

A REGULAR MEETING OF THE PLANNING COMMISSION OF THE COUNTY OF JAMES CITY, VIRGINIA, WAS HELD ON THE TWELFTH DAY OF SEPTEMBER, TWO-THOUSAND AND SEVEN, AT 7:00 P.M. IN THE COUNTY GOVERNMENT CENTER BOARD ROOM, 101-F MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

1. ROLL CALL

Planning Commissioners

Present:

George Billups
Mary Jones
Tony Obadal
Jack Fraley
Shereen Hughes
Rich Krapf
Jim Kennedy

Staff Present:

Marvin Sowers, Director of Planning
Adam Kinsman, Assistant County Attorney
David German, Planner
Leanne Reidenbach, Planner
Melissa Brown, Deputy Zoning Administrator
Darryl Cook, County Engineer
Terry Costello, Development Management
Assistant

Absent:

None

2. PUBLIC COMMENT

Ms. Hughes opened the public comment period.

Hearing no requests the public comment period was closed

3. MINUTES

- A. July 11, 2007 Regular Meeting
- B. August 1, 2007 Regular Meeting

Mr. Fraley motioned to approve the minutes from the July 11 and August 1 regular meetings.

Ms. Jones seconded the motion.

In a unanimous voice vote the minutes of the July 11 and August 1 regular meetings were approved (7-0).

4. COMMITTEE AND COMMISSION REPORTS

A. Development Review Committee (DRC) Report

Ms. Jones presented the report stating that the DRC met twice since last the Planning Commission Meeting. The DRC met on September 5, 2007 to review 4 cases. C-0097-2007 New Town Shared Parking, C-0094-2007 Moss Creek Master Plan Consistency, and SP-0036-2007 Depot Street Offices were unanimously approved subject to agency comments. C-0096-2007 Ironbound Square Phase II Setbacks was deferred by a vote of 4-0.

Mr. Fraley motioned to approve the report.

Mr. Krapf seconded the motion.

In a unanimous voice vote, the DRC report from September 5, 2007 was approved (7-0).

Ms. Jones stated that the DRC held a special meeting on September 10, 2007. This meeting was set back from the September 5th meeting as a result of staff error and to accommodate the applicant. THE DRC met to discuss one case, S-0037-2007, Fords Colony, Sec 35, Cul-de-sac waiver. The DRC granted preliminary approval 3-1 subject to certain conditions. Ms. Jones complimented Planning and Environmental staff, as well as Mr. Mulhare for working collaboratively to come up with an exceptional environmental and low impact development plan.

Ms. Hughes asked for questions and/or comments from the Commissioners.

Mr. Obadal asked if members would have an opportunity to discuss the decision of the DRC with regards to Section 35.

Ms. Hughes answered that it was open for discussion and questions at this time.

Mr. Obadal stated he had some problems with the case. He stated first however that he felt the Environmental staff and Mr. Mulhare did an outstanding job with respect to addressing environmental issues on this case. Mr. Obadal felt that he did not have enough information to make an effective decision on the DRC's decision. He felt that it is very clear from the site plan ordinance that it is the PC that must approve and that it cannot defer to the DRC simply because the decision comes out of the DRC. Mr. Obadal did not get the conditions from staff until the morning of September 12. The amount of the bond noted is not stated and he feels that it should be before this case is approved.

Ms. Jones asked if Mr. German or Mr. Kinsman would address the bond issue.

Mr. German stated due to the nature of the development it would be very difficult to establish what that bond amount would be at this point. The development is ongoing

with Mr. Mulhare and the Environmental staff and both parties are continuing to work out details that would be included in the various protections measures that are being taken. Mr. German felt that the figures will be available as the details are agreed upon by all parties involved. Mr. German also felt it was important to note that this was preliminary approval of the project.

Mr. Obadal felt that at this point it was the leverage point and that the Planning Commission can have some power of negotiation.

Ms. Jones stated that this is a by-right application.

Mr. Fraley stated for the record that this is a subdivision plan which the DRC is empowered to review and recommend action to the Planning Commission. He also stated that the applicant does not have to offer this because it is a by-right development. The ordinance does not require bond or water quality monitoring which the applicant has included in his development plan.

