



County of Fairfax, Virginia

To protect and enrich the quality of life for the people, neighborhoods and diverse communities of Fairfax County

Minutes

Meeting of the Chesapeake Bay Exception Review Committee

February 7, 2018, 2:00 PM
Herrity Building, Room 106
12055 Government Center Parkway
Fairfax, Virginia 22035

Attendance

Committee:

Chris Koerner, Howard Green, The Honorable James C. Chesley, Sherry Fisher, Anne Kanter, Dr. David Schnare.

County Staff:

Brandy Mueller, Hanna Kras, Orna Zaman, Jessica Richardson, Camylyn Lewis, Bruce McGranahan, Durga Kharel, Matthew Hansen, Shahab Baig, Prutha Rueangvivanakij, Mohan Bastakoti.

Applicant:

Mark Crain, Greg Budnik, Sheila Konecke.

Members of the Public:

Jeanne Kadet, Philip Latasa, Amy Gould.

Committee Members Not Present

Monica Bilger, Frank Crandall, Sue Kovach Shuman, Elizabeth Martin.

Call to Order

Meeting called to order by Chair Koerner at: 2:03 PM

Business on the Agenda

1. Introduction of new board member Schnare. Mention of appointment of new member Billger, not present.



2. Review of previous meeting minutes
 - a. Review of December minutes:
 - i. Revision to state that Mr. Rio supported enforcement of the 75' building restriction at the property heard in January, and that Mr. Rio was neither advocating for nor against the application.
 - ii. Motion by Green to approve the minutes as revised. Approved.
 - b. Review of January minutes:
 - i. Correct spelling for County Staff member Eleanor Coddling.
 - ii. Motion by Fisher to approve minutes as noted. Approved.
 - c. Discussion of minutes, generally:
 - i. Staff is requested to use only last names of meeting participants.
 - ii. Staff will add the names of absent members to future minutes.
 - iii. Staff will work with Koerner to clarify proper procedure regarding meeting attendance requirements as stated in the Bylaws.

3. Review of previously deferred Case No. 2582-WRPA-006-1 and 2582-WQ-003-1

Address: 4104 Woodlark Drive
Applicant: K2NC, LLC

- a. The case was previously heard, so no public statements were taken prior to the ERC discussion.
 - b. Motion by Kanter to “deny the application as not the minimum required to afford relief. Final determination as to the front yard setback is necessary for the Committee to determine whether relief requested is the minimum necessary to build the proposed house.” Seconded and approved 5-0 with Schnare abstaining due to the hearing preceding his appointment.
 - c. Kanter stated that she would be open to waiving the requirement of 118-6-1 that denied cases may not be reheard within 12 month and that she would be willing to re-hearing the case following final disposition of pending litigation regarding the enforceability of the covenant requiring a 75' front building restriction line.
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4. Public hearing of Case No. 7171-WRPA-003-2 and 7171-WQ-003-1

Address: 7780 Kelly Ann Court
Applicant: Harold A. Logan Associates, P.C

- a. Introduction of the Case by County Staff member Rueangvivanakij.
- b. Presentation in support of the case by Crain for Harold A. Logan Associates, P.C., as the agent for the property owner.
- c. Presentation of Staff Findings by Rueangvivanakij.
- d. Koerner invited public comments; no speakers came forward.

- e. Discussion by the Committee.
- f. Motion by Kanter not to defer the case, seconded and approved 5-1.
- g. Motion by Schnare to approve Case No. 7171-WRPA-003-2. Seconded.
 - i. Motion by Kanter to amend the original motion to include that approval condition #6 be rewritten to state that "before the pool is drained, the pool water shall be dechlorinated before being released across the property in a manner that sheets the water into the RPA at a rate that will not cause erosion" Seconded and approved unanimously.
 - ii. Motion by Kanter to amend the original motion to include an approval condition that "the applicant shall reduce the impervious area of the pool apron by 10% within the RPA" from the proposed design. Seconded and approved unanimously. This becomes approval condition #7. Original approval condition #7 becomes #9.
 - iii. Motion by Kanter to amend the original motion to include that approval condition that "the applicant shall combine the two buffers into a unitary buffer on the west side of the pool area." Seconded and approved unanimously. This becomes approval condition #8.
 - iv. The question was called on the motion, seconded, and approved 5-1.
- h. Public hearing closed by Chair Koerner.

Business not on the agenda

- 5. Schnare invites other committee members to participate in an upcoming County policy committee to discuss RPA policies. County staff member Lewis to notify members of that date.

Next Meeting

- 6. No applications are anticipated for March, though staff expects applications for the May hearing. The next meeting is scheduled for May 2, 2018.

Adjournment

Motion to adjourn by Chesley, seconded and approved unanimously. Adjourned at 3:41 PM.