

HANOVER COUNTY BOARD OF SUPERVISORS

MINUTES

Hanover County Administration Building Board Room

April 22, 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 22nd day of April, 2015, at 6:00 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. Hazzard called the meeting to order at 6:00 p.m. All Board members were present.

- A. The invocation was given by Mr. Stanley.
- B. The Pledge of Allegiance was led by Mr. Davis.

II. Consideration of Agenda Amendments

The Chairman asked if there were any agenda amendments. Mr. Stanley made a motion that the consent agenda be amended to add the following items: IV.-B. - Request for Authorization to Advertise Public Hearing—Ordinance 15-06 - Taxicab Access Fees and, IV.-C- Adoption of Proclamation – Hanover High School’s Mixed Show Choir Sound FX. The motion was seconded by Mr. Davis.

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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.

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, citizens’ time was closed.

IV. Consent Agenda

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

	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. – Budget Transfer from Reserve for Contingencies \$38,705 -Registrar's Office

Board Sheet Background:

A notice in proper form has been received from the appropriate authority of the Republican and Democratic Parties requesting the calling of a June 9, 2015 Primary Election for the purpose of nominating a candidate for Parties for the offices of Members of the Virginia State Senate, Members of the Virginia State House of Delegates and local contests. Should only one candidate qualify for the primary ballot in any office, then no primary for that office will be held.

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The Electoral Board recommends \$38,705 to meet state requirements for a primary election. The costs include staffing of the 37 precincts as well as the costs to program the voting machines and print ballots along with other incidental items.

Personnel	\$ 24,520
Operating	\$ 14,185
Total	\$ 38,705

The costs associated with this primary were not included in the FY15 adopted budget because we cannot anticipate whether there will be a primary in a given year or how many there will be. Further, these costs are not anticipated to be reimbursable from any other source.

Subsequent to this transfer, the remaining Reserve for Contingencies would be \$843,038. Finance & Management Services concurs with this request.

Recommended Action:

Motion to transfer \$38,705 from Reserve for Contingencies to the Registrar's budget to cover salary and operational costs for the June 2015 primary.

IV. B. - Request for Authorization to Advertise Public Hearing—Ordinance 15-06 - Taxicab Access Fees

Board Sheet Background:

On March 31, 2015, the Capital Region Airport Commission ("Commission") approved an amended access fee schedule for public ground transportation vehicles using the Richmond International Airport facilities to service Airport patrons. The Commission adopted new rates and a new methodology for assessing the rates. A copy of the Resolution is enclosed and the fee schedule approved by the Commission is included as Table A.

The Commission requested that Hanover County as well as the other localities represented on the Commission take the necessary action to amend the access fee schedule for public ground transportation vehicles using the Richmond International Airport facilities to conform with the Commission's action.

Under its current rate structure, an access fee of \$2.00 or \$2.60 is imposed on all taxis having a contractual relationship with the Commission. Under the proposed structure, all taxis having a contract with the Commission will be charged the same, or \$2.30, for each carriage originating at the Airport.

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The Administration recommends approval of Ordinance 15-06.

Recommended Action:

Authorize the Advertisement of a Public Hearing for Ordinance 15-06 amending the taxicab access fee schedule for public ground transportation vehicles using the Richmond International Airport facilities to service Airport patrons

IV. C. -. Adoption of Proclamation – Hanover High School’s Mixed Show Choir Sound FX

Board Sheet Background:

At the request of Mr. Davis, the Board of Supervisors is requested to consider adoption of the attached proclamation recognizing with sincere appreciation and admiration the high honors Hanover High School’s Mixed Show Choir Sound FX has brought to themselves, their families, their high school and Hanover County.

Recommended Action:

A motion to adopt the proclamation.

PROCLAMATION

WHEREAS Hanover High School’s mixed show choir Sound FX has distinguished themselves during the 2014-2015 school year by winning three (3) consecutive Grand Championships and remaining undefeated for its competition season; and

WHEREAS this historic feat is a first in Hanover High School’s 12 year existence for Sound FX as they remained undefeated during their competition season and all first places resulted in Grand Championship wins; and

WHEREAS Hanover High School’s mixed show choir Sound FX not only claimed the Grand Championship at the Central Virginia Show Choir Invitational competition this season, but were also the defending champions having won the Grand Championship in 2014, making two consecutive grand championships at this competition a first for this group also; and

WHEREAS Hanover’s Sound FX show choir was also recognized for winning the coveted awards of Best Vocals, Best Show Design, Best Female Vocalist, and Best Band at their competitions; and

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WHEREAS Sound FX is currently ranked 14th in the nation by the National Show Choir Ranking System; and

WHEREAS this choir is under the leadership of Hanover High School Choral Director James B. Barrack, who gives much of his personal time and attention to help these students achieve their best, and the show's high impact choreography was done by Ryan Finley; and

WHEREAS Mr. Barrack started the choral program at Hanover High School when it opened in 2003 and the success of his mentoring, which also brought a Grand Championship this year to the girls show choir Highlights and the stand-still Chamber Singers, is a direct reflection of his enormous talent and dedication, which through this historic season has brought the distinction of Hanover High School's show choirs as now being seen as the best in central Virginia; and

WHEREAS Sound FX's unique show this year takes the audience back in time to a small town in the antebellum south to witness their most solemn hour; and

WHEREAS these 48 talented young men and women, along with the 13 outstanding student band members, have produced a moving show that had audiences cheering from the theme song "Are You Ready for a Miracle" to the high energy finale "Tap Your Troubles Away"; and

WHEREAS this group spent numerous hours of practice both during and after school beginning with choreography camp in August and including practice time scheduled on their own with dance and vocal captains to perfect all aspects of their show; and

WHEREAS this amazing show choir attributes much of their success to the very dedicated parents, family members, alumni and friends that spent many personal hours to help insure the show's success; and

WHEREAS this group of talented students have held themselves up to the highest standards of good conduct in representing their school. Their dedication to each other, teamwork, practice, high goals, hard work and positive attitude serves as a role model to all Hanover County students.

NOW, THEREFORE, BE IT RESOLVED that the Hanover County Board of Supervisors does hereby recognize with sincere appreciation and admiration the high honors Hanover High School's mixed show choir Sound FX has brought to themselves, their families, their high school and to Hanover County, and salutes them on their outstanding achievement.

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On motion of Mr. Davis, 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

V. Presentation of Proclamations:

Eagle Scout Travis Kellam McFaden, Mechanicsville Magisterial District, Boy Scout Troop 533

Mr. Canova Peterson called Eagle Scout McFaden and his family forward and presented him with the proclamation.

