

Shown below is a preliminary summary of the actions taken by the Hanover County Board of Supervisors on July 22, 2015. Minutes in final form will be presented to the Board for approval at a future date.

HANOVER COUNTY BOARD OF SUPERVISORS

DRAFT SUMMARY MINUTES

Hanover County Administration Building Board Room

July 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 July, 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. Hazzard 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. Wade.
- C. Approval of Minutes - May 27, June 10, and June 24, 2015

Mr. Via made a motion to approve the Board of Supervisors meeting minutes of May 27, June 10, and June 24, 2015, 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.

The Chairman welcomed Senator Ryan McDougle and called him forward. Senator McDougle announced that he was at the meeting to present Service Proclamations from the Commonwealth for Mr. Via and Mr. Wade. Senator McDougle commended and thanked Mr. Via and Mr. Wade for their service. Mr. Via was presented with Senate Resolution 103. Mr. Wade was presented with Senate Resolution 117.

II. Consideration of Agenda Amendments

Mr. Stanley made a motion to amend the agenda to add the following items: presentation of proclamation for Eagle Scout Thomas Gene Haynie, Jr., Item IX.-A. - Request for transfer and appropriation Fire-EMS \$229,832 FY16, and acceptance of Staffing for Adequate Fire & Emergency Response (SAFER) Grant in the amount of \$933,104 over two years, and, two consent agenda items: IV.-H. - Adoption of Proclamation for the Hanover/Ashland Triad/SALT Council - 20th Anniversary and IV.-I. - Adoption of Proclamation for Mr. Earl J. Hunter, Jr. 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.

The Chairman asked if there were any other 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. Franklin Gayle, Beaverdam Magisterial District, came forward to ask for assistance with problems that have been caused by the culverts of a cell tower road that causes water to wash out the road to his property.

Mr. Gayle was advised to speak with Mr. Flagg, Director of Public Works, who was present. Seeing no others come forward, citizens' time was closed.

IV. Consent Agenda

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

IV. A. – Adoption of an agreement by and between the City of Richmond and the Counties of Charles City, Chesterfield, Goochland, Hanover, Henrico, New Kent, and Powhatan for the Capital Region Workforce Partnership

Board Sheet Background:

At their May 15, 2016 meeting, the Chief Elected Officials Consortium, which includes an elected official from each of the eight jurisdictions, adopted the attached Consortium Agreement for purposes of implementing the federal Workforce Innovation and Opportunity Act.

The creation of the workforce development area to be known as the Capital Region Workforce Partnership (hereinafter, the "Consortium") will permit the delivery and oversight of workforce

services in a manner that will ensure accountability to local elected officials of the Member Jurisdictions.

Changes to the agreement include:

- removing Workforce Investment Act (WIA) references and replacing with Workforce Innovation and Opportunity Act (WIOA)
- deleting sections about the youth council (which will no longer exist) and board responsibilities, which will be defined in an agreement between the CLEO and the new board once it is certified
- changing the number of votes per jurisdiction based on the allocation of federal funds (determined annually based on poverty, unemployment, and excess unemployment (above the State avg.)); Hanover County's vote changes from 3 votes out of 32 to 2 votes out of 27
- changing the composition of the regional workforce development board

This agreement must be approved by each of the eight jurisdiction's governing bodies. The agreement has been reviewed by the County Attorney's Office as to form.

Recommended Action:

Adopt the agreement by and between the City of Richmond and the Counties of Charles City, Chesterfield, Goochland, Hanover, Henrico, New Kent, and Powhatan for the Capital Region Workforce Partnership.

IV. B. – Request for Authorization to Advertise Public Hearing—Ordinance 15-09 – Running at Large Ordinance Amendment

Board Sheet Background:

On June 24, 2015, the Board of Supervisors voted to approve an Agreement with the Town of Ashland providing for the enforcement of the County's animal control laws in the Town of Ashland. Under subsection (b) of the County's Running at Large ordinance, running at large is currently prohibited year-round in the urban service area, in areas zoned R-1, R-2, R-3, R-4, R-5 and R-6, in county parks and on the grounds of any schools operated by the county school board. There are parts of the Town of Ashland that do not fall within these prescribed areas, preventing the County from enforcing this animal control law throughout the entire Town. Until the Town repealed its ordinance to follow the County's, dogs running at large in the Town was prohibited. The Town of Ashland has

requested that the County amend Section 4-74(b) of the Hanover County Code to prohibit the running at large of any canines or canine crossbreeds anywhere in the Town of Ashland, which will assist in the County's complete enforcement of its animal control laws, as provided for in the Agreement.

Recommended Action:

Authorization to Advertise a Public Hearing for Ordinance 15-09 amending the Running at Large ordinance to provide for the year-round prohibition of canines running at large anywhere in the Town of Ashland.

IV. C. -. Request for Approval of Sheriff's Office Court Services Position Reclassification

Board Sheet Background:

The Hanover County Sheriff's Office currently staffs all County Courthouses to provide courtroom security, safe transportation of prisoners and serves civil process throughout the county.

Working together with County Administration and County Human Resources, we have identified a plan to provide appropriate supervision with the upcoming transition to the new courthouse scheduled to open in 2017. We are asking that one vacant Court Services Bailiff position (Grade 22 – Position # 14010-8) be reclassified to a Court Services Sergeant position (Grade 29).

County Administration and Human Resources concur with this request.

Recommended Action:

Motion to approve the Sheriff's Office Court Services Position Reclassification.

IV. D. -. Request for approval of Amendment to Utility Service Agreement between Hanover County and Charter Landing, LLC – Department of Public Utilities

Magisterial District: Chickahominy

Board Sheet Background:

Charter Landing, LLC ("Charter Landing") entered into a standard form Utility Service Agreement ("USA") with Hanover County on February 12, 2015 in order to develop the Charleston Ridge Apartments. Charter Landing intends to obtain financing for this project from the U.S. Department of Housing and Urban Development ("HUD"). In order to agree to finance the project, HUD requires an amendment to the standard form USA. HUD requires that Section IV (B) of the USA be amended by adding a provision stating that HUD assumes no obligation of indemnity to the

County. The owner’s indemnity obligation and all other provisions of the agreement remain unchanged.

