

May 6, 2021

PRESENT: Justine D. Tilghman, Chair
George A. Coyner, II, Vice Chair
Thomas W. Bailey
Mark L. Glover
Thomas V. Thacker
Sandra K. Bunch, Zoning Administrator and Secretary
James R. Benkahla, County Attorney
John R. Wilkinson, Director of Community Development
Beatrice B. Cardellicchio-Weber, Executive Secretary

ABSENT: None

VIRGINIA: At the Called Meeting of the Augusta County Board of Zoning Appeals held on Thursday, May 6, 2021 at 9:00 A.M., in the County Government Center, Verona, Virginia.

The staff briefing was held at 9:00 a.m. in the Board of Supervisors Conference Room where the Zoning Administrator reviewed the staff report for each request on the Board's agenda. Copies of the staff reports can be found in the Community Development Department.

VIEWINGS

The members of the Board of Zoning Appeals assembled at the Government Center and went as a group to view the following:

- DANIEL C. OR EMILIE M. MYERS – SPECIAL USE PERMIT
- ERIC CLINEDINST – SPECAIL USE PERMIT
- AMY R. MOORE & ANGELA K. QUICK – SPECIAL USE PERMIT
- SHANE WOODSON - SPECIAL USE PERMIT
- KRISTOPHER W. AND WILLIE W. MICHAEL - SPECIAL USE PERMIT
- BRANDON TURNER - SPECIAL USE PERMIT
- DUANE TURNER, AGENT FOR GRACE ESTATES, LLC - SPECIAL USE PERMIT
- ERIC PISK, AGENT FOR THE FARM AT CHAPEL HILL, LLC - SPECIAL USE PERMIT

At each location, the Board observed the site and the premises to be utilized. The Board also viewed the development and the character of the surrounding area.


Chair


Secretary

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ABSENT: None

VIRGINIA: At the Regular Meeting of the Augusta County Board of Zoning Appeals held on Thursday, May 6, 2021, at 1:30 P.M., in the County Government Center, Verona, Virginia....

MINUTES

Mr. Coyner moved that the minutes from the April 1, 2021, meeting be approved.

Mr. Glover seconded the motion, which carried unanimously.

SHANE WOODSON - SPECIAL USE PERMIT

This being the date and time advertised to consider a request by Shane Woodson, for a Special Use Permit to have an electrical contractor business on property owned by Denise M. Tanner, located at 410 Doods Crossing Road, Waynesboro in the Wayne District.

Mr. Shane Woodson stated the vans are parked at the site.

Chair Tilghman asked how many vans will be at the site?

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Mr. Woodson stated he uses two (2) vans for the business as well as one (1) older van is kept on site.

Chair Tilghman asked if the employees will pick up the van in the morning and then come back to the site?

Mr. Woodson stated yes.

Mr. Coyner asked if customers would come to the site?

Mr. Woodson stated no.

Mr. Bailey asked if the applicant spoke with the Virginia Department of Transportation (VDOT)?

Mr. Woodson stated he will enlarge the existing entrance according to their comments.

Mr. Glover asked when will it be completed?

Mr. Woodson said he hoped to have it completed by the end of the year.

Chair Tilghman asked if the applicant plans on working on Sunday.

Mr. Woodson stated no.

Chair Tilghman asked if he will have a sign at the property?

Mr. Woodson stated no.

Chair Tilghman asked if there was anyone wishing to speak in favor, or in opposition to the request?

Ms. Sherry Arehart, 418 Dooms Crossing Road, Waynesboro, stated she is the property in between and she would like the applicant to put up a fence if they have cars there. She said her property borders Ms. Tanner's. She said that his employees park at the site and she would prefer to have a fence in between them. She said she does have to share access but does not want to share it with the business.

Chair Tilghman stated a shared access would be a civil matter. She asked if anyone else would like to speak regarding the request?

There being none, Chair Tilghman asked the applicant to speak in rebuttal.

Mr. Woodson stated he plans to install a privacy fence at the site.

Chair Tilghman stated when the Board visited today there were wooden survey lines with plastic fencing. She declared the public hearing closed. She said it would be a neighborly thing to install the fence but it is not a requirement.

Mr. Coyner stated the Board visited the site this morning. He said they noticed the fence at the site. He said this request would have a low impact to the neighborhood. He moved to approve the request with the following conditions:

Pre-Condition:

- 1. Obtain VDOT approval and provide a copy to Community Development.

Operating Conditions:

- 1. Be permitted to have no more than three (3) licensed company vehicles parked on site.
- 2. Be limited to a maximum of six (6) employees coming to the site.
- 3. Hours of operation be 7:00 a.m. to 7:00 p.m. Monday – Saturday.
- 4. No junk or inoperable vehicles, equipment, or parts of vehicles or equipment be kept outside.
- 5. Site be kept neat and orderly.
- 6. The only sign to be permitted for this business is one (1) on premise business sign not to exceed twelve (12) square feet.

Mr. Bailey seconded the motion, which carried unanimously.

DANIEL C. OR EMILIE M. MYERS - SPECIAL USE PERMIT

This being the date and time advertised to consider a request by Daniel C. or Emilie M. Myers, for a Special Use Permit to have short term rentals on property they own, located at 554 Rockfish Road, Waynesboro in the Wayne District.

Ms. Emilie Myers stated she would like to rent out her walkout basement. She said that she plans to be at the site while renters are there but if not they will notify their neighbor. She said she discussed this request with her neighbors.

Mr. Coyner asked if the applicant plans on only renting out the walkout basement?

Ms. Myers stated she would like to get this approved for the entire house if her husband agrees because they have a travel trailer on the property that they can stay in if she rents out the entire house unless they decide to go camping that weekend. She said they are good friends with the neighbors and she will make sure they have her contact information if someone were to need something. She stated that she also has her two children that live a few miles away.

Chair Tilghman asked if there was anyone wishing to speak in favor, or in opposition to the request?

There being none, Chair Tilghman declared the public hearing closed.

Mr. Thacker stated the applicant should have someone available if the entire house is rented.

Chair Tilghman stated the main concern is that this home is close to the neighbors but they are in favor of this request.

Mr. Thacker moved to approve the request with the following conditions:

Pre-Conditions:

None

Operating Conditions:

1. Be permitted to lease the entire dwelling for short term rentals.

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- 2. Be limited to a maximum of eight (8) people occupying the dwelling as limited by the Health Department.
- 3. Applicant reside on premise and be available during rental or provide contact information to adjacent neighbors.
- 4. Site be kept neat and orderly.

Mr. Coyner seconded the motion, which carried unanimously.

Ms. Bunch explained the County regulations to the applicant regarding living in a camper.

ERIC CLINEDINST - SPECIAL USE PERMIT

This being the date and time advertised to consider a request by Eric Clinedinst, for a Special Use Permit to have a contractor shop and to have outdoor storage of granite slabs on property owned by Vicki Ann May, located at 1358 Goose Creek Road, Fishersville in the Wayne District.

Chair Tilghman asked if the applicant lives at the site?

Mr. Eric Clinedinst stated no, his mother does.

Chair Tilghman asked if the applicant has spoken with VDOT?

Mr. Clinedinst stated yes, he will have to remove a tree.

Chair Tilghman stated in staff's recommendation it mentioned installing a privacy fence. She asked if the slabs are intentionally out there to see or for storage?

