

**FLUVANNA COUNTY PLANNING COMMISSION
REGULAR MEETING MINUTES**

**Carysbrook Performing Arts Center
8880 James Madison Highway
Fork Union, VA 23055**

**November 9, 2021
6:00 pm Work Session
7:00 pm Regular Meeting**

MEMBERS PRESENT:

Barry Bibb, Chair
Gequetta "G" Murray-Key, Vice Chair
Ed Zimmer
Lewis Johnson
Howard Lagomarsino
Patricia Eager, Board of Supervisors

WORK SESSION:

Calvin Hickman, Public Works Director
Captain Peterson, Fluvanna Sheriff's Office
John Lye, Lake Monticello Water Rescue Chief
Don Stribling, Fluvanna County Schools

REGULAR MEETING:

Eric Dahl, County Administrator
Douglas Miles, Community Development Director
Jason Overstreet, Senior Planner
Fred Payne, County Attorney
Valencia Porter, Administrative Programs Specialist
John Wilson, PE, VDOT Louisa Residency (online)
John Aulbach, PE, AQUA VA President (online)

CAPITAL IMPROVEMENT PLAN (CIP) WORK SESSION – CIP Planning Commissioner Rankings

A. CALL TO ORDER, THE PLEDGE OF ALLEGIANCE AND A MOMENT OF SILENCE:

At 6:00 pm, Chair Bibb called the Work Session to order, led in the Pledge of Allegiance and followed by a Moment of Silence.

B. COUNTY ADMINISTRATOR COMMENTS:

Eric Dahl, County Administrator, he provided a brief summary of the FY 2023 – 2027 Capital Improvement Plan (CIP) and indicated that Fluvanna County Department Directors and Public Safety representatives are available for any questions during the CIP Commissioner Rankings.

C. WORK SESSION:

Fluvanna County's new Capital Improvement Plan (CIP) for FY23 – FY 27 has been prepared by the Finance Department in conjunction with the County Administrator. The CIP Plan has been forwarded to the Planning Commission for their review, in accordance with Virginia State Code §15.2-2239: Local Planning Commissions to prepare and submit annually capital improvement programs to the governing body, in our case it is to the Fluvanna County Board of Supervisors.

Mr. Dahl then summarized the next step within the CIP review process that a Public Hearing would be conducted on December 7th to complete their CIP process and then submit a CIP Recommendation onto the Fluvanna County Board of Supervisors for potential CIP funding.

Chair Bibb closed the Work Session at 6:30 pm.

1. CALL TO ORDER, THE PLEDGE OF ALLEGIANCE AND A MOMENT OF SILENCE:

At 7:00 pm, Chair Bibb called the November 9, 2021 Regular Meeting to order, the Pledge of Allegiance and followed by a Moment of Silence.

2. DIRECTOR'S REPORT: Douglas Miles, Community Development Director

October 20th Board of Supervisors – Redistricting Maps & VDOT Roads

County Administration and Planning & GIS Staff conducted a Redistricting Maps Work Session with various GIS map district options and the related Census numbers with extensive work conducted by GIS staff on the maps along with County Administration staff members, as well.

The Community Development Director presented the VDOT Road Functional Classifications changes to Route 250 & Route 53 both from the Albemarle County line to Route 15 from Major Collectors over to Minor Arterials in the VDOT road functional classification system that is after the decennial 2020 Census.

October 21st TJ PDC Regional Housing Roundtable – Fall 2021 Training

The Community Development Director served as a Regional Planning panelist along with the Albemarle County, City of Charlottesville and Greene County planning directors on new and affordable housing projects.

October 28th Technical Review Committee – Dominion Energy Substation

The Community Development Director and Planner conducted a meeting on the proposed substation on the north line of Ruritan Lake Road at Branch Road for a new 230 KV / 115 KV switching station as 115 line is from the 1930s and it needs to be replaced for better service.

November 3rd Board of Supervisors: GIS Maps & Roads Board Resolution

The Community Development Director presented Functional Classification Roads request for Board of Supervisors Resolution and it was passed to move forward with reclassifying Routes 250 and 53 from Major Collectors to Minor Arterials for both better VDOT road funding and classification purposes.

Redistricting Maps discussion occurred with the Board of Supervisors that required additional Planning & GIS staff work to prepare these revised GIS maps; printing and delivering GIS maps to Board of Supervisors members for their review and consideration for new electoral districts.

November 10th Technical Review Committee Meeting – Industrial Buildings

Zion Station Lot 3 Site Plan Amendment – on Zion Station Road at US 250 project is being completed with parking, lighting and landscaping standards for new industrial use space.

Christian & Associates Contractor's Storage Yard – major site development plan submittal on Lake Monticello Road being relocated from Crofton Plaza as existing Fluvanna County business.

Van der Linde Recycling Storage Building – a minor site development plan for a new recycling storage building to keep materials dry during recycling and by adding new recycled materials.

R-3 Residential Planned Community Major Subdivisions Projects Summary

Colonial Circle R-3, Residential Planned Community: Single-Family Homes and Townhouses R-3, Master Plan Review and Subdivision Plat Approval.

