources, indoor, and outdoor recreational opportunities. The purpose of this plan is to address the recreational needs of the community and describe existing resources, how they will be protected and promoted, and the steps that should be taken to ensure the continued viability and enhancement of these resources for present and future generations.

This plan establishes specific functional strategies and recommendations to protect, promote, grow and enhance the County's active and passive recreational resources. This plan will place particular emphasis on passive recreation opportunities as active recreation needs are primarily addressed by the Parks and Recreation Department at Chet Hobert Park.

The Planning Commission appointed a subcommittee consisting of Jon Turkel (Planning Commission liaison), Pete Engel (citizen), Daniel Sheetz (Chair Parks and Recreation Board), Lee Sheaffer (citizen), Tom McFillen (citizen); and staff persons Alison Teetor (Natural Resources Planner), Lisa Cooke (Parks & Recreation Director), Brandon Stidham (Planning Director) and Christy Dunkle (Berryville Assistant Town Manager). The subcommittee met monthly to prepare the draft plan for approval by the Planning Commission and Board of Supervisors. In addition to the Plan, a map (Map 1) detailing the recreation resources and an inventory list were developed.

II. Summary of Plan Goals

The Recreation Component Plan identifies the following overarching goals:

- 1) Meet the recreation needs of the community
- 2) Increase awareness of all recreational activities
- 3) Assist in maximizing the recreation value of existing assets
- 4) Promote connectivity among the County's active and passive recreation resources
- 5) Update the Recreation Plan on a 5 year cycle

III. Strategies to meet Goals

The following specific strategies are recommended in order to implement the Plan Goals:

1) Meet recreation needs of the community

- a. **Conduct formal Needs Assessment.** Under the direction of the Parks and Recreation Department a community needs assessment should be undertaken that incorporates all components of community, including both users and non-users of county Parks and Recreation programs and amenities. The needs assessment should accomplish the following:
 - i. Identify demand levels of existing facilities and programs
 - ii. Identify demand for new or expanded facilities and programs
 - iii. Evaluate the County's ability to meet this demand over a ten year period
 - iv. Establish level of service needs based on above data
- b. **Evaluate the County's recreation needs on a regular basis.** This Recreation Plan should be evaluated every 5 years or as new needs are identified and prioritized for consideration. County facility needs should be evaluated annually by the Parks & Recreation Board in conjunction with the annual budget process.
- c. **Make changes to the Park Master Plan to meet new needs.** The Parks & Recreation Board shall continue its efforts to maintain an updated master plan of County park facilities, and shall strive to communicate any new or changing needs in a timely fashion to the Board of Supervisors. The County shall support the efforts of the Parks & Recreation Board to update the Park Master Plan.
- d. **Program capital improvements based on need/level of service and incorporate in the annual capital improvement program (CIP) process.** In conjunction with updating the park master plan, the Parks & Recreation Board shall use level of service criteria to help justify the need for future new or expanded facilities. The Board of Supervisors shall utilize the criteria to include future park projects into the CIP process in an effort to implement master plan recommendations in a fiscally-responsible manner.
- e. **Develop master plan for the Janet Kohn Memorial Park property (Kohn property).** The Parks & Recreation Board shall work to develop a new master plan for the future development of the Kohn property as a County passive recreation facility. The master plan shall identify initial amenities to meet the current needs of County residents, potential funding sources, and future improvements based on level of service criteria. The County shall support the efforts of the Parks & Recreation Board to create this new master plan.

- f. **Encourage partnerships to expand active and passive recreational opportunities.** As an ongoing effort, the County shall seek opportunities to partner with public and private sector agencies and organizations in an effort to implement the recommendations of this Component Plan and the Parks & Recreation Board’s master plans. Such opportunities may include co-sponsorship of recreation programs, recreation-related events, or partnering in the development of a new or expansion of an existing recreation facility.
- g. **Enhance role of Parks and Recreation Board.** The Board serves as the advisory body to the Clarke County Board of Supervisors. As the liaison among the Parks and Recreation Director, the Board of Supervisors and the citizens of the community, they are tasked with consulting and advising the County Administrator, the Parks and Recreation Director and the Board of Supervisors in matters affecting recreation policies, programs, personnel, finances, and the acquisition and disposal of lands and properties related to the total community recreation program and to its long-range, projected program for recreation. The Board’s role can be enhanced by empowering them to implement Park Master Plan recommendations as supported by data developed via needs assessments and community surveys. This will help to ensure that the Board can address actual needs and avoid pressures from special interests.

2) Increase awareness of all recreational activities

- a. **Provide updated website.** The County shall continue to maintain an updated website to support and promote recreational facilities, activities, and opportunities within the County. The County shall pursue partnerships with public and private-sector owners of recreational facilities to ensure that the website is current, user friendly, and contains reciprocal webpage links.
- b. **Pursue partnerships with non-county and private recreation facilities to coordinate awareness of recreational opportunities in the County.** The County shall utilize partnerships with public and private-sector recreation facility owners to share and coordinate awareness of all recreation opportunities available in the County. Such collaboration could include coordination of recreation events or programs as well as creation of new or expanded programs and opportunities.

3) Assist in maximizing the recreation value of existing assets

- a. **Support the development of Chet Hobert Park in accordance with the Park Master Plan.** Chet Hobert Park serves as the County’s primary indoor and outdoor active and passive recreational asset. Centrally located adjacent to the Town of Berryville, the Park is ideally located to serve the daily recreational needs of the County’s residents. The Park property also contains an undeveloped area for future expansion consistent with the park master plan. The County shall

continue to develop the Park according to the Park Master Plan and shall explore partnerships with public and private-sector entities to enhance and expand programming opportunities.

b. Facilitate more effective public use of the Shenandoah River while simultaneously protecting it as a critical natural and environmental resource.

The Shenandoah River is a national treasure that attracts thousands of visitors annually for fishing, kayaking, boating, or simply enjoying its natural beauty. Promoting use of this unique recreational resource must be balanced with the critical need to protect it from pollution, erosion, and corruption of its scenic value.

The County shall explore opportunities with State and Federal agencies and private landowners to improve public access, parking, and amenities. Current partnerships include the Virginia Department of Wildlife Resources, Virginia Marine Resource Commission, and the Army Corps of Engineers. Such improvements, however, should ensure that the integrity of the River is not compromised and that the rights of landowners along the River are not unreasonably affected. An additional consideration is the impact of increased traffic on secondary roads and the neighbors living along those roads. The County shall continue to maintain land use controls to protect the River and should explore adoption of new controls to further protect this asset.

Partnerships with other public and private entities can also be sought to promote and to protect the River. Two groups in particular, the Friends of the Shenandoah River and The Downstream Project, are dedicated to protecting water quality in the River and other perennial streams. Efforts should be undertaken to better identify the specific roles that the County may take in this endeavor and to address specific challenges that may be faced.

c. Facilitate more effective public use of the Appalachian Trail while simultaneously protecting it as a critical resource.

The Appalachian Trail (A.T.) is a world-renowned recreational resource that is enjoyed by thousands of hikers, camping enthusiasts and outdoor lovers annually. Promotion of the A.T. must include protecting it from corruption of its scenic and recreational value.

The County shall explore opportunities with State and Federal agencies and private landowners to improve public access, parking, and amenities. Such improvements, however, should ensure that the integrity of the A.T. is not compromised and that the rights of landowners along the A.T. are not unreasonably affected. As with River access, consideration should also be given to the potential impact of increased traffic on secondary roads. The County shall continue to maintain land use controls to protect the A.T. and should explore adoption of new controls to further protect this asset. Partnerships with other public and private entities can also be sought to promote and protect the A.T.

Efforts should be undertaken to better identify the specific roles that the County may take in this endeavor and to address specific challenges that may be faced. The Town of Berryville and Clarke County were accepted as an Appalachian Trail Community in 2014. This designation recognizes communities that promote and protect the A.T. In addition, the County should continue to pursue acquiring conservation easements along the A.T. corridor as a preservation measure. In 2018 the County received a grant from the A.T. Landscape Partnership Action Fund to develop a map describing six hikes associated with the Appalachian Trail. These maps have been distributed to area shops, restaurants, and tourist information sites.

Due to increased popularity of the trail, parking at access points exceeds the available area for cars. In 2018 the County paid for an expansion of the parking lot at the Route 679 lot to increase the capacity from 8-10 cars to 20-30 cars. Additional parking is also being provided at the Morgan's Mill access point through a cooperative effort with the National Park Service, Federal Emergency Management Agency (FEMA), the Potomac Appalachian Trail Club (PATC), the Appalachian Trail Conservancy (ATC), the Virginia Department of Transportation (VDOT), and the County. This lot will be completed in late 2020.

- d. **Facilitate more effective public use of the historic Bear's Den Hostel and property while simultaneously protecting it as a critical resource.** The County should also explore partnership efforts with the Appalachian Trail Conservancy and the Potomac Appalachian Trail Club to promote awareness of Bear's Den as a related recreational asset. Bear's Den is a well-known scenic location along the Appalachian Trail containing the only formal lodging and camping facilities along the County's section of the A.T. as well as providing public access points, scenic view access, internal trail network, programming and events for day users as well as through hikers. Such partnership efforts could include coordination of events and promotion as well as exploring ways to protect the resource and expand its amenities.

- e. **Support the efforts of Shenandoah University to develop and maintain its River Campus as conservation, educational, and passive recreation resource.** Shenandoah University received the former Virginia National Golf Course property along the Shenandoah River in 2013 as a gift from the Civil War Trust with the goal of developing the property as a satellite campus for historic, conservation and environmental education. In furtherance of this goal, the University has opened the campus to the public for passive recreation opportunities during daylight hours. The County should work with the University in furtherance of these goals and should seek opportunities to promote the Campus as a passive recreation facility. The County should also consider support of ongoing improvements proposed by the University provided they are context-sensitive and do not compromise the aforementioned goals.

- f. Support the efforts of the University of Virginia to maintain Blandy Experimental Farm/State Arboretum of Virginia (“Blandy”) as a conservation, educational, and passive recreation resource.** Blandy is operated by the University of Virginia as an educational and research facility with a goal of increasing public outreach and awareness of environmental issues and the natural world. The Farm is open to the public and is used by many as a passive recreational facility for walking, jogging, or simply enjoying the unique environment that the University has created. The County should work with the University in any available capacities to help further the stated goals of the Farm and to promote it as a passive recreation facility. The County should also consider support of any future improvements that are consistent with the aforementioned goals, and should continue to support the Farm’s existing mission.
- g. Support the efforts of the Virginia Department of Historic Resources and The Clermont Foundation to develop and maintain Clermont Farm as conservation, educational and passive recreation resource.** Clermont Farm, a working 360-acre farm just east of Berryville, was surveyed by George Washington in 1750 and has mid-18th, 19th, and 20th century buildings and important archaeological sites. The bequest of the site to the Virginia Department of Historic Resources and the creation of The Clermont Foundation (a non-profit with a local board of trustees) were gifts of Elizabeth Rust Williams, a local lawyer and judge whose family had owned Clermont for 185 years. The bequest at her death in 2004 was intended to benefit not only all citizens of the Commonwealth, but specifically also citizens of Clarke County. Clermont is now a research and training site in history, historic preservation and agriculture, with partnerships with Virginia Tech in agriculture and James Madison University in archaeology, and with the Clarke County Public Schools in agricultural education. Clermont is currently open by appointment to researchers, teachers, and students. It is open to the public only for specific scheduled events, such as the annual Clermont Farm Day. The County should consider support of future improvements, which might extend use of the farm for passive recreational and educational (historic and agricultural) opportunities which would benefit local citizens as well as draw heritage and agro-tourism. The County should also consider support of any future improvements that are consistent with the Department’s and Foundation’s existing mission for the farm, with the County’s Economic Development Plan, and with the goals of the Clarke County Historic Preservation Commission.
- h. Promote the development, maintenance, and promotion of Driving Tours.** Driving tours are an effective way to raise residents and visitors awareness of the County’s active and passive recreational resources and to promote their ongoing use. These tours can also help promote linkages among recreational, historic, and tourism assets. The County’s scenic byway designations and State Birding and Wildlife Trail designations also serve as attractors to County recreational assets.

The County's Historic Preservation Commission (HPC) has developed a series of driving tour maps that are centered around the County's current historic districts. The County should promote driving tours using these maps as well as electronic media and the County website. Owners/operators of public and private recreational facilities should be made aware of driving tours and their benefits of increasing usage and visitation.

- i. Coordinate cross-promotion of adjacent recreational assets.** The County should consider establishing partnerships with adjacent or nearby recreational resources for co-promotion and public awareness. Building a solid network of public and private recreational assets within the County is critical, but including related facilities adjacent or close to the County's borders will make citizens and visitors more aware of the wealth of resources available to them. This would ultimately help increase tourism and potentially decrease demand for the County to provide new or similar amenities.

Publically accessible facilities immediately adjacent to the County borders include Sky Meadows State Park (Fauquier County) and Lake Frederick (Frederick County). Other regional facilities are listed in Appendix B.

- j. Work with Public Schools to ensure public understanding of policies in place for use of school facilities for passive outdoor recreation.** All public school facilities have large expanses of open land that are informally used for passive recreation by nearby residents. Other facilities that are routinely used are the track at Johnson Williams Middle School, and playground facilities at Berryville Primary, Boyce Elementary and Cooley Elementary Schools. Working with public school administration to ensure public understanding of policies in place for use of school facilities may strengthen the access for the public and reduce safety concerns for the school system.

4) Promote connectivity among the County's active and passive recreation resources

- a. Support the use of the 2014 Town of Berryville and Clarke County Bicycle & Pedestrian Plan and implementation of its recommendations.** In September 2014, the Board of Supervisors accepted the 2014 Town of Berryville and Clarke County Bicycle & Pedestrian Plan for use as a guidance document by the Planning Commission in updating the Comprehensive Plan and relevant implementing component plans. This Plan was developed by the Northern Shenandoah Valley Regional Commission in a cooperative effort with the Town and County. The Plan provides recommendations for bicycle and pedestrian enhancements to better serve transportation, recreation, and economic development objectives.

The Plan's recommendations should be evaluated in developing any bicycling-related strategies in this Recreation Plan.

- b. Develop and promote hiking, biking, and vehicular connectivity among active and passive resources.** As noted in some of the previous strategies, helping citizens and visitors connect the County's active and passive resources is an important strategy. Connectivity helps to build a County-wide recreational network in lieu of separate recreational assets accessible only by motor vehicle. Connectivity also promotes awareness of all recreational assets which boosts tourism and potentially reduces urgent demand for new or expanded County recreational resources.

Connectivity should be promoted through asset awareness such as cross-promotion of facilities via electronic media. Physical connectivity options should also be evaluated including shuttle service for Appalachian Trail hikers to reach retail and dining options in the Town of Berryville, and for boaters and floaters on the Shenandoah River to reach put-in sites. Multi-modal connectivity should be promoted for bicycling using the recommendations of the Bicycle & Pedestrian Plan, hiking via awareness and promotion of trails, and vehicular transportation via driving tours.

5) Update Recreation Plan on a 5-year cycle

In order to ensure that this component plan is kept up to date, it should be evaluated for changes at a minimum on a 5-year cycle. This will enable careful evaluation of the Plan's recommendations against current demographics and the County's fiscal condition.

IV. Resource Inventory

The Plan is divided into two main components, (1) active and (2) passive recreation, a secondary component describes facilities immediately adjacent to and accessed from Clarke County but not in the County. As defined, active recreation involves organized activities that require infrastructure such as playgrounds and ballfields. Passive recreation or "low intensity recreation" is that which emphasizes the open-space aspect of a park and allows for the preservation of natural habitat. It usually involves a low level of development, such as rustic picnic areas, benches and trails. Special use is categorization that includes nature centers, golf courses, historic sites, and linear features such as bike paths. In addition sub categories describing the availability of facilities includes full access, limited access, and restricted access. Each resource is described in Table 1. A complete list of website links is detailed in Appendix A.

1) Active Recreation

The Clarke County Parks and Recreation Department offers a host of recreational activities and programs for all ages. The Department manages the 102 acre Chet Hobert Park, which houses an outdoor swimming pool, lighted outdoor tennis courts, 6 ball fields, numerous soccer fields, a Recreation Center, 4 picnic shelters, 2 playgrounds and a fitness trail. (full public access)

The Clarke County Public Schools also have a number of active recreation facilities including a football/soccer stadium, baseball/softball fields, track, playgrounds, and indoor/outdoor basketball (limited access).

