

STAFFORD COUNTY PLANNING COMMISSION
May 26, 2021

The meeting of the Stafford County Planning Commission of Wednesday, May 26, 2021, was called to order at 4:30 PM by Chairman Steven Apicella, in the Board of Supervisors Chambers of the George L. Gordon, Jr., Government Center and at remote locations throughout the County.

MEMBERS PRESENT: Steven Apicella (remote), Darrell English, Barton Randall, Albert Bain, Kristen Barnes, Dexter Cummings, Fillmore McPherson

MEMBERS ABSENT: None

STAFF PRESENT: Jeff Harvey, Lauren Lucian, Stacie Stinnette, Brian Geouge, Natalie Doolittle

Mr. Apicella: This is Steven Apicella, Chairman of the Stafford County Planning Commission. I call this meeting to order. I request that I be authorized to participate today from a remote location, and would ask the Commission to approve my electronic participation

Mr. Bain: So moved.

Ms. Barnes: Second.

Mr. Apicella: Great. Take a quick voice vote. Everybody in favor say aye.

All members: Aye.

Mr. Apicella: Opposed? Thank you everybody. Two more points to make. Voting on motions will be conducted by voice vote, and if we have any technical issues, Mr. Randall will take over as Chairman. Are there any declarations of disqualification on any agenda item?

DECLARATIONS OF DISQUALIFICATION

Mr. English: Mr. Chairman, I just want to make a note that I went for a tour at Vulcan Materials last Thursday.

Mr. Apicella: Okay, great, thank you. Any changes to the agenda? Alright, before we go into Public Presentations, I see there are some people in the audience. If they're here potentially to talk about Vulcan Quarry, just to let you know that those public hearings have been deferred to June 23rd, but you can make public comments during the public comment period that's coming up right now. So, with that said, I'll open the Public Presentations portion of today's meeting. This is an opportunity for the public to speak on any item on today's agenda. There'll be a separate comment period – actually, we don't have any public hearings. Before you start your comments, please state your name and address. The clock starts when the green light appears; yellow means there's 1 minute left; red means your time is up. I see somebody standing at the podium. Please go ahead ma'am.

PUBLIC PRESENTATIONS

Ms. Shifflett: Thank you. Good afternoon, Kate Shifflett. From the Stafford County Historical Society's website, from the late 1800's until around 1930, Stafford County was one of the leading producers of pickling cucumbers in the State of Virginia. Nearly everyone with a few acres to spare grew cucumbers and sold them either to the Brooke Pickle Factory or to a similar facility in Falmouth. This was a hundred

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years ago. How different Stafford County looks then and now. The Planning Commission is currently considering proffers from Vulcan Stafford Quarry that would allow the company to continue quarrying work for 114 years. The people growing cucumbers could not have predicted what Stafford County would look like today. Can you predict what Stafford County will look like in a century? Is it prudent to make decisions today that affect our community a hundred years from now? The County needs to remain nimble and able to meet current needs. These proffers should not be approved. My 11 year old and I sat through the Planning Commission meeting where the proposal was presented last month. We heard a couple of times during the discussion that Vulcan was here first, that myself and my neighbors made the choice to buy in a neighborhood next to a quarry. Eastern View was here when the land next door was rezoned with the stipulation of non-mining activities. When we purchased our home in 2011, we knew Vulcan's current agreement with the County. The person here first shouldn't get to set or change the rules. I urge the Planning Commission to hold Vulcan to its current proffers. Stafford County is growing exponentially. In the decade I've been here, I've seen businesses added and new neighborhoods and homes built. I suspect green space will be harder to come by as growth continues. We deserve the parkland that was promised when Vulcan turns back land to the County. This should not be extended to 2055. My 11 year old son spoke at the May meeting saying he looks forward to bringing his grandkids here. So do I. I also heard during the meeting that the expansion at Vulcan would not be much different than an approval for a new business like Publix and it's construction site. I want to reiterate this is not the same thing. I work from home. Last Thursday Vulcan blasted. There was no warning or heads-up given. The noise was startling and my floor, wall, and windows shook. Most days I can hear the quarry at work and see production when I drive into my neighborhood. It was also mentioned that when a Commissioner drove down the street, he couldn't hear the quarry. I assure you, from my house you can. And I'm not even on the cul-de-sac directly next to the entrance or where the berm slopes down. Commissioners, please consider the neighbors. Thank you.

Mr. Apicella: Thank you ma'am. Is there anyone else who'd like to speak?

Ms. Grabner: Good afternoon. My name is Petra Grabner and I've lived across from parcel 20-2 in the Eastern View subdivision for 20 years. When we moved to Garfield Street in 2001, we couldn't tell that a quarry was there. The area was densely forested and, except for blasts, you couldn't hear the daily operations. At the last meeting, we were told that Eastern View was a subdivision approved by the Board of Supervisors as a subdivision that would be placed next to a rock quarry. What wasn't said, that the subdivision was flanked by A-1 properties, and out of 162 residential homes, only 9 border 19-65, which is the active quarry parcel. Parcel 20-2, aka the Pollard Tract, was reclassified from A-1 to M-2 with current proffer and ordinances in place in August of 1988, after houses were already built, sold, and inhabited. In fact, the ordinances and resolution governing the parcel 20-2 mentioned the Eastern View subdivision. Those proffers and ordinances were put in place to protect residents. In 2013, a berm was installed along Garfield Street. If the berm was working, do you think I would be here opposing the Vulcan Quarry expansion? With this proposal, most safeguards that are in place to protect the residents will be deleted and replaced by a berm. The key word at the last meeting was also quality rock. Isn't it time that we consider the quality of life of your residents? Thank you.

Mr. Apicella: Thank you ma'am.

