

**STAFFORD COUNTY PLANNING COMMISSION**  
**August 14, 2019**

The meeting of the Stafford County Planning Commission of Wednesday, August 14, 2019, was called to order at 7:01 p.m. by Chairman Crystal Vanuch in the Board of Supervisors Chambers of the George L. Gordon, Jr., Government Center.

MEMBERS PRESENT: Crystal Vanuch, Steven Apicella, Darrell English, Albert Bain, Roy Boswell, Fillmore McPherson, Barton Randall

MEMBERS ABSENT:

STAFF PRESENT: Jeff Harvey, Lauren Lucian, Stacie Stinnette, Mike Zuraf

DECLARATIONS OF DISQUALIFICATION

Ms. Vanuch: Okay, any declarations of disqualification from any members on the Planning Commission on the agenda tonight? Mr. Bain?

Mr. Bain: Yes, Madam Chairman. I want to let it be known I've had a meeting with the attorney and applicant for Vistas at Ferry Farm, and also had a meeting with homeowners at the townhouse development near that site. Thank you.

Ms. Vanuch: Okay. Anyone else? Okay, seeing none, we'll move on. Does anybody have a motion to reorganize the agenda and move any items?

Mr. Randall: Madam Chair?

Ms. Vanuch: Yes.

Mr. Randall: I'd like to make a motion to move the scheduled closed hearing...

Ms. Vanuch: Closed session.

Mr. Randall: ... closed session, I'm sorry, to the end of the meeting tonight after the approval of minutes.

Ms. Vanuch: Okay. We have a motion, do we have a second?

Mr. English: Second.

Ms. Vanuch: Okay, any discussion gentlemen?

Mr. Randall: No.

Ms. Vanuch: Alright, go ahead and cast your vote when the screen turns blue. Motion carries 7-0. Alright, now we'll move on to the public presentations portion of tonight's meeting, and tonight we recognize Mr. Alex Owsiak. Did I say that right?

PUBLIC PRESENTATIONS

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County Transportation Construction Project Quarterly Update by Alex Owskiak, Public Works, Transportation Program Manager

Mr. Owskiak: Owskiak.

Ms. Vanuch: Owskiak, okay... from Public Works. He's the Transportation Program Manager; going to give us a VDOT update.

Mr. Owskiak: Yeah, so... good evening Madam Chairman, members of the Commission, I'm Alex Owskiak, Transportation Program Manager with Public Works. I'm just going to give you a brief update tonight on some of the construction projects we've got going on here in Stafford County. First we'll talk about our Fire Station 14 being constructed off of Shelton Shop Road. Currently, the contractor is working on installing interior finishes. They're also working on the underground stormwater detention system; that's going on in front of the building. We've got the training tower, pictured here, just about complete. And we're anticipating obtaining a temporary Certificate of Occupancy in September.

Ms. Vanuch: Question about that.

Mr. Owskiak: Yes.

Ms. Vanuch: Grading. Going into the front of the fire station; I did a ride along with Station 14 a few weeks ago and there is grave concern they're not even going to be able to bring a ladder truck in there because it is a hill getting up there. Every other fire station is flat ground. Is there any plans to flatten that grading problem out?

Mr. Owskiak: I'll have to check. I thought that's already been worked out where we're going to have appropriate...

Ms. Vanuch: No.

Mr. Owskiak: ... grades there. So, let me go back and check with the construction staff to make sure this issue has been solved.

Ms. Vanuch: Okay. And then can you follow-up with via email because I know they would be anxiously awaiting that concern.

Mr. Owskiak: Certainly.

Ms. Vanuch: Okay, fantastic.

Mr. Owskiak: Moving on to our next project, this is the Poplar Road/Mountain View intersection improvement. The title's a little misleading. This is really an improvement right here at the intersection with Cedar Lane. We've got a bad curve there. The contractor's completed the clearing of the vegetation. They've actually completed base stone, and we've got base pavement down as well as pavement striping. We've actually got traffic running on the new pavement as it is right now while the contractor works to obscure the old pavement and do some additional grading work before we replace the final surface and open up the traffic. We've got a completion date of November but we're probably gonna beat that and probably looking October 1<sup>st</sup> completion date on this one. Next is our Brooke Road safety improvements. As you're probably all aware, we had to extend our road closures to the end of September. We're still working to relocate some utilities up there at the intersection of Rustic Ridge and

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Stagecoach, which is pictured here in the graphic. And we've also got a crane onsite now and getting ready to start our sheet pile installation down in the wetland area by our box culverts to finish up that portion there, and we should be on schedule to reopen the road by the end of September.

Mr. Bain: What was the cause of the delay, just weather?

Mr. Owsiak: Honestly, it's been a number of things. We've had issues with weather delays, we've had unanticipated utility impact at the intersection here which required us going back to landowners and obtaining additional easements; that, you know, took a long while there so. That, as well as issues with getting the sheet piling installed and get that approval through VDOT, it took some extra time.

Mr. Bain: I see, thank you.

Mr. Owsiak: Right now we've got a March completion date for our contract. We're probably looking to finish this one up probably around Thanksgiving. Next is our Route 1 and Courthouse Road intersection improvement project right out here. It's still ongoing through our right-of-way process. I just received another purchase offer today, so we've got 15 offers we've signed with landowners. The Board's approved condemnation on 10 additional parcels. We're still working with the last few remaining holdouts trying to reach a settlement with them. Next up on the list would be utility relocation happening later on this fall. Before we can start that, I've got to go back and demolish a couple buildings and, once we do that, utility relocation proceeds.

Ms. Vanuch: Where... are you relocating power lines?

Mr. Owsiak: Yes ma'am.

Ms. Vanuch: And are you... where are you doing those power lines? Are they going to go underground?

Mr. Owsiak: No ma'am.

Ms. Vanuch: Okay.

Mr. Owsiak: No. We had quite a discussion with both VDOT and the County before. They consider undergrounding of the power lines a betterment, which the County would be responsible for bearing the whole cost of that. And it was about a 2 to 2½ million dollars extra to go ahead and place those power lines underground and, at the time, we just didn't have the funds.

Ms. Vanuch: Okay. Do we have them now?

Mr. Owsiak: No. In fact, our project is running over budget.

Ms. Vanuch: Oh well, okay.

Mr. Owsiak: Next is our Belmont-Ferry Farm Trail Phase 4. The project is getting close to wrapping up here probably next month. You may have heard recently we were excavating for a retaining wall near Chatham Bridge and hit a gas line out there. That was unanticipated even though we asked our contractor to do some potholing out there. They still ended up hitting it, so we're still working with Columbia Gas to make those repairs out there. It shouldn't really push back our schedule any much and so we're still on schedule here, wrapping up in September. Next is the Belmont-Ferry Farm Trail Phase

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6. This one we're still kind of working through with VDOT to try and figure out the alignment. We've got an alignment in mind where we're going to be using possibly some old VDOT right-of-way. There just some question whether they've completely abandoned it and who that property still belongs to, does that revert back to the landowners, is it still VDOT's control. We're still trying to do some property research and figure that all out. Other than that, we're trying to hopefully determine that, get that all worked out by the end of next month, and go ahead and start design work full forward. Next is our Juggins Road improvement project. We wrapped up construction on this one back in June. We actually had an incentive on the contract to... for early completion so we'd make sure the road was completed before the school opened. And our contractor met that so he earned himself about a \$40,000 incentive. And as far as I know, school's back open and we're good to go here. Next is Berea Church Road safety improvements. This is another project we're in the right-of-way phase, or actually getting ready to start our right-of-way phase. We're impacting about 28 parcels along the road. We're still waiting to receive some utility easements from the private utility companies like Verizon and Dominion so we know where to relocate their utilities. And once we get that, we'll probably go ahead and submit those plans to VDOT. We're probably looking around September/October approval for those plans so we can go ahead and start the acquisition process. Next is the Route 1 and Telegraph Road/Woodstock Lane intersection improvement project. We recently had a little change in scope with this project where we went back to the original Smart Scale application, which is just isolated intersection improvements right there at Telegraph Road where we'll be installing a permanent traffic signal there. And then intersection improvements at Woodstock Lane, we'll be installing a slotted left turn onto Woodstock Lane to help kind of eliminate some of the safety issues we've been having out there with a lot of rear-end accidents when people try to access those roadways. Right now our contractor's consultants are working on those plans. We plan to submit those plans to VDOT in September here, by the end of September, and hold a formal public hearing to display the plans and get public input later this year.

Mr. Boswell: Are you taking any property to do that from any of the business on... that store?

Mr. Owsiak: Yes sir.

Mr. Boswell: You are going to be taking some of that property?

Mr. Owsiak: Yeah, yeah. Some of that we're gonna have to widen Route 1 as part of the improvements and we'll be impacting some of the commercial business and residents along that road.

Mr. Boswell: In specific, the Taylor's Store parking lot there is pretty small. Are you taking any from there or do you know?

Mr. Owsiak: So, right now, I mean, we're still kind of in preliminary plans. Right now it's looking like, you know, we might need to acquire some temporary easements for construction right there. We don't see any kind of major acquisitions going on with Taylor's Store to impact their parking along the front of Route 1 or anything like that, so I think we're okay.

Mr. Boswell: Okay, thank you.

