

**STAFFORD COUNTY PLANNING COMMISSION MINUTES**  
**October 28, 2015**

The meeting of the Stafford County Planning Commission of Wednesday, October 28, 2015, was called to order at 6:30 p.m. by Chairman Michael Rhodes in the Board of Supervisors Chambers of the George L. Gordon, Jr., Government Center.

MEMBERS PRESENT: Rhodes, Apicella, Coen, Bailey, English, Boswell, and Gibbons

MEMBERS ABSENT: None

STAFF PRESENT: Harvey, McClendon, Stinnette, Ehly, and Ennis

DECLARATIONS OF DISQUALIFICATION

Mr. Rhodes: Are there any declarations of disqualification for any item on the agenda this evening?  
Yes Mr. Gibbons.

Mr. Gibbons: On item number 1, I did get a phone call from the applicant.

Mr. Rhodes: Okay, very good. Again, and just to clarify, while not necessarily a declaration of disqualification, we have developed a bit of a standard here just to make sure there's full transparency in other dialogues we've had.

Mr. English: Mr. Chairman, I also got a call from item 1 also.

Mr. Rhodes: Understood, okay.

Mr. Apicella: Likewise, Mr. Chairman.

Mr. Rhodes: Yep, very good. Everybody likes 1.

Mr. Coen: Mr. Chairman, I received a phone call but I was teaching so I couldn't actually answer it.

Mr. Rhodes: I hate when that happens.

Mrs. Bailey: As well, Mr. Chairman.

Mr. Rhodes: Okay, good. A lot of people reaching out on this one. Okay, very good. That's always good. Alright, so no items for disqualification; just clarification. There have been some discussions and reaching out on the item number 1. With that, we'll move onto... I would just like to remind all that following the Planning Commission meeting tonight, we'll have a very short break and then the subcommittee dealing with the Comp Plan will meet led by Mr. Coen and the members. So there will be a follow-on session after the formal Planning Commission meeting ends for that subcommittee. With that, we'll move onto Public Presentations. This is an opportunity for any member of the public to speak on any item, except for a public hearing item. So, if there is anything you would like to discuss, present, bring forward for consideration, other than item number 1 on the Public Hearing because there will be an opportunity for public comment with that one, now is the time to do so. You would come forward, state your name and your address. A green light would then come on; you'd have 3 minutes to speak. A yellow light would come on when you have 1 minute, and then a red light would come on and we would

*Planning Commission Minutes*  
*October 28, 2015*

ask that you conclude your comments. Is there anyone who would like to come forward for Public Presentations? Seeing no one race down the aisle, we will move on from Public Presentations. I would...

PUBLIC PRESENTATIONS

Mr. Gibbons: Mr. Chairman, could I ask for a change in the order tonight?

Mr. Rhodes: Yes, Mr. Gibbons. What's the motion?

Mr. Gibbons: After we do 1 I would like to do 5 and 6 next before we go into Unfinished Business.

Mr. Rhodes: Okay, actually the Unfinished Business are all going to be deferred to the 18<sup>th</sup> so we will be jumping on that. But I would like to do a... so we'll be able to address that... but I would like to confirm, is there anyone here for item number 1 from the public for public comment? I know the applicant and so forth.

Mr. Gibbons: We have a family that's...

Mr. Rhodes: A family here to speak on item number 1? Oh, I'm very sorry; thank you very much. Item number 1 is a Departure from the Design Standards, Dominion Power Crane's Corner Substation, that's a public hearing. Okay, so we've got a couple here to speak on that. There were a couple that emailed Mr. Apicella that they are racing here because they really, really want to be here for that as well. What I would like to do is we've got a couple short items for 5 and 6 and I was going to modify... I was going to take a motion to modify the agenda to do that, if that's not too much trouble for you. I know you came here for it on time. Okay, I just wanted to make sure it wouldn't be problematic for you. Thank you very much. I don't think those will take long. So, I would entertain a motion to modify the agenda to move to New Business, 5 and 6, and then go to Public Hearing item number 1?

Mr. Gibbons: So moved.

Mr. Apicella: So... second.

Mr. Rhodes: Okay, I think I want to give that one to Mr. Gibbons; I think he was half a second ahead of you Mr. Boswell, and second by Mr. Apicella. Further comment Mr. Gibbons? Mr. Apicella?

Mr. Apicella: No sir.

Mr. Rhodes: Anyone else? All those in favor of the motion signify by saying aye.

Mr. Apicella: Aye.

Mr. Coen: Aye.

Mrs. Bailey: Aye.

Mr. English: Aye.

Mr. Boswell: Aye.

*Planning Commission Minutes*  
*October 28, 2015*

Mr. Gibbons: Aye.

Mr. Rhodes: Aye. Anyone opposed? Very good. So, we're going to modify the agenda, we've got a couple items there under New Business, and then we'll get... I don't think it'll be very long, I really don't. So, we'll move on -- famous last words -- we'll move onto item number 5, New Business, SUB14150283, Leeland Station Section 6A, 6B, and 6D. Mr. Harvey?

PUBLIC HEARINGS

1. WAI15150705; Departure from Design Standards - Dominion Power Crane's Corner Substation - A request for a departure from the Design and Construction Standards Manual for Landscaping, Screening and Buffering Section 110.3, "Transitional Buffers," to allow the applicant not to meet the width, type, and location requirements for a transitional buffer between its substation and the surrounding residential uses. The property, Tax Map Parcel No. 46-19, is zoned R-1, Suburban Residential Zoning District and consists of 3.89 acres, located on the west side of Forbes Street approximately 1,000-feet north of Layhill Road, within the Falmouth Election District. **(Time Limit: December 27, 2015)**

*Discussed after item 6.*

UNFINISHED BUSINESS

2. RC15150498; Reclassification - Stafford Commons Retail Center - A request for a reclassification from the A-1, Agricultural Zoning District to the B-2, Urban Commercial Zoning District, to allow for the development of a commercial complex including a bank, restaurant, and retail building on Tax Map Parcel No. 39-13. The property consists of 0.50 acres, located on the west side of Jefferson Davis Highway, approximately 1,100 feet south of Hospital Center Boulevard, within the Hartwood Election District. **(Time Limit: November 18, 2015) (History: Deferred on June 10, 2015 to July 22, 2015) (Deferred on July 22, 2015 to August 26, 2015) (Deferred on August 26, 2015, 2015 to November 18, 2015)**
3. CUP15150499; Conditional Use Permit - Stafford Commons Retail Center - A request for a Conditional Use Permit (CUP) to permit up to three drive-through facilities within the HC, Highway Corridor Overlay Zoning District. The drive-through facilities are proposed for a bank, restaurant, and retail building. The site is on Tax Map Parcel Nos. 39-12 and 39-14, which are zoned B-2, Urban Commercial, and Tax Map Parcel No. 39-13, which is the subject of a concurrent rezoning request from the A-1, Agricultural to the B-2 Zoning District. The site consists of 10.45 acres, located on the west side of Jefferson Davis Highway, approximately 1,100 feet south of Hospital Center Boulevard, within the Hartwood Election District. **(Time Limit: November 18, 2015) (History: Deferred on June 10, 2015 to July 22, 2015) (Deferred on July 22, 2015 to August 26, 2015) (Deferred on August 26, 2015, 2015 to November 18, 2015)**
4. RC1300296; Reclassification - Colonial Forge Proffer Amendment - A proposed amendment to proffered conditions on Tax Map Parcel Nos. 29J-4-310, 29J-4-311, 29J-4-312, 29J-4-313, 29J-4-314, 29J-4-315, 29J-4-316, 29J-4-317, 29J-4-318, 29J-4-319, 29J-4-320, 29J-4-321, 29J-4-322, 29J-4-323, 29J-4-324, 29J-4-325, 29J-4-326, 29J-4-327, and 29J-4-A and portions of Tax Map Parcel No. 28-100, a portion of the original development known as Augustine, consisting of 41.72 acres, zoned R-3, Urban Residential – High Density Zoning District, to remove phasing

