Albemarle County Planning Commission
January 29, 2013

The Albemarle County Planning Commission held a meeting and public hearing on Tuesday, January 29, 2013, at 6:00 p.m., at the County Office Building, Lane Auditorium, Second Floor, 401 McIntire Road, Charlottesville, Virginia.

Members attending were Cal Morris, Chair; Ed Smith, Rick Randolph, Thomas Loach, Don Franco, Bruce Dotson, and Mac Lafferty, Vice Chair. Julia Monteith, AICP, Senior Land Use Planner for the University of Virginia was present.

Other officials present were Andy Sorrell, Senior Planner; Elaine Echols, Principal Planner; Glenn Brooks, County Engineer; Sharon Taylor, Clerk to Planning Commission & Planning Boards, Wayne Cilimberg, Director of Planning and Greg Kamptner, Deputy County Attorney.

Call to Order and Establish Quorum:

Mr. Morris, Chairman, called the regular meeting to order at 6:00 p.m. and established a quorum.

Other Matters Not Listed on the Agenda from the Public:

Mr. Morris invited comment from the public on other matters not listed on the agenda including consent agenda items.

The following individuals spoke in opposition to the proposed firearms training facility:

- Bill Turner, retired doctor and farm owner in Southern Albemarle, supported preservation of the rural area. He voiced concerns about the effects of the firing range noise at the old Keene landfill area on the farming and agricultural activity in the area. He asked that the firing range be moved to a better location.
- Sarah Donnelly spoke in opposition to the firing range due to the potential effects of lead poisoning, which can produce all sorts of serious health effects. She submitted a letter in reference to the dangerous effects of lead poisoning. (Copy of letter from Sarah Donnelly on file in Clerk's Office with minutes)
- D. G. Van Clief urged the Commission to continue the excellent stewardship that Albemarle County has always exercised over its rural areas. It is what makes this place special. He asked to continue the excellent stewardship overall in the Comprehensive Plan specifically as it relates to phases 2, 3, and 4 of the training facility at the Keene site, which they continue to feel are both dangerous and completely inappropriate.

There being no further comment, the meeting moved to the next agenda item.

Public Hearing Item

SP-2012-00029 5th Street Station
PROPOSAL: Special Use Permit - fill in the flood plain on approximately 87.0+/- acres. No dwellings proposed.
SECTIONS: 30.3.05.2.1(2), 30.3.05.2.2(1), 30.3.05.2.2(3), which allows fill of land in floodways.
ZONING: PD-SC Planned Development Shopping Center – which allows shopping centers, retail sales and service uses; residential by special use permit (15 units/acre)
ENTRANCE CORRIDOR: Yes

COMPREHENSIVE PLAN: Community Service/Mixed Use-community-scale retail wholesale, business and medical offices, mixed use core communities and/or employment services, and residential (6.01-34 units/acre) Neighborhoods 4 & 5.
LOCATION: Northeast intersection of Interstate 64 and Fifth Street Extended (Rt 631), bounded on the east by Avon Street Extended. Access is Bent Creek Road.
TAX MAP/PARCEL: TMP076M10000002A0, 076M10000002B0, 076M10000004A0, and 0770000000011E0
MAGISTERIAL DISTRICT: Scottsville
(Glenn Brooks)

Glenn Brooks presented a PowerPoint Presentation and summarized the staff report.

This proposal is to obtain approval for areas of fill alongside Moore's Creek to establish travelways and parking for the proposed shopping center, and to build a connector road between Avon Street and 5th Street.

The Commission last reviewed this site with the rezoning, which was approved by the Board of Supervisors. This request is for fill in the floodplain that is accomplishing the plan approved with the rezoning. There have been a few meetings since this staff report was written. Under normal circumstances they might have done another review on this particular application. However, the applicant wanted to move ahead since they are under some deadlines. There is some new information that is not in the staff report.

The applicant's plan, which is an overview of the property, shows the floodplain areas proposed to be filled in a cross-hatched fashion. There is a dash line for the floodplain. The same plan is colored in so it is easier to read. The blue is the floodplain that comes up into the development on the bridge side where the existing pond is shown. It comes up next to I-64 where there is a tributary stream coming out behind the property on the Avon side. The old landfill would be across that ravine. There are some smaller areas up around the bend in Moore's Creek at the top of the graphic. Each of those areas has been labeled for discussion.

Area 1 is the major area of fill for the shopping center entrance and portions of the development on that side for the travelway and parking areas in the development as shown on the approved rezoning documents. This area in the floodplain management is fairly controlled by the constriction of the existing bridge, which is in place on Brent Creek. That area is mainly floodplain storage as water backs up before it gets under the bridge. They have filled in most of the fringe and tried to keep out of the floodway in that area. It has mostly been accomplished.

Areas 2 and 3 were lumped together because those are small areas on the inside of the channel and don't have a lot of effect on the floodplain or the modeling that predicts the floodplain. The staff report indicates those are in the floodway because on the FEMA maps they are shown in the carrying capacity of the water course. That is what they define as the floodway. His reading of the zoning ordinance says he does not have the authority to recommend approval for those. As our ordinance reads they provide a special use permit for fill in the floodway fringe, but not in the floodway. The floodway fringe is the floodplain. The closer area in, which is the capacity carrying section of the water course, is termed the floodway.

Since this staff report was written they have met with the applicant and they have computed a new floodway line that corresponds better with their model. Therefore, they disagree with the FEMA line. That would probably place most of Areas 2 and 3 within the floodplain or floodway fringe and not within the floodway provided FEMA agrees with the applicant. They have sort of a chicken and egg question of

which comes first – the FEMA approval to get it out of the floodway or the County approval that could be conditioned. At the time he wrote the staff report he just left those areas out and said he did not think he could recommend approval for those. However, it is still open to debate.

Area 4 is basically for the connector road to cross the ravine to get to Avon Street. When they first did their modeling they took a theoretical approach and questioned how much of that can they fill in before it has effects on the floodplain at Moore's Creek. They can fill in quite a bit of it because it is mostly coming from a tributary stream, sort of backing up in that stream, and not actually a flood carrying route for Moore's Creek. However, that fills quite a bit and one of the charges he typically has under the ordinance provisions is to try to minimize fill in the floodplain. Therefore, he has cited that in the staff report and said they should try to limit that just for what is needed for the road and for any stormwater management provisions they make. They are fine with that. Since they have met the applicant has been in meetings with the Army Corp and DEQ who have basically said they are not going to permit them to fill all of that in. Therefore, they have had to constrict it anyway. He thinks that is all agreeable. However, the applicant can speak to that as well. That covers all of the areas of the proposed fill.

