

At a regular meeting of the Board of Supervisors of Warren County held in the Warren County Government Center on April 20, 2021 at 7:00 PM.

Present: Cheryl L. Cullers, Chair (South River District); Archie A. Fox, Vice Chairman (Fork District); Walter J. Mabe (Shenandoah District); and Delores R. Oates (North River District); also present Edwin C. Daley, Interim County Administrator; Taryn G. Logan, Deputy County Administrator; Jason J. Ham, Interim County Attorney; Mike Berry, Public Works Director; James Bonzano, Chief of Fire and Rescue Services; Mark Butler, Sheriff; Michael Coffelt, Sanitary District Manager; Caitlin Jordan, Senior Assistant County Attorney; Keith McLiverty, Finance Director; Joe Petty, Planning Director; Matt Wendling, Planner II; and Emily Ciarrocchi, Deputy Clerk of the Board

Absent: Tony F. Carter (Happy Creek District)

Call to Order and Pledge of Allegiance of the United States of America

Adoption of Agenda – Additions or Deletions

Mrs. Oates requested the removal of item I-1 (Additional Appropriation Request of Warren County Public Schools) from the agenda. Mrs. Cullers also noted the revised information in item I-2 (Approval of License and Service Agreement with Lake Front Royal Property Owners' Association) with the finalized amount of \$15,570 annually as well as the date of payment December 31st added.

On a motion by Mrs. Oates, seconded by Mr. Mabe, and by the following vote, the Board of Supervisors adopted the agenda as amended:

Fox, Aye; Mabe, Aye; Cullers, Aye; Oates, Aye

Presentation – Health and Dental Insurance Rates for FY 2021-2022 – Ed White

Ed White, representative from McGriff Insurance, reported the County had issued a Request for Proposals (RFP) to establish a contract or contracts through competitive negotiation for the provision of Medical, Pharmacy, Dental, and Vision insurance. Two proposals were received for only Vision insurance, four proposals were received for Vision and Dental insurance, and four proposals were received for the entire package of insurance coverages in the RFP. Of these four, the proposal from United Healthcare offers the most competitive rates, and Mr. White delivered a presentation to the Board overviewing the insurance offerings provided by United.

United is a nationwide network accepted by 98% of providers that includes wellness programs, Care Cash, both dental and vision coverage discounts, an Employee Assistance Program (EAP) with 24/7 nurses' hotline, and is a Benefit Ally, bundling accident, critical illness, and hospital indemnity.

Mrs. Cullers wanted to ensure local physicians accepted this insurance company, and Dr. Daley confirmed United is well-accepted here in the Northern Shenandoah Valley and internationally. United is both respected and known, like Cigna and The Local Choice, and Mr. White added the City of Winchester went with United as its insurance provider effective January 1, 2021.

Public Comment Period (60 Minute Time Limit)

Tom Wallenius, 414 Woodthrush Way, said he had recently read an article in the Royal Examiner about the travel regulations now in place in Warren County because of the invasive species the spotted lantern fly. He believes the rules for behavior and travel are draconian, and it “freaks [him] out” that he has to have an authorization statement to drive around.

James Pritchard, 1011 Liberty Hall Road, spoke about the unfinished business item, a conditional use permit for a short-term tourist rental off Liberty Hall Road. His major concern is that more traffic allowed on Liberty Hall Road for temporary lodging put him and his family and neighbors at risk.

Mrs. Ciarrocchi read the following email from Sara Sullivan, Stephanie Manuel, Deanne DePyper, Jackie Miller, and Margaret Melberg: “As residents of Apple Mountain Lake in Linden, Virginia, we would like to extend our heart-felt gratitude for all you do to serve your constituents and ensure that Warren County continues to remain a safe, family-oriented community.

