Town of Berryville
Berryville-Clarke County
Government Center
101 Chalmers Court Suite A
Berryville, VA 22611

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BERRYVILLE PLANNING COMMISSION
Berryville/Clarke County Government Center – 101 Chalmers Court
Main Meeting Room
January 24, 2017 - 7:30 PM

Organizational Meeting

AGENDA

1. **Call to Order** – Christy Dunkle, Planner

2. **Election of Officers** – Chair, Vice Chair

3. **Approval of Agenda**

4. **Approval of Minutes** – November 22, 2016

5. **Approval of Comprehensive Plan Committee Minutes** – No meeting was held.

REGULAR SESSION

6. **Citizen's Forum**

NEW BUSINESS

7. **Set Public Hearing – Site Plan** – *Attachment A*
   Stuart Dunn, Agent, (Michelle Fascelli, Owner), is requesting Site Plan approval in order to demolish a building and construct a parking lot for Mario's Pizza at the property identified as Tax Map Parcel numbers 14A2-((A))-53, 14A2-((A))-54, and 14A2-((A))-55, zoned C General Commercial. SUP 01-17

8. **Set Public Hearing – Text Amendment** – *Attachment B*
   Repeal Stormwater Management Ordinance TA 01-17

9. **Request for Review and Evaluation of Berryville Zoning Ordinance for Senior Facilities** – *Attachment C*

(continued)

Patricia Dickinson, *Mayor*
Harry Lee Arnold, Jr., *Recorder*

Council Members
Donna Marie McDonald, *Ward 1*
Allen Kitselman, III, *Ward 2*
Erecka L. Gibson, *Ward 3*
David L. Tollett, *Ward 4*

Keith R. Dalton
Town Manager

OLD BUSINESS

10. **Planning and Zoning Update** – *Attachment D*

11. **Other**

12. **Adjourn**

PLANNING COMMISSION
Berryville-Clarke County Government Center
MINUTES OF REGULAR MEETING
November 22, 2016

A meeting of the Berryville Planning Commission was held on Tuesday, November 22, 2016 at 7:30 p.m. in the Berryville – Clarke County Government Center located at 101 Chalmers Court in Berryville, Virginia.

ATTENDANCE: Members of the Planning Commission present: Doug Shaffer, Chair, Kim Kemp, Vice Chair, Gwen Malone, Michelle Marino, Deb Zimmerman, Dale Barton, William Steinmetz, Sheryl Reid, Krish Mathur.

Members absent: no one

Staff present: Christy Dunkle, Assistant Town Manager/Planner

Others present: Dave Tollett (Planning Commission liaison), Leah Knode, VMD, Sean Millot

Press present: Cathy Kuehner, Winchester Star

Chair Shaffer called the meeting to order at 7:30pm.

APPROVAL OF AGENDA
Chair Shaffer asked for approval of the agenda. Mr. Steinmetz moved to approve the agenda as presented, seconded by Ms. Malone, the agenda was approved by voice vote.

APPROVAL OF MINUTES
Vice Chair Kemp noted a date error in the minutes. Ms. Malone moved to approve the minutes of the October 25, 2016 Planning Commission meeting as amended, seconded by Ms. Zimmerman. The motion passed by voice vote.

APPROVAL OF COMPREHENSIVE PLAN COMMITTEE MINUTES
Committee Chair Steinmetz said there was no meeting held in November.

PUBLIC HEARING – Special Use Permit

Dr. Leah Knode, VMD, (Owner, House Paws Animal Hospital), is requesting a Special Use Permit under Section 204.2(h) of the Berryville Zoning Ordinance in order to operate a Veterinary Hospital at the property located at 37 East Main Street, identified as Tax Map Parcel number 14A5-((A))-81A, zoned C General Commercial. SUP 05-16

Chair Shaffer asked staff to describe the request. Ms. Dunkle read the public hearing notice and gave an overview of the application.

Chair Shaffer recognized Jay Hillerson, Berryville. Mr. Hillerson said he owns the former funeral home adjacent to the property being discussed. He said he is not opposed to the use, adding that his father was a small animal veterinarian and is a proponent of the use. He said there is an intense parking shortage particularly along Main Street. He said it is important to encourage businesses but said several of his tenants have concerns about parking. Mr. Hillerson said that the property located at 37 East Main Street depends on street parking and the street is filled with existing tenants and clientele. He added that when the pediatrician and architecture offices were in this location, his tenants became parking police. He said that pursing tourism zone incentives is great for economic development but that lack of parking continues to be a problem.

Chair Shaffer recognized Margaret Barthel, Berryville. Ms. Barthel said she had received an adjacent property owner's notice and could not see how the space would work for a veterinary hospital. She added that she was concerned about the types of animals that will be patients at the facility saying it would make a difference.

Chair Shaffer recognized applicant Leah Knode, VMD. Dr. Knode said that she owns House Paws Veterinary practice in Lovettsville. She said her business is in an old Victorian house and that the animals feel comfortable in those surroundings. She said it has turned out to be a very nice space. Addressing Ms. Barthel's concerns, Dr. Knode said that she has a small animal practice including cats, dogs, and pocket pets. She said she had not had any difficulty getting the animals in and out of the building. She said that office staff will park in the public parking lot on Church Street. Dr. Knode said that her business has small volumes of clients, each usually scheduled for 30 minute appointments. She said she rarely has more than two appointments in the office at one time therefore not requiring much parking.

There being no further discussion, the public hearing was closed at 7:40pm.

PUBLIC HEARING – Text Amendment

The Berryville Planning Commission is sponsoring a text amendment as requested by Sean Millot, (Kimley-Horn and Associates, Inc.), Agent, (Michele Fascelli, Owner) to Article III, Section 305.17 of the Berryville Zoning Ordinance in order to modify parking requirements for "restaurant, fast food" to require one (1) space per 100 square feet of gross floor area and one (1) space for every four outside seats. TA 08-16

Chair Shaffer asked staff to describe the request. Ms. Dunkle read the public hearing notice and gave a brief overview of the request. She added that Mr. Millot, the applicant, was in attendance at the meeting.

Chair Shaffer recognized Brian McClemens, Fairfax Street, Berryville. Mr. McClemens said that he is concerned about parking and that his biggest fear is that other restaurant parking requirements will be changed. He added that this would be the end of local restaurants with this change adding that this will affect all of those who own restaurants in town. Chair Shaffer recognized Sean Millot, Kimley-Horn and Associates, Inc., who clarified that this amendment would only be applied to fast food restaurants. He said that he has seen a reduction in parking requirements in the industry as the culture has changed to use the drive through facilities more frequently.

There being no further discussion, the public hearing was closed at 7:47.

REGULAR SESSION

CITIZENS' FORUM

Chair Shaffer said that no one had signed up to speak and asked if anyone would like to discuss any matter not on the agenda. There were no speakers for Citizens' Forum.

DISCUSSION - PUBLIC HEARINGS

Special Use Permit

Chair Shaffer opened the floor to Commissioners to discuss the public hearing for a Special Use Permit in order to operate a veterinary hospital at 37 East Main Street. Ms. Reid asked how many spaces were behind the building. Ms. Dunkle said there are four total spaces for two businesses. There was a discussion about the number of employees and peak times of day with higher turnover. Ms. Malone clarified that employees will park in the Town's municipal lot on South Church Street. Mr. Steinmetz agreed that parking is a serious concern in this area.

Chair Shaffer said that parking downtown was a good topic to consider. There was a discussion about on-street parking and the County's property behind the Sheriff's office.

There being no further discussion, Mr. Steinmetz made the motion that the Planning Commission of the Town of Berryville recommend approval of SUP 05-16 to Town Council in order to operate a veterinary hospital at 37 East Main Street, identified as Tax Map Parcel number 14A5-((A))-81A zoned C General Commercial with the following conditions:

1. Animal boarding is prohibited.
2. Hours of operation will be 8:00am to 8:00pm Monday through Friday, 9:00am to 12:00 noon Saturday.
3. Animal waste shall not enter the public sanitary sewer system.
4. Medical waste shall be disposed of per Commonwealth of Virginia regulations.
5. Staff shall park in public parking lots.

He also moved that the Planning Commission of the Town of Berryville waive parking requirements per 305.5 Special Provisions for Commercial (C) Zoning District of the Berryville Zoning Ordinance in order for the business to be located on this parcel.

The motions were seconded by Ms. Kemp. The motions were approved unanimously by voice vote.

Text Amendment

Chair Shaffer asked for comments from Planning Commissioners. Mr. Mathur clarified that the proposed amendment would reduce the number of parking spaces required for fast food restaurants with no minimum for outdoor seating. There was a discussion about seasonal outdoor seating. Mr. Steinmetz added that parking requirements in the future will have a cumulative effect.

There being no further discussion, Mr. Steinmetz made the motion that the Planning Commission of the Town of Berryville recommend Town Council approve a text amendment to Article III, Section 305 Minimum Off-Street Parking in order to modify parking requirements for "restaurant, fast food" under Section 305.17 of the Berryville Zoning Ordinance to require 1.0 parking space per 100 square

feet of gross flora area, plus one additional space for every four (4) outside seats. The motion was seconded by Ms. Zimmerman. The motion passed unanimously by voice vote.

NEW BUSINESS

BERRYVILLE MAIN STREET PRESENTATION

Ms. Dunkle introduced Mary Jo Pellerito representing Berryville Main Street. She gave a presentation on the findings of a study completed by Virginia Main Street and their consultant Barman Development Strategies, LLC, concerning downtown Berryville.

OLD BUSINESS

PLANNING AND ZONING UPDATE

Ms. Dunkle reviewed the actions taken by Town Council at their November meeting. She said that Mr. Echols had withdrawn his application regarding the text amendment to the Business Commercial zoning district.

There was a discussion after Berryville Main Street's presentation. Mr. Steinmetz discussed anchor businesses in a small community. Mr. Mathur said that a community vision needs to be discussed to determine what should be retained. He added that it seems as though Berryville is moving towards being more like Purcellville and this was important to keep in mind. Ms. Reid said the Town would benefit from a boutique hotel and there was a discussion about the Battletown Inn. Ms. Kemp said that the character of an authentic downtown gives Berryville its identity. There was a discussion about anchor businesses and that the Planning Commission should be part of the conversation. Ms. Malone said a survey of residents would offer the community a voice. Ms. Zimmerman added that events such as the Cruise-In and the Clarke County Studio Tour really help pull visitors and residents downtown.

OTHER

Chairman Shaffer asked members if canceling the December 27 meeting due to the Christmas holiday is okay with them. There was consensus to cancel the December meeting.

Adjourn

There being no further business, Ms. Malone made a motion to adjourn the meeting, seconded by Ms. Zimmerman, the motion passed by voice vote at 8:40pm.

_____ _____

Doug Shaffer, Chair Christy Dunkle, Recording Secretary

BERRYVILLE PLANNING COMMISSION **Agenda Item #7**
Set Public Hearing – Site Plan for Mario's Pizza Parking Lot
January 24, 2017

Stuart Dunn, Agent, (Michelle Fascelli, Owner), is requesting Site Plan approval in order to demolish a building and construct a parking lot for Mario's Pizza at the property identified as Tax Map Parcel numbers 14A2-((A))-53, 14A2-((A))-54, and 14A2-((A))-55, zoned C General Commercial. SUP 01-17

Mr. Fascelli purchased the adjacent property formerly occupied by the Clarke County Education Foundation located at 16 North Buckmarsh Street in order to construct a parking lot for Mario's Pizza.

After a site visit and meeting on November 5, 2014, the Berryville Architectural Review Board issued a Certificate of Appropriateness in order to demolish the structure referenced above. A condition of the issuance of the approval is that the ARB and Planning Commission review and approve design elements and the site plan, respectively.

The applicant and staff have distributed the Site Plan to review agencies and have received a number of comments including VDOT, Pennoni Engineering, and Town Planning and Public Works staff.

As this area encompasses three parcels, those lots will be merged as part of this process.

A Land Use Permit from VDOT will be required in order to allow for entrances to be constructed along North Buckmarsh Street. The Clarke County Building Department will issue permits for the demolition of the structure.

The following items are included following this report:
- Land Development Application for Special Plan;
- Letter and Certificate of Appropriateness issued by the Berryville Architectural Review Board; and
- Site Plan.

Recommendation
Staff recommends setting a public hearing for Tuesday, February 28, 2017.

LAND DEVELOPMENT APPLICATION TOWN OF BERRYVILLE

(Please print or type)

Current Property Owner Michele Fascelli

Owner's Address 36 West Main Street, Berryville, VA 22611

Phone 540-955-4848

Agent (Contact Person) Stuart Dunn

Agent's Address 106 North Church Street, Berryville, VA 22611

Phone 540-955-3388

Check Appropriate Request:

_____ Subdivision - creating more than 2 lots

_____ Minor Subdivision - single lot divided into 2 lots

___x_ Boundary Line Adjustment

___x_ Site Plan

_____ Rezoning

_____ Text Amendment: _____Zoning or _____Subdivision Ordinance

_____ ARB Certificate of Appropriateness

_____ Town of Berryville Utilities

_____ Other: _____

Complete As Applicable:

Nature of Request/Proposal: Boundary Line Adjustment/Lot Consolidation of Michele Fascelli, Parking Lot Expansion

Tax Map & Parcel Number(s): 14A2-A-53, 54 & 55

Size of Project Site: 15,765 sq feet

Proposed # of Lots: 1 Existing Zoning C (General Commercial)

Owner or Agent: The information provided is accurate to the best of my knowledge. I understand that the Town may deny, approve, or conditionally approve the request for which I am applying. I certify that all property corners have been clearly staked and flagged.

Signature: _____ Date: 11/30/16

Owner: I have read this completed application, understand its intent, and freely consent to its filing. Furthermore, I grant permission to the Town Planning Department and other government agents to enter the property and make such investigations and tests, as they deem necessary. I acknowledge that in accordance with Article X of the Subdivision Ordinance I am responsible for costs incurred for review of subdivision and/or development plans by the Town's engineer and that any other required tests or studies will be carried out at owner/agent expense.

Signature: _____ Date: _____

OFFICE USE ONLY

Pd $4,500 11-30-16

Public Hearing Required? _____ Dates Advertised _____ Read plans 12/13/16

Adjoining Property Owners Notified? _____

Action Taken: _____

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November 10, 2014

Michael Fascelli
Mario's Pizzeria
36 West Main Street
Berryville, Virginia 22611

Dear Mike:

The Berryville Architectural Review Board, at their November 5, 2014 meeting, conditionally approved the demolition of the structure located at 16 North Buckmarsh Street, identified as Tax Map Parcel number 14A2-((A))-53 currently owned by the Clarke County Education Foundation. The condition placed on the approval is that a final site plan of future conditions be submitted and approved to the Berryville Architectural Review Board and the Berryville Planning Commission. Additionally, an approved Clarke County Building Permit will be required prior to the demolition of the structure.

Board members conducted at site visit prior to their regular meeting on the date referenced above. Upon inspection of the structure, it appeared that while the historic district survey indicated it was constructed in the 1930's there have been numerous additions to the principal structure which have compromised the historic value of the building.

Please contact me at planner@berryvilleva.gov or 540/955-4081 should you have additional questions. I would be happy to meet with you and your engineer to discuss the future of the parcel and the submission requirements.

Sincerely,

Christy N. Dunkle
Planning Director

Enc./ Certificate of Appropriateness

cc: Bobby Hobbs, Clarke County Education Foundation
Architectural Review Board
Doug Shaffer, Chair, Berryville Planning Commission
Jayme Royston, Clarke County Building Official
File

Wilson Kirby, *Mayor*
Harry Lee Arnold, Jr., *Recorder*

Council Members

Douglas A. Shaffer, *Ward 1*
H. Allen Kitselman, III, *Ward 2*
Mary L.C. Daniel, *Ward 3*
David L. Tollett, *Ward 4*

Keith R. Dalton
Town Manager

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CERTIFICATE OF APPROPRIATENESS

Date:	November 7, 2014
Applicant:	Michael Fascelli, Applicant Clarke County Education Foundation, Owner
Project Description:	Demolition
Project Location:	16 North Buckmarsh Street Tax Map Parcel number 14A2-((A))-53 zoned C General Commercial

This document shall serve as a Certificate of Appropriateness for the above project located in the Berryville Historic District.

The Board conditionally approved the request demolish the structure located at the address above. Upon inspection of the structure, it appeared that while the historic district survey indicated it was constructed in the 1930's there have been numerous additions to the principal structure which have compromised the historic value of the building. The condition placed on the approval is that a final site plan of future conditions be submitted and approved to the Berryville Architectural Review Board and the Berryville Planning Commission.

The Berryville Architectural Review Board approved by consent this Certificate of Appropriateness on November 5, 2014.

Christy N. Dunkle
Assistant Town Manager/Zoning Administrator

11.7.14
Date

Wilson Kirby
Mayor

Harry Lee Arnold, Jr.
Recorder

Council Members

Douglas A. Shaffer
Ward 1

H. Allen Kitselman, III
Ward 2

Mary L.G. Daniel
Ward 3

David L. Tollett
Ward 4

Keith R. Dalton
Town Manager

GENERAL NOTES:

1. THE PROPERTIES SHOWN ON THIS PLAN ARE LOCATED IN THE TOWN OF BERRYVILLE ON THE CLARKE COUNTY ASSESSMENT MAP 14A2-A-53, 14A2-A-54 AND 14A2-A-55, AND ARE CURRENTLY ZONED C (GENERAL COMMERCIAL DISTRICT). THERE ARE NO PROFFERS ASSOCIATED WITH THE EXISTING ZONING OF THESE PROPERTIES.
2. THESE PROPERTIES ARE TO BE CONSOLIDATED AS PART OF THIS PROJECT.
3. THE BOUNDARY INFORMATION SHOWN ON THIS PLAN IS BASED ON A FIELD SURVEY BY DUNN LAND SURVEYS, INC.
4. THIS PLAN MAY NOT SHOW ALL ENCUMBERANCES IN THE CHAIN OF TITLE; NO TITLE REPORT FURNISHED FOR THIS PLAN.
5. TOPOGRAPHIC INFORMATION SHOWN ON THIS BASED ON A FIELD SURVEY BY DUNN LAND SUREVYS, INC. AND IS RELATED TO THE TOWN OF BERRYVILLE DATUM. CONTOUR INTERVAL IS 1-FOOT.
6. THE TOTAL AREA OF THE TWO PARCELS IS 15,765 SF OR 0.3619 ACRES.
7. THIS PLAN IS FOR THE EXPANSION OF THE EXISTING PARKING LOT ONLY; NO BUILDING CONSTRUCTION IS PROPOSED.
8. MARIO'S PIZZA IS SERVED BY PUBLIC WATER AND SEWER; THE EXISTING CONNECTIONS ARE TO REMAIN; AND, NO CHANGES OR MODIFICATIONS ARE PROPOSED TO THESE CONNECTIONS.

OWNER & DEVELOPER:
MICHELE FASCELLI
38 W MAIN STREET
BERRYVILLE, VA 22611
D.B. 883, P. 642 D.B. 823, P. 800

PARKING TABULATIONS:

EXISTING SPACES: 8, INCLUDING 1 HANDICAP SPACE
PROPOSED PARKING: 27, INCLUDING 2 HANDICAP SPACES (1 VAN ACCESSIBLE) AND 4 MOTORCYCLE SPACES
PARKING REQUIRED: (1 SPACE / 4 SEATS) X 72 SETS = 18

CONSTRUCTION NOTES:

1. ALL CONSTRUCTION SHALL CONFORM IN ALL RESPECTS TO THE TOWN OF BERRYVILLE AND/OR VDOT STANDARDS, SPECIFICATIONS AND ORDINANCES, EXCEPT AS MODIFIED BY THIS PLAN. FAILURE TO COMPLY WITH ALL APPLICABLE CODES, STANDARDS, SPECIFICATIONS, ORDINANCES, PERMITS, ESCROWS, ETC. SHALL BE DEEMED AS A VIOLATION.