The Board of Supervisors approved the standard form USA, but any modifications to the standard form USA require Board approval.

Public Utilities recommends that the Board approve the amendment to the standard form USA. The County Attorney’s office has reviewed and approved the amendment as to form.

Recommended Action:

Approval of the Amendment to Utility Service Agreement with Charter Landing, LLC.

IV. E. -. Committee Appointment – Pamunkey Regional Library Board

COMMITTEE NAME	DISTRICT	FIRST NAME	LAST NAME	TERM LENGTH	CURRENT TERM ENDS	ACTION
Pamunkey Regional Library Board	N/A	James	Johnson	4 years	N/A	Appoint to 06/30/19

IV. F. -. Request for Approval of FY16 Performance Contract with the Virginia Department of Behavioral Health and Developmental Services

Board Sheet Background:

HCCSB staff reviewed and supplied the required data and information for the FY16 Performance Contract, a document developed by the Virginia Department of Behavioral Health and Developmental Services to be executed by each community services board and behavioral health authority in Virginia. This is a prerequisite for the receipt of state-controlled funds for mental health, intellectual disabilities and substance use disorder services. Execution of the Performance Contract requires approval by both the CSB Board and the Board of Supervisors.

The Code of Virginia requires that prior to the execution of the performance contract, each community services board and behavioral health authority make the proposed Performance Contract available for public comment for a thirty-day period. HCCSB made the proposed FY16 Performance Contract available for public comment on June 19, 2015. No public comments have been received to date; any received prior to the July 20, 2015 deadline will be provided. On July 20, 2015, the HCCSB Board is scheduled to take the necessary action to recommend to the Board of Supervisors the approval of the FY16 Performance Contract.

Recommended Action:

Approval of the FY16 Performance Contract

IV. G. -. Adoption of Proclamation – Eagle Scout – Alfred Peter Cappelli - Magisterial District: Mechanicsville

Board Sheet Background:

It is requested that the Board of Supervisors adopt the attached proclamation congratulating Alfred Peter Cappelli in attaining the rank of Eagle Scout on May 11, 2015, the highest award granted by the Boy Scouts of America.

Recommended Action:

A motion to adopt proclamation.

IV. H. -. Adoption of Proclamation – Hanover/Ashland Triad/SALT Council - 20th Anniversary

Board Sheet Background:

It is requested that the Board of Supervisors consider adoption of the attached proclamation recognizing and commending the Hanover/Ashland Triad/SALT Council on the occasion of its 20th Anniversary.

Recommended Action:

A motion to adopt proclamation.

IV. I. -. Adoption of Proclamation – Earl J. Hunter, Jr. - Magisterial District: Henry

Board Sheet Background:

It is requested that the Board of Supervisors adopt the attached proclamation recognizing Earl J. Hunter, Jr., for his years of service since 1991 on the Hanover County School Board representing the Henry Magisterial District.

Recommended Action:

A motion to adopt proclamation.

V. Presentation – Housing the Richmond Region: Needs, Impediments, and Strategies

Ms. Elizabeth Hancock Greenfield, Richmond Association of Realtors, came forward to present the results of the study coordinated by the Partnership for Housing Affordability, which was an analysis of existing housing availability and impediments to achieving the goal “of a

community with adequate quality housing for all incomes and circumstances with access to jobs and commerce.” She described the study and noted key results.

Total Number of Cost Burdened Households in the region, 2012

- 130,600 with cost burden > 30%;
 - 35% of all households have housing cost burdens
- 74,900 with cost burden 30-49%;
- 55,700 with severe cost burden > 50%

Approximately 35% of all households in the Richmond Regional Planning District are cost burdened.

Where Hanover County Stands

Total # of Households	36,419	
Not Cost Burdened	26,748	73.4%
Cost Burdened (pay 30-49%)	6,599	18.2%
Severely cost Burdened (pay > 50%)	3,072	8.4%

Ms. Greenfield reported that as of 2013, there are 36,420 households in Hanover County. The FY2014 HUD Area Median Income (AMI) for the Richmond Metropolitan Statistical Area (MSA) is \$72,900 for a four person household. Forty-five percent of county households have incomes greater than 120 percent of the AMI. Twenty-nine percent of county households have incomes less than 80 percent of AMI. The remaining 26 percent of households in Hanover County have incomes between 80 and 120 percent of AMI. A chart of all households in Hanover County, sorted by their income and level of cost burden was shown. While the majority of households make more than the AMI, 27 percent of all households are cost burdened.

A household is cost burdened when the residents spend 30 percent or more of their income on housing costs. A chart of the portion of cost burdened households in each income category was shown. The majority of cost burdened households in Hanover County are in the low income categories: extremely low (less than 30 percent of AMI), very low (between 30 and 50 percent of AMI), and low

(between 50 and 80 percent of AMI), but nearly 3,000 households with incomes greater than 80 percent of the AMI are cost burdened.

Of the 30,577 homeowner households in Hanover County, 7,413 (24 percent) are cost burdened. Of the 5,752 renter households, 2,756 (48 percent) are cost burdened. A chart comparing the percent of cost burdened homeowners and renters, by income category was shown. For both housing tenures, the majority of households that are cost burdened make less than 80 percent of AMI. More than 90 percent of both homeowners and renters making less than 30 percent of AMI in Hanover County are cost burdened. For households making more than 80 percent of AMI, the portion of households that are cost burdened households decreases as income increases. There are a total of 2,806 cost burdened households making more than 80 percent of AMI, approximately 85 percent of which are homeowners.

Demand-Side Solutions

Demand side solutions focus on generating greater household income and or providing funding assistance to households, as you can see in this chart. The report in no way suggests that solving the region's affordability challenge is all on local government and that we can build our way out of this, that's most definitely not the case. For households making less than 50% of AMI, we will either need to secure subsidies to build such housing or subsidies to provide assistance to those household. For example, we need to make sure that each jurisdiction is drawing down federal dollars that it is entitled to. But it's also the case that if we can successfully pursue strategies that allow our citizens to hold higher wage jobs, then it's much easier for the market to house people making over 50% of AMI. Many stakeholders believe there is a need to improve regional transit and job training resources. The ability to get to a job (transit) is an insufficient solution, if an individual cannot read, write, or do basic math, and have some of the soft skills that employers desire.