“A joint meeting was held on February 10, 2021, of the Warren County Planning Commission and Board of Supervisors to hear the proposal from Dudding Commercial Development, L.L.C., to rezone the property located at the entrance to Apple Mountain Lake, Route 79, in Linden. This proposed rezoning of green agricultural land to commercial would have led to a Sheetz gas station to be built literally in the backyards of some of our neighbors. The serene mountainous landscape that residents and tourists now enjoy when entering Warren County would have been changed forever into a harsh 3-acre cityscape of concrete and metal. Thank you for your vote realizing that tourists do not wish to visit Warren County to shop at Sheetz, when there are two other gas stations less than half-a-mile away. Thank you for listening to the concerns about our well-water being impacted. Thank you for listening to our worries about increased crime and traffic to our little community.

“By taking into account the concerns of the community constituents this possible rezoning would have actually impacted, you are to be commended by protecting our rural sanctuary rather than the proposed increase in revenue and bus stop that Dudding dangled before the County. A statement made at the meeting that the proposed rezoning was neither a good zoning practice nor an appropriate necessity for the public did not fall on deaf ears. Thank you for listening and voting to deny this unnecessary rezoning. You showed clarity and clear decision-making in keeping this parcel of land to remain green where

residents and visitors alike can appreciate the majestic impact that makes Linden such a beautiful place to be enjoyed for years to come.”

There were no further presentations from the public.

Reports – Board Members, Interim County Administrator, Interim County Attorney

Mr. Fox reported the following:

- Attended the Building Committee meeting on April 19th

Mr. Mabe reported the following:

- Attended a meeting of the Blue Mountain Sanitary District
- Attended a meeting of the Northern Shenandoah Valley Regional Commission

Mrs. Oates reported the following:

- Congratulated Joe Petty on his appointment to the position of Planning Director
- Attended the Warren County Girls Softball Little League opening day at Bing Crosby Stadium

Mrs. Cullers reported the following:

- Also congratulated Mr. Petty on his appointment to Planning Director
- Acknowledged Communications Officers Recognition Week last week
- Attended the Fire Chiefs meeting on April 14th

Dr. Daley reported the following:

- Taryn Logan, Deputy County Administrator, announced the appointment of Joe Petty to the position of Planning Director.
- Reminded the Board of the upcoming bond sale this week, and there were four series that were selected to be reissued with net present value savings of 8.3% (\$931,000 averaging \$49,000 per year)
- Continuing to work with network and systems personnel, switching over networks and working through each Department in the County and the Sheriff's Office
- Tomorrow is Administrative Professionals Day, and he thanked Mrs. Ciarrocchi and the other professionals working for the County
- Coronavirus Update – County staff continue to monitor the situation and take the necessary precautions. The County is still in the Governor's "Phase Three" of Virginia's "Path Forward".

The COVID-19 vaccination process continues in Warren County. Valley Health, in partnership with the Lord Fairfax Health District and the County are working together to provide the vaccine locally. There is a well-established process to efficiently distribute the vaccine, when available.

After April 19th, the Virginia Department of Health (VDH) is encouraging citizens to transition to using "www.vaccines.gov" to locate a local or regional vaccination clinic and receive the COVID-19 vaccination. If anyone is already pre-registered on the "vaccinate.virginia.gov" site, they should be contacted to receive the vaccination; this site will be phased-out in the near future. They should check their Spam folder if they have not been contacted in a timely manner. Additionally, VDH will offer a local COVID-19 clinic every Wednesday in May and early June at the 15th Street Complex Gym in Front Royal; call the Health Department to schedule an appointment.

Regarding the CARES Act, the first and second round fund reimbursement to the Town is complete, for receipts received. Staff is in the process of accruing the Town's receipts for the Municipal Utility Assistance fund. Finally, County staff is in the process of compiling the appropriate documentation and closing out the associated County CARES Act accounts. The County continues to report to the Department of Accounts as directed, and staff is optimistic to complete an associated external audit by late Spring.

Finally, it appears that many Virginia localities will receive additional CARES Act funds. Details to follow.

- Coronavirus Vulnerable Revenue – For the month of March, the County's share of local sales tax revenue was \$381,159.90. This amount is up \$52,067.60 (15.8%) over the \$329,092.27 collected in March 2020.

