

***STAFFORD COUNTY PLANNING COMMISSION  
WORK SESSION MINUTES  
May 16, 2007***

The work session of the Stafford County Planning Commission of Wednesday, May 16, 2007, was called to order at 5:30 p.m. by Chairman William Cook in the Board of Supervisors Chambers of the County Administrative Center.

Members Present: Cook, Kirby, Pitzel, Mitchell, Carlone, Rhodes and Di Peppe.

Members Absent: None

Staff Present: Harvey, Judy, Stepowany, Schulte, Hornung, and Gregori

Declarations of Disqualification

None

OLD BUSINESS

1. Comprehensive Plan Compliance Review – Smith Lake Point - A request for review to determine compliance with the Comprehensive Plan in accordance with Section 15.2-2232 of the Code of Virginia (1950) as amended, for the extension of public sewer service outside of the County's designated Urban Service Area to Assessor's Parcel 21-5E within the Aquia Election District. **(Time Limit: June 17, 2007)(Deferred to the May 16, 2007 Work Session)**

Mr. Pitzel asked how far the property was outside of the Urban Services Area.

Mrs. Ennis stated she did not have the exact distance.

David Garafalo, applicant, stated the property was 3,500 feet outside the Urban Services Area.

Mr. Rhodes stated the lines would pass through four other lots. He asked if the homeowners be able to connect to the sewer lines.

Mr. Harvey stated once there was a public line established it would be feasible for other citizens to connect. He stated this portion of Doc Stone Road had a number of extensions and explained this was why there was sewer outside of the Urban Services Area.

Mrs. Kirby stated the sewer was extended because of the proximity to Smith Lake.

Mr. Harvey stated there were a number of homes along the area which had failing septic systems.

Mrs. Kirby asked why the homes were built if the septic systems were failing.

Mr. Harvey stated there were a number of existing residences which were relatively old.

Mr. Garafalo stated he was told sewer could be extended. He stated the comments from the plat read sewer was not available to the parcel but additional low pressure sewer would be required and the use

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of public system was permissible with the owner constructed low pressure sewer improvements. He stated he purchased the property based on the availability of public utilities and was not notified of the Urban Services Area until December of 2006. He stated M&M Soils stated there were no drainfield sites and there was the presence of groundwater. He stated extending the Urban Services Area would protect the drinking water and benefit additional residences currently on drainfields. He stated the proposed subdivision was by-right and the sewer line would be installed at his expense.

Mr. Rhodes asked if this site was included in the Urban Services Area on the Comprehensive Plan revision.

Mr. Harvey stated no.

Mr. Mitchell stated he spoke with Mr. Garafalo prior to the work session. He made a motion for approval.

Mr. Rhodes seconded. He stated the Planning Commission tried to be consistent by not extending water and sewer outside of the Urban Services Area, but that was not always possible.

Mr. Cook stated he agreed with Mr. Mitchell and Mr. Rhodes.

The motion failed 3-4 (Mrs. Kirby, Mrs. Carlone, Mr. Pitzel, and Mr. Di Peppe were opposed.)

Mrs. Kirby made a motion for denial. Mrs. Carlone seconded. The motion passed 4-3 (Mr. Mitchell, Mr. Rhodes, and Mr. Cook were opposed.)

ORDINANCE COMMITTEE

Mr. Cook stated the Planning Commission had received a letter from the Economic Development Authority (EDA) appointing Wendy Sermon to the Ordinance Committee with the permission of the Planning Commission.

Mr. Di Peppe stated he did not know anything about this. He stated, in his opinion, it was not a good idea.

Mr. Rhodes asked if there was a charter for the Ordinance Committee stating who the members were.

Mr. Harvey stated that was at the pleasure of the Planning Commission Chairman.

Mr. Mitchell stated he would have liked to been contacted about appointing a new member.

Mr. Rhodes stated appointing a new member to the Ordinance Committee could be discussed as a future possibility.

Mrs. Kirby stated she agreed with Mr. Di Peppe.

Mr. Pitzel stated if the Chairman decided he needed more representation then he should make a request for more representation.

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Mrs. Carlone stated she thought it was audacious that the EDA appointed a member to the Ordinance Committee without contacting the Chairman.

**ITEM 1 – Floor Area Ratio**

Mr. Stepowany stated the Ordinance was brought to the Commission on May 2, 2007 with a recommendation from the Board of Supervisors. He stated neither the Planning staff nor Code Administration had received any requests for an exception to the Floor Area Ratio (FAR). He stated he did not receive any feedback from the Board of Supervisors or the County Administrator's office. He stated this could be a positive Ordinance for redevelopment and infill development. He stated the open space ratios would increase if the FAR increased.

