Albemarle County Planning Commission
January 30, 2001

The Albemarle County Planning Commission held a meeting and a public hearing on Tuesday, January 30, 2001 at 6:00 p.m. at the County Office Building, 401 McIntire Road, Charlottesville, Virginia. Members attending were: Mr. Dennis Rooker, Chairman; Mr. William Rieley, Vice-Chairman, Mrs. Tracey Hopper, Mr. Rodney Thomas; Mr. William Finley, Mr. Jared Loewenstein; and Mr. Pete Craddock. Other officials present were: Mr. Greg Kamptner, Assistant County Attorney and Ms. Elaine Echols, Principal Planner; Mr. Stephen Waller, Planner; Ms. Joan McDowell, Senior Planner and Mr. Wayne Cilimberg, Director of Planning and Community Development.

A quorum was established and the meeting called to order.

Other Matters Not Listed on the Agenda from the Public
Mr. Rooker asked for public comment on any matter not listed on the agenda. No comments were offered, and the meeting proceeded.

Consent Agenda:

The Nature Conservancy Request for Waiver of Standards for Public Streets and Private Roads and Waiver of Building Site Requirements - Request for waivers of the requirements under Section 14-512 of the subdivision ordinance and Section 4.2.1 of the Zoning Ordinance. The property is zoned RA (Rural Area). The property, described as Tax Map 27, Parcel 34 is located in the White Hall Magisterial District on State Route 674 on Pigeon Top Mountain. The Comprehensive Plan designates this property as RA (or) Rural Area. (Dan Mahon)

SDP-00-153 Seminole Commons at Forest Lakes Site Plan Amendment, Parking Lot Slope Waiver Request - To amend the Seminole Commons at Forest Lakes Site Plan to allow the maximum grade of the parking lot to exceed that permitted by Section 4.12.6.3(b). The request includes grades of up to 12%. (Margaret Doherty)

Mr. Loewenstein moved approval of Consent Agenda as presented.

Mr. Thomas seconded the motion, which carried unanimously.

SP-2000-66 Philip Marshall (Charlottesville Cellular) (Sign # 78,79) - Request for a special use permit to allow the collocation of a whip antenna on an existing monopole structure, in accordance with Section [10.2.2.6] of the Zoning Ordinance which allows for radio-wave transmission and relay towers, and appurtenances. The property, described as Tax Map 36 - Parcel 19, contains approximately 121.216 acres, and is located in the Rivanna Magisterial District, off of Vineyard Road [State Route # 777] on Goodloe Mountain, approximately 2.5 miles south of the Orange County line. This parcel is zoned RA, Rural Areas and the Comprehensive Plan designates this property as Rural Area. (Stephen Mr. Waller) ***DEFERRED FROM THE JANUARY 9, 2001 PLANNING COMMISSION MEETING.***

Mr. Waller presented the staff report.

Mr. Rieley asked for clarification of the provided illustration, which shows the top of the whip antenna 17' below the top of the monopole.

Mr. Waller stated that the illustration in Attachment E, page 5 was a sketch drawn by the applicant. The applicant would be required to comply with the conditions stated in SP-2000-66.

Mr. Rooker verified that in this case, the height of the whip antennas would not exceed the height of the existing monopole.

Mr. Waller responded that it would not.

Mr. Rieley stated that the drawing did not appear to be drawn to scale.

Mr. Waller verified that that was correct. The County required no additional work on a site plan.

Ms. Hopper stted that she did not catch that the drawing was not drawn to scale. She requested that further drawings be done to scale.

Mr. Rooker opened the meeting to comments from the public.

Mr. Patrick Asplin, representing the applicant, stated that the sketch in Attachment E was the final sketch, which shows the correct mounting height of 67' and takes the antenna to the top of the monopole tower. The applicant has not addressed the issue of technical compliance with the existing antennae mounted within the pole. He stated that the applicant is asking for general approval of the placement of the antenna, not to exceed the overall height of the monopole. Mr. Asplin add clarification to the staff report in that the report shows the height of the tower to be 82' feet when in fact it is 89'.

Mr. Thomas asked if the antennas were inside the pole.

Mr. Asplin stated that there will be any number of antennas inside the pole, there was no definitive number in the record.

Mr. Rieley asked the applicant to clarify whether or not a determination has been made about the feasibility of the antenna at the height given.

Mr. Asplin stated that the technical capabilities can be met at a height of 47' however, the letter from Mr. Adams, part of Attachment E, indicates that the higher the antenna the more effective it will be. There are still technical issues regarding whether the antenna can be mounted that high on the monopole. The investigation needed to determine that has not been performed awaiting approval to attach the antenna.

Mr. Rooker closed the public hearing.

Mr. Thomas asked Mr. Kamptner if the missing paperwork created an incomplete application.

Mr. Waller replied that the zoning administrator determined that up to three antennas could be attached to the outside of the monopole.

Mr. Rieley asked if two additional antennas could be attached to the pole.

Mr. Waller answered that that was correct.

Mr. Rooker asked if there was any limitation on the size of the bracket that supports the antenna.

Mr. Waller replied that he had not seen that and referred the question to the applicant.

Mr. Rooker asked for additional discussion.

Mr. Rooker asked the applicant if there was any information on the size of the bracket.

Mr. Asplin stated that he did not have any detailed information on the size of the bracket. He also presented photographs of the site that would show the look of the antenna

Mr. Rooker asked that the applicant take into consideration the size of the mounting apparatus.

Mr. Loewenstein asked if it needed to be 6 feet.

Mr. Asplin referred to the letter from the engineer, Attachment E, 3rd paragraph, which indicated the need for the size of the apparatus.

Mr. Rooker asked the applicant again to minimize the size.

Mr. Loewenstein echoed his desire to see the drawings rendered to scale.

Mr. Kamptner suggested proposing a location for the bracket and incorporating that in the conditions.

Mr. Loewenstein stated that he had made the assumption, based on the drawings, that the bracket would be located toward the bottom of the whip antenna.

Mr. Kamptner reminded the commission that there was nothing requiring that and suggested modifying the conditions.

Mr. Rooker asked if we should modify the conditions to state that the position of the bracket should reflect the position in the drawing.

Mr. Loewenstein said that he was not comfortable referring to the drawing in the packet because it was not drawn to scale.

Mr. Thomas said that he thought Mr. Kamptner's words were more correct, that it would be below the tree line. It is going to be 21' from the top of the tower, according to the drawing.