In summary, all of the impacts have been kept on the property. There have been no impacts in the models that push flood waters either onto the city property over Bent Creek Road or across in the Willoughby direction.

Staff has identified the following factors that are favorable.

1. All impacts have been kept on the property.

Staff has identified the following factors that are unfavorable to this request.

1. Floodway impacts (Having to do with Areas 1, 2 and Area 4)
2. Fill is not minimized. (In Area 4 where they were trying to restrict the fill to just what was necessary for the road.)

RECOMMENDED ACTION

Staff recommends approval of the special use permit with the following conditions. Most of the conditions are standard conditions. Conditions 1 through 3 speak to the various areas.

1. Fill in Areas 1 and 4, as shown in attachment A, must be demonstrated to be out of the floodway, or reduced as necessary to be out of the floodway.
2. Fill in Areas 2 and 3, as shown in attachment A, are not part of this approval.
3. Fill in Area 4 must be reduced to the minimum necessary to build the road and any stormwater management facilities approved with final plans.
4. Final plans and construction shall provide a stable, non-erodable surface for fill materials, subject to County Engineer approval.
5. The applicant shall obtain Program Authority approval for an erosion and sediment control plan, and obtain a land disturbance permit according to the Water Protection Ordinance requirements prior to the start of construction.
6. The applicant shall obtain all necessary federal and state agency approvals (Army Corps of Engineers, Department of Environmental Quality, etc.).
7. The applicant shall obtain Program Authority approval of a mitigation plan, and provide mitigation according to the Water Protection Ordinance.
8. The applicant shall obtain approval from FEMA for changes to the floodplain, and update the FEMA maps.

Originally in recommended condition 2 he was keeping Areas 2 and 3 out because they were in the floodway. That could be changed before they go to the Board if the legal interpretation is that they can approve those with conditions. In the first condition, in Areas 1 and 4, he just wanted to make sure on the final plans that they were staying out of the floodway. The third condition was that road crossing and trying to keep that to a minimum, which he thought was going to also be enforced by the state and federal agencies. The rest are standard conditions for final plans. The FEMA approval is the federal and state permits.

Mr. Morris invited questions for staff.

Mr. Randolph asked has FEMA reexamined its consideration of the 100-year floodplain post Sandy.

Mr. Brooks replied the county received an update from FEMA in 2005.

Mr. Randolph asked if there has been anything he has read about FEMA reexamining it for another update.

Mr. Brooks replied they have had some requests to do that; however, it had not been scheduled.

Mr. Dodson asked if item #2, which applies to Areas 2 and 3, is essentially saying the recommendation is to be silent on those and not to deny or approve them.

Mr. Brooks replied he recommended taking Areas 2 and 3 out of the special use permit approval process because the fill was not within the floodplain, which can be granted a fill in the floodplain special use permit. His interpretation was they did not have the authority to approve something in the floodway.

Mr. Dodson said a question that probably the applicant will address is whether it was possible for the concept to go forward without having those two approved.

Mr. Brooks replied in his talks with them it is. However, it is just a matter of having to come back and do that. They can grade the internal parts of the site, the hillside, the entrance and road without that.

Mr. Franco asked Mr. Kamptner if they have a legal opinion.

Mr. Kamptner said over the years it looks like the county has changed the way they approach the proposals to fill in what is now floodway where the applicant wants to go through the FEMA process to demonstrate that it should be considered floodway fringe or floodplain. He is going through the minutes right now of one of the most recent applications which went forward in late 2011. He thinks the Board has taken the position that they want the applicants to go through the FEMA process first before the Board considers the special use permit for fill in the floodway fringe. In the past they have done that differently and they had preemptedly approved the special use permits with the requirement that the applicant attain FEMA approval before they actually do the fill. But they would approve the special use permit.

Mr. Brooks clarified there were a couple of applications one does with FEMA. He has done one or two of these. The ones they typically see with a special use permit are permission from FEMA to fill, which is a conditional letter of map revision or amendment. When one gets a conditional letter with a plan that says they are going to fill here and this is the effect it is going to have. Then they do the construction and come back and do a letter of map amendment or a revision which confirms yes the work was done this way and this is the new floodplain. That is what they usually see. A floodway change is something that is different. It can be done on a separate application to FEMA. It simply says your data is incorrect, we

think you have the map wrong, here is the correct map, and here is why they think it is so. Then FEMA can approve that or not. It is a change to the map and not necessarily anything on the ground.

Mr. Kamptner pointed out the Board's decision on the 2011 application was denial. The main application before the Board that night was a critical slopes waiver as well. Somebody during the discussion brought up the Moore's Creek Yacht Club application, which is very close to this particular application. It appears this was one of the older applications approved with the requirement for the applicant to go through FEMA after the special use permit had been granted. Mr. Brooks noted the distinction in that situation was that the county had already done a lot of modeling of the floodplain limits for that application. He did not know if that was the same situation here.

Mr. Brooks said that he did not know either. If that was in 1999 he did not know if he was directly involved in the hearings.

Mr. Kamptner noted that was before the flood maps were amended in 2005. He cannot recall. However, he knows that Moore's Creek Yacht Club had to come back for a couple approvals.

Mr. Brooks pointed out that was changing the application plan.

Mr. Randolph asked Mr. Kamptner to explain why the Board of Supervisors wanted FEMA to sign off first. What was the rationale?

Mr. Kamptner replied the most direct approach would be considering a special use permit to allow fill in the floodplain. However, it would be contrary to the ordinance at this point because physically the way it is mapped right now that is not floodplain. It is floodway. There is some inconsistency there. He would scroll through the minutes to see what more he can pull out.

Mr. Morris invited other questions for Mr. Brooks while Mr. Kamptner reviewed the minutes.

Mr. Lafferty said if they actually leave out Areas 2 and 3 they are not against the restrictions they have if they define it floodplain instead of floodway.

Mr. Brooks replied that he thinks they are fine in that case if they leave out Areas 2 and 3.

Mr. Randolph asked staff to explain what FEMA will do when they see an application like this. He asked if this is now a matter of doing computer modeling and looking at a projection based on different storm conditions, the type of topography, the slope, and the soils. Or are they just looking at maps alone. He asked how that process works.

