
Regular Meeting, Wednesday, November 28, 2012, at 7:00 p.m. Government Center, Verona, VA.

PRESENT: Tracy C. Pyles, Jr., Chairman
Jeffrey A. Moore, Vice-Chairman
David R. Beyeler
David A. Karaffa
Marshall W. Pattie
Michael L. Shull
Larry J. Wills
Timmy Fitzgerald, Director of Community Development
Becky Earhart, Senior Planner
Jennifer M. Whetzel, Director of Finance
Patrick J. Morgan, County Attorney
Patrick J. Coffield, County Administrator
Rita R. Austin, CMC, Executive Secretary

VIRGINIA: At a regular meeting of the Augusta County Board of Supervisors held on Wednesday, November 28, 2012, at 7:00 p.m., at the Government Center, Verona, Virginia, and in the 237th year of the Commonwealth....

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Chairman Pyles welcomed the citizens present.

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Morgan Smith, an eighth grader of Beverley Manor Middle School, led the Pledge of Allegiance. Morgan loves animals and has been a member of the Family, Career, Community Leaders of America (FCCLA) for three years and wants to be a Veterinarian.

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David A. Karaffa, Beverley Manor District, delivered invocation.

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TRUSTEES OF THE AUGUSTA COUNTY LAND TRUST – PUBLIC USE OVERLAY

This being the day and time advertised to consider a request to add the Public Use Overlay zoning designation with proffers to approximately 769 acres owned by the Trustees of the Augusta County Landfill Land Trust located on the southeast side of Christians Creek Road (Route 648) approximately 1.6 miles west of the intersection with Tinkling Springs Road (Route 608) (Riverheads District). The Planning Commission recommends approval with proffers.

Becky Earhart, Senior Planner, displayed property in pink and advised that the Applicant had submitted the following proffers:

1. Additional permitted uses will be limited to:
 - A. Government buildings and properties
 - B. Active and passive recreational facilities
 - C. Jails, prisons, and other detention facilities
 - D. Police, rescue squad, and fire stations
 - E. Law Enforcement Training Facility to include facilities such as classroom buildings, shooting ranges, obstacle course, live fire shoot house, explosive bunkers, hazmat bunkers, and storage of hazardous materials.
 - F. Sanitary landfills, inert materials disposal areas, public use convenience centers, municipal recycling centers, solid waste transfer stations, incinerators and other facilities needed for the collection, handling, storage and disposal of solid, liquid and gaseous materials including facilities such as Pre-Subtitle D closed fill areas, construction/demolition debris landfills, soil borrow areas

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TRUSTEES OF THE AUGUSTA COUNTY LAND TRUST – PUBLIC USE OVERLAY

(cont'd)

and activities, environmental testing, landfill gas collection, control, and conversion activities, woodwaste/yardwaste storage and processing areas, soil amendment processing areas, and scale houses.

2. All enforcement training facilities shall be setback at least 200' feet from an exterior property line.

The property will remain zoned General Agriculture. This property is designated as Agricultural Conservation Area; there is no public water or public sewer.

Patrick J. Coffield, County Administrator, as Applicant, noted that Greg Thomasson, Director of Solid Waste Management, was present to answer any questions that the Board may have. Mr. Coffield stated, "This is the best run landfill in the State of Virginia. We're very proud of it and we think it is run very efficiently, very cost-effectively, and it is a public asset."

Chairman Pyles added that when the Landfill was first opened, it was determined to last until 2027. He asked Mr. Thomasson what the projection was now; Mr. Thomasson stated the projection was 2050.

The Chairman declared the public hearing open.

There being no speakers, the Chairman declared the public hearing closed.

Mr. Shull moved, seconded by Mr. Moore, that the Board adopt the following ordinance:

A request to add the Public Use Overlay zoning designation with proffers to approximately 769 acres owned by the Trustees of the Augusta County Landfill Land Trust located on the southeast side of Christians Creek Road (Route 648) approximately 1.6 miles west of the intersection with Tinkling Springs Road (Route 608) in the Riverheads District.

AN ORDINANCE to amend Chapter 25 "Zoning" of the Code of Augusta County, Virginia.

WHEREAS, application has been made to the Board of Supervisors to amend the Augusta County Zoning Maps,

WHEREAS, the Augusta County Planning Commission, after a public hearing, has made their recommendation to the Board of Supervisors,

WHEREAS, the Board of Supervisors has conducted a public hearing,

WHEREAS, both the Commission and Board public hearings have been properly advertised and all public notice as required by the Zoning Ordinance and the Code of Virginia properly completed,

WHEREAS, the Board of Supervisors has considered the application, the Planning Commission recommendation and the comments presented at the public hearing;

NOW, THEREFORE, BE IT ORDAINED, by the Board of Supervisors that the Augusta County Zoning Maps be amended as follows:

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TRUSTEES OF THE AUGUSTA COUNTY LAND TRUST – PUBLIC USE OVERLAY
(cont'd)

Parcel numbers 39B, 40, 40A, 41, 41A and 42 on tax map number 65, and parcel number 34D on tax map number 66, and parcel numbers 141 and 141A on tax map number 74 containing a total of approximately 769 acres is changed to add the Public Use Overlay Designation with the following proffers:

