

A REGULAR MEETING OF THE PLANNING COMMISSION OF THE COUNTY OF JAMES CITY, VIRGINIA, WAS HELD ON THE TWELFTH DAY OF JANUARY, TWO-THOUSAND AND FOUR, AT 5:30 P.M. IN THE COUNTY GOVERNMENT CENTER BOARD ROOM, 101-F MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

1. ROLL CALL

A. Joe Poole, III
Peggy Wildman
John Hagee
Donald Hunt
Joseph McCleary
Wilford Kale
George Billlups

ALSO PRESENT

Leo Rogers, Deputy County Attorney
William Porter, Acting Development Manager
O. Marvin Sowers, Jr., Planning Director
Toya Ricks, Administrative Services Coordinator
Christopher Johnson, Senior Planner
Karen Drake, Senior Planner
David Anderson, Senior Planner
Matthew Arcieri, Planner
Sarah Weisiger, Planner
Ellen Cook, Planner

2. PRESENTATIONS

A. RESOLUTION – IN RECOGNITION OF MR. JOHN F. HAGEE

Mr. A. Joe Poole, III, Planning Commission Chair, presented Mr. John Hagee with a plaque and the following resolution recognizing his fourteen years of service on the Planning Commission:

Whereas, Mr. John Hagee has served the citizens of James City County as a member of its Planning Commission from January 1989 to January 2003; and

Whereas, Mr. John Hagee served on the Planning Commission Development Review Committee; and

Whereas, he was elected Chairman of the Development Review Committee February 2000 and served as its chair until January 31, 2004; and

Whereas, Mr. John Hagee also served on James City County's 1997 and 2003 Comprehensive Plan Steering Committees and was the Committee Chairman during the 1997 Comprehensive Plan update; and

Whereas, The 2003 Comprehensive Plan Steering Committee received the 2003 Virginia Municipal League President's Award.

Now, Therefore, Be It Resolved, that the Planning Commission of James City County, Virginia does hereby extend its appreciation to Mr. John F. Hagee

Be It Further Resolved, that the Planning Commission wishes to express its gratitude to Mr. John Hagee for fourteen (14) years of dedicated service to the citizens of James City County.

Mr. Hagee thanked the members of the Commission. He said that the process would continue to flourish under their direction.

B. SITE PLAN REVIEW PROCESS UPDATE

Mr. William Porter, Acting Development Manager, briefed the Commission on the Site Plan Review Process. The process utilized two facilitated teams. One identified the needs and perceptions of the current site plan process and defined processes that raised challenges and issues; the other then translated them into recommendations.

Mr. Christopher Johnson, Senior Planner, presented the report. Mr. Johnson outlined the objectives of the process update. He detailed the recommendations that were formulated. Mr. Johnson also gave suggestions for successful implementation. He concluded by asking for feedback from the Planning Commission.

Mr. Hagee asked when feedback was expected.

Mr. Porter said it did not have to be at tonight's meeting.

Mr. Hagee thought it was a splendid idea that staff took it upon themselves to make these improvements and involving other members of the community.

Mr. McCleary noted that he discussed with Mr. Porter the reasons for this review not taking place during the Comprehensive Plan update. He thought it might have been appropriate for the Commission to have received updates during the review.

Mr. Kale thanked Mr. Porter and the teams for their work. He asked Mr. Porter to consider how staff handles projects after approval is granted by the Planning Commission and the Board but before construction is permitted. He is aware of two cases where construction approval was delayed by over a year.

Mr. Porter stated that there are various causes for delay and agreed to look into it.

Mr. Poole applauded Mr. Porter, Mr. Johnson and the committees for their work.

3. MINUTES

Mr. McCleary made a motion to approve the minutes of the meeting of November 3, 2003 and December 8, 2003.

Mr. Hunt seconded motion.

In a unanimous voice vote the Commission approved the minutes with a correction on page 11 of the December 8th minutes.