Mr. Owsiak: Next is our Enon Road and Route 1 improvement project. After some back and forth with VDOT and FAMPO, we actually were able to award some additional Smart Scale money that was... other people weren't able to utilize. So, we were finally awarded some money from Smart Scale and worked with FAMPO to obtain some CMAQ and RSTP funding, so this project is now fully funded. Unfortunately, we won't really receive those funds until FY23. So, it's going to take us a little while before we can actually start design work. We're probably looking at the fall of '22 to actually start

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design work on this project. Next is one of our utility projects. This is the Claiborne Run Sewer Interceptor project. Right now, we've got most of our primary pipe installed along the runway. We've got our final little feeder pipes being installed and some site restoration, and about 85% complete and probably looking at a September completion on this one. Next is the Claiborne Run Parallel Force Main. Again, we've got the Phase 1a piping is actually about 95% complete right about now. We're still doing the bore under Little Falls Run and we're probably, again, looking at a late September completion for this project as well. And then our final utility project is the Lower Accokeek Project which involves both the pump station and gravity sewer line, as well as the force main. Our piping project has already been awarded. I believe they're going to start on September 3<sup>rd</sup>, construction on there, and then our pump station contract, we're expecting to bring that award to the Board on their September 17<sup>th</sup> meeting and hopefully start construction then later this fall. Oh, one more. Route 1 Wayside Sewer Interceptor; this is another here that's just about complete. We've had some weather delays working in that wet area down there between the bifurcated Route 1. Right now we've got about, again, 90% complete and probably looking again late September/early October completion date for this one. And that pretty much wraps up my presentation. Do you have any other... further questions?

Ms. Vanuch: Any questions? No? Mr. Randall?

Mr. Randall: Yes I do, I have one quick question. Do we foresee that being... moving forward with other projects and not doing underground utilities, I see that as a... that really I guess not bothers me per se but I'm hesitant to think that in the... where we are today, that we're going to a major project for however many millions of dollars it is and yet we're going to put telephone poles right back where we would like to get rid of them and put them underground. Does this mean that into the new Stafford Courthouse Area, the new Stafford Downtown Area, that we're going to do above ground as well? Or do we not have the money for that either?

Mr. Owsiak: So, for right now, I agree. It was kind of a missed opportunity. It was just kind of unfortunate at the time, you know, we just didn't have the County funds to contribute that additional money to the project. Obviously, for future projects we're kind of looking to try to, you know, where appropriate, underground utilities. I think it provides a benefit not only for the County and citizens, but utility companies as well. Unfortunately, they don't see it that way and they don't want to contribute any to that cost and put it all on the County, so we're kind of stuck with that. As far as additional things in Downtown Stafford, right now we don't have any other projects in this area on our books for transportation improvements. But certainly we're looking, you know, as people come and develop parcels, to hopefully, you know, underground those utilities as part of that perhaps redevelopment.

Mr. Randall: Would that be a... could that be requirement?

Mr. Owsiak: Possibly.

Mr. Randall: Okay. Alright, thank you.

Mr. Bain: It wasn't on your presentation, but what's the status on the I-95/Courthouse Road project? When is that going to open up?

Mr. Owsiak: So, I believe the widening portion of Courthouse Road, out to about Winding Creek and all, that's looking to wrap up this year, I think around December of this year, they're planning to wrap up construction on that. As far as the overall diverging diamond interchange, to be honest I'm not quite sure on the timeline on that. I'd have to go back and check with VDOT. I think they were looking around the summer of next year opening date for that.

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Mr. Bain: Ah, okay.

Mr. Owsiak: I mean, looking at the progress, I mean, they're getting pretty close to wrapping that up.

Mr. Bain: Yeah, that's why I was wondering.

Mr. Owsiak: I think it's just a matter of, you know, over wintering it and then hitting it back in the spring to wrap it up.

Mr. Bain: Okay, thank you.

Ms. Vanuch: I don't think we have any more questions. Thank you so much, great update.

Mr. Owsiak: Alright, thank you very much.

Ms. Vanuch: Okay, would anyone else like to come down and present to the Planning Commission part of the Public Presentations? Seeing no one, we'll close that out and move onto item number 1 under Public Hearings. Item number 1 and number 2 had a request from the applicant to defer until September 25<sup>th</sup>. Would anyone like to come down... because I don't think we need to present data on this, I don't think there is an update, and be... participate in the public hearing? Since we have no one here, we will just close those out and I think the Commission needs to take a vote to defer this until September 25<sup>th</sup>. So, do we have a motion?

PUBLIC HEARINGS

1. RC18152428; Reclassification - Vistas at Ferry Farm - A proposed reclassification, with proffers, from the A-1, Agricultural Zoning District to the R-5, Age-Restricted Housing Zoning District to allow for the development of up to 170 age-restricted multi-family dwelling units on Tax Map Parcel Nos. 54-79, 54-79A, 54-80, 54-80A, and 54-81 (Property). The Property consists of 7.118 acres, located on the south side of Kings Highway and north side of Naomi Road, within the George Washington Election District. **(Time Limit: October 18, 2019) (History: July 10, 2019 Public Hearing Continued to August 14, 2019)**
2. CUP18152429; Conditional Use Permit - Vistas at Ferry Farm - A request for a conditional use permit (CUP) to allow increased residential density of up to 24.0 dwelling units per acre in the R-5, Age-Restricted Housing Zoning District on Tax Map Parcel Nos. 54-79, 54-79A, 54-80, 54-80A, and 54-81 (Property). The increased residential density would allow up to 170 age-restricted multi-family dwelling units. The Property consists of 7.118 acres, located on the south side of Kings Highway and north side of Naomi Road, within the George Washington Election District. **(Time Limit: October 18, 2019) (History: July 10, 2019 Public Hearing Continued to August 14, 2019)**

Mr. Randall: So moved.

Mr. Bain: Yes... oh, alright.

Ms. Vanuch: Okay, so we have a motion by Commissioner Randall to move it to the... to defer the public hearing until September 25<sup>th</sup>. Second by...

Mr. Bain: I'll second.

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Ms. Vanuch: ... Commissioner Bain. Any further discussion gentlemen?

Mr. Randall: No.

Ms. Vanuch: Alright, vote when your screen turns blue. Okay... uh-oh... okay. Motion carries 7-0. Moving right along, item number 3, the A-1 Amendment, and for this we recognize Mr. Mike Zuraf. Is that... yeah? So we... this is the, I guess presentation for the Public Hearing portion. I think we went through this last meeting. Go ahead.

Ms. Lucian: We just wanted to clarify, did you want to leave the public hearing open on those first two or close out?

Ms. Vanuch: Yeah, because we didn't have the public hearing this time, so I think it's fair.

Ms. Lucian: Okay.

Ms. Vanuch: So, I did say that in the motion.

Ms. Lucian: I think you said something about closing it out. It may have just been words that weren't meant to say that.

Ms. Vanuch: Ohhhh, I did... yeah, that probably was.

Ms. Lucian: So, maybe... yeah, maybe restate the motion. Just make it clear that the public hearing is going to be left open.

Ms. Vanuch: Alright, go ahead and restate.

Mr. Randall: Madam Chair, I'll make a motion to leave the public hearing open and defer the public hearing until the 25<sup>th</sup> of September.

Ms. Vanuch: Okay. Do we have a second?

Mr. Bain: Second.

Ms. Vanuch: Alright, so this is leaving the public hearing open just to clarify, and then we're deferring it until September 25<sup>th</sup>. Go ahead and vote. Motion carries 7-0. Okay, now moving onto A-1. Mr. Zuraf, you can just hit the items that we changed last time as part of the... I think we've talked about this a lot and we don't have anyone in the audience.

3. Amendment to Zoning Ordinance - Proposed Ordinance O19-21 would amend Stafford County Code Sec. 28-25, "Definitions of specific terms," and Sec. 28-35, Table 3.1, "Table of uses and standards," to create definitions of uses within the A-1, Agricultural Zoning District and amend uses and how such uses are permitted. **(Time Limit: September 6, 2019)**

Mr. Zuraf: Yeah, it's a brief presentation on this.

Ms. Vanuch: Okay.

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Mr. Zuraf: Good evening Madam Chairman, members of the Commission, Mike Zuraf with the Planning and Zoning Department. So, this is a public hearing, so the issue is considering changes to the Zoning Ordinance to create certain definitions of uses within the A-1, Agricultural Zoning District, and amend uses as well. So, this was a process that went through multiple Planning Commission subcommittees and through the Board's Community and Economic Development Committee. And it was a lengthy process. The intent of the overall amendment is to clarify uses, also reduce conflicts between agricultural and residential uses, and protect existing future agricultural operations. Overall, there are several uses that have been removed from the district since they're not agricultural in nature and are allowed in other districts that are more suited to those uses. These uses include parking and storing of commercial vehicles, and recreational enterprises and facilities. Some of the uses were changed from a by-right use to a use that approved... that would be required to be approved by conditional use permit or special exception. Those are listed here; you can see after each use, SE stands for requiring special exception and CUP for conditional use permit. And I won't read through all of those. Also, the amendments add minimum acreage requirements for certain agricultural uses as well. This includes campgrounds, forestry, plant and tree nurseries, sawmills, and sites that have slaughter and processing of animals. The acreage requirements would limit these types of uses from being located in the more dense A-1 residential subdivisions and therefore minimizing potential conflicts. Also, new definitions have been created; this includes for agri-tourism; also for agricultural operations for livestock and poultry; aqua-tourism; animal feeding operation; event venue; farm brewing; and home-based rescue. Also, several definitions were modified. This includes for commercial kennel; non-commercial kennel; and farm winery. Here, basically the number of canines, felines, or hybrids were increased under the definition under commercial kennels from 5 to 10; for non-commercial kennel the number was increased from 5 to 6. And the farm winery definition was modified to cite the correct state code references.

Mr. McPherson: Mike, I have one quick question, if I may.