Supply-Side Solutions

Supply side solutions focus on maintaining or building more inventory. Some of the solutions suggested reflect what the survey respondents do for a living, but some of these solutions have been quite effective elsewhere and are beginning to take root here. For example, the City has an affordable housing trust fund. Currently, it depends on an annual budget appropriation, but there are ongoing talks about a dedicated source of revenue for the trust fund, i.e., the tax abatement revenues. With each

passing year, we have more and more examples of mixed use developments, so it's not a far cry to suggest the inclusion of affordable housing units in the office/retail/residential mix.

Approaches to Housing Affordability

- Develop a flexible, dedicated funding source for affordable housing;
- Improve access to the regional transit system, including dedicated funding, expansion, or new service;
- Strengthen local and regional coalitions to provide advocacy at the project and policy levels.
- Prioritize the preservation of existing federally-assisted housing;
- Support access to affordable housing through employer-assisted housing programs;
- Develop a community land trust to support long term affordable housing;
- Create incentives to site affordable housing near job centers
- Expand by right development through zoning to include:
 - Mixed-use retail-residential centers;
 - Accessory Dwelling Units such as granny flats or alley flats; and
 - Infill multifamily development within the urban core and along commercial corridors.

Ms. Greenfield reported that the data tells us that each jurisdiction within our region has a housing affordability challenge. That looks different in each jurisdiction and each jurisdiction will need to craft solutions to meet their distinct challenges. But regionally we have work to do as well in terms of expanding public transit, working to integrate our communities economically, strengthening our early childhood and k – 12 offerings, and ensuring a strategic alignment between our work force preparedness programs and the needs of our employers.

Following the presentation, Board members had comments concerning the inability to build our way out of this situation, the revitalization of older neighborhoods and the involvement of Realtors in the study. Ms. Greenfield offered clarification on deposit assistance.

VI. Update on Reynolds Community College Activities

Dr. Gary Rhodes, President, Reynolds Community College, came forward to give this presentation to the Board. He reported that the college's lead value statement is: "Is today's decision in the best interest in our students?" He noted they are the third largest community college in the

Virginia, serving about 18,400 credit students in the past year. The fact that community college enrollment increases during times when the economy is bad was noted.

Dr. Rhodes reported on the areas served by Reynolds and noted that one out of every four workers and one of every three healthcare workers in the Greater Richmond Area have attended classes at Reynolds. He reported there is a need in the region for qualified workers. Reynolds has a new Strategic Plan with one strategic goal, which is: “To triple the number of workforce credentials awarded in the Commonwealth”.

In the past year, 2,308 Hanover residents attended Reynolds, 267 were recent graduates of Hanover County Public Schools and 253 Hanover residents graduated with a degree or certificate from Reynolds this past year. The partnership with Hanover County Public schools was discussed.

Mr. Stephen Baril, Chair, Reynolds College Board, came forward and expressed his appreciation to the Board for their support of the college. He introduced the two Hanover County representatives on the Reynolds College Board, Ms. Anne Marie Lauranzon and Mr. Mark Creery.

Ms. Lauranzon came forward and provided information on the importance of the citizens who serve on various advisory boards. She also noted a recent Hanover County student who was the recipient of a scholarship.

Mr. Creery came forward and spoke about the importance the College Board places on being good stewards of the tax dollars received by the college.

Mr. Rhodes returned to the podium and offered his thanks to Mr. Via and Mr. Wade for their support.

VII.-A. Highway Matters

Mr. Marshall Winn, VDOT Ashland Residency, came forward and presented the following quarterly report information to the Board:

Maintenance:

- All Area Headquarters have been responding to numerous storms throughout the county. VDOT is aware there are still areas that need the debris picked up from the shoulders from where trees and limbs have fallen.
- In the same area of Maintenance, VDOT is working on drainage issues countywide. Ditching equipment was moved from other areas to focus on the Ashland Area and the Mechanicsville

Area and have made significant progress in cleaning ditches and culverts and significant progress has been made.

- Grass and brush cutting is being on a cycle basis by State Forces as well as contractors. Also, the area headquarters are responding diligently to calls that indicate a site distance or safety issue. These requests are given top priority.
- There were numerous calls to VDOT for the re-surfacing of Route 54 back in May. That work was being contracted by our District office, every effort has been made to make the changes needed for acceptable work.
- The re-paving of I-95 is ongoing and being done at night however, at various times detours may affect county roads but delays or problems should be minimal.
- Potholes, daylighting signs, replacing signs, etc. are all a part of ordinary maintenance being done on a regular basis realizing work areas and maintenance plans are second to safety issues reported by the County itself and citizens of Hanover.

Construction:

- Route 689 bridge replacement: Bridge and grade work is complete. Contractor is performing punch list items. The bridge is expected to be open within two weeks depending on final punch list items.
- Route 1 over CSX: Contractor is completing repairs to the pier caps for Phase 1 construction. Work on repairing bridge columns for Phase 1 will begin shortly.
- Lewistown Bridge Replacement: Clearing and grubbing areas within right of way continues. Excavation for basin #1 is complete. Unsuitable surplus material is being disposed of. Future work will include begin excavation for basin #2 and installing median barrier along I-95 during 7/13 – 7/24.
- Route 360 widening, Mechanicsville – work is continuing on the project. Current work included storm drainage, temporary signal installation, and start of clearing for the new alignment of Bell Creek Road Work on Route 360 itself has not started as yet so minimal impact to traffic at this time.
- Paving is complete on Bell Creek Rd; still needs to get a slurry seal applied and pavement markings done.

