

**Orange County Planning Commission  
Regular Meeting  
Gordon Building Meeting Room  
112 W. Main Street, Orange, VA 22960  
Thursday, February 21, 2019**

**Present:** George Yancey (Chair); Donald Brooks (Vice Chair); Jason Capelle; Jennifer Boyer; Jim Hutchison; James Crozier, BOS Representative (arrived late)

**Absent:**

**Staff Present:** R. Bryan David, County Administrator; Sandra Thornton, Principal Planner; Michelle Williams, Administrative Assistant; Eric Lansing, Assistant County Attorney

**1. Call to order and determination of quorum:**

Chairman Yancey called the meeting to order at 5:58 pm.

**2. Election of chair and vice chair; appointment of secretary:**

Chairman Yancey yielded the floor to Ms. Thornton who opened the floor to nominations for Chair. Mr. Hutchison nominated Mr. Yancey. There were no other nominations, Mr. Brooks closed nominations. Motion carried 4 -0 with Mr. Yancey abstaining.

Mr. Hutchison nominated Mr. Capelle for Vice Chair. Chairman Yancey nominated Mr. Brooks for Vice Chairman. The vote to elect Mr. Capelle as Vice Chairman was 1-4. The vote to elect Mr. Brooks as Vice Chairman was 4-1.

Commissioners questioned if there should be a vote for the Secretary. Mr. Lansing stated that the Secretary was an appointment made by the Chairman. Mr. Yancey appointed Ms. Thornton as Secretary for 2019.

Chairman Yancey recognized Ms. Boyer for her completion of the Certified Planning Commissioner training program.

**3. Approval of agenda:**

Mr. Hutchison made a motion to approve the agenda as presented; motion seconded by Mr. Capelle. Motion carried 5-0.

Vice Chairman Brooks requested that an Executive Session be added to the agenda. Chairman Yancey added as item number eleven (11). Mr. David requested that a purpose be given for the Executive Session, and Vice Chairman Brooks stated that it was for personnel and organizational matters.

**4. Approval of minutes:**

**A. December 6, 2018 regular meeting:**

Vice Chairman Brooks pointed out that corrections had been made. Ms. Thornton stated she had made a correction to Mr. Coffey's name on page three (3). Mr. Hutchison made a motion to approve the minutes with the correction made; motion seconded by Mr. Capelle. Motion passed 5-0.

**5. Public comment:**

Chairman Yancey opened the floor for public comments. No one came forward, public comment closed.

**6. Public hearings (none)**

**7. Work session:**

**A. CPA 18-02: Capital Facilities Map for the Orange County Comprehensive Plan Update**

Ms. Thornton presented the matter and explained that she had been working with Mr. Whipp, the county's GIS Analyst, to prepare the map and that it has been updated with County facilities. The primary revisions were that the colors had been changed for improved legibility, primary road route numbers have been added, and the title of the map has been changed.

Vice Chairman Brooks was concerned that the map showed water lines and sewer lines and pointed out that putting this information on a public document that would be posted online could create some public safety risk. Mr. Capelle agreed. Supervisor Crozier pointed out that although the map's legend indicated "water lines" and "sewer lines," it did not actually show where the lines were buried, but rather, it merely showed the areas served by those lines.

Vice Chairman Brooks suggested that "water lines" be changed to "affected areas" or "public services areas." Mr. Capelle reminded staff that the new map was to be tied to the zoning districts and the title be changed to such. He requested that zoning districts be added to the map. Mr. David suggested that the delineation of the Germanna Wilderness area be added.

Ms. Thornton recapped that the following changes should be made to the Capital Facilities map: the title; "water lines" renamed; the legend updated; include future land use map overlay/underlay elements; add future land use; eliminate federally-owned lands.

Mr. Hutchison made a motion to continue; motion was seconded by Mr. Capelle. Motion passed 5-0.

**8. New business:**

**A. Preliminary subdivision plat for Twin Lake Villas (A&K Development)**

Chairman Yancey invited Mansour Azimipour to explain his project. Mr. Azimipour introduced John Fairbanks as the project's engineer. Discussion ensued regarding a future realignment of Flat Run Road as well as gates for the development. Mr. Azimipour explained that there is no plan for a gate at this time.

Chairman Yancey read the following resolution approving the Twin Lake Villas Preliminary Plat & Improvement Plan.

WHEREAS, A & K Development Corporation has submitted a Preliminary Plat & Improvement Plan for a development to be known as Twin Lake Villas, pursuant to rezoning applications approved by the Board of Supervisors for TM 12-18 and TM 12-35A;

WHEREAS, Section 54-31 of the Orange County Subdivision Ordinance requires approval via resolution by the Planning Commission of any finalized plat/plan; and

WHEREAS, the Planning Commission has found that the preliminary plat and improvement plan as submitted/with modification as noted meets the requirements of the Subdivision Ordinance; and

WHEREAS, the Planning Commission has determined that the public health, safety and welfare, and good zoning practice support approval of the preliminary plat and plan as submitted/with modification as noted;

NOW, THEREFORE, BE IT ORDAINED, that the Orange County Planning Commission approves Twin Lake Villas Preliminary Plat & Improvement Plan.

Vice Chairman Brooks made a motion to approve as presented; motion was seconded by Mr. Hutchison. Motion passed 5-0.

Ayes: Capelle, Yancey, Brooks, Boyer, Hutchison. Nays: None.