Eagle Scout Matthew Thomas Slicker, Henry Magisterial District, Boy Scout Troop 555

Mr. Sean Davis called Eagle Scout Slicker and his family forward and presented him with the proclamation.

VI. Update of Status on Board’s FY15 Initiatives and Adoption of Board’s FY16 Initiatives

Mr. Cecil Harris, County Administrator, came forward and presented the Board with an update of the status of the initiatives. Mr. Harris gave a description of each 2015 Initiative.

Fiscal Year 2015 Initiatives

- Conduct 2014 Citizens Survey
- Update Economic Development Strategic Plan
- Begin implementation of the Chesapeake Bay and stormwater management mandates
- Enter into construction of the new Courthouse facility
- Provide merit pay increases to County and School employees

Proposed FY2016 Initiatives

- Begin construction of new Courthouse:

Mr. Harris reported that the contract was awarded on January 30th to Gulf Seaboard. The

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contractor mobilized on March 2nd and site work is underway. The project is about two months ahead of schedule. If construction takes 18 months as expected, the building is expected to be completed by the fall of 2016

- Conduct Space Needs Study to determine best uses of the old Courts buildings:

Mr. Harris explained that similar to what was done in 2006 when the new Courthouse was being planned, the future space needs of departments in the Wickham Building, Wickham Annex, Old Clerk’s Office and the Taylor Complex will be analyzed. Board members had a discussion about the Schools’ study of the older school buildings. It was decided that the matter of the school facilities will be brought to the Board’s Facilities Committee and may be added to the FY2016 Initiatives at a later date.

- Provide additional resources to meet Public Safety needs:

The funding approved in the budget to achieve numerous Public Safety improvements was described.

- Begin video-streaming of Board meetings:

Streaming of Board meetings is expected to begin in just a few months. The Board members had a discussion about the planned future streaming of Planning Commission meetings as well and expressed their desire to have this specifically stated in the initiative.

- Support Richmond 2015 cycling championships race:

Mr. Harris reported that this event is the “World Series of competitive bicycling” and the Individual Time Trials for Elite Men cyclists will be held in Hanover on September 23rd. A video promoting the event was shown.

Mrs. Kelly-Wiecek, seconded by Mr. Via, moved to adopt the Board’s FY16 Initiatives, with the video streaming initiative amended to: “Begin video-streaming of Board and Planning Commission meetings”.

	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.

VII. Workshop and Request for Authorization to Advertise Public Hearing – Department of Public Works – VDOT FY 16-21 Secondary Six-Year Plan

Mr. Joe Vidunas, Department of Public Works, came forward to address the Board. He explained that the Secondary Six-Year Plan (SSYP) outlines planned spending for road projects on the secondary system over the next six (6) years. The plan establishes a prioritized list of projects throughout the County that the Board of Supervisors selects to receive funding. It is updated annually and is the means by which secondary road funding from VDOT is allocated. Funding is allocated for the first fiscal year of the SSYP, but the remaining five (5) years are simply estimates of future allocations. The SSYP is updated each year as revenue estimates are updated, priorities are revised, project schedules and costs change, or projects are completed. Only projects funded in whole or in part with secondary road funds are included in the plan.

The draft plan allocates \$1,734,438 in secondary funds among four projects: Pole Green Road/Walnut Grove Road (#3.04), Atlee Road Extended (#3.05), Cedar Ln/Rt. 1 (#3.06) and Sliding Hill Road (#3.08). Funding is also assigned to Countywide Right-of-Way Engineering (#1.05). Two projects have been completed since the last update and no longer appear in the plan: Creighton Road shoulder widening and pavement overlay and Pole Green Road/Rural Point Road turn lane improvements. Two projects have been added to the proposed plan: Mechanicsville Turnpike (#3.09) and Bell Creek Road (#3.10). Construction of these projects is to begin in May of this year however both projects require additional funding to fully fund the construction phase. They have been added to the plan to allow secondary balances that remain on completed projects, which up to this point had been withheld by VDOT, to be applied to cover the existing shortfalls.

Mr. Peterson made a motion to authorize advertisement of a joint public hearing with VDOT on May 13, 2015 on the proposed FY 16-21 Secondary Six-Year Plan. The motion was seconded by Mr. Via.

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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.

VIII. Closed Session - Va. Code Section 2.23711(A) – Authorize the purchase of right-of-way and easements on GPIN 7796-85-5580 for the construction of Atlee Road Extension.

Mr. Stanley moved that the Board of Supervisors go into Closed Session pursuant to the following: Section 2.23711(A) – Authorize the purchase of right-of-way and easements on GPIN 7796-85-5580 for the construction of Atlee Road Extension. The motion was 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.

Board members entered Closed Session at 6:46 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 6:58 p.m.

Certification of Closed Session

Mr. Stanley 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. Via.

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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.

The Chairman announced a brief recess at 6:58 p.m.

The meeting was reconvened at 7:01 p.m.

Mrs. Kelly-Wiecek moved that the Board of Supervisors authorize the purchase of right-of-way and easements on GPIN 7796-85-5580 for \$70,000.00 for proposed road improvements, and authorize the County Administrator to take all actions necessary to complete this acquisition. The motion was seconded by Mr. Peterson.

	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.

VIII. PLANNING PUBLIC HEARINGS

C-5-06(c) - AM. 1-15 – Maria L. and John P. Hudnall, Jr. (Mason Estates), Request an amendment to the proffers approved with rezoning request C-5-06(c), Hendree F. and Paul H. Mason, Jr., on GPIN 8754-26-7625, zoned AR-6(c), Agricultural Residential District with conditions, and located at the terminus of Hendree Lane (private road) approximately 1,300 feet west of intersection with McClellan Road (State Route 628) in the **Cold Harbor Magisterial District**. The proposed zoning amendment would amend the cash proffer.