Village Oaks – Phase IV R-3, Residential Planned Community: 29 Single-Family Homes Final Subdivision Plat Review and Approval on Route 618.

Village Gardens ZMP 21:04 R-3, Residential Planned Community: Single-Family Homes, Townhouses and Office / Commercial conditional rezoning; Applicant completed their Traffic Report for the R-3 proposed development.

3. PUBLIC COMMENTS #1:

At 7:07 pm, Chair Bibb opened the Public Comments period and he indicated that these public comments they should be on items that are not already on their Agenda, to include the Village Gardens Unfinished Business item, and speakers should provide their name and address and to limit their comments to five minutes.

Sandra Radford at 1201 Mulberry Drive: Stated that generally a lot of deforestation has been going on in our country. This morning in the Daily Progress she saw an article where they are doing extensive environmental studies because of urban sprawl coming out of Charlottesville. Even though Virginia has good results, from time to time, with preservation efforts but if our state continues on this path of additional urban sprawl we are going to create global warming.

We do need more stores and choices however, and can do that with good planning and we still can protect our environment. The worst thing we could possibly do, however is to support the developments that causes large parts of the county to have deforestation by clearing the trees to build houses. So, this developer really thinks that a few trees between the road as a buffer is appropriate and that more time and more thought was given to develop the places like Fox Hollow, Broken Island, and Lake Monticello which have retained the majority of their trees.

Beautiful homes with lots of trees are vital to our existence interesting facts about trees we are talking about science tonight. That is what is providing the oxygen to keep us alive, trees, grass, and plants all three things that we owe to the process of photosynthesis as they take in carbon dioxide and release as oxygen. In Fluvanna we support the protection of rural areas to write a comment as far as agricultural farms in Fluvanna than both Goochland and Louisa may have true agricultural farms, but there is probably a lot more that support beef cattle and no farms. A lot of grass supports that fact that learning people fail to realize for that purpose or also considered crops. I hope you think about that the next time it gives a statement that some trees end up more oxygen such as the spruce and burn each and the maples, but we have a lot of pines in Central Virginia and they grow fast and they can be harvested again and again.

Do you want to continue to support clear-cutting deforestation of our rural communities? If you want urban sprawl move to the city if you want a healthy place to raise your family, a place to enjoy the beauty of God’s creation and stand up and be thankful that you live where you do. I encourage all of you elected and appointed leaders in our county to choose development that makes sense, built to the needs of the community and protect our rural character developing for the development sake for those who are already welcome. Who is here to protect and not deliver our county to create more urban sprawl in my simple mind I would like to know what the results of what has already been approved. How it will impact our quality of life, highway safety, committee reconstruct order and other limited resources before you add more homes and not commercial areas. So, I encourage all of you on the Planning Commission to please protect the rural community and all of the people that you serve.

Donna D’Aguanno at 148 Crape Myrtle Drive: Stated we are very fortunate to be able to talk to our representatives and the people on the Planning Commission on the Board. Mrs. Murray-Key she called me at 9:00 one night and she said to me. I did not want another day to go by without responding to your call, and I really appreciate that this is the citizen’s government. We do not always get what we talk about but it is good that we are able to pick up the phone and still have a conversation with everybody including Mr. Eric Dahl, and other County staff members. I think that is really wonderful you are not hiding behind an email and or a computer or a receptionist and that is a really great thing, and I hope that our county stays that way because that means we do have a citizen’s government and I appreciate your service. Mr. Bibb thank you very much for pointing that out and I have also refrained from stating you guys and have respected the ladies also serving Fluvanna County.

With no one else coming forward or online wishing to speak, Chair Bibb closed the Public Comments period at 7:15 pm.

4. **MINUTES:**

MOTION:	I move that the Planning Commission approve the Minutes of October 12, 2021, as presented.				
MEMBER:	Bibb (Chair)	Murray-Key (Vice Chair)	Johnson	Zimmer	Lagomarsino
ACTION:				Motion	Second
VOTE:	Yes	Yes	Abstain	Yes	Yes
RESULT:	Approved 4-0-1 as Mr. Johnson was absent on October 12, 2021				

5. **PUBLIC HEARINGS:**

None

6. **PRESENTATIONS:**

None

7. **SITE DEVELOPMENT PLANS:**

None

8. **SUBDIVISIONS:**

None

9. **UNFINISHED BUSINESS:**

ZMP 21:04 Southern Development: A request to rezone from A-1, Agricultural, General and R-3, Residential Planned Community to R-3, Residential Planned Community of 122.6 acres of Tax Maps 8 Section A Parcel 18A, 17 Section A Parcel 10 and 17 Section 9 Parcels 1 and 2. The subject properties are located along State Route 53 and along Garden Lane (SR 636) and with additional access via a stub road located south of 415 Jefferson Drive in Lake Monticello and they are in the Rivanna Community Planning Area and in the Cunningham Election District.