2. ALL EXISTING OVERHEAD AND UNDERGROUND UTILITIES SHOWN ARE BASED ON EITHER FIELD LOCATION OR EXISTING RECORDS. THE CONTRACTOR SHALL BE REQUIRED TO DETERMINE THE EXACT LOCATION OF ALL UTILITIES PRIOR TO BEGINNING CONSTRUCTION TO VERIFY THE EXACT LOCATION AND DEPTH OF ALL UTILITIES. THE CONSTRACTOR IS ADVISED THAT THERE MAY BE OTHER EXISTING UTILITIES ON OR IN THE VICINITY OF THE SITE AND WORK AREA THAT MAY NEED TO BE LOCATED AND PROTECTED AS PART OF THIS PROJECT; AND, IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY FOR LOCATING AND PRESERVING ALL UTILITIES AS REQUIRED FOR CONTINUED SERVICE.

3. THE CONTRACTOR SHALL BE REQUIRED TO NOTIFY MISS UTILITY PRIOR TO COMMENCING CONSTRUCTION AND MAY FURTHER BE REQUIRED TO DIG TEST PITS TO DETERMINE THE EXACT LOCATION OF UNDERGROUND UTILITIES. THESE TEST PITS SHALL BE PERFORMED AT LEAST 30-DAYS PRIOR TO COMMENCING CONSTRUCTION, WITH ANY DISCREPANCIES REPORTED IMMEDIATELY TO THE OWNER AND THE DESIGN PROFESSIONAL. SHOULD THE LOCATION OF ANY OF THESE UTILITIES CONFLICT WITH THE PROPOSED IMPROVEMENTS REQUIRING ANY REDESIGN, THEN THE REDESIGN SHALL BE APPROVED PRIOR TO COMMENSING CONSTRUCTION.

4. THE CONTRACTOR SHALL VISIT THE SITE AND VERIFY THE EXISTING CONDITIONS PRIOR TO COMMENSING CONSTRUCTION.

5. THE CONTRACTOR SHALL BE RESPONSIBLE FOR NOTIFYING THE OWNER AND DESIGN PROFESSIONAL OF ANY CHANGES OR CONDITIONS ATTACHED TO PERMITS OBTAINED FROM ANY AUTHORITY ISSUING PERMITS.

6. NO EVIDENCE OF GRAVES OR BURIAL SITES HAS BEEN INVESTIGATED OR FOUND ON THIS PROPERTY.

7. EXISTING WELLS, IF ANY, SHALL BE PERMANENTLY ABANDONED IN ACCORDANCE WITH THE VIRGINIA DEPATMENT OF HEALTH STANDARDS AND SPECIFICATIONS AND/OR VIRGINIA STATE WATER CONTROL BOARD.

8. EXISTING SEPTIC FIELDS, IF ANY, SHALL BE ABANDONED IN ACCORDANCE WITH THE VIRGINIA DEPARTMENT OF HEALTH STANDARDS AND SPECIFICATIONS.

9. BASED ON AVAILABLE MAPS AND RECORDS, THERE ARE NO WETLANDS, RESOURCE PROTECTION AREA AND/OR FLOOD PLAIN ON THIS PROPERTY.

10. THE CONTRACTOR SHALL CLEAR THE SITE OF ALL IMPROVEMENTS (BUILDINGS, FOUNDATIONS, TREES, PAVEMENT, ETC.) WITHIN THE LIMITS OF CONSTRUCTION UNLESS OTHERWISED NOTED ON THE PLAN, AND SHALL ALSO BE RESPONSIBLE FOR THE DISCONNECTING OF ANY EXISTING UTILITIES.

11. ALL OVERHEAD UTILITY LINES SHALL BE RELOCATED AND/OR REMOVED AS REQUIRED BY THE APPLICABLE UTILITY OWNER/OPERATOR; AND, THE CONTRACTOR SHALL BE RESPONSIBLE FOR MAKING ALL ARRANGEMENTS AND COORDINATING THE WORK REQUIRED FOR THE NECESSARY RELOCATION/REMOVAL.

12. NO UNDERGROUND SOILS INVESTIGATION HAS BEEN PERFORMED BY DUNN SURVEYS, INC OR CFD CONSULTING, LLC. ALL SOILS INFORMATION SHOWN ON THIS PLAN IS BASED ON EXISTING INFORMATION OR PROVIDED BY OTHERS, AND NO REPRESENTATION IS MADE AS TO THE ACCURACY OF THIS INFORMATION. DEPTH TO ROCK, IF ANY, IS UNKNOWN.

13. ALL WORK WITHIN THE RIGHT OF WAY OF N. BUCKMARSH STREET SHALL BE PERFORMED UNDER A PERMIT ISSUED BY VDOT.

14. DAMAGE TO EXISTING ENTRANCES, CURBS, GUTTERS, PAVEMENT, ETC. NOT SPECIFICALLY PROPOSED WITH THIS PLAN WILL THE RESPONSIBILITY OF THE CONTRACTOR TO REPAIR TO THE SATISFACTION OF VDOT, THE TOWN OF BERRYVILLE AND/OR THE OTHER, OR ANY OTHER AFFECTED ADJOINING PROPERTY OWNER.

15. THE CONTRACTOR SHALL BE RESPONSIBLE FOR MAKING A SMOOTH TRANSITION TO EXISTING CURBS, GUTTERS AND PAVEMENTS.

16. EXISTING CONSTRUCTION SHALL BE REMOVED TO THE NEAREST JOINT AND NEW CONSTRUCTION SHALL BE PROVIDED AS SHOWN ON THIS PLAN. ANY DAMAGED AREA SHALL BE REPAIRED TO MATCH THE CONDITIONS PRIOR TO CONSTRUCTION.

17. ALL PROPOSED SIDEWALKS, CURBS, GUTTERS (CG-2, CG-6 AND/OR CG-6R) IS TO BE CONSTRUCTED WITH A MINIMUM OF 4" OF AGGREGATE BASED (21A OR EQUIVALENT MATERIAL).

18. THE FINISHED GRADE SHOWN FOR THE PPROPOSED FINISHED TOP OF CIRB GRADES ON EXISTING VDOT ROADS SHALL BE FIELD ADJUSTED AS REQUIRED TO CONFORM THE INTENT OF THE TYPICAL ROAD SECTION USING THE EXISTING EDGE OF PAVEMENT AS THE CONTROL POINT. A SMOOTH GRADE SHALL BE MAINTAINED FROM THE CENTER OF THE ROAD TO THE CURB TO PRECLUDE THE CREATION OF FALSE GUTTERS AND/OR THE PONDING OF WATER ON THE ROADWAY SURFACE, TO INCLUDE THE REPLACEMENT OF, OR MILLING, DAPPING OR OVERLAYING THE EXISTING PAVEMENT, AS DIRECTED BY THE VDOT INSPECTOR.

19. THE TOPS OF EXISTING STRUCTURES THAT ARE TO REMAIN IN USE ARE TO BE ADJUSTED, IF NECESSARY, TO BE IN CONFORMACE WITH THE GRADING PLAN.

20. ALL PROPOSED STRUCTURE TOP ELEVATIONS ARE TO BE VERIFIED BY THE CONTRACTOR WITH THE SITE GRADING PLAN. IN CASE OF CONFLICT, THE GRADING PLAN SHALL SUPERCEDE THE PROFILE ELEVATIONS. MINOR ADJUSTMENTS TO MEET THE PROPOSED FINISHED GRADE MAY BE REQUIRED.

21. THE CONTRACTOR SHALL PROVIDE OVERLOT GRADING SO AS TO PROVIDE THERE IS POSITIVE DRAINAGE FLOWS AND PRECLUDE THE PONDING OF SURFACE WATERS.

22. UNLESS OTHERWISE NOTED ON THE PLAN, THE MINIMUM PERMISSABLE PAVEMENT GRADE SHALL BE 1%. IF THERE ARE ANY AREAS OF EXISTING PAVEMENT THAT IS TO REMAIN FOR WHICH THE GRADE IS LESS THAN 1%, THE CONTRACTOR SHALL CHECK THE AREA TO MAKE SURE THAT THE AREA WILL HAVE ADEQUATE DRAINAGE.

23. ALL EXISTING STRUCTURES, INCLUDING BUILDINGS, RETAINING WALLS, ETC. WITHIN THE WORK AREA THAT ARE TO REMAIN SHALL BE VERIFIED FOR STRUCTURAL INTEGRITY PRIOR TO THE COMMENSING OF CONSTRUCTION.

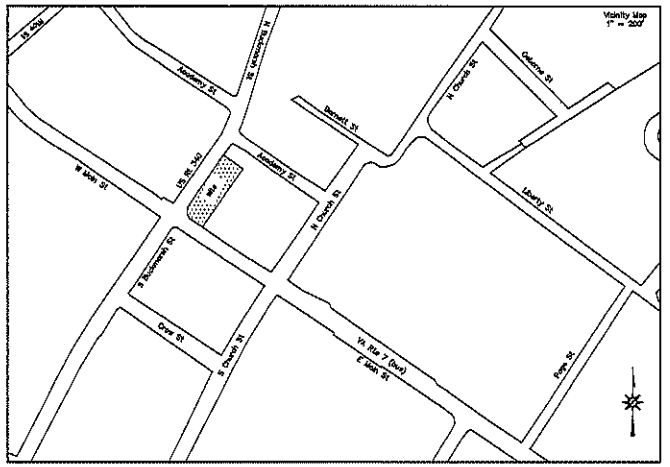
24. IT IS THE CONTRACTORS RESPONSIBILITY TO MAKE SURE THAT ANY EXISTING LANDSCAPING WITHIN THE WORK AREA THAT IS TO BE RELOCATED ON THE SITE WILL BE PLACED AND STORED IN A DESIGNATED AREA BEFORE BEING REPLANTED. THE CONTRACTOR SHALL WORK WITH THE OWNER TO DESIGNATE SUCH STORAGE AREAS AND WILL BE RESPONSIBLE FOR THE REPLACEMENT OF ANY LANDSCAPING MATERIAL THAT DOES NOT SURVIVE STORAGE AND REPLANTING.

25. ALL CONSTRUCTION STAKEOUT SHALL BE PERFORMED UNDER THE SUPERVISION OF A LICENSED LAND SURVEYOR.

26. THE APPROVAL OF THIS PLAN SHALL IN NO WAY RELIEVE THE OWNER AND CONTRACTOR, OR THEIR AGENT(S), OF ANY LEGAL RESPONSIBILITIES THAT MAY BE REQUIRED BY THE CODE OF VIRGINIA OR ANY ORDINANCE ENACTED BY THE GOVERNING AND/OR PERMITTING AGENCY(S).

27. ALL AREAS ON OR OFFSITE WHICH ARE DISTURBED BY THE CONSTRUCTION PROPOSED WITH THIS PLAN AND ARE NOT PAVED OR BUILT UPON, SHALL BE ADEQUATELY STABILIZED TO CONTROL EROSION AND SEDIMENTATION. THE MINIMUM ACCEPTABLE STABILIZATION SAHLL BE A GRASS SEED MIXTURE AS RECOMMENDED BY THE LOCAL GOVERNING AGENCY. ALL SLOPES GREATER THAN 3:1 SHALL BE SODDED OR OTHERWISE STABILIZED IN A MANNER APPROVED BY THE LOCAL GOVERNING AGENCY.

28. THIS PLAN PROPOSES AN EXPANSION TO AN EXISTING PARKING LOT ONLY; NO BUILDING OR OTHER IMPROVEMENTS ARE PROPOSED. ALL EXISTING UTILITY CONNECTIONS SERVING THE EXISTING RESTAURANT USE ARE TO BE MAINTAINED.



Area Table:
- 5,928 square feet area of TM 14A2-A-55
- 2,775 square feet area of TM 14A2-A-54
- 7,062 square feet area of TM 14A2-A-53
- 15,765 square feet area of TM 14A2-A-55 after consolidation

Note: a plat of Boundary Line Adjustment and Lot Consolidation is to be approved and recorded prior to final approval of this Site Plan.

SHEET INDEX:

1. CONSTRUCTION NOTES AND DETAILS
2. EXISTING CONDITIONS/DEMOLITION PLAN
3. GEOMETRIC PLAN
4. GRADING & LANDSCAPE PLAN
5. PAVEMENT MARKING, SIGNAGE AND LANDSCAPE PLAN
6. N. BUCKMARSH STREET SIGHT DISTANCE PROFILE
7. COMBINED PHASE 1 & 2 EROSION CONTROL PLAN & DETAILS
8. DRAINAGE PLAN
9. LIGHTING AND PHOTOMETRIC PLAN

Approval:

Town of Berryville Zoning Administrator

date:

Owner's Consent:

Michele Fascelli

date:

Mario's Pizza
Parking Lot Expansion
Town of Berryville, Clarke County, Virginia

COMMONWEALTH OF VIRGINIA
Charles F. Dunlap
Lic. No. 1338-B
20 October 2015
LAND SURVEYOR

CFD Consulting, LLC
401 Lynnehaven Drive
Winchester, Virginia 22602
Tel: 703-220-4283
emil: chuck@cfdconsultingllc.com

COMMONWEALTH OF VIRGINIA
W. Stuart Dunn
Lic. No. 2000
20 October 2015
LAND SURVEYOR

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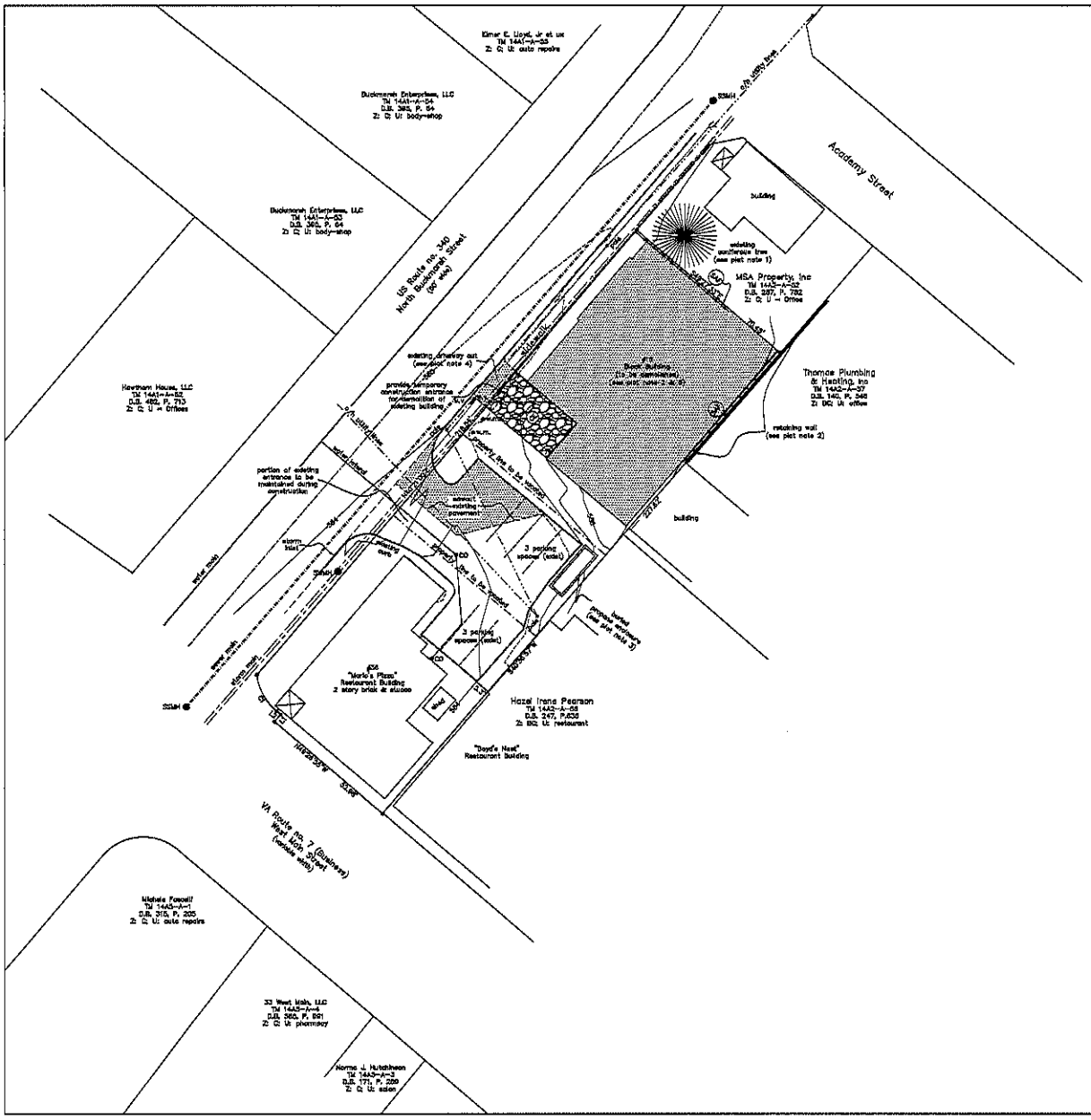
survey no. 4098_site
sheet 1 of 9



CURVE	RADIUS	ARC	DELTA	CHORD	CHORD	TANGENT
C1	121.50'	116.64'	42°12'20"	15.48'	S 28°26'41" E	5.30'

LINE	BEARING	DISTANCE
L1	N 40°35'05" E	3.50'
L2	N 49°26'55" W	2.00'

20' 0 20' 40'
scale in feet
1" = 20'

Legend:
denotes building, pavements, concrete that are to be removed

Legend:
o.p.l. = old property line to be vacated

Legend:
CE construction entrance
SAF safety fence
SSMH sanitary sewer manhole
SWMH storm water manhole
co clean out
w.m. water meter
w.v. water valve

Area Table:

5,998 square feet	area of TM 14A2-A-55
2,773 square feet	area of TM 14A2-A-54
5,992 square feet	area of TM 14A2-A-53
15,765 square feet	area of TM 14A2-A-56 after consolidation

Note: a plat of Boundary Line Adjustment and Lot Consolidation is to be approved and recorded prior to final approval of this Site Plan

Demolition Notes:

(1) The contractor must provide protection for existing coniferous tree on Tax Map 14A2-A-52 during demolition.
(2) The contractor must exercise caution during demolition phase not to disturb or damage existing retaining wall.
(3) The contractor must exercise caution during demolition phase not to disturb or damage buried propane tank.
(4) Existing driveway entrance for building that is to be removed shall remain in place to provide a temporary construction entrance/access during building demolition and rough grading of site.
(5) Existing water service location is approximate and shall be removed/abandoned at the meter box. The existing meter box shall remain and be protected during demolition and construction. The Department of Public Works shall be notified and inspection shall be made prior to backfilling the area.
(6) The location of the existing sanitary lateral serving the building to be demolished shall be determined by the contractor prior to construction. Once the location has been verified the lateral shall be abandoned at the property line and capped with a water-tight connection and inspected by the Department of Public Works prior to backfilling the ditch.
(7) See Sheet 7 for all erosion control details.