Mr. Rooker suggested that it might be easier to specify a location for the bracket in relation to the pole. He proposed adding the condition that the bracket be located no further than 6 inches below the bottom of the whip antenna.

Mr. Kamptner said that the commission should consider establishing the requirement for the bracket from the bottom of the tower, at 69' above the base.

Mr. Rooker suggested adding the condition that the bracket that holds the tower shall be no taller than 69' above the base of the tower.

Mr. Finley moved for approval subject to the following conditions:

1. Approval of this special use permit amends condition 4(a) of SP 97-051 which states, *"The antennas shall be limited to 3 flush-mounted panel antennae not to exceed 6 feet in height and 1 foot in width,"* with the following condition:

   The antennas shall be limited to three (3) flush-mounted antennae not to exceed 6 feet in height and one (1) foot in width, **and one whip antenna not to exceed 3 inches in diameter, extending no more than six (6) feet from the face, and no higher than the top of the existing monopole structure**.

2. The remaining portion of the original 120-foot tall tower shall be removed upon attachment of the whip antenna to the monopole.

3. Prior to the issuance of a building permit, the metal monopole shall be painted a natural wood color in compliance with condition 2a of SP 97-51 Goodlow Mountain, and verified through zoning inspection.

4. The monopole shall be constructed and maintained to comply with all other conditions for the approval of SDP 97-51 Goodlow Mountain.

5. The bracket that holds the whip antenna shall not be taller than 69' above the base of the monopole.

Ms. Hopper seconded the motion, which carried unanimously.

General Discussion - Isolators

Mr. Rooker requested that a RF engineer be available for staff to ask questions of that would bill the County on an as needed basis.

Mr. Cilimberg said that he would renew the request with the Board of Supervisors.

Mr. Finley stated that there had been a similar proposal, which was denied because it was costly and unfeasible. He also wondered if staff would be able to anticipate which proposals would generate questions that would require and RF engineer.

Mr. Rooker thought that they probably would not be able to anticipate every question, but that they would be able to pick up on some of them. Mr. Rooker stated that they could also defer a proposal pending discussion with an engineer if necessary.

Mr. Finley asked who would absorb the cost if there were engineering questions. He also suggested that the commission ask the applicant to provide the engineering answers, thereby bearing the costs.

Mr. Rooker stated that what he was interested in was someone to check the representations of the applicant. He said that he was not suggesting the county spend additional money. He asked that some research be done into the cost of such a proposal. Perhaps for a modest annual retainer you could have someone to answer relatively straightforward questions that did not involve significant research.

Mr. Loewenstein expressed his concern that the commission might be targeting a particular type of applicant or application for scrutiny. He suggested that there are other types of applications in which the commission has specific engineering questions that are answered only by the applicant. He expressed his concern that the commission maintains fairness to all applicants.

Mr. Rooker stated his belief that there is a difference between the types of applications. RF engineering is a highly specialized type of engineering; there is no RF engineer employed by the County.

Mr. Loewenstein stated that he though RF engineering was not the only specialized area the commission faces.

Mr. Rooker requested that some RF engineers be identified and asked on what basis they would provide this type of consultation.

Mr. Thomas suggested that the questions be put to the RF engineer hired by the applicant.

Mr. Rooker thought that those engineers might possibly act as an advocate for the applicant.

Mr. Rieley stated that he desired some independent analysis.

Mr. Finley said that the policy manual states the applicant to bear the cost of review and preparation for presentation to the Board or Commission.

Mr. Rooker asked for additional comments on the issue.

ZMA-2000-008 Dunlora Phase 4B Rivercreek (Sign # 50) - Request to rezone 5.279 acres from RA to R-4. The property described as Tax Map 62 Parcel 12 is located in the Rivanna Magisterial District between Dunlora Drive and Free State Road approximately 1/2 mile from the intersection of the railroad tracks and Free State Road. The Comprehensive Plan designates this property as Neighborhood Density Residential for 3 - 6 dwelling units per acre in Neighborhood 2. (Elaine Ms. Echols) ***DEFERRED FROM THE JANUARY 9, 2000 PLANNING COMMISSION MEETING***

Ms. Hopper asked to abstain from this vote.

Ms. Echols presented the staff report. The engineer wants to bring additional information to the commission regarding critical slopes at a later date. Additionally, there is a new proffer form with 8 proffers on it. Most of the outstanding issues are covered in this new set. Attachment A, relating to the need for archaeological study, was inadvertently sent on Monticello stationery. The authors have requested that it be noted for the record that that is not from Monticello, nor does it represent Monticello.

Mr. Loewenstein asked why parcel 13 was not mentioned in proffer #8. Looking at the preliminary plat there seems to be no reason for it not to be included.

Ms. Echols stated that she did not know and referred the question to the applicant.

Mr. Rooker asked if all three parcels were involved in the rezoning application

Ms. Echols stated that the parcel 12 is the only one up for rezoning.

Mr. Cilimberg said that there was existing zoning and needed zoning. What was brought before the commission was for the needed zoning on parcel 12.

Mr. Rooker stated again that the rezoning only includes parcel 12.

Mr. Loewenstein said that the proffers included parcels 7 and 13.

Mr. Kamptner asked if Parcel 7 was advertised.

Mr. Cilimberg answered that only Parcel 12 was advertised.

Mr. Rooker stated that 12 is the only parcel involved in rezoning prior to proffer #8. He asked if there was a problem with proffering with respect to adjoining parcels.

Mr. Kamptner stated that he believes that condition #8 is okay, but that it needs to be indicated at the top that parcel 7 is not included.

Mr. Cilimberg said the parcel 7 could not be included in the proffers because it was not advertised.

Mr. Loewenstein stated that it should be struck from 8 as well.

Mr. Kamptner said that they could proffer to do that, but it would only be binding to parcel 12.

Mr. Loewenstein said that there would then be no reason for parcel 13 not to be there either.

Mr. Kamptner that the preferable approach would be to rezone 7 and 13 to include this particular proffer, but thought that the commission could do an off-site proffer.

Mr. Finley stated that he did not understand why the problem remained between 8 and 10 years.

Mr. Cilimberg said that his experience w/VDOT in secondary roads building is that they generally run behind. This project might well be finished in the stated timeframe, but they wanted to leave the time necessary to get the project underway.

Mr. Thomas asked if building the bridge was the only concern or if there was more to the project.

Mr. Cilimberg said that it was not the bridge, but the project for Free State to Rio Road which is currently new road construction project.

Mr. Rooker asked if there were other questions for staff.