*Planning Commission Minutes*  
*October 28, 2015*

requirements for the commercial development. The property is located on the south side of the intersection of Courthouse Road and Woodcutters Road, within the Hartwood Election District. **(Time Limit: September 23, 2015) (History: Deferred on September 9, 2015 to September 23, 2015) (Deferred on September 23, 2015 to November 18, 2015)**

NEW BUSINESS

5. SUB14150283 - Leeland Station, Sections 6A, 6B, and 6D - A preliminary subdivision plan for 110 single-family residential lots on Tax Map Parcel Nos. 46-93 and 46-93E (portion), zoned PD-1, Planned Development-1 Zoning District, with proffers, on 34.75 acres, located on the north side of Primmer House Road, west of Leeland Road, within the Falmouth Election District. **(Time Limit: January 21, 2016)**

Mr. Harvey: Thank you Mr. Chairman. Please recognize LeAnn Ennis for the presentation.

Mrs. Ennis: My applicants are out in the hall. So, they'll be here in a minute.

Mr. Rhodes: They didn't expect this. Okay.

Mrs. Ennis: Yeah, they didn't expect that.

Mr. Rhodes: Sorry.

Mrs. Ennis: That's okay. Erica went to get them.

Mr. Rhodes: Here they come.

Mrs. Ennis: Mr. Chairman, members of the Planning Commission, item number 5 is a preliminary subdivision plan for Leeland Station, Sections 6A, 6B, and 6D. There we go. It's located on Assessor's Parcels 46-49A, 92B, 93, and 93E. It's located on the north side of Primmer House Road, west of Leeland Road. It's approximately 34 acres and it's zoned PD-1, with proffers that have been amended. It consists of 110 single-family dwellings and it's within the Falmouth Election District. This is the site located here. This is the commuter parking lot. I can't really see on this thing; it's glare. And this is the Conway Elementary School here, and these are single-family dwellings from Leeland Station here. And this is the bridge that we talk about in the proffers. The development was rezoned in 1995 from M-1 to PD-1. The project was subject to proffers, Ordinance 94-09, and revised in '95, 95-64R. Also, in 2004 the proffers again amended and where pad sites were deleted, they modified the construction of the commercial sites based on the number of single-family dwellings. They modified the payments of the turn lanes and the bridge on Primmer House Road. In 2013, the proffers were amended again to modify and relocate the ball fields, increase the cash proffers, and transfer the property for the VRE expansion, and eliminate the age-restricted housing. The age-restricted housing was located in this area here and this area here. This was the duplexed areas and this was the condos, or apartments. The main access will be off Primmer House Road for Sections 6A and 6B, and also there's a separate entrance for Section 6D. This is 6D here and this is 6A and B. It's approximately 8.79 acres in open space will be provided. It's again, 110 lots and 8,000 square feet minimum lot size is required. It's all served by public water and sewer. The original rezoning required a 50-foot buffer along the CSX and is still required. There's no RPA on the site but there is some wetlands at the end of the cul-de-sac on Switchyard Court; it's on two lots. There'll be wetland delineations and permits required for that. That's located right here on these two lots here. Stormwater management will be achieved by a pond

*Planning Commission Minutes*  
*October 28, 2015*

and maintained by the HOA. There was an administrative exception granted to allow two access points; one off of Wheeler Court in Section 6D and the other off the commercial area and Silver Comet Court. The one access point is right here and the other one is going right here. Staff recommends approval of Leeland Station Sections 6A, 6B, and 6D preliminary subdivision plans. Are there any questions?

Mr. Rhodes: Questions for staff? Mr. Apicella.

Mr. Apicella: Mr. Chairman, just to reconfirm, the previous proffer amendment reduced the number of units by about 50 and this is consistent with that?

Mrs. Ennis: It was a hundred... yes. There was, with the age-restricted units, it was 160-some units and now there's 110.

Mr. Apicella: Okay. When I look closely at the plan, I didn't see any issues or concerns since I assume from the staff perspective there are none.

Mrs. Ennis: Okay, thank you.

Mr. Apicella: Okay. Thank you.

Mr. Rhodes: Very good, thank you. Applicant please.

Ms. Karnes: Mr. Chairman, Planning Commissioners, and staff, my name is Debrae Karnes. I'm an attorney and land use planner with Leming and Healy and I'm here representing the applicant. What you have here is a preliminary plan that implements the proffer amendment in 2013, reduces the number of units, provides additional open space, provides additional VRE parking, and modifies the, uh, sports fields. It looks like an improvement to me. Staff supports it. And I'm here to answer any questions, but I ask for your approval tonight.

Mr. Rhodes: Thank you. Questions for the applicant. Mr. Apicella?

Mr. Apicella: This may have nothing to do with this plan, but I'm just curious. The lot that you can access off of Primmer House Road, the second lot I guess I would call it that's graveled, what is going to happen with that?

Ms. Karnes: I'm going to have the engineer, Bill Pyle, come down and address that for you.

Mr. Apicella: Okay, thank you.

Ms. Karnes: If you could, Bill.

Mr. Rhodes: He's trying to find out.

Mr. Apicella: The reason I ask is because I take that station and, when it rains, you've got ruts and the gravel kind of sinks down and you've got big potholes. And it could be kind of...

Ms. Karnes: Then it's reasonable for you to ask. And I'm sure we have an answer. And speaking will be Eric Burch.

*Planning Commission Minutes*  
*October 28, 2015*

Mr. Burch: Good evening, my name is Eric Burch. I'm with K. Hovnanian Homes, the applicant in this case. The gravel parking lot, I presume, is the one that we're... it's currently used as the overflow parking for the VRE. That is intended for future commercial development

Mr. Apicella: So, at some point in time we're going to lose that.

Mr. Burch: At some point, that will be... yes.

Mr. Apicella: Do we have a timeframe? That lot's pretty... the regular, the normal lot is pretty crowded so, plus it's an access point to the... it's a secondary access point to the main lot I guess I would call it.

Mr. Burch: Correct. And that parcel does... that parcel will be developed as commercial, as required by the proffers. As part of the amended proffer as well, there was conveyance of a 3-acre separate parcel to the County, and that separate parcel was slated for potential VRE additional parking in the future.

