



I.-C.

Agenda Item

County of Hanover

Board Meeting: February 25, 2015

Subject:

Approval of Minutes –

- December 10, 2014
- January 14, 2015
- January 28, 2015

**Summary of
Agenda Item:**

The minutes of December 10, 2014, January 14, 2015, and January 28, 2015 are included in the packet to be approved.

**County
Administrator's
Recommended
Board Motion:**

A motion to approve the Board of Supervisors meeting minutes of December 10, 2014, January 14, 2015, and January 28, 2015

**HANOVER COUNTY BOARD OF SUPERVISORS
MINUTES**

**Hanover County Administration Building
Board Room**

December 10, 2014

VIRGINIA: At a regular meeting of the Board of Supervisors for Hanover County held in the Board Room of the Hanover County Administration Building on the 10th day of December, 2014, at 2:00 p.m.

Present: Mr. Sean M. Davis, Chairman
Mr. Wayne T. Hazzard, Vice-Chairman
Mrs. Angela Kelly-Wiecek
Mr. W. Canova Peterson
Mr. Aubrey M. Stanley
Mr. G.E. “Ed” Via, III
Mr. Elton J. Wade, Sr.
Mr. Cecil R. Harris, Jr., County Administrator
Mr. Sterling E. Rives, III, County Attorney

I. Call to Order

The Chairman called the meeting to order at 2:00 p.m. All Board members were present.

- A. The invocation was given by Mr. Hazzard.
- B. The Pledge of Allegiance was led by Mr. Peterson.

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II. Consideration of Agenda Amendments

The Chairman asked if there were any agenda amendments. Mr. Hazzard made a motion to add an amended chart to Item IV.-A. - Appointments, of the consent agenda, seconded by Mr. Via.

	Vote:
Sean M. Davis	Aye
Wayne T. Hazzard	Aye
Angela Kelly-Wiecek	Aye
W. Canova Peterson	Aye
Aubrey M. Stanley	Aye
G. E. "Ed" Via, III	Aye
Elton J. Wade, Sr.	Aye

Motion Approved.

III. Citizens' Time

The Chairman opened citizens' time and offered to anyone who wanted to address the Board of Supervisors for up to five minutes on any matter within the scope of the Board's authority that is not on the agenda for that meeting to come forward.

Seeing none, the Chairman closed citizens' time.

IV. Consent Agenda

Mr. Stanley made a motion to approve the consent agenda as amended, seconded by Mr. Hazzard.

	Vote:
Sean M. Davis	Aye
Wayne T. Hazzard	Aye
Angela Kelly-Wiecek	Aye
W. Canova Peterson	Aye
Aubrey M. Stanley	Aye
G. E. "Ed" Via, III	Aye
Elton J. Wade, Sr.	Aye

Motion Approved.

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IV. A. - Committee Appointments

COMMITTEE NAME	DISTRICT	FIRST NAME	LAST NAME	CURRENT TERM BEGAN	TERM LENGTH	CURRENT TERM ENDS	ACTION
Cannery Advisory Committee	Ashland	Jessica	Martin	N/A	1 year	N/A	Appoint to 12/10/15
Community Services Board (Chapter 10)	Ashland	Eric	Hendrixson	01/01/12	3 Years	12/31/14	Reappoint to 12/31/17
Community Services Board (Chapter 10)	At-Large	Thomas	Blake	01/01/12	3 years	12/31/14	Reappoint to 12/31/17
Community Services Board (Chapter 10)	Beaverdam	Hamilton	Holloway	01/01/12	3 Years	12/31/14	Reappoint to 12/31/17
Hanover County Council on Aging	Ashland	Madge	Carter	01/01/14	1 year	12/31/14	Reappoint to 12/31/15
Hanover County Council on Aging	Mechanicsville	Jeanne	Bradley	01/01/14	1 year	12/31/14	Reappoint to 12/31/15
Historical Commission	Historic Pole Green	Robert	Bluford, Jr.	01/01/13	2 years	12/31/14	Reappoint to 12/31/16
Roads Committee	Mechanicsville	Jerry	Hall	01/01/14	1 year	12/31/14	Reappoint to 12/31/15
Social Services Advisory Board	Ashland	Robert	Richardson, Jr.	N/A	4 years	N/A	Appoint to 12/31/18

IV.-B. Budget Supplement and Authorization of Public Safety Response Equipment with Asset Forfeiture Funds – Sheriff’s Office - \$289,301

Board Sheet Background:

The Hanover County Sheriff’s Office has received funding through the Virginia Attorney General’s Asset Forfeiture Sharing Program.

This project is designed to purchase ten (10) law enforcement patrol vehicles, one (1) antenna for the School Alarm Project and five (5) Mobile Data Terminals (MDT’s). The patrol vehicles will enhance the longevity of our fleet operations by replacing 10 vehicles that are beyond safe operation use. The replacement of these vehicles is consistent with the replacement cycle and Fleet Policy for Public Safety vehicles. The school antenna will increase alarm reception within one of the elementary school sites. The MDT’s will replace aging devices in use that are approximately 6-years-old. If approved, this request will conclude the funding through the Attorney General’s Office Asset Forfeiture transfer from Fiscal Year 2014.

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School Alarm	\$2,109.00
Vehicles	\$265,691.00
MDT's	\$21,501.00
Total	\$289,301.00

If this request is approved, the Sheriff's Office will have \$159,836.10 remaining in Federal Forfeiture Funds. These funds cannot be appropriated in anticipation of future collections per the following state and federal regulations: US DOJ Forfeiture Guide, Section X. *Uses of Equitable Shared Property*, A.4.b; VA DCJS Forfeited Asset Sharing Manual, Appendix H *Uses of Equitable Shared Money*; and, VA Sheriff's Accounting Manual, Chapter 8 Forfeited Property – Best Accounting Practices. This request meets the requirements for the use of forfeiture funds.

The Finance & Management Services Department concurs with this request.

Recommended Action:

Motion to approve the budget supplement and purchase of public safety training and response equipment with Asset Forfeiture Funds in the amount of \$289,301.

IV. C. Request for Extension - CUP-10-11, BP Winding Brook, L.L.C. and Lewistown Commerce Center, L.L.C. (South Anna Magisterial District)

Board Sheet Background:

On December 14, 2011, the Board of Supervisors approved the above referenced Conditional Use Permit for two (2) Destination Commerce Signs in the Winding Brook development along its frontage on Interstate 95. On December 12, 2012, and December 11, 2013, the Board extended the CUP for one year. At the time of original approval, it was determined that the applicants had users that could be defined as destination commerce for at least 100 acres, which is the area required for this type of sign. Destination commerce users are defined in the Sign Ordinance as users whose businesses are regional in scope and unique in character, and draw from areas far beyond the County boundaries and require visibility and access from an interstate highway. Although the original proposed user of the site is no longer locating within Winding Brook, the Owners wish to seek additional users and develop the site as destination commerce. Therefore, the Owners request another extension of the Conditional Use Permit while they focus on bringing destination commerce users to the Winding Brook

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development. At such time as the Owners request building permits for these signs, they will be required to demonstrate that they meet the Ordinance requirements for Destination Commerce Signs. The property was inspected by Zoning Compliance, and no violations were identified.

Based on consistency with prior Board actions on similar requests, the Planning Department recommends approval of a one-year extension subject to the original conditions of approval.

Recommended Action:

Approval of the extension of Conditional Use Permit, CUP-10-11, until December 31, 2015, subject to the original conditions.

IV.-D. Authorize the Purchase of Easements on GPIN’s 8706-12-7167 and 8706-12-8045 for Road Improvements to the Intersection of Atlee Road and U.S. Route 301 – Department of Public Works – (Chickahominy Magisterial District)

Board Sheet Background:

The Department of Public Works requests approval of a settlement for acquisition of permanent and temporary easements on portions of GPIN’s 8706-12-7167 and 8706-12-8045, for the purpose of constructing an additional turn lane and other improvements on Atlee Road at the intersection of U.S. Route 301. The proposed acquisition is necessary in order to begin construction of the Atlee Road Additional Turn Lane project to improve traffic flow through the Atlee Road – Route 301 intersection.

The property owner has agreed to accept \$66,535.51 for the purpose of settlement, as compensation for the property rights being acquired.

The Department of Public Works and the County Attorney’s Office recommend approval of the settlement in the amount of \$66,535.51.

Recommended Action:

Authorize the purchase of easements on GPIN’s 8706-12-7167 and 8706-12-8045 in the amount of \$66,535.51 and authorize the County Administrator to take all necessary actions to execute closing documents in a form approved by the County Attorney.

IV.-E. Budget Transfer of Reserve for Contingencies – Software and Equipment \$175,000

Board Sheet Background:

This budget transfer is being requested to fund investments in software and equipment. The

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projects to be funded are:

1. Building Inspections Mobile Reporting - \$25,000
2. Agenda Meeting Software - \$20,000
3. Board of Supervisors Meeting Room Equipment - \$130,000

The Building Inspections Mobile Reporting project provides technology for the inspectors to allow for efficiencies gained through entering data in the field.

The Agenda Meeting Software replaces existing outdated software with a new system that provides for more efficient operation and substantially improves citizen interaction with County documentation.

The Board of Supervisors Meeting Room Equipment project includes replacing aging or failing equipment to include controllers, microphones, amplifiers, volume controls and peripherals.

After approval of this transfer, there will be \$1.1M remaining in the Reserve for Contingencies.

Finance & Management Services concurs with this transfer request.

Recommended Action:

Motion to approve the Budget Transfer of Reserve for Contingencies for Technology Improvements in the amount of \$175,000.

V. Presentation – Smart Beginnings Early Childhood Initiative

Ms. Jacque Hale, Director of Smart Beginnings Greater Richmond, came forward to give this presentation to the Board. Smart Beginnings Greater Richmond is a regional coalition, a partnership of United Way and the Greater Richmond Chamber. Smart Beginnings Greater Richmond is one of 25 regional Smart Beginnings across the state. The coalition is the culmination of more than 16 years of focused early childhood efforts and coordination of public and private partners to ensure that all of our children, age 0 -5, are healthy, well-cared for and ready to succeed in school and in life.

Workforce Development

The ultimate outcome is for children to enter school ready to succeed so they can read at grade level by 3rd grade, subsequently graduating on-time and workforce ready. From day one, the focus has been on workforce development with the scientific research clearly establishing that the early years are the most critical period for promoting the brain development on which all learning is based.

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The rate of return for an investment in high-quality early learning programs is substantially higher than a return for job training programs later in life. Research is proving that to have a truly successful workforce development campaign, the investment needs to happen early and often in life.

Local Champions at the Legislature

Another statement of support for early childhood comes from one of Hanover's own, Delegate Chris Peace. Delegate Peace is a staunch supporter of early childhood education and understands that it takes not just preschool and child care, but home visiting to help support our most vulnerable families and their young children.

Delegate Peace Chairs Virginia's Commission on Youth, and took the lead in creating a bipartisan Early Childhood Education Work Group on Quality that met in June 2014. The Commission on Youth recently announced the adoption of study recommendations. Recommendations from this work group included a study on ways to improve the Virginia Preschool Initiative - developing a stronger system of professional development for child care teachers, which ultimately increases the quality of child care providers.

Strategic Plan Update

The updated Hanover County Human Services Strategic Plan for 2014-2019 reflects the current state trends and the regional early childhood priorities. The plan's School Ready Hanover section mirrors strategies included in Smart Beginnings literature and the Virginia Blueprint that maximize Virginia Preschool Initiative opportunities. The plan establishes PALS-K - a literacy assessment given in the fall of kindergarten as a unified indicator between schools and human services to jointly identify and implement strategies to help build early literacy skills in the County. Child care providers in Hanover - those that are small businesses, religiously exempt, or franchises - provide a necessary service to many families here in the County. School Ready Hanover calls for improving their quality and accreditation, because both public and private investments in young children and their families are critical to educational success and economic growth in Virginia.

The plan also includes an early childhood component in Healthy Hanover: home visiting. Home visiting is an evidence-based initiative which provides support and coaching to vulnerable families with young children. This improves health and developmental outcomes for the children; but research shows that it increases self-sufficiency of the parents, too. Because of this, home visiting is

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known as a two-generations approach, one that will help strengthen families in Hanover, those that are struggling to make ends meet, but still want the best for their children.

Communicating with Parents

It's expensive to communicate, so working together in our region and sharing resources and information will be a benefit to Hanover County. Smart Beginnings provided a \$10,000 planning grant to Hanover County in 2010. That grant helped to support the Hanover Early Childhood Council, consisting of County and school staff, as well as private citizens.

With technical assistance from Smart Beginning staff, this group focuses on issues facing Hanover's families and young children. Leveraging best practices, communication tools and data from Smart Beginnings, the Early Childhood Council will work to support the objectives in the Hanover Human Services Strategic Plan.

As stated in the human services strategic plan, this group will develop a communication plan, in partnership with Smart Beginnings, to make sure parents in Hanover are aware of the importance of their children's first five years. The intent is to educate parents on what to look for in finding a high-quality child care provider - and we've even gone a little outside of our early childhood range, to help the Community Services Board promote some of the education programs they offer for parents of tweens and teens.

Kindergarten Registration

Another way to communicate with parents, and all residents, is through the regional kindergarten registration campaign. By coordinating a single registration date across 15 school divisions, Smart Beginnings is able to leverage sponsorship to communicate to parents as well as aunts, uncles, grandparents, and neighbors of young children so that parents know when to register, and they know that they as parents are children's first and most important teacher.

This past year, Hanover saw a significant jump, with an 85% on-time registration rate (up from 76% the previous year). It's important to register on-time, in the spring, so that schools can better prepare and budget for incoming students. In addition, and more importantly, parent surveys were administered on-site during registration in April 2014. This survey sample size was statistically significant for our region, and we are now able to report that 96% of parents who saw or heard information about kindergarten registration were better prepared to register.

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VI. Request for Appropriation – Public Works - \$450,000 – and Authorization to Execute VDOT Project Administration Agreement I-95/Route 54 Interchange Alternatives Analysis (Ashland Magisterial District)

Board Sheet Background:

Earlier this year, the Richmond Area MPO approved a joint funding application, submitted by the County and the Town of Ashland, to analyze various modifications in the I-95/Route 54 interchange area to address operational and safety concerns. This project is on the candidate project list developed for the Board’s Transportation Policy. The MPO awarded \$450,000 in federal Regional Surface Transportation Program (RSTP) funds for this effort, and the Town has expressed willingness to contribute an additional \$100,000. The Hanover County Department of Public Works will administer the initial analysis phase of the project which is expected to cost \$102,475. The study will begin upon execution of the attached project administration agreement and approval of the attached Budget Supplement Detail which will appropriate the funds for the project. The remaining funds are expected to go towards the eventual design and construction of the phased interchange improvements. The Department of Finance and Management Services concurs with the budget appropriation.

Recommended Action:

Motion to approve the appropriation in the amount of \$450,000 and authorize the County Administrator to execute agreements and take all other actions as necessary for the County to administer the project.

Mike Flagg, Director of Public Works, came forward to present this request to the Board. Following the presentation, Mr. Flagg answered questions from Board members. It was clarified that MPO refers to the newly renamed Richmond Regional Transportation Planning Organization (TPO).

Mr. Hazzard made a motion to approve the appropriation in the amount of \$450,000 and authorize the County Administrator to execute agreements and take all other actions as necessary for the County to administer the project. The motion was seconded by Mr. Peterson.

	Vote:
Sean M. Davis	Aye
Wayne T. Hazzard	Aye
Angela Kelly-Wiecek	Aye
W. Canova Peterson	Aye
Aubrey M. Stanley	Aye

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G. E. “Ed” Via, III Aye
Elton J. Wade, Sr. Aye

Motion Approved.

VII. Presentation – 2015 Real Estate Assessment Update

Mr. Richard Paul, Director of Real Estate Assessments, came forward to give this presentation to the Board. He introduced Douglas Kirby, the new Deputy Assessor.

Mr. Paul reported on the calendar year 2015 assessment of real estate. Annually, all areas of the county are reviewed to determine if sales trends warrant a change in assessments. As a result of this study, approximately 7,200 parcels in 31 areas (15.3% of the total parcels in the county) were changed. In early January, the Assessor’s Office will mail notices of assessment changes and the review period will be January 5 through January 23, 2015. Any property owner may contact the Assessor’s Office during that period to discuss their property assessment. The Board of Equalization is scheduled to meet later in the year during which time any property owner may apply to discuss their assessment. The deadline to apply to the Board of Equalization is March 15, 2015. The Board of Equalization hearing dates have not been finalized at this time.

2014 Assessment Review

- The 2014 reassessment encompassed approximately 3,000 parcels.
- Sixteen areas were changed for 2014.
- One hundred fifty-six parcels received inquiries during the review period. Assessments remained unchanged on 44, decreased on 41, satisfied on 59 and increased on 12.
- Board of Equalization heard from 20 property owners representing 26 parcels of real estate. Assessments were upheld on 12 parcels, decreased on 13, and increased on 1.
- Total reassessment change was a positive \$19,719,000 or 0.17% net increase in tax base.

2015 Assessment Overview

- This reassessment encompassed approximately 7,200 parcels in thirty-one areas for 2015.
- Total reassessment change was a positive \$123,115,300 or 1.01% net increase in tax base.
- Total new construction change was a positive \$200,178,700 or 1.64% net increase in tax base.
- Total growth was a positive \$43,640,900 or 0.36% net increase in tax base.
- Collectively, there is a 3.01% increase in tax base.

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Following the presentation Mr. Paul and Mr. Harris answered questions from Board members and offered clarification on several items in the presentation.

The Chairman announced a brief recess at 2:47 p.m.

The meeting was reconvened at 2:53 p.m.

VIII. Presentation – Follow-up to Human Services Report on Social Services Department Programs

As a follow up to the Human Services Annual Report, a presentation on the Virginia Initiative for Employment not Welfare (VIEW) and Temporary Assistance to Needy Families (TANF) programs was provided by Dr. Sheila Crossen-Powell. Dr. Tamera Temoney, Assistant Director of Social Services and Mr. Jamall Minor, Family Services Specialist I were introduced.

Virginia's Temporary Assistance for Needy Families (TANF) Program is based on Title IV-A of the Social Security Act as amended by the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA) of 1996, the TANF State Plan, and on the Code of Virginia, Sections 63.2-602 through 63.2- 619. PRWORA allows states to establish program requirements in any manner which will reasonably accomplish the purpose of TANF. In Virginia, TANF recipients who do not have an exemption, i.e., having a child under the age of 12 months, being over age 60, etc., are required to participate in the VIEW program.

Dr. Crossen-Powell provided an overview of the objectives of both TANF and VIEW, as well as program utilization.

The Virginia Initiative for Employment not Welfare Program (VIEW) is a program of employment opportunities to assist individuals in attaining the goal of self- sufficiency.

The program goals are to offer Virginians living in poverty the opportunity:

- To achieve economic independence by removing barriers and disincentives to work and by providing positive incentives to work;
- To provide work skills necessary for self-sufficiency;
- To allow families living in poverty to contribute materially to their own self-sufficiency;
- To set out the responsibilities of and expectations for recipients of public assistance;
- To obtain work experience through the Virginia Initiative for Employment Not Welfare (VIEW).

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Following the presentation, Dr. Crossen-Powell answered questions from Board members. Mr. Minor came forward and provided more detailed information about the VIEW program. The Board members had a detailed discussion on the programs.

IX. Authorization to Advertise Public Hearing – Sheriff’s Office/Animal Control – Ordinance No. 14-05, Amendment to Hanover County Code, Chapter 4, Animals, to Bring into Compliance with State Law and to Reflect Current or Recommended Practices

Board Sheet Background:

Over the past 6 years the Virginia General Assembly has enacted significant changes to Virginia’s animal laws and the County’s animal code needs updating to remain current with those changes. The proposed revisions to Chapter 4 reflect the changes needed to bring Chapter 4 into compliance with state law. In addition, the proposed revisions include changes that are based on Animal Control’s experience with enforcing the 3-year-old Nuisance Animal ordinance (Section 4-78) and with permitting of wild, exotic or vicious animals (Section 4-80). The proposed changes also include a new section that addresses dogs that kill, injure or chase livestock or poultry (Section 4-73) and revisions that reflect recommendations from the Health Department for the confinement of biting animals (Section 4-19).

Recommended Action:

Motion to advertise a public hearing to be held January 14, 2015 at 7:00 p.m. – Ordinance No. 14-05, Amendment to Hanover County Code, Chapter 4, Animals, to Bring into Compliance with State Law and to Reflect Current or Recommended Practices

Prior to the presentation, Mr. Rives introduced Katherine Collins, Assistant County Attorney I. Ms. Collins was welcomed by the Board.

Mrs. Yvonne Gibney, Senior Assistant County Attorney, came forward to present the request for authorization for advertisement of the public hearing.

Background

The Virginia General Assembly has made many changes to the Commonwealth’s laws governing animal care during the past 6 years

The majority of the changes proposed in Ordinance 14-05 are to bring the County Code up to date to reflect those state law changes

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The other proposed changes –

- Are motivated by the County’s experience with enforcing two particular sections;
- Reflect recommendations from the Health Department; and
- Add a new section authorized by state law

Revisions Based on State Law Changes

Major changes include:

- Terms and definitions, including replacing the term “Pound” with “Public Animal Shelter”
- The new procedures for dealing with “Dangerous Dogs,” including the court procedures, the Virginia Dangerous Dog Registry and the fees associated with the Registry
- The new procedures for dealing with “Vicious Dogs”

Changes Based on Experience

Nuisance Animals (Section 4-78)

- 3 years of experience since the section was added to the County Code
- Proposed changes include –
 - Clarifying that it’s animal behavior that creates a public nuisance
 - Requiring that there be 2 instances of the animal behaviors listed in Section 4-78 to constitute a public nuisance.