Mr. Clinedinst stated for storage.

Chair Tilghman stated restrooms will need to be installed.

Mr. Clinedinst stated yes.

Mr. Coyner stated a privacy fence would need to be installed all the way around the storage area.

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Ms. Bunch stated the privacy fence would need to be all the way around the storage area where the slabs are as shown on the site plan.

Mr. Coyner stated the applicant needs to do this quickly.

Mr. Clinedinst stated yes.

Chair Tilghman stated this road has become very busy the last few years.

Mr. Coyner asked if customers come to the site?

Mr. Clinedinst stated no. He said he measures at the job site and takes the customers samples.

Chair Tilghman asked if the applicant has a sign?

Mr. Clinedinst stated no.

Chair Tilghman asked if the applicant plans on installing a sign in the future?

Mr. Clinedinst stated no. He said he does not plan on getting any bigger. He said that he has been at this site for ten (10) years now.

Mr. Thacker stated the slabs look like they are closer to the road than thirty-five (35') feet.

Mr. Clinedinst stated he will move the slabs back.

Mr. Thacker stated the fence needs to be at least thirty-five (35') feet off of the road. He said it should not be close to the road for safety reasons.

Chair Tilghman asked if there was anyone wishing to speak in favor, or in opposition to the request?

There being none, Chair Tilghman declared the public hearing closed.

Chair Tilghman stated that she feels like this business is at a maximum where it can grow at this location. She said the road is so busy and there are a lot of other homes. She said the applicant will need to install a privacy fence, install restrooms, and cut down a tree which is a great deal of work.

Ms. Bunch stated the Board may want to add a time limit for the applicant to complete these stipulations.

Mr. Coyner stated the outside storage should not expand outside of the fenced area. He said the applicant should not request any further expansions. He said the Board can give the applicant nine (9) months to complete these stipulations. He moved to approve the request with the following conditions:

Pre-Conditions:

1. Obtain VDOT approval and provide a copy to Community Development.
2. An eight (8') foot high opaque privacy fence be installed around the 45' x 50' granite storage area adjacent to the building as shown on the site plan within sixty (60) days.

Operating Conditions:

1. Be permitted to have a contractor's shop within the existing 24' x 24' building.
2. All equipment, machinery, and materials for the business be kept inside the 24' x 24' building or in the screened storage area as shown on the site plan.
3. The eight (8') foot opaque privacy fence must be maintained at all times.
4. Subcontractors or employees coming to the site may use portable restroom facilities for nine (9) months.
5. Install a new septic system and restrooms inside the existing building or obtain Health Department approval to use the restroom in the house and provide a copy to Community Development.
6. No junk or inoperable vehicles, equipment, or parts of vehicles or equipment be kept outside.
7. Site be kept neat and orderly.
8. No further expansions to the storage area.

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Mr. Glover seconded the motion, which carried unanimously.

AMY R. MOORE AND ANGELA K. QUICK - SPECIAL USE PERMIT

This being the date and time advertised to consider a request by Amy R. Moore and Angela K. Quick, for a Special Use Permit to have short term rental within the existing dwelling on property they own, located at 428 Dam Town Road, Fort Defiance in the Middle River District.

Ms. Amy Moore stated no one has resided there until recently. She said they plan to rent the dwelling out to six (6) people at a time. She said that she does have a facility manager who will be there when she is not. She stated she has not received any opposition from the neighbors. She noted they have no issues.

Mr. Coyner stated the property is well attended.

Ms. Moore stated she will be very particular on who comes to the site.

Mr. Coyner asked if this property is listed on Airbnb?

Ms. Moore stated not now but it would be if they get approved.

Chair Tilghman asked if there was anyone wishing to speak in favor, or in opposition to the request?

There being none, Chair Tilghman declared the public hearing closed.

Mr. Thacker moved to approve the request with the following conditions:

Pre-Conditions:

None

Operating Conditions:

1. Be permitted to lease two (2) bedrooms for short term vacation rental. Maximum total occupancy not to exceed six (6) persons as limited by the Health Department.

- 2. Applicant submit subsequent lease agreements within ten (10) days of signature when lease changes.
- 3. Facility operator remain onsite during rentals or provide contact information to adjoining neighbors.
- 4. Site be kept neat and orderly.

Mr. Bailey seconded the motion, which carried unanimously.

CELIA WADE - SPECIAL USE PERMIT

This being the date and time advertised to consider a request by Celia Wade, for a Special Use Permit to continue to have a day care center on property owned by Lighthouse an Independent Church Trustees, located at 5031 Morris Mill Road, Staunton in the Pastures District.

Ms. Celia Wade stated she would like to continue to have a day care center with about fifty (50) children. She said she plans to operate 7:00 a.m. to 5:30 p.m. Monday – Friday. She will also have four (4) teachers and one (1) cook as staff. She stated the Certificate of Occupancy is for fifty (50) children/adults.

Chair Tilghman stated the occupancy level is fifty (50).

Mr. Coyner asked the applicant if she plans to operate as before?

Ms. Wade stated yes. She said they have not been open since 2011. She said that she is waiting to hear from the soil specialist with regard to the septic system.

Chair Tilghman stated the pre-conditions will need to be taken care of before you open the day care center.

Chair Tilghman asked if there was anyone wishing to speak in favor, or in opposition to the request?

There being none, Chair Tilghman declared the public hearing closed.

Mr. Bailey stated this permit ceased because it did not operate within the two (2) years. He moved to approve the request with the following conditions:

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Pre-Conditions:

- 1. Obtain Health Department approval for the existing septic system and provide a copy to Community Development.
- 2. Obtain permits from the Virginia Department of Drinking water and provide a copy to Community Development.
- 3. Obtain a Virginia Department of Health Restaurant permit for food preparation and provide a copy to Community Development.

Operating Conditions:

- 1. Be permitted to operate a daycare center within the existing church and be limited to a maximum of fifty (50) persons occupying the building including staff and children.
- 2. Provide a copy of the Social Services permit to Community Development.
- 3. Be permitted to have four (4) teachers and one (1) cook on site.
- 4. Site be kept neat and orderly.

Mr. Coyner seconded the motion, which carried unanimously.

KRISTOPHER W. AND WILLIE W. MICHAEL - SPECIAL USE PERMIT

This being the date and time advertised to consider a request by Kristopher W. and Willie W. Michael, for a Special Use Permit to have an excavating business and outdoor storage of equipment on property they own, located at 416 Mill Race Road, Verona in the Beverley Manor District.

Mr. Kristopher Michael stated he would like to operate an excavating business.

Chair Tilghman stated the Board visited the site this morning. He stated the site is not visible from the road. She asked if the equipment will be at the site?

Mr. Michael stated the equipment is normally on the jobsite.

Mr. Coyner asked how many pieces of equipment do you have?

Mr. Michael stated ten (10) that he takes from job to job. He said they are seldom at this site unless there are maintenance issues or sit on a trailer over the weekend.

Mr. Coyner stated this is an ideal spot for this type of business.

Chair Tilghman asked if there was anyone wishing to speak in favor, or in opposition to the request?

Mr. David Reeves, 243 Skyview Circle, Verona stated he borders the property and he has no objection. He said all of the adjoining neighbors approve.

Chair Tilghman asked if there was anyone else wishing to speak regarding the request?