Mr. Apicella: Can you show me where that is?

Mr. Rhodes: Computer please.

Mr. Burch: If I can point and hopefully this draws. That 3-acre parcel is what was conveyed to the County with the intention of additional overflow VRE parking.

Mr. Apicella: And how would someone access that?

Mr. Burch: That will be connected to the existing paved parking.

Mr. Apicella: Okay, thank you.

Mr. Burch: Probably somewhere within this area.

Mr. Apicella: Appreciate it.

Mr. Burch: Absolutely.

Mr. Rhodes: Other questions for the applicant? Yes, Mr. Coen, please.

Mr. Coen: And I'm not certain (inaudible) but it just oddly came up this week that people were concerned about the traffic all the way down when it hits Route 1. And so, just so that I can ameliorate some people's concerns about the additional cars from this on I think it's Morton that heads down to Route 1, are there any plans that you are aware of or that staff is aware of about down at that intersection to either widen it or make it easier? Because the back-up has been going up to almost I think Forbes Street or so lately. So, again, it's not necessarily for you, it could be staff answers.

Mr. Harvey: Mr. Coen, I'm not aware of any current plans in the CIP to improve that specific road section.

Mr. Rhodes: Okay. Other questions for the applicant?

Mr. Gibbons: I've just got a statement. I wanted to thank them.

*Planning Commission Minutes*  
*October 28, 2015*

Mr. Rhodes: Yes please.

Mr. Gibbons: Years ago you provided that overflow lot for us for VRE. As one member, I really appreciated it.

Mr. Rhodes: Very good.

Mr. Burch: Absolutely.

Mr. Rhodes: Okay, thank you very much; appreciate it. It's back here with the Planning Commission unless there's further dialogue for staff or otherwise.

Mr. Apicella: Mr. Chairman, I recommend approval of SUB14150283, Leeland Station Section 6A, 6B, and 6D Preliminary Subdivision Plan.

Mr. Rhodes: Motion recommending approval of preliminary subdivision plan by Mr. Apicella; is there a second?

Mr. English: Second.

Mr. Rhodes: Second by Mr. English. Further comment Mr. Apicella?

Mr. Apicella: Again, as was discussed, this is consistent with the proffer amendment that we approved back in 2013, and there are no issues or concerns from staff's perspective.

Mr. Rhodes: Very good. Further comment Mr. English?

Mr. English: No sir.

Mr. Rhodes: Any other member? All those in favor of the motion which is to approve the preliminary subdivision plan for Leeland Station Sections 6A, 6B, and 6D, SUB14150283 signify by saying aye.

Mr. Apicella: Aye.

Mr. Coen: Aye.

Mrs. Bailey: Aye.

Mr. English: Aye.

Mr. Boswell: Aye.

Mr. Gibbons: Aye.

Mr. Rhodes: Aye. Anyone opposed? It passes 7-0. Good luck! Thank you very much! We're going to move on now to item number 6, WAI15150905, Hidden Lake Subdivision, the two waivers of the Subdivision Ordinance. Mr. Harvey.

*Planning Commission Minutes*  
*October 28, 2015*

6. WAI15150905 - Hidden Lake Subdivision - Two waivers of the Subdivision Ordinance, Sec 22-143, Shape and Elongations, and 22-146, Side Lot Line, to consolidate Tax Map Parcel No. 8-8A into adjoining properties, Tax Map Parcel Nos. 8A-2B-2, 8A-2B-3, and 8A-2B-4, located south of Hidden Lake Drive, west of Ryland Road, within the Rock Hill Election District.

Mr. Harvey: Thank you Mr. Chairman. Again, recognize Mrs. Ennis for presentation.

Mrs. Ennis: Mr. Chairman, Planning Commission members, item number 6 is a waiver for elongation and lot shape and side lot line for Hidden Lake Subdivision. It's located on Assessor's Parcels 8-8A, 8A-2B lots 2 through 4. The size of the parcel of 8A is 9.3 acres. It's zone is A-1 and it lies within the Rock Hill Election District. It's located on the south side of Hidden Lake Drive, west of Ryland Road. This is the 9-acre parcel. The applicants are proposing a consolidation of Tax Map 8A, which consists of approximately 9 acres, with their properties along the Hidden Lake Drive with the Hidden Lake Subdivision. All of the existing lots within the Hidden Lake Subdivision currently meet the 5:1 lot shape ratio and the side lot lines. Tax Map 8-8A is currently landlocked with no direct access to a state maintained road. Parcel 8A was created prior to the adoption of the Subdivision Ordinance in the '60s. Consolidating parcel 8A into lots 2, 3, and 4 will create the existing lots to not meet the lot shape ratio of 5:1 per the Subdivision Ordinance. It's exceeding the depth to the width ratio; therefore, the request for a waiver is being sought by the applicant. Also, lots 2 and 3 are requesting a waiver of the side lot line rules as the lines that they are creating with the division of lot 8A and the consolidation to the existing lots in the Hidden Lake Subdivision will create the lot lines to not meet our Subdivision Ordinance of side lot line rules. What it is, is these lots right here are in the Hidden Lake Subdivision. They are all currently zoned A-2. These are A-1; the 9-acre piece here is all A-1 which is a 3-acre minimum. A-2 is a 1-acre minimum so they're not conforming as it is. They don't meet the size of the lots anymore in our current zoning. They're just considered non-conforming lots. And what they're trying... the applicant had proposed... Mrs. Metzger couldn't... two of the applicants are here but she had to work, so she wrote the letter on behalf of everybody. And she thought that they could consolidate the lots... leave the lots as individual lots but I talked to her. That's what her letter had said and I called her and verbally talked to her about that she had to consolidate them; that we wouldn't allow her to create the lots individually to have separate from hers, that she would have to consolidate them with theirs. So they'll be split-zoned, all three of these lots will be split-zoned. They can't further subdivide these properties because they don't meet the 3-acre minimum. You have to go with the most restrictive zoning, which is A-1. So, they would not be able to subdivide it anyways. So, there's also, if we... there's no way to access really out to the Hidden Lake Subdivision. There's no access points to go this way or this way, because they're already built-out subdivisions. This is the subdivision again. There is an existing lot here, it's a family sub here. And then this is the lot over this way. So they did not have access to come in this way, so the developer is proposing to sell the lots to them. The homeowner... one of the homeowners' informed me tonight that I didn't know but this is, up in here is the lake for Hidden Lake... the Hidden Lake Subdivision. The homeowners' for Hidden Lake informed me that this is RPA up in here, so they couldn't subdivide it anyway. They have a hundred foot buffer on both sides of the RPA and he said it goes through about the middle of this area in here. The proposed waiver for Section 22-143(a), Shape and Elongation, and Side Lot Lines which is Section 22-146 of the Subdivision Ordinance is being sought. And if the Planning Commission is inclined to allow the waiver, staff recommends that it be done in accordance with Section 22-241 of the Subdivision Ordinance. Any questions?

Mr. Rhodes: Questions for staff? Okay, no questions; is there anything else to be presented?

Mrs. Ennis: There's two of the applicants here if you had any questions to ask of them.