Mario's Pizza

Existing Conditions/Demolition Plan

Town of Berryville, Clarke County, Virginia

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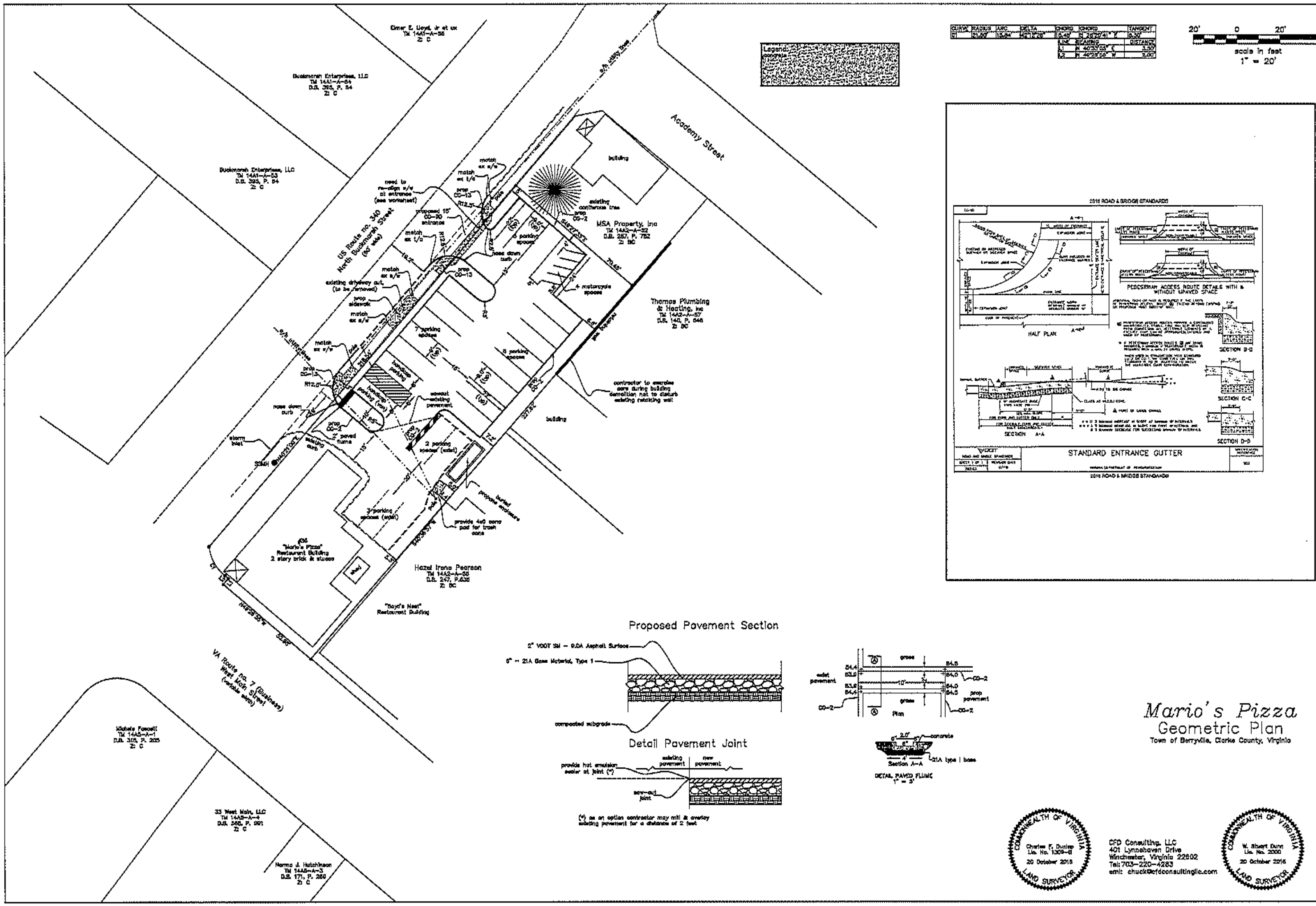

Mario's Pizza

Geometric Plan

Town of Berryville, Clarke County, Virginia

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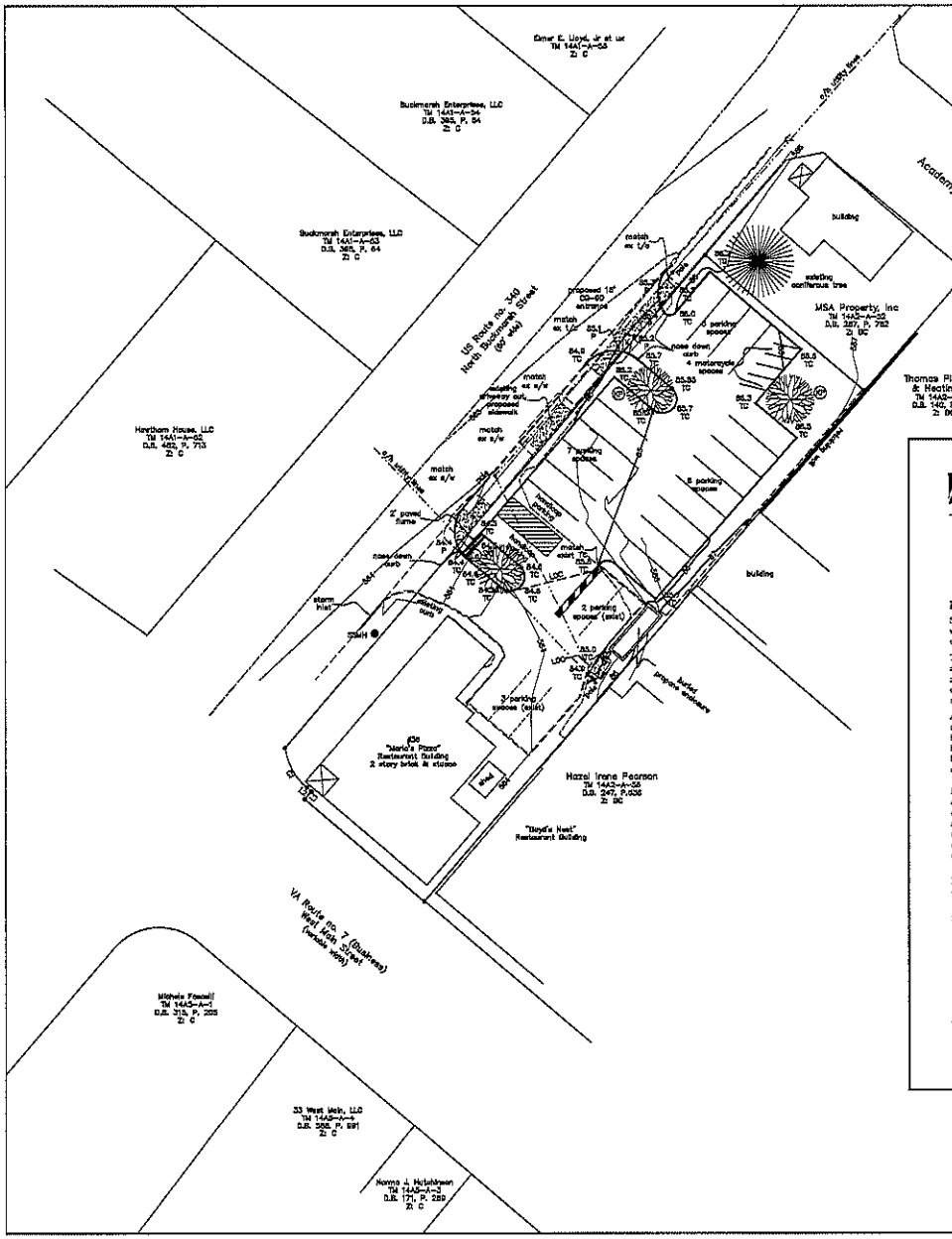

CURVE	RADIUS	ARC	DELTA	CHORD	CHORD	TANGENT
C1	21.00'	5.24'	14°17'26"	10.45'	N 29°07'41" E	5.27'

LINE	BEARING	DISTANCE
L1	N 40°16'58" E	3.00'
L2	N 40°16'58" W	2.00'

20' 0 20' 40'
scale in feet

Legend:
- existing major contour
- existing minor contour
- proposed contour
- 84.8 TC or 85.3 FF — proposed spot elevation
- limits of clearing & grading (LOD)

Planting Schedule:

LA	Lagerstroemia (Crape Myrtle — white)	2" caliper ball & bag

Landscape Requirements:
1 tree/8 spaces
27 spaces/8 = 3 trees

Mario's Pizza
Grading & Landscape Plan
Town of Berryville, Clarke County, Virginia

Virginia Cooperative Extension
Virginia Tech • Virginia State University

Publication 430-295

Tree and Shrub Planting Guidelines

Bonnie Lee Appleton, Extension Specialist
Susan French, Extension Technician, AREC, Hampton Roads; Virginia Tech
Reviewed by David Close, Consumer Horticulture and Master Gardener Specialist, Horticulture, Virginia Tech

Plant and Site Selection

Select trees and shrubs well-adapted to conditions of individual planting sites. Poorly-sited plants are doomed from the start, no matter how carefully they're planted.

Test soil drainage before planting. Dig a test hole as deep as your planting hole and fill with water. If water drains at a rate of less than one inch per hour, consider installing drainage to carry water away from the planting hole base, or moving or raising the planting site (berm construction).

Also consider using trees water-tolerant species. For trees, try red maple, sycamore, bald cypress, willow oak, or river birch. For shrubs, try inkberry, redtwig dogwood and buttonbush. Avoid dogwoods, azaleas, boxwoods, Japanese hollies, and other plants that don't like "wet feet" where drainage is poor.

Examine soil for compaction before planting. If soils are compacted, consider replacement with a good loam soil, or incorporation of several inches of an organic material such as composted yard waste to a depth of at least 8 inches over the entire planting area. Do not incorporate small quantities of sand - compaction will increase and drainage decrease.

Site Preparation

Dig shallow planting holes two to three times as wide as the root ball. Wide, shallow holes encourage horizontal root growth that trees and shrubs naturally produce.

In well-drained soil, dig holes as deep as the root ball. In poorly-drained heavy clay soil, dig holes one or two inches shallower than the root ball. Cover the exposed root ball top with mulch.

Don't dig holes deeper than root balls or you loose soil beneath roots because loose soil will compact over time, leaving trees and shrubs planted too deep. Widen holes near the soil surface where most root growth occurs. Score walls of machine-dug (auger, backhoe) holes to prevent glazing.

Backfill holes with existing unamended soil. Do not incorporate organic matter such as peatmoss into backfill for individual planting holes. Differences in soil pore sizes will be created causing problems with water movement and root growth between the root ball, planting hole, and surrounding soil.

Backfill half the soil, then water thoroughly to settle out air pockets. Finish backfilling, then water again. Cover any exposed root ball tops with mulch.

Incorporate slow-release granular fertilizers into backfill soil to provide nitrogen, or if a soil test indicates a need for phosphorus or potassium. Avoid using fast-release agronomic fertilizers that can dehydrate tree roots. Use no more than 1# actual nitrogen per 1,000 ft. of planting hole surface. (Example - If using 10-6-12 with a 5' diameter hole, incorporate 0.5 oz. per planting hole.)

Tree and Shrub Preparation

Closely inspect the wrapping around root balls of B&B (balled and burlapped) trees and shrubs. Growers use many synthetic materials, as well as burlap treated to retard degradation, to wrap root balls. Many of these materials will not degrade. To insure root growth into surrounding soil, remove planting nails or rope lacing, then cut away or drop the wrapping material to the bottom of the planting hole, backfilling over it.

Wire baskets used to protect root balls degrade very slowly underground. Remove the top 8-12 inches of wire to keep equipment from getting caught in wire loops, and surface roots from girdling.

Remove all rope, whether jute or nylon, from trunks. Again, degradation is slow or nonexistent, and ropes can girdle trunks and roots.

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Produced by Communications and Marketing, College of Agriculture and Life Sciences, Virginia Polytechnic Institute and State University, 2016

Remove plastic containers from container-grown trees and shrubs. For plants in fiber pots, break away the top or remove the pot entirely. Many fiber pots are coated to extend their shelf life, but this slows degradation below ground and retards root extension.

If roots are circling around the root ball exterior, cut through the roots in a few places. Cutting helps prevent circling roots from eventually girdling the trunk. Select trees grown in containers with vertical ribs or a copper-treatment on the interior container wall. These container modifications and treatments minimize circling root formation.

Tree Care After Planting

Remove tags and labels from trees and shrubs to prevent girdling branches and injuries.

Good follow-up watering helps promote root growth. Drip irrigation systems and water reservoir devices can facilitate watering.

Mulch, but don't over mulch newly planted trees and shrubs. Two to three inches of mulch is best - less if a fine material, more if coarse. Use either organic mulches (shredded or chunk pine bark, pine straw, compost) or inorganic mulches (volcanic and river rocks).

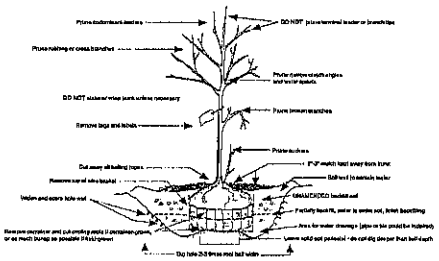
Keep mulch from touching tree trunks and shrub stems. This prevents disease and rodent problems if using organic mulches, and bark abrasion if using inorganic mulches.

Don't use black plastic beneath mulch around trees and shrubs because it blocks air and water exchange. For added weed control, use landscape fabrics that resist weed root penetration. Apply only one to two inches of mulch atop fabrics to prevent weeds from growing in the mulch.

Only stake trees with large crowns, or those situated on windy sites or where people may push them over. Stake for a maximum of one year. Allow trees a slight amount of flex rather than holding them rigidly in place. Use guying or attaching material that won't damage the bark. To prevent trunk girdling, remove all guying material after one year.

Most trees should not have their trunks wrapped. Wrapping often increases insects, diseases, and water damage to trunks. Thin-barked trees planted in spring or summer into hot or paved areas may benefit from wrapping if a white wrap is used. To avoid trunk girdling, do not attach wraps with wire, nylon rope, plastic ties, or electrical tape. If wraps must be used, remove within one year.

For protection against animal or equipment damage, install guards to protect the trunk. Be sure the guards are loose-fitting and permit air circulation.



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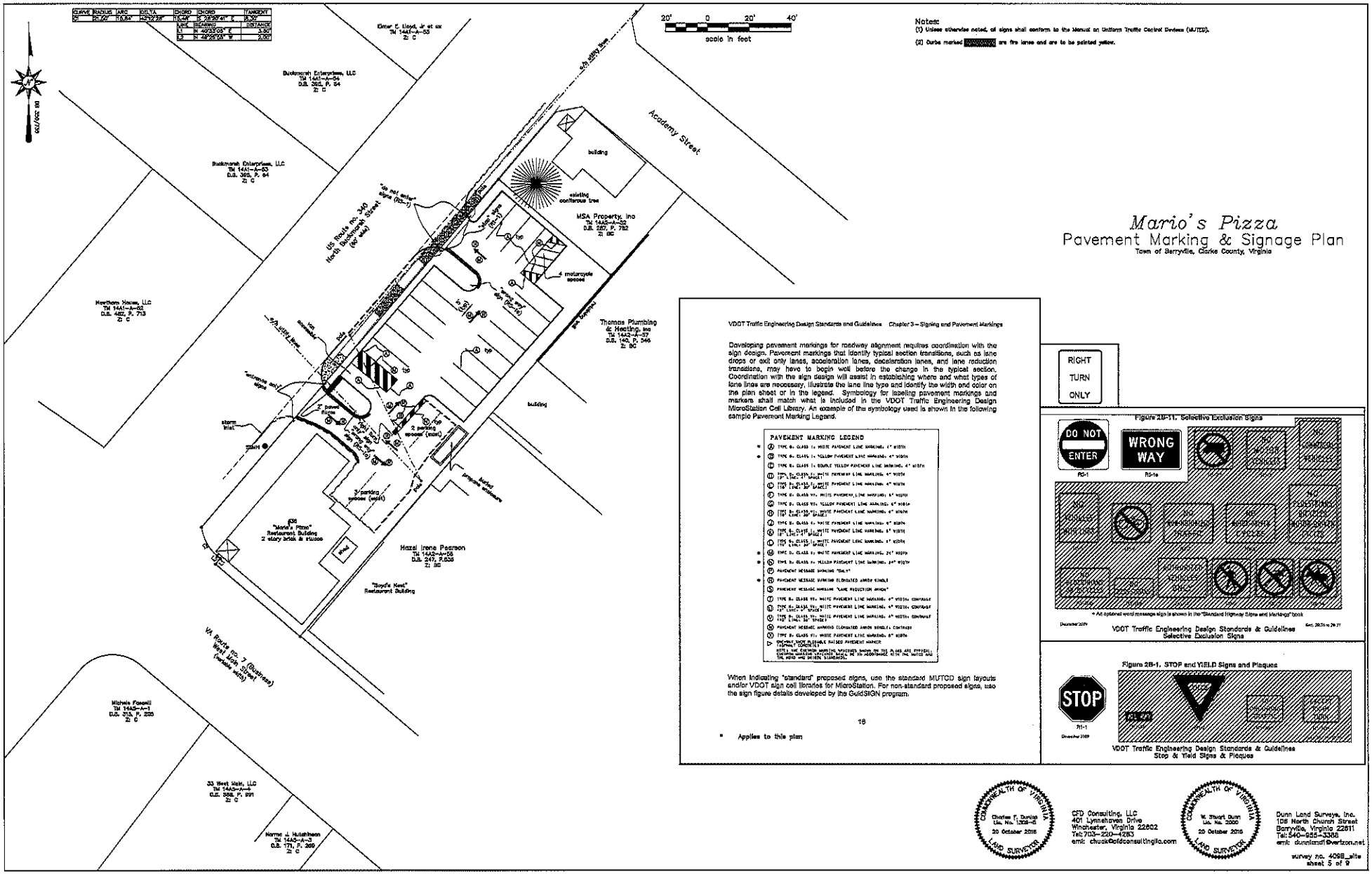

VDOT Traffic Engineering Design Standards and Guidelines Chapter 3 – Signing and Pavement Markings

Developing pavement markings for roadway alignment requires coordination with the sign design. Pavement markings that identify typical section transitions, such as lane drops or exit only lanes, acceleration lanes, deceleration lanes, and lane reduction transitions, may have to begin well before the change in the typical section. Coordination with the sign design will assist in establishing where and what types of lane lines are necessary, illustrate the lane line type and identify the width and color on the plan sheet or in the legend. Symbology for labeling pavement markings and markers shall match what is included in the VDOT Traffic Engineering Design MicroStation Cell Library. An example of the symbology used is shown in the following sample Pavement Marking Legend.