Mr. Zuraf: Yeah.

Mr. McPherson: Kennel non-commercial, it says here all kennels should comply... they talk about keeping the animals as an accessory use. I'm really not quite sure what that means. Is a pet an accessory use or is it somebody who's doing this for money or as a business?

Mr. Zuraf: So, the idea would be it's more of an accessory use to... a typical situation would be somebody's home. You know, the primary use is a residence on the property and then the non-commercial kennel is just more accessory to that primary use.

Mr. McPherson: So, basically, six dogs that are pets would be the accessory use and so it'd be a non-commercial kennel?

Mr. Zuraf: Right, right.

Mr. McPherson: Okay, thanks.

Mr. Zuraf: And, so staff recommends approval of this ordinance and we'll remind you that the deadline to make a recommendation is September 6, so you would have to act tonight to provide a recommendation to the Board to meet that deadline.

Mr. Randall: Madam Chair? I have a quick question. Mike, I'm looking at the list and I need you to walk me through. In the by-right usage, it talks about, at the very bottom, it talks about slaughter and



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animal processing? Slaughtering and animal processing, and then it also it looks to me like it's relatively the same language. It talks about the same thing in the special exception area. I'm not sure of the differences in those two specifics, those two items.

Mr. Zuraf: The difference is acreage.

Mr. Randall: Well, it looks like 10 acres is in both of them.

Mr. Zuraf: Both, okay.

Mr. McPherson: USDA inspection?

Mr. Randall: So, why would US... right. I'm not understanding why it would... the USDA requirement made it a special exception. Wouldn't that USDA be a requirement? Be something we want all the time?

Mr. Bain: No. The... if an operation is going to sell their processed meat commercially to restaurants or supermarkets, they require USDA inspection and certification. If they are selling only to private individuals, they only need the Virginia inspection. And it's a significant difference in costs for meeting requirements. I know that because our farm is one of those that only gets the Virginia inspection. And so there is a difference between the two. So a...

Mr. Randall: Do we need to add that clarification to the process? Because it looks based on... it looks, based on this, how somebody would understand why they would need a Virginia versus a state... or a Virginia versus a USDA...

Mr. Bain: I don't know.

Mr. Zuraf: I would guess that somebody who is under that type of program, they probably are fully aware of what the... what the kind of need is for those two different...

Mr. Randall: Alright, thank you.

Mr. Boswell: Mike, can you explain, under the heading agricultural? And then agricultural operation? What can a person with A-1 land do as... what is agricultural? Define that for me.

Mr. Zuraf: So, for the definition of agriculture, it says see agricultural operation.

Mr. Apicella: I actually have that definition. Want me to read it out to you from the code?

Mr. Boswell: Go ahead, yeah.

Mr. Apicella: An operation devoted to the bona fide production of crops or animals or fowl, including the production of fruits and vegetables of all kinds, meat, dairy, and poultry products, nuts, tobacco, nursery and floral products, and the production and harvest of products from silvicultural activity. Nursery operations are considered agricultural operations, in addition to apiaries. Agricultural operations do not include establishments engaged in the processing of agricultural or silvicultural products or the above-ground application or storage of sewage sludge.

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Mr. Boswell: So, if this passes like it is, we're going to consider everything an agricultural operation. Is that the way I'm understanding? In other words, if a person has an acre, if he has an acre and he wants to have a pony and some chickens, then we're... now we're going to call him an agricultural operation. Is that... am I understanding correctly?

Mr. Zuraf: I think there's other distinctions regarding keeping of poultry and livestock where there are some acreage requirements.

Mr. Boswell: Yeah, but before we started adjusting this, if you had A-1 property, you were legal to keep... a man could buy his child a pony or he could have a few chickens on an A-1 property, correct? I believe the way it was?

Mr. Zuraf: I believe so.

Mr. Boswell: So, it's going to be quite a restriction if we go through with it like this. I thought when we put... the reason I ask the question, I thought when we put agricultural back in, because we had it taken out, I didn't know... I missed the part where it says refer to agricultural operations so it was really not necessary to put it back in.

Mr. Harvey: Yes, Commissioner Boswell and Madam Chairman, that was a discussion at the committee level was to make sure that we still had agricultural reference for everyone's knowledge sake.

Mr. Boswell: Right.

Mr. Harvey: For a practical standpoint, the only significant change in the code with agricultural operation is that it says if you're doing an operation agricultural zoned land of 2 acres or less, you need to submit to the County a land conservation plan. So, it's still a by-right activity; it's just the...

Mr. Boswell: But everything is considered an operation now.

Mr. Harvey: Yes.

Mr. Boswell: Yeah. And so you're going to be... people are going to have to go get this, you know, like you were talking about, this permit from the...

Mr. Harvey: Only on parcels less than 2 acres... 2 acres or less.

Ms. Vanuch: Yeah, less than 2 acres. It's still if you have 3, 4, or 5 acres you're fine. So, if you have 2 acres, that's when you would just go. But if you're zoned in like R-1 or R-2 or whatever, then that... it's only for A-1 property. Does that make sense?

Mr. Boswell: I got it.

Ms. Vanuch: Okay.

Mr. Boswell: I just wanted to make sure I understood it.

Ms. Vanuch: Yeah. Any other questions? Keep going.

Mr. Zuraf: I'm finished.

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Ms. Vanuch: Oh, you're done? Okay. Did you... in know you have questions.

Mr. Apicella: I didn't have a question, I have a recommended change or addition. So, under event venue, I'd like to add a couple of additional examples which I think, based on examples I'm recommending would not...

Ms. Vanuch: Under the definition, yeah.

Mr. Apicella: ... would not run afoul of the public notice requirement.

Mr. Randall: This is the special exception area?

Mr. Apicella: I'm just going to the definition, so I'm on page, on our staff report, Attachment 1, page 2 of 6, about midway through the page is event venue and its definition. I would like to add as additional examples, concerts, reunions, and festivals.

Ms. Vanuch: I think that's reasonable.

Mr. Bain: What was the third one?

Ms. Vanuch: Festivals. Reunions. Concerts.

Mr. Randall: Well, you think it's important to call those out specifically versus the, but not limited to? Do we want to...

Mr. Apicella: Being on the BZA I think additional examples are helpful to avoiding problems down the road.

Mr. Randall: Specificity would help in this case?

Ms. Vanuch: Yeah.

Mr. Apicella: Yes.

Mr. Randall: Okay.

Ms. Vanuch: Does anybody have consternation about any of those changes? Anybody have any issues?

Mr. Randall: I'm sorry. Reunions, concerts...

Ms. Vanuch: Concerts. Festivals.

Mr. Randall: ... and festivals. No.

Ms. Vanuch: Okay. What's your other change?

Mr. Apicella: That's it.

Ms. Vanuch: Oh, that was it? I thought you said you had a question too?

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Mr. Apicella: I'm gonna not proceed forward with that one.

Ms. Vanuch: Okay. Okay, anybody else? And if nobody, then do we have a... does anybody want to make a motion on this? Or I'm sorry, yep. I guess we need to do that, that's right. Okay, so, thank you very much Mr. Zuraf. At this point, we'll open up the public hearing. If you'd like to come down and address the Commission on any A-1 changes on this Ordinance, please come down. You have 3 minutes to speak. When the red light comes on, please conclude your comments? Anybody want to speak on this? Alright, seeing no one, we'll close the public hearing and bring it back to the Planning Commission. Anybody have additional questions for staff that you've thought of in the last 30 seconds? No?

Mr. Bain: Yes.

Ms. Vanuch: Oh, you do? Oh geez.

Mr. Bain: I'm so sorry. We say event venues on lots greater than 20 acres. I didn't study this so what happens if you have a 10-acre lot and you want to hold an event or run an event facility?

Mr. Zuraf: Under A-1 it would not be permitted.

Mr. Bain: Would not be permitted. Okay, thank you.

Ms. Vanuch: Okay, any other questions? No? Alright, so does anybody want to make a motion?

Mr. McPherson: Sure. Madam Chair, I move that we recommend approval of Ordinance O19-21, with the recommended changes by Chairman Apicella.

Ms. Vanuch: Okay, does he have a second?

Mr. Bain: Second.

Ms. Vanuch: Alright, so we have a motion and a second. Any further comments? Alright, go ahead and vote when the screen turns blue. Okay, motion carries 7-0. Moving along to item number 4 on the agenda, the Flood Overlay District update for the Ordinance. Mr. Zuraf, we recognize you for this presentation.

4. Amendment to Zoning Ordinance - Proposed Ordinance O19-38 would amend Stafford County Code Sec. 28-57, "Flood Hazard Overlay District (FH)," to require amenities provided in residential developments, such as tennis/basketball courts, and tot lots, to meet the same elevation requirement as residential construction. **(Time Limit: October 18, 2019)**

Mr. Zuraf: Okay, so the Commission here is to consider amendments to the County Code regarding the Flood Hazard Overlay District to require certain recreational amenities provided in residential developments to meet the same elevation as is required for construction of residential structures. For background, the Zoning Ordinance allows for the placement of parks and playgrounds to be located to be located in the floodplain. Often these facilities are included as amenities in residential subdivisions, and this includes basketball courts, tennis courts, tot lots, and features like that. The Board members and Planning Commissioners have received complaints that recreational areas are being damaged by recurring flood waters and debris left by floods. The costs to repair surfaces and remove debris from flood-prone areas end up being high and put a strain on property owner association budgets. And so, to

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prevent the frequency of this type of damage, this Ordinance would require the amenities in subdivisions to meet the same elevation requirements as residential construction of structures, which would be 3 feet above the base flood elevation. Staff does recommend approval of this proposed Ordinance, O18... O19-38. Elevating these recreational facilities would help to protect them from flooding while still utilizing land that otherwise would not be suitable for development in that case. That ends the presentation.

