



Clarke County Planning Commission

MINUTES – Business Meeting

Friday, June 3, 2022 – 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)	✓
Matthew Bass (Board of Supervisors)	✓	Frank Lee (Berryville)	✓
Anne Caldwell (Millwood)	✓	Gwendolyn Malone (Berryville)	✓
Buster Dunning (White Post)	✓	Ronnie “Ron” King (Buckmarsh)	✓
Robert Glover (Millwood)	✓	Doug Lawrence (BOS alternate)	X

E – Denotes electronic participation

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

OTHER PRESENT: None.

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

1. Approval of Agenda

The Commission voted unanimously to approve the agenda for June 3, 2022 as presented by Staff.

Motion to approve the June 3, 2022 Planning Commission Business Meeting agenda as presented by Staff:			
Ohrstrom (Chair)	AYE	Hunt	AYE
Buckley (Vice-Chair)	AYE	King	AYE
Bass	AYE (moved)	Kreider	AYE
Caldwell	AYE	Lee	AYE (seconded)
Dunning	AYE	Malone	AYE
Glover	AYE		

2. Approval of Minutes

May 3, 2022 Work Session

The Commission voted unanimously to approve the May 3, 2022 Work Session meeting minutes as presented by Staff.

Motion to approve the May 3, 2022 Planning Commission Work Session meeting minutes as presented by Staff:			
Ohrstrom (Chair)	AYE	Hunt	AYE
Buckley (Vice-Chair)	AYE	King	AYE
Bass	AYE	Kreider	AYE (seconded)
Caldwell	AYE (moved)	Lee	AYE
Dunning	AYE	Malone	AYE
Glover	AYE		

May 6, 2022 Business Meeting

The Commission voted unanimously to approve the May 6, 2022 Business Meeting minutes as presented by Staff.

Motion to approve the May 6, 2022 Planning Commission Business Meeting minutes as presented by Staff:			
Ohrstrom (Chair)	AYE	Hunt	AYE
Buckley (Vice-Chair)	AYE (moved)	King	AYE
Bass	AYE	Kreider	AYE
Caldwell	AYE	Lee	AYE (seconded)
Dunning	AYE	Malone	AYE
Glover	AYE		

Boundary Line Adjustment

3. BLA-22-06, Gary W. and Joanne B. Hornbaker/Douglas & Laura Gansler.

Mr. Camp presented this application. He explained the purpose of the application is to increase the 3-acre lot by adjusting .5273 acres from the 125-acre agricultural lot. He said the code does not allow transfer between an agricultural lot to a residential lot where the agricultural lot is being reduced in size unless there are certain criteria. He noted the .5273 acres was created due to a state boundary line adjustment which resulted in an irregular shaped lot making farm machinery difficult to maneuver. He said neither property’s DURs will change due to the adjustment and that Staff recommends approval of the application.

The Commission voted unanimously to approve of **BLA-22-06**, Gary W. and Joanne B. Hornbaker/Douglas & Laura Gansler as presented by Staff.

Moved to approve of <u>BLA-22-06</u>, Gary W. and Joanne B. Hornbaker/Douglas & Laura Gansler as presented by Staff:			
Ohrstrom (Chair)	AYE	Hunt	AYE
Buckley (Vice-Chair)	AYE	King	AYE
Bass	AYE	Kreider	AYE (moved)
Caldwell	AYE	Lee	AYE
Dunning	AYE	Malone	AYE (seconded)
Glover	AYE		

Schedule Public Hearing

4. 2022 Clarke County Comprehensive Plan

Mr. Stidham said the draft revision of the Clarke County Comprehensive Plan is ready for the Planning Commission to set public hearing. Cathy Kuehner, he noted, will post the information to the county's website and public outreach messages for Facebook will be developed so citizens are fully aware of the public hearings. The regular formal ad will run for 2 consecutive weeks in the newspaper and the public hearing will take place on Wednesday, June 29th at 7:00PM he said.

The Commission voted unanimously to set public hearing of the draft Clarke County Comprehensive Plan for Wednesday, June 29th at 7:00PM.