1. Additional permitted uses will be limited to:
 - A. Government buildings and properties
 - B. Active and passive recreational facilities
 - C. Jails, prisons, and other detention facilities
 - D. Police, rescue squad, and fire stations
 - E. Law Enforcement Training Facility to include facilities such as classroom buildings, shooting ranges, obstacle course, live fire shoot house, explosive bunkers, hazmat bunkers, and storage of hazardous materials.
 - F. Sanitary landfills, inert materials disposal areas, public use convenience centers, municipal recycling centers, solid waste transfer stations, incinerators and other facilities needed for the collection, handling, storage and disposal of solid, liquid and gaseous materials including facilities such as Pre-Subtitle D closed fill areas, construction/demolition debris landfills, soil borrow areas and activities, environmental testing, landfill gas collection, control, and conversion activities, woodwaste/yardwaste storage and processing areas, soil amendment processing areas, and scale houses.
2. All enforcement training facilities shall be setback at least 200' feet from an exterior property line.

Vote was as follows: Yeas: Pattie, Karaffa, Shull, Wills, Moore, Beyeler and Pyles

Nays: None

Motion carried.

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CRESCENT DEVELOPMENT GROUP, LLC; PONUS RIDGE, LLC; BRUMMY LAND, LLC; AND ORTHO MONKEY, LLC – REZONING

This being the day and time advertised to consider a request to rezone from Multi-family Residential to General Business approximately 4.2 acres and to amend and restate the proffers on approximately 139 acres owned by Crescent Development Group, LLC; Ponus Ridge, LLC; Brummy Land, LLC; and Ortho Monkey, LLC located on the south side of Jefferson Highway (Route 250) across from the intersection with Woodrow Wilson Avenue (Route 358) in Fishersville (Wayne District). The Planning Commission recommends approval of the rezoning and approval of the amended and restated proffers, contingent upon the PPTA being signed.

Ms. Earhart displayed property outlined in pink; the property already zoned General Business is colored in red; yellow represents Multi-Family Residential; dark green is zoned Attached Residential; light green is Single-Family Residential. The 4.2 acres to be rezoned to General Business is in the location where Route 636 is going to be relocated going from the hospital over to the intersection with Route 358 at the Woodrow Wilson Complex. The Applicant has requested to amend his proffers as follows:

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CRESCENT DEVELOPMENT GROUP, LLC; PONUS RIDGE, LLC; BRUMMY LAND, LLC; AND ORTHO MONKEY, LLC – REZONING (cont'd)

New Proffers:

- 1. Developer will build a public street connection to Route 636 prior to the issuance of the 200th building permit.

Deleting Proffers:

- 1. Developer will build 2 lanes of Route 636 Relocated through this property.
- 2. Development schedule tied to completion of road project.

Retaining Proffers:

- 1. Donate to VDOT 24' of right-of-way along Route 250
- 2. No direct lot access off Route 636 Relocated or Existing
- 3. Walking trails or sidewalks throughout the development which will also include a system of open space;
- 4. HOA responsible for any street lights and trash collection
- 5. Minimum size of the townhouses will be 1000 square feet, duplexes will be at least 1100 square feet, and single family detached dwellings will be 1200 square feet.

This property is in an Urban Service Area and slated for Community Mixed Use; public water and public sewer are available.

Scott Williams, Owner of Crescent Development Group, LLC, added that the purpose of the request was to change the proffers to facilitate the relocation of Route 636 and to change the zoning on a small portion of the existing site that is currently zoned Multi-Family Residential. He felt that the property would be better served as Business lots.

The Chairman declared the public hearing open.

There being no speakers, the Chairman declared the public hearing closed.

Mr. Moore supported the rezoning request but because of it being tied with the Route 636 road construction and the agreement not being finalized, he would like this item tabled.

Mr. Moore moved, seconded by Mr. Beyeler, that the Board table this item until December 12th.

Vote was as follows: Yeas: Pattie, Karaffa, Shull, Wills, Moore, Beyeler and Pyles

Nays: None

Motion carried.

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CHURCHVILLE VOLUNTEER FIRE DEPARTMENT, INC. – REZONING

This being the day and time advertised to consider a request to rezone 2.7 acres from Single Family Residential to General Business and to add the Public Use Overlay zoning designation with proffers to approximately 3.1 acres owned by the Churchville Volunteer Fire Department, Inc., and located on the north side of Churchville Avenue (Route 250) just west of the intersection with Buffalo Gap Highway (Route 42) and immediately adjacent to the existing fire department building (Pastures District). The Planning Commission recommends approval with proffers.

Ms. Earhart displayed property outlined in blue; portion already zoned General Business is shaded in red; green represents property zoned Single Family Residential. The Applicant has submitted the following proffer:

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CHURCHVILLE VOLUNTEER FIRE DEPARTMENT, INC. – REZONING (cont'd)

1. Additional permitted uses will be limited to:
 - A. Police, rescue squad, and fire stations
 - B. Active and passive recreational facilities
 - C. Community Centers and similar facilities
 - D. Meeting places and offices of civic clubs, fraternities, lodges, and other organizations, excepting those the chief activity of which is a service customarily carried on as a business
 - E. Carnivals, circuses, fairs, festivals, animal shows, exhibition and similar special events not permitted under §25-21 of division A of this chapter

She noted that this would allow the Fire Department to rent their facility to other people to do special events. The property is currently split zoned General Business and Single Family Residential, which provides development constraints. The request is for the back portion to be rezoned to General Business.