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Planning Analysis:

- The request is to amend the following:
 - Amend Proffer No. 2 from \$11,246.00 (capital & road improvements) to \$2,306.00 (road improvements)
 - The amended proffer is in accordance with the Business and Residential Development Road Improvements Transportation Policy

Recommendations:

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

Mr. David Maloney, Director of Planning, came forward to give this presentation 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-5-06(c), AM. 1-15

OWNER OF RECORD: Maria L. and John P. Hudnall, Jr. (Mason Estates)

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 22nd day of April, 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-5-06(c), Hendree F. and Paul H. Mason, Jr., of the property described as GPIN 8754-26-7625, located at the terminus of Hendree Land (private road) approximately 1,300 feet west of its intersection with McClellan Road (State Route 628) (a detailed description is filed with the Board's papers), zoned AR-6(c), Agricultural Residential District

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with conditions, subject to the following conditions which were proffered by the Applicant on February 20, 2015, and accepted by the Board:

1. The Property shall be divided in substantial conformity with the conceptual plan entitled “Conceptual Plan of GPIN# 8754-26-9903 Situated West of Quietude Section #1 and East of Blueberry Hill Lane,” dated July 5, 2006, revised July 25, 2006, prepared by Downing Surveys, Inc. The Property shall be divided into three lots.
2. The Property 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.
3. Access to the lots to be subdivided from the Property shall be provided by a private road to be constructed within the bounds of a shared 50-foot access easement as shown on the Plan. There shall be no other access for the Property to State Route 628 other than this access. The road shall be paved and maintained by the Property Owner or its successor in title.
4. No cinder block, cement block or asbestos shingles shall be permitted for the finished exterior of any structure.
5. All houses shall have brick, stone, stucco or dryvit type finished foundations.
6. Each house shall have the following minimum finished floor areas, exclusive of covered porches, covered stoops, breezeways, garages, basements, and cellars, as follows:

1 Story	-	2,000 Square Feet
1½ Story	-	2,200 Square Feet
2 Story	-	2,400 Square Feet

Floor area shall be measured along the exterior walls of the structure.
7. Within the area of the building envelope as shown on the Conceptual Plan, existing trees of five-inch (5”) or greater on the Property shall not be removed, with the exception of dead or diseased trees or parts thereof; provided, however, this shall not prevent the removal of trees

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necessary for the construction of improvements, driveways, drainfields or drainage facilities or swimming pools. Outside the building envelope, existing trees of five-inch (5”) or greater on the Property shall not be removed, with the exception of dead or diseased trees or parts thereof.

8. The Property Owner shall provide a drilled deep well upon each lot. Should production from the deep well prove inadequate for requisite household use with respect to either quantity or quality, a shallow well may be used.
9. Electric utility lines which provide service to the lots shall be run underground.
10. Should a grave or cemetery be discovered at any point in the development of the subject Property that cannot remain in its current location and must be relocated, the Property Owner shall remove and relocate the human remains from the cemetery through the permit procedure administered by the Virginia Department of Human Resources. The Property Owner shall be responsible for all costs and expenses associated with the cemetery removal or relocation.
11. All residential dwellings and ancillary outbuildings constructed on lots subdivided from the Property shall be located within the area of the building envelope for each lot as shown on the Conceptual Plan. This restriction, however, shall not prohibit the location of buildings outside of the building envelope, provided such buildings are used solely to board or provide shelter for livestock or store equipment, tools, supplies or other goods or materials used for agricultural operations conducted on such lot.

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. Wade, seconded by Mr. Via, the members of the Board of Supervisors voted to approve Ordinance C-5-06(c), Am. 1-15, Maria and John Hudnall, 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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C-1-15 (c) – Calvin L. Stanley, Requests to rezone from B-3, General Business District to AR-6(c), Agricultural Residential District with conditions on GPIN 7826-68-8756, consisting of approximately 4.07 acres, and located on the east line of Beaver Dam Road (State Route 715) approximately 325 feet south of its intersection with Union Church Road (State Route 678) in the **Beaverdam Magisterial District**. The subject property is designated on the General Land Use Plan Map as Rural Village and Agricultural. The proposed zoning amendment would permit the creation of two (2) building lots for a gross density of one (1) dwelling unit per 2.04 acres.

Planning Analysis:

- The applicant proposes dividing the 4.07 acre parcel into 2 lots:
 - 2.06 acres
 - 2.01 acres
- Each lot meets road frontage requirements for individual driveways

Proffers:

- Conceptual Plan
- Tree Preservation
- Contribution for Road Improvements
- Reservation of Right-of-Way

Recommendations:

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

Mr. Maloney presented the Board with this request.

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-1-15(c)

OWNER OF RECORD: Calvin Stanley

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

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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 22nd day of April, 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 7826-68-8756, consisting of 4.07± acres located on the east line of Beaver Dam Road (State Route 715) approximately 325 feet south of its intersection with Union Church Road (State Route 678), (a detailed description is filed with the Board's papers) from B-3, General Business District, to AR-6(c), Agricultural Residential District with conditions, subject to the following conditions which were proffered by the Applicant on February 23, 2015, and accepted by the Board:

1. Conceptual Plan. The Property shall be divided in substantial conformity with the conceptual plan attached, titled "Plat Showing a Proposed Division of Land Containing 4.069 Acres for Rezoning," dated December 31, 2014, prepared by ASA Surveying & Surveying & Mapping, and revised by Calvin Stanley on February 23, 2015.
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

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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 Beaverdam Road (State Route 715) and twenty-five (25) feet of right-of-way from the centerline of Union Church Road (State Route 678) to the property for the future road widening.

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. Wade, the members of the Board of Supervisors voted to approve Ordinance C-1-15(c), Calvin Stanley, 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

CUP-1-10 - AM. 1-15 – Bethlehem Presbyterian Church, Inc., Requests an amendment to a Conditional Use Permit in accordance with Section 26-20.21 of the Hanover County Zoning Ordinance to permit an amendment to the sketch plan on GPINs 8765-28-6454, 8765-28-3157 and 8765-28-2202, consisting of approximately 8.37 acres, zoned A-1, Agricultural District, and located on the north line of Old Church Road (State Route 606) at its intersection with Ironwood Lane (private road) in the **Henry Magisterial District**. The subject property is designated on the General Land Use Plan Map as Agricultural.

Planning Analysis:

- In 2010 a Conditional Use Permit (CUP) was approved for an expansion
 - VDOT required the western entrance to be closed due to spacing requirements from the eastern entrance at that time

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- In 2011, the Church amended the CUP to allow limited use of the western entrance for funerals
- VDOT has since indicated it will now approve the reopening of the western entrance

Recommendations:

The Planning Commission and staff recommend approval subject to the conditions outlined in the staff report

Mr. Maloney presented the Board with this request.

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.