The Town of Berryville owns and maintains the three-acre Rose Hill Park in the heart of downtown Berryville. Rose Hill Park provides a great place for families to relax and enjoy a peaceful outing. Park facilities include a playground designed for younger citizens, basketball courts, and a gazebo.

2) Passive Recreation

Clarke County has an abundance of passive recreational activities available.

- A. Resources include the **Shenandoah River**, which is a state designated scenic river throughout its 22 mile length in Clarke County. Public access to the river is maintained by the Virginia Department of Wildlife Resources (DWR) at 3 boat landings. The boat landings are located at the Route 50 bridge, Lockes Landing off of Route 621, and the Route 7 bridge. Additional private access is located on private property or maintained by home owners associations such as River Park, Shenandoah Farms, Shenandoah Retreat, and Calmes Neck. The Shenandoah River follows along the foot of the Blue Ridge Mountains and provides both great scenic views and an up close experience with nature. The American Bald Eagle, Blue Herons, Deer, Red Tail Hawks and Osprey are just a few examples of wildlife found in this special landscape. Kayaking, canoeing, tubing, fishing and camping are all part of the experience. There are also fish weirs constructed by native American Indians that extend from shore to shore can still be clearly seen in several parts of the river today, nearly 400 years later. Canoe, kayaks and tubes can be rented at Watermelon Park campground (private) and other private facilities.

- B. The **Appalachian Trail** crosses through the entirety of Clarke County from north to south. The Appalachian Trail Conservancy states, “This is one of the best places on the Appalachian Trail for spring break hikes.” Primitive shelters can be found along the trail for overnight stays. More formal lodging may be found at the Bear’s Den Hostel located in an old stone house with castle like features and magnificent views of the Shenandoah Valley (full public access). In addition to the Hostel, the Bear’s Den property offers picnicking, primitive camping, and a nature trail.

- C. The **Blandy Experimental Farm and State Arboretum of Virginia** (Blandy) is located on Route 50 in Clarke County and provides passive recreation and educational. The primary purpose of Blandy is to increase understanding of the natural environment through research and education. Blandy exists to promote this understanding through education and research on plants, plant biology, ecology, evolution, the environmental sciences, and the manner in which all of these are used and affected by humans. The three principal programs designed to achieve this mission include: 1) University research and education; 2) Outreach and environmental education; and 3) The Orland E. White Arboretum (also

known as the State Arboretum of Virginia). Walking and horseback trails are open to the public (full public access).

- D. The **Shenandoah University River Campus** was established in 2013 on the site of the former Virginia National Golf Course. The property is located north of Route 7 and has nearly 2 miles of frontage on the Shenandoah River. In 2012, the Civil War Trust acquired the 195-acre property as it played a crucial role in the July 18, 1864, Battle of Cool Spring. Once purchased, the Trust placed it in permanent Conservation Easement with the Department of Historic Resources before gifting it to the University. This property is similar to Blandy in that it is open to the public but used by the University as an experiential learning campus for academic programs in the fields of outdoor leadership and education, environmental studies and history. The property has a paved shared use trail open to walkers and bicycles with interpretive signage highlighting the historic and natural resources. This facility is currently under development and it is anticipated that future plans will include additional passive recreational opportunities (full public access).
- E. **Kohn property** A currently undeveloped site that was gifted to the County is the Kohn property located on the mountain off Ebenezer Rd. This property consists of 50 acres that was placed in Conservation Easement with the County by the owner. The deed of easement specifies the intended use for environmental education, passive recreation, and bird/wildlife watching. As a county facility, the Parks and Recreation Department and Advisory Board is tasked with developing a master plan for this facility.

3) Special Use

- A. **Long Branch Historic House and Farm** The mission of Long Branch is to preserve, maintain, and interpret the site, the house, the grounds, and the story of life in rural Virginia in a sustainable manner for the benefit of the community and the general public. The centerpiece of the property is the 200-year-old historic home that is individually listed on the National Register of Historic Places. The property consists of nearly 400 acres that is used primarily as pasture for retired horses. In addition to being open for tours and programs, the property is open to community functions, meetings, and events. (full public access).
- B. **Clermont Farm** is owned by the Virginia Department of Historic Resources and managed and funded by The Clermont Foundation, and it is a research and training site in history, historic preservation, and agriculture. The farm includes the oldest extant house in Clarke County, a timber-frame structure built in 1755-56, plus 18th and 19th century additions, with a suite of plantation service buildings which supported what was one of the highest-producing wheat farms in Clarke County for almost 200 years. The land has an occupancy record reaching at least 10,000 years and a number of archaeological sites. Access for researchers, teachers, and students is by appointment. Access for the public is scheduled on the website for 5-8 days per year, including Clermont Farm Day and

Smithsonian National Museum Day. (limited public access)

- C. **The Burwell Morgan Mill** is a fully restored and operable grain mill has been milling wheat since 1785 in the center of historic Millwood. In addition to the Mill being open for tours, the area's largest Art Shows are held here annually. The mill was owned by Lt. Col. Nathaniel Burwell and operated in partnership with one of the American Revolutionary War's most notable patriots, Gen. Daniel Morgan. The grounds surrounding the mill have picnic tables and the property is adjacent to Spout Run. (full public access)
- D. **Locke's Mill** is the only other functioning Mill in Clarke County. The Mill was restored by Jon and Carol Joyce. Locke's Mill is a colonial-era grist mill located in the central portion of Clarke County, Virginia. It was one of many mills along the Shenandoah River that provided grinding services for grains coming over the Appalachian passes from the Shenandoah and Ohio Valleys for sale in the large coastal cities. Originally a double mill site, the present building dates from 1876 and ran two mill-wheels. The mill has recently had the second wheel assembly restored and certified organic in 2017. Today, Locke's Mill provides essential services to the growing local organic food movement in Northern Virginia.
- E. **Barns of Rose Hill** is a performing arts venue and community center in historic Berryville, Virginia. Housed in two early 20th century dairy barns that were fully restored in 2011, its mission is to enrich lives through programs in the performing, visual, and literary arts. Since opening in September 2011 and the Barns have become a vital center of activity in downtown Berryville, drawing people to concerts, exhibits, films, workshops, classes, and community programs.
- F. **Clarke County Historical Association Museum** - In 2004, the Clarke County Historical Association began planning a new and exciting museum experience for visitors to our headquarters in Berryville. On November 19, 2009, the vision of our late president, Roger Chavez, became a reality. Designed around the unifying theme "Our Land Is Our Legacy," the new museum exhibits, specially commissioned art work, and state-of-the-art audio/video displays allow us to share our collection in a way that is both educational and entertaining.

Artifacts on display in the museum's three rooms include the money chest from Thomas, Sixth Lord Fairfax's Greenway Court land office, a pistol carried by a member of Company D, 6th Virginia Cavalry (the "Clarke Cavalry") during the Civil War, a Chinese punch basin that once belonged to 18th century plantation owner Nathaniel Burwell, racing silks from Audley Farm, and a former slave's corn-cutting knife from a home in Josephine City.

Two of the rooms also feature extraordinary films that combine historical photographs, contemporary footage, and the art of noted illustrator Richard Schlecht to tell a panoramic story of the pre- and early history of Clarke County

and of the county's continuing efforts to preserve a unique and land-based way of life.

- G. Josephine School Community Museum** - The Josephine School Community Museum is a living museum dedicated to restoring our original 1882 school house and sharing the people, objects, and stories that form the continuing legacy of Clarke County's African American history and heritage.

In 1882, the former slaves and free colored people of this community built the Josephine City School to provide their children with a grade school education. Under the leadership of Rev. Edward Johnson, a new building was completed in 1930 to provide high school education for Negro students and was called the Clarke County Training School. It was named the W.T.B. Williams Training School in 1944 to honor a Clarke County native who served as Dean of Tuskegee Institute. From 1949 to 1966, the school was known as Johnson-Williams High School. After the integration of public schools, it became the Johnson-Williams Intermediate School and served students of all races from 1966 until it closed in 1987. The high school building was converted into apartments for older persons in 1992. The original Josephine City School was placed on the National Register of Historic Places. In 2003 it became the first museum devoted to the history of Clarke County's African-American community.

The renovation of the Josephine School Community Museum building was completed in October 2002 with assistance from the Virginia General Assembly and the Clarke County Board of Supervisors. The inaugural exhibit of the museum was opened on July 12, 2003.

- H. Bicycling** - The Town of Berryville & Clarke County Bicycle and Pedestrian Plan was prepared in response to a joint-request from the Town of Berryville and Clarke County under the Northern Shenandoah Valley Regional Commission (NSVRC) Rural Transportation Work Program. The plan provides a comprehensive overview of the existing transportation network and outlines recommendations for bicycle and pedestrian enhancements in each locality to better serve transportation, recreation and economic development objectives. Appendix A and the Bike/Ped Plan list several cycling organizations that have established bike routes in the County.
- I. Historic Driving Tour** - The Historic Preservation Commission is tasked with educating, promoting, and protecting the County's historic resources. An updated driving tour brochure is currently available at the County Planning Department, Clarke County Historical Association office, and other locations throughout the County. The brochure describes significant historic structures throughout the County.

- J. Scenic Byways** - In 1966, the Virginia General Assembly passed the State Scenic Highway and Virginia Byway Act. The legislation defined a Scenic Byway as a road designated by the Commonwealth Transportation Board (CTB) having relatively high aesthetic or cultural value, leading to or within areas of historical, natural or recreational significance.

In selecting a byway for designation, preference is given to corridors controlled by local zoning to reasonably protect a highway's aesthetic or cultural value. A Scenic Highway is defined by the Act as "a highway designated by the CTB within a protected scenic corridor located, designed, and constructed in a manner to preserve and enhance the natural beauty and cultural value of the countryside." Just over 78 miles or 16% of the public roads are designated scenic byways in Clarke County (Map 2).

- K. Virginia Birding and Wildlife Trail** - Within Virginia's 43,000 square miles of diverse natural habitat, you can find some 400 species of birds, 250 species of fish, 150 species of terrestrial and marine mammals, 150 species of amphibians and reptiles, and a wide variety of aquatic and terrestrial invertebrates. The Virginia Birding and Wildlife Trail celebrates this diversity. It is the first statewide program of its kind in the United States. In Virginia, three phases of the trail link wildlife viewing sites throughout the state. Clarke County has portions of the Mountain Trail within its borders included on the Route are:

1) Snickers Gap Hawk Watch

Snickers Gap is at its best from mid-August through the end of October when thousands of migrating birds of prey stream past overhead. The area was established as a "hawk-watching" site in 1990 and counts have taken place every fall since. The most widespread species seen is the broad-winged hawk, which, depending on the weather, may occur in the 1000s or 10,000s. Other species frequenting the lookout include red-tailed, sharp-shinned and Cooper's hawks, northern harrier, osprey, bald eagle, American kestrel, merlin and peregrine falcon. Each fall supports the opportunity to spy a few true rarities, especially later in the season. Golden eagle and northern goshawk have appeared annually, but rough-legged and Swainson's hawks are more particular about gracing birders with their presence. Numerous other species use the ridge top as a migration corridor, including migrant passerines such as warblers, vireos, thrushes and tanagers and, occasionally, migrant waterfowl. Monarch butterflies and dragonflies also migrate along the ridge, providing food for the migrating American kestrels and broad-winged hawks. (full public access). In 2018 an informational sign describing the Hawk Watch was installed at the parking area. Funding was provided by the Virginia Department of Wildlife Resources.

2) Smithfield Farm

Smithfield Farm supports an historic bed and breakfast, set amongst the rolling hills of a working farm. The brick manor house was built in 1824 and is listed on the National Register of Historic Places. The farm is the product of seven

generations of cattle farmers and, in recent years, has branched out to support other livestock, including goats, pigs and chickens, all of which are now reared organically. These rolling acres provide an excellent spot to relax overnight so you can search for the area's wildlife. The combination of woodland, orchards, fields and riparian belts support a diversity of species. Birds to look for include red-tailed hawk, mourning dove, ruby-throated hummingbird, red-bellied and downy woodpeckers, eastern wood-pewee, great crested flycatcher, eastern kingbird, tree and barn swallows, and purple martin. The moist areas and fields of wildflowers that line the stream are an excellent place to search for butterflies and dragonflies. The results of pesticide-free farming practices are seen clearly in the clouds of pearl crescents, eastern tailed blues, and common checkered skippers that line the stream banks. A walk through the fields should produce eastern tiger, black, spicebush and pipevine swallowtails, as well as the occasional monarch. Dragon- and damselflies are represented by the ebony jewelwing that reside along the shadier stretches of stream and by the brash common whitetail that may appear anywhere along your walk. (full public access)

3) Blandy Experimental Farm and State Arboretum of Virginia

The Blandy Experimental Farm is a field station operated by the University of Virginia. Its 700 acres are a good representation of the habitats found in the Shenandoah Valley, making it an excellent spot to watch birds and other wildlife. The Orland E. White Arboretum sits at the center of the property, providing an excellent opportunity for visitors to familiarize themselves with the local flora. The Virginia Native Plant Trail is not to be missed during spring and early summer when the wildflowers are vibrantly in bloom. The numerous wildflowers on the property attract a high diversity of butterflies, while the various ponds and marshes attract a variety of dragon- and damselflies. Birds to search for in the woods and meadows of the farm include red-tailed hawk and American kestrel as they patrol the open fields and Cooper's hawk darting through the woods. Woodpeckers on the farm include red-headed, red-bellied, downy and pileated, as well as northern flicker. The farm's extensive undisturbed meadowlands provide nesting habitat for several of Virginia's waning species, which are declining or have disappeared elsewhere in the state. These species include northern bobwhite, loggerhead shrike, dickcissel, and grasshopper and vesper sparrows. Winter on the farm is the best time to search for sparrows and hawks. Even short-eared owl has been reported on the farm. (full public access)

4) Limited Access Facilities

Active Recreation

A. Public Schools

Includes D.G. Cooley Elementary School, upper and lower campuses, Boyce Elementary School, Johnson Williams Middle School, and the Clarke County High School. Table 1 lists the resources available at each school. Use of school

grounds for organized sports (football, soccer, lacrosse, etc.) requires a written request in advance and fees are associated with use. (limited access)

Passive Recreation

A. Powhatan School

Powhatan is a private school that believes in and is committed to community use of its facilities. Facility use is by appointment only. Uses include indoor basketball, summer camps, cross country runs, and conservation fairs. Additional outdoor recreation opportunities may exist in the future on the Crocker Conservancy. The Crocker Conservancy is a 48 acre property held in permanent conservation easement by the County Easement Authority, which is being developed to enhance environmental education and includes trails and bird & wildlife watching areas. (limited access)

B. Public Schools

Passive recreation of outdoor facilities by the general public is permitted (during non-school hours) without fee on playground equipment, and grounds for individuals. (limited access)

Private campsite rentals

1. Watermelon Park – Campground, Recreation along the beautiful Shenandoah River on Lockes Mill Road (Route 621) in Clarke County Virginia. Family owned and operated since 1939, the Park offers kayak, canoe, tube rentals, RV camping, and a store. Watermelon Park has been known historically for its Bluegrass Festivals. John Miller Sr. (owner) presented “Bluegrass Day” at Watermelon Park on Aug. 10, 1960 – an event considered by music historians to be the first-ever, all-day concert dedicated to American roots music. “Bluegrass Day” evolved into bigger and longer festivals with huge crowds and nationally known performers such as Bill Monroe, the Osborne Brothers, Ernest Tubb, Lester Flatt, Earl Scruggs, Del McCoury, Johnny Cash, Dolly Parton, George Jones, and Merle Haggard.

2. Mountain Lake Campground -- a quiet family owned campground located on the west side of Mount Carmel Road (Route 606) approximately ½ mile north of John Mosby Highway (Route 50). The facility contains two small lakes, each about half an acre in size, twenty plus sites; some are primitive, some have water/electric, some have sewage also, and a bathhouse and a dump station.