The property is designated Rural Community and Floodplain and slated as a Community Development Area; public water is available; public sewer is not available.

Craig Williams, Deputy Fire Chief for the Churchville Fire Department, said that the Churchville Fire Department plans to add a building that would store fire trucks and other equipment and that this rezoning request was needed to proceed with the site work.

Mr. Wills understood that the intent is to expand the Fire Station, but he expressed concern of them not having a Financial Plan to show the Board as to how it intends to pay for the addition so that it is not going to be an obligation to Augusta County.

Deputy Williams said they did not have a Financial Plan at this time. He noted that the previous Board approval of \$125,000 was to complete Phase 1 of the project. Phase 1 would include getting the site prepared for a building. He said the eventual plan could include a two-story facility. He told the Board that the Fire Department did not have the funds to do the construction and that fundraising would be needed. He stated, "At this point in time we do not have any plans of coming back to the Board or rely on Augusta County for any more funding at all". The main goal is to erect the steel structure, put the brick façade on the building, the roof system, have everything complete, the apparatus base finished, bay doors installed and tie that into the current roof system. He estimated a partial construction of the addition could cost as much as \$1.2 million with the assistance of community tradesmen helping to eliminate some of the costs.

Mr. Wills asked what the Fire Department had in savings. Deputy Williams said he would have to get with the Treasurer before responding. He added that they had two CDs set aside for this project, and said, "It's not anywhere close to where we need to be for the project but I can promise you we're not going to bite off more than we can chew. The only way this is going to be possible is through the USDA loan process."

Mr. Karaffa asked for clarification of the next phase. Deputy Williams said that the next phase would be to build the structure for five bays and the renovation of the two current bays into office space. Mr. Karaffa asked if there was a known cost to that phase. Deputy Williams said it was too early to determine a cost. He did not want to proceed with construction documents until the pad and gravel was ready for the building.

Mr. Karaffa also expressed concern of the Fire Station being in a floodplain. Deputy Williams noted that the "Last Board" viewed the property in October (2011) and determined that this was the best location. He added that, in meeting with the

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CHURCHVILLE VOLUNTEER FIRE DEPARTMENT, INC. – REZONING (cont'd)

floodplain requirements, the floor level is to be a minimum of 12 inches out of the floodplain. The current building sits in the floodplain a little less than 12 inches. Also, this was the reason for the living quarters to be upstairs and if there is high water, the bays will open on both sides so that the water can flow through.

Mr. Wills, in looking at the fill for the floodplain, he assumed that they are taking into consideration that it will have to be packed down. Deputy Williams said he was aware that it needed to be packed down and that one of the materials being used is one of the strongest bases possible.

Mr. Moore reiterated that the first phase is to do the excavation and bring it up to sub-level for the building and then a firm financial plan for moving forward will be determined. Deputy Williams said that was correct.

The Chairman declared the public hearing open.

Joseph Condo, a Churchville resident for 16 years, expressed the following concerns: 1) Noise (siren); 2) Training (burning a car causing a lot of smoke; 3) "Car washing" (for personal use); 4) Fireworks (upsetting his pets).

Deputy Williams' rebuttal:

He has spoken with neighbors who have given no complaints and see no problems. The siren is traditional and is not used before 7:00 a.m. or after 9:00 p.m. He has no intentions of increasing the usage or getting rid of the siren. He added that the siren will be elevated one more story than it is currently and so that the sound will not be concentrated down in the Village of Churchville. It will be enclosed in a small room at the top of the elevator shaft of the new building and the sound will be projected higher and should not be as intrusive.

Mr. Beyeler asked the siren not be used unless necessary. He felt that it usually would not be needed in the daytime.

Mr. Karaffa agreed with Mr. Beyeler and said that the Fire Department needed to respect the neighbors.

Mr. Shull asked if the siren could be baffled to curtail the sound. Deputy Williams said that it being enclosed in a small room would serve as a baffle.

There being no other speakers, the Chairman declared the public hearing closed.

Chairman Pyles expressed that this is a rezoning and asked if this fit with the nature of what is trying to be accomplished. He stated that this Fire Department runs a lot of calls – rescue and fire. "The spot is where it is as good as it can be. When we talk about a five-mile radius, every time you shift it, you are going to move somebody in and somebody out." He noted that before the \$125,000 was approved, it was determined that this was the right location at the intersection of Route 42 and Route 250. He said that it has been in that location since 1959 and has not been flooded. He felt that this location was the most effective for the community. He noted that Churchville Fire Department is a volunteer agency and said the costs to the County could be considerable if the Department ceased running fire calls. "They are saving us money. These folks said they are not going to ask us for anymore money. That will be on them and whoever their lender is. It won't come back to us." He added, that as far as the Erosion and Sediment issue, they have met with the engineers and concurred that this is the correct location. He also agreed with the other supervisors that the Fire Department needed to "fix" the problem with Mr. Condo.

Mr. Beyeler agreed that this is an ideal location for Churchville Fire Department.

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Mr. Moore agreed that this was the best location but encouraged the Fire Department to take this project in steps – get the pad completed and then proceed cautiously.