Permit Required to Keep Wild, Exotic or Vicious Animals (Section 4-80)

- Proposed changes include –
 - Requiring the permitted animals owned by a permit applicant to be subject to regular inspections by Animal Control
 - Requiring a permit applicant to obtain a surety bond or liability insurance of \$100,000 to cover incidents involving permitted animals
 - Authorizing Animal Control to destroy a wild/exotic/vicious animal running at large if necessary to protect public safety
 - Authorizing the recovery of the County’s costs in locating, capturing and disposing of a wild/exotic/vicious animal

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Changes Based on Health Department Recommendations

Confinement of Biting Animals (Section 4-19)

- Proposed change would require a 10 day confinement of a “companion animal” only if
 - It bites a human or
 - It has been bitten by a wild animal

This is consistent with Health Department recommendations.

Addition of New Section

Dogs Killing, Injuring or Chasing Livestock or Poultry (4-73)

- The Code of Virginia authorizes localities to adopt an ordinance that authorizes animal control –
 - To seize or kill dogs in the act of killing or injuring livestock or poultry
 - To seize and examine dogs an ACO believes are killing livestock or poultry and
 - To obtain a warrant requiring a dog owner to appear before the General District Court to determine if the dog is a livestock killer and should therefore be killed or removed from the state.

Following the presentation, Mrs. Gibney and Mr. Rives answered questions from Board members.

Mr. Hazzard made a motion to advertise a public hearing to be held January 14, 2015 at 7:00 p.m. – Ordinance No. 14-05, Amendment to Hanover County Code, Chapter 4, Animals, to Bring into Compliance with State Law and to Reflect Current or Recommended Practices. The motion was seconded by Mr. Stanley.

	Vote:
Sean M. Davis	Aye
Wayne T. Hazzard	Aye
Angela Kelly-Wiecek	Aye
W. Canova Peterson	Aye
Aubrey M. Stanley	Aye
G. E. “Ed” Via, III	Aye
Elton J. Wade, Sr.	Aye

Motion Approved.

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X. Presentation – Human Resources Annual Report

Mrs. Janet Lawson, Director of Human Resources, came forward and gave this presentation to the Board.

Executive Summary

- Total Workforce 1,490 employees
 - 1,027 Full-time
 - 463 Part-time, Boards, Seasonal
- Average Salary \$54,420.27
- 151 Positions Posted
- 205 New Hires
 - 96 Full-time
 - 109 Part-time
- Turnover Rate: 9.82%

Mrs. Lawson detailed employee demographics by race, gender and residency. Compensation by grade and salary range was explained. The compensation plan includes salary scales beginning with grade 13 and ending with grade 47. The number of applications processed each year for the past five years was reported along with recruitment and staffing statistics by race and gender. Turnover rates and comparisons to nearby localities were detailed.

FY14 Initiatives

- Implemented the VRS Hybrid Plan
- Ensured compliance with the Affordable Care Act
- Implemented a new applicant tracking system
- Initiated a new performance management system
- Processed the first pay-for-performance merit increase since 2008

Following the presentation, Mrs. Lawson and Mr. Harris answered questions from Board members.

XI. Closed Session: Section 2.2-3711(A)(3) of the Code of Virginia – Acquisition of parcel designated as GPIN 7768-94-1986, Elmont Tank and Pump Station and Section 2.2-3711(A)(3) of the Code of Virginia – Acquisition of permanent drainage easement, permanent utility easements

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and temporary construction easement on GPIN 7796-95-3615 (Atlee Road Extended Road Project)

Mr. Hazzard moved that the Board of Supervisors go into Closed Session pursuant to the following: Section 2.2-3711(A)(3) of the Code of Virginia – Acquisition of parcel designated as GPIN 7768-94-1986, Elmont Tank and Pump Station and Section 2.2-3711(A)(3) of the Code of Virginia – Acquisition of permanent drainage easement, permanent utility easements and temporary construction easement on GPIN 7796-95-3615 (Atlee Road Extended Road Project). The motion was seconded by Mr. Stanley.

	Vote:
Sean M. Davis	Aye
Wayne T. Hazzard	Aye
Angela Kelly-Wiecek	Aye
W. Canova Peterson	Aye
Aubrey M. Stanley	Aye
G. E. “Ed” Via, III	Aye
Elton J. Wade, Sr.	Aye

Motion Approved.

Board members entered Closed Session at 4:03 p.m. At the conclusion of the Closed Session, all Board members returned to the Board room, and the Chairman called the regular meeting back to order at 4:41 p.m.

Certification of Closed Session

Mr. Hazzard moved that the Board of Supervisors certify that during the Closed Session only public business matters lawfully exempted from the open meeting requirement of the Freedom of Information Act and only such public business matters as were identified in the motion for the Closed Session were discussed. The motion was seconded by Mr. Stanley.

	Vote:
Sean M. Davis	Aye
Wayne T. Hazzard	Aye
Angela Kelly-Wiecek	Aye
W. Canova Peterson	Aye
Aubrey M. Stanley	Aye
G. E. “Ed” Via, III	Aye
Elton J. Wade, Sr.	Aye

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Motion Approved.

Mr. Hazzard made a motion that the Board authorize the purchase of a parcel identified as GPIN 7768-94-1986 for an amount not to exceed \$165,000 to serve as the location of Elmont Tank and Pump Station and authorize the County Administrator to take all actions necessary to complete the acquisition. The motion was seconded by Mr. Stanley.

	Vote:
Sean M. Davis	Aye
Wayne T. Hazzard	Aye
Angela Kelly-Wiecek	Aye
W. Canova Peterson	Aye
Aubrey M. Stanley	Aye
G. E. "Ed" Via, III	Aye
Elton J. Wade, Sr.	Aye

Motion Approved.

Mrs. Kelly-Wiecek made a motion that the Board authorize the purchase of a permanent drainage easement, permanent utility easement and temporary construction easement on GPIN 7796-95-3615 for \$19,769.22 for proposed road improvements, and authorize the County Administrator to take all actions necessary to complete the acquisition. The motion was seconded by Mr. Peterson.

	Vote:
Sean M. Davis	Aye
Wayne T. Hazzard	Aye
Angela Kelly-Wiecek	Aye
W. Canova Peterson	Aye
Aubrey M. Stanley	Aye
G. E. "Ed" Via, III	Aye
Elton J. Wade, Sr.	Aye

Motion Approved.

XII. Recess

The meeting was recessed at 4:43 p.m.

The meeting was reconvened at 7:00 p.m.

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XIII. Citizens' Time

The Chairman opened citizens' time and offered to anyone who wanted to address the Board of Supervisors for up to five minutes on any matter within the scope of the Board's authority that is not on the agenda for that meeting to come forward.

Ms. Afreen Y. Gootee, President of the Hanover Education Association and resident of the Chickahominy Magisterial District, came forward to address the Board and request continued funding of the school budget.

Mr. Chris Pace, Chickahominy Magisterial District, came forward to speak in opposition of increased class sizes and further school budget reductions.

Seeing no others, the Chairman closed citizens' time.

XIV. Presentation: Eagle Scout Parker Hohman – Troop 544 - Chickahominy Magisterial District

Mrs. Kelly-Wiecek called Eagle Scout Hohman and his family forward and presented him with a proclamation from the Board recognizing his achievement.

Prior to the public hearings, Mr. Hazzard explained that comments made at the Joint Education Committee meeting were taken out of context. He explained the accurate meaning of the comments made. Mr. Peterson also stated that comments at that meeting were taken out of context and clarified his statements in response to a letter he received from the Friends of Hanover Schools.

XV. Public Hearings - Ordinance 14-14 - Request to add Rutland Subdivision to the Hanover County Recycling Service District for the purpose of funding curbside recycling services (Chickahominy Magisterial District)

Board Sheet Background:

On November 12, 2014, the Board of Supervisors authorized the advertisement of a public hearing to add one new area, Rutland Subdivision, to the Hanover County Recycling Service District.

In accordance with the application procedure adopted by the Board of Supervisors in 2007, staff met with the residents of Rutland Subdivision on August 7, 2014 to discuss their application for inclusion in the District. Rutland Subdivision residents have presented the Department of Public Works with petitions with signatures from over eighty percent of the parcel owners (signatures from 83

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percent of 420 parcel owners) in accordance with the County's policy.

Notice of the public hearing has been mailed to all residents of Rutland Subdivision. The pro-rata cost of the curbside recycling service is added to the real estate tax bill for all lots within the District, regardless of whether the individual lot owners use the service. The estimated annual cost for the service and resulting tax is \$19.50 per lot starting July 1, 2015 and could increase annually according to the consumer price index, new contracts and other factors. The annual tax would be approved by the Board in the budget process, with associated notice and public hearing. Residents wishing to participate are required to purchase recycling bins for use in the program or to place a decal on another approved container. Services are provided through an agreement between the County and the Central Virginia Waste Management Authority (CVWMA). Pick up occurs every other week. Public information and service questions will be provided through CVWMA. Hanover County staff will serve as facilitator of services. Additional areas of the subdivision will be added July of each year as they are put to record.

Recommended Action:

Motion to adopt Ordinance 14-14 to add Rutland Subdivision to the Hanover County Recycling Service District for the purpose of funding recycling services.

Mr. Mike Flagg, Director of Public Works, came forward to present the Board with the details of this proposed ordinance.

The Chairman opened the public hearing and asked that anyone who wished to speak for or against the matter come forward.

Mr. Rick Watson, Chickahominy Magisterial District, came forward to speak in support of the ordinance.

Seeing no others come forward, the Chairman closed the public hearing.

ORDINANCE NO. 14-14

AN ORDINANCE AMENDING ORDINANCE 10-01, WHICH ESTABLISHED THE HANOVER COUNTY RECYCLING SERVICE DISTRICT PURSUANT TO VA. CODE SECTION 15.2-2400 AND FOLLOWING SECTIONS, BY THE ADDITION OF THE RUTLAND SUBDIVISION. THE DISTRICT IS ESTABLISHED TO PROVIDE FOR AN ASSESSMENT FOR FUNDING OF SOLID WASTE COLLECTION IN THE NATURE OF RECYCLING SERVICE.

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THE ANNUAL TAX ASSESSMENT IS THE AMOUNT NECESSARY TO FUND THE SERVICE, TO BE ESTABLISHED BY THE BOARD OF SUPERVISORS IN THE SAME MANNER AS OTHER TAX LEVIES, PAYABLE BY EACH PROPERTY OWNER WITHIN THE DISTRICT, AND CONSTITUTING A LIEN ON EACH PROPERTY IN THE DISTRICT.

WHEREAS by Ordinance 10-01 the Hanover County Board of Supervisors established the Hanover County Recycling Service District; and

WHEREAS the Hanover County Board of Supervisors finds that there is a need for solid waste collection in the nature of recycling service to be provided to lots within the Rutland Subdivision in order to provide for the public health, safety and welfare of the residents and that the Rutland Subdivision should be included in the Service District, and

WHEREAS Virginia Code Section 15.2-2400 and following sections authorize the County to create special service districts for various purposes related to the provision of governmental services and to levy taxes for the purpose of funding services, and

WHEREAS Virginia Code Section 15.2-2402.1 authorizes the County to amend the boundaries of an established service district, and it is the intention of the Board to amend Ordinance 10-01 creating the Hanover County Recycling Service District by the addition of the Rutland Subdivision for the purpose of funding recycling services, and

WHEREAS this Ordinance may be reviewed periodically by the Board of Supervisors and amendments may be enacted or all or a portion may be repealed if the details of service provision change or if service provision becomes impractical or otherwise inadvisable, as determined by the Board.

NOW THEREFORE BE IT ORDAINED by the Board of Supervisors of Hanover County:

1. That Ordinance 10-01 establishing the Hanover County Recycling Service District, Section 3, *Boundaries of the District*, shall be amended by the addition of the Rutland Subdivision to the District as follows:

Section 3. Boundaries of the District.

The boundaries of the District shall be defined by the perimeter boundaries as designated by the Hanover County Geographic Information System and are graphically depicted on the Map of the

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Hanover County Recycling Service District dated November 16, 2010 and on the Map of the Rutland Subdivision dated July 28, 2014, both attached to this Ordinance No. 14-14.

2. All other provisions of Ordinance 10-01 shall remain in effect.
3. The County Attorney shall record an abstract of this Ordinance in the Hanover County Circuit Court Clerk’s Office in compliance with statutory requirements.
4. That this Ordinance is effective on July 1, 2015.

On motion of Mrs. Kelly-Wiecek, seconded by Mr. Via, the members of the Board of Supervisors voted to adopt Ordinance 14-14 to add Rutland Subdivision to the Hanover County Recycling Service District for the purpose of funding recycling services, as follows:

	Vote:
Sean M. Davis	Aye
Wayne T. Hazzard	Aye
Angela Kelly-Wiecek	Aye
W. Canova Peterson	Aye
Aubrey M. Stanley	Aye
G. E. “Ed” Via, III	Aye
Elton J. Wade, Sr.	Aye

XVI. Planning Public Hearings

CUP-2-90 - AM. 1-14 – Fomin Construction, Inc., Requests an amendment for the purpose of rescinding a Conditional Use Permit (CUP-2-90, James C. and Patsy Dymacek) for an agricultural and forestal support center on GPIN 7803-30-8301, consisting of approximately 9.07 acres, zoned A-1, Agricultural District, and located on the north line of Mountain Road (U.S. Route 33) approximately 75 feet west of its intersection with Dunn Road (State Route 736) in the Beaverdam Magisterial District. The subject property is designated on the General Land Use Plan Map as Business-Industrial.

Planning Analysis:

- A CUP was approved in 1990 for an agricultural and forestal support center, and the use has been active within the last 2 years
- The applicant would like to rescind the CUP to move forward with the new use

Recommendation:

The Planning Commission and staff recommend to rescind CUP-2-90

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C-16-14(c) - Fomin Construction, Inc., Requests to rezone from A-1, Agricultural District, to AR-6(c), Agricultural Residential District with conditions and M-2(c), Light Industrial District with conditions, on GPIN 7803-30-8301, consisting of approximately 9.07 acres, and located on the north line of Mountain Road (U.S. Route 33) approximately 75 feet west of its intersection with Dunn Road (State Route 736) in the Beaverdam Magisterial District. The subject property is designated on the General Land Use Plan Map as Agricultural and Business-Industrial. The proposed zoning amendment would permit one (1) residential lot and a contractor's office, warehouse, and equipment storage yard.

Planning Analysis:

- This is a two-part request:
 - Rezone 3.7 acres to AR-6(c), to allow 1 residential building lot
 - Access provided by 50' easement along southeastern property line
 - Rezone 5.36 acres to M-2(c), to allow a contractor's equipment storage yard, warehouse, and office
 - Applicant to use existing gravel parking and metal building, including a proposed 552 sq. ft. addition
 - Dwelling for caretaker proposed

Proffers:

- Conceptual Plan
- Tree Preservation
- Reservation of Right-of-Way
- Road Improvement Contribution - For the proposed residential parcel
- Screening of Outdoor Storage - On the M-2 parcel
- Use Restrictions - For the M-2 parcel

Recommendation:

The Planning Commission and staff recommend approval subject to the submitted proffers

Mr. Maloney presented these cases to the Board. Following the presentation, Mr. Maloney answered questions from Board members.

The Chairman opened the public hearing for both items and asked that anyone who wished to speak for or against the matters come forward. Seeing none, he closed the public hearing.

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On motion of Mr. Stanley, seconded by Mr. Hazzard, the members of the Board of Supervisors voted to rescind CUP-2-90 - Fomin Construction, Inc., as follows:

	Vote:
Sean M. Davis	Aye
Wayne T. Hazzard	Aye
Angela Kelly-Wiecek	Aye
W. Canova Peterson	Aye
Aubrey M. Stanley	Aye
G. E. "Ed" Via, III	Aye
Elton J. Wade, Sr.	Aye

ORDINANCE C-16-14(c)

OWNER OF RECORD: FOMIN CONSTRUCTION INC.

WHEREAS the Planning Commission of Hanover County has held an advertised public hearing and forwarded this case to the Board of Supervisors with a recommendation of **APPROVAL** of the adoption of the following amendment to the Zoning Ordinance and Zoning District Map of Hanover County; and

WHEREAS the Board of Supervisors has held public hearings on the 10th day of December, 2014, and advertised in the *Hanover Herald-Progress* once a week for two successive weeks as required by Virginia Code Section 15.2-2204; and

WHEREAS the Board of Supervisors has determined that the public necessity, convenience, general welfare, and good zoning practices require this amendment.

NOW, THEREFORE, BE IT ORDAINED by the Board of Supervisors of Hanover County that the Zoning Ordinance and the Zoning District Map of this County are amended (with conditions) by the rezoning of the property described as GPIN 7803-30-8301, consisting of 9.07± acres located on the north line of Mountain Road (U.S. Route 33) approximately 75 feet west of its intersection with Dunn Road (State Route 736), (a detailed description is filed with the Board's papers) from A-1, Agricultural District, to AR-6(c), Agricultural Residential and M-2(c), Light Industrial Districts with conditions, subject to the following conditions which were proffered by the Applicant on November 14, 2014, and accepted by the Board:

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7AR-6 and M-2

1. Conceptual Plan. The property shall be developed in substantial conformity with the conceptual plan attached, titled “Fomin’s Construction,” dated October 21, 2014, and prepared by Michael L. Parrish & Associates.
2. Tree Preservation. Existing trees of 5 inch caliper or greater on the Property shall not be removed with the exception of dead or diseased trees or parts thereof. This shall not prevent the removal of trees necessary for the construction of improvements, driveways, drainfields, or drainage facilities.

AR-6

3. Contribution for Road Improvements. The Owner, for himself, his successors and assigns, agrees to pay Hanover County prior to issuance of a Certificate of Occupancy for the Property, the amount of Two Thousand Three Hundred Six and 00/100 (\$2,306.00) per single family unit built on the Property. The funds shall be used for the purpose of completing off-site road improvements relating to the development allowed by the rezoning and included in the Business and Residential Development Road Improvements Transportation Policy, adopted March 13, 2013. In the event funds are paid and are not used for such improvements, the County shall return the funds paid to the Owner or his successors in title.

M-2

4. Reservation of Right-of-Way. The Owner agrees to reserve sixty (60) feet of right-of-way from the centerline of Mountain Road (U.S. Route 33) to the property for the future road widening.
5. Screening of Outdoor Storage. Any storage of materials or supplies or storage of major repair of damaged vehicles or equipment shall be inside a completely enclosed building or otherwise screened in accordance with the requirements of Section 26-263.
6. Use Restrictions. The following M-2 uses shall not be permitted:
 - a. Boat or boat trailer sales and storage, both new and used, including display, repair, and storage, and including accessory uses;
 - b. Coal and wood yards, coke storage and sales;

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- c. Fertilizer storage in bags or bulk storage or liquid or dry fertilizer in tanks or in a completely enclosed building, but not manufacture or processing;
- d. Industrial gases (storage, transfer and distribution only; provided that such storage occurs in tanks no larger than five thousand (5,000) gallons and does not exceed twenty thousand (20,000) gallons per lot);
- e. Poultry packing and slaughtering (wholesale);
- f. Recreational vehicle sales and rentals, both new and used, including display, repair, and storage, and including accessory uses;
- g. Truck terminal;
- h. Vehicle storage area (not parking garages), including the storage of empty trailers.

BE IT FURTHER ORDAINED that this Ordinance is effective on the date of adoption and the Planning Director is hereby directed to designate the boundaries of the foregoing area as rezoned, subject to conditions, on the Zoning District Map of Hanover County.

On motion of Mr. Stanley, seconded by Mr. Hazzard, the members of the Board of Supervisors voted to approve Ordinance C-16-14(c) - Fomin Construction, Inc., as follows:

	Vote:
Sean M. Davis	Aye
Wayne T. Hazzard	Aye
Angela Kelly-Wiecek	Aye
W. Canova Peterson	Aye
Aubrey M. Stanley	Aye
G. E. "Ed" Via, III	Aye
Elton J. Wade, Sr.	Aye

C-16-07(c) - AM. 1-14 - D & R Property Development, Inc. Et Al, Requests an amendment to the proffers approved with rezoning request C-16-07(c), Am. 1-13, D & R Property Development, Inc., on GPINs 8706-66-5150, 8706-66-5190, 8706-66-6019, 8706-66-6048, 8706-66-7134, 8706-66-7157, 8706-66-7272, 8706-66-7295, 8706-66-8181, 8706-66-8068, 8706-66-8056, 8706-66-8044, 8706-66-8021, 8706-66-9058 and 8706-66-7250, consisting of approximately 20.74 acres, zoned R-4(c), Residential Cluster Development District with conditions, and located along and at the terminus of Marley Drive (state route pending) approximate 700 feet east of its intersection with Chamberlayne

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Road (U.S. Route 301) in the Chickahominy Magisterial District. The subject property is designated on the General Land Use Plan Map as Suburban High (4-8 dwelling units per acre). The proposed zoning amendment would amend the proffered building elevations.

Planning Analysis:

- The applicant has a contract to sell the remaining lots to a new builder who seeks elevations to allow for a different architectural style
- Proffer No. 3 must be amended to reference the new elevations

	<u>Approved</u>	<u>Proposed</u>
Style	Colonial	Craftsman
Garage	2 Car	1.5 Car
Driveway	Width for 2 cars	Width for 2 cars

Proffers:

- All approved proffers remain unchanged, with the exception of Proffers #3 and #8 of the R-4 section, which relates to elevations and exterior materials
 - Those proffers now reference the proposed elevations

Recommendation:

The Planning Commission and staff recommend approval of the revised elevations subject to the submitted proffers

Mr. Maloney presented this case to the Board.

