

PRESENT: J. D. Tilghman, Chairman
W. F. Hite, Vice-Chairman
S. N. Bridge
T.H. Byerly
K. A. Shiflett
J. Shomo
R. L. Earhart, Senior Planner and Secretary

ABSENT: J. Curd
D. L. Cobb, Director of Community Development

VIRGINIA: At the Called Meeting of the Augusta County Planning Commission held on Tuesday, March 8, 2005, at 3:30 p.m. in the Board of Supervisors' Conference Room, Augusta County Government Center, Verona, Virginia.

The Planning Commission assembled in the Augusta County Government Center to discuss a rezoning, a Public Use Overlay, the Lighting Ordinance, Master Plans and the upcoming items on the BZA agenda. The Planning Commission traveled to the following sites which will be considered by the Commission at their regular meeting:

1. Michael P. Grim, Successor Trustee of – Rezoning
2. ECA Properties, L.L.C. – Public Use Overlay

Chairman

Secretary

PRESENT: J. D. Tilghman, Chairman
W. F. Hite, Vice-Chairman
S. N. Bridge
T. H. Byerly
K. A. Shiflett
J. Shomo
R. L. Earhart, Senior Planner and Secretary

ABSENT: J. Curd
D. L. Cobb, Director of Community Development

VIRGINIA: At the Regular Meeting of the Augusta County
Planning Commission held on Tuesday, March
8, 2005, at 7:00 p.m. in the Board Meeting
Room, Augusta County Government Center,
Verona, Virginia.

DETERMINATION OF A QUORUM

Ms. Tilghman stated as there were six (6) members present, there was a quorum.

MINUTES

Ms. Shiflett made a motion to approve the minutes of the Called and Regular meeting held on February 8, 2005. Mr. Hite seconded the motion, which carried unanimously.

Michael P. Grim, Successor Trustee of – Rezoning

A request to rezone from General Agriculture to Townhouse Residential approximately 11.2 acres owned by Michael P. Grim, Successor Trustee of, located on the north side of Mill Race Road (Rt. 781) just east of the Shenandoah Valley Railroad tracks in Verona in the North River District.

Mrs. Earhart stated the applicant submitted four proffers with this request. They are as follows:

1. No more than 55 townhouse lots will be created out of the 11.2 acre parcel.
2. There will be no more than one street connection on to Route 781 and no lots will have direct access to Route 781.
3. Developer will dedicate for public street purposes up to 25' of right-of-way to the County from the existing center line of Route 781.
4. A 6' tall white vinyl privacy fence will be installed prior to the issuance of any building permit for a unit adjacent to the northern property line. The fence will be permanently maintained in good condition.

Mrs. Earhart stated that this property is zoned General Agriculture and it is in an Urban Service Area planned for Medium Density Residential Development. She also stated that there is public water and public sewer available.

Mr. Ray Burkholder, Balzer & Associates who is representing the applicant, stated that sewer is available at the corner of the property. The waterline does have to be pulled up from Route 11. He stated that they are looking into putting fire hydrants along Route 781. He stated that they feel this is an ideal use. He stated that the Comprehensive Plan calls for Medium Density for this site. He stated that there is business to the west. He stated that there are five acre tracts to the east. He stated that they are looking at putting the best uses in the most appropriate places. He stated that they are asking for 55 lots and are willing to go down to 45 lots. He stated that the bottom half of the site is in the floodplain and it does flood in the one hundred year storm. He stated that there would be a second way out. He stated that the homes are single family townhouses. He stated that they are looking at putting master bedrooms on the first floor. He stated that this development would not have an adverse affect on the school system because this development would be for older people. He stated that they are looking at 30%-40% open space on the plan, although there is no requirement for open space. He stated this would create a really nice community.

Ms. Tilghman asked if there was anyone wishing to speak in favor of this request.

There being none, Ms. Tilghman asked if there was anyone wishing to speak in opposition to this request.