Mr. Wills reiterated the need of having a Financial Plan. “I have real concerns on this from the standpoint that I don’t want to put \$2 million on Churchville. I wasn’t on this Board when Riverheads was built. I’m dealing with agencies right now that five years ago didn’t have any problems and now they do. I have real concerns that when we start moving forward and we build a pad but we have no idea what the building is going to cost. I would truly like to see this tabled until such time as they can present a reasonable business plan as it goes forward.

Mr. Wills moved, seconded by Mr. Karaffa, that the Board table this item until a business plan is presented.

Chairman Pyles opposed the motion. “Its whoever will lend them the money, that’s on those folks. They have to get one thing done before they do something else.”

Mr. Karaffa stated that the Riverheads Fire Department cost a little over \$1 million with the Churchville Fire Department asking for over \$2 million. “My concern is if they were to get in trouble, like Riverheads is right now. We had every belief in the world last year that Riverheads Fire Department was going to be a strong volunteer agency that wasn’t going to need any County staff. It wasn’t going to need any County money and, now, we’re putting staff in it and we’ve put money in it. I have a real concern and it is going to be a concern moving forward from any department that wants to take on a capital cost such as this. If for some reason that organization were to fail, not saying that it would, and I hope that it doesn’t, that our obligation to the service of the citizens would land the obligations of what that Fire Department was doing in our lap. I’m not against them having an expansion, but I do think it is prudent to come up with a Business Plan to present to the bank. Wouldn’t it be good stewardship for us to see that before moving forward as well?”

Mr. Pattie expressed concern of any private group or citizen coming before the Board being required to have a Business Plan. “If I want to get my house rezoned to build something or if I want to change something on my property, do I have to have a Business Plan in order to get it rezoned?”

Mr. Karaffa said that his concern was when it was a public service. “The Fire Department is a public service; Rescue Squad is a public service. If this is going to be a service, that if that institution fails, that we would be on the hook for that building, than we would need to have to resolve it. For the County, in providing services, we couldn’t leave it.”

Chairman Pyles reiterated that the Churchville Fire Department is not asking for any money and that they have stated that they were not going to ask for anymore money. “That would be an issue between them and their lender. If it fails, it is on the lender. If it fails, we’ve got big problems. Look at what it is costing us at Preston Yancey - \$1 million a year, now, to fund that. If you want to run them off, if you want to say to them, ‘you’ve got more hoops to jump through to build your own station,’ than we did for Riverheads, where we paid for the whole thing, it’s not fair. Our volunteers keep looking at us and saying you’ve got two standards out there. You’re doing things differently. They’re running more calls than most of these other stations. They’re like fourth most in the County. They have a minimal number of career staff. They do Fire. They do Rescue. They take care of the west. They have all of this equipment. If they quit running, we’ll probably get some equipment from them to run, but that is our obligation then. They’re doing a service to us! They’re saving us money every year they are in operation. They’re probably saving us close to \$1 million and we’re not able

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CHURCHVILLE VOLUNTEER FIRE DEPARTMENT, INC. – REZONING (cont'd)

to rezone their property and let them get started on trying to find a way to make it happen. That's not right. That's not fair. They want to do it in stages. We're stopping the stages from taking place. "

Mr. Shull asked about the excavation. Deputy Williams said that they would be hauling material in and getting rock out of the stream. As far as the financial standings, he stated that his name was directly attached to this project. He said that his department has been solely funded off of the money in their account. "We're trying to be smart with our money. We're trying to be as frugal with it as possible. We've gotten over \$400,000 roughly in grants over the past two to three years and we've paid roughly \$12,000-\$13,000 out-of-pocket from the Department for that \$400,000. That's being wise with money. I promise you that the decision is not going to be made from the company to proceed on with a project like that without knowing exactly what it would cost. Trying to break it down in these phases is more difficult for the Department to be built or conquer, but at the same time, it makes us sustainable for us to be able to take that next step forward."

Mr. Shull asked if the contractor was obligated on the material that is being hauled in to be on site in a certain amount of time. Chief Williams said that the bulk of the material is coming from the stream. He hopes to get started tomorrow evening.

Vote to table was as follows: Yeas: Wills and Karaffa

 Nays: Pattie, Shull, Moore, Beyeler and Pyles

Motion failed.

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Mr. Pattie moved, seconded by Mr. Beyeler, that the Board adopt the following ordinance:

A request to rezone 2.7 acres from Single Family Residential to General Business and to add the Public Use Overlay zoning designation with proffers to approximately 3.1 acres owned by the Churchville Volunteer Fire Department, Inc., and located on the north side of Churchville Avenue (Route 250) just west of the intersection with Buffalo Gap Highway (Route 42) and immediately adjacent to the existing fire department building in the Pastures District.

AN ORDINANCE to amend Chapter 25 "Zoning" of the Code of Augusta County, Virginia.

WHEREAS, application has been made to the Board of Supervisors to amend the Augusta County Zoning Maps,

WHEREAS, the Augusta County Planning Commission, after a public hearing, has made their recommendation to the Board of Supervisors,

WHEREAS, the Board of Supervisors has conducted a public hearing,

WHEREAS, both the Commission and Board public hearings have been properly advertised and all public notice as required by the Zoning Ordinance and the Code of Virginia properly completed,

WHEREAS, the Board of Supervisors has considered the application, the Planning Commission recommendation and the comments presented at the public hearing;

November 28, 2012 at 7:00 p.m.