Traffic Studies/Special Requests

- Completed speed study on Parsons Road (Route 608). Recommending reduction to 45 MPH.
- Completed speed study for Elmont Road (Route 626). Recommended retaining 45 MPH.
- Completed signal warrant evaluation for Atlee Station Road and Honey Meadows Road Residency has provided findings to County.
- Provided preliminary review of Taylorsville Road as a candidate for a through truck restriction.
- Initiated review of potential options for intersection control for Bell Creek Road / Sandy Lane intersection after Route 360 widening project is complete.
- Reviewed passing zones on Greenwood Church Road (Route 657).
- Initiated speed study on Pleasant Grove Road (Route 1401).
- Completed speed limit study on Route 642 (Bell Creek Rd) from Pole Green north to Verdi. Recommend retaining 45 MPH.
- Completed speed study on Route 631 (Old Ridge Road). Recommended retaining 45 MPH, with adjustments to curve warning signage.
- Completed speed study on Route 602 (Mount Hope Church Road) from Route 1 to Route 688. Recommended reduction to 45 MPH.
- New markings completed on Stone Horse Creek Road and Auburn Mill Road
- Cool Spring Road (Route 652) speed study – Data collection pending road work completion. Drive through completed on 7/9 and flagging operations were in place, restricting traffic to 1 lane per direction. A traffic engineer came forward to provide additional information on the timeframe for this study and answer Board member questions. Ongoing construction and possible ways to help the study reach conclusion were discussed as well as the importance to have this done to improve the safety of citizens traveling through the area.

Following the presentation, Mr. Winn answered questions from Board members on various projects within the county.

VII.-B. Road Project Status Report

Mr. Joe Vidunas, County Traffic Engineer, came forward and presented the updated Road Project Status Report for the past quarter and addressed the Board regarding the status of all County road projects.

- 1 – U.S. Rt. 360 (Bridge Replacement) - COMPLETE**
- 2 – Sliding Hill Road / Air Park Rd Turn Lanes - Construction Phase – August 2015 Completion Date.** Mr. Vidunas and Mr. Flagg answered questions from Board members concerning water standing on the road in the area of this project and the timeframe for the new traffic signal.
- 3 – Taylorsville Rd (Replace Bridge & Approaches) - COMPLETE**
- 4 – U.S. Rt. 360 & Elm Dr. (Traffic Signal Upgrade) – COMPLETE.** Mr. Vidunas answered questions from Board members concerning traffic signal timing issues at this intersection.
- 5 & 6 – U.S. Rt. 360 (I-295 – Wynbrook Land) - PHASE 1 – Construction Phase – May 2017 Completion Date**
- 7 – I-95 / Lewistown Road (Bridge & Approaches) - Construction Phase – November 2017 Completion Date**
- 8 – Cool Spring Road (Safety Improvements) - Pre-construction Phase – September 2015 Begin Date**
- 9 – Ashcake Road (Trench Widen & Overlay) - Advertisement Phase – Bids Due July 22**
- 10 – Atlee Road / U.S. Rt. 301 (Widening) - Utility Relocation Phase – September 2015 Ad Date**
- 11 – Pole Green Road / Walnut Grove Rd (Turn Lanes) - Utility Relocation Phase – September 2015 Ad Date**
- 12 – U.S. Rt. 33 / Ashland Road (Turn Lanes) - Right-of-Way Phase – August 2016 Ad Date**
- 13 – Studley Road / Rural Point Road (Roundabout) - Design Phase – September 2016 Ad Date**
- 14 – E. Patrick Henry Road / Woodside Lane (Turn Lanes) - Design Phase – September 2016 Ad Date**
- 15 – Greenwood Road (Bridge & Approaches) - Right-of-Way Phase – September 2016 Ad Date**
- 16 – Cedar Lane / U.S. Rt. 1 (Realignment) - Design Phase – November 2016 Ad Date**
- 17 – Atlee Road (Extension) - Right-of-Way Phase – November 2016 Ad Date**
- 19 – U.S. Rt. 360 (Widening) - PHASE 2 – Design Phase – Ad Date TBD**
- 18 – Creighton Road / Cold Harbor Rd (Widening & Turn Lanes) - Design Phase – Ad Date TBD.** Mr. Vidunas answered question concerning the increase in costs for this project.
- 21 – Sliding Hill Road (Widening) - Design Phase – (PE Only)**
- 21 – Rt. 54 / I-95 Interchange - Analysis Phase – (PE Only)**

Following the presentation, Mr. Vidunas and Mr. Flagg answered questions from Board members concerning various other road projects.

VIII. Request to Authorize Advertisement and Public Hearing - Relocation of the Farrington Voting Precinct - Magisterial District: South Anna

Mrs. Teresa Smithson, Registrar, came forward and explained the need for this proposed change in voting location. She answered questions from Board members and provided clarification on the request.

Mr. Hazzard, seconded by Mr. Stanley, moved to authorize advertisement of a public hearing for August 26, 2015 on an ordinance to relocate the polling place for the Farrington Precinct.

	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.

IX. Legislative Update – Ethics Legislation

Mr. Dennis Walther, Senior Assistant County Attorney provided a summary of the recent Ethics Legislation passed in Virginia. He gave an overview of the State and Local Government Conflict of Interest Act (COIA) and then described the changes to the COIA that resulted from the 2014 General Assembly Session.

2015 Amendments - HB2070 and SB1424

- Removes the distinction between tangible and intangible gifts
- Prohibits any local officer or employee from soliciting, accepting, or receiving within any calendar year a single gift with a value exceeding \$100 or a combination of gifts with a value exceeding \$100 from any person that he knows or has reason to know is
 - A registered lobbyist;
 - A lobbyist's principal; or
 - A person, organization, or business who is a party to or is seeking to become a party to a

contract with the local agency of which he is an officer or an employee.