*Planning Commission Minutes*  
*October 28, 2015*

Mr. Rhodes: Okay. Does anybody have questions of the applicant? Would the applicant like to speak since you're here? You're more than welcome to but you don't have to.

From the audience: She said it all.

Mr. Rhodes: Got it, okay, very good. Very fair. Okay, this is in the Rock Hill District. Thoughts?

Mr. Gibbons: I move for WAI15150905.

Mr. Rhodes: Motion to recommend approval of the two waivers as identified, WAI15150905, to include the recommendation that the second be implemented in accordance with Section 22-241 as was recommended by staff. Okay, a motion by Mr. Gibbons; is there a second?

Mr. Boswell: Second.

Mr. Rhodes: Second by Mr. Boswell. Further comment Mr. Gibbons? Mr. Boswell? Anyone else? Yep, this one is different than our normal standing of the shape and size, but it all makes sense. It's all good reason to the use of a landlocked piece of land. So, it's all good. Okay, with that we will take a vote. All those in favor of the motion to recommend approval of the waivers, WAI15150905 as were outlined in the staff report and to include being implemented consistent with Section 22-241 signify by saying aye.

Mr. Apicella: Aye.

Mr. Coen: Aye.

Mrs. Bailey: Aye.

Mr. English: Aye.

Mr. Boswell: Aye.

Mr. Gibbons: Aye.

Mr. Rhodes: Aye. Anyone opposed? None opposed; it passes 7-0. Good luck to y'all. Thank you very much. With that, we are back on the normal course and we appreciate the indulgence. Thanks; we just wanted to give an opportunity with the rain. We're back to Public Hearings, item number 1, WAI15150705, which is the Departure from the Design Standards for the Dominion Power Crane's Corner Substation. Mr. Harvey.

PUBLIC HEARINGS

1. WAI15150705; Departure from Design Standards - Dominion Power Crane's Corner Substation

Mr. Harvey: Thank you Mr. Chairman. For this presentation, Erica Ehly will be speaking on behalf of staff.

Mr. Rhodes: Very good.

*Planning Commission Minutes*  
*October 28, 2015*

Ms. Ehly: Good evening Mr. Chairman and members of the Planning Commission. There we go, okay. The applicant is Dominion Virginia Power requesting relief from the buffering requirements in the landscape code on Tax Map Parcel 46-19, which is within the Falmouth Election District. The subject parcel is 3.893 acres and is located on the west side of Forbes Street, approximately 1,000 north of the intersection of Forbes Street and Layhill Road. The property is surrounded by residential uses, place of worship, and public facility. The site currently contains a Dominion Virginia Power substation, which was approved by the Board of Zoning Appeals as a Special Exception Permit in 1983. A reclassification from the A-1, Agricultural Zoning District to the R-1, Suburban Residential Zoning District, and a conditional use permit for a substation in the R-1 district, were approved on April 21, 2015 to allow for a proposed expansion of the existing substation. The approved GDP depicts the existing conditions at that time, and the proposed 1,800 square foot expansion area, which is highlighted in red. The purpose of the expansion is to install breaker equipment to ensure reliable, uninterrupted electrical power service from the facility. The proposed expansion of the facility required site compliance with the current zoning requirements. Section 28-82 of the County Code requires a 35-foot transitional buffer between a public facility, such as this substation, and residential uses. For this particular site, that is along the northern, western, and southern property lines. The applicant is requesting relief from the width, planting area, type, and number of plant units for the transitional buffers required on the northern and western property lines. Per Section 143(b), the applicant must show hardship for the departure as well as any techniques being provided to accommodate the initial requirements. The hardship at the northern property line is created by a recorded access easement for the residential property to the west. The departure request is for the type of plant units and the location and width of the buffer, while the required number of plant units will be met. The applicant is proposing a buffer to be located just outside of the required 35-foot buffer area, as depicted for illustration purposes by the red outline on the slide. And I did... there was a landscaping key in the staff report. I can go over that again if you'd like me to now. Okay. The hardship at the western property line is created by the topography, which includes a steep bank with riprap, identified by the grey polygon. Although the applicant is requesting a complete departure from the buffering requirements in this area, screening will be provided in accordance with the conditional use permit, which requires a double row of evergreen shrubs, illustrated by the green oval. The applicant is not requesting a departure at the southern property line, where there is an existing vegetative buffer consisting of a mix of hardwoods. The applicant provided a tree survey reflecting that the required plant units are met. In addition, the conditional use permit does require that the buffer in this area is supplemented with evergreens in the area of deciduous trees, as depicted on the approved GDP.

Mr. Rhodes: Is that circled red area, is that southern in orientation, or is that northern?

Ms. Ehly: Mr. Chairman, that is the southern border.

Mr. Rhodes: Why am I all turned around? Okay. Oh, this is looking from Forbes side?

Ms. Ehly: It's looking from the east, yeah, from Forbes Street. Oh, sorry, yeah. I should have labeled the street.

Mr. Rhodes: Okay. I'm sorry, I was thinking from Route 1. I gotcha. Okay.

Ms. Ehly: Okay. So, staff is recommending approval of the application as proposed pursuant to Planning Commission Resolution 15-11. Staff is recommending that all landscaping material related to this application be installed by May 1, 2016, as reflected in the resolution.

***Planning Commission Minutes***  
***October 28, 2015***

Mr. Rhodes: Okay; questions for staff before the applicant comes forward? Yes, Mr. Apicella?

Mr. Apicella: Mr. Chairman, I've got a few questions.

Mr. Rhodes: Please, go ahead.

Mr. Apicella: For the northern property line, how far outside the 35-foot buffer will they be?

Ms. Ehly: Mr. Chairman, Mr. Apicella, I don't know exactly how far outside they will be. Environmental Planner, do you recall? Okay.

Mr. Apicella: Not much?

Ms. Ehly: Well, on this slide, the dashed red line is the area depicting the required 35-foot buffer area. So, the proposed plantings are to the south of that dashed line, so you kind of get an idea that it's probably... (inaudible)...

Mr. Apicella: So, it's moving interior to the parcel.

Ms. Ehly: ... towards the fence around the substation away from the property line with the residential property.

Mr. Apicella: Okay, again, just for the sake of asking because I typically ask this on waivers, is there any other location or configuration of the breaker equipment that would not require relief from the requirement? Could they do something alternative to what's being proposed and still stay within the requirements?

Ms. Ehly: Would you like to answer that?

Mr. Harvey: Mr. Apicella, one short answer is, this is an existing site. It's existing conditions, so they would have to remove part of the substation and reconfigure somehow which may be very costly and unreasonable for this type of application.

Mr. Apicella: I understand; I just wanted to get it into the record that it's probably going to be pretty difficult to do it, especially when I look at the picture of the site itself. Were there any issues or concerns raised by any of the neighbors that you're aware of?

Ms. Ehly: Mr. Chairman, Mr. Apicella, I am aware that the neighbors to the west were concerned regarding the upkeep of the easement on their property. There's a Vepco easement. I think the concern with rutting, because the water does run off the site onto the property, but I believe that there are people here, residents here that can speak to their concerns.