Mr. Rooker opened the public hearing and invited Frank Stoner, the applicant, speak to the commission.

Mr. Stoner pointed out the following items:

1. That they made the connection to Free State Rd, which is required as part of their proffer,
2. The amount of open space disturbed has been vastly reduced, preserving 1 ½ acres of clearing,
3. There is some conceptual lot grading shown on lot 36 as part of the road grading plan, lots 35 and 37 would be included in the final plat with slopes of 3 or 4 to 1 in the rear.

Mr. Stoner addressed the slope waiver request. He said that he was not aware that engineering was not prepared to sign off on the request. The letter that he sent to Elaine today includes a lot grading plan for the old lots 39 and 40. The cul-de-sac has not changed, nor have the lots move. He believes that the original engineering review done on the original slope waiver request should be applicable tonight. He asked that engineering be willing to review that this evening.

Mr. Stoner touched on the archaeology study that was proffered. He stated that the applicant is supportive of the study to be done. Lot 13 is not included because it was used as a stockpile during phase 4A. Ben Ford of Rivanna Archaeological Company has agreed to help with the archaeological survey.

Mr. Stoner commented on the VDOT road upgrade. According to his conversation with VDOT, the road project is on the fast track and that they expected construction to be complete within 4 or 5 years. With respect to the proposed proffer concerning overlap-grading plan has no problem with the revised language, he is concerned with practical application and enforcement. Mr. Stoner is not quite clear why the original proffers are not acceptable as presented.

Mr. Rooker stated that he understood Mr. Stoner's point regarding 8-year road building project with VDOT, but reminded the applicant that the County has no control over the project. Since both VDOT and the County are committed to moving the project along, it should do no harm to the applicant to agree to the 10-year timeframe.

Mr. Stoner stated that he would agree to 10 years if that were necessary.

Mr. Rieley raised specific issues brought up in Mr. Graham's memo regarding building pads that minimize grades steeper than 10% within 10 feet of the house. He asked Mr. Stoner if he had any problem with that.

Mr. Stoner stated that he has no problem with the intent, but that he is concerned about how specific the plan will need to be and what will happen to those lots that have already been purchased.

Mr. Rieley said that in proposing the original #7, the applicant assumed that a plan would be generated, approved, and then no changes made. He asked how that was different than Mr. Graham's memo, which simply stated what the target would be, in fact it should be helpful to the applicant. Mr. Rieley's original concern with #7 was that he did not think that it was fair to Mr. Stoner. He believes that it seems that Mr. Graham has stated straightforward, reasonable, and achievable goals in revised #7.

Mr. Stoner stated that he does not understand how that will be reviewed and enforced and how specific the enforcement would be.

Mr. Rieley asked if there was anything in the language that made it seem different from the original version.

Mr. Stoner said that he did understand how the original version of #7 would be enforced via conversations with Jeff Thomas who said that the required plan would be conceptual only.

Mr. Rieley asked if there was anything in the language that made it seem different from the original version.

Mr. Stoner said that he did not think there was, but having just received the document, he has gotten no indication of engineering's interpretation of the document.

Mr. Cilimberg stated that Mr. Jeff Thomas was present and could comment.

Mr. Rooker asked Mr. Stoner was willing to include this language in the proffer.

Mr. Stoner said yes, that the developer is willing to include that language, but would like to see the language changed to the original of a conceptual overlot grading plan.

Mr. Rooker asked if the word conceptual was inserted in the proffers if the applicant would be satisfied with the proffer.

Mr. Stoner said that it would satisfy his concerns.

Mr. Kamptner suggested deleting the third sentence.

Mr. Rooker verified Mr. Kamptner's suggestion and asked Mr. Stoner if that was an acceptable change.

Mr. Stoner agreed to that change.

Mr. Craddock asked what the applicant would do if the archaeological phase 1 survey resulted in significant finds.

Mr. Stoner stated to the best of his knowledge no historic resources have ever been encountered, disturbed or destroyed. He believes that there will not be anything found on the property, as it has likely not been developed previously. The applicant does not anticipate finding anything on either parcel 12 or parcel 7, but they are willing to engage in the phase 1 survey.

Mr. Thomas said that the archaeologist that spoke previously said “in the vicinity”.

Mr. Stoner said that when she was talking about the vicinity, that she was talking about the Free State area. Most of the historic resources of the Dunlora plantation are still there, in fact, the original house and grounds are still there and intact.

Mr. Craddock recognized that a phase 1 survey generally takes a considerable amount of time if it’s done correctly.

Mr. Loewenstein corrected Mr. Craddock, saying that a phase 1 survey is generally a very quick process.

Mr. Stoner said that Mr. Ford indicated that it would be 2 days of fieldwork and a day of writing.

Mr. Rooker said that the likelihood of findings could be established by looking at the historic record.

Mr. Loewenstein stated that there has been some preliminary work done in the Dunlora estate area. He has some knowledge about Dunlora and the Carr family estates and said he would be surprised if there was not something found. Free State was developed was developed as a community long after Dunlora existed and it will have its own separate history and archaeological record. He said that the visual remains of free black communities are often very difficult to see.

Mr. Stoner said that there very well may be, but he does not believe that there will be any historic structures found on the site.

Mr. Finley asked if he agreed that proffer #4 could be changed to 10 years.

Mr. Stoner said yes.

Mr. Rooker asked if there were additional questions for Mr. Stoner. He then asked for public comment.

Mr. Bob Vernon spoke regarding the archaeological information. He has done some research into the families that lived in the area. The earliest people in the area were Thomas Farrow and Amy Bowles. Mr. Farrow purchased the land about 1770. Ms. Bowles left a will leaving the land to her children. Her son, Zachariah married Critta Hemmings, the sister of Sally Hemmings. Her daughter, Lucy married Charles Barnett who was a revolutionary war soldier. Lucy had a daughter Juda, who in her will asked her friend Samuel Carr to look after her children. It is believed that Samuel Carr was the father of the children of Juda Barnett. Mr. Vernon suggested that, because of the individuals involved, this area has considerable archaeological significance, and it is worth doing the archaeological work, even if it goes beyond phase 1.

Mr. Rooker asked Mr. Vernon to provide the information to Rivanna Archaeology.

Mr. Vernon said that he could give him the research he’s done, but that he has not actually platted the area.

Mr. Rieley asked if Mr. Vernon had information specific to the parcels indicated.

Mr. Vernon said that he had not as yet placed the parcels of land.