CHURCHVILLE VOLUNTEER FIRE DEPARTMENT, INC. – REZONING (cont'd)

NOW, THEREFORE, BE IT ORDAINED, by the Board of Supervisors that the Augusta County Zoning Maps be amended as follows:

A portion of parcel number 22, on tax map number 34A(1), containing approximately 2.7 acres is changed from Single Family Residential to General Business. In addition, the Public Use Overlay zoning designation is added to the entire 3.1 acres with the following proffers:

- 1. Additional permitted uses will be limited to:
 - A. Police, rescue squad, and fire stations
 - B. Active and passive recreational facilities
 - C. Community Centers and similar facilities
 - D. Meeting places and offices of civic clubs, fraternities, lodges, and other organizations, excepting those the chief activity of which is a service customarily carried on as a business
 - E. Carnivals, circuses, fairs, festivals, animal shows, exhibition and similar special events not permitted under §25-21 of division A of this chapter

Vote was as follows: Yeas: Pattie, Karaffa, Shull, Moore, Beyeler and Pyles

Nays: Wills

Motion carried.

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EXTENDED STAY RECREATIONAL VEHICLE PARKS – ZONING ORDINANCE AMENDMENT

This being the day and time advertised to consider an amendment to the Zoning Ordinance of Augusta County to add provisions for the Special Use Permit in General Agriculture districts for Extended Stay Recreational Vehicle Parks. The Ordinance will amend the Special Use Permit for extended stay recreational vehicle parks by increasing the maximum guest occupancy to over 240 days. The ordinance will allow up to 30% of the sites in an extended stay recreational vehicle park to be occupied by vehicles that are on the same property for more than 240 days. The Planning Commission recommended approval of the amendment with a change to the camp host requirement.

Ms. Earhart advised that, currently, the Ordinance allows folks to stay in RVs up to 240 days in a year. The amendment tonight would allow up to 30% of the sites in an extended stay RV Park to be occupied by vehicles that are on the same property for more than 240 days in a year. There was also an amendment made to the proposal that would allow the Camp Hosts to be permanent residents in the RV Park to live either in an RV or in a Single Family dwelling regardless of the acreage that would normally be applicable to General Agriculture districts.

Ms. Earhart mentioned that she had received a letter from Andy Zipser, a potential buyer for an existing campground in the County, who supports the recommendation for the Camp Host change.

The Chairman declared the public hearing open.

There being no speakers, the Chairman declared the public hearing closed.

Mr. Wills moved, seconded by Mr. Beyeler, that the Board adopt the following ordinance:

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**EXTENDED STAY RECREATIONAL VEHICLE PARKS – ZONING ORDINANCE
AMENDMENT (cont'd)**

**AN ORDINANCE TO ENACT
SECTION 25-4
AND TO AMEND
SECTION 25-74
OF THE AUGUSTA COUNTY CODE**

WHEREAS, the Augusta County Board of Supervisors has deemed it desirable to provide increased flexibility accommodating guests in Extended-stay recreational vehicle parks and Extended-stay campgrounds in Augusta County;

NOW THEREFORE be it resolved by the Board of Supervisors for Augusta County that Section 25-4 of the Augusta County Code is amended so that the definition of extended stay recreational vehicle parks reads as follows:

Extended-stay recreational vehicle park. A recreational vehicle park in which guests may occupy self-contained units on the same property more than twenty-one (21) days within any two-month period or more than forty-five (45) days within any twelve-month period. Maximum duration of guest occupancy on the same property is limited to two hundred forty (240) days within any twelve-month period for **no less than 70% of the sites in the park. No more than 30% of the park, at any given time, can be occupied by vehicles which are on the same property for more than 240 days.**

BE IT FURTHER resolved by the Board of Supervisors for Augusta County that Section 25-74 of the Augusta County Code is amended to read as follows:

Q. Extended-stay campgrounds and extended-stay recreational vehicle parks.

Extended-stay campgrounds and extended-stay recreational vehicle parks may be permitted by Special Use Permit provided:

1. Anticipated attendance will not create traffic or crowd control problems at or near the park beyond practical solution; and
2. There is an adequate plan for sanitation facilities, garbage, and trash to accommodate persons in attendance; and
3. There is full compliance with Virginia Department of Health regulations with respect to food and water service; and
4. There is an adequate plan for providing emergency medical services for persons in attendance; and
5. There is an adequate plan for parking and crowd and traffic control in and around the park; and
6. There is an adequate plan for protection from fire and other hazards; and
7. The business meets the requirements of article VI "Outdoor Lighting"; and
8. There is an adequate plan to ensure that structures, grandstands, tents, and amusement devices are constructed and maintained in a manner consistent with appropriate protection of public safety; and
9. The campground or park is at least ten (10) acres in size. The minimum acreage required for the permit must be retained in the same ownership for the permit to remain valid. Nothing herein shall be deemed to limit the ability of the board of zoning appeals to require a larger acreage; and
10. The density shall be no more than ten (10) campsites/recreational vehicle sites per acre. Nothing herein shall be deemed to limit the ability of the board of zoning appeals to limit the density of the campground or park; and
11. **No recreational vehicle or recreational vehicle site may be sold or otherwise conveyed as a separate lot or condominium unit; and**
- ~~12.~~ There shall be a minimum of fifty feet (50') of undeveloped land along the total perimeter of the campground or park; and
- ~~13.~~ The campground or park may contain campsites that are not extended-stay recreational vehicle sites or extended-stay cabins as defined in § 25-4 if the operator obtains a permit under subsection (N) of this section for a short-term campground or short-term recreational vehicle park. In no case, shall more than 30% of the recreational vehicle sites be occupied by vehicles **which are in the park for more than 240 days per calendar year;** and

