



# Clarke County Planning Commission

MINUTES – Business Meeting

Friday, September 2, 2022 – 9:00AM

Berryville/Clarke County Government Center – Main Meeting Room

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

E – Denotes electronic participation

**NOTE:** George L. Ohrstrom, II participated electronically due to personal reasons.

**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 9:01AM.

## 1. Approval of Agenda

The Commission unanimously voted to approve the agenda as presented by Staff.

Motion to approve the September 2, 2022 Planning Commission Business Meeting agenda as presented by Staff:			
Ohrstrom (Chair)	AYE	King	AYE
Buckley (Vice-Chair)	AYE	Kreider	AYE (moved)
Bass	AYE	Lee	AYE
Dunning	AYE	Malone	AYE (seconded)
Glover	AYE	Staelin	AYE
Hunt	AYE		

## 2. Approval of Minutes

### A. June 28, 2022 Work Session

Chair Ohrstrom asked that the typographical error on the second line within the first paragraph be fixed as the line reads, “Regarding the He said the Commission decided not to take any action during the public hearing in the event there is additional work to be done at the Business Meeting.”

The Commission voted 8-0-3 (Commissioners Glover, Lee, and Staelin abstained as they did not attend this meeting) to approve the June 28, 2022 Work Session meeting minutes as amended.

<b>Motion to approve the June 28, 2022 Planning Commission Work Session meeting minutes as amended:</b>			
Ohrstrom (Chair)	<b>AYE</b>	King	<b>AYE</b>
Buckley (Vice-Chair)	<b>AYE</b>	Kreider	<b>AYE (seconded)</b>
Bass	<b>AYE</b>	Lee	<b>ABSTAINED</b>
Dunning	<b>AYE</b>	Malone	<b>AYE (moved)</b>
Glover	<b>ABSTAINED</b>	Staelin	<b>ABSTAINED</b>
Hunt	<b>AYE</b>		

**B. June 29, 2022 Special Meeting / Public Hearing**

The Commission voted 8-0-3 (Commissioners Glover, Lee, and Staelin abstained as they did not attend this meeting) to approve the June 29, 2022 Business Meeting minutes as presented by Staff.

<b>Motion to approve the June 29, 2022 Planning Commission Special Meeting / Public Hearing minutes as presented by Staff:</b>			
Ohrstrom (Chair)	<b>AYE</b>	King	<b>AYE</b>
Buckley (Vice-Chair)	<b>AYE (moved)</b>	Kreider	<b>AYE</b>
Bass	<b>AYE</b>	Lee	<b>ABSTAINED</b>
Dunning	<b>AYE</b>	Malone	<b>AYE (seconded)</b>
Glover	<b>ABSTAINED</b>	Staelin	<b>ABSTAINED</b>
Hunt	<b>AYE</b>		

**C. July 1, 2022 Business Meeting**

Commissioner Malone asked that her “AYE” vote be added to page 12 of 45 where there is a blank.

The Commission voted 8-0-3 (Commissioners Glover, Lee, and Staelin abstained as they did not attend this meeting) to approve the July 1, 2022 Business Meeting minutes as amended.

<b>Motion to approve the July 1, 2022 Planning Commission Business Meeting minutes as amended:</b>			
Ohrstrom (Chair)	<b>AYE</b>	King	<b>AYE</b>
Buckley (Vice-Chair)	<b>AYE</b>	Kreider	<b>AYE (seconded)</b>
Bass	<b>AYE</b>	Lee	<b>ABSTAINED</b>
Dunning	<b>AYE</b>	Malone	<b>AYE (moved)</b>
Glover	<b>ABSTAINED</b>	Staelin	<b>ABSTAINED</b>
Hunt	<b>AYE</b>		

**Minor Subdivision Application**

**3. MS-22-08/MLSE-22-01, Terrence P. Spinoso (Applicant)/George M. Hoff (Owner)**

Mr. Camp presented the minor subdivision with no questions or comments from the Commission.

The Commission voted 9-0-1 (Commissioner Buckley abstained as noted at the August 30, 2022 Work Session) to recommend approval of MS-22-08/MLSE-22-01, **Terrence P. Spinosa (Applicant)/George M. Hoff (Owner)** as presented by Staff.

<b>Moved to recommend approval of MS-22-08/MLSE-22-01 as presented by Staff:</b>			
Ohrstrom (Chair)	<b>AYE</b>	King	<b>AYE</b>
Buckley (Vice-Chair)	<b>ABSTAINED</b>	Kreider	<b>AYE (moved)</b>
Bass	<b>AYE</b>	Lee	<b>AYE</b>
Dunning	<b>AYE</b>	Malone	<b>AYE (seconded)</b>
Glover	<b>AYE</b>	Staelin	<b>AYE</b>
Hunt	<b>AYE</b>		

**Schedule Public Hearing Item**

Mr. Stidham reviewed text amendment TA-22-04, Boundary Line Adjustment Regulations, and said it was put together to address the issue of creating lots in the 20-acre size range. He added that currently there are no rules to allow lots of that size to be created directly, however, through various transactions, certain property owners have been able to achieve such lots. He said the first change would create a new limitation on boundary line adjustments between residential lots where one of the lots is four acres in size or less and zoned AOC (Agricultural-Open Space-Conservation). He added this would prevent lots from being increased in size above four acres through boundary line adjustments without Planning Commission approval. He continued that such boundary line adjustments could only be approved for two hardship reasons including to correct a minor encroachment of a driveway, fence, or other structure onto an adjoining one, up to a maximum of 10% of the total area of the lot. He said the second hardship reason would be to replace or repair a failing septic located on the lot. The second proposed change, he noted, is regarding the maximum lot size exception rules. This change would prevent any lot that was previously approved with a maximum lot size exception and is also less than 20 acres to be reduced in size by boundary line adjustment with Planning Commission approval and then only for the two hardship reasons previously mentioned.