Mr. Randolph Covington, 493 Mill Race Road, stated that on the staff report there are pros and cons. He stated that the staff has listed only two pros. He stated that one of the pros is that public sewer and water is available. He stated that the second one is that it is a good transition. He stated that to the east and the north there are single family homes. He stated to the west there are railroad tracks. He stated that the second pro should not be counted because there is no need for a transition. He stated that if the land is developed it should be developed as single family houses. He stated that the road is not reflected in the cons. He stated that in the report it states that this development would double the amount of traffic on Mill Race Road. He stated that there are proffers for a 25' right of way on Mill Race Road. He stated that Mill Race Road is narrower than the road that they are going to build going into and out of the development. He stated that the road curves and it is a blind curve. He stated that if there is more traffic put on Mill Race Road there will be a serious accident. He stated that it will be impossible to widen the road underneath the railway underpass. He stated that there is only one pro and three cons and he just stated another one as far as the traffic. He stated that he would like to ask the citizens of Mill Race Road to stand up if they are in opposition. Approximately 40 people stood up in opposition to the request.

Mr. Bill Tueting, 92 Fieldhaven Place, Staunton, stated that the 25' right of way should be greater. He stated that the proffer does not spell out who will be responsible for maintaining the fence. He stated that there is no guarantee that seniors will be living in these townhouses. He stated that the School Board's comments did not address that issue. He stated that he would like to find out about a second entrance if the area were to flood.

Mr. Joe McCue, 506 Mill Race Road, stated that he has met a school bus right in the middle of the bridge. He stated that there is not much room to pass a school bus in the middle of that bridge. He also stated that they have had numerous one hundred year floods. He stated that the staff report stated that if there is a flood than traffic can get out of Mill Race Road by Route 906. He stated that the bridge on Route 906 is not passable in an emergency situation. He stated that in the last flood there was a car accident on Interstate 81 and emergency services were on the north side of Middle River Bridge and they could not get across Route 906. He stated that they needed to drive to Weyers Cave. He stated that there is no way out of Mill Race Road once it gets flooded.

Mr. Al Clausen, 89 Earhart Lane, stated that his property is to the north of the Grim property. He stated that he also has a petition that has been signed by all the neighbors that are in opposition to this request. He stated that the neighbors have spent a lot of time building their homes and they built the houses because there is a lot of open space with a beautiful view. He stated that if townhouses are built on this property the only thing the neighbors will see are townhouses which will destroy

the view of the area. He stated that the townhouses will also cause the property values to drop. He stated that there are a lot of people who are in opposition to this rezoning and they are the ones who are affected the most.

Mr. Burkholder stated that that they spoke with VDOT regarding how to improve the situation and they stated that there are no improvements to better the situation that they could make. He stated that the County has set forth that this is an appropriate place for development. He stated that VDOT has counted 70 vehicles per day as far as the traffic. He stated that this site is a beautiful and scenic area but this is the corridor that the County set forth for development because the utilities are there. He stated that the floodplain is not across the entire frontage of the property. He stated that they have done an elevation study and the floodplain covers about half the frontage of the property. He stated that he cannot determine if a flood hits whether there is a way out given the way the storm hits. He stated that they will be maintaining the fence and it will be in the contract. He stated that he would ask the Commission to take a harder look at properties when revising the Comprehensive Plan if this request is denied.

Ms. Tilghman closed the public hearing.

Ms. Shiflett stated that this site is close to water and sewer but the utilities would still have to be extended. She stated that it is in an area that the County has designated for growth but all areas that have public sewer and water nearby are designated that way. She stated that it does not mean that every parcel can be developed to its maximum. She stated that the flooded road is a major obstacle. She stated that if emergency services cannot get to our citizens especially to something as dense as this the Commission would not be doing their job if they were to recommend approval. She stated that to put something this dense in the midst of this area would not be a wise idea. She stated that at this point the density is not appropriate for this site.

Mr. Bridge stated that he agrees with Ms. Shiflett. He stated that there are many issues including the road that is very narrow, the floodplain, and the density which is very high.