4. COMMITTEE AND COMMISSION REPORT

A. DEVELOPMENT REVIEW COMMITTEE (DRC)

Mr. John Hagee, Chairman of the Development Review Committee, presented the report. The DRC heard five cases. The first case granted approval for the extension of overhead power lines across Lake Powell Road. In the second case approval was given for the United Methodist Church to use off-site parking on the adjacent Williamsburg/James City County Courthouse site. The Committee also gave approval for a 66 lot subdivision in Colonial Heritage. A 98 lot subdivision in Ford's Colony and a 96 unit townhome subdivision in Pocahontas Square were deferred so that environmental issues could be addressed.

Mr. McCleary made a motion to approve the DRC report.

Ms. Wildman seconded the motion.

In a unanimous voice vote the Commission approved the DRC report.

B. POLICY COMMITTEE

Mr. Kale, Chairman of the Policy Committee, called the members attention to Article 11X of the bylaws, regarding the Commission's nominating committee, and Item 3D. Mr. Kale read proposed new language amending the bylaws concerning the Nominating Committee.

Mr. Kale made a motion to amend the bylaws as stated.

Mr. McCleary seconded the motion.

In a unanimous voice vote the Commission approved the amendment.

C. OTHER COMMITTEES

5. PUBLIC HEARINGS

- A. CASE NO. Z-9-03 Williamsburg Community Chapel Rezoning.
CASE NO. Z-12-03 Jamestown Hundred Proffer and Master Plan Amendment.
CASE NO. SUP-20-03 Jamestown Hundred Master Plan Amendment.

Mr. David Anderson stated that Mr. Craig Covey, on behalf of Williamsburg Community Chapel and Hampton Roads Development, have requested the case be deferred until the February 2nd meeting of the Planning Commission. The applicant requested more time to develop a final proposal that resolved issues between the residents of Jamestown Hundred, the Williamsburg Community Chapel, and Hampton Roads Development, Inc. Staff recommended deferral.

Mr. A. Joe Poole, III opened the public hearing.

Hearing no other requests to speak, Mr. Poole, III deferred the case until the February 2nd meeting.

- B. CASE NO. Z-11-03 & MP-11-03 Stonehouse Planned Community.

Ms. Karen Drake stated that Mr. Alvin Anderson, on behalf of Stonehouse at Williamsburg LLC., requested the case be deferred until the February 2nd Planning Commission meeting. The applicant requested more time to resolve outstanding issues regarding the Stonehouse master plan and proffers. Staff concurred with the request.

Mr. A. Joe Poole, III opened the public hearing.

Mr. Billups asked if staff anticipated any potential problems.

Ms. Drake said the applicant was working general issues.

Hearing no other requests to speak, Mr. Poole, III deferred the case until the February 2nd meeting.

- C. CASE NO. Z-14-03 & MP-01-04 Powhatan Secondary Proffer Amendment.

Mr. David Anderson stated that Mr. Alvin Anderson, on behalf of Powhatan Enterprises, Inc., has applied to amend the existing Powhatan Proffers. The amendment proposed to delete the last sentence in existing Proffer 20, which limits any commercial uses where the ITE Trip Generation per square foot exceeds the ITE Trip generation per office per square foot. The existing proffer significantly limits commercial development since very few meet this criterion.

The proposal sought to amend Proffer 20 to prohibit commercial/office uses on this property if the ITE Trip Generation exceeded 1,504 vehicles per day without traffic studies reviewed and approved by the planning director. The approved Powhatan Master Plan limits the commercial/office area to developments not to exceed 744 vehicles trips per day.

Staff found the proposed proffer amendment consistent with surrounding zoning and development and compatible with the Comprehensive Plan. The attached proffers adequately address any potential impacts associated with the proposal. Staff recommended the Planning Commission approve the proposal and attached proffers

Ms. Wildman asked Mr. Anderson for the location of the enhanced landscaping on News Road.

Mr. Anderson pointed to the area in question on the location map.

Ms. Wildman asked if this applicant also developed Powhatan Villages.

Mr. Anderson said it was part of the same master plan development.

Ms. Wildman had some concerns regarding the landscaping.

Mr. Anderson noted that the applicant proffered 15% above the minimum requirements.

Mr. McCleary asked how the number of vehicle trips per day is calculated.