Keith Lancaster, Southern Development: he approached the podium and provided an update on what the applicant had been completing since the Planning Commission granted them a 60 day deferral back on September 14th. He then stated that they needed an additional 30 Day deferral to complete the transportation improvements and right-of-way acquisition for this development, as provided in his Powerpoint Slides as these four (4) highlighted bullet points:

- ROUTE 53 TRAFFIC IMPACTS—Status: Traffic Study is complete; Civil engineers are finalizing road designs with possible off-site improvements to be made for right-of-way dedication
- AQUA VA WATER & SERVICE—Status: Draft agreement is in place for water and sewer use
- CONNECTIVITY TO LAKE MONTICELLO/TUFTON POND—Status: Civil engineers are finalizing designs based on staff and public input
- COMMERCIAL WITHIN VILLAGE GARDENS—Status: Civil engineers are the finalizing design

Chair Bibb: Stated to confirm that you are now asking for a 30 day deferral request in order to provide the Planning Commission all of the information that we would need to make a final decision on this request? **Mr. Lancaster:** stated Yes, we need an additional 30 days.

Vice Chair Murray-Key: Stated that her concern is that she likes to have all of the necessary information. You know when I am looking at something and so it is you know for whatever reason the delay or waiting on information just get all the information in. I am curious from the standpoint of the individuals who already do live at the Lake that already have a water pressure problem. About the 53,000 gallons a day usage and I do not know if the Aqua VA person is here. I think my question is more for Aqua as residents of Lake Monticello already have a lot of pressure issues that request for an additional development that will only from what I just heard and I heard previously that it would benefit the existing homes. The new development that is being built, and 74 homes that are very close to whatever the loop is but if we are not already addressing issues that are currently affecting your customers that are in Lake Monticello and surrounding areas with water pressure. What other than this agreement between the two companies, how can we expect something better from the customers who have already been paying for water and still through Aqua, and I am just trying to understand how we move onto another contract and not get those other things addressed?

John Aulbach, PE, President of Aqua Virginia (online): Stated that he thinks he understood most of the question or comments as it was a little hard to hear over the audio but one of things I am going to ensure with this Village Gardens project is that the engineering design and the hydraulic analysis of it and the modeling clearly will point towards ensuring that no degradation of service to any existing customers will exist as a result of this project. That engineering has to happen there has already been some modeling done to look at this as mentioned with that water line in the looping where it is in its own pressure zone already.

Which is a defined system so it lessens the impact to the majority of the Lake customers, but through modeling and engineering design and hydraulic analysis we will ensure that

does not happen. We are also now undergoing separately with our hydraulic modelers in our company looking at line replacements in the upcoming years to improve service in the entire area and work is being done on the entire Aqua Virginia system at Lake Monticello.

Vice Chair Murray-Key: Asked, so is it that the residents of the Lake and the surrounding communities, again my question is geared towards are we waiting on another development before those issues are resolved or will another water and sewer contract be performed?

Mr. Aulbach: stated No, my first priority is to my existing customers clearly and I do hope that is understood as part of that I am ensuring that the developer of Village Gardens or any other future developments that we are talking about do not have any negative impact on my current customers. Their piece of the design their project their work they are coming in with service needs to ensure that it meets the new customers' needs adequately and does not harm existing customers. Now part of that also may include a developer needing to improve other parts of the site infrastructure to ensure that that does not happen. That is something we are working diligently with developers and others to look at. It is also a part of the Health Department process with the Office of Drinking Water in Lexington. We will be issuing the construction permits that will give surety that there will not be impacts to both the water quality or water quantity issues.

Vice Chair Murray-Key: Asked, will this project raise the water rates for current customers?

Mr. Aulbach: Answered, No the rate settings is a separate issue that is not part of this development and it will not have an impact - as there is an entirely different process.

Vice Chair Murray-Key: Asked her question regarding the traffic study when you talk about triggering a traffic study by VDOT or what we are doing right now, are you saying that there was some kind of threshold that needed to be met before we could trigger a traffic study?

Mr. Lancaster: Answered, yes.

Vice Chair Murray-Key: Asked, since we know that VDOT has a threshold before they are triggered what they will do, does Louisa County have a threshold that will automatically cause us to ask? The reason why I am saying that is because we are asking for one after the fact which makes it appear that we are just you know kicking the can down the road when we get to these type of developments and we know that VDOT Staff has a certain threshold and somebody has got to go ahead and ask them so that they can do a study.

Mr. Miles: So we began working with Southern Development back in April, and they were already working with their civil engineer, Timmons Group and VDOT Staff members. We were commenting and providing information that we felt that a traffic study was needed internally and were talking about it with VDOT throughout the Summer. John Wilson at VDOT informed us in August that was the case that we should be able to go ahead and ask for a Traffic Study. In the process if you remember at the September 14th public hearing we actually worked with the Lake staff ourselves and VDOT all in one meeting to discuss traffic impact analysis needs. Southern Development felt that they had already completed that work and was surprised both Fluvanna County and Lake Staff still had traffic concerns.

