

***STAFFORD COUNTY PLANNING COMMISSION  
WORK SESSION MINUTES  
AUGUST 2, 2006***

The work session of the Stafford County Planning Commission of Wednesday, August 2, 2006, was called to order at 5:30 p.m. by Chairman William Cook in the Board of Supervisors Chamber of the County Administrative Center.

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

Members Absent: None

Staff Present: Harvey, Judy, Stepowany, Zuraf and Knighting

Declarations of Disqualification

None

UNFINISHED BUSINESS:

1. Amendment to the Comprehensive Plan – A proposed amendment to the Land Use Plan text and map component of the Comprehensive Plan. The proposed amendment would redesignate Assessor's Parcel 46-62 from Agricultural to Institutional Use and be included in the Urban Service Area. The proposed amendment would be for the purpose of constructing a public high school. Agricultural use permits single family residential development at a density of one (1) dwelling unit per three (3) acres. Institutional use would permit development which serves a public or social function, including schools.

Mr. Harvey stated representatives from the School Board were present to answer questions regarding the proposed school site and its proximity to Dogwood Airpark.

Scott Horan, representing the School Board, stated a 7460-1 Application was submitted to the FAA for a formal ruling and should be received in approximately thirty days. He stated an informal ruling determined there would be no impact. He stated the Planning Commission had concerns about the slopes on the property.

John Nash presented a map depicting the contours of the land and the slopes. He stated a soils report was submitted which showed ten borings. He explained the types of soils found on the property.

Mr. Horan stated the Planning Commission was concerned about possible lighting from an athletic field affecting aviators at Dogwood Airpark and Stafford Regional Airport.

David Hartman, mechanical and electrical contractor, stated there would not be light glare or spill above the horizon. He stated all lighting would be directed down.

Mr. Horan stated Clift Farm Road would need some improvements. He stated the road would need to be widened, the shoulders would need to be increased, and a larger right of way was needed. He stated a Traffic Impact Analysis completed.

***Planning Commission Minutes  
Work Session  
August 2, 2006***

Mr. Di Peppe stated he could not identify where the bore holes were located.

Mr. Nash stated a copy of the map was located in the soils report.

Mr. Di Peppe stated he was concerned about the road which runs through the property being rerouted over the steep slopes.

Mr. Horan stated the plan was just a concept. He stated the ideal plan would be to put the road to the outside or to the edge of the property. He stated once the School Board approved purchasing the site a more detailed site plan would be provided.

Mr. Di Peppe stated it was problematic to approve a concept which may not be the final design. He asked if eighty acres was the standard for a school site.

Mr. Horan stated seventy acres was the standard number used.

Mr. Di Peppe stated about forty acres was fairly flat land.

Mr. Horan stated fifty acres of the property was flat.

Mr. Di Peppe stated twenty acres would have to be graded.

Mr. Horan stated there would be some cut and fill grading.

Mr. Di Peppe stated the road would still be on the side of the property. He stated the property lines up directly with the runway. He stated it was hard to get around the safety issue.

Mr. Horan stated the letter was informal. He stated he spoke with Joe Delea (FAA) and he never elaborated on statements. He stated Ray Burdett, Virginia Aviation Director, lives at Dogwood and he could come to address the Planning Commissions concerns.

Mr. Di Peppe stated he would like to hear from a FAA Official.

Mr. Mitchell stated he was concerned with the planes which had mechanical problems. He stated so far only Dogwood Airpark has been addressed. He stated the flight pattern for Stafford Regional Airport comes in south, makes a 180 degree turn, comes across Interstate 95 and lands east to west. He stated the flight pattern would bring planes over or near the school.

Mr. Horan stated the FAA will address the Stafford Regional Airport but they do not address private airparks. He stated Ray Burdett could provide a sense of perspective as a resident and a pilot, as well as provide a state perspective.

Mr. Mitchell stated eighteen hundred students would attend the proposed school and these same students would be on a two lane road with twelve foot lanes and six foot shoulders. He stated his concern with the high number inexperienced drivers on the road.

***Planning Commission Minutes  
Work Session  
August 2, 2006***

Mr. Horan stated Clift Farm Road would be a loop road; the only other people that would access the road would be twelve or thirteen land owners. He stated Clift Farm Road could be made a little larger.

Mr. Rhodes asked if Mr. Horan had ever dealt with a formal report from the FAA. He asked if they had a set format of criteria they address.

Mr. Cook stated the thirty minute time limit had expired but the Commission would discuss the issue for ten more minutes to allow for the rest of the Commissioners to speak.

Mrs. Kirby stated she had wanted Mountain View Road widened and straightened when the plan for Mountain View High School was proposed. She stated the School Board did not follow through on the request. She stated the additional traffic on Clift Farm Road would spill out to the connecting roadways, including Route 1. She stated when she drove by Colonial Forge High School all the lights were on at the tennis court and no one was there.