Mr. Harvey stated House Bill 3202 allowed for an Urban Transportation Service District and the minimum FAR would be 0.4. He stated an increase in FAR would allow buildings to go up not out. He stated the highest ratio the County had granted was 0.85 for a hotel.

Mr. Rhodes stated the Conditional Use Permit (CUP) would allow the Planning Commission to make a decision on a case by case basis.

Mr. Harvey stated yes.

Mrs. Kirby asked why the Ordinance was brought to the Planning Commission.

Mr. Judy stated at the May 2, 2007 meeting the Planning Commission was presented with a draft Ordinance Amendment.

Mr. Stepowany stated by law the Planning Commission has 100 days to make a recommendation.

Mr. Judy stated the statute requires the Planning Commission to act on the Ordinance within one hundred days or it would be deemed approved.

Mr. Di Peppe stated the Planning Commission had to hold a Public Hearing.

Mr. Judy stated the Planning Commission could decide not to have a Public Hearing but after 100 days it would be deemed approved.

Mr. Di Peppe stated he would like to have a reason for the Ordinance and know what the implications would be.

Mr. Stepowany stated the Ordinance would require a CUP for the FAR.

Mr. Di Peppe asked how this would affect open space.

Mr. Stepowany stated there would still be standards for open space and parking.

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Mr. Di Peppe stated, in his opinion, the Committee should wait until the Comprehensive Plan Revision was completed before making a decision.

Mr. Cook stated, in his opinion, the Planning Commission should schedule the Public Hearing.

Mrs. Carlone stated, in her opinion, scheduling a Public Hearing seemed premature.

Mr. Rhodes made a motion to schedule Item1 for Public Hearing. Mr. Cook seconded. The motion passed 7-0.

Mr. Pitzel stated, in his opinion, the change to the FAR needed to be part of the whole Comprehensive Plan process.

Mrs. Kirby stated she needed more information about how Bill 3202 would effect FAR.

Mr. Cook stated the Planning Commission could ask for more information regarding the Ordinance once it was sent to Public Hearing.

ITEM 2 – Private Access Easements

Mr. Stepowany stated the Planning Department had an interesting situation presented to the staff dealing with an ingress/egress easement that was recorded with Land Records at the Clerk of the Court. He stated the easement was 10 feet wide and the owner of the property which the easement travels through wanted to erect a fence on the line of the easement, which was lined with trees on the opposite side, making the easement very narrow. He stated the Deputy Fire Marshall felt the easement needed to be wider than 10 feet because the Fire Department needs 20 feet clear to operate their equipment. He stated the Family Subdivision the Ordinance reads the travel way only had to be 10 feet wide. He stated because of the variables it was not uncommon for an ingress/egress to be only 10 feet wide. He stated Section 22.5 of the Ordinance would read lots of less than 5 acres would be served by an ingress/egress easement of at least 20 feet clear of any structures and vegetation and the travel way shall be no less than 10 feet in width. He stated a Family Subdivision of 5 acres or greater shall be served by an ingress/egress easement no less than 50 feet in width and the travel way shall be no less than 10 feet in width. He stated Private Access Easement which serves 2 or fewer properties shall have a minimum roadway width of 10 feet and the amendment would add the same language which is in the Family Subdivision Ordinance.

Mr. Pitzel asked what the impact would be to citizens who currently have 10 foot easements. He asked if they could obtain building and occupancy permits.

Mr. Judy stated he had conversations with the Fire Marshall and a representative from the Board of Housing and Community Development concerning the issue of how the Fire Code was supposed to be enforced. He stated the Fire Code specified a minimum of 20 feet but that did not necessarily mean everyone had to have a travel way of 20 foot. He stated the representative from the Board of Housing and Community Development stated the real intent behind the Fire Code in general was to deal with buildings, structures, and housing where people were located closely together. He stated the representative from the Board of Housing and Community Development was under the impression that the real intent of the 20 feet access was not to require every driveway to be 20 feet in width. He stated

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in 2003 there was an amendment to the Fire Code to allow counties to have a written policy regarding fire access. He stated it appears counties do not have to establish a specific width of travel but could adopt certain standards that the Fire Marshall could apply so that when a citizen applies for a building permit they know what would be expected.

Mr. Rhodes asked if this Ordinance would affect someone who already has a 10 foot easement.

Mr. Judy stated it would not impact present easements; it would only effect easements which were constructed after the adoption of the Ordinance.

Mr. Pitzel stated this Ordinance would solve problems for future cases. He stated the particular problem that was created was the issue of someone wanting to put a fence directly on the line of the easement.