3. In addition to the two public campgrounds there are numerous River lots that are privately owned and rented.

Special Use

A. Holy Cross Abbey

Holy Cross Abbey Monastery is located at the foot of the Blue Ridge Mountains

bordered by the Shenandoah River on over 1,000 acres of fertile and scenic farmland. The monastery belongs to the Cistercian Order that was first founded in France in 1098. The monastery makes its own food products. The Abbey also has a retreat house on the property open to guests that wish to spend time in silence and prayer. The peaceful surroundings and spiritual energy here is a far cry from two hot summer days in July 1864. On those two fateful days the Battle of Cool Spring was fought between General Early of the Confederacy and General Crook of the Union. The old manor house on the monastery property remains and is a central part of the monastery structures. The entire property was placed in Conservation Easement with the Department of Historic Resources in order to protect the Battlefield. The Conservation Easement provides for signage, walking trails or footpaths to aid in the historical interpretation of the Property as a Civil War Battlefield. The Property shall also be made accessible to the public for 2 days per year for the purpose of touring the Battlefield. (limited public access)

5) Facilities located in Adjacent Counties

Passive Recreation

A. Sky Meadows State Park

Rich in history, this 1,864-acre park has scenic views, woodlands and the rolling pastures of an historic farm that captures the colonial through post-Civil War life of Mount Bleak House. Nature and history programs are offered year-round. Hiking, picnicking, fishing and primitive hike-in camping for families and groups are favorite activities in this peaceful getaway on the eastern side of the Blue Ridge Mountains. The park has 9.5 miles of bridle trails, 19 miles of hiking trails, 8 miles of bike trails and Appalachian Trail access.

Located in Fauquier County, on the east side of the mountain, the Park is accessible from Clarke County by foot via the Appalachian Trail south of Route 50 or by vehicle via Rt. 17 south. (full public access)

B. Lake Frederick

Located south of Double Tollgate, in Frederick County, on U.S. 522, Lake Frederick is a 117-acre impoundment owned by the Virginia Department of Wildlife Resources and includes a 100 foot buffer around the entire shoreline. Lake Frederick has a paved entrance road, gravel parking lot, paved boat launch with courtesy dock, and a handicapped accessible fishing pier. (full public access)

There is adequate bank fishing access along the breast of the dam and around the lower end of the lake. Boats and boat anglers are welcome, but gasoline motors are prohibited. Only electric trolling motors are allowed.

A privately operated concession, "Lake Frederick Bait and Tackle", offers rest room facilities, snacks/drinks, bait, tackle, and boat rentals.

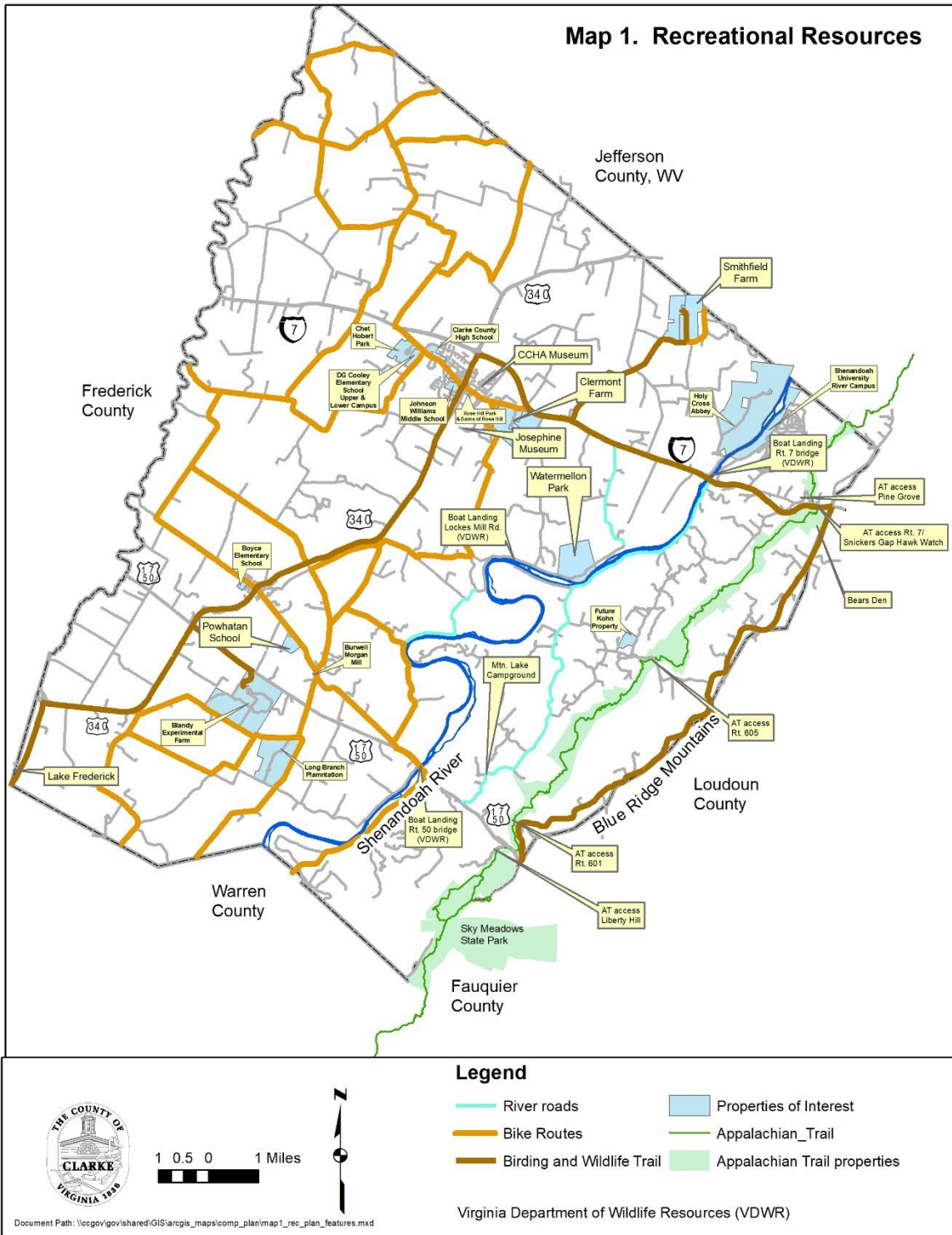
V. Conclusion

In focusing on recreation in Clarke County, this plan strives to address the existing and potential recreation needs of the community. The Plan establishes specific functional strategies and recommendations to protect, promote, grow and enhance the County's active and passive recreational resources. This plan will place particular emphasis on passive recreation opportunities. The Recreation Component Plan identifies the following overarching goals:

- 1) Meet the recreation needs of the community
- 2) Increase awareness of all recreational activities
- 3) Assist in maximizing the recreation value of existing assets
- 4) Promote connectivity among the County's active and passive recreation resources
- 5) Update the Recreation Plan on a 5 year cycle

Assessing the recreation needs of the community is essential to ensure that future recreational facilities are available. Protecting and promoting these resources is the purpose of the plan, working with private and public partners to enhance recreational opportunities a valuable tool to ensure success. The Recreation Plan committee, who developed this plan, will be maintained and will continue to meet to implement the goals and strategies outlined. Development of park master plans and conducting surveys will primarily be the responsibility of the Parks and Recreation Advisory Board with support and guidance from the local governing bodies.

Map 1. Recreational Resources



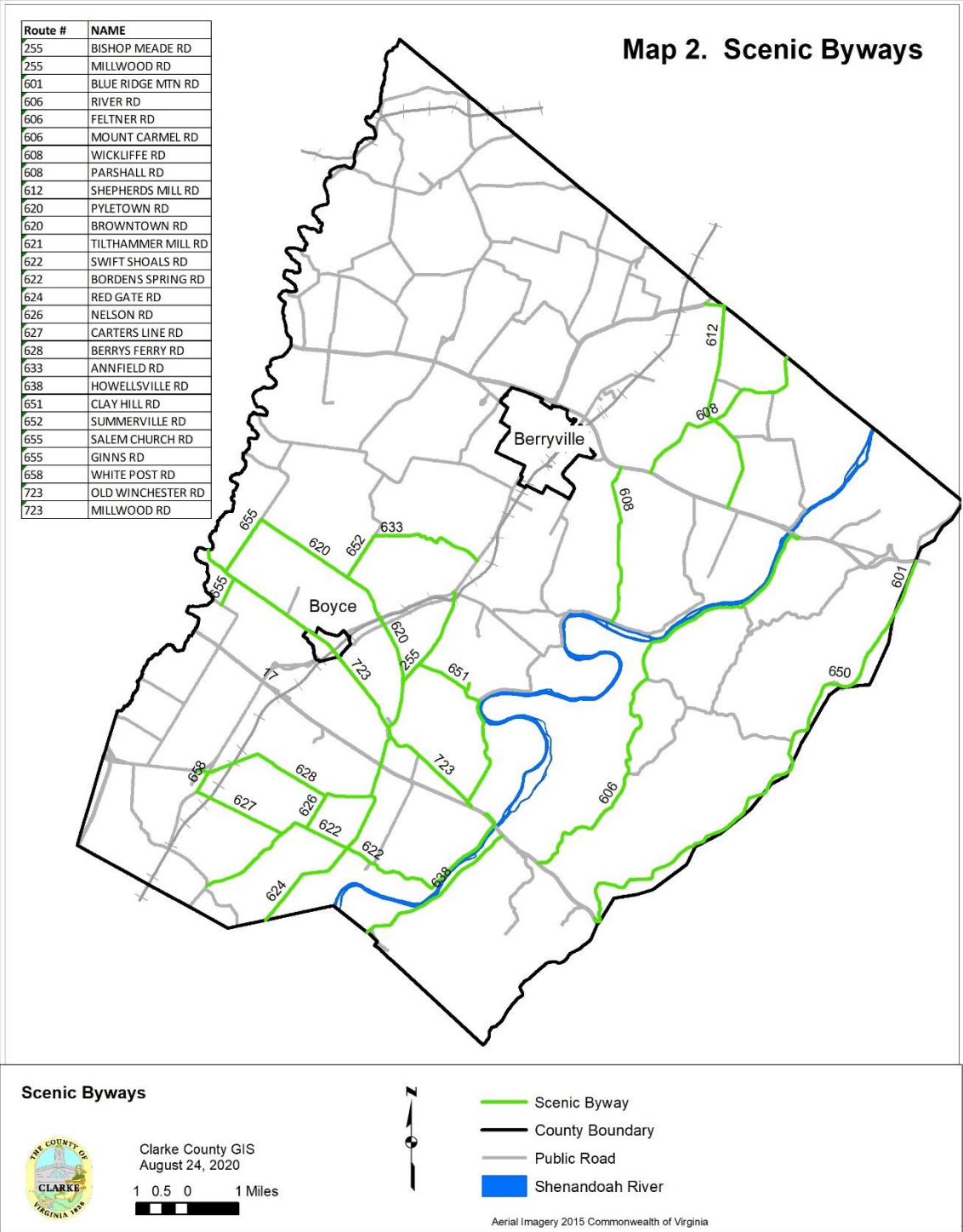


Table 1. Existing Recreation Resources Inventory

Table 1. Existing Recreation Resources Inventory																													
	Playground Equipment	Shelter	Rest Rooms	Concession Stand	Football Field	Baseball Diamond	Basketball Court	Tennis Court	Soccer Field	Dog Park	Recreation Center	Swimming Pool	Gazebo	Outdoor Grills	Picnicking	Nature Trails	Fishing	Bicycling	Arboretum	Water Access	Camping	Horseback Riding	Hiking/Backpacking	kayaking\canoing	Bird Watching	Trails	Historic	Swimming	
Full Access Facilities																													
Active Recreation																													
Chet Hobert Park	x	x	x	x		x	x	x	x	x	x			x	x			x								x		x	
Rose Hill Park	x						x						x		x														
Passive Recreation																													
Blandy		x	x											x	x			x	x							x	x		
Shenandoah University River Campus															x			x									x	x	x
Shenandoah River																	x							x	x			x	
Appalachian Trail		x												x	x						x					x	x	x	
Bear's Den Trail Center		x	x											x	x						x					x	x	x	
Kohn property		o													o	o				o						o	o		
Snickers Gap																											x		
Smithfield Farm																x											x	x	
Special Use																													
Long Branch			x												x													x	
Burwell Morgan Mill			x												x													x	
Bicycle Routes																													
Historic Driving Tour																												x	
Virginia Birding and Wildlife Trail																										x	x		
Scenic byways																												x	
Limited Access Facilities																													
Active Recreation																													
Berryville Primary School	x																												
Upper DG Cooley Elementary School	x						x																						
Lower DG Cooley Elementary School	x				x		x																						
Boyce Elementary School	x						x																						
Johnson Williams Middle School			x	x	x				x																				
Clarke County High School					x	x	x		x																				
Passive Recreation																													
Powhatan School	x						x		x												x					x	x		
Watermelon Park	x	x	x	x										x	x		x			x	x					x		x	
Mountain Lake Campground															x					x	x					x		x	
Special Use																													
Holy Cross Abbey																											x	x	
Adjacent Facilities																													
Passive Recreation																													
Lake Frederick			x	x																	x					x	x		
Sky Meadows State Park	x													x	x	x	x	x		x	x	x	x		x	x	x		
x - existing use																													
o- anticipated use																													

Appendix A. Web links

Chet Hobert Park - <http://clarkecounty.gov/>
Rose Hill Park - <http://www.berryvilleva.gov/>
Clarke County Public Schools -
[http://www.clarke.k12.va.us/pages/Clarke County Public Schools](http://www.clarke.k12.va.us/pages/Clarke_County_Public_Schools)
Shenandoah River (access/fishing) - www.dgif.virginia.gov/
Watermelon Park Campground - www.watermelonpark.com/
Appalachian Trail - <http://www.appalachiantrail.org/>
Bear's Den - <http://www.bearsdencenter.org/>
Long Branch - <http://www.visitlongbranch.org/>
Blandy – <http://blandy.virginia.edu/>
Barns of Rose Hill - <http://barnsofrosehill.org/>
Clarke County Historical Association Museum - <http://www.clarkehistory.org/museum.html>
Josephine School Community Museum - <http://www.jschoolmuseum.org/>
Clermont Farm - www.clermontfarm.org
Shenandoah University River Campus - <http://www.su.edu/venue/cool-spring/>,
<http://www.su.edu/blog/cool-spring-protecting-land-for-future-generations/>
Burwell-Morgan Mill - <http://www.burwellmorganmill.org/>
Bicycle/Pedestrian Plan – Town of Berryville & Clarke County – www.clarkecounty.gov
Historic Driving Tour – www.clarkecounty.gov
Virginia Birding and Wildlife Trail - <http://www.dgif.virginia.gov/>
Mountain Lake Campground -
<http://www.virginia.org/Listings/PlacesToStay/MountainLakeCampground/>
Powhatan School - <http://powhatanschool.org/>, <http://thecrockerconservancy.blogspot.com/>
Holy Cross Abbey - <https://www.virginiatrappists.org/>
Sky Meadows - http://www.dcr.virginia.gov/state-parks/sky-meadows.shtml#general_information
Lake Frederick - <https://dwr.virginia.gov/waterbody/lake-frederick/>
Historic Resources in Clarke County - <http://www.clarkehistory.org/>
Bicycle Routes
 Winchester Wheelmen- <http://www.winchesterwheelmen.org/>
 Potomac Peddlers – Backcountry Century Ride - <http://www.potomacpedalers.org/>
 Panhandlers Peddlers - <http://www.panhandlepedalers.com/>

Hiking - <http://www.hikingupward.com/>
 www.patc.net

Appendix B. Regional Facilities

Refer to the Virginia Outdoors Plan for a complete list and map of regional recreation facilities
http://www.dcr.virginia.gov/recreational_planning/vop.shtml

Appendix C. Resources

- a. Virginia Outdoors Plan
- b. County Park Master Plan
- c. County Comprehensive Plan
- d. Potomac Appalachian Trail Club
- e. Berryville Area Plan
- f. Berryville Comprehensive Plan
- g. Town of Berryville and Clarke County Bicycle and Pedestrian Plan
- h. Shenandoah River Use Plan - NSVRC

MINOR SUBDIVISION (MS-20-04)

Aaron Sims

November 6, 2020 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. It may be useful to members of the general public interested in this proposed subdivision.