The proposal was originally made for a new Lake gate to be on Garden Lane which is a state maintained road right at Jefferson Drive and Smokewood Road in that existing intersection and opening that closed barrier and creating access to Lake Monticello located off of Route 53 away from the traffic and congestion of the existing Tufton Pond or Monish Drive Gate. Everyone up to this point: Lake Monticello, VDOT and the County has discussed removing this gate and relocating it to a better location to serve the existing traffic due to the slope and limited sight distance along Thomas Jefferson Parkway. Then after we had worked on this possible option the Lake Monticello General Manager indicated that they did not want to change the location of the Monish Gate even if the Garden Lane area was gated there.

Southern Development they contracted with EPR in Charlottesville to perform a Traffic Study to determine the actual traffic counts and where potential improvements would be needed along Route 53 based upon their proposed residential mixed-use development. They worked with Fluvanna County and VDOT Staff on turn lane warrants and analysis which would be further identified by EPR in their Traffic Study Analysis along Route 53. The applicant has indicated that they need to additional thirty (30) days to complete necessary right-of-way acquisition along Route 53 for the expected turn lanes and/or transition lanes.

Chair Bibb asked Mr. Payne: I would like to clarify a few things for the public and for us to ask you some questions on our procedures tonight. So, we could actually deny this, we can approve this or we can accept their 30-day deferral. If we deny it would go to the Board of Supervisors and they could potentially remand it back to us? If we Approve it then it would automatically go to the Board of Supervisors but if we give them a 30-day deferral it has to come back to the Planning Commission and the public would be able to see the changes, and we would be able to express our concerns from making comments the Planning Commission to prior to it ever going before the Board of Supervisors, is that correct?

Fred Payne, County Attorney: Replied, I would say that is a fair summary of your options.

Mr. Zimmer: Stated when we look at what the Planning Commission’s role is in regards to the Board of Supervisors and as you know our job is to do a comprehensive look at all of the developments because the Board of Supervisors has a wide range, much broader range of things they need to discuss at their meetings. As you said we could Approve it we could recommend disapproval tonight, but I feel like it is incumbent upon us to do our job which is having the greatest available information regarding this project before we make a final decision on what our recommendation is on the request. I agree with you that the deferral seems appropriate, and it give us the opportunity to do the job we are supposed to do for the Board of Supervisors and for the citizens of the county.

MOTION:	I move that the Planning Commission accepts the 30 Day Deferral by the Applicant of ZMP 21:04 Southern Development to the December 7, 2021 Planning Commission Regular Meeting.				
MEMBER:	Bibb (Chair)	Murray-Key (Vice Chair)	Johnson	Zimmer	Lagomarsino
ACTION:			Motion	Seconded	
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

10. NEW BUSINESS:

None

11. PUBLIC COMMENTS #2:

At 7:39 pm, Chair Bibb opened the second round of Public Comments and he asked that speakers provide their name and address and to also limit their time to five minutes.

Linda Staiger at 2949 Ridge Road: Asked since there has been a Deferral and the additional information will be presented at the next meeting would you be open to a public comments section at that time about this request?

Mr. Payne: Stated I think it would be within the Commission’s discretion to allow the public hearing to be reopened if the Commission considered that the volume of information was so great that it would not be fair to the citizens to allow additional comments. That is in the nature of a matter in the Commission’s discretion and my suggestion would be if they choose to do that the public comments should be limited to the new information presented by the applicant since the previous Public Hearing that was closed back on September 14, 2021.

Vice Chair Murray-Key: Stated that if we make a decision at the December 7th meeting then wherever the notice to the public that there’s an opportunity other than we normally have public comments, but where is that notification that they can still comment on that. They would actually have to be on the meeting online or in here and listen?

Mr. Payne: Correct, you can make a decision tonight.

Mr. Zimmer: Asked if we made it at the next meeting there is no opportunity for public notice.

Mr. Payne: Stated that he does not know that this is a matter of law but it seems to him as a matter of fairness and it would be appropriate to give more notice to the public prior to the next meeting since there will additional information to be presented by the case applicant.

MOTION:	The Planning Commission moved to reopen the Public Hearing for ZMP 21:04 Southern Development that was previously closed on September 14th at the December 7th Planning Commission Regular Meeting.				
MEMBER:	Bibb (Chair)	Murray-Key (Vice Chair)	Johnson	Zimmer	Lagomarsino
ACTION:				Motion	Second
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

Vice Chair Murray-Key: Asked when an individual starts to speak and we are getting the AQUA information regarding the 53,000 gallons of water and whatever all of this information is in here; they start to speak how Mr. Payne I understand what you are saying, but it just seems to be difficult to say it will be limited to the new information. When we are going to be getting so much information and people have already spoken on it. I was just trying to understand how we would stop someone from talking when we do not know what direction their comment was in. When we say it is only about the new information that is going to be presented to us?

Mr. Payne: Replied when they start speaking and they start talking about matters that the Commission has already heard the Chairman can direct them to make their comments on the new information only.

Mr. Lagomarsino: Replied they could still speak on the previous information at the Public Comments Period # 2 anyway.

Mr. Payne: Stated I will remind you that for matters that are commented on that is not on the Agenda then those comments would not become part of the record for the application. So my suggestion is if somebody has information that he wants the Commission to consider and take its vote for recommendation one way or the other then they ought to speak up. As I think it is important to recognize that in making the motion that you all just approved the commission is if anything is on the side of openness and the opportunity for both to participate that was not something you had to do.