RESOLUTION

WHEREAS after a public hearing held on this 22nd day of April, 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 Bethlehem Presbyterian Church, Inc. 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 sketch plan and conditions on GPINs 8765-28-6454, 8765-28-3157 and 8765-28-2202, consisting of 8.37 acres (the area of the Conditional Use Permit will be limited to 8.37 acres), zoned A-1, Agricultural District, subject to the following conditions, which incorporate all of the applicable conditions from previous amendments:

1. The subject property shall only be used for a church and its associated uses.
2. The Phase 1 sanctuary building shall be designed and constructed in substantial conformity with the submitted elevations titled, “Bethlehem Presbyterian Church”, prepared by Huff Morris Architects, dated January 4, 2010. Elevations for the Phase 2 sanctuary expansion and the multi-purpose building shall be submitted to the Planning Commission for its review and approval prior to site plan approval for any Phase 2 improvement. All Phase 2 development shall be developed with a unified architectural theme and shall be compatible with the existing structures. The standard of compatibility shall be met through scale, bulk, mass, materials and colors.

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3. No expansion of the existing or proposed use, structures or features shall be added to this site without an amendment to this Conditional Use Permit.
4. The Owner shall dedicate thirty feet (30') of right-of-way from the centerline of Old Church Road (State Route 606) to the property for future road widening, free of cost to the County and free of encumbrances upon request of the County or VDOT.
5. All new parking areas shall be designed and landscaped in accordance with Division 4, Parking, Loading and Access Regulations, of the Hanover County Code.
6. Rooftop, building, and ground level heating and air conditioning equipment on any building(s) shall be fully screened from view by any persons on any public right-of-ways or from adjacent residential uses. Any mechanical units placed on the rooftops or walls of buildings will be fully screened by architectural features and materials that are compatible with the building façade architecture and materials. Any ground level units shall be fully screened at a height not less than the equipment being screened, utilizing evergreen landscaping, attached or unattached wing walls or decorative masonry, which must be designed to be architecturally compatible with the building façade architecture and materials.
7. Prior to issuance of a Certificate of Occupancy for the Church, the existing shed at the northern side lot line shall be relocated so it does not encroach into any required yard setbacks.
8. All development and use of the Property shall comply with all federal, state and local statutes, ordinances and regulations.

On motion of Mr. Davis, seconded by Mr. Stanley, the members of the Board of Supervisors voted to approve CUP-1-10 - AM. 1-15 – Bethlehem Presbyterian Church, Inc., 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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C-3-15 (c) – Wayne T. Hazzard, et al., Request to rezone from M-1, Limited Industrial District, to M-2(c), Light Industrial District with conditions, on GPIN 7788-05-8451, consisting of approximately 10.85 acres, and located on the northwest quadrant of the intersection of Washington Highway (U.S. Route 1) and Lewistown Road (State Route 783) in the **South Anna Magisterial District**. The subject property is designated on the General Land Use Plan Map as Business-Industrial. The proposed zoning amendment would permit additional industrial uses.

Prior to the presentation, Mr. Hazzard recused himself from the public hearing, deliberations and vote. Mr. Hazzard left the Dias.

Planning Analysis:

- The applicant is seeking to rezone to accommodate an industrial user
- A portion of the property is currently used for production of outbuildings
- The proposed M-2 is consistent with surrounding uses
- Future improvements must comply with the zoning ordinance development standards prior to site plan approval

Proffers:

- Use Restrictions
- Dedication of Right-of-Way on both road frontages
- Monument Signs

Recommendations:

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

Mr. Maloney presented the Board with this request.

The Vice-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-3-15(c)

OWNER OF RECORD: Wayne t. Hazzard, 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

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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 22nd day of April, 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 7788-05-8451, consisting of 10.85± acres located on the northwest quadrant of the intersection of Washington Highway (U.S. Route 1) and Lewistown Road (State Route 783), (a detailed description is filed with the Board's papers) from M-1, Limited Industrial District, to M-2(c), Light Industrial District with conditions, subject to the following conditions which were proffered by the Applicant on February 25, 2015, and accepted by the Board:

1. Use Restrictions. The following M-2 uses shall not be permitted:
 - a. Coal and wool yards, coke storage and sales; and,
 - b. Poultry packing and slaughtering (wholesale).
2. Dedication of Right-of-Way. The Owner agrees to dedicate 60 feet of right-of-way from the centerline of Washington Highway (U.S. Route 1) to the property and 50 feet right-of-way from the centerline of Lewistown Road (State Route 783) to the property for future road widening, free of cost to the County, upon request of the County or VDOT.
3. Signage. All freestanding signage shall be monument style.

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. Via, seconded by Mr. Peterson, the members of the Board of Supervisors voted to approve Ordinance C-3-15(c), Wayne T. Hazzard, et al., as follows:

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	Vote:
Wayne T. Hazzard	Recused from vote
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

C-2-15 (c) – Baldwin Family Partnership, et al., Request to rezone from A-1, Agricultural District, to M-2(c), Light Industrial District with conditions, on GPINs 7789-32-7910, 7789-32-8994, 7789-43-2172, 7789-22-7554, 7789-43-8140, 7789-43-7491 and 7789-42-6349, consisting of approximately 95.93 acres, and located generally on the south line of Ashcake Road (State Route 657) at its intersection with Long Road (State Route 95) in the **Ashland Magisterial District**. The subject property is designated on the General Land Use Plan Map as Limited Industrial. The proposed zoning amendment would permit speculative industrial uses.

Planning Analysis:

- The applicants are seeking M-2 zoning to better market the property and to keep it in the County’s land use taxation program until it is developed
- In accordance with the land use taxation program, uses would be limited to:
 - Manufacturing
 - Professional
 - Hotels and Motels
 - Transportation and Warehousing
 - Scientific and Technical Services
 - Professional Offices
- The conceptual plan shows possible points of access and a 40’ buffer next to the Ashland Heights subdivision
- When the property is developed, the site plan(s) will have to address all County, State and federal requirements
- No elevations have been provided
 - Proffers have been submitted that provide for quality building materials and for architectural standards compatible with the Northlake development

Community Meeting on February 23, 2015:

- Issues raised at the meeting included the following:

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- Not using Ashland Heights Road for access to the site
- An increased buffer adjacent to Ashland Heights that would include vegetation that discourages trespassing
- Traffic congestion and safety on Ashcake Road

Proffer and Master Plan Considerations:

- To address the staff's concerns and the concerns raised at the community meeting, the applicants have proffered the following transportation improvements:
 - To conduct a traffic impact analysis (TIA) study prior to the first site plan approval
 - Traffic improvements recommended in the TIA shall be installed
 - A master plan will be provided to show access and internal circulation
 - A phasing plan will be provided for the installation of transportation improvements
 - There will be no access to Ashland Heights Road
 - A "No Thru-Traffic" sign to be requested at that road's access to Ashcake Road

Proffers:

- Public Utilities shall be provided
- Overhead utility lines shall be placed underground
- Uses – Those allowed per Section 22-17.1(a) : Manufacturing; Transportation and Warehousing; Professional, Scientific and Technical Services; Hotel and Motels; Professional Offices
- Architectural Treatment
- Transportation - Includes TIA and proffered road improvements
- 40' Buffer - Enhanced as proffered
- Historic resource will be advertised for relocation, salvaging materials and documentation prior to demolition
- Access points to be in substantial conformity with the conceptual plan

Recommendations:

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

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Mr. Maloney presented the Board with this request. Following the presentation, Mr. Maloney answered questions from Board members regarding traffic signs.