Mr. Obadal stated that this was offered as a condition for the variance and was expressed as such in the correspondence that he received.

Mr. Fraley said that the applicant is not required to have these measures.

Mr. Obadal agreed and said that the Planning Commission does not have to grant the variance. Mr. Obadal was also concerned that there was no dollar amount for the bond with regards to the roof capture. He also stated that if the amount was not available that maybe the decision should not be made until such amount is made available. He said that nothing is going to go forward with this until the water permit is issued and it might be beneficial to delay this decision until members got a clearer idea of what the dollar amounts might be.

Mr. Obadal then mentioned the modification of the Fords Colony Environmental Control Committee. His recollection is that homeowners play a role on this committee. He felt that the committee would determine when a violation has occurred. Mr. Obadal was not sure what the cooperation of this committee would be.

Mr. Obadal expressed a concern about the one dissent on the decision. He asked the question "Why was the longer road superior to the shorter designs that Ms. Hughes favored?" He expressed concern over the well issues in the Primary Service Area. (PSA) He brought up the fact that the pumping facility is in the PSA and it's being used to pump water into the NON-PSA area. Mr. Obadal felt further review would have been helpful. He would like to see the information made readily available. Mr. Obadal would have liked to review the minutes from the DRC meeting but they were not readily available. This he felt prevented him from making a sound and reasonable judgment.

Ms. Jones felt that there had been adequate time to review and that this case was supposed to go to DRC regular meeting but there was a ten day delay. She reiterated that

this is only preliminary approval subject to agency comments and there is still time to study it. Ms. Jones stated that the DRC members are appointed by the Planning Commission and felt that they as a group studied these issues thoroughly. She further stated that his involvement is important, however there is still plenty of time to study the case. She felt that the DRC studied this application diligently and decisions made were thoughtful.

Mr. Obadal said he felt the DRC did a fine job with respect to this decision.

Ms. Jones stated that the DRC is an advisory committee and their report is approved or not approved by the Planning Commission.

Mr. Obadal reiterated that the Planning Commission shall not approve any exception unless receives a recommendation from the DRC.

Ms. Jones stated that the recommendation of the DRC is to grant preliminary approval for this case.

Ms. Hughes stated that if there is a problem with the recommendation of the DRC, the opportunity is at this point to approve or deny the DRC's recommendation. If there is a problem with the process itself it needs to be addressed at a later date. The process is already established and if there is a need to review the process that is a valid point. If a member does not approve of the recommendation, then they vote for denial. If a member believes that the DRC was diligent and agrees with their findings they may approve their decision.

Ms. Hughes asked for a motion to approve or deny.

Mr. Obadal recommended that the Commission deny the recommendation of the DRC.

Mr. Kennedy made a motion to approve the recommendation.

Mr. Fraley seconded the motion to approve the recommendation.

Ms. Hughes asked for a roll vote to approve the recommendation.

The DRC report from September 10, 2007 was approved with a vote of 5-2. AYE: Fraley, Krapf, Jones, Kennedy, Hughes (5). NAY: Billups, Obadal (2).

B. Policy Committee Report

Mr. Fraley stated the Policy Committee met twice since the last Planning Commission meeting. The first meeting was August 17, 2007 to consider an amendment the ordinance in M-2 District to include heavy equipment sales and service, with major

repair limited to a fully enclosed building or screened from view by landscaping. The Policy Committee recommended approval and staff will be making a presentation later this evening. The Committee was presented materials to evaluate a change in the residential cluster development section of the Ordinance for master plan consistency for further discussion at the next meeting.

The Committee met on September 6, 2007. Staff presented changes to the Chesapeake Bay Ordinance concerning riparian buffers that will be recommended to the BOS. This was for information purposes only. Staff presented a report stating the need to update the definition of affordable housing in the Ordinance. A discussion was held on regarding the master plan consistency. The committee considered an amendment to the Ordinance allowing direct discharge sewer systems in certain areas of the County. Staff advised the committee against this amendment. The Committee supported Staff's position with a vote of 3-0.