Mr. Lagomarsino: Stated at least in my mind the issues that the new information is going to address it is still going to be a very broad issue on infrastructure and transportation items.

Vice Chair Murray-Key: Stated that she would like to make sure as you know citizens have come to us and whenever we have a major case whatever it is people are very passionate when people become very passionate sometimes people cannot hear so in this atmosphere as having a calm space where people are waiting and listening. I want the people to be heard and I want people to be able to understand what we have the authority to do what we do not have the authority to do and that looks like when we come back in December people know that there are three options that can happen and that they may not like it but they are ready for it. That is why I wanted to take the time to be clear about that because we would all have already in this meeting established that we are talking about the new information that is being presented, and everybody will have an opportunity to prepare because it does not do us any good to have meetings when people are not prepared and people are just overwhelmed by information, so that is the reason why I asked those questions.

Mr. Miles: Asked Mr. Payne that with reopening this case's Public Hearing I am assuming from September 14th that was closed? Otherwise I do not have to advertise two consecutive weeks prior to the December 7th meeting. So remember by reopening the Public Hearing that opens up everything that is legally listed in that legal ad. It does not mean just new information only. I just need to know what I need to do as a Planning Director to re-advertise it in the newspaper and also to notify all the adjacent owners like we did for the September 14th Public Hearing.

Mr. Payne: Stated that he would say the Commission voted to re-open the public hearing to consider additional information as is submitted by the developer. There is only a requirement of only one Public Hearing for the Planning Commission. There is however authority for the Commission to entertain more public comments in addition to the public hearing requirement.

Larry Henson at 26 Piedmont Lane: Stated he is here tonight representing the Lake Monticello Board of Directors which I am President of, and also the forty percent population of Fluvanna County that makes up Lake Monticello and we oppose this project at Village Gardens. I sent a letter to Mr. Dahl and Mr. Miles I think you both received that letter in that letter were several comments and concerns from not just Lake Monticello but the surrounding area up and down Route 53. I have to tell you after the September 14th and meeting waiting 60 days I was a little disappointed in the presentation that Southern Development gave tonight. The update, I did not see much of an update, so I just have to express that they did touch on two of the issues that our residents brought forward. One was a traffic volume and safety which we are very concerned about on that Route 53 side of Garden Lane and of course Aqua is a big concern.

We are very concerned about a couple of things that they did not talk about that is a big deal for the Lake and it is erosion and sedimentation issues. I did not hear them talk about how we are going to prevent that and what we can do to prevent it. The Fox property would actually drain right into Tufton Pond which goes into Lake Monticello and right now we have a dredging program where we dredge over 4,000 cubic yards of sludge or sediment a year. So this is a big deal to the Lake as we have a full time employee that does nothing but dredge the Lake every day and that is all because of the sedimentation. It is not just coming into the Lake, the other issue that was not mentioned was the Fire and Safety issues as it relates around Route 53 and other access points. I do not know about County policing issues but we have a problem at the Lake with police as we have some really big challenges as a community. As we did not react when Village Oaks started and did not react to Colonial Circle and so we are reacting tonight.

We are concerned about the cost of our infrastructure to keep our community Private to keep it safe to keep our amenities safe. We already have a tremendous problem in the Summer with trespassing from Village Oaks to go swimming we cannot keep the kids out. The cost is going to be passed on to our membership in order to police this problem. They do not want that cost, so we are very concerned about that, also the fire and rescue was not going to take the fire rescue to support another community and they still have Colonial Circle going in there as well. Is the Fox property itself we believe that the proposed use violates the covenants of the Fox property those matters are between the landowner and us and they directly affect the use that may be allowed there. Overall we oppose the project because its scope and impact with quality of life in this portion of the county would be negative and be permanent. We will closely monitor developments but our position remains as stated opposition to the rezoning case request.

Thomas Diggs at 947 Jefferson Drive: Thanks for reopening the Public Hearing as that took a remarkable amount of courage to do and it will well serve the community. My second point is with regard to the Comprehensive Plan, thank you for having a webpage up now. I would now ask that you put some information on that webpage. At the moment the only thing that is on there now is a promise of future information, and an application for possible membership on two subcommittees. I also would ask for an explanation it's a subcommittee of what the Plan?

Other surrounding jurisdictions have had broad-based community committees that advise their Planning Commission on the information for the Comprehensive Plan. I do not see anything like that in Fluvanna County. I would ask that you consider it and especially that you add in links, there was an email sent out to some residents of the County to apply to be on a subcommittee. I am aware of a survey that was accessible on the County website that I had not seen before from 2020 however even that survey if I had not been made aware of it by the email that my friends forwarded to me. I would not know it and it is not linked to the Comprehensive Plan webpage. Please give us more information including a timeline and an explanation of the plan to update the Comprehensive Plan as we would like to participate in the new Plan process.