Mr. Anderson said it was a projection based on the ITE Manuel.

Mr. A. Joe Poole, III opened the public hearing.

Mr. Tim Trant, Kaufman Canoles, represented the applicant. Mr. Trant agreed with Mr. Anderson's report. He highlighted the applicant's proposal to eliminate 95 townhouses in the development. The applicant proffered construction to be architecturally compatible with the Monticello Marketplace Shopping Center. Mr. Trant stated that the applicant also proffered to limit curb cuts to the two existing cuts and the elimination of certain undesirable by-right uses.

Mr. Kale asked for clarification on the originally intended use of the property.

Mr. Trant clarified that the townhouses referred to earlier were originally intended for another property within the same master planned community.

Mr. Kale asked for the location where the vehicle counts are calculated.

Mr. Trant said the traffic counts calculate traffic in and out of the parcel.

Mr. Kale wanted to know how the projections were arrived at.

Mr. Trant explained that the Institute of Traffic Manuel defines the predicted traffic counts by type and size of the operation.

Mr. Kale asked how the applicant would be affected if the Commission recommended denial.

Mr. Trant answered that the applicant's ability to locate any commercial use on the property would be limited.

Ms. Deborah Leonard, 4404 Makah Court, was concerned about the traffic impacts of the proposal. She wanted to know if there would be a buffer for privacy. She was also concerned about the effects on the BMP pond.

Mr. John Goomis, 4427 Chickasaw Court, questioned whether the site would house an Eckerd drugstore and the need for such services in that area. He was also concerned about the possible traffic impacts.

Mr. Charles Dodge, 4400 Acoma Circle, said he had understood that the parcel would be office space. He was concerned about the transference of traffic from further in the development and concentrating it on one site. He asked if approval of this application would guarantee that the townhouse parcel would not be developed.

Ms. Dodge pointed out his property on the location map. She also indicated a road that was not visible on the map.

Ms. Lucy Staler, 4416 Chickasaw Court, shared the same concerns regarding traffic and buffers as her neighbors.

Mr. Trant explained that the BMP pond was owned and maintained by Virginia Department of Transportation. He clarified that without this transfer traffic would still have been concentrated on News Road. A commercial use spreads traffic throughout the day and not during mainly peak hours as residential. He also stated that the site of the original 95 townhouses had already been approved for other use. Mr. Trant said the existing proffers already address and require buffers and lighting.

Mr. McCleary asked for the VDOT rating for that section of News Road.

Representatives for the applicant said it was Level of Service B.

Mr. Lawrence Beamer, Powhatan Secondary developer, said a sidewalk had been proffered for the site. He offered to close off the road in question if all the Powhatan Place homeowners agreed. He also stated that he is in negotiation with Eckerd's and explained why he felt it was a good match for this location. Mr. Beamer was willing to discuss the issue of a buffer.

Mr. Hagee asked where the drugstore would be situated on the parcel.

Mr. Beamer pointed to the eastern half of the parcel. He does not have a use currently for the other half. He further explained that a right-turn into the parcel would mitigate the traffic on News Road.

Mr. Kale asked the applicant what he would put on the site if the application was denied.

Mr. Beamer said he did not know. He felt staff made an error in the recommendations of the original proffers.

Mr. Leo Rogers, Deputy County Attorney, stated that the original proffer recommendations were carefully thought out and crafted by staff. The current proffers reflect the intent at that time. Staff has reconsidered the intersection based on this proposal.

Hearing no other requests to speak, Mr. Poole, III closed the public hearing.

Mr. Kale disagreed with staff recommendations that this application is compatible with the Comprehensive Plan. He would prefer to see applications where proposed uses are consistent with the best use of land instead of maximum value for the applicant.

Mr. Poole stated he is inclined to support the application but would like to first see more dialogue between the applicant and adjacent property owners.

Mr. Hagee thought the idea of a drugstore in that location was appropriate. He felt the master plan clearly stated that it was commercial/office. He pointed out that Mr. Beamer is willing to address the traffic concerns of the existing neighbors.