Ms. Rys: Hi, Lori Rys. One hundred and fourteen years. That is the span that this proposal covers. There are more than 500 homes that will be affected by this proposal, yet maybe a tenth were notified? One hundred and thirty-four thousand dollars. That's the total amount of taxes, property, vehicle, and sales, that Vulcan paid to Stafford County in 2018. That's it. That's the revenue the County received from this out-of-state business. Both the staff report and Vulcan say that mining will not cease if this

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proposal does not go through. The County will still get the \$135,000 until 2085. I've asked myself, how could reasonable people make the decision in good conscience to bring the quarrying activities closer to well-established neighborhoods. I think that the answer is that people just don't know. People do not understand all the implications. We appreciate all the questions you have asked, now please ask more. The greatest concern I have is concrete crushing. I learned of a pile of recycled concrete on parcel 20-2 from a Division of Mines inspector. DMME provided me with an aerial photo of the stockpile and amended permit dated September of 2018, which allows the storage of inert concrete to be recycled and sold. Recycling concrete involves crushing concrete. Vulcan brought in the concrete. They crushed it right next to my neighborhood. Surely, that's not okay, right? I talked to the Virginia DEQ. Vulcan's air permit covers crushing. And again, as long as they're self-reported production does not exceed their limit, they're in compliance. Every state agency I spoke with told me that Vulcan has to adhere to County standards. So, I asked Stafford County's Planning Department if Vulcan would need a permit to crush concrete. The reply was, the short answer is yes. As you are aware, Vulcan Quarry is proposing to expand the operations to include a new concrete batch plant. Crushing of concrete may be part of this, but it was already happening. Next, on March 19th, I asked... *inaudible*... if Vulcan was in violation of the ordinance governing parcel 20-2, which does not allow for adverse noise and it does not allow for piles of concrete. And I was told that the CUP was abatement for this violation. Walter Beck himself has told me that Vulcan will run portable crushers on 20-2 to crush that concrete. Over the last 5 months I have talked with anyone and everyone about Vulcan. I urge you to do the same. Talk to the DMME; ask them about the requirements for berms and plantings. Talk to the DEQ; ask them where the closest particulate matter monitoring station is; ask about portable crushers – I have. Ask yourself, if you think this is safe or a healthy choice for those 500 homes or the Stafford, ask yourself if \$135,000 a year is worth this. Thanks.

Mr. Apicella: Ma'am, I'm sorry, I don't know that you gave us your name and address.

Ms. Rys: Oh, I did. Lori Rys.

Mr. Apicella: Alright, thank you.

Ms. Kuzma: Good afternoon. Bridgette Farrell Kuzma. My husband and I have lived in our home in the Eastern View neighborhood for almost 21 years. I am here again to share my continuing growing concerns about Vulcan's expansion proposal. When considering this plan, I hope that as a Commission you please carefully weigh who it benefits and how much benefit there is. There seems to be much discussion and concern about the blasts and their impacts on the surrounding area. The blasts are concerning. But so is everything that Vulcan wants to do that will affect us as residents more than the occasional blasts. Also concerning is everything that they want to remove that currently provides some level of protection to the residents on nearby properties. The blasts will be more evident to residents in our neighborhood when Vulcan moves its operations to the original pit. We do currently encounter regular operational noise. This has been increased by the removal of trees and construction of a so-called berm. While you do seem to be focused on the blasting noise, we in Eastern View are far more concerned with operational noise of excavation. Thank you for asking for a noise study, but with the exception of two days in the last two weeks, it has been the quietest it has been in years. Learning that Vulcan does not have to adhere to the local noise ordinance makes increased noise more concerning. There are, however, ordinances in place to protect residents, such as the one on parcel 20-2 which directly abuts our neighborhood. As residents, we would like these safeguards to remain in place to protect our quality of life. Thank you for looking at the noise impact of the concrete plant. But will the concrete plant not be legally held to Stafford County noise ordinance as the quarry is not because of state law? On the Stafford County website where Planning and Zoning are addressed, it states that the Planning and

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Zoning Department provides guidance to the Board of Supervisors. It also states that this guidance ensures future orderly development and economic growth that is reflective of the communities' desires and needs. Please consider the whole community when offering your guidance and recommendations. As a citizen who lives and works in this County, I would like to feel that I am valued and protected as a resident. I don't want to see the County repeatedly kowtow to businesses or lawyers under the guise of financial benefit or goods and services that are desperately needed. Thank you.

Mr. Apicella: Thank you.

Mr. Randall: Excuse ma'am. Ma'am?

Ms. Kuzma: Yes.

Mr. Randall: Could I come back and get your name and address please? I don't know if it was the mask or my hearing, but I missed them both.

Ms. Kuzma: Bridgette Farrell Kuzma.

Mr. Randall: Thank you.

Ms. Kuzma: Yes.

Mr. Apicella: Is there anybody else in the audience who'd like to provide public comments? Alright, seeing none, I'm going to close the public comment period and move on. I believe, again, that the first items on the agenda, items 1 and 2, are deferred until January... I'm sorry, until June 23rd. So, I think the first item that we're actually going to talk about is item number 3. Mr. Harvey?

PUBLIC HEARINGS

1. RC19152912; Reclassification – Vulcan Quarry - A proposed zoning reclassification from the A-1, Agricultural Zoning District to the M-2, Heavy Industrial Zoning District on 23.02 acres, consisting of portions of Tax Map Parcel Nos. 20-3A (18.63 acres) and 20-4A (4.39 acres); and a proposed proffer amendment on 558.36 acres zoned M-2, on Tax Map Parcel Nos. 19-64 (99.64 acres), 19-65 (239.41 acres), 19-67T (16.13 acres), 20-2 (56.65 acres), and a portion of 20-4A (146.53 acres) (collectively, "Property"). The zoning reclassification and associated proffer amendments would expand the area where stone extraction is permitted, allow for a new concrete manufacturing use, and provide a consistent series of development standards across the Property. The Property is subject to a concurrent conditional use permit ("Proposed Conditional Use Permit") request. The Property is located at the northern terminus of Dun Rovin Lane, approximately 2,800 feet north of Garrisonville Road, and along Vulcan Quarry Road, within the Rock Hill Election District. (**Time Limit: August 20, 2021**) (**History: May 12, 2021 Public Hearing Continued to June 23, 2021**)
2. CUP19152911; Conditional Use Permit – Vulcan Quarry - A request for a conditional use permit (CUP) to allow heavy industrial and heavy manufacturing uses not otherwise listed, specifically stone extraction, asphalt manufacturing and concrete manufacturing, in the M-2, Heavy Industrial Zoning District, on Tax Map Parcel Nos. 19-64 (99.64 acres), 19-65 (239.41 acres), 19-67T (16.13 acres), 20-2 (56.65 acres), 20-3A (21.91 acres), 20-4A (150.92 acres), and a portion of 20-3 (17.28 acres) (collectively, the "Property"). The Property is subject to a

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concurrent reclassification and proffer amendment request. The Property consists of 601.94 acres in total, located at the northern terminus of Dun Rovin Lane, approximately 2,800 feet north of Garrisonville Road, and along Vulcan Quarry Road, within the Rock Hill Election District. **(Time Limit: August 20, 2021) (History: May 12, 2021 Public Hearing Continued to June 23, 2021)**

UNFINISHED BUSINESS

3. Amendment to the Subdivision Ordinance and Zoning Ordinance - Amend Stafford County Code Sec. 22-166, "Parks, schools and public land," and Sec. 22-167, "Right of way additions," of the Subdivision Ordinance and Sec. 28-256, "Required standards and improvements generally," of the Zoning Ordinance, require dedication of land and public street right-of-way to the County as a condition of approval of site plans and subdivision plats (Dedications). **(In Subcommittee) (Time Limit: July 15, 2021)**
(Authorize for Public Hearing by: May 26, 2021)
(Potential Public Hearing Date: June 23, 2021)

Mr. Harvey: Mr. Chairman, Brian Geouge will provide an update for staff.