PAVEMENT MARKING LEGEND

*	(A)	TYPE B1 CLASS I: WHITE PAVEMENT LINE MARKING, 4" WIDTH
*	(B)	TYPE B1 CLASS I: YELLOW PAVEMENT LINE MARKING, 4" WIDTH
	(C)	TYPE B1 CLASS I: DOUBLE YELLOW PAVEMENT LINE MARKING, 4" WIDTH
	(D)	TYPE B1 CLASS VI: WHITE PAVEMENT LINE MARKING, 4" WIDTH (3'-0" LINE, 5'-0" SPACE)
	(E)	TYPE B1 CLASS VI: WHITE PAVEMENT LINE MARKING, 4" WIDTH (10'-0" LINE, 30'-0" SPACE)
	(F)	TYPE B1 CLASS VI: WHITE PAVEMENT LINE MARKING, 8" WIDTH
	(G)	TYPE B1 CLASS VI: YELLOW PAVEMENT LINE MARKING, 8" WIDTH (3'-0" LINE, 5'-0" SPACE)
	(H)	TYPE B1 CLASS VI: WHITE PAVEMENT LINE MARKING, 8" WIDTH (10'-0" LINE, 30'-0" SPACE)
	(I)	TYPE B1 CLASS VI: WHITE PAVEMENT LINE MARKING, 24" WIDTH
	(J)	TYPE B1 CLASS VI: WHITE PAVEMENT LINE MARKING, 12" WIDTH (10'-0" LINE, 30'-0" SPACE)
*	(K)	TYPE B1 CLASS VI: WHITE PAVEMENT LINE MARKING, 24" WIDTH
*	(L)	TYPE B1 CLASS VI: YELLOW PAVEMENT LINE MARKING, 24" WIDTH
	(M)	PAVEMENT MESSAGE MARKING "ONLY"
*	(N)	PAVEMENT MESSAGE MARKING ELONGATED ARROW SINGLE
	(O)	PAVEMENT MESSAGE MARKING "LANE REDUCTION AHEAD"
	(P)	TYPE B1 CLASS VII: WHITE PAVEMENT LINE MARKING, 4" WIDTH, CONTRAST (3'-0" LINE, 9'-0" SPACE)
	(Q)	TYPE B1 CLASS VII: WHITE PAVEMENT LINE MARKING, 8" WIDTH, CONTRAST (3'-0" LINE, 9'-0" SPACE)
	(R)	TYPE B1 CLASS VII: WHITE PAVEMENT LINE MARKING, 24" WIDTH, CONTRAST (10'-0" LINE, 30'-0" SPACE)
	(S)	PAVEMENT MESSAGE MARKING ELONGATED ARROW SINGLE, CONTRAST
	(T)	TYPE B1 CLASS VII: WHITE PAVEMENT LINE MARKING, 8" WIDTH
	(U)	TYPE B1 CLASS VIII: RAISED PAVEMENT MARKER

NOTE 1: ALL PAVEMENT MARKING MATERIALS SHOWN ON THIS CLASS ARE TYPICAL. CONTRACTOR MAINTAINS APPROVED MATERIALS LIST IN ACCORDANCE WITH THE MUTCD AND THE VDOT ANNOTATION MANUAL.

When indicating "standard" proposed signs, use the standard MUTCD sign layouts and/or VDOT sign cell libraries for MicroStation. For non-standard proposed signs, use the sign figure details developed by the GuidSIGN program.

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* Applies to this plan

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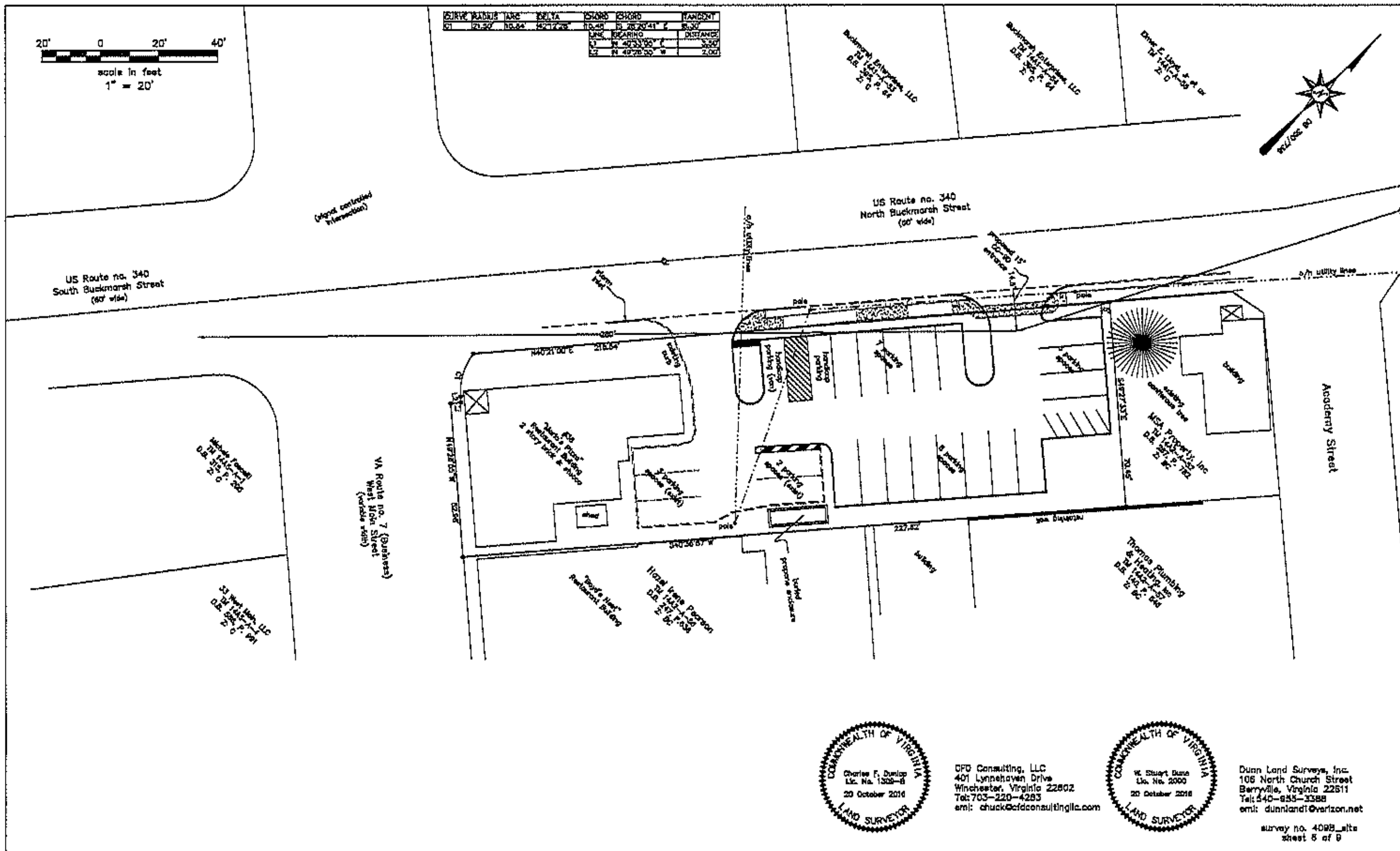
sheet 5 of 9

Sight Distance Plan & Profile
Buckmarsh Street

Town of Berryville, Clarke County, Virginia
scale: 1" = 20' H
1" = 5' V



F-24

Intersection Sight Distance

The following table shows intersection sight distance requirements for various speeds along major roads:

SDR = Sight Distance Right (For a vehicle making a left turn)
SDL = Sight Distance Left (For a vehicle making a right or left turn)

Height of Eye 3.5'											Height of Object 3.5'
Design Speed (mph)**	20	25	30	35	40	45	50	55	60	65	70
SDL=SDR: 2 Lane Major Road	225	280	335	390	445	500	555	610	665	720	775
SDR: 4 Lane Major Road (Undivided) or 3 Lane	250	315	375	440	500	565	625	690	750	815	875
SDL: 4 Lane Major Road (Undivided) or 3 Lane	240	295	355	415	475	530	590	650	710	765	825
SDR: 4 Lane Major Road (Divided – 18' Median)	275	340	410	480	545	615	680	750	820	885	955
SDL: 4 Lane Major Road (Divided – 18' Median)	240	295	355	415	475	530	590	650	710	765	825
SDR: 5 Lane Major Road (continuous two-way turn-lane)	265	335	400	465	530	600	665	730	800	860	930
SDL: 5 Lane Major Road (continuous two-way turn-lane)	250	315	375	440	500	565	625	690	750	815	875
SDR: 6 Lane Major Road (Divided – 18' Median)	290	360	430	505	575	645	720	790	860	935	1005
SDL: 6 Lane Major Road (Divided – 18' Median)	250	315	375	440	500	565	625	690	750	815	875
SDL: (Where left turns are physically restricted)	210	260	310	365	415	465	515	565	620	670	725

(in feet)

TABLE 2-5 INTERSECTION SIGHT DISTANCE

Source: AASHTO Green Book, Chapter 9, Section 9.5.3, page 9-37 thru 9-52, "Table 9-5 thru 9-14

**For all tables, use design speed if available, if not use legal speed.

* Rev. 1/14

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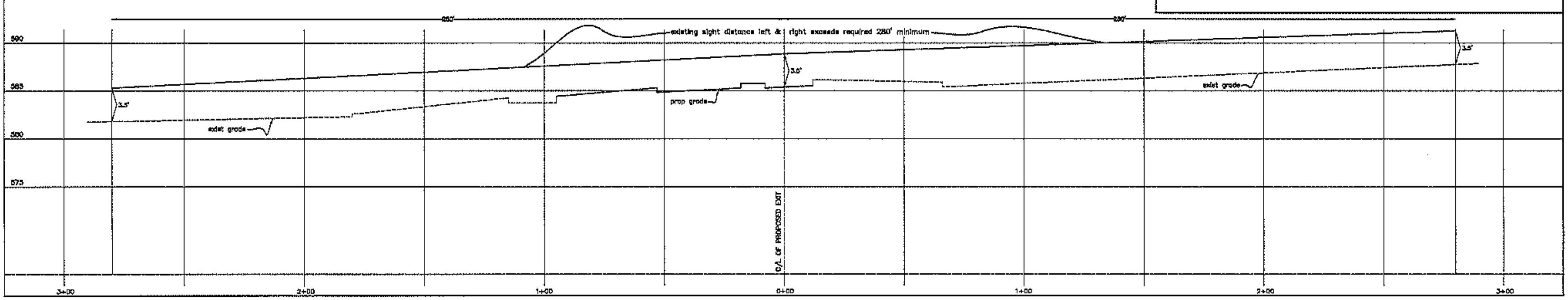

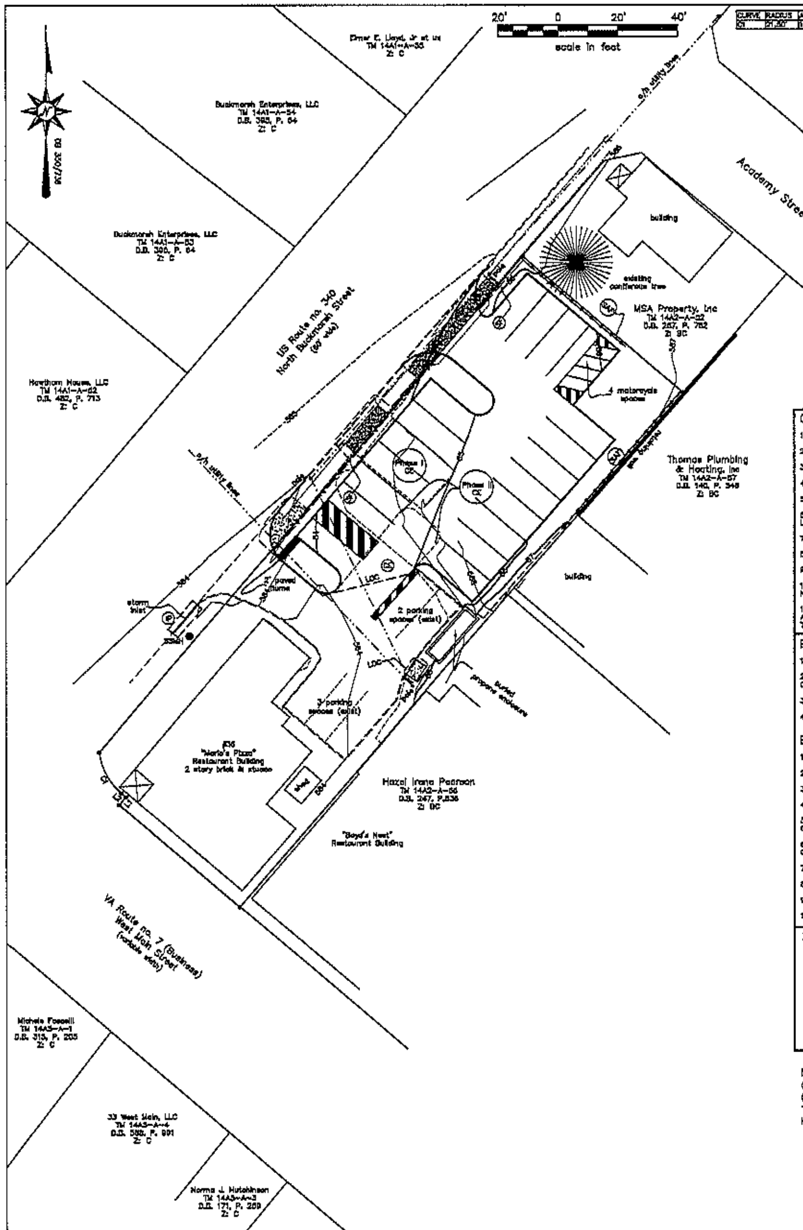

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LINE	BEARING	DISTANCE
L1	N 40°33'05" E	3.60'
L2	N 49°26'55" W	2.00'

EROSION & SEDIMENTATION CONTROL NARRATIVE

PROJECT DESCRIPTION:

THIS PROJECT CONSISTS OF THE DEMOLITION OF AN EXISTING BUILDING AND THE EXPANSION OF AN EXISTING PARKING LOT INTO THE AREA WHERE THE BUILDING WAS LOCATED. THE TOTAL AMOUNT OF DISTURBED AREA IS APPROXIMATELY 9,600 SF OR 0.22 ACRES.

EXISTING SITE CONDITIONS:

THE SITE IS DEVELOPED WITH EXISTING STRUCTURES AND A PARKING LOT. THE BUILDING ON PARCEL 53 IS TO BE REMOVED. THE EXISTING BUILDING ON PARCEL 56 WILL REMAIN. THE EXISTING PARKING LOT ON PARCELS 53 & 54 WILL REMAIN AND BE EXPANDED.

ADJACENT AREAS:

THE SITE IS BORDERED ON THE WEST AND SOUTH BY N. BUCKMARSH STREET (RTE 340) AND E. MAIN STREET (RTE 7), RESPECTIVELY. THE SITE IS BORDERED ON THE NORTH AND EAST BY VARIOUS COMMERCIALLY DEVELOPED PROPERTIES.

OFFSITE AREAS:

WITH THE EXCEPTION OF MINOR WORK IN N. BUCKMARSH STREET, NO OFFSITE AREAS ARE TO BE DISTURBED. IT IS NOTED THAT THERE IS AN EXISTING CONIFEROUS TREE ON THE ADJACENT PARCEL 52 ON THE NORTH; AND, THIS TREE IS TO BE PRESERVED. LIKEWISE, THERE IS AN EXISTING RETAINING WALL ON THE ADJACENT PARCEL 57 THAT IS LOCATED ON THE COMMON PROPERTY LINE WITH THE APPLICATION PROPERTY; AND, THIS RETAINING WALL IS NOT TO BE DISTURBED.

SOILS:

PURSUANT TO THE BERRYVILLE SOILS MAP, THE SOILS ON THE APPLICATION PROPERTY ARE DESIGNATED AS 33B, PACEBROOK SILTY CLAY LOAM. THESE SOILS ARE RATED SLOW FOR PERMEABILITY; AND, THEIR EROSION POTENTIAL IS SLIGHT.

CRITICAL AREAS:

THERE ARE NO KNOWN CRITICAL AREAS WITHIN THE AREA OF PLANNED DISTURBANCE.

EROSION CONTROL MEASURES:

IN CONSIDERATION OF THE LIMITED AMOUNT OF DISTURBED AREA, THE PROPOSED EROSION CONTROL MEASURES WILL GENERALLY BE LIMITED TO A COMBINED PHASE 1 AND 2 EROSION CONTROL PLAN. A CONSTRUCTION ENTRANCE, PERIMETER SILT FENCING AND STORM DRAIN INLET PROTECTION FOR THE EXISTING STORM STRUCTURE LOCATED IMMEDIATELY SOUTH OF THE EXISTING ENTRANCE ON N. BUCKMARSH STREET WILL BE PROVIDED. AS TO THE CONSTRUCTION ENTRANCE, THE EXISTING DRIVEWAY ENTRANCE ON PARCEL 53 WILL BE UTILIZED DURING THE DEMOLITION AND ROUGH GRADING WORK; AND, THE CONSTRUCTION ACCESS WILL THEN BE SHIFTED TO THE EXISTING PARKING LOT FOR THE REMAINDER OF THE WORK.

PERMANENT STABILZATION:

ALL AREAS THAT ARE NOT PAVED OR LANDSCAPED WILL BE SEEDED OR SODDED FOR PERMANENT VEGETATED COVER.

STORMWATER RUNOFF CONSIDERATIONS:

THE TOTAL AMOUNT OF IMPERVIOUS AREA BEFORE AND AFTER DEVELOPMENT IS ESSENTIALLY UNCHANGED; AND, THE DRAINAGE PATTERNS REMAIN UNCHANGED AS WELL.

MAINTENANCE PROGRAM:

THE SITE SUPERINTENDENT, OR HIS/HER REPRESENTATIVE, SHALL MAKE DAILY VISUAL INSPECTIONS, AS WELL AS AFTER EACH HEAVY RAINFALL EVENT, OF ALL MECHANICAL CONTROLS AND NEWLY STABILIZED AREAS (E.G. - SEEDED AND MULCHED AREAS, ETC.) TO ENSURE THAT ALL CONTROLS ARE MAINTAINED AND WORKING PROPERLY. ANY DAMAGED CONTROLS SHALL BE REPAIRED PRIOR TO THE END OF THE WORK DAY, INCLUDING ANY NECESSARY RESEEDING AND MULCHING.