Mr. Judy stated the Fire Marshall would have the authority to say the citizen has blocked emergency access please take down the fence or if the fire department had to tear the fence down to access the easement the County would not be liable because the citizen had blocked emergency access. He stated if we follow the Fire Code to the letter, the enforcement would be against the person applying for the Building Permit.

Mr. Pitzel made a motion for approval. Mr. Rhodes seconded. The motion passed 7-0.

Mr. Cook stated the Public Hearing would be scheduled for June 20, 2007.

Mrs. Kirby asked about an Ordinance requiring a landing at the foot of steep driveways.

Mr. Stepowany stated that issue was being discussed as part of the Design Standards Manual.

Mr. Harvey stated a Supervisor had asked him what concerns the Planning Commission had pertaining to the Family Subdivision Ordinance.

Mrs. Kirby stated, for example, what happened if a grandmother subdivided the property and gave a 1 acre lot to her granddaughter.

Mr. Cook stated the granddaughter would have to retain the property for 15 years.

Mr. Di Peppe stated the Ordinance was to prevent citizens from circumventing the system and selling off the property.

Mrs. Kirby stated what happens if the family has to sell the property for financial needs.

Mrs. Carlone stated that would be a hardship.

Mr. Cook stated they would discuss this issue further at the regular meeting.

ADJOURNMENT

With no further business to discuss the meeting was adjourned at 6:42 p.m.

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William Cook, Chairman

**STAFFORD COUNTY PLANNING COMMISSION MINUTES**  
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The regular meeting of the Stafford County Planning Commission of Wednesday, May 16, 2007, was called to order at 7:30 p.m. by Chairman William Cook in the Board of Supervisors Chambers of the Stafford County Administration Center.

MEMBERS PRESENT: Cook, Kirby, Pitzel, Mitchell, Carlone, Di Peppe, and Rhodes

MEMBERS ABSENT: None

STAFF PRESENT: Harvey, Judy, Baker, Zuraf, Ennis, Gregori, Schulte, and Stepowany

DECLARATIONS OF DISQUALIFICATIONS:

None

PUBLIC PRESENTATIONS:

Sean Weingest, BEST Industries, stated the company currently owns the former Virginia Renaissance Fair property. He stated the Comprehensive Plan Steering Committee had proposed the property be removed from the Urban Services Area. He stated the property was one of the few sites still heavily industrial and the Steering Committee recommended the site as Rural Residential. He stated BEST Industries did not understand the rationale behind the recommendation. He stated another branch of the County had just approved the extension of sewer to the property and the County had spent a lot of money bringing water to the property. He stated, in his opinion, the recommendation for this property should be reconsidered. He stated BEST Industries joined Granite Development and King Sherwood, LLC, who own the neighboring property, in opposing this recommendation. He stated he looked forward to working with the Steering Committee and Planning Commission on resolving this issue.

PUBLIC HEARINGS:

1. Comprehensive Plan Compliance Review – Living Hope Lutheran Church - A request for review to determine compliance with the Comprehensive Plan in accordance with Section 15.2-2232 of the Code of Virginia (1950) as amended, for the extension of public sewer service outside of the County's designated Urban Service Area, to Assessor's Parcel 28-117 within the Hartwood Election District.

Mrs. Ennis presented the staff report. She stated the applicant was requesting sewer extension outside the Urban Service Area. She stated a gravity sewer line would be extended to the existing line within the Augustine North subdivision. She stated the Comprehensive Plan recommends that public sewer not be extended outside of the designated Urban Services Area. She stated the applicant would be required to obtain public sanitary sewer easements for the extension; which would be required prior to any site plan approval. She stated the capacity of the sewer from the Upper Accokeek Creek Pumping Station may be limited. She stated the Growth Management policies in the Comprehensive Plan recommend the extension of public utilities outside the Urban Service Area only where there has been documented risk to public health and where application of the current pump and haul policy would be financially excessive. She stated the positive aspects of the application were the sewer line would be designed to follow the natural contour of the property

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and enable the sewer to obtain a gravity flow, negates the possibility of future installation of sewer lines at the County expense, and minimized the potential for groundwater contamination in the event of a failing drainfield. She stated the negative impacts were extending sewer service outside of the County's Urban Service Area and inconsistency with the Growth Management policy requiring the extension of sewer outside of the Urban Services Area. She stated staff recommends that the Planning Commission find the request not to be in compliance with the Comprehensive Plan.

Mr. Di Peppe asked when the Capital Improvements Plan project would be completed.

Mr. Harvey stated he was not clear of the timeline. He stated the Accokeek Basin in the Master Plan would eventually be pumped over to the Rocky Run Basin and those lines have not been constructed.