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

Mr. Andy Condlin, applicant representative, came forward and spoke in support of the rezoning request and stated that the rezoning will allow the property to be developed in the future in a way that is consistent with surrounding properties.

Mr. Edwin Gaskin, Director of Economic Development, came forward and spoke in support of the rezoning request and stated the M-2 zoning is the most appropriate zoning for the property and will create opportunities for positive development.

Ms. Sandra Dalton, Ashland Magisterial District and adjacent property owner, came forward and spoke in opposition with regard to the buffers, notification to adjacent property owners and the potential of noise that might result from certain businesses.

Ms. Wanda Edwards, adjacent property owner, came forward and spoke in opposition, citing an issue with notification to many property owners in the area and problems that might arise depending on what type business might be built in the future.

Mr. Maloney answered questions from the Board at this time concerning notices to property owners and the plan for the development to be similar to the Northlake development.

Mr. Condlin returned to the podium and noted that over 75 notices were mailed to property owners and provided the map of the properties where notices were mailed to the owners. He noted the intent is to attract similar businesses as those in Northlake.

Mr. Maloney offered further clarification regarding the set-backs and buffers. He informed the Board that one of the components of the proffers is that, prior to site plan approval, a Comprehensive Internal Circulation Plan will have to be provided.

Mr. Sterling Rives, County Attorney, noted that there are provisions in the County Noise Ordinance to provide protection for nearby residential properties.

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

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ORDINANCE C-2-15(c)

OWNER OF RECORD: Baldwin Family Limited Partnership, Downing-Gilman, L.L.C., and Pettus W. Gilman and R. Lee Downing

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 22nd day of April, 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 7789-32-7910, 7789-32-8994, 7789-43-2172, 7789-22-7554, 7789-43-8140, 7789-43-7491 and 7789-42-6349, consisting of 95.93± acres located on the generally on the south line of Ashcake Road (State Route 657) at its intersection with Long Road (State Route 95), (a detailed description is filed with the Board's papers) from A-1, Agricultural District, to M-2(c), Light Industrial District with conditions, subject to the following conditions which were proffered by the Applicant on April 1, 2015, and accepted by the Board:

1. Utilities. Public water and sewer facilities shall be used for the development of the Property.
2. Utility Lines. All utility lines, such as electric, telephone, CATV, or other similar lines shall be installed underground, except (a) for major transmission lines, (b) existing lines that now traverse the Property.
3. Uses. Only the uses within the categories of uses set forth in Section 22-17.1(a) of the Hanover County Code, as may be amended, shall be permitted, which includes the following categories:
 - A. Manufacturing;
 - B. Transportation and warehousing;

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- C. Professional, scientific and technical services;
- D. Hotels and motels; and
- E. Professional offices.

Nothing herein shall preclude the Owner from applying for any special exception permits or conditional use permits available pursuant to the Hanover County Zoning Ordinance provided the use is consistent with those uses listed in Section 22-17.1(a) of the Hanover County Code.

4. Architectural Treatment.

A. Materials used for buildings on the Property shall be brick, stone, precast architectural concrete (including tilt-up panels), split face block, architectural metals, metal and glass curtain wall, metal curtain construction systems, or synthetic stucco or other materials determined to be of comparable quality by the Planning Department at the time of site plan review.

B. The architectural treatment for any wall facing a public right-of-way shall include architectural details, fenestration, or other features that will create architectural interest and not appear as a blank wall. Wall surfaces of each building (whether front, sides or rear) that are visible from any public right-of-way shall be similar in architectural materials to other walls of the building.

C. Any mechanical units on the Property shall be screened, and if on the roof, screened by a parapet wall that is an integral component of the building. Screening shall be designed so as to block such units from view by persons on any public streets immediately adjoining the Property, or from adjacent residential uses. The method of screening shall be submitted at the time of site plan review.

5. Transportation Improvements. To provide for an adequate roadway system, the Owner shall be responsible for the road improvements as required below.

A. Prior to the first site plan approval on the Property, the Owner agrees to undertake a Traffic Impact Analysis (TIA) in accordance with County policies and applicable Virginia Department of Transportation (VDOT) regulations. The scope of the TIA shall be mutually reviewed by the Owner, Hanover County, and the Virginia Department of Transportation; however, the Director of Planning shall make the final determination regarding the scoping of the TIA. The TIA shall include trip generation forecasts for

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project build out. The TIA shall provide recommendations to ensure that traffic operations as a result of the proposed development will be sufficient to maintain a minimum service level “D” across the road network identified in the TIA.

- B. The TIA shall include a master plan depicting the internal circulation, which shall be submitted to the Hanover County Planning Department for its review and approval. The master plan shall include provisions for the following potential points of ingress and egress:
 - i. Design Road and its intersection with U.S. Route 1
 - a. Should Design Road be utilized for ingress and egress to the property (other than for access used exclusively for emergency access), it shall be designed and improved to VDOT standards from the property to U.S. Route 1;
 - ii. A future connection to Harley Club Lane; and,
 - iii. The proposed entrance from State Route 657.
- C. The TIA shall include a phasing plan for the installation of improvements. The phasing plan shall be based on projected daily vehicle trips and PM peak hour trips. In no case shall the level of service for the roads evaluated in the TIA fall below LOS D in any phase of development. The Owner agrees to install all recommended road and traffic control improvements as recommended by the TIA. The exact design and dimensions of these improvements shall be determined at the time of site plan approval, and they shall be designed and constructed to VDOT standards and specifications.
- D. There shall be no access permitted from the Property to Ashland Heights Road. Prior to site plan approval for any site plan proposing to access Ashcake Road, the Owner agrees to initiate the process with VDOT for placement of a “No Thru-traffic” warning sign to be located near or at the entrance to Ashland Heights Road from State Route 657. Should the sign be approved by VDOT, the applicant shall be responsible for the cost of the sign and its installation.
- E. The location of all access points into the Property shall be in general conformity with the conceptual plan titled “Baldwin and Downing – Gilman Properties, Hanover County, Exhibit A,” prepared by McKinney and Company, dated January 2, 2015, and most

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recently revised February 26, 2015, or as recommended and approved during site plan review based on the traffic impact analysis.