Ms. Tilghman stated that this is an area designated for growth. She stated that there are places that are not appropriate even though they are in areas planned for growth. She stated that the road cannot be fixed because of the railroad. She stated that there is no way to improve the road access and that is a limiting factor as to how many people can live on that road. She stated that the school situation is a difficult thing to project.

Ms. Tilghman asked if the Commission had any other comments or a motion.

Mr. Hite moved to recommend denial of the request.

Mr. Bridge seconded the motion.

Mr. Byerly stated that there is a man-made barrier. He stated he could support the project with a lower density and access to Earhart Drive. He stated that he concurs with the motion.

The motion carried unanimously.

Ms. Tilghman asked the Commission for feedback to Mr. Burkholder on density. She stated that because of the road situation, she thinks 45 homes would not be acceptable. She asked what is realistic.

Mr. Byerly stated that maybe 35, but maybe that isn't realistic.

Ms. Shiflett stated it should be even lower than that.

* * * * *

ECA Properties, L.L.C. – Add the Public Use Overlay

A request to add the Public Use Overlay zoning designation to 1.76 acres owned by ECA Properties, L.L.C., located on the east side of Edgewood Lane (Rt. 1562) just south of the intersection of Edgewood Lane (Rt. 1562) and Stuarts Draft Highway (Rt. 340) in Stuarts Draft in the South River District.

Mrs. Earhart stated that the proffer is as follows:

1. Additional permitted uses on the property will be active and passive recreational facilities.

Mrs. Earhart stated that the property was zoned General Business in October of 1999. She stated that it is in an Urban Service Area slated for Medium Density Residential Development and there is public water and public sewer to the site.

Mr. Ron Sites, Director of Parks & Recreation, stated that County purchased the majority of this property for a safer access to Stump Elementary School. He stated that as they have been developing the park it has been necessary to add some additional parking. He stated the park is very linear. He stated that the parking is to the north of the ball field. He stated that all of the traffic going to the park and to the school would be coming from Edgewood Lane. He stated that there will be trees to the north of the parking lot as well as a fence that is already in the contract. He stated that since the Public Use Overlay was approved for the park and the parking is for the park, it is necessary to add the Public Use Overlay to this area of the park.

Ms. Tilghman asked what kind of fencing will you be using.

Mr. Sites stated board fencing supplemented with the trees.

Mr. Shomo asked where are the neighbors.

Mr. Sites stated further north.

Ms. Shiflett asked that since there is a water issue in the area are you planning to hard top or use gravel.

Mr. Sites stated gravel only. He stated that there has been some discussion about trying to expand the stormwater area.

Ms. Shiflett stated that she thinks the gravel will help with the excess water.

Ms. Tilghman asked if there was anyone wishing to speak in favor of this request.

There being none, Ms. Tilghman asked if there was anyone wishing to speak in opposition to this request.

Mr. Roy Ayers, 61 Sunset Drive, stated that there is a water problem that is getting worse with every storm. He stated that the citizens that live on the street are concerned with the water problems.

Ms. Tilghman asked if there was anyone else wishing to speak in opposition.

There being none, Mr. Sites spoke in rebuttal.

Mr. Sites stated that they understand that there are stormwater issues. He stated that having the open space will help to hold the water so that it does not drop that quick onto Sunset Drive. He stated that there are drainage problems but they are trying to design their facilities to overcompensate for the water. He stated he didn't think the parking lot will make the situation worse.

Mr. Bridge asked how the parking lot will impact the water.

Mr. Sites stated the parking lot is already up from the low area. He stated that they will not be excavating land for the parking lot.

Ms. Shiflett asked how do you plan on getting across the drainage area.

Mr. Sites stated that they talked about putting in a small foot bridge.

Ms. Tilghman declared the public hearing closed.

Mr. Bridge stated that this parking will not make the water situation any worse. He stated that the parking lot is certainly needed for the ballfield and other activities there. He moved to recommend approval of the request as written.

Mr. Byerly stated that he would like to make sure the fence gets taken care of.