GENERAL LAND CONSERVATION NOTES

1. NO DISTURBED AREA WILL BE DENUDED FOR MORE THAN SEVEN (7) CALENDAR DAYS UNLESS OTHERWISE AUTHORIZED BY THE TOWN OF BERRYVILLE INSPECTOR.
2. ALL EROSION AND SEDIMENTATION CONTROL MEASURES ARE TO BE PLACED PRIOR TO OR AS THE FIRST STEP IN THE CLEARING AND GRADING PROCESS. THE FIRST AREAS TO BE CLEARED ARE THOSE THAT ARE NECESSARY TO INSTALL TO THE INITIAL PERIMETER CONTROLS.
3. ALL STORM AND SANITARY SEWER LINES NOT IN STREETS ARE TO BE SEEDED AND MULCHED FOR TEMPORARY STABILZATION WITHIN FIVE (5) DAYS AFTER BACKFILL. NO MORE THAN 500-FEET OF TRENCH ARE TO BE OPEN AT ANY ONE TIME.
4. ELECTRIC, TELECOMMUNICATION AND GAS SUPPLY TRENCHES ARE TO BE COMPACTED, SEEDED AND MULCHED WITHIN FIVE (5) DAYS AFTER BACKFILL.
5. DURING CONSTRUCTION, ALL STORM SEWER INLETS WILL BE PROTECTED BY INLET PROECTION DEVISES, MAINTAINED AND MODIFIED AS NECESSARY BY THE CONSTRUCTION PROGRESS.
6. ANY DISTURBED AREA NOT COVERED BY NOTE #1, ABOVE, AND NOT PAVED, SODDED OR OTHERWISE BUILT UPON BY NOVEMBER 1ST, OR DISTURBED AFTER THAT DATE, IS TO BE SEEDED AND MULCHED WITH HAY OR STRAW MULCH AT THE RATE OF TWO (2) TONS PER ACRE AND OVERSEEDED NO LATER THAN MARCH 15TH IF THE AREA HAS NOT BEEN BUILT UPON OR PAVED.
7. AT THE COMPLETION OF THE CONSTRUCTION PROCESS AND PRIOR TO THE RELEASE OF THE BOND, ALL TEMPORARY EROSION AND SEDIMENT CONTROL MEASURES SHALL BE REMOVED AND DISTURBED AREAS SHALL BE STABILIZED.
8. NO SOIL STOCKPILES ARE PERMITTED.
9. NO MATERIAL IS TO BE PLACED IN ANY STREAMBED.
10. WHERE CONSISTENT WITH JOB SAFETY REQUIREMENTS, ALL EXCAVATED MATERIAL IS TO BE PLACED ON THE UPHILL SIDE OF ANY TRENCH EXCAVATION. WHERE SOIL IS PLACED ON THE DOWNSIDE OF TRENCH EXCAVATIONS, IT IS TO BE BACKSLOPED TO DRAIN TOWARDS THE TRENCH. WHEN NECESSARY TO DEWATER EXCAVATED TRENCHES, THE PUMP DISCHARGE HOSES ARE TO BE DIRECTED TO A STABILIZED AREA AND/OR AN EXISTING STORM INLET.
11. IF THE MAXIMUM ALLOWABLE PERIOD FOR DENUDATION IS EXCEEDED AND ANY AEREAS REMAINEXPOSED WITHOUT COVER OR SURFACE, THE TOWN OF BERRYVILLE MAY, IN THE EVENT THAT THE OWNER AND/OR CONTRACTOR DOES NOT, INSTALL SUCH GROUND COVER OR OTHER STABILIZATION DEVISES AND/OR MATERIALS TO THE MINIMUM EXTENT NECESSARY PROVIDE EROSION AND SEDIMENTATION CONTROL EQUAL TO THAT WHICH WOULD HAVE BEEN FURNISHED BY THE PROVISION OF PERMANENT GROUND COVER SHOWN ON THE APPROVED PLAN. THE COST OF ANY SUCH TEMPORARY MEASURES TAKEN BY THE TOWN SHALL BE THE RESPONSIBILITY OF THE ONER AND/OR DEVELOPER AND SHALL BE A CHARGE AGAINST THE CONSERVATION DEPOSIT.

EROSION AND SEDIMENT CONTROL MAINTENANCE NOTES

1. MAINTENANCE OF THE CONSTRUCTION ENTRANCE IS REQUIRED TO PREVENT MUD DEPOSITS IN THE PUBLIC RIGHT OF WAY.
2. SILT FENCES SHALL BE INSPECTED AT THE END OF EACH DAY AND AFTER EACH RAINFALL, WITH ANY REQUIRED REPAIRS OR REPLACEMENTS DONE IMMEDIATELY. SEDIMENT DEPOSITS WILL BE REMOVED AFTER EACH RAINFALL AND AT ANY TIME THE DEPOSITS RACH APPROXIMATELY ONE-HALF (1/2) OF THE BARRIER HEIGHT.
3. INLET PROTECTION SHALL BE INSPECTED AT THE END OF EACH DAY AND AFTER EACH RAINFALL, WITH ANY REQUIRED REPAIRS MADE IMMEDIATELY.
4. EROSION AND SEDIMANTATION CONTROL DEVISES SAHLL BE MAINTAINED IN PLACE UNTIL GROUND DISTURBING CONSTRUCTIONN ACTIVITY AND PERMANENT STABILIZATION IS COMPLETE, AND SHALL ONLY BE REMOVED BY PERMISSION OF THE TOWN INSPECTOR.

EROSION AND SEDIMENT CONTROL MEASURES

1. ALL EROSION AND SEDIMENTATION CONTROL MEASURES ARE TO BE INSTALLED PRIOR TO THE START OF ANY GRADING ACTIVITY.
2. EROSION AND SEDIMENT CONTROL MEASURES SHALL BE MAINTAINED UNTIL ALL GROUND DISTURBING ACTIVITY ENDS AND THE PERMANENT STABILIZATION OF ALL DISTURBED AREAS IS COMPLETE.
3. ALL EROSION AND SEDIMENTATION CONTROL STANDARDS AND SPECIFICATIONS SHALL COMPLY WITH THE CURRENT EDITION OF THE VIRGINIA EROSION AND SEDIMENTATION CONTROL HANDBOOK (VESCH) AND/OR THE TOWN OF BERRYVILLE CONSTRUCTION STANDARDS.
4. ALL STORM SEWER INLETS SHALL BE PROTECTED DURING CONSTRUCTION. SEDIMENT-LADEN STORM WATER RUNOFF SHALL BE FILTERED USING THE APPROPRIATE EROSION AND SEDIMENT CONTROL MEASURES PRIOR TO ENTERING ANY STORM WATER INLETS.
5. A CONSTRUCTION ENTRANCE CONFORMING TO THE VESCH STD & SPEC 3.02 (AS MODIFIED FOR THIS APPLICATION) SHALL BE INSTALLED AND MAINTAINED FOR THE DURATION OF ALL LAND DISTURBANCE ACTIVITES. NO CONSTRUCTION VEHICLES SHALL BE PERMITTED TO ACCESS THE WORK AREA OTHER THAN THRU THIS ENTRANCE UNTIL THE EXPANDED PARKING LOT HAS BEEN PAVED.
6. A FENCED BARRIER CONFORMING TO VSECH STD & SPEC 3.01 SHALL BE PLACED ALONG THE PORTION OF THE NORTH PROPERTY LINE ADJACENT TO THE EXISTING CONIFEROUS TREE AND THE EAST PROPERTY LINE ADJACENT TO THE EXISTING REAINING WALL TO PROTECT THESE FEATURES DURING CONSTRUCTION.
7. SILT FENCING CONFORMING TO VESCH STD & SPEC 3.05 SHALL BE INSTALLED IN THE LOCATIONS SHOWN ON THE PLAN TO FILTER SEDIMENT LADEN RUNOFF FROM SHEET FLOW.
8. STORM DRAIN INLET PROCTETION CONFORMING TO VESCH STD & SPEC 3.07 SHALL BE INSTALLED AT THE EXISTING STORM DRAIN INLET IN N. BUCKMARSH STREET ADJACENT TO THE EXISTING PARKING LOT ENTRANCE.
9. BARE SOIL SURFACES NOT AT FINISHED GRADE AND THAT WILL BE EXPOSED FOR MORE THAN SEVEN (7) DAYS SHALL BE STABILIZED WITH TEMPORARY SEEDING AND MULCHING CONFORMING TO VESCH STD & SPEC 3.31.
10. ALL DISTURBED AREAS THAT ARE NOT BE CONSTRUCTED UPON OR LANDSCAPED SHALL BE PERMANENTLY STABILIZED FOLLOWING THE COMPLETION OF FINISHED GRADING BY SEEDING AND MULCHING CONFORMING TO VESCH STD & SPEC 3.32.

Legend:

(line)	existing major contour
(line)	existing minor contour
(line)	proposed contour
84.9 TC or 85.3 P	proposed spot elevation
(line)	limits of clearing & grading (LOC)

NOTES:
(1) CONSTRUCTION ENTRANCE LENGTH MODIFIED TO FIT SITE CONDITIONS.
(2) ALL SPECIFIED EROSION & SEDIMENT CONTROL DEVICES NOTED SHALL CONFORM TO THE CURRENT EDITION OF THE VIRGINIA EROSION & SEDIMENT CONTROL HANDBOOK, WHICH IS INCLUDED IN THIS PLAN BY REFERENCE AS PART OF.

Mario's Pizza
Phase I & II Erosion Control
Town of Berryville, Clarke County, Virginia

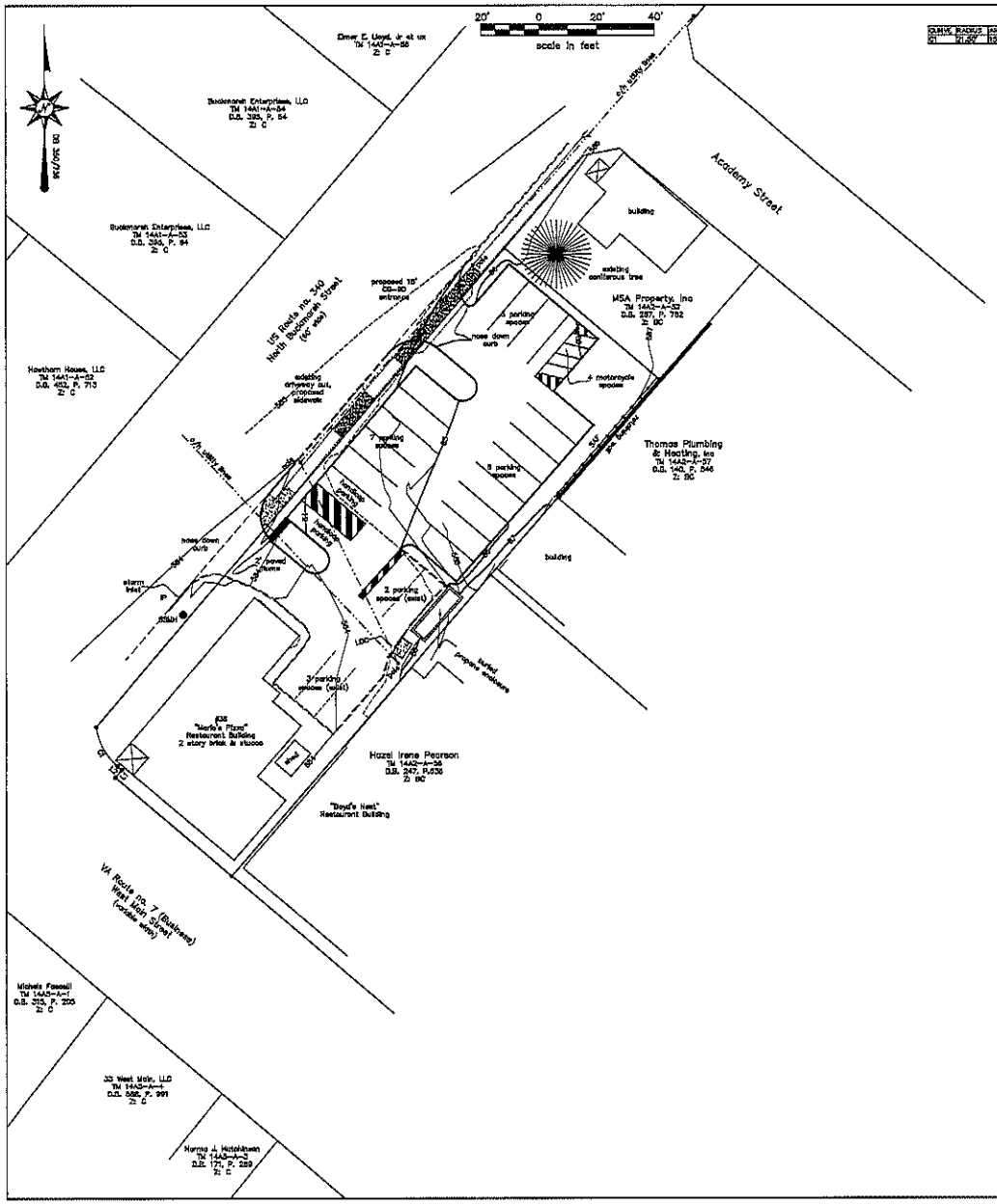
COMMONWEALTH OF VIRGINIA
Charles F. Dunlap
Lic. No. 1309-B
20 October 2018
LAND SURVEYOR

CFD Consulting, LLC
401 Lynnehaven Drive
Winchester, Virginia 22602
Tel: 703-220-4283
emil: chuck@cfdconsultingllc.com

COMMONWEALTH OF VIRGINIA
W. Stuart Dunn
Lic. No. 2000
20 October 2018
LAND SURVEYOR

Dunn Land Surveys, Inc.
106 North Church Street
Berryville, Virginia 22611
Tel: 540-955-3388
emil: dunnland1@verizon.net

survey no. 4098_site
sheet 7 of 9



CURVE	RADIUS	ARC	DELTA	CHORD	CHORD	TANGENT
C1	21.00'	19.64'	53°34'58"	18.93'	S 23°04'31" E	10.60'

LINE	BEARING	DISTANCE
L1	N 70°47'00" E	1.00'
L2	N 49°28'58" W	2.00'

STORM DRAINAGE PLAN

SITE AREA: 15,765 SF/0.29 AC

EXISTING CONDITIONS:

BLDGS, PVM'T, ETC: 12,538 SF/0.29 ACS
GRASS, ETC: 3,227 SF/0.07 AC
"C" = ((0.7 x 0.35) + (0.29 x 0.9))/0.35 = 0.79
TIME OF CONCENTRATION = 5 MIN
FOR THE 10 YEAR DESIGN STORM:

$Q = A \times C \times I = 0.36 \times 0.79 \times 5.45 = 1.55$ CFS

CONDITIONS AFTER RE-DEVELOPMENT:

- BLDGS, PVM'T, ETC: 12,572 SF/0.29 ACS
- GRASS, ETC: 3,193 SF/0.07 ACS
- "C" = 0.79 (NO CHANGE)
- FOR THE 10 YEAR DESIGN STORM

$Q = A \times C \times I = 0.36 \times 0.79 \times 5.45 = 1.55$ CFS (NO CHANGE)

PURSUANT TO SECTION 1.5.8.4 OF THE TOWN OF BERRYVILLE STORMWATER MANAGEMENT ORDINANCE, EFFECTIVE JULY 2015, NO STORMWATER MANAGEMENT CONTROLS ARE REQUIRED FOR THIS PROJECT SINCE THE TOTAL AMOUNT OF DISTURBED AREA IS LESS THAN 20,000 SF.

STORM DRAINAGE NARRATIVE:

CURRENTLY, THE STORM DRAINAGE FLOWS FROM THIS SITE ARE COLLECTED IN EXISTING STORM DRAIN INLETS LOCATED ON THE EAST SIDE OF N BUCKMARSH STREET AND CONVEYED DOWNSTREAM. THERE IS NO CHANGE IN EITHER THE QUANTITY OF THE STORM DRAINAGE RUN-OFF NOR IN THE CURRENT EXISTING DRAINAGE PATTERNS, WITH THE DRAINAGE FLOWS CONTINUING TO BE COLLECTED IN THE SAME STORM INLETS.

Mario's Pizza
Drainage Plan
Town of Berryville, Clarke County, Virginia

COMMONWEALTH OF VIRGINIA
Charles F. Dunlap
Lic. No. 1309-B
20 October 2015
LAND SURVEYOR

CFD Consulting, LLC
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20 October 2015
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survey no. 4099_site
sheet 8 of 9

LIGHTING FIXTURE SCHEDULE

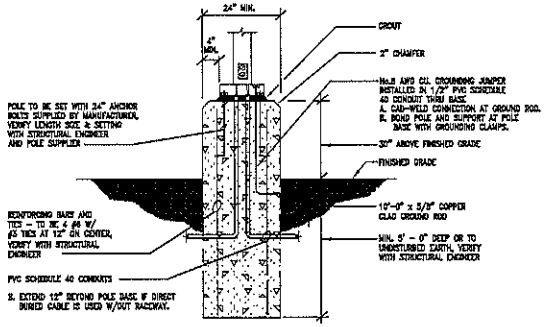
FXT. TYPE	SYMBOL	MANUFACTURER	FIXTURE CATALOG NO.	FIXTURES/POLE	FIXTURE INFORMATION: LED	FIXTURE INFORMATION: INPUT WATTS	VOLTAGE	MOUNTING	REMARKS
A1	-S	LSI INDUSTRIES	XCSM-S-LED-HO-MW-UE-SRT	1	NATURAL WHITE (4000K)	288	120	20' POLE, 2' BASE	20 FOOT TALL SQUARE POLE, COLOR TO MATCH FIXTURE

GENERAL SHEET NOTES

1. ALL CONDUCTORS SHALL BE IN 1" SCHEDULE 40 PVC UNLESS OTHERWISE NOTED.
2. ALL UNDERGROUND CONDUCTORS SHALL HAVE A MINIMUM COVER IN ACCORDANCE WITH NEC TABLE 300.5. IN GENERAL, THE MINIMUM COVER FOR ALL BURIED NONMETALLIC CONDUIT SHALL BE 18"; WHERE LOCATED UNDER DRIVEWAYS AND PARKING LOTS PROVIDE A MINIMUM COVER OF 24". MINIMUM COVER OF ELECTRICAL SERVICE BETWEEN BUILDINGS SHALL BE A MINIMUM OF 36" OR AS DIRECTED BY THE UTILITY COMPANY.
3. ALL SITE LIGHTING CONDUCTORS SHALL BE #10 WITH #10 GND. THROUGHOUT THE ENTIRE CIRCUIT UNLESS OTHERWISE NOTED.
4. ALL SITE LIGHTING TO BE CONTROLLED BY A PHOTOCELL. "ON" AT DARK, "OFF" AT DAWN.

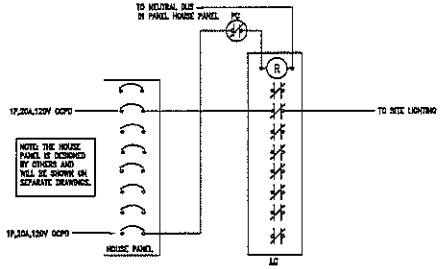
KEYED SHEET NOTS

1. TO OCPD (THROUGH PHOTOCELL CONTROLLED LIGHTING CONTACTOR). PROVIDE ONE, SINGLE POLE 20A, BREAKER IN BRANCH CIRCUIT PANEL. FOR CONTINUATION REFER TO BUILDING INTERIOR ELECTRICAL DRAWINGS (BY OTHERS).