Mr. Brooks replied typically FEMA hires a consultant that does these things. They will look at the modeling since FEMA wants to update their models typically so they will make sure that their model is used if they have one. They will look at what the new data is. In this case it is all of those things. It is the topography that is updated from FEMA. The applicant has done a new model, which has updated parameters which they believe are better than on the original model. So it will be a combination of those things. He personally does not know exactly what FEMA is reviewing. He has not worked with them that closely. The letters he has seen come back from FEMA indicate they are looking at all those parameters.

Mr. Randolph pointed out in the series of maps there is no indication where all of the runoff is going. This is going to be an impermeable surface for parking in the facility that will be constructed. Where is the runoff going? He is assuming the runoff is going into Moore's Creek. He did not recall from the

prior application that they had any detailed information about the quantity of the runoff that was expected to be generated or where it will be generated and coming into the creek. That would be a factor in terms of the quantity of water that one would be looking at especially at a 100-year flood in terms of the impact with the slopes, soils and potential for erosion downstream.

Mr. Brooks said it would be a very small impact at this point in Moore's Creek. Moore's Creek is many square miles. This is a small impact in a 100-year storm event. On an everyday level for small storms that occur all year, yes it has a big impact. That particular issue is an ancillary issue and not part of the special use permit. Therefore, he did not address it. It will be part of the site plan and the Water Protection Ordinance plans that come later. The review has just started. There are three or four areas where the runoff leaves the site on either side. In Area 1 there is an area where the storm water will leave the site after it is detained in a large underground detention facility. Then there is an area over by Area 4 where it slows down. There is also an area over by Area 3. However, the applicant can speak to that in more detail. He has not reviewed those plans. They have different staff reviewing those.

Mr. Franco asked if our Water Protection Ordinance standards would prevent some of the concerns expressed as far as additional quantity, volume or rate of discharge erosion. Those are all things that they look at and deal with as part of the site plan process.

Mr. Brooks replied yes, they will be. They have started looking at all of those things. Some of this fill is to accommodate that. Some of the fill in Area 1 and some of the fill possibly in Areas 2 and 3 are to provide detaining areas for stormwater runoff.

Mr. Lafferty asked what he meant in condition 4 where he says stable, non-erodable surface for fill materials.

Mr. Brooks replied typically if one is putting fill along a constricted area, like close to the bridge there, they would want to line it with a material so there will be a rock lining.

Mr. Lafferty asked if it would be like rip rap.

Mr. Brooks replied yes, possibly depending on how close it is to the main channel and how much velocity they were going to see along that sort of sheer area next to the bank.

Mr. Lafferty asked if that would be addressed in the site plan.

Mr. Brooks replied yes, it could be addressed in the site plan or in the Water Protection Ordinance plans. The applicants are also going to come back with a mitigation plan to replant some areas of buffer disturbance and do some things that were proffered with the rezoning.

Mr. Kamptner asked to follow up on Mr. Randolph's question. As he mentioned earlier, the Badger application was tied to the critical slopes waiver, which the Board acted on. By denying the critical slopes waiver the fill in the floodplain issue went away. A couple of Board members did discuss their concerns about the increase in the velocity of the water in the North Fork and reduction in capacity. The engineer for the applicant stated that would be part of FEMA's review and FEMA would have to find it to be acceptable. Mr. Rooker ended up making the motion. Before making the motion Mr. Rooker said he was not willing to tell the applicant he would support the fill in the floodplain even if he were to get approval from FEMA on the floodplain lines because of the impact of the critical slopes and the fill in the floodplain. So to the extent they can put together the intent for the reasons for the decision – one, the concern about being consistent with the ordinance and the others really just the desire to have the

applicant get the FEMA approval before they request the special use permit. However, remember it was tied to the critical slopes waiver in that case.

Mr. Morris opened the public hearing to the applicant and public comment. He invited the applicant to address the Commission.

Valerie Long, representative for the applicants, said also present this evening was Daniel Heinz with Bohler Engineering who is the civil engineering firm. Others present include representatives from the development team, S.J. Collins Engineering. First she thanked Mr. Brooks for his excellent summary. She obviously was not an engineer, which is why she has Daniel Heinz close by. However, she was learning more about fill in the floodplain issues. She asked to start with the easy issues essentially as Mr. Brooks did. Then she would work to the area where she thinks the only issue they would like to discuss is a revision to condition 2, which affects Areas 2 and 3.

- On Area 1 she did not believe there was a condition that applies. They are comfortable with that. In Area 4 the condition that Mr. Brooks suggests is agreeable to them. It says in essence to minimize the amount of fill. As Mr. Brooks explained they started with theoretical modeling. At the time when the engineering firm did the study they did not have all of the data necessary to figure out how much fill they needed. So they started from a point of, as he described, what the worst scenario is or what the maximum amount of fill is they can put in before they start affecting the floodplain. That is what is reflected there. There was no intent to use that much fill since it was just the best information they had at the time. They now have better data and have already started to scale back that fill. Therefore, they are very comfortable with the condition of approval that says they have to minimize the fill in Area 4.
- Then they get to Areas 2 and 3. The county has the authority under the zoning ordinance to approve a special use permit for fill in the floodplain. That does not give the applicant authority to actually place the fill because they still need approval from FEMA to do that. The process as it was essentially described is if the county board approves the special use permit for fill in the floodplain they still go as part of the process to work with FEMA and ask them for permission to place the fill in the floodplain. Part of that application process is they need to have something from the county or the locality which indicates that the locality is okay with fill in the floodplain. The special use permit acts as that notification from the county. However, until FEMA reviews it and signs off on it there is no fill permitted in the floodplain. Once the fill is permitted and the fill is placed then the map gets amended. When FEMA says okay you did it the way they told them then they could update the maps to reflect the changes made to the floodplain. That is the letter of map revision.
- Contrary to the floodplain is the floodway. As Mr. Brooks and Mr. Kamptner have indicated they interpret the ordinance to not permit any fill in the floodway. They are not asking to put fill in the floodway where they think the floodway actually is. As they explained the floodway maps that FEMA publishes are in essence approximate locations of the floodways. They are based on USGS maps and are done at a scale where they are not as precise as they are when civil engineers go out into the field with the ground survey and data. So they have the floodway line that FEMA says is our line. They know it is in this general area. Engineers go out and do actual surveying, and then refine the correct or actual limits of the floodway. Then as Mr. Brooks said, they eventually go to FEMA and say please correct your maps since they now have more precise information as to the actual floodway line location.
- What the engineers on our team have determined is that the areas they are proposing to place fill in Areas 2 and 3 is within the floodway if they look at the current line not to be an accurate line. But once they convince FEMA that their data is more accurate that shows the line further away, they are confident that their fill will not be within the boundaries of the floodway. What they are asking the Commission and the Board to do is to revise condition 2 to say that the fill is permitted