Ms. Vanuch: I like that presentation. One picture, that was it. I'm the one who initiated this Ordinance because of some challenges it the Rock Hill District, so I'm all in favor of this and hopefully you guys can support. Would you have a question, Mr. Randall?

Mr. Randall: I do. You mentioned at the top, you said certain recreational amenities. Can you make a list of the recreational amenities that wouldn't apply to this, rather than saying all recreational amenities? We talk to certain... require certain recreational amenities.

Mr. Bain: I would think like walking trails wouldn't necessarily apply.

Mr. Zuraf: Yeah, you're right. So, yeah, the definition does say recreational amenities constructed in residential developments such as tennis and basketball courts and tot lots shall meet the same elevation requirements. So, yeah, it does not talk about... so, yeah, I think a walking trail could be an amenity that could be permitted.

Mr. Randall: Do we want to list those exceptions specifically? Do we want to say all recreational amenities with the exception of walking trails? Because I think if we only list these three, there's gonna be... there could be potentially other recreational amenities that they'll say well, I don't see a list that specifically that we have to. I would like to list the exception if there's only one or two of them, and then say all recreational amenities with the following exceptions have to meet the following requirement.

Mr. Zuraf: Okay.

Ms. Vanuch: Would that require us to re-authorize since that's going above and...

Ms. Lucian: I would say so, because it'd probably capture a lot more than originally proposed.

Ms. Vanuch: Yeah. And these are the only ones we've had complaints on. I don't think you can build a swimming pool in a floodplain anyway. So that's why we weren't trying to overcorrect the issue, we were just trying to correct it.

Mr. Randall: Well... but if you correct it, I think you should correct it so that it never has to be dealt with again. We don't have to bring it back and say oh, last year when we did it, we forgot this caveat and now this caveat needs to be covered as well.

Mr. McPherson: I concur with Commissioner Randall that we should specify which things are not required.

Mr. Apicella: I think we should go the other way.

Ms. Vanuch: Yeah.

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Mr. Apicella: And I don't think the other way would run afoul of the advertisement. So, if we could think of some other examples that are similar to these, or maybe beyond these, that would be covered. I can't think of anything off the top of my head other than other kind of court-based activities, something that's ground level where... Well, tot lots...

Mr. Randall: You have gazebo areas, you have picnic areas, you know; those are two right off the top of my head that I think would fall into this recreational amenities.

Mr. Bain: But a picnic area could be in the floodplain because it might be down on the banks of a stream and therefore it wouldn't be unreasonable.

Ms. Vanuch: When I recommended this, it was really the costly things for the HOA. I mean, a walking trail probably (inaudible).

Mr. Apicella: Can we put the picture back up? I mean, does anything else come to mind when you see the picture that would cause you some concern that we would want to add to the list?

Mr. English: When you say courts... when you say courts, tennis courts, basketball courts, what about you've got a pickleball court that the seniors do, and what about a racketball court. Those are kind of... maybe just can you say any courts?

Ms. Vanuch: Or outdoor sport.

Mr. English: Yeah, that way it kinda...

Mr. Randall: Well, we talk about the retirement communities, you know. A bocce ball court, you know. All of the things... I mean, if we thought about it for 5 minutes, I could list about 20 recreational amenities so...

Mr. Apicella: So, could we... could we add something for that? Could we just add something that says and other similar court-based sport activities?

Ms. Vanuch: Yeah.

Mr. Apicella: I wonder about soccer fields or fields in general. I'm just throwing it out there. I'm not saying we should or shouldn't.

Ms. Vanuch: Yeah. I don't... I don't know that they... I think the big thing with them was they had to power wash the tennis courts. Any court would have to be power washed and the debris has to be removed. So, I guess you'd have to remove the debris from a soccer field but you wouldn't have to power wash it.

Mr. Apicella: You know, I'm going beyond just the cost. I'm going to a... I see this and it seems like a safety issue.

Ms. Vanuch: And their basketball courts are right beside it on this side...

Mr. Apicella: This looks more like a lake than a tennis court.

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Ms. Vanuch: Yeah. This is the back of Aquia Creek into Apple Grove. Mm-hmm. Yeah, Aquia Creek... this is... yeah, that's Aquia Creek.

Mr. Randall: Again, I'm, you know... if you look at what could potentially happen... if somebody said we're gonna do Embrey Mill, for example, and we think Embrey Mill is going to build a soccer field with artificial turf field in a floodplain, would we want to say it's not just picking up debris; you put an artificial turf field under water and it completely ruins, or maybe not completely ruins, but it would do maybe significant damage to that field. You know, would we ever be in a condition where we would need to make sure that some kind of a soccer field would be built by a developer in a place where... in a floodplain and we don't have that covered?

Mr. Apicella: So, I offered an example or an expansion of courts. Can we also add sports fields?

Mr. Randall: I'm okay adding whatever we need to add to cover it so that...

Mr. Apicella: Yeah, I'm just saying without getting into specificity about soccer fields, baseball fields.

Mr. Randall: ... I mean, if we need to... Right. I just think if we can do that tonight and not have to re-advertise it, that's great. If we need to re-advertise it, I think it's worth the effort to re-advertise it, talk about it, and make sure that we cover it the right way. So, whatever way we do it, that's fine.

Mr. Apicella: I think we could re-advertise it and still not capture everything. I think by adding, you know, more courts and sports fields, I think we've covered, you know, 95% of what typically might be provided as a recreational amenity. Are we going to miss something? Probably.

Mr. Randall: *Inaudible - microphone not on.*

Mr. Apicella: Would those expansions fit within the parameters of the advertisement?

Ms. Lucian: Well, if you look at the Ordinance as proposed, it said recreational amenities generally and then carved out particular examples. So I think that, yes, as long as you're in the line of recreational amenity.

Mr. Apicella: Okay.

Ms. Lucian: Especially if it's just another type of court. I think that would be in line with the advertisement.

Ms. Vanuch: Inaudible - microphone not on... constructed in residential developments such as tennis and basketball courts and all other courts?

Mr. Apicella: And similar court-based sporting activities, comma, sports fields, comma, and then tot lots.

Ms. Vanuch: Hold on. What did you... and similar court activities, fields... is that what you said?

Mr. Apicella: Sports fields.

Ms. Vanuch: Sports fields.

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Mr. Apicella: I'm okay to say tot lots and playgrounds.

Ms. Vanuch: Comma and tot lots...

Mr. Apicella: I don't know...

Mr. Randall: Again, we have seen... we have seen before us recently a location where they wanted to put a playground, not a tot lot, a playground so...

Mr. Apicella: Yeah, I said tot lots and playgrounds.

Mr. Randall: Right, if we have playgrounds I think we're fine.

Mr. Apicella: Yeah.

Ms. Vanuch: Okay, let me read it. Recreational amenities constructed in residential developments such as tennis and basketball courts and similar court activities, sports fields, tot lots, and playgrounds, shall meet the same elevation, da-da-da-da-da.

Mr. McPherson: Dog parks? It's an amenity.

Mr. Bain: It's not recreational...

Mr. McPherson: It's an amenity. This says amenity.

Ms. Vanuch: But it's not a recreational amenity.

Mr. McPherson: I don't know, I think people walking their dog is a recreation. That's just my opinion. It's not a sport but it's a recreation.

Mr. Apicella: I think then we potentially get into the slippery slope of trails and similar kind of things. I hear you, but I just... people can choose not to go on a trail on a given day when there's water and it doesn't take a lot of work I think for that water to recede and it come back to its natural state as compared to these other amenities where I think water saturation can be an expensive issue, plus a safety issue. So, I'm not saying I completely disagree but I just think it gets down a different path -- no pun intended -- beyond the scope of or similarity to these kinds of examples that are already here. My opinion.

Ms. Vanuch: Anything else guys?

Mr. Zuraf: If I could offer an adjustment to the start of the amendment where it says and similar court; say and similar court facilities instead of activities.

Ms. Vanuch: Sure. Alright, let me read it one more time and then we'll get a motion. Recreational amenities constructed in residential developments such as tennis and basketball courts and similar court facilities, sports fields, tot lots, and playgrounds, shall meet the same elevation requirement as for residential construction contained in this subsection. Good? Alright, somebody want to throw out a motion?

Mr. English: Did you close the public hearing?



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Ms. Vanuch: Oh, yep, that's right. I keep forgetting about the public hearings tonight. Alright, thank you Mike. Does anybody want to come and address the Planning Commission on the Flood Hazard Overlay District? You have 3 minutes to speak. Please state your name, address, and the district you reside. Seeing no one, we'll close the public hearing, bring it back to the Planning Commission. Do we have a motion?

Mr. English: I make a motion to approve.

Mr. Apicella: I'll second.

Ms. Vanuch: Okay, so we have a motion to approve with the amended changes for this evening...

Mr. English: Yes ma'am.

Ms. Vanuch: ... that we discussed and a second on the floor. Any discussion?

Mr. English: No ma'am.

Ms. Vanuch: Any discussion, Mr. Apicella?

Mr. Apicella: I would just ask, can we get that picture up one more time? Wow! I just want to say, Madam Chairman, I appreciate your bringing this forward to us. I didn't realize it was an issue, but this picture paints a thousand words and something definitely needed to be addressed. And again, I thank you for helping us come up with some legislation to fix this problem.