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**EXTENDED STAY RECREATIONAL VEHICLE PARKS – ZONING ORDINANCE
AMENDMENT (cont'd)**

~~13~~14. The operator shall submit to the Zoning Administrator a map of the campground or park (1) showing all campsites, (2) indicating the classification of each campsite as a tent site, short-term cabin, short-term recreational vehicle site, extended-stay cabin, or extended-stay recreational vehicle site, and (3) showing and identifying all other facilities; and

~~14~~15. All campsites classified as extended-stay recreational vehicle sites or extended-stay cabins shall be served by: (1) electricity and (2) a water and sewer system approved by the Virginia Department of Health; and

~~15~~16. All recreational vehicles occupying extended-stay recreational vehicle sites shall meet the definition of a self-contained unit as set out in § 25-4; and

~~16~~17. All recreational vehicles occupying extended-stay recreational vehicle sites shall connect to the site's electricity supply and approved water and sewer system; and

~~17~~18. The operator shall inspect all occupied extended-stay recreational vehicle sites to ensure that the recreational vehicles occupying the sites are properly connected to the site's electricity supply and approved water and sewer system; and

~~18~~19. The operator shall enforce time limits set out in § 25-4 for guest occupancy for each type of campsite; and

~~19~~20. The operator shall keep a guest register tracking occupancy data for all guests. This information shall be recorded on a standard form provided by the County and shall be made available for inspection on demand; and

~~20~~21. The operator of a recreational vehicle park may permit storage of unoccupied recreational vehicles year-round; and

~~21~~22. Camp hosts may reside at a campground or park year-round, without regard to guest occupancy time limits. A campground or park may have one camp host per fifty (50) campsites. For purposes of this calculation, the number of campsites shall be rounded up to the next multiple of fifty (50). If a camp host resides in a recreational vehicle, the recreational vehicle must meet the definition of a self-contained unit as set out in § 25-4 and shall connect to an electricity supply and approved water and sewer system. **Camp hosts may also reside in single family dwellings, without regard to the limit on additional dwellings as provided for in §25-72.C;** and

23. Other than those occupied by camp hosts, there shall be no additions or structures, including decks, steps, or porches, attached to a recreational vehicle. All recreational vehicles must have a valid license and all wheels must remain on the vehicles.

~~22~~24. The campground or park shall have approval by the Virginia Department of Transportation (VDOT) and have direct access off a state-maintained road or be connected to a state-maintained road by a private street. For facilities with one hundred (100) or more campsites, a second access for emergency vehicles shall be provided. The second access may be gated; and

~~23~~25. Private streets shall meet the following standards and specifications:

a. The minimum street width shall be eighteen feet (18'). Street width shall not include curb and gutter and shall meet the requirements of subparagraph 3 of this section.

b. The subbase and the base course shall meet the minimum specifications promulgated by the Virginia Department of Transportation.

c. The surface course may be asphalt or gravel. If asphalt, the surface course shall meet the minimum standards for asphalt surface treatment promulgated by the Virginia Department of Transportation.

d. All banks and ditches shall be appropriately stabilized immediately upon completion of the work in accordance with the minimum standards promulgated pursuant to the Virginia Erosion and Sediment Control Law and Regulations.

November 28, 2012 at 7:00 p.m.

EXTENDED STAY RECREATIONAL VEHICLE PARKS – ZONING ORDINANCE AMENDMENT (cont'd)

e. Streets shall be designed to safely accommodate fire and rescue emergency vehicles.

Vote was as follows: Yeas: Shull, Wills, Moore, Beyeler and Pyles

Nays: Pattie and Karaffa

Motion carried.

Mr. Karaffa said that he has stated his opposition to this based on designating what is camping and what is residential.

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MATTERS TO BE PRESENTED BY THE PUBLIC - NONE

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DISPOSITION OF SURPLUS PROPERTY – SUMMERDEAN

The Board considered acceptance of highest offer on non-developable 0.17 acre parcel in the Riverheads District. The Board previously conducted public hearing on June 27, 2012 meeting.

Mr. Fitzgerald displayed the .17 acre property and reported that this property was donated to the County when the current owner realized it was not large enough for development. The adjacent property owners are the only ones who would be able to use the property. Staunton Machine Works has offered \$500 for the property. An appraisal was done previously in the amount of \$500. The Property Committee has recommended to move forward with the preparation of the deed and acceptance of the \$500 offer.

Mr. Beyeler moved, seconded by Mr. Karaffa, that the Board approve the recommendation.

Vote was as follows: Yeas: Pattie, Karaffa, Shull, Wills, Moore, Beyeler and Pyles

Nays: None

Motion carried.