The year-to-date (YTD) collections total for Lodging Tax is \$28,555.67, the YTD collections total for Business License Tax is \$959,207.06, and the YTD collections total for Meals Tax is \$152,726.59.

- Tourism Committee – Jones Lang Lasalle Americas, Inc. (JLL), the contractor selected by the Town and County to perform joint tourism services, has been hosting bi-weekly meetings with the Joint Tourism Committee. The first marketing campaign began earlier this month. This campaign features the community's golf courses. JLL continues to meet with the Town, County and Committee representatives gathering information and moving the process forward.
- Wayfinding Signage – The County and Town are working together on the trailblazing signage. The bid was awarded, and the signs are currently being fabricated. The County will be staking our sign locations with VDOT in the next several weeks.
- Development Review Committee – The Development Review Committee will meet again on April 28, 2021.
- Building Inspections – In review of the new construction for 2021, there were a total of fifteen (15) new home starts through March 31st. Of that number, one was located in Town limits and the remaining fourteen (14) outside of Town limits. As a comparison, in 2020 there were a total of sixteen (16) new home starts.

The growth rate is well below the 2-3% maximum outlined in the Warren County Comprehensive Plan but is above the 0.59% average experienced since January 1, 2009.

In March, the permits trended slightly lower with 176 permits issued as compared to March 2020 with 182 (-3.3%), and the total number of inspections were higher from 992 to 1114 (12.2%).

- Parks and Recreation

- Upcoming Programs:

- Justifiable Use of Force Class: April 7, 2021 at the Warren County Community Center (WCCC); \$35 per person
 - Basic Pistol Shooting Class: April 17, 2021 at the WCCC; \$75 per person
 - Major League Baseball Pitch, Hit and Run Activity: May 1, 2021 at Bing Crosby Stadium; Free to participants ages 7-14
 - Dance Fitness Class: May 18, 2021 – June 8, 2021 at the WCCC; \$20 per participant
 - School's Out For The Summer! Program: Mondays, Wednesdays, and Fridays, June 21, 2021 – August 6, 2021, 9:00 AM – 6:00 PM at the Health and Human Services Complex Gym; costs vary
 - Lil' Explorers Program: June 23, 2021 – August 4, 2021, 1:00 PM – 3:00 PM at Shelter #2; Free to participants ages 4-10 years old
 - Lap Swim: Monday – Thursday, June 19, 2021 – August 5, 2021, 7:00 AM – 9:00 AM, 11:00 AM – 1:00 PM, 6:30 PM – 8:30 PM at Claude A. Stokes, Jr. Community Pool; \$2 per admission and punch cards are available for discounted rate
 - Swim Lessons, Session 1: June 28, 2021 – July 2, 2021, times vary, at Claude A. Stokes, Jr. Community Pool; \$35 per participant
 - Swim Lessons, Session 2: July 12, 2021 – July 16, 2021, times vary, at Claude A. Stokes, Jr. Community Pool; \$35 per participant

- Park Maintenance Daily:

- Warren County Parks and Recreation and Public Works Departments opened all public restrooms in the park system on March 31, 2021 after being closed to the public for 17 months. Signage on restrooms explaining the daily cleaning and COVID-19 restrictions. Vandalism to the Skyline SoccerPlex restrooms occurred on April 13, 2021.
 - All youth recreation organizations began practice sessions and games at all county park athletic facilities including: Bing Crosby Stadium, Adult Softball Complex, Champs Baseball Complex, Chimney Field Softball Complex, WCHHS Complex football and practice fields, Skyline Soccerplex game and practice fields, and Eastham Park practice fields.

- Park Facility Projects:

- Alan Munson and Lee Cockrell and Warren County Public Works Department completed concrete removal projects at: laundromat, Sherwin

Williams building, Warren County Government Center, Health and Human Services Complex (thermal shelter), and added new concrete to these locations.