The Chairman opened the public hearing and asked that anyone who wished to speak for or against the matter come forward. Seeing none, he closed the public hearing.

ORDINANCE C-16-07(c), AM. 1-14

OWNER OF RECORD: D & R PROPERTY DEVELOPMENT, INC., ET AL.

CONTRACT PURCHASER: PATRIOT DEVELOPMENT GROUP, L.L.C.

WHEREAS the Planning Commission of Hanover County has held an advertised public hearing and forwarded this case to the Board of Supervisors with a recommendation of **APPROVAL**

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of the adoption of the following amendment to the Zoning Ordinance and Zoning District Map of Hanover County; and

WHEREAS the Board of Supervisors has held public hearings on the 10th day of December, 2014, and advertised in the *Hanover Herald-Progress* once a week for two successive weeks as required by Virginia Code Section 15.2-2204; and

WHEREAS the Board of Supervisors has determined that the public necessity, convenience, general welfare, and good zoning practices require this amendment.

NOW, THEREFORE, BE IT ORDAINED by the Board of Supervisors of Hanover County that the Zoning Ordinance and the Zoning District Map of this County are amended (with conditions) by amending the proffered building elevations accepted with C-16-07(c), Am. 2-10, D & R Property Development, Inc., for the property described as GPINs 8706-66-5150, 8706-66-5190, 8706-66-6019, 8706-66-6048, 8706-66-7134, 8706-66-7157, 8706-66-7272, 8706-66-7295, 8706-66-8181, 8706-66-8068, 8706-66-8056, 8706-66-8044, 8706-66-8021, 8706-66-9058 and 8706-66-7250, consisting of 20.74± acres located at the terminus of Marley Drive (state route pending) approximate 700 feet east of its intersection with Chamberlayne Road (U.S. Route 301), (a detailed description is filed with the Board's papers) zoned R-4(c), Residential Cluster Development District with conditions, subject to the following conditions which were proffered by the Applicant on October 24, 2014, and accepted by the Board:

PROFFERS APPLICABLE TO R-4 PROPERTY:

1. Contribution for Road Improvements. The Owner, for himself, his successors and assigns, agrees to pay Hanover County prior to issuance of a Certificate of Occupancy for the Property, the amount of Two Thousand Three Hundred Six and 00/100 (\$2,306.00) per single family unit built on the Property. The funds shall be used for the purpose of completing off-site road improvements relating to the development allowed by the rezoning and included in the Business and Residential Development Road Improvements Transportation Policy, adopted March 13, 2013. In the event funds are paid and are not used for such improvements, the County shall return the funds paid to the Owner or his successors in title.

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2. Conceptual Plan. The R-4 area shall be developed in substantial conformity with the conceptual plan, titled “Lawhorne Conceptual Plan” dated May 7, 2007, last revised December 16, 2010, and prepared by Balzer and Associates, Inc.
3. Elevations and Exterior Materials. The proposed townhouses shall be constructed in substantial conformity with the elevations, titled “Elevations For: Marley Pointe Development,” dated October 15, 2014, and prepared by Michael Repsher.
4. Irrigation System. An irrigation system shall be provided for the community. Lawn areas within the common space as well as individual dwelling front lawns shall be irrigated.
5. Tree Preservation. Existing trees of 5 inch caliper or greater on the Property shall not be removed with the exception of dead or diseased trees or parts thereof. This shall not prevent the removal of trees necessary for the construction of improvements, driveways, drainfields, or drainage facilities.
6. Amenities. The community shall include on-site passive amenities such as trail or path, playground, and neighborhood greens. Although final design and location may change, the minimum extent and character of such features shall be substantially as depicted on the conceptual plan. The facilities shall be constructed at the expense of the Property Owner, and shall be conveyed at no cost, and with no liens and encumbrances, for ownership and maintenance by Homeowners’ Association, as described herein, with appropriate covenants established to ensure the continued funding of the ongoing ownership, operational, and maintenance responsibilities. All recreational facilities serving the Property shall be maintained by a homeowners’ association.
7. Homeowner’s Association. Concurrent with the recordation of a subdivision for the community, a homeowners’ association shall be established, to consist of the owners of the dwelling lots on the property, that shall have responsibilities for maintenance of common area and certain features on individual lots, and shall have responsibility for monitoring compliance with covenants and restrictions on the use of individual dwelling lots. The homeowners’ association shall be required to employ at all times a firm or outside consultant to provide professional management services to assist the homeowners’ association with its responsibilities.

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8. Watertables. Watertables of houses shall be of brick or stone construction unless the house is constructed of synthetic stucco (DriVit) in which case the watertable may be of like material. Above the watertable the exterior of the houses shall be constructed of brick, stone, synthetic stucco (DriVit), premium vinyl siding or concrete-based siding material (Hardi Plank). Watertables shall be constructed in substantial conformity with the elevations, titled “Elevations For: Marley Pointe Development,” dated October 15, 2014, and prepared by Michael Repsher.
9. House Size. Minimum house size shall be 1,500 square feet. The calculation of minimum floor area shall not include floor area devoted to garages or breezeways in any category. Floor area shall be measured along the exterior walls of the structure.
10. Landscaping. A landscaped hedge, berm, and/or a low fence enhanced with landscaping, shall be provided along the north property line of the R-4 area, with such hedge, berm, and/or fence designed and arranged so as to minimize the likelihood of pedestrian movement from the R-4 portion of the property onto adjoining properties to the north.

PROFFERS APPLICABLE TO THE B-3 AND R-4 PROPERTY:

1. Transportation Improvements:
 - a. The Property Owner shall construct a right turn deceleration lane at the Chamberlayne Road site entrance consisting of a 200-foot taper and 200 feet of storage.
 - b. The Property Owner shall construct the Chamberlayne Road access with a channelizing island to physically inhibit wrong-way left turns out of the roadway.
 - c. At the intersection of Chamberlayne Road and McKenzie Drive, the Property Owner shall modify the median of Chamberlayne Road to provide a northbound U-turn lane with a minimum 200 feet of taper and 200 feet of storage.
 - d. The Property Owner shall remove the “No U-Turn” sign for southbound traffic at the Hanover Commons (North) intersection. Removal of the “No U-Turn” sign shall only be allowed with VDOT approval.
 - e. The Property Owner shall build an emergency access to McKenzie Drive with a VDOT approved turnaround (hammerhead turnaround) installed at the end of the

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publicly-owned McKenzie Drive. Property owner shall install a gate to prevent unauthorized entry from the Property to McKenzie Drive.

- f. The “Hammerhead Turnaround” at the terminus of McKenzie Drive shall be dedicated to VDOT, free of cost, upon request by the County or VDOT.
- g. All transportation improvements shall be designed and constructed in accordance with VDOT standards and specifications and shall be approved by VDOT prior to construction.

2. Utility Easement. The Property Owner shall dedicate a minimum twenty (20) foot wide permanent utility easement across the property for the Opossum Creek Sewer Interceptor project, free of cost, upon request by the County. The location and width of such easement shall be determined during the construction process.

3. Environmental Assessment. Prior to site plan or construction plan approval whichever occurs first, the Property Owner shall submit a Phase II environmental assessment, conducted by a qualified professional, to the Planning Department for review. At the time that the Owner submits a site plan or construction plan for approval, the Owner shall perform all remediation work required by the Phase II assessment that has not already been completed, and shall provide appropriate documentation certifying completion of the required remediation work to the Planning Department.

BE IT FURTHER ORDAINED that this Ordinance is effective on the date of adoption and the Planning Director is hereby directed to designate the boundaries of the foregoing area as rezoned, subject to conditions, on the Zoning District Map of Hanover County.

On motion of Mrs. Kelly Wiecek, seconded by Mr. Via, the members of the Board of Supervisors voted to approve Ordinance C-16-07(c) - AM. 1-14 - D & R Property Development, Inc. Et Al, as follows:

	Vote:
Sean M. Davis	Aye
Wayne T. Hazzard	Aye
Angela Kelly-Wiecek	Aye
W. Canova Peterson	Aye
Aubrey M. Stanley	Aye
G. E. “Ed” Via, III	Aye

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Elton J. Wade, Sr. Aye

C-15-14(c) – Barbara and Paul Brown, Sr., Request to rezone from A-1, Agricultural District, to AR-6(c), Agricultural Residential District with conditions, on GPIN 7871-34-5289, consisting of approximately 23.49 acres, and located on the north line of Blunts Bridge Road (State Route 667) approximately 450 feet west of its intersection with Cross Corner Road (State Route 641) in the Beaverdam Magisterial District. The subject property is designated on the General Land Use Plan Map as Agricultural. The proposed zoning amendment would permit the creation of two (2) additional building lots for a gross density of one (1) dwelling unit per 7.83 acres.

Planning Analysis:

- The subject parcel is to be divided into 3 lots
 - This is the maximum number of lots permitted for this parcel under the AR-6 zoning district
- The 2 proposed 3.5+ acre building lots are shown to be located at the front of the property along Blunts Bridge Road
- The 3rd parcel with the existing house will have approx. 18 acres
- A 50' access easement would run along the existing driveway and provide access to all 3 lots

Proffers:

- Conceptual Plan
- Tree Preservation
- Road Improvement Contribution
- Reservation of Right-of-Way
- Access
- New Houses Oriented to Face Blunts Bridge Road
- Cemetery – to be shown on the subdivision plat according to previously recorded deeds and plats

Recommendation:

The Planning Commission and staff recommend approval subject to the submitted proffers

Mr. Maloney presented this case to the Board.

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The Chairman opened the public hearing and asked that anyone who wished to speak for or against the matter come forward.

Mr. Jim Price, Beaverdam Magisterial District, came forward to request the two new houses be set back further to be more compatible to the neighboring property.

Ms. R. Spence, Beaverdam Magisterial District, came forward and spoke in favor of the matter. The houses will be set back further off the road like the neighboring properties.

Ms. Ann Samuel and Mr. F. Blair Ostergrew, owners of the property to the right of the proposed development, came forward and stated that it is their family cemetery shown on the subdivision plat. They stated there is a discrepancy in that there is more land to the cemetery than what is shown.

Mr. Paul Brown, applicant, responded that no one has contacted him regarding the property where the cemetery is located.

Seeing no others come forward, the Chairman closed the public hearing.

There was a discussion about the cemetery on the property and a possible dispute of ownership of some or all of the property to be rezoned. It was noted that tax records show Mr. and Mrs. Brown are the owners of the property.

ORDINANCE C-15-14(c)

OWNER OF RECORD: BARBARA AND PAUL BROWN, SR.

WHEREAS the Planning Commission of Hanover County has held an advertised public hearing and forwarded this case to the Board of Supervisors with a recommendation of **APPROVAL** of the adoption of the following amendment to the Zoning Ordinance and Zoning District Map of Hanover County; and

WHEREAS the Board of Supervisors has held public hearings on the 10th day of December, 2014, and advertised in the *Hanover Herald-Progress* once a week for two successive weeks as required by Virginia Code Section 15.2-2204; and

WHEREAS the Board of Supervisors has determined that the public necessity, convenience, general welfare, and good zoning practices require this amendment.

NOW, THEREFORE, BE IT ORDAINED by the Board of Supervisors of Hanover County that the Zoning Ordinance and the Zoning District Map of this County are amended (with conditions) by

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the rezoning of the property described as GPIN 7871-34-5289, consisting of 23.49± acres located on the north line of Blunts Bridge Road (State Route 667) approximately 450 feet west of its intersection with Cross Corner Road (State Route 641), (a detailed description is filed with the Board's papers) from A-1, Agricultural District, to AR-6(c), Agricultural Residential District with conditions, subject to the following conditions which were proffered by the Applicant on November 3, 2014 and revised December 2, 2014, and accepted by the Board:

1. Conceptual Plan. The property shall be divided in substantial conformity with the conceptual plan attached, titled "Brown Conceptual Plan," dated August 1, 2014, revised November 25, 2014, and prepared by Randon Spence.
2. Tree Preservation. Existing trees of 5 inch caliper or greater on the Property shall not be removed with the exception of dead or diseased trees or parts thereof. This shall not prevent the removal of trees necessary for the construction of improvements, driveways, drainfields, or drainage facilities.
3. Contribution for Road Improvements. The Owner, for himself, his successors and assigns, agrees to pay Hanover County prior to issuance of a Certificate of Occupancy for the Property, the amount of Two Thousand Three Hundred Six and 00/100 (\$2,306.00) per single family unit built on the Property. The funds shall be used for the purpose of completing off-site road improvements relating to the development allowed by the rezoning and included in the Business and Residential Development Road Improvements Transportation Policy, adopted March 13, 2013. In the event funds are paid and are not used for such improvements, the County shall return the funds paid to the Owner or his successors in title.
4. Reservation of Right-of-Way. The Owner agrees to reserve thirty (30) feet of right-of-way from the centerline of Blunts Bridge Road (State Route 667) to the property for the future road widening.
5. Access. Access to Lots 1, 2, and 3 shall be provided by a 50' access easement, as shown on the Conceptual Plan.
6. Houses to Face Blunts Bridge Road. The fronts of the houses constructed on Lots 2 and 3 as shown on the Conceptual Plan shall be oriented to face Blunts Bridge Road (State Route 667).

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7. Cemetery. The 0.5 acre family cemetery, identified on a plat titled, “Survey & Map of a Parcel of Land on the North Side of Route 667, Beaverdam District, Hanover, VA”, dated October 30, 1979, and recorded in Deed Book 472, Page 631, shall be shown on the subdivision plat.

BE IT FURTHER ORDAINED that this Ordinance is effective on the date of adoption and the Planning Director is hereby directed to designate the boundaries of the foregoing area as rezoned, subject to conditions, on the Zoning District Map of Hanover County.

On motion of Mr. Stanley, seconded by Mr. Hazzard, the members of the Board of Supervisors voted to approve Ordinance C-15-14(c) – Barbara and Paul Brown, Sr., as follows:

	Vote:
Sean M. Davis	Aye
Wayne T. Hazzard	Aye
Angela Kelly-Wiecek	Aye
W. Canova Peterson	Aye
Aubrey M. Stanley	Aye
G. E. “Ed” Via, III	Aye
Elton J. Wade, Sr.	Aye

C-7-14(c) - E. Tyree Chappell, Estate, Requests to rezone from A-1, Agricultural District, to RS(c), Single Family Residential District with conditions, on GPIN 7796-28-9346 (part), consisting of approximately 41.94 acres, and located on the west line of Atlee Station Road (State Route 637) approximately 300 feet south of its intersection with Deer Stream Drive (State Route 2140) in the Chickahominy Magisterial District. The subject property is designated on the General Land Use Plan Map as Suburban General (1-4 dwelling units per acre). The proposed zoning amendment would permit the creation of 68 building lot(s) for a gross density of 1.62 dwelling units per acre.

Planning Analysis:

- The proposed subdivision will include 68 residential lots for a gross density of 1.62 DU per acre
- The RS District requirements have all been met
- 15% (5.45 acres) common open space is required
 - 20.5% (8.6 acres) is provided

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- An additional 8.05 acres of open space is provided after RPA, steep slopes and 50% of the subdivision buffer are accounted for
- Amenities include:
 - Sidewalks on both sides of each internal street
 - A 4-ft asphalt pedestrian trail along the entire Atlee Station Road frontage
- Typical landscaping cross sections have been provided for the street buffer and for typical plantings along the internal streets
- To address a concern made by an adjoining property owner, the applicant has added a 20' landscaped common area along the southern property line
- This subdivision will be located on a portion of the Summer Duck Farm, which includes a home that dates to the 1840s and several outbuildings that date to the late 19th and early 20th centuries
 - The applicant has submitted a proffer that preserves oldest farm structures on Lot 33, including the historic home, smokehouse and the granary

Transportation

- Traffic Impact Analysis (TIA) was performed for the proposed neighborhood:
 - Atlee Station Road has an average daily traffic volume of approximately 12,000 vehicles per day
 - Traffic turning movement counts were taken 7-9 AM and 4-6 PM during the week of May 19, 2013
 - Existing peak hour volumes were increased by 1.5% to estimate no-build volumes
 - Peak hour trips generated by the proposed neighborhood:
 - AM: 16 enter/49 exit; PM: 54 enter/32 exit
- Based on recommendations from the TIA, the applicant has provided the following improvements:
 - A northbound left turn lane on Atlee Station Road with 100' of storage, taper and transition at a length within the property frontage
 - The entrance will have 1 ingress lane and 2 egress lanes for separate left and right turn lanes

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- The applicant will also provide a right turn taper to address community concerns regarding traffic congestion on Atlee Station Road
 - The proffered improvements are intended to complement the overall Thoroughfare Plan for Atlee Station Road
 - Designated as 100-foot Major Collector on Major Thoroughfare Plan
 - Typical section supports a four-lane divided highway with accommodations for both bicycle and pedestrian traffic

Schools Data:

- The School Board data was updated on September 30, 2014 to show current enrollment, and provide new projections
- It is anticipated that the subject development will produce approx. 37 children, half of which will be enrolled at the high school level, while the other half will be split between the elementary and middle school levels

Proffers:

- Road Improvement Contribution - In the amount of \$6,671.00 per lot
- House Size – Minimum 1,800 sq. ft.
- Foundations – Brick or Stone
- Right-of-Way Dedication – 50’ from centerline of Atlee Station Road
- Road Improvements
- Buffer – Plantings and maintenance by HOA
- Historic Structure – Preservation and maintenance of Summerduck, allowing for future additions

Recommendation:

The Planning Commission and staff recommend approval subject to the submitted proffers

Mr. Maloney presented this case to the Board. Following the presentation, Mr. Maloney answered questions from Board members.

The Chairman opened the public hearing and asked that anyone who wished to speak for or against the matter come forward.

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Ms. Jennifer Mullen with Roth, Duner, Jackson, PLC, came forward to speak on behalf of the E. Tyree Chappell Estate. Ms. Mullen described the proposed development and noted it is modeled after the adjacent subdivision.

Mr. Will Tignor, Chickahominy Magisterial District, came forward to speak in opposition of the project, citing concerns with traffic. Mr. Tignor stated Board members should not be able to change votes.

Ms. Linda Holloman, Chickahominy Magisterial District, came forward to speak in opposition of the project, citing the previous denial of the development, this not being the right time, safety concerns with student drivers, pedestrian safety and the large number of new developments being built in the area.

Ms. Holly Chappell-Davis, Chickahominy Magisterial District and applicant, came forward to speak in in favor of the project, citing the length of time the property has been in her family and their desire to develop the property in a similar manner to the surrounding land that has been allowed to develop.

Mr. Bob Blair, Chickahominy Magisterial District, came forward to speak in opposition of the project, citing traffic concerns. He stated the plans for traffic improvements provide no benefit until they are completed.

Ms. Terri Gilbert, Chickahominy Magisterial District, came forward to speak in opposition of the project. She noted that the development is well planned but development in the area has come much faster than traffic improvements.

Mr. Tom Walsh, Chickahominy Magisterial District, came forward to speak in opposition of the project, citing the large number of recently built and approved future developments. He voiced concerns with the reconsideration of the proposal and feels the development is in conflict with the Code of Virginia.

Mr. Harold Bloomingfeld, Chickahominy Magisterial District, came forward to speak in opposition of the project, citing the need for traffic improvements now.

Ms. Carol Wallace, Chickahominy Magisterial District, came forward to speak in opposition of the project, citing flaws with traffic studies, particularly in consideration of stacking and queuing.

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Ms. Heidi Craft, teacher at Atlee High School and parent of an Atlee High School student, spoke in opposition of the project, citing traffic concerns. She stated student athletes run on Atlee Station Road and asked that traffic concerns be considered first.

Mr. Bill Callahan, Chickahominy Magisterial District, came forward to voice traffic concerns, citing poor site-lines in and out of his subdivision. He asked that the speed limit be lowered to 35 mph and a bike path or walkway be added.

Mr. Mike Hollaman, Chickahominy Magisterial District, came forward to speak in opposition of the project and expressed dissatisfaction with the proposal being reconsidered after it was previously denied.

Mr. Ron Fisher, Chickahominy Magisterial District, came forward to speak in opposition of the project. He expressed agreement with previous comments and cited dangerous traffic conditions and concerns with the previous vote being changed.

Ms. Mullen returned to address the comments made. She noted that safety was considered with the development. She stated it has been developed with measures above what is required by VDOT, Atlee Station Road currently carries under capacity and reiterated that there are proffered amounts for improvements.

Seeing no others come forward, the Chairman closed the public hearing.

Mr. Rives offered clarification on matters being reconsidered by the Board. He noted that this is not prohibited in State Law, County Code, Robert's Rules or in the Board of Supervisors Standing Rules and Procedures.

Mr. Maloney came forward to offer clarification on matters related to growth, the Comprehensive Plan and the traffic studies that were conducted.

The Board members had a detailed discussion on the concerns expressed, measures that have been taken to address them and the timeline of the development. There was further discussion on trying to have the Honey Meadows stop light installed sooner and exploring the possibility of VDOT reducing the speed limit.

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ORDINANCE C-7-14(c)

OWNER OF RECORD: E. TYREE CHAPPELL, ESTATE

WHEREAS the Planning Commission of Hanover County has held an advertised public hearing and forwarded this case to the Board of Supervisors with a recommendation of **APPROVAL** of the adoption of the following amendment to the Zoning Ordinance and Zoning District Map of Hanover County; and

WHEREAS the Board of Supervisors has held public hearings on the 10th day of December, 2014, and advertised in the *Hanover Herald-Progress* once a week for two successive weeks as required by Virginia Code Section 15.2-2204; and

WHEREAS the Board of Supervisors has determined that the public necessity, convenience, general welfare, and good zoning practices require this amendment.

