

At a regular meeting of the Warren County Planning Commission held in the Warren County High School on July 8, 2026, at 7:00 PM

Present – Robert Meyers (Chair – Happy Creek District); William Gordon (Vice Chair – Shenandoah District); Scott Kersjes (North River District); Paul Barnhart (Fork District); Jason Ham of Litten and Sipe LLP, County Attorney; Kelly Wahl, Planning Director; Allison Mutter, Clerk to the Planning Commission

Call to Order:

Mr. Myers called the meeting to order at 7:00 PM

Adoption of the Agenda:

On a motion by Mr. Kersjes, seconded by Mr. Gordon, and the following vote, the Commission adopted the agenda as approved.

Ayes: Myers, Gordon, Kersjes, Barnhart

Adoption of the Regular Meeting Minutes:

On a motion by Mr. Kersjes, seconded by Mr. Gordon, and the following vote, the Commission approved the regular meeting minutes for June 10, 2026, as presented.

Ayes: Myers, Gordon, Kersjes, Barnhart

On a motion by Mr. Kersjes, seconded by Mr. Gordon, and the following vote, the Commission approved the work session minutes from June 10, 2026, as presented.

Ayes: Myers, Gordon, Kersjes, Barnhart

Consent Agenda:

On a motion by Mr. Gordon, seconded by Mr. Kersjes, and the following vote, approved the consent agenda as presented.

Ayes: Myers, Gordon, Kersjes, Barnhart

Public Hearings:

CUP2026-06-01 - Short-Term Tourist Rental - 339 River Oak Drive - A request for a conditional use permit for a short-term tourist rental. The property is located at 339 River Oak Drive and is identified on tax map 35B, section 3, as lot H. The property is zoned Agricultural (A) and is located in the South River Magisterial District.

Mrs. Wahl stated that applicant is requesting a conditional use permit for a short-term tourist rental to provide high-quality, architecturally significant lodging experience that celebrates the natural beauty of Warren County while contributing to the local economy. The owners, along with a local property manager, will oversee all aspects of the rental process and property management.

No previous conditional use permits have been issued for the subject property for land uses in the Agricultural (A) zoning district. The dwelling was constructed in 2020 and no zoning violations have been recorded for the property. There are seven (7) approved and active short-term tourist rentals in the subject's subdivision.

There is a Health Department operation permit approving a maximum of four (4) occupants for the three-bedroom dwelling. The property manager is located within the 30 mile required radius, living 21.6 miles from the property.

A request for comments was submitted to the Homeowners Association at River Oak who expressed their gratitude for the opportunity to provide comments and request additional conditions that prohibit renters from flying drones in the neighborhood, that renters maintain quiet hours from 10:00 pm – 8:00 am, and that renters abide by the speed limit of 15 mph.

The dwelling meets the setback requirement to adjacent single-family dwellings. The closest dwelling is 429' to the west.

Staff are recommending the following conditions be added to this conditional use permit:

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 the system capacity as determined by the Health Department permit per Warren County Code §180-56.4B. The Certificate of Zoning shall only be issued with approved Health Department records.
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 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. Transient guests shall not launch, land, or operate drones from or on the subject property during any rental period.
6. Transient guests shall observe quiet hours between 10:00 pm and 8:00 am. During these hours, noise generated from the property shall not unreasonably disturb neighboring properties.
7. Transient guests shall comply with the speed limit of 15 mph while traveling through the River Oak subdivision.

Mr. Myers opened the public hearing and, with no one coming forward, closed the public hearing.

Mr. Kersjes stated that the HOA's request of not having drones was reasonable and asked what the County's quiet hours are?

Mrs. Wahl stated that the County's quiet hours run from 10:00PM to 7:00AM on the weekends.

Mr. Myers stated that they might want to consider adding the prohibition of drone use to the ordinance in the future.

On a motion by Mr. Kersjes, seconded by Mr. Gordon, and the following vote, the Commission moved to forward the application to the Board of Supervisors with the recommendation of approval and with additional conditions of a speed limit of 15 MPH, a prohibition on drone usage, and quiet hours from 10:00PM to 8:00AM.