Case Summary

Applicant(s):

Aaron Sims

Location:

- Subject property is located at 988 Westwood Road
- Tax Map Parcel #13-A-53
- Russell Election District (George L. Ohrstrom, II and Pearce Hunt)

Zoning District and Lot Guidelines:

Agricultural Open Space-Conservation (AOC)

Proposed Lot Configurations:

- 17.7480 acres – “Remainder” (No Existing Dwelling & Two DURs Remaining)
- 2.00 acres – “Tract A” (Existing Dwelling & No DUR Remaining)
- 19.7480 acres – Total Area

Request:

Request approval of a two-lot Minor Subdivision for the property identified as Tax Map 13-A-53, located at 988 Westwood Road, Russell Election District, zoned Agricultural-Open Space-Conservation (AOC).

Staff Discussion/Analysis:

The proposed subdivision consists of two lots – a proposed 2.00 acre lot with an existing pre-1980 house (labeled as Tract A) and a vacant 17.7480-acre residual lot (labeled as “Remainder”) that would contain two dwelling unit rights (DURs). A private access easement will serve the remainder lot. A deed of subdivision and easement is required prior to final approval of the subdivision plat.

Access:

The ingress/egress for the 2.00 acre lot is the existing driveway as shown on the plat. The ingress/egress for the proposed remainder lot will be a private access easement as shown on the plat. Virginia Department of Transportation (VDOT) staff provided a comment letter on October 26, 2020 requesting a joint-use maintenance agreement for the proposed entrance and indicating that a Land Use Permit from VDOT will be required before performing any work on the entrance. These are standard comments provided by VDOT when new lot entrances onto State-maintained roads are proposed. The joint-use maintenance agreement will need to be recorded with the final approved

subdivision plat and is a prerequisite to obtaining a Land Use Permit from VDOT. There are no outstanding concerns with the proposed access.

Water and Sewage Disposal:

The proposed subdivision has been reviewed and approved by the Health Department. The proposed 2.00 acre lot has an existing installed sewage disposal system and approval for a three bedroom conventional sewage disposal system. A 100% reserve area was located and has been approved as shown on the plat. The lot is served by an existing well as shown on the plat. The residual lot will be served by the proposed four bedroom conventional sewage disposal system with an alternative 100% reserve area as shown on the plat. The lot will be served by a proposed well as shown on the plat. VDH will require construction permit applications for onsite septic systems if construction is proposed. There are no outstanding concerns with water and sewage disposal.

Karst Plan / Resistivity Test:

Resistivity testing has been approved for the proposed reserve area for the 2 acre lot and the proposed primary and reserve area for the remainder lot.

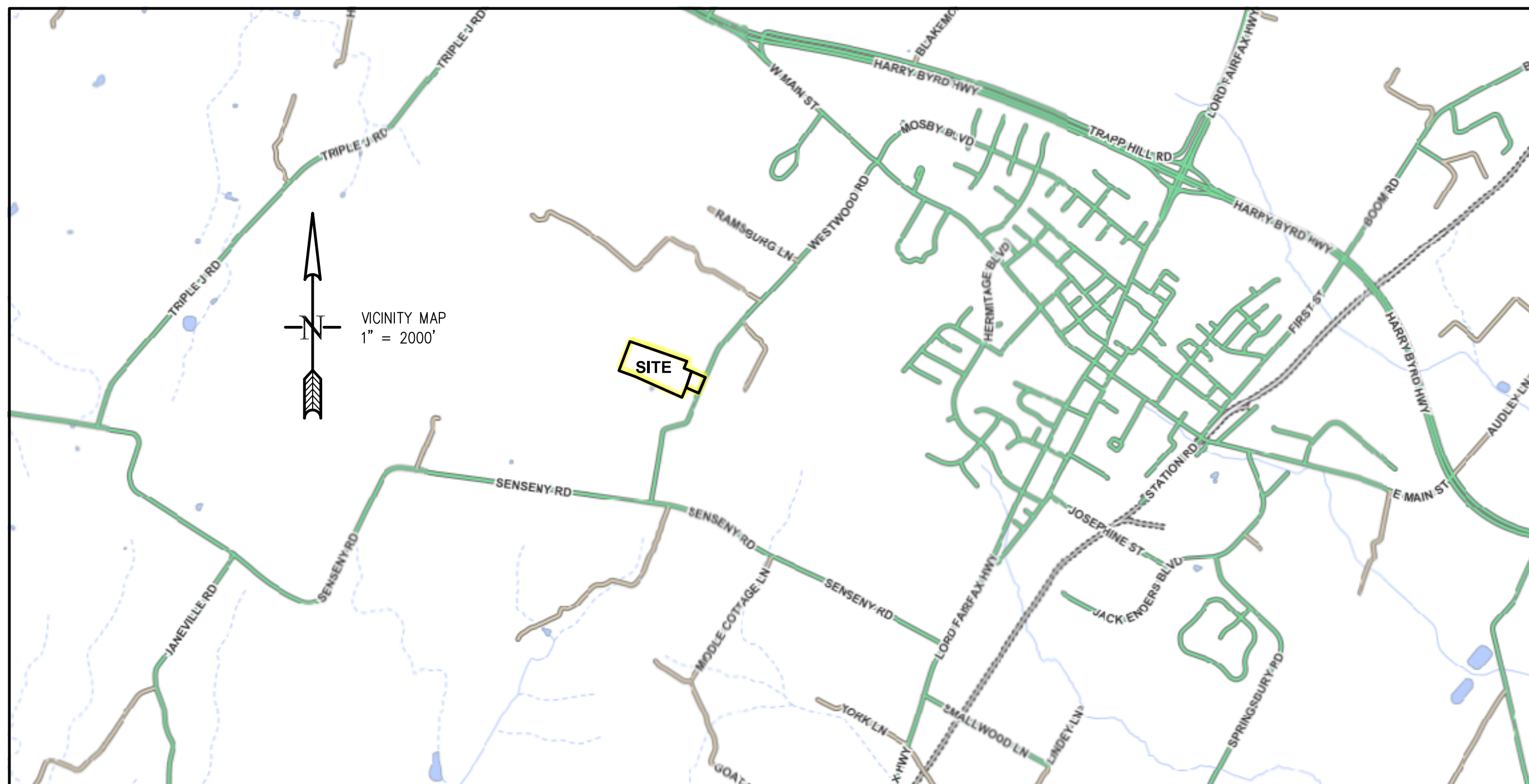
Recommendation:

Staff recommends approval of the two-lot Minor Subdivision for the property identified as Tax Map 13-A-53, located at 988 Westwood Road, Russell Election District, zoned Agricultural-Open Space-Conservation (AOC).

History:

October 2, 2020 Complete application filed with the Department of Planning.

November 6, 2020 Placed on the Commission's Business Meeting agenda.



NOTES

1. NO TITLE REPORT FURNISHED; THEREFORE, EASEMENTS OR ENCUMBRANCES AFFECTING THE PROPERTY REPRESENTED BY THIS SURVEY MAY EXIST THAT ARE NOT SHOWN ON THIS PLAT.
2. THE LOCATIONS OF UNDERGROUND UTILITIES OR OTHER SUBSURFACE IMPROVEMENTS, IF ANY, WERE NOT ASCERTAINED; THEREFORE, ARE NOT SHOWN.
3. THE INFORMATION SHOWN ON THIS PLAT IS BASED ON AN ACTUAL FIELD SURVEY COMPLETED UNDER MY SUPERVISION ON 5 NOVEMBER 2019.
4. MERIDIAN BASED ON VA NAD 83 (93) NORTH ZONE STATE GRID, ESTABLISHED BY GPS METHODS.
5. NEW INGRESS/EGRESS EASEMENT CROSSING TRACT A IS NOT A PART OF ANY PUBLIC ROAD SYSTEM. AT NO TIME WILL CLARKE COUNTY OR THE VIRGINIA DEPARTMENT OF TRANSPORTATION BE RESPONSIBLE FOR CONSTRUCTION, UPGRADING, AND/OR MAINTENANCE OF SAID ROAD.
6. 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 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 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.
7. FERTILIZERS AND PESTICIDES NOTICE: BEFORE 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.
8. TRACT A AND THE REMAINDER OF TAX MAP13-A-53 ARE SUBJECT TO A 25' WIDE VEGETATED PROPERTY BUFFER ALONG ALL PROPERTY LINES, PER CLARKE COUNTY ZONING ORDINANCE, SECTION 3-A-1-f.
9. RESISTIVITY TEST WAS APPROVED FOR PROPOSED DRAINFIELD #1 (RESERVE) ON 19 NOVEMBER 2019. RESISTIVITY TEST WAS APPROVED FOR PROPOSED DRAINFIELD #2 ON 23 JANUARY 2020.
10. ACCORDING TO HEALTH DEPARTMENT RECORDS THE EXISTING DRAINFIELD SERVING #988 WESTWOOD ROAD IS SUITABLE FOR A THREE BEDROOM HOUSE USING 600 GALLONS PER DAY.
11. CERTIFICATION LETTER FOR PROPOSED DRAINFIELD #1 (RESERVE) WAS ISSUED BY THE CLARKE COUNTY HEALTH DEPARTMENT ON 2 JANUARY 2020 INDICATING IT IS SUITABLE FOR A 3 BEDROOM HOUSE USING 450 GALLONS PER DAY AND BEING THE 100% RESERVE FOR THE EXISTING DRAINFIELD. REFERENCE HDID: 043190165. CERTIFICATION LETTER FOR PROPOSED DRAINFIELD #2 WAS ISSUED BY THE CLARKE COUNTY HEALTH DEPARTMENT ON 30 JANUARY 2020 INDICATING IT IS SUITABLE FOR A 4 BEDROOM HOUSE USING 600 GALLONS PER DAY WITH 100% RESERVE. REFERENCE HDID: 043200010.
12. TOPOGRAPHY IS SCALED FROM CLARKE COUNTY INTERACTIVE GIS DATA.

OWNER'S CERTIFICATE

THE FOREGOING MINOR SUBDIVISION AND INGRESS/EGRESS EASEMENT ON THE LAND OF AARON WAYNE SIMS & REBECCA ANN SIMS (TAX MAP 13-A-53), IS WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNERS, PROPRIETORS AND TRUSTEES, IF ANY.

_____ DATE _____ DATE
 AARON WAYNE SIMS REBECCA ANN SIMS

AREA SUMMARY

ORIGINAL TAX MAP 13-A-53 19.7480 ACRES - 1 EXEMPTION 2 DURs
TOTAL ORIGINAL AREA 19.7480 ACRES
 TRACT A 2.0000 ACRES - 1 EXEMPTION
 REMAINDER OF TAX MAP 13-A-53 ... 17.7480 ACRES - 2 DURs
TOTAL ADJUSTED AREA 19.7480 ACRES

NOTARY PUBLIC

STATE OF _____ CITY/COUNTY OF _____
 THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON _____ (DATE)
 BY ROBIN L. MERCKE.
 _____ MY COMMISSION EXPIRES ON _____
 (NOTARY PUBLIC)

APPROVED BY

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

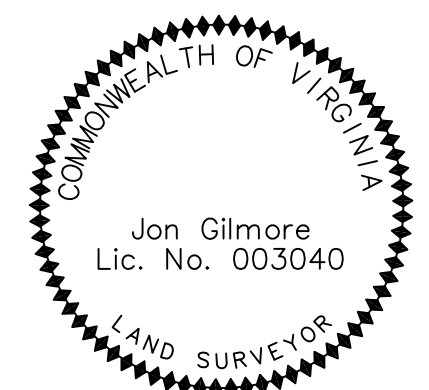
NOTARY PUBLIC

STATE OF _____ CITY/COUNTY OF _____
 THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON _____ (DATE)
 BY CATHERINE EMILY HARRIGAN.
 _____ MY COMMISSION EXPIRES ON _____
 (NOTARY PUBLIC)

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THE LAND CONTAINED IN THIS MINOR SUBDIVISION IS THE LAND CONVEYED TO AARON WAYNE SIMS & REBECCA ANN SIMS (TAX MAP 13-A-53) BY DEED DATED 14 NOVEMBER 2019 AND RECORDED IN DEED BOOK 647 AT PAGE 842 IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT OF CLARKE COUNTY, VIRGINIA.

**FINAL PLAT
 MINOR SUBDIVISION
 OF THE LAND OF
 AARON WAYNE SIMS & REBECCA ANN SIMS
 TAX MAP 13-A-53
 LONGMARSH MAGISTERIAL DISTRICT
 CLARKE COUNTY, VIRGINIA**



Marsh & Legge Land Surveyors, P.L.C.

560 NORTH LOUDOUN STREET ~ WINCHESTER, VIRGINIA 22601
 PHONE (540) 667-0468 ~ FAX (540) 667-0469 ~ EMAIL office@marshandlegge.com
 www.marshandlegge.com

DATE: 10/17/2020
 DWG NAME: 10747-SUBD
 DRAWN BY: JTG
 SHEET 1 OF 2

TAX MAP 13-A-55B
DENNIS W. RICHARDSON
& ROBIN K. RICHARDSON
D.B. 254 P. 405

TAX MAP 13-A-54
MARIANNE J. CASEY &
RUSSELL G. WAGNER
D.B. 529 P. 747

REMAINDER OF
TAX MAP 13-A-53
17.7480 ACRES
(INCLUDING AREA OF
APPARENT OVERLAP)

TRACT A
2.0000 ACRES
(SEE DETAIL FOR
IMPROVEMENTS)

AREA OF
APPARENT
OVERLAP
0.0647 ACRES

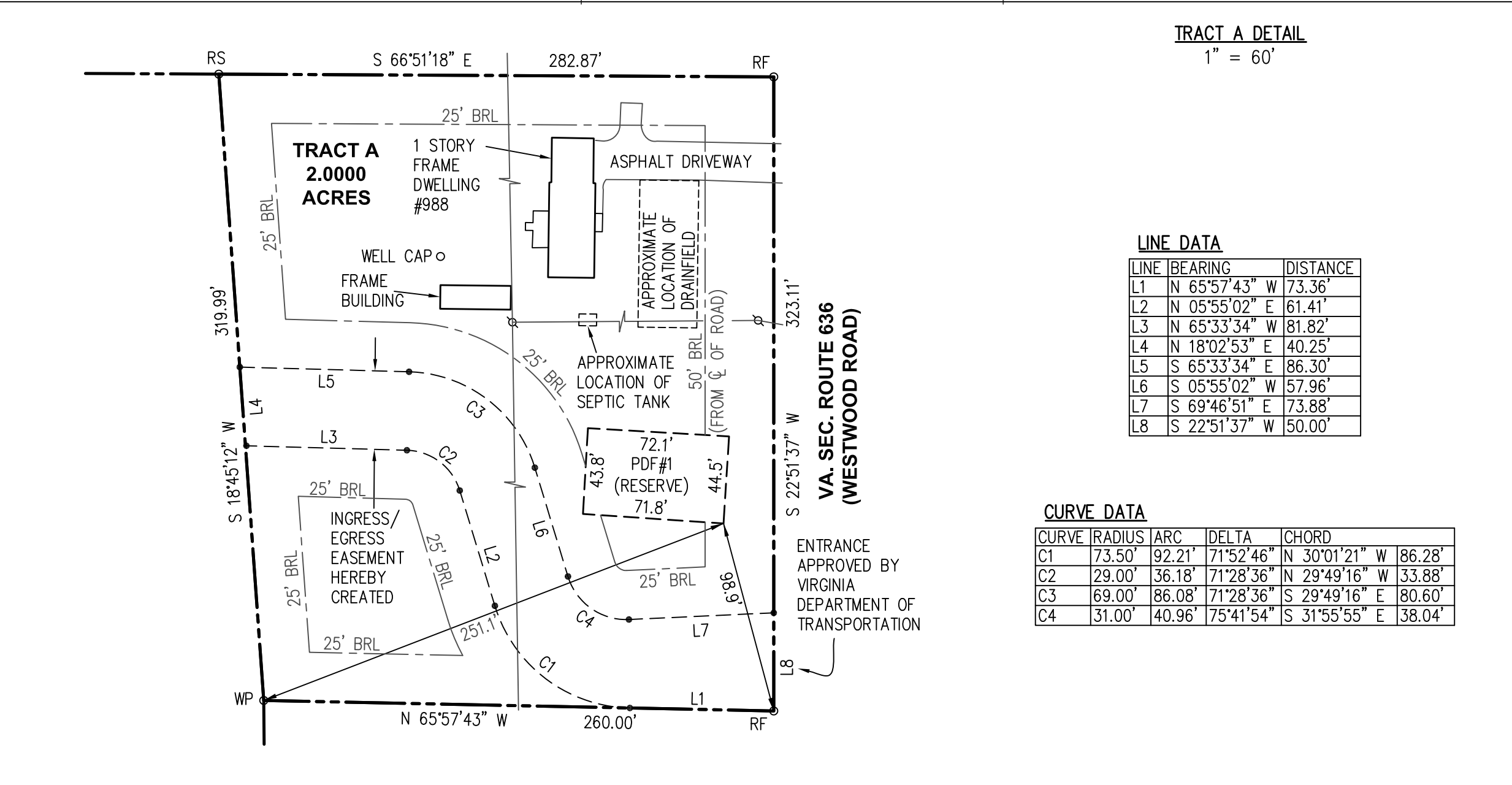
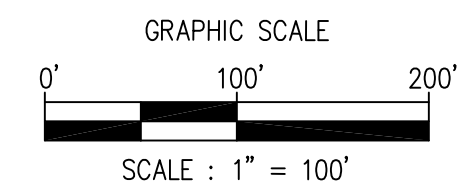
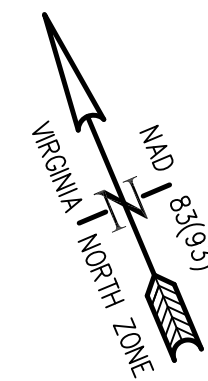
TAX MAP 13-A-48
MITCHELL B. ZETLIN
D.B. 300 P. 443