Brook Reynard at 662 Broken Island Road / 97 Virginia Avenue: Stated that The Master Plan originally submitted by Southern Development it called for 260 single family and townhomes, and 9,000 square feet of commercial space. Their updated plan as of September 2nd accounts for 247 single family homes, 75 townhouses I assume this 9,000 square foot commercial space has stayed the same as I did not see an update there. Their traffic study is a little misleading, your account for 216 extra morning trips, 288 additional evening trips by my math given your update, how many homes you plan on being there that's 67% of the people leaving to go to work in the morning. I do understand this county does have an aging population of which a majority of the people are over retirement age. I think that is a little misleading on how many cars will be coming and going every morning and every evening. That is being said 247 single family homes I don't know about y'all I think most of you guys are married based on Southern Development's website. I believe most of you have kids, so you tell me if your wives have cars

when your kids get older successfully when their kids are 16, 17 years old what do the kids do? Your kids are going to want to get cars. Therefore, there will be a lot more cars in this project.

This updated development only calls for the streets to be 24 feet wide, therefore not allowing for on-street parking. I do not see any additional parking other than the parking at the end of the development that is going to account for this 9,000 square feet of commercial space. That we have not seen any kind of projected commercial that is going to get build there if anything. That is been proposed at all the new developments that have been proposed in the past by Southern Development in the county. Village Oaks is one of those I mean there is a for sale sign up right now. I do believe the county zoned commercial development that has not happened there. I do not think we are going to see any there now or in the future. So I do have a concern with that I mean if this design intent of this development was really met I think you guys need Southern Development to bring to the county some more ideas on how they are going to best handle the traffic with most of these being targeted at single family homes and or the younger generation. I do not know why the county just keeps giving them more chances, more chances more chances again. I think the design intent was missed from the get-go as a 45-mile an hour stretch on the road and then a residential and a commercial entrance at two very drastically different site distances, and the traffic study only accounts for 500 foot on either side there.

Luke Reynard at 97 Virginia Avenue: Stated he lives at Village Oaks, we are going to have the same sort of development that they are proposing for Village Gardens. This week we had an ambulance come in and when cars do park on both sides of the road it completely blocked up the road. I still see that they are only accounting for 12 feet on each side of the road, which is not going to be enough for traffic to flow through in the case of an emergency. My other issue is the commercial development, we're going to be putting all of the tax liability back onto the residents without any commercial uses. That is going to create higher taxes, so we really want you to consider that when we are considering all these high density residential developments.

James von Ottenritter at 2126 Nahor Manor Road: Over the past couple of weeks I have gone and wandered about in the Villages of Nahor, the senior citizen development. I go over there and I talk to the people there because I am curious and I want to see how the homes are built. I think you have a problem and it should be addressed. As there is hardly a person there that is not in trouble to the point when they talk about they cannot sleep in peace. They are always worried about what is going to happen because they are worried about more cars coming in and these people first of all they are real nice but they are having mental problems. One lady her sister came back to talk to me but she said she flew into town to see her because she said she did not want to live anymore. I know they are living in the development but it is not so bad in their development it is just nice and they are old people and a lot of them do still work. The County must have a mental health facility because they should go and do something for these older people. They know about this meeting tonight and now it is another what 30 days. When that sister said she is going to take her away as I believed it because they all know the traffic is going to drive through there. Everyone knows they are going to drive through there and go on over to the Food Lion and to the Exxon gasoline station. Thank you for listening to me tonight.

Douglas Powell at 415 Jefferson Drive: He stated he comes to you this evening with kind of a cautionary tale. He stated I moved to the City of Fairfax in 1979, and at that time the City of Fairfax in Fairfax County was basically the western edge of metropolitan DC. By the time I left just a few years ago that borderline edge of the metropolitan DC area had extended out way further out into Loudoun County. I know we all recognize that Loudoun County was the fastest growing county in Virginia. The census in 1980 right after I moved to the City of Fairfax and the population about Loudoun County was right around 57,000 people by the time I left and in the 2020 census that population had expanded to over 400,000 people. That did not happen all at once it happened by one development followed by another development followed by another development and on and on bits and pieces growing into an aggregate that churned once was rural farmland into suburban homes.

I do not think Fluvanna County is in danger of becoming another Loudoun County, but in the 2020 census all of the jurisdictions between Richmond and Charlottesville were in the top 30 fastest developing jurisdictions in the state of Virginia except for Fluvanna County. The pressure is going to be on us to join that group there is we are on that Route 64 corridor between two job centers people are going to be looking for places to live and I encourage you to look at the aggregate of everything that is happening now. I know it is your responsibility to look at each individual project and make recommendations on it but please look at the overall picture, do not make decisions just for today but make them for 40 years in Fluvanna County.

Debra Kurre at 19 Laguna Road: Stated that there have been some things said that I do really appreciate which are to look at the long run, to look at the long haul because even though the traffic analysis that was done, and the traffic impact analysis is wanted by VDOT to come in at different numbers that are higher than what these numbers are. They are eventually going to get there and that is going to have to be done, so why wait. I just think it would be important to go ahead and do that now. My concern is the Comprehensive Plan, what is the plan? What is the plan for schools? What is the plan for medical facilities? My husband and I we spent a lot of time in the ambulance last year going back and forth to Charlottesville on Route 53 at night and it is dangerous, it is dangerous tonight coming out here looking for deer. We need some kind of overnight medical facility in this community that can help to care for people who are in emergency situations, it will not be an emergency room, but we need an urgent care medical facility to serve the community like what you find in other suburban areas near us.