Mr. Horan stated the lights at Colonial Forge were on an automatic timer.

Mrs. Kirby stated she was concerned with the RPA on the site.

Mr. Horan stated the RPA buffers on the site could be increased.

Mr. Kirby stated the GDP could not be proffered because there was not a complete plan.

Mr. Pitzel stated the School Board's intent was to build a school on the site.

Mr. Horan stated they could put a stipulation on the amendment to approve the plan only if a school was built on property. He stated the School Board did not want to buy the property unless a high school was built.

Mr. Pitzel stated he would agree to such a stipulation.

Mr. Harvey stated the issue at hand was whether the property was appropriate for institutional use.

Mrs. Carlone stated in her opinion the site was not appropriate for a school. She stated she would like to see a more detailed site plan. She stated she would like to have someone from the FAA address the Planning Commission.

Mr. Zuraf stated he received a call from a citizen who felt the presentation on July 19, 2006 was unclear. He stated in the future Morton Road to Leeland Road would have higher levels of traffic.

Mrs. Carlone stated there were purchases in the past by the IDA to allow for larger aircraft.

***Planning Commission Minutes***

***Work Session***

***August 2, 2006***

Mr. Cook stated he had concerns. He stated the item could be held in committee until the formal FAA report was complete and a representative was available.

Mr. Di Peppe made a motion to retain in committee. Mrs. Kirby seconded the motion. The motion passed 7-0.

ORDINANCE COMMITTEE

Mr. Cook stated he was turning the meeting over to Mr. Di Peppe for Ordinance Committee.

Mr. Stepowany stated Adult Businesses were discussed at the July 19, 2006 Planning Commission Work Session.

Mr. Cook asked if under 28-38 should any Adult Business activity be strictly prohibited in R-Districts.

Mr. Harvey stated the Ordinance would allow a particular use in certain zoning districts and would be prohibited in other districts. He stated if the use was not permitted in any zoning district in the county then it could be pursued through a Conditional Use Permit.

Mr. Judy stated such a business has to be 500 feet away from a residential or agricultural zoned district and 500 feet away from any residences.

Mr. Harvey stated staff would need to map possible sites eligible for the five hundred foot buffer to residential and agricultural sites.

Mr. Carlone stated more than one adult business could locate in the same area.

Mr. Judy stated that case law said the multiple adult businesses could not locate in the same area.

Mr. Pitzel stated Item K eliminates clustering. He stated Item 7 required adequate lighting for all entrances. He stated this should be required for all businesses.

Mr. Stepowany stated the staff was working on a lighting design manual.

Mr. Judy stated that adequate lighting prevents against secondary effects.

Mr. Pitzel stated he would like to see the statistics on secondary effects.

Mrs. Carlone asked if video cameras could be required in the parking lot.

Mr. Judy stated he would look into it.

Mrs. Carlone stated she would like to know what problems other jurisdictions have had with Adult Businesses.

Mr. Cook stated the Ordinance was good.

***Planning Commission Minutes  
Work Session  
August 2, 2006***

Mr. Rhodes stated the ordinance was good and they should move forward.

Mr. Mitchell stated he agreed with Mr. Cook

Mr. Judy stated he would caution against moving too fast based on the time required for mapping the areas where adult businesses could locate.

Mr. Harvey stated he would have to present the Ordinance to the Board of Supervisors at the second meeting in September.

Mr. Di Peppe asked if Mr. Harvey was asking for time to do the mapping.

Mr. Cook stated he would prefer to move forward.

Mr. Cook made a motion to move to Public Hearing. Mr. Mitchell seconded. The motion passed 5-2 (Mr. Pitzel and Mrs. Carlone voted no).

Mr. Stepowany stated Item 2 was a proposed ordinance about Temporary Storage Containers or POD's.. He stated POD's would be subject to a Zoning Permit through Code Administration. He stated the permit would be for POD's, Temporary Storage on a construction site, and commercial site that may need a storage site during the holidays.

Mr. Rhodes stated the 90 day limit was only for commercial.

Mr. Stepowany stated that was correct. He stated for residential the time limit was thirty days, twice a year and for construction sites the storage unit would have to be removed before the building was occupied.

Mr. Rhodes asked if Mr. Stepowany had looked at other jurisdictions ordinances concerning storage containers.

Mr. Stepowany stated he had not looked at other jurisdictions requirements.

Mr. Pitzel asked how hard it would be to obtain a zoning permit.

Mr. Harvey stated enforcement was on a complaint basis. He stated the zoning permit was over the counter and cost approximately \$25.00 to \$50.00.

Mr. Di Peppe asked what would happen if someone did not obtain the zoning permit.

Mr. Ingalls asked if he could have a POD for 29 days, move it then bring it back at a later date.

Mr. Judy stated the POD should not be on the property for more than 30 days on a sixth month basis.

