



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. Commissioner Caldwell 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.



Randy Buckley, Vice Chair



Debbie Bean (Recording Secretary)