BASE DETAIL FOR POLE FIXTURES

SCALE : NONE

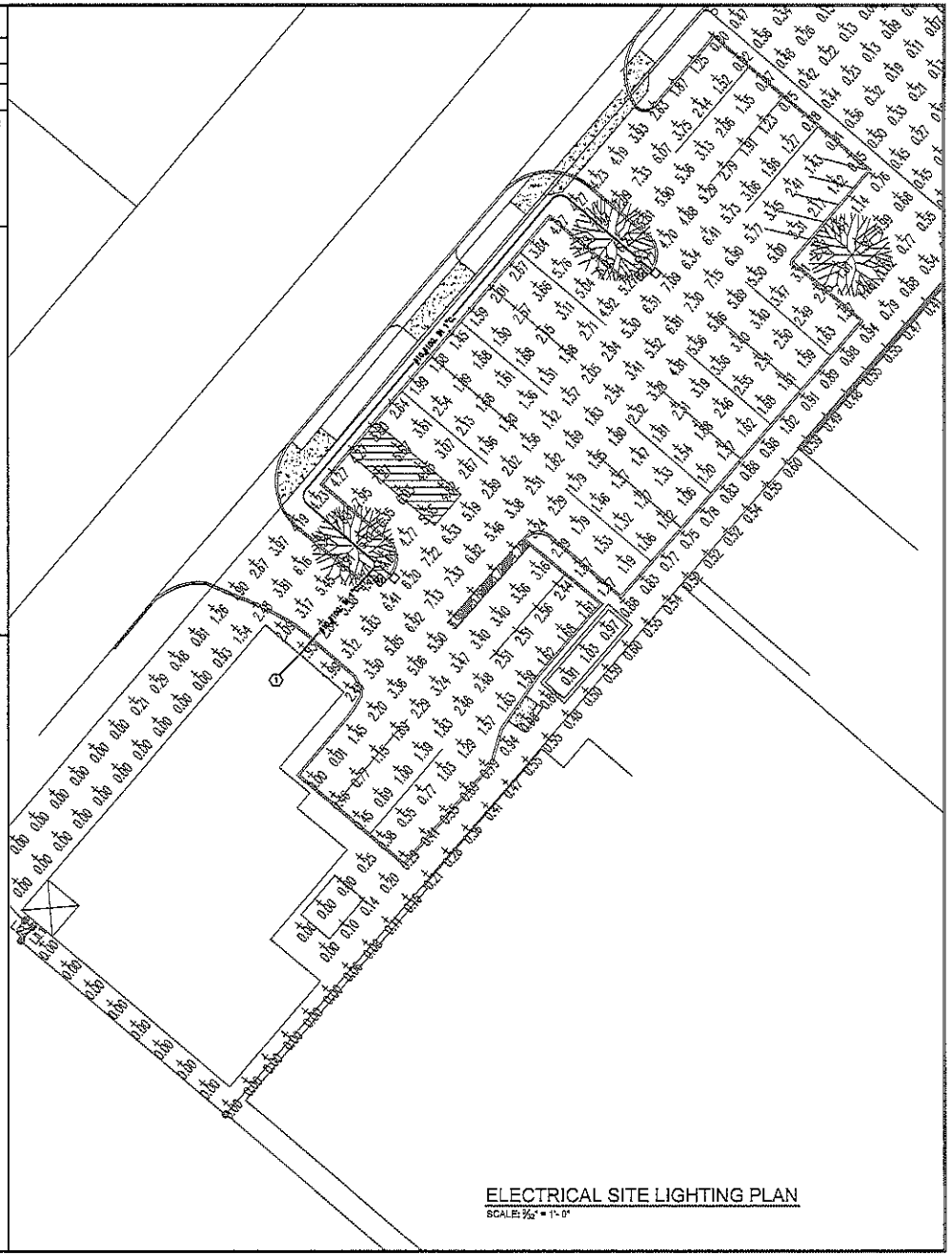


LIGHTING CONTROL SEQUENCE
DIAGRAM IS SHOWN WHEN ALL LIGHTING IS ENERGIZED.
THE N.O. CONTACTORS IN LC ARE CONTROLLED BY THE N.O. PHOTOCELL (PC) CONTACTOR.
DURING DAYLIGHT HOURS, THE PC CONTACTORS ARE OPEN DENERGIZING LS-1 RELAY COIL CAUSING THE LC CONTACTORS TO BE HELD MECHANICALLY OPEN, BREAKING THE CIRCUIT.
IN THE ABSENCE OF SUNLIGHT, THE PC CONTACTORS CLOSE, CAUSING THE LS-1 RELAY COIL TO ENERGIZE AND THE LC CONTACTORS TO BE ELECTRICALLY CLOSED, COMPLETING THE CIRCUIT.

LIGHTING CONTACTOR: GENERAL ELECTRIC OR EQUAL - MINIMUM 10 POLE, 50A, 120V COIL VOLTAGE IN NEMA 1 FLUSH MOUNTED, GENERAL PURPOSE ENCLOSURE W/ PLASTER ADJUSTMENT.

EXTERIOR LIGHTING CONTROL DETAIL

SCALE: NONE



ELECTRICAL SITE LIGHTING PLAN

SCALE: 3/32" = 1'-0"

FKC Engineering,PC
Mechanical • Electrical • Plumbing
Tel 540.825.8876 Fax 540.825.8705

MARIO'S PIZZA
Berryville, Virginia

SITE LIGHTING PLAN
SURVEY NO. 409_SITE

ALAN W. JOHNSTON
LICENSED PROFESSIONAL ENGINEER

REVISIONS	DATE
PERMIT/BID	10.25.16
REVISED	
DRAWN BY:	AM
DESIGNED BY:	AM

SHEET #

SL-1

OF .

THESE DRAWINGS HAVE BEEN PREPARED AT FKC ENGINEERING, PC SOLELY FOR ITS USE AND MAY NOT BE USED, REPRODUCED, OR UTILIZED WITHOUT THE WRITTEN CONSENT OF THE COMPANY.

BERRYVILLE PLANNING COMMISSION **Agenda Item #8**
Set Public Hearing – Repeal Stormwater Management Ordinance
January 24, 2017

Recent changes to the Stormwater Management Act (Code of Virginia §62.1-44.15:24 et seq.) allow only localities that are Virginia Stormwater Management Program (VSMP) authorities to adopt stormwater ordinances that are more stringent than State requirements. Berryville, along with Clarke County and most localities in the region, has "opted out" of operating a local VSMP. The repeal of the Berryville Stormwater Management Ordinance avoids duplicitous local regulation of stormwater management by allowing the Virginia Department of Environmental Quality (DEQ) to act as the sole regulatory authority for stormwater management for the Town. Staff will be working on modifications to the Zoning and Subdivisions to modify current local stormwater regulations referenced in the respective documents and replace them with the references to State regulations.

Clarke County has repealed Chapter 154, Stormwater Management, of the Code of Clarke County and County staff is continuing efforts to update their Zoning and Subdivision ordinances by removing references to this chapter.

A copy of the Stormwater Management Ordinance and motion follow this report.

Recommendation
Initiate the text amendment repealing the Stormwater Management Ordinance and set a public hearing for the February 28, 2017 meeting.

SECTION 1. GENERAL PROVISIONS

1.1 STATUTORY AUTHORITY

The Stormwater Management Act, Section 10.1-603.2 et seq. of the Code of Virginia, enables localities to prepare and adopt a stormwater management plan and implementing ordinance.

1.2 FINDINGS OF FACT

The waters and waterways within the Berryville Area are at times subjected to flooding; that such flooding is a danger to the lives and property of the public; that such flooding is also a danger to the natural resources of the Berryville Area; that development tends to accentuate such flooding by increasing stormwater runoff due to alteration of the hydrologic response of the watershed in changing from the undeveloped to the developed condition; that such increased flooding produced by the development of real property contributes increased quantities of water-borne pollutants, and tends to increase channel erosion; that such increased flooding, increased erosion, and increased pollution can be controlled to some extent by the regulation of stormwater runoff from such development. Therefore, it is determined that it is in the public interest to establish requirements to regulate the discharge of stormwater runoff from such developments as provided in this ordinance.

1.3 PURPOSE

It is the purpose of this ordinance to establish minimum stormwater management requirements and controls:

A. To reduce flood damage to public health, life, and property;
B. to minimize increased stormwater runoff from new land development where such runoff will increase flood damage;
C. to maintain the adequacy of existing and proposed culverts and bridges, dams, and other structures;
D. to prevent, to the greatest extent feasible, an increase in non-point pollution;
E. to maintain the integrity of stream channels for their biological functions, as well as for drainage and other purposes;
F. to reduce the impact of development upon stream erosion; and
G. to preserve and protect water supply facilities and water resources by means of controlling increased flood discharges, stream erosion, and non-point-source pollution.

1.4 PROGRAM ADMINISTRATION

The Town of Berryville designates the Assistant Town Manager for Community Development or his/her designee as the Program Administrator.

1.5 APPLICABILITY

A. Except as provided for in Section 1.5-B of this ordinance, all land development projects shall comply with the requirements of this ordinance.

B. The following activities are exempt from this ordinance:
   1. Permitted surface or deep mining operations and projects, or oil and gas operations and projects, conducted under the provisions of Title 45.1 of the Code of Virginia.
   2. Tilling, planting, or harvesting of agricultural, horticultural, or forest crops utilizing all applicable BMP's.
   3. Single-family residences separately built and not part of subdivision, including additions or modifications to existing single-family detached residential structures.
   4. Land development projects that disturb less than 20,000 square feet of land area.
   5. State projects as defined in this ordinance.

1.6 COMPATIBILITY WITH OTHER PERMIT AND ORDINANCE REQUIREMENTS

Approvals issued pursuant to this ordinance do not relieve the applicant of the responsibility to secure required permits or approvals for activities regulated by any other applicable code, rule, act, or ordinance. If more stringent requirements concerning regulation of stormwater are contained in the other code, rule, act, or ordinance, the more stringent regulation shall apply.

1.7 SEVERABILITY

If the provisions of any article, section, subsection, paragraph, subdivision, or clause of this ordinance shall be judged invalid by a court of competent jurisdiction, such order or judgement shall not affect or invalidate the remainder of any article, section, subsection, paragraph, subdivision, or clause of this ordinance.

SECTION 2. DEFINITIONS

Unless specifically defined below, words or phrases used in this ordinance shall be interpreted so as to give them the meaning they have in common usage and to give this ordinance its most reasonable application.

adequate channel - a channel that will convey the designated frequency storm event without overtopping the channel banks nor causing erosive damage to the channel bed or banks.

applicant - any person submitting a stormwater management plan for approval.

channel - a natural stream or manmade waterway.

development - a tract of land developed or to be developed as a unit under single ownership or unified control which is to be used for any business or industrial purpose or is to contain three or more residential dwelling units.

downtown commercial district – generally land along the Main Street corridor zoned C-General Commercial District and specifically as established by ordinance and incorporated into this document.

flooding - a volume of water that is too great to be confined within the banks or walls of the stream, water body, or conveyance system and that overflows onto adjacent lands, causing or threatening damage.

floodplain - those areas adjoining a river, stream, channel, ocean, bay, or lake which are likely to be covered by flooding.

infiltration facility - a stormwater management facility which temporarily impounds runoff and discharges it via infiltration through the surrounding soil. While an infiltration facility may also be equipped with an outlet structure to discharge impounded runoff, such discharge is normally reserved for overflow and other emergency conditions. Since an infiltration facility impounds runoff only temporarily, it is normally dry during non-rainfall periods.

inspection - an on-site review of the project's compliance with the approved plan, the local stormwater management program, and any applicable design criteria.

land development or **land development project** - a manmade change to the land surface that potentially changes runoff characteristics.

local stormwater management program or **local program** - a statement of the various methods employed by a locality to manage the runoff from land development projects and may include such items as local ordinances, policies, guidelines, technical materials, inspections, enforcement, and evaluation.

locality - a county, city, or town.

non-point-source pollution - pollution whose sources cannot be pinpointed but rather is washed from the land surface in a diffuse manner by stormwater runoff.

on-site stormwater management facilities - facilities which are designed to control stormwater runoff emanating from a specific site.

person - any individual, partnership, firm, association, joint venture, public or private corporation, trust, estate, commission, board, public or private institution, utility, cooperative, county, city, town, or other political subdivision of the Commonwealth, any interstate body or other legal entity.

Plan Approving Body - refers to the administrative body responsible for review of subdivision applications in the jurisdiction in which the land development project is located.

post-development - refers to conditions that reasonably may be expected or anticipated to exist after completion of the land development activity on a specific site or tract of land.

pre-development - refers to the land use that exists at the time that plans for the land development are submitted to the locality. Where phased development or plan approval occurs (preliminary grading, roads and utilities, etc.), the existing land use at the time the first item is submitted shall establish pre-development conditions.

regional (watershed-wide) stormwater management facility or **regional facility** - a facility or series of facilities designed to control stormwater runoff from a large contributing area, although only portions of the watershed may experience land development.

regional stormwater management plan or **regional plan** - a document containing material describing how runoff from open space, existing development, and future planned development areas within a watershed will be controlled by coordinated design and implementation of regional stormwater management facilities.

runoff or **stormwater runoff** - that portion of precipitation that is discharged across the land surface or through conveyances to one or more waterways.

state project - the construction of any facility or expansion of an existing facility including, but not limited to land clearing, soil movement, or land development, which is undertaken by any state agency, board, commission, authority, or any branch of state government, including state-supported institutions of higher learning.

stormwater detention basin or **detention basin** - a stormwater management facility which temporarily impounds runoff and discharges it through a hydraulic outlet structure to a downstream conveyance system. While a certain amount of outflow may also occur via infiltration through the surrounding soil, such amounts are negligible when compared to the outlet structure discharge rates and are, therefore, not considered in the facility's design.

Since a detention facility impounds runoff only temporarily, it is normally dry during non-rainfall periods.

stormwater management facility - a device that controls stormwater runoff and changes the characteristics of that runoff including, but not limited to, the quantity and quality, the period of release, or the velocity of flow.

stormwater management plan or **plan** - a document containing material for describing how existing runoff characteristics will be maintained by a land development project and comply with the requirements of this ordinance.

stormwater retention basin or **retention basin** - a stormwater management facility which, similar to a detention basin, temporarily impounds runoff and discharges its outflow through a hydraulic outlet structure to a downstream conveyance system. Unlike a detention basin, however, a retention basin also includes a permanent impoundment and, therefore, is normally wet, even during non-rainfall periods. Storm runoff inflows are temporarily stored above this permanent impoundment.

subdivision - the division of a parcel of land into three or more lots or parcels of less than five acres each for the purpose of transfer of ownership or building development, or, if a new street is involved in such division, any division of a parcel of land. The term includes resubdivision and, when appropriate to the context, shall relate to the process of subdividing or to the land subdivided.

water quality volume - the volume equal to the first 0.5-inch of runoff multiplied by the total area of the land development project. The "total area of the land development project" shall, at a minimum, equal the total impervious area contained within the project area. Total area shall also include any areas within the land development project whereby the change in land use or runoff characteristics may impact water quality.

watershed - the total drainage area contributing runoff to a single point.

SECTION 3. TECHNICAL CRITERIA

Each proposed land development project not exempted from this ordinance as provided in 1.5-B shall meet the following stormwater management criteria:

3.1 QUANTITY CONTROL

A. A stormwater management plan for a land development project shall be developed so that the post-development peak runoff rate from a 2-year storm and a 10-year storm, considered individually, shall not exceed their respective karst loss corrected pre-development rates.

B. These design storms shall be defined as 24-hour storms using the rainfall distribution recommended by the U.S. Soil Conservation Service and U.S. Soil Conservation Service calculation methods (TR-55 or TR-20) shall be utilized. Other calculation methods may be utilized with prior approval by the Program Administrator.

C. For purposes of computing runoff, all lands in the site shall be assumed prior to development to be in good condition (if the lands are pastures, lawns, or parks); with good cover (if the lands are woods); or with conservation treatment (if the lands are cultivated); regardless of conditions existing at the time of computation.

D. Upon completion of pre-development runoff rates as prescribed above, the pre-development rate shall be adjusted for karst loss in the following manner:
   1. Delineate the contributing drainage area or watershed to be studied.
   2. Define any sinkhole sub-areas in the study area where surface drainage has no means of escaping offsite, other than downward through the karst strata (i.e. cracks, sinks, etc.). These areas can be assumed to contribute no surface discharge and can be subtracted from the contributing drainage area established in Step 1.
   3. Determine the amount of the contributing drainage area (from Step 2) underlain by karst strata (as a percentage). This shall be assumed to be 100 percent unless the applicant's geotechnical report indicates otherwise.

4. Adjust the pre-development runoff rate for karst loss by the following method:
   a. With the results of Step 3, choose appropriate multiplier from the chart below:

Percentage of Karst in Study Area	Storm Return Frequency 2-Yr.	10-Yr.	100-Yr.
100	.33	.43	.50
90	.35	.46	.56
80	.38	.51	.62
70	.47	.58	.68
60	.55	.66	.74
50	.64	.73	.80
40	.73	.80	.85
30	.82	.86	.89
20	.91	.92	.93
10	1.0	.98	.97
0	1.0	1.0	1.0

   b. Multiply the calculated pre-development runoff rate for each storm return frequency by the appropriate factor from the chart in Item "a." The product of the calculated rate and the karst loss multiplier is the karst loss adjusted pre-development rate.

3.2 QUALITY CONTROL **(3/08)**

In order to enhance water quality of stormwater runoff, all stormwater management plans must provide for the control of the water quality volume. The design of water quality control shall meet the *Performance-based* or *Technology-based* water quality criteria outlined in the Virgnia Stormwater Management Handbook. The water quality volume shall be treated by one of the following methods:

A. For a detention basin, the water quality volume, as defined in Section 2, shall be detained and released over a minimum of 30 hours.
   1. The detention time is a brim draw-down time and therefore, shall begin at the time of peak storage of the water quality volume in the detention basin.
   2. If the above requirement would result in an outlet opening smaller than three inches in diameter or the equivalent cross-sectional area, the period of detention shall be waived so that three inches will be the minimum outlet opening used.

B. For a retention basin, the volume of the permanent pool must be at least three times greater than the water quality volume.

C. For an infiltration facility, the water quality volume must be completely infiltrated within 48 hours.
   1. The invert of the infiltration facility must be at least four feet above the seasonal high groundwater elevation.

2. A detailed soils analysis and report and a geotechnical report shall be required.
3. Approvals will be on a case-by-case basis after technical review by the Town of Berryville. The object of this review will be to avoid groundwater contamination.
4. The invert of the infiltration facility must be at least four feet above bedrock.

D. Project sites within the downtown commercial district may use an existing average of impervious cover ($I_{existing}$) greater than the average 16% impervious coverage for the Chesapeake Bay watershed.
1. If the existing impervious cover on the project site is equal to or less than 26%, use 26% as the existing average impervious cover ($I_{existing} = 26\%$) or
2. If the existing impervious cover on the project site is equal to or more than 52%, use the existing average impervious cover minus 10% or use 52%, whichever value is less ($I_{existing}$ = existing % - 10% or $I_{existing}$ = 52%) or
3. If the existing impervious cover on the project site is between 26% and 52%, use the existing average impervious cover minus 10%, but not less than 26% ($I_{existing}$ = existing % - 10% or $I_{existing}$ = 26%).

E. Design calculations verifying compliance with the water quality requirements shall be submitted.

3.3 REGIONAL STORMWATER MANAGEMENT

If a regional stormwater management plan has been adopted by the Town of Berryville for the watershed in which the proposed land development is located, the applicant shall comply with the requirements of the regional watershed plan.

3.4 GENERAL CRITERIA

A. Proposed residential, commercial, and/or industrial subdivisions shall apply these stormwater management criteria to the land development as a whole. Individual lots in new subdivisions shall not be considered separate land development projects, but rather the entire subdivision shall be considered a single land development project. Hydrologic parameters shall reflect the ultimate land development and shall be used in all engineering calculations.

B. Construction of stormwater management facilities or modifications to channels shall comply with all applicable laws and regulations. Evidence of approval of all necessary permits shall be presented.

C. Pre-development and post-development runoff rates shall be verified by calculations that are consistent with good engineering practices and are acceptable to the Town of Berryville.

D. The design of impounding structures that are not covered by the Virginia Dam Safety Regulations shall be checked by the applicant's engineer (certified to practice in the Commonwealth of Virginia) for structural integrity and floodplain impacts for the 100-year storm event.