There being none, Chair Tilghman declared the public hearing closed.

Mr. Thacker stated this is a good place to store equipment because it is out of sight. He moved to approve the request with the following conditions:

Pre-Conditions:

None

Operating Conditions:

1. All equipment, machinery, and materials for the business be kept inside the 80' x 40' building.
2. All licensed vehicles and trailers be kept in the gravel area adjacent to the machine shed.
3. No more than ten (10) pieces of equipment be brought to the site.
4. No more than two (2) employees to come to the site to pick up vehicles and equipment.
5. No employees working on site per Health Department comments.

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6. No junk or inoperable vehicles, equipment, or parts of vehicles or equipment be kept outside.
7. Site be kept neat and orderly.

Mr. Glover seconded the motion, which carried unanimously.

BRANDON TURNER - SPECIAL USE PERMIT

This being the date and time advertised to consider a request by Brandon Turner, for a Special Use Permit to have a property maintenance business with outdoor storage of commercial vehicles and equipment on property owned by Guy C. or Judy C. Eavers, located on the east side of Walnut Hills Road adjacent to 47 Koogler Hill Lane, Staunton in the Riverheads District.

Mr. Brandon Turner stated he would like to have an outdoor storage area for his business. He said that his employees show up to the property and pick up the equipment and come back to this property at around 4:00 p.m. or 5:00 p.m.

Chair Tilghman stated when the Board visited the site this morning there was a combination of equipment sitting there. She asked if the applicant is required to build a new entrance way?

Mr. Turner stated once he received a letter regarding constructing the entrance and was told he needed to apply for the permit and submit plans, he stopped.

Chair Tilghman asked if the request is approved, how long until the road is finished? I don't believe that private road was built for commercial business.

Mr. Turner said there is another entrance on Route 340 so he can stay off of the private road.

Ms. Bunch stated the Erosion and Sediment Control Plan will need to be submitted before finishing the road.

Mr. Coyner asked how long will it take to finish the road?

Mr. Turner stated sixty (60) days should be enough time. He said Jim Brenneman will help him with the plan.

Mr. Glover stated the Board will need more screening.

Mr. Turner stated the outside storage could be pushed back before constructing the fencing.

Ms. Bunch stated if the applicant moves the outside storage area an updated site plan will also need to be submitted. She said it would be a pre-condition.

Chair Tilghman stated across the road someone is clearing the land.

Mr. Bailey stated most of the natural screening is not on his property. He stated the privacy fence should be at least eight (8') foot high as a pre-condition so that the equipment is not out in the open in public view.

Chair Tilghman asked if there was anyone wishing to speak in favor, or in opposition to the request?

Mr. Charles Koogler stated the trees screen the equipment now and as long as he is willing to push the equipment back or put up a fence he is ok with this request.

Chair Tilghman asked if there was anyone else wishing to speak regarding this request?

There being none, Chair Tilghman declared the public hearing closed.

Mr. Coyner stated the Board will need an updated site plan and we can give the applicant nine (9) months to get all of his permits and road completed.

Chair Tilghman stated the private road was not made for commercial equipment. She noted the applicant should only use the new road.

Mr. Coyner moved to approve the request with the following conditions:

Pre-Conditions:

1. Submit a complete Erosion and Sediment Control Plan and Stormwater Management Plan to be approved by Community Development.

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- 2. Submit an updated BZA site plan showing the new location of the outside storage area and screening.
- 3. An eight (8') foot high opaque privacy fence be installed to screen the outdoor storage area from the adjoining properties within nine (9) months.
- 4. The new entrance and access road on Walnut Hills Road be completed within nine (9) months.

Operating Conditions:

- 1. All equipment, machinery, and materials for the business be kept inside the 20' x 40' storage area shown on the site plan.
- 2. The eight (8') foot opaque privacy fence must be maintained at all times.
- 3. No more than four (4) employees to come to the site.
- 4. Hours of operation be 8:00 a.m. to 6:00 p.m. Monday – Saturday.
- 5. No Sunday work.
- 6. No junk or inoperable vehicles, equipment, or parts of vehicles or equipment be kept outside.
- 7. Site be kept neat and orderly.
- 8. All traffic associated with the business must use the Walnut Hills Road entrance only.

Mr. Glover seconded the motion, which carried unanimously.

DUANE TURNER, AGENT FOR GRACE ESTATES, LLC - SPECIAL USE PERMIT

This being the date and time advertised to consider a request by Duane Turner, agent for Grace Estates, LLC, for a Special Use Permit to continue to use the existing building for various retail shops and to have outside storage for gazebos and lawn furniture on property owned by Harry Moore, Inc., located at 31 Hodge Farm Lane, Stuarts Draft in the South River District.

Mr. Coyner asked the applicants if they will run the business the same as Mr. Moore?

Mr. Duane Turner stated yes.

Chair Tilghman asked if two (2) full-time and one (1) part-time employee is adequate?

Mr. Turner stated yes. He said he wants to keep everything the same.

Chair Tilghman asked if the lawn furniture will be outside like the Board saw today when they visited?

Mr. Turner stated yes. He said the hours of operation would be Monday – Saturday 8:00 a.m. to 8:00 p.m. and Sunday from 12:00 p.m. to 5:00 p.m.

Chair Tilghman asked if there was anyone wishing to speak in favor, or in opposition to the request?

Mr. James Thompson stated he lives across the road and spoke with Mr. Moore about this request and as long as nothing has changed and the field will be the same, he does not have any problems with this request.

Chair Tilghman stated the outside display area is limited for this request. She asked if there was anyone else wishing to speak regarding this request?

There being none, Chair Tilghman declared the public hearing closed.

Mr. Coyner stated this is an attractive business place. He said it is great to see a local couple taking over the business. He moved to approve the request with the following conditions:

Pre-Conditions:

None

Operating Conditions:

1. Be permitted two (2) full time employees and one (1) part-time employee.

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- 2. Display of gazebos and lawn furniture be allowed only in the 50' x 60' and 50' x 30' areas as shown on the site plan.
- 3. Hours of operation be Monday through Saturday 8:00 a.m. to 8:00 pm. and Sunday 12:00 p.m. to 5:00 p.m.
- 4. Site be kept neat and orderly.

Mr. Bailey seconded the motion, which carried unanimously.

ROBERT SPIGGLE, AGENT FOR FLOW BEVERAGES, INC. - SPECIAL USE PERMIT

This being the date and time advertised to consider a request by Robert Spiggle, agent for Flow Beverages, Inc., for a Special Use Permit to install a pre-fab storage building for the existing spring water catchment facility on property owned by Flow Beverages, Inc., located at 40 Seawright Road, Mount Sidney in the North River District.

The applicant has withdrawn the permit application.

ERIC PISK, AGENT FOR THE FARM AT CHAPEL HILL, LLC - SPECIAL USE PERMIT

This being the date and time advertised to consider a request by Eric Pisk, agent for The Farm at Chapel Hill, LLC, for a Special Use Permit to construct a 4,800 square foot taproom, to renovate the existing 160' x 60' stable to be used as a taproom and eating area, to have outdoor storage of five (5) food trucks/trailers, two (2) mobile beer taps and to have active and passive recreation on property owned by The Farm at Chapel Hill, LLC, located at 194 Chapel Hill Lane, Weyers Cave in the Middle River District.