Moved to set public hearing on the draft 2022 Clarke County Comprehensive Plan for Wednesday, June 29th at 7:00PM:			
Ohrstrom (Chair)	AYE	Hunt	AYE
Buckley (Vice-Chair)	AYE (moved)	King	AYE
Bass	AYE	Kreider	AYE
Caldwell	AYE	Lee	AYE
Dunning	AYE	Malone	AYE (seconded)
Glover	AYE		

5. TA-22-03, Historic (H) District Review Criteria for Demolitions

Mr. Camp explained the recommended ordinance revisions that the Historic Preservation Commission (HPC) created that would establish criteria for demolition projects. He said currently there is general criteria which is specific to new construction on historic structures and this revision would help complement the criteria. He said one particular revision was a minor wording change to include "razing and demolitions" under subsection B on page 8 of 19. He added that a formatting revision to the criteria section on page 11 of 19 where the last sentence is moved to the beginning. He said he is looking for a motion to set public hearing on these revisions.

The Commission voted unanimously to set public hearing for TA-22-03, Historic (H) District Review Criteria for Demolitions on Friday, July 1st at 9:00AM.

Moved to set public hearing on TA-22-02, Historic (H) District Review Criteria as presented by Staff on Friday, July 1st at 9:00AM:			
Ohrstrom (Chair)	AYE	Hunt	AYE
Buckley (Vice-Chair)	AYE (moved)	King	AYE
Bass	AYE	Kreider	AYE
Caldwell	AYE	Lee	AYE (seconded)
Dunning	AYE	Malone	AYE
Glover	AYE		

6. Board and Committee Reports

Board of Supervisors (Matthew Bass)

Commissioner Bass said the Board of Supervisors found the former version of the Noise Ordinance was difficult for the Sheriff's Office to enforce and the Commonwealth's Attorney to prosecute. Therefore, a new Noise Ordinance was adopted with more objective standards set for decibels and distances that will make it easier for the sheriff's deputies. He said at the least it will make the deputies' job easier when they are on a noise call.

One item to note, Commissioner Bass said, is that the County re-hired Mr. Chris Boies for another three year term as County Administrator.

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

Nothing to report

Board of Zoning Appeals (Anne Caldwell)

Nothing to report

Historic Preservation Commission – HPC (Bob Glover)

Commissioner Glover said the HPC held their annual awards lunch. Mr. Camp added that the lunch took place on May 18, 2022 at NIKS restaurant in Berryville. He said Ms. Cathy Kuehner was present to document and photograph the four award winners including Bloomfield, Clermont, River House, and Lockes Mill. Glover asked what had happened at the HPC meeting prior to the luncheon. Mr. Camp said the executive members scheduled a meeting for the following Friday to discuss the revisions to the Battle of Berryville report.

Commissioner Glover said he received an invite for June 12th from 3:00PM-5:00PM to attend a Josephine Street presentation. He noted that Sandy Lerner of Lockes Mill received a Loudoun Laurels Foundation award.

Conservation Easement Authority – CEA (George L. Ohrstrom, II)

Chair Ohrstrom said the CEA has someone who wishes to donate a nice easement but wants to build an enclosed riding arena which would be running up against the impervious surface cap as it is not a large lot. He said Clarke County's impervious surface cap is 1% and that the property has many buildings on it already. He continued that while it is a great easement it is problematic to figure out what that precedent it would set and whether the impervious surface cap needs to be restructured, perhaps on a sliding scale for size of properties. Vice Chair Buckley commented the CEA has been working on this particular easement for almost six months. Chair Ohrstrom said they have looked at surrounding easement agency's impervious caps and found there is no one standard and that there is no right answer.

Vice Chair Buckley said the CEA recently closed on 122 acre easement on the northwest part of the County. Chair Ohrstrom remarked that it was a steeple horse trainer hoping to bring back equine activity in the area.