Mrs. Earhart states that the buffer is part of the ordinance requirement. She also stated that Mr. Sites indicated that the fence is part of the contract.

Ms. Shiflett stated that she agrees with Mr. Bridge. She stated she supports the motion to recommend approval.

Mr. Byerly stated that they are doing the best they can with the site under these conditions. He stated that the water problem has been there for decades. Mr. Byerly seconded the motion.

The motion carried unanimously.

* * * * *

Outdoor Lighting - Ordinance

An Ordinance to Regulate Outdoor Lighting in Augusta County, Virginia

Mrs. Earhart stated that for the passed several years there has been an interest to protect the County's dark skies. She stated that in late 1999-2000 when they had Comprehensive Plan meetings, it was raised over and over again about the need to protect that asset. She stated that they told residents at that time that the County could not do anything because of the way that legislation was written by the General Assembly. She stated that the General Assembly did pass legislation in 2003 giving Augusta County the right to regulate the maximum upward exterior illumination levels of buildings and property zoned or used for commercial or business purposes. She stated that the legislation's expiration date would be July 1, 2005. If the County did not pass an Ordinance, the right would have been lost under the special legislation. She stated that this only affects property zoned business, industrial, or Public Use Overlay or property that is used for business or industrial purposes whether they are permitted uses, uses permitted by an Administrative Permit or Special Use Permit. She stated that the Ordinance would apply to luminaires, which are light fixtures, with lamps which emit 3,000 or more lumens. Essentially it requires that all light fixtures be shielded in such a way that all lighting emitted by the fixture is projected below the horizontal plane. She stated that it restricts the spillover lighting for the fixtures onto public streets and on property used or zoned for agricultural or residential purposes. She stated that if you have a piece of property next to a business piece of property than the spillover lighting isn't regulated. She stated that any outdoor lighting used to illuminate buildings, signs, landscaping or

similar objects must be aimed and controlled so that the direct light be substantially confined to the object that needs to be illuminated. She stated that in terms of canopies at gasoline retail outlets or truck stops, lighting shall be installed so that the lens cover is recessed or flush with the ceiling of the canopy. She stated that this will be enforced at the site plan stage or if it is something that does not require a site plan it will be caught at the building permit stage of development. She stated that the developer will be required to submit an outdoor lighting plan. She stated that the plan would include a photometric plan, location, description, and photograph of each of the fixtures to be installed. She stated that at the end of construction, the certified lighting designer or engineer or manufacturing representative shall evaluate the complete installation and shall certify to the County that the installation conforms to the lighting plan that was approved and to the County's Ordinance. She stated that there are provisions for modifications or waivers. She stated that the waiver request would go to the Board of Supervisors. She stated that it allows for exemptions for outdoor athletic fields if they can't comply with the standards and provide sufficient lighting to be safe. She stated that it also allows for a waiver if alternatives are provided that satisfy the purposes of the article or if the strict application of the lighting standards would not serve the public health, safety or welfare or the purposes of the article. She stated that the Ordinance also sets forth some exemptions to the lighting regulations and most of them are things that the State Code says that the County cannot regulate. She further stated that the Ordinance allows for the replacement of bulbs in existing fixtures and it allows for one light fixture to be replaced if it is part of a matching group.

Ms. Tilghman asked if there was anyone wishing to speak in favor of the Ordinance.

Mr. Joey Reece, 264 River View Drive, Verona stated that everyone has a right to light their property but they do not have the right to light other people's property in the process. He stated that they do not have the right to create glare or to shine lights upward to ruin the view of the night sky. He stated that this Ordinance will protect the citizens of Augusta County from these abuses. He stated that in Verona there are a lot of good lighting installations. He stated that some examples are the Government Center, Verona Pharmacy, and DuPont Credit Union. He stated that Pilot in Greenville did not use good lighting. He stated that there is a huge orange glow above Greenville which is really an eye sore. He stated that rules need to be put in place and the Ordinance is a good step forward in providing protection. He stated that there are a couple of things that the Ordinance does not address. He stated residential dusk to dawn security lights are not addressed. He stated that a lot of other counties address lighting in their Ordinances. He stated that maybe the maximum lumen output can be amended. He stated that the Illuminating Engineering Society of North America (IESNA) has a handbook on recommended lighting levels on business lighting. He stated that the County has the authority from the General Assembly to regulate the maximum exterior illumination which is the key. He stated that