NOW, THEREFORE, BE IT ORDAINED by the Board of Supervisors of Hanover County that the Zoning Ordinance and the Zoning District Map of this County are amended (with conditions) by the rezoning of the property described as GPIN 7796-28-9346(part), consisting of 41.94± acres located on the west line of Atlee Station Road (State Route 637) approximately 300 feet south of its intersection with Deer Stream Drive (State Route 2140), (a detailed description is filed with the Board's papers) from A-1, Agricultural District, to RS(c), Single Family Residential District with conditions, subject to the following conditions which were proffered by the Applicant on October 1, 2014, and accepted by the Board:

1. Contribution for Road Improvements. The Property Owner, for itself, and its successors and assigns, agrees to pay Hanover County, prior to issuance of a Certificate of Occupancy, the amount of Six Thousand Six Hundred Seventy-One and 00/100 (\$6,671.00) per single family unit built on the RS zoned Property. The funds shall be used for the purpose of completing off-site road improvements relating to the development allowed by the rezoning and included in the Business and Residential Development Road Improvements Transportation Policy, adopted March 13, 2013. In the event funds are paid and are not used for such improvements, the County shall return the funds paid to the Owner or his successors in title.

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2. House Size. Minimum house sizes shall be 1,800 square feet. The calculation of minimum floor area shall not include floor area devoted to garages or breezeways in any category. Floor area shall be measured along the exterior walls of the structure.
3. Foundations. The exterior of all foundations of homes shall have an exterior of brick or stone.
4. Right-of-Way Dedication. The Property Owner agrees to dedicate fifty (50') feet of right-of-way from the centerline of Atlee Station Road (State Route 637) for future widening, free of cost, upon request of the County or VDOT.
5. Road Improvements. The entrances and the turn lanes from Atlee Station Road shall be located, designed, and constructed in general conformity with the conceptual plan. The actual design and construction shall conform to VDOT standards and specification, and turn lane and taper lengths shall be determined by VDOT prior to subdivision approval.
6. Buffer. The Property Owner agrees to plant four (4) trees within the fifty (50') foot right-of-way that will provide a future roadway connection to GPIN 7796-36-2593 (the "Adjacent Parcel"). The trees shall be maintained by the homeowners association until such time as the roadway connection is made to the Adjacent Parcel. At such time as the connection is made, the homeowners association shall bear the responsibility and cost of removing the trees. Removal shall occur within 60 days following a request by the County or VDOT.
7. Historic Structure. The historic structure, known as Summerduck (Log House, Rt. 637), VDHR#42-209 and 953, and its two outbuildings shown on the conceptual plan shall be preserved and maintained on Lot 33 as shown on the conceptual plan, unless any such structure is damaged or destroyed by fire, Act of God, or other casualty. This shall not prevent the owner of the site from adding to the structure, provided its basic character remains.

BE IT FURTHER ORDAINED that this Ordinance is effective on the date of adoption and the Planning Director is hereby directed to designate the boundaries of the foregoing area as rezoned, subject to conditions, on the Zoning District Map of Hanover County.

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On motion of Mrs. Kelly-Wiecek, seconded by Mr. Via, the members of the Board of Supervisors voted to approve Ordinance C-7-14(c) - E. Tyree Chappell, Estate, as follows:

	Vote:
Elton J. Wade, Sr.	Aye
Aubrey M. Stanley	No
Wayne T. Hazzard	Aye
G. E. “Ed” Via, III	Aye
Angela Kelly-Wiecek	Aye
W. Canova Peterson	Aye
Sean M. Davis	No

The Chairman announced a brief recess at 9:15 p.m.

The meeting was reconvened at 9:24 p.m.

Ordinance Amendment - ORDINANCE 14-12 - CRAFT BREWERY

An ordinance to amend the Hanover County Code, Zoning Ordinance, as follows: 1. Amend Section 26-2 to add definitions of “craft brewery” and “brewery” and to delete the definition of “microbrewery”; 2. Amend Section 26-107 to update the provisions allowing a restaurant with a craft brewery as a permitted use in the B-1, Neighborhood Business District and, by reference, in the B-2, Community Business District, the B-3, General Business District, the OS, Office/Service District, the M-1, Limited Industrial District, the M-2, Light Industrial District, and the M-3, Heavy Industrial District, to reflect the new definition of “craft brewery”; 3. Amend Section 26-110 to provide that a “craft brewery” is permitted as a conditional use in the B-1 District; 4. Amend Sections 26-117 and 26-172 to provide that a “craft brewery” is a permitted use in the B-2 District and M-2 District, respectively, and, by reference, a conditional use in the OS District and a permitted use in the B-3 District and the M-3 District; 5. Amend Sections 26-130 and 26-181 to update the B-3 and M-3 District regulations to reflect the regulations applicable to craft breweries and breweries described above; and 6. Amend Sections 26-172 to provide that a “brewery” is a permitted use in the M-2 District and, by reference, the M-3 District.

Summary:

- The comprehensive update to the County’s business zoning district regulation included provisions to permit microbreweries with restaurants as a permitted use in the B-1, B-2 and B-3 districts, while also permitting stand-alone microbreweries that produce no more than 10,000 barrels per year as a conditional use in the B-3 district

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- There has been tremendous growth in the popularity of microbreweries within the past several years
 - The ordinances as currently structured do not sufficiently address the operational and locational trends of the craft brewery industry
- To ensure that Hanover County remains a competitive location for the siting of craft breweries, the Board authorized Ord. 14-12 to further refine the County’s craft brewery and brewery land use regulations
- The ordinance provisions specifically include the following:
 - Inclusion of definitions for both ‘brewery’ and “craft brewery”
 - Allowing craft breweries in the B-1 district with a Conditional Use Permit
 - Allowing craft breweries in the B-2 and B-3 districts as a use by right
 - Allowing a brewery in the M-2 district as a use by right

Recommendation:

The Planning Commission and staff recommend approval of the draft Ordinance Amendment 14-12, Craft Brewery

Mr. Maloney presented this proposed Ordinance Amendment to the Board. Following the presentation, Mr. Maloney answered questions from Board members.

The Chairman opened the public hearing and asked that anyone who wished to speak for or against the matter come forward. Seeing none, he closed the public hearing.

Ordinance Amendment - ORDINANCE 14-12 - CRAFT BREWERY

An ordinance to amend the Hanover County Code, Zoning Ordinance, as follows: 1. Amend Section 26-2 to add definitions of “craft brewery” and “brewery” and to delete the definition of “microbrewery”; 2. Amend Section 26-107 to update the provisions allowing a restaurant with a craft brewery as a permitted use in the B-1, Neighborhood Business District and, by reference, in the B-2, Community Business District, the B-3, General Business District, the OS, Office/Service District, the M-1, Limited Industrial District, the M-2, Light Industrial District, and the M-3, Heavy Industrial District, to reflect the new definition of “craft brewery”; 3. Amend Section 26-110 to provide that a “craft brewery” is permitted as a conditional use in the B-1 District; 4. Amend Sections 26-117 and 26-172 to provide that a “craft brewery” is a permitted use in the B-2 District and M-2 District, respectively, and, by reference, a conditional use in the OS District

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and a permitted use in the B-3 District and the M-3 District; 5. Amend Sections 26-130 and 26-181 to update the B-3 and M-3 District regulations to reflect the regulations applicable to craft breweries and breweries described above; and 6. Amend Sections 26-172 to provide that a “brewery” is a permitted use in the M-2 District and, by reference, the M-3 District.

WHEREAS in 2012 the Hanover County Board of Supervisors adopted Ordinance 11-12, which was the result of a comprehensive review of the business district regulations set forth in the Hanover County Zoning Ordinance; and

WHEREAS Ordinance 11-12 contained a definition of “microbrewery” and provided that it was allowed in all business and industrial districts when the microbrewery is part of a restaurant; and

WHEREAS staff with the Hanover County Planning Department and Hanover County Economic Development have reviewed the impacts and benefits to the public of craft breweries and breweries and have recommended that they be permitted in a greater number of zoning districts; and

WHEREAS the Board has determined that the use of “craft breweries” and “breweries” can be allowed in certain zoning districts in a way that allows the public to benefit from these uses while addressing the on-site and off-site impacts of these uses; and

WHEREAS the Board of Supervisors finds that the public necessity, convenience, general welfare and good zoning practice require that the Zoning Ordinance be amended to provide for such regulations;

NOW, THEREFORE, BE IT ORDAINED by the Board of Supervisors of Hanover County:

1. That the Hanover County Code, Zoning Ordinance, Section 26-2, regarding definitions used in the Zoning Ordinance, shall be amended by the addition of definitions of “brewery” and “craft brewery” follows:

Section 26-6. Definitions.

For the purpose of this Ordinance, certain terms and words are hereby defined:

Brewery: A facility that produces and sells more than 15,000 barrels of beer or other malt liquors per year and which requires a license from the Virginia Department of Alcoholic Beverage Control. For the purposes of this definition, a barrel shall mean a container designed to hold thirty-one gallons.

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Craft Brewery: A facility that produces and sells no more than 15,000 barrels of beer or other malt liquors per year and which requires a license from the Virginia Department of Alcoholic Beverage Control. For the purposes of this definition, a barrel shall mean a container designed to hold thirty-one gallons.

2. That the Hanover County Code, Zoning Ordinance, Section 26-107, regarding permitted uses in the B-1 Neighborhood Business District, shall be amended to read in its entirety as follows:

Section 26-107. Permitted uses.

A building or land shall be used only for the following purposes:

1. Animal hospital or clinic for small animals conducted entirely in a soundproof building.
2. Antiques stores.
3. Arts and craft stores.
4. Automobile parts and accessories sales (no repairs).
5. Bakery, retail.
6. Banks and other financial institutions (without drive-through window).
7. Bicycle sales and repair shops.
8. Catering or delicatessen business.
9. Clinics.
10. Clothing stores.
11. Consignment stores (including those with online sales but not including furniture or appliances).
12. Convenience store without fuel sales or drive-through window food sales.
13. Copy and print store.
14. Dry cleaners.
15. Electronics and Appliance Sales or repair.
16. Exam Preparation and Tutoring.
17. Fabric stores.
18. Facilities and structures necessary for rendering utility service, including poles, wires, transformers, utility cabinets and pedestals, and the like for normal electrical power distribution or communication service, pipelines or conduits for electrical, gas, sewer,

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or water service, and pipelines, conduits and transmission lines located within the suburban service area as depicted on the phased suburban development plan in the county comprehensive plan and used to connect to the public water and sewer system owned by the county, but not including buildings, treatment plants, pumping or regular stations, substations, and power transmission lines which are permitted as conditional uses.

19. Fitness center (indoor only).
20. Flower shops and greenhouses incidental thereto.
21. Food and beverage stores.
22. Funeral homes and funeral services, including accessory crematories.
23. Furniture rental.
24. Furniture stores.
25. Gift and novelty stores.
26. Hardware stores.
27. Health equipment rental.
28. Health supplement stores.
29. Hobby, toy and game stores.
30. Home appliance rental.
31. Home furnishing stores.
32. Home hardware rental (small).
33. Hospitals.
34. Ice distribution stations, automatic, or other drive-in automatic vending machine stations. Groups of vending machines shall be contained in a building.
35. Laundromats.
36. Lawn and garden equipment and supply stores.
37. Musical instrument and supplies stores.
38. Nurseries for growing plants, trees, or shrubs.
39. Office supplies and stationery stores.
40. Offices, business, governmental, medical or professional.
41. Packaging and mailing services.

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42. Paint and wallpaper stores.
43. Party equipment rental.
44. Personal service establishment.
45. Pet shop or animal grooming establishment.
46. The permanent placement or removal of clean earth fill, including all related excavation and filling activities, provided:
 - (a) If the placement or removal is done in connection with the development of a property and the clean earth fill is being relocated on the same property, such placement or removal shall be permitted when it is done in furtherance of an approved site plan or construction plan.
 - (b) If the placement or removal is done in connection with the development of another property and the clean earth fill is either being transported to or from the property, such placement or removal shall be permitted when the source and destination of the clean earth fill are properly permitted with the applicable state and local regulatory authorities.
 - (c) If the placement of fill is not being done in furtherance of an approved site plan or construction plan and the average depth of clean earth fill being added is greater than one (1) foot, the property owner shall record a plat, approved by the director of public works, showing the locations where the fill has been placed. This plat shall be recorded in the office of the clerk of the circuit court of the county, within thirty (30) days of the conclusion of the placement or filling activities on the property.
47. Pharmacies and drug stores.
48. Restaurants.
49. Restaurants, carry-out.
50. Restaurants, fast food, but not drive-through.
51. Restaurants with craft brewery.
52. Shoe repair shops.
53. Souvenir stores.
54. Sporting goods stores.

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55. Sports and Recreation Instruction (indoor).
 56. Studios for artists, photographers, sculptors, or musicians, to include instruction.
 57. Tailors.
 58. Telecommunications towers and related facilities, in accordance with the standards of sections 26-282 through 26-292
 - (a) On properties that are located within the "FAA Part 77 Area" as depicted on the public works facilities plan in the county comprehensive plan, that do not exceed fifty (50) feet in height;
 - (b) Otherwise, that do not exceed one hundred (100) feet in height.
 59. Tobacco stores.
3. That the Hanover County Code, Zoning Ordinance, Section 26-110, regarding conditional uses in the B-1 District, shall be amended to read in its entirety as follows:

Section 26-110. Conditional uses.

The following uses may be permitted as conditional uses:

1. Agricultural and forestal support center.
2. Amusement facilities, including arcades, go-cart tracks, rides, and water parks.
3. Animal pound.
4. Batting cages.
5. Billiard parlors or pool hall.
6. Cemetery, including a crematorium, in accordance with the standards of section 26-295
7. Churches and other places of worship, or the expansion by more than fifty (50) percent of original floor area of a church or place of worship.
8. Convenience store with fuel sales, subject to the standards set forth in subsection 26-108.
9. Craft brewery.
10. The following excavation and filling activities, including all related excavation and filling activities:
 - (a) The permanent placement or filling of fill other than clean earth fill, whether the source or destination of the fill is the same property or another property;
 - (b) The temporary storage or stockpiling of fill other clean earth fill; and

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- (c) The sale of clean earth fill or other fill to the public.
- 11. Farmers' market.
- 12. Fueling station, retail; provided
 - (a) The standards set forth in section 26-108 are satisfied;
 - (b) The support structure for any roof canopy for fueling positions shall meet all setback requirements;
 - (c) The roof canopy shall not extend more than ten feet into the required setback; however, the provisions of this subsection shall not permit a roof canopy from extending into a major thoroughfare buffer; and
 - (d) The roof canopy shall not impair sight distance for vehicles travelling on the public road or for vehicle and pedestrians entering or exiting the property.
- 13. Heliport or helistop.
- 14. Hotel or motel, including one (1) dwelling for those employed on the premises.
- 15. Institutions, educational or philanthropic, including museums, art galleries and libraries.
- 16. Livestock auction market.
- 17. Meeting hall.
- 18. Miniature golf courses or driving ranges.
- 19. Paintball, laser tag, and other similar games.
- 20. Parking garage, lot or deck, nonaccessory.
- 21. Private clubs.
- 22. Public or governmental buildings and uses, including schools, fire stations (volunteer or otherwise), parks, parkways, and playgrounds; and public boat landings.
- 23. Public utilities or public service uses, buildings, generating or treatment plants, pumping or regulator stations, substations and transmission lines not otherwise allowed as a permitted use.
- 24. Radio or television broadcasting station.
- 25. Recreation facility, commercially operated, such as fishing or boating lake, camp ground, picnic grounds, or dude ranch, and accessory facilities, including sale of food, beverages, bait, supplies and equipment.

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26. Restaurant, fast food, with drive-through, subject to the standards set forth in subsection 26-108
 27. Sports arena or stadium, commercial athletic field or baseball park.
 28. Swimming or tennis club, commercially operated, in accordance with the standards of section 26-299
 29. Taxidermy shop.
 30. Telecommunications towers and related facilities that exceed one hundred forty (140) feet in height and temporary telecommunications towers and related facilities of any height, in accordance with the standards of sections 26-282 through 26-292
 31. Theater, but not a drive-in theater.
4. That the Hanover County Code, Zoning Ordinance, Section 26-117, regarding permitted uses in the B-2 Community Business District, shall be amended to read in its entirety as follows:

Section 26-117. Permitted uses.

A building or land shall be used only for the following purposes:

1. Any use permitted in the B-1, Neighborhood Business District. For those uses permitted in the B-1 District with special standards, those standards shall also be required in the B-2 District.
2. Appliance repair and maintenance, provided that no outside storage of material is permitted except as provided in this section.
3. Craft brewery.
4. Data processing center, internet service providers (ISPs), search portals, and related services.
5. Flea market, indoor.
6. Home centers.
7. Hotels or motels, including one (1) dwelling for those employed on the premises.
8. Lawn and garden equipment and supply stores, including rental.
9. Lumber and building materials store, retail only.
10. Parking garage, lot or deck, nonaccessory.

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11. Personal and household goods, repair, and maintenance, provided that no outside storage of material is permitted except as provided in this section.
 12. Radio or television broadcasting.
 13. Restaurants, fast food, without drive-through.
 14. Reupholstery and furniture repair, provided that no outside storage of material is permitted except as provided in this section.
 15. Sound recording industries.
 16. Statuary goods stores, including the sale of headstones.
 17. Warehouse, with not more than two thousand five hundred (2,500) square feet of accessory storage per establishment.
 18. Wholesale establishments, with not more than two thousand five hundred (2,500) square feet of accessory storage per establishment.
5. That the Hanover County Code, Zoning Ordinance, Section 26-130, regarding conditional uses in the B-3 General Business District, shall be amended to read in its entirety as follows:

Section 26-130. Conditional uses.

The following uses may be permitted as conditional uses:

1. Any conditional use permitted in the B-1, Neighborhood District and not included in the list of permitted uses for the B-3 district.
2. Adult uses, subject to the specific requirements of section 26-301
3. Automobile and motorcycle body and fender repair.
4. Automobile dealers (used vehicles).
5. Billiard parlor and pool halls.
6. Bowling alleys.
7. Construction equipment sales, rental, or leasing, limited to equipment with an operating weight of 13,000 pounds or less.
8. Dance halls.
9. Fitness center, not otherwise allowed as a permitted use.
10. Recreational vehicle sales (used vehicles), including display, repair, and storage.
11. Roller skating and ice skating rinks.

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12. Self-storage warehouse facility, including one (1) dwelling for those employed on the premises, subject to the specific requirements of section 26-297
 13. Theaters, including drive-in theaters.
 14. Truck dealers (used vehicles), limited to pickup or panel trucks with a gross vehicle weight rating of 19,500 pounds or less.
 15. Truck stop.
 16. Warehouse with up to fifteen thousand (15,000) square feet of floor area.
 17. Wholesale establishment with up to fifteen thousand (15,000) square feet of floor area.
6. That the Hanover County Code, Zoning Ordinance, Section 26-172, regarding permitted uses in the M-2 Light Industrial District, shall be amended to read in its entirety as follows:

Section 26-172. Permitted uses.

A building or land shall be used only for the following purposes:

1. Any use permitted in the B-O, business office district, B-1, neighborhood business district, or the M-1, limited industrial district.
2. The manufacturing, compounding, processing, packaging or treatment of the following:
 - (a) Containers, boxes, baskets or products of similar nature made from metal, fiber or plastic products.
 - (b) Converted paper products.
 - (c) Disinfectants, or related industrial or household chemical compounds (blending only).
 - (d) Fabricated ornamental iron products and other fabricated metal products (not structural), including firearms.
 - (e) Flour and feed (milling, processing, and packaging only).
 - (f) Heating, ventilating, cooking and refrigeration supplies and appliances.
 - (g) Industrial electrical equipment.
 - (h) Ice, including dry ice.
 - (i) Ink (mixing only).
 - (j) Leather and allied products, but not tanning operations.
 - (k) Machinery.

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- (l) Paperboard boxes.
 - (m) Plastics and rubber products.
 - (n) Plating, electrolytic process.
 - (o) Plumbing supplies.
 - (p) Pottery and figurines or similar ceramic products and kilns (fired by electricity or gas only).
 - (q) Signs.
 - (r) Tobacco and tobacco products (including wholesale and distribution).
 - (s) Vegetable oil.
 - (t) Veneer, plywood and engineered wood products.
 - (u) Wood containers and pallets.
3. Agricultural or farm implements, manufacture, sale, storage or repair.
 4. Aluminum extrusion, rolling, fabrication and forming, foundry products (electrical only).
 5. Animal hospital.
 6. Automobile, tractor, truck, bus, motorcycle body and fender repair.
 7. Automobile, tractor, truck, bus, motorcycle radiator repair and cleaning.
 8. Automobile, tractor, truck, bus, motorcycle repair, general.
 9. Automobile, tractor, truck, bus, motorcycle tire retreading, recapping and vulcanizing.
 10. Automobile, tractor, truck, bus, motorcycle transmission repair service.
 11. Blacksmith shop.
 12. Boat and boat trailer sales and storage, both new and used, including display, repair, and storage, and including accessory uses.
 13. Brewery.
 14. Carpet and rug cleaning.
 15. Coal and wood yards, coke storage and sales.
 16. Coating, engraving, and allied activities.
 17. Commercial and industrial machinery and equipment sales, rental and leasing.
 18. Commercial landscaping operation.
 19. Construction equipment sales, rental or leasing.