Mr. Geouge: Good evening Mr. Chairman, members of the Commission; Brian Geouge with the Planning and Zoning Department. I'll be presenting information regarding a proposed ordinance amendment relating to dedication requirements. So, just to provide a little background on this issue, currently there are provisions in the Subdivision and Zoning Ordinances that require identification, reservation, and/or dedication of land as a condition of approval for development applications and plats. This includes dedication of right-of-way as specified in Appendix G of the Comprehensive Plan. On April 6th, the Board directed the Planning Commission to review these requirements and to draft any amendments necessary to ensure that the requirements are in compliance with State Code. So, on April 28th, the Planning Commission formed a subcommittee consisting of Commissioners McPherson, English, and Cummings to evaluate the current requirements and make recommendations. Three subcommittee meetings were held, and the next few slides will summarize the outcome of those meetings. So, just going through the requirements for dedication and public land, starting with Subdivision Ordinance Section 22-166, this talks about public facilities identified in the Comp Plan. It states that consideration shall be given to suitable sites for parks, schools, roads, and other areas of public use as contained in the Comprehensive Plan, and also to identify in what manner these sites will be dedicated to or reserved for the County. Section 22-167 talks specifically about right-of-way additions. The first part of that specifies that where right-of-way is proposed in the Comprehensive Plan, then that right-of-way needs to be dedicated. And the second part of that talks about minimum requirements for developments that abut an existing street. The outcome regarding these sections is that as proposed, both of these would be removed from the ordinance, again, in an effort to try to maintain compliance with State Code provisions. The next section in the Subdivision Ordinance is 22-221 which addresses curb, gutter, and sidewalk requirements. It also talks about pedestrian trails and bike lanes as specified in the Comp Plan. You may recall back in 2019 the Board adopted a new element of the Comprehensive Plan, the Bikeways... or, excuse me, Bicycle and Pedestrian Facilities Plan. So, that would be an example of where facilities are identified in the Comp Plan. So, this section talks about curb and gutter requirements, and also sidewalk requirements for subdivisions with lots of certain sizes. Again, as this is written, it also talks about pedestrian trails as specified in the Comp Plan. That section is proposed to be removed with this amendment. And the same would apply to Section 22-221(2), which contains similar language which is applicable to cluster subdivisions. Moving on, getting into the Zoning Ordinance now, Section 28-38 currently addresses setback requirements where road improvement plans exist. You'll see that

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section shown here. Currently, this section only addresses setbacks, which are specific to structures or buildings. It doesn't get into, um, requirement setbacks or, or buffered areas, so to speak, for parking areas or internal travel lanes or anything like that. So, as proposed, this section would be amended to add language which would basically require that any area identified in the Comprehensive Plan for right-of-way for future right-of-way, would need to be kept clear of certain improvements. And those are listed at the end of this proposed section. That includes structures, parking areas, vehicle travel lanes, and monument signs. And it goes on to state that perpendicular utility crossings, entrances, and landscaping may be located within that planned right-of-way area. Section 28-106 contains similar language relating to parking access and loading requirements, and would have similar amendments for consistency. For Section 28-256, this requires, uh, this is sort of the Zoning Ordinance equivalent to the section I mentioned previously. It requires right-of-way dedications as specified in the Comp Plan similar to the Subdivision Ordinance section. It also requires minimum right-of-way widths along existing streets and other... and specifies other public facility needs. With these amendments, these requirements would be removed, again consistent with the proposed amendments to the Subdivision Ordinance so that we are removing the requirement to dedicate right-of-way for the Comp Plan. However, added language would refer back to Section 28-38 which was covered on the last slide which talks about allowed improvements within planned right-of-way areas. So, with the proposed amendments, the County would no longer require the dedication of right-of-way as specified in the Comp Plan or require the minimum width along existing public streets. Additional right-of-way, however, would be required as needed to accommodate improvements associated with particular development, including turn lanes and sidewalks for that development. Dedication of additional right-of-way beyond what may be required to serve the development would still be provided if there's an associated proffer condition for the dedication. So, when staff is reviewing reclassification or conditional use permit applications, we will continue to refer to the Comprehensive Plan and make recommendations for dedication of right-of-way in accordance with Appendix G. The proposed requirements would also, as I said, prohibit certain features from being located within planned right-of-way areas. The intent here is to, um, reduce the cost that the County is going to have to bear in the future when this right-of-way is actually needed and we are requiring the right-of-way, there's going to be fewer conflicts with existing features and less need to potentially relocate things. It should be noted that the proposed language does not provide an option for the applicant to request relief of these requirements from the Board. So, currently, the Zoning Ordinance section allows the Board to reduce or even eliminate the right-of-way dedication requirement and that has been done a few times. Typically, it's in situations where the site is so small that any dedication is going to adversely impact their ability to even develop it, or where there's conflicts with existing improvements. That provision would no longer be in the Ordinance, so any deviation from the proposed setback requirement would require approval by the Board of Zoning Appeals. So in conclusion, staff is supportive of Proposed Ordinance O21-26 and recommends that the Planning Commission authorize a hearing for June 23rd. Staff believes that these changes will meet the Board's directive and ensure that the County requirements are in compliance with State Code. And we note that the time limit for this is July 15th. And I'll be happy to take any questions.

Mr. Apicella: Thanks, Brian, and just to be clear, to meet that July 15 deadline, we really need to schedule it for a public hearing to be held on June 23rd; am I correct?

Mr. Geouge: That's correct.

Mr. Apicella: Okay. Questions for staff?

Mr. Bain: Yes, Mr. Geouge, a lot of legal maneuvering in there. I'd like to try and get a clearer understanding of what it means if the County wants to preserve a school site or a site for a fire station,

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does this help us or does it make it more difficult to require a developer to set aside land for that type of facility?

Mr. Geouge: My feeling on that is that really our best opportunity now and with this proposed amendment would be at the reclassification stage where we could identify those needs and potentially, you know, if the development is large enough it might justify a facility on its own. But the Comp Plan currently doesn't really get into a lot of specifics as far as specific locations where parks and schools are needed...

Mr. Bain: Right, it doesn't go to that level of detail.

Mr. Geouge: ... yeah, it's hard to implement an ordinance section without that level of detail.