Ms. Hughes mentioned that the Better Site Design Committee compiled their report and it has been distributed to Planning Commission and Board of Supervisors.

Mr. Fraley spoke about the Comprehensive Plan Update. He spoke about the need for citizens for participate on the Citizen Participation Team (CPT). He explained the requirement and what the commitment would be. He encouraged those interested to visit the County's website and complete an application.

5. PUBLIC HEARINGS

A. Z-10-05/MP-12-06/SUP-37-06 The Candle Factory

Mr. Sowers stated staff's concurrence with the applicant's request for an indefinite deferral.

Mr. Kennedy motioned for deferral.

Ms. Jones seconded the motion.

In a unanimous voice vote the application was deferred (7-0).

B. Z-5-07 Ingram Road Rezoning

Mr. Sowers stated staff's concurrence with the applicant's request for a deferral.

Mr. Kennedy motioned for deferral.

Mr. Krapf seconded the motion.

In a unanimous voice vote the application was deferred (7-0).

C. Z-9-07 Michelle Point Proffer Amendment

Mr. Sowers stated staff's concurrence with the applicant's request for a deferral.

Mr. Kennedy asked Mr. Sowers for staff to provide information as to why the need to increase the amount set for affordable housing such as material costs, etc.

Ms. Hughes opened the public hearing.

Ms. Hughes continued the public hearing.

Mr. Kennedy motioned for deferral.

Ms. Jones seconded the motion.

In a unanimous voice vote the application was deferred (7-0).

D. Z-4-07/MP-4-07 Stonehouse Planned Community Amendment

Mr. Sowers stated staff's concurrence with the applicant's request for a deferral.

Ms. Hughes opened the public hearing.

Ms. Sarah Kadec, 3504 Hunters Ridge, spoke representing the James City County Citizens Coalition. She felt that the proposed plan is far superior to the one already approved. The Coalition has worked with the developers in completing their environmental assessment in the conceptual part of their plan. She believes they deserve to have their application heard and approved. The Coalition believes that this plan sets a high standard for future developments.

Mr. John Fulton, 9888 Sycamore Landing Road wanted to thank Mr. Obadal for his concerns expressed earlier concerning the DRC minutes and the bond issues.

Ms. Janet Whiteside, 10036 Sycamore Landing Road, expressed her concerns over the use of Sycamore Landing Road as an emergency egress road. This road is very narrow and winding and has a 30 foot right of way. She felt that emergency vehicles will not be able to use this narrow road in case of emergency. The Stonehouse Master Plan shows a parkway that will be a much wider road compared to Sycamore Landing Rd.

Ms. Judith Dean, 10225 Sycamore Landing Rd., questioned why the notice was sent to 10251 Sycamore Landing. She states there is no such address.

Mr. Sowers answered that staff uses the information from the real estate records on file. It will be addressed by staff.

Ms. Dean was also concerned with the emergency access to Sycamore Landing, it being a very narrow and small road. Citizens are concerned being there are children, animals, etc. and they will not support this road being used as an emergency access.

Mr. Tom Williams, 10005 Sycamore Landing Rd., expressed his view on using this road as an emergency access road. He asked whether if it were deemed as such would there be some device to keep it emergency only. He also agreed with what the other residents stated.

Mr. Kennedy stated there are several emergency access points throughout the County. They are usually controlled by a gate, switch, or some type of device. It would not be a road open to the general public.

Mr. Williams asked when does the emergency plan start.

Mr. Kennedy answered it will be determined by the application.

Ms. Hughes reiterated that fact that the applicant stated it would be a gated emergency access road and will keep all comments in mind when reviewing the plan.

Ms. Kelly Fulton, 9888 Sycamore Landing Rd., asked whether there were covenants against that road being a "thru" road. She had been informed that was the case.

Mr. Sowers stated that staff will research to see if that is the case.

Ms. Fulton also questioned whether once the road is deemed an emergency access road, is that a precursor to it becoming a complete access road in the future. She also asked whether there were any long term conditions to ensure it would remain an emergency access road.