Ms. Jillian Galley spoke on the archaeological survey. Mr. Galley reiterated that the letter on Monticello stationery does not reflect the views of the Thomas Jefferson Foundation. She strongly urges that the commission require a phase 1 archaeological survey. She echoed the

information from the letter. She does not oppose the development as a whole, but opposes it prior to full archaeological and historical documentation of the property. She additionally recommended a phase 1 survey for all of the Belvedere Land Trust and Free State properties. She encouraged the commission to require a phase 1 archaeological survey prior to development.

Mr. Ben Ford, Rivanna Archaeology, stated that he was aware of the historical significance of the property. He added that a phase 1 survey serves specifically to identify and locate any below-ground archaeological resources. He said that the recommendation part of the survey could go 180 degrees from requiring additional research to the findings do not warrant further research. Mr. Ford has agreed to look at the property with Mr. Stoner, but has not entered into a contractual agreement with him. Mr. Ford agrees, based on the record, that a phase 1 survey should be performed.

Mr. Rooker informed Mr. Ford that his time had expired.

Corinne Carr Nettleton, a descendant of the families involved, spoke in favor of the survey for archaeological examination of this property as well as other parcels that might be affected by development. She is concerned about the developer's willingness to preserve sacredness of particular areas that have not been researched. She said that it behooves the commission to withhold their approval until an archaeological examination is performed. She also said that she would be willing to participate in any further research.

Mr. Rooker asked if there were additional public comments. There being none, Mr. Rooker closed the public hearing.

Mr. Rooker said that part of the idea of proffer #7 was to be detailed and give the applicant specific guidance on the requirements.

Mr. Jeff Thomas, engineering department, said that the intent was to give the applicant a target to shoot for. He understands that there will be some variance.

Mr. Finley said that it would not be the equivalent of a specification then.

Mr. Thomas said that he thought it would have to be addressed on a case-by-case basis. If the difference were substantial, it would be a concern.

Mr. Rieley asked if he viewed this as substantially different from the original version.

Mr. Thomas said that it would be what they would be looking for, regardless.

Mr. Rieley stated that there is some flexibility in the proffer. He asked if it went from 15% to 16% if there would be additional requirements.

Mr. Thomas said that he did not believe that was enough of a difference.

Mr. Rieley said that he would like the commission to make that 16%.

Mr. Thomas said that he agreed with that.

Mr. Rooker asked if there were additional questions for Mr. Thomas.

Mr. Cilimberg raised the question of the critical slope waiver. He said that the applicant believes that there has not been a change of circumstance in what engineering had reviewed. He asked if Mr. Thomas would speak to that.

Mr. Thomas said that he received Mr. Stoner's letter at 4:00 this afternoon, so he has not had a chance to review it. The attachment provided is from the previous version of the plat and it was that version that he recommended approval of. He said that it does not appear to be substantially different.

Mr. Rooker asked if the areas of critical slope on the preliminary plat were indicated by the darkened spaces.

Ms. Echols said that they were the ones colored brown.

Mr. Rieley asked if he thought the language reducing the 2-1 slopes to 3-1 and 4-1 would exclude that as a criteria of the overlot grading plan.

Mr. Thomas said no.

Mr. Rooker commended that applicant for making proffer 8; it is a step forward to have an applicant proffer to have an archaeological study done. It appears that the applicant has addressed the issues raised by staff at the prior public hearing.

Mr. Loewenstein commented that it was indeed a good thing. He added that the commission was only looking at the rezoning of one parcel tonight so it is not possible for it to recommend archaeological study of other parcels.

Mr. Finley moved for approval with conditions as proffered.

Mr. Kamptner asked to change in proffer #8 the word "study" to "survey".

Mr. Rooker if it was acceptable to the applicant to change the language.

Mr. Stoner said yes.

Mr. Rieley and Mr. Rooker noted the following revisions to the proffers:

#4 – At the time of commencement of construction of either the upgraded bridge or the Rio-Free State Connector road, the owners agrees to post a bond for the construction of the road described above. If commencement of the upgrading of Free State Bridge or the connector Road has not begun within ***ten (10)*** years of the acceptance of these proffers by the Albemarle County Board of Supervisors, then the owner shall be relieved of the obligation to construct a public road in this location.

#7 – ***A conceptual*** overlot grading plan, reviewed and approved by Engineering, is required prior to issuing of any permits for this site. All lots shall be graded as shown on the approved plan or as shown on the latest revision to the approved plan approved by Engineering. The overlot grading plan shall show: 1) building pads which minimize grades steeper than 10% within 10' of the house; 2) driveways with no grades steeper than ***16%*** and 20' sections graded no steeper than 5% in front of garages or on parking spaces; and 3) drainage patterns with sufficient detail that Engineering can verify concentrated flows are not directed across adjoining lots except in storm sewers and all flows are adequately conveyed from lots to a storm drainage system approved by the County."

#8 – Prior to initiating any grading, the developer will have a Phase 1 archaeological ***survey*** done on Tax Map 62, Parcel 12 and report findings, if any, to the Albemarle County Planning Department.

Mr. Thomas seconded the motion, which carried by a vote of 6-0.

Mr. Rooker stated that the proposal had passed and would go before the Board of Supervisors on February 14th.

Ms. Echols asked if the commission was going to take action on the preliminary plat and the critical slopes waiver.

Mr. Rooker said that he was and asked for any discussion. with Ms. Hopper abstaining.

Mr. Rieley moved approval of the critical slopes waiver request, contingent upon a successful rezoning.

Mr. Loewenstein seconded the motion, which carried by a vote of 6-0, with Ms. Hopper abstaining.

Mr. Thomas moved for approval of the preliminary plat subject to the following conditions:

1. Diversion of stormwater at the rear of lots 39 - 41 should be avoided in order to better preserve the open space. Instead, it is recommended that diversion take place in the ditches along the Road A and be piped under the cul-de-sac. Pipes should be used between lots 35 and 36 and between lots 38 and 39 to take flow directly down to stormwater facility.
2. An access road must be provided to the detention facility. Along with the stormwater facility, this access road should be in open space rather than on any individual lots.
3. Site grading for Lot 36 should be modified to spread out the fill more evenly on the surrounding lots rather than create 2:1 slopes at the rear of Lot 36.
4. Approval of a critical slopes waiver for lots 37, 40 and 41.

Mr. Finley seconded the motion, which carried unanimously.

