

PLANNING COMMISSION
Berryville-Clarke County Government Center
MINUTES OF REGULAR MEETING
March 27, 2018

A meeting of the Berryville Planning Commission was held on Tuesday, March 27, 2018 at 7:30 p.m. beginning at Rosemont Manor, 16 Rosemont Manor Lane, in the Berryville.

ATTENDANCE: Members of the Planning Commission present: Doug Shaffer, Chair, Kim Kemp, Vice Chair, Dale Barton, Gwen Malone, Krish Mathur, Sheryl Reid, William Steinmetz, Debbie Zimmerman

Absent: Michelle Marino

Staff present: Christy Dunkle, Assistant Town Manager/Planner

Others present: Dave Tollett (Planning Commission liaison), William Genda

Press present: Cathy Kuehner, Winchester Star

CALL TO ORDER

Chair Shaffer called the meeting to order at 6:41pm at Rosemont Manor. Ms. Dunkle and Mr. Genda reviewed the site plan with Planning Commissioners and conducted a site visit. Ms. Dunkle read Commissioners an email from Pennoni Engineering addressing specific requirements from DEQ that shall be addressed by the applicant relating to water quantity, channel protection, and flood protection.

The meeting was recessed and reconvened at the Berryville-Clarke County Government Center at 7:30pm.

APPROVAL OF AGENDA

Chair Shaffer asked for approval of the agenda. Ms. Malone moved to approve the agenda as presented, seconded by Ms. Zimmerman, the agenda was approved by voice vote.

APPROVAL OF MINUTES

Ms. Barton moved to approve the minutes of the February 27, 2018 Planning Commission meeting, seconded by Ms. Malone. The motion passed by voice vote with Chair Shaffer abstaining.

APPROVAL OF COMPREHENSIVE PLAN COMMITTEE MINUTES

Chair Steinmetz asked for a motion to approve the February 5, 2018 meeting minutes. Ms. Malone moved to approve the minutes as presented, seconded by Ms. Zimmerman, the motion passed by voice vote.

PUBLIC HEARING SESSION

Site Plan

Genda Land Holding, LLC (John Lewis, Painter Lewis, PLC, Agent) is requesting Site Plan approval for an event venue to include two structures located at Rosemont Manor, identified as Tax Map Parcel number 14-A-10 zoned Open Space Residential (OSR) and DR-2 Detached Residential 2, in the Town of Berryville. SP 01-18

Chair Shaffer asked staff to review the request. He acknowledged William Genda, Owner, Rosemont Manor. Mr. Genda described the expansion of the Open Space Residential (OSR) zoning approved by Town Council in 2017 in order to accommodate the events barn. He said the new buildings will enable him to forego the tents that have been previously used with enclosed structures. There was a discussion about septic systems on the site. Ms. Dunkle said that he will be paying availability fees to allow for sanitary sewer to be added to the Town's systems. Ms. Malone asked about music on site. Mr. Genda said they usually have disc jockeys and the music has historically been contained within the respective structure, recalling two occasions out of nearly 400 weddings held at the venue were outside. He added that the music stops by 11:00pm and they are cognizant of the neighbors.

Ms. Reid asked about the timeframes for fireworks. Mr. Genda said that the latest has been 10:00pm. He said he posts the firework events on Facebook and contacts those who have requested notification by telephone or email.

Chair Shaffer recognized Beverley Byrd. Mr. Byrd thanked Planning Commissioners for taking public comment on this matter. He said he is very familiar with the Rosemont property and appreciates Mr. Genda's action to preserve the property by an easement removing the single family residential development potential. He said there is plenty of space in other locations that would work better for the events barn than the location he has chosen. Mr. Byrd said he was not sure why Mr. Genda has chosen a portion of the property that is in a heavily wooded area. Mr. Byrd said he had spoken with Chief White and said that the Town's noise ordinance would apply for noise generated from Rosemont. He said his tenant house is within 200 feet of the proposed venue and has two other houses within a quarter mile. He acknowledged Mr. Genda's business efforts reiterating that there are better sites on the parcel for such a venue, questioning why the site would be in a hole around brush and debris.

There being no further comments, Chair Shaffer closed the public hearing at 7:43pm.