Mr. Eric Pisk stated they have been spending a lot of time and resources on a feasibility study for a venue that he would like to put onto this piece of property and working with the different agencies. He said he spoke with 90-95% of the neighbors and have gotten positive feedback from them. Mr. Pisk presented a Power Point Presentation to the Board (copy is in the file).

Mr. Coyner asked what the sequence of events would be?

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Mr. Pisk stated several things going on at the same time like preparing the land, grading flat area for people to congregate. He said at the same time we'll be working on the stable to renovate, we're going to keep it very rustic. He noted the renovation would include a two bathrooms inside. He said there is an office on the west side, and he would turn that into a place where we would have taps. He said they would have the mobile beer taps and food trucks off on the south side but this is all probably going to be happening almost at the same time. He said they would install a private septic because the current septic would not necessarily handle what we want to do moving forward and have been working with Balzer and Associates regarding this. He said the field has been farmed for many years and that will continue.

Mr. Coyner asked about the entrance to the parking area?

Mr. Pisk said the existing lane that has cedar trees encroaching and so that basically will not be used for this endeavor and would be closed off. He said there would be only one entranceway.

Mr. Coyner asked if there is any future for the old brick house down below?

Mr. Pisk stated it is beautiful. He said it was built in 1809 and it is in really good shape.

Mr. Coyner asked the applicant if they were going to renovate the tenant house?

Mr. Pisk stated one thought was to potentially house someone on the property that will either manage the venue or a short term vacation rental. I am renovating that right now.

Mr. Coyner advised the applicant that somebody would probably need to be on site to manage the site.

Mr. Pisk said there will always be someone there managing when we have this open. We are unsure if someone will be there on site 24/7 yet.

Mr. Coyner asked how do you plan to get all of these cars up and down that road with the rural activity?

Mr. Pisk stated it is very dusty and there is some high speeds sometimes down that road towards Crosskeys. He said there are several different solutions for that road with one of them is to use a calcium chloride drop onto the road just to stop the dust. He said the next level would be to use a tar and chip process. He said he does not know how

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efficient calcium chloride is but the tar and chip greatly reduces the dust. He also discussed the speed limit.

Mr. Coyner stated this is still a narrow road.

Mr. Pisk said that he had a conversation with VDOT and they call this a moderate volume road and they did not have any specific issues from VDOT's perspective. He said they brought up the issues with dust and speed, VDOT said there was solutions for that.

Mr. Coyner asked what is your typical customer and what demographic are you trying to appeal to?

Mr. Pisk stated he very much enjoys going to vineyards and taprooms and we travel throughout Augusta County and Rockingham County to go to these types of centers. It is a great social environment. He said he is first generation, and his parents both grew up in Europe and every time he goes back to Austria to visit the family, they are all still there, they spend hours sometimes at a venue around this big old table and eat, drink beer and wine, and just converse, and it is something that we have not found too often, when we come back to this country, and it is something that we want to bring to this area, from a true social perspective.

Chair Tilghman asked if you are still running cattle at the site?

Mr. Pisk stated there is no cattle on the property currently they need to have a water source and fencing. Some of the fields have fences and they have had cattle on them before, they just decided to pull the livestock. He said they still have about two horses on the property. Farming is new to our family and we just need to reset before we can move forward on the agricultural side but I have had a lot of conversations with the farmers in the area.

Chair Tilghman said will you rent out part of the land that you are not using for farming?

Mr. Pisk stated yes I would rent out the land for agriculture.

Mr. Coyner asked what is the timetable to getting started?

Mr. Pisk stated it depends on how quick we can get things engineered and get contractors to actually help us build that out. He stated possibly a year or probably closer to six (6) months. He said there are two different parts to the permit, there is opening with what we have in mobile food trucks and then eventually there is a taproom. He said the

new taproom will take a bit of time to do and it is a significant capital expense to do something like that.

Mr. Coyner asked did you give any thought to perhaps maybe requesting to start off the year small and if successful and works then worry about expansion later on?

Mr. Pisk stated that is a great point and we are using the mobile food trucks, something inside the stable in a small scale capital layout there is much smaller than building a taproom is something that will come later. He said it would be on the east side where the lone tree is standing now, just to the north of that tree is where we envision putting the taproom, so the taproom would look towards the stable and then also towards the Blue Ridge. He said that it is actually all part of the same but it would be staggered and as a business owner, I would be very efficient and smart as to how we roll this out.

Mr. Coyner asked when do you anticipate peak days (weekends, during the week, closed on Sunday)?

Mr. Pisk stated he asked for six (6) days with Saturday being the highest volume. I have checked with multiple states, and Saturday is the biggest day for these venues, vineyards taprooms, breweries, whatever you want to call it distilleries, then it is Friday evening and then Sunday late afternoon.

Mr. Thacker asked if the applicant is planning on demolishing the bank barn?

Mr. Pisk stated they will repurpose the lumber and it has a beautiful interior portion but the exterior is falling apart, but the structural supports the vertical and horizontal supports are beautiful and it will be incorporated into whatever we do on the property. He said that is part of the conservation that we are trying to accomplish with conserving the land and conserving the resources as well as keeping it as natural as possible.

Chair Tilghman asked about the natural springs?

Mr. Pisk said they are going to conserve the natural springs and we are working with the appropriate agencies on this.

Chair Tilghman asked about the road improvements, and are those improvements on your dollar or VDOT's dollar?

Mr. Pisk stated VDOT did not really divulge that, they just offered that as a solution with the dust.

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Chair Tilghman asked how far is it where you turn off of that road?

Mr. Pisk stated half a mile.

Chair Tilghman asked if the majority of the people coming would come in that direction.

Mr. Pisk stated I would imagine so. He said the inside looks much better than the outside. The roof is not changing on the horse barn, they already had that fixed, because it was about to blow off. He said the structure is actually in very good shape. They have to put something inside the stable, but we are trying to keep it as rustic and as natural as, as possible.

Chair Tilghman asked if the applicant is relying totally on food trucks and beer trucks?

Mr. Pisk stated yes. He said the smaller taproom will have a room where people can come into the stable and that is the reason why we put five (5) food trucks in because we don't really know. They would have refrigerated taps inside with access from inside that you walk inside the barn. He said the restrooms would be off to the left and then there is a bay, just to the south of the current bathroom that we are thinking about putting another bathroom in.

Mr. Thacker asked about the green area behind the stables being a partial patio for picnic tables and blankets.

Mr. Pisk said they will also look at graveling a flat area to put up some type of wall in order to change the elevations and once you step down off of that into the field, then you would have a big, open area for congregating in that area.

Chair Tilghman stated we have the property as 100 acres but I thought I heard you say 120 acres.

Mr. Pisk stated it is actually 126 acres.

Mr. Coyner asked how many acres will be tied up with the barn?

Mr. Pisk stated ten (10) acres, less than 10%.

Chair Tilghman asked if the site is backing up on the river?

Mr. Pisk stated yes.

Mr. Coyner asked if the customers of the taproom would have access to go throughout the farm?

Mr. Pisk stated no the area is going to be designated and closed off.

Chair Tilghman stated sometimes when the Board gets a request like this, we take it in steps rather than approve the whole thing at once. She said to me the road is a big question mark and what can be done to improve it. She said the Board almost had an accident today.

Mr. Pisk stated they would not show their hand and they were just coming up with solutions to the dust and a solution to the speed with putting in speed limit signs. He said they cannot know or control traffic down the road.