Mr. Cook asked what the proposed use was.

Mrs. Ennis stated the proposed use was a church. She stated the church wanted the sewer extension because they wanted to build on the most suitable area. She stated all of Augustine subdivision was on sewer, so the church was hoping to connect to the existing lines.

Mrs. Kirby asked what the surrounding zoning was.

Mrs. Ennis stated it was A-1 with residential homes in the vicinity.

Pastor Gary Reeder, Living Hope Lutheran Church, stated the church first came to Stafford County in April of 2000. He stated they were currently averaging 80 people at worship every Sunday and were ready to move into their new facility. He stated there would be a Hope Center which would serve as a worship area and activities center, as well as eight classrooms for a Child Development Center. He stated they would like to be a congregation for the community, not just a congregation in the community. He stated a 3.9 million dollar loan was in place for the building. He stated 90 percent of the architectural drawings were complete and the building committee was waiting for the Planning Commissions input because the rest of the site depends on tonight's decision. He stated when the soil consultants looked at the sites for a drainfield and the reserve, they impinged on where the best location for the building on the property. He stated if they have a drainfield and a reserve, than the church would have to be moved to another, less desirable, location on the site. He stated he fears the drainfield would fail and harm the environment.

Mrs. Carlone asked if there were perk sites.

Pastor Reeder stated there were 3 perk sites but the sites would affect the location of the building.

Mrs. Carlone asked if the childcare center and school would be part of the main building.

Pastor Reeder stated it was one building.

Mrs. Carlone asked if the site could be realigned.

Pastor Reeder stated that was possible, but then the building would be in a less desirable location on the site.

Mrs. Carlone asked if there would be a charge for the childcare.

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Pastor Reeder stated yes.

Mrs. Carlone asked if they could build the rectory and wait for the Comprehensive Plan to be adopted prior to building the childcare center.

Pastor Reeder stated the project as a whole was what Living Hope Lutheran Church was about. He stated the loan was based on the income which would be generated by the childcare center.

Mr. Pitzel asked how time sensitive the project was.

Pastor Reeder stated the church was ready to begin building

Steve Grimes, Living Hope Lutheran Church Building Committee, stated they had received the closing package for the loan. He stated the building would be used for multiple purposes so during the week there could be a child development center and at night there could be opportunities for meetings. He stated the Urban Services Area completely surrounds the site. He stated the problem with the drainfields would be that they were split into three different areas and could impinge on any improvements which may be done to the building.

Mrs. Kirby asked if the church had been granted the easements for the sewer lines.

Pastor Reeder stated no.

Mr. Grimes stated there were a couple opportunities to create easements and it would be a matter of working with Augustine Subdivision to provide the easements.

Mrs. Kirby asked what would happen if Augustine did not grant the easements.

Mr. Grimes stated there were six or seven solutions that presented themselves.

Mr. Cook opened the Public Hearing. With no one coming forward the Public Hearing was closed.

Mr. Rhodes stated the Comprehensive Plan revision was still a work in progress, but every single variation of a map shows that if the Comprehensive Plan passed the property would fall in the Urban Service Area.

Mr. Mitchell stated the County has policies and plans but in some cases rules have to work for the situation. He stated it would make sense to him to have a full time child care ministry and a ministry for the County. He stated a policy was made to be a policy and was not etched in stone. He stated this would be a reasonable decision based on the Commissioners opinions. He stated, in his opinion, the church would be good for the community.

Mr. Cook stated in all four scenarios the property would be placed in the Urban Services Area and would weigh in his favor.

Mrs. Kirby stated, in her opinion, every time the Planning Commission voted to extend the Urban Service Area, the next door neighbor person wants it extended to their property. She stated everyone who comes in has a reasonable request for the extension of the Urban Services Area.

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Mr. Cook stated if the applicant has the financing approved under a fair interest rate and fair conditions than he understands their rationale for not wanting to wait on the Comprehensive Plan revision.

Mr. Mitchell stated when a church comes forward which wants to help the community, it would prevail over a developmental authority building a subdivision. He stated the church would provide childcare, a school, and ministry to the community. He stated, in his opinion, this was a service issue to the citizens not a developmental issue.

Mr. Di Peppe stated, in his opinion, the Planning Commission had to be blind to the fact that the applicant was a church or a developer. He stated since he has been on the Planning Commission, they have been loath to extend the Urban Services Area. He stated he understood Mr. Cook's and Mr. Rhodes' argument that this site may eventually be in the Urban Services Area, but right now it was not. He stated, in his opinion, the problem would be the next time someone applied to extend the Urban Services Area whether it was a church, a developer, or a homeowner, they would ask if the Planning Commission does things for churches that they do not do for other people.