- \$100 limit to be adjusted every 5 years for inflation
- Prohibits the immediate family [spouse or dependent child who resides in the same household as the officer or employee] of such officers, employees, members, or candidates from soliciting, accepting, or receiving those gifts.
- Exceptions carved out
 - prohibition does not apply to gifts from personal friends [include criteria for determining whether a lobbyist or a person with is seeking to do business with the government entity is a personal friend]
 - Prohibition does not apply to gifts received at widely attended events [25 or more persons invited/expected to attend the event]
 - Gifts valued at less than \$20 do not get included in calculations
 - If offered a gift of any travel-related costs (transportation, lodging, meal, hospitality, etc.) that has a value exceeding \$100, individual can get approval from the Virginia Conflict of Interest and Ethics Advisory Council
 - Not a violation if the gift is donated to charitable organization or recipient pays donor to get value below \$100
- The composition of the Virginia Conflicts of Interest and Ethics Advisory Council was modified, reducing the number of members from 15 to 9 and changing the appointment process (Council includes representatives nominated by VML and VACo and includes two former judges)
- Local officers and employees will file disclosure forms locally instead of with the Council
- Disclosure forms are to be made available to the public no later than 6 weeks after filing
- Requires disclosure of any single gift or entertainment, or any combination of gifts or entertainment, with a value exceeding \$50
- Provides that the making of a knowing and intentional false statement on a disclosure form is punishable as a Class 5 felony.
- Filing a disclosure form late subjects the person to a \$250 civil penalty (to be assessed/collected by the Commonwealth Attorney and the penalty goes into the state's General Fund "and used exclusively to fund the Council")
- Delayed effective date for new rules – January 2016 (except that local filing of disclosure forms

took effect on July 1, 2015)

Key changes to remember

- Prohibited conduct-
 - Change to thresholds on when a member of a local governing body has a “personal interest”
 - Receipt of gifts – individual and aggregate limits
- Disclosure requirements
 - Now must file twice per year
 - 2014 – file with state; 2015 – back to filing locally
 - Disclosure of gifts from lobbyists, their principals, and entities that may be doing business with locality
- Penalties for violations
 - Criminal penalties for prohibited conduct; civil penalties for failure to file disclosure statements
 - Now able to use advisory opinions from county attorney as defense (so long as full disclosure and good faith reliance) but those opinions are now subject to Freedom of Information Act

Following the presentation, Mr. Walter answered questions from Board members. He and Mr. Rives provided clarification on various aspects of the legislation.

IX.-A. Presentation – Request for transfer and appropriation Fire-EMS \$229,832 FY16, and acceptance of Staffing for Adequate Fire & Emergency Response (SAFER) Grant in the amount of \$933,104 over two years.

Chief Jethro Piland came forward and explained that Hanover County has been awarded a \$933,104 grant from the Department of Homeland Security. This money will be used to hire eight (8) firefighters. These positions will be placed at Station 6 on Truck 6. This is currently a 40 hour shift unit and the grant provides the opportunity to take the Truck to 24/7 coverage.

The period of performance of this grant is 1/7/2016 – 1/7/2018. \$229,832 to be transferred in FY16, \$466,552 in FY17 and \$236,720 in FY18. There is a difference of \$32,248 between the grant funded amount and current salary baselines, but the department is prepared to cover the difference

within budget if necessary. There is a plan to file an amendment to the grant to cover the changes in base salaries that occurred during the time between when the application was filed and the grant was awarded.

Following the presentation, Chief Piland offered clarification on the yearly cost to the County following the two-year grant period.

Mr. Via made a motion, seconded by Mr. Peterson to approve appropriation of \$209,664 in FY16 and accept \$933,104 SAFER Grant and authorize eight (8) Firefighter/Medic positions as described in the grant award.

	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.

X. Closed Session – A. Discussion of the acquisition of real property for the Atlee Road Extended Project - Va. Code Section 2.2-2711(A)(3), B. Discussion of the proposed acquisition of property on Cold Harbor Road for Parks and Recreation purposes - Va. Code Section 2.2-2711(A)(3), and, C. Consultation with legal counsel regarding Bear Island Paper WB, LLC. V. County of Hanover, et al. - Va. Code Section 2.2-3711(A)(7)

Mr. Stanley moved that the Board of Supervisors go into Closed Session pursuant to the following: A. Discussion of the acquisition of real property for the Atlee Road Extended Project - Va. Code Section 2.2-2711(A)(3), B. Discussion of the proposed acquisition of property on Cold Harbor Road for Parks and Recreation purposes - Va. Code Section 2.2-2711(A)(3), and, C. Consultation with legal counsel regarding Bear Island Paper WB, LLC. V. County of Hanover, et al. - Va. Code Section 2.2-3711(A)(7). 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.

Board members entered Closed Session at 6:20 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 5:21 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

	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.

Mrs. Kelly-Wiecek made a motion, seconded by Mr. Via, that the Board of Supervisors approve advertisement of a public hearing to be held on August 26, 2015, to consider a resolution authorizing the acquisition by condemnation, if necessary, of certain specified permanent and temporary property interests on a portion of GPIN 7796-85-3983 for the purpose of constructing a roadway and other related improvements

	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.

Mrs. Kelly-Wiecek made a motion, seconded by Mr. Via, that the Board of Supervisors authorize the purchase of right-of-way and easements on GPIN 7796-95-4087 and GPIN 7796-94-6872 for \$46,988.42 for proposed road improvements and authorize the County Administrator to take all actions necessary to complete this action.

	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 meeting was recessed at 5:22 p.m.

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

XII. 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. Patrick Jett, Mechanicsville Magisterial District, came forward to speak in favor of allowing chickens in certain residential areas of the County.

Board members had a discussion about the issue as it relates to Hanover County.

Presentation of Proclamation – Eagle Scout Haynie – Chickahominy Magisterial District

Mrs. Kelly-Wiecek called Eagle Scout Thomas Gene Haynie, Jr. and his family forward and presented him with the proclamation recognizing his achievement.

Mr. Davis, on behalf of the Board, expressed heartfelt sympathy to the family of Mr. Charlie Warner and stated that their thoughts and prayers are with the family and the Hanover community.

VIII. PLANNING PUBLIC HEARINGS

A. **C-7-15(c), John J. Molter Revocable Trust et al. - Request to rezone from A-1, Agricultural District, to AR-6(c), Agricultural Residential District with conditions, on GPINs 8719-30-3541 and 8719-30-4870, consisting of approximately 25 acres, and located at the terminus of Woodville Lane (private road) approximately 1,000 feet east of intersection with Hanover Courthouse Road (U.S. Route 301). The subject property is designated on the General Land Use Plan Map as Agricultural. The proposed zoning amendment would permit a boundary line adjustment.**

Magisterial District: Henry.

Planning Analysis:

- Reconfigure 2 parcels reducing 1 parcel to less than 10 acres
- All building setbacks from new property line comply with Zoning Ordinance requirements

Proffers:

- Conceptual Plan
- Timing for Plat Recordation

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.

