

MEETING #13– April 6

At a Joint Meeting of the Madison County Board of Supervisors and the Madison County Planning Commission on April 6, 2016 at 7:00 p.m. in the Madison County Administrative Center Auditorium located at 414 N. Main Street:

PRESENT: R. Clay Jackson, Vice-Chair
Jonathon Weakley, Member
Robert W. Campbell, Member
Kevin McGhee, Member
Charlotte Hoffman, Member
V. R. Shackelford, III, County Attorney
Daniel J. Campbell, County Administrator
Betty Grayson, Zoning Administrator

Planning Commission:

1. Call to Order

2. Pledge of Allegiance & Moment of Silence

3. Determine Presence of a Quorum

Mr. Yowell, Commission Chair, noted that a Quorum was present.

4. Approval of Minutes

The minutes of the February 3, 2016 joint meeting were approved as presented.

5. Action Items:

Mr. Yowell provided an overview of tonight's meeting process; representatives were asked to approach the podium to provide their name and any information pertinent to tonight's case; questions will be entertained by the Commission members, the public, and then the case will be recommended onto the Madison County Board of Supervisors either for approval or tabling. In closing, he asked that applicants remain for the Madison County Board of Supervisor's portion of tonight's meeting.

- a. *Case No. S-04-16-08: Request by Potomac Appalachian Trail Club, Inc., for a plat of a subdivision of land to create one (1) lot with residue on Route 600 (Nethers Road) near Nethers, zoned A-1. The final plat has been approved by the Madison Health Department and VDOT; the site plan for the parking lot was approved on March 7, 2013 and is good for five (5) years – the applicant can apply for an extension if desired.*

John Hedrick from the Potomac Appalachian Trail Club, Inc., was present and advised that the plat for tonight's request to subdivide about twenty-five (25) acres; the property was purchased in 2002 from a long-time resident of Madison County who desired that the property be converted into a parking lot for the national park service, and a hiking trail through the woods and existing property interfacing the Shenandoah National Park boundary and Old Rag Mountain; an additional one (1) acre was donated (by trust) to the applicant; a small house (1858 structure) will be preserved.

Comments from the commission focused on:

- The positive effort to erect a parking lot at Old Rag Mountain
- What will the remaining strip of land (noted on the plat) be used for

Mr. Hedrick noted that the proposed location of the parking lot couldn't be shifted forward (on the property), as this would create an encroachment on the parking lot that the national park already has in place. The small strip of land in question is a part of the existing plat (i.e. three [3] acre lot); the proposed parking structure will be located in the residue and will consume most of the three (3) acre plat; the small strip of land will serve as an easement and will be used to maintain the proposed lot. During a review of the plat, Mr. Henry referred to:

- The size of the existing property (to date)
- The portion that will be utilized (for construction of the parking lot)
- The portion (of the property) to be acquired by the national Park
- The diagram of the trail (as it will interface)

Betty Grayson, Zoning Administrator, was present and noted that the small piece of property (noted on the plat) isn't a 'right-of-way' but a maintenance easement, and only runs the short distance as noted on the plat (i.e. in areas noted as L-5, L-6, L-4 [one-hundred fifty feet (150')]).

Supervisor Campbell questioned the verbiage that refers to a 'permanent easement' and the notation that this portion 'will be for the construction, support and maintenance for the national park service parking lot....'; feels the language included in tonight's request suggests that the area is the right-of-way to allow access to the parking lot; questioned the zoning for the property (A-1 instead of C-1); and suggested the County allow the applicant to have less than three (3) acres and eliminate the small piece of leftover acreage.

Mr. Hedrick noted that the Old Rag Sportsmen's Club owns a portion of property and another citizens owns an additional property in the area; he also referred to discussions with the National Park Service regarding the original plans, and questioned if the County desired to consider a waiver to allow construction with less acreage that what's being proposed.

Dave Lewis, Surveyor, was present and advised that the property in question is actually three (3) acres plus/minus (+/-), as County guidelines require.

Ms. Grayson noted that in the event a variance is granted (for the applicant), this is an action of the Madison County Board of Zoning Appeals, with a required fee of \$250.00.

Mr. Lewis also explained that from the points of interest (noted on the plat) does show the minimum three (3) acres as required by the County; however, the easement noted will allow sufficient space for grading and/or tree removal as needed, as the national park has the right to access the property and maintain the site.

Concerns from the public:

Joan Biscell (River Road) was present and asked:

- How many parking spaces are being considered
- Will there be parking for horse trailers and buses
- Who will maintain the area; and
- Feels the proposed lot will continue to cause an increase in foot traffic

Mr. Hedrick noted that the proposed plan will call for a parking lot that will accommodate 135 cars; plans also call for a place for a bus and a horse trailed, but is primarily for passenger vehicles; the proposed lot is a bit further up the road and it will be VDOT's responsibility to maintain the county roadway.

Additional concerns from the public focused on:

- The size of the easement
- Final drawings/plans
- When the parking lot was approved

Jim Northop, Superintendent of SNP, was present and provided clarification on:

- When the property was purchased (by the Potomac Appalachian Trail, Inc.)
- The purpose and intent (for the property)
- Final drawings and funding
- Contracting deadline (August 2017)

He further clarified that the national park would like to meets its contracting deadline (August 2017) during this fiscal year, and also noted that the additional acreage was attained with a cabin site. He further advised that it was always the intent if the ATC, Inc., to retain a minimum of three (3) acres as required (by the County); and that the purpose of the easement is to allow for any construction support and maintenance. In closing, he stated there are a few additional steps that need to be initiated before the project can be placed out for bit.