Mrs. Carlone stated if there was not a viable drainfield site, than the situation may be different. She made a motion to put Item 1 in committee. Mrs. Kirby seconded. The motion to put Item 1 in committee passed 5-2 (Mr. Rhodes and Mr. Mitchell were opposed).

Mr. Mitchell stated a septic field was a future disaster and even with a reserve it would still be a problem. He stated any septic field that the Planning Commission could prevent would benefit the County.

2. Amendment to Zoning Ordinance – Amendment to Section 28-25, Definitions of Specific Terms; and, Section 28-122, Certain Types Prohibited in all Districts, of the Zoning Ordinance, pursuant to O07-46. The amendment clarifies that only signs visible from a public right-of-way are subject to Section 28-122. The amendment excludes signs erected and owned by the county, state or federal highway administration from Section 28-122. The amendment prohibits, signs in all zoning districts which present multiple views and objects that have realistic motion, high-resolution color images, complex visual arrangements, rich variation in color, and a vast amount of images, similar to a television screen or computer monitor wherein the image can be changed periodically by electronic signal. The amendment prohibits signs in all zoning districts with multisided-vision signs; displaying device capable of presenting images sequentially by rotating multisided cylinders.

Mr. Stepowany stated due to advancement in technology, signs are now high-resolution color images similar to a television screen or computer monitor where the image changes periodically by electronic signals, similar to a Power-Point presentation. He stated at the February 6, 2007 Board of Supervisors meeting, staff requested direction from the Board regarding electronic changeable copy signs. He stated the Board referred the issue to the Planning Commission for a recommendation. He stated O07-46 had two parts, Section 28-25 which would not permit a general advertisement sign to be located on the property it is being advertised and Section 28-122 prohibits certain types of signs in all districts. He stated signs in any zoning district that present multiple views and objects that have realistic motion, high-resolution color images, complex visual arrangements, rich variation in color, and a vast amount of images, similar to a television screen or computer screen; including multisided-vision signs would be prohibited in the public right of way excluding signs erected by the County, State, or Federal Highway Administration. He stated as technology improves or becomes more economically feasible, more businesses may use this type of sign.

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Mr. Di Peppe asked if this prohibits black and white electric signs.

Mr. Stepowany stated Part 1 reads “any sign displaying flashing or intermittent lights or lights with changing degrees of intensity except a sign displaying only time and/or temperature” was prohibited.

Mr. Cook opened the Public Hearing.

Robert Hopkins stated, in his opinion, the County should not reserve the use of electronic signs for those erected and owned by the government. He stated the most egregious sign of this kind was owned by the Stafford County School Board. He stated they use \$38,000.00 for the sign instead of teaching the students. He stated the right of property owners to fairly use their property was being violated by the Ordinance. He stated the ability to use technology for business promotion was being curtailed and had serious impacts. He stated business owners pay property taxes on equipment such as signs and contribute to the tax base. He stated if the Planning Commission was going to prohibit electronic signs, than they should be fair and prohibit all electronic signs.

With no one else coming forward, Mr. Cook closed the Public Hearing.

Mr. Di Peppe stated existing electronic signs would be grandfathered.

Mr. Judy stated he would be careful in saying that.

Mr. Stepowany stated the County or government signs were for the Sheriffs Office, VDOT, or the Federal Highway Administration.

Mr. Judy stated those signs were public service announcements not advertising a product or service.

Mr. Stepowany stated the Planning staff did not want to prohibit all signs because of the necessary highway signs. He stated he did not think about the school signs or other County facilities.

Mr. Cook stated perhaps Item 2 should be held in committee.

Mrs. Carlone asked if it would be possible to insert the words “public service images.”

Mrs. Kirby made a motion to put Item 2 in committee. Mrs. Carlone seconded. The motion passed 7-0.

Mr. Cook stated Item 2 would be discussed at the June 6, 2007 Planning Commission Work Session.

3. CUP2700269; Conditional Use Permit – Stafford County Rocky Pen Run Reservoir – A request for a Conditional Use Permit to allow a Public Works use within a Flood Hazard (FH) Overlay District, specifically a foundation for a dam across Rocky Pen Run, on Assessor’s Parcels 43-28, 43-29, 43-81A, and 51-2 consisting of 137.7 acres, located 0.5 miles north of the confluence of Rocky Pen Run and the Rappahannock River within the Hartwood Election District.