facilities need to adhere to the handbook of the IESNA. He stated that putting an Ordinance into affect is a win-win situation for everyone. He stated that the technology is available today and the County can ask businesses to light their property responsibly. He stated that this is a quality of life issue that needs to be addressed before future growth occurs.

Mr. Jack Wine, 15 Stuart Street, Verona, stated he is the director of the Stokesville Observatory. He stated that if nothing is done to control the light from new industry, subdivisions, and small businesses, the observatory will become useless in the not to distant future. He stated that the observatory is used by many people. He stated that when the Ordinance was presented to the Board of Supervisors there was a motion to remove the article stating that any new lighting fixtures installed within a half mile radius from a planetarium would have to be shielded. He stated that the wording should have been an observatory, however, the Board voted to remove this article due to a motion by a Board member that it would cause a hardship to homeowners just to please a few stargazers. He stated that this statement was made without knowing how many non-astronomers visit this facility. He stated that he would like to see the Planning Commission consider reinstating the wording pertaining to the half mile radius. He stated that the purpose of this Ordinance was to protect the dark skies and what better place to start than at the observatory.

Mr. Charles Dickerman, 228 Old Parkersburg Turnpike, Buffalo Gap, stated that this area is a paradise at night. He stated that the sky to the east of him is the glow of Staunton and the stars are not vivid in that direction. He stated that eventually he would hope that this would go into residential security lighting as well. He stated that a previous neighbor had a light that lit up the whole area. He hopes that the Planning Commission would pass this Ordinance and then strengthen it later.

Mr. James Nichols, 501 Summercrest Avenue, Waynesboro stated that although he is not a resident of Augusta County he serves as an elected Board member of the Headwaters Soil and Water Conservation District. He stated that light pollution is becoming a problem in Augusta County and the technology of dealing with it is available at costs that are no greater than methods that developers are currently using. He stated that this will give the developers, businesses, and homeowners guidelines to put light on the ground and not in the sky above. He stated that he urges the Commission to recommend the adoption of this to the Board of Supervisors and then encourage the staff to work on an addendum component for residential lighting.

Mr. Bill Tueting, 92 Fieldhaven Place, Staunton, stated that this is a great first step. He stated that he would like to see the Board of Supervisors decide who gets the waiver. He asked what will be done with the grandfathering of the lighting. He asked when businesses make changes are they going to be required to put in reasonable lighting. He mentioned that when a light needs to

be replaced then the business could get a waiver, Mr. Tueting suggested that there needs to be a limit. He asked that they look into residential lighting as well.

Ms. Betty Jean Bocchino-O'Shea, 1833 Lee Highway, Fort Defiance, stated that her business is Verona Pharmacy. She stated that one of the things she did when she renovated the building was to make it pleasing at night and to direct all of the light at night. She stated that she did not want any light pollution or light trespassing on any of her neighbors. She stated that the lights from the gas station in Weyers Cave make her eyes tear when driving by. She stated that she grew up in the city of New York and she moved to Augusta County because of all of the stars in the sky. She could not believe the sky when she looked up and she does not want Verona to be that glow in the sky to block the stars at night. She stated that she is a small business owner and she has done it. She would like to see a residential ordinance go into effect as well.

Mr. Sam Showalter, 897 Mill Race Road, stated that he would like to encourage the Board to adopt this Ordinance. He stated that shining light is an energy waste which is a detriment to the environment. He stated that there are safety issues in areas with too much lighting. He stated that he enjoys the night sky because it is a natural treasure and it is something that once it is lost it cannot ever be brought back.