*Planning Commission Minutes*  
*Work Session*  
*August 2, 2006*

Mr. Mitchell asked in the event of a natural disaster could people have a POD on their property for longer.

Mr. Judy stated the Board would have the power to suspend the Ordinance.

Mrs. Kirby made a motion to move for Public Hearing. Mrs. Carlone seconded. The motion passed 7-0.

ADJOURNMENT

The meeting was adjourned at 6:57 p. m.

---

William Cook  
Chairman

# **STAFFORD COUNTY PLANNING COMMISSION MINUTES**

## **AUGUST 2, 2006**

The regular meeting of the Stafford County Planning Commission on Wednesday, August 2, 2006, was called to order at 7:30 p.m. by Chairman William Cook in the Board of Supervisors Chamber of the Stafford County Administration Center.

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

**UTILITIES COMMISSION**

**MEMBERS PRESENT:** Arndt, Kurpiel, Carroll, Hunt, Chaves, Mayausky, and Chittum

**MEMBERS ABSENT:** None

**STAFF PRESENT:** Harvey, Judy, Stepowany, Gregor and Knighting

**PUBLIC PRESENTATIONS:**

Bill Johnson stated there was a lot of discussion about changing the access to Abel Lake. He stated the Planning Commission should consider recreation use as well as water quality. He stated the water quality has been excellent and there should be measures to protect the water. He stated people should have a right to fish, boat, and have docks on the lake. He stated people want to comply with the law but Stafford County has not really set any guidelines. He stated the need to consider the existing situation at the lake.

Robert Decatur stated he built a floating dock and he has picked up tires, a refrigerator, and trash in and around the lake. He stated the bridge was contributing to the pollution of the lake. He stated the people who live on the lake pick up the pollution.

Raymond Taylor stated citizens on the lake were concerned that there was miscommunication between citizens and the county. He stated the Abel Lake water supply repeatedly meant or exceeded Environmental Protection Association standards and in his opinion the homeowners at contribute to the quality of the water.

**JOINT PUBLIC HEARINGS – PLANNING COMMISSION AND UTILITY COMMISSION:**

1. Amendment to Subdivision Ordinance - Amendment to Section 22-118, Water and Sewer, of the Subdivision Ordinance, pursuant to O06-02. The proposed amendment establishes minimum area requirements for primary and reserve drain fields.
2. Amendment to Utility Ordinance - Amendment to Section 25-165, Type, Capacity, Location, Etc., of the Utility Ordinance, pursuant to O06-23. The proposed amendment establishes minimum standards for private sewage disposal systems on all lots.
3. Amendment to Utility Ordinance - Amendment to Section 25-165, Type, Capacity, Location, Etc., of the Utility Ordinance, pursuant to O06-53. The amendment establishes minimum standards for private sewage disposal systems on all existing lots recorded prior to the adoption of this ordinance.

Mr. Allen, Utilities Department, and Mr. Stepowany stated they would conduct a joint presentation on Ordinances O06-02, O06-23, and O06-53.

***Planning Commission Minutes  
August 2, 2006***

Mr. Allen stated for existing lots the size of the building must match the primary and reserved drainfield area available. He stated the lots must provide a reserve drainfield area equal to the primary drainfield in area and capacity. He stated for existing lots this would apply only where feasible. He stated each new septic tank and pump chamber in the County would have at grade access and an effluent filter. He stated existing septic tanks and pump chambers would be required to have at grade access and an effluent filter when they are repaired or replaced and a permit would be required by the Health Department. He stated drainfields deeper than sixty inches must receive secondary effluent and land disturbance would not be permitted within the Virginia Department of Health (VDH) setbacks for reserved drainfield area.

Mr. Stepowany stated prior to 1982 reserve drainfields were not required, and when reserve drainfields became a requirement only fifty percent of the capacity was required. He stated in 1997 the County made a requirement for reserve drainfields by the Chesapeake Bay regulations that one hundred percent of the primary be provided as a reserve. He stated drainfield failures have caused major concerns for the Utilities Department and the Virginia Department of Health. He stated inadequate area for drainfields was one of the main concerns. He stated two existing problems were reserve drainfield areas being disturbed and septic tanks which released solids onto drainfields and must be uncovered for maintenance.

Mr. Allen stated on March 14, 2005 the Utilities Commission held a Public Hearing for the original version of Ordinance O06-53, which required existing lots to provide a reserve drainfield to be equal to the primary drainfield in capacity and area. He stated the issue was tabled and a sub-committee was formed. He stated a consensus was reached and the Utilities Commission sent the Ordinance back to the Board of Supervisors for discussion. He stated at a work shop held on February 7, 2006 there was concern that these requirements be mandatory no optional. He stated the Board sent the Ordinance back to the Utilities Commission which coordinated with the Utilities Department, the Planning Department, the Health Department and the County Attorney's office to make revisions, which is the Ordinance here tonight.