in Areas 2 and 3 only upon FEMA acknowledging it is correct where they think the line is and then confirming that the fill where they are proposing to put it will not be in the floodway. Therefore, they are not asking to put fill in the floodway. They are just asking it to be conditioned upon the floodway maps being updated just like they are asking for permission for the floodplain maps to be updated. They don't necessarily see a distinction in terms of whether the county has authority for only one but not the other. They know they have to get FEMA's permission for both. She reviewed in a PowerPoint presentation the differences in the lines focusing on Areas 2 and 3.

Daniel Heinz, with Bohler Engineering, handed out an exhibit concerning the proposal entitled Area 2 and Area 3. (Copy of two maps (exhibit) entitled Area 2 and Area 3 from Mr. Heinz is on file in Clerk's Office with minutes)

Ms. Long explained that Daniel Heinz would walk them through the exhibit. On the exhibit there were some labels. The black line is the property line. The green line is the existing FEMA 100-year and 500-year floodplain line. The blue line is the proposed FEMA 100-year and 500-year floodplain line. The red line is the redefined FEMA floodway line. The one thing that confused her at first is there are two lines, which is because it is on either side of the stream. The only one relevant is the closest one to the project.

Daniel Heinz said currently in Areas 2 and 3 the floodplain line shown in green is also the floodway line. It is the same as the floodway. There is no floodway fringe shown. So what they are noting is that with the refined data they have for the cross sections for the topography that the floodway is actually a little bit further away from the floodplain line (the existing green line) and that is that red line. It is based on what they are saying is the existing floodway line now.

Ms. Long pointed out in Areas 2 and 3 that the red line is where our data shows the floodway line is actually located. It shows there is no fill within the red area. They have it for Area 4 as well, which is what they are asking. They have a draft condition circulating with the county engineer and county attorney. She knows they are both busy and have not had a chance to finalize it. There are some questions about whether they have the authority to allow them to do this without going to FEMA first. They are happy to continue to work with them on the condition between now and the Board hearing. The process is they cannot submit to FEMA for the floodplain amendments until they have something from the county that evidences the county's support for the fill in the floodplain. Even once they get to that point with Board approval, they cannot submit until after the Board date in early March. There is a 6 to 9 month window that FEMA has to review and comment on the application. Therefore, they are obviously very anxious to move forward as fast as they can. That is why they are asking for the Commission's consent to allow them to work this out in the meantime.

Mr. Morris invited questions for Ms. Long.

Mr. Lafferty asked the engineer if he did a topo of the area and how many points did he take.

Mr. Heinz replied they have some survey data that was done several years ago all down through that area. Also, they have aerial flown topo and low flight topo that was taken through that area. They have also gone down in there multiple times. He would estimate they have 20 cross sections down through the channel all the way through there.

Mr. Randolph asked if the fill in site 1 is designed partly to reduce the prospect of flooding because of bridge construction. He asked if it was related to bridge construction there.

Mr. Heinz replied at the moment they are trying to preserve the bridge as much as they can and keep a minimal impact to the bridge. The grading there is related to the access entry into the site. Right now there is a very large low lying area that really is in the floodplain simply because of the bridge. The bridge is creating a bottleneck and causing the water to back up into that area. The reasoning for the fill there is to get the access into the site coming up the drive once crossing the bridge. He noted the answer to the question was yes.

Mr. Randolph asked if in terms of the origin of the fill it will be from the site or off site.

Mr. Heinz replied that they are trying to balance the site and keep it all on site.

Mr. Randolph asked if they will use a location where they avoid the landfill.

Mr. Heinz replied yes, they are not intending to impact or cut into the landfill area at all. Everything is above that.

Mr. Franco said he was looking at the exhibit just handed out compared to the overall plan Mr. Brooks handed out earlier. It looks like the fill in Area 2 for the most part stays out of the floodplain, but the limits of disturbance are further in. They are dealing with fill in the floodplain not disturbance. So it looks like based on these lines it is only a little area and not as big an area as they were showing before.

Mr. Heinz replied that is correct in that the areas have been pulled in quite a bit based on some of the data they had and just trying to push out and see how far they could get the limits to go before the floodway and floodplain was raised. The intention was they would never go that far, but just trying to define the maximum extent. Our proposed design now actually pulls everything in quite a bit both in Areas 2 and 4. In Area 2 there is a possibility of doing a small BMP facility just outside the right-of-way. Again, they were trying to keep it outside the floodway. That has not been fully vetted out yet.

Mr. Dotson said it sounds like they would be going through an elaborate process no matter what. If they got an adverse decision what alternate do you have in terms of the site plan and reconfiguring it so that Areas 2 and 3 don't even come into play.

Mr. Heinz replied that it would have a pretty significant impact. They would be looking to have to go back to the drawing board on the site layout and really try to redefine the right-of-way pulling the right-of-way in over in those areas. They have tried to minimize how far it goes out right now. He believed they were following a similar alignment from the original rezoning that was done in 2007/2008.

Mr. Dotson said it would mean the northern most building might have to be repositioned.

Mr. Heinz replied it would probably have to be repositioned, reduced down or completely reconfigured in some way.

Mr. Dotson asked if the number of parking spaces that have been provided just meet the ordinance minimum or whether they are in excess.

Mr. Heinz replied that the number of parking spaces is just above the ordinance minimum.

There being no further questions for the applicant, Mr. Morris invited public comment

Joan Albiston, member of the Board of the Willoughby Property Owner Association, pointed out they were directly across the creek from the development. They would like to thank the developers for the

work that they have done to date. She is also a property owner that will look onto this site. She lives at 921 Royer Drive. This development will impact her substantially. She is here primarily as a board member for Willoughby Property Owner Association. She asked that careful consideration go into minimizing the disturbance to the floodplain in part for the removal of trees and the buffer between our neighborhood and this development. She thinks leaving as many trees as possible will help minimize light pollution and noise pollution. They will be getting more noise from I-64 once they clean off the trees from the site. She asked that they step back and ask why this grading is being done and does it really need to be done. Is it being done to help balance the site as she understands is a possibility. Can it be tightened up to save some of the riparian border? That is the main thing she is interested in conveying. She also thinks it is one of the largest areas that she has memory of for disturbance along Moore's Creek. Therefore, she thinks it is particularly critical that they do it right.