TAX MAP 13-A-49
CHARLES R. ALTON
D.B. 534 P. 389

TAX MAP 13-A-50
DANA L. HERNDON
& SCOTT B. PUGH
D.B. 456 P. 992

TAX MAP 13A-2-2
VINCENT ROBERTS
D.B. 652 P. 434

TAX MAP 13A-2-1
JANICE D. VOROUS &
RANDALL W. VOROUS
D.B. 459 P. 681



TRACT A DETAIL
1" = 60'

LINE DATA

LINE	BEARING	DISTANCE
L1	N 65°57'43" W	73.36'
L2	N 05°55'02" E	61.41'
L3	N 65°33'34" W	81.82'
L4	N 18°02'53" E	40.25'
L5	S 65°33'34" E	86.30'
L6	S 05°55'02" W	57.96'
L7	S 69°46'51" E	73.88'
L8	S 22°51'37" W	50.00'

CURVE DATA

CURVE	RADIUS	ARC	DELTA	CHORD
C1	73.50'	92.21'	71°52'46"	N 30°01'21" W 86.28'
C2	29.00'	36.18'	71°28'36"	N 29°49'16" W 33.88'
C3	69.00'	86.08'	71°28'36"	S 29°49'16" E 80.60'
C4	31.00'	40.96'	75°41'54"	S 31°55'55" E 38.04'

NOTE

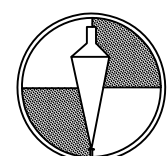
- * - PROPERTY LINE PER D.B. 96 P. 96
- ** - PROPERTY LINE PER D.B. 156 P. 80
- *** - PROPERTY LINE PER D.B. 97 P. 149

LEGEND

- RF - REBAR FOUND
- RS - REBAR SET
- WP - WOOD POST
- OVERHEAD UTILITY LINE
- o - WOODEN UTILITY POLE
- PDF - PROPOSED PRIMARY AND RESERVE DRAINFIELD SITE
- PW - PROPOSED WELL SITE
- BRL - BUILDING RESTRICTION LINE

DATE: 10/17/2020

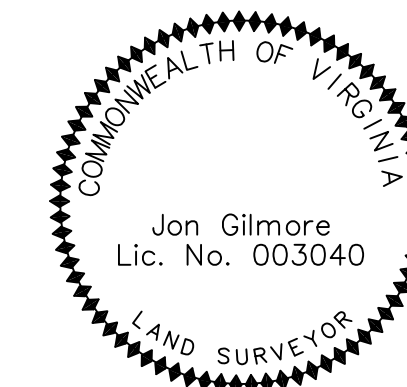
DWG NAME:
10747-SUBD
DRAWN BY: JTG
SHEET 2 OF 2



Marsh & Legge Land Surveyors, P.L.C.

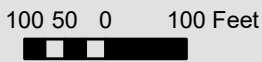
560 NORTH LOUDOUN STREET ~ WINCHESTER, VIRGINIA 22601
PHONE (540) 667-0468 ~ FAX (540) 667-0469 ~ EMAIL office@marshandlegge.com
www.marshandlegge.com

**FINAL PLAT
MINOR SUBDIVISION
OF THE LAND OF
AARON WAYNE SIMS & REBECCA ANN SIMS
TAX MAP 13-A-53
LONGMARSH MAGISTERIAL DISTRICT
CLARKE COUNTY, VIRGINIA**





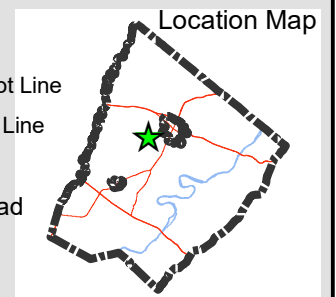
Aaron & Rebecca Sims
 Tax Map# 13-A-53
 19.75 acres, 1 ext. dwl., 2 DURs



Clarke County GIS
 October 21, 2020

Legend

- Parcel Boundary
- Conservation Easements
- Structures
- Drainfield
- Well
- Proposed Lot Line
- Existing Lot Line
- Roads
- Private Road





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



October 7, 2020

Ryan Fincham
Senior Planner/Zoning Administrator
101 Chalmers Court
Berryville, Virginia 22611

RE: Minor Subdivision (MS-20-04)
Applicant: Aaron Sims
Health Department I.D. #: 043200126
Tax Map# 13-A-53
Proposed Lots: 2 Lots

Dear Mr. Fincham,

Pursuant to your written 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. This office has received a request from the OSE (F. Lee) for a courtesy review of the proposed 100% reserve area for Proposed Tract A (2.0000 Acres) currently designated as TM# 13-A-53. The site and soils were evaluated and no outstanding issues were noted. This office has received an application for a Certification Letter for the proposed 100% reserve area and we received an approval letter for the Resistivity Testing. The proposed design for the 100% reserve area is TL-3/trenches and can accommodate a three bedroom dwelling, 450 gallons per day. An existing dwelling (988 Westwood Rd.) that currently sits on the lot is served by an existing gravity fed conventional onsite sewage system and private well. There is a construction permit and record of inspection of file dated April 30, 1973 and June 25, 1973 respectively. The sewage system is designed to accommodate a three bedroom dwelling, 600 gallons per day. No evidence of system failure was observed. The existing drainfield is not shown on the survey plat by Stuart Dunn dated September 14, 2020 but is located in front of the dwelling toward Westwood Rd.

2. Tax Map # 13-A-53 Remainder (17.7480 Acres) is vacant. This office received a request for a courtesy review from the OSE (R. Charnley). The site was evaluated on October 18, 2019 and no outstanding issues were noted. The proposed design for an onsite site sewage system for this parcel is a conventional septic system with a TL-3/trench system as the 100% reserve both designed to accommodate a 4 bedroom dwelling, 600 gallons per day. A pump may be required depending on the house location. A Class IIIB well is proposed. We have received an application for a Certification Letter and an approval letter for Resistivity Testing.

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,



Jim Davis, REHS
Environmental Health Supervisor

PC: Aaron Sims
Stuart Dunn, Land Surveyor
Frank R. Lee, OSE
Robert B. Charnley, III, OSE
Health Department File

Zimbra

bstidham@clarkecounty.gov

Clarke County - Route 636 - Aaron Sims Minor Subdivision - TM 13-A-53

From : Arthur Boyce <bobby.boyce@vdot.virginia.gov> Mon, Oct 26, 2020 02:43 PM
Subject : Clarke County - Route 636 - Aaron Sims Minor Subdivision - TM 13-A-53 📎 1 attachment
To : Brandon Stidham <bstidham@clarkecounty.gov>
Cc : Rhonda Funkhouser
<Rhonda.Funkhouser@vdot.virginia.gov>, Travis Duncan
<travis.duncan@vdot.virginia.gov>

COMMONWEALTH of VIRGINIA
DEPARTMENT OF TRANSPORTATION
Staunton/Edinburg Land Development
14031 Old Valley Pike
Edinburg, VA 22824

Dear Mr. Stidham:

We have reviewed the above referenced subdivision plat dated June 2, 2020 by Marsh & Legge Land Surveyors, PLC for impacts to the local roadway system. Our comments are as follows:

- A joint-use maintenance agreement is needed for the proposed entrance on Route 636.
- 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 7-10 days to process and issue. Please contact Rhonda Funkhouser for an application at (540) 984-5602.

Thank you for the opportunity to comment on this subdivision. If you have any questions, please do not hesitate to give me a call.

Sincerely,

Bobby Boyce

Bobby Boyce
VDOT- Land Development Engineer
14031 Old Valley Pike
Edinburg, VA 22824
(540)984-5631

MINOR SUBDIVISION (MS-20-05)
Todd & Barbara Johnson
November 6, 2020 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. It may be useful to members of the general public interested in this proposed subdivision.

Case Summary

Applicant(s):

Todd & Barbara Johnson

Location:

- Subject property is located at 1674 Summit Point Road
- Tax Map Parcel #8-A-55 & 8-A-55B
- Russell Election District (George L. Ohrstrom, II and Pearce Hunt)

Zoning District and Lot Guidelines:

Agricultural-Open Space-Conservation (AOC)

Proposed Merger (LC-20-11):

53.7951 acres – Tax Map 8-A-55 (One Existing Dwelling & No DURs Remaining)
47.5471 acres – Tax Map 8-A-55B (One Existing Dwelling & No DURs Remaining)
101.3422 acres – Merged Parcel 8-A-55B (Two Existing Dwellings & No DURs Remaining)

Proposed Lot Configurations:

2.0662 acres – Lot 1 (To be 8-A-55E) (One Existing Dwelling & No DUR Remaining)
99.2760 acres – Residue Lot (8-A-55B) (One Existing Dwelling & No DUR Remaining)
101.3422 acres – Total Area

Request:

Request approval of a two-lot Minor Subdivision for the property identified as Tax Map 8-A-55B, located at 1674 & 1752 Summit Point Road, Russell Election District, zoned Agricultural-Open Space-Conservation (AOC).

Staff Discussion/Analysis:

The Applicant proposes a minor subdivision of a 101.3422 acre lot into a 2.0662 acre lot (Lot 1) and a 99.2760 acre residual lot. The 101.3422 acre lot will be the result of a merger of two existing lots (53.7951 acres – Tax Map 8-A-55 and 47.5471 acres – Tax Map 8-A-55B). The merger of these two existing lots does not require Planning Commission approval. The Applicant requested that one plat be utilized showing the lot consolidation (LC-20-11) and the proposed minor subdivision so that one plat recording resolves both requests.

A merger and minor subdivision was required because the desired lot outcome of a 2.0662-acre lot and a 99.2760-acre lot was not able to be accomplished by boundary line adjustment (BLA). Subdivision Ordinance §10-D-1-c regarding lot line adjustments between two agricultural lots (20 acres and greater in size) does not allow either agricultural lot to be reduced below 20 acres in size. The resulting two lots from this minor subdivision request will each have an existing house and no remaining dwelling unit rights (DURs).

Access:

The ingress/egress for Lots 1 and 2 will be the existing driveways shown on the plat. Virginia Department of Transportation (VDOT) staff provided a comment letter on October 26, 2020 indicating that they have no objections to the proposed subdivision because the existing driveways will be used. There are no outstanding concerns with access.

Water and Sewage Disposal:

The proposed subdivision has been reviewed and approved by the Virginia Department of Health (VDH). Lot 1 has an existing sewage disposal system installed and approved for a three bedroom conventional system. A 100% reserve area was located and approved as shown on the plat. The Residual Lot has an existing sewage disposal system installed and approved on file for a four bedroom conventional sewage disposal system with a 100% septic reserve area available (as indicated by an email from Jim Davis (VDH) on October 7, 2020). Both lots are served by the existing wells as shown on the plat. VDH may require a certification letter application for the Lot 1 reserve area proposed. There are no outstanding concerns with water and sewage disposal.

Karst Plan / Resistivity Test:

Resistivity testing for the proposed septic area on Lot 1 has been approved.

Recommendation:

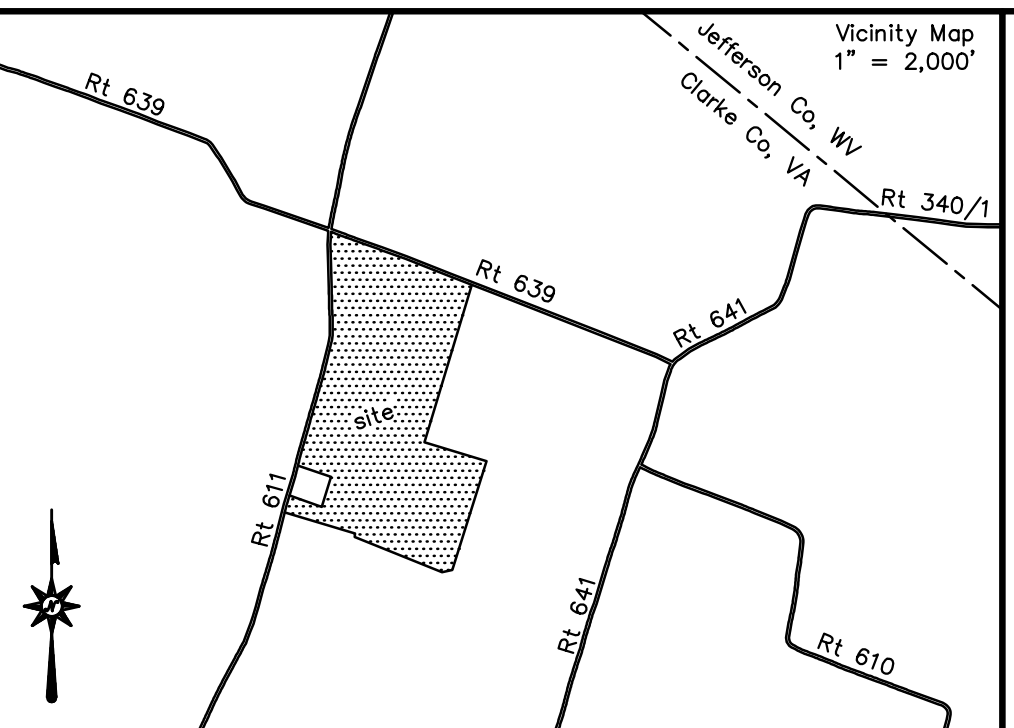
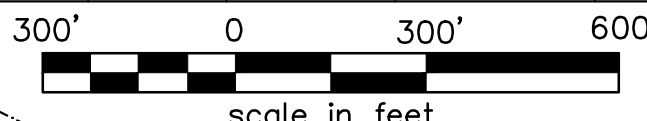
Staff recommends approval of a two-lot Minor Subdivision for the property identified as Tax Map 8-A-55B, located at 1674 & 1752 Summit Point Road, Russell Election District, zoned Agricultural-Open Space-Conservation (AOC).

History:

- October 2, 2020 Complete application filed with the Department of Planning.
- November 6, 2020 Placed on the Commission’s Business Meeting agenda.

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE	TANGENT
C1	575.00'	12.62'	12.62'	N 22°17'46" E	1°15'28"	6.31'
C2	575.00'	158.97'	158.47'	N 13°44'52" E	15°50'27"	80.00'
C3	1300.00'	54.43'	54.43'	S 07°01'38" W	2°23'57"	27.22'
C4	4400.00'	196.41'	196.39'	N 06°56'52" E	2°33'27"	98.22'
C5	555.00'	44.56'	44.54'	S 07°58'06" W	4°35'59"	22.29'

LINE	BEARING	DISTANCE
L1	S 75°24'30" E	50.63'
L2	S 62°42'23" E	122.40'
L3	S 84°02'55" W	108.62'
L4	N 12°58'24" E	38.86'
L5	N 22°54'16" E	119.56'
L6	N 23°02'00" E	64.90'
L7	N 05°49'39" E	227.90'
L8	N 08°13'36" E	95.86'
L9	S 80°33'59" E	167.73'
L10	S 21°47'04" W	197.70'
L11	S 23°18'21" E	88.17'
L12	S 23°31'56" W	217.21'
L13	N 64°04'43" W	228.58'



Surveyor's Certificate: I, W. Stuart Dunn, a duly Licensed Land Surveyor in the Commonwealth of Virginia, do hereby certify that the lands part of this Lot Merger and Minor Subdivision are in the name of Todd Anthony Johnson and Barbara Maria Johnson, Co-Trustees, and were acquired by them as stated in the Owners' Certificate. I certify that the tracts of land are properly and accurately described and are within the boundaries of the original tracts and are referenced to the meridian established in Plat Book 6, Page 16.