Mr. Kennedy stated that he had requested long term conditions from the applicant that they have agreed to.

Ms. Hughes continued the public hearing.

Mr. Kennedy motioned for deferral.

Ms. Jones seconded the motion.

In a unanimous voice vote the application was deferred (7-0).

E. SUP-12-07 Verizon Co-location at Brick Bat Road

Ms. Leanne Reidenbach presented the staff report stating that Ms. Jessica Wright of Verizon Wireless, has applied for a special use permit to construct a 14 foot extension on an existing 185 foot tower, for a total height of 199 feet. The purpose of the extension is to allow co-location of one additional antenna array on the existing American Tower. The property is located at 3470 Brick Bat Road, is zoned A-1, General Agriculture, and designated as Rural Lands by the Comprehensive Plan. Staff noted that conditions #1, 4, and 6 had been amended for clarification since the staff report was written. Staff recommended that the Planning Commission recommend approval of this application with the amended conditions to the Board of Supervisors.

Ms. Sowers stated that changes to conditions #4 and #6 resulted from discussions the previous evening at the Board of Supervisors' meeting.

Ms. Hughes asked for comments and/or questions from the Commissioners.

Ms. Billups questioned whether the County is allowed to establish its own lighting system for towers in the County for safety purposes.

Mr. Kinsman answered that if it is safety related the County may be able to do it, but generally these kinds of things are the domain of the FAA. He was not sure if the FAA would allow the County to develop their own set of standards. The concern would be that lightening would increase the visual impact of the tower.

Ms. Sowers stated that there is a Board policy provision stating a clear preference that towers specially not be lighted. Staff spent a great deal of time to get this tower to a specific height that would no require light. The Board's policy is consistent with FAA safety regulations that towers be under 200 feet and not be lighted.

Ms. Hughes opened the public hearing.

Mr. Steve Romine, an attorney with LeClair Ryan, spoke on behalf of the applicant Verizon Wireless. Mr. Romine gave an overview of the cell phone industry. He stated that Verizon first looks to co-locate before erecting any new towers. Mr. Romaine showed the existing coverage area and also the area where no or unreliable coverage exists. Originally the application requested a 30 foot extension to the tower. In working with staff and realizing the sensitivity of the Route 5 corridor, the tower height was reduced to 199 feet. Mr. Romine showed photographs of different locations and what the tower visibility was. He did reiterate that 95% of the time the tower would not visible. These pictures were actually taken in the 5% area where it would be visible. Mr. Romine stated his belief that this application meets all County regulations stated in the Ordinance. Verizon has agreed to all conditions recommended by staff. Mr. Romine requested the Planning Commission recommend approval of this application to the Board of Supervisors.

Mr. Obadal questioned what kind of assurance the County would have that this tower will be 199 feet.

Mr. Romine stated that Verizon has agreed to have a certified engineer verify the height as part of the conditions of this application.

Mr. Obadal stated that the applicant would be responsible for lowering the tower if it is too high.

Mr. Romine stated yes it would be the applicant's responsibility.

Ms. Jones stated that if there is an accurate measurement on the existing tower it would assist in making sure that when adding additional feet it would be consistent with the application.

Mr. Fraley asked how the County knows the tower's current height. He stated that it was suggested by the Board of Supervisors during a discussion on cell towers that staff somehow verify the height of structures currently in the County. Mr. Fraley stated that he did not have confidence on the accuracy of the current towers and their heights.

Mr. Sowers stated that staff is taking this under consideration.

Ms. Hughes asked if the height of the existing tower has been certified.

Mr. Romine said it was certified by an engineer to be 185 feet.

Mr. Sowers stated that prior to obtaining a final Certificate of Occupancy the applicant will have to prove correct height. Staff will work with the applicant to have these measures in place.

Ms. Jones stated that the concern is to not go over by 1 foot which would trigger FAA Regulations.

Mr. Sowers stated that there was a recent case where staff and applicant did measure by dropping a tape but that it was another proposed site not the current one.

Mr. Obadal asked the applicant if there was any alternative technology to the use of towers themselves.