E. Outflows from stormwater management facilities shall be discharged to an adequate channel. Measures for the adequate drainage of surface waters shall be taken and facilities to accommodate that drainage shall be provided in connection with all land development activities. Specifically, the drainage system must comply with the following provisions:

1. Adequate drainage of surface waters means the effective conveyance of storm and other surface waters through and from the development site and the discharge of such waters into a natural watercourse, i.e., a stream with incised channel (bed and banks), or a concave swale, or drainage facility of sufficient capacity without adverse impact upon the land over which the waters are conveyed or upon the watercourse or facility into which such waters are discharged. Complete calculations and a narrative shall be included on the plan.
2. The provision of the necessary easements to accomplish that which is required above shall be required. These are to include sufficient easement extensions to property lines to permit future development reasonable access to drainage ways or drainage facilities for connections.
3. The drainage system must have the hydraulic characteristics to accommodate the maximum expected flow of surface waters for a given watershed, or portion thereof, for the duration and intensity of rainfall, as specified in Section 3 et seq.
4. Determination of the size and capacity of the drainage system shall be based on the planned development, existing zoning, or existing development, whichever is greater, within the watershed.
5. The on-site drainage system shall be adequate and shall:
   a. honor natural drainage divides;
   b. account for both off-site and on-site surface waters;
   c. convey such waters to a natural watercourse at the natural elevation, or an existing storm drainage facility; and
   d. discharge the surface waters into an existing facility of adequate capacity.
6. The drainage system shall be adequate and properties over which the surface waters are conveyed, from the development site to discharge point(s), not adversely affected.
7. Concentrated surface waters shall not be discharged on adjoining property, unless an easement expressly authorizing such discharge has been granted by the owner of the affected land or unless the discharge is into a natural watercourse or other appropriate discharge point as set forth above.

F. Velocity dissipators shall be placed at the outfall of all detention and retention basins and along the length of any outfall channel as necessary to provide a non-

erosive velocity of flow from the basin into an adequate channel. The velocity of flow shall not exceed the limits of grass-lined ditches. Grass-lined ditches shall be enhanced with erosion control blankets or soil stabilization mats as necessary and as specified in the current Virginia Department of Transportation standards. Riprap shall only be utilized upon prior approval by the Plan Approving Body.

G. Land development projects must comply with the Virginia Erosion and Sediment Control Act and attendant regulations.

H. Safety measures should be incorporated into the design of all stormwater management facilities as directed by the Plan Approving Body or the Program Administrator. These may include, but are not limited to, safety ledges, fencing, warning signs, anti-vortex devices, stadia rod indicating depth at the lowest point, and outlet structures designed to limit public access.

I. If stormwater management facilities are provided through which water passes at times other than following rainfall, the Town of Berryville's engineer should be consulted concerning design criteria. It is necessary for detention requirements to be met, despite the necessity of passing certain low flows. This applies to all on-stream or on-line stormwater management facilities.

J. Outlets from stormwater management facilities shall be designed to function without manual, electrical, or mechanical controls, unless authorized in advance in writing by the Program Administrator.

K. Detention facilities shall be designed to minimize propagation of insects, particularly mosquitoes.

3.5 STORMWATER MANAGEMENT FACILITIES IN FLOODPLAINS

A. New construction, including construction of on-site stormwater management facilities, should be avoided in floodplains. When this is unavoidable, a special examination to determine adequacy of proposed stormwater management facilities during the 10-year flood shall be required.

Note: The purpose of this analysis is to ensure that the stormwater management facility will operate effectively and to evaluate the effect the stormwater management facility may have on the available floodplain storage. One acceptable method is to apply the 10-year design storm to both the site and to the entire watershed contributing to the floodplain, assuming that the two peak simultaneously at the point in question. The time of concentration assumed for the entire watershed should be that appropriate to the larger area, rather than the shorter period applicable to the site.

B. In addition, such construction shall be in compliance with all applicable regulations under the National Flood Insurance Program.

3.6 NONSTRUCTURAL MEASURES

It is not necessary that basic requirements for water quality and quantity control be satisfied solely by means of structural methods. Non-structural practices including, but not limited to, cluster land use development, minimization of impervious surfaces, open space acquisition, floodplain management, and protection of wetlands, steep slopes and vegetation should be coordinated with structural requirements.

3.7 REVIEW OF TECHNOLOGIES AND SYSTEMS NOT INCLUDED IN THE VIRGINIA STORMWATER MANAGEMENT HANDBOOK

The Assistant Town Manager for Community Development may, after consultation with the Town's consulting engineer, approve for use technologies and systems not included in the Virginia Stormwater Management Handbook. Approvals shall be issued in writing and shall establish design criteria and include any conditions for use. Denials shall be issued in writing and shall provide the reason(s) for denial. Any party aggrieved by a decision of the Assistant Town Manager for Community Development regarding review of a system may appeal that decision to the Berryville Town Council. All costs incurred by the Town for engineering review or proposals shall be reimbursed by the applicant.

SECTION 4. STORMWATER MANAGEMENT PLAN REQUIREMENTS

4.1 GENERAL REQUIREMENTS

A. Except as provided for in Section 1.5-B of this ordinance, no grading, building, or other permit shall be issued for land development unless a stormwater management plan has been submitted to and approved by the Town of Berryville.

B. The applicant shall demonstrate that the project meets the criteria set forth in this ordinance.

C. Failure of the applicant to demonstrate that the project meets the criteria set forth in this ordinance shall be reason to deny the applicant's underlying application for approval.

D. Planning, design, and approach to stormwater management shall incorporate the Berryville Area Stormwater Master Plan's (dated 9/9/91, as amended) findings and conclusions. Where requirements of this ordinance are in conflict with those of the Stormwater Master Plan, provisions of this ordinance shall apply.

4.2 PLAN SUBMISSION

A. The applicant shall submit, to the Plan Approving Body, the material required in a stormwater management plan in accordance with Section 4.3 of this ordinance.

B. Ten copies of the stormwater management plan shall be submitted.

C. The stormwater management plan shall be accompanied by the fee specified in Section 5 of this ordinance.

4.3 STORMWATER MANAGEMENT PLAN

The following information, where applicable, shall be required for each proposed project subject to review under this ordinance. Maps, plans, designs, and calculations shall be certified by a professional engineer or Class III-B surveyor registered to practice in the Commonwealth of Virginia.

A. General

1. General description of the project.
2. General description of the erosion and sediment controls.
3. General description of temporary and permanent stormwater management facilities.
4. Project schedule and narrative, including a sequence of construction.

B. Maps of the project area showing:

1. The boundary of the drainage area tributary to the project site (e.g., U.S.G.S. quadrangle map).
2. The location of the project relative to significant features in the general surroundings such as roads, pedestrian ways, access to the site, adjacent

land uses, property lines, existing man-made structures, public facilities, landmarks, and places of architectural and historical significance.

3. Existing contours at 2-foot intervals, extending a minimum of 200 feet beyond the limits of the proposed development.
4. Streams, lakes, ponds, existing drainage swales, wetlands, forested areas, and other physical features within or adjacent to the project area.
5. Unique, unusual, or environmentally sensitive features that provide particular opportunities or constraints for development.
6. Locations of existing and proposed utilities, sewers, and water lines.
7. Soil types and boundaries, and locations of areas with steeply sloped or highly erodible soils.
8. Alterations in the natural terrain, cover, and grade including lawns and other landscaping.
9. Areas to be cut or filled.
10. The location of proposed buildings, roads, parking areas, and other permanent structures.
11. Final contours at 2-foot intervals, extending a minimum of 200 feet beyond the limits of the proposed development.

C. Stormwater Management Facilities

1. All stormwater management facilities shown on a map, including details, plan, profile, and cross-sections.
2. If infiltration facilities are proposed, the locations of existing and proposed wells and septic system drain fields.
3. Comprehensive hydrologic and hydraulic design calculations, including all assumptions and criteria, for the pre-development and post-development conditions for the design storms specified in Section 3 of this ordinance.
4. A soils report/geotechnical analysis and boring logs.
5. A maintenance plan indicating the person permanently responsible for maintenance of the stormwater management facilities and a maintenance program for the proposed stormwater management facilities.

4.4 PLAN APPROVAL

A. A maximum of 30 calendar days from the receipt of an application will be allowed for preliminary review of the application for completeness. During this period, the application will be accepted for review, which will begin the 60-day review period, or rejected for incompleteness. The applicant will be informed in writing of the information necessary to complete the application.

B. The 60-day review period begins on the day the complete stormwater management plan is accepted for review. At this time, an acknowledgement letter will be sent to the applicant. During the 60-day review period, the Plan Approving Body shall either approve or disapprove the plan and communicate its decision to the applicant in writing. Approval or denial shall be based on the plan's compliance with this ordinance.

C. A disapproval of a plan shall contain the reasons for disapproval.

D. The applicant or any aggrieved party authorized by law may appeal the Plan Approving Body's decision of approval or disapproval of a stormwater management plan application within 30 days after the rendering of such a decision, to the Clarke County Circuit Court.

E. Judicial review shall be on the record previously established and shall otherwise be in accordance with the provisions of the Administrative Process Act (see 9-6.14:1 et seq. of the Code of Virginia).

4.5 CONDITIONS OF APPROVAL

A. Each approved stormwater management plan shall be subject to the following conditions:

1. The applicant shall comply with all applicable requirements of the approved plan and the local program and shall certify that all land clearing, construction, land development, and drainage will be done according to the approved plan.
2. The land development project shall be conducted only within the area specified by the approved plan.
3. The Town of Berryville shall be allowed, after giving notice to the owner, occupier, or operator of the land development project, to conduct periodic inspections of the project. The owner, occupier, or operator shall be given the opportunity to accompany the inspector.
4. No transfer, assignment or sale of the rights granted by virtue of an approved plan shall be made unless a written notice of transfer is filed with the Town of Berryville and the transferee certifies agreement to comply with all obligations and conditions of the approved plan.
5. A set of certified as-built plans shall be submitted to the Town of Berryville upon completion of the project. Said as-builts shall include volume confirmation with supporting computations.
6. While the project is under bond, the person responsible for implementing the approved plan shall conduct monitoring and submit reports to ensure compliance with the approved plan and to determine whether the plan provides effective stormwater management.

4.6 PERFORMANCE BOND

A. All applicants shall submit to the Town of Berryville a performance bond with surety, cash escrow, letter of credit, or such other legal arrangement acceptable to the Town's attorney, to ensure that measures could be taken by the Town at the applicant's expense should the applicant fail, after proper notice, within the time specified to initiate or maintain appropriate actions which may be required of the applicant by the approved stormwater management plan.

B. If the Town of Berryville takes such action upon such failure by the applicant, the Town may collect from the applicant the costs of such action in excess of the amount of the security held.

C. Within sixty days of the completion of the requirements of the approved stormwater management plan, including necessary stabilization, the bond, cash escrow, letter of credit, or other legal arrangement, or the unexpended or unobligated portion thereof, shall be refunded to the applicant or terminated.

D. These requirements are in addition to all other provisions of law relating to the issuance of such plans and are not intended to otherwise affect the requirements for such plans.

4.7 CHANGES TO AN APPROVED PLAN

No changes may be made to an approved plan without review and written approval by the Town of Berryville.

4.8 EXCEPTIONS

A. A request for an exception shall be submitted, in writing, to the Plan Approving Body. An exception from this ordinance may be granted, provided that:
   1. exceptions to the criteria are the minimum necessary to afford relief, and
   2. reasonable and appropriate conditions shall be imposed as necessary upon any exception granted so that the purpose and intent of this ordinance is preserved.

B. Economic hardship is not sufficient reason to grant an exception from the requirements of this ordinance.

SECTION 5. FEES

The following plan review and inspection fees shall be paid to the Town of Berryville at the time of application:

Base Fee	$150
Per Acre Fee ($850 maximum)	$ 25

Consulting services will be charged to the applicant at cost.

SECTION 6. CONSTRUCTION INSPECTIONS

A. The Program Administrator or designee shall make regular inspections during all phases of construction of the stormwater management facilities.

B. The applicant shall notify the Town of Berryville 48 hours prior to the commencement of any activity covered by this ordinance so that appropriate inspections can be made to ensure compliance with this ordinance.

C. Inspection reports shall be maintained as part of the land development project file.

SECTION 7. MAINTENANCE

A. Responsibility for the operation and maintenance of stormwater management facilities, unless assumed by the Town or other governmental agency, shall remain with the property owner and shall pass to any successor or owner. If portions of the land are to be sold, legally binding arrangements shall be made to pass the basic responsibility to successors in title. These arrangements shall designate for each parcel the property owner, governmental agency, or other legally established entity to be permanently responsible for maintenance.

B. In the case of developments where lots are to be sold, permanent arrangements satisfactory to the Town's attorney shall be made to ensure continued performance of these obligations.

C. In the event that the stormwater management facilities are in need of maintenance or become a danger to public safety or public health, the responsible person shall be notified in writing, advised of the corrective measures required, and given a reasonable period of time to take necessary action. If the responsible person fails or refuses to perform such maintenance and repair, the Town has the authority to perform the work and to recover the costs from the responsible person.

D. To ensure proper performance of the stormwater management facility, the owner is responsible for inspecting the stormwater management facility on a semi-annual basis and after any storm which causes the capacity of the facility to be exceeded. More frequent inspections may be required if deemed necessary by the Program Administrator. The owner must file written record of inspections to the Program Administrator within five working days of the inspection.

E. Right of entry agreements or easements shall be required from the applicant for purposes of inspection by the Program Administrator or designee. Said agreements or easements may also permit the Town of Berryville or designee to enter the property for the purpose of maintenance and repair, should the responsible party not fulfill these duties.

SECTION 8. ENFORCEMENT

A. If it is determined that there is a failure to comply with the approved plan, notice shall be served upon the applicant or person responsible for implementing the plan by registered or certified mail to the address specified in the application or plan certification or by delivery at the land development site to the agent or employee supervising such activities.

B. The notice shall specify the measures needed to comply with the plan and shall specify the time within which such measures shall be completed.

C. Upon failure to comply within the time specified the permit or approval may be revoked and the applicant or person responsible for implementing the plan shall be deemed to be in violation of this ordinance.

D. Any person who violates any provision of this ordinance shall be guilty of a misdemeanor and shall be subject to a fine or imprisonment, or both, for each violation, as provided in Section 10.1-603.14 of the Code of Virginia.

E. The Program Administrator may apply to the circuit court to enjoin a violation or a threatened violation of this ordinance as provided for in Section 10.1-603.14 of the Code of Virginia without the necessity of showing that an adequate remedy at law does not exist.

F. Without limiting the remedies which may be obtained in this section, the Program Administrator may bring a civil action against any person for violation of this ordinance, or any condition of the permit or approval, or any provision of the local program. The action may seek to impose a civil penalty of not more than $2,000 for each violation as provided for in Section 10.1-604.14 of the Code of Virginia.

G. With the consent of any person who has violated or failed, neglected or refused to obey this ordinance or any condition of the permit or approval of any provision of the local program, the Program Administrator may issue an order against or to such person, for the payment of civil charges for violations in specific sums, not to exceed the limit specified in Subsection "F" of this section as provided for in Section 10.1-604.14 of the Code of Virginia. Such civil charges shall be instead of any appropriate civil penalty which could be imposed under Subsection "F."

SECTION 9. EFFECTIVE DATE

This ordinance shall become effective on October 14, 1997. Development and site plans approved before the effective date are not subject to this ordinance unless amendments affecting stormwater runoff are made in said plan. Any development plan, site plan, or subdivision application that has not been approved by the effective date shall conform to the provisions of this ordinance.

Adopted October 14, 1998

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BERRYVILLE PLANNING COMMISSION

MOTION FOR INITIATION OF REPEAL OF STORMWATER MANAGEMENT ORDINANCE

Date: January 24, 2017

Motion By:

Second By:

I move that the Planning Commission of the Town of Berryville initiate a text amendment repealing the Town of Berryville Stormwater Management Ordinance in order to avoid duplicitous local regulation of stormwater management by allowing the Virginia Department of Environmental Quality to serve as the sole regulatory authority for stormwater management in the Town of Berryville.

VOTE:

Aye:

Nay:

Absent:

ATTEST:

_____

Douglas A. Shaffer, Chair

BERRYVILLE PLANNING COMMISSION **Agenda Item #9**
Review and Evaluation of Zoning Ordinance for Senior Facilities
January 24, 2017

At the November 8, 2016 Town Council meeting, Recorder Arnold requested that Planning Commissioners discuss and evaluate changes that may be needed to district regulations in the Berryville Zoning Ordinance regarding nursing homes, senior housing, assisted care facilities, and the like. This request comes as a result of the approval of 60 additional affordable senior apartments by Town Council for the Robert Regan House and concerns about levels of service (e.g. medical care, public transportation, emergency services) that can accommodate this population in a small community.

Staff has identified senior units and facilities used primarily by a majority seniors as follows:

Mary Hardesty	60 units
Johnson-Williams Apartments	40 units
Greenfield	up to 66 residents
Godfrey House	22 beds
Meridian	67 beds (site plan currently under review by the BADA)
Regan House	120 units
OTHER (e.g. subsidized, Section 8)	
Washington Square	46 units
Orchard Court	28 units
Country View	50 units

Please note that Rose Hill Nursing Home, which was previously a skilled nursing facility with 111 beds, has just transitioned into a rehabilitation center.

Zoning Allowances
Below is current zoning district information identifying assisted living, nursing facilities, and senior housing uses currently in the Berryville Zoning Ordinance. Please note that developers may place age restrictions on their developments through deed restrictions.

By Right
C General Commercial (204) Hospitals, nursing homes, convalescent homes, rest homes
BC Business Commercial (610) Medical care facilities, licensed
B Business (611) Medical care facilities, licensed
OPR Older Person Residential (614) housing for older persons

Special Use Permit
R-2 Residential (202) Nursing, convalescent, rest home
R-3 Residential (203) Nursing and/or convalescent homes

ITL Institutional (613) Hospitals and medical care facilities
OPR Older Person Residential (614) Medical care facilities, licensed

Definitions
Definitions should also be reviewed during this process. The following definitions are included in Article I of the Berryville Zoning Ordinance.

assisted living facility – a residential facility in which no more than eight individuals with mental illness, mental retardation, or developmental disabilities reside, with one or more resident counselors or other staff persons, as residential occupancy by a single family. (11/10)

medical care facilities, licensed - Skilled nursing facilities and nursing facility care, licensed by the Virginia Department of Health and providing 24-hour medical care to residents. (04/00)

nursing home (convalescent home, rest home) - A place containing beds for two (2) or more patients, established to render live-in and/or nursing care for chronic or convalescent patients and which is properly licensed by the State, but not including child care homes, or facilities for the care of drug addicts, alcoholics, or other patients requiring extensive and/or intensive care than is normally provided in a general hospital or other specialized hospitals. Such terms shall include group homes serving mentally retarded or other developmentally disabled persons.

Staff has included a portion of the *Community Health Needs Assessment* prepared for Valley Health System Winchester Medical Center in collaboration with the Virginia Department of Health Lord Fairfax Health District. The document was created to "identify community health needs and to inform the subsequent development of an implementation strategy to address identified priority needs." Staff has a copy of the complete document should Planning Commissioners wish to obtain the complete document.

Recommendation
Create a committee to study these items and return with recommendations for discussion.

Overview of the Health and Social Services Landscape

This section identifies geographic areas and populations in the community that may face barriers accessing care due to medical underservice or a shortage of health professionals.

The section then summarizes various assets and resources available to improve and maintain the health of the community.