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20. Contractor's equipment storage yard or plant or rental of equipment commonly used by contractors.
21. Craft brewery.
22. Dry cleaning plants.
23. Exterminating establishment.
24. Fertilizer storage in bags or bulk storage of liquid or dry fertilizer in tanks or in a completely enclosed building, but not manufacture or processing.
25. Furniture refinishing.
26. Grain storage.
27. Greenhouses, commercial, wholesale or retail.
28. Industrial gases (storage, transfer and distribution only; provided that such storage occurs in tanks no larger than five thousand (5,000) gallons and does not exceed twenty thousand (20,000) gallons per lot).
29. Industrial vocational training school, including internal combustion engines.
30. Insecticides and fungicides (blending only).
31. Kennels, boarding or otherwise.
32. Laundry and linen services.
33. Lumber and other building material, storage and sales, open or enclosed, but not manufacture, steel fabricating or junk storage.
34. Lumber yards.
35. Millwork.
36. Poultry packing and slaughtering (wholesale).
37. Product finishing (enameling, lacquering, etc.).
38. Railroad switching yard, primarily for railroad service in the district, team tracks and spur tracks.
39. Recreational vehicle sales and rentals, both new and used, including display, repair, and storage, and including accessory uses.
40. Tire sales and service.
41. Transportation equipment manufacturing, except locomotive and railroad car building and repair.

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42. Truck sales and repairs, including body or fender repairs.
43. Truck terminal.
44. Vehicle storage area (not parking garages), including the storage of empty trailers.
45. Water well drilling services.
46. Welding or soldering shops.

7. That the Hanover County Code, Zoning Ordinance, Section 26-181, regarding permitted uses in the M-3 Heavy Industrial District, shall be amended to read in its entirety as follows:

Section 26-181. Permitted uses.

A building or land shall be used only for the following uses:

1. Any use permitted in the M-2 light industrial district.
2. The manufacturing, compounding, processing, packaging, fabrication or treatment of the following:
 - (a) Abrasive wheels, stones, paper, cloth, and related products.
 - (b) Adhesives, but not glue or size manufacture.
 - (c) Alcohol, industrial.
 - (d) Animal fats and oils (refining and blending).
 - (e) Asphalt or asphalt products, or central asphalt mixing and batching.
 - (f) Bleaching products.
 - (g) Brick, firebrick, and clay products (except coal fired).
 - (h) Candles, including wax or tallow manufacture.
 - (i) Cement, lime, gypsum, or plaster of Paris.
 - (j) Ceramic wall and floor tiles.
 - (k) Cider and vinegar.
 - (l) Cleaning and polishing preparations, dressings and blackings.
 - (m) Concrete products or central mixing and proportioning plant.
 - (n) Cotton ginning.
 - (o) Cotton wadding and linter.
 - (p) Cottonseed oil, refining.
 - (q) Dye and dyestuffs.
 - (r) Film, photographic.

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- (s) Fish curing or smoking, fish oils and meal.
 - (t) Flour plant, pneumatic drop and forging hammering.
 - (u) Galvanizing or plating (hot dip).
 - (v) Glass and glass products.
 - (w) Industrial gases.
 - (x) Inks, from primary raw materials (including colors and pigments).
 - (y) Jute, hemp and sisal products.
 - (z) Leather and hide tanning and finishing.
 - (aa) Linoleum and other hard-surface floor coverings (except wood).
 - (bb) Manufactured homes.
 - (cc) Matches.
 - (dd) Meat or fish product manufacturing, including slaughtering or preparation for packaging.
 - (ee) Monuments and architectural stone.
 - (ff) Plastic material and synthetic resins (processing only).
 - (gg) Pulp, paper and paperboard.
 - (hh) Reconstituted wood products.
 - (ii) Soap products.
 - (jj) Starch.
 - (kk) Stone products.
 - (ll) Structural iron and steel products.
 - (mm) Textile bleaching.
 - (nn) Wall board and plaster, building, insulation, and composition flooring.
 - (oo) Wire rope and cable.
 - (pp) Wood preservation.
 - (qq) Wood trusses.
3. Acetylene, generation and storage.
 4. Distillery (alcoholic and alcoholic spirits (nonindustrial)).
 5. Engine testing (internal combustion engines), but not jet engines or rockets.
 6. Mulch processing facility, subject to the following:

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- a. The minimum lot area shall be five (5) acres;
 - b. No machinery or equipment related to the facility shall be operated between the hours of 7:00 p.m. and 7:00 a.m.;
 - c. No such facility shall be located within 250 feet of an existing off-site residential structure; and
 - d. No support structure shall exceed 5,000 square feet in area.
7. Research and development in the physical, engineering and life sciences (not testing of explosives).
 8. Parking garages, commercial or public.
 9. Private clubs.
 10. Propane Storage and distribution.
 11. Railroad car and locomotive building and repair.
 12. Railroad switching and classification yards, repair and cleaning shops, round houses, powers houses, interlocking towers, and fueling, sanding, and watering stations.
 13. Refractories (other than coal fired).
 14. Sand and gravel storage and distribution, but not crushing or grinding.
 15. Sawmills and planing mills.
8. That the definition of “microbrewery” shall be deleted from the Hanover County Zoning Ordinance, Section 26-2.
 9. This ordinance shall be effective on the date of adoption.

On motion of Mr. Via, seconded by Mr. Hazzard, the members of the Board of Supervisors voted to approve Ordinance Amendment - Ordinance 14-12 – Craft Brewery as follows:

	Vote:
Sean M. Davis	Aye
Wayne T. Hazzard	Aye
Angela Kelly-Wiecek	Aye
W. Canova Peterson	Aye
Aubrey M. Stanley	Aye
G. E. “Ed” Via, III	Aye
Elton J. Wade, Sr.	Aye

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Mr. Davis made a motion that the Board of Supervisors declare December 26, 2014 to be a County Holiday for County employees. The motion was seconded by Mr. Stanley.

	Vote:
Sean M. Davis	Aye
Wayne T. Hazzard	Aye
Angela Kelly-Wiecek	Aye
W. Canova Peterson	Aye
Aubrey M. Stanley	Aye
G. E. "Ed" Via, III	Aye
Elton J. Wade, Sr.	Aye

Motion Approved.

XVII. Announcements

Mr. Davis stated that it has been an honor to serve as Chairman. Mr. Hazzard complemented Mr. Davis on the way he has conducted the Board as Chairman and stated he is proud to have served as Vice-Chairman.

XVIII. Adjournment

At 9:29 p.m. the Chairman adjourned the meeting to January 14, 2015 – Hanover County Administration Building – 2:00 p.m.

HANOVER COUNTY BOARD OF SUPERVISORS
MINUTES

Hanover County Administration Building
Board Room

January 14, 2015

VIRGINIA: At a regular meeting of the Board of Supervisors for Hanover County held in the Board Room of the Hanover County Administration Building on the 14th day of January, 2015, at 2:00 p.m.

Present: Mr. Wayne T. Hazzard, Chairman
Mr. Aubrey M. Stanley, Vice-Chairman
Mr. Sean M. Davis
Mrs. Angela Kelly-Wiecek
Mr. W. Canova Peterson
Mr. G.E. “Ed” Via, III
Mr. Elton J. Wade, Sr.
Mr. Cecil R. Harris, Jr., County Administrator
Mr. Sterling E. Rives, III, County Attorney

I. Call to Order

Mr. Davis called the meeting to order at 2:00 p.m. All Board members were present.

- A. The invocation was given by Mr. Davis.
- B. The Pledge of Allegiance was led by Mr. Hazzard.
- C. Approval of Minutes

Mr. Via made a motion to approve the Board of Supervisors meeting minutes of November 12, November 25 and December 4, 2014, seconded by Mr. Wade.

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	Vote:
Wayne T. Hazzard	Aye
Aubrey M. Stanley	Aye
Sean M. Davis	Aye
Angela Kelly-Wiecek	Aye
W. Canova Peterson	Aye
G. E. “Ed” Via, III	Aye
Elton J. Wade, Sr.	Aye

Motion Approved.

II. Consideration of Agenda Amendments

Board members had a discussion concerning the inclement weather conditions. It was agreed and announced that the public hearings scheduled for this meeting will be moved to February 11, 2015. The meeting will adjourn following Item IX.

Mr. Davis asked if there were any agenda amendments.

Mr. Peterson made a motion to move *Item VIII. Villages of Beaverdam Park Recreation Lot (GPIN 8714-21-6941), request for authorization to take action to obtain title to property in order to abate a public nuisance – Department of Public Utilities* forward in the agenda to follow the Annual Reorganization Session. The motion was seconded by Mr. Hazzard.

	Vote:
Wayne T. Hazzard	Aye
Aubrey M. Stanley	Aye
Sean M. Davis	Aye
Angela Kelly-Wiecek	Aye
W. Canova Peterson	Aye
G. E. “Ed” Via, III	Aye
Elton J. Wade, Sr.	Aye

Motion Approved.

III. Citizens’ Time

Mr. Davis opened citizens’ time and offered to anyone who wanted to address the Board of Supervisors for up to five minutes on any matter within the scope of the Board’s authority that is not on the agenda for that meeting to come forward.

Seeing none, citizens’ time was closed.

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IV. Consent Agenda

Mr. Hazzard described the Resolution – “In God We Trust” and read the resolution aloud. Mrs. Kelly-Wiecek asked that that Item be pulled from the consent agenda and voted on separately.

IV.-B. Adoption of Resolution – “In God We Trust”

Board Sheet Background:

At the request of Mr. Hazzard, the Board of Supervisors is being asked to adopt the attached resolution supporting the display of the national motto, “In God We Trust,” in the Hanover County Administration Building at Hanover, Virginia.

RESOLUTION

WHEREAS, “In God We Trust” became the United States national motto on July 30, 1956, shortly after our nation led the world through the trauma of World War II; and

WHEREAS, the words have been used on U.S. currency since 1864; and

WHEREAS, the same inspiring slogan is engraved above the entrance to the Senate Chamber as well as above the Speaker's dais in the House of Representatives; and

WHEREAS, in both war and peace, these words have been a profound source of strength and guidance to many generations of Americans; and

WHEREAS, Hanover County desires to display this patriotic motto in the Administration Building as a way to solemnize public occasions and express confidence in our society.

NOW, THEREFORE, BE IT RESOLVED that the Hanover County Board of Supervisors does hereby determine that the historic and patriotic words of our national motto, “In God We Trust,” shall be prominently displayed through this resolution in the Hanover County Administration Building at Hanover, Virginia.

On motion of Mr. Hazzard, seconded by Mrs. Kelly-Wiecek, members of the Board of Supervisors voted to adopt this Resolution as follows:

	Vote:
Wayne T. Hazzard	Aye
Aubrey M. Stanley	Aye
Sean M. Davis	Aye
Angela Kelly-Wiecek	Aye
W. Canova Peterson	Aye

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G. E. “Ed” Via, III Aye
 Elton J. Wade, Sr. Aye

Motion Approved.

Mr. Stanley made a motion to approve the consent agenda, seconded by Mr. Hazzard.

Vote:

Wayne T. Hazzard Aye
 Aubrey M. Stanley Aye
 Sean M. Davis Aye
 Angela Kelly-Wiecek Aye
 W. Canova Peterson Aye
 G. E. “Ed” Via, III Aye
 Elton J. Wade, Sr. Aye

Motion Approved.

IV. A. - Committee Appointments

COMMITTEE NAME	DISTRICT	FIRST NAME	LAST NAME	CURRENT TERM BEGAN	TERM LENGTH	CURRENT TERM ENDS	ACTION
Historical Commission	Ashland	Tammy	Billups	03/01/13	2 years	02/28/15	Reappoint to 2/28/17
Cannery Advisory Committee	Beaverdam	Sheree	Bremner	03/01/14	1 year	02/28/15	Reappoint to 2/28/16
Hanover County Council on Aging	Beaverdam	James	Dorschel	03/01/14	1 year	02/28/15	Reappoint to 2/28/16
Roads Committee	Beaverdam	Douglas	Schuhle	03/01/14	1 year	02/28/15	Reappoint to 2/28/16
Cannery Advisory Committee	Chickahominy	Lisa	Colligan	12/12/13	1 year	12/31/14	Reappoint to 12/31/15
Economic Development Authority-Hanover County	Chickahominy	Mark	Creery	N/A	4 years	N/A	Appoint to 12/31/18
Hanover County Council on Aging	Cold Harbor	Melinda	Davis	04/01/13	1 year	03/31/15	Reappoint to 03/31/16
Hanover County Council on Aging	Henry	Martha	Kiger-Nelson	02/26/14	1 year	12/31/14	Reappoint to 12/31/15
Hanover County Council on Aging	Henry	Rita	Cowans	01/01/14	1 year	12/31/14	Reappoint to 12/31/15
Hanover County Council on Aging	South Anna	Deborah	Nuttycombe	04/01/13	1 year	03/31/15	Reappoint to 03/31/16
Board of Equalization	N/A	Fred	Small	03/01/12	3 Years	02/28/15	Reappoint to 2/28/18
Community Criminal Justice Board	HC-Local Education Rep.	Sherol	Southerland	01/15/15	4 years	04/08/18	Appoint to 04/08/18
Historical Commission	HCAAC Rep.	James	Kastelberg	02/13/13	2 years	02/28/15	Reappoint to 2/28/17

IV. C. Request for Authorization to Advertise: Ordinance Amendment 14-09, Amendment to the Provisions of the Hanover County Subdivision Ordinance Related to Preliminary Subdivision Plats

Board Sheet Background:

During the 2014 Session, the General Assembly passed House Bill 209. This bill, which amended Section 15.2-2260 of the Code of Virginia, provides that localities can continue to require preliminary subdivision plats for subdivisions with 50 or fewer lots only if the Subdivision Ordinance contains a provision for the submittal of such a plat at the landowner's option.

Proposed Ordinance 14-09 would amend Section 25-23 of the Hanover County Subdivision Ordinance to (1) require the submission of preliminary subdivision plats for subdivisions containing more than 50 lots; and (2) allow property owners the option of submitting a preliminary subdivision plat when the subdivision contains 50 or fewer lots. The ordinance amendment would also amend Section 25-28 of the Subdivision Ordinance, which provides for the submission of final subdivision plats, so that section is consistent with the changes to the preliminary plat requirements.

The Planning Department has applied the new State Code provisions since July 1st; Ordinance 14-09 would conform the provisions of the Subdivision Ordinance to the new provisions of State Code and current practice.

Recommended Action:

Motion to advertise for Public Hearing – Ordinance Amendment 14-09, Amendment to the Provisions of the Hanover County Subdivision Ordinance Related to Preliminary Subdivision Plats.

IV.-D. Request for Authorization to Advertise: Ordinance Amendment 15-01, M-1 Setbacks

Board Sheet Background:

Staff received authorization to review residential and industrial setback requirements from the Board of Supervisors in June of last year. Staff presented proposed Ordinance modifications to the Community Development Committee in September. Ordinance 15-01 only addresses the M-1 setback regulations. This Ordinance modifies the M-1 District by conforming them to the M-2 and M-3 District regulations. The Community Development Committee recommended that the process to review the setback provisions of the Zoning Ordinance be conducted in two phases. Phase I includes revisions to the M-1 setback requirements (Ordinance 15-01), while Phase II will involve the

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residential provisions. Staff continues to develop revisions to the residential setback definitions and requirements. Those recommendations will be brought back to the Community Development Committee prior to seeking authorization to advertise.

Recommended Action:

Motion to advertise for Public Hearing – Ordinance Amendment 15-01, M-1 Setbacks.

V. Annual Reorganization Session

V.-A. Election of Chairman

Mr. Davis opened the nominations for Chairman.

Mr. Peterson nominated Mr. Hazzard to serve as Chairman.

Mr. Davis asked if there were any other nominations. Hearing none, he closed the nominations and called for the vote on Mr. Hazzard for Chairman.

	Vote:
Wayne T. Hazzard	Aye
Aubrey M. Stanley	Aye
Sean M. Davis	Aye
Angela Kelly-Wiecek	Aye
W. Canova Peterson	Aye
G. E. "Ed" Via, III	Aye
Elton J. Wade, Sr.	Aye

Nomination Approved.

V.-B. Election of Vice Chairman

Mr. Davis opened the nominations for Vice-Chairman.

Mr. Via nominated Mr. Stanley to serve as Vice-Chairman.

Mr. Davis asked if there were any other nominations. Hearing none, he closed the nominations and called for the vote on Mr. Stanley for Vice-Chairman.

	Vote:
Wayne T. Hazzard	Aye
Aubrey M. Stanley	Aye
Sean M. Davis	Aye
Angela Kelly-Wiecek	Aye
W. Canova Peterson	Aye
G. E. "Ed" Via, III	Aye
Elton J. Wade, Sr.	Aye

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Nomination Approved.

Mr. Davis addressed the Board as the Outgoing Chairman. Mr. Davis congratulated Mr. Hazzard. He described what an honor it has been to serve as Chairman. He thanked the Sheriff, Department Heads and his fellow Board members.

V.-C. Remarks from Incoming Chairman

Mr. Hazzard thanked the Board for their confidence in him. He thanked Mr. Davis for his dedicated and professional leadership last year and expressed particular pride in the Board being able to hire more sheriff’s deputies, firefighter/medics and teachers in 2014, demonstrating the Board’s continuing prioritization of public safety and education.

Mr. Hazzard then presented Mr. Davis with a gavel in appreciation of his service as Chairman.

Mr. Davis made a motion that the Board of Supervisors receive no pay increase for 2015. The motion was seconded by Mr. Wade.

	Vote:
Wayne T. Hazzard	Aye
Aubrey M. Stanley	Aye
Sean M. Davis	Aye
Angela Kelly-Wiecek	Aye
W. Canova Peterson	Aye
G. E. “Ed” Via, III	Aye
Elton J. Wade, Sr.	Aye

Motion Approved.

V.-D. Adoption of Proposed Board of Supervisors’ Meeting Schedule – January – December, 2015

Mr. Hazzard announced that there was a change in the start date of the February 25th meeting from 6:00 to 2:00 p.m. A notice was placed at each Board member’s place with this change.

Mrs. Kelly-Wiecek noted that both of the November meetings on the proposed 2015 schedule are on Tuesdays. This is a change from most years due to Veterans Day.

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Board of Supervisors’ Meeting Schedule

Date	Day	Time	Type of Meeting
January 14, 2015	Wednesday	2:00 p.m.	Regular Board Meeting
January 28, 2015	Wednesday	6:00 p.m.	Regular Board Meeting
February 11, 2015	Wednesday	2:00 p.m.	Regular Board Meeting
February 25, 2015	Wednesday	2:00 p.m.	Regular Board Meeting
March 4, 2015	Wednesday	2:00 p.m.	Budget Work Session
March 11, 2015	Wednesday	2:00 p.m.	Regular Board Meeting
March 25, 2015	Wednesday	6:00 p.m.	Regular Board Meeting
April 8, 2015	Wednesday	2:00 p.m.	Regular Board Meeting
April 15, 2015	Wednesday	7:00 p.m.	Budget Public Hearing
April 22, 2015	Wednesday	6:00 p.m.	Regular Board Meeting
May 13, 2015	Wednesday	2:00 p.m.	Regular Board Meeting
May 27, 2015	Wednesday	6:00 p.m.	Regular Board Meeting
June 10, 2015	Wednesday	2:00 p.m.	Regular Board Meeting
June 24, 2015	Wednesday	6:00 p.m.	Regular Board Meeting
July 22, 2015	Wednesday	2:00 p.m.	Regular Board Meeting
August 26, 2015	Wednesday	2:00 p.m.	Regular Board Meeting
September 9, 2015	Wednesday	2:00 p.m.	Regular Board Meeting
September 23, 2015	Wednesday	6:00 p.m.	Regular Board Meeting
October 14, 2015	Wednesday	2:00 p.m.	Regular Board Meeting
October 28, 2015	Wednesday	6:00 p.m.	Regular Board Meeting
November 10, 2015	Tuesday	2:00 p.m.	Regular Board Meeting
November 24, 2015	Tuesday	6:00 p.m.	Regular Board Meeting
November **, 2015 (date to be determined)	TBD	8:00 a.m.	Special Board of Supervisors Meeting. <i>The primary purposed of the meeting will be to discuss the Hanover County Legislative Agenda for the 2016 Session of the Virginia General Assembly with members of the delegation representing Hanover County.</i>
December 9, 2015	Wednesday	2:00 p.m.	Regular Board Meeting

Mr. Peterson made a motion to approve the Proposed Board of Supervisors’ Meeting Schedule – January – December, 2015. The motion was seconded by Mrs. Kelly-Wiecek.

	Vote:
Wayne T. Hazzard	Aye
Aubrey M. Stanley	Aye
Sean M. Davis	Aye
Angela Kelly-Wiecek	Aye
W. Canova Peterson	Aye
G. E. “Ed” Via, III	Aye
Elton J. Wade, Sr.	Aye

Motion Approved.