- Department of Social Services – In the month of March, DSS received:

- 136 SNAP Applications
- 147 Medicaid Applications
- 15 TANF Applications
- 7 Child Care Applications
- 24 Crisis Applications
- 898 walk-in clients

On the Services side, in the month of March, DSS received:

- 58 CPS referrals
- 29 APS referrals

The last night of the Thermal Shelter will be April 30th. The nightly count has consistently been between 20-25 people. In the month of March, the Shelter housed a total of 36 people with 5 of them new to the Shelter.

- Department of Fire and Rescue Services

- Fire Chiefs Advisory Staff meeting hold on Tuesday, April 14th with 18 in attendance.
- Station 5 has sold their attack unit and has placed in service a new brush truck.
- Radio System Upgrade Project is ongoing with installations ongoing. Training on the system for all responders is complete and installations at 60% completed.
- FY-2020 SAFER Grant for 18 staff positions and FY-2020 AFG Countywide PPE are still in process (announcement expected anytime over the next several months)
- Training Center Fire Incident- continuing to evaluate damages and determine impacts to Department. Staff working with insurance vendor to determine replacement cost.
- Two new hires to the Department to replace two retiree positions. Welcome Firefighter Medic Joshua Bryson and Firefighter/EMT (medic candidate) Jennifer Horne to the Department.
- Promotional process for 3 officer positions under way. One Captain and two lieutenants will be promoted to fill the vacancies left by retirements. Announcement expected 4/26/2021.
- Will be holding a hiring process in the near future to hire additional part-time employees in attempt to fill staffing needs.
- Fire and Rescue along with FRPD and WCSO will be participating in a joint Active of Violence Exercise in the near future.

- Rivermont Fire Station – Final “punch list” items are being addressed with Mr. Farrall; the contractor is optimistic to complete remaining work by the end of next

month. The final furniture delivery should be complete by mid-April, and the phone system installed next month.

- Commercial/Industrial Projects – Work continues on the following projects:
 - The new Warren Memorial Hospital has received a Temporary Certificate of Occupancy (TCO) for the Hospital portion of the building, and they are working towards the same for the Medical Office Building portion. This TCO allows them to start upfitting the building with equipment and supplies.
 - Equus Warehouse facility – On Thursday, April 15th, DEQ is to submit their letter stating that the Stormwater Plans are approved to Central Office (DEQ in Richmond) where the Construction General Permit (CGP) is issued. Equus must ensure that they have all the items submitted to Central Office for the CGP to be issued, including the Nutrient Credit Purchase documentation. The DEQ information was provided to the County by the DEQ Plan Reviewer.

Approval of Accounts

On a motion by Mr. Mabe, seconded by Mrs. Oates, and by the following vote, the Board of Supervisors approved the list of April 2021 accounts:

Oates, Aye; Cullers, Aye; Fox, Aye; Mabe, Aye

Check Numbers 295952 to 296196

Total: \$2,257,075.76

Unfinished Business – Marlow and Silek Investments, LLC for the Amendment of Proffers (R2004-09-01, R2005-12-01, R2006-05-01, and R2007-05-01) – Taryn Logan

Taryn Logan, Deputy County Administrator, reminded the Board of the discussion they had at the work session on April 13th. Prior to the work session, Mrs. Logan had met with all affected parties, and they came to the agreement of a reduction in right-of-way from 60 feet to 50 feet instead of 30 feet. This matches what is currently proffered at the rear of the Royal Farms site. She noted the applicant would need to come back before the Board for conditional use permits for the actual uses of recreational vehicle (RV), car, and boat storage as well as an enclosed storage facility. Screening of these vehicles/boats from the Route 340/522 corridor is included in the requirements of the highway overlay district.

Kevin Tomayko introduced himself as the investor working with Marlow and Silek on the development of the property. He provided the Board with renderings from the architect he is working with of the work they are proposing to do and the choices of materials.

Mrs. Oates asked how many vehicles are anticipated to be stored behind the proposed enclosed storage facility, and Mr. Tomayko responded there would be as many stored there as would fit within the obstructed view.

