

AT A REGULAR MEETING OF THE PLANNING COMMISSION OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD ON THE ELEVENTH DAY OF FEBRUARY, NINETEEN HUNDRED AND NINETY TWO AT 7:30 P. M. IN THE COUNTY GOVERNMENT CENTER BOARD ROOM, 101C MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

1. ROLL CALL

Mr. Alexander C. Kuras, Chairman
Mr. Raymond L. Betzner
Mr. A. G. Bradshaw
Mr. Wallace Davis, Jr.
Mr. Martin Garrett
Ms. Victoria Gussman
Mr. John F. Hagee
Mr. Donald C. Hunt
Ms. Willafay McKenna

ALSO PRESENT

Mr. O. Marvin Sowers, Jr., Director of Planning
Mr. Leo P. Rogers, Assistant County Attorney
Mr. Allen J. Murphy, Jr., Principal Planner
Mr. R. Patrick Friel, Senior Planner
Mr. Jeffrey J. Mihelich, Planner
Mr. Trenton L. Funkhouser, Senior Planner

2. ELECTION OF OFFICERS

Mr. Kuras turned the Chair seat over to Mr. Sowers who opened the floor for nominations for Chairperson. Mr. Garrett nominated Mr. Kuras.

Ms. McKenna moved to close nominations.

Mr. Kuras was elected Chairman by unanimous voice vote.

Mr. Sowers turned the Chair seat over to Mr. Kuras who thanked the Commission for their vote of confidence.

Mr. Kuras opened the floor for nomination for Vice-chairperson.

Mr. Betzner nominated Ms. McKenna.

Ms. Gussman moved to close nominations.

Ms. McKenna was elected Vice-chairperson by unanimous voice vote.

Mr. Kuras announced the following committees:

Development Review Committee: Mr. Garrett, Chairman; Mr. Kuras; Mr. Betzner; Mr. Davis; Mr. Bradshaw.

Policy Committee: Ms. McKenna, Chairman; Ms. Gussman; Mr. Hagee; Mr. Hunt.

Leadership Committee: Mr. Kuras, Mr. Garrett, Ms. McKenna, Mr. Betzner.

3. MINUTES - January 14, 1992

Upon a motion by Mr. Betzner, seconded by Ms. McKenna, the minutes were unanimously approved by voice vote.

4. COMMITTEE REPORTS

A. Development Review Committee Report: Mr. Kuras stated that the committee reviewed a request to make some changes to the Greensprings Master Plan and determined that the alignment for relocated Centerville Road was consistent with the Greensprings Master Plan. The report was unanimously approved by voice vote.

B. Policy Committee Report: Ms. McKenna presented this report and briefly discussed the upcoming meetings in which the Capital Improvements Program would be discussed. The report was unanimously approved by voice vote.

Communication Towers Resolution: Mr. Mihelich presented an updated resolution setting forth two changes which encourage the investigation of alternative options for towers and the consideration of utilizing existing towers. The Policy Committee unanimously approved the resolution on January 29, 1992. Upon a motion by Ms. Gussman, seconded by Ms. McKenna, the resolution was unanimously approved by voice vote.

5. CASE NO. Z-10-91. GREENSPRINGS PLANTATION, INC. MASTER PLAN AMENDMENT

Mr. Friel presented the staff report stating that staff concurred with the applicant's request for deferral.

Mr. Kuras opened the public hearing. There being no speakers the public hearing will be continued at the March 10, 1992 meeting.

6. CASE NO. Z-11-92. MASTER PLAN AMENDMENT TO CHAMBREL AT WILLIAMSBURG

Mr. Friel stated that staff concurred with the applicant's request for deferral.

Ms. Gussman questioned the acreage discrepancy in open space which appears in various documents and asked Mr. Friel to determine the correct acreage.

Mr. Kuras opened the public. There being no speakers the public hearing will be continued at the March 10, 1992 meeting.

7. CASE NO. SUP-40-91. JCSA COMMUNICATIONS TOWER

Mr. Friel presented the staff report (appended) for an 80 foot tall communications tower located at 107 Tewning Road. Mr. Friel stated that staff continues to recommend approval of the special use permit with the conditions detailed in the staff report.

Mr. Kuras opened the public hearing. There being no speakers the public hearing was closed.

Following a brief discussion, Ms. McKenna made a motion, seconded by Mr. Betzner, to accept the staff's recommendation of approval because of the towers height and limited visibility. The motion passed: AYE: Bradshaw, Garrett, McKenna, Davis, Gussman, Hagee, Betzner, Hunt, Kuras (9). NAY: (0).