SP-2000-63 Grace Episcopal Church (Sign #65) – Request for special use permit to allow a 4,145 square foot expansion of an existing 3,653 square foot church in accordance with Section 10-.2.2.35 of the Zoning Ordinance which allows for church buildings and adjunct cemeteries. The property, described as Tax Map 065 Parcels 52, 52A, and 85A, contains a total of 11.19 acres, and is located in the Rivanna Magisterial District at 5609 Gordonsville Road [Route # 231] just north of the intersection of Rt. 600. The property is zoned Rural Area (RA). A site plan waiver has also been requested. The Comprehensive Plan designates this property as Rural Area. It is also located within an Entrance Corridor District and within the Southwest Mountains Historic District. (Joan Ms. McDowell) ***DEFERRED FROM THE JANUARY 23, 2000 PLANNING COMMISSION MEETING.***

Ms. Joan McDowell presented that staff report.

Mr. Rooker asked if there were questions for Ms. McDowell.

Mr. Loewenstein asked if the gravel drive terminates on an asphalt section on the permit application drawing.

Ms. McDowell replied yes.

Mr. Loewenstein asked if that was a proposed change or if it was an existing lot.

Ms. McDowell said that her understanding was that it was the current asphalt section.

Mr. Rooker asked for additional questions, there being none, he invited the applicant to comment.

Ms. Marcia Joseph, Grace Episcopal Church, spoke on the application. She said that they were not anticipating any new parishioners, but stated that the demographics of the congregation had changed. She asked to speak about one of the conditions, regarding intensification of the use. Being they are not intensifying the use, they will not need to submit a site plan. She said that if you look at the condition for the site plan waiver, it states that the final plan shall show a BMP structure that meets the required pollutant removal rate as approved by the engineering department. She plans to talk with Mr. David Hirschman regarding alternatives that do not include a structure. She requested that the commission change the wording or that the condition be removed.

Mr. Rooker asked if the language was changed to say, "the final plan shall include a BMP plan" would that be acceptable.

Ms. Joseph said perhaps "BMP compliance" or something that gives a little wiggle room, so that if Mr. Hirschman believes nothing more is needed, nothing else will be required.

Mr. Cilimberg suggested requiring that BMP measures be approved by the engineering department prior to approval of the final plan.

Mr. Rooker asked if that was his suggested language.

Mr. Cilimberg stated that that was a way to put it with engineering.

Ms. Hopper asked Ms. Joseph if Mr. Cilimberg's language meets her concerns.

Ms. Joseph said that interpretation is sometimes difficult, but the language is good.

Mr. Rooker asked if there were additional questions for the applicant.

Mr. Rooker asked for public comment.

Mr. Rieley asked for David Hirschman to speak to the commission. He asked if the BMP requirements were to address water quality concerns.

Mr. Hirschman said yes. He stated that in rural areas there is usually a lot of green space around, and a retention basin can result in a net loss of trees.

Mr. Rieley asked if Mr. Hirschman were to handle this in a structure with a couple of thousand added square feet impervious area, would it need to be of a very large volume.

Mr. Hirschman said no, if it was something like a biofiltration facility it would 2.5% of the surface area running off into it.

Mr. Rieley said it really would be pretty minimal. He asked if additional tree plantings could serve the same function.

Mr. Hirschman said that there is a credit plan in the design manual for planting trees and additional plantings if its done in a way that enhances the existing stream buffer.

Mr. Rieley asked if he thought that could work in this case.

Mr. Hirschman said he hasn't seen it yet, but is open to the possibility.

Mr. Rieley moved for approval of SP-2000-63 subject to the following conditions:

1. Church development shall be limited to the improvements as shown on the attached Site Plan titled Grace Episcopal Church, prepared by Roudabush, Gale & Associates, Inc., and dated December 29, 2000.
2. The church shall commence construction, if at all, within five years after the date of approval of the special use permit by the Board of Supervisors. If construction is not commenced within the five year period, the special use permit shall be deemed abandoned and the authority granted hereunder shall terminate. All Health Department requirements at the time of the issuance of building permits shall be satisfied before the Zoning Administrator will issue a certificate of occupancy.
3. A landscape conservation plan shall be submitted and approved by the Planning Department prior to the issuance of a building permit. The landscape conservation plan shall include a plan to minimize the clearing of trees to those required for the installation of the improvements, and shall identify those trees that shall be preserved.

Mr. Craddock seconded the motion, which carried unanimously.

Site Plan Waiver Request - Request for waiver of Section 18.32.3.10 requirements for a preliminary site plan, as there would be no intensification of the use on the site.

Mr. Rieley moved for approval of the site plan waiver request, subject to the following condition:

1. The final plan shall show BMP measures, as necessary, that meets the required pollutant removal, as approved by the Engineering Department.

Mr. Loewenstein seconded the motion, which carried unanimously.

Work Session:

Meadow Creek Parkway Consultant Study (Jack Kelsey)

The following consultant team members conducted the worksession:

Nate Cormier - Jones & Jones
David Sorey - Jones & Jones
Gary Okerlund - Okerlund Associates

Mr. Cormier stated that they would be presenting a range of options that would maximize different values and would like to receive feedback on what would be an optimum solution. He stated that they would be looking at site suitability and urban development implications. He explained that the handout took previous documents and attempted to show how different values were expressed by the different options.

Mr. Cormier recapped previous discussion.

Mr. Sorey presented observations of existing conditions, which were broken down into distinctive areas:

- rolling uplands in the northern part of the site, primarily open, buffered by trees with steep hillsides on the edges, with meadow creek with a 100 year flood plain
- wooded highlands, moderately sloping terrain that is primarily wooded, it does not have very good access from anywhere, there are no roads going into that area

- wooded rolling uplands, are undeveloped areas next to housing that are suitable for development, it has some steep ravines which have development limitations, and panoramic views.

Mr. Sorey addressed site suitability and its potential for development, use as a green space, and as a transportation corridor:

- rolling uplands are good for development with easy access and are good for parks,
- meadow creek bottom land has some existing trails in it, good for passive type recreational activities, it has some steep hillsides and ravines which would perhaps suit for trails as well,

The reviewers looked at different possible routes for the parkway.