PUBLIC HEARING SESSION

Special Use Permit Expansion

Genda Land Holding, LLC (William Genda, Owner) is requesting an expansion of an approved Special Use Permit (SUP 02-09) for Rosemont Manor, identified as Tax Map Parcel number 14-A-10 zoned Open Space Residential (OSR), in order to expand the Country Inn use. SUP 01-18

Chair Shaffer requested staff review the request. Ms. Dunkle said that, per Section 503 of the Berryville Zoning Ordinance, any expansion, enlargement, or increase in the intensity of a Special Use Permit must be authorized by Town Council. She reminded Planning Commissioners that the "country inn" definition allows for up to 500 guests and this number may not be expanded.

Chair Shaffer recognized Mr. Genda who discussed the 2017 rezoning in order to accommodate the expansion of the "country inn" use.

Chair Shaffer recognized Mr. Byrd. He said that the expansion into the one acre was required by the Town who is making Mr. Genda build in the area identified on the site plan. He said the area where the tennis court is located would be a better site. He said the proposed site is a long way from the main event area.

There being no further discussion, Chair Shaffer closed the public hearing at 7:48pm.

REGULAR SESSION

Citizen's Forum

Chair Shaffer said no one had signed up to speak and asked if anyone would like to. There were no speakers.

Discussion of Public Hearings

Chair Shaffer asked for comments from Planning Commissioners. Ms. Malone said that additional landscaping may help buffer the adjacent property. Chair Shaffer he had concerns about how effective additional landscaping would be to mitigate sound. He suggested that a heavier buffer such as Leyland cypress be considered. Mr. Mathur said that the proposal is good for Berryville's business climate and that proper acoustics and architectural features in the buildings would likely be better than tents. He added that outdoor activity on the patio should be addressed.

Mr. Steinmetz asked what a better location for the venue might be. There was a discussion about site options. Ms. Zimmerman asked about traffic noise. Mr. Steinmetz said that the current configuration requires that people exit on the existing road where the new venue would exit. Mr. Genda said that the amount of insulation within the proposed structures was considered more for soundproofing than energy efficiency. He said the site selected was based on a number of items including sun angle. There was a discussion about additional landscaping. Mr. Genda added that he wants to have a wooded setting for the venue and that views are not a priority.

Ms. Dunkle said that per Mr. Byrd's previous comment, the rezoning approved by Town Council in 2017 was not determined by the Town but was a request of the applicant. Mr. Steinmetz asked if there were any objections to requesting additional landscaping along the western property line. Mr. Genda said that between April and October, the tenant house on the adjacent property was not visible. Mr. Steinmetz asked where the property line is located and Mr. Genda said it is on the top of the ridge. There was a discussion about the addition of a second venue. Mr. Genda said that the proposed venue would allow brides a choice of a more rustic venue.

There being no further discussion, Vice Chair Kemp made the motion that the Planning Commission recommend approval of the site plan to Town Council with the conditions that all planning and engineering comments are satisfied and additional landscaping along the north and west sides of the property be identified and installed. The motion was seconded by Mr. Steinmetz, the motion passed by voice vote.

Chair Shaffer asked for a motion for the Special Use Permit expansion. Mr. Mathur made the motion that the Planning Commission recommend that Town Council approve the expansion of the Special Use Permit (SUP 02-09; SUP 01-18) in order to allow additional structures and increase the event space for the country inn use at Rosemont Manor, identified as Tax Map Parcel number 14-A-10 on that portion of the property located in the Open Space Residential zoning district. The motion was seconded by Vice Chair Kemp. The motion passed by voice vote.

OLD BUSINESS

PLANNING AND ZONING UPDATE

Ms. Dunkle reviewed her staff report.

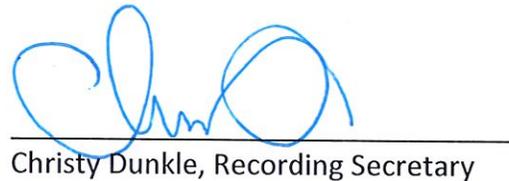
OTHER

There were no other comments.

Adjourn

There being no further business, Ms. Malone made a motion to adjourn the meeting, seconded by Ms. Zimmerman, the motion passed by voice vote at 8:20pm.


Doug Shaffer, Chair


Christy Dunkle, Recording Secretary