8. CASE NO. SUP-38-91. HENRY BRANSCOME, INC. - LEE BORROW PIT
CASE NO. SUP-39-91. HENRY BRANSCOME, INC. - BICKFORD BORROW PIT

Mr. Friel presented the staff report (appended) and distributed revisions to conditions #3 and #6 for the expansion of an existing borrow pit. Mr. Friel stated that staff recommends approval of the special use permits with the conditions detailed in the staff report and revised conditions #3 and #6.

In discussion that followed, staff confirmed that the reforestation plan, which would be approved by the area forester prior to any clearing on the site, would include top soil and tree seedlings. Also, in response to a question from Ms. Gussman regarding the conservation areas, staff was asked if submittal information contained a biologist's report. Mr. Friel responded that that type of information had not be received.

Mr. Kuras opened the public hearing.

Mr. Grady Andrews speaking on behalf of the applicant addressed the Commission concerning the proposed expansion of the existing borrow pit. Mr. Andrews stated that the staff condition limiting operation to daylight hours was an area of concern. Mr. Andrews asked that the condition include specific verbiage allowing for future Commission and Board approval in the event a project required borrow pit

operation after the regular hours stated in condition #8. Mr. Andrews distributed pictures of the existing pit showing RPA and reclaimed areas.

Ms. C. Baker, Blows Flat Road, stated that she had no objection to the borrow pit but was concerned about the traffic impact on children and animals. Ms. Baker was concerned about the lack of road frontage, trucks traveling at 45 mph, foul language, cars as well as a bus being run off the road, narrow width of the road and the curve near Route 60. Ms. Baker asked about constructing an entrance through the Greenmount industrial Park property and requested that an alternative access be found.

Mr. James Bickford, owner of a portion of the property for expansion, stated that he needed to generate income to offset the cost of taxes in order to hold the property for future industrial use.

Ms. Inga Ferrell, Blows Flat Road, submitted a petition from residents objecting to Blows Flat Road being used as access to the property. Ms. Ferrell stated that she did not object to the use but was concerned about the traffic in excess of the 25 mph speed limit, not being able to walk and bike on the road, and the noise, fumes and air pollution. She stated that the residents have complained to the Police Department but this has not solved the speeding problem.

Mr. Mike Ware, attorney on behalf of Greenmount, addressed the Commission. Mr. Ware acknowledged that his client was made aware of this request in December but asked for a deferment to afford him the opportunity to meet with his client regarding an alternate access to the property.

Mr. Roy Turman who works for Branscome, Inc. stated that he was willing to discuss an access road with the Greenmount representative but asked that the case not be deferred. He stated that they had discussed this with the Greenmount people three weeks ago.

There being no further speakers the public hearing was closed.

Mr. Davis stated his concern regarding the heavy traffic at the intersection of Blows Flat and Route 60.

Mr. Sowers stated that staff was aware of the applicant's efforts to obtain access through Greenmount and understood that there were some difficulties in gaining such access. He stated that unless the applicant indicated otherwise, staff was not aware of whether all options for securing this access had been exhausted and staff was willing to discuss this further with Greenmount.

Upon a motion by Mr. Garrett, seconded by Ms. McKenna, Case No. SUP-38-91 and SUP-39-91 were deferred by unanimous voice vote.

The Commissioners scheduled a tour of the borrow pit site for Friday, February 21st at 3:00 p. m.

9. PLANNING DIRECTOR'S REPORT

Mr. Sowers presented the Planning Director's Report which included summarization of Zoning Ordinance subcommittees, restructuring and downsizing of the Planning Commission, and March 10 public hearings before the Commission.

Mr. Kuras requested that Commissioners receive a copy of the draft ordinance for subcommittees they do not serve on three weeks prior to the meeting.

In discussion regarding notification of affected individuals of the ordinance drafts prior to the upcoming public hearings, it was suggested that letters be sent to individuals of large parcels affected by the changes, box ads of the public hearing notice and advance news story be run, and notices be sent to groups and businesses who might have an interest. Mr. Sowers agreed with sending out ordinance drafts early and stated staff would review present notification efforts.

10. MATTERS OF SPECIAL PRIVILEGE

Ms. Gussman asked the Commission to think about instituting the practice of rotating Chairperson of the Commission.

The Leadership Committee will meet at 3 p.m. on April 8 to consider this change and to review the Bylaws.

11. SETTING OF FUTURE MEETING DATES

February 21, 1992 - Tour of Branscome Borrow Pit sites at 3 p.m.

April 8, 1992 - Leadership Committee meeting to discuss practice of rotating Chairperson of the Planning Commission and review of Bylaws.

12. ADJOURNMENT

There being no future business the February 11, 1992 Planning Commission meeting adjourned at 8:50 p. m.



Alexander C. Kuras, Chairman



O. Marvin Sowers, Jr., Secretary

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