F. Dedication of Right-of-Way. The Owner agrees to dedicate 50 feet of right-of-way from the centerline of Ashcake Road (State Route 657) to the property for future road widening, free of cost to the County, upon request of the County or VDOT.

6. Buffer. The required buffer adjacent to Ashland Heights subdivision shall at a minimum be 40 feet in width and it shall be designed in accordance with the standards set forth in Section 26-266 of the Hanover County Zoning Ordinance. In addition, the Buffer shall be supplemented with:

A. Landscaping consisting of holly, elaeagnus or other such vegetation to deter pedestrian access; or,

B. A six foot high screening fence shall be installed along the length of the Buffer and shall be located on the interior side of the Buffer.

7. Historic Resources. Prior to application for a demolition permit for the historic structure located on GPIN 7789-43-8140, 12183 Long Road, 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 the Thomas House, VDHR # 42-5024.

8. Access. The Owner shall provide a reciprocal cross access easement to GPIN 7789-43-1655 prior to site plan approval, and such easement shall be improved to the common property line at a location approved by the Director of Planning. The easement may stipulate that such access shall be granted only upon the rezoning of the parcel to a commercial or industrial zoning designation.

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.

Mr. Via, seconded by Mr. Wade, moved to approve Ordinance C-2-15(c), Baldwin Family Limited Partnership, Downing-Gilman, L.L.C., and Pettus W. Gilman and R. Lee Downing and further

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moved that the Board find that all of the proposed uses fit into the categories established by Hanover County Code Section 22-17.1.

	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.

C-17-14(c) – Chamberlayne Road Associates, LLC, Requests to rezone from A-1, Agricultural District and R-1, Single-Family Residential District to RS(c), Single-Family Residential District with conditions and B-2(c), Community Business District with conditions, on GPINs 8706-67-5588 and 8706-67-5140, consisting of approximately 11.7 acres, and located on the east line of Chamberlayne Road (U.S. Route 301) approximately 250 feet north of its intersection with McKenzie Drive (State Route 1239) in the **Chickahominy Magisterial District**. The subject property is designated on the General Land Use Plan Map as Commercial and Suburban High (4-8 dwelling units per acre). The proposed zoning amendment would permit various community business uses on 1.6 acres and the creation of 40 single-family lots on 10.1 acres for a gross density of 3.97 units per acre.

Planning Analysis:

- The conceptual plan of the 11.7 acre site shows:
 - 1.55 acres to be rezoned to B-2(c)
 - Use is speculative; plan shows the site to accommodate 24,700 sq. ft. office/retail building with required parking
 - 10.08 acres to be rezoned to RS(c)
 - 40 single-family detached lots
 - 3.97 units per acre
- The conceptual plan features:
 - 2.67 acres open space to remain in their natural state, except for necessary utility and drainage improvements

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- 4' concrete sidewalks and pedestrian connection to the adjacent commercial property
- Street trees
- Single load streets comprising 40% of internal street length
- A right-turn lane on U.S. Route 301 into the development

Community Meeting Held on January 6, 2015:

- Issues raised at the meeting:
 - Clearing of heavily wooded areas near existing subdivision lots
 - Intensity of uses permitted in B-2 district and would prefer B-1
 - No access to McKenzie Drive, southbound traffic will need to make U-turns at Crown Colony Parkway
 - Maintenance of the BMP
 - Interest in size and pricing of houses

B-2 Proffers:

- Conceptual Plan
- Architectural Materials
- HVAC - Unit screening
- Lighting - Not to exceed 25-ft in height
- Monument Signs
- Dumpster Screening
- Use Restrictions

RS Proffers:

- Transportation Improvement Contribution
- Architectural Materials and Style
- Minimum House Size

B-2 & RS Proffers:

- Transportation Improvements
- Historic resource will be advertised for relocation, salvaging materials and documentation prior to demolition

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Recommendations:

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

Mr. Maloney presented the Board with this request.

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

Mr. Preston Lloyd with Williams Mullen, came forward and spoke on behalf of owner and gave a presentation on the details of the proposal. Mr. Lloyd and Mr. Maloney answered questions on landscaping in the buffer area.

Mr. Kevin Green, Chickahominy Magisterial District, came forward and spoke in opposition of the rezoning request, citing safety concerns for children in relation to the stormwater basin. He requested a fence be placed around the basin.

Mr. Lloyd returned to the podium to address Mr. Green's concerns. After discussion on the issue of the possibility of a wet pond requirement, Mr. Lloyd stated the applicant is willing to add an additional proffer to address the fence issue. Mr. Rives suggested that the Board move on to the next case on the agenda to allow time for the additional proffer to be drafted and submitted. Action taken, once the Board returns to this case will be inclusive of the added proffer.

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

SE-5-15 – Hanover County Board of Supervisors (Department of General Services), Requests a Special Exception Permit in accordance with Section 26-338 of the Hanover County Zoning Ordinance to permit a sign larger than permitted on GPIN 8810-04-4663, consisting of approximately 18.88 acres, zoned B-3, General Business District, and located in the northeast quadrant of the intersection of County Complex Road (State Route 1005) and Hanover Courthouse Road (U.S. Route 301) in the **Beaverdam Magisterial District.**

Planning Analysis:

- Proposed new monument sign is larger than permitted
- The sign placement will be perpendicular to U.S. Route 301
- Sign materials consist of:

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- Brick
- Raised Metal Lettering on Slate

Staff Recommendation:

Approval subject to the conditions as outlined in the staff report.

Mr. Maloney presented the Board with this request.

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

Mr. Wayne Lawhorn, Beaverdam Magisterial District, came forward to speak in opposition of signage in the Hanover Courthouse area being designed without a master plan for consistency in the entire area.

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

The Board members had a discussion on the matter of sign consistency and it was noted that the matter before the Board only addresses the size of the particular proposed sign. The Board's Facilities Committee will look into the possibility of a plan for sign consistency.