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V.-E. Appointments of Board Members to Committees

COMMITTEE NAME	DISTRICT	FIRST NAME	LAST NAME	TERM BEGINS	TERM LENGTH	TERM ENDS	2015 RECOMMENDATION
Agricultural & Forestal Districts Advisory Committee	Board	Aubrey	Stanley	01/25/12	6 years	12/31/18	Continue term
Bench Marking Task Force	Board	Angela	Kelly-Wiecek	12/11/13	1 year	12/31/14	Reappoint to 12/31/15
Bench Marking Task Force	Board	Aubrey	Stanley	12/11/13	1 year	12/31/14	Reappoint to 12/31/15
Bench Marking Task Force	Board	G.E. "Ed"	Via	12/11/13	1 year	12/31/14	Reappoint to 12/31/15
Cannery Advisory Committee	Board	Aubrey	Stanley	01/08/14	1 year	12/31/14	Reappoint to 12/31/15
Capital Area WIA Policy Board	Board	Angela	Kelly-Wiecek	01/08/14	1 year	12/31/14	Reappoint to 12/31/15
Capital Region Airport Commission	Board	Aubrey	Stanley	01/25/12	4 years	12/31/15	Continue term
Capital Region Airport Commission	Board	G. E. "Ed"	Via	01/25/12	4 years	12/31/15	Continue term
Capital Region Collaborative	Board	Angela	Kelly-Wiecek	01/08/14	2 years	12/31/15	Continue term
Capital Regional Taxicab Advisory Board	Board Alternate	G. E. "Ed"	Via	01/08/14	2 years	12/31/15	Continue term
Capital Regional Taxicab Advisory Board	Board	Aubrey	Stanley	01/08/14	2 years	12/31/15	Continue term
Central Virginia Waste Management Authority-Board	Board	Wayne	Hazzard	01/25/12	4 years	12/31/15	Continue term
Community Development Committee	Board	Wayne	Hazzard	01/08/14	1 year	12/31/14	Reappoint to 12/31/15
Community Development Committee	Board	Canova	Peterson	01/08/14	1 year	12/31/14	Reappoint to 12/31/15
Community Development Committee	Board Committee Chair	Sean	Davis	01/08/14	1 year	12/31/14	Reappoint to 12/31/15
Community Services Board	Board	Sean	Davis	01/01/12	3 years	12/31/14	Reappoint to 12/31/17
Facility Space Needs Committee	Board	Wayne	Hazzard	01/08/14	1 year	12/31/14	Reappoint to 12/31/15
Facility Space Needs Committee	Board	Canova	Peterson	01/08/14	1 year	12/31/14	Reappoint to 12/31/15
Facility Space Needs Committee	Board Committee Chair	Aubrey	Stanley	01/08/14	1 year	12/31/14	Reappoint to 12/31/15
Finance Committee	Board	Angela	Kelly-Wiecek	01/08/14	1 year	12/31/14	Reappoint to 12/31/15
Finance Committee	Board	Canova	Peterson	01/08/14	1 year	12/31/14	Reappoint to 12/31/15

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COMMITTEE NAME	DISTRICT	FIRST NAME	LAST NAME	TERM BEGINS	TERM LENGTH	TERM ENDS	2015 RECOMMENDATION
Finance Committee	Board Alternate	Sean	Davis	01/08/14	1 year	12/31/14	Appoint Aubrey Stanley to 12/31/15
Finance Committee	Board Committee Chair	Wayne	Hazzard	01/08/14	1 year	12/31/14	Reappoint to 12/31/15
Greater Richmond Partnership, Inc.	Board	Angela	Kelly-Wiecek	01/08/14	1 year	12/31/14	Reappoint to 12/31/15
Hanover Airport Advisory Committee	Board	G. E. "Ed"	Via	01/08/14	1 year	12/31/14	Reappoint to 12/31/15
Hanover/ Ashland Liaison Committee	Board	Wayne	Hazzard	01/08/14	1 year	12/31/14	Reappoint to 12/31/15
Hanover/ Ashland Liaison Committee	Board	G. E. "Ed"	Via	01/08/14	1 year	12/31/14	Reappoint to 12/31/15
Historical Commission	Board	Sean	Davis	01/08/14	2 years	12/31/15	Continue term
James River Advisory Council	Board	Sean	Davis	01/25/12	4 years	12/31/15	Continue term
Joint Education Committee	Board	Wayne	Hazzard	01/08/14	1 year	12/31/14	Reappoint to 12/31/15
Joint Education Committee	Board	Canova	Peterson	01/08/14	1 year	12/31/14	Reappoint to 12/31/15
Joint Education Committee	Board	Angela	Kelly-Wiecek	04/09/14	1 year	12/31/14	Reappoint to 12/31/15
Joint Education Committee	Board Alternate	Ed	Via	01/08/14	1 year	12/31/14	Reappoint to 12/31/15
Legislative Committee	Board	Wayne	Hazzard	01/08/14	1 year	12/31/14	Reappoint to 12/31/15
Legislative Committee	Board	G. E. "Ed"	Via	01/08/14	1 year	12/31/14	Reappoint to 12/31/15
Legislative Committee	Board - Committee Chair	Angela	Kelly-Wiecek	01/08/14	1 year	12/31/14	Reappoint to 12/31/15
Legislative Committee	Board Alternate	Sean	Davis	01/08/14	1 year	12/31/14	Reappoint to 12/31/15
Maymont Board of Directors	N/A	Angela	Kelly-Wiecek	06/25/14	3 years	12/31/14	Reappoint to 12/31/17
Metropolitan Richmond Air Quality Committee	Board Elec Off	Elton	Wade	01/08/14	1 year	12/31/14	Reappoint to 12/31/15
Parks and Recreation Advisory Commission	Board	Sean	Davis	01/25/12	4 years	12/31/15	Continue term
Parks and Recreation Advisory Commission	Board	G.E. "Ed"	Via	01/08/14	4 years	12/31/15	Continue term
Richmond Regional Planning District Commission	Board Alternate	Sean	Davis	01/25/12	4 years	12/31/15	Continue term

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COMMITTEE NAME	DISTRICT	FIRST NAME	LAST NAME	TERM BEGINS	TERM LENGTH	TERM ENDS	2015 RECOMMENDATION
Richmond Regional Planning District Commission	Board	Canova	Peterson	01/25/12	4 Years	12/31/15	Continue term
Richmond Regional Planning District Commission	Board (Executive Committee Rep)	Angela	Kelly-Wiecek	01/25/12	4 Years	12/31/15	Continue term
Richmond Regional Tourism Board of Directors	Board	G. E. "Ed"	Via	01/08/14	2 years	12/31/15	Continue term
Richmond Regional Transportation Planning Organization (MPO/TPO)	Board	Sean	Davis	01/08/14	2 years	12/31/15	Continue term
Richmond Regional Transportation Planning Organization (MPO/TPO)	Board	Canova	Peterson	01/08/14	2 years	12/31/15	Continue term
Richmond Regional Transportation Planning Organization (MPO/TPO)	Board-Alternate	Angela	Kelly-Wiecek	01/08/14	2 years	12/31/15	Continue term
Richmond Regional Transportation Planning Organization (MPO/TPO)	Alternate	Wayne	Hazzard	09/01/14	2 years	12/31/15	Continue term
Richmond Regional Transportation Planning Organization - Executive Committee	Board	W. Canova	Peterson	09/01/14	2 years	12/31/15	Continue term
Richmond Regional Transportation Planning Organization - Executive Committee	Alternate	Sean	Davis	09/01/14	2 years	12/31/15	Continue term
Roads Committee	Board	Wayne	Hazzard	01/25/12	4 years	12/31/15	Continue term
Roads Committee	Board	Canova	Peterson	01/25/12	4 years	12/31/15	Continue term
Rules Committee	Board	Sean	Davis	01/08/14	1 year	12/31/14	Reappoint to 12/31/15
Rules Committee	Board	Canova	Peterson	01/08/14	1 year	12/31/14	Reappoint to 12/31/15
Rules Committee	Board Committee Chair	G. E. "Ed"	Via	01/08/14	1 year	12/31/14	Reappoint to 12/31/15
Safety and Security Committee	Board	Sean	Davis	01/08/14	1 year	12/31/14	Reappoint to 12/31/15
Safety and Security Committee	Board	Angela	Kelly-Wiecek	01/08/14	1 year	12/31/14	Reappoint to 12/31/15
Safety and Security Committee	Board Alternate	Elton	Wade	01/08/14	1 year	12/31/14	Reappoint to 12/31/15

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COMMITTEE NAME	DISTRICT	FIRST NAME	LAST NAME	TERM BEGINS	TERM LENGTH	TERM ENDS	2015 RECOMMENDATION
Safety and Security Committee	Board Committee Chair	Aubrey	Stanley	01/08/14	1 year	12/31/14	Reappoint to 12/31/15
Social Services Advisory Board	Board	G. E. "Ed"	Via	01/25/12	4 years	12/31/15	Continue term

Mr. Via made a motion to approve the appointment of Board members to committees as presented, seconded by Mr. Davis.

	Vote:
Wayne T. Hazzard	Aye
Aubrey M. Stanley	Aye
Sean M. Davis	Aye
Angela Kelly-Wiecek	Aye
W. Canova Peterson	Aye
G. E. "Ed" Via, III	Aye
Elton J. Wade, Sr.	Aye

Motion Approved.

V.-F. Consideration and Re-adoption of Board of Supervisors’ Standing Rules and Procedures

Mr. Via made a motion to approve re-adoption of the Board of Supervisors’ Standing Rules and Procedures, seconded by Mr. Davis.

	Vote:
Wayne T. Hazzard	Aye
Aubrey M. Stanley	Aye
Sean M. Davis	Aye
Angela Kelly-Wiecek	Aye
W. Canova Peterson	Aye
G. E. "Ed" Via, III	Aye
Elton J. Wade, Sr.	Aye

Motion Approved.

It was noted that the Rules Committee will meet later in January. If any changes to the Board of Supervisors’ Standing Rules and Procedures are recommended they will be brought before the Board for consideration.

A copy of the re-adopted Board of Supervisors’ Standing Rules and Procedures can be found in the Board’s papers.

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VIII. Villages of Beaverdam Park Recreation Lot (GPIN 8714-21-6941), request for authorization to take action to obtain title to property in order to abate a public nuisance – Department of Public Utilities (Mechanicsville Magisterial District) (moved up in the agenda)

Mr. Steve Herzog, Director of Public Utilities, came forward to make this request to the Board.

He described the history of the matter as follows:

- For at least 13 years the County has cut grass on the recreation lot in response to neighbor complaints in conjunction with its maintenance activities on the adjoining well lot
- The County's Property maintenance ordinance applies to the recreation lot.
- Until two years ago, Parks and Recreation cut the grass
- The past two years a contractor was paid to cut the grass
- Cost was \$720 in 2014
- The well lot was never utilized
- In September 1998 the BOS vacated the Well Lot designation
- In 2002 and 2007 the County sent letters to each property owner in the subdivision concerning the recreation lot and reorganizing the HOA
- No interest in reorganizing the HOA was expressed
- September 2014 the County wrote each property owner again:
 - Requested that they reorganize the HOA for the purpose of maintaining the recreation lot
 - Offered to recommend the donation of the adjoining well lot to the HOA
 - Stated that the County has been maintaining their recreation lot for many years and this could not continue
 - Stated that if they did not organize to maintain the recreation lot, the County planned to take action to obtain title to the recreation lot
 - Stated that the recreation lot is a buildable lot and as such, normally would be disposed of as surplus property
- Two of the 48 property owners contacted the County:
 - One requested additional information
 - One stated did not want responsibility and requested the County take the recreation lot

Future plans are as follows:

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- Place a lien on the property for grass cutting activities and take action with the Court to obtain title to the recreation lot (Notice to residents required)
- Zoning Action (Public Hearing required)
 - Have the recreation lot designation removed
 - Consolidate recreation lot and well lot into single lot
- Dispose of the combined lot as surplus property at auction (Public Hearing required)
- Stop process at any time property owners take maintenance responsibility for the recreation lot

Mr. Peterson made a motion to authorize the County Administrator to take all actions necessary obtain title to the Villages of Beaverdam Park Recreational Area Lot, GPIN 8714-21-6941, in order to abate a public nuisance, seconded by Mr. Via.

	Vote:
Wayne T. Hazzard	Aye
Aubrey M. Stanley	Aye
Sean M. Davis	Aye
Angela Kelly-Wiecek	Aye
W. Canova Peterson	Aye
G. E. "Ed" Via, III	Aye
Elton J. Wade, Sr.	Aye

Motion Approved.

Mr. Peterson left the meeting at 2:31 p.m.

VI. Update - Capital Region Workforce Partnership

Mr. Brian Davis, Executive Director, came forward and gave this presentation to the Board.

Quick Recap:

- Creation of local governments
 - Joint powers agreement among Charles City, Chesterfield, Goochland, Hanover, Henrico, New Kent, Powhatan and Richmond
- Federally funded through Congressional Appropriation to the US Department of Labor (Supplemented by annual local fund contributions).
 - Current year local allocation (July 1, 2014 – June 30, 2015) is \$4,745,282
 - Adult Program - \$1,553,703
 - Dislocated Worker Program - \$1,473,307

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- Youth Program - \$1,718,273
- Joint leadership through consortium of elected officials from member jurisdictions, along with business-led Resource Workforce Investment Board
- Purpose is to make employment and training services available to jobseekers while also assisting employers with hiring and training needs.
- Three Workforce Center Service Locations:
 - 121 Cedar Fork Road (Eastern Henrico)
 - 203 East Cary Street (Richmond)
 - 7333 White pine Road (Chesterfield)

Types of Services:

<u>ADULTS/DISLOCATED WORKERS</u>	<u>YOUTH</u>
<ul style="list-style-type: none"> • Job search/ resume help • Individual or group counseling • Job readiness/basic skills • Assessments • Paid work experience • Tuition or other training costs • Training-related costs • Supportive services 	<ul style="list-style-type: none"> • Tutoring • Alternative secondary school services. • Summer employment opportunities • Paid and unpaid work experiences • Occupational skills training • Leadership development opportunities • Adult mentoring • Comprehensive guidance and counseling • Supportive services • Follow-up services

Summary of highlights – 2014:

- New staff director replaces 26-year incumbent
- Board policies reviewed and revamped
- More federal dollars budgeted for training and work experience activities
- Incumbent worker training fund established to directly assist employers
- Special project fund established to allow for employment and training activities in each jurisdiction
- Consortium agrees to new local funding methodology and new way to budget local fund usage

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- VCU engaged to conduct customer satisfaction survey
- Virginia Tech engaged to conduct labor market study

Mr. Davis reported that the total number served in PY13 was 2,400. 53 of those were Hanover residents. He provided demographic and outcome details for the adult and youth services provided.

The year ahead:

- State requirement to spend 40% of federal funds on training
- State emphasis on more credentials and certificates earned by customers
- Procurement of service providers
- Implementation of new federal legislation by July 1, 2015 (Workforce Innovation and Opportunity Act)

Differences from current law (WIA):

- Streamlined Board composition
 - Will be possible to reduce current 42-member board to 19 Federally funded through Congressional Appropriation to the US Department of Labor
- No more “tiered” service requirements
 - Customer may access training on day one
- The board may fully combine adult and dislocated worker funding.
- Virginia Employment Commission required to be present in workforce centers
- Incumbent Worker Training becomes a “by right” function with up to 20% of funds.
- Transitional jobs are permitted for up to 10% of funds; in public, private or non-profit sectors, for chronically unemployed or inconsistent work history to establish a work history.
- OJT match can be raised from current 50% up to 75% under certain conditions

Following the presentation, it was noted that there was a recent information session for potential bidders (public procurement process). It was also noted that new federal legislation is streamlined and has an emphasis on innovation.

Mr. Davis was asked to explain some of the findings of the recent Joint Legislative Audit and Review Commission (JLARC) study with respect to the Richmond level of participation/success. Mr. Davis explained that in the workforce development system, there is federal funding coming to 24 separate state agencies under four different cabinet members. There is very little coordination of those

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funding resources. Most of the challenges relate to that fact that there's really no central authority for the funds. Different state agencies set their own rules. There is a need for some coordinated mandate for those funding streams to be blended better. The federal government has not taken steps to do this. Local areas are now left to go to different state agencies for different pieces of the available resources/services.

VII.-A. Highway Matters

Mr. Bruce McNabb, Virginia Department of Transportation (VDOT) Ashland Residency, came forward to address the Board concerning highway related matters. He described the current status of the roads with regard to the inclement weather. He briefed the Board on the work done over the previous quarter, including preparation for inclement weather. He described work done on pot hole, sign and tree complaints. He noted that upcoming pipe projects will cause some temporary road closures. Mr. McNabb then briefed the Board on current and upcoming construction projects and described the status of traffic studies and special requests.

Following his presentation, there was a discussion concerning bridge projects and speed limit reduction requests.

VII.-B. Road Project Status Report

Mr. Joe Vidunas, County Traffic Engineer, came forward to present the updated Road Project Status Report for the past quarter. He described the status of the following projects:

- 1 – U.S. Rt. 360 (Bridge Replacement) - Construction Phase – Apr. 2015 Contract Completion Date**
- 2 – Sliding Hill Rd / Air Park Rd Turn Lanes - Construction Phase – May 2015 Fixed Completion Date.** There was a discussion concerning the current status of the project with respect to weather and a fiber optic cable issue.
- 3 – Pole Green Rd / Rural Point Rd (Turn Lanes) - COMPLETE**
- 4 – Cedar Ln (Trench Widen & Overlay) - COMPLETE**
- 5 – Ashland Rd (Trench Widen & Overlay) - COMPLETE**
- 6 – Taylorsville Rd (Replace Bridge & Approaches) - Construction Phase – Jul. 30, 2015 Fixed Completion Date**

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7 – U.S. Rt. 360 & Elm Dr. (Traffic Signal Upgrade) - Construction Phase – May 22, 2015 Fixed Completion Date

8, 9, 21, 27 – U.S. Rt. 360 Corridor (Widening) –

- PHASE 1 – Advertisement Phase – Bids Due Feb. 25
- PHASE 2 – Design Phase – Jan. 2017 Ad Date
- PHASE 3 – On-Hold

10 – I-95 / Lewistown Rd. (Bridge & Approaches) - Advertisement Phase – Bids Due Feb. 25. There was a discussion on the timeframe and temporary measures that have been taken.

11 – Pole Green Rd / Walnut Grove Rd (Turn Lanes) - Utility Relocation Phase – Jul. 2015 Ad Date

12 – Atlee Rd. / U.S. Rt. 301 (Widening) - Utility Relocation Phase – Jul. 2015 Ad Date

13 – E. Patrick Henry Rd. / Woodside Ln (Turn Lanes) - Design Phase – Oct. 2015 Ad Date

14 – Greenwood Rd. (Bridge & Approaches) - Design Phase – Nov. 2015 Ad Date

15 – Studley Rd. / Rural Point Rd (Roundabout) - Design Phase – Jul. 16 Ad Date. There was a discussion concerning the community meeting that was held, citizens' opinion of the project and the number of future roundabouts that will be coming in Hanover County.

16 – U.S. Rt. 33 / Ashland Rd (Turn Lanes) - Right-of-Way Phase – Aug. 2016 Ad Date. There was a discussion about what may be done to Chewning Road.

17 – Creighton Rd / Cold Harbor Rd (Widening & Turn Lanes) - Right-of-Way Phase – Dec. 2016 Ad date

18 – Cedar Ln / U.S. Rt. 1 (Realignment) - Design Phase – Dec. 2016 Ad Date

19 – Atlee Rd. (Extension) - Right-of-Way Phase – Dec. 2016 Ad Date

20 – Cool Spring Rd (Safety Improvements) - Design Phase – Jan. 2017 Ad Date

23 – Sliding Hill Rd (Widening) - Design Phase – (PE Only)

24 – Rt. 54 / I-95 Interchange - Pre-Design Phase – (PE Only)

28 – Ashcake Rd (Trench Widen & Overlay) - Scoping Phase – Ad Date TBD

IX. Legislative Agenda Update

Mr. Sterling Rives, County Attorney, came forward to present the Hanover County Legislative Agenda update. He noted that this is the first legislative update of the 2015 General Assembly Session.

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He updated the Board on Hanover’s request for a State Budget Amendment to add reimbursement for one-half of the cost of proposed construction of additional bed space at Pamunkey Regional Jail.

Mr. Rives gave a description of four bills regarding the land application of industrial sludge that appear to be responsive to the Board’s Legislative request:

- HB 1363 Industrial Waste; land application unlawful in certain counties.
- HB 1364 Industrial wastes; fees for testing and monitoring of land application.
- HB 1381 Fees for testing and monitoring of land application of industrial wastes.
- HJ 516 Study; long-term impact of biosolids and industrial waste; report.

Mr. Stanley made a motion that the Board add support for HB 1363, HB 1364, HB 1381 and HJ 516 to the Hanover County 2015 Legislative Agenda, seconded by Mrs. Kelly-Wiecek.

	Vote:
Wayne T. Hazzard	Aye
Aubrey M. Stanley	Aye
Sean M. Davis	Aye
Angela Kelly-Wiecek	Aye
W. Canova Peterson	Aye
G. E. “Ed” Via, III	Aye
Elton J. Wade, Sr.	Aye

Motion Approved.

Mr. Rives then updated the Board on HB 1889 – Airport charges on ground transportation providers. He noted the Capital Region Airport Commission has adopted a resolution opposing any legislation limiting the amount or type of fees set by the Commission or by other public use airports. They have requested that localities adopt the resolution as well. There was a discussion on the Airport Commission.

Mr. Stanley made a motion to adopt the resolution opposing any legislation limiting the amount or type of fees set by the Commission or by other public use airports, seconded by Mr. Via.

	Vote:
Wayne T. Hazzard	Aye
Aubrey M. Stanley	Aye
Sean M. Davis	Aye
Angela Kelly-Wiecek	Aye
W. Canova Peterson	Aye
G. E. “Ed” Via, III	Aye
Elton J. Wade, Sr.	Aye

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Motion Approved.

Mr. Rives updated the Board on the following bills: HB 1280, HB 1300, HB 1301, HB 1328, HB 1426, HJR 1437, HB 1441, HB 1084, HB 1468, HB 1484, HB 1511, HB 1514, HB 1518, HB 1521, HB 1531, HB 1550, HB 1585, HB 1644, HB 1673, HB 1690, HB 1721, HJ 505, HJ 581, SB 784, SB 796, SB 841, SB 887 and SB 969.