Mr. Stepowany stated on December 7, 2005 the Planning Commission held a Public Hearing on Ordinance O06-02 which required reserve drainfields to be equal to primary drainfields in area and capacity. He stated the Planning Commission sent the Ordinance to the Board with a recommendation for approval. He stated the Board deferred the Ordinance requesting a combination of Ordinances. He stated Ordinance O06-23 was a combination of duplicate requirements from Ordinance O06-02 and O06-53. He stated on June 7, 2006 the Planning Commission approved revised Ordinance O06-02 for a joint Public Hearing with the Utilities Commission. He stated on June 13, 2006 the Utilities Commission approved Ordinance O06-23 and O06-53 for Public Hearing and recommended approval by the Planning Commission of Ordinance O06-02. He stated Ordinance O06-02 amends section 22-118 of the Subdivision Ordinance. He stated the Ordinance applies to new subdivision plats. He stated the Ordinance would provide a minimum area for primary drainfields; four thousand square feet for conventional drainfields and twenty-five hundred square feet for alternative systems. He stated a minimum area for reserve drainfields would be provided, equal in both area and capacity to the primary drainfield. He stated if you have a four bedroom house, the average percolation rate, minutes per inch, was between forty-six and seventy-five. He stated if you have a forty-six percent percolation rate with a slope between ten to twenty percent, the minimum requirement was four thousand-six hundred square feet for drainfield area. He stated for planning purposes the Health Department recommends requiring a minimum of four

***Planning Commission Minutes  
August 2, 2006***

thousand square feet. He stated the deleted standards for septic tanks and if the drainfield was installed deeper than sixty inches, now listed in Ordinance O06-23.

Mr. Allen stated Ordinance O06-53 Section C establishes minimum standards for private sewage disposal on all lots recorded prior to August 19, 1997. He stated if the property does not have sufficient room for two alternative systems, they must provide an alternative system and any unused drainfield would be designated as a reserve drainfield. He stated the number of bedrooms in the home shall not exceed the number that complies with the section unless there were inadequate soils to provide a primary and reserve drainfield for a one bedroom house. He stated Section D of the Ordinance establishes minimum standards for private sewage disposal systems on all lots recorded after August 19, 1997 and prior to the approval of O06-02. He stated to the maximum extent possible, the reserve drainfield shall be equal to one hundred percent of the primary drainfield based on area and capacity. He stated Ordinance O06-23 combined duplicate requirements from the original versions of O06-02 and O06-53. He stated the Ordinance would apply to all lots with private sewage disposal systems. He stated all disposal fields installed deeper than sixty inches below original ground surface shall disperse secondary effluent or better. He stated all new septic tanks and pump chambers would provide a precast, at grade access over the outlet structure. He stated no permanent structure or land disturbance would be permitted within the setbacks established by the VDH.

Mr. Pitzel asked how the square footage for a drainfield was measured.

Tommy Thompson, Virginia Department of Health, stated the faster the soil absorbs water the less amount of drainfield needed per bedroom. He stated a conventional drainfield for a three bedroom house at a forty-five minute percolation rate, you would need five, seventy-foot trenches or three hundred- fifty linear feet of drainfield. He stated the VDH was concerned with the alternative systems because a smaller area was required. He stated alternative systems could be put in a pad instead of trenches. He stated drainfield sites were currently being destroyed.

Mr. Pitzel asked if the four thousand square feet was the footprint of the drainfield or the actual area of the drainfield.

Mr. Thompson said the four thousand square feet was the footprint area which would allow for expansion.

Mr. Pitzel asked if four thousand square feet was an average.

Mr. Thompson stated based on the percolation rate for a four bedroom house; the drainfield would need to be a minimum of four thousand square feet.

Mr. Pitzel asked what would happen if someone wanted a smaller home with one or two bedrooms.

Mr. Thompson stated the area was required incase the reserve area was needed.

Mr. Pitzel stated an area would be blocked out that they would not need and yet they could not build or plant in that area.

***Planning Commission Minutes  
August 2, 2006***

Mrs. Kirby asked what a non-controversial item was and who decides if an item is controversial. He stated reserve drainfields, effluent filters and at grade access did not generate any controversy.

Mr. Allen stated the Utilities Commission decided what was controversial.

Mrs. Kirby asked what was controversial.

Mr. Allen stated the requirements that a reserve drainfield area was equal in capacity and area to one hundred percent of the primary area was controversial.

Mrs. Kirby asked how older homeowners would be affected.

Mr. Allen stated if the homeowner had to repair or add on to their system, they would have to put in risers to make the system have at grade access.

Mr. Chaves stated even though we have a two bedroom house that requires a two thousand square foot primary drainfield; it would still be required to provide a four thousand square foot drainfield and a reserve drainfield.