Mr. McCleary discussed recent situations where real estate professionals allegedly made claims to potential buyers about potential uses on adjacent properties.

Mr. Hagee did not dispute Mr. McCleary's statement but thought things could be worked out in this case.

Mr. Beamer said this parcel was not low density. It was zoned in 1978. Mr. Beamer stated that he was told by staff that the recent Comprehensive Plan update would not affect his subdivision or its use.

Mr. Sowers stated that it is not unusual for commercial areas and businesses in master planned communities be designated residential. Mr. Sowers said in such cases there is no expectation that they would become a residential area.

Mr. Kale expressed his disappointment that this was not corrected during the Comprehensive Plan update process. He was still concerned with the proposed use for this parcel and the transference of traffic.

Mr. Hunt agreed with Mr. Hagee.

Mr. Hunt made a motion to approve the application.

Mr. McCleary seconded the motion.

Mr. Poole wanted to see more discussion between the applicant and adjacent owners before voting on the application.

Mr. Billups had a concern that the impacts of New Town and other recently approved developments have not been considered. He also questioned other commercial uses coming into this area.

Mr. Billups and Mr. Beamer discussed other commercial developments that might locate next to this property.

Mr. Kale made a motion to defer the application.

Ms. Wildman felt adjacent owners should have an opportunity to meet with the applicant.

Mr. Trant requested a decision tonight.

Ms. Wildman seconded the motion to defer.

In a roll call vote the application was deferred 4-3; AYE: (4) Billups, Poole, Wildman, Kale; NAY: (3) Hunt, Hagee, McCleary.

D. CASE NO. SUP-23-03 - Nice Office Building.

Ms. Sarah Weisiger stated that Mike Suerdieck, on behalf of David A Nice Builders, Inc., has applied to add a 797 square foot second floor addition to an existing addition on a contractor's office. The addition will house offices and a conference room. Contractor's offices are a specially permitted use in the A-1, General District where this property is located. The application proposed to amend a condition of SUP-26-99 which limited the size of a previous expansion.

Staff found that the unique zoning history coupled with the physical aspects of the proposed addition will help to mitigate the impacts of this use within the area designated Rural Lands. Staff recommended approval with the attached conditions.

Mr. Poole asked if the applicant agreed with the conditions.

Ms. Weisiger said yes.

Mr. A. Joe Poole, III opened the public hearing.

Mr. Suerdieck explained the proposed vertical expansion over the back side of the offices. He showed a photo depicting how the building will look with the addition.

Mr. McCleary noted that the most adjacent rear property belonged to the applicant. He also confirmed that an existing trailer would be removed.

Hearing no other requests to speak, Mr. Poole, III closed the public hearing.

Mr. Hunt made a motion to approve the request.

Mr. Kale seconded the motion.

In a unanimous roll call vote the application was approved 7-0; AYE: (7) Poole, McCleary, Hagee, Hunt, Kale, Billups, Wildman; NAY: (0)

E. CASE NO. SUP-22-03 & HW-2-03 Busch Gardens Oktoberfest Expansion.

Ms. Ellen Cook stated that Mr. Ronnie Orsborne, on behalf of Busch Entertainment Corporation, has applied to construct a 40,000 square foot pre-manufactured metal building to be located within Busch Gardens in the Oktoberfest area of the Country of Germany. It would house a state of the art amusement attraction. A height limitation waiver from the Board of Supervisors will be necessary because the building would have exterior elements exceeding 60 feet in height above grade.

Staff found that with the attached conditions the building and attraction would have minimal impacts on surround areas and be consistent with the Comprehensive Plan. Staff recommended approval.

Mr. Kale confirmed the location of the attraction.

Mr. McCleary asked about the height of the bulk of the building.

Ms. Cook said 50 feet above grade.

Mr. A. Joe Poole, III opened the public hearing.

Mr. Larry Giles, Busch Gardens Vice-President, concurred with the staff report.

Hearing no other requests to speak, Mr. Poole, III closed the public hearing.

Mr. McCleary made a motion to approve the request.

Mr. Hagee seconded the motion.