The reviewers discussed the strengths and weaknesses of each option:

- Option A – is prime area for urban development, the plan sought to leave the development areas intact rather than bisecting them. Creek crossing is adjacent with existing railroad berm. Bridge construction here would aggregate the disturbance area created by the railroad berm. But would eliminate the creation of another disturbance area on Meadow Creek. The developers are examining ways to minimize the environmental impact. Large areas are preserved for parkland. This option may require some extensive cutting and grading of the land (sculpting). The visual quality of the crossing of meadow creek may not be as pleasing at this particular area as you would be able to view the railroad berm.
- Option B – is the path of least resistance, the easiest way to get the road. It bisects the development area. It would introduce more extensive disturbance with the building of the bridge. Though it might be a more pleasing drive. It intersects Rio Road further south than A or C. In terms of grading not as significant a disturbance, but would impact vegetation as the road travels through a wooded area, resulting in the loss of a significant number of large trees. Is slightly different from the VDOT alignment.
- Option C – is similar to A, but comes through a constricted area. As in Option A, the creek crossing is adjacent with existing railroad berm. Bridge construction here would aggregate the disturbance area created by the railroad berm. But would eliminate the creation of another disturbance area on Meadow Creek. The developers are examining ways to minimize the environmental impact. Intersects Rio Rd further up at 90 degrees, so it is simple and efficient. It crosses landscape contours in a perpendicular manner, cutting would be involved, and it is a relatively difficult place to put the road. This route is close to CATEC and the church (120 feet between the railroad right of way and the church property).

Mr. Okerlund discussed the developable areas and the differences between A and B in development areas.

- Option A has on large development area with a total acreage of 100 acres.
- Option B has two smaller development areas, split by the parkway, with an acreage 50 acres each.

Ms. Hopper asked for cost comparisons between the 3 options.

Mr. Sorey stated that Option C would involve the most earthwork, Option A less, and Option B the least, resulting in cost variance. Option B would require a new bridge structure, so any savings in road building might be negated.

Mr. Rooker asked the consultant to look at potential cost estimates before any presentation is made to VDOT.

Mr. Cormier discussed the guidance received thus far from the County staff and the small committee. They tended toward Option A. The would like to know more about the intersections,

specifically the entrance to Rio Road, what would be done with the Dunlora entrance and how would it work with the extension for the future parkway. What is the realistic phasing strategy for the development areas.

Mr. Cormier said that the issue of where the future parkway's route will need additional review.

Mr. Rooker asked for a finer assessment of the amount of land available for alternative C between the railroad and the church, and how it would impact the church property.

Mr. Cormier said that on a walk today, they found that it is wide enough for a 4-lane corridor, but the question is of the character of that space.

Mr. Rooker said that the commission would like to have some concept of the acreage that might be left in parkland along the route and how it might be utilized.

Mr. Cormier asked if the commission was referring to the green ribbon surrounding the parkway or the areas where it expands into the floodplain.

Mr. Rooker replied that he was referring to both.

Mr. Cormier asked if he was also talking about a greenway area between potential development areas.

Mr. Sorey said that they would get the acreage for all the pieces so that total acreage could be measured when talking about the various options.

Mr. Rooker said that the developers talked about the 4 lane right of way and made the point that the additional space is the same amount of space needed for light rail or bus ways.

Mr. Cormier said that transportation options were another consideration for the various options.
- Option A is close enough to a major activity area, that bus transportation would be usable.
- Option C is further from the major activity area.

Mr. Rooker asked for consideration of dedicated bus lane at some point.

Mr. Cormier stated that from here they would discuss considerations with the rest of their group. Mr. Okerlund will make a presentation to the small committee. They will be back to the commission at the end of February.

Mr. Thomas asked what they were thinking about on the north side of Rio Road for the extension.

Mr. Okerlund said that they have talked with the folks from Dunlora and Belvedere. He said the further presentations would show the extension with each option.

Mr. Cormier said that Option C could be massaged into a crossing. Options A & B would T into it.

Mr. Sorey said that Option C would result in one signalized intersection, while the other options would result in two each.

Mr. Cormier requested feedback on where the commission thinks it should go.

Mr. Rooker suggested that it was very important that a determination be made by the consultant that the intersections of the various alternatives with Rio Road could be built so as to meet VDOT standards. We don't want to spend money designing a road that VDOT can reject for engineering reasons.

Mr. Cormier asked if there was a suggestion about what would happen on the other side.

Mr. Thomas said that there is a proposed area on where it is to go on the other side of Rio Road. He said that he would like to see the developers work toward that point.

Mr. Cormier said that they looked at that this morning and would put that in.

Mr. Craddock asked if there was a grade separation or will it be signalized. He asked if there would be no access in between Melbourne Rd and Rio Road.

Mr. Cormier said that that was correct. They were told to minimize the entrances onto the parkway.

Mr. Rooker asked if there would be access for pedestrians and cyclists.

Mr. Cormier said that there would be.

Ms. Hopper said that she would also like to see any alternatives to the connection to the extension that the developers have in mind.

Mr. Cormier stated that they have done some thought about that and would include it in further review.

Mr. Thomas said that there is some flexibility, but not much because it involves the entrance to Dunlora.

Mr. Cormier reiterated the need to have that part included before a final option is relayed.

Mr. Jack Kelsey, civil engineer

Mr. Cormier said that in the criteria the commissioners could see how each would impact the environment. He said that he believes that aggregating the disturbance is a better option.

Mr. Rooker thanked the consultnats for their work and closed the work session.

Definition of Perennial Streams (David Hirschman)

Mr. Rooker reminded the commissioners that changes to the minutes were due tonight. If no changes are received, it will be assumed that there aren't any.

Mr. Rooker opened the work session.

Ms. Hopper directed comment to Mr. Hirschman, thanking him for his work.

Mr. Rooker said that the work was done in response to some issues raised in previous weeks seeking to further define perennial streams.

Mr. Hirschman shared his thoughts regarding the work. He thought that the primary focus was on the development areas. He said that if decisions are not made, most streams would be lost in those areas.

Mr. Rooker said that there are a number of potential definitions of perennial streams that are being used by other localities. He observed that a number of them use more than just the USGS map in determining what qualifies as a perennial stream, and gave examples. He stated asked

Mr. Hirschman to verify that alternative definitions would require additional fieldwork.

Mr. Hirschman said that additionally they would need to further define what normal conditions mean.

Mr. Rooker asked if anyone has called other localities to ask about problems administering their ordinances.

Mr. Hirschman said he had not.

Mr. Rooker suggested that would be a worthy next step. He asked how many streams would be involved in any fieldwork.

Mr. Hirschman said that if it was only rezonings it would not be much, but the Water Protection Ordinance is an administrative document and all plans would have to be in compliance.

Mr. Rooker asked how many building permits would involve a stream.