* * * * *

EMERGENCY WATERSHED PROTECTION (EWP)

The Board considered Emergency Watershed Protection Program (EWP) and approach for funding future projects (exigency and non-exigency).

Patrick J. Coffield, County Administrator, advised that this had been discussed at Monday’s Staff Briefing. The approach for funding future projects is to create a “checklist” for when disaster events occur.

Chairman Pyles added that there were two parts to this item: 1) Authorization and 2) \$50,000 to be moved to a different account.

Mr. Coffield explained that the Stormwater Account has \$600,000; with the Board’s consent, he would remove \$50,000 from that account and create another account. The non-exigency projects could be funded from Magisterial District Infrastructure accounts.

Mr. Beyeler moved, seconded by Mr. Karaffa, that the Board approve the request and establish a \$50,000 account to fund future Emergency (exigency) Watershed Protection Program (EWP) projects:

November 28, 2012 at 7:00 p.m.

EMERGENCY WATERSHED PROTECTION (EWP) (cont'd)

From: CIP Account #80000-8164 (Stormwater Management)
To: CIP Account #80000-8167 (EWP Projects)

Chairman Pyles added that this account would be helpful to the County when emergencies occur.

Vote was as follows: Yeas: Pattie, Karaffa, Shull, Wills, Moore, Beyeler and Pyles
Nays: None

Motion carried.

* * * * *

STREETLIGHT REQUESTS

The Board considered requests for the installation of the following streetlights and creation of committees to evaluate requests and report recommendations back to the Board (committees to consist of the appropriate Supervisor, VDOT Representative, Power Company Representative and Staff):

1. State Route 1307 (Meadow Run Court) to Lea Drive (Wayne District).
2. State Route 649 along Augusta Farms Road (Scholastic Way Sidewalk Project) (Beverley Manor District).

Mr. Fitzgerald advised that this had been discussed at Monday's Staff Briefing. Based on the Streetlight Policy, tonight's decision is for the Board to set up a committee to review the location of the lights and submit a recommendation to the Board for the final approval. The Committee will consist of the Supervisor of the district, VDOT Representative, Power Company Representative and a Staff member (Todd Flippen).

Mr. Moore moved, seconded by Mr. Karaffa, that the Board create a committee and move forward with the evaluation.

Vote was as follows: Yeas: Pattie, Karaffa, Shull, Wills, Moore, Beyeler and Pyles
Nays: None

Motion carried.

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TEAVERTON DRAINAGE

The Board considered supplemental funding for previous Stormwater Management project (Wayne District).

Funding Source: Wayne Infrastructure Account #80000-8017-74 \$13,500

Mr. Fitzgerald reported that Mr. Moore had mentioned this item at Monday's Staff Briefing. This is an ongoing drainage improvement project in the Teaverton Subdivision. Work has been done in the detention basin to help with some water flow issues. Now, there is a ditch between two residences. Three bids have been received. The low bidder on the project was H. C. Eavers with a bid of \$16,750. With 10% added to the project for contingencies that may arise during the project, the total project cost is \$18,500. The landowners adjacent to the project have donated \$5,000 and VDOT has purchased the manhole structure that is required for the project. The amount of funding needed from the Wayne District Account to complete the project is \$13,500.

Mr. Moore moved, seconded by Mr. Karaffa, that the Board approve the request.

November 28, 2012 at 7:00 p.m.

TEAVERTON DRAINAGE (cont'd)

Vote was as follows: Yeas: Pattie, Karaffa, Shull, Wills, Moore, Beyeler and Pyles

Nays: None

Motion carried.

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WAIVERS/VARIANCES - NONE

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CONSENT AGENDA

Mr. Wills moved, seconded by Mr. Karaffa, that the Board approve the consent agenda as follows:

MINUTES

Considered minutes of the following meetings:

- Regular Meeting, Wednesday, November 14, 2012

Vote was as follows: Yeas: Pattie, Karaffa, Shull, Moore, Beyeler, Wills and Pyles

Nays: None

Motion carried.

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(END OF CONSENT AGENDA)

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MATTERS TO BE PRESENTED BY THE BOARD

The Board discussed the following issues:

Mr. Wills:

1. REAPPOINTMENTS:

Mr. Wills moved, seconded by Mr. Moore, that the Board approve the following reappointments:

1. Augusta County Parks and Recreation Commission: Ronald Houff Ritchie to serve another four-year term on the Augusta County Parks and Recreation Commission, effective January 1, 2013, to expire December 31, 2016.
2. Planning Commission: Kitra A. Shiflett, to serve another four-year term on the Planning Commission, effective January 1, 2013, to expire December 31, 2016.

Vote was as follows: Yeas: Pattie, Karaffa, Shull, Wills, Moore, Beyeler and Pyles

Nays: None

Motion carried.

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2. AIB – LIQUID MANURE REGULATIONS

Recently the State changed the regulation on the timing of the application of nitrogen on the farmland. Farmers with liquid manure pits (dairy farmers and large beef farmers) could put a certain amount of nitrogen on in the fall and a certain amount in the spring. The amount that could be applied in the fall was cut one-half and added to the spring portion (with the idea that this was the growing season for the corn). The problem is that it creates a situation where there is limited amount of storage in the liquid facilities

November 28, 2012 at 7:00 p.m.