Marie Christine Wright, resident of Willoughby, said she would be less impacted than Ms. Albiston. She really enjoys hiking along the creek. She knows a good number of families do. Since this is a particularly large disturbance she asked that they really take their time and consider the impact on the future that this will have. She realizes that progress is very important and the developer is anxious not to delay. However, if they saw fit not to approve before FEMA in the past she sees no reason to change that now. With respect to Area 4 she would ask they be particularly careful how they interpret minimize because if it is left up to the applicant it is very easy to start saying that they need this and to push it more and more.

Willam Faust, resident of Willoughby, said he served on the board and was a citizen of Albemarle County. When the people who created the Willoughby Subdivision first planned everything they had included a buffer of over 50 acres to protect the subdivision from things like this. That is one of the reasons why he moved there. He was concerned about this because it is going to possibly impact that buffer. The hiking trail goes all the way around the subdivision. For example, one of the things he is worried about when they are cutting trees down are the trees going to fall down across the creek and damage our trees. All of a sudden it becomes really important to the neighborhood to have as many trees as possible to continue to form a buffer for the subdivision to protect them from light pollution and sound. He has looked at the plans on line and printed them out. One of the things he was wondering about is why do they need to have that go in the back of the subdivision instead of going into the front of it. It seems like it is a back door or a utility road. He did not understand which way the buildings were going to be facing. He questioned if the developer has told anybody yet. If this is a road that goes behind all of the buildings it does not make sense. He asked why they don't put it in front of the buildings. He questioned if it was because there was a road already there.

There being no further public comment, Mr. Morris closed the public hearing to bring the matter before the Commission. He invited the applicant for a five minute rebuttal.

Ms. Valerie Long said they appreciate the comments from the public. She reminded the board as part of the zoning approval that was approved by the Board of Supervisors in September that among other things the proffers did include requirements to make sufficient improvements to the stream bank. So they were also focused on the health of the stream, both aesthetics and function, right along the property boundaries in Willoughby. They are bound by the provisions of the proffers. They actually have committed to implement the county's published stream bank and erosion restoration plan. The county identified several years ago areas throughout the county where stream banks were eroding and needed to be restored. As part of the zoning approvals they proffered to implement that plan in this area. There are exhibits that are attached to the proffer and they are bound by that. She feels confident that Mr. Brooks and others on the Site Review Committee Team will be strictly enforcing that as part of the site plan review.

To respond to the question about the connector road, Ms. Long pointed out the connector road location had been established long ago. It does partially follow the path of an existing road. It is a challenging road to build right next to a stream. However, they are just following the alignment that had been laid out by others prior. Again, they are asking for their flexibility. They are not asking to place any fill in the floodway in what they know is floodway. They are asking to be permitted to move forward subject only to FEMA confirming that their data is accurate. If it is not accurate, then where they are showing fill going would be fill in the floodway and FEMA won't let them do it. Therefore, they will have to come back to the drawing board if their data is not correct. However, they are confident that it is and ask the Commission's permission to allow them to move forward to work with FEMA to confirm the accurate delineation of the floodway line so they can be comfortable that none of our fill will be in the floodway. Again, they are happy to work between now and the Board hearing if the Commission is inclined to approve it to hammer out the precise wording of the condition that would allow that.

Mr. Kamptner asked to update the Commission that two weeks ago the Board of Supervisors approved Castle Hill Ciders request for a special use permit for fill in the floodplain. They had actually built the dam. He recognized the circumstances may be different, but that special use permit included a condition that the applicant shall obtain approval from FEMA for changes to the floodplain and update the FEMA maps. Again, the circumstances may be different but staff can look at this issue between now and the Board meeting.

Mr. Morris noted the request was back before the Commission for discussion and action.

Mr. Franco requested to ask the engineer another question. He was still looking at his exhibit that was passed around. It looks like he had worked hard to pull the impacts up. It looks like all the impacts are on the landward side of the revised floodplain location. He asked if that is the case because it is hard to see.

Mr. Heinz replied yes they may not actually push the floodplain line to that ultimate limit. He noted for a good portion of that they may not need to revise the floodplain location itself. They may actually be able to pull the grading in. They are trying to pull the grading in as much as they can and minimize that impact. The one area with this particular location is that they are still looking to possibly do a small bio-retention filter area just outside that right-of-way. That would go in that area, which then could possibly cause some grading there. Again, he did not think it would end up pushing the floodplain line out as far as shown. So the floodplain line would be pulled back in.

Mr. Franco said the proposed floodplain line they are showing is reflective of the proposed fill.

Mr. Heinz said it is reflective of the maximum limit that it could go without causing the floodplain level to raise. What they have proposed was because at the time they did the special use permit they did not have the final grading. They were still working through the final layouts and grading. So they had looked at these areas and asked to what extent they could grade without causing the floodplain elevation to rise at all. That is the county requirement that the floodplain does not rise at all. The blue line reflects the limit at which they could grade before they saw an impact to the floodplain itself. Their intention has never been to grade out that far, but rather to keep it in as tight as they can. Therefore, they would minimize it which is one of the conditions they have. He asked if he answered his question.

Mr. Franco replied sort of, but he was still trying to understand. On the technical side when they modeled this it reflects fill taking place already. That is what helped create the proposed line. He asked how he came up with the proposed line.

Mr. Heinz replied they actually had to create several different models. They had to take the existing FEMA model and duplicate it. Basically creating a duplicate effective model is what they call it. Then they had to show that they are able to get the same data that FEMA had. Then they corrected that model based on the better topography that they had and the better data they had for the stream banks and the vegetation that is in the area and various things like that. They corrected that model to show where they believed the existing floodplain elevation is using still the same flow data from FEMA's model, similar criteria from FEMA's model, and actually the same cross sections from FEMA's model just with the better data. Then from there they applied a proposed grading model where they basically did incremental analysis showing fill in the floodplain and to what point does it now start causing that floodplain elevation to rise. So the blue line is the result of that incremental analysis of the proposed grading.

Mr. Franco asked if it was fair to say that the revised floodplain was based on better information and based on the topo and the better information about the stream banks the more refined model is somewhere between the blue line and the existing floodplain.