Mr. Hirschman said that one could determine that by looking at the water supply area.

Mr. Hirschman said that there were about 50-60 plans submitted for 2000 so there would be 1 or 2 per week.

Mr. Rooker asked if Mr. Hirschman was making any recommendation.

Mr. Finley stated that on page 7 it was mentioned that the enabling authority for requiring buffers is the Chesapeake Bay Local Assistance Department, but that is in the process of being amended at this time.

Mr. Finley said that we would not then be making a different definition.

Mr. Hirschman stated that we would be able to make a different definition based on the existing regulations.

Mr. Finley asked if this became what CBLAD was using would it not be the same that we would use.

Mr. Hirschman said that it would be encouraged by not required, and that what would be important would be the recommendation of the commission.

Mr. Rooker asked, with respect to the development areas, in paragraph 1 on page 10, you say that “we believe that the proposed storm water master planning process (Approach #4) will produce the most comprehensive and effective means to determine which streams should be covered by stream buffer requirements. However, this process will likely take a number of years.” He asked that if we looked at implementing Approach #3, which would provide a more near-term solution, how long would that process take.

Mr. Hirschman said that he is confused because we would pursue the storm water master planning, regardless. He said that likely scenario would be to prioritize areas. In the first year they would pursue Hollymead, Piney Mountain and Pantops, primarily because future development will be occurring in this area. The other high priority areas are Crozet and then specific neighborhoods. If additional funding is received they might be able to do it all in one year. They decided that the focus of the master plan would be on the streams.

Mr. Rooker asked about the status of the funding.

Mr. Hirschman said that they had $100,000 dollars for the first year and he has written a grant to the state requesting and additional $100,000. He should know the result in another week or two.

Mr. Rooker stated that he thought the Mr. Hirschman was suggesting Approach #3 as an interim measure.

Mr. Hirschman said that he did not think it would save that much time, but that it would more directly address the concerns of the commission.

Mr. Finley asked Mr. Hirschman if he was talking about both perennial and intermittent streams when determining the value of a stream.

Mr. Hirschman said that they would likely be looking at drainage area, but perennial and intermittent would probably not be the criteria. The criteria would probably be a score sheet of sorts and each stream would be valued based on that. The experts have different criteria for drainage areas, so using it as a criteria is problematic.

Mr. Hirschman said that that was CBLAD and most of the areas they are dealing with are in the coastal plain to the fall line. Any rulings that come out of CBLAD have to be translated for the Piedmont.

Mr. Rooker asked how you move from Approach #4 to ending up with something that is definable in an ordinance.

Mr. Hirschman said that he envisioned that the fieldwork would be done, having the GIS as a tool, they would then create a master plan document that the ordinance could refer to.

Ms. Hopper asked if the determination would then be based on values.

Mr. Hirschman said yes.

Mr. Rooker asked if it would be done on a stream-by-stream basis.

Mr. Hirschman said yes, and the values they would look at would be biological health, existing biological integrity, the condition of the flood plain, repairing vegetation, whether there is passive recreational use already taking place or if it could be developed, or whether the stream could reasonably be restored to have the desirable values.

Mr. Finley said the Mr. Hirschman mentioned that this 320 was a coastal area, but it says that this number is consistent with the US Army Corps of Engineers and Virginia DEQ.

Mr. Hirschman said that Virginia DEQ came up with 200 acres in a different document.

Mr. Finley said that Mr. Hirschman stated that the enabling authority would be CBLAD.

Mr. Hirschman said that was correct.

Mr. Finley said that he hears that nothing is accepted in regulation.

Mr. Hirschman said that any storm water master plan would be input into the development master plan.

Mr. Rooker said that most of the attached definitions do not rely on the USGS map. He asked if there was some reason not to change the wording of the ordinance in the meantime.

Mr. Finley said that CBLAD is currently working on a guidance document for local governments and suggested we take advantage of this document. He asked when it would be available.

Mr. Hirschman said that it is a working draft and the time frame is very uncertain. It depends on the fate of the regulatory changes. He is keeping in touch with the person who is drafting the document.

Mr. Rooker asked what the difficulty would be with determining what is a perennial stream under the various definitions. He reiterated his desire to communicate with the different communities.

Ms. Hopper asked what we could do in the interim to make that definition a more accurate one

Mr. Hirschman said that we could lift an ordinance from another locality or some other criteria could be developed.

Mr. Thomas said that Mr. Hirschman mentioned that the growth area had some perennial streams. If we change the ordinance we defeat our target of putting more density into the growth area.

Ms. Hopper asked if there was some way to determine which streams should be saved and which not because of their relative value.

Mr. Rieley said that the inaccuracy works both ways. He stated that the USGS map was never intended to be a catalog of perennial streams. He asked if we should stay with something that is wrong because it is convenient, or do we accept a certain degree of uncertainty and debate in the interest of being more accurate.

Mr. Thomas said that he agreed.

Mr. Loewenstein said that was fine, if it does not take too look to create the criteria.

Mr. Rooker again asked engineering to contact other localities to ask what criteria they use to enforce their regulations.

Mr. Loewenstein said that the El Dorado definition was fairly trouble free, with the exception of the definition of “normal conditions”.

Mr. Rieley said that we are worrying about hair-splitting.

Mr. Loewenstein said that he was concerned about complaints.

Mr. Rieley said it was simply a matter of accuracy.

Mr. Rooker said that we have an ordinance protecting buffers around perennial streams and asked if there was a reason for that ordinance. If so, we need a definition of perennial streams that makes sense.

Ms. Hopper asked if there was a method to waive that buffer.

Mr. Hirschman said that the WPO is not under the commission’s jurisdiction, it is under the Board’s

Mr. Cilimberg said that the Board will do what needs to be done according to the WPO. If the commission determines that it needs to be corrected, the board will decide if it needs to be done. It will not be a quick process.

Mr. Loewenstein echoed that it was not a simple process or a simple change.

Mr. Cilimberg said that the commission's place is to tell the board what should be considered. Once there, it is in their hands. Work is already proceeding to determine the true definition of a perennial stream.

Mr. Finley said that money is already being spent on that.

Ms. Hopper is comforted by the fact that that process is happening and directly addresses her concerns about the Home Depot application.

Mr. Rooker stated that controversy will exist anyway. As to the impreciseness, we are enforcing a policy manual on cell towers that's based on visibility and require discretion.

Mr. Cilimberg said that the visibility element is used for policy decisions, while the perennial streams issue is an administrative one.

