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**PLANNING COMMISSION
Monday
March 25, 2018**

The Planning Commission met in public session on Monday, March 25, 2019, at 7:00 p.m. in the Herndon Council Chambers Building, 765 Lynn Street, Herndon, Virginia. In attendance were: Chair C. Melissa Jonas, Vice Chair George Burke, and Commissioners Marcia Bouchard, Paul LeReche, Kevin Moses, Sean Regan and Michael Romeo.

Others present during the meeting: Lesa Yeatts, Town Attorney; Elizabeth Gilleran, Director of Community Development; Bryce Perry, Deputy Director of Community Development and Erika Orellana, Clerk to Boards and Commissions.

Chair Jonas called the meeting to order at 7:00 p.m., all Commissioners present, and with Chair Jonas presiding.

1. DETERMINATION OF QUORUM

For the record, Ms. Orellana, Clerk to Boards and Commissions, called the roll, with seven members present, which constituted a quorum.

2. APPROVAL OF AGENDA

On the motion of Vice Chair Burke seconded by Commissioner Moses and carried by a vote of 7-0 The agenda for March 25, 2019 public hearing meeting was approved. The vote was: Commissioners: Bouchard, LeReche, Moses, Regan and Romeo; and Vice Chair Burke and Chair Jonas voting "Aye."

3. APPROVAL OF MINUTES

**Vote on February 11, 2019
Work Session Minutes**

On the motion of Commissioner LeReche, seconded Commissioner Moses and carried by a vote of 7-0. The minutes for February 11, 2019 work session meeting was approved. The vote was: Commissioners: Bouchard, Moses, LeReche, Regan and Romeo; and Vice Chair Burke and Chair Jonas voting "Aye".

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(public hearing)**

**February 25, 2019
Public Hearing Minutes**

On the motion of Commissioner Romeo, seconded Vice Chair Burke and carried by a vote of 7-0. The minutes for February 25, 2019 public hearing meeting was approved. The vote was: Commissioners: Bouchard, Moses, LeReche, Regan and Romeo; and Vice Chair Burke and Chair Jonas voting "Aye".

4. COMMENTS FROM THE STAFF

There were no comments from the staff.

5. COMMENTS FROM THE PLANNING COMMISSIONERS

There were no comments from the commissioners.

6. COMMENTS FROM THE AUDIENCE

There were no comments from the audience.

PUBLIC HEARINGS

Note: Chair Jonas opened the public hearing. Bryce Perry, Deputy Director of Community Development provided an update on the memos dated March 22, 2019 for the following items: PCA #19-01, PCA #19-02 and SE #19-02.

- 7. APPLICATION FOR A PROFFER CONDITION AMENDMENT - PCA #19-01, 525 Grove Street, Virginia Dominion Energy Substation, to consider a proffer condition amendment to amend the proffer statement for the previously approved rezoning application, ZMA #02-102. Applicant: Tessia Knight, Network Building & Consulting, LLC. Owner: Virginia Electric & Power Company. Continued from February 25, 2019 Planning Commission public hearing.**

[Note: This item was continued from the February 25, 2019 Planning Commissions' public hearing.]

Certificates of Publication were filed from the Editor of the *Fairfax County Times Newspapers*, showing that notices of said public hearing had been duly advertised in the Friday, March 8, 2019 and March 15, 2019 issues.

The staff recommends that the Planning Commission approve Proffer Condition Amendment, PCA #19-01, in accordance with the draft resolution.

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There was brief discussion amongst the Commissioners and staff on this item.

Chair Jonas recognized, Harold Bernadzikowski, applicant and Mohammed Alsamna RF Engineer, for comments.

There was brief discussion amongst the Commissioners, staff, applicant and Engineer on this item.

There were no comments from the audience.