Mr. Bain: Yeah, yeah. That's what I was wondering. It just doesn't... I don't think it helps us really unless there is the rezoning. So, that's what I wanted to understand. Thank you.

Mr. Apicella: Thank you Mr. Bain. Other questions for staff? Is there a motion to put... I'm sorry, is there a question?

Ms. Barnes: Yeah, I just have a quick question. I noticed that they... what's the difference between dedication and reservation? I mean, it looks like you kinda just switched the words a little bit. Is there a significant different on that? Okay, so maybe one of y'all could... is it just semantics or?

Mr. Geouge: Well, the term reservation is not being used. You might be referring to where it says reserved in the draft ordinance, but, uh, really the proposed requirements are... they sort of accomplish a reservation so to speak in that basically we are prohibiting certain improvements from being located within the planned right-of-way area. However, that area doesn't have to actually be given to the County. So the difference there is, the development for the most part is going to be based on that planned right-of-way area, as far as the location of improvements, but the County is still going to have to come later and compensate that owner for the, um, for the actual land that has been reserved so to speak.

Ms. Barnes: Thank you.

Mr. Randall: Mr. Chairman, I have a quick question. So, just so I'm clear, again, as Mr. Bain had mentioned, it goes back and forth a couple times. So, most of these are being changed to meet State law, right, State Code; is that correct? Can I say that?

Mr. Geouge: That's correct.

Mr. Randall: Okay. So, the exception and being able to go to the Board of Zoning, is that also part of the State Code? Or is that an out that we would want to put in there so that there's an option for exceptions?

Mr. Geouge: Well, any, any deviation from the Zoning Ordinance can be approved with a variance from the BZA. So, it's not something we necessarily need to state as an option. It's just provided for in the ordinance.

Mr. Randall: Okay. So, we could need 50 feet, we have 30 feet, we need another 20 feet, they get the variance from that requirement and then what's the County going to do to put a road there?

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Mr. Geouge: Right. So, in this case, let's say hypothetical approval of a variance.

Mr. Randall: Sure, absolutely.

Mr. Geouge: It would potentially allow certain features to be placed with that, uh, planned right-of-way area; let's say a parking lot or an internal travel lane or something along those lines.

Mr. Randall: Right, okay.

Mr. Geouge: If the BZA were to consider that, it would... they would also have to consider the long-term implications of granting that.

Mr. Randall: But there would be no recourse...

Mr. Geouge: And ultimately it's going to lead to a higher cost of acquisition when the right-of-way is needed.

Mr. Randall: Okay. Alright. Thank you.

Mr. Apicella: Any further questions? Is there a motion to put the proposed Ordinance O21-26 to a public hearing at our June 23rd meeting?

Mr. McPherson: Yes, so moved.

Mr. Apicella: Thank you Mr. McPherson. Is there a second?

Mr. English: Second.

Mr. Apicella: Thank you Mr. English. Any further comments Mr. McPherson?

Mr. McPherson: No. Thank you very much staff for all the work getting this done very quickly.

Mr. Apicella: Mr. English?

Mr. English: No, no comment.

Mr. Apicella: Anybody else?

Ms. Barnes: Steven, could I ask a quick question about why we chose... I mean, we're going to have a pretty full night June 23rd. Um, is there a reason why we chose that night?

Mr. Apicella: It's to meet the deadline. The only way we could meet the deadline is to put it to a public hearing... *inaudible, being talked over.*

Ms. Barnes: And we couldn't do the first meeting in June? That wouldn't be... we wouldn't have the notification?

Mr. Apicella: We wouldn't have enough time to advertise.

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Ms. Barnes: Just checking. Okay, thank you.

Mr. Apicella: I just want to echo Mr. McPherson's comments. I thank staff and I also thank the subcommittee for their efforts to give us some language and to get it done quickly. Alright, there's a motion, Mr. Bain, how do you vote to put this forward to a public hearing on June 23rd?

Mr. Bain: Aye.

Mr. Apicella: Thank you. Ms. Barnes?

Ms. Barnes: Aye.

Mr. Apicella: Mr. Cummings?

Mr. Cummings: Aye.

Mr. Apicella: Mr. English?

Mr. English: Yes.

Mr. Apicella: Mr. McPherson?

Mr. McPherson: Yes.

Mr. Apicella: Mr. Randall?

Mr. Randall: Yes.

Mr. Apicella: And Mr. Apicella votes aye. The motion carries unanimously. Thank you. Next item, Mr. Harvey.

NEW BUSINESS

4. WAI21153881; Powell Waiver - A waiver request of the Subdivision Ordinance, Stafford County Code, Sec. 22-167(b), "Right-of-way additions," for Tax Map Parcel No. 34-16C, zoned A-1, Agricultural Zoning District. The applicants are seeking a waiver of a requirement to dedicate 25 feet of right-of-way to the County pursuant to this section. The property is located on the west side of Richards Ferry Road, approximately 750 feet south of Hartwood Meadows Drive, within the Hartwood Election District. **(Time Limit: July 25, 2021)**

Mr. Harvey: Mr. Chairman, the next item is a proposed waiver and Natalie Doolittle will give the staff presentation.

Ms. Doolittle: Good evening Mr. Chairman and members of the Commission, I'm Natalie Doolittle with Planning and Zoning. Item number 4 is a request for a waiver of the Subdivision Ordinance, Section 22-167(b), Right-of-way additions. Existing Tax Map Parcel Number 34-16C is 20-83 acres zoned A-1, Agricultural, within the Hartwood Election District. The parcel is located on the west side of Richards Ferry Road, south of Hartwood Meadows Drive. The owner is Hartwood Properties, LLC, and the applicant is Linda J. Powell, the sole member of the LLC. Tax Map Parcel Number 34-16C is shown

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here in red, fronting on Richards Ferry Road. The applicant is proposing a minor subdivision to create one additional lot on parcel 34-16C, as well as a boundary line adjustment with adjacent parcel 34-16B. Here's an aerial showing existing conditions. The area highlighted in red at the front of the parcel along Richards Ferry Road is the area required to be dedicated for right-of-way. Richards Ferry Road, at this location, is currently a 30-foot prescriptive right-of-way. The minimum right-of-way width prescribed is 50 feet. Therefore, the applicant is required to dedicate at least half the right-of-way according to the ordinance, which totals 25 feet from centerline. The applicant is requesting one waiver of the Subdivision Ordinance, Section 22-167(b), Right-of-way additions, on Tax Map Parcel Number 34-16C. Section 22-167(b) states that when a new subdivision abuts one side of an existing or platted road or street, the subdivider shall be required to dedicate at least half the right-of-way necessary to make the street comply with the minimum right-of-way width prescribed by this chapter. The applicant is pursuing a subdivision where dedication of 25 feet of right-of-way to the County is required pursuant to this section. The applicant is requesting a waiver from this requirement due to the time constraints and building costs increasing while the deed of dedication is under review. The applicant formally requests that the Stafford County Planning Commission consider the waiver request from Section 22-167(b). Section 22-241 of the Subdivision Ordinance specifies that criteria must be met in order for a waiver to be granted by the Planning Commission. The applicant must prove that the application of the ordinance requirements would impose an unreasonable burden on the owner and the waiver would not have any substantial adverse effect on future residents of the subdivision or adjoining property owners. Staff recommends the Planning Commission make findings relative to the criteria for granting waivers. And that concludes my presentation. Thank you.