Mr. Phil Claugn, 633 South Wayne Avenue, Waynesboro, stated that he is glad that Augusta County is considering an Ordinance for lighting. He stated that an Ordinance is a win-win situation which will save energy. He stated that hopefully this Ordinance will set a good example for the City of Waynesboro.

Ms. Tilghman asked if there was anyone else wishing to speak in favor of the Ordinance.

There being none, Ms. Tilghman asked if there was anyone wishing to speak in opposition to the Ordinance.

There being none, Ms. Tilghman declared the public hearing closed.

Mrs. Earhart stated that the legislation stated that the Ordinance shall only apply to lighting installed after the effective date of the Ordinance. She stated the legislation does not allow the County to change the lighting on existing businesses.

Ms. Tilghman asked if a business were to redo or remodel all of its lights then would they fall under it.

Mrs. Earhart stated yes.

Mr. Shomo asked what would need to be done to get the Ordinances amended to include residential lighting.

Mrs. Earhart stated the residential setting would require General Assembly action because the legislation does not include that. She also stated that there is an overall provision in the state code that allows localities to regulate lighting within half a mile from observatories, planetariums, etc. She stated that the Ordinance was drafted and it did include that provision and the Board chose not to advertise that portion of the Ordinance for public hearing. She stated that the County has the right to do that any time as long as the General Assembly does not change that.

Ms. Shiflett stated that the first draft had the registration of the lighting that was near Stokesville Observatory. She asked Mrs. Earhart if the Board objected to the registration or the regulation on the new lighting.

Mrs. Earhart stated that one of the concerns that was raised was for the registration process and within a half mile radius there were 50-80 homes that could be impacted. She stated that the only way the County would know if they had a light was to have the neighbors register. She stated that otherwise, if they did not register, they would have to ask someone to find some evidence that the lights were installed at the time the Ordinance went into effect. She stated that you would need a bill or picture that shows that the light was already there.

Ms. Tilghman asked if the Ordinance were to change would it require advertising.

Mrs. Earhart stated that if the Commission wanted to add the Stokesville Observatory, it could be advertised sometime down the road.

Mr. Shomo asked if it would need to be done by July 1, 2005.

Mrs. Earhart stated that everyone has the right to do the Stokesville part and it does not have a time constraint to that. She stated that Augusta County's ability to regulate the business and commercial lighting that you have before you expires July 1, 2005.

Ms. Shiflett stated that the other staff recommendation was that they allow the current plans that are already in the office to go forward without these new regulations. She stated that they should have the effective date of the Ordinance of July 1, 2005 and any plans that are passed after that date would be required to be under this Ordinance. She stated that this seems reasonable.

Mrs. Earhart stated that if you are going to bring in a plan in June it should have the lighting plan because it has to be approved prior to July 1, 2005 in order for it to be grandfathered in. She stated that the plan would have to be through the

entire review process and if the plans receive approval after July 1, 2005 they must have a lighting plan.

Ms. Shiflett moved to recommend approval of the Lighting Ordinance with the effective date being July 1, 2005.

Mr. Shomo seconded the motion.

Mr. Byerly stated that lighting is used for safety and security and now there is technology to avoid light pollution.

Ms. Tilghman stated that it is very important to get the first Ordinance on the books and you could work from there. She stated that she thinks it is good that there is a start.

The motion was carried unanimously.

* * * * *

Hillandale, Section 1 Lots 33A - 33I Master Plan

Master Plan – Hillandale, Section 1 Lots 33A – 33I containing 9 lots zoned Single Family Residential (12) located off of Hermitage Road (Route 254) at the end of Herlock Road (Route 1410) in the Beverley Manor District.

Mrs. Earhart stated that this property is zoned Single Family Residential (12). She stated that there are nine lots with public water and public sewer. She stated that at the time the Master Plan was submitted there were things that needed to be corrected. She stated that they did get a revised Master Plan in today at lunch time. She stated that the County did not get a chance to totally route the plans around. She stated that there are still items that need to be corrected and this plan does not meet the technical requirements of the Ordinance.