Mr. Heinz agreed that he was correct that it would be somewhere in that window.

Mr. Franco said he was back to the one question. If the blue line is revised by FEMA the floodplain is acknowledged to be where the blue line is or the proposed line that he had. Are they filling on the stream side of that line anywhere?

Mr. Heinz replied the fill would be to the extent where the elevations say they were at a 400 as what the model shows. However, the existing grade at that point was a 295. They would have fill that basically would be coming through that. So maybe there will be a little bit of fill on the inside of that floodplain line or that blue line.

Mr. Randolph asked Mr. Kamptner if the Commission approves this based on the conditions of staff and FEMA rejects what is the next step.

Mr. Kamptner replied the Commission will be making a recommendation to the Board. So this will be going to the Board regardless. If FEMA does not approve the letter of map revision or amendment and the maps are not changed, then no fill can take place in the areas that are currently designated as the floodway.

Mr. Dotson asked Mr. Brooks about the impact summary. It says all impacts have been kept on the property. Does that mean the entire fill is being placed on the applicant's own property? He asked if there are any consequences to water being displaced to a greater extent than it is now onto the property of others as a result of the fill.

Mr. Brooks replied that it was the latter. The rise in the flood waters and subsequent encroachment further away from the creek onto other property across Moore's Creek would be an impact. That is what he works with the applicant and their models to try and demonstrate are not going to happen. There is not going to be a rise in the flood waters that would encroach, for instance, further into the city on the properties of Brent Creek Drive or further into the Willoughby buffer area.

Mr. Dotson said to repeat to make sure he understands what he is saying that to the best of his knowledge that if these proposals were approved there would be no detrimental significant displacement of water onto properties of others.

Mr. Brooks replied yes, theoretically that is what the models show.

Mr. Dotson noted he was careful to say theoretical. However, he would take it he has significant confidence in the model.

Mr. Brooks agreed noting there have been a lot of changes to this model since the original FEMA model. He knows FEMA is often inaccurate. However, he is careful to qualify his statements because he was not the final authority.

Mr. Dotson noted nonetheless his advice carries with it the implication of some confidence in the models.

Mr. Brooks agreed that he has some confidence that the model will show that the flood plain that FEMA has given us is too conservative. It is often the case.

Ms. Monteith said her only comment is that they are looking at one kind of exhibit in the staff report and another kind of exhibit on the screen of different scales and showing different information. She would suggest that in the future it would be better to have those unified.

Motion: Mr. Randolph moved and Mr. Smith seconded for approval of SP-2012-00029 5th Street Station with the conditions outlined by staff and to include condition #2 as presented by staff.

Mr. Morris invited further discussion.

Mr. Franco said that he would still like to understand. Our floodplain is an overlay district and it is referencing the FEMA maps. So if they were to approve just enough fill to be in our floodplain and the map changes does that change. When they approve a special use permit they are saying there can be fill in the floodplain. If it changes what do they care about for referencing FEMA.

Mr. Brooks replied this was his chicken and egg analogy. In every special use permit where they have fill in the floodplain ultimately the floodplain line changes; by default the overlay district changes with it; and then it no longer applies. So they could theoretically fill in all the floodplains in the county and then say they are not in the floodplain because the map changed after they did all of that filling. Therefore, he thinks that is something they have to take under consideration. Keep in mind that FEMA does not often deny anything. So they don't mind if someone fills in the floodplain, but that it is done correctly and update the maps. In fact, our ordinance does not have to be as strict as it is. Our ordinance could allow development in the floodplain. Many communities do. FEMA has provisions to allow development in the floodplain, which even includes buildings. If the building is built correctly, someone could build in the floodplain. So it is really a community's choice of which parts to enforce and how that affects the flood insurance program and FEMA's ultimate models and approvals. However, it is Albemarle County's choice. He was not around when that ordinance was adopted to not allow any increases in flood waters and not allow any development in the floodplain. But, they do it by special use permit all of the time. It is development in the floodplain and then in cases of fill they often do change the floodplain so it is not in the floodplain anymore. However, Mother Nature may change that. So it can happen both ways.

Mr. Franco pointed out this situation is a little different from Badger. He thought one of the issues there was that part of that floodplain area was a greenway or part of the green system they have. That is not to say this is not important. But, this does not have the same standing. This is in the development area where they are trying to encourage it and it is a small amount of fill that is taking place in here. There is a lot of correction that is taking place to the maps. However, he has been through the process before with FEMA and they really need to have some kind of indication that the community supports the fill before they will even really consider it. From his perspective he would like to try to find a way to include pieces 2 and 3 in it so that they signify to FEMA that they are on board with this. Part of the discussion he recalls form the rezoning was the width of the road, the bike lanes, and some of the other issues that are part of the

design that has forced this out as much as the design of the internal part of the site. So he would like to find a way to include areas 2 and 3 in the Commission's recommendation. He asked how others felt about that.

Mr. Morris asked for comments on that.

Mr. Loach said the motion as it stands is to leave areas 2 and 3 out.

Mr. Morris agreed that was correct. He noted the motion could be amended to be subject to approval of FEMA.

Mr. Lafferty noted he got two different interpretations about what FEMA does. One interpretation is they say one gets a letter and they say go ahead and do the construction. So the whole creek could be blocked.

Mr. Brooks replied no, it was not that. They do have some discretion. He was saying generally where all floodplain lines are shown they don't affect the water courses directly. The floodway lines they may have a say. Certainly if they place a bridge and are constricting the flow of the river or changing the course they may object to that.

Mr. Lafferty said he would take it from his comment that FEMA is concerned and would mean that the blue area on this map would be smaller.

Mr. Brooks replied it was probably so in reality.

Mr. Loach asked for staff's logic why #2 was worded as such to not be part of the approval.

Mr. Brooks replied his interpretation of the zoning ordinance is they have special use permits for fill within the floodplain according to the current FEMA map as Mr. Franco was saying. Right now those are not in the floodplain and not the whole site as he was shown. He was not shown the graphic provided by the applicant today. The areas were not in the floodplain and he did not think he could recommend approval.

Mr. Loach asked does the graphic seen tonight change it.

Mr. Brooks said he shares Mr. Franco's confusion. He wants to be careful because he did not want to have an application go to FEMA that proposes fill in the floodway such that they have changed the floodway line. They could do that and FEMA might not object. He wanted to go to FEMA with an application that says under existing conditions with no fill is our line accurate or inaccurate. If it is inaccurate and the line is actually closer to the creek they come back and they are not filling in the floodplain and the county can allow it with a special use permit.