Mr. Rhodes: To the west? Where is to the west? Isn't that across Route 1? Why am I so turned around? Why can I not do this?

Ms. Ehly: So, to the west is Route 1, and you can see the parcel along Forbes Street. So, there is a single-family residence on that parcel.

*Planning Commission Minutes*  
*October 28, 2015*

Mr. Rhodes: Gotcha! Oh, okay, that one there, to the southwest... okay, okay, yeah, yeah, yeah, alright. Thank you.

Ms. Ehly: So that's the only concern I'm aware of.

Mr. Rhodes: Understood, thank you.

Mr. Apicella: So, from the County's perspective, what would do you think would be required in terms of maintenance of the easement area, if any?

Ms. Ehly: I believe that internally, and the applicant can speak to it as well regarding their internal protocols for maintenance of their easements. But I believe once a year they do come out and maintain their easements. So it may not be as often as a homeowner would like. But I think that Dominion Power can probably speak to their protocols.

Mr. Apicella: Okay. More broadly, with regard to the buffer areas, who's responsible for maintaining that landscaping, and is there any kind of maintenance schedule that the County requires or guidelines?

Ms. Ehly: Do you want to speak to that on the landscape code? I believe we do have requirements.

Mr. Fiorello: Mr. Chairman and Board members, as far as I know there are no maintenance requirements that the County currently requires for such a buffer yard. I did mention to the applicant during the process that because of overhanging wires that there probably will have to be a maintenance plan to make sure that they maintain a healthy vegetation there, as well as weed out any voluntary species that may come in that would exceed the growth height limits that would be allowable because of overhanging wires.

Mr. Apicella: So, when you say there should be a maintenance plan, is that something they submit to the County or is that something that they just do on their own?

Mr. Fiorello: They did mention to me that they had a maintenance plan that they regularly and actively maintain. And I had left that to their discretion.

Mr. Apicella: So, when someone plants a group of trees, do we... do they ensure that they actually... I'm not sure what... take hold?

Mr. Fiorello: Take hold? Yes, there is a at least a one year on a warranty... usually there's a one year warranty and one year inspection done on say a planting of a subdivision or street trees or something of that nature where the County will make a visit to determine whether there's any replacement needed. And then, if so, the corresponding developer would be contacted to replace those trees.

Mr. English: Can I piggyback off of your question?

Mr. Rhodes: Please.

Mr. Apicella: Sure.

Mr. English: Okay, say three years from now the whole line or trees or whatever vegetation dies. Do you guys go back and say that, or is it up to the applicant to make sure that's done?

*Planning Commission Minutes*  
*October 28, 2015*

Mr. Fiorello: My understanding of it is that as a County we would probably fine them...

Mr. Harvey: Mr. Chairman, Mr. English, the County, after we've done a final inspection as Mr. Fiorello said, we do a follow-up inspection to determine everything's thriving. If we get a complaint from a neighbor or anybody passing by that the vegetation has died, we'll do a follow-up inspection. If any of the material is no longer thriving, then we will notify the property owner about the problem. They'll be required to make a correction to the problem. If they don't, then we go through a normal violation process.

Mr. English: That's good, but let me ask you this. Do the neighbors around that know that question? I mean, do they know that... if I lived there, would I know to call you guys? I would think I would need to call...

Mr. Apicella: When you say you guys, let's be clear about who we're talking... who would they call, Jeff? Mr. Harvey?

Mr. Harvey: They would contact the Planning and Zoning Department. We handle all zoning related matters. This is a function of the Zoning Ordinance, landscaping and buffering is.

Mr. English: Okay. So, if the neighbors run across a problem, they'll call you... call Planning and you guys would follow-up on it.

Mr. Harvey: Yes sir.

Mr. English: Okay.

Mr. Gibbons: Mr. Chairman, at what point does Mother Nature get into this equation?

Mr. Rhodes: In what way do you mean? If it tore down trees or something else like that? It still would not be in compliance and if you had a weather related issue that knocked down all the trees, it still... that makes them non-compliant.

Mr. Harvey: That's correct Mr. Chairman.

Mr. Rhodes: And as long as Planning and Zoning would be made aware, then you could raise it with the landowner.

Mr. English: I don't think I would have that much concern with Virginia Power because I think they would be more apt to take care of the property and all that. But I'd just be worried if somebody else didn't do that. That's kind of the same for everybody as far as vegetation?

Mr. Harvey: Yes, Mr. English, we routinely have inspections for site plans or subdivision plans as Mr. Fiorello mentioned. And if we get a complaint that the plant materials died, then we go out and inspect. And if that's the case, we notify the property owner that they need to take corrective action.

Mr. Rhodes: Okay, very good. Mr. Apicella?

*Planning Commission Minutes*  
*October 28, 2015*

Mr. Apicella: Just one more question on that line of inquiry. For the areas that are currently buffered, where there are dead or dying trees, is there an expectation if not a requirement that they replace those now or as part of this effort?

Mr. Fiorello: In one area where there is dead or dying vegetation that appeared to have been sprayed, along the northern slope immediately adjacent to the fence, that area had been treated. Those were trees, mainly sweetgums that could get up to 80 feet tall. And because again of the overhanging wires, those were... appear to have been treated with a herbicide. It is assumed that that would be removed in order to put in the plantings that they are proposing. On the western side where I also noticed some apparent spraying with herbicides, I don't believe any removal will occur in that area.

Mr. Apicella: Why is that?

Mr. Fiorello: It would just... there's no plantings proposed for that western buffer because of the rip-rap and the trees that did manage to grow there that were ultimately sprayed will just be allowed to deteriorate on their own.

Mr. Apicella: Is that going to adversely impact a neighbor? I'd have to look back at the...

Mr. Fiorello: I don't believe so because they're not that tall.

Mr. Apicella: Okay. Just because I ask these questions for all waivers, I'm just going to ask this question. What would happen if the Planning Commission chose not to grant relief in this case?

Mr. Harvey: Mr. Chairman, Mr. Apicella, the applicant would have the opportunity to appeal the Planning Commission's decision to the Board of Supervisors.

Mr. Apicella: Okay, and last question from the staff perspective. Is there a public good in approving this request given that I guess the breakers are necessary to increase capacity for the neighborhood? Is that yes, no, maybe?

Ms. Ehly: Yes. Mr. Chairman, Mr. Apicella, yes, the improvements are required to increase the capacity of the location.

Mr. Apicella: Thank you.

Mr. Rhodes: Yes, Mr. Coen, please.

Mr. Coen: I'm going back to trees. Because you said that on the parcel already, they sprayed some trees to sort of, I forget what nice verb you used, but kill them. Herbicide them. And then when Mr. Apicella said is it going to adversely affect a neighbor and you said, they're not tall enough. Meaning that if they die they won't fall on the neighbor's property; but if I'm a neighbor and there have dead trees next door to me, that would be adversely affecting me. So I just want to make sure I understand what you meant by adversely affecting the neighbor, as in falling on their property or looking at bad dead trees.