On a motion by Mr. Mabe, seconded by Mr. Fox, and by the following vote, the Board of Supervisors approved the request to amend the approved rezoning proffers for application numbers R2004-09-01, R2005-12-01, R2006-05-01, and R2007-05-01 to add enclosed storage with the storage of recreational vehicles and cars as a use permitted on the property and to allow a reduction in the right-of-way width along the rear property line to fifty (50) feet:

Fox, Aye; Mabe, Aye; Cullers, Aye; Oates, Aye

Unfinished Business – Conditional Use Permit 2021-01-01, Justin and Felicia Katzovitz for a Short-Term Tourist Rental – Matt Wendling

Matt Wendling, Planner II, reported the Board had tabled this conditional use permit application at its March 16th meeting to allow time for the Virginia Department of Transportation (VDOT) to complete a review of the potential impacts of a short-term tourist rental to Liberty Hall Road. He had contacted Bobby Boyce and Ed Carter with VDOT, and they informed him that the road does not qualify for the rural rustic improvement program. It is typically maintained twice per year for gravel and grading and also as complaints are received. The statutory speed limit for unpaved roads is 25 MPH with 35 MPH maximum, road does not qualify for the rural rustic improvement program, though VDOT did install “caution curve” signs on the road.

Mr. Wendling did note after consulting with VDOT, it was discovered that the private entrance originally permitted for this property was abandoned, and a new entrance was constructed in 2018 outside of the permitted entrance. This current entrance does not meet sight standards, and staff have requested the addition of a condition to the permit to rectify this issue. The original place for the entrance must be re-established and must receive the land use permit from VDOT prior to a certificate of zoning being issued for the proposed use and the issuance of a business license.

Mrs. Cullers asked about the actual width of the road, and Mr. Wendling replied that it varies throughout the length of the road. Portions of the road are bordered by an old stone wall that is impeding the existing right-of-way. She said she would prefer the new entrance be established and any other upgrades to the road be made prior to the Board approving this conditional use permit to protect the property owners from potential liability.

On a motion by Mrs. Oates, seconded by Mr. Fox, and by the following vote, the Board of Supervisors approved the conditional use permit request of Justin and Felicia Katzovitz for a short-term tourist rental with the conditions as recommended by the Planning Commission and staff (listed below) and with approval from the Virginia Department of Transportation:

Oates, Aye; Cullers, No; Mabe, Aye; Fox, Aye

1. The applicants shall comply with all Warren County Health Department requirements and regulations, and the maximum number of occupants shall not exceed six (6) as determined according to the Health Department operational permit for a three (3) bedroom dwelling.
2. The applicants shall have the well water tested annually for e-coli and L-coliform bacteria and a copy of the results shall be submitted to the Planning and Health Departments by the end of the calendar year.
3. The applicants shall be required to abandon the newer existing entrance to the east and re-establish the original entrance to the west in order to meet the Virginia Department of Transportation's sight distance standards and apply for any permits required by this agency.

Public Hearing – Conditional Use Permit 2021-03-07, Frank O'Reilly for a Short-Term Tourist Rental – Matt Wendling

Matt Wendling, Planner II, reported the applicant is requesting a conditional use permit for a Short-term Tourist Rental for rental of the single-family dwelling for fewer than thirty (30) days. In his statement of justification, the applicant states he and his family have been involved with running Short-Term Tourist Rentals for over ten (10) years, and this use has allowed them to showcase the County's natural resources and recreational opportunities as a tourist destination. The dwelling was built in 2019 with the intention of the applicant for using it for a Short-Term Tourist Rental as a "home away from home" business venture and to support the local small business and restaurants. Mr. Wendling further noted that short-term tourist rental is an allowable use in the covenants of the Hoskins Farm subdivision.

The Planning Commission forwarded this application to the Board recommending approval with the following conditions:

1. The applicant shall comply with all Warren County Health Department requirements and regulations and the maximum number of occupants shall not exceed eight (8) as determined according to the Health Department operational permit for a four (4) bedroom dwelling.
2. The applicant shall have the well water tested annually and a copy of the results shall be submitted to the Planning and Health Departments by the end of the calendar year.