In a unanimous roll call vote the application was approved 7:0; AYE: (7) Poole, McCleary, Hagee, Hunt, Kale, Billups, Wildman; NAY: (0).

F. CASE NO. AFD-12-86 – Gospel Spreading Church – Gilley Addition.

Ms. Sarah Weisiger stated that Mr. Robert Gilley has applied to add approximately 71.33 acres to the Gospel Spreading Church Agricultural and Forestal District (AFD). Staff found that the parcel would not be suitable in isolation for agricultural or forestal uses. However, because the existing Agricultural and Forestal District consists of marsh, farm land and forests and surrounds most of the proposed area, staff recommended approval. On December 16, 2003 the AFD Advisory Committee recommended approval by a vote of 5-0 (1 abstention, 4 members absent).

Mr. Kale asked why the property would not be suitable in isolation.

Ms. Weisiger said that by itself there would not be enough agriculture and forestal benefit.

Mr. A. Joe Poole, III opened the public hearing.

Hearing no other requests to speak, Mr. Poole, III closed the public hearing.

Mr. McCleary made a motion to approve the request.

Ms. Wildman seconded the motion.

In a unanimous roll call vote the application was approved 7:0; AYE: (7) McCleary, Hagee, Hunt, Kale, Billups, Poole NAY (0).

G. CASE NO. Z-8-03 & MP-9-03 - Norge Neighborhood.

Ms. Sarah Weisiger stated that Mr. Marc Bennett, on behalf of Henderson, Inc., has applied to rezone approximately 22.1 acres from A-1, General Agriculture and R-2, General Residential to MU, Mixed Use with proffers to allow for the construction of 80 multi-family units and two single family houses. The applicant also proposed a maximum of 1 ½ acres of office/commercial area with up to 32,670 square feet of floor space. Staff recommended approval of the application with the proffered conditions. The applicant has proffered a landscape berm between the property and the adjacent Kristansand neighborhood. The applicant requested a waiver to the parking requirement and perimeter setbacks.

Staff found the proposal consistent with surrounding office, residential and small retail developments. Staff also found the proposed density would be off-set by design features including net open space.

Mr. McCleary was concerned about the request for modification of the perimeter setbacks.

Ms. Weisiger said the applicant proffered to provide additional landscaping and tree preservation.

Mr. Poole asked if the application meets the adequate public schools facilities test.

Ms. Weisiger said it does not.

Mr. Kale was concerned that the hard surface sidewalk could be used as a driveway.

Ms. Weisiger suggested the applicant address Mr. Kale's concerns.

Mr. A. Joe Poole, III opened the public hearing.

Mr. Vernon Geddy represented the applicant. Mr. Geddy reminded members that the applicant has twice met with surrounding neighbors for their impact on the project. This project meets the need for moderately priced housing. Mr. Geddy agreed with the staff report. The applicant is willing to install physical barriers to restrict the pedestrian connection's use as a driveway.

Mr. Kale felt the design for an infill development was well crafted.

Mr. McCleary suggested the developer monitor the sidewalk for driveway use.

Hearing no other requests to speak, Mr. Poole, III closed the public hearing.

Mr. Hagee agreed that the design was an outstanding concept.

Mr. Hunt made a motion to approve the request.

Mr. McCleary seconded the motion.

Mr. Poole commended the design but was hesitant to approve the application due to its inability to meet the adequate public schools test. He was also concerned about the future impacts of the Colonial Heritage development.

In a roll call vote the application was approved 6:1; AYE: (6) McCleary, Hagee, Hunt, Kale, Billups, Wildman; NAY (1), Poole.

H. CASE NO. Z-13-03 & MP-12-03 & SUP-29-03 Michelle Point.

Ms. Ellen Cook stated that Mr. Jay Epstein, on behalf Health-E-Community Enterprises, has applied to rezone approximately 38.58 acres from A-1, General Agriculture to R-5, Multifamily Residential, with proffers. The application proposed 90 single family houses and 20 townhouses, with 20% affordable housing.

The development would be served by public water and sewer. The applicant and the JCSA are working to resolve issues related to the sewer service. The proposal does not meet the adequate public schools facilities test. The proposal sought a waiver from the community character corridor right of way buffer standard.