Ms. Vanuch: They are going to lose their tennis court/pool, but. Alright, go ahead and take your vote everybody if there's no more discussion. Motion carries 7-0. Moving onto item number 5 under Unfinished Business. So, this item, we need to discuss and put an ordinance together regarding apiaries to be able to send to public hearing. And our timeline for this is September 20<sup>th</sup>, so we do need to get this organized tonight to send to public hearing so that the public hearing can be on September 11<sup>th</sup>. Mr. Zuraf.

UNFINISHED BUSINESS

5. Amendment to Zoning Ordinance - Proposed Ordinance O19-37 would amend Stafford County Code Sec. 28-35, Table 3.1, "Table of uses and standards," and Sec. 28-39, "Special regulations," to allow for the keeping of honeybees (apiary) within the R-1, Suburban Residential Zoning District and establish regulations. **(Time Limit: September 20, 2019)**  
**(History: Deferred on July 10, 2019 to August 14, 2019)**  
**(Authorize for Public Hearing by: August 14, 2019)**  
**(Potential Public Hearing Date: September 11, 2019)**

Mr. Zuraf: Good evening again. You did receive a modified version of this proposed ordinance, but I will go through...

Ms. Vanuch: Yes.

Mr. Zuraf: ... a little bit of background. So, this issue is consideration of amending the County Code to allow for the keeping of honeybees, referred to apiaries, within the R-1, Suburban Residential Zoning District. The Planning Commission discussed this item at the meeting on July 10<sup>th</sup>. The Commission

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did request staff to provide additional information. We did provide a copy of the King George County Ordinance, in your package, and did also include other localities Ordinances that we found during staff research. There was a question if there were training or certification requirements for beekeepers, and who would enforce that. We found out that there are no requirements for training or certification to keep bees. The Virginia Department of Agriculture and Consumer Services recommends Best Managements Practices for beekeepers to help maintain healthy hives and minimize potential conflicts with neighboring properties. The Best Management Practices were also included in your package. There was also a suggestion to consider limitation of two beehives instead of four beehives, permitted on an R-1 property. Staff notes the Planning Commission can opt out... opt to reduce the number of hives permitted on site. We did provide examples of... from other localities of the number of hives permitted based on lot sizes and that did vary between a maximum of two or four. And then there were caveats that allowed for additional hives based on the size of the lots. Also, there was a suggestion made to consider limiting the stacking of hives to three... no more than three boxes. The staff would note here the Planning Commission can opt to include this limitation, but there is no mention of stacking limitations in other local ordinances during our research or within any of the Best Management Practices. So, if... we would note that if the Planning Commission places a limit to... it might be beneficial to define what the box is or specify measurements. Also, there was a question if apiaries should be permitted also in our commercial zoning districts and asking for us to research that and look what other localities allow. Only Prince William County appears to permit it all their other zoning districts. None of the other localities that we looked at allow it in their commercial districts. There is a... as mentioned the new Ordinance, after the last meeting staff did receive some suggestions for additional changes. So we drafted an amended version, it highlights some of the changes made based on the suggestions provided. We've included... there is yellow highlighting that kind of cover the main changes for reference. So just kind of going through that quickly on page 2 of the Ordinance, we've added in definitions of terms for apiary, colony and hive. And that's out of the State Code, those definitions. Then going to page 3 under the specific regulations there... we added in that somebody in R-1 would have to apply for a Zoning Permit, so can at least see what... make sure they meet some of these setbacks and some of the requirements that we're establishing. Also, we added in that hives should be located in the rear yard and be a minimum of 30 feet from all property lines. We've also added in some standards for lot size and the number of hives. So we did add that... I will just read it for number 3, *A minimum lot size of 10,000 square feet is required for up to two hives, a minimum lot size of 12,500 square feet is required for up the three hives, and a minimum lot size of 15,000 square feet is required for up to four hives.* So, anybody... if you have 15,000 square feet or more then you can have four hives. And no hive shall be permitted on any lots less than 10,000 square feet in size.

Mr. Randall: Mike, I have a question for that. Why did we add that section?

Mr. Zuraf: There was a suggestion provided to limit the... to place some sort of limit on square footage of an R-1 lot.

Mr. Randall: Okay, because that takes out many of the R-1 lots in the County. I don't know who made the comment, but was that the intent of the comment, 10,000 square feet... there's...

Mr. Apicella: Yes, R-1 lots are typically a quarter acre, so 10,000 feet is a quarter acre.

Mr. Zuraf: So that's the minimum, so anything over, you are good.

Mr. Randall: Yeah, well there's a lot that are less.

Mr. Zuraf: The idea is to...

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Mr. Harvey: Madam Chairman?

Mr. Apicella: Only in a cluster subdivision...

Mr. Randall: Nope, mine is less and I am not in a cluster. I am in Hampton Oaks, a lot of them in Hampton Oaks are going to be that size. They are going to be less than 10,000.

Ms. Vanuch: (Inaudible) apiaries part...

Mr. Apicella: The current standard for an R-1 is at least a quarter of an acre.

Ms. Vanuch: No bees, no honey for you.

Mr. Harvey: Madam Chairman?

Mr. Randall: Okay, well that may be the case... that may be the case now but it wasn't in 2001 when that whole area was built.

Mr. Harvey: Madam Chairman and Commissioner Randall, currently the R-1 Zoning District allows for an 8,000 square-foot lot for cluster subdivision. Other subdivisions don't have necessarily a lot size minimum but are based on residential development density. Often times we see them larger than 8,000 square feet because of the size of the home and configuration of the property. But there will be some of them that will not be 10,000 square feet, that's for sure.

Mr. Randall: Right, and I hesitate to limit them simply because they are 500 feet short. So anyway, we can talk about that as we move through each of the steps.

Mr. Zuraf: Then on number 4, this is requiring that adequate... accessible water sources are located within 20 feet of all hives on the property, as opposed to 50 feet. And then, number 5 does say that if the landing platform of a hive faces and is within 50 feet instead of 10 feet of a lot or property line there should be a flight path barrier, consisting of a fence, structure or evergreen shrubs not less than 6 feet in height. Then we added in shielding the entire hive or set of hives. Also, number 6 does require signage to be posted at the perimeter of the property, if the property is not enclosed by a fence. If the property is enclosed by a fence then the signage should not be needed, in that case. And then there was a suggestion to include that a beekeeping best management plan should be submitted with an application for a zoning permit. Staff notes that is a very kind of loose requirement and might be something that may be difficult for us to enforce, but it does put the onus on the applicant to provide us with something and be aware that there are some standards that they have to follow. That's a summary of the changes that we are recommending. There was a suggestion for us to consider adding it also in the R-2 Zoning District, add that within this Ordinance. But the Resolution from the Board was limited to this being within the R-1.

Mr. Randall: That was what was brought to them or did they have specific reason why they didn't want R-2 to be considered.

Mr. Zuraf: I don't know if was a specific intentional thing, but the send down Resolution talks about adding it in the R-1 and no other zoning district.

Mr. Randall: Okay.

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Mr. Bain: Mike, at our last meeting we had some discussions, and I don't recall the exact terminology that was used, but it related to having somebody trying to get around the thing by stacking boxes and calling it a single hive. And in the definition for hive here, should we say something about it relating to having a single queen bee? Because I think that was part of the issue. I don't recall clearly, the discussion on that, maybe somebody else does.

Ms. Vanuch: Yeah, there's only one queen per colony, but...

Mr. Randall: One queen per hive. Here's what happens, they have what they call a brood... a brood area is where the queen is, alright. And normally what they will do is they will have a one super or two super high brood area, where they raise bees, where the bees reproduce. And then they will put a queen excluder, as we talked about the last time, and then they will build on top of that so that the drones can go up and put honey up at the top two or three, higher than where the queen excluder is, because the queen can't get up there and the queen can't lay eggs up there. So the problem is if you don't have that queen excluder and you allow three or four or five high, you now have a bee hive that could potentially have 150,000 bees in it because it's allowed to grow and it will grow to the size of that hive.

Mr. Bain: That's what I was concerned about.

Mr. Randall: Everybody will tell you...

Mr. Bain: I didn't think we were addressing that here.

Mr. Randall: ... most will tell you that. That's why I brought up the fact that we should regulate the hive size. Most will tell you that one super high or two is all you need for brood, you don't need more than that. Right, and then you put the queen excluder and then you can build up for honey... to get honey. In fact in the winter they will tell you to take it down to one or two and you pack it up because they don't need... they are not producing honey, they need to stay warm and so you take it down to one or two. I would... I don't know if you want to limit it to just three, where you have two where they are actually reproducing and then you have one for actual honey. But I would absolutely think that we would restrict the number of brood boxes that they have to one, no more than two brood boxes.

Mr. English: But he has done research and he said nobody else has put that in there.

Mr. Randall: They haven't, that's a true statement.

Mr. English: But, I mean... so it must not be an issue if they don't have it...

Mr. Randall: But I wouldn't necessarily say that. I think maybe they haven't... there is a potential that they've had the issues and it's just not been a problem for them.

Mr. English: Mike, who brought this in to our attention anyway, that we had to have an ordinance? What was brought... what made us come to this conclusion that we needed a bee ordinance? Do you know?

Mr. Zuraf: I am picking this up so I cannot answer that question.

Mr. English: Alright, I am sorry. Kathy...

Ms. Vanuch: Mr. Harvey, go ahead.

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Mr. Harvey: Madam Chairman, Commission English, this came up in the Board's Community and Economic Development Committee meeting. Two Supervisors have had requests from neighborhoods to allow residence to keep bees on their property and those neighborhoods are zoned residential, not agricultural.