MATTERS TO BE PRESENTED BY THE BOARD (cont'd)

AIB – LIQUID MANURE REGULATIONS (cont'd)

and it will possibly create a situation of an overflow. The Agriculture Industry Board has requested that the Board submit a letter to the State request that they rescind this suggested practice and return to the current practice.

Mr. Wills moved, seconded by Mr. Beyeler, that the Board authorize the Chairman to execute a letter and submit it to the State, a copy to be forwarded to Rockingham County Administrator and to the local legislators.

Vote was as follows: Yeas: Pattie, Karaffa, Shull, Wills, Moore, Beyeler and Pyles

Nays: None

Motion carried.

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3. Landfill – Commended the Landfill employees for the job they have done since the derecho storm and “their service to our County”.

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Mr. Shull:

1. AGRICULTURE INDUSTRY BOARD – REAPPOINTMENT

Mr. Shull moved, seconded by Mr. Karaffa, that the Board reappoint William Cole Heizer to serve another four-year term on Agriculture Industry Board, effective January 1, 2013, to expire December 31, 2016.

Vote was as follows: Yeas: Pattie, Karaffa, Shull, Wills, Moore, Beyeler and Pyles

Nays: None

Motion carried.

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2. RIVERHEADS/GREENVILLE – BIO-DETENTION PROJECT

Pictures distributed to the Board. A State grant of \$40,000 was awarded and \$33,000 out of the Riverheads Infrastructure Account was used for this ongoing project. He recommended to the Board that the Board “take a careful look at such projects in the future”. He added that this project is in front of the General Dollar Store in Greenville where there was a problem with water runoff and VDOT drainage. When the road was maintained, the problem was resolved. The pictures indicated a problem with weed control causing sight clearance problems. Parks and Recreation and Community Development Department are working on resolving those problems.

3. MeadWestvaco Boiler Project – Will be in need of wood. In reference to Berry Farm, he stated, “There may be a little more demand/market for wood.”

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Mr. Moore:

1. JUVENILE DETENTION HOME BOARD REAPPOINTMENTS

Mr. Moore moved, seconded by Mr. Wills, that the Board reappoint Patrick J. Coffield and Candy J. Hensley on the Juvenile Detention Home Board to serve another four-year term, effective January 1, 2013, to expire December 31, 2016.

November 28, 2012 at 7:00 p.m.

MATTERS TO BE PRESENTED BY THE BOARD (cont'd)

JUVENILE DETENTION HOME BOARD REAPPOINTMENTS (cont'd)

Vote was as follows: Yeas: Pattie, Karaffa, Shull, Wills, Moore, Beyeler and Pyles

Nays: None

Motion carried.

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- 2. VDOT Locally Administered Projects – Met with VDOT today and learned that a Local Responsible Person needs to be appointed for the Route 636 project.

Mr. Moore moved, seconded by Mr. Karaffa, that the Board approve the County application to “Locally Administer” Route 636 project with Director of Community Development, Timothy K. Fitzgerald, designated as Local Responsible Person.

Vote was as follows: Yeas: Pattie, Karaffa, Shull, Wills, Moore, Beyeler and Pyles

Nays: None

Motion carried.

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Chairman Pyles: Gave a School Population Analysis PowerPoint presentation. Information was distributed to the Board.

MATTERS TO BE PRESENTED BY STAFF

Staff discussed the following issues:

- 1. Local Administered Projects – Rural Rustic Roads previously done. Commended the appointment of Mr. Fitzgerald who is very capable because of his previous profession with VDOT. Guidelines and application distributed to the Board.

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CLOSED SESSION

On motion of Mr. Moore, seconded by Mr. Wills, the Board went into closed session pursuant to:

- (1) **the economic development exemption under Virginia Code § 2.2-3711(A)(5)** [discussion concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of its interest in locating or expanding its facilities in the county]:

A) Industrial Prospect

On motion of Mr. Karaffa, seconded by Mr. Shull, the Board came out of closed Session.

Vote was as follows: Yeas: Pattie, Karaffa, Shull, Moore, Beyeler, Wills and Pyles

Nays: None

Motion carried.

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November 28, 2012 at 7:00 p.m.

CLOSED SESSION (cont'd)

The Chairman advised that each member is required to certify that to the best of their knowledge during the closed session only the following was discussed:

- 1. Public business matters lawfully exempted from statutory open meeting requirements, and
- 2. Only such public business matters identified in the motion to convene the executive session.

The Chairman asked if there is any Board member who cannot so certify.

Hearing none, the Chairman called upon the County Administrator/ Clerk of the Board to call the roll noting members of the Board who approve the certification shall answer AYE and those who cannot shall answer NAY.

Roll Call Vote was as follows:

AYE: Pattie, Karaffa, Shull, Moore, Beyeler, Wills and Pyles
NAY: None

The Chairman authorized the County Administrator/Clerk of the Board to record this certification in the minutes.

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ADJOURNMENT

There being no other business to come before the Board, Mr. Shull moved, seconded by Mr. Wills, the Board adjourned subject to call of the Chairman.

Vote was as follows: Yeas: Pattie, Karaffa, Shull, Moore, Beyeler, Wills
and Pyles

Nays: None

Motion carried.

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Chairman

County Administrator