

At a public hearings meeting of the Board of Supervisors of Warren County held in the Warren County Government Center on February 28, 2023 at 6:00 PM.

Present: Victoria L. Cook, Chair (Fork District); Cheryl L. Cullers, Vice Chair (South River District); Jerome K. Butler (Happy Creek District); Walter J. Mabe (Shenandoah District); and Delores R. Oates (North River District); also present Edwin C. Daley, County Administrator; Taryn G. Logan, Deputy County Administrator; Caitlin Jordan, Senior Assistant County Attorney; Chase Lenz, Zoning Administrator; Alisa Scott, Finance Director; Matt Wendling, Planning Director; and Emily Ciarrocchi, Deputy Clerk of the Board

Prior to the start of this meeting, the Board of Supervisors received a presentation from Robinson, Farmer, Cox Associates on the proposed FY 2021-2022 audit in a work session.

Call to Order

Adoption of Agenda – Additions or Deletions

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

Mabe, Aye; Oates, Aye; Cook, Aye; Cullers, Aye; Butler, Aye

Public Hearing – Lease of County-Owned Property at the Front Royal-Warren County Airport to Tom Schwietz – Alisa Scott

Alisa Scott, Finance Director, reported this public hearing is for the lease of County-owned property located at 229 Stokes Airport Road (Front Royal-Warren County Airport) to Tom Schwietz for hangar A8. This request provides the airport with consistency in operations so that all leases contain the appropriate approvals and terms and conditions, and the same lease rate.

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

On a motion by Mr. Butler, seconded by Mr. Mabe, and by the following vote, the Board of Supervisors approved the lease agreement with Tom Schwietz as proposed and further authorized the Chair and County Administrator, either of whom may act, to execute all necessary documents that have been approved by the County Attorney or the Assistant County Attorney:

Butler, Aye; Cullers, Aye; Cook, Aye; Oates, Aye; Mabe, Aye

Public Hearing – Lease of County-Owned Property at the Front Royal-Warren County Airport to Shane Neitzey – Alisa Scott

Mrs. Scott reported this public hearing is for the lease of County-owned property located at 229 Stokes Airport Road (Front Royal-Warren County Airport) to Shane Neitzey for hangar B-13. This request provides the airport with consistency in operations so that all leases contain the appropriate approvals and terms and conditions, and the same lease rate.

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

On a motion by Mr. Butler, seconded by Mr. Mabe, and by the following vote, the Board of Supervisors approved the lease agreement with Shane Neitzey as proposed and further authorized the Chair and County Administrator, either of whom may act, to execute all necessary documents that have been approved by the County Attorney or the Assistant County Attorney:

Mabe, Aye; Oates, Aye; Cook, Aye; Cullers, Aye; Butler, Aye

Public Hearing – Conditional Use Permit 2022-12-01, Remo Kommnick for a Short-Term Tourist Rental Located at 226 Judy Lane and Identified on Tax Map 15E, Section 5, Block 5, as Lot 576A – Chase Lenz

Chase Lenz, Zoning Administrator, reported the applicant is requesting a conditional use permit for a short-term tourist rental for the property he purchased in May 2017. The owner would like to make his dream cabin available for short-term lodging for visitors of the Warren County area when not in use by his family and friends. Currently residing in Richmond, Virginia, the applicant will manage the property personally with assistance from a local property manager. The property meets the setback requirements, the nearest property being 458 feet to the northeast.

The Planning Commission has forwarded this application to the Board of Supervisors recommending approval.

Mr. Butler asked how the Planning Department would enforce the two-person occupancy, and Mr. Lenz responded they would make sure the advertisement for the rental specifically states the limit of two persons.

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

On a motion by Mr. Mabe, seconded by Mrs. Oates, and by the following vote, the Board of Supervisors approved the conditional use permit request of Remo Kommnick for a short-term

tourist rental with the conditions as recommended by the Planning Commission and staff and listed below:

Butler, Aye; Cullers, Aye; Cook, Aye; Oates, Aye; Mabe, Aye

1. The applicant shall comply with all Warren County Health Department, Warren County Building Inspections, and Virginia Statewide Fire Prevention Code regulations and requirements.
2. The maximum number of occupants shall not exceed two as determined according to the Health Department permit for a one-bedroom dwelling.
3. The applicant shall have the well water tested annually for e-coli and coliform bacteria and a copy of the results shall be submitted to the Planning and Health Departments.
4. The applicant shall have the septic system inspected annually by a State licensed inspector and a copy of the results shall be submitted to the Planning and Health Departments. The system shall also be serviced every five years as recommended by the Health Department and a copy of the service invoice shall be provided to the Planning Department.
5. The discharge of firearms and hunting on the property by guests shall be prohibited.
6. The use of All-Terrain Vehicles (ATVs) by guests on the property and in the subdivision shall be prohibited.
7. Outdoor burning and use of fireworks by guests shall be prohibited.

Public Hearing – Conditional Use Permit 2022-12-02, Robert Chevez for a Short-Term Tourist Rental Located at 604 Windy Knoll Drive and Identified on Tax Map 20, as Lot 29F – Matt Wendling

Matt Wendling, Planning Director, reported the applicant's company, CAZA Legacy II LLC, purchased this property as an investment property in July 2022. The applicant has a property manager selected to manage and market the property after current renovations are completed. This dwelling is sited across the river from the Front Royal Golf Club on a cliff overlooking the Shenandoah River and is accessed off Windy Knoll Drive and Marys Shady Lane, both of which are private roads. This property is not in a subdivision that is governed by any homeowners association (HOA) or property owners association (POA), and the property meets the setback requirements, the nearest property being 788 feet to the south.

The Planning Commission has forwarded this application to the Board of Supervisors recommending approval.

Mrs. Cullers noted that Building Official David Beahm stated in his comments that the Building Inspections Department does not have any records on file for work being done in the

home even though the applicant states in his Statement of Justification, “We are currently getting the property renovated”. Mr. Wendling said the applicant will not receive a Certificate of Zoning for the established use until the permit situation is rectified.

Mrs. Cook opened the public hearing.

Lynda McDonough, 1205 High Top Road, asked what the County has in place, such as a Compliance Office, to monitor these Airbnbs to see if they are actually remaining in compliance with their conditional use permits or if the County relies on neighbors to tattletale on what their next-door neighbors are up to. At the allowance of the Chair, Mr. Wendling responded the Planning Department conducts annual reviews of all conditional use permits as well as responds and follows-up to citizen complaints when received. If a violation is found, the Department will issue a Notice of Violation and provide a timeline for the permit holder to come into compliance.

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

On a motion by Mrs. Oates, seconded by Mr. Butler, and by the following vote, the Board of Supervisors approved the conditional use permit request of Robert Chevez for a short-term tourist rental with the conditions as recommended by the Planning Commission and staff and listed below:

Mabe, Aye; Oates, Aye; Cook, Aye; Cullers, Aye; Butler, Aye

1. The applicant shall comply with all Warren County Health Department, Warren County Building Inspections, and Virginia Statewide Fire Prevention Code regulations and requirements.
2. The maximum number of occupants shall not exceed two as determined according to the Health Department permit for a one-bedroom dwelling.
3. The applicant shall have the well water tested annually for e-coli and coliform bacteria and a copy of the results shall be submitted to the Planning and Health Departments.
4. The applicant shall have the septic system inspected annually by a State licensed inspector and a copy of the results shall be submitted to the Planning and Health Departments. The system shall also be serviced every five years as recommended by the Health Department and a copy of the service invoice shall be provided to the Planning Department.
5. The discharge of firearms and hunting on the property by guests shall be prohibited.
6. The use of All-Terrain Vehicles (ATVs) by guests on the property and within the subdivision shall be prohibited.
7. Outdoor burning and use of fireworks by guests shall be prohibited.

Public Hearing – Conditional Use Permit 2022-12-03, Gabriel Gaillard and Natasha Nyirongo-Gaillard for a Short-Term Tourist Rental Located at 95 Pickford Court and Identified on Tax Map 15E, Section 5, Block 5, as Lot 471 – Chase Lenz

Mr. Lenz reported the applicants are requesting a conditional use permit for a short-term tourist rental for the property they purchased in May 2021 as their “forever home”. With remote work no longer an option for their respective jobs, they recently moved into an apartment in Reston, Virginia to reduce their commutes and would like to make their home available for short-term lodging for visitors of the Warren County area to help offset the cost of their mortgage and rent when they are unable to use the property during the work week. The applicants will manage the property personally with assistance from the owners of a neighboring property. The property meets the setback requirements, the nearest property being 158 feet to the southwest.

The Planning Commission has forwarded this application to the Board of Supervisors recommending approval.

Mrs. Cook opened the public hearing. There being no comments from the public, Mrs. Cook 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 Gabriel Gaillard and Natasha Nyirongo-Gaillard for a short-term tourist rental with the conditions as recommended by the Planning Commission and staff and listed below:

Butler, Aye; Cullers, Aye; Cook, Aye; Oates, Aye; Mabe, Aye

1. The applicant shall comply with all Warren County Health Department, Warren County Building Inspections, and Virginia Statewide Fire Prevention Code regulations and requirements.
2. The maximum number of occupants shall not exceed four as determined according to the Health Department permit for a three-bedroom dwelling.
3. The applicant shall have the well water tested annually for e-coli and coliform bacteria and a copy of the results shall be submitted to the Planning and Health Departments.
4. The applicant shall have the septic system inspected annually by a State licensed inspector and a copy of the results shall be submitted to the Planning and Health Departments. The system shall also be serviced every five years as recommended by the Health Department and a copy of the service invoice shall be provided to the Planning Department.
5. The discharge of firearms and hunting on the property by guests shall be prohibited.
6. The use of All-Terrain Vehicles (ATVs) by guests on the property and within the subdivision shall be prohibited.
7. Outdoor burning and use of fireworks by guests shall be prohibited.

Public Hearing – Conditional Use Permit 2022-12-04, Nicholas E. and Cara S. Achterberg for a Short-Term Tourist Rental Located at 671 Thompson Hollow Road and Identified on Tax Map 42B, Section 2, as Lot 12A – Chase Lenz

Mr. Lenz reported the applicants are requesting a conditional use permit for a short-term tourist rental for the property they purchased in July 2019. The owners would like to make their recently restored cabin available for short-term lodging for visitors of the Warren County area when they are not using it themselves. The applicants primarily reside in Woodstock, Virginia and they will manage the property personally. This property is not in a subdivision that is governed by any homeowners association (HOA) or property owners association (POA), and the property meets the setback requirements, the nearest property being 404 feet to the north.

The Planning Commission has forwarded this application to the Board of Supervisors recommending approval.

Mr. Mabe asked if where the applicant lives in Woodstock, Virginia is close enough to be the property manager in the event that emergency situations arise with the rental. Nicholas Achterberg (applicant) responded that he and his wife actually live in Maurertown in Shenandoah County, which is less than 45 minutes away, and plans to manage the property himself with his wife. Mr. Lenz read the following supplemental regulation for short-term tourist rentals: “The [property management] plan shall include local points of contact available to respond immediately to complaints, clean up garbage, manage unruly tenants, utility issues, etc.” Mr. Wendling stated the Planning Department’s rule of thumb is having the property manager within 45 minutes to one hour from the proposed rental; if the applicant is over an hour away, the Planning Department would recommend having someone who is more local to the rental.

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

On a motion by Mr. Butler, seconded by Mr. Mabe, and by the following vote, the Board of Supervisors approved the conditional use permit request of Nicholas and Cara Achterberg for a short-term tourist rental with the conditions as recommended by the Planning Commission and staff and listed below:

Mabe, Aye; Oates, Aye; Cook, Aye; Cullers, Aye; Butler, Aye

1. The applicant shall comply with all Warren County Health Department, Warren County Building Inspections, and Virginia Statewide Fire Prevention Code regulations and requirements.
2. The maximum number of occupants shall not exceed four as determined according to the Health Department permit for a two-bedroom dwelling.
3. The applicant shall have the well water tested annually for e-coli and coliform bacteria and a copy of the results shall be submitted to the Planning and Health Departments.

4. The applicant shall have the septic system inspected annually by a State licensed inspector and a copy of the results shall be submitted to the Planning and Health Departments. The system shall also be serviced every five years as recommended by the Health Department and a copy of the service invoice shall be provided to the Planning Department.
5. The discharge of firearms and hunting on the property by guests shall be prohibited.
6. The use of All-Terrain Vehicles (ATVs) by guests on the property and on State and County roads shall be prohibited.
7. Outdoor burning and use of fireworks by guests shall be prohibited.

Public Hearing – Conditional Use Permit 2022-12-05, Shenandoah Shores Management Group, LLC for a Short-Term Tourist Rental Located at 301 Rollason Drive and Identified on Tax Map 13C, Section 5, Block 5, as Lot 944A – Chase Lenz

Mr. Lenz reported the applicant is requesting a conditional use permit for a short-term tourist rental for the property he purchased in March 2022. The owner runs a premier concierge service specializing in transporting locals and tourists to and from the various wineries, breweries, and distilleries in Warren County and the surrounding areas. The applicant would like to utilize his property to provide short-term lodging accommodations for the clients of his concierge business. While residing in the dwelling, the owner will manage the property personally, and breakfast will not be served to his guests. Comments were requested from the Shenandoah Shores POA but did not receive a response, and the applicant is requesting a waiver to the setback requirements for the dwelling located 32 feet to the east and the dwelling located 61 feet to the north. He has received letters in support of his application from the owners of both dwellings within the 100-foot setback.

The Planning Commission has forwarded this application to the Board of Supervisors recommending approval.

Mr. Mabe commented that most lots in this area are small, so it is not surprising the homes are close together.

Mrs. Cook asked why the Planning Commission recommended approval of this application despite the home not meeting setback requirements. Mr. Lenz responded generally the recommendation from the Planning Commission hinges on the neighboring property owner(s) coming out in support of or opposition to the application. As it was, the Planning Commission recommendation was a split vote of 3-1.

Both Mr. Butler and Mrs. Cullers voiced their concerns about future owners of the affected adjacent properties and whether the resale value of the home would be impacted by a neighboring short-term tourist rental. Mr. Lenz stated this is one of the reasons Planning Department staff does not recommend this waiver, the unpredictability of the future home sales or acceptance of future homeowners living next to a rental.

After a general discussion of the history of the 100-foot setback requirement, the consensus of the Board was to review the reasoning in a work session with Planning Department staff. Dr. Daley noted the Board will be discussing short-term tourist rental guidelines at its work session on March 14, 2023.

Mrs. Cook opened the public hearing.

Katherine Fedoryka introduced herself as the owner, with her husband, of multiple properties near and across the street from this requested rental. She has no problem with a house being fewer than 100' away, and the residents in Shenandoah Shores are accustomed to people living close by already. The applicant is very courteous and always responds kindly to neighbors. She also noted that there is an ongoing argument with the Shenandoah Shores Property Owners Association (SSPOA) that it is not legally considered a POA, so she told the Planning Department not to concern themselves with reaching out to the SSPOA for comments about potential short-term tourist rentals.

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

On a motion by Mr. Mabe, seconded by Mrs. Oates, and by the following vote, the Board of Supervisors approved the conditional use permit request of Shenandoah Shores Management Group, LLC for a short-term tourist rental with the conditions as recommended by the Planning Commission and staff and listed below:

Butler, No; Cullers, No; Cook, Aye; Oates, Aye; Mabe, Aye

1. The applicant shall comply with all Warren County Health Department, Warren County Building Inspections, and Virginia Statewide Fire Prevention Code regulations and requirements.
2. The maximum number of occupants shall not exceed four as determined according to the Health Department permit for a three-bedroom dwelling.
3. The applicant shall have the well water tested annually for e-coli and coliform bacteria and a copy of the results shall be submitted to the Planning and Health Departments.
4. The applicant shall have the septic system inspected annually by a State licensed inspector and a copy of the results shall be submitted to the Planning and Health Departments. The system shall also be serviced every five years as recommended by the Health Department and a copy of the service invoice shall be provided to the Planning Department.
5. The discharge of firearms and hunting on the property by guests shall be prohibited.
6. The use of All-Terrain Vehicles (ATVs) by guests on the property and within the subdivision shall be prohibited.
7. Outdoor burning and use of fireworks by guests shall be prohibited.

8. A waiver to the required setback of 100' to neighboring dwellings shall be granted for the existing 32' and 61' setbacks to the dwellings east and north of the subject property, respectively.

Public Hearing – Conditional Use Permit 2022-12-06, Jose L. Canales for a Short-Term Tourist Rental Located at 68 Skunk Hollow Lane and Identified on Tax Map 28, as Lot 68A – Matt Wendling

Mr. Wendling reported the applicant is requesting a conditional use permit for a short-term tourist rental for the property he purchased in November 2022. The applicant purchased the property with his son and daughter-in-law to use as a second home and eventually as their primary residence. In the meantime, they would like the option to rent it as a short-term tourist rental to cover the cost of taxes, general maintenance, and insurance. They plan to rent it when they are not spending time there, and the property meets the setback requirements, the nearest property being 208 feet to the south.

The Planning Commission has forwarded this application to the Board of Supervisors recommending approval.

Jose Canales, applicant, said his parents will be moving to the property in a couple years following their retirement, but in the meantime, he would like to rent the home on a short-term basis to cover costs.

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

On a motion by Mr. Butler, seconded by Mrs. Oates, and by the following vote, the Board of Supervisors approved the conditional use permit request of Jose Canales for a short-term tourist rental with the conditions as recommended by the Planning Commission and staff and listed below:

Mabe, Aye; Oates, Aye; Cook, Aye; Cullers, Aye; Butler, Aye

1. The applicant shall comply with all Warren County Health Department, Warren County Building Inspections, and Virginia Statewide Fire Prevention Code regulations and requirements.
2. The maximum number of occupants shall not exceed four as determined according to the Health Department permit for a two-bedroom dwelling.
3. The applicant shall have the well water tested annually for e-coli and coliform bacteria and a copy of the results shall be submitted to the Planning and Health Departments.
4. The applicant shall have the septic system inspected annually by a State licensed inspector and a copy of the results shall be submitted to the Planning and Health Departments. The

system shall also be serviced every five years as recommended by the Health Department and a copy of the service invoice shall be provided to the Planning Department.

5. The discharge of firearms and hunting on the property by guests shall be prohibited.
6. The use of All-Terrain Vehicles (ATVs) by guests on the property and within the subdivision shall be prohibited.
7. Outdoor burning and use of fireworks by guests shall be prohibited.

Public Hearing – Conditional Use Permit 2022-12-07, Natalya Scimeca for a Short-Term Tourist Rental Located at 1086 Lower Valley Road and Identified on Tax Map 17C, Block H, as Lot 33 – Chase Lenz

Mr. Lenz reported the applicant is requesting a conditional use permit for a short-term tourist rental for the property she purchased in September of 2022 as a second home. The owner would like to make the property available for short-term lodging for visitors looking to experience the natural beauty of the Warren County area when she is not enjoying it on weekends and holidays with her friends and family. Since the applicant primarily resides in Washington, D.C., she has retained a pair of local property managers who will serve as hosts able to respond quickly to any issues requiring immediate attention. Comments were received from Fortsmith House Club, Inc., stating they anticipate no adverse effects and do not oppose the approval of this application.

The applicant is requesting a waiver to this supplementary regulation as the dwelling does not meet the required 100-foot setback to neighboring dwellings. The dwelling on the adjacent property to the southwest is 68 feet from the dwelling on the subject property. County Planning staff does not support this waiver. The owner of the affected adjacent property has submitted a letter in opposition to this application. The Planning Commission has forwarded this application to the Board of Supervisors recommending denial.

Natalya Scimeca, applicant, said she and her husband purchased this property as a second home predominantly to mountain bike and hike in the George Washington National Forest, which they have done for the past 18 years. For the proposed rental, they have retained experienced local property managers who have managed other rentals in the area for the last seven years. She respects the fears of her neighbor who is against the application, but she intends to market and advertise the house as a quiet, rural escape. Per the supplementary regulations, they will be required to post the Warren County noise ordinance in the home, and their property management plan will also request any renters to keep the noise at a minimum at all times. She and her husband do not consider this home to be an investment property; this is truly their second home, and they are only interested in covering their costs, not making a profit. They reached out to their neighbors who are in opposition after the January Planning Commission meeting in order to sit down with them and discuss their concerns, but they said in no uncertain terms that they were not interested in talking with her and her husband.

Mr. Butler asked why the County has a setback requirement for short-term rentals if the Board of Supervisors continues to grant waivers to this setback. Mr. Wendling said perhaps it is time to reevaluate County's Zoning Ordinance; the Planning Department has been doing research and coming up with options, which will be discussed at the March 14, 2023 work session.

Mrs. Cook opened the public hearing.

Ms. Scimeca read the following letter from Sarah Tammelleo, a neighbor in Washington, D.C.: "I am writing to provide a letter of reference for my neighbors, Natalya Scimeca and Phillip Wright. I have known these neighbors for nine years and can unequivocally attest to their responsible character and positive reputation, and care for their neighbors within our community in Washington D.C.

"They were the first neighbors to knock on my door and quickly welcomed me into their home and social network. Throughout our time living four doors apart in a block of row houses, I have grown to rely on them not just as neighbors but also as trusted friends.

"During our time living in the Bloomingdale neighborhood of Washington D.C., I have witnessed their family's commitment to building a sense of community. Their reliability, integrity and positive nature make them an asset to any group that they join. They continue to show a genuine interest in getting to know new neighbors by hosting potlucks, organizing block parties, Halloween fun and more. In addition to their great interpersonal skills, they are inclusive and accepting of all. Whether in Washington or Virginia, I do not believe they would ever knowingly inconvenience a neighbor or make a neighbor feel unsafe.

"It has been my pleasure to watch their sons, Simon and Felix grow up, and I adore both. They are kind and considerate kids that will always lend a hand when I need something. When I travel, Simon has cared for my plants, taken packages in, and made sure that my elderly father had access to his daily newspaper. Felix always brings a smile to my face when he stops by my house to play with my dog or help me garden.

"Finally, they take excellent care of their home and yard, ensuring that it is well maintained and presentable. They are always willing to lend a hand, not just to me but anyone in the neighborhood, whether it be by helping with a project, beautifying the neighborhood, or supporting a neighbor in need.

"Without hesitation, I wholeheartedly recommend Natalya and Phillip for any endeavor they may pursue and am very confident that they will be responsible and courteous to all members of the new community they have joined in Virginia."

Matt Spinks, 6454 Fort Valley Road, stated he lives a few miles away from the property and is the proposed property manager for the rental, along with his wife. They have been managing properties since 2016, and he said the concerns mentioned in the neighbor's letter of opposition to this application simply do not happen in his experience. This is simply a case of fear

of the unknown. He and his wife manage rentals that are geared and marketed towards families and leisure activities, not multiple, unrelated young people who want to throw parties. He noted that Shenandoah County has no regulations regarding setback requirements for short-term rentals, and Ms. Scimeca is supported by not only her HOA, but all her neighbors (except one). He hopes the Board of Supervisors approves this permit application.

Kurt Garinger, 1114 Lower Valley Road, is one of Ms. Scimeca's neighbors and owns three lots in the cul-de-sac. He does not see any issue with this proposed short-term tourist rental and hopes the Board approves the application.

Donna Mast, 239 Lower View Road, spoke to the character of the applicant and her husband. They are very involved in the community and should not be denied this permit because of a setback requirement. The applicants would be personally offended if an inappropriate person rented their home. She can understand the difficulty in approving some waivers, but not this one.

There being no comments from the public, Mrs. Cook 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 Natalya Scimeca for a short-term tourist rental with the conditions as recommended by the Planning Commission and staff and listed below:

Butler, No; Cullers, No; Cook, Aye; Oates, Aye; Mabe, Aye

1. The applicant shall comply with all Warren County Health Department, Warren County Building Inspections, and Virginia Statewide Fire Prevention Code regulations and requirements.
2. The maximum number of occupants shall not exceed six as determined according to the Health Department permit for a three-bedroom dwelling.
3. The applicant shall have the well water tested annually for e-coli and coliform bacteria and a copy of the results shall be submitted to the Planning and Health Departments.
4. The applicant shall have the septic system inspected annually by a State licensed inspector and a copy of the results shall be submitted to the Planning and Health Departments. The system shall also be serviced every five years as recommended by the Health Department and a copy of the service invoice shall be provided to the Planning Department.
5. The discharge of firearms and hunting on the property by guests shall be prohibited.
6. The use of All-Terrain Vehicles (ATVs) by guests on the property and within the subdivision shall be prohibited.
7. Outdoor burning and use of fireworks by guests shall be prohibited.

8. A waiver to the required setback of 100' to neighboring dwellings shall be granted for the existing 68' setback to the dwelling southwest of the subject property.

Adjournment

Mrs. Cook adjourned the meeting at 7:33 PM.