W. Stuart Dunn, CLS #2000
Berryville, Virginia

Owners' Certificate: The undersigned fee simple owners hereby certify that the foregoing Lot Merger of 53.7951 acres, being Tax Map 8-A-55, and 47.5471 acres, being Tax Map 8-A-55B, and concurrent Minor Subdivision of 2.0662 acres, both parcels recorded in the name of Todd Anthony Johnson and Barbara Maria Johnson, Co-Trustees in deeds recorded in Deed Book 639, Page 716, and Deed Book 618, Page 909, less conveyance recorded in Deed Book 645, Page 730, is made with the free consent and in accordance with the desires of the undersigned owners of said lands and the same is hereby confirmed and submitted for record in the Office of the Clerk of the Circuit Court of Clarke County, Virginia.

Todd Anthony Johnson Barbara Maria Johnson
1674 Summit Point Road, Berryville, VA 22611

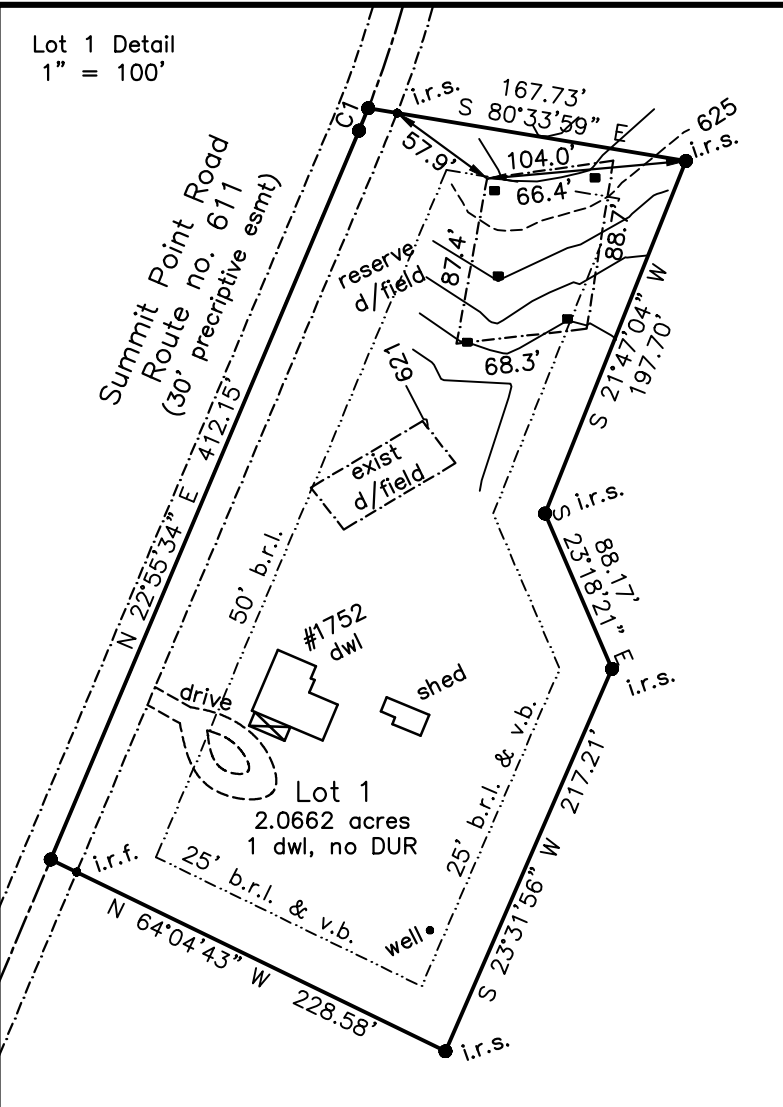
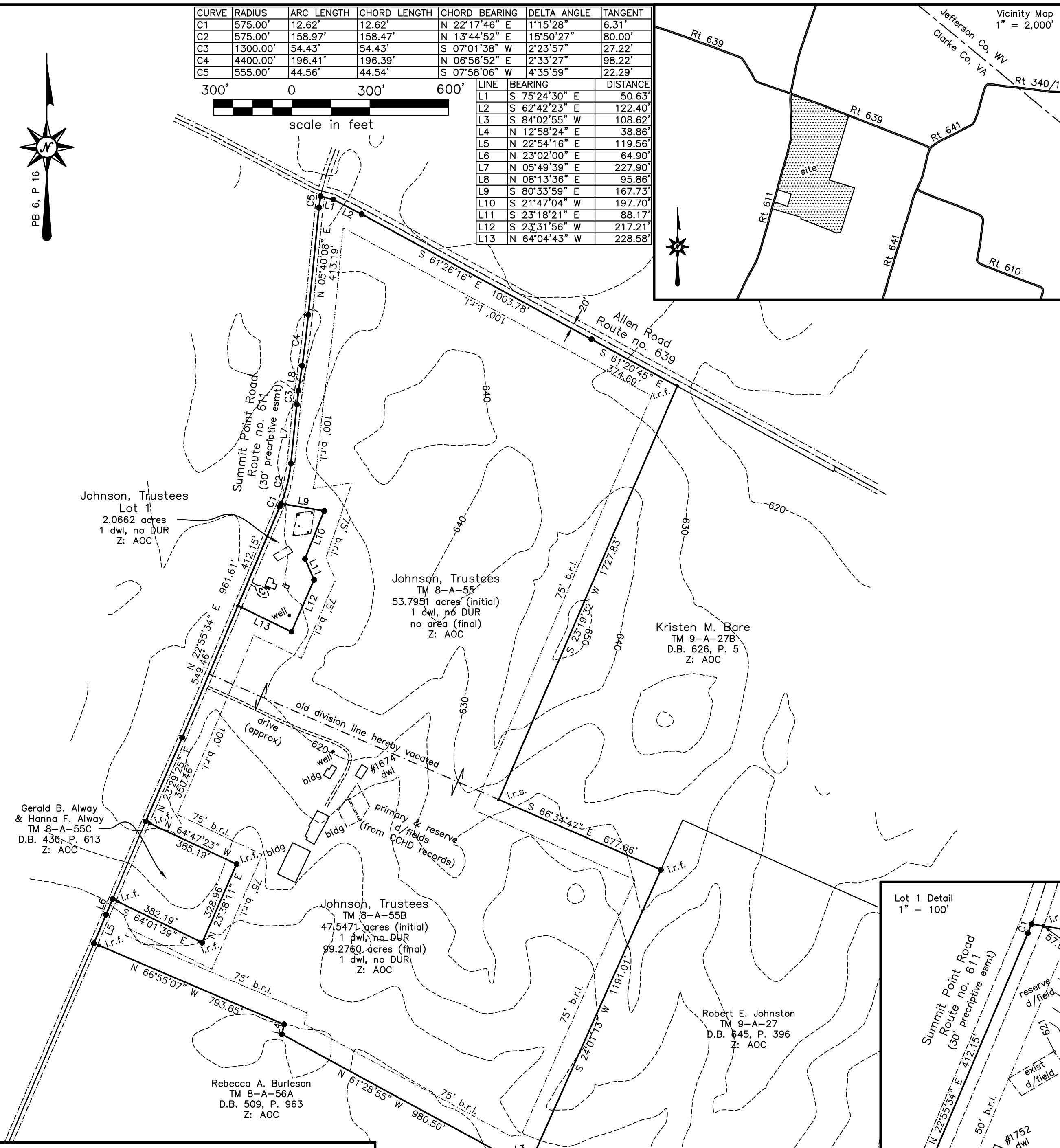
State of Virginia, County of _____, to wit: I, _____, a Notary Public for the County of Clarke, in the State of Virginia, do hereby certify that Todd Anthony Johnson and Barbara Maria Johnson, whose names are signed in the Owners' Certificate, have acknowledged the same before me this _____ day of _____, 2020.

My commission as Notary expires: _____

Notary Public

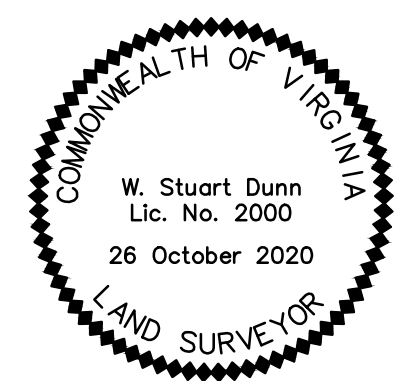
Notes:

- (1) These lands are in Flood Zone X, established from FIRM Community Panel no. 51043C0055D, effective September 28, 2007.
- (2) The resulting 99.2760 acres, TM 8-A-55B, have 1 existing dwelling and no DUR. The resulting 2.0662 acres, (TM number to be assigned), have 1 existing dwelling and no DUR.
- (3) Zoned: AOC (agricultural - open space - conservation); use: residential/agricultural.
- (4) Building setbacks as follows:
Lot 1: 50' from the centerline of Route no. 611, 25' from from all property lines, 50' from any intermittent stream, 100' from any perennial stream, spring or sinkhole.
TM 8-A-55B: 100' from the centerline of Routes no. 611 and 639, 75' from from all property lines, 50' from any intermittent stream, 100' from any perennial stream, spring or sinkhole.
- (5) These parcels 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 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, the application of fertilizer, soil amendments and pesticides. Owners, occupants and users of land in the AOC District should be prepared to accept such inconvenience 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.
- (6) i.r.s. = iron rod set; i.r.f. = iron rod found; i.p.f. = iron pipe found; dwl = dwelling; DUR = dwelling unit right; esmt = easement; d/field = drainfield; b.r.l. = building restriction line; v.b. = vegetated buffer
- (7) 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 3-A-1-f of the Clarke County Zoning Ordinance.
- (8) 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.
- (9) The existing primary drainfield on Lot 1 is a 3 bedroom conventional system with a maximum capacity of 6 people and 450 gpd. The reserve drainfield site on Lot 1 has been approved by the Clarke County Health Department for 3 bedroom conventional system with a maximum capacity of 6 people and 450 gpd.
- (10) The existing primary drainfield on TM 8-A-55B, 1674 Summit Point Road, is a 4 bedroom conventional system with a maximum capacity of 8 people and 600 gpd. The reserve drainfield site was approved initially as a 50% conventional system. This site has now been approved as a 100% alternative 4 bedroom system with a maximum capacity of 8 people and 600 gpd.
- (11) A Resistivity test has been conducted on the reserve drainfield site on Lot 1. Results of this test are available at the office of the Clarke County Planning Department.



Plat of Lot Merger and Minor Subdivision
of the Lands of
**Todd Anthony Johnson
and Barbara Maria Johnson, Co-Trustees**

(also known as Todd Johnson and Barbara M. Johnson)
Deed Book 639, Page 716 Tax Map 8-A-55
Deed Book 618, Page 909 Tax Map 8-A-55B
Longmarsh Magisterial District, Clarke County, Virginia



Dunn Land Surveys, Inc.
106 North Church Street
Berryville, Virginia 22611
Tel: 540-955-3388
September 28, 2020
rev October 10, 2020
rev October 26, 2020

Approval:

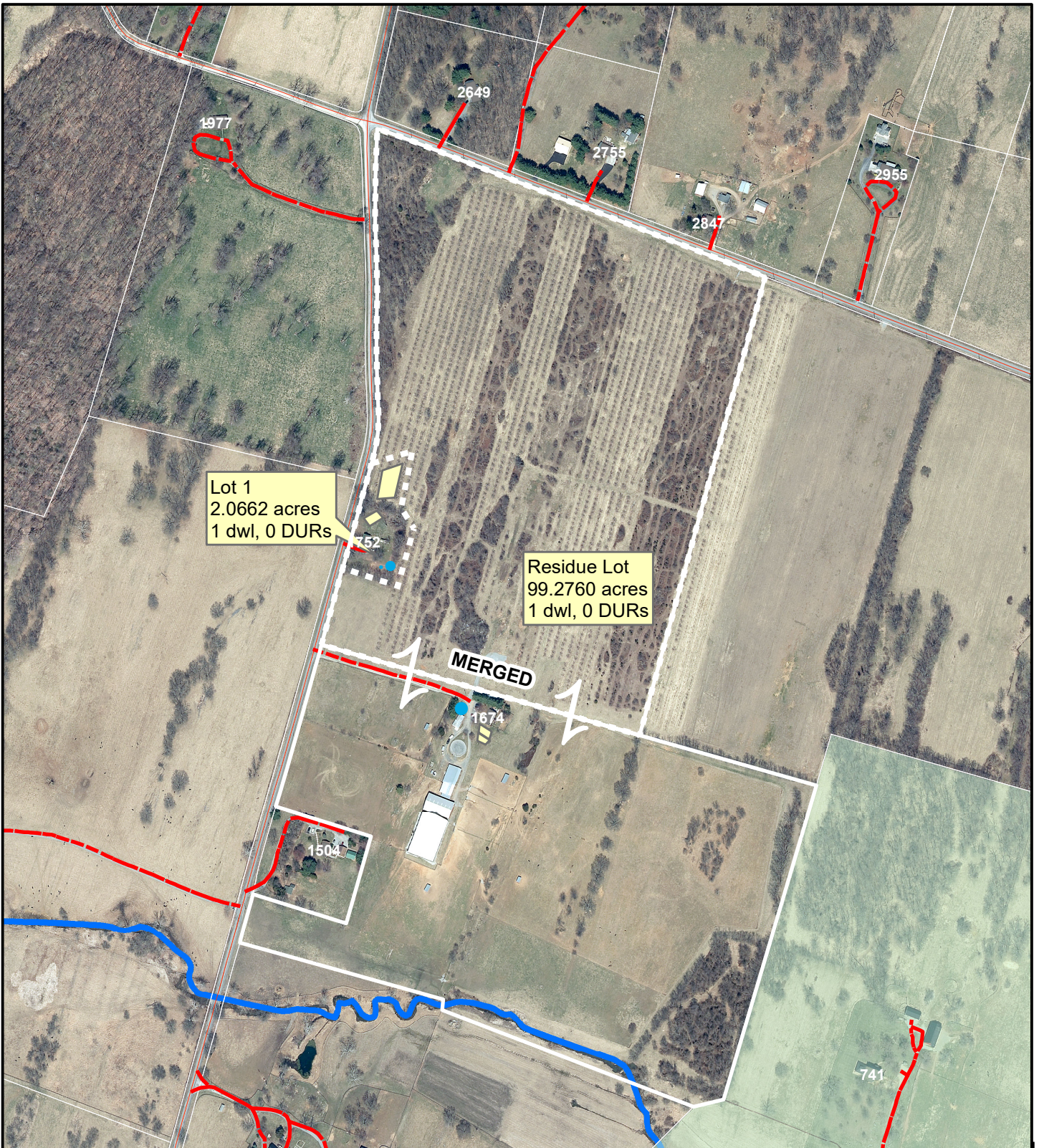
Clarke County Zoning Administrator date: _____

Chairman of Planning Commission date: _____

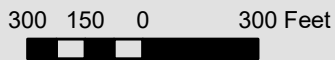
Clarke County Health Department date: _____

Area Table:

53.7951 acres	area of TM 8-A-55	(1 dwl, no DUR)
47.5471 acres	area of TM 8-A-55B	(1 dwl, no DUR)
101.3422 acres	area of TM 8-A-55B after Lot Merger	(2 dwl, no DUR)
2.0662 acres	area of Lot 1	(1 dwl, no DUR)
0.0000 acres	area dedicated to public use	
99.2760 acres	area remaining in TM 8-A-55B	(1 dwl, no DUR)



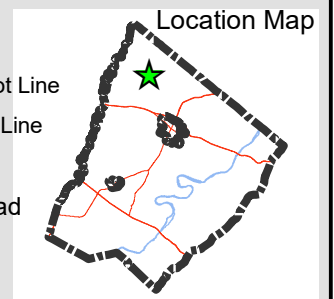
Todd & Maria Johnson
 Tax Map# 8-A-55 & 8-A-55B
 101.34 acres, 2 ext. dwl., 0 DURs



Clarke County GIS
 October 21, 2020

Legend

- Parcel Boundary
- Conservation Easements
- Structures
- Drainfield
- Well
- Proposed Lot Line
- Existing Lot Line
- Roads
- Private Road



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



October 6, 2020

Ryan Fincham
Senior Planner/Zoning Administrator
101 Chalmers Court
Berryville, Virginia 22611

RE: Minor Subdivision (MS-20-05)
Applicant: Todd & Barbara Johnson
Health Department I.D. #: 043200127
Tax Map# 8-A-55 & 55B
Proposed Lots: 2 Lots

Dear Mr. Fincham,

Pursuant to your written 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. This office has received a request from the OSE for a courtesy review of the proposed 100% reserve area for Proposed Lot 1 (2.0000 Acres) currently designated as TM# 8-A-55. The site and soils were evaluated on September 25, 2020 and no outstanding issues were noted. As of this date this office has not received an application for a Certification Letter for the proposed 100% reserve area nor have we received an approval letter for the Resistivity Testing. An existing dwelling (1752 Summit Point Rd.) that currently sits on the lot is served by an existing gravity fed conventional onsite sewage system and private well. There is a construction permit and record of inspection of file dated December 16, 1968 and January 2, 1969 respectively. The sewage system is designed to accommodate a three bedroom dwelling, 405 gallons per day. Ceratin system componenets were replaced, inspected and approved in 2004. No evidence of system failure was observed. A IIIB well was installed on May 7, 2001 and inspected by this department but there are no water sample testing results on file. The Tax Map identification for this lot appears to be shown incorrectly in the "Notes" section of the survey plat by Stuart Dunn dated September 28, 2020 but also indicates (to be assigned).

