

**PLANNING COMMISSION**  
**Berryville-Clarke County Government Center**  
**MINUTES OF REGULAR MEETING**  
**July 23, 2019**

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A meeting of the Berryville Planning Commission was held on Tuesday, July 23, 2019 at 7:30 p.m. at the Berryville-Clarke County Government Center in Berryville.

**ATTENDANCE:** Members of the Planning Commission present: Doug Shaffer, Chair; Dale Barton; Gwen Malone; Michelle Marino; Krish Mathur, Sheryl Reid, William Steinmetz

Absent: Kim Kemp, Deb Zimmerman

Staff present: Christy Dunkle, Assistant Town Manager/Planner

Others present: Julie Abrera

Press present: None

**CALL TO ORDER**

Chair Shaffer called the meeting to order at 7:30pm.

**APPROVAL OF AGENDA**

Mr. Steinmetz made the motion to approve the agenda as presented, seconded by Ms. Reid, the agenda was approved by voice vote.

**APPROVAL OF MINUTES**

Ms. Reid moved to approve the minutes of the June 25, 2019 Planning Commission meeting, seconded by Ms. Malone. The motion passed by voice vote.

**Public Hearing**

**Julie Wheeler Abrera, (Owner, Beaumont House Design) is requesting a Special Use Permit under Section 603.3(f) of the Berryville Zoning Ordinance in order to operate a home occupation at her property located at 204 Battletown Drive, identified as Tax Map Parcel number 14A3-((2A))-21A zoned DR-2 Detached Residential. SUP 01-19**

Chair Shaffer asked Ms. Dunkle to give an overview of the public hearing. She read the notice and identified public hearing publication and distribution. She said she included several public comments in the packet, forwarded others after the packet was distributed, and two are on the dais for review.

Chair Shaffer asked the applicant to describe her request. Ms. Abrera reviewed the application and activities she is planning with the Special Use Permit. Ms. Reid asked about images she had received from an adjacent property owner concerning cones in the applicant's driveway. Ms. Abrera said the event that was photographed was a private party and she blocks the driveway to allow for those with mobility issues to park in this location. Ms. Barton asked for clarification about the class location. Ms. Abrera said the class will be taught in her basement where the supplies are located and that workshop participants would also gather in the cabin. Ms. Marino asked about outdoor activities. Ms. Abrera said workshop participants may be gathering on the patio and inside the cabin for social activities.

Chair Shaffer recognized Anne Weiss, County resident. Ms. Weiss said she lives in the County and supports the Special Use Permit application. She said she has participated in a number of Ms. Abrera's workshops and said these economic development activities benefit the community. She said she supports local businesses, small businesses, and women-owned businesses in the community.

Chair Shaffer recognized Margaret Fultz, Town resident. Ms. Fultz asked how a commercial building could be located in a residential neighborhood. She asked about handicapped accessibility in the cabin and the possibility of other businesses springing up in residential areas of the Town such as car repair shops. Chair Shaffer asked staff to respond to her questions concerning zoning regulations.

Chair Shaffer recognized Sara Mitchell, Town resident. Ms. Mitchell voiced concerns about traffic, speeding, and parking. She stated that there was no place to turn around at the end of the street adding there is no safe place for kids to walk.

Chair Shaffer recognized Mary Veilleux, Town resident. Ms. Veilleux said she is a neighbor and can attest to Ms. Abrera's professionalism. She said she does not think this home occupation is a hindrance to those living on Battletown Drive. She said she does not see that six events a year would be problematic.