Mr. Apicella: Thank you Natalie. Just a couple of quick questions. Forgive me if I'm wrong, but this seems very much related to the previous item we just talked about, correct?

Ms. Doolittle: Yes.

Mr. Apicella: Can you or can Lauren help explain, in reading the staff report I think the applicant was trying to achieve this by a family subdivision. Can you help us understand why that wasn't able to be accomplished pursuing that route?

Ms. Lucian: It's my understanding that the owner of this property was an LLC so, for that reason, they didn't qualify as a family subdivision, because they didn't own the property in their personal capacity.

Mr. Apicella: Alright, thank you. Further questions for staff?

Mr. McPherson: I have just one quick question. I believe that the first slide you said the road is now existing as 30 feet?

Ms. Doolittle: It's a 30-foot prescriptive right-of-way, so it's an easement.

Mr. McPherson: How wide is the road right now?

Ms. Doolittle: I'm not sure how wide the actual pavement is, but the easement area is 30 feet.

Mr. McPherson: Okay. So, well, my question being is that since the road exists there now, 25 feet, which is half of the new right-of-way wouldn't actually be 25 feet of open land; a good chunk of it would already be pavement. I was just curious how much of that 25 feet is already paved, which I think is a critical consideration.

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Ms. Doolittle: I'm sorry, I don't have that information.

Mr. Randall: Mr. Chairman, I have a quick question as well.

Mr. Apicella: Sure.

Mr. Randall: Could you go back to your staff presentation please? Right there. Uh, no, go one more. One more. So, you mentioned on the bottom that the applicant is requesting a waiver from the requirement due to the time constraints and building costs increasing while the deed of dedication is under review. What exactly does that mean to me?

Ms. Doolittle: The applicant... the applicant's son is going to purchase the lot that's being created, and so he's trying to build a house.

Mr. Randall: Sure. Okay, so if the Deed of Dedication was completed tomorrow, then there would be no reason for the waiver request?

Ms. Doolittle: Correct.

Mr. Randall: Do we, do we know how long that's going to take for the Deed to be completed?

Ms. Doolittle: No, I'm not sure. There have been some issues that have popped up along the way with the review.

Mr. Randall: So, we could conceivably give the waiver and then the Deed of Dedication never be given. Is that, is that a possibility?

Ms. Doolittle: That's possible.

Mr. Randall: Any further... okay.

Ms. Doolittle: Sorry.

Mr. Randall: No... interesting to know. I think it's also important that we know exactly how much land that we're talking about. So, it's not a 25-foot, it's maybe more. If the road is a normal road and it's 22 feet wide, then that's 11 feet. And you're talking 25; you're only talking about 14 feet of actual land. So, um, okay. You don't know when the Deed was submitted? I guess I could ask the applicant for that.

Ms. Doolittle: Yeah, I don't have that information.

Mr. Randall: That works. Okay, thank you.

Mr. Apicella: Alright, any further questions?

Mr. Bain: Just a comment. Looking at the aerial photo you had, the existing house appeared to be close to a hundred feet off from the roadway. So, it's probably unlikely that there would be anything done by the landowner to encroach on that right-of-way if it was not provided through this waiver process. There are also a number of homes along that road that are not subdividing, and there's no right-of-way reserved for those homes. So this would be really relatively minor if the County or the State was to ever come in

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and want to widen the road, they would have to go through legal matters to obtain the land for the widened right-of-way. Isn't that right?

Ms. Doolittle: Yes.

Mr. Bain: Yes. So, granting the waiver really isn't going to impact future conditions very much. The only thing I'm a little concerned about is precedent. If we grant this waiver, um, has similar waivers been granted in other locations in the County? Maybe Mr. Harvey knows. I should have asked that question earlier, I'm sorry.

Mr. Harvey: Mr. Chairman and Commissioner Bain, the Board of Supervisors has granted three waivers that I'm aware of for commercial businesses. Ms. Doolittle was reminding me of another situation where we had a subdivision for residential lot that also had a waiver of the right-of-way, plus other matters. So, it's happened before. But, if the ordinance that was discussed prior to this item is passed, the issue of right-of-way dedication would be null and it wouldn't apply anymore. So there would not be an issue of precedence.

Mr. Bain: Okay. So it's... to me it's not that big of a deal. And this has been hanging on for a year or a year plus in dealing with the County going back and forth to try and get something resolved. So... okay, thank you Natalie.

Mr. Apicella: Yeah, so just to reiterate what you said, Mr. Harvey, if we were six months into the future, this wouldn't even be an issue potentially if the Board would approve the previous ordinance that we put into a public hearing by that time. Correct? Not correct?

Mr. English: Correct, yes, he said yes.

Mr. Bain: He shook his head.

Mr. Apicella: Alright. Any further questions for staff? Alright, thank you Natalie. Would the applicant like to come forward?

Mr. English: Do you have anything to say?

Applicant: No, unless you have questions.

Mr. English: He doesn't...

Mr. Apicella: Right, but staff may have questions for the applicant so, again, it's the opportunity for them to answer any questions. If you could just state your name and address.

Ms. Powell: My name is Linda Powell. I live at 420 Richards Ferry Road.

Mr. Powell: I'm Daniel Powell. I live at 420 Richards Ferry Road.

Mr. Apicella: Alright, thank you. Does anybody have questions for the applicants?

Mr. Bain: Just one. You're not planning on building say a 3-story structure within that right-of-way anytime soon, are you?

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Ms. Powell: No sir.

Mr. Bain: I didn't think so. Thank you.

Mr. Apicella: Thank you Mr. Bain. Any other questions for the applicant? Alright, thank you ma'am... go ahead, Mr. Randall?

Mr. Randall: Sorry. When did you, when did you submit the Deed for this land to do what you want to do with it, and can you summarize very quickly that the back and forth that have been going on with the Deed. You know, it seems like the deed should have just... I mean... it seems to me like the Deed, getting the Deed done would have fixed all this, and the reason we're here is because the Deed took so long. Could you kind of summarize that for me please?