#### **B. Private Road Subdivision Application for Acorn Investment**

Chairman Yancey requested that persons representing Acorn Investment come forward. Allison Scholl, and her partner Tony Foster introduced themselves. Ms. Thornton explained that the current road would need to be updated to meet current requirements. Vice Chairman Brooks asked if VDOT had spoken to the applicants. Ms. Scholl advised the Commissioners that she had heard from VDOT regarding the design of the entrance at Willy Miser Lane and that it has been designed to comply with parameters he provided. Mr. Capelle questioned why the applicants had not designed the road to eventually be turned over to the state. Ms. Scholl explained that it had not been considered given the provisions of the Subdivision Ordinance for private roads. Further discussion by Planning Commission concerned the private road approval process as set forth in the Subdivision Ordinance.

Vice Chairman Brooks made a motion to approve as presented and pursuant to the provisions of the Subdivision Ordinance; motion was seconded by Ms. Boyer. Motion passed 3-2.

Ayes: Yancey, Brooks, Boyer. Nays: Capelle, Hutchison.

#### **C. Proposed Zoning Ordinance Amendments – revised definition of “campground,” add definition of “travel trailer,” and/or “recreational vehicle”**

Ms. Thornton explained that she had been approached by an individual who may be interested in developing a unique campground which would involve the placement of luxury recreational trailers for overnight use by guests. The Planning

Commission discussed with Ms. Thornton and Mr. David how best to align the Zoning Ordinance with the proposed campground as well as what type of land use and community impacts might be associated with such a campground.

The Planning Commission requested that Ms. Thornton research the matter further and return with supplementary information to include how best to align the Zoning Ordinance with the proposed campground.

**D. Board-initiated action on Text Amendment to the Subdivision Ordinance RE: private roads**

Chairman Yancey asked Mr. Lansing to present the Text Amendment to the Subdivision Ordinance on private roads drafted by County Attorney, Tom Lacheney.

Mr. Lansing explained that the amendment was designed to clarify in the subdivision ordinance the policy behind the Planning Commission's consideration of private roads. Because private roads are addressed in the Subdivision Ordinance, the Commission is making a ministerial, or administrative, decision about whether or not a private road application complies with the subdivision ordinance. The proposed text amendment is to clarify that private roads are generally not permitted; however, the Commission could use its discretion to grant a variance from that general rule, upon any finding that the situation is "unusual" or that strict compliance would result in "substantial injustice or hardship." Mr. Hutchison questioned why the "Public Roads" paragraph was moved further up into the section. Mr. Lansing explained that this was because public roads are the general rule and it makes sense to put the default before the exception.

Vice Chairman Brooks made a motion to advance the draft to a public hearing, motion was seconded by Mr. Hutchison. Motion passed 5-0.

**9. Old business**

**A. Board of Supervisors report – Jim Crozier**

Supervisor Crozier reported that at the Board's Organizational Meeting no changes had been made to Chairman and Vice Chairman. Regarding the Germanna-Wilderness Area water/wastewater, there is now a technical memorandum on the County's website. The Berry Hill Road EMS station should be completed within thirty (30) days. The Public Safety Building construction has been stalled by the rain and the snow. The fiber optics broadband project is moving.

Mr. David reported the Germanna-Wilderness Area Plan Route 3 Corridor Access Management Plan will be forwarded to the Planning Commission once received. Mr. David shared with the Commission a memo to be presented at the February 26, 2019, Board of Supervisors' Meeting, regarding the transition in the Building and Planning & Zoning offices. He explained that all staff will be cross-trained and will be able to assist citizens more efficiently. Mr. Capelle requested an update on the Healthy Watersheds project, which Mr. David provided.

**B. Planning Services report – Sandra Thornton**

Ms. Thornton did not have any updates to add to Mr. David's report on departmental changes.

**C. Germanna-Wilderness Area Plan Steering Committee report – George Yancey & Jim Hutchison**

Chairman Yancey and Mr. Hutchison did not have any updates.

**10. Commissioner comments**

Mr. Capelle requested an explanation on the Resolution of Appreciation for Thomas Wysong. Chairman Yancey explained that he requested Ms. Thornton to draft a resolution on behalf of Mr. Wysong.

Vice Chairman Brooks made a motion to approve as sent.

Ayes: Capelle, Yancey, Brooks, Boyer, Hutchison. Nays: None

**11. Closed Meeting**

Mr. Lansing read the following motion authorizing Closed Meeting:

WHEREAS, the Planning Commission of Orange County desires to discuss in Closed Meeting the following matter(s):

- Discussion, consideration, or interviews of prospective candidates for employment: assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body. - §2.2-3711(A)(1)

WHEREAS, pursuant to §2.2-3711(A)(1) of the code of Virginia, such discussion may occur in Closed Meeting;

NO, THEREFORE, BE IT RESOLVED that the Planning Commission of the County of Orange does hereby authorize discussion of the aforesated matters in Closed Meeting.

Vice Chairman Brooks, seconded by Mr. Hutchison, made a motion to adopt the resolution authorizing Closed Meeting, as presented. Motion passed 5-0.

Ayes: Capelle, Yancey, Brooks, Boyer, Hutchison. Nays: None.


Chairman Yancey called the meeting back to order. Mr. Lansing polled the Commissioners if they agreed they had not discussed anything in Closed Meeting that was outside the scope of the motion for a Closed Meeting.

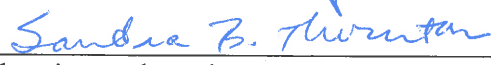
Ayes: Capelle, Yancey, Brooks, Boyer, Hutchison. Nays: None.

**12. Next meeting date – March 7, 2019**

**13. Adjourn**

Vice Chairman Brooks made a motion to adjourn; motion seconded by Ms. Boyer. Meeting adjourned at 8:12 pm.

  
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George Yancey, Chair

  
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Sandra B. Thornton  
Planning and Zoning Secretary

*The events of this meeting were captured via digital audio recording. These written minutes shall serve as the official record of actions taken during the meeting.*