Ayes: Myers, Gordon, Kersjes, Barnhart

Z2026-05-01 Zoning Text Amendment for Data Centers in the Industrial (I) Zoning District - A request to amend Chapter 180 of the Warren County Code to amend §180-8C to add a definition for data center and other associated definitions, to amend §180-28D to add data center as a use permitted by conditional use permit in the Industrial (I) zoning district, and to enact new performance standards for data centers.

Mrs. Wahl stated that attached is a copy of a draft ordinance to amend Chapter 180 of the Warren County Code to amend §180-8C to add a definition for data center and other associated definitions, to amend §180-28D to add data center as a use permitted by conditional use permit in the Industrial (I) zoning district, and to enact new performance standards for data centers. This zoning text amendment application was submitted by Dan Doty, on behalf of Rushmark Rockland Road, LLC, owners of Tax Map ID 12A--116---A2 and 12A--116---A3.

Warren County Code §180-61(A)(1) allows for any amendment to be initiated in the following manner: *"Property owner petition. By the filing of a petition with the Zoning Administrator, any owner or owners of land, contract purchaser with owner's written consent or the owner's agent may initiate a proposition to amend or rezone. Such petition shall be addressed to the Board of Supervisors and shall be completed on a standard form provided by the Zoning Administrator, along with such accompanying documentation as may be required and accompanied by a reasonable fee to be determined in accordance with a fee schedule separately adopted by the Board of Supervisors."*

Mr. Myers invited the applicant to speak.

Dan Doty, Rushmark Rockland Road LLC

Mr. Doty stated that Rushmark designed an industrial warehouse site for distribution that has received final site plan approval, a road improvement plan, and water and sewer from the Town with the intent to provide a warehouse tenant a shorter development time. Due to uncertainty in the warehouse and distribution market, Rushmark cast a wide net for alternative uses. They proposed this text amendment because of the available infrastructure on the site.

He then stated that the proposed data center would produce approximately \$2.4 million in annual tax revenue, would instill performance standards, air chilled units to limit water usage, would limit themselves to the water restrictions put into place by the Town, that the generators would only be operating during testing, they would be providing any infrastructure upgrades for electrical connections, would be limiting the noise output, and would not be causing any more risk than other industrial sites in the case of a fire.

Mr. Myers opened the public hearing.

The public hearing consisted of 121 individuals signing up to speak at the public hearing, with 110 coming forward to speak at the public hearing. Because of the number of speakers, the main comments are summarized and speakers who stated such concerns are identified per topic. If a speaker spoke on more than one topic, their name appears under each topic.

IN OPPOSITION OF THE ZONING TEXT AMENDMENT:

The following speakers spoke in opposition of the zoning text amendment for the following reasons:

- 1. Adverse Health Effects on the Population:** The following speakers spoke on the long term health effects on the local population, including the lack of any long-term studies or knowledge of the long term health effects of presiding within proximity of a data center.

Richard Lancaster	Katherine Lancaster	Theresa Smyth
Johanna Moores	Dr. Stephanie Herrera	Jame Contreras
Steven Ross	Angella Schroder	Patience Francis
Darlys Blomberg	Francis Powell	Katherine Anz
Peter Maresca	Magimir Hayes	

2. **The County has the Ability to Ban Data Centers/Requesting a Moratorium:** The following speakers spoke on the County's current ability under state law to disallow the requested land use and requested a moratorium on the construction of data centers in the County.

Mark Egger	Johanna Moores	Renee Grebe
Irma Powell	Kathleen Mancini	

3. **Data Centers Will Not Generate Jobs:** The following speakers spoke on the promises of job creation made by the applicant, but that there was a greater chance that the data center would only generate jobs during the construction phase but not jobs that would be sustainable in the long term.