Staff found the Master Plan and proffers consistent with surrounding development and zoning, and consistent with the Comprehensive Plan. Staff recommended approval of the application contingent upon the resolution of any remaining emergency crossover issues.

Mr. McCleary asked if most residential developments provide a negative fiscal impact to the County.

Mr. Sowers said that was the case for affordable housing proposals.

Mr. A. Joe Poole, III opened the public hearing.

Mr. Vernon Geddy, represented the applicant. The applicant has held community meetings to inform adjacent neighbors about the project. Mr. Geddy said the development will meet affordable housing needs with three price levels. Mr. Geddy also said the location across the street from Stonehouse Commerce Park will help draw business to the Park.

Mr. Kale asked why there was a need for a 2nd access road.

Mr. Geddy said this was to satisfy accessibility for emergency vehicle.

Mr. Kale asked if it would be blocked at all other times.

Mr. Geddy said yes.

Mr. Kale wanted to see a larger perimeter buffer.

Mr. Epstein, the applicant, said over 50% of the site will remain green areas.

Mr. Mark Rinaldi, Landmark Design, said there would be a 35 ft. perimeter buffer plus a 35ft. building setback.

Mr. Poole inquired about any prior uses of the property.

Mr. Epstein showed the field, Chesapeake Bank, and open space on a map.

Mr. McCleary asked if the applicant was satisfied with the contingency for VDOT approval.

Mr. Geddy said yes.

Mr. Billups wanted to know how much of the land remained buildable.

Mr. Epstein said he will not develop the area any more.

Ms. Ken Wolf, 202 Highfield Drive, asked about the layout and maintenance of the emergency access road. He was also concerned about the effects on property values and schools.

Mr. David Obert, 103 Halfpenny Drive, did not agree with rezoning the property. He shared Mr. Wolf's concerns about property values and schools and also impacts on traffic.

Mr. Jim Salvatore, 101 Worplesdon, asked for a decision to be delayed until neighbor's concerns could be addressed. He also wanted to know if adjacent owners would be required to connect to public water and/or sewer.

Mr. Geddy said they would not be required to connect.

Mr. Peter Salvatore, 208 Highfield Drive, said duplex and townhouse residents do not typically keep their properties well maintained.

Mr. Ron McGee, 172 Old Stage Road, wanted to know how close the homes would be to a nearby stream. He did not want to be forced to pay tap fees for public water and sewer in the future.

Mr. Epstein said the buildings will be about 300 ft. away from the stream. He also said potential buyers must still qualify to purchase based on income and credit.

Mr. McCleary noted that a home owners association will police property upkeep.

Mr. Hagge thought the plan was exemplary.

Mr. McCleary commended Mr. Epstein on his Ironbound Village project.

Mr. Billups commended the application's preservation of open space. He encouraged County agencies to report on the overall impact of new developments.

Mr. Poole agreed with Billups. He was uncomfortable with the impact on schools.

Hearing no other requests to speak, Mr. Poole, III closed the public hearing.

Mr. McCleary made a motion to approve the request.

Mr. Hunt seconded the motion.

In a roll call vote the application was approved 6:1; AYE: (6) McCleary, Hagee, Hunt, Kale, Billups, Wildman; NAY: (1) Poole

- I. CASE NO. SUP-24-03 - Communications Tower - 3135 Forge Road
CASE NO. SUP-27-03 - Communications Tower - 129 Industrial Boulevard
CASE NO. SUP-28-03 - Communications Tower - 137 Industrial Boulevard

Mr. Matt Arcieri stated that Mr. Richard Miller, on behalf of James City County Fire Department, requested deferral of these three special use permits until the February 2nd meeting of the Planning Commission in order to finalize the locations and site layouts of the communications towers. Staff concurred with the request.