Mr. Tom Shumate stated that he left off the Comprehensive Plan information for the surrounding properties. He stated that he was unable to get the owners to sign the plan and have it notarized. He would ask the Commission to allow him to move ahead with this project and he could produce the copies within a day so that he does not lose a month.

Mrs. Earhart asked if fire flow calculations were submitted.

Mr. Shumate stated yes.

Mrs. Earhart asked if they have been approved by the Service Authority.

Mr. Shumate stated no.

Mrs. Earhart stated that they did not have fire flow calculations and there were engineering comments that needed to be addressed.

Mr. Shumate stated that the engineering comments have been taken care of with Doug Wolfe.

Mrs. Earhart asked if he contacted him after 3:30 p.m.

Mr. Shumate stated later in the day. He stated that he is asking the Commission to allow him to go through to the Board of Supervisors and if he does not have all of the items he could be taken off the agenda.

Ms. Shiflett stated that the Board of Supervisors has told them over and over again that if it isn't ready and does not meet the requirements of the Ordinance the Planning Commission should not pass it on .

Mr. Bridge moved that the Master Plan be tabled until all of the proper information is available in writing.

Ms. Shiflett seconded the motion.

Mr. Hite stated that he agrees with Mr. Bridge. He stated that if it does not meet the requirements he does not see how the Commission can recommend approval.

The motion was carried unanimously.

* * * * *

Kingswood Meadow – Master Plan

Master Plan – Kingswood Meadow containing 5 lots zoned Single Family Residential (10) located off of Mt. Torrey Road (Route 624) and adjacent to existing Kingswood Meadow Subdivision in the South River District.

Mrs. Earhart stated that this Master Plan is for five lots zoned Single Family Residential (10). She stated that it does not meet the technical requirements of the Ordinance.

Mr. Bridge moved that the Master Plan be tabled.

Mr. Hite seconded the motion.

The motion was carried unanimously.

* * * * *

Harriston East, Section 6 – Master Plan

Master Plan – Harriston East, Section 6 containing 21 lots zoned Single Family Residential (12) located just off East Side Highway (Route 340) in the Middle River District.

Mrs. Earhart stated that this Master Plan has 21 lots. She stated that at the time the Master Plan was submitted there were some items that needed to be corrected. She stated that most of those items were corrected. She stated that at this point, however, there is not sufficient water system capacity to provide fire flow to the development. She stated that it does not meet the technical requirements of the Ordinance.

Mr. Brenneman stated that the water system in the Harriston East subdivision does not provide fire flow. He stated that they are proposing to put in fire hydrants so that they will be available when the Service Authority system can address fire flow. He stated that none of the subdivision has fire flow. He stated that Harriston East was a subdivision that was started 30-35 year ago. He stated that there is sewer and public water to the subdivision but it does not have fire flow. He stated that this section would be the last section of the Harriston East Subdivision. He asked if there would be no subdivisions where there is no fire flow.

Ms. Shiflett stated that is the technical requirements of the law.

Mrs. Earhart stated that the only item not addressed is the fire flow situation. She stated that the Planning Commission can either recommend it to the Board not meeting the technical requirements of the Ordinance as it relates to fire flow or recommend denying the request because it does not have fire flow. She stated that fire flow is one of the requirements in terms of subdivisions that have public water.

Ms. Shiflett stated that it would be a reasonable expectation that they would have enough fire flow to have protection.

Ms. Tilghman stated that the homes already there do not have fire flow.

Mr. Brenneman stated that the system is public but they do not have the storage required for fire flow.

Mr. Byerly stated that technically it is not a problem of the subdivision. He stated that the contractor is not providing the service.

Ms. Shiflett asked if you allow continued growth on something that is inadequate in the first place. She stated that the 21 homes will take that much more away from the ones already there.

Mr. Brenneman stated that the Service Authority stated that they can handle 50 more connections and address the normal demands of water.

Ms. Shiflett stated that it would reduce the amount of fire flow available to the ones already there.

Mr. Brenneman stated that the Service Authority would have to bear that expense and they could not justify that expense if there is no growth in the area.