Mr. Lafferty asked if they are considering an amendment.

Mr. Franco noted there was no proposal yet and he just wanted to get a sense of where the rest of the Commission is. If this project is something they support as it is being presented, then they need to give a strong statement to FEMA to say it is something they support. Otherwise, FEMA is going to say why are we wasting their time and they don't even want to review it. What it comes down to is the project as proposed a reasonable project. If they had come back and gotten the FEMA line moved that is one of the questions he was trying to ask before. Did they even need to come to us again since the line has been moved? If all fill is outside the floodplain, then they don't really even have to come to us. However, there is still some grading in the floodplain from what he understands. Therefore, they would have to

come to us. If it is a minimal amount and they generally think they would support it anyway, he was happy to include it now as part of the recommendation to the Board. Or, if everybody was not on board with that maybe what they ought to do is put a strong statement in there with it they would support upon providing more information on Areas 2 and 3. He just wanted to send a strong message to FEMA that they were okay if it was done to the satisfaction of the county engineer and to FEMA; and then he was okay with the fill in the floodplain.

Mr. Randolph revised the motion for approval of SP-2012-000029, 5th Street Station, with the recommendations of staff with a change in the language of paragraph 2 to say "fill in flood in Areas 2 and 3 will be subject to FEMA's approval of revised floodway on Moore's Creek."

Mr. Franco said that the fill in those two areas is approved subject to revision of the FEMA map.

Amended Motion: Mr. Randolph amended the motion for approval subject to FEMA's approval of revised floodway on Moore's Creek. He would be very specific, but saying the same thing.

Mr. Franco said he thought that answers the question.

Mr. Smith seconded the amended motion.

Mr. Kamptner suggested the Commission could leave it at staff's discretion to work out the final language of the recommended condition.

Mr. Randolph and Mr. Smith agreed with Mr. Kamptner's suggestion.

The motion passed by a vote of 7:0.

Mr. Morris noted SP-2012-000029, 5th Street Station would be forwarded to the Board of Supervisors with a recommendation for approval to a date to be determined with the following conditions:

1. Fill in Areas 1 and 4, as shown in attachment A, must be demonstrated to be out of the floodway, or reduced as necessary to be out of the floodway.
2. Fill in Areas 2 and 3, as shown in attachment A, are not part of this approval.
3. Fill in Area 4 must be reduced to the minimum necessary to build the road and any stormwater management facilities approved with final plans.
4. Final plans and construction shall provide a stable, non-erodable surface for fill materials, subject to County Engineer approval.
5. The applicant shall obtain Program Authority approval for an erosion and sediment control plan, and obtain a land disturbance permit according to the Water Protection Ordinance requirements prior to the start of construction.
6. The applicant shall obtain all necessary federal and state agency approvals (Army Corps of Engineers, Department of Environmental Quality, etc.).
7. The applicant shall obtain Program Authority approval of a mitigation plan, and provide mitigation according to the Water Protection Ordinance.
8. The applicant shall obtain approval from FEMA for changes to the floodplain, and update the FEMA maps.
9. Change the language of paragraph 2 to say "fill in floodway in areas 2 and 3 will be subject to FEMA's approval of revised floodway on Moore's Creek." Staff to work out the final language of the condition."

On behalf of the Planning Commission Mr. Morris congratulated Ms. Long on being elected President of the local Chamber of Commerce.

Ms. Long expressed appreciation to Mr. Brooks for his assistance and the time he has put in with their engineering and project team on this complicated situation.

The Planning Commission took a break at 7:19 p.m. and the meeting reconvened at 7:26 p.m.

Work Sessions

CPA-2013-00001 Comprehensive Plan
Review of Land Use Section (Andy Sorrell, Elaine Echols)

Elaine Echols provided a PowerPoint presentation on the recommendations for the Land Use Section of the Comprehensive Plan draft with particular emphasis on the Neighborhood Model. In particular, Ms. Echols pointed out a mistake on the table on page 7 and said the table should reflect the same numbers provided at the October 11, 2011 Planning Commission meeting.

After the presentation, Mr. Morris opened the public hearing and invited public comment.

Tom Olivier said he liked the objective regarding the development Area (DA) boundaries. He raised concerns about the phrase, "accommodating growth". He said he liked the statement that the County wants to be a medium-sized community rather than a huge one. He also stated that some indicators could be measures of environmental quality and the Rivanna River Basin Commission and Streamwatch information would be good sources of data.

Mr. Olivier said it would be nice to know when the consolidated list of indicators being used in the One Community Project and the County would be available. He asked the Commission to please provide sufficient time to review the full draft of the Comprehensive Plan before the Planning Commission's public hearing on it.

Paula Beazley spoke on the importance of retaining features of the Rural Area (RA) and how commerce (i.e. locating a county shooting range in Keene) would be disruptive and adversely impact rural activities. She urged the Commission not to designate the Keene site as a place for the police firing range or any other phases of a public safety center. She also noted that the map on page 6 looks like the Development Area boundaries are intended to be expanded.

Jeff Werner, on behalf of the Piedmont Environmental Council, requested that the Commission allow sufficient time to review the full draft before public hearing. He said that he had concern on page 5 of the draft about the concept of how villages would be linked together – would this mean the roads connecting the villages to the urban areas would be prioritized for improvements? He asked how future villages would be designated. He said that the public should be aware that 5% of the County's land area is still large; approximately three times the size of the City. He asked that the Land Use section make sure to include non-residential capacities too.

Mr. Werner said the Commission should remember that interconnections need to be roads not just gravel pathways. The County (via the Comprehensive Plan) should support enabling legislation in the Development Areas to allow for an adequate public facilities plan. He reminded the Commission to appropriately address land areas like NGIC and the possibility of more housing for UVA faculty. He said the Land Use Plan should not lose sight of the fact that existing subdivision may begin to redevelop with greater density as more people desire to age in place.

Travis Pietila, on behalf of the Southern Environmental Law Center, said more information should be added in the introduction regarding benefits of the Land Use Plan. He said the Commission should make sure industrial capacity is addressed too. He suggested the Commission consider adding an objective relating to the maximum amount of industrial land in the Development Areas.