Mr. Thompson stated they would install a two thousand foot drainfield but they would leave in reserve two thousand in the primary area, therefore having the four thousand square feet.

Mr. Stepowany stated in a subdivision process, we do not know the size of the house. He stated the staff was asking for a minimum area which the drainfield would be installed within. He stated the Ordinance requires the reserve drainfield area be the same in size and capacity. He stated a two bedroom house may not need to use all four thousand square feet of the area but the size of the house was unknown at the time of submittal.

Mr. Di Peppe stated developers wanted water and sewer service outside of the urban service area because all drainfields eventually fail.

Mr. Thompson stated that was true. He stated the nature of the drainfield allowed sewage to percolate through it and the soil eventually gets clogged.

Mr. Di Peppe stated most likely you would need that reserve drainfield.

Mr. Thompson stated it would depend on how well you take care of the system.

Mr. Di Peppe asked if the Ordinances were to correct problems that already exist.

Mr. Thompson stated they have had thirty malfunctioning drainfield systems this year.

Mr. Cook opened the Public Hearing on Ordinance O06-02.

Spencer Hudson, Stafford Council for Progress, stated in his opinion the Ordinance was complicated. He stated the Board of Supervisors recently passed an Ordinance that pertained to drainfields. He stated the Ordinance reads all septic fields must be marked on all lots at the submittal

***Planning Commission Minutes  
August 2, 2006***

of the preliminary plan. He stated a signed statement from an Authorized On-Site Soil Evaluator (AOSE) was required stating the soils and the proposed location for the drainfield stating for each lot was adequate. He stated the Ordinance required a letter from the Health Department approving the AOSE statement. He stated the Ordinance requires minimum square footage for drainfields that are already designed based on county and state standards. He stated if Stafford County did not require a complete layout and design of the drainfields when the preliminary plan was submitted than the proposed Ordinance would have some validity. He stated the apparent value would be lost because the final approved layout was already complete.

Mark Stewart, General Manager of Dominion Septic, sister company of Dominion Soil Science, read a letter from Danny Hatch, the President of Dominion Soil Science. He stated Ordinance 06-02, Article 7, Section 22-118, number 4 part C, D, and part of E should not be approved. He stated Plastic Risers are acceptable and child proof. He stated the Ordinance does not allow soil scientist to practice soil science. He stated the drainfield size should be based on the entire soil site evaluation and the number of people living in the house. He stated age restricted and low income housing would be the hardest hit.

With no one else coming forward, Mr. Cook closed the Public Hearing for Ordinance 06-02.

Mr. Cook opened the Public hearing for Ordinance O06-23.

Spencer Hudson, Stafford Council for Progress, stated the Ordinance could take away the possibility of new technology, new processes, and creativity. He stated the Ordinance should be written so that no matter what happens in the next few years, we get exactly what we are looking for by giving an end result. He stated we need to make our Ordinances so we do not have to change them every year when something new comes along.

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

Mr. Cook opened the Public Hearing for Ordinance O06-53.

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

Mr. Cook opened discussion on Ordinance O06-02.

Mrs. Carlone asked for clarification on the reserve drainfield. She asked if a two bedroom home really needed an additional four thousand square feet for reserve.

Mr. Stepowany stated that was an example. He stated if someone built a two bedroom house which only required two thousand square feet, they would still need to have a four thousand square foot primary drainfield and still have the four thousand square feet in the reserve drainfield area.

Mrs. Carlone stated for a two bedroom house wouldn't the four thousand square feet in the primary drainfield be adequate for a two bedroom home so an additional four thousand square feet in the reserve drainfield would not be needed.

***Planning Commission Minutes  
August 2, 2006***

Mr. Stepowany stated we are not dealing with existing lots or existing houses. He stated we do not know the size of the house or how many bedrooms are going to be in a house. They may provide the minimum requirement at the time of the plan to get the plat approved, then build a bigger house or expand the house.

Mrs. Kirby stated senior citizen's houses tend to be smaller and on smaller lots.

Mr. Stepowany stated most senior citizen housing was in the Urban Services area.

Mrs. Kirby stated that was speculation.

Mr. Harvey stated another thing to consider was two thousand feet versus four thousand feet on the plat sets out an area, but the plat does not show exactly where the house would be built or where the drainfield lines would be installed. He stated the drainfield lines and the system may not strictly occupy half that area; it may be a portion in the middle or a portion to one side. He stated even though you may have the additional two thousand square feet available, it may not be in a configuration that could accommodate a second drainfield necessarily.

Mr. Pitzel stated the Ordinance was only for new lots and new development.

Mr. Stepowany stated Ordinance O06-02 was for new lots after the adoption of the Ordinance.