Mr. Rives answered Board member questions about the specifics and/or potential impacts of several of the bills.

The remaining items on the agenda were not heard as the Board had previously voted to cancel the evening session of the meeting due to the inclement weather.

XIV. Announcements

There were no announcements.

XV. Adjournment

At 4:21 p.m. the Chairman adjourned the meeting to January 28, 2015 – Hanover County Administration Building – 6:00 p.m.

**HANOVER COUNTY BOARD OF SUPERVISORS
DRAFT SUMMARY MINUTES**

**Hanover County Administration Building
Board Room**

January 28, 2015

VIRGINIA: At a regular meeting of the Board of Supervisors for Hanover County held in the Board Room of the Hanover County Administration Building on the 28th day of January, 2015, at 6:00 p.m.

Present: Mr. Wayne T. Hazzard, Chairman
Mr. Aubrey M. Stanley, Vice-Chairman
Mrs. Angela Kelly-Wiecek
Mr. W. Canova Peterson
Mr. G.E. “Ed” Via, III
Mr. Elton J. Wade, Sr.
Mr. Cecil R. Harris, Jr., County Administrator
Mr. Sterling E. Rives, III, County Attorney

Absent: Mr. Sean M. Davis

I. Call to Order

Mr. Hazzard called the meeting to order at 6:00 p.m. All Board members were present except for Mr. Sean Davis.

The Board noted the passing of Frank Leslie, Hanover County employee for over 40 years. Mr. Leslie’s service and his many contributions to the County were recognized.

- A. The invocation was given by Mr. Via.
- B. The Pledge of Allegiance was led by Mr. Peterson.

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II. Consideration of Agenda Amendments

The Chairman asked if there were any agenda amendments. Hearing none, moved to citizens' time.

III. Citizens' Time

The Chairman opened citizens' time and offered to anyone who wanted to address the Board of Supervisors for up to five minutes on any matter within the scope of the Board's authority that is not on the agenda for that meeting to come forward.

Mr. Jonathan Johnson, Cold Harbor Magisterial District, came forward and spoke in favor of allowing chickens in residential areas, citing the number of citizens with an interest in this and the benefits it will provide.

Ms. Linda Adams, Beaverdam Magisterial District, came forward and spoke on behalf of Hanover County bus drivers. She detailed concerns relating to compensation during and outside regular hours, for field trips and for training. She also expressed concerns with lack of detail on pay stubs and health care costs.

Mr. Oscar Walker, Ashland Magisterial District, came forward and spoke in favor of the Board offering live streaming of Board of Supervisors meetings. Mr. Walker also stated there has been a decline in the quality of public education that needs to be addressed.

Mr. Glenn Millican, Mechanicsville Magisterial District, came forward and expressed concerns that the Hanover County Public Schools' (HCPS) adopted Initiatives do not contain increases in funding to the HCPS for the reduction of pupil - teacher ratios. He also noted that the Board of Supervisors' adopted 2015 Legislative Agenda and its adopted Initiatives do not include a request for the General Assembly to increase the level of basic aid or other funding to reduce that ratio.

Mr. Sterling Rives, County Attorney, confirmed that there is not such a statement in the Legislative Agenda and explained that Board members had substantial discussions on this matter with members of Hanover's legislative delegation during a meeting held in December, 2014.

Board members noted there is a Joint Education Committee where this matter has been discussed.

Seeing no others come forward, citizens' time was closed.

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IV. Consent Agenda

Mr. Via made a motion to approve the consent agenda, seconded by Mr. Stanley.

	Vote:
Wayne T. Hazzard	Aye
Aubrey M. Stanley	Aye
Sean M. Davis	Absent
Angela Kelly-Wiecek	Aye
W. Canova Peterson	Aye
G. E. “Ed” Via, III	Aye
Elton J. Wade, Sr.	Aye

Motion approved.

IV. A. - Request for Adoption of Resolution – Acceptance of Streets into the Secondary System of Highways – Rutland, Section 4B (Chickahominy Magisterial District)

Board Sheet Background:

Rutland, Section 4B is a 46 lot subdivision recorded on June 12, 2013. The Virginia Department of Transportation – Ashland and the Departments of Planning and Public Works recommend processing for acceptance of streets in the attached resolution into the State Secondary System.

Recommended Action:

Motion to adopt the attached resolution requesting the Virginia Department of Transportation to accept Oakham Drive, Barncroft Circle, Fox Hill Farm Road, Colvincrest Drive, and Wenton Circle in Rutland, Section 4B Subdivision into the Secondary System of State Highways.

RESOLUTION

WHEREAS, the street(s) described on the attached Additions Form AM-4.3, fully incorporated herein by reference, are shown on plats recorded in the Clerk's Office of the Circuit Court of Hanover County, and

WHEREAS, the representative for the Virginia Department of Transportation has advised this Board that the street(s) in **Rutland – Section 4B** meet the requirements established by the Virginia Department of Transportation’s Subdivision Street Requirements, and

NOW, THEREFORE, BE IT RESOLVED, the Board requests the Virginia Department of Transportation to add the street(s) described on the attached Additions Form AM-4.3 to the secondary

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system of state highways, pursuant to Section 33.2-705, Code of Virginia, and the Department's Subdivision Street Requirements, after receiving a copy of this resolution and all outstanding fees and documents required of the developer, whichever occurs last in time, and

BE IT FURTHER RESOLVED, this Board guarantees a clear and unrestricted right-of-way, as described, and any necessary easements for cuts, fills and drainage, and

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Area Land Use Engineer for the Virginia Department of Transportation.

On motion of Mrs. Kelly-Wiecek, seconded by Mr. Via, the members of the Board of Supervisors voted to approve this resolution, as follows:

	Vote:
Wayne T. Hazzard	Aye
Aubrey M. Stanley	Aye
Sean M. Davis	Absent
Angela Kelly-Wiecek	Aye
W. Canova Peterson	Aye
G. E. "Ed" Via, III	Aye
Elton J. Wade, Sr.	Aye

IV. B. - Adoption of Proclamation – William A. Perry

Board Sheet Background:

It is requested that the Board of Supervisors adopt the attached proclamation recognizing Communications Services Manager William A. Perry for over twenty-eight (28) years of dedicated service to Hanover County and extending best wishes in his retirement.

Recommended Action:

A motion to adopt proclamation.

PROCLAMATION

WHEREAS William A. Perry has served the County since September, 1986, as a full-time Emergency Communications Officer, 911 Supervisor, 911 Senior Supervisor, Operations Manager and Services Manager for the Hanover County Emergency Communications Department; and

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WHEREAS William A. Perry has continuously excelled in learning and perfecting all aspects of the Emergency Communications Operation and consistently performed these duties at an extremely high proficient level; and

WHEREAS William A. Perry has always been willing to share his skills, abilities, and knowledge with co-workers, user agencies and local area jurisdictions to ensure the public safety emergency communication’s profession was recognized as an essential part of the public safety community and that it operated at a very high and proficient level; and

WHEREAS William A. Perry constantly applied himself to make the Hanover County Emergency Communications Department one of the best in the Commonwealth of Virginia through his expertise in the areas of professionalism, training, equipment, experience and customer service.

NOW, THEREFORE, BE IT RESOLVED that the Hanover County Board of Supervisors does hereby recognize William A. Perry for his achievements and outstanding dedication, sense of duty and professional accomplishments as a member of the Hanover County Emergency Communications Department and extends to him their sincere thanks and appreciation for his exemplary and outstanding service over the last twenty-eight (28) years to the County of Hanover and the citizens he served, wishing him the very best in his retirement effective January 15, 2015.

On motion of Mr. Via, seconded by Mr. Stanley, members of the Board of Supervisors voted to adopt this Proclamation as follows:

	Vote:
Wayne T. Hazzard	Aye
Aubrey M. Stanley	Aye
Sean M. Davis	Aye
Angela Kelly-Wiecek	Aye
W. Canova Peterson	Aye
G. E. “Ed” Via, III	Aye
Elton J. Wade, Sr.	Aye

IV. C. Adoption of Proclamation – 60 Years of Service – Shady Grove United Methodist Church and the Leadership of Boy Scout Troop 544, Mechanicsville Magisterial District

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Board Sheet Background:

It is requested that the Board of Supervisors adopt the attached proclamation commending and congratulating Shady Grove United Methodist Church and the leadership of Boy Scout Troop 544 on their 60 years of service to the citizens of Hanover County.

Recommended Action:

A motion to adopt proclamation.

PROCLAMATION

WHEREAS Boy Scout Troop 544 was first organized and chartered to Shady Grove United Methodist Church in Mechanicsville, Virginia, in 1954; and

WHEREAS Boy Scout Troop 544 has brought Scouting's program of character development, citizenship training and personal fitness to hundreds of boys in the Mechanicsville community; and

WHEREAS Boy Scout Troop 544 currently has twenty-four (24) active scouts and has seen seventy-two (72) Scouts earn Scouting's highest rank, the Eagle Scout Award; and

WHEREAS Boy Scout Troop 544, by following the mission of the Boy Scouts of America, has greatly enhanced the quality of life in the Mechanicsville and surrounding area.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors for the County of Hanover, Virginia, does hereby commend and congratulate Shady Grove United Methodist Church and the leadership of Boy Scout Troop 544 on their 60 years of service to the citizens of Hanover County.

On motion of Mr. Peterson, seconded by Mr. Via, members of the Board of Supervisors voted to adopt this Proclamation as follows:

	Vote:
Wayne T. Hazzard	Aye
Aubrey M. Stanley	Aye
Sean M. Davis	Aye
Angela Kelly-Wiecek	Aye
W. Canova Peterson	Aye
G. E. "Ed" Via, III	Aye
Elton J. Wade, Sr.	Aye

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**IV.-D. Request for Extension – CUP-8-08, Hanover County Board of Supervisors (Parks and Recreation Department) and Lewistown Commerce Center, L.L.C.
(South Anna Magisterial District)**

Board Sheet Background:

A Conditional Use Permit extension is requested in order to allow the applicant additional time to begin development of the proposed Winding Brook Park located north of, and adjacent to, the Bass Pro Shops on Lakeridge Parkway. The 4.56 acre park includes an existing Hanover County Regional Stormwater Management Pond that will be enhanced with amenities for fishing, non-motorized boating and recreational events. Development of the park is part of the Lewistown Commerce Center CDA agreement.

The original Conditional Use Permit was approved by the Board of Supervisors on January 28, 2009, with a condition that specified the CUP would be valid for (2) years from approval unless substantial use or construction was underway. Previous extensions were granted to allow additional time to pursue grant funding for the facility. The Department of Parks and Recreation has indicated that construction on the park should begin during 2017.

The Planning Department recommends approval of a two (2) year extension of CUP-8-08 subject to the original conditions of approval.

Recommended Action:

Motion to approve extension request of CUP-8-08 for two (2) years subject to the original conditions of approval

V. Presentation – Update on Courthouse Project

Mr. John Budesky, Deputy County Administrator, came forward to give this presentation. Prior to his presentation, Mr. Budesky thanked the Board for the recognition of Mr. Leslie and noted that he will be truly missed.

Mr. Budesky updated the Board on the status of design, procurement, and the projected construction time frame for the New Courthouse Project. He provided an overview of the project and detailed the project's history, including the status to date on the bid process. The efforts and participation of numerous staff was recognized.

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Mr. Budesky described the current status of the project and provided details on the scope as follows:

- Courthouse consists of 115,000 gross square feet with two above grade floor levels and a partial basement.
- Total of six finished courtrooms and associated office and support spaces will be housed in the building.
- Build out space for two additional courtrooms in the future.
- The secured entry will have an X-Ray unit and walk-through metal detectors for screening of staff, visitors, and their articles or packages when entering the building.
- Security will also use multiple CCTV and glass breakage detection.
- The building will be served by five elevators. Two passenger elevators for public use and a third elevator will open off the restricted corridors at all three floor levels and will be used by judges and other authorized court personnel. Two secure prisoner elevators will serve the holding areas and basement levels.
- Total of six cells and six holding tanks are located in the basement.
- Two lane pull through sally port used to transition prisoners to cells and tanks.

The next steps are to finalize the contract award, conduct a space study to determine the best use of the buildings to be vacated, evaluate savings from below projected estimates and determine if those funds should be invested in the renovations and, finally, to build the new Courts facility.

VI. Legislative Agenda Update

Mr. Sterling Rives, County Attorney, came forward to present the Hanover County Legislative Agenda update. He updated the Board on Hanover's request for a State Budget Amendment to add reimbursement for one-half of the cost of proposed construction of additional bed space at Pamunkey Regional Jail.

Mr. Rives provided an updated copy of the Board's Legislative Agenda which reflects the actions taken at the previous meeting regarding support for four bills relating to industrial wastes and opposition of legislation limiting the amount or type of fees set by the Capital Region Airport Commission or by other public use airports.

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Mr. Rives updated the Board on the following bills: HB 1363, HB 1364, HB 1381, HJ 516, HB 1889, HB 1280, HB 1300, HB 1301, HB 1426, HB 1441, HB 1468, HB 1287, HB 1484, HB 1511, HB 1514, HB 1518, HB 1521, HB 1531, HB 1550, HB 1585, HB 1644, HB 1673, HJ 505, HJ 581, SB 784, SB 796, SB 841, and SB 1315.

There was discussion and Mr. Rives offered clarification about the specifics and/or potential impacts of several of the bills.

The Chairman announced a brief recess at 6:56 p.m.

The meeting was reconvened at 7:02 p.m.

VII. Public Hearings

CUP-2-02 AM. 2-14 – Beaverdam Baptist Church, Requests an amendment to a Conditional Use Permit in accordance with Section 26-20.21 of the Hanover County Zoning Ordinance to amend the approved sketch plan to add an accessory structure and associated parking area on GPIN 7826-62-2888, consisting of approximately 55 acres, currently zoned A-1, Agricultural District, located on the east side of Beaver Dam Road (State Route 715) approximately 1,025 feet north of Tyler Station Road (State Route 658) in the Beaverdam Magisterial District. The site of the requested Conditional Use Permit is designated on the General Land Use Plan Map as Agricultural.

Planning Analysis:

- The proposed 4,600 sq. ft. structure will be used to house a mission and outreach program (clothes closet) to serve the surrounding community
- Architecture and materials will be consistent with the existing church structures
- The clothes closet will operate outside the regular church activities and should have minimal impact to the area

Recommendation:

- Planning Commission and staff recommend approval subject to the submitted sketch plan.

Mr. David Maloney, Director of Planning, presented this case to the Board.

The Chairman opened the public hearing and asked that anyone who wished to speak for or against the matter come forward. Seeing none, he closed the public hearing.

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RESOLUTION

WHEREAS after a public hearing held on this 28th day of January, 2015, as advertised in the Herald-Progress once a week for two successive weeks as required by Virginia Code, Section 15.2-2204 and the Hanover County Code.

NOW, THEREFORE, BE IT RESOLVED that Beaverdam Baptist Church is granted an amendment to a Conditional Use Permit in accordance with Section 26-20.21 of the Hanover County Zoning Ordinance to amend the approved sketch plan to add an accessory structure and associated parking area on GPIN 7826-62-2888, consisting of approximately 55 acres, currently zoned A-1, Agricultural District, subject to the following conditions, which incorporate all of the applicable conditions from previous amendments:

1. The Property which is the subject of the application shall be used only for a church, a private educational church school, and their accessory uses.
2. The church sign shall be a monument sign and shall be constructed according to the guidelines specified in Section 26-274.5. Before such sign is erected, a sign permit application must be made and approved by the County. The location of such sign will be determined at that time.
3. All lighting shall comply with the requirements of Division 6, Lighting Regulations.
4. All requirements of the Virginia Department of Transportation with regard to the site entrance shall be met.
5. At such time as the construction of any of the future facilities shown on the sketch plan are planned, the applicant shall have the project reviewed by the County for traffic impacts to the area. If it is found that those facilities will produce traffic impacts, the applicant shall comply with County recommendations to relieve those impacts.
6. Upon request of the County, the owner shall dedicate thirty feet (30') of right-of-way from the centerline of State Route 715 to the property for future widening. Such dedication shall be made free of cost and free of encumbrances interfering with the use for road purposes.
7. The educational church school shall be limited to no more than 120 students. Any expansion beyond that enrollment shall require an amendment to the Conditional Use Permit.
8. All requirements of the Public Works Department, Public Utilities Department, County Health Department, and the Building Inspectors Office shall be met.

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9. All development and use of the property shall comply with all federal, State and local statutes, ordinances and regulations.

On motion of Mr. Stanley, seconded by Mr. Wade, the members of the Board of Supervisors voted to approve CUP-2-02 AM. 2-14 – Beaverdam Baptist Church, as follows:

	Vote:
Wayne T. Hazzard	Aye
Aubrey M. Stanley	Aye
Sean M. Davis	Absent
Angela Kelly-Wiecek	Aye
W. Canova Peterson	Aye
G. E. “Ed” Via, III	Aye
Elton J. Wade, Sr.	Aye

C-10-07(c) AM. 1-14 – Giles Farm, L.L.C., ET AL., Requests an amendment to the proffers approved with rezoning request C-10-07(c), Hanover Development, L.L.C., et al., on GPINs 7796-44-9163(part), 7796-73-3791, 7796-65-2927(part), 7796-73-8722, 7796-74-3065, 7796-76-2563(part), 7796-76-8849 and 7796-67-7467(part), zoned RS(c), Single-Family Residential District with conditions, generally located on the southwest quadrant of the intersection of Atlee Station Road (State Route 637) and Staple Lane (State Route 1229) in the **Chickahominy Magisterial District**. The proposed zoning amendment would amend the cash proffer.

Planning Analysis:

- The request is to amend the following:
 - Amend Proffer No. 1 from \$19,503.00 (capital & road improvements) to:
 - \$6,671.00 per single-family detached unit
 - \$4,073.00 per attached unit
 - The amended proffer is in accordance with the Business and Residential Development Road Improvements Transportation Policy

Recommendation:

- The Planning Commission and staff recommend approval subject to the submitted proffers.

Mr. Maloney presented this case to the Board.

The Chairman opened the public hearing and asked that anyone who wished to speak for or against the matter come forward.

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Ms. Sarah Warner came forward as the applicant and stated she was available to answer any questions from Board members.

Seeing no others come forward, the Chairman closed the public hearing.

ORDINANCE C-10-07(c), AM. 1-14

OWNER OF RECORD: GILES FARM, L.L.C., ET AL.

WHEREAS the Planning Commission of Hanover County has held an advertised public hearing and forwarded this case to the Board of Supervisors with a recommendation of approval of the adoption of the following amendment to the Zoning Ordinance and Zoning District Map of Hanover County; and

WHEREAS the Board of Supervisors has held public hearings on the 28th day of January, 2015, and advertised in the Hanover Herald-Progress once a week for two successive weeks as required by Virginia Code Section 15.2-2204; and

WHEREAS the Board of Supervisors has determined that the public necessity, convenience, general welfare, and good zoning practices require this amendment.

NOW, THEREFORE, BE IT ORDAINED by the Board of Supervisors of Hanover County that the Zoning Ordinance and the Zoning District Map of this County are amended (with conditions) by amending the proffers approved with rezoning request C-10-07(c), Hanover Development, L.L.C., et al., of the property described as GPINs 7796-44-9163(part), 7796-73-3791, 7796-65-2927(part), 7796-73-8722, 7796-74-3065, 7796-76-2563(part), 7796-76-8849 and 7796-67-7467(part), generally located on the southwest quadrant of the intersection of Atlee Station Road (State Route 637) and Staple Lane (State Route 1229) (a detailed description is filed with the Board's papers), zoned RS(c), Single-Family Residential District with conditions, subject to the following conditions which were proffered by the Applicant on December 23, 2014, and accepted by the Board:

1. Cash Proffers. The Property Owner, for himself, his successors and assigns, agrees to pay Hanover County, prior to the issuance of a Certificate of Occupancy for the Property, the amount of Six Thousand Six Hundred Seventy and 00/100 (\$6,670) per detached single family unit and Four Thousand Seventy-Three and 00/100 (\$4,073) per attached single family unit built on the Property. The funds shall be used for the purpose of completing off-site road improvements relating to the development allowed by the rezoning and included in the

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Business and Residential Development Road Improvements Transportation Policy adopted March 13, 2013. In the event funds are paid and are not used for such improvements, the County shall return the funds paid to the Owner or his successors in title.

2. Dedication of Right-of-Way. The Owners agree to dedicate 50 feet (50') of right-of-way from the centerline of Atlee Station Road to the Property for that portion of the property located north of Cool Spring Road and 30 feet (30') of right-of-way from the centerline of Atlee Station Road to the Property for that portion of the property located south of Cool Spring Road for future road widening, free of cost to the County, upon request of the County or VDOT.
3. Tree Preservation and Home-Site Construction Clearing Criteria. The rear and side yards of each lot, as required by the Zoning Ordinance, shall be selectively cut with no cutting of trees five inches (5") in caliper or greater. The intent of this proffer is to provide protection of existing on-site trees, especially those with a caliper of five inches (5") or greater, to the extent possible and practicable during and after construction. The following criteria is established to show how the intent of this proffer will be realized on individual home sites, in light of the construction of improvements on these lots and other on-site construction activities. These criteria shall not be used to facilitate clear-cutting of established trees, especially those trees five inches (5") in caliper and greater for which the proffer was created to protect:
 - A. Trees may be cleared in the footprint of all proposed homes, detached garages, pools, decks and accessory buildings as required for safe, proper and orderly construction of these structures. Trees may also be cleared up to a distance of twenty feet (20'), measured horizontally, from these structures to allow for safe access for this construction.
 - B. Trees may be cleared in the footprint of all driveways and access walkways (sidewalks, service paths, etc.) that serve the above structures. Trees also may be cleared within ten feet (10'), measured horizontally, from driveways and access walkways to allow for the construction of these elements.
 - C. Trees may be cleared ten feet (10') from the centerline of proposed utility service lines, including both public and private utilities (water, sewer, gas, electric, cable television, etc.). This will allow utility companies or their contractors sufficient access as required for the safe installation of their lines and service.