Ms. Tilghman asked how many homes are in the subdivision.

Mr. Brenneman stated over 100 and the same water system serves the adjacent mobile home park.

Mrs. Earhart stated that there are probably 200 homes between the subdivision and the mobile home park.

Mr. Byerly stated that the Board of Supervisors would have to make this determination.

Ms. Shiflett stated that she does not have any objection other than the fire flow. She stated that she would like to make a motion to recommend denial because it does not meet the fire flow requirements.

Mr. Hite seconded the motion.

The motion to deny the Master Plan because it does not meet the fire flow was carried unanimously.

Village at Colter's Place – Master Plan

Master Plan – Village at Colter's Place containing 35 lots zoned Duplex Residential located on the north side of Stuarts Draft Highway (Route 340) in the Beverley Manor District.

Mrs. Earhart stated that this Master Plan has 35 lots and is zoned Duplex Residential and there is public water and public sewer. She stated that at the time the Master Plan was submitted there were four things that needed to be corrected. She stated that they have corrected those items. She stated that

there are three outstanding comments all of which can be dealt with at the final plat or construction plan stage. She stated that it meets the technical requirements of the Ordinance.

Ms. Betsie Michael stated that the property contains 9.4 acres and the use of this parcel will be for a senior retirement community. She stated that the community has been designed to promote increased social interaction between occupants and their neighbors. She stated that this has been accomplished by sidewalks along streets with many landscaping amenities. She stated that this Master Plan will have restrictions one of which is that every duplex must be occupied by one person over the age of 55 and no one under the age of 19 will be allowed to reside in the home longer than three months. She stated that with all of the restrictions, Village at Colter's Place will be a great addition to Augusta County by creating a wonderful retirement community for seniors. She stated that Village at Colter's Place has taken many of the community's desires into consideration.

Ms. Shiflett asked if there would be a note on the final plat as to who is to maintain the underground detention.

Ms. Michael stated yes the easements will be recorded.

Mr. Hite moved to recommend approval.

Mr. Byerly seconded the motion.

The motion was carried unanimously.

* * * * *

Ms. Tilghman asked if there was any old business.

There being none, Ms. Tilghman asked if there were any matters to be presented by the public.

There being none, Ms. Tilghman asked if there were any matters to be presented by the Commission.

Ms. Shiflett stated that they hope to have a recommendation on the consulting firm to work on the Comprehensive Plan within the next month. She stated that they have conducted interviews and are currently in negotiations with the top firm.

* * * * *

STAFF REPORTS

A. **CODE OF VIRGINIA – SECTION 15.2-2310**

Ms. Tilghman asked if there were any comments regarding the upcoming items on the BZA agenda. Ms. Shiflett moved, seconded by Mr. Bridge to recommend the following:

05-16 John A. Pleasants

The Planning Commission continues to be concerned about the number of businesses not related to agriculture being allowed to locate in General Agriculture areas. They would like to encourage businesses to locate in business zoning.

05-17 Drew C. Richardson

The Planning Commission continues to be concerned about the number of businesses not related to agriculture being allowed to locate in General Agriculture areas. They would like to encourage businesses to locate in business zoning.

05-18 George A. Coyner, II

The Planning Commission continues to be concerned about the number of businesses not related to agriculture being allowed to locate in General Agriculture areas. They would like to encourage businesses to locate in business zoning.

05-19 George G. III or Roxanne M. Fitzgerald

The Planning Commission continues to be concerned about the number of businesses not related to agriculture being allowed to locate in General Agriculture areas. They would like to encourage businesses to locate in business zoning.

05-20 Cindy C. Wells

The Planning Commission continues to be concerned about the number of businesses not related to agriculture being allowed to locate in General Agriculture areas. They would like to encourage businesses to locate in business zoning.

The motion passed on a 4-0 vote with Mr. Byerly and Mr. Shomo not voting.

There being no further business to come before the Commission, the meeting was adjourned.

* * * * *

Chairman

Secretary