Mr. Powell: Yeah, so we applied for this right around a year ago; it may have been over a year ago, I don't know the exact dates. But at that time my grandmother was still living, who was the owner of the property, or the sole owner of the LLC. And this was kind of a hardship for us. We needed to get this approved because I need to purchase the land to fund my grandmother's living expenses. Um, and during the process of trying to get this approved, she had since passed away last November, so that has really complicated things as far as the LLC and the property passing on to my mother. There has been some discrepancies in the language and the LLC document that was creating some really, you know, a lot of back and forth on the signature line on the Deed of Dedication is really what it come down to.

Ms. Powell: I am the sole member of the LLC, as well as the Trustee of the Annette B. Jones Marital Trust. And the Annette B. Jones Marital Trust owned everything prior to the beginning of the LLC.

Mr. English: And it's cost you a lot of money.

Ms. Powell: Has cost me a great deal of money, both of us.

Mr. Randall: Well, again... you know... okay. Yeah, that's a tough process. You think you do everything right, you think you cross every t and dot every i and then, when push comes to shove and you get in front of somebody, they're like well, no, you missed this right here and it's too bad you didn't... yeah, excuse me, you didn't know that you know 5 years ago. Alright, thank you very much. I appreciate your explaining that for me.

Mr. Apicella: Alright, any further questions? Alright, thank you ma'am and sir, we appreciate it. I'm going to bring this back to the Commission. Mr. English, this is in your district. How would you like to proceed?

Mr. English: I will make a motion to approve WAI21153881.

Ms. Barnes: Second.

Mr. Apicella: Is there a second? Thank you Ms. Barnes. Any further comments Mr. English?

Mr. English: No. I'm just sorry that they've had to go through what they've had to go through and, again, I hope this solves their problem.

Mr. Apicella: Uh, Ms. Barnes?

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Ms. Barnes: Nothing right now.

Mr. Apicella: Anybody else? Um, I'll just say that I might have had a little bit of pause on this but for the fact of the previous item, which again appears very likely to me that it's going to end up being passed so that we can be in compliance with the State Code. So, with that said, there's a motion to approve WAI21153881, Powell Division, Waiver of Subdivision Ordinance. Mr. Bain, how do you vote?

Mr. Bain: Aye.

Mr. Apicella: Ms. Barnes?

Ms. Barnes: Aye.

Mr. Apicella: Mr. Cummings?

Mr. Cummings: Aye.

Mr. Apicella: Mr. English?

Mr. English: Yes.

Mr. Apicella: Mr. McPherson?

Mr. McPherson: Yes.

Mr. Apicella: Mr. Randall?

Mr. Randall: Yes.

Mr. Apicella: And Mr. Apicella votes aye. Thank you very much everybody. I'm sorry, sir/ma'am, what you had to go through to get this accomplished. But congratulations; hopefully you're on the path to getting it solved. Alright, next item, Planning Director's Report. Mr. Harvey.

PLANNING DIRECTOR'S REPORT

5. 2022 Legislative Agenda

Mr. Harvey: Thank you Mr. Chairman. The first item on the Planning Director's Report is to discuss the potential for a 2022 Legislative Agenda for the Planning Commission. Every year since 2014, with exception of last year due to COVID, the Planning Commission has put forward ideas to the Board of Supervisors about potential changes to State Code. Um, those ideas are collected up by the County Administrator's Office from all the various Boards and Commissions and County Departments. It's put together in a formalized document. It's reviewed by a committee of the Board, and then ultimately considered for being part of the priorities for the Board of Supervisors for legislative changes. The Board of Supervisors has a meeting with the State Senators, as well as State Delegates, and goes over the proposed changes and then, um, at certain intervals the Delegates and Senators may take up some of those items for future legislation, or if another locality or State Senator or Delegate proposes a similar ordinance change, then we will likely endorse that change as well. In your packet, there is a summary of all of the requests from last year. Also, I have a summary chart that shows the various requests since

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2014. Looking at that summary chart, there are a number of items that have been on the Planning Commission's wish list so to speak for a number of years. And staff would seek guidance from the Commission as to whether the ones that are on the list should stay on the list and/or if there are any other new requests.

Mr. Apicella: Mr. Harvey, there are write-ups I think for 7 items. Is there a limit or a suggested limit on the number that we should send forward to the Board?

Mr. Harvey: Mr. Chairman, the Board has a limit it likes to have when it sends items to the State Senators and State Delegates. If I remember right, it's a maximum of 10 total.

Mr. Apicella: And do you recall, of the ones that are in front of us, including the ones that were previously drafted and pushed forward by the Planning Commission, what actually was the Board interested in and made its way in its final package?

Mr. Harvey: My recollection was, um, there was an actual legislation proposed for the stormwater management issue with regards to cluster developments. Unfortunately, that's not made it anywhere in the General Assembly. There was a number of items here that the Board has found interest in that they kept an eye on in case other localities had made similar proposals. Specifically, thinking in terms of impact fees and, uh, the issue with preliminary subdivision plans.

Mr. Apicella: So, so you've mentioned three. I guess to kind of circle back with the Commission, what are folks' thoughts in terms of priorities that you would have that you would want us to push forward to the Board for their consideration? If any of these.

Mr. Randall: Mr. Chairman, so what you're saying, Mr. Harvey, is that what we have in our staff report is the Planning Commission's recommendation to the Board of Supervisors from 2019 going into the 2020 General Assembly, is that correct?

Mr. Harvey: Yes.

Mr. Randall: Alright. And just out of, out of curiosity, do we know how many from even the Board of Supervisors, how many of those have been enacted with an actual bill approved through the General Assembly? Do you have an... do you have any...?

Mr. Harvey: Commissioner Randall, we'd have to research that.

Mr. Randall: Okay.

Mr. Harvey: Because the bills that the Board of Supervisors puts forward carries a lot of different areas than Planning and Zoning matters.

Mr. Randall: Sure, sure. And... okay. Um, well, Mr. Chairman, to answer your question, these are all... I don't know if cluster subdivisions, being that cluster subdivisions are pretty much a moot point for us being that we've pretty much have taken that off of our, um, and we're still following the State with no restrictions. And I think broadband I think has been pretty much of a success through COVID I think they've made some changes that have... So, my recommendation are to take those two off and then submit the list as it was generated in 2019.

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Mr. Apicella: Mr. Harvey, do we know what happened with the transportation funding criteria recommendation? Did that go anywhere?

Mr. Harvey: Mr. Chairman, I do not know if there was any changes made to that. I understand that there were some changes made to the SmartScale scoring process, but I don't know if that included weekend traffic counts.