Mrs. Cullers opened the public hearing. There being no comments from the public, Mrs. Cullers closed the public hearing.

On a motion by Mr. Mabe, seconded by Mr. Fox, and by the following vote, the Board of Supervisors approved the conditional use permit request of Frank O'Reilly for a short-term tourist rental with the conditions as recommended by the Planning Commission and staff (listed below):

Fox, Aye; Mabe, Aye; Cullers, Aye; Oates, Aye

1. The applicant shall comply with all Warren County Health Department requirements and regulations and the maximum number of occupants shall not exceed eight (8) as determined according to the Health Department operational permit for a four (4) bedroom dwelling.
2. The applicant shall have the well water tested annually and a copy of the results shall be submitted to the Planning and Health Departments by the end of the calendar year.

Public Hearing – Conditional Use Permit 2021-03-08, Frank O’Reilly for a Short-Term Tourist Rental – Matt Wendling

Mr. Wendling reported this permit is being requested by the same applicant as the previously approved permit. The dwelling is still under construction and is being built with the intention of the applicant for using it for a Short-Term Tourist Rental as a “home away from home” business venture and to support the local small business and restaurants.

The Planning Commission forwarded this application to the Board recommending approval with the following conditions:

1. The applicant shall comply with all Warren County Health Department requirements and regulations and the maximum number of occupants shall not exceed four (4) as determined according to the Health Department operational permit for a two (2) bedroom dwelling.
2. The applicant shall have the well water tested annually and a copy of the results shall be submitted to the Planning and Health Departments by the end of the calendar year.

Mrs. Cullers opened the public hearing. There being no comments from the public, Mrs. Cullers closed the public hearing.

On a motion by Mr. Mabe, seconded by Mr. Fox, and by the following vote, the Board of Supervisors approved the conditional use permit request of Frank O’Reilly for a short-term tourist rental with the conditions as recommended by the Planning Commission and staff (listed below):

Oates, Aye; Cullers, Aye; Mabe, Aye; Fox, Aye

1. The applicant shall comply with all Warren County Health Department requirements and regulations and the maximum number of occupants shall not exceed four (4) as determined according to the Health Department operational permit for a two (2) bedroom dwelling.
2. The applicant shall have the well water tested annually and a copy of the results shall be submitted to the Planning and Health Departments by the end of the calendar year.

Public Hearing – Conditional Use Permit 2021-03-09, Frank O’Reilly for a Short-Term Tourist Rental – Matt Wendling

Mr. Wendling reported again that this permit is being requested by the same applicant as the previously approved permits. The applicant and his family have resided in this dwelling since 1989, and he and his wife plan to do some traveling now that their children are grown. They would like to rent it short-term while they are away. This property is not located in the Shenandoah Shores Subdivision but is directly across from it, and there is no Homeowners or Property Owners’ Association for this subdivision. The property is located on Shenandoah Shores Road, which is State maintained.

The Planning Commission forwarded this application to the Board recommending approval with the following conditions:

1. The applicant shall comply with all Warren County Health Department requirements and regulations and the maximum number of occupants shall not exceed eight (8) as determined according to the Health Department operational permit for a four (4) bedroom dwelling.
2. The applicant shall have the well water tested annually and a copy of the results shall be submitted to the Planning and Health Departments by the end of the calendar year.

Mrs. Cullers opened the public hearing. There being no comments from the public, Mrs. Cullers closed the public hearing.

On a motion by Mrs. Oates, seconded by Mr. Mabe, and by the following vote, the Board of Supervisors approved the conditional use permit request of Frank O’Reilly for a short-term tourist rental with the conditions as recommended by the Planning Commission and staff (listed below):

Fox, Aye; Mabe, Aye; Cullers, Aye; Oates, Aye

1. The applicant shall comply with all Warren County Health Department requirements and regulations and the maximum number of occupants shall not exceed eight (8) as determined according to the Health Department operational permit for a four (4) bedroom dwelling.
2. The applicant shall have the well water tested annually and a copy of the results shall be submitted to the Planning and Health Departments by the end of the calendar year.