Tom McFadden	Aileen Dierig	Patrick Patton
Paul Di Rie	Karen Fall	Kim Heron
Celeste Horton	Kieran McGuire	Matthew Hayes

4. **Light Pollution:** The following speakers spoke on the amount of continuous light that a data center would generate and how that would be harmful to the County's viewsheds and citizens.

Aileen Dierig	Richard Lancaster	Katherine Lancaster
Meghan Lane		

5. **Lowers Property Values:** The following speakers spoke on the fact that, based on other concerns that were either brought up by the speaker themselves or other speakers, the existence of a data center would lower the property values in the immediate area around the data center and would make it harder for owners to sell because of the existence of the data center and the lower values.

Theresa Smyth	David Winningham	Jacob Gates
Renee Grebe	Trey Stanford	Steven Ross
Kathy Cain	Emily Meli	Robert Funk
Katherine Turner	Peter Tapsack	

6. **Negative Effects on Neighboring Properties:** The following speakers spoke on the general effects of living within proximity of a data center and many spoke on their concerns about their fellow citizens having to live near a data center even if their property was not in proximity of the data center.

Tom McFadden	Jonelle Rivera	Dr. Stephanie Herrera
Mike Abril	Kim Heron	Kathy Cain
Ruth Furr	Elizabeth Stoney	

7. **Noise Pollution:** The following speakers spoke on the amount of ambient noise that a data center generates, how much additional noise would be made when the data center was operating their generators, how the noise

would effect neighbors and local wildlife, and the general lack of knowledge of the long term effects of long term exposure to the kind and levels of noise a data center generates.

Aileen Dierig	Richard Lancaster	Katherine Lancaster
Jay Whitley	Theresa Smyth	David Winningham
Patrick Patton	Paul Di Rie	Meghan Lane
Brenna Salins	Mike Salins	Trey Stanford
Trey Stanford	Kim Heron	Jane Elliot
Jane Elliot	Patience Francis	Patience Francis
Michael Shotten	Angella Keller	Deborah Sheetz
Peter Tapsack	Ben Andrews	

- 8. The Ordinance Needs to be More Restrictive:** The following speakers spoke on the ordinance as it was presented and how they felt it needed to be more restrictive, particularly where it came to noise generation, power and water usage, and the setback distances from neighboring properties.

Rebecca Bare	Johanna Moores	Melanie Salins
Chris Anderson	Luis Moten	

- 9. Concerns About the Power Infrastructure and Demands:** The following speakers spoke on the amount of power that would be required to operate a data center, the use of the generators for that power and if that additional power would be put back into the power grid, the possibility of increased usage from the data center, the effects of the usage on the power grid that could cause more brown or blackouts and additional power consumption restrictions, the status of the electrical infrastructure in the area, and the possibility of electric rates going up because of the increased use by a data center.

Tom McFadden	Katherine Lancaster	Jay Whitley
Rebecca Bare	Lisa Davis	David Winningham
Paul Di Rie	Renee Grebe	Melanie Salins
Mike Salins	Trey Stanford	Mary Stanford
Mike Abril	Angella Schroder	Kim Heron
Kathy Cain	Celeste Horton	Andrea Sappingfield
Emily Meli	Patience Francis	Robert Funk
Michelle Francen	Vincent Maresca	

- 10. Protection of Natural Resources and General Protection of the Environment:** The following speakers spoke on the limited amount of resources that the County currently has and, given the history of data center usage and the amount of environmental problems that the Avtex site caused in the past, the necessity to protect the natural beauty and resources of the County. These comments were more generalized comments about the environment outside of the targeted environmental comments made elsewhere.