Mr. Bailey asked if the applicant would expect all 300 people at one time?

Mr. Pisk stated he has been to some of the bigger facilities in Virginia like Devil's Backbone and there are at times where they have several 100 cars.

Mr. Bailey asked when would deliveries come in?

Mr. Pisk stated deliveries would come in on the off hours during the day.

Mr. Bailey asked if fifteen (15) employees would be the maximum?

Mr. Pisk stated yes. He said with noise and sound the way we actually designed this, the venue sound will be heading down to the river. He said there are no houses down back behind us, heading down to the river and long distance from the venue to the North River. He said these types of things we are going to incorporate and care very much about the people that live in the area and I tried to reach out to mostly everyone.

Chair Tilghman asked about sound and about bands playing?

Mr. Pisk stated there might be some music but again, the way we are going to set it up is the speakers are going to be facing north, which is towards the river. We could put it anywhere on 126 acres but we chose that specifically, because when you come to the stable you actually drop down below so that helps with the sound barriers and then eventually we are going to put other shrubs and trees to capture a lot of that sound, but

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again most of that sound will be heading where no one has a house. He stated they are trying to be incredibly mindful of all of these specific issues.

Chair Tilghman asked if 300 people are based on total buildout?

Mr. Pisk stated that would be the entire venue. He said there is a ratio of parking spots to number of people so there could be 150 cars.

Chair Tilghman asked if you still think it would be 300 people or less for a total buildout?

Mr. Pisk stated when you do feasibility studies on projects like this it's not easy to come up with a number. He said this would be at total buildout of 300. He said realistically speaking, in going into some of the local venues, whether it is Augusta County or Rockingham County there are 75 to 100 cars that are there at the peak time, it is not like they all come at one time and then leave at one time, it is staggered, especially on Saturday, so it's hard to come up with an answer to that.

Chair Tilghman asked if there is anyone wishing to speak in favor or in opposition to the request?

Mr. Thomas Tourje, 11 Pebble Hall Lane, Weyers Cave, stated he and his wife walk the road most days and we have been very impressed with the improvements to the property and the walk is much nicer than what it was six (6) months ago.

Ms. Emilie Myers, 554 Rockfish Road, Waynesboro, stated this is just what we want in Augusta County. She said the people reaching out to us for Airbnb are going to 151 and over to Albemarle County and Nelson County and if we can get some of those venues in Augusta County especially with business owners who absorb all of the risk. She said she would like to offer support.

Mr. Lowell Heatwole, 825 Chapel Hill Lane, Weyers Cave with Fox Run Farms, stated they own the land on two sides of the property and is all for this. He said farmers pay more of their fair share of taxes and they need someone to pay the meal tax. He stated he is against lowering the speed limit in the area. He said he is not against wineries but he is glad this is not a new winery because that does not go real good with chemicals that are used in his farming operation.

Mr. Ray Burkholder, Balzer and Associates, stated VDOT came up with a solution of about 600' to 650' to get passed the neighbor where it is paved today. He said in discussing plans with Mr. Pisk and taking into account that it is important as we plan

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septic systems, road infrastructure, that he understands where he can go with this. He said that he understands and appreciates the stepped approach and want to make sure it is good for everybody so again appreciate that but from a business perspective and planning perspective, it is good for us to know where we are trying to go, so we can be really efficient with how we design the septic system.

Chair Tilghman asked in regard to the septic system if it was totally built out would you need one or two septic systems?

Mr. Burkholder stated they plan on digging holes in an area, there is also floodplain, and we have to work with the Health Department on that. They would love to connect to the treatment facility right next door but it is not permitted. We are bound by the County regulations, and they cannot connect because it is outside of the Urban Service Area.

Mr. John Smith, 106 James Crawford Lane, Mount Sidney, stated he is the Pastor at Old Paths Baptist Church and they are less than a mile from this establishment. He stated the applicant asked about 95% of the people surrounding but did not come to him. He said the presentation was nice and he left out safety and for animals and natural beauty, but he is also for people. He said he is also for the betterment of the people in this County, and he has great concern for the Special Use Permit. As mentioned this will draw a crowd of people that are interested in drinking alcohol and he asks the Board to consider the risk of people within our County and what a niche alcoholic driving does and as a Pastor, he has seen the effects. He said unfortunately he has had to deal with the effects on all age levels, from young people to even families and as a resident of Augusta County, he witnessed hurt and loss. He said he wants to give you not just on my heart but some statistics because it is important for us to understand if you are going to make the decision we trust that you will today, over 100,000 people die each year because of alcohol related or irresponsible drinking that is 29 people a day, 3 million people worldwide. He said over half the traffic fatalities are because of alcohol, 80% of all suicides because of alcohol, 80% of all murders are because of alcohol this establishment is producing. Keezletown Road is already a busy road and the road getting into the establishment is not built for this. The dirt road is a secondary road, that road is not built for that type of traffic. He said this is also going to have an effect when it comes to the spreading of litter, and we cannot control the responsibility of people and some people are going to be irresponsible and it is only a matter of time that we are affected by it. He presented a petition of 257 people that live in Weyers Cave and the surrounding area and do not want this. He said this is not the place where we should be heading and I do not believe this is where it needs to be. He asked everyone who is in opposition to just raise your hand. He quoted scripture from the Bible. He said they have an issue with alcohol that has affected families, probably within our own families. He asked are you

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making the wisest decision for Augusta County, the families, the children, and the grandchildren. He stated I do not want to just have you focus on my opinion as a Pastor so let's talk about the economic benefit, because that has been mentioned. What is it going to cost the taxpayers and what will it cost us gambling in the amount of money due to the effects of misused alcohol consumption cost us much more than it helps us, for every beer that is sold costs \$2.05 to the taxpayers and local government as well as the loss of workplace opportunities where people do not respond or they do not show up to work, healthcare expenses, law enforcement expenses, criminal justice expenses, insurance, expenses and motor vehicle crashes. He said we are all aware of Anne Seaton that just happened on April 23rd with one of our Board members spouse's. He said she was 49 years old and is not with us anymore, why, because somebody left a place irresponsibly and took the life of a wife and mother. He asked are you okay to approve a permit for an establishment that is based solely on that to then say, all right, we are going to roll the dice, I can promise you we will lose. He said I do not want it to be anybody in your family or my family, or a guest at our church. The business hours are going to be when our church is open and we are trying to worship God, trying help young people take the right path, trying to strengthen families, and trying to provide encouragement in an area, he is going be open. He said we have an issue, and we cannot ignore it and say that it is not an issue, it surely is an issue, and we have to understand and be responsible enough to realize what it is. He said the CDC has come out with an article that says alcohol is draining our economy and straining the economy and draining states and draining taxpayers. He said there are three ways to handle the issue: Increase the price of alcohol, reduce the number of establishments, or hold the establishment liable for the injuries and the damage caused by people that are intoxicated leaving that establishment. He said they want to be good neighbors, but we also have to understand, we want to be responsible. He said we want to make the best decision for this County, not just economically, but we also want to make the best decision for safety. He asked is the road safe? Is this establishment safe? He said this is not right or safe. He said if you choose not to deny the request, and I hope that is not the case, I would like to recommend the CDC's third suggestion that they be liable for any wrecks or damage caused to the taxpayers for people leaving his establishment, irresponsible. He said you as a Board do what is right for this County, you do what's right for this community and do what is right for the Christian people. I want to support the leaders of our area, but I feel in my heart that I needed to come and speak on behalf of not myself but other people, 257 people that said they do not want this.