2. Tax Map # 8-A-55B (proposed TM# 8-A-55 - 99.3422 Acres) on which an existing dwelling currently sits (1674 Summit Point Rd.) is served by a conventional gravity fed drainfield designed for 4 Bedrooms, 600 gallons per day with a 50% conventional reserve area. There is a construction permit on file dated December 24, 1986 and a record of inspection dated February 20, 1987. There is an Operation Permit on file dated October 25, 1988. This lot is served by a private well that does not appear to be shown on the aforementioned plat.

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,



Jim Davis, REHS
Environmental Health Supervisor

PC: Todd & Barbara Johnson
Stuart Dunn, Land Surveyor
Robert B. Charnley, III, OSE
Health Department File

Zimbra

bstidham@clarkecounty.gov

Clarke County - Route 611 - Todd & Barbara Johnson Minor Subdivision - TM 8-A-55

From : Arthur Boyce <bobby.boyce@vdot.virginia.gov> Mon, Oct 26, 2020 02:56 PM
Subject : Clarke County - Route 611 - Todd & Barbara Johnson 📎 1 attachment
Minor Subdivision - TM 8-A-55
To : Brandon Stidham <bstidham@clarkecounty.gov>
Cc : Rhonda Funkhouser
<Rhonda.Funkhouser@vdot.virginia.gov>

COMMONWEALTH of VIRGINIA
DEPARTMENT OF TRANSPORTATION
Staunton/Edinburg Land Development
14031 Old Valley Pike
Edinburg, VA 22824

Dear Mr. Stidham:

We have reviewed the above referenced subdivision plat dated September 28, 2020 by Dunn Land Surveys, Inc for impacts to the local roadway system. We have no objections to the proposed subdivision. The existing dwelling will utilized the current private entrance for access on Route 611

Thank you for the opportunity to comment on this subdivision. If you have any questions, please do not hesitate to give me a call.

Sincerely,

Bobby Boyce

Bobby Boyce
VDOT- Land Development Engineer
14031 Old Valley Pike
Edinburg, VA 22824
(540)984-5631

CERTIFICATE OF APPROPRIATENESS (CA-20-03)

Robert Claytor / Todd Shenk

November 6, 2020 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 application. It may be useful to members of the general public interested in this application.

Case Summary

Applicant(s):

Robert Claytor / Todd Shenk

Location:

- 8153 John Mosby Highway, Boyce, VA 22620
- Tax Map #28-A-20B
- White Post Election District (Randy Buckley and Buster Dunning)

Parcel Size:

3.9651 acres

Zoning:

Highway Commercial (CH) & Historic Access Corridor Overlay District (HC)

Request:

The applicant is requesting approval for a change in the previously approved certificate of appropriateness (in conjunction with SP-18-02) in order to alter the color scheme for the Handy Mart diesel pump canopy located at 8153 John Mosby Highway identified as Tax Map 28-A-20B, zoned Historic Access Corridor Overlay District (HC) and Highway Commercial (CH).

Staff Discussion/Analysis:

The Handy Mart diesel pump expansion site plan was approved by the Planning Commission on June 7, 2019 (SP-18-02). A certificate of appropriateness was also approved in conjunction with the site plan with the proposed canopy to have the same red-yellow color scheme as the existing gas pump canopy. The applicant is now requesting to change the color scheme for the aforementioned project from the red-yellow color previously approved to a white-green color scheme.

Since the project is located in the Historic Access Corridor Overlay District, a certificate of appropriateness must be reviewed and approved for the proposed changes to the canopy, which was a condition of the approval of the site plan amendment. The Planning Commission is the review authority for all certificates of appropriateness in the Historic Access Corridor Overlay District (§3-E-4-e) outside of the Berryville Annexation Area. The request was routed to Maral Kalbian, Clarke County’s consulting Architectural Historian, for review. Ms. Kalbian’s comments were received October 14, 2020 and sent to the applicant via email the same day. Ms. Kalbian approved the request as presented with no conditions.

Staff Recommendation:

Staff recommends approval of the request for a Certificate of Appropriateness to alter the color scheme for the Handy Mart diesel pump canopy located at 8153 John Mosby Highway identified as Tax Map 28-A-20B, zoned Historic Access Corridor Overlay District (HC) and Highway Commercial (CH).

History:

October 5, 2020	Complete application filed with the Department of Planning.
November 6, 2020	Placed on the Commission's business meeting agenda.



151 Windy Hill Lane
Winchester, VA 22602

September 25, 2020

Clarke County
Department of Planning and Zoning
102 North Church Street
Berryville, VA 22611

Attn: Zoning Administrator

Re: Handy Mart Diesel Pump Canopy Color – Request canopy color change from previously approved color **Yellow and Red** to a new Canopy with **White background and Green Text “Truck Diesel”**

Dear Mr. Fincham:

On behalf of our client, H.N. Funkhouser, owner of Waterloo Handy Mart, and as defined in Virginia Code §15.2-2201, we hereby requesting a change to previously approved canopy color with yellow and Red and replace with white canopy background with green text “Diesel Truck”.

The purpose of this change, color white and green normally represent for truck diesel fuel service color. The entrance to Handy Mart and diesel Pump will be utilizing same entrance from Route 340, it is so important the truck traffic only enter to proper destination for truck diesel fuel service only. This proposed new color will help to avoid or minimize the truck mistakenly entering to Handy Mart and the truck must deal with limited maneuverability and become a safety concern for Handy Mart customer. For details of canopy color and text see canopy drawing as shown on the attached sign exhibits.

We appreciate your time and assistance in this effort, and we look forward to your favorable response and approval for this change. As always, should you have any questions or require further information please feel free to call me at your convenience.

Sincerely,
Greenway Engineering Inc.

Niki Adhikusuma, PE

Enclosures

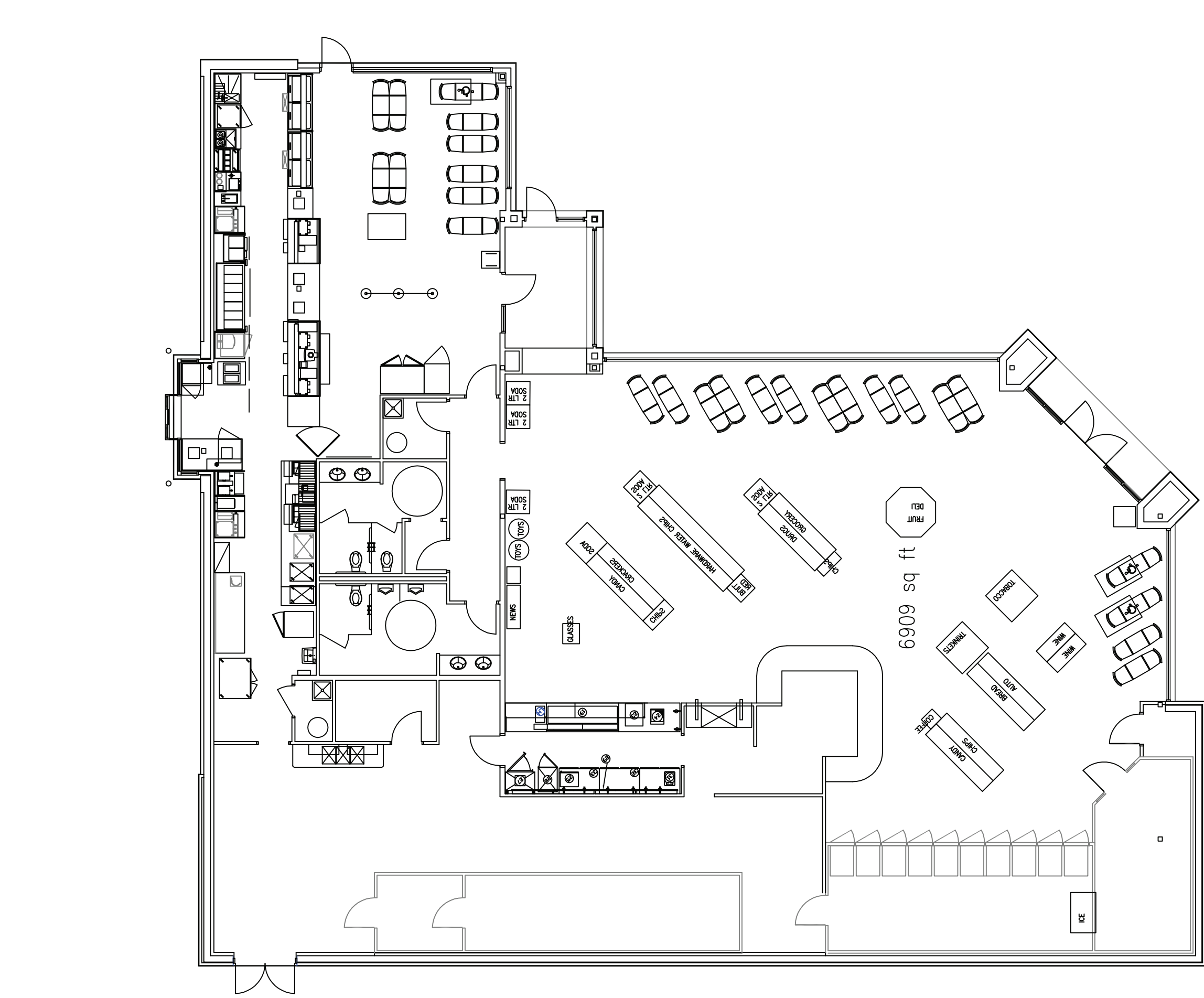
Cc: Brandon Stidham – Clarke County Planning Director
Todd Shenk – H.N. Funkhouser

Engineers Surveyors Planners Environmental Scientists Laboratory
Telephone 540-662-4185 Fax 540-722-9528
www.greenwayeng.com

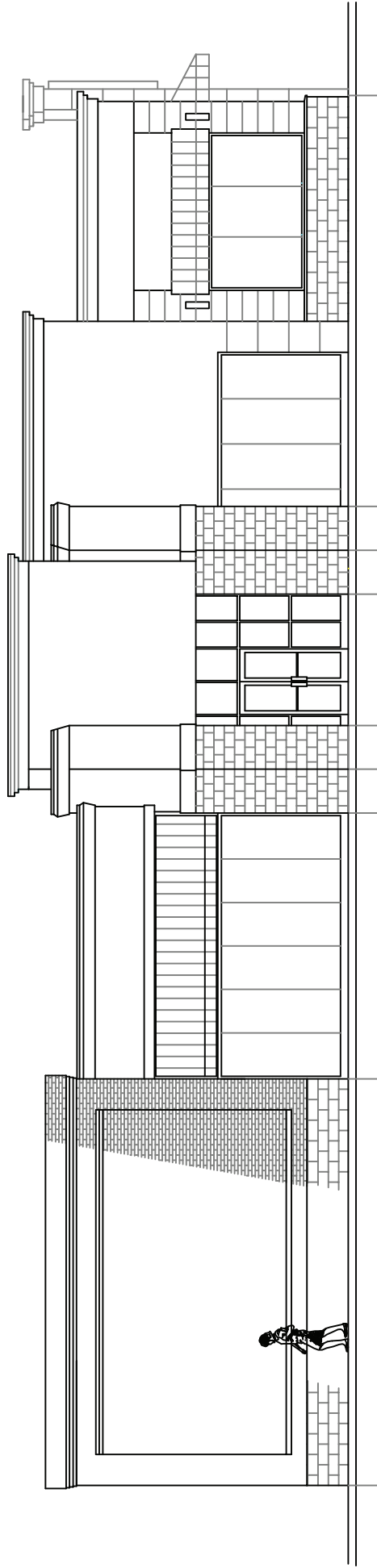
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PROPOSED CANOPY EXHIBIT