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- D. Any trees that are obviously dead may be removed as necessary. Any trees that are dying or diseased may be removed, if designated by an arborist that they will not survive. In addition, trees that pose an imminent threat or hazard (leaning, structurally damaged, etc.) to property or persons may be removed.
 - E. Trees may be removed if required to facilitate positive drainage away from structures and may be removed if required to allow grading to eliminate adverse or negative slope conditions, as well as to prevent adverse erosion or sedimentation.
4. Emergency Access Road. Property Owner will provide a fifty foot (50') wide private easement, to be maintained by the Homeowner's Association, from the connection with Cudlipp Avenue (State Route 1206) in Craney Island Farms to Clay Bank Way as shown on the Conceptual Plan. At Cudlipp Avenue, in a location approved by Hanover County, the Property Owner will construct a gate equipped with a Knox Box, to be used by emergency personnel to provide access solely for emergency vehicles and by the Department of Public Utilities to maintain utility infrastructure. Construction and use of the emergency access shall in no way interfere with use of the utility access easement. Within the fifty foot (50') easement, the Property Owner shall construct an eighteen foot (18") wide paved road, capable of supporting vehicles with a weight of sixty-five thousand (65,000) pounds, from Cudlipp Avenue to Clay Bank Way with shoulders and ditches. In addition, the Property Owner shall provide, within the bounds of the easement, a pedestrian path, comparable to the other pedestrian paths in the development.
5. Recreational Amenities. The recreational facilities, as shown on the Conceptual Plan, shall be constructed at the expense of the Property Owner, and shall be bonded as subdivision improvements in Section 1.
6. Dedication for Basin C-35. The Property Owner shall dedicate the necessary property interest for stormwater management facility C-35 ("Basin C-35") in accordance with the Hanover County Regional Storm Water Management Plan, which shall include an area that extends, at a minimum, up to the one hundred year flood pool (maximum water surface elevation of one hundred thirty five and five-tenths (135.5) feet, or an alternate elevation as approved by the Director of Public Works), a twenty foot maintenance easement around such facility upland and contiguous to the Director approved elevation or upland and contiguous to an elevation equal to

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one (1) foot above the crest of the embankment, whichever provides more maintenance easement, and a twenty foot contiguous access easement to the stormwater management facility from the closest public road.

7. Proposed Pump Station Access. Access to the “Proposed Sewage Pump Station (Hanover County)” from Medley Grove Court shall be dedicated to the County, free of cost, upon completion of construction of Medley Grove Court.
8. Atlee Manor Pump Station. To facilitate the abandonment and removal of a temporary sewer pump station located within the Atlee Manor subdivision, the Owner shall design and construct a sanitary sewer extension and terminal manhole from the central collection sanitary sewer. The terminal manhole shall generally be located along the rear property line of Lot 11 on Willie’s Way Place at a point opposite the property line separating GPINs 7796-75-2166 and 7796-75-2219 in the Atlee Manor subdivision. The extension shall be designed to accept wastewater currently pumped by the Atlee Manor pump station, which is located approximately two hundred sixty feet (260’) from the proposed location of the terminal manhole.
9. Transportation Improvements. Transportation improvements shall be constructed in substantial conformity with those described on pages 13, 14 and 15 of the Conceptual Plan. In addition, the Property Owner shall install a traffic signal at the intersection of River Edge Drive and Atlee Station Road and at the intersection of Hill Fork Drive and Atlee Station Road. Traffic signal design shall include pedestrian buttons/pedestrian signal heads and crosswalks as may be approved by VDOT.

If warrants for the signal at River Edge Drive are not met at the time of construction plan approval, then the cost for such signal shall be bonded; however, if the warrants are not met for this signal within twenty (20) years of rezoning approval, or VDOT does not approve installation of the signal within twenty (20) years of zoning approval, then the Property Owner shall have no obligation to construct the signal.

If warrants for the signal at Hill Fork Drive are not met at the time of construction plan approval, then the cost for such signal shall be bonded; however, if the warrants are not met for this signal within ten (10) years of rezoning approval, or VDOT does not approve installation of the signal within ten (10) years of zoning approval, then the Property Owner shall have no obligation to construct the signal.

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10. Drainage Improvements. The Property Owner shall dedicate to Hanover County, upon request, and at no cost to Hanover County, easements, natural drainage ways and drainage facilities (collectively known as “Drainage Improvements”) necessary to accommodate improvements to Atlee Road and construction of an intersection at Atlee Road and Atlee Station Road. The dedicated Drainage Improvements shall be free of all encumbrances restricting use for purposes of managing drainage and storm water. Property Owner shall receive a road proffer credit, to the extent the Property Owner incurs costs greater than which would otherwise be required, arising from the costs to design, construct and install or oversize the Drainage Improvements. The Property Owner shall not be required to make such dedication if the design or location of the Drainage Improvements requires a relocation of lots or results in a reduction of number of lots.

The Property Owner shall allow access to the property when requested by the County or its agents to permit necessary tests, surveys, and work related to the Drainage Improvements. Should the County not request such dedication prior to subdivision approval, the Property Owner shall, based upon the design information of the Drainage Improvements available at the time of subdivision approval, incorporate the Drainage Improvements into the subdivision design and shall not develop the Property in a manner that renders it unsuitable for the Drainage Improvements.

11. Proposed Pump Station. All units within the development shall be served by the “Proposed Sewage Pump Station (Hanover County)” as shown on the Conceptual Plan.

BE IT FURTHER ORDAINED that this Ordinance is effective on the date of adoption and the Planning Director is hereby directed to designate the boundaries of the foregoing area as rezoned, subject to conditions, on the Zoning District Map of Hanover County.

On motion of Mrs. Kelly-Wiecek, seconded by Mr. Peterson, the members of the Board of Supervisors voted to approve Ordinance C-10-07(c) AM. 1-14 – Giles Farm, L.L.C., ET AL., as follows:

	Vote:
Wayne T. Hazzard	Aye
Aubrey M. Stanley	Aye
Sean M. Davis	Absent

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Angela Kelly-Wiecek	Aye
W. Canova Peterson	Aye
G. E. “Ed” Via, III	Aye
Elton J. Wade, Sr.	Aye

C-20-14(c) – Brenda A. and Ronald N. May, Request to rezone from A-1, Agricultural District, to AR-6(c), Agricultural Residential District with conditions, on GPIN 8709-71-6978, consisting of 4.0 acres, and located on the west line of Cadys Mill Road (State Route 695) at its intersection with Cadys Woods Drive (private road) in the **Beaverdam Magisterial District**. The subject property is designated on the General Land Use Plan Map as Agricultural. The proposed zoning amendment would permit the creation of one (1) additional building lot for a family member for a gross density of one (1) dwelling unit per two (2) acres.

Planning Analysis:

- This is a request to divide a 4 acre parcel into two 2 acre parcels
 - The front lot contains the existing house, accessory buildings, and driveway
 - The proposed rear lot shall have access via a 20’ easement for ingress and egress
- This is a request to divide a 4 acre parcel into two 2 acre parcels
 - The front lot contains the existing house, accessory buildings, and driveway
 - The proposed rear lot shall have access via a 20’ easement for ingress and egress

Proffers:

- Conceptual Plan
- Tree Preservation
- Wetlands Certification
- Perenniality Study
- Family Division
- Reservation of Right-of-Way

Recommendation:

- The Planning Commission and staff recommend approval subject to the submitted proffers.

Mr. Maloney presented this case to the Board. Following the presentation, Mr. Maloney answered questions from Board members.

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The Chairman opened the public hearing and asked that anyone who wished to speak for or against the matter come forward.

Ms. Cathy Mercer, Beaverdam Magisterial District, came forward to speak in opposition of the request, citing concerns with density, a boundary line adjustment and the lack of a hardship basis for the request.

Mrs. Brenda May, Beaverdam Magisterial District and applicant, came forward to offer clarification on the reason for the request.

Ms. Michelle Simpson, Beaverdam Magisterial District, came forward to speak in opposition of the rezoning. She stated she is not opposed to an additional lot, just the rezoning to the AR-6 designation.

Mr. Larry Mosley, Beaverdam Magisterial District, came forward to ask if letters of opposition were taken into consideration and was informed that they are.

Seeing no others come forward, the Chairman closed the public hearing.

Mr. Maloney returned to the podium to answer Board members' questions and offer clarification on several aspects of the request.

ORDINANCE C-20-14(c)

OWNER OF RECORD: BRENDA A. AND RONALD N. MAY

WHEREAS the Planning Commission of Hanover County has held an advertised public hearing and forwarded this case to the Board of Supervisors with a recommendation of approval of the adoption of the following amendment to the Zoning Ordinance and Zoning District Map of Hanover County; and

WHEREAS the Board of Supervisors has held public hearings on the 28th day of January, 2015, and advertised in the Hanover Herald-Progress once a week for two successive weeks as required by Virginia Code Section 15.2-2204; and

WHEREAS the Board of Supervisors has determined that the public necessity, convenience, general welfare, and good zoning practices require this amendment.

NOW, THEREFORE, BE IT ORDAINED by the Board of Supervisors of Hanover County that the Zoning Ordinance and the Zoning District Map of this County are amended (with conditions) by the rezoning of the property described as GPIN 8709-71-6978, consisting of 4.0± acres located on the

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west line of Cadys Mill Road (State Route 695) at its intersection with Cadys Woods Drive (private road), (a detailed description is filed with the Board's papers) from A-1, Agricultural District, to AR-6(c), Agricultural Residential District with conditions, subject to the following conditions which were proffered by the Applicant on November 6, 2014, and accepted by the Board:

1. Conceptual Plan. The property shall be divided in substantial conformity with the conceptual plan attached, titled "Proposed Rezoning Concept Plan," dated November 4, 2014, and prepared by ASA Surveying & Mapping, Inc.
2. Tree Preservation. Existing trees of 5 inch caliper or greater on the Property shall not be removed with the exception of dead or diseased trees or parts thereof. This shall not prevent the removal of trees necessary for the construction of improvements, driveways, drainfields, or drainage facilities.
3. Wetlands Certification. The Owner agrees to submit a wetlands certification for the property to the Hanover County Department of Public Works for its review and approval prior to or concurrent with the submission of an application for a Family Division. The Family Division shall not be approved unless the Department of Public Works approves the wetlands certification.
4. Perenniality Study. The Owner agrees to submit a perenniality study for the property to the Hanover County Department of Public Works for its review and approval prior to or concurrent with the submission of an application for a Family Division. The Family Division shall not be approved unless the Department of Public Works approves the perenniality study.
5. Family Division. The property shall only be divided for family, in accordance with Chapter 25, Division 5 of the Hanover County Code. Title to the newly created lot shall be held by the family member to whom the property was sold or given for at least three (3) years following the issuance of a Certificate of Occupancy, unless the lot is the subject of an involuntary transfer caused by foreclosure, death, judicial sale, condemnation, or bankruptcy.
6. Reservation of Right-of-Way. The Owner agrees to reserve twenty-five (25) feet of right-of-way from the centerline of Cadys Mill Road (State Route 695) to the property for the future road widening.

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BE IT FURTHER ORDAINED that this Ordinance is effective on the date of adoption and the Planning Director is hereby directed to designate the boundaries of the foregoing area as rezoned, subject to conditions, on the Zoning District Map of Hanover County.

On motion of Mr. Stanley, seconded by Mr. Via, the members of the Board of Supervisors voted to approve C-20-14(c) – Brenda A. and Ronald N. May, as follows:

	Vote:
Wayne T. Hazzard	Aye
Aubrey M. Stanley	Aye
Sean M. Davis	Absent
Angela Kelly-Wiecek	Aye
W. Canova Peterson	Aye
G. E. “Ed” Via, III	Aye
Elton J. Wade, Sr.	Aye

C-8-14(c) – Carolyn L. King (Rogers-Chenault, Inc.), Requests to rezone from A-1, Agricultural District, to RS(c), Single-Family Residential District with conditions, on GPINs 8715-31-5918 and 8715-32-6633, consisting of approximately 39.6 acres, and located on the west line of Bell Creek Road (State Route 642) at its intersection with Lorealea Drive (State Route 1288) in the **Mechanicsville Magisterial District**. The subject property is designated on the General Land Use Plan Map as Suburban High (4-8 dwelling units per acre). The proposed zoning amendment would permit the creation of 130 age-restricted townhomes for a gross density of 3.28 units per acre.

Planning Analysis:

- The proposed development has a gross density of 3.3 units per acre and consists of 130 age-restricted townhouses
- The conceptual plan and elevations submitted meet the RS District and subdivision preliminary plat requirements
- The plan shows 1 full-movement entrance and 1 right-in/right-out entrance to Bell Creek Road
- Subsequent to the Planning Commission meeting the applicant renamed the development “Cherry Grove” after the historic home
- A traffic impact analysis was prepared for the project:
 - At the time of project build-out the Bell Creek and Pole Green Road intersection would operate at LOS D

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- Turn lanes were not warranted at either of the project entrances at Bell Creek Road
- Recreational amenities shown on the conceptual plan include:
 - Club House
 - Pickleball Court
 - Putting Green
 - Event Lawn
 - Community Garden
 - Sidewalks on both sides of each street

Community Meeting Held October 29, 2014:

- Issues raised at the meeting:
 - Residents expressed concerns that no turn lanes were proposed
 - The traffic study determined that turn lanes were not warranted
 - Nonetheless, to address community concerns, the applicant has proffered and shown on the conceptual plan a left and right turn lane into the main entrance
 - It was suggested that a buffer was needed between the nursery (Sandy's Plants) and the development
 - The applicant proffered and has shown on the conceptual plan a buffer along the southern property line, which includes:
 - 3' Berm
 - 7' Fence
 - Evergreen Plantings
 - Citizens requested that the historic house be preserved on the property
 - The applicant has indicated that both historic homes will be removed but has proffered to allow the structures to be moved or salvaged and properly documented by the County prior to demolition

Proffers:

- Road Improvements Contribution - \$2,306.00 per unit
- Foundations - Brick or stone
- Age Restricted - Resident to 55 years and older
- Recreational Amenities - Bonded with the 1st section

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- Bell Creek Road Improvements - Left and right turn lanes to be bonded with the 1st section
- Historic Resources - Houses offered for removal, salvage, and documentation
- Right-of-Way Dedication
- Buffer - Along the southern property line

Recommendation:

- The Planning Commission and staff recommend approval subject to the submitted proffers and conceptual plan.

Mr. Maloney presented this case to the Board. Following the presentation, Mr. Maloney answered questions from Board members.

The Chairman opened the public hearing and asked that anyone who wished to speak for or against the matter come forward.

Ms. Patty Thomas, Mechanicsville Magisterial District, came forward to speak in favor of the development, citing favorable changes that have been made to the project by the developer.

Ms. Jennifer Mullen with Roth, Duner, Jackson, PLC, came forward to speak on behalf of the applicant. Ms. Mullen described the proposed development and detailed some of the changes that have been made to the project in response to citizens' concerns.

Ms. Jo Battenfield, Mechanicsville Magisterial District, came forward and stated that the traffic in the area is already a concern and will be made worse. She stated that while she has no opposition to the development itself, her primary concern is that the historic home be saved.

Mr. Griff Durant, Chickahominy Magisterial District, came forward and stated the importance of saving the historic home. He requested it be moved to the common area and renovated as it would be positive for the County.

Mr. Art Taylor, Beaverdam Magisterial District and President of the Hanover County Historical Society, came forward to advocate preservation of the historic home. He requested that Hanover County put a requirement in place that all owners of historical property that comes before the County on zoning actions provide a background on the property and that upon suggestion of a historic impact, the information be immediately forwarded to the Planning Commission.

Ms. Mullen returned to the podium to address the issues that had been brought forward.

Seeing no others come forward, the Chairman closed the public hearing.

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There was a discussion on stormwater runoff and Mr. Maloney offered clarification on the matter. There was further discussion among Board members concerning the historic home.

ORDINANCE C-8-14(c)

OWNER OF RECORD: CAROLYN L. KING

CONTRACT PURCHASER: ROGERS-CHENAULT, INC.

WHEREAS the Planning Commission of Hanover County has held an advertised public hearing and forwarded this case to the Board of Supervisors with a recommendation of approval of the adoption of the following amendment to the Zoning Ordinance and Zoning District Map of Hanover County; and

WHEREAS the Board of Supervisors has held public hearings on the 28th day of January, 2015, and advertised in the Hanover Herald-Progress once a week for two successive weeks as required by Virginia Code Section 15.2-2204; and

WHEREAS the Board of Supervisors has determined that the public necessity, convenience, general welfare, and good zoning practices require this amendment.

NOW, THEREFORE, BE IT ORDAINED by the Board of Supervisors of Hanover County that the Zoning Ordinance and the Zoning District Map of this County are amended (with conditions) by the rezoning of the property described as GPINs 8715-31-5918 and 8715-32-6633, consisting of 39.6± acres, located on the west line of Bell Creek Road (State Route 642) at its intersection with Lorelea Drive (State Route 1288), (a detailed description is filed with the Board's papers) from A-1, Agricultural District, to RS(c), Single-Family Residential District with conditions, subject to the following conditions which were proffered by the Applicant on January 7, 2015, and accepted by the Board:

1. Cash Proffers. The Property Owner, for itself, and its successors and assigns, agrees to pay Hanover County prior to issuance of a Certificate of Occupancy, the amount of Two Thousand Three Hundred Six and 00/100 (\$2,306.00) per single family unit built on the RS zoned Property. The funds shall be used for the purpose of completing off-site road improvements relating to the development allowed by the rezoning and included in the Business and Residential Development Road Improvements Transportation Policy, adopted March 13, 2013.

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In the event funds are paid and are not used for such improvements, the County shall return the funds paid to the Owner or his successors in title.

2. Foundations. The exterior of all foundations of homes shall have an exterior of brick or stone.
3. Age Restriction. Dwellings within the Property are intended to be occupied only by persons age 55 years and older and the occupancy of these dwellings shall comply with provisions of the Virginia Fair Housing Law (found at Section 36-96.1 et seq. of the Code of Virginia (1950) as amended). Persons under the age of 19 shall not be housed or domiciled and shall not reside on the Property. A covenant shall be recorded, and a homeowners' association established for the enforcement, to limit the use and occupancy of the dwellings as specified herein.
4. Recreational Amenities. The recreational facilities, as shown on the Conceptual Plan, or as otherwise approved at the time of subdivision, shall be constructed at the expense of the Property Owner and shall be bonded as subdivision improvements with Section 1.
5. Bell Creek Road Improvements. The Property Owner shall install a northbound left turn lane and southbound right taper on Bell Creek Road as generally shown on the conceptual plan and shall be bonded as a subdivision improvement with Section 1. All such road improvements shall be designed and constructed in accordance with VDOT standards and specifications and subject to VDOT approval.
6. Historic Resources. Prior to application for a demolition permit for the historic structure located on the Property, the Owner shall advertise in a regional newspaper for two successive weeks a free offering of the historic structures for its movement to another site. If there are no respondents, the Owner shall allow any historic materials in the structures to be properly salvaged. Prior to any demolition or removal of materials, the Owner shall allow County staff to enter the structures for the purpose of photographic documentation for placement in the County's historic survey file for Cherry Grove, VDHR #42-237, and House, 8107 Bell Creek Road, VDHR#5246.
7. Right-of-Way Dedication. The Property Owner agrees to dedicate fifty (50) feet of right-of-way from the centerline of Bell Creek Road (State Route 642) to the Property for future road widening, free of cost to the County, upon request of the County or VDOT.
8. Buffer. The Property Owner agrees to install the berm, trees, and fence along the portions of the southern Property line as shown on the Conceptual Plan. This area shall be maintained by

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the homeowners association. The fence within the road stub shall be maintained by the homeowners association until such time as the roadway connection is made to GPIN 8715-31-2556. At such time as the connection is made, the homeowners association shall bear the responsibility and cost of removing the fence. Removal shall occur within 60 days following a request by the County or VDOT.

BE IT FURTHER ORDAINED that this Ordinance is effective on the date of adoption and the Planning Director is hereby directed to designate the boundaries of the foregoing area as rezoned, subject to conditions, on the Zoning District Map of Hanover County.

On motion of Mr. Peterson, seconded by Mr. Wade, the members of the Board of Supervisors voted to approve C-8-14(c) – Carolyn L. King (Rogers-Chenault, Inc.), as follows:

	Vote:
Wayne T. Hazzard	Aye
Aubrey M. Stanley	Aye
Sean M. Davis	Absent
Angela Kelly-Wiecek	Aye
W. Canova Peterson	Aye
G. E. “Ed” Via, III	Aye
Elton J. Wade, Sr.	Aye

XIV. Announcements

Mrs. Kelly-Wiecek announced there will be an Annual Budget Town Hall meeting at Chickahominy Middle School at 7:00 p.m. on February 26, 2015.

Mr. Peterson announced there will be a Community Forum at Covenant Woods in Mechanicsville on February 17, 2015. He will be issuing a press release.

XV. Adjournment

At 8:05 p.m. the Chairman adjourned the meeting to February 11, 2015 – Hanover County Administration Building – 2:00 p.m.