Ms. Vanuch: So, where are those people then, why aren't they here?

Mr. Harvey: Madam Chairman, I can't speak to that.

Ms. Vanuch: Well, I would say Bart, if you want to limit it... stack ability of the boxes...

Mr. Randall: Yeah, if I said anything...

Ms. Vanuch: I would say let's make it the most restrictive, that way you can take things away at the public hearing but we can't add things in. And we've got to vote it to public hearing tonight.

Mr. Randall: Right. So I would put a restriction in there that no more than two brood boxes allowed.

Mr. Zuraf: Stacked?

Mr. Randall: Stacked, that is correct. I would also, now that we are talking about it, I would also remove the definition for hive. I think that lends itself to significant number of problems. A hive should be strictly what a typical beekeeper would have, you would have brood boxes, you would have... we call them supers. You would have supers, some are large, some are medium size, but you would have supers that you would build on top of each other, two for the brood, one for honey, or two for honey, during the summer.

Mr. Apicella: Mr. Randall I would call your attention to attachment 4, page 1, the Code of Virginia. I mean it has the definition for hive and the definition that staff proposed is word for word the same.

Mr. Randall: Agreed, but if you look at the rest of those things... if you look at the other counties that have been given stuff, none of them define hive. In fact Hanover talks about a hive shall consist of... and it pretty much says...

Mr. Apicella: We can't run afoul of the State if we have same exact definition.

Mr. McPherson: And if we are going to limit the number of hives, we need to define what they are. What are we limiting? We have to define what we are limiting.

Mr. Randall: Okay, somebody just brought up the fact that it doesn't talk about it the other counties, do we want to talk about it in ours. I am just telling you there are other counties that define specifically hive, different than a barrel, a log gum or other containers. So I could conceivably have what, two number 10 cans outside in my backyard...

Ms. Vanuch: It says or other container used as a domicile for bees. So you could have a Tupperware dish.

Mr. Randall: Exactly.

Ms. Vanuch: But it would still be qualified...

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Mr. Randall: I am not sure...

Ms. Vanuch: ... under here because it says or other container. If that is the container that your bees are living in, than that is the beehives. That is the hive.

Mr. Randall: Well my comment to that was best management practice would have literally nothing other than the appropriate hive with removable boards that are designed for keeping of bees. That if you do it any other way, you are not following the best management practices of the beekeeping community. So, I understand what the code says... the Virginia Code says, I don't know if that is something that we are forced to do. Other counties obviously aren't forced to do it, because they don't list that in their ordinance.

Ms. Vanuch: I don't think we can do that... I mean...

Mr. Randall: I know, I just...

Ms. Vanuch: ... I don't know if their ordinance is no good then because you can't... we are a Dillion Rule state, we can't not...

Mr. Randall: Well you can... I don't know other counties have done it so...

Mr. Apicella: I know this and I think Mr. McPherson mentioned this, we use the word hive throughout the ordinance, the proposed ordinance, so I think you can't just not...

Mr. Randall: Well then let's not...

Mr. Apicella: ... define a hive if you are gonna...

Mr. Randall: Alright...

Mr. Apicella: ... use it in the ordinance.

Mr. Randall: Hold on...

Mr. Apicella: One way or another you gonna define it or somebody else will try to define it for us.

Mr. Randall: Okay, so if you go to page... attachment 2, page 4 of 6, it talks about what a colony is and I would define our colony definition to meet what this, Hanover County uses. I think it is much more definitive. I don't necessarily need to put a nucleus colony in and then in step three... two it talks about all of them shall be kept in hives with removable frames, which is what we saw last wee... last at our meeting. And then it talks about hives, right? So I don't know why, I don't know Hanover get away without defining a hive as a barrel, log gum or other container. They define a hive as it's a box with removable frames, which (inaudible). And all of them are like that, they all have different portions that talk about what they are going to be kept in. Fairfax talks about hive faces, they talk about hives. Fairfax County talks about hives.

Mr. Apicella: Yeah, the only thing I would say is, we are not a hundred percent sure, and I don't mean any disrespect to staff, that everything that is here is everything that is in the code for those jurisdictions. They may only have provided a specific piece of it. Just like Stafford County, they may have their definitions in a separate section, right? Like we have, I don't know a couple hundred definitions and

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then when you see it in that section, you also have to go back to the place where all the other definitions are co-mingled. So they may actually have been defined, we just don't see it.

Mr. Randall: Well, then define it that way and then somewhere else in the code, like Hanover says a hive will have removable, you know, just like we saw yesterday. I guess you can amplify the instruction that says here is the definition in the Virginia Code and we are going to...

Mr. Apicella: I don't have a problem with that. That is under the special regulations, so if you want to add that as a special regulation, that's different than not defining the term hive. So, I am certainly, me personally, open to if you want to add additional special regulations and identify what those are.

Mr. McPherson: I would just like to point out I think the goal of all this discussion is to limit the number of bees, whether we are talking about colonies, hives, however you want to term it. We want to make sure that somebody doesn't ...

Mr. Randall: Well...

Mr. McPherson: ... have thousands and thousands of bees, when we want to limit them to smaller hives.

Mr. Randall: You are going to have... right, right. I think the concern of most people is that... is the swarm of bees, okay? And if read the best management practices, go back into the Virginia Beekeeping website, they talk about how you do that is you give them an appropriate place to grow, and appropriate place to live and you manage those hives. Okay, I would strongly recommend that... I would strongly suggest that a barrel, a log gum or other container is not an appropriate way to manage bees so they don't get too big for their container, they don't swarm and they don't land on somebody's bush, lilac bush in the front of their house because that was the most convenient location for 20,000 bees. Because they didn't have a place to go anymore because they grew out of their small container. You know, you are just asking for trouble if we allow those types of things to exist as an actual bee colony, or a beehive in Stafford.

Mr. McPherson: And that's why we have to define what a hive is.

Mr. Randall: I don't have a problem with that...

Mr. Bain: Can we, then can we do it this way?

Mr. Randall: Sure.

Mr. Bain: Just define a hive as a container used as a domicile for bees, but then in the special regulations stipulate that it must be whatever type...

Mr. Randall: (Inaudible), I just want... if we want to define as the Virginia Code does and then we want to say...

Mr. Bain: Well...

Mr. Apicella: (Inaudible).

Mr. Bain: If we use the definition as it stands, then you can get anything in the world.

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Mr. Randall: Yeah.

Mr. Bain: If you just say it's a domicile for bees, but then in the special regulations stipulate that it must be a box specifically designed for housing and management of bees, how you were referring to it in the Hanover ordinance. Would that be acceptable?

Mr. Apicella: Yes, I am with Mr. Bain. Mr. Randall if you have some other special regulations...

Mr. Randall: Sure.

Mr. Apicella: ... that you think are worthwhile to put here then yeah, please go ahead and mention what those are.

Mr. Randall: Okay.

Mr. Bain: Just out of curiosity, I am actually a city boy even though I live on a farm now. What is a log gum?

Mr. Randall: Herein lies the problem.

Mr. Bain: Does anybody know?

Mr. Zuraf: It is a hollow log that people have kept bees in.

Mr. Bain: Okay.

Ms. Vanuch: So what now? Do we have to reorg...

Mr. Randall: Alright.

Ms. Vanuch: ... reword this whole thing?

Mr. Randall: So, we talked about apiary, that is fine. Colony, did we talk about, I would like, like I said I would like to use the... is that also defined... is that also the definition in the Virginia Code?

Mr. Apicella: Yes.

Mr. Zuraf: Yes.

Mr. Randall: For colony? Can we add to that definition?

Mr. Apicella: Again, can you take a different track and put whatever you are trying to accomplish in the special regulation rather than redefining colony? So you could say a colony shall...

Mr. Randall: Okay. So then to that point then, and I am not sure where you want to put it then Mike, I would say if you use the Hanover definition... I am sorry the Hanover special exception you would say a colony shall consist of an aggregate of bees consisting principally of workers... and do that whole definition, that whole statement.

Mr. Apicella: So, you want to incorporate portions of part 1(a)?



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Mr. Randall: Yes.

Mr. McPherson: Would it make sense just to say that in our ordinance as per Virginia definitions? Since we can't be more restrictive.

Ms. Vanuch: (Inaudible).

Mr. Apicella: Yeah, so it's again what Mr. Randall is suggesting is beyond just the definition. It's more an additional regulation.

Mr. Randall: Yes, because the definition that's defined by the Virginia Code, literally tells us nothing.

Mr. Zuraf: So, under the Hanover criteria, number two...

Mr. Randall: Yeah, well I would do number 1(a), I would add that as a (inaudible) Districts Uses and Standards. And then I would also add number 2 from Hanover, that talks about (inaudible) shall be kept in hives with removable frames.

Ms. Vanuch: Is that it? So you just want to add part 1(a) and number 2 from the Hanover definition as a special regulation and then from your previous comments you want to add no more than two brood boxes stacked on top of one another.

Mr. Randall: Yes and then some clarification for number 4. Al, I think this was yours. A natural stream, pond or spring might constitute an adequate accessible water source.

Mr. Bain: Yes.

Mr. Randall: As long as it is on that property, correct?

Mr. Bain: That's right.

Mr. Randall: Okay.

Mr. Apicella: So, we need to add those words?

Mr. Randall: I...

Ms. Vanuch: It says on site. There shall be at least one adequate accessible water source provided on site, except there is a typo, it says provide. So we just need to add a "d" there, provided on site. So are we good? Is that the three changes so we can wrap this up?

Mr. Randall: Well, I would still like to revisit the 10,000 square-foot minimum.