Mr. Romine stated that at one time low flying satellites were used but were not very effective. His best estimate is that cell towers are expected to be used for the next 25 to 30 years. One type of technology, Distributed Antenna System (DAS), can be used but are more effective in a more urban environment. They are very costly though.

Mr. Fraley asked if DAS was operating in Canada or Rhode Island.

Mr. Romine did not know.

Mr. Fraley asked if there were any photos available that were taken in the winter since the towers may be more visible at that time.

Ms. Sowers stated that staff did take some pictures during that time period but did not have them present.

Mr. Fraley wanted the citizens to be aware of the difference.

Mr. Romine did have some photos available that were taken in February at the original proposed height (215 feet).

Ms. Hughes asked about the height of the tower in Charles City. She questioned whether that one could be extended or if it would be possible to modify that tower to achieve the goals of this application.

Mr. Romine stated that extending the tower in Charles City would not be effective because of the distance. There was not enough energy to power the gap.

Mr. Obadal questioned whether there were any indications that there were users on the other tower on this site.

Mr. Romine stated that yes there are other carriers. The tower on the right will handle two carriers, possibly a third. The conditions of this application are to remove the facilities no longer being used by the County before extending the tower. Mr. Romine stated that American Tower owns these towers and Verizon is just renting the space.

Mr. Joseph Chauvin, 3542 Brick Bat Rd., stated he has been a resident of the area since 1997. He stated that when these towers were first built he received no notification, but also indicated that he was not the property owner at the time of their original approval. The only notification he has received is with this application. Both of these towers are visible from all angles of his property. Mr. Chauvin stated he has no complaints with coverage at this time. His main concern is the 400 foot residential structure buffer around the tower. He stated he had future plans for other dwellings on the property which may be in that 400 foot buffer and is concerned about the effect. Mr. Chauvin stated he is also concerned about the future desirability of his property. He stated he has a home based business so the property is more than just his residence. He stated he is concerned about the assessment value since these towers are visible from all sections of his property and disputes the picture from Route 5 and feels the tower is very visible in the summer and winter.

Ms Hughes closed the public hearing.

Ms. Jones motioned for approval.

Mr. Krapf seconded the motion.

In a roll call vote the application was approved with the amended conditions. (7-0). AYE: Fraley, Billups, Krapf, Jones, Kennedy, Obadal, Hughes

Mr. Fraley asked for comments from Mr. Sowers concerning the 400 foot buffer.

Mr. Sowers suggested the applicant contact Ms. Reidenbach to obtain more information. This tower was built before the wireless communication facility section of the Ordinance was created. Mr. Sowers was not sure what the collapse radius is, but staff will obtain that information and make it available to Mr. Chauvin.

Mr. Obadal suggested that maybe some plantings could be incorporated in application to address Mr. Chauvin's concerns.

Mr. Sowers stated there was an additional buffer attached to this Special Use Application. However, all plantings required are on the applicant's property.

Mr. Obadal suggested that maybe as a "good neighbor" incentive the applicant might be able to provide extra trees that might help with the visibility issue.

Mr. Sowers said staff will investigate that further with the applicant.

F. ZO-5-07 Zoning Ordinance Amendment – Heavy Equipment in M-2

Ms. Melissa Brown presented the staff report concerning the request to forward an amendment to permit "heavy equipment sales and service, with major repair limited to a fully enclosed building or screened with landscaping and fencing from adjacent properties" in the M-2, General Industrial District. Currently, the ordinance allows this use by-right in the M-1, Limited Business/Industrial, and MU, Mixed Use Districts. The James City County Planning Commission voted to approve the initiating resolution for this request at the July 12, 2007 meeting and forwarded the issue to the Policy Committee for review and recommendation. The Policy Committee unanimously voted to recommend approval of this amendment at its August 17, 2007 meeting. Staff finds this amendment provides consistency and flexibility within the industrial zoning districts. Staff recommends that the Planning Commission recommend approval of this ordinance to the Board of Supervisors.

Ms. Hughes asked for Commissioners' comments or questions. There being no comments she opened the public hearing. There were no public comments the public hearing was closed.