Mr. Pitzel stated he was concerned about requiring eight thousand square feet be set aside in case of someone who has a lot that is A1 with 6 acres and wanted to subdivided. He asked if there was anything special for minor subdivisions. He asked what about the citizen who owns two lots and wanted to subdivide but does not have eight thousand square feet. He stated the citizen could not subdivide because someone might come along and want to make the home a four bedroom.

Mr. Stepowany stated in such a situation the property owner could go with the secondary effluent system which required twenty-five hundred square feet.

Mr. Pitzel stated that would more expensive. He stated the Ordinance should not be written to make the world safe for four bedroom houses everywhere in Stafford County.

Mr. Di Peppe stated senior citizen housing for the most part would be in the Urban Service Area. He stated the gentleman from Dominion Soil Science suggested the drainfield size should be based on the entire soil site evaluation and the number of people living in a home. He asked how you would know the number of people who lived in the house. He stated the problem was when the soil work was completed, the reserve area was a lot smaller and people tend to put a shed on the area or build a road on it. He stated if all drainfields eventually fail, when the homeowner puts in a new drainfield and there may be no where to put it because someone has put something over it. He stated the Ordinance was to ensure the homeowners would have area and capacity for a new drainfield.

Mr. Stepowany stated the duplication Mr. Hudson referenced was preliminary plans required AOSE certification for soils at the location of the drainfield.

Mr. Mitchell stated in his opinion the Ordinances were too restrictive.

*Planning Commission Minutes  
August 2, 2006*

Mr. Rhodes asked if he could see the chart with the different number of bedrooms in houses. He asked if there was a minimum percolation rate.

Mr. Stepowany stated the average percolation rate was forty-five to seventy-five. He stated if you had a sixty-percent percolation rate, at the best slope, it would require a forty-one hundred square foot minimum.

Mr. Cook stated if someone buys a two bedroom house, the land should percolate for two bedrooms. He stated we should reserve land if someone wants to expand later on. He stated there were more questions than answers right now. He stated he would like to put all three Ordinances in committee.

Mr. Pitzel made a motion to put Ordinance O06-02 in committee. Mrs. Kirby seconded. The motion passed 6-1 (Mr. Di Peppe voted no).

Mr. Harvey asked at which Work Session the Ordinance would be discussed.

Mr. Cook stated the Ordinance would go to the Planning Commission Work Session on September 6, 2006.

Mr. Cook asked for a motion on Ordinance O06-23.

Mrs. Carlone stated she agreed with the gentleman from Dominion Soil Science. She stated the need to provide for different risers.

Mrs. Kirby stated if we do that it would have to be precast concrete but next month something new comes out, but we are stuck using precast concrete. She would like to have time to see other parts of it that can be figured out.

Mr. Pitzel asked if this was triggered when a repair was needed. He asked for a definition of repair.

Mr. Harvey stated a pump out was maintenance not repair.

Mr. Judy stated the Planning Commission can only recommend modifications to the Ordinances.

Mr. Cook stated it was apparent nobody wanted to turn down Ordinances O06-23 and O06-53 but they needed work. He suggested putting all three Ordinances in committee at the September 6, 2006 Planning Commission Work Session.

Mrs. Kirby made a motion to put Ordinances O06-23 and O06-53 in committee. Mr. Di Peppe seconded. The motion passed 7-0.

PLANNING COMMISSION PUBLIC HEARINGS:

4. Amendment to Subdivision Ordinance - Amendment to Section 22-153, Lots for Water and Sewer Mains, of the Subdivision Ordinance, pursuant to O06-62. The proposed amendment would require all water and sewer easements, in their entirety, serving water and/or sewer

***Planning Commission Minutes  
August 2, 2006***

mains between lots in a residential subdivision to be located on lots conveyed to and maintained by a homeowners association. The width of the easement shall be in accordance with Chapter 25 and Chapter 26.2 of the Stafford County Code.

Mr. Stepowany stated Utility Design Standards required all public water and sewer mains to be within an easement. He stated the easement would be at the rear or side of the property line. He stated if the easement should be an open space parcel if it was between two residential properties. He stated the staff request Item 4 be deferred to committee for further discussion between the Utility Department and Planning Department.

Mr. Di Peppe asked if a house could be built in an easement.

Mr. Stepowany stated the law was you can build your house up to the line of the easement provided it was not beyond the building restriction line. He stated people are building houses closer to the easement which obstructs the Utilities Department access to see if there are any other options besides open space parcels.

Mr. Di Peppe asked if Code Administration checked this when the lots were being built.

Mr. Mitchell stated not every community had a Home Owner's Association (HOA).

Mr. Stepowany stated they would be required to have a HOA.

Mr. Judy stated he did not know if the County could require an HOA, particularly if you were the agency that was forcing them to create open space.

Mr. Mitchell asked if there was an alternative way.

Mr. Stepowany stated the Ordinance says the easement shall be located on lots conveyed and maintained by an HOA or Stafford County.