Mr. Cameron Little, 1703 Forest Avenue, Grottoes, stated he is a firefighter and EMT here in Augusta County. He said unfortunately he has had the tragic opportunity to pick up someone's loved one along the road after being impacted by an intoxicated driver. He said I believe the preacher said a lot of very good points so far as the safety, but you also

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have to remember that us firefighters have also had the unforeseen reality of witnessing things that we do not want to see like a five year old little boy after his mom decided to leave a facility after being intoxicated. He said there are going to be those people that are going to leave irresponsibly and they have no way of keeping them there and keeping them off the road. He said Chapel Hill Lane is a very small road, it is a dirt road, there are tractors, tractor trailers, pickup trucks, and many cars throughout the day. He said it is a very dangerous road but once you start adding alcohol into the mix that makes it even more dangerous. He said Keezletown Road is a very busy road. He said according to Augusta County Sheriff's Office, there have been many traffic stops reported there in the last 90 days and once you start adding alcohol to that mix, you will most likely see that number go up. He said I would honestly hate to see or hear that one of his families' lives has been impacted or their kid's lives have been impacted because someone left this facility intoxicated. He ended with a quote: I wish my head could forget the things my eyes have seen.

Ms. Linda Greene, 64 Chapel Hill Lane, Weyers Cave, stated they have tried for years to get a speed limit on there because there is no speed limit. I am here to protect our community and to preserve the lovely area we live in. She said while some may agree that this venture will bring interest to Weyers Cave, I caution our community to review the negative aspects and how it will impact our community and taking into consideration that this business has requested to host up to 300 people at a time. She said as a landowner, with a group of 70% of my land adjoining this property, I speak with great conviction and concern. The increased traffic in front of my house, combined with lights from partygoers and strangers, drinking, the amplified music, and a movie screen showing movies at night, after dark, will affect my quality of life from opening to close. She said it will be a constant party that will not end. People will come daily, consuming plentiful alcohol, which is the goal of this business. Our quiet neighborhood will turn into a nightly party of strangers that we did not invite, but we will be forced into tending through the traffic, lighting, noise of amplified music, and the risk of drunk drivers emptying into our roadways. This will be our daily routine in Weyers Cave. She noted Chapel Hill Lane is a small country road and this business will alter its character and create hazards to our recreational cyclists, joggers, hikers, people picking asparagus along the roadside, walkers, children playing, church members who stroll down the road on Sundays, and dog walkers. There is even a father who strolls his special needs child down this road, twice a day. She noted the local farming community relies upon the safety of Chapel Hill Lane while moving large pieces of equipment, hauling livestock, feed trucks, fertilizer trucks, large wagons, turkey trucks, and the Augusta County Service Authority vehicles go up and down the road all of the time. With this, the possibilities of added traffic for this business and building out such a major event center and the additional daily traffic of patrons and deliveries to the center will overburden this road as well. She said the name

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of the farm has been Spring Farm and for that reason it is riddled with springs. She said environmentally this business poses a threat to the integrity of these springs and not to mention the historical cemetery which also resides on the property. She said the proposal as submitted or as modified shall not have overdue adverse impact on the surroundings of the neighborhood as it reads in the ordinance. Converting a 4,800 square foot barn into a taproom, this business will violate that section. She said the additional plans for lodging, recreational activities, and actual outdoor accommodations, along with the construction of the new taproom is more than double the limit in the Comprehensive Plan requirements. She said the Comprehensive Plan also states numerous times about traffic noise that will affect our neighborhood. She said the only plus for such a business will be for the business owners. She said these six individuals that do not even reside in our community will clean the profits as we are left with the negative residue impacts of our community. She said after a late night party of 300 guests, this family will close their gates and the Weyers Cave residents will find ways to make it to manage our lifestyles that has been radically altered. Despite being an adjacent landowner, no body associated with this business venture has notified me of their plans or even come to speak to me about them. She said when she submitted the petition to the neighborhood, about 95% of those who signed were unaware of the scope of this business development. I strongly would welcome the Pisk family to reside as neighbors and to run an agriculture business but unfortunately, I unable to compromise the integrity of our farming community to this project.

Ms. Sue Eckroth, 107 Chapel Hill Lane, Weyers Cave, stated her house is the last residential property before you get to Spring Farm. She said they have been there for 31 years and raised a family. She said they enjoy walking their dog down the road but we do not feel like we can do that safely because the traffic is going to be a nightmare with this narrow road. She said the applicant also mentioned speakers going down toward the river. She said they do a lot of watersports, like kayaking and canoeing and was wondering what is that going to do to the wildlife, eagles' nests and river otters. She said this will not have a positive impact and it is going to be a nightmare and I hope the Board would keep this in mind, because it is not just my family, but the other families in the area will be impacted. She said they hold that place so special in their hearts, and just the thought of this is very upsetting.

Mr. Eugene R. Lareau, 7040 Beards Ford Road, Mt. Crawford, stated that he lives across the river from this property and is an adjacent landowner in Rockingham County. He said people enjoy this area because it is peaceful and now they will generate noise and it will follow across the river. He asked why you would set something up like this at the very end of the county, with about 300 people being there. He said this does not make any sense at all. He said anybody who is intellectually honest would want to limit the

noise to a certain degree. He said there should be limits on what can be done. He said he could not find the noise and lighting ordinances. He said he would speak against this and it is not a good idea.

Ms. Bunch stated the County does have a Noise Ordinance and a Lighting Ordinance.

Mr. Gary Huffman, 704 Chapel Hill Lane, Weyers Cave, stated he has lived on a dusty road all his life. He said I can remember when that farm was a top notch Angus farm back in the 1950s. He stated I would hate to see the barn go. He said Thomas Jefferson visited this site. He said my biggest concern is the alcohol, we do not need any more vineyards or anybody coming in drinking, it is expensive and addictive and it is a killer as well as a homewrecker.

Ms. Martha Carper, 23 Click Road, Weyers Cave, stated we do not want any more traffic on our little dirt, gravel farm road. She said this is a farming community and this is really not a road for people to come down with 150 cars, and I do not want any more traffic. She said she hears ambulances in the area constantly and stated Keezletown Road is a very busy road.

Ms. Melinda Gartzke, 441 Chapel Hill Lane, Weyers Cave, stated she is just about a half a mile from the Spring Farm and my concern is with compatibility as far as this business with the farming community. She said this has always been an agricultural community and we love all of our neighbors. She said the ones who go fast with their farm equipment and all of the rest, we love all of our neighbors, but it is a farm road, there is farm equipment that comes down the road at times during the year and they take up the whole road. As far as the traffic, there might not be 150 cars coming out at one specific time but at a closing time for this venue, there could be a number of cars. She said there could be 100 plus cars coming out at that time and I'm concerned with the traffic flow. She said she was in an accident where someone sideswiped her because of a driver going too fast; therefore, I have concerns personally about that intersection with Chapel Hill Lane and Keelzetown Road. She said as far as sound goes, I understand that speakers might be pointed in the other direction, but I also understand that wind carries sound. She said this wind also carries smell. She said living in the farming community, we know that you can smell the poultry houses at certain times, hear the Interstate at certain times, and when cow manure is spread, it is part of living in the farming community, and we accept that and we close our windows for a couple of days and that's fine but I'm not sure it will be fine next door to the taproom. She said I do not know what that will do for those businesses at certain times of the year, maybe they will have an agreement not to spread during those times, but it is a farming community. She said she does not think there is a limitation, as far as my understanding, on how many drinks a person could consume or

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buy before they leave this establishment. I do not think this is compatible with the farming community and Augusta County, and oppose the request.