Ms. Catherine Tucker, Henry Magisterial District, came forward and to speak in opposition of the proposal and cited potential run-off into the creek, effect on groundwater, light pollution and the possibility of trespassing if there is future development.

Mr. Maloney and Mr. Davis explained that the applicant is not creating any additional building lots so the development rights will not be changed with this request.

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

On motion of Mr. Davis, seconded by Mr. Via, the members of the Board of Supervisors voted to approve Ordinance C-7-15(c), John J. Molter Revocable Trust, et al., as follows:

Wayne T. Hazzard	Vote:
	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

B. **C-9-15(c), Selma R. and Randy T. Davis** - Request to rezone from A-1, Agricultural District, to AR-6(c), Agricultural Residential District with conditions, on GPIN 7830-54-9610, consisting of approximately 10.2 acres, and located on the south line of Rhyne Lane (private road) approximately 775 feet west of its intersection with Mountain Road (U.S. Route 33). The subject property is designated on the General Land Use Plan Map as Agricultural. The proposed zoning amendment would permit the creation of one additional building lot for a family member for a gross density of one (1) dwelling unit per 5.1 acres. **Magisterial District: South Anna.**

Planning Analysis:

- Rezone 10.2 +/-acres to create 2 lots for family
 - 2.19 acres
 - 8.0 acres
- Both lots would use a 20' access easement

Proffers:

- Conceptual Plan
- Tree Preservation
- Wetlands Certification
- Perenniality Study
- Family Division Provision and Residency Period

Recommendations:

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

Mr. Maloney 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.

On motion of Mr. Hazzard, seconded by Mr. Stanley, the members of the Board of Supervisors voted to approve Ordinance C-9-15(c), Selma R. and Randy T. Davis, 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

C. C-10-15(c), Sharyn G. and Thomas E. Bengel - Request to rezone from A-1, Agricultural District, to RS(c), Single-Family Residential District with conditions, on GPIN 7798-16-7439, consisting of approximately 4.88 acres, and located in the southeast quadrant of the intersection of Ashcake Road (State Route 657) and Egypt Road (State Route 741). 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 one additional building lot for a family member for a gross density of one (1) dwelling unit per 2.44 acres. **Magisterial District: Ashland.**

Planning Analysis:

- Rezone 4.88 acres to create one additional lot for family
 - 1.59 acres with access to Egypt Road
 - 3.29 acres with access to Ashcake Road

Proffers:

- Conceptual Plan
- Tree Preservation
- Wetlands Certification
- Perenniality Study
- Family Division Provision and Residency Period
- Reservation of Right-of-Way for Ashcake Road and Egypt Road

Recommendations:

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

Mr. Maloney 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.

On motion of Mr. Via, seconded by Mr. Peterson, the members of the Board of Supervisors voted to approve Ordinance C-10-15(c), Sharyn G. and Thomas E. Bengel, 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

D. **CUP-8-87, AM. 1-15, Ashcake Road Landfill, Inc.** - Requests an amendment to a Conditional Use Permit in accordance with Section 26-20.15 of the Hanover County Zoning Ordinance to permit an expansion (height increase) of an existing landfill on PINs 7798-08-2072, 7798-08-7416, 7798-18-4218 and 7798-09-5472, consisting of approximately 135.7 acres, zoned A-1, Agricultural District, and located on the north line of Ashcake Road (State Route 657) at its intersection with Johnson Town Road (State Route 755). The subject property is designated on the General Land Use Plan Map as Suburban General (1-4 dwelling units per acre) and Agricultural. **Magisterial District: Beaverdam.**

Planning Analysis:

- The Ashcake Road Landfill is a construction and demolition debris landfill
 - Household waste, refuse, or similar materials are not accepted
- The Dept. of Environmental Quality (DEQ) inspects and monitors the facility to ensure proper disposal of waste and groundwater quality
- This request is to increase the height of the fill area from 40' to 80'
 - The current landfill will reach the maximum capacity in 2023
 - The increase will allow the landfill to operate until 2033
- No change is proposed to the footprint area of the landfill
- Daily operations will remain unchanged

- Access to the site is secured with a lockable gate
- A 100’ buffer runs along the perimeter of the property
- Sight line profiles of the landfill at the proposed 80’ height demonstrate it will not be visible from 4 out of 5 observation points primarily due to existing trees
- The proposed height increase is subject to FAA approval due to the proximity to the Hanover County Airport

Recommendations:

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

Mr. Maloney 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.

On motion of Mr. Stanley, seconded by Mr. Via, the members of the Board of Supervisors voted to approve CUP-8-87, AM. 1-15, Ashcake Road Landfill, 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

- E. **CUP-5-15, National Communication Towers, L.L.C.** - Requests a Conditional Use Permit in accordance with Section 26-20.26 of the Hanover County Zoning Ordinance to permit a 199-foot telecommunications tower on GPIN 7802-29-8042(part), consisting of approximately 23.81 acres. The area of the Conditional Use Permit will be limited to approximately 0.39 acres. The property is zoned A-1, Agricultural District, and is located on the west line of Dunn Road (State Route 736) approximately 1,300 feet south of its intersection with Mountain Road (U.S. Route 33). The subject property is designated on the General Land Use Plan Map as Agricultural. **Magisterial District: South Anna.**

F.

Planning Analysis:

- Proposed tower will provide telecommunication and internet services to the surrounding community
 - Lattice type structure with a galvanized metallic gray finish
 - No lighting at the top of the structure
 - Located within a 75' x 75' screened tower compound
 - Complies with the provisions as specified in the Zoning Ordinance
- Photo simulations of the proposed tower were generated from balloon tests and observed from 5 different locations in the surrounding area
- The structure will be prominent on Dunn Road but minimally visible elsewhere

Community Meeting on April 30, 2015:

- Two residents attended with questions on the availability of internet service to their property

Recommendations:

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

Mr. Maloney 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.