Mr. Rooker said that it sounds like we can't really take this any further tonight.

Mr. Hirschman said that his gut reaction is if we put in an ordinance similar to El Dorado, California's there would be serious implications for the land use plan and the district.

Mr. Rieley asked if it made any sense to apply a buffer to a perennial stream in a development area.

Mr. Hirschman said that's why he's recommending the value approach.

Mr. Rieley stated that he supports that, but it seems to be loaded with value judgements and far more open to debate than a straightforward definition.

Mr. Hirschman said that it is being done in other places.

Mr. Thomas asked Mr. Rooker if we should still investigate the El Dorado model.

Mr. Rooker said no, based on everything said tonight.

Mr. Finley asked Mr. Hirschman about the $100,000.

Mr. Hirschman said that the storm water master plan was included in the report on page 9. The stream assessment is a major part of it, but other items are included.

Ms. Hopper responded to the uncertainty issue by asking about the possibility of developing a map with all of the values indicated.

Mr. Rieley said that if you could get to the mapping point that would be good.

Mr. Cilimberg said that was exactly what was done in the open space plan.

Mr. Hirschman said that if a map was done, one of the criteria would be some kind of minimal drainage area. The experts disagree on this item.

Ms. Hopper asked if there might be a map for the priority development areas within a year.

Mr. Hirschman said yes.

Mr. Loewenstein said he thought that would be a big help.

Mr. Rooker said it sounds like we are moving in a good direction and thanked Mr. Hirschman for his work. He suggested that Mr. Hirschman send a copy of the report to the board.

Mr. Cilimberg suggested that Mr. Hirschman send it to the board as a consent agenda item.

Mr. Rooker asked if there was any old business.

Mr. Rieley said that some time ago it was discussed having a joint city/county commission meeting to discuss the development at Hydraulic and Rt. 29. It has never happened, and has now become a hot topic.

Mr. Cilimberg said that he has communicated with the city commission, he is hoping to get together with representatives to plan an agenda for that meeting.

Mr. Rooker brought up one other item, there was a contact from the Albemarle County school board about having a work session with them. He has talked about the possibility of scheduling a meeting at 4:00 p.m. on the day that we normally have a meeting.

Mr. Cilimberg said he received communication today about setting up that joint meeting. He will pursue that this week.

Mr. Finley asked if they had discussed subjects.

Mr. Rooker said they had, somewhat. He thought that they would like to talk about some of the things included in DISC and how they would affect the schools. They had also discussed the new Northern Elementary School.

Ms. Hopper brought up Hollymead CPA and asked where it stood with the board now.

Mr. Cilimberg said that the board will take action next week on the transportation CPA.

Mr. Cilimberg said that the board agreed to defer action until a master plan was brought forth.

Mr. Rooker said that someone had mentioned an FAR as low as .1.

Mr. Cilimberg said that he did not recall that.

Mr. Cilimberg said there was recommendation from one of the land interests regarding FARs asking for it to be lowered. The board did not take any action regarding FARs.

Mr. Rooker said that a proposed change to the comprehensive plan had been sent to the board/ He asked if the commission would have a chance to review it again.

Mr. Cilimberg said that the board could decide to send it to the commission, it would be their choice.

Mr. Rooker asked if a master plan as presented would become part of the comprehensive plan.

Mr. Cilimberg said yes.

Mr. Rooker asked if it would replace the language changes that have been proposed for the comprehensive plan.

Mr. Cilimberg said it could replace some, but there is a lot in the language that is important.

Mr. Rooker asked for new business

Ms. Hopper said yes. She said that DISCII met today. She passed out proposed changes in the language. DISCII has requested the commission approve the changes tonight so that it can go to the printer tomorrow.

Mr. Rooker asked if there were not parts of the recommended changes to the comprehensive plan that go beyond the 12 principles.

Ms. Hopper suggested changing the 2nd sentence, inserting after "12 principles", "and other concepts".

Mr. Rooker said that the language being crossed out reflected that.

Ms. Hopper stated that she was representing the DISC II committee's viewpoint; they thought implicitly the amendment to the comprehensive plan was "to be effective immediately" and that such didn't need to be explicitly stated.

Mr. Rieley asked why there was an objection to that.

Mr. Rooker said the language was to deal with the timing issue.

Ms. Hopper asked if there was a way to achieve the goal while removing the objectionable language.

Mr. Rieley asked Ms. Hopper to explain the objection.

Ms. Hopper said it would be effective immediately, even if it was not stated.

Mr. Rieley asked why people were objecting to that.

Ms. Katie Hobbs said she didn't understand the problem either, but had not objection to the changes.

Mr. Finley said that it was discussed during master planning and asked why this was not raised then.

Ms. Hopper said she did not know.

Mr. Loewenstein asked if it was felt to be less restrictive with the language removed.

Ms. Hopper said that the issue raised was that this was a concern. They had asked why it had been specifically inserted. If the same result could be achieved without damaging the consensus building, why not remove the language.

Mr. Rooker stated it was fine with him as long as the outcome was the same.

Mr. Loewenstein said it was not changing anything.

Ms. Hopper said that the opponents are not really opponents, but know their constituency, and would like to avoid the issue.

Mr. Finley said that he had no problem with the change.

Mr. Rooker discussed the reasoning behind the language.

Mr. Kamptner said that, like any element of the comprehensive plan, there are certain components that are self-executing.

Mr. Cilimberg stated that in reality if the language was not removed it would still be effective. If you didn't add the suggested language in the last sentence it would still be effective.

Mr. Rooker said that the changes were fine with him.

Ms. Hopper said that she thought Mr. Rooker's suggestion was a good one.

Mr. Cilimberg asked for the insertion in the last sentence for accuracy.

Mr. Rieley stated his objections to the softening of the language.

Ms. Hopper said that she is representing DISCII and is putting forth their view.

Mr. Rooker reviewed the changes discussed with Ms. Hopper.

Mr. Rieley said that he believes that consensus building is important, but there is the appearance of softening. He hopes that there is no effort to circumvent DISC's efforts.

Ms. Hopper said she does not think that's happening.

Mr. Cilimberg asked for clarification of the changes to the document.

Mr. Rooker asked if we had a consensus. All were in agreement.

Mr. Thomas brought up the eastern initiatives newsletter and invited everyone to the meetings.

With no further business, the meeting adjourned at 10:45 p.m.

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V. Wayne Cilimberg, Secretary

Recorded and transcribed by Lynda Myers, Recording Secretary.