RESOLUTION

WHEREAS after a public hearing held on this 22nd day of April, 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 Hanover County Department of General Services is granted a Special Exception Permit in accordance with Section 26-338 of the Hanover County Zoning Ordinance to permit a sign larger than permitted on GPIN 8810-04-4663, consisting of 18.88 acres, zoned B-3, General Business District, subject to the following conditions:

1. The applicant shall obtain all necessary permits, including both a sign permit and a building permit, prior to construction of the sign. Location of the sign shall be outside the sight distance triangle and the area of any public utility easement.
2. The Hanover County Government sign located at the intersection of U.S. Route 301 and County Complex Road shall be removed within 30 days of the installation of the sign which is the subject of this Special Exception Permit.

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

The Special Exception Permit shall lapse after the expiration of one (1) year if no substantial construction or change of use has taken place in accordance with the plans for which the Exception was approved.

On motion of Mr. Stanley, seconded by Mr. Wade, the members of the Board of Supervisors voted to approve SE-5-15 – Hanover County Board of Supervisors (Department of General Services), 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

Prior to the next hearing, the Board called Mr. Lloyd forward for the matter of **C-17-14(c) – Chamberlayne Road Associates, LLC**. Mr. Lloyd submitted the following: *Proffer 13: For any BMP facility constructed by the owner, for the detention of storm water, which is designated as a wet pond, the owner shall construct a minimum of a two-rail fence along the eastern and northern boundary of the property where facing such BMP.*

The Board members had a discussion on aspects of the proposal, including traffic and potential concerns with the commercial development.

ORDINANCE C-17-14(c)

OWNER OF RECORD: Chamberlayne Road Associates, 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 of the adoption of the following amendment to the Zoning Ordinance and Zoning District Map of Hanover County; and

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WHEREAS the Board of Supervisors has held public hearings on the 22nd day of April, 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 8706-67-5588 and 8706-67-5140, consisting of 11.7± acres located on the east line of Chamberlayne Road (U.S. Route 301) approximately 250 feet north of its intersection with McKenzie Drive (State Route 1239), (a detailed description is filed with the Board's papers) from A-1, Agricultural District and R-1, Single-Family Residential District, to RS(c), Single-Family Residential District with conditions and B-2(c), Community Business District with conditions, subject to the following conditions which were proffered by the Applicant on March 27, 2015, and revised April 23, 2015, and accepted by the Board:

PROFFERS APPLICABLE TO B-2 PROPERTY:

1. Conceptual Plan. The B-2 area shall be developed in substantial conformity with the conceptual plan, entitled “‘TIMBERLAKE COMMONS’ SUBDIVISION & B-2 PROPERTY CONCEPTUAL & PRELIMINARY SUBDIVISION PLAN,” dated September 2, 2014, revised March 3, 2015, and prepared by Goodfellow, Jalbert, Beard & Associates, Inc.
2. Architectural Treatment. The exterior wall surfaces (front, rear and sides) of any building on the B-2 Property shall be similar in architectural treatment and materials. The building constructed on the property shall have exposed walls (above finished grade) of face brick, natural stone, glass stucco, drivit, exposed aggregate concrete or an equivalent permanent architecturally finished material. No portion of an exterior wall surface visible from any adjoining property shall contain painted or untreated concrete masonry units, sheet or corrugated aluminum or metal, except that metal and/or aluminum may be incorporated for window and decorative treatments. All elevations shall be approved by the Director of Planning prior to Site Plan approval.

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3. HVAC Units. Any mechanical units on the B-2 Property shall be screened, and if on the roof, screened by a parapet wall that is an integral component of the building. Screening shall be designed so as to block such units from view by persons on any public streets immediately adjoining the B-2 Property, or from adjacent residential uses. The method of screening shall be submitted at the time of site plan review.
4. Lighting. The Property Owner shall provide lighting not greater than twenty-five (25) feet in height.
5. Monument Signs. All freestanding signs on the B-2 Property shall be monument type, and shall include materials and design that are compatible with the proposed materials and architectural theme of the proposed structure.
6. Dumpsters. Dumpsters on the B-2 Property shall be screened with an opaque fence or screening wall so as not to be visible by persons on any public streets immediately adjoining the Property, or from adjacent residential uses.
7. Uses. The following B-2 uses shall not be permitted:
 - Convenience store with or without fuel sales
 - Fast food restaurants with drive-through
 - Flea Market
 - Warehouse
 - Wholesale establishments

PROFFERS APPLICABLE TO RS PROPERTY:

8. 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 RM 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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9. Architecture. All houses constructed on the RS-zoned property shall include the following:
1) vinyl shakes, vinyl board and batten, and/or beaded vinyl (or compatible materials), 2) brick or stone foundations with matching column bases, and 3) garage door windows. Rooflines shall incorporate gables and/or dormers. The elevations shall generally conform to the style of architecture depicted on the elevations made part of the Conceptual Plan referenced above.
10. House Size. Minimum house sizes shall be 1,400 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.
11. BMP Fencing. For any BMP facility constructed by the Owner for the detention of stormwater that is designed as a “wet pond,” the Owner shall construct a minimum of a two-rail fence along the eastern and northern boundary of the property where facing such BMP.

PROFFERS APPLICABLE TO THE B-2 AND RS PROPERTY:

12. Transportation Improvements. The Property Owner shall construct a northbound right turn lane on Chamberlayne Road (U.S. Route 301) as generally shown on the Conceptual Plan. The turn lane shall be designed and shown on the first set of construction plans submitted for the RS zoned portion of the property and shall be bonded as a subdivision improvement with the first section. In the event a site plan for the B-2 zoned property is submitted prior to subdivision construction plans, the turn lane shall be designed and shown on the first site plan submitted to Hanover County and shall be constructed, inspected, and eligible for acceptance by VDOT prior to issuance of a Certificate of Occupancy for any structures for which a Building Permit has been issued. All road improvements shall be designed and constructed in accordance with VDOT standards and specifications.
13. Historic Structure. 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 House, Route 301, VDHR 42-5250.