Mr. Cook opened the Public Hearing.

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

Mr. Rhodes made a motion to defer Item 4. Mrs. Kirby seconded. The motion passed 7-0.

5. Amendments to Subdivision Ordinance - Amendment to Section 22-4, Definitions; and Section 22-152, Lots for Stormwater Management Facilities, of the Subdivision Ordinance, pursuant to O06-63. The proposed amendment defines Integrated Management Practices. The amendment clarifies the practice of managing stormwater by either stormwater management facilities (ponds and other centralized stormwater best management practices) or Low-impact development Integrated Management Practices (IMP).

Mr. Stepowany stated Stormwater Management Facilities are located on an open space parcel and maintained by an HOA. He stated access to the facility was required and if access by road frontage

***Planning Commission Minutes  
August 2, 2006***

on a public street was not provided then access would travel through a residential lot and maintenance easements would be required.

Mrs. Carlone asked if this would affect proffers about how much open space people would have.

Mr. Stepowany stated no.

Mr. Cook opened the Public Hearing.

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

Mrs. Kirby made a motion for approval. Mr. Di Peppe seconded. The motion passed 7-0.

6. Amendments to Zoning Ordinance - Amendment to Section 28-82, Required Buffers; Section 28-86, Landscape Standards, of the Zoning Ordinance, and Section 102, Applicability, of the Design and Construction Standards for Landscaping, Buffering and Screening (DCSL), pursuant to O06-64. The proposed amendment exempts any development within the boundaries of an airport from complying with the buffering and landscaping requirements of the DCSL.

Mr. Stepowany stated there may be potential hazards for airports, primarily runways, as well as the migration of birds can be a hazard to airplanes. He stated new businesses would eventually be located near the airport and due to the hazards caused by trees and other landscaping any new business within the boundary of the airport should be exempt from the landscaping requirements. He stated staff recommends approval of the proposed Ordinance.

Mr. Cook opened the Public Hearing.

With no one coming forward the Public Hearing was closed.

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

7. Amendment to the Design and Construction Standards for Landscaping, Buffering and Screening - Amendment to Section 110.3, Transitional Buffers; and Table 1.0, Transitional Buffer Matrix, of the Design and Construction Standards for Landscaping, Buffering and Screening (DCSL), pursuant to O06-65. The proposed amendment would exclude correctional facilities from requiring a transitional buffer, or proposed uses adjacent to a correctional facility from requiring a transitional buffer.

Mr. Stepowany stated the Rappahannock Regional Jail Facility was in the process of enlarging their facility and for the safety and welfare of the adjoining property owners the officials for the jail and the adjoining properties should be exempt from the required transitional buffer. He stated trees can become a safety hazard by restricting visibility. He stated staff recommends approval.

Mr. Mitchell stated the Lorton jail had houses abutting the property. He asked if a developer was to build homes on property which abutted the jail property then the developer would be exempt from landscaping requirements.

*Planning Commission Minutes  
August 2, 2006*

Mr. Stepowany stated a transitional buffer would not be required. He stated the jail was in an industrial zone and industrial property abutted it.

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. Mitchell voted no).

8. Amendments to Zoning and Subdivision Ordinances - Amendments to Section 28-185, Conditional Use Permit; Section 28-205, Notice; Section 28-250, Notice After Submission, of the Zoning Ordinance and Section 22-57, Filing, of the Subdivision Ordinance, pursuant to O06-66. The proposed amendment establishes guidelines for written notice to be provided to the property owner and all adjoining property owners no less than five (5) days before the public hearing before the Planning Commission or Board of Supervisors for a Conditional Use Permit or Reclassification. Section 28-250 is amended to require the applicant of a development plan to notify all adjoining property owners instead of only five (5) property owners in the immediate vicinity of the property involved in which only three (3) adjoin the property. The amendment shall also require any person or developer who submits a preliminary subdivision plan to submit with the application written proof of notification to all adjoining property owners and include how the notification to all adjoining property owners is to be read.

Mr. Stepowany stated in most cases there are more than three adjoining property owners; therefore not all of the adjoining property owners were notified. He stated the applicant must notify all adjoining property owners. He stated this would apply to Conditional Use Permits and Rezoning. He stated the applicant must provide proof that all adjoining property owners have been notified as part of the Zoning Ordinance as a submission requirement. He stated staff recommends approval.

Mr. Pitzel stated previously you had to notify five property owners, now you would have to notify all of the adjoining property owners.

Mr. Stepowany stated for major site plans you had to notify five property owners and only three had to be abutting property owners, the other two could be within the vicinity of the property.

Mr. Di Peppe stated a Conditional Use Permit application would be required to notify the adjoining property owners when there are more than twenty property owners.

Mr. Stepowany stated the Planning Department would notify the abutting property owners when there were less than twenty.

Mr. Cook opened the Public Hearing.