Mrs. Baker presented the staff report. She stated Stafford County proposes to construct a foundation for a dam across Rocky Pen Run. She stated the application was for the first phase of the dam construction and would require excavation and placement of the dam foundation across Rocky Pen Run. She stated the project would impact the 100-year flood elevation on property owned by Stafford County. She stated

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Rocky Pen Run would be diverted through a pipe for approximately 760 feet for continued water flow during construction and there was a potential increase of 26 feet in flood elevation. She stated an access road would be constructed to the site during construction and the project would be in accordance with the GDP. She stated the applicant must acquire a Conditional Letter of Map Revision (CLOMR) prior to approval of the site plan for construction of the final dam structure. She stated construction traffic would be prohibited from using Greenbank Road but would use Beman Way and Celebrate Virginia Parkway for access. She stated construction would be limited to the hours of 6:00 A.M. to 8:00 P. M. She stated Comprehensive Plan supports construction of Rocky Pen Run Reservoir and staff recommends approval of the CUP.

Mrs. Carlone asked if there was a possibility the time frame for construction could be changed.

Mrs. Baker stated the conditions state construction would be limited to the hours of 6:00 A.M. to 8:00 P. M.

Mr. Pitzel asked what the dangers were to the Flood Hazard Overlay Zone.

Mrs. Baker stated there was a possibility of impact to the flood elevation.

Mr. Pitzel asked if the County owned all the lands which would be affected.

Mrs. Baker stated yes.

Mrs. Kirby stated there was a cemetery very close to the proposed site.

Mrs. Baker stated the cemetery was outside the limits of the construction for this particular application.

Mr. Mitchell asked if there would be any dynamite blasting during construction.

Keith Dayton, Assistant Director of Utilities, stated the project had been reinforced and refined many times. He stated the project was first identified in the 1990 Water and Sewer Master Plan. He stated they were taking water from the Rappahannock River pumping it to a storage reservoir during times of peak flow and stores it and uses it to make water for the citizens of Stafford County. He stated in 1994 Utilities Department began acquiring all the necessary environmental permits and that process was completed in 2005. He stated the project was as environmentally friendly as possible and they would be digging into the rock, not blasting because that would undermine and fracture the foundation underneath the dam. He stated the process would take about 14 months. He stated the Utilities Department would examine the rock as the digging proceeded to observe how the rock could be incorporated into the design of the dam. He stated the overall process would take about 3 years. He stated 2011 would be the soonest water from the reservoir could go to a treatment plant. He stated in 2012 they predicted Stafford County would be out of safe yield. He stated if there was a 1960's severity drought in 2012, they would be out of water. He stated a 1930's drought was far more severe than a 1960's drought and Stafford County does not have enough water supply to sustain a 1930's type of drought. He stated that information was based on information gathered from all the agencies working with the Utilities Department on the project. He stated he was standing before the Planning Commission with a sense of urgency. He stated a survey crew had determined the cemetery was above the highest level of the reservoir. He stated under any conditions the cemetery would not flood.

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Mr. Di Peppe stated Stafford County used 10 million gallons a day.

Mr. Dayton stated use was 16 million gallons a day on weekend in the summer.

Mr. Di Peppe asked if currently Stafford County had about 20 million gallons per day available.

Mr. Dayton stated currently 13.7 million gallons per day were available.

Mrs. Carlone stated she was concerned about the natural path of Rocky Pen Run and the siltation problems.

Mr. Dayton stated this phase of the project would act as a very large sediment basin. He stated the in the event of a very large rainfall, the rain would go into the whole and trap the majority of the silt which could potentially come down the stream. He stated there were storm water ponds above and below the construction area and all sides of the construction area would be protected with storm water management best management practices.

Mrs. Carlone asked if there would be water released to keep flow back into the Rappahannock River.

Mr. Dayton stated they would have to let out the approximate amount of water which would come in.

Mr. Cook opened the Public Hearing. With no one coming forward Mr. Cook closed the Public Hearing.

Mrs. Carlone made a motion for approval. Mrs. Kirby seconded. The motion passed 6-1 (Mr. Di Peppe was opposed).

Mr. Di Peppe stated he was opposed to how the process was handled by the Board of Supervisors taking the project away from the Board of Zoning Appeals (BZA) and giving it to the Planning Commission because the Board was not getting the result they wanted.

Mr. Mitchell stated the dam would guarantee water for Stafford County and impact the quality of life for citizens. He stated the dam was integral and important to Stafford County.