Mr. Yowell noted that the plan for the parking lot was approved on March 7, 2013. In closing, he noted that his family resides in Etlan and the foot traffic on Nethers Road has greatly increased; therefore, he feels the proposed location of the future parking lot will greatly resolve the existing problem.

Mr. Northop also noted that the national park hopes to continue leasing the proposed parking lot as a 'back up' parking lot, as the lease (with a private property owner) will expire later this year, and doesn't provide a permanent parking solution. It was also noted that the lower parking lot only holds about 125 vehicles, and that the new lot will not be open all the time, and that only about 135 cars will need to be managed during the off season.

Reference was made to:

- A personal boundary adjustment (could be done later)
- Effects on side of the residual (that may result in a delay)

After discussion, the Madison County Planning Commission recommended approval of Case No. S-04-16-08 as presented.

Mr. Yowell, Chair, advised that a proposed amendment will be added to the upcoming April workshop session regarding:

- Discussion whether to amend commission's bylaws
- Report regarding those wishing to produce electricity for their own personal use
- Reports from various sub-committees (shooting range, business uses, etc.)
- Assess cost savings (to applicants and the County) regarding hard copies vs. digitized)
- Assess fees to the applicants to provide copies of documents (as required by County Ordinances)
- Review of the Zoning Office fee schedule (current fees were adopted in 2008)

Ms. Grayson advised that the Zoning Office will continue to have copies in the office (five [5] to eight [8]) that are usually brought in from surveyors and the Madison Health Department.

6. Adjournment

With no further action being required, Mr. Yowell, Chair, adjourned the Madison County Planning Commission's portion of tonight's meeting.

Board of Supervisors

Call to Order

1. Determine Presence of a Quorum
2. Adoption of Agenda

Chairman Jackson called the Madison County Board of Supervisors to order. All members are present – a quorum was established.

Supervisor Campbell moved the Agenda be adopted as presented, seconded by Supervisor Weakley. *Ayes: Jackson, Weakley, McGhee, Campbell, Hoffman. Nays: (0).*

3. Action Items:

- a. Case No. S-04-16-08: Request by Potomac Appalachian Trail Club, Inc.....

Comments from the Board:

- Supervisor Campbell verbalized agreement with tonight's request; feels this request should be approved as submitted to possibly include a boundary adjustment without charge; also feels the request will be positive for all parties involved. .
- Supervisor McGhee noted that the applicant's request will make parking more accessible; also questioned whether the County should consider a boundary adjustment.
- The County Attorney noted that the Board will only need to act on the request as presented and clarified that should the park request a boundary line adjustment in the future, this request and the County's ordinance can be approved administratively without involving the need for approval from the planning commission. In closing, he urged the Board to act on the application as presented, and to consider the efforts undertaken (by the national park) to get the application request to this point; feels the request will definitely benefit Madison County by addressing the parking and traffic problem (i.e. vehicles parking alongside the existing roadway).
- Chairman Jackson referred to the suggestion for a boundary adjustment and doesn't feel it's the Board's role to adjust anything since the presented request does follow the County's guidelines noted in the ordinance.
- Supervisor Campbell noted that today's concern (regarding the requirement for three [3] acres of land) could've been eliminated (at the suggestion of the Zoning Office or planning commission; also feels that the costs to the applicant (to satisfy County guidelines) could also have been avoided; verbalized complete favor of the parking lot, as this is desperately needed and could've been done in 2013.
- Supervisor Weakley thanked Superintendent Northop for attending; also noted the request for a parking lot has been in the making for several years; feels the parking lot will help with the overflow of traffic; also concurred with the suggestion that a boundary line adjustment can be done at a later time, should the applicant desire.

Supervisor McGhee moved that Case S-04-16-08 be approved as recommended by the Madison County Planning Commission, seconded by Supervisor Weakley.

Discussion:

Supervisor Campbell: Verbalized support of the motion but would encourage both parties clear up the concerns (regarding the property noted on the tax map).

Ayes: Jackson, Weakley, McGhee, Campbell, Hoffman. Nays: (0).

4. Information/Correspondence (if any)

Dominion Power Update: The County Attorney noted that the SCC is recommending that the alternative route (proposed from Madison to Pratts) be summarily removed from the application, as filed last Friday. The hearing has kept the record open until Monday, April 11th to allow respondents to provide any comments on the recommendation; it's anticipated that a ruling will occur shortly thereafter. It was anticipated that a ruling would have been made since the staff did solicit input from respondents regarding the motion. Communication was held with legal counsel (for Dominion Power), and it's felt that everything is still on track.

5. Adjournment

With no further action being required, on motion of Supervisor McGhee, seconded by Supervisor Weakley, Chairman Jackson adjourned the meeting. *Ayes: Jackson, Weakley, McGhee, Campbell, Hoffman. Nays: (0).*

R. Clay Jackson, Chairman
Madison County Board of Supervisors

Clerk of the Board of the Madison County Board of Supervisors
Adopted on: April 12, 2016
Copies: Board of Supervisors, County Attorney & Constitutional Officers



Agenda
Joint Meeting and Public Hearing
Madison County Board of Supervisors
Wednesday, April 6, 2016 at 7:00 p.m.
Madison County Administration Building, Auditorium
414 N Main Street, Madison, Virginia 22727



Call to Order

Pledge of Allegiance & Moment of Silence

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2. Approval of Minutes
3. Action Items:
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4. Adjournment

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4. Information/Correspondence (if any)
5. Adjournment