The Commission unanimously voted to initiate consideration of and to set public hearing for TA-22-04, Boundary Line Adjustment Regulations, on October 7, 2022.

<b>Motion to initiate consideration and to set public hearing for <u>TA-22-04</u>, Boundary Line Adjustment Regulations Text Amendment, on October 7, 2022:</b>			
Ohrstrom (Chair)	<b>AYE</b>	King	<b>AYE</b>
Buckley (Vice-Chair)	<b>AYE</b>	Kreider	<b>AYE</b>
Bass	<b>AYE</b>	Lee	<b>AYE (seconded)</b>
Dunning	<b>AYE</b>	Malone	<b>AYE</b>
Glover	<b>AYE</b>	Staelin	<b>AYE (moved)</b>
Hunt	<b>AYE</b>		

**Board and Committee Reports**

**4. Board and Committee Reports**

**Board of Supervisors (Matthew Bass)**

Commissioner Bass said the Board of Supervisors set public hearing for the Comprehensive Plan on September 20<sup>th</sup> at 6:30pm and that there has not been much public comment on it.

Commissioner Bass noted there have been some minor updates including the slight fee increase at Parks and Recreation.

Additionally, Commissioner Bass said the Board approved changing the name of the Fire and EMS Commission to Fire and Rescue Advisory Group. He said the name change includes changes to the way the fire and rescue team will operate.

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

Nothing to report

**Board of Zoning Appeals (Jeremy Camp)**

Nothing to report

**Historic Preservation Commission – HPC (Bob Glover)**

Commissioner Glover said the HPC had a meeting in July that he was unable to attend and noted the Battle of Berryville plan study. He said it was agreed upon by the HPC that no action would be taken to move the plan forward to create a separate historical area.

Commissioner Glover said HPC member Billy Thompson and his family own the White Post Restorations. He said the business was operating as early as the 1930's or 1940's and that they have artifacts on display at the Barns of Rose Hill through the end of September.

Commissioner Glover noted that on a personal level, a friend of his returned to White Post and had nothing but wonderful things to say about the gas station restoration and of the town.

There was a brief discussion on the post in White Post by the Commissioners that resulted in Vice Chair Buckley noting that it was to be fixed that week.

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

Chair Ohrstrom said the CEA approved an estimated 90-acre easement with ALE (Agricultural Land Easement) money with matching money from the state near Longmarsh Road.

Chair Ohrstrom added the CEA is about to start the planning of their easement thank you party to be held on October 21<sup>st</sup>.

**Broadband Implementation Committee (Brandon Stidham)**

Mr. Stidham said All Point Broadband is supposed to be doing planning work right now and that all of the contracts have been approved. He noted the latest updates will be posted on the county website and suggested that if anyone has yet to register their address to do so soon. He said anyone registered through the site can set up an account through All Points. Commissioner Staelin asked if the fiber runs directly to one's house to which Mr. Stidham replied that the power companies are running the middle mile fiber on the powerlines and said All Points will bring it to your house. He added that part of the initial installation fee will be waived if it is part of the initial installation as it is a minimal cost to hook it up from that point. Commissioner Staelin asked what if it was above ground to which Mr. Stidham replied that if that was the

case, the power company will be responsible for the middle mile along the road and then All Points will go off the right of way. He said they should be able to come in through the conduit if it is in ground.


**Other**

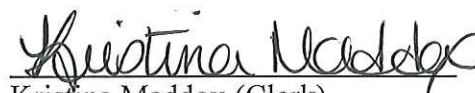
Mr. Stidham announced that the Ordinances Committee will meet following this meeting to discuss two items that may advance to the October 4<sup>th</sup> work session for the full Commission. He said the business meeting on October 7<sup>th</sup> may or may not be busy depending on how many items move forward. He noted the following projects to include the Elsea minor subdivision, Carter Hall special use permit and site plan, and Hecate Phase II which will come forward for the Commission’s first view to amend their special use permit and site plan. He continued that there will be a public hearing on boundary line adjustment text amendment. Mr. Stidham reviewed his notes that Commissioners Glover, Staelin, and Kreider will be absent for the work session and that Commissioners Staelin and Kreider will be absent for the business meeting. Commissioner Staelin said he plans to call into the work session.

**Adjournment:**

The Commission unanimously voted to adjourn the September 2, 2022 Planning Commission Business Meeting at 9:22AM.

<b>Move to adjourn the September 1, 2022 Planning Commission Business Meeting:</b>			
Ohrstrom (Chair)	<b>AYE</b>	King	<b>AYE</b>
Buckley (Vice-Chair)	<b>AYE</b>	Kreider	<b>AYE (Moved)</b>
Bass	<b>AYE</b>	Lee	<b>AYE</b>
Dunning	<b>AYE</b>	Malone	<b>AYE (Seconded)</b>
Glover	<b>AYE</b>	Staelin	<b>AYE</b>
Hunt	<b>AYE</b>		

  
 George L. Ohrstrom, II (Chair)

  
 Kristina Maddox (Clerk)