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

*Planning Commission Minutes  
August 2, 2006*

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

UNFINISHED BUSINESS:

9. SUB2501328; Ellison Estates Section 2, Preliminary Subdivision Plan - A preliminary subdivision plan for 7 single family residential lots, zoned A-2, consisting of 9.97 acres, located at the north end of proposed Ellison Court and approximately 1,100 feet west of Jefferson Davis Highway and 1,300 feet north of American Legion Road on Assessor's Parcel 38-45H, within the Aquia Election District. **(Time Limit: May 24, 2006) (Deferred to September 6, 2006 at applicant's request)**

Mr. Cook stated Item 9 was deferred.

10. Amendment to the Comprehensive Plan – A proposed amendment to the Land Use Plan text and map component of the Comprehensive Plan. The proposed amendment would redesignate Assessor's Parcel 46-62 from Agricultural to Institutional Use and be included in the Urban Service Area. The proposed amendment would be for the purpose of constructing a public high school. Agricultural use permits single family residential development at a density of one (1) dwelling unit per three (3) acres. Institutional use would permit development which serves a public or social function, including schools. **(Deferred to August 2, 2006 Work Session)**

Mr. Cook stated Item 10 was deferred.

11. SUB2501472; Seasons Landing, Section 4, Preliminary Subdivision Plan – A preliminary cluster subdivision plan for 28 single family residential lots, zoned R-1, Suburban Residential, consisting of 14.03 acres, located on the north side of Hope Road approximately 1,100 feet west of Old Concord Road on Assessor's Parcel 30-114C within the Aquia Election District. **(Time Limit: September 16, 2006) (Deferred to August 2, 2006 Regular Meeting)**

Mr. Harvey stated at the July 19, 2006 meeting the Planning Commission requested the applicant provide some recreational amenities in the preliminary plan.

Mike Proctor, engineer on the project, stated the applicant agreed to place some picnic benches in the area discussed.

Mrs. Kirby made a motion for approval. Mr. Di Peppe seconded. The motion passed 7-0.

NEW BUSINESS

None

MINUTES

April 5, 2006 Work Session

***Planning Commission Minutes  
August 2, 2006***

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

April 5, 2006 Regular Meeting

Mr. Rhodes stated on Page 18, there are two motions in which the vote was recorded as 7-0, but it was 5-0 because Mr. Di Peppe and I were not able to attend the reconvened meeting.

Mr. Pitzel stated PowerPoint is trademarked by Microsoft. He stated it would be sufficient to say he made a presentation, on Page 13, the word was golf course, not gold course, on page 15 the “t” was missing in “want to”, and on Page 17, the meeting was recessed at 12:06 a.m., not p.m.

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

**PLANNING DIRECTOR’S REPORT**

Mr. Harvey stated the Board of Supervisors approved the Central Stafford Commerce Center rezoning application, the Mid-Atlantic rezoning application, but deferred the Conditional Use Permit because they would like more clarification on the fuel station sales. He stated the Board approved non-conformities and Amateur Radio Operations. He stated the Utilities Director would like to have a Work Session with the Planning Commission regarding build out of Utilities and the Comprehensive Plan updates.

Mr. Cook stated there could be a joint Work Session on October 18, 2006 at 5:30 p.m.

Mrs. Kirby asked what the status was of the whole master plan.

Mr. Harvey stated they had been working on the additional chapters.

**COUNTY ATTORNEY’S REPORT**

Mr. Judy stated on Monday the Circuit Court Judge accepted the County’s motion to file late pleading in the Crow’s Nest case.

**SECRETARY/TREASURER REPORT**

No Report

**STANDING COMMITTEE REPORTS**

Mr. Pitzel passed out handouts which had the schedule for meetings covering specific topics leading up to the Comprehensive Plan Public Input meeting. He stated at the July 24, 2006 the Fiscal Impact Model was discussed, and on July 31, promotion of the October meeting and public outreach. He stated Mr. Di Peppe and Tom Coen are heading the sub-committee on promoting the Public Input Meetings. He stated a second survey may be sent out after the October 2, 2006 meetings to provide refinement on any further issues. He presented a list of future meetings.

**CONSENT AGENDA**

None

*Planning Commission Minutes  
August 2, 2006*

SPECIAL COMMITTEE REPORTS

Mr. Di Peppe stated there were some Ordinances that the Planning Commission did not get to.

Mr. Cook stated he would like to do the Ordinances another night.

Mrs. Carlone stated they did have a Reservoir Overlay District meeting attended by Mr. Di Peppe, Mr. Cook and Mrs. Kurpiel. She stated Mrs. Kurpiel recommended some changes that were incorporated for tonight's meeting.

CHAIRMAN'S REPORT

No report.

ADJOURNMENT

With no further business to discuss the meeting adjourned at 9:44 p.m.

---

William Cook  
Chairman