Mr. Apicella: I'm just wondering how many bites of the apple we would get on that one as compared to some other ones we might want to push forward. I just also add, I hope it's at your dais, I asked Ms. Lucian to draft up another item on family subdivisions. She might explain it much better than I can, but again, this is something that we've been looking at over the last two months or so. And we found an issue in trying to deal with trusts. It was something that came back to us I think at the last meeting and we weren't able to push it forward because of a section in the State Code that if implemented would have an adverse impact on regular family subdivisions or ones that would normally go to immediate family members. So, I'm hoping that you all might take a look at it and consider it. I still think allowing people to transfer property via a trust would be helpful to people, including the previous application potentially. She mentioned that she was a trustee; that might have been a solution if this was in place. So, again, I don't know if folks had a chance to take a look at it or even interested in pushing it forward but. Any thoughts on that one?

Mr. Randall: I have no problems putting that on the list.

Mr. Apicella: Okay. So, I'm not hearing a lot of back and forth, so we've got the previous list, the ones with write-ups; Mr. Randall has mentioned taking out the one on cluster developments, taking the one out on broadband, and if everybody's okay with it adding the one on the family subdivision fix. Is everybody amenable to that list? Any adds or withdrawals beyond that?

Mr. McPherson: Sounds good to me.

Ms. Barnes: Steven, could I ask a quick question? So, is this something that every year you ask the Planning to come up with like basically what Steven did, an idea that might be able to... you know, that we could send to the State Legislature to basically, you know, change something?

Mr. Harvey: Yes ma'am. They're observed problems that the Commission feels needs to be solved.

Ms. Barnes: Okay. So, one of the things that I've thought about often, and Bart probably knows where I'm going with this, is under reclassifications is that if I'm correct, we're not allowed to take into consideration current and already approved developments when we're considering a new development, is that correct? I'm not wording it in very good legalese. Um, we're not allowed to say we already have 8,000 dwelling units approved and we have to take that as part of our consideration. We can't take those future already approved dwelling units in consideration when we're talking about new development or new dwelling units.

Mr. Harvey: Commissioner Barnes, the proffer legislation addresses or creates that problem you're describing.

Ms. Barnes: Okay.

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Mr. Harvey: Whereas the proffer legislation does not allow a locality to say that when a developer is calculating their impacts and offering a proffer, the locality can't say well we've already got 5,000 units approved so there won't be capacity for your project. Because the State Code says that we have to determine capacity at the date of the rezoning. So, we can't use a future date for determining capacity but the date of the rezoning.

Ms. Barnes: So, is that something that's so far out of left field that we couldn't consider somehow adding something like that to the list? Or is that something that this is completely different because that's a proffer?

Mr. Harvey: Commissioner Barnes, that would be a State Code change. I would hazard to guess, though, the likelihood of that moving forward right now would probably be pretty limited because of the statewide national problem of a housing shortage. And usually the Builders' Association State has strong emphasis in the General Assembly and usually they would like to roll back things to make the supply of housing increase rather than more difficult for people to rezone.

Ms. Barnes: So pick my battles. Got it.

Mr. Apicella: Alright, so do we need to take a vote or can we just do this by consensus Ms. Lucian?

Ms. Lucian: Consensus is fine.

Mr. Apicella: Right. So, I'm not hearing anybody say no, so I think... have we given you enough guidance on what to include in the list Mr. Harvey?

Mr. Harvey: Yes sir, that's perfect. So what I'll do is regenerate the request forms and send them to Mr. Toigo in the County Administration Office, and then when it's completed I will forward the final versions back to the Commission.

Mr. Apicella: And again, we're adding the one on family subdivisions as well, so... *inaudible*.

Mr. Harvey: Yes sir.

Mr. Apicella: Thank you for that item Mr. Harvey. Moving onto the next item, Downtown Stafford.

Mr. Bain: Excuse me a second, Steve, just one second.

Mr. Apicella: Oh, go ahead.

Mr. Bain: When the Board finally finalizes the list, would you distribute that to the Commission? Whatever it is they finally send to the State, I'd like to see that.

Mr. Harvey: Yes sir. They pass a resolution every year which lists out their legislative priorities. Staff will provide that to the Commission.

Mr. Bain: Great, thank you.

6. Downtown Stafford

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Mr. Harvey: And that's usually in the fall. And Mr. Chairman, continuing on with my report, I just wanted to give the Planning Commission a brief update on Downtown Stafford. The Board of Supervisors held its public hearing last week on the proposed Comprehensive Plan change, Ordinance change, as well as the zoning reclassification which entails county-owned property and property owned by JPI Fountain Park. The Board of Supervisors continued the public hearing to their June 15th meeting and asked that the continued public hearing be split up so that the Comprehensive Plan change and the Ordinance amendment would be one hearing, a second hearing would be on the rezoning of the JPI Fountain Park property, and third public hearing on the rezoning of the County's property.

Mr. Apicella: That sounds like a great approach Mr. Harvey. Sorry.

7. Sam's Xpress Car Wash

8. Uses in A-2 Zoning

Mr. Harvey: And Mr. Chairman and Commissioners, just to let you know, Sam's Xpress Car Wash Conditional Use Permit passed. And also the Board accepted the recommendations from the Planning Commission on A-2 zoning changes. However, it did have a suggestion before the item is moved forward to public hearing by the Commission. And that suggestion was that there be an acreage limitation on Agricultural uses in the A-2 zone. The concern was, again, A-2 zoning allows for lots as small as one acre. The Code as written... Code amendment as written allowed for Agricultural uses on lots less than two acres if they had acquired a conservation plan. It was noted at the Board of Supervisors meeting that a conservation plan is not an enforceable mechanism, so they had some concerns about utilizing that as a tool for minimizing neighborhood conflicts. So, the suggestion was that the Commission consider a minimum acreage requirement. There's a couple options to consider. One option that was brought up by a Board member was three acres. Another option to consider is taking the two acres with the conservation plan instead of listing it as by-right, making it a special exception. Staff is throwing those out as two options for the Commission to consider.

Mr. Apicella: So... so, just to kind of poll the Commission, I don't know if folks have a copy of the ordinance, we could either hold off on pushing something forward as is or with the change, or we could do it tonight. So, I'm hoping folks have it in front of them; I'm looking at the draft ordinance, O21-01. I think you're talking about under the Table 3.1, A-2, Rural Residential, part (a) Agricultural operation. Is that correct Mr. Harvey?

Mr. Harvey: Mr. Chairman, just give me a moment so I can pull the item up.

Mr. Randall: It wasn't part of the staff report.