There being no further discussion, Chair Shaffer opened the following public hearing:

**Public Hearing - Rezoning**

**The Berryville Planning Commission is sponsoring a Rezoning request by Hermitage, LLC (Ron Mislowsky, Pennoni Associates, Agent) for Hermitage Phase V in order to adjust the zoning to align with the proposed lot configuration for 71 parcels on Tax Map Parcel number 14A4-((A))-23 zoned R-1 Residential and Tax Map Parcel number 14-A-11A zoned DR-1 Detached Residential-1. RZ 01-19**

Chair Shaffer asked staff to explain the request. Ms. Dunkle identified the original county-town corporate limits and discussed previously approved Phase II in which the same zoning situation occurred. Ron Mislowsky, representing the owner Hermitage LLC, discussed the previous approval of Phase V and the economic downturn that prevented the development of the property. He said DEQ has since taken over the storm water program for the Town and new regulations have been

implemented. He discussed open spaces, maintenance of the conservation areas, and discussed a BMP that was shown to the Commissioners at the meeting.

Chair Shaffer recognized James Wilkins who offered to answer any questions that the Commissioners had.

There were no other speakers.

## **REGULAR SESSION**

### **Discussion of Public Hearings**

#### *Special Use Permit – Home Occupation*

Chair Shaffer asked Commissioners for comments and discussion on the request. Mr. Steinmetz said the applicant is requesting approval for sporadic events. There was a discussion about the proposed hours and actual activities related to the home occupation. Ms. Malone said that it would be unlikely that activities would continue until 9:00pm and Ms. Abrera said extra time was included for any clean up after the workshops.

There was a discussion about parking. Ms. Abrera indicated that there were six spaces available in her driveway and two others would be able to park on their grass. Ms. Abrera said parking will be identified for participants in the driveway first. She said a catering vehicle would be dropping off food but not staying for the event.

There was a discussion about outdoor activities. Chair Shaffer asked about noise that may be generated. Ms. Abrera said the outdoor component would be socializing and not include the workshop tasks.

There was a discussion about a site visit and it was determined that Commissioners would go by the property individually.

Ms. Dunkle described options for Commissioners including continuing the public hearing to the August 27 meeting; closing the public hearing and making a decision on recommendations at the August 27 meeting as the Town Council will not be holding an August meeting; or closing the public hearing and making recommendations to Town Council this evening.

There was a general consensus that the public hearing would be closed and recommendations would be rendered at the August 27 meeting. There being no further discussion Mr. Steinmetz made the motion to close the public hearing, seconded by Ms. Marino, the motion passed by voice vote.

#### *Hermitage Rezoning*

Chair Shaffer asked for any comments or questions to staff and the applicant's engineer concerning this request. Mr. Steinmetz said there did not appear to be any reason not to move the request forward as this is a housekeeping matter.

Mr. Steinmetz made the motion to close the public hearing, seconded by Ms. Malone, the motion passed by voice vote.

There being no further discussion, Ms. Marino made the motion that the Planning Commission recommend that Town Council approve the request to align zoning with the proposed lot configuration for Phase V of the Hermitage subdivision on Tax Map Parcel number 14A3-((A))-23 zoned R-1 Residential and Tax Map Parcel number 14-A-23 zoned DR-1 Attached Residential. The motion was seconded by Ms. Reid. The motion passed by voice vote.

**Citizen's Forum**

Chair Shaffer asked if anyone wished to speak. There were no speakers.

**OLD BUSINESS**

**PLANNING AND ZONING UPDATE**

Ms. Dunkle updated the Commissioners on upcoming development applications.

**OTHER**

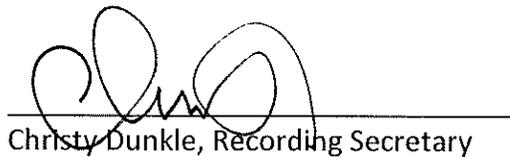
Mr. Steinmetz said that he would miss My Neighbor and Me and said Ms. Kraybill has had a significant impact on the Town. It was determined that a letter under Chair Shaffer's signature would be forwarded to Ms. Kraybill.

**Adjourn**

There being no further business, Ms. Reid made a motion to adjourn the meeting, seconded by Mr. Mathur, the motion passed by voice vote at 8:30pm.



Doug Shaffer, Chair



Christy Dunkle, Recording Secretary