1. Medically Underserved Areas and Populations

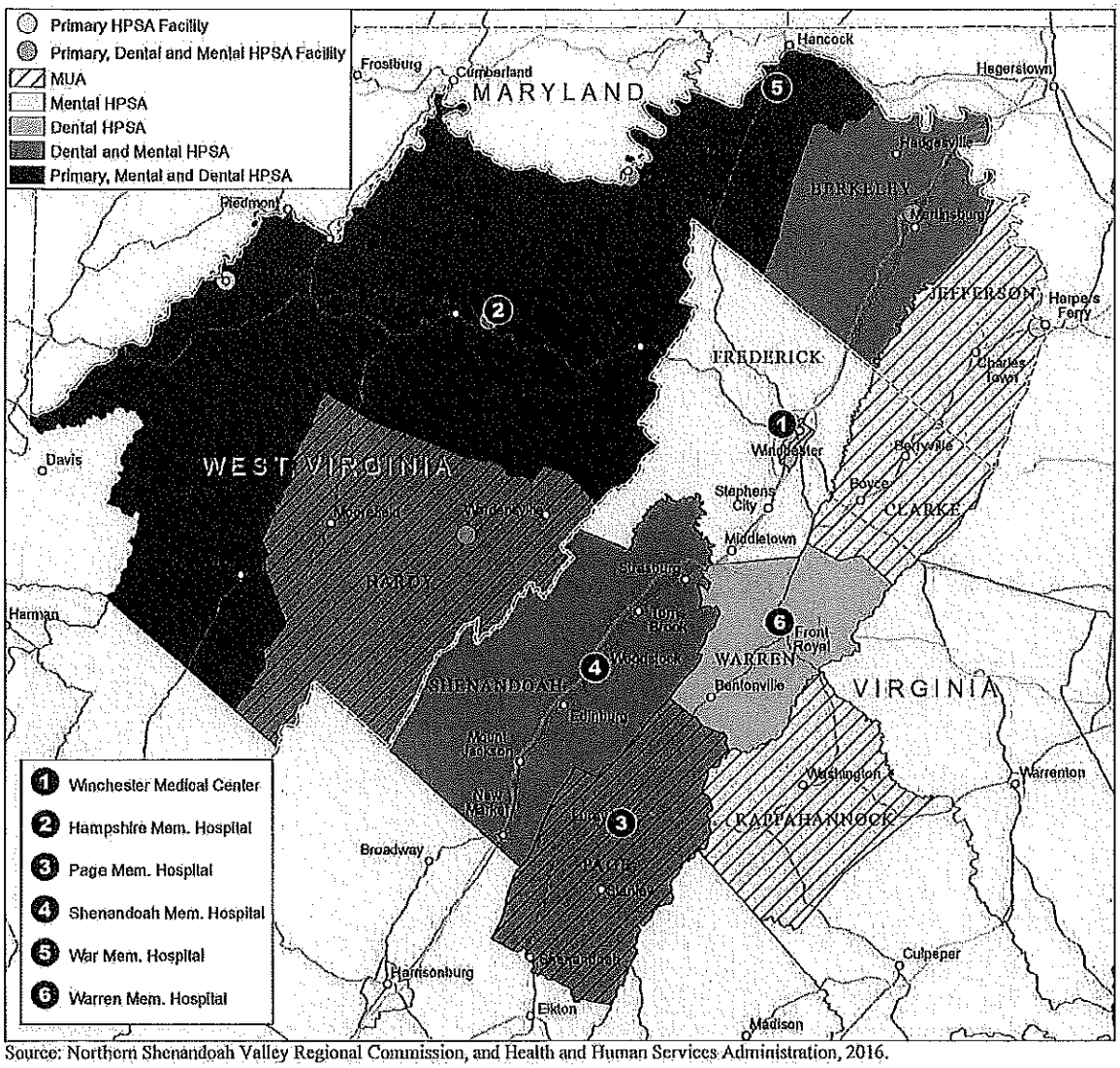
The Health Resources and Services Administration (HRSA) calculates an Index of Medical Underservice (IMU) score for communities across the U.S. The IMU calculation is a composite of the ratio of primary medical care physicians per 1,000 persons, the infant mortality rate, the percentage of the population with incomes below the poverty level, and the percentage of the population greater than age 64. IMU scores range from zero to 100, where 100 represents the least underserved and zero represents the most underserved.[27]

Any area or population receiving an IMU score of 62.0 or less qualifies for Medically Underserved Area (MUA) or Medically Underserved Population (MUP) designation. Federally Qualified Health Centers (FQHCs) may be established to serve MUAs and MUPs. Populations receiving MUP designation include groups within a geographic area with economic barriers or cultural and/or linguistic access barriers to receiving primary care. When a population group does not qualify for MUP status based on the IMU score, Public Law 99-280 allows MUP designation if "unusual local conditions which are a barrier to access to or the availability of personal health services exist and are documented, and if such a designation is recommended by the chief executive officer and local officials of the state where the requested population resides."[28]

Exhibit 44 shows areas designated by HRSA as medically underserved. The WMC community contains eight MUAs and three MUPs.

[27] U.S. Health Resources and Services Administration. (n.d.) *Guidelines for Medically Underserved Area and Population Designation.* Retrieved 2012, from http://bhpr.hrsa.gov/shortage/muaps/index.html.
[28] *Ibid.*

Exhibit 44A: Medically Underserved Areas and Populations and Health Professional Shortage Areas (HPSA), 2016



Source: Northern Shenandoah Valley Regional Commission, and Health and Human Services Administration, 2016.

Exhibit 44B: Medically Underserved Areas and Populations and Health Professional Shortage Areas, 2016

Name	HPSA Dental	HPSA Mental	HPSA Primary	MUA or MUP
Clarke	No	No	No	Yes
Frederick	No	No	No	No
Page	Yes	Yes	No	Yes
Rappahannock	No	Yes	No	Yes
Shenandoah	Yes	Yes	No	No
Warren	Yes	No	No	No
Winchester	Yes	No	No	Part
Berkeley	Yes	Yes	No	No
Grant	Yes	Yes	Part	Part
Hampshire	Part	Yes	Yes	Yes
Hardy	Part	Yes	No	Yes
Jefferson	No	Yes	No	Yes
Mineral	Yes	Yes	Yes	Yes
Morgan	Yes	Yes	Yes	Yes

Source: Northern Shenandoah Valley Regional Commission, and Health and Human Services Administration, 2016.

The Winchester Medical Center community contains eight MUAs and two MUPs. Mineral and Morgan Counties reported shortages in all three categories for dental, mental, and primary care physicians and have been designated as Medically Underserved Area and a Medically Underserved Population **(Exhibit 44B)**.

2. Health Professional Shortage Areas

A geographic area can receive a federal Health Professional Shortage Area (HPSA) designation if a shortage of primary medical care, dental care, or mental health care professionals is found to be present.

In addition to areas and populations that can be designated as HPSAs, a health care facility can receive federal HPSA designation and an additional Medicare payment if it provides primary medical care services to an area or population group identified as having inadequate access to primary care, dental, or mental health services.

HPSAs can be: "(1) An urban or rural area (which need not conform to the geographic boundaries of a political subdivision and which is a rational area for the delivery of health services); (2) a population group; or (3) a public or nonprofit private medical facility."[29]

Areas and populations in the WMC community are designated as HPSAs (**Exhibit 44B**). Page, Mineral, and Morgan Counties are designated as primary medical care, dental, and mental health HPSAs, while Berkeley, Grant and Shenandoah Counties are designated as mental health and dental HPSAs. Hardy, Hampshire, Jefferson, and Rappahannock Counties are designated as mental health HPSAs and Winchester City and Warren County are designated as dental HPSAs. Parts of Hampshire and Hardy Counties also are considered dental HPSAs.

[29] U.S. Health Resources and Services Administration, Bureau of Health Professionals. (n.d.). *Health Professional Shortage Area Designation Criteria*. Retrieved 2015, from http://bhpr.hrsa.gov/shortage/hpsas/designationcriteria/index.html

3. Description of Other Facilities and Resources within the Community

The WMC community contains a variety of resources that are available to meet the health needs identified in this CHNA. These resources include facilities designated as HPSAs, hospitals, Federally Qualified Health Centers (FQHC), health professionals, and other agencies and organizations.

Exhibit 45: Information on HPSA Facilities in the WMC Community

County	Name	Type of HPSA
PSA		
Hampshire, WV	Hampshire Memorial Hospital	Primary Medical Care, Mental Health, Dental Health
Hardy, WV	E.A. Hawse Health Center - 2 Locations	Primary Medical Care, Mental Health, Dental Health
Morgan, WV	Mountaineer Community Health Center, Inc.	Primary Medical Care, Mental Health, Dental Health
SSA		
Berkeley, WV	Shenandoah Valley Medical Center	Primary Medical, Mental Health, Dental Health
Jefferson, WV	Harpers Ferry Family Medicine	Primary Medical
Mineral, WV	Elk Garden Clinic	Primary Medical Care

Source: Northern Shenandoah Valley Regional Commission, and Health and Human Services Administration, 2016.

There are seven health care facilities in the WMC community, all in West Virginia, that are designated as HPSA facilities (**Exhibit 45**).

Exhibit 46: List of Hospitals in the WMC Community

County/City	Hospital Name
PSA	
Hampshire, WV	Hampshire Memorial Hospital
Morgan, WV	War Memorial Hospital
Page, VA	Page Memorial Hospital
Shenandoah, VA	Shenandoah Memorial Hospital
Warren, VA	Warren Memorial Hospital
Winchester, VA	Winchester Medical Center
SSA	
Berkeley, WV	Berkeley Medical Center
	Martinsburg VA Medical Center
Grant, WV	Grant Memorial Hospital
Jefferson, WV	Jefferson Medical Center
Mineral, WV	Potomac Valley Hospital

Source: Centers for Medicare & Medicaid Services, 2016.

The community contains four acute care hospitals and seven critical access hospital facilities (**Exhibit 46**).

Federally Qualified Health Centers (FQHCs) were created by Congress to promote access to ambulatory care in areas designated as "medically underserved." These clinics receive cost-based reimbursement for Medicare and many also receive grant funding under Section 330 of the Public Health Service Act. FQHCs also receive a prospective payment rate for Medicaid services based on reasonable costs.

Exhibit 47: Information on Federally Qualified Health Centers in the WMC Community

County/City	FQHC Name	Ownership
PSA		
Winchester City, VA	Winchester Family Health Center	Shenandoah Valley Medical System, Inc.
Hardy, WV	E. A. Hawse Health Center, Inc.	E. A. Hawse Health Center, Inc.
	Potomac Valley Family Medicine	E. A. Hawse Health Center, Inc.
Morgan, WV	Mountaineer Community Health Center, Inc.	Independent
	Tri-State Community Health Center - Berkeley Springs	Tri-State Community Health Center - Berkeley Springs
SSA		
Berkeley, WV	Shenandoah Community Health Center -Women's Health Services -Internal Medicine, Family Practice, Pediatric Services -Behavioral Health Services	Shenandoah Valley Medical System, Inc.
	Healthy Smiles Community Oral Health Center	Shenandoah Valley Medical System, Inc.
Grant, WV	Grant Pediatrics and Internal Medicine	E. A. Hawse Health Center, Inc.
	Mt. Storm Health Center	Independent
Jefferson, WV	Shenandoah Community Health Center - Charles Town/Ranson, WV	Shenandoah Valley Medical System, Inc.
Other Resources		
A department of Shenandoah Valley Medical System, Inc., and not its own FQHC.	Starting Points Family Resource Center -Morgan County, WV	Shenandoah Valley Medical System, Inc.
A department of Shenandoah Valley Medical System, Inc., and not its own FQHC.	WIC Nutrition Services -Martinsburg, WV -Charles Town, WV -Berkeley Springs, WV -Romney, WV -Keyser, WV	Shenandoah Valley Medical System, Inc.

Source: Health Resources and Services Administration, 2016.

Although there are several FQHCs location within the WMC community, they are managed by five primary systems: Shenandoah Valley Medical System, Healthy Smiles Community Oral Health Center, E.A. Hawse Health Center, Inc., Mt. Storm Health Center, and Mountaineer Community Health Center (**Exhibit 47**).

Exhibit 48: Health Professionals Rates per 100,000 Population by County/City

Winchester Medical Center County	Primary Care Physicians		Dentists		Mental Health Providers	
	Number	Rate per 100,000	Number	Rate per 100,000	Number	Rate per 100,000
PSA	**191**	**65.5**	**153**	**52.5**	**275**	**94.4**
Clarke	7	48.8	5	34.7	8	55.0
Frederick	36	44.3	10	12.1	34	41.0
Hampshire	5	21.0	7	30.0	13	55.0
Hardy	3	22.0	7	50.0	8	57.0
Morgan	8	46.0	5	29.0	10	57.0
Page	11	46.2	4	16.8	6	25.0
Rappahannock	3	40.1	31	59.5	5	68.0
Shenandoah	20	46.9	1	44.5	21	49.0
Warren	22	56.8	7	19.4	35	90.0
Winchester	76	279.2	76	104.7	135	10.2
SSA	**89**	**42.6**	**83**	**39.8**	**234**	**112.1**
Berkeley	48	44.0	53	48.0	169	153.0
Grant	6	51.0	5	43.0	8	68.0
Jefferson	27	49.0	16	29.0	37	66.0
Mineral	8	29.0	9	33.0	20	73.0
Virginia	**6216**	**75.3**	**5303**	**63.7**	**12162**	**146.1**
West Virginia	**1443**	**77.8**	**913**	**49.3**	**2037**	**110.1**

Source: Data provided by County Health Rankings, 2016.

Primary care physician availability is below the Virginia and West Virginia averages in all areas except Winchester City. In Virginia, mental health provider availability is below the Commonwealth average in all areas; dental provider availability is below average in all areas except Winchester City. In West Virginia, mental health provider availability is below average in all areas except Berkeley County; dental provider availability is below average in all areas except Hardy County (**Exhibit 48**).

A number of other agencies and organizations are available in each county/city in the WMC community to assist in meeting health needs. In addition to the organizations listed below, see **Exhibits 66** through **69** for a listing of community organizations represented by individuals participating in key informant interviews and community response sessions.

- Community organizations that provide services to residents with disabilities:
  - Access Independence
  - ARC of Northern Shenandoah Valley
  - Blue Ridge Center for Therapeutic Horsemanship (Clarke County)
  - Blue Ridge Opportunities (Warren County)

- Deaf and Hard of Hearing Services Center, Inc.
- Disability Law Center of Virginia
- Goodwill Resource Center
- Grafton Integrated Health Network
- The Hampshire County Special Services Center, Inc.
- Northwestern Regional Educational Programs (N.R.E.P.)
- NW Works, Inc.
- SHEN-PACO Industries, Inc.
- Virginia Department for Aging and Rehabilitative Services

- Community organizations that provide services for disease prevention / treatment:
  - AIDS Response Effort
  - Diabetes Management Program – Valley Health System
- Community organizations that provide services relating to domestic violence:
  - Choices, Council on Domestic Violence for Page County, Inc.
  - Department of Social Services (Clarke, Frederick, Shenandoah Counties and Winchester City)
  - The Laurel Center Intervention for Domestic & Sexual Violence
  - People Incorporated of Virginia
  - Response, Inc. (Woodstock, VA)
  - Shenandoah Women's Center (Berkeley, Jefferson and Morgan Counties)
- Community organizations that provide free or reduced cost health care:
  - Concern Hotline
  - Crossroads Counseling Center
  - EastRidge Health Systems
  - Free Medical Clinic of Northern Shenandoah Valley
  - Good Samaritan Free Clinic
  - Healthy Smiles Community Oral Health Center
  - Potomac Highland Mental Health Guild
  - Shenandoah Community Health Clinic / Shenandoah Community Dental Clinic
  - St. Luke Community Clinic
- Community organizations that provide housing support or shelter for homeless residents:
  - Bethany House (Martinsburg, WV)
  - House of Hope (Front Royal, VA)

- Keyser Housing Authority
- Martinsburg Housing Authority
- Martinsburg Union Rescue Mission
- Mission Serve Group
- Piedmont Housing Authority
- Winchester Union Rescue Mission

- Community organizations that provide hunger reduction services:
  - Berkeley County Meals on Wheels
  - C-CAP Front Royal, VA
  - C-CAP Winchester, VA
  - Community Food Pantry in Great Cacapon
  - Compassion Cupboard
  - Fish of Clarke County
  - Highland Food Pantry
  - Loaves and Fishes Food Pantry (Warren County)
  - Lord Fairfax Area Food Bank
  - MCIEC Food Pantry (Morgan County)
  - Starting Points of Morgan County – Meal Time Community Kitchen
  - Morgan County Interfaith Emergency Care
  - Open Door Food Pantry (Mount Jackson, VA)
  - Phazz One Ministries, Inc. (Winchester, VA)
  - The Salvation Army
    - Front Royal/Warren County
    - Winchester City
  - Winchester Rescue Mission
- Community organizations that provide family planning and maternal / child health services:
  - Abba Care
  - Care Pregnancy Center of the Eastern Panhandle
  - Shenandoah County Pregnancy Center
- Community organizations that provide services for at-risk children / families:
  - Freemont St. Nursery
  - Healthy Families

    - Northern Shenandoah Valley
    - Shenandoah County
- Community organizations that provide veterans services:
    - Patriot's Path
- Local chapters of national organizations, such as the Alzheimer's Association, American Cancer Association, American Heart Association, American Red Cross, Habitat for Humanity, YMCA, and YWCA
- Local places of worship that provide food or housing assistance:
    - Columbia Furnace Church of the Brethren (Shenandoah County)
    - Rock Worship Center, Compassion House
    - St. Stephens CME (Winchester City)
- Local FQHCs and HPSA facilities (**Exhibit 47** and **48**)
- Local first responders, including fire departments, police departments, and Emergency Medical Services (EMS)
- Local government agencies, Chambers of Commerce, and City Councils
- Local and district public health departments
- Local schools, colleges, and universities

BERRYVILLE PLANNING COMMISSION **Agenda Item #10**
Planning and Zoning Update
January 24, 2017

Town Council
Town Council held a meeting on December 13, 2016. They held public hearings amendments to proffers originating in 2009 for the Robert Regan House. They set public hearings for their January 10, 2017 meeting including a Special Use Permit for House Paws Veterinary Hospital (approved) and a text amendment to Section 305.17 amending requirements for fast food parking (approved). Their next regular meeting is on Tuesday, February 14, 2017 at 7:30pm.

Berryville Area Development Authority
The BADA held their organizational meeting on Wednesday, January 4, 2017. Allen Kitselman and George Ohrstrom retained their positions as Chair and Vice Chair, respectively. They continued a public hearing for the following request:

> **Berryville AL, LLC, Owner (Jon Erickson, MRA, Inc., Agent) is requesting Site Plan approval in order to construct a 73-bed assisted care facility as a use permitted under Section 611.2(o) of the Berryville Zoning Ordinance located on Tax Map Parcel numbers 14A714-1, 14A714-1A, 14A714-1B zoned B Business and DR-4 Detached Residential.** SP 01-16

They also held a public hearing for the following request:

> **Sean Millot, (Kimley-Horn and Associates, Inc.), Agent, (Michele Fascelli, Owner) is requesting Site Plan approval in order to build a restaurant under Section 610.2(t) of the Berryville Zoning Ordinance at the property located on McNeil Drive, identified as Tax Map Parcel number 14-((5))-251F zoned BC Business Commercial.** SP 02-16

Both public hearings were continued to their next meeting scheduled for Wednesday, January 25, 2017 at 7:00pm.

Architectural Review Board
The Architectural Review Board held their organizational meeting on Wednesday, January 4, 2017. Jim Barb and Susan Godfrey retained their positions as chair and vice chair, respectively. They reviewed the following:

Sign Review

> **The Sanctuary Berryville, LLC (Geo Giordano, Owner), is requesting a Certificate of Appropriateness for a freestanding sign in front of her business located at 208 North Buckmarsh Street, identified as Tax Map Parcel number 14A2-(A)-33, zoned R-3 Residential.** *Approved as presented with the condition the applicant work with staff to determine an appropriate shield for proposed lighting.*

Their next meeting is scheduled for Wednesday, February 1, 2017 at 12:30pm.

Board of Zoning Appeals
The Board of Zoning Appeals has not held a meeting since the last Planning Commission meeting.