- CASE NO. SUP-25-03 - Communications Tower - 9320 Merrimac Trail
CASE NO. SUP-26-03 - Communications Tower - 1204 Jolly Pond Road

Mr. Matt Arcieri stated that Mr. Richard Miller, on behalf of James City County Fire Department, has applied to construct and operate two communications towers, 289 feet tall at the Virginia Peninsula Regional Jail and another 380 feet tall at the JCC landfill, serving as part of the JCC 800-MHz trunked radio system. The County has partnered with York County on this project to share costs and implement a regional system. This was authorized by the Board of Supervisors on August 12, 2003.

Staff found the proposal generally consistent the County's Performance Standards for Wireless Communications Facilities and generally consistent with the 2003 Comprehensive Plan. Staff recommended approval of the application with the attached conditions.

Mr. Hunt asked why members were not asked to vote on all five applications.

Mr. Arcieri said the applicant was still finalizing the locations.

Mr. Billups asked if a precedent would be set for private carriers.

Mr. Arcieri stated that this is a public safety need and would not set a precedent.

Mr. Sowers gave further details about the unique nature of the project.

Mr. Hunt informed members that this need has existed for some time.

Mr. Kale asked if this system will interface with the state wide system.

Mr. Miller, Fire Chief, said yes and added that co-location with the State Police will eliminate the need for additional towers in the future.

Mr. McCleary asked if consideration has been given to rental use for private individuals.

Mr. Miller said it was very high on the priority.

Mr. Hunt asked if any existing towers were being torn down.

Mr. Terry Hale, project engineer, said the size of one tower would be reduced.

Mr. Kale asked if the state police would continue use of an older tower.

Mr. Hale answered that they would still use the older tower in addition to utilizing this new system.

Mr. Billups inquired about the tower on Route 143 near the Naval Weapons Station.

Mr. Hale said it is at maximum capacity and could not be utilized for this project.

Mr. A. Joe Poole, III opened the public hearing.

Hearing no other requests to speak, Mr. Poole, III closed the public hearing.

Mr. Kale made a motion to the approve SUP-25-03 and SUP-26-03.

Mr. Billups seconded the motion.

In a unanimous roll call vote the applications were approved. (7-0). AYE: (7) Poole, Billups, Wildman, Kale, McCleary, Hunt, Hagee; NAY (0).

6. PLANNING COMMISSION CONSIDERATION

RESOLUTION - ZO-03-03 ZONING ORDINANCE AMENDMENT RESOLUTION - SUBDIVISION ORDINANCE AMENDMENT

Mr. Matthew Arcieri presented the resolutions. The zoning ordinance resolution authorized staff to review Section 24-74 (11), Exemptions to exempt signs within a nonresidential development in any zoning district which are not visible from a public road or abutting property line.

The subdivision ordinance resolution authorized staff to review Section 19-60, Individual Sewer Systems to allow alternate septic systems.

Staff recommended adoption of the both resolutions.

Mr. McCleary made a motion to approve both resolutions.

Mr. Hagee seconded the motion.

In a unanimous roll call vote the motion passed. (7-0). AYE: (7) Poole, Wildman, Hagee, Hunt, McCleary, Kale, Billups; NAY (0).

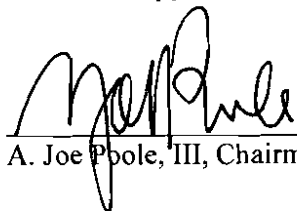
7. PLANNING DIRECTOR'S REPORT

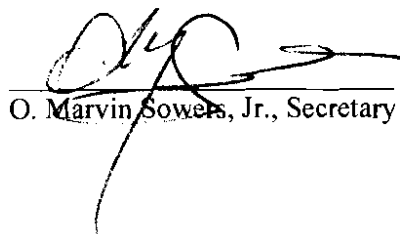
Mr. Marvin Sowers presented the report. He reminded members that February is the annual organizational meeting to discuss committee appointments and officers. There was a consensus to hold that meeting in closed session.

The Commissioners agreed to hold a closed session on February 2, 2004 at 6:30 p.m.

8. ADJOURNMENT

There being no further business, the January 12, 2004, meeting of the Planning Commission was recessed at approximately 9:25 p.m. until February 2, 2004 at 6:30 p.m.


A. Joe Poole, III, Chairman


O. Marvin Sowers, Jr., Secretary