Public Hearing – Conditional Use Permit 2021-03-10, Frank O’Reilly for a Short-Term Tourist Rental – Matt Wendling

Mr. Wendling reported once again that this permit is being requested by the same applicant as the previously approved permits. The dwelling is still under construction and is being built with the intention of the applicant for using it for a Short-Term Tourist Rental as

a “home away from home” business venture and to support the local small business and restaurants.

The Planning Commission forwarded this application to the Board recommending approval with the following conditions:

1. The applicant shall comply with all Warren County Health Department requirements and regulations and the maximum number of occupants shall not exceed eight (8) as determined according to the Health Department operational permit for a four (4) bedroom dwelling.
2. The applicant shall have the well water tested annually and a copy of the results shall be submitted to the Planning and Health Departments by the end of the calendar year.

Mrs. Cullers opened the public hearing. There being no comments from the public, Mrs. Cullers closed the public hearing.

On a motion by Mr. Mabe, seconded by Mr. Fox, and by the following vote, the Board of Supervisors approved the conditional use permit request of Frank O’Reilly for a short-term tourist rental with the conditions as recommended by the Planning Commission and staff (listed below):

Oates, Aye; Cullers, Aye; Mabe, Aye; Fox, Aye

1. The applicant shall comply with all Warren County Health Department requirements and regulations and the maximum number of occupants shall not exceed eight (8) as determined according to the Health Department operational permit for a four (4) bedroom dwelling.
2. The applicant shall have the well water tested annually and a copy of the results shall be submitted to the Planning and Health Departments by the end of the calendar year.

Public Hearing – Conditional Use Permit 2021-03-11, George Lombardi for Private Use Camping – Matt Wendling

Mr. Wendling reported the applicant is requesting a conditional use permit for Private Use Camping on a vacant lot in the Bolling-Poe-Manganaro subdivision, the entirety of which is located in the Special Flood Hazard Area (SFHA). Mr. Lombardi and his wife recently purchased the property with the intent of using it for fishing and tent camping until they can build a single-family dwelling, which they plan to do in a year or two. Meanwhile, he would like to place a shed on the property for storage of maintenance, recreational, and fishing equipment. The Warren County Code requires a conditional use permit for private use camping to build an accessory structure in the Residential One (R-1) zoning district. The applicant will also be required to submit a building permit for the accessory structure if this conditional use permit is approved by the Board since the structure is in the SFHA.

The Planning Commission forwarded this application to the Board recommending approval with the following conditions:

1. The applicant shall comply with all Warren County Health Department regulations and requirements.
2. Materials associated with the campers are to be stored in a neat and orderly fashion during the time of use and are to be removed from the site when not in use.
3. The applicant shall post the property with a lot/parcel number for Fire and Emergency Rescue Services and have an emergency egress plan for removal of the recreational vehicles and portable commode prior to a predicted flood event.

Mr. Mabe noted in the site sketch provided, there are two locations for a shed and asked which site Mr. Lombardi intends to build on. Mr. Wendling responded Mr. Lombardi has put a shed at the lower site already but then realized he needs to have a building permit for it.

Mrs. Cullers opened the public hearing.

Mrs. Ciarrocchi read the following email from Miriam Komich: "I am an adjacent property owner happy to welcome George Lombardi as our new neighbor. So far in our several encounters he has been both congenial and considerate, and I have no reason to believe he will be otherwise in the future as he develops and enjoys his property. I have no objection to his conditional use permit application."

There being no further comments from the public, Mrs. Cullers closed the public hearing.

On a motion by Mr. Fox, seconded by Mr. Mabe, and by the following vote, the Board of Supervisors approved the conditional use permit request of George Lombardi for private use camping with the conditions as recommended by the Planning Commission and staff (listed below):

Fox, Aye; Mabe, Aye; Cullers, Aye; Oates, Aye

1. The applicant shall comply with all Warren County Health Department regulations and requirements.
2. Materials associated with the campers are to be stored in a neat and orderly fashion during the time of use and are to be removed from the site when not in use.
3. The applicant shall post the property with a lot/parcel number for Fire and Emergency Rescue Services and have an emergency egress plan for removal of the recreational vehicles and portable commode prior to a predicted flood event.