When is an elementary school going to be built as you have to have certain there is got to be certain thresholds, just like this completed Traffic Analysis Study there are certain thresholds for communities that if we go ahead and establish those now you will have your plan in place. It seems like we are very global and growing and it is a good thing in a lot of ways. However you know when you bring a baby home from the hospital you do not go Oh no you know I am going to go set that nursery up. I think my personal opinion is the Comprehensive Plan it needs to be finished with a lot of the community input. The corner that we are on is the last historical area right where VDOT is going to make turn lane improvements, and that is the last tangible historical area. Around Lake Monticello that part of the history of Fluvanna and I do feel very honored to be part of that. I am asking that we look at that and please make the right decision.

Jack Beuth at 121 Middleton Mills Lane: Stated that he is sort of late arriving to this fight. He just saw an advertisement about this development and he was sort of stunned by the size of it and their plans for it. I cannot really understand what the benefit to Fluvanna County is for this development. Maybe it brings in more tax revenue but it could also raise our taxes too. A lot of counties in Virginia are in a similar situation to Fluvanna and will put strict limits on the size of property divisions like five acres, ten acres and specifically to avoid these types of high density developments. If you limit those divisions to the larger lots you get people coming in building houses that are worth a million dollars they provide a lot of tax revenue, and do not provide the kind of impacts that have been discussed here. Impacts on utilities, impacts on your roads and maybe I have not heard a lot of discussion about this but the impact on our schools.

These types of developments specifically bring in young people, young people that have kids and those kids have to go to school, and those schools are very expensive to build and are very expensive to staff. I hope you have accounted for that in your planning for a development like this. I think a couple of earlier speakers made it very clear I think probably the most important point here is that you are not just making a decision right now on this one development. As you are making a decision about really the future of this county. This is a pivotal point right now if you approve this, this is not going to be the last of these types of developments, they are going to come in front of you and it is going to be very hard to stop them if you don't stop them right now. I have got to say Fluvanna it is a beautiful county, we are not long-term residents here but we moved here because of this rural beauty. When you look at these types of developments they are not beautiful in fact I have to say they are ugly. Think about what these developments are going to look like in 20 years or 30 years - is this the kind of county that you want to have.

This issue of extending the meetings and coming up with new issues, the presentation I saw tonight on the traffic study already Route 53 is a very busy corridor. In fact, if you are trying to pull out on Route 53 and you are trying to pull out to traffic circle or something like that you know there is a fairly steady stream of traffic certain times of the day a steady stream of cars. That highway has to be improved you get more development and that is the direction your heading. I do not think you can limit public comments at the next meeting you will be voting on the entire proposal as you are not going to be voting on a portion that they are going to talk about when they show up in a month. I think you need to hear from the public on the entirety of the proposal before you vote on the entirety of the application that will be presented that night.

George Macomber at 31 Mulberry Drive: Asked so we are expecting a preponderance of new information to be at the next meeting. So, how far in advance will we all be able to see that information and come to the meeting prepared? I do not think you got a straight answer, you had asked what are they going to do to improve their current issues? He said well we will not degrade it basically and maybe in a few years we will address it. You did not get an answer.

Chair Bibb: Stated we usually get the Packet on the Friday before the meeting that is on the following Tuesday. So we will get the packet the same time they will upload the information on the Fluvanna County website for you to read and review in the public - all equal review times.

Wayne Nye at 176 Village Boulevard: Stated that he and his wife talk about this every day and all of the issues that you have heard we have talked about and continuing with all of that. So, I work at Martha Jefferson Hospital as a pharmacist. I get up early in the morning you know so I get to work on time. For all of the healthy engagement and the controversy and the different opinions I want to thank you publicly and all of you for hanging in there with us on this request.

Donna D'Aguanno at 148 Crape Myrtle Drive: Stated that she just wanted to reinforce a lot of what occurred. I am opposed when I started this I was opposed for various reasons, now my reasons have really grown, and I think one of the biggest things is quality of life. I think that you guys are all in the predicament of really changing people's quality of life I am sure people have written about their commutes in the mornings by going down to Charlottesville. What time are people going to have to get up now, to be able to commute to their jobs, what time are they going to have to get their kids up and go to school. When you add in another whatever how many homes and the additional cars plus Colonial Circle, plus Village Oaks and Island Hill.

All of these new people are coming and descending on our quality of life that we are looking at what is the commute time what are you going to do. That is impacting everybody's world now, and you are in control of that. You are going to change everybody's life because they are going to have to come home rush in get dinner on the table maybe get onto a soccer practice. People came out here thinking that they were going to have a beautiful life and requests like this are not creating a beautiful life and I have to say I have never heard one person except maybe the people living in Village Oaks complementing the look of Village Oaks. It's been talked about as hideous, ugly, and bad for Fluvanna County there is not one tree left standing in that project.