Ms. Kirsten Katzenback stated she is a former resident of 69 Chapel Hill Lane, Weyers Cave. She said that she currently resides elsewhere and she handles investment properties and is looking into an investment home on Chapel Hill Lane. She said there have been many dangerous occurrences in that area in front of the home. She said many people walk down the hill as we walk our dogs and as our children rode their bikes. She said this will add traffic in the area due to the venue. She said there are many children and people walking their animals, hikers, walkers, and recreational cyclists in the area. She said as a local investor, if this proposal goes through, we will withdraw any negotiations that we have participated in because as a family member, I would not want to live and put my family at risk on a busy road where alcohol is involved. She stated a fully capacitated human makes 40% more decision errors when behind the wheel. I cannot imagine the cars that will possibly inflict this community with it being open until 11:00 p.m. She said before the decision is made, I encourage the Zoning Board of this county to research public opinions and do an impact study using Nelson County as a reference, as they have hosted similar ventures. She said along 151 where they have the multiple breweries, distilleries, and wineries, you will be able to notice the signs that residents have placed in their front yard, begging for reversals of rules, begging for the halt of this type of development. She said why not take this opportunity to step back and keep time on your side and review cautiously the overall impact on this peaceful community, such businesses are undeniably successful and among the fastest growing trend in the United States, no one can argue that this would not be an extremely successful venture. We are here to discuss the success of this community, its safety, its development, and its growth. She said they will have parking for 150 people but how many people can fit in the car? If the math stands correctly 2.33 people fit in every one of those vehicles. She asked how many people load up in a car to go to a brewery. She asked if that analysis was done thoughtfully. If you are talking about that number of 300 based on 150 cars parking, I think that number could surely double if not triple, if you add in minivans and SUVs. She said this business could seriously overwhelm the community's infrastructure, overwhelm those of the surrounding farming community, provide extensive negative impact upon the community, and the residents of Weyers Cave and the surrounding areas, such venture is best suited in a downtown area of Staunton and Harrisonburg, not in the center of the farming community. She said Mr. Pisk has said a lot of words like possibly and not certain, I will look into that, and I've been told. She said we are not here for a wonderland of a dream that a family has to develop a brewery in this rural area but we are here for firm facts not one of perhaps. She said as of this morning the deed for 194 Chapel Hill Lane is still under the name of James and Mary Clark. She asked questions regarding some notes she took: Mr. Pisk said outdoor

storage would be for five (5) food trucks, possibly, but he was not sure of that amount. She asked if this number will grow?

Chair Tilghman stated the Board would put restrictions on the total number of food trucks or trailer, but we have not made our decision yet.

Ms. Katzenback stated her question is what is that restriction because if we go from five trucks to 10 trucks, that is major. My next question is I would like a definition of active and passive recreation because all recreation is actually active even meditation. She said she would like some definitions of how this farm, that is currently agriculture, what is the five year plan for developing that into agri-tourism and agriculture use. She said because we do have a limited space with 120 acres and a barn that is being refinished and then we have 2.33 people arriving and each one of those 150 cars which somehow will generate into 300 human bodies who are only limited to a patio outside of that barn, that is going to be a tight fit. She said I am also wondering where the agriculture commerce will come into play for that farm. She asked what the five year plan is and what the usage of that farmland is. She asked Mr. Pisk to explain the environmental plans. She said that he states he has been working with several organizations to protect the springs. She stated when the land is graded, we all know from a farming community, that it affects the quality of the soil, she asked what protection is there so that there will not be any effects on our waterways, our well system, and also the actual foundation of the land for stability. She asked how the land will be protected for the springs. She asked the value of the historic home and what are the plans for the historic home where Thomas Jefferson and his family traveled. She noted it is a historic home on the records of Augusta County and hopes that it will be preserved, protected, and managed. She said there should be protection of the graveyard. She asked if the committee has considered the historic graveyard that is along the river on that property and has Mr. Pisk made plans to properly protect it from oncoming tourism, as well as what possibly could be offset from the grading of natural springs. She said there is floodplain at the site. She asked what the projected alcohol sale is for the first year as well as the following five years in your business plan. What is the five year plan of growth? She said when discussing that acreage and the impact on the land, how long will it be agriculture and at what point will it turn into the actual business value? She said calcium chloride is already on the road. She noted that one of the neighbors have already mentioned that their house is on the market and they plan on leaving the area.

Mr. Lareau asked if this falls under agricultural operation or agri-tourism?

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Ms. Bunch stated agri-tourism and agricultural operations are by right uses that do not require a Special Use Permit. The taproom would only be permitted by Special Use Permit.

Mr. Tourje stated that his house is not on the market.

Mr. Jason McCloud, 1412 Keezletown Road, Weyers Cave, stated he lives within a mile of where this taproom is supposed to possibly be going and just wants to let Mr. Pisk know that not one time did he come and ask me if I was okay with what is going on. He said my name is on that petition and I do not approve of what is going on. He said I have been here for three and a half years and I've have been able to farm this land. He said they have been blessed with five children ranging anywhere between two months to 10 years old and we have taught our children to only go to a certain point from the house to stay away from the traffic. He said as have seen on two separate occasions' people passing on the double line right in front of the house and my concern is with all the traffic. He said with alcohol you have impaired vision and they do not make the right decisions quickly because the reaction time is very slow. He said this piece of the road is very populated, and we do not need any more traffic on that road. He said what happens if one of these drivers that leave this facility will veer off the road and strike one of my children playing in the front yard. He said there is a sign Welcome to Weyers Cave and it reads the Birthplace of Future Farmers of America, it does not say birthplace of a brewery and taproom. He said let's keep it for the Future Farmers of America and keep it farmland, a place that we can raise our family, peacefully, and not have to worry about any more traffic, especially those who come to my house intoxicated putting my family at risk. He said Weyers Cave shuts down pretty much at 7:30 p.m. and if this is approved there is going to be even more traffic past dark. He said I hope we keep this as farmland and help keep the safety of not only my children, but other children in the community as well. He said this is not the place for it.

Chair Tilghman asked if there was anyone else wishing to speak regarding this request?

There being none, Chair Tilghman asked the applicant to speak in rebuttal.