Mr. Apicella: Alright, so folks would rather hold off and discuss it at the next meeting then? I'm finding a way, just want to know the will of the Board... the Commission.

Mr. Randall: Well, what's required? There's not a requirement in A-1, right? Mr. Harvey?

Mr. Harvey: I don't recall a minimum acreage in A-1 for Agricultural activities. But we can revisit that and bring that back to the Commission for your next meeting. I apologize for not having a copy of the draft ordinance with me.

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Mr. Apicella: Alright. Unless folks object, let's just go ahead and move in that direction and we'll bring it up at the next meeting.

Mr. Randall: Roger that.

Mr. McPherson: Agreed.

Mr. Harvey: So, Mr. Chairman, we'll list it as Unfinished Business on the agenda.

Mr. Apicella: Great.

Mr. Harvey: And then my final item to discuss with the Commission or make you aware of is Denise Knighting in our office, you may recall seeing her in a number of meetings over the years, she's been with us approximately 17 years. Friday will be her last day. She's retiring. So, I wanted to wish her well and wish her congratulations on a well-deserved retirement.

Mr. McPherson: Second.

Mr. Apicella: Yeah! She's been great to work with.

Mr. Randall: For sure! Congratulations!

Mr. Apicella: We wish her well on her new journey.

Mr. Harvey: Yes indeed. And that concludes my report Mr. Chairman.

COUNTY ATTORNEY'S REPORT

Mr. Apicella: Thank you Mr. Harvey. Ms. Lucian, County Attorney's Report?

Ms. Lucian: I have no report. Thank you.

COMMITTEE REPORTS

9. Comprehensive Plan 5-Year Update Subcommittee
Subcommittee Reports – May 6, 2021 & May 13, 2021
Meeting – May 20, 2021
Next Meeting – May 27, 2021 @ 3:30 PM; Activities Room & Virtual

Mr. Apicella: Okay. Committee Reports; Comp Plan Update Committee, Mr. Randall.

Mr. Randall: We have had a meeting pretty much every week. To adjudicate the comments that have been made by the Board members, we have worked through all chapters up through 6.5. We will continue to meet every week, as available to adjudicate all of the comments, and then we will begin working on the staff final report, adjudicate those, and then hopefully have something back that we can report on by the end of June to the Board. At least the first two to three chapters so we can give the Board something, this Board, this Commission, and then be able to give a preliminary, have staff give a preliminary report on our progress to the actual Board of Supervisors. So that's kind of our current plan right now. Thank you.

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10. Land Dedication/Right-of-Way Subcommittee
Subcommittee Report – May 12, 2021
Meeting – May 19, 2021

CHAIRMAN’S REPORT

Mr. Apicella: Thank you Mr. Randall. I don’t think we need to hear from the Land Dedication/Right-of-Way Committee. I appreciate their efforts again. So we move onto the Chairman’s Report. What I’d like to do is announce a Special Meeting of the Planning Commission to be held on June 16th at North Stafford High School. Still working to finalize the details but, for now, the plan is to hold that Special Meeting from 7:00 to 9:30 PM. The purpose of the meeting is to give the public a chance to hear the details of the proposed Vulcan Quarry changes and allow the public to directly ask questions to the applicant and the staff. What I need to be assured that we can have that Special Meeting is that we need at least 4 members, tonight, to advise that they’re willing to attend in person so that we can meet our minimum requirements. So, I believe Ms. Barnes is planning on attending...

Ms. Barnes: Correct.

Mr. Apicella: ... and Mr. Randall, other folks on the Commission willing to attend the Special Meeting.

Mr. English: I will Steven. Darrell will.

Mr. McPherson: I said I would, too.

Mr. Bain: I will also.

Mr. Apicella: Awesome. Okay, great, looks like we have at least 5 if not 6. So, I think you very much.

Ms. Barnes: Chairman Apicella, can I ask a quick question about the time?

Mr. Apicella: Yes.

Ms. Barnes: You mentioned that it was 7:00 to 9:30; I think in one of the discussions we had talked about maybe moving it to 6:00. I didn’t know if that was something that we wanted to consider because a 2½ hour special meeting on that topic might be a little tight. I know that does bump into some peoples’ commutes and, but I think it might be something we want to consider.

Mr. McPherson: I actually agree.

Mr. Apicella: Yeah, I’m not wedded to 7:00 to 9:30, I’m just saying that’s a starting point. I think we just need to consult with the applicant to make sure that that 6 o’clock timeframe works for them as well. So...

Mr. Harvey: Yes, Mr. Chairman, staff will check with both the school and the applicant to check on availability for 6:00 PM. We did recently hear from the schools that we can extend to 9:30.

Mr. Apicella: So, we’ll know hopefully by the next Planning Commission meeting more of the details and firm up the start time in the meantime. Does that work with you Ms. Barnes?

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Ms. Barnes: Sounds good, thank you.

Mr. Apicella: Great. Alright, again, pursuant to our by-laws, I'm hereby authorizing the Vice Chairman to sign any documents in my absence. That concludes my Chairman's Report. Other Business – TRC; looks like there's some information for Mr. English associated with the Hartwood District. Last item on the agenda is Approval of Minutes. Is there a motion to approve the October 7, 2020 minutes?

OTHER BUSINESS

11. New TRC Submissions
 - ❖ Sycamore Grove Sec 1 - Hartwood Election District

APPROVAL OF MINUTES

12. October 7, 2020 Work Session

Ms. Barnes: So moved.

Mr. McPherson: Second.

Mr. Apicella: Okay, with no further comments, do this by voice vote. All those in favor say aye.

All Commissioners: Aye.

Mr. Apicella: Opposed? Okay, those minutes are approved. December 20, 2020 minutes; is there a motion?

13. December 20, 2020 Work Session

Mr. Bain: So moved.

Mr. Apicella: Thank you Mr. Bain. Is there a second?

Mr. Randall: Second.

Mr. Apicella: Thank you Mr. Randall. Okay, no further comments, all those in favor say aye.

All Commissioners: Aye.

Mr. Apicella: Opposed? Those minutes pass as well. Finally, the April 28, 2021 minutes; is there a motion to approve those? Anybody?

14. April 28, 2021

Mr. English: I will; so moved.

Mr. Apicella: Thank you Mr. English.

Ms. Barnes: Second.

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Mr. Apicella: Thank you. Okay, without any further comments, all those in favor say aye.

All Commissioners: Aye.

Mr. Apicella: Opposed? Those minutes pass as well. With no further business before the Commission, we are hereby adjourned. Thank you everybody, have a great evening.

ADJOURNMENT

With no further business to discuss, the meeting was adjourned at 5:35 PM.