On motion of Mr. Hazzard, seconded by Mrs. Kelly-Wiecek, the members of the Board of Supervisors voted to approve CUP-8-87, AM. 1-15, Ashcake Road Landfill, 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

- G. SE-14-15, Hanover County Board of Supervisors (Parks & Recreation Department) -**
Requests a Special Exception Permit in accordance with Section 26-336 of the Hanover County Zoning Ordinance to permit lighting taller than permitted on a multi-use sports field within

Montpelier Park, on GPIN 7812-63-6314, consisting of approximately 50.33 acres, zoned A-1, Agricultural District, and located on Sycamore Tavern Lane (State Route 9193), at its intersection with Mountain Road (U.S. Route 33) and Clazemont Road (State Route 715).

Magisterial District: South Anna

Planning Analysis:

- This request is to install 4 new light poles on a soccer/multi-use field at Montpelier Park exceeding 35’ in height
 - The proposed lights will be 70’ in height
- The type of lighting permitted by the Zoning Ordinance is downward directional and shielded to prevent glare on nearby properties

Recommendations:

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

Mr. Maloney 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.

On motion of Mr. Hazzard, seconded by Mr. Stanley, the members of the Board of Supervisors voted to approve SE-14-15, Hanover County Board of Supervisors (Parks & Recreation Department, 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

H. SE-15-15, Broadus Memorial Baptist Church - Requests a Special Exception Permit in accordance with Section 26-334.2 of the Hanover County Zoning Ordinance to permit two (2) temporary classroom trailers on GPIN 8735-39-4256, consisting of approximately 21.09 acres,

zoned A-1, Agricultural District, and located on the south line of Pole Green Road (State Route 627) approximately 275 feet west of its intersection with Williamsville Road (State Route 615).

Magisterial District: Henry

Planning Analysis:

- The request is for 2 classroom trailers on the church property while a new education wing is under construction
- The trailers will be located behind the existing church building
 - Trailers will not be seen from Pole Green Road
 - Heavily wooded area minimizes view from adjacent properties

Recommendations:

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

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

Mr. Maloney 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.

Mr. Dean Bowen, member of Broadus Memorial Baptist Church, came forward to speak in favor of the request and explained the need for it.

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

On motion of Mr. Davis, seconded by Mr. Wade, the members of the Board of Supervisors voted to approve SE-15-15, Broadus Memorial Baptist Church, as follows:

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

Mr. Peterson returned to the Dias.

- I. **C-15-15(c), Richard E. Holland, Jr. Properties, L.L.C.** - Requests to rezone from A-1, Agricultural District, and B-3, General Business District to M-2(c), Light Industrial District with conditions, on GPINs 7787-17-8858, 7787-08-4412, 7787-19-0019(part), 7787-27-0272, 7787-27-2165 and 7787-16-9934, consisting of approximately 118.0 acres, and located generally in the northwest quadrant of the intersection of Cedar Lane (State Route 623) and Washington Highway (U.S. Route 1). The subject property is designated on the General Land Use Plan Map as Planned Business. The proposed zoning amendment would permit speculative industrial uses. **Magisterial District: South Anna.**

Planning Analysis:

- The applicants are requesting M-2 zoning as part of the Strategic Zoning Initiative, which allows the property to be rezoned for certain uses and remain in the County’s land use taxation program until it is developed
- The permitted uses would be limited to the following categories:

Manufacturing	Transportation and Warehousing
Professional	Scientific and Technical Services
Hotels and Motels	Professional Offices
- The conceptual plan shows 4 possible points of access:
 - 3 locations from Cedar Lane
 - 1 location from U.S. Route 1
- A 50’ buffer is shown adjoining residential parcels on Cedar Lane
- Subsequent to the Planning Commission meeting, the applicant removed 10 acres that adjoin Elmont Woods from the request
- The subject property is generally designated as Planned Business on the General Land Use Map
 - The designation recommends zoning districts with specific standards for master planning, architectural controls, and landscaping requirements
- To ensure the proposed M-2 development meets the objectives of the comprehensive plan, the applicant has proffered the following additional standards

Proffers:

- Connect to public utilities
- New utilities lines serving the property will be placed underground
- Use of quality building materials and architectural treatment
- Screening of HVAC units from adjacent public streets or residential properties
- A 50' buffer along all property lines adjoining residential uses
- Trucking bays be no closer than 50' to the buffer areas
- An enhanced thoroughfare buffer along Cedar Lane
- Paving of all roads, driveways, parking areas, and storage areas
- Outside storage areas visible from U.S. Route 1 or Cedar Lane screened from view
- Additional use restrictions to further prohibit uses considered to be a nuisance, including poultry or meat packing and slaughtering
- Limited uses per Section 22-17.1(a)
- The applicant has also proffered to dedicate right-of-way and to address traffic impacts, which include the following:
 - Prepare a comprehensive traffic impact analysis prior to the first site plan approval
 - Install all improvements recommended by the analysis
- Following the distribution of the Board packet, the applicant submitted alternative proffers that further include:
 - Limiting free standing signs to monument style
 - Prohibiting uses that entail manufacturing / processing of any chemical product
 - Limiting parking lot lighting to a eight of 25' 500' of Cedar Lane and the A-1 property adjoining on the west

Recommendations:

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

Mr. Maloney came forward to give this presentation to the Board and noted that amended proffers have been offered by the applicant. Following the presentation, Mr. Maloney answered questions from Board members and provided clarification on the number and height of the light poles.

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

Ms. Linda Holland Allen, applicant, came forward to give an explanation of the proposal to the Board.

Mr. Chip Louthan, Senior Vice-President for Colliers International, came forward and described some similar developments in Hanover and Chesterfield.

Ms. Allen returned to the podium and addressed some of the proffers.

Mr. Andy Condlin with Roth, Doner, Jacscon, PLC came forward and spoke and spoke about some of the issues that have been raised by citizens and the efforts that have been made through proffers to address those concerns.

Mr. Edwin Gaskin, Director of Economic Development, came forward and gave a presentation on the importance of having this property zoned M-2.

Mr. Howard Whitlow, South Anna Magisterial District, came forward to speak in favor of the proposal but noted concerns with the type of buffering proposed related to the 10 acre parcel. He also cited concerns with the proposed entrances from Cedar Lane, particularly the one directly across from future development.

Mr. Maloney answered questions concerning the proposed buffer and landscaping that is planned within the buffer.

The Chairman asked that anyone who wished to speak against the matter come forward.