Ms. Jones made a motion to approve the application.

Mr. Kennedy seconded the motion.

In a unanimous roll call vote the application was approved (7-0). AYE: Fraley, Billups, Krapf, Jones, Kennedy, Obadal, Hughes (7). NAY: (0).

G. ZO-6-07 Zoning Ordinance Amendment – Proffer of Conditions

Mr. Adam Kinsman presented a report to amend Section 24-16, Proffer of Conditions, of the James City County Code. The Ordinance Amendment proposed to change the reference to the section of the Code of Virginia from which the County derives its conditional zoning authority from the current Section 15.2-2298 to Section 15.2-2303 and to amend 24-16 to include those restrictions on conditional zoning as set forth in Section 15.2-2303 of the Code of Virginia. This change will give property owners the option of proffering new, innovative conditions in conjunction with a rezoning. Staff recommended that the Planning Commission recommend approval of the Ordinance amending Section 24-16 of the County Code.

Mr. Kinsman stated that Ms. Jones through an earlier email, suggested that the reference to the Comprehensive Plan remain in the amendment. Mr. Kinsman did not feel it is necessary but that leaving it in there probably would not make a big difference. When reviewing a rezoning looking at whether it conforms to the Comprehensive Plan is part of the process. Mr. Kinsman recommended not leaving it in.

Ms. Jones stated she is hesitant to remove the reference to the Comprehensive Plan and always looking for linkage between the Comprehensive Plan and the Ordinance. Ms. Jones stated she would like to pass that on to the Board of Supervisors as a recommendation.

Mr. Fraley supported leaving the reference in since it is already in the language.

Mr. Billups felt that the issue before them is that the State is giving the County flexibility. It leaves one thing in and the state has provided the flexibility to do something else. He felt that it does not matter with the removal of the reference to the Comprehensive Plan.

Ms. Hughes opened the public hearing.

There being no public comments, Ms. Hughes closed the public hearing.

Mr. Kennedy motioned to approve with the recommendation that the Comprehensive Plan reference remains.

Ms. Jones seconded.

Mr. Billups questioned whether it was the recommendation of Mr. Kinsman to keep the reference in.

Mr. Kinsman stated no, it was not his recommendation, The State has allowed flexibility and he would welcome the entire range set forth by the State.

Mr. Obadal asked whether Mr. Kinsman's recommendation was contained within the State Statute.

Mr. Kinsman stated it is.

Mr. Obadal felt comfortable following the State Statute. He felt like the broader language would give the County more flexibility.

Ms. Hughes suggested maybe sending the Ordinance Amendment to the Board of Supervisors with attachments expressing the Planning Commission's concerns.

Mr. Billups made a motion to amend the previous motion. His motion was to approve the proposed amendment that Mr. Kinsman presented, and send an attachment stating concerns about keeping the Comprehensive Plan language in.

Mr. Obadal seconded this motion.

In a unanimous roll call vote the amendment was approved (7-0). AYE: Fraley, Billups, Krapf, Jones, Kennedy, Obadal, Hughes (7). NAY: (0).

H. ZO-7-07 Zoning Ordinance Amendment – Floodplain Ordinance

Mr. Darryl Cook presented the staff report requesting that the County's floodplain management regulations be amended to meet the requirements of the National Flood Insurance Program (NFIP). The Federal Emergency Management Agency (FEMA), which oversees the program, has completed updates to the County's Flood Insurance Study and Flood Insurance Rate Map. In order to continue participation in the NFIP, the County must ensure its floodplain management measures are compliant with the federal regulations so that FEMA can approve them. The proposed amendment consists of changes required to remain in compliance with federal regulations. Staff recommended that the Planning Commission recommend approval of the amended change to the Zoning Ordinance to the Board of Supervisors.

Ms. Hughes asked for Commissioners' comments or questions. There being no comments she opened the public hearing.