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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 Mrs. Kelly-Wiecek, seconded by Mr. Via, the members of the Board of Supervisors voted to approve Ordinance C-17-14(c), Chamberlayne Road Associates, L.L.C., 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

SE-6-15 – Northlake Property Owners Association, Requests a Special Exception Permit in accordance with Sections 26-275(d)(5) and 26-276(b)(7) of the Hanover County Zoning Ordinance to permit four (4) off-site general advertising signs on GPINs 7788-58-2256, 7788-29-5157, 7788-39-4345 and 7788-48-2082, consisting of approximately 28.6 acres (signs encompass a 2,800 square foot area), zoned B-3(c), General Business District with conditions and M-2(c), Light Industrial District with conditions, and located within Northlake Industrial Park, generally along North Lakeridge Parkway (State Route 782) in the **Ashland Magisterial District**.

Planning Analysis:

- An off-site general advertising sign (for directing business locations) was approved November 2014, at the intersection of North Lakeridge Parkway and Lake Park Drive
- This request is for 4 additional off-site general advertising signs to provide directions to businesses using the same design as the first approved sign

Staff Recommendation:

Approval subject to the conditions as outlined in the staff report.

Mr. Maloney presented the Board with this request.

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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. Gibson Wright, President of Northlake Property Association, came forward to speak in favor of the request and offered to answer any questions.

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

RESOLUTION

WHEREAS after a public hearing held on this 22nd day of April, 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 Northlake Property Owner's Association is granted a Special Exception Permit in accordance with Sections 26-275(d)(5) and 26-276(b)(7) of the Hanover County Zoning Ordinance to permit four (4) off-site general advertising signs on GPINs 7788-58-2256, 7788-29-5157, 7788-39-4345 and 7788-48-2082, consisting of 28.6 acres (signs encompass a 2,800 square foot area), zoned B-3(c), General Business District with conditions and M-2(c), Light Industrial District with conditions, subject to the following conditions:

1. The applicant shall obtain all necessary permits for each sign, including both a sign permit and a building permit, prior to construction of each sign. Location of the sign shall be outside the sight distance triangle and the area of any public utility easements.
2. All development and use of the Property shall comply with all federal, State and local statutes, ordinances and regulations.

The Special Exception Permit shall lapse after the expiration of one (1) year if no substantial construction or change of use has taken place in accordance with the plans for which the Exception was approved.

On motion of Mr. Via, seconded by Mr. Wade, the members of the Board of Supervisors voted to approve SE-6-15 – Northlake Property Owners Association, as follows:

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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

ORDINANCE 15-02 – Bed and Breakfast as a Special Exception in the - AR-1 and AR-2 Zoning Districts – An Ordinance to amend the Hanover County Code, Zoning Ordinance, to modify the district regulations for the AR-1, Agricultural Residential District and the AR-2, Agricultural Residential District to permit the operation of a bed and breakfast in those districts with a special exception.

- The South Anna District Supervisor was recently approached by an individual inquiring about the feasibility of using an existing AR-2 parcel for a bed and breakfast business
 - The AR-1 and AR-2 districts were replaced by the AR-6 in 1996 but both of the district regulations remain in effect for existing properties
 - The current AR-1 and AR-2 regulations do not permit bed and breakfast establishments
- Bed and Breakfast establishments are permitted with a Special Exception Permit (SE) in the A-1 and AR-6 districts, and are required to comply with additional regulations specified in the zoning ordinance
- The proposed Ordinance provides for Bed and Breakfast establishments in the AR-1 and AR-2 districts consistent with the provisions in the A-1 and AR-6 districts

Recommendations:

Planning Commission and staff recommend approval of the Ordinance Amendment 15-02, Bed and Breakfast use as a Special Exception in the AR-1 and AR-2 Zoning Districts.

Mr. Maloney presented the Board with the details of this requested ordinance.

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 15-02

AN ORDINANCE TO AMEND THE HANOVER COUNTY CODE, ZONING ORDINANCE, TO MODIFY THE DISTRICT REGULATIONS FOR THE AR-1 AGRICULTURAL RESIDENTIAL DISTRICT AND THE AR-2 AGRICULTURAL RESIDENTIAL DISTRICT TO PERMIT THE OPERATION OF A BED AND BREAKFAST IN THOSE DISTRICTS WITH A SPECIAL EXCEPTION AND IN ACCORDANCE WITH THE STANDARDS SET FORTH IN SECTION 26-300 OF THE ZONING ORDINANCE.

WHEREAS the Hanover County Zoning Ordinance contains regulations providing for where beds and breakfasts are permitted in the County; and

WHEREAS the Zoning Ordinance currently allows for the operation of a bed and breakfast in the A-1 Agricultural District and the AR-6 Agricultural Residential District with a Special Exception and in accordance with the standards set forth in Section 26-300 of the Zoning Ordinance, which provides for the required size of a property used as a bed and breakfast, the required number of parking spaces on the property, the permissible size of signage, and the operation of the bed and breakfast; and

WHEREAS the Board of Supervisors has determined that similar regulations are appropriate in the AR-1 Agricultural Residential District and the AR-2 Agricultural Residential District; 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 in accordance with these findings;

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

1. That the zoning regulations applicable to the AR-1 Agricultural Residential District and the AR-2 Agricultural Residential District be amended to allow use of properties in those districts as a bed and breakfast with a Special Exception, and that such use also be required to comply with the standards set forth in Section 26-300 of the Hanover County Zoning Ordinance.
2. This ordinance shall be effective on the date of adoption.

On motion of Mrs. Kelly-Wiecek, seconded by Mr. Stanley, the members of the Board of Supervisors voted to approve Ordinance No. 15-02, as follows:

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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

XV. Announcements

Mr. Davis announced that the *A Taste of Hanover* event, which is sponsored by Hanover ARC and Hanover Community Support Services will be held Wednesday, April 29th. Mr. Davis noted that this is a great community event.

Mrs. Kelly-Wiecek announced that it is Administrative Professionals Week and, along with the other Board members, thanked the recording secretary.

Mr. Peterson announced that the Mechanicsville Rotary Club, at their recent Casino Night, raised \$32,000 for Hanover Safe Place. He noted the important work done by the Rotary Clubs.

Mr. Hazzard announced that he recently attended a movie at the Ashland Theater called *Girl Rising*. He noted that a Patrick Henry student started the project and all money raised was for Hanover Safe Place.

Mr. Rives announced that the Pine Slash reception and tour that was scheduled for April 23rd has been cancelled. The Board will be notified when it is rescheduled.

Mr. Stanley announced that the campaign committee for his reelection to the Board of Supervisors is holding a fundraising dinner at the Hanover Country Club on Thursday, May 7th.

XVI. Adjournment

At 8:42 p.m. the Chairman adjourned the meeting to May 13, 2015 – Hanover County Administration Building – 2:00 p.m.


Chairman