Ms. Mary Butler Eggleston, South Anna Magisterial District, came forward to speak in opposition of the proposal. She expressed concerns with the speculative industrial uses and asked where the following are: integrated facilities that are co-located to work together, compatibility for surrounding land use, transportation plan and supporting residential development.

Ms. Shannon Crone, South Anna Magisterial District, came forward to speak in opposition of the proposal, citing the difference between the proposed zoning versus what is in the County's current plan. She requested transitional development along the edge of the property where it faces Elmont Woods.

Ms. Brenda Hopkins-Eggleston, South Anna Magisterial District, came forward to speak in opposition of the proposal. She expressed concerns with noise and traffic that could result from future developments on the property.

Mr. Murphey Sprinkel, South Anna Magisterial District, came forward to speak in opposition of the proposal with respect to the screening from Cedar Lane.

Mr. Todd Pugh, South Anna Magisterial District, came forward to speak in opposition of the 34 acre parcel that is adjacent to Elmont Woods. He stated there are inaccuracies in the staff report. Only 29% of the area that adjoins Elmont Woods has been removed from the request, not the required 50%.

Mr. Matt Perry, South Anna Magisterial District, came forward to speak in opposition of the proposal. He expressed concerns with the 34 acre parcel that will result in a deviation from the Comprehensive Plan.

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

Mr. Condlin returned to the podium to address citizens' concerns. He stated entrances from Cedar Lane will be subject to actual uses and the traffic impact analysis. He and Mr. Maloney answered questions from Board members and offered clarification on the buffers, berm adjacent to the property line created with the 10 acre lot that is excluded from the zoning request, what the visual impact from Cedar Lane will be, clarifications between M-1 and M-2 zoning, what type businesses will be considered for the property and which types would be restricted.

Mr. Condlin offered additional proffers under number 9: *Use Restrictions* to include: the Manufacturing, compounding, processing, packaging, fabrication or treatment of tobacco and tobacco products (including wholesale and distribution) (Section 26-172(2)(r)) and truck terminal (Section 26-172(43)).

Mr. Rives offered clarification that additional and/or amended proffers would need to be voted on prior to a vote on the actual request.

Mr. Hazzard moved to accept the amended proffers as presented, 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. Rives noted that the Board needs to find that the proposed uses fit within the categories listed in Section 22-17.1 of the County Code that would allow the property to remain eligible for land use assessment until such time as development is actually commenced on the property.

Mr. Hazzard made a motion, seconded by Mr. Via, that the Board of Supervisors finds that this case, as submitted, meets the standards set forth in the Land Use Assessment Ordinance.

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

Motion approved.

Prior to the vote on approval of Ordinance C-15-15(c) the Board members had a discussion and asked for further clarification on the traffic impact analysis. There was further discussion on the purpose and intent of allowing speculative zoning and whether or not this is the appropriate use for this property. Board members expressed differing opinions, including that this does not fit the Comprehensive Plan and not being how the Board should do business. A sixty day deferral to allow citizens to see the additional proffers was suggested.

On motion of Mr. Hazzard, seconded by Mr. Via, the members of the Board of Supervisors voted to approve Ordinance C-15-15(c), Richard E. Holland, Jr. Properties, L.L.C., as follows:

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

The Chairman announced a brief recess at 9:16 p.m.

The meeting was reconvened at 9:26 p.m.

Mr. Peterson moved that meeting be extended to 10:30 p.m., 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.

J. **C-14-14(c), Mary Lynne McDougle, et al. (Scotchtown Partners, L.L.C.)**, Requests to rezone from A-1, Agricultural District, to RS(c), Single-Family Residential District with conditions, RM(c), Multi-Family Residential District with conditions and B-3(c), General Business District with conditions, on GPINs 8706-48-8991(part), 8706-58-6162, 8707-51-3243, 8707-51-3841, 8707-61-2365, 8706-58-5695(part), 8706-58-8910(part), 8706-69-3782, 8707-60-1621(part), 8707-60-5237, 8707-61-6614, 8706-58-3434, 8706-59-0093(part) and 8707-51-6800, consisting of approximately 103.66 acres, and located at the southwest quadrant of Chamberlayne Road (U.S. Route 301) and New Ashcake Road (State Route 643). The subject property is designated on the General Land Use Plan Map as Multi-Use. The proposed B-3 zoning amendment would permit office and retail uses on 36.68 acres. The proposed RS zoning amendment would permit 115 single family lots on 32.35 acres for a gross density of 3.55 dwelling units per acre; the proposed RM zoning amendment would permit 131 townhouses units on 14.01 acres for a gross density of 9.35 dwelling units per acre; and a proposed RM zoning amendment for 286 apartment units on 20.64 acres for a gross density of 13.86 dwelling units per acre. The overall residential density would be 7.94 dwelling units per acre. **Magisterial District: Chickahominy.**

Planning Analysis:

➤ The request includes the following:

<u>Acres</u>	<u>Zoning</u>	<u>Use</u>
36.68	B-3(c)	Office & Retail
32.35	RS(c)	115 Single Family Lots

14.01 RM(c) 131 Townhouse Units

20.64 RM(c) 286 Apartment Units

Community Meetings:

- A series of community meetings were held concurrent with the submittal of the proposal
 - Staff has worked with the applicant to address issues raised including traffic impacts, quality of the development and environmental impacts

Planning Analysis, cont.:

- The Comprehensive Plan recommends that no less than 35 percent of a project be developed for business in a Multi-Use designation
 - A project may include a variety of residential uses
- Project phasing is recommended to ensure the development achieves the business objectives of the Comprehensive Plan
- This project is split by Totopotomoy Creek and a 120' Dominion Virginia Power easement
 - To foster a unified and master planned community the applicant proposes an asphalt trail enhanced with a fence, lighting, and benches along the Route 301 right-of-way
- *Requirements of Zoning Districts:*
 - The master plan submitted on July 1, 2015, complies with the RS and RM District requirements
 - Elevations for each proposed zoning districts have been provided
 - Quality construction materials are represented by all elevations submitted
 - The project is projected to generate approx. 11,518 vehicle trips per day and will generate 594 AM Peak Hour trips and 1,049 PM Peak Hour trips
- A Section 527 Transportation Impact Analysis (TIA