So when you are deciding on this you are also deciding the look of the County. The gentleman is right 40 years out is this what we are going to look like? You can drive by pastures and see cows out there you cannot put a year on some of these, maybe because the house looks a year old but it could be from 1777 because that land is the land and there is a beauty to just having land. I know maybe Southern Development does not think that and quite honestly I am not sure why we are still dealing with Southern Development because they keep changing their plans as they move along. They are not solid citizens in the way they go about doing business and I have very hard feelings about how we have done business going forward. When I bought my home three years ago I was still hearing about a convalescent home three years ago.

I do not know why they were still talking about it because that was scrubbed then you go down there and they start talking about having that convalescent home down at Village Oaks. Never going to happen never was going to happen, so you really have to consider all the pieces of the puzzle the biggest piece of the puzzle was and I wrote to you all over the weekend. In 2024 the marijuana laws are changing do you know that there was a young man killed at Merry Oaks on Route 53 on the weekend of October 23rd right there. Village Gardens is coming there and at 12:30 am a girl over corrected, she ran into a tree the young man from Fluvanna County High School is dead. We will be looking at a lot more white crosses when the 2024 marijuana laws change. The information that I sent you contains the statistics from the Rocky Mountain High Intensity Drug Evaluation Study. Everything is in the study and that they had in every state, the number of deaths doubled in the states when marijuana laws change. That is a very scary thing, and you are going to put more teenagers and inexperienced drivers out there. Thank you.

Suzy Morris at 6840 Thomas Jefferson Parkway: Stated that there is probably not much more that I can say. I think I could say that I have been at every Planning Commission and Board of Supervisors meeting since June. I am another one of those old people and I am unlike many a native of Fluvanna, and I do love this county. I came back to this county, and I spent 50 years working with young people in this county. I want something left for them, I should be right now in retirement able to paint, to write, and to enjoy the various changes of seasons. I looked out for women the other day when I was doing some cooking, so that I did not have to do it every day, you take it out of the refrigerator but it's not the processed food, and you just heat it up. I looked out the window and I saw the beach leaves and the hickory leaves spinning and twirling and dancing down to the ground. I thought I should be able to be outside, I should be able to be enjoying these things. I have put in my time and it is unconscionable for someone who has built a retirement community. Nahor Village to come back and disturb and disrupt and destroy

the peace that they thought they were going to have there. It is also unconscionable to have them come back and try to destroy my peace and tranquility that I remained here for and came back to Fluvanna for. So, I asked you and I agree with so many of the things said tonight they were absolutely spot on. This is the time for us to take a stand this is not the time to say we cannot do anything. We have to say yes, no it is a time now and if you miss it this county could easily be gone and it is not just the northwest corner of this county it will be all throughout the county. So I urge you please let's not have them rush through things and try to get it through. Let's get our stuff straight that is one thing I learned as an educator you have to be organized with your time, you are planning and what you do, so thank you for your time I appreciate it. I know it is a difficult job but this is the turning point in Fluvanna County. Let's keep it unique, let's keep it with the positive quality of life that people came here for and that we came back and we stayed here for. Thank you for all that you do for Fluvanna County.

Sandra Radford at 121 Mulberry Drive: Stated that the Save Rural Fluvanna Group has all gone through the proffered conditions and we have several questions and we cannot get them to be addressed and now have to wait 30 days. Is Southern Development still going to have to take care of and address these issues? As we have more questions than answers on this right now.

Mr. Miles: asked Chair Bibb if he could respond to her question. He stated that the applicant's Proffered Conditions were put into the Staff Report as Plain Text from their August 25th letter. County Staff put in Italic Text certain comments and questions to further clarify the proffers at the September 14th Public Hearing. For further clarity purposes, Bold Text was added as their responses for tonight's meeting or indicating that the applicant is still completing those items.

Sandra Radford: Stated she looked at the revised information and it is still incomplete and our group wants to hear the final answers by someone from the Southern Development that they have been addressed and that it be clear and concise information for everyone to understand.

Chair Bibb: We need to move on and we appreciate your comments but this is not a time for us to continue to discuss this request until we receive all of the information necessary for us to make a decision. As everyone will receive the information prior to the December 7th meeting.

Vice Chair Murray-Key: Asked Mr. Miles a follow-up question about the Solar Panel Recycling information that Sun Tribe Solar was going to provide and that was discussed at last month's Planning Commission meeting. He e-mailed it to you and I but he was going to mail it out to some of the interested citizens for them to review as well before the next Board meeting.

Mr. Miles: stated that John Townsend, Sun Tribe Solar, he did mail the Solar Panel Recycling information to Mrs. Morris by Fed Ex package delivery so that she could review a paper copy. It has also been added electronically into the November 17th Board meeting packet materials.

With no one else coming forward or online to speak Chair Bibb closed the Public Comments period at 8:40 pm.

12. ADJOURNMENT:

Chair Bibb then adjourned the Regular Planning Commission meeting of November 9, 2021 at 8:42 pm. The minutes were recorded by Valencia Porter, Administrative Programs Specialist.

Barry A. Bibb, Chair
Fluvanna County Planning Commission