Following the public hearing, on the motion of Vice Chair Burke, seconded by Commissioner Romeo and carried by a vote of 6-1, the resolution dated March 25, 2019 for Proffer Conditions Amendment, PCA #19-01 was **APPROVED**. The vote was: Commissioners: Bouchard, LeReche, Regan, Romeo; and Vice Chair Burke and Chair Jonas voting "Aye". Commissioner Moses voting "nay."

Resolution – Recommending approval of Proffer Condition Amendment, PCA#19-01, 525 Grove Street, to the Town Council

- WHEREAS**, Network Building & Consulting, LLC, the applicant, has submitted an amended Proffer Statement, dated February 26, 2019 and referenced NB+C/Vertical Bridge plan exhibit, dated March 19, 2019, to allow the construction of a telecommunications facility on the parcel identified as Fairfax County Tax Map Reference Number 0162-02-0190E; and
- WHEREAS**, The reference parcel is currently improved by a Dominion Energy substation with its land use is regulated by previously approved Zoning Map Amendments, ZMA#02-102 and ZMA#02-103; and
- WHEREAS**, On February 25, 2019 the Planning Commission held a public hearing to consider PCA#19-01 and continued that public hearing to March 25, 2019; and
- WHEREAS**, The Planning Commission has determined that the applicant has demonstrated that the above referenced Proffer Statement and referenced plan exhibit adheres to applicable sections of the Town of Herndon Zoning Ordinance, dependent upon a modification of ground equipment screening method; and
- WHEREAS**, The Planning Commission has determined that the applicant has demonstrated that the requested modification of Section 78-114.2(a)(1) to allow fencing instead of a masonry wall for screening of the group

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equipment will afford equal or greater assurances of meeting the applicable goals of the Zoning Ordinance.

NOW THEREFORE, BE IT RESOLVED by the Planning Commission of the Town of Herndon, Virginia that the Commission recommends to the Town Council of the Town of Herndon, Virginia approval of PCA#19-01.

BE IT FUTHER RESOLVED that the Planning Commission of the Town of Herndon, Virginia that the Commission recommends to the Town Council of the Town of Herndon, Virginia approval of the requested zoning modification to allow a black decorative metal fence in combination with landscaping to screen the ground equipment instead of a masonry wall.

8. **APPLICATION FOR A PROFFER CONDITION AMENDMENT - PCA #19-02, 525 Grove Street, Virginia Dominion Energy Substation, to consider a proffer condition amendment to amend the proffer statement for the previously approved rezoning application, ZMA #02-103. Applicant: Tessia Knight, Network Building & Consulting, LLC. Owner: Virginia Electric & Power Company.**

Certificates of Publication were filed from the Editor of the *Fairfax County Times Newspapers*, showing that notices of said public hearing had been duly advertised in the Friday, March 8, 2019 and March 15, 2019 issues.

The staff recommends that the Planning Commission approve Proffer Condition Amendment, PCA #19-02, in accordance with the draft resolution.

There was brief discussion amongst the Commissioners and staff on this item.

Chair Jonas recognized, Harold Bernadzikowski, applicant and Mohammed Alsamna RF Engineer, for comments.

There was brief discussion amongst the Commissioners, staff, applicant and Engineer on this item.

There were no comments from the audience.

Following the public hearing, on the motion of Vice Chair Burke, seconded by Commissioner Romeo and carried by a vote of 6-1, the resolution dated March 25, 2019 for Proffer Conditions Amendment, PCA #19-02 was **APPROVED**. The vote was: Commissioners: Bouchard, LeReche, Regan, Romeo; and Vice Chair Burke and Chair Jonas voting "Aye". Commissioner Moses voting "nay."