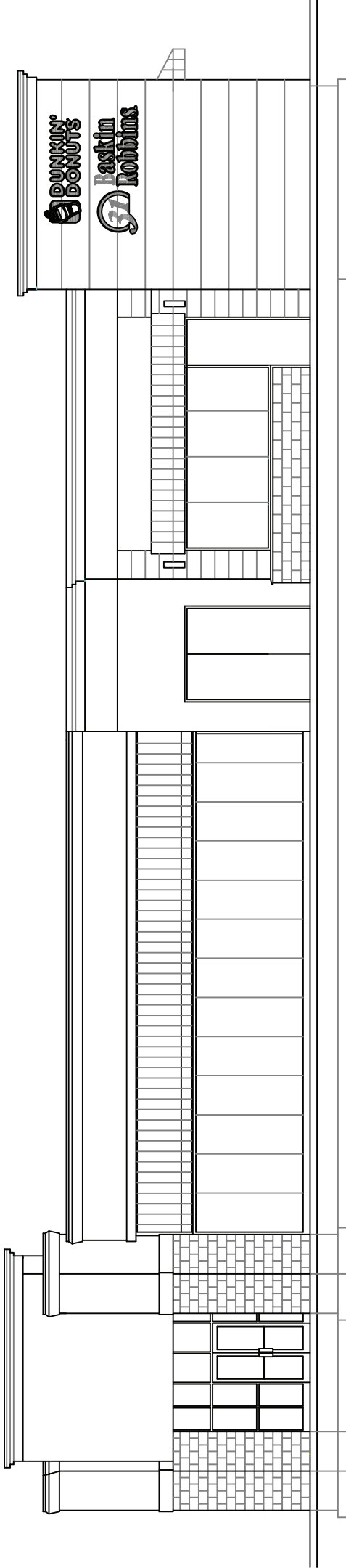
WHITE-GREEN SCHEME



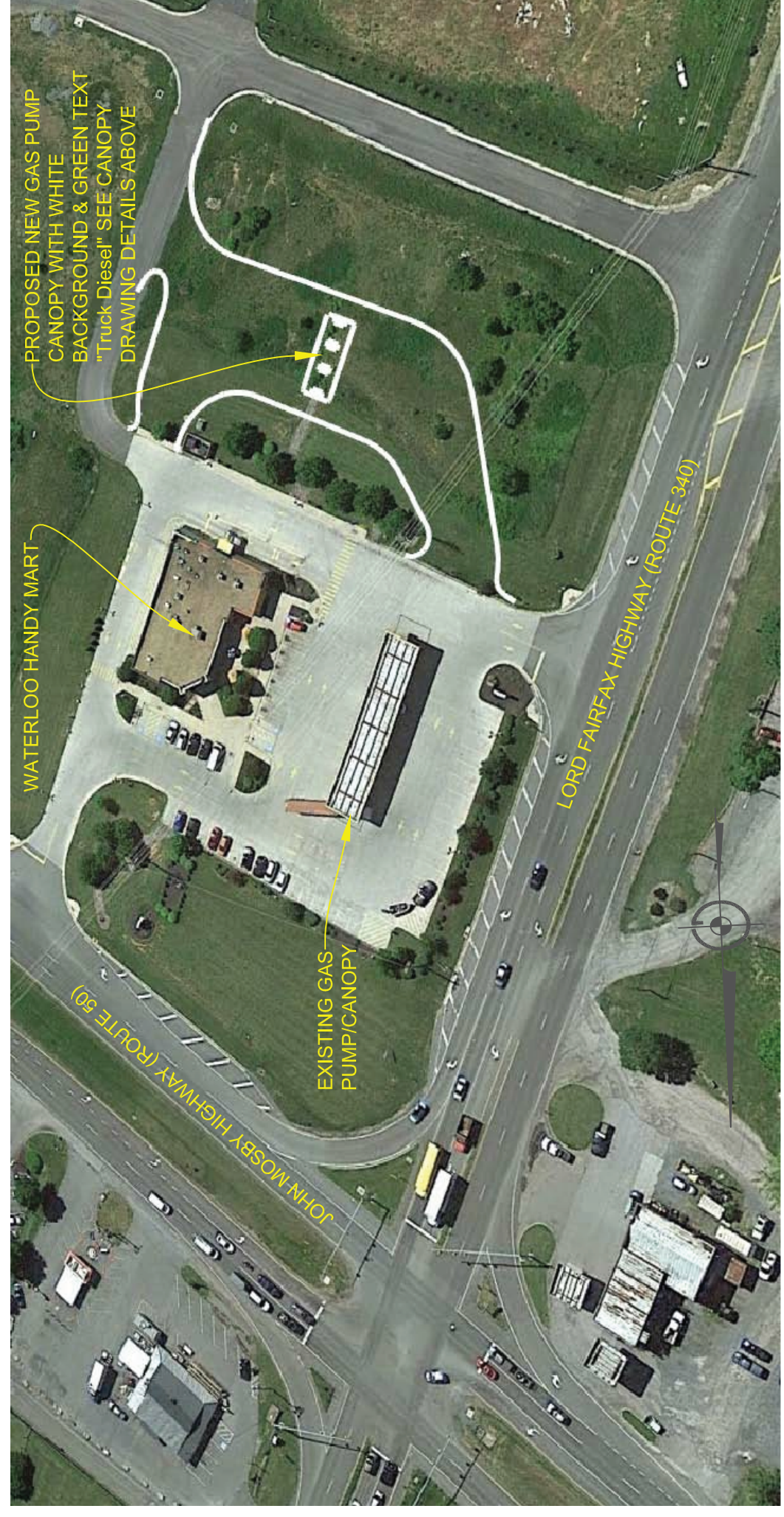
EXISTING WATERLOO HANDY MART FLOOR PLAN VIEW



EXISTING WATERLOO HANDY MART NORTH ELEVATION



EXISTING WATERLOO HANDY MART WEST ELEVATION



WATERLOO HANDY MART AERIAL VIEW WITH PROPOSED DIESEL PUMP EXPANSION



PICTURES SHOWING WATERLOO HANDY MART FROM ENTRANCE AT LORD FAIRFAX HIGHWAY AND WEST ELEVATION OF HANDY MART BUILDING.

eddie edwards signs
 510 WATERMAN DR.
 HARRISBURG, VA 22802
 TEL: 540-432-8881
 FAX: 540-432-8881
 www.eddieedwards.com

PROJECT:
 HN Funhouser - Handy Mart 22

REPRESENTATIVE:
 BR

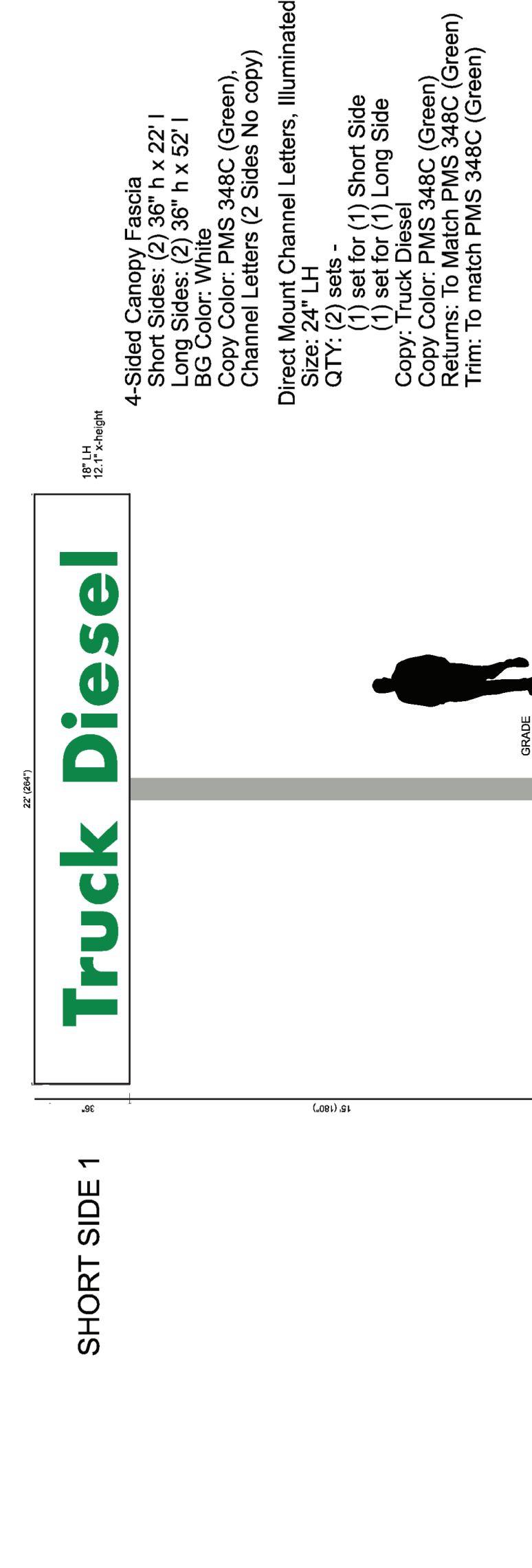
PROJECT MANAGER:
 MR

DRAWN BY:
 AS/KB

DATE:
 6/23/2020

FILE NAME:
 HN17-HW22 - Diesel Canopy KB.dwg

NOT TO SCALE



SHORT SIDE 1



LONG SIDE 1

4-Sided Canopy Fascia
 Short Sides: (2) 36" h x 22' l
 Long Sides: (2) 36" h x 52' l
 BG Color: White
 Copy Color: PMS 348C (Green),
 Channel Letters (2 Sides No copy)
 Direct Mount Channel Letters, Illuminated
 Size: 24" LH
 QTY: (2) sets -
 (1) set for (1) Short Side
 (1) set for (1) Long Side
 Copy: Truck Diesel
 Copy Color: PMS 348C (Green)
 Returns: To Match PMS 348C (Green)
 Trim: To match PMS 348C (Green)

CUSTOMER APPROVAL:

AUTHORIZED SIGNATURE

TITLE

WORK ORDER NO.

DECISIONS

1

2

3

4

5

REPRESENTATIVE

PROJECT MANAGER

DRAWN BY

DATE

FILE NAME

NOT TO SCALE

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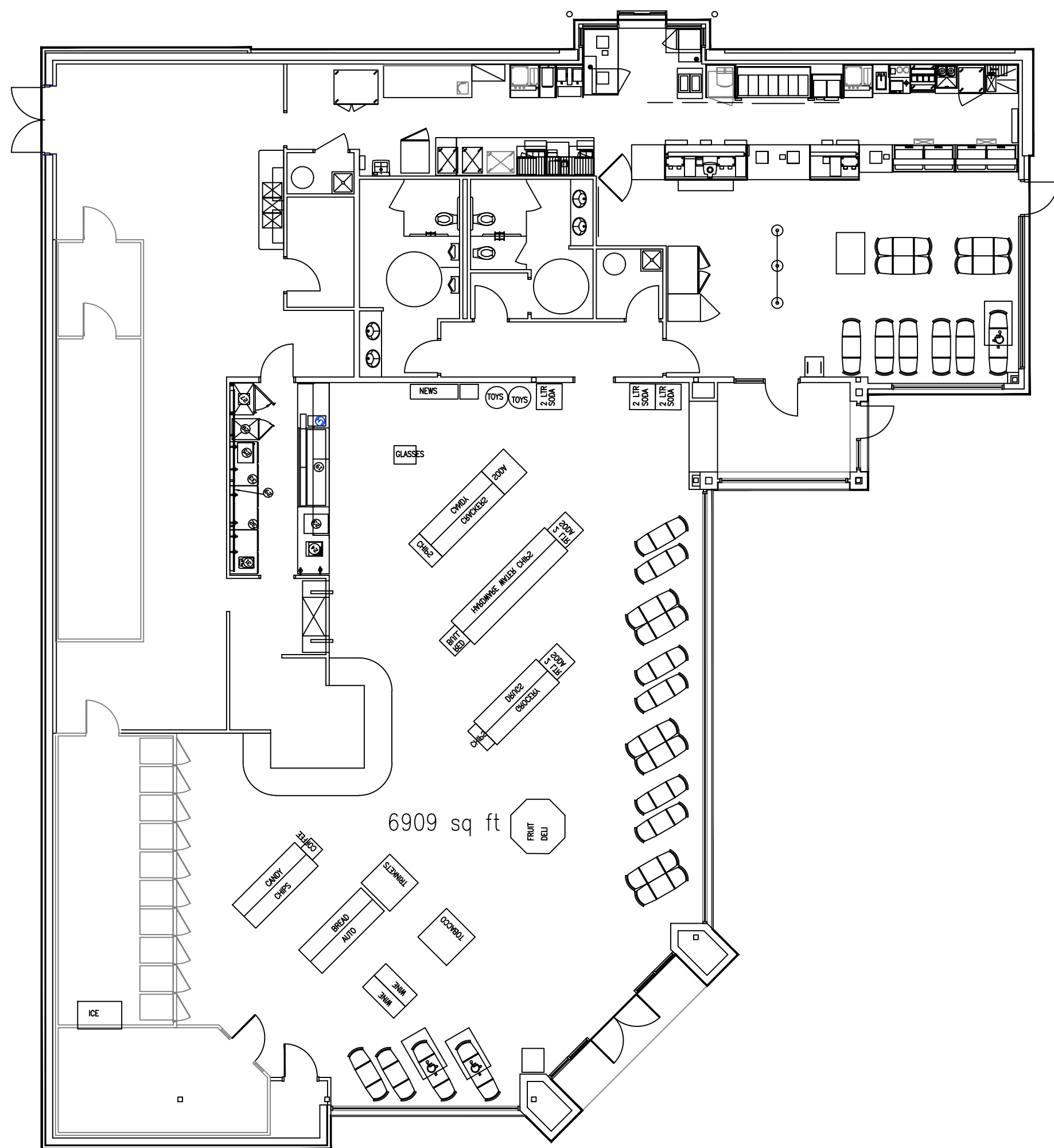
PROPOSED NEW DIESEL PUMP CANOPY WITH WHITE BACKGROUND AND GREEN TEXT "Truck Diesel" WITH THE INTENTION TO ASSIST AND DIRECT TRUCK ENTERING TO PROPER LOCATION.

HANDY MART DIESEL PUMP EXPANSION

CERTIFICATE OF APPROPRIATENESS EXHIBIT

APPROVED CANOPY EXHIBIT

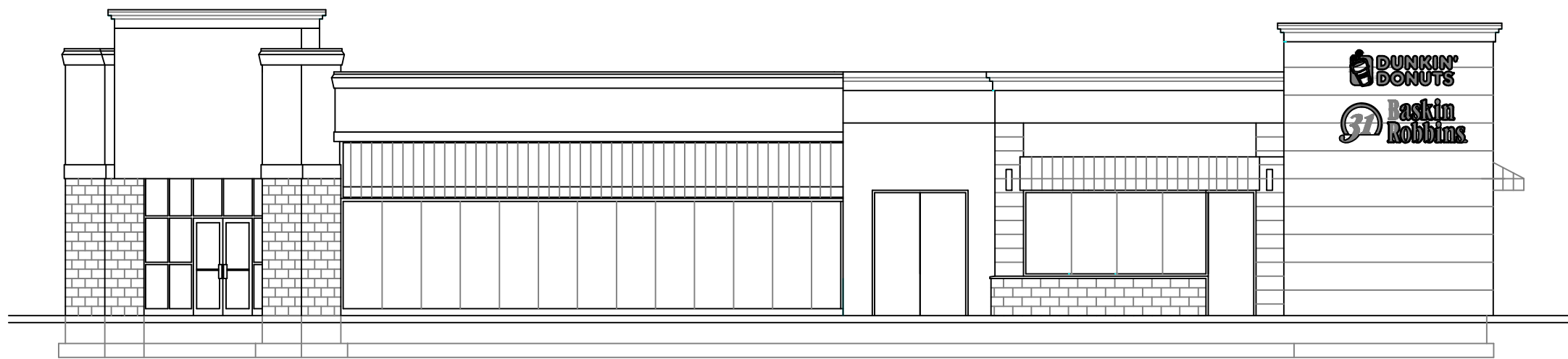
RED-YELLOW SCHEME



EXISTING WATERLOO HANDY MART FLOOR PLAN VIEW



EXISTING WATERLOO HANDY MART NORTH ELEVATION



EXISTING WATERLOO HANDY MART WEST ELEVATION



EXISTING WATERLOO HANDY MART WEST ELEVATION



EXISTING WATERLOO HANDY MART EXISTING GAS PUMP/CANOPY
THE PROPOSED GAS PUMP/CANOPY TO MATCH EXISTING GAS PUMP/CANOPY



WATERLOO HANDY MART AERIAL VIEW WITH
PROPOSED DIESEL PUMP EXPANSION

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



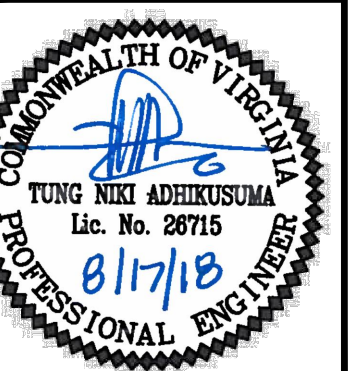
PROUDLY SERVING VIRGINIA & WEST VIRGINIA
OFFICES IN: WINCHESTER, VA & MARTINSBURG, WV

CERTIFICATE OF APPROPRIATENESS EXHIBIT

HANDY MART DIESEL PUMP EXPANSION

GREENWAY MAGISTERIAL DISTRICT
CLARKE COUNTY, VA

Rev. No.	Date



DATE: 8-17-2018

SCALE: N/A

DESIGNED BY: NTA

FILE NO. 4515F-2

SHEET 1 OF 1

DWG # 18-10

Date: October 14, 2020

To: Ryan Fincham, Senior Planner and Zoning Administrator

From: Maral S. Kalbian; Clarke County Consulting Architectural Historian

Re: Waterloo Handy Mart, 8152 John Mosby Highway, TM #28-A-20G
Revision of color of new canopy area

I have reviewed the revised color of the canopy and lettering on the new diesel pump located south of the current Handy Mart building in Waterloo. According to the new drawing (#18-10) submitted by Greenway Engineering and dated October 23, 2020, the proposed canopy dimension will be 22' x 52' x 3' and have an overall height of 18 feet. The design of the canopy fascia will be of white aluminum with illuminated green lettering stating "Truck Diesel." This is a revision from the original 2018 request for orange and red lettering.

In my professional opinion, the proposed new color scheme for the canopy meets the standards of the Historic Access Overlay District as outlined in the Clarke County Zoning Ordinance, Code Chapter 188 Section 3-E-4-e. In fact, it is a much more appropriate use of color than what was originally proposed, as the white and green fits in more with the rural nature of the site.

Thank you and please feel free to contact me if you have any questions.

Sincerely,



Maral S. Kalbian
Architectural Historian