Consent Agenda

1. ~~Additional Appropriation Request of Warren County Public Schools — Dr. Chris Ballenger~~
2. Approval of License and Service Agreement with Lake Front Royal Property Owners' Association – Mike Berry
3. Resolution of Support for the Establishment of a Rail Trail – Ed Daley
4. Authorization to Purchase Thirteen (13) FLIR Thermal Imaging Cameras – Chief James Bonzano
5. Removed for further discussion

At the request of Dr. Daley, item 5 was removed for further discussion.

On a motion by Mrs. Oates, seconded by Mr. Mabe, and by the following vote, the Board of Supervisors approved the Consent Agenda as presented with item 5 removed for further discussion:

Oates, Aye; Cullers, Aye; Mabe, Aye; Fox, Aye

RESOLUTION OF THE BOARD OF SUPERVISORS OF WARREN COUNTY TO SUPPORT THE ACQUISITION AND CONVERSION OF OUT-OF-SERVICE RAILROAD RIGHT-OF-WAY TO A TRAIL FOR ALTERNATIVE TRANSPORTATION AND RECREATION

WHEREAS 48 miles of the former Manassas Gap Railroad which lie between Riverton Junction, in Warren County, and the Town of Broadway, in Rockingham County, and passing through the County of Warren, Virginia are in a state of disuse, all freight and passenger service having decreased significantly; and

WHEREAS the prospect of restoration of freight or passenger service along the aforementioned section of railroad is very unlikely; and

WHEREAS the railroad, in its current state of disuse, is a blight on our community, and a danger to youth who may be tempted to trespass; and

WHEREAS the railroad presents an opportunity to create a world-class trail providing bicycle, pedestrian and equestrian access to extraordinary landscape views and several important Civil War battlefields; and

WHEREAS such trail would catalyze tourism-related economic growth; and

WHEREAS such trail would connect eleven communities including Warren County and the Town of Front Royal, offering the option of safe alternative transportation within and between these communities to a broad segment of the local population, for commuting to work and school, thereby improving the quality of life; and

WHEREAS such trail would provide the communities of Warren County and the Town of Front Royal opportunity for an outdoor experience not currently available, which promotes a healthy lifestyle for area residents and provides connections to other existing or planned bicycle infrastructure in Warren County; and

WHEREAS an organization known as the Shenandoah Valley Rail Trail Exploratory Partnership, whose membership includes representation of each locality through which the trail would pass, has been formed to explore trail feasibility; and

WHEREAS the 2020 Virginia General Assembly directed the state Department of Conservation and Recreation to study trail feasibility and deliver a report no later than November 1st, 2021.

NOW, THEREFORE BE IT RESOLVED that the Board of Supervisors of the County of Warren, Virginia endorses the conversion of the aforementioned 48-mile discontinued railroad to a multiuse trail for alternative transportation and recreation; and

FURTHERMORE, the Board of Supervisors resolves to join with the other trail localities in seeking the support of regional, state, and federal agencies and the railroad's owner, Norfolk Southern Corporation, toward the goal of development of the trail.

Authorization to Advertise for Public Hearing - Ordinance to Delay Penalties and Interest upon Certain Local Taxes - Ed Daley

Dr. Daley requested he had pulled this item to inform the public that due to the recent network issues experienced by the County, the Treasurer and the Commissioner of the Revenue are requesting to extend the date for the accrual of penalties and interest until June 22, 2021.

On a motion by Mr. Mabe, seconded by Mr. Fox, and by the following vote, the Board of Supervisors authorize the advertisement of a public hearing for the adoption of an ordinance to delay penalties and interest upon certain local taxes:

Fox, Aye; Mabe, Aye; Cullers, Aye; Oates, Aye

Adjournment

Mrs. Cullers adjourned the meeting at 8:12 PM.