Broadband Implementation Committee (Brandon Stidham)

In regards to the VATI fiber optic internet project, Mr. Stidham said he believes the status is currently in the paperwork phase with the Department of Housing and Community Development and that he has not heard an update. He also commented that there are two Planning Commission seats on the Broadband Committee of which one is now vacant. Chair Ohrstrom asked if anyone on the Commission was

interested and Commissioner King voiced his interest. Chair Ohrstrom said he would recommend Commissioner King's appointment. Mr. Stidham said the committee will not meet on a regular basis but will be more of an outreach program to make people aware of the project status and also work with the All Points Broadband representatives.

Other Business

7. Overview of Upcoming Meeting Items

Mr. Stidham said he has a list of upcoming Commission projects and that in July the Commission will revisit the work plan. He stated that during the summer and into the fall, all of the subcommittees will be working on various workshop items for text amendments in addition to a few large cases that will require the Commission's consideration. To recap, he said during July's meeting he hopes to have the Double Tollgate Area Plan draft to present. He said the Comprehensive Plan Committee has been working with Staff on that and will be meeting on June 16th. On July 1st, he said, the Business Meeting will be full to include four minor subdivision applications, the historic district review criteria for demolitions text amendment public hearing, and recommendation on the Comprehensive Plan to move to the Board of Supervisors.

Mr. Stidham said one potential item that may be added to July's agenda is to set public hearing in September for a potential solar power plant special use permit and site plan review. He said it is located off Westwood Road at Bellringer Solar Farm and that it is a 50-megawatt facility. He said they have fully submitted their application and fees but they have yet to receive approval from DEQ stormwater review process which might take a while. Until then, he said, Staff recommends they defer until they are further along in that process. Chair Ohrstrom agreed that this should be delayed until they are further along with DEQ to avoid delays and additional deferrals.

Mr. Stidham said applicants dropped of a partial set of application materials the day before for a special use permit and site plan to turn Carter Hall into a Country Inn. He said while it will not be on July's agenda, it may be as early as September for the Planning Commission's review. He noted the applicants also require stormwater plan requirements from DEQ as well. Chair Ohrstrom asked when the one-hundred-day clock began to which Mr. Stidham replied that it starts when the Planning Commission reviews the application and added that any time an applicant formally makes a written request due to a deferral in writing, it stops the clock at that point until it resumes. Chair Ohrstrom asked for clarification and provided an example if the clock stopped with three remaining days, the applicant will only have three remaining days when the process resumes. Mr. Stidham agreed.

Mr. Stidham said one item for review is the Waterloo Area Plan Update. He said the Ordinance Committee has been looking at the county's waterworks, sewerage system, and treatment works regulations as applied to the AOC and FOC Districts and that they plan to meet in early to mid-July.

Mr. Stidham stated there is a provision in the Zoning Ordinance that allows certain exemptions or reductions for certain types of features on the structure that are allowed to be in a setback area. He said there have been certain situations, solar panels for example, that might not be clear as to how that would apply under that exemption. He said the Committee is going to review at the section to see if anything needs to be revised.

Mr. Stidham said the Commission indicated the need to discuss campground regulations which will be on the Policy and Transportation Committee's agenda in July or August.


The Policy and Transportation Committee, Mr. Stidham noted, reviewed the County's boundary line adjustment regulations and has forwarded them to the Planning Commission.

Commissioner Caldwell said the proposed "glamping" property off Routes 50 and 601 that was briefly discussed in the last session is back on the market and is no longer a concern. She said the second update to mention is that quarry tower extension that was approved by the Planning Commission six months or so ago is finished. Chair Ohrstrom asked if it will help improve her home internet to which she replied that the router has been useful. Commissioner Glover said the new router has been lifechanging although it slows down in the evening. He added that the prices, rules, or regulations regarding the upcoming fiber services are unclear currently but the T-Mobile service may prove to be competitive with All Points Broadband.

Adjournment:

The Commission unanimously voted to adjourn the June 3, 2022 Planning Commission Business Meeting at 9:34AM.


George L. Ohrstrom, II (Chair)


Kristina Maddox (Clerk)