UNFINISHED BUSINESS:

4. Comprehensive Plan Revision – Transition from the Steering Committee to the Planning Commission

Mr. Pitzel stated the Comprehensive Plan was required by law as a guide for future decisions. He stated the time frame for the plan was 20 years but must be reviewed every 5 years. He stated there were three components to the plan: environment, land use, and community facilities. He stated the Comprehensive Plan Steering Committee compiled inventory, gathered input from interviews, focus groups, and community surveys, composed the goals and objectives, constructed the land use map and densities, planned infrastructure, recommended implementation measures, and compose the main document. He stated the fiscal impact model predicts the fiscal impact of different build out scenarios and different actions and includes a Level of Service variable. He stated population growth studies were conducted and in the next 20 years it is projected that the number of dwelling units which would move to Stafford County was about 21,000. He stated the Comprehensive Plan Steering Committee had a hard time getting

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any information regarding transportation. He stated the Transportation Model would give current Levels of Service and allow the County to do trade offs as they determine density or maintain infrastructure. He stated the Planning Commission was provided the meeting topic summaries, transportation LOS, goals and objectives, policies, 4 land use map and build out alternatives, and draft Comprehensive Plan. He stated on December 19, 2006 an update was presented to the Board. He stated currently they were hoping to present the Comprehensive Plan revision to the Board in July of 2007. He stated the Land Use Map was recently adopted by a 6 -5 vote. He stated the infrastructure, implementation, composing the main document, and developed, update and coordinate the component plan steps have not yet been started. He stated Peter J. Smith, the consultant, would provide a revision of the draft Comprehensive Plan by the end of the month. He stated the Comprehensive Plan Steering Committee reached a consensus on the following topics: preservation of green space, transportation, growth shall be channeled to the Urban Service Area, growth in rural areas should be minimized, preservation of heritage resources, and consider the fiscal impact of decisions. He stated the transportation data was lacking and there was no opportunity for traffic analysis from land use proposals. He stated the implantation section was when the plan would be turned into reality. He stated there were a lot of really good ideas which need to be considered in the implementation process. He stated implementation would be achieved if the Comprehensive Plan becomes a living document and a good guide for the County. He stated the Comprehensive Plan Steering Committee did not reach a consensus on how to reduce density in the Agricultural Zones. He stated heritage resources and environmental issues lack an organizational infrastructure and advocacy. He stated the committee did write the goals and objectives and policy statements, sent forth a Land Use Map, held two public forums, sent out a community survey, and presented an update to the Board of Supervisors.

Mrs. Kirby stated she was concerned the citizens only had two meetings to address their opinions.

Mr. Rhodes stated there were 6 different meetings and citizens could attend the Comprehensive Plan Steering Committee meetings. He stated it was a tremendous experience working with all the members of the committee and he was proud to be a part of it.

Mr. Mitchell stated he would like to thank each member of the committee.

Mr. Di Peppe stated he agreed with Mr. Rhodes. He stated it was a great cross section of citizens, representing many view points.

Mr. Cook stated he would like to thank everyone who served on the committee.

Mr. Pitzel stated a minority report would be provided to the Planning Commission at a later date.

Mr. Cook stated the Planning Commission would hold several meetings to discuss the revision to the Comprehensive Plan.

The Planning Commission agreed to hold meetings each Monday in June from 6:30 p.m. to 9:30 p.m. to discuss the revision to the Comprehensive Plan.

Mrs. Kirby stated Stafford County won an award for the Wildlife Habitat Plan and nothing was ever done.

Mr. Harvey stated there were a number of planning documents passed which required additional personnel to implement them.

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5. Comprehensive Plan Compliance Review – Smith Lake Point - A request for review to determine compliance with the Comprehensive Plan in accordance with Section 15.2-2232 of the Code of Virginia (1950) as amended, for the extension of public sewer service outside of the County's designated Urban Service Area to Assessor's Parcel 21-5E within the Aquia Election District. **(Time Limit: June 17, 2007)(Deferred to the May 16, 2007 Work Session)**

Mrs. Kirby made a motion to deny. Mr. Rhodes seconded. The motion to deny passed 4-3 (Mr. Cook, Mr. Mitchell, and Mr. Rhodes were opposed).

6. Amendment to Subdivision Ordinance - Amendment to Section 22-4, Definition; and, Section 22-5, Family and minor subdivision, of the Subdivision Ordinance, pursuant to O07-36. The amendment revises the definition of immediate family to include sibling, grandchild and grandparent. The amendment requires the owner of a property to have owned the property for at least fifteen (15) years prior to subdividing and conveying a portion of the property to an immediate member of the family, and the immediate member of the family shall retain ownership of the property for at least fifteen (15) years prior to transferring the property to any non-immediate member of the family. **(Deferred until further notice)**

Mr. Cook stated Item 6 was deferred.