Mr. Fiorello: Looking at... or falling on the property, then receiving any physical damage as a result of a fallen tree. They weren't tall enough to fall anywhere else but on the property they're currently on.

*Planning Commission Minutes  
October 28, 2015*

Mr. Coen: Okay, but they're still just as bad.

Mr. Fiorello: Yeah, if they are in the line of sight they could be viewed as (inaudible).

Mr. Coen: So the second question would be, and this all came from you all...

Mr. Rhodes: Computer please.

Mr. Coen: ... so they sprayed these two chunks of trees, I guess the sweetgums because they're getting too tall and they might cause trouble. And the other one's for whatever reason...

Mr. Fiorello: Same reason.

Mr. Coen: For the same reason? I guess my question would be, a couple questions would be... it's a two parter... one, do they tell you or did we sort of find out when we were going into this application and you looked, and two, was it part of the initial thing that they were supposed to have some type of buffer and they've sprayed to kill it, and now technically they're not replanting? You know, because then that would be a good faith thing that, you know, they're saying now we're going to do this wonderful buffer and we're going to keep track of it and all this, but they're existing one is just sprayed dead and they're not going to do anything to fix it. And so it would make me think that well if they're not keeping up with the neighbors, you know, with the Joneses on this side, then they're not going to do what they should be with the Smiths on that side.

Mr. Fiorello: Well, I believe Ms. Ehly had mentioned that the station was developed in '83?

Mr. Rhodes: Before.

Mr. Fiorello: And that was quite some time before the design and constructions manual for the landscaping, which was 2005. So they may have not been held to any type of buffers or screening at that time. Other than that, I really don't have any idea whether it was a requirement at the time or not. And to answer your second question as to whether they divulged the information or not, not necessarily no they didn't. It was something that I observed onsite.

Mr. Coen: Thank you.

Mr. Rhodes: Other questions for staff?

Mr. Apicella: I guess one last question and it's probably appropriate for the applicant. Is there someone from Dominion Power -- it's a big company -- that they can call if and when they have problems? Will they know who to call if and when they have problems? Before calling the County. With the landscaping issues.

Mr. Fiorello: Internally?

Mr. Apicella: So, if one of the neighbors sees a bunch of dead vegetation, is there somebody from Dominion Power that they know they can call?

Mr. Fiorello: I'll let the applicant answer that.

*Planning Commission Minutes*  
*October 28, 2015*

Mr. Apicella: Alright, thank you.

Mr. Rhodes: Okay. Applicant please... oh, is there more questions? Okay, applicant please.

Ms. Cosby: Good evening members of the Commission. I'm Ann Neil Cosby and I'm here on behalf of Dominion Virginia Power which, as you know, is seeking a departure from the Stafford County Design and Construction Standards for Landscaping. With me this evening is Nadia Eunice; she's an engineer with Dominion. Our forester could not make it; some of these questions I've talked to her extensively about and I hope to be able to answer the questions that you've raised. But I can follow-up with her as well. So, if I'm not able to answer those technical questions, I'm happy to do so. As you've heard, Dominion is seeking to reduce the width of the transitional buffer and some of the plant types as staff has described, and I won't repeat that. I appreciate staff's efforts in meeting us onsite and they've been really great to work with. But as you've heard, this property does require, to the north and the west, this 35-foot transitional buffer. Mr. Apicella, I think in response to your question about on that northern side, what's left, the buffer is 35 feet. I believe the access easement that runs through it that was on that slide is 30 feet. So, there's roughly 5 feet, although it's at the bottom of the slope that goes up to the substation itself. So, for there, the departure, instead of trying to plant at the bottom in a very narrow area what Dominion is proposing, and we've discussed this with the neighbors to the north, is instead, at the top actually where you could shield more of the substation, would be right along the fence line there's a small gravel walkway. And beginning at that fence line... and this is on the landscaping plan but it's a little difficult to follow... but there will be first a line of trees, 10-foot tall trees, and then right below that moving down the slope another line, a different variety of trees that are roughly 10 feet tall at their highest peak. And then moving down would be a different row of bushes that grow to about 3 feet and then go out wide to 5 feet. And then below that would be more of this groundcover, so that there's a variety but it is shielding everything. And for the neighbors hopefully to the north, as they look up, it would be more shielded than it would if you had trees planted right at the bottom. It just wouldn't do I think what the ordinance intends. So, we think that in this way... and then at the bottom of what would be installed as far as those, you know, the smaller plants, there is some... there are some native plants that are already there within the bottom of the buffer. So it transitions into existing plants which wouldn't be removed because they're also serving their purposes. So, the accommodation then for the departure request is, you know, putting the trees in this... the plantings in this different area. The highest, again, tree would be 10 feet tall and that's really because, you know, you've got those power lines there and federal guidelines and Dominion's internal guidelines prohibit the company from putting anything that's going to grow more than 15 feet tall. So, that's a we think a nice way to have a good installation for that side and meet the safety requirements so that those trees don't grow up into those transformer power lines. To the west, as you've heard, there's the extensive rip-rap that makes planting on that western side impossible. There was some discussion originally whether there is that easement that runs west to Route 1, you know, could they be planted in that yard. But, as you'll hear, the neighbors use that as part of their yard. They maintain it beautifully and I don't believe, and I have spoken to one of the neighbors that they would want plantings there at all. So, that was not the better option. And in response to your question, is there some other thing that could be done? That might be an option to the western side but it would be in our view a horrible option. And so what we have instead is, under the conditional use permit, there is already required... there will be two rows of -- I have this down, I want to tell you the right thing -- of plantings that will again be 10-foot tall. And so that would be able to screen that western portion of the substation. In addition, under the ordinance, part of the departure request includes approval of some credits that are permitted under the design code. You've seen the southern boundary has existing tree stands and under that tree count it's been determined that the number of trees would actually be available on the southern side to be afforded credit for the western side. I think, Mr. Apicella, you also had a question, maybe a number of you did, about the trees that

*Planning Commission Minutes*  
*October 28, 2015*

were there that were killed. And the reason for that is those trees, when they were originally planted many, many years ago, I think Ms. Ehly had indicated will grow quite tall, much taller than the guidelines would permit. And so Dominion, over the years, has been just shoring them off and shoring them off. And so I think that the guidelines have changed, and so the better practice is to kill the trees, remove the trees, and plant the appropriate trees in there so that there is not a chance that they would get too tall and would interfere with the power lines. It's a safety issue that Dominion just does not want to take that chance. So the trees have been killed, but the intent is and the requirement is that those two rows of evergreens will be put in their place. So, again, we hope you can appreciate these hardships. We've worked really hard, again, with staff. We've worked internally to try to determine everything that we could possibly do to get the most amount of plantings on that site. The northern side actually will have more plant units than are required under the transitional buffer requirements. They'll just be in a different location which again we think is better, and will be of a shorter variety but clearly for safety reasons. We have worked with the neighbors; we will continue to work with the neighbors. And I'll let them speak, but as far as making sure there's a contact at Dominion, that's not a problem. We'll do everything that we can in order to reach out to them.