Mr. Pietila said the new wording for grading of terrain seems to imply terrain should adapt to the development rather than vice versa. He noted that on page 12, a statement should be made that air and water quality are important aspects of interconnections and multimodalism. He asked about the intent of the language for environmental features at the top of page 13. Mr. Pietila said it sounded like "development should be clustered around environmental features" and he worried that this would mean environmental features would be negatively impacted.

Morgan Butler, on behalf of the Southern Environmental Law Center, noted that, although staff noted the mistake on the table on page 7, it is important that the text under this section be revised to match the information presented to the Commission by staff on October 11, 2011. That information made it clear that existing capacity in the Development Areas would accommodate growth through 2030 – this issue has already been discussed and does not need to be revisited.

Bill Tanner said he was a resident of the Esmont area and spoke of the need of continued preservation and maintenance of the Rural Area quality of life and why it was important to be retained. He reiterated that using the Keene landfill for a police shooting range would impact the water quality of the area.

There being no further public comment, Mr. Morris closed the public hearing to bring the matter before the Commission for discussion.

The Commission held a discussion taking the public comments in consideration, asked questions, and made the following comments as follows:

- Consider organizing the objectives better – some seem to be principles and others standards. Make sure the numbered objectives match up with the objectives listed under the goals.
- The Goal on page 8 needs to also talk about natural systems not just the Development Areas – maybe reference natural systems sections from other parts of the plan?
- Make sure to add some performance standards (metrics)
- On page 8 are the number items in a priority order? And if not should they be?
- On page 18 add a timeframe for how often the capacity analysis should be updated (on a routine basis)
- For performance measures, add one relating to a calculation of underdeveloped parcels – i.e. parcels that have been developed recently that did not go as high as the density permitted. What could have been built? Why wasn't the maximum density developed? It could be shown as another row in the table on page 7.
- Add a discussion on current infrastructure needs, future needs (to supply existing approved development) and at buildout.
- Provide traffic analysis for the Development Areas and Level of Service (LOS) in those areas.
- Are crossroads villages expected to be Development Area villages? Mr. Cilimberg said they were not.
- The County should ask the General Assembly for the ability to have an adequate public facilities ordinance.
- What are the established relationships to a village and a focal point? Where is the Village of Rivanna's focal point?

- Should the word, "principles" be changed to "expectations" in relation to the Neighborhood Model? Some Commissioners prefer the word, "principles". Suggestions were made that the word be changed to "attributes" or "characteristics" Still other Commissioners said they were okay with "expectations" because it implies we plan to implement them.
- The image of skyscrapers on page 10 doesn't seems appropriate – try using a place in Virginia like Alexandria, Fairfax or Richmond.
- On page 12, the mention of light rail is misleading since it is not possible in the near future. The word "possibly" or "potentially" should be used as a qualifier if light rail needs to be mentioned.
- On page 13 reword some of these statements from a negative to a positive position in relation to the human-scale discussion.
- On page 15 objective 2 – 3rd sentence down, make it clear which "boundaries" are being discussed.
- On page 15 strategy 2a, the statement should perhaps say that continuing or on-going education is needed so people are continued to be reminded of the importance of the Development Area boundaries.
- On page 19 – a different photo should be used as an example of low Neighborhood Density residential development. This house is very big compared to the average home size in Glenmore.
- On page 11 – the graphic on the continuum of uses – the illustration needs to be changed. Replace images of houses to images of farm buildings or cows for areas 2 and 3. Otherwise, it appears that the area is intended to be made up of large lot subdivisions.
- On page 5, how can a maximum density of 6 dwelling units per acre be achieved in a village if garden apartments are included in the description? Is this the average across the whole village area such that garden apartments are in one area and lower density is in another area?
- On page 4, add Scottsville to the map.
- Consider discussing alleys as "shared streets" (i.e. ones that are used by pedestrians and bicyclists and on occasion vehicles)
- Work with emergency services to find ways to allow dwellings to front on something other than a street, such as a park, but make sure that access for firefighting is maintained.
- Provide more information on alleys as they are important features of the Neighborhood Model.
- Discussion is needed on whether the proffer system should be reevaluated for its effectiveness. In some cases, it is as economical to develop property by-right at low density as it is to develop it at a higher density because of proffers.
- On page 17 – interconnections – should a CIP line item be considered for funding of the completions of interconnections between subdivisions?
- On page 18 – Development Area expansions – remember to also look at building permits and growth activity in the RA too; if the policy is failing it could be an indicator of a need to expand Development Area boundaries. Population is the only criteria.
- On page 18 – 5b – how can this strategy be implemented with the existence of our proffer system?
- Some measures of success could be: sidewalk lengths, are we getting a mixture of uses, ability to walk to work, and housing affordability.
- Are the land use categories used by the County the same as those used by the City?
- 6-34 dwelling units is such a huge range – why is it so big? References back to what zoning districts allow – been in place prior to 1996. Mr. Cilimberg noted that generally the maximum density the county has been getting has been about 15 dwelling units/acre. Could a statement be made in the categories with the 6-34 du/ac that 6-15 du/ac is what we expect and the 16-34 du/ac is available in the future as redevelopment occurs?
- Consider using an aerial photo along with the photo examples in the guidelines. It would help people relate to the roadway network and other adjacent things.

- Please provide a name other than Neighborhoods 4 – 7 for the Southern and Western Development Areas.

Staff was asked to take the comments into consideration in the Comp Plan Update. No formal action taken.

Old Business

Mr. Morris asked if there was any old business.

- At their January 22, 2013 meeting the Planning Commission agreed to further consider how to proceed with the Route 22-231 Corridor (rural traffic calming) report provided by PEC at that meeting. The Commission has decided not to take an official action on the report, but acknowledges there is good information that staff and the Commission should consider in its ongoing work.

There being no further old business, the meeting proceeded.

New Business

Mr. Morris asked if there was any new business.

- THE NEXT PLANNING COMMISSION MEETING WILL BE ON TUESDAY, FEBRUARY 5, 2013 AT 6:00 p.m.

There being no further new business, the meeting proceeded.

Adjournment

With no further items, the meeting adjourned at 9:04 p.m. to the Tuesday, February 5, 2013 regular Planning Commission meeting at 6:00 p.m. at the County Office Building, Auditorium, Second Floor, 401 McIntire Road, Charlottesville, Virginia.

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V. Wayne Cilimberg, Secretary

(Recorded and transcribed by Sharon C. Taylor, Clerk to Planning Commission & Planning Boards)