

Chapter 425 Stakeholder Advisory Group

Minutes

October 4, 2022

3:00 p.m.

Virtual via Google Meet

A meeting of the Chapter 425 Stakeholder Advisory Group was held virtually via Google Meet on October 4, 2022.

Members Present:

Phil Abraham – Virginia Association of Commercial Real Estate

Andrew Clark – Home Builders of Virginia (HBVA)

Scott Dunn – HBVA

Kevin Gregg – Virginia Department of Transportation (VDOT)

Wyatt Gordon – Virginia Conservation Network

Robert Hofrichter – VDOT

James Hutzler – Virginia Association of Counties (VACo)

Harley Joseph – VDOT

Lynne Lloyd – VDOT

Phil North – VACo

Kayla Ord – HBVA

Kathryn Pobre – VDOT

Trip Pollard – Southern Environmental Law Center

Steve Sandy – VACo

Craig Shelton – HBVA

Kristen Umstattd – VACo

Mike Watkins – Virginia Fire Chiefs Association

Members Absent:

Jeremy Bennett – VACo

Brantley Tyndall – Virginia Bicycling Federation

1. Call to Order

The meeting was called to order at approximately 3:03 p.m.

2. Welcome and Introductions

Chairman Kevin Gregg welcomed attendees to the virtual meeting. Attendance was taken via the virtual platform.

3. Approval of Minutes

A motion was made by Robert Hofrichter, seconded by Craig Shelton to approve the minutes from the last meeting. Motion carried unanimously.

4. SSAR Connectivity Information and Exception Requests Report

Lynne Lloyd provided general information on the connectivity requirements of the Subdivision Street Acceptance Requirements (SSAR) and the approval and denial of exception requests. She described the requirements regarding stub outs and noted that the only exception from these requirements is if the District Engineer deems the connection to an existing stub out to be unsafe. She also described the requirements for multiple connections in multiple directions and explained that the vast majority of exception requests are related to these latter requirements. The 2009 version of the SSAR only allowed for very limited connectivity exceptions, but these exceptions were expanded in the 2011 version of the regulation.

Ms. Lloyd provided data from VDOT's construction districts on the exception requests that were approved in 2021 and the first three quarters of 2022. The infill development exception was the top reason for an exception request, with the NoVA District approving the majority of requests. Only two exception requests were denied in the state during this time period.

5. Discussion of Connectivity Exceptions

Members of the Advisory Group discussed concerns with the exception request process and potential goals for improvement. Concerns included the requirement to connect to an existing stub out in established communities which oppose this connection and whether there will be enough connectivity for adequate fire response, especially in larger subdivisions, if connectivity is limited. The timeframe for exception approval was raised as a concern, noting that in NoVA District it can take one to two months for a response from VDOT.

A question was asked about why built stub outs are required instead of easements. A stub out is required so it remains under VDOT control (generally, right of way without a road is not taken into the secondary system) and so appropriate expectations are set for property owners in the area. If a locality has more stringent connectivity standards than the SSAR, the locality's standards will apply. Also, concerns were raised regarding the potential for slower, phased construction in the years ahead and the implications for needing to meet the SSAR requirements for each phase.

The exception approval data presented by Ms. Lloyd was interpreted by some members as demonstrating that the exception system is not a hindrance to development. This highlighted the need to better identify problems with the current regulation. Advisory Group members were asked to provide examples of issues with the process, especially regarding development plans that were not submitted to VDOT due to the expectation that they would be denied, and the number of times these specific issues happen. Mr. Hofrichter asked if two weeks was sufficient for the development industry representatives to gather information on connectivity examples that were problematic and have those ready to present to the Advisory Group. Development industry representatives agreed that should be sufficient for some examples to be gathered.

6. Adjournment

Mr. Hofrichter discussed the plans for the next meeting, which is expected to take place in person in two weeks. It was noted that per the Virginia Freedom of Information Act, members cannot meet in groups of more than two to discuss the work of the Advisory Group. Chairman Gregg adjourned the meeting at approximately 4:04 p.m.