Mr. English: Is it possible that right there in that area, that fenced area or whatever, that you could put some sort of informational thing. If they see an issue or problem they can call Dominion Power or whatever, a number that they would get a person and not an electronic person if they had to push 1, push 2 to get to; that they'll be able to talk to a live person? They way...

Mr. Rhodes: Nobody gets to talk to a live person.

Mr. English: That's why I'm asking to put this in there.

Ms. Cosby: What I can do... Ms. Dery has my phone number and I'm happy for her to call. But I would be also... I can check on that sign but at least for the two neighbors that are most affected we can certainly give them a direct number to a direct person. We can certainly do that.

Mr. English: The only reason I'm saying put that up is because they may move 5 years from now and at least it's up there and hey, somebody will know that they need to call this person if there's an issue.

Ms. Cosby: I don't know why that would be any problem at all so I can certainly check.

Mr. English: Thank you.

Mr. Rhodes: Other questions for the applicant? Mr. Apicella?

Mr. Apicella: Back to the maintenance issue, staff indicated at least a desire that Dominion put together a maintenance plan. Is that something that's going to happen?

Ms. Cosby: Well, I believe, and Ms. Eunice may know the answer to this. They certainly have an internal maintenance plan; I don't know if that is something that, for security, reasons the power company can share. But...

Mr. Apicella: Really? Sharing the maintenance...? We're not talking about the maintenance of the facility, we're just talking about the maintenance of the landscaping.

*Planning Commission Minutes*  
*October 28, 2015*

Ms. Cosby: I understand that and it is always interesting to me to find out exactly what actually is considered confidential for safety reasons for Dominion. But I can certainly look into that. And if it can be provided, then that's certainly (inaudible).

Mr. Apicella: Well, even if the plan itself can't be provided, maybe just a summary or schedule, a proposed schedule that the neighbors would have some expect... it's about managing expectations. So, if the plan says you know you're going to come out every six months and someone doesn't come out in the six month period, at least they'll know, hey, you were supposed to come out and you didn't; so there's some understanding of it.

Ms. Cosby: I don't think that would be a problem at all.

Mr. Apicella: Okay.

Ms. Cosby: I think we can get that to staff.

Mr. Rhodes: Great. Any further comments... or questions, excuse me, for the applicant? Okay, thank you very much ma'am.

Ms. Cosby: Thank you.

Mr. Rhodes: Appreciate it. And thank you for your patience for the last minute audible on the scheduling, and certainly to the others who were speaking. So, at this point, it's an opportunity for any member of the public to come speak on this item, item number 1, which is the Dominion Power Crane's Corner Substation Waiver. What you would do is just come forward, state your name, state your address, once you do a green light will come on. That green light indicates that 3 minutes are available. A yellow light will come on when there's 1 minute remaining. A red light will start blinking and then we would ask that you work to wrap up or conclude comments. So, would anyone like to come forward and speak at this time? Please.

Ms. Dery: Thank you. My name is Alice Dery. I'm at the log home that is right next to the field. I want to say thank you to Dominion and all of you because certainly when they started talking about landscaping, I was thrilled. That's wonderful. So, they've been very good about engaging with us. But I think this is also opened up for us and my husband much needed dialogue because we've tried to maintain that property there in that field in a manner that it looks nice. So we pay several hundreds of dollars, probably about a thousand dollars, you know, a year on keeping that field mowed, our driveway which is used by Virginia Power. So, we talked about issues that we've had with the field. It gets awfully wet down there by Route 1; the rutting that goes on. This has actually been a great opportunity to engage in that. But you all have identified a couple of things. I like the idea about the maintenance plan, what are they required to do, the follow-up in communication. Because when you note the rif-raft, well that rif-raft is technically kind of in our yard, in our field. So I went out there and the next thing I knew it was all dead. So, I don't know, to be quite honest there was not any formal planning; that was Mother Nature. But we do have kind of the dead rif-raf and, you know, I've talked and I think this again was a good opportunity for me to engage with Dominion to say I think the guys come through the field because it's easy. It's right off of Route 1. They don't have to go around to the back and park, and they'll just park right there. So, we spend a lot of time and money to try to keep that field looking nice and the drive and so I think, you know, what their responsibilities are and I'm engaging in those conversations right now but I think those are good conversations for you all because it benefits the community at large. And we want it looking nice. I get it I can't do anything about the big power lines;

*Planning Commission Minutes*  
*October 28, 2015*

you know, they are there. It is what it is. But to the extent that we can work out good arrangements as good neighbors and having it look nice I think is important. So... and I would, you know, this is good. I now know who to contact but I do think that is helpful and I think maybe having a better plan here in terms of who's responsible for what and where folks park and access and all of that is important, because we're paying for it out of our own pockets right now.

Mr. Rhodes: Okay, thank you very much.

Ms. Dery: Sure.

Mr. Rhodes: Is there anyone else who'd like to come forward and speak at this time? Okay, I'll close the public comment portion of the public hearing and is there any rebut or any other comment by the applicant to the comments there?

Ms. Cosby: I do not other than to say that I appreciate Ms. Dery's willingness to come here, and I agree that, you know, Dominion is happy to have a dialogue and work through these issues and that's not a problem. We'll do that.

Mr. Rhodes: Great! Thank you very much. Okay, now back to the Planning Commission. This is in the Falmouth District.

Mr. Apicella: Mr. Chairman, based on the conversation and I think the willingness of the Dominion Power Company to work with the neighbors and vice versa, the neighbors to work with Dominion Power to resolve any issues going forward, I would recommend approval of WAI15150705, Departure from Design Standards, Dominion Power Crane's Corner Substation.

Mr. Rhodes: A motion recommending approval of the waiver; is there a second?

Mrs. Bailey: Second.

Mr. Rhodes: I'm going to give that one to Mrs. Bailey; okay, very good. So, a motion by Mr. Apicella, seconded by Mrs. Bailey, recommending approval of the waiver for the Departure from Design Standards for Dominion Power; any further comment Mr. Apicella?

Mr. Apicella: No further comment Mr. Chairman.

Mr. Rhodes: Mrs. Bailey?

Mrs. Bailey: No further comment.

Mr. Rhodes: Any other member?

Mr. Coen: Mr. Chairman?

Mr. Rhodes: Yes, please Mr. Coen.

Mr. Coen: I just had a quick question if I could.

Mr. Rhodes: Sure.

*Planning Commission Minutes*  
*October 28, 2015*

Mr. Coen: Because I just remember when at Massaponax High School when accidentally a bunch of trees were cut down and then they were replaced and they were little tiny itty bitty ones in the theory that eventually they'll grow up to be 10 feet. So, is the normal practice to be something that's at least doable so that if nature or whatever were to knock down the tree, the replacements are normal size...?

Mr. Rhodes: Are you asking the size at planting?

Mr. Coen: Yeah.

Mr. Rhodes: Do we know what the size is at planting?

Mr. Coen: You know, is it a normal size or is it a itty bitty teeny weeny?

Ms. Cosby: I don't believe it's the small... it's certainly not installed at full height.

Mr. Coen: Right, logically.