7. SUB2500762; Potomac Creek Overlook, Preliminary Subdivision Plan - A subdivision preliminary plan for 25 single family residential lots, zoned A-1 consisting of 97.38 acres located approximately 2,700 feet east of Jefferson Davis Highway and 1,500 feet south of Eskimo Hill Road on Assessor's Parcels 38-126 within the Aquia Election District. **(Time Limit: July 18, 2007)(Deferred to the June 20, 2007 Work Session)**

Mr. Cook stated Item 7 was deferred to the June 20, 2007

**NEW BUSINESS:**

8. SUB2600625; Williams Subdivision, Preliminary Subdivision Plan - A preliminary subdivision plan for 13 single family residential lots, zoned A-2, Rural Residential, consisting of 14.55 acres located on the north side of Enon Road approximately 1,500 feet west of Wyatt Lane on Assessor's Parcels 45-125 and 45-125B within the Hartwood Election District. **(Time Limit: February 28, 2007)(Deferred to September 5, 2007 Regular Meeting at the applicants request)**

**MINUTES**

April 18, 2007 Work Session

Mr. Judy stated on page 3 and 4 the statement should read "the apparent position of the Zoning Administrator was that if the sign was non-conforming, the sign could be upgraded as long as they were not adding to the non-conformity."

Mr. Mitchell made a motion for approval with the change. Mr. Rhodes seconded. The motion passed 7-0.

April 18, 2007 Regular Meeting

Mr. Rhodes made a motion for approval. Mr. Mitchell seconded. The motion passed 7-0.

***Planning Commission Minutes***  
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May 2, 2007 Work Session

Mrs. Kirby made a motion for approval. Mrs. Carlone seconded. The motion passed 7-0.

May 2, 2007 Regular Meeting

Mr. Pitzel stated on Page 8 it should read “the contour lines represented 5 feet elevation change.” He stated on Page 10 the meeting date of the Comprehensive Plan Steering Committee was on May 7, 2007.

Mr. Rhodes made a motion for approval with the changes. Mr. Mitchell seconded. The motion passed 7-0.

**PLANNING DIRECTOR’S REPORT**

Mr. Harvey stated at the May 15, 2007 Board of Supervisors meeting the Board approved the Bird/Cook and Stafford Business Park reclassifications. He stated there were a number of changes made to the proffers regarding setbacks, screening, flooding in the adjacent neighborhood, and times for trash service.

Mr. Pitzel asked if the Board was able to make changes to proffers after the Planning Commission had recommend approval.

Mr. Harvey stated the Planning Commission and the Board had Public Hearings which amended the code to allow the Board to modify the proffers, although they may have to hold a second Public Hearing regarding the application.

Mrs. Kirby stated she spoke with two citizens who were concerned about their neighbor parking a large recreational vehicle in the cul-de-sac in front of their home. She state the recreational vehicle has power cords running from the house to the vehicle.

Mr. Stepowany stated he would recommend them to the Sheriff’s Office.

Mrs. Carlone asked if they should speak with Code Administration.

Mr. Judy stated the power cord does not provide evidence someone was living in the recreational vehicle. He stated if Mrs. Kirby could provide the information to the County Attorney’s office and they would speak with Code Administration and the Sheriff’s Office.

Mr. Di Peppe stated he would like to know more about the situation.

Mr. Pitzel stated the Electrical Code usually restricts the use of any extension cord for more than 90 days.

Mr. Cook stated in Aquia Harbor residents park recreational vehicles along the road. He stated it may be a Home Owners Association (HOA) issue.

Mrs. Kirby stated the citizen stated their HOA would not help them.

**COUNTY ATTORNEY’S REPORT**

No report

**SECRETARY/TREASURER REPORT**

No report

**STANDING COMMITTEE REPORTS**

***Planning Commission Minutes***  
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Mr. Di Peppe stated the Ordinance Committee recommended two ordinances for Public Hearing. He made a motion to set O07-40 for Public Hearing on June 20, 2007. Mrs. Kirby seconded. The motion passed 7-0.

Mr. Rhodes made a motion to set the Amendment to Sections 22-5 and 22-174 for June 20, 2007. Mrs. Kirby seconded. The motion passed 7-0

**CONSENT AGENDA**

**SPECIAL COMMITTEE REPORTS**

Mr. Cook stated the Planning Commission was still waiting on the Board of Supervisors to schedule a joint work session regarding the Reservoir Protection Overlay District.

**CHAIRMAN'S REPORT**

Mr. Cook stated the Planning Commission would cancel the August 1, 2007 meeting due to the renovations in the Board Chambers and hold the August 15, 2007 meeting.

**ADJOURNMENT**

Mrs. Kirby made a motion for adjournment. Mr. Rhodes seconded.

The meeting was adjourned at 9:30 p. m.

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William Cook, Chairman

DRAFT