Ms. Sarah Kadec, 3504 Hunters Ridge, representing James City County Citizens Coalition, stated she understands this proposed amendment is aimed at making current ordinances consistent with federal regulations. James City County has numerous areas that are prone to flooding. Ms. Kadec stated that they are very pleased with the wording and definitions in the ordinance amendment. In Article 6, Division 3 of the Ordinance the statement of intent contains four points which they believe if followed by the County

will prevent any future development in floodplain areas. This is also true in Section 24-588 Compliance and Liability.

Ms. Kadec stated the Coalition believes that the County is responsible for short and long term results from decisions that permit development in floodplains. Section 24-588 D would appear to absolve the County as long as these regulations are followed. This Coalition is particularly pleased with Section 24-602 on existing structures in floodplain districts, recognizing the problems that exist in current floodplain areas. The Coalition has been consistent in raising floodplain issues when new applications are filed. With this amended ordinance, the Coalition will be even more persistent when working with developers, County staff and Planning Commissioners. The Coalition respectfully requested the Planning Commission approval of the above ordinance amendment.

There being no further public comments, the public hearing was closed.

Mr. Kennedy made a motion to approve the amendment.

Ms. Clark seconded the motion.

In a unanimous roll call vote the amendments were approved (7-0). AYE: Fraley, Billups, Krapf, Jones, Kennedy, Obadal, Hughes (7). NAY: (0).

6. COMMISSION DISCUSSION AND REQUESTS

Ms. Hughes stated she wanted to let fellow Commissioners know that in speaking with Mr. McGlennon, Chairman of the Board of Supervisors, it has been arranged in a definitive place within the Board's agenda for the Planning Commission representative to receive any directives from the Board to take back to the Planning Commission. This is to ensure an open flow of communication.

Mr. Kennedy stated that at the next meeting he would like to discuss the Disclosure Statement that was brought up previously.

Ms. Hughes asked that all members review the packet that Mr. Kennedy sent and be prepared to discuss these issues.

Ms. Jones wanted to thank Ms. Hughes for all her work on the Better Site Design Committee.

Mr. Fraley wanted to commend Fords Colony in Section 35 for an innovative design to capture water run off. It includes a system that captures all water run off and infiltrates it directly back into the water table and recharges the system. Mr. Fraley asked Fords Colony to consider engineering a system for holding water and recycling for irrigation purposes, and the developers are going to recommend these options.

Ms. Hughes mentioned the Comprehensive Plan update process and the selection of the CPT Team. She also mentioned they will be determining which Planning Commission members will be on the Team.

7. PLANNING DIRECTOR'S REPORT

Mr. Sowers presented his report. He mentioned that the Board of Supervisors will have a work session on September 25, 2007 to discuss the Better Site Design report. Casetrak Phase 2 is up and online and gives the public access to access to records, status of cases, etc. The newest feature is the ability to review agency comments. Staff is continuing to refine and make improvements and any suggestions are welcomed.

Ms. Jones asked if there was a way to link maps or master plans to the cases.

Mr. Sowers said staff will look into it.

Mr. Fraley mentioned that he has seen new staff in the Planning Division.

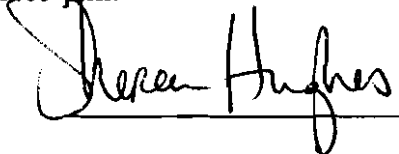
Mr. Sowers mentioned that several interns have been hired that will be working throughout the year especially on the Comprehensive Plan Update. New positions that were also created and filled with Melissa Brown as Deputy Zoning Administrator, and Christy Parrish as Proffer Administrator, with Jennifer Vandyke has joined the front counter staff and Toya Ricks has recently resigned.

Ms. Hughes said staff is looking at the environmental inventory being done earlier in the Special Use Permit and Rezoning Process. She would like to see it occur in every process not only in those cases stated. This could prevent potential delays that occur in the process. Better Site Design has also made this recommendation with respect to open space design. Discussions with Environmental Staff have shown support for this as well.

Mr. Sowers stated staff has created an internal committee that is looking into this suggestion and report back to the Commission in the future.

7. ADJOURNMENT

There being no further business the Planning Commission meeting was adjourned at 9:05 a.m.



Sheren Hughes, Chairperson



O. Marvin Sowers, Jr., Secretary