Ms. Cosby: But I think it's at a reasonable... they're not all small. I mean, the idea, particularly on the north side is that it be tiered. So I think they will be installed at a smaller but reasonable height. I can't tell you whether it's half or a third.

Mr. Coen: Right. It's just that your normal practice isn't to go and get a baby one and eventually it'll grow up to be...

Ms. Cosby: No sir.

Mr. Coen: Okay. And then, this is sort of in jest, but are you open to the idea since you're using that nice lady's field that, you know, she could charge you for the maintenance or at least a usage fee?

Ms. Cosby: I wish I could say that we could do that. I think that Dominion... they do the landscaping that they do because they've got easements all over Virginia. And I think that the SCC would not like that expenditure. And I wish, because it does look very nice.

Mr. Coen: They do a nice job.

Ms. Cosby: They do.

Mr. Coen: Well, I tried to help you.

Ms. Dery: Thank you.

Mr. Rhodes: Okay, thank you. And I do appreciate that Ms. McClendon always accepts the fact that I don't know how to follow Robert's Rules, but thank you very much. So, with that the motion is there. All those in favor of the motion WAI15150705 to recommend approval of the Departure of Design Standards signify by saying aye.

Mr. Apicella: Aye.

Mr. Coen: Aye.

*Planning Commission Minutes*  
*October 28, 2015*

Mrs. Bailey: Aye.

Mr. English: Aye.

Mr. Boswell: Aye.

Mr. Gibbons: Aye.

Mr. Rhodes: Aye. Any opposed? It passes 7-0; good luck to everyone. Thank you very much for that. With that, we are going to move onto Planning Director's Report. Mr. Harvey?

PLANNING DIRECTOR'S REPORT

❖ Outdoor Uses in the M-1

Mr. Harvey: Thank you Mr. Chairman. At the last Board of Supervisors meeting on Tuesday of last week, they were quite busy. As you will see from your packet information, the Board referred a proposed zoning text amendment regarding outdoor uses in the M-1 zone. I'd be happy to bring that back to a future Planning Commission meeting if you want to discuss it in advance of conducting the public hearing. The ordinance referral gives the ability for the Commission to make modifications to the amendment as deemed necessary. We've had some dialogue from some individuals who may want to request a modification to what was sent forward. If it's the Commission's desire, we'll place it as a New Business item for discussion.

Mr. Rhodes: Does that sound good? Bring it up as a new... have a discussion on it first and then we'll work it to public hearing? Okay. How does November 18 look, because we only have two sessions left this year.

Mr. Harvey: We have one public hearing scheduled for that meeting.

Mr. Rhodes: So we should have some...

Mr. Harvey: Yes sir.

Mr. Rhodes: Okay, good. Thank you.

Mr. Harvey: Continuing on, the Board of Supervisors passed the Stafford Village Center applications. That's the property on Garrisonville...

Mr. Rhodes: I'm sorry, all the names are blurring to me. Which one's Stafford Village Center?

Mr. Harvey: It's the mixed use development on Garrisonville Road.

Mr. Rhodes: That's that one; okay, that's what I thought. Okay. That's what I thought! I just wanted to make sure I had it right, okay.

Mr. Harvey: They also passed the applications for Stafford Crossing Community Church which would allow them to expand their facility. And they approved the applications associated with the Celebrate Virginia Apartments.

*Planning Commission Minutes*  
*October 28, 2015*

Mr. Rhodes: Ah, okay.

Mr. Harvey: And Mr. Chairman, that concludes my report.

Mr. Rhodes: Okay, very good. Thank you very much Mr. Harvey. County Attorney's Report.

COUNTY ATTORNEY'S REPORT

Ms. McClendon: I have no report at this time Mr. Chairman.

Mr. Rhodes: Very good. Committee Reports?

COMMITTEE REPORTS

❖ Comprehensive Plan Update

Mr. Coen: Mr. Chairman, if you want, I'll just wait until we break.

CHAIRMAN'S REPORT

Mr. Rhodes: Very good; gotcha. Chairman's Report; I have nothing as well. We do have some minutes here to address. TRC... everybody got what they need for TRC? Everybody good? Let's see, we got a couple George Washington, one Griffis-Widewater, and one Hartwood? Everybody's good, right? Okay. With that, I'd take a motion to recommend approval of the September 9<sup>th</sup> minutes?

OTHER BUSINESS

7. TRC Information - November 18, 2015
  - ❖ Albion Subdivision - George Washington Election District
  - ❖ Auto Zone No. 1662 - George Washington Election District
  - ❖ Saratoga Woods - Hartwood Election District
  - ❖ Quantico Corp Ctr Pop Bldg II - Griffis-Widewater Election District

APPROVAL OF MINUTES

*September 9, 2015*

Mr. Gibbons: So moved.

Mr. Rhodes: Motion by Mr. Gibbons; second...

Mr. Coen: Second.

Mr. Rhodes: ... by Mr. Coen. Further comments Mr. Gibbons or Mr. Coen? All those in favor of the motion signify by saying aye.

Mr. Apicella: Aye.

Mr. Coen: Aye.

***Planning Commission Minutes  
October 28, 2015***

Mrs. Bailey: Aye.

Mr. English: Aye.

Mr. Boswell: Aye.

Mr. Gibbons: Aye.

Mr. Rhodes: Aye. Any opposed? None opposed.

*September 23, 2015*

Mr. Gibbons: Move for September 23<sup>rd</sup>.

Mr. Rhodes: Thank you very much Mr. Gibbons. A motion recommending approval of September 23<sup>rd</sup> minutes; is there a second?

Mr. English: Second.

Mr. Rhodes: Second by Mr. English. Further comments Mr. Gibbons or Mr. English? All those in favor signify by saying aye.

Mr. Apicella: Aye.

Mr. Coen: Aye.

Mrs. Bailey: Aye.

Mr. English: Aye.

Mr. Boswell: Aye.

Mr. Gibbons: Aye.

Mr. Rhodes: Aye. Any opposed? None opposed.

*October 14, 2015*

Mr. Gibbons: Move for October 14<sup>th</sup> sir.

Mr. Rhodes: Very good; he's rolling, okay. Motion recommending approval of October 14 minutes by Mr. Gibbons; is there a second?

Mrs. Bailey: Second.

Mr. Rhodes: Second by Mrs. Bailey. Further comments Mr. Gibbons or Mrs. Bailey? All those in favor signify by saying aye.

Mr. Apicella: Aye.

*Planning Commission Minutes*  
*October 28, 2015*

Mr. Coen: Aye.

Mrs. Bailey: Aye.

Mr. Boswell: Aye.

Mr. Gibbons: Aye.

Mr. Rhodes: Aye. Any opposed?

Mr. English: I do; I abstain because I wasn't there.

Mr. Rhodes: Oh, okay. So 6-0-1, got it; 6-0-1, Mr. English was not present for that one so obviously won't vote on it. Thank you very much. With that, is there any item we've missed folks? Okay, for your entertainment pleasure, in just one moment we will be starting up the subcommittee meeting on the Comp Plan. We are adjourned with the Planning Commission meeting.

ADJOURNMENT

With no further business to discuss, the meeting was adjourned at 7:31 p.m.