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(public hearing)**

Resolution – Recommending approval of Proffer Condition Amendment, PCA#19-02, 525 Grove Street, to the Town Council

WHEREAS, Network Building & Consulting, LLC, the applicant, has submitted an amended Proffer Statement, dated February 26, 2019 and referenced NB+C/Vertical Bridge plan exhibit, dated March 19, 2019, to allow the construction of a telecommunications facility on the parcel identified as Fairfax County Tax Map Reference Number 0162-02-0190E; and

WHEREAS, The reference parcel is currently improved by a Dominion Energy substation with its land use is regulated by previously approved Zoning Map Amendments, ZMA#02-102 and ZMA#02-103; and

WHEREAS, On February 25, 2019 the Planning Commission held a public hearing to consider PCA#19-02 and continued that public hearing to March 25, 2019; and

WHEREAS, The Planning Commission has determined that the applicant has demonstrated that the above referenced Proffer Statement and referenced plan exhibit adheres to applicable sections of the Town of Herndon Zoning Ordinance, dependent upon a modification of ground equipment screening method; and

WHEREAS, The Planning Commission has determined that the applicant has demonstrated that the requested modification of Section 78-114.2(a)(1) to allow fencing instead of a masonry wall for screening of the group equipment will afford equal or greater assurances of meeting the applicable goals of the Zoning Ordinance.

NOW THEREFORE, BE IT RESOLVED by the Planning Commission of the Town of Herndon, Virginia that the Commission recommends to the Town Council of the Town of Herndon, Virginia approval of PCA#19-02.

BE IT FUTHER RESOLVED that the Planning Commission of the Town of Herndon, Virginia that the Commission recommends to the Town Council of the Town of Herndon, Virginia approval of the requested zoning modification to allow a black decorative metal fence in combination with landscaping to screen the ground equipment instead of a masonry wall.

9. **APPLICATION FOR A SPECIAL EXCEPTION – SE #19-02, 525 Grove Street, Virginia Dominion Energy Substation, to consider a special exception to construct**

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a telecommunications monopole and associated ground equipment compound. Applicant: Tessia Knight, Network Building & Consulting, LLC. Owner: Virginia Electric & Power Company. Continued from February 25, 2019 Planning Commission public hearing.

[Note: this item was continued from the February 25, 2019 Planning Commissions' public hearing.]

Certificates of Publication were filed from the Editor of the *Fairfax County Times Newspapers*, showing that notices of said public hearing had been duly advertised in the Friday, March 8, 2019 and March 15, 2019 issues.

The staff recommends that the Planning Commission approve Special Exception, SE #19-02, in accordance with the draft conditions.

There was brief discussion amongst the Commissioners and staff on this item.

Chair Jonas recognized, Harold Bernadzikowski, applicant and Mohammed Alsamna RF Engineer, for comments.

There was brief discussion amongst the Commissioners, staff, applicant and Engineer on this item.

There were no comments from the audience.

Main Motion (Failed)

Following the public hearing, on the motion of Vice Chair Burke, seconded by Commissioner Romeo.

Clarification

Commissioner Romeo offered an amendment to the motion.

Chair Jonas asked Town Attorney for clarity amending the main motion.

Town Attorney advised that due to the amending of documents, the amendments would need to be stated in a form of a motion.

Amendment to (Approved)

Main Motion

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Following the public hearing, on the motion of Commissioner Romeo, seconded by Commissioner Regan and carried by a vote of 6-1, the resolution dated March 25, 2019 for Special Exception SE# 19-02 was **APPROVED** with amendments to the conditions referenced in the resolution as follows: Condition A. shall state that "The site shall be developed and maintained in substantial conformance with the NB+C/Vertical Bridge plan exhibit, dated March 19, 2019, except where modified by these conditions and with the removal of the modification requests #2 and #3 listed on the cover sheet of the plan exhibit."

The vote was: Commissioners: Bouchard, LeReche, Regan, Romeo; and Vice Chair Burke and Chair Jonas voting "Aye". Commissioner Moses voting "nay."

10. ADJOURNMENT

There being no further business, the meeting adjourned at 7:42 p.m.



**C. Melissa Jonas, Chair
Planning Commission**



**Erika Orellana
Clerk to Boards and Commissions**

Minutes approved by the Planning Commission: 04-22-19