Mr. Pisk thanked everyone for speaking today and said that he greatly appreciated that. He said I take these things very seriously. He stated I am a father of four children so when I heard things about children, of course it hits me in a different way. He said I likes to work in the realm of facts and not with feelings. We should get to the underlying issues people have, and not necessarily go to the side of having intense feelings, and obviously there was a lot of folks that spoke today that had strong feelings about what we are trying to accomplish. I reached out in a three quarter to one mile radius, therefore, I could not get back to everyone. I did make it known to all of the neighbors, that if anyone asks to

give them his number and have them call directly so that was offered and I apologize if I didn't get to everyone. He said that Dr. Seaton is a longtime friend of mine and what happened last Friday night was horrible. He said he would like the Board to hear facts versus feelings. He said we talk about alcohol but we do not talk about the underlying issues of why alcohol plays a part. He said in speaking to many breweries and taproom owners in the Middle Atlantic the rates of accidents from alcohol are no different than in the general public areas. The idea of most accidents with alcohol are happening within a couple of miles of your house. He said the parking, the active and passive recreation, the lighting, the noise, the volume of people, the environmental impact are all regulated by the County and I rely on those experts. He stated Balzer and Associates also helped him to come to these conclusions. He said the reason why there are two people per car is because that is what VDOT regulations use, 150 cars is 300 people. He noted that there were several different things said that were based on feelings of what someone thinks is true, but it is not necessarily true. He said for instance, when someone said that the road is not built for this type of traffic that is not true because VDOT, literally told me it was. He said I am just passing along information to everyone here. There were comments about beer drinking and evil but we can say that about many things in life so that is much more based on a feeling and a lack of responsibility. He said we tried to address some of these things ahead of time because we knew it was going to be coming up regarding the dust and traffic which we cannot control. There are ways to responsibly control consumption at these types of events and that is what we plan on doing as we move forward. He stated I cannot get into the details here about all of this but we will put that into place. He said that he has spoken to several taproom owners from Pennsylvania and Virginia that are helping him through this. He said that he is working with Headwaters and USDA about the springs, and they have a deep desire to make sure we conserve the waterways that are on the property heading to the North River. He said before getting into this venture, I knew the effects of opening a business, especially one like this in an area you call an agricultural. He said that this could be something special for the whole community but I do understand the pushback with respect to alcohol's effect on people when it is irresponsible and out of control, definitely understand that.

Chair Tilghman stated there was a question regarding the cemetery?

Mr. Pisk stated the cemetery is on the northeast corner of the property right in the back corner of the property close to the river. He stated it has actually been cleaned up and is really amazing. He said it goes well with the majority of the property and the house itself, which was built in 1809, and from what I understand, Thomas Jefferson did visit there but I do not know the exact information on that. He said we are going to conserve it and keep its character, but I have not thought and the other owners have not thought too much about that because it is not part of what we are talking about today. He said I would be

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happy to sit down and speak to people but some of them I do not even know. He said they have projected stages of what we want to do as well as the projected growth but the speed of what they are doing goes to be determined by how the property is marked by interest level, there are several vineyards along Keezletown Road, but there is really no taproom for those that enjoy beer and cider. He said the next closest would be Stable Craft. We are bringing something different to the community. He stated personally I will not be farming, at least for right now. He stated the more time we spend on the property, the more my wife and I realize that maybe this is someplace that we want to actually move to. He said I moved here from New York 30 years ago, this is home. He said several folks talked about walking up and down Chapel Hill Lane, hikers, bikers, and people walking their dogs and someone also mentioned a special needs child and parents that walk up and down the road. He said those things we can kind of work through by controlling how we handle the hours of operation. He said there is only so much that we can control. He said citizens may be mindful of the operating hours and not walk from 4:00 p.m. to 9:00 p.m. He said there are obviously things that we can work on.

Ms. Bunch explained the definition of active and passive recreation.

Chair Tilghman asked about the number of food trucks?

Mr. Pisk stated there are several different ways to accomplish what we are trying to do from a food and beverage and from a restaurant perspective. He said the number five is something that they calculated based on discussions with Ray Burkholder at Balzer. He said this gives them a little bit of flexibility to figure out how they are going to do this it may be only one food truck or maybe it is two food trucks and one trailer, I do not know. He said this is a little bit more difficult to calculate, because the size of the trailer and the size of the food truck. He said you can get a trailer which is twice the size of a food truck. He said if we use one trailer, we may not have to use the maximum of five trucks. He noted that if anybody owns a business or starts a business, you know that some things you can account for but other things you cannot. He said we tried to put a number in there so we would not have to come back in front of the Board. He said five is the best that we could come up with. He stated the projected business plan, depends on many factors, as the engineers help us to determine what we want to accomplish because it has to do with a lot of different moving parts, it has to do with the Health Department and ABC. He said that is going to determine where we fit in. He said we do not have a specific number and I do not believe that is part of this process. He asked the Board to put a 30 day hold on this and come back in 30 days so he can have time to speak with the other people that spoke today and we can just work through the facts and talk through this. He said we are trying to be neighborly.

Chair Tilghman closed the public hearing.

Mr. Thacker moved to table the request to the June 3, 2021 meeting.

Mr. Coyner seconded the motion, which carried unanimously.

MATTERS TO BE PRESENTED BY THE ZONING ADMINISTRATOR

RANDY SHOWALTER – EXTENSION OF TIME REQUEST

A request by Randy Showalter, for a Special Use Permit to have a motor vehicle repair operation and impound area on property owned by Kimberly A. Miller, located at 105 Shulls Lane, Mount Solon in the North River District.

Mr. Randy Showalter stated with Covid-19 he has lost \$100,000 in revenue and he was concerned about his employees getting paid and not the fence.

Chair Tilghman stated the applicant will need to complete the pre-conditions because this will be the last extension.

Ms. Bunch stated the applicant should not be operating at all because the pre-conditions were never completed. She said he really is operating illegally. She noted the applicant will not only need to complete the fence but also the Erosion Plan, Health Department, and Building Inspections approval and that it all be completed within sixty (60) days.

Chair Tilghman stated the Board would not want to shut you down but it is possible if the pre-conditions are not completed.

Mr. Coyner moved to approve the sixty (60) day Extension of Time.

Mr. Glover seconded the motion, which carried unanimously

May 6, 2021

ALAN HADFIELD, AGENT FOR BLUE MARLIN INVESTMENTS, LLC AND HARDROCK INVESTMENTS, INC. - CANCEL PERMIT

A request by Alan Hadfield, agent for Blue Marlin Investments, LLC and Hardrock Investments, Inc., for a Special Use Permit to construct a tower for employee training on property they own, located at 31 Swartzel Shop Road, Greenville, in the Riverheads District.

Mr. Coyner moved to cancel the permit.

Mr. Glover seconded the motion, which carried unanimously.

STAFF REPORT

- 20-21 Z Lot, LLC
- 20-22 David or Catherine Marie Riccioni
- 20-23 C. Rodgers Huff, Trustee and Etal
- 20-24 Jonathan D. Kern or Carol Turrentine
- 20-25 J.R. Ridenour
- 20-26 Worley Family Properties, LLC
- 20-27 Benjamin E. Yoder and Melanie D. Gregoire
- 20-28 Deon E. or Carrie P. Gibbons

Ms. Bunch stated SUP#20-21 has not completed their site plan, therefore, staff has sent them a letter. She stated that SUP#20-22 is in compliance. She stated the applicant no longer wants to operate SUP#20-23, therefore, staff sent them a letter. She stated SUP#20-24, SUP#20-25, and SUP#20-26 are all in compliance. She stated the applicant no longer wants to have weddings for SUP#20-27, therefore, staff sent the applicant a letter to cancel their permit. She stated SUP#20-28 is in compliance.

May 6, 2021

Mr. Benkahla discussed the court cases with the Board.

There being no further business to come before the Board, the meeting was adjourned.


Chair


Secretary