Mr. Apicella: I have got to tell you, I would have a hard time supporting this if we, if we go down below that. I mean I can't speak for other Commissioners, but I would have a hard time supporting it.

Mr. Randall: Okay, I... you know we have already restricted it to an R-1, not an R-2, like I said, many of the counties that we have that are next to us have all...

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Ms. Vanuch: But you can have R-1 clusters just like you can have A-1 clusters. I... is anybody supportive of taking it below 10,000 square feet? Raise your hand. So that's two people. So it would fail.

Mr. Boswell: (Inaudible, microphone not on).

Mr. Randall: Why would be minimize... what's the basis for less than 10,000 square feet?

Mr. Apicella: Because you have to strike a balance. So we are trying to come up with an ordinance that allows people on rural lots, not agricultural lots...

Mr. Randall: Sure.

Mr. Apicella: ... to have bee hives.

Mr. Randall: Sure.

Mr. Apicella: And the smaller the lot the more... if I were a neighbor, I would be concerned...

Mr. Randall: Not necessarily...

Mr. Apicella: If I were a neighbor...

Ms. Vanuch: I just...

Mr. Apicella: I have bees, I live on a 12 acre parcel and I've got bees.

Ms. Vanuch: So, let me just tell you a story, I know a lot of you guys don't do Facebook, but on Facebook a couple of weeks ago somebody lives on an A-1 parcel, their neighbor has an A-1 parcel, they don't live on the property. They have beehives there and they don't take care of it and so there's multiple queens, they are like coming out of the boxes and the lady can't even go outside.

Mr. Randall: Yep.

Ms. Vanuch: So imagine if that happened on an R-1 parcel.

Mr. English: This person had a pool too.

Ms. Vanuch: And you have a pool, because they coming over there, so...

Mr. Randall: You can always talk about the worst case scenario.

Ms. Vanuch: But we don't have a problem right now. Like right... this is what happens, we are going to make it so unrestrictive that then there's going to be a problem and then we are going to swing the pendulum and then it's going to impact all the A-1 property too, because we are going to put in all these regulations on beehives across the board.

Mr. Randall: No, if you...

Ms. Vanuch: So, let's keep it from having a problem.

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Mr. Randall: But, assuming a problem exists when we don't have any idea that it will... There's no difference in between a 9,000 square-foot...

Mr. Apicella: Sure there is a difference.

Mr. Randall: ...and a 10,000 square-foot.

Mr. Apicella: Absolutely there is.

Mr. Randall: Not...

Mr. Apicella: 2,000 square feet...

Ms. Vanuch: I am not sure you can meet all those regulations...

Mr. Apicella: (Inaudible) mow a 2,000 square-foot area and tell me there's not a difference.

Ms. Vanuch: ... and have less than 10,000.

Mr. McPherson: But all the other regulations would apply as far as fencing, water sources...

Mr. Randall: Of course, they would all apply.

Mr. Apicella: But you are that much closer...

Mr. English: You are closer to other residences.

Mr. Apicella: You can put your hand out and you can touch your neighbor's house on an 8,000 square foot lot, okay. That's a concern to me about allowing beehives on that much smaller of a lot.

Mr. McPherson: Maybe reduce it to one hive. We have different limits in there.

Mr. English: You are still going to have bees.

Mr. McPherson: Yea, fewer.

Mr. Apicella: Again, I think we have to strike a balance and I think there is a point where we are going too far, the pendulum is swinging, as the Chairman said, swinging too far in one direction. So...

Mr. Randall: First of all I think if we restrict it to 10,000 one of the things is we are not even sure then we are going to satisfy the requirements of the Board...

Ms. Vanuch: Well then, they should have been here and they should have talked. The people who wanted this should be at this meeting communicating to us what they wanted to do.

Mr. Randall: Well, all I am saying is if we have 8,000 square feet as a minimum, I think it incorporates everybody in an R-1 group. We limit it to two hives for 8,000...

Mr. Apicella: Why not a 4,000 square foot lot? Where does it end Mr. Randall? What's the smallest lot that we should allow...

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Mr. Randall: I don't know.

Mr. Apicella: ... beehives on?

Mr. Randall: What is the smallest lot we have R-1 in the county? We don't know...

Mr. McPherson: Non-clusters.

Mr. Randall: ... who knows? Who knows? Are they going to come out and measure my house? If they say what's your lot, I'll... its 10,200 square feet. Are you going to come measure it?

Mr. Apicella: I think generally we know...

Ms. Vanuch: I think we know on GIS it tells you.

Mr. Apicella: ... R-1 lots are generally in subdivisions.

Mr. Randall: Okay.

Mr. Apicella: They are not sitting out there by themselves.

Mr. Randall: Right.

Mr. Apicella: Generally.

Mr. Randall: Right. So how many do we have? How many would this disadvantage if we couldn't have an R-1? If we did less than 10,000 do we have an idea how many this disadvantages for the lot size?

Ms. Vanuch: Look, here's just the ordinance, we have to vote it to public hearing and then maybe those people will show up and they can communicate. We can always re-advertise it. We could always deny it and send it to the Board with another recommendation. I think we're getting wrapped around the axel. We have been talking about this for like 45 minutes. So, I think there...

Mr. Randall: While we know this was going to be a discussion.

Ms. Vanuch: There's not really...

Mr. Randall: Let's not be surprised.

Ms. Vanuch: It doesn't seem like there's a consensus to increase it, or decrease it from 10,000. So at most three people, were you in on that? Just to cause trouble? So, I don't think it's... it's not going to pass. We can't even vote it to public hearing if we reduce it from 10,000. So, we either don't vote it to public hearing and don't take action on it at all or...

Mr. McPherson: It's not a line in the sand.

Ms. Vanuch: Yeah.

Mr. McPherson: I agree overall with the ordinance...

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Ms. Vanuch: Yeah.

Mr. McPherson: I just thought was not a bad idea to discuss reducing it to a little bit less than 10.

Ms. Vanuch: Yeah. So, what... Mr. Bain, did you have a question?

Mr. Bain: I wanted to comment on something...

Ms. Vanuch: Okay.

Mr. Bain: ... not...

Ms. Vanuch: Okay, gotcha. So I think we should just move it forward...

Mr. Randall: I am only one of six.

Ms. Vanuch: Seven, you are one of seven.

Mr. Randall: I am just telling you that again, we live in a world where we make up concerns that don't even exist. If there's a concern and we have a concern, then maybe we revisit it and say you know the three people that are on 8,500 square feet, they have caused nothing but problems with these, we need to revisit the ordinance and make sure this goes away. Or they have a permit and we say, hey you are not doing what you need to be and we are going to pull your permit. You know those are lots of things...

Ms. Vanuch: I just think...

Mr. Randall: ... that we can do for the one or two people that could be a... could potentially, maybe may be a problem. But for all those that want to, that are willing to do the best management practices does it really matter if it's 10,000 or 9,000? No it doesn't, no it doesn't. I would tell you that it doesn't matter at all. Especially if they have a fence around, they have protection from it, they have a dense... they have their own water source, those things are all you can do as a proper bee manager of what they have here. It's immaterial to the size of the lot. They put it on the top of apartment buildings in these other locations. Does it really... really? On the top of townhouses, on the top of apartment buildings, on the top of other places, and we are concerned about 1,000 square feet? It's immaterial to the discussion of concern.

Mr. Apicella: I will go back to what I think the Chairman said, if we advertise it, the minimum at 10,000 we could always go down to 8,000 we can't go the other way if we advertise it... it would be more restrictive and we would have to re-advertise it. So, I think at least for the sake of advertising, if we go with the 10,000 now, we'll see what kind of public input we get.

Ms. Vanuch: Yeah.

Mr. Apicella: When we have the public hearing.

Ms. Vanuch: Okay, Mr. Bain you have one more comment.

Mr. Bain: Just one grammatical comment. We seem to mix the term beehive and hive in the ordinance. And either under the definition of hive, whatever we end up with there, put in parenthesis (also beehive) or else be consistent and call it a beehive or call it a hive.

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Mr. Zuraf: In the latest revision version, I tried to remove... I tried to refer to everything as hive.

Mr. Bain: Okay.

Mr. Zuraf: That's what we have in the definition.

Mr. Bain: How about under special regulations (aa)1, you have beehives, that was the one that I saw that made me suggest it.

Mr. Zuraf: Okay.

Mr. Bain: So maybe just correct that one then.

Mr. Zuraf: That one?

Mr. Bain: Yeah, thank you.

Mr. Zuraf: Thanks.

Ms. Vanuch: Anybody else have any more comments? Okay, so we have some grammatical fixes and then we have... Mr. Zuraf you have the three adjustments that Mr. Bain wanted... or Mr. Randall wanted from earlier.

Mr. Zuraf: Yes.

Ms. Vanuch: So, do we have a motion on the floor for action.

Mr. Zuraf: Just to confirm the adjustments, there were the two grammatical... well change provide to provided.

Ms. Vanuch: Uh-huh.

Mr. Zuraf: Delete... change beehive to hive in number 1 and adding in no more two brood boxes stacked two high, something... I will work on the language and adding in 1(a) and 2 from Hanover County regulations.

Ms. Vanuch: That's correct.

Mr. Bain: I make a motion that we advertise this ordinance...

Ms. Vanuch: For public hearing?

Mr. Bain: ...for public hearing... with the changes as noted.

Ms. Vanuch: Should we do...

Mr. Bain: ...with the changes as noted.

Ms. Vanuch: Are we doing this for September 11<sup>th</sup>?

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Mr. Bain: Yes.

Ms. Vanuch: September 11<sup>th</sup> meeting?

Mr. Apicella: Can we do it...

Mr. Bain: I won't be here.

Mr. Apicella: Yeah, can we do it September 25<sup>th</sup>?

Ms. Vanuch: Hang on, what is the time limit?

Mr. Zuraf: (Inaudible, several people speaking).

Ms. Vanuch: I think the time limit is September 20<sup>th</sup>.

Mr. Randall: September 20<sup>th</sup>.

Mr. Bain: Oh, okay then it has to be...

Mr. Apicella: What's that?

Ms. Vanuch: The time limit is September 20<sup>th</sup>.

Mr. Apicella: So we will be making a decision with five people.

Ms. Vanuch: Yeah.

Mr. Apicella: Do we have enough time to go to the Board and ask for more time?

Mr. Bain: Probably not.

Ms. Vanuch: When is the next Board meeting? I know they are coming off...

Mr. Apicella: Its next week.

Ms. Vanuch: ... summer session.

Mr. Harvey: Madam Chairman, in order to get an item on any Board agenda, we need to have some lead time. This potentially could go in the September 3<sup>rd</sup> Board agenda, if the Commission was to ask for more time.

Mr. Apicella: I think we should ask for more time Madam Chairman.

Mr. English: So do I.

Mr. Boswell: I agree.

Ms. Vanuch: So...

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Mr. Bain: I withdraw my motion.

Ms. Vanuch: Alright, so does anybody want to make a motion...

Mr. English: I make a motion that we ask that he take it to the Board on September 3<sup>rd</sup> giving us more time.

Ms. Vanuch: Okay, does anybody...

Mr. Boswell: (Inaudible) public hearing more time?

Mr. English: No.

Ms. Vanuch: We can.

Mr. English: Can we?

Ms. Vanuch: We can ask for more time.

Mr. Boswell: (Inaudible, microphone not on) public input.

Ms. Vanuch: Yeah, we can...

Mr. Boswell: (Inaudible, microphone not on).

Ms. Vanuch: ... push it to public hearing and then we can also ask the Board for more time. So at least we can have public hearing on the 11<sup>th</sup> and then you guys can defer it to the 25<sup>th</sup> if you need to, if the Board grants that. Because, if the Board says no then you are going to run out of time anyway. So I think the dual track is a good idea.

Mr. Boswell: (Inaudible, microphone not on).

Ms. Vanuch: We are not supposed to be discussing without a second. You made the motion Mr. English. Who made... does anybody want to...

Mr. Bain: I made it...

Ms. Vanuch: ... second this?

Mr. Bain: I made the motion.

Ms. Vanuch: No, he made the motion...

Mr. Bain: Oh, oh...

Ms. Vanuch: ... for the Board.

Mr. Boswell: To defer.

Ms. Vanuch: Does anybody want to second it?



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Mr. Bain: Second.

Ms. Vanuch: Okay, so we have a motion and a second to ask the Board for time. Go ahead and vote. The motion carries 7-0. Oh, wait... what did... Okay motion carries 6-1 with Mr. Boswell voting no.

Mr. Boswell: (Inaudible, microphone not on).

Ms. Vanuch: Got it, I just wanted to make sure. Now does anybody want to make a motion on the dual track process?

Mr. Bain: I will make that motion. But I am not sure how to word it. I make a motion that we advertise for public hearing on September the 11<sup>th</sup> for this ordinance...

Ms. Vanuch: Okay...

Mr. Bain: ...with the changes...

Ms. Vanuch: With the changes.

Mr. Bain: ... as noted.

Ms. Vanuch: Okay, that's good. Do we have a second?

Mr. English: Second.

Mr. Boswell: Second.

Ms. Vanuch: Okay, we have a motion by Commissioner Bain, second by Commissioner English. Any discussion?

Mr. English: No.

Ms. Vanuch: Okay, go ahead and vote. Motion carries 7-0. Okay, now we have no New Business this evening. Planning Director's Report, Mr. Harvey.

NEW BUSINESS

None

CLOSED MEETING

- ◆ Proffer Legislation

*Discussed after Approval of Minutes*

PLANNING DIRECTOR'S REPORT

6. HB2375

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Mr. Harvey: Thank you, Madam Chairman. I wanted to make the Commission aware of House Bill 2375. This is a law that recently went into effect July 1<sup>st</sup>. It affects the ability of the Board of Supervisors to restrict the time limit for the Planning Commission to consider any changes to a zoning map or zoning text. Particularly, the State Code gives the Commission a hundred days to act on any zoning map or zoning text amendment. This bill would require the Board of Supervisors to hold a public hearing first prior to giving direction to the Planning Commission to have a shorter timeframe for review of the ordinance or zoning map amendment. So, this is more informational for the Commission.

Ms. Vanuch: Okay.

Mr. Harvey: And then one other thing I wanted to let the Commission be aware that Andrea Hornung in our office will be leaving us on September 6.

Ms. Vanuch: When's the party?

Mr. Harvey: She's been with us for 13 years and we're going to sorely miss her. She's going to be working for the Department of Navy as the Community Plans Liaison Officer for Dahlgren and Indian Head. So, we wish her well.

Ms. Vanuch: Let her know we wish her good luck. When did you say she was leaving?

Mr. Harvey: September 6<sup>th</sup>.

Ms. Vanuch: September... okay, well I'll get in there and say hi to her before then. Is that it?

Mr. Harvey: Yes ma'am.

Ms. Vanuch: Alright. County Attorney's Report.

COUNTY ATTORNEY'S REPORT

Ms. Lucian: Madam Chairman, I have no report. Thank you.

COMMITTEE REPORTS

CHAIRMAN'S REPORT

Ms. Vanuch: Alright. We have no... we actually have no open subcommittees for the first time ever of me being Chair. Okay, so Chairman's Report -- I do have one item. We had a joint Economic Development Authority and Planning Commission meeting this evening from 5:30 to 6:50, and we discussed placing a Planning Commission member as a non-voting member on the Economic Development Authority. The EDA has agreed that they feel like that's a good idea. So, I am open to having... does anybody want to nominate anyone?

Mr. Apicella: I'd like to nominate Mr. McPherson.

Ms. Vanuch: Okay. So, we have a nomination for Mr. McPherson. Does anybody else have any other nominations to go onto the EDA?

Mr. English: I second that one.

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Ms. Vanuch: Okay.

Mr. Randall: I'll third that one.

Ms. Vanuch: Okay. Alright, so we'll go ahead and vote just to make it official, but let's all take a vote to nominate Mr. McPherson onto the EDA. Okay, that motion carries 7-0. Congratulations Mr. McPherson. And your duties will be able to attend those meetings and then come back and report to us as a full Commission on what the goings on of the EDA are and any relevant information that we feel. And then vice versa, letting them know also some of the big items that we have.

Mr. McPherson: I'll be the spy.

Ms. Vanuch: Yeah, yeah. Thank you for your willingness to participate, because that does go above and beyond your duties on the Planning Commission. Other Business -- we have TRC; August 28<sup>th</sup> has been cancelled. Do I have a motion to approve the minutes for June 12<sup>th</sup>?

OTHER BUSINESS

7. TRC Information - August 28, 2019 - *Cancelled*

APPROVAL OF MINUTES

June 12, 2019

Mr. English: So moved.

Ms. Vanuch: Alright, motion on the floor. Do we have a second?

Mr. Bain: Second.

Ms. Vanuch: We have a motion by Commissioner English, second by Commissioner Bain. Any discussion on those minutes? Alright, having none, moving forward to a vote. Motion carries 7-0. Now we... Commissioner Randall, can you read us into Closed Session please?

CLOSED MEETING

Mr. Randall: Whereas, the Commission desires to hold a Closed Meeting for consultation with legal counsel and briefings by staff members regarding proffer legislation implementation, which is a specific legal matter requiring the provision of legal advice by counsel; and Whereas, pursuant to Virginia Code § 2.2-3711(A)(8), such discussion may occur in Closed Meeting.

Ms. Vanuch: Do we have to... we have to do a second. We need a second on that.

Mr. English: I'll second it.

Ms. Vanuch: Okay, motion by Commissioner Randall, second by Commissioner English. Any discussion?

Mr. Randall: No.

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Ms. Vanuch: Okay, let's go ahead a vote. Motion carries 7-0. So we'll be in closed session.

*Closed Meeting: 8:25 p.m. to 8:45 p.m.*

Ms. Vanuch: Okay, we're back. Mr. Randall?

Mr. Randall: Whereas, the Commission has, on this the 14<sup>th</sup> day of August, 2019, adjourned into a Closed Meeting in accordance with a formal vote of the Commission and in accordance with the provisions of the Virginia Freedom of Information Act; and Whereas, the Virginia Freedom of Information Act, as it became effective July 1, 1989, provides for certification that such Closed Meeting was conducted in conformity with law; Now, Therefore, Be It Resolved that the Stafford County Planning Commission does hereby certify, on this the 14<sup>th</sup> day of August, 2019, that to the best of each member's knowledge: (1) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act were discussed in the Closed Meeting to which this certification applies; and (2) only such public business matters as were identified in the Motion by which the said Closed Meeting was convened, were heard, discussed, or considered by the Commission.

Ms. Vanuch: Do we have a second?

Mr. English: So moved.

Ms. Vanuch: Alright, we have a motion and a second; any discussion?

Mr. English: No ma'am.

Mr. Randall: No.

Ms. Vanuch: Okay, vote. Motion carries 7-0. Meeting adjourned.

ADJOURNMENT

With no further business to discuss, the meeting was adjourned at 8:46 p.m.