Aileen Dierig	Stephen Pilon	Johanna Moores
Cheryl Fimian	Felicity Lane	Meghan Lane

Laura Corebello	Dr. Stephanie Herrera	Melanie Salins
Mike Dorsey	Mary Stanford	Kate Avery
Katharine Miller	Jennifer Thomas	Steven Ross
Angella Schroder	Kathy Cain	John Cuddeback
Andrea Sappingfield	Jancinta Whiting	Kurtis Smith
Mile McCord	Elizabeth Buetner	Kaylee Tanner
Emily Meli	Jim Shanley	Issra'h Sheikh
David Querin	Manuel Vicente	Kathleen Mancini
Angella Keller	Deborah Sheetz	Celia Cooley
Sarah Arenstead	Peter Tapsack	

- 11. Protection of the Rural Character of the County:** The following speakers spoke on the natural beauty and rural nature of the County and how that appeal was what brought people to be tourists, move from other places, and to remain in their lifetime homes and how it was important to preserve that nature for the people who are here now and the generations of the future.

Tom McFadden	Richard Lancaster	Katherine Lancaster
Theresa Smyth	David Winningham	Stephen Pilon
Jacob Gates	Jonelle Rivera	Cheryl Fimian
Meghan Lane	Laura Corebello	Melanie Salins
Trey Stanford	Mary Stanford	Kate Avery
Raymond Francis	Mary Cherry	Judy Nesselrodt
Kathy Cain	Andrea Sappingfield	Emily Meli
Jim Shanley	Brenna Salins	

- 12. Prefer Sustainable Growth:** The following speakers spoke on their preferences for attracting companies and industries that would provide long term, predictable growth within the County.

Tom McFadden	Steven Ross	Kim Heron
--------------	-------------	-----------

- 13. Tax Revenue:** The following speakers spoke on the current tax rate that they, as citizens, are facing and how there is not a guarantee that the tax revenue promised by the applicant would be provided based on a history of data centers receiving tax breaks or not paying taxes at all due to the end user being a use that is exempt from the taxes that would be charged to a data center, such as a bank or a government entity.

Aileen Dierig	Richard Lancaster	Katherine Lancaster
Lisa Davis	Harry Davis	Patrick Patton
Paul Di Rie	Karen Fall	Trey Stanford
Celeste Horton	Adam Buettnr	Patience Francis
Manuel Vicente	Sarah Arenstead	Vincent Maresca

- 14. Concerns about the Text Amendment Being Written by an Entity More Concerned with Profits:** The following speakers spoke on their concerns with the applicant, who's intent is profit from the venture, writing the

guidelines that they would have to follow to operate their business and the fear that the ordinance is written in favor of the applicants' desires and not the needs and wants of the citizens.

Lisa Davis	Meghan Lane	Melanie Salins
Michael Bellu	Carol Christophatos	Mike Abril
Steven Ross	Angella Schroder	Amber Martin
Sharolyn Auckerman	Peter Maresca	Matthew Hayes
Janna Sappenfield		

- 15. Water Concerns:** The following speakers spoke on the current water struggles that the County is currently facing including wells running dry, extended drought conditions, the need for water restrictions, and the overall health of the river and the aquifer and how the introduction of a data center would affect water usage and protection, especially because the proposed center has been approved for water and sewer hook-up with the Town of Front Royal. There was also suggestion of the creation of a regional water commission to protect the health and sustainability of the region's water supplies.

Aileen Dierig	Richard Lancaster	Katherine Lancaster
Jay Whitley	Theresa Smyth	Rebecca Bare
Lisa Davis	David Wunningham	Patrick Patton
Paul Di Rie	Renee Grebe	Felicity Lane
Melanie Salins	Mary Stanford	Jennifer Thomas
Kieran McGuire	Andrea Sappingfield	Kurtis Smith
Mark Frondorf	Jerome Parz	Carol Phillips
Emily Meli	Patience Francis	Issra'h Sheikh
Manuel Vicente	Angella Keller	Deborah Sheetz
Celia Cooley	Vincent Maresca	

- 16. Allowing More Data Centers:** The following speakers spoke on the possibility that once a single data center was constructed, that it would welcome other data center owners to come to build additional centers in the County. There were many who spoke on the rapid expansion of the number of data centers in Northern Virginia.

Richard Lancaster	Katherine Lancaster	Paul Di Rie
Johanna Moores	Meghan Lane	Dr. Stephanie Herrera
Kieran McGuire	David Querin	

- 17. Goes Against the Comprehensive Plan:** The following speakers spoke on the compatibility with the County's Comprehensive plan, specifically the emphasis on the preservation of the County's rural character, preservation of open space and agricultural lands, and measured commercial and industrial growth.

Paul Di Rie	Karen Fall	Johanna Moores
Amber Martin	Eva Chalis	

- 18. Data Centers Will Become Obsolete:** The following speakers spoke on the transient nature of technology and

how the machinery running the data center, if not the center itself, would rapidly become obsolete, leaving behind buildings with no additional use and the lingering environmental effects that would come from the decommissioning of a data center.

Brenna Salins	Mike Dorsey	Trey Stanford
Jame Contreras	Steven Ross	Leslie Neiss
Anita Miller	Michael Shotten	Scott Lloyd
Chris Marvery		

- 19. Requested Denial:** The following speakers requested that the Planning Commission deny the application without any other comments.

Nancy Reel	Catherine Schmidt	Lori Martin
Stephen Maxwell	Joey Keepleck	Robert Martin
Brian Accettullo	Tom Sever	Luteira Maresca
Anna Maresca	Matthew Hayes	Peter Tapsack

- 20.** The following people came to the meeting and were added to the public hearing sign up sheet, but ultimately declined to speak.

Art Romero	Nicci Lee	Edvin Farenholt
Ed Peitler	Helen Peitler	Aiden Miller
John Cermack	Rebecca Vaughan	Juvy Orizilla
McKenna Rosensteel	Janette Farrell	Abby Willson

IN FAVOR OF THE ZONING TEXT AMENDMENT:

John Jenkins, Shenandoah District: Mr. Jenkins stated that many of the comments this evening were negative and noted the data center will use less than other water usage that is currently occurring. The location is industrial, so there is less impact on the citizens and the rural character.

With no one else coming forward, Mr. Myers closed the public hearing. He then invited the applicant to speak.

Mr. Doty stated that he is aware of other municipalities that do not have performance standards and that the ordinance that they are proposing has specific criteria for acoustic decibel levels, water usage, and power usage. These are issues that they will work on with mechanical and electrical engineers as well as acoustic consultants to ensure compliance with the proposed performance standards. He then stated that to receive a final site plan approval and building permits, the design needs to demonstrate conformity with the performance standards and that continued compliance with those standards, including a decibel level of 65 during normal daytime hours, would be necessary to retain the conditional use permit and certificate of occupancy.

Mr. Myers stated that because a data center would not employ many people, there would not be much impact on housing stock and the schools but the ramifications of putting in a data center on the public utilities are too great.

Mr. Gordon thanked everyone for coming out and that the biggest concerns are water, noise, electricity availability, the environment, and maintaining the County's rural nature. He stated that he is not against data centers as a use, but the use demands strong guardrails before one can be established. The current text amendment is lacking those guardrails. The particular use would not be taking over the farms, but would be comparable to other industrial uses that also carry environmental risks. He stated that an ordinance would need to restrict groundwater usage, have minimum lot sizes and setback requirements, have noise standards for monitoring and enforcement, insurance of utility capacity, and protection of the viewsheds. He stated that if the Board of Supervisors wanted to pursue data centers, a strong ordinance could be created with community input, but the text amendment that was currently before them is not one he is in favor of.

On a motion by Mr. Kersjes, seconded by Mr. Gordon, and the following vote, the Commission moved to forward the application to the Board of Supervisors with the recommendation of denial for the zoning text amendment.

Ayes: Myers, Gordon, Kersjes, Barnhart

Public Presentations:

Paul Di Rie: Mr. Di Rie stated that not everyone was allowed to speak at the public comments section during the May meeting and felt that the Chairman was discouraging public expression and that people should be encouraged to come to work sessions.

Adjournment:

On a motion made by Mr. Gordon and the following vote, the meeting was adjourned at 12:02 AM.

Ayes: Myers, Gordon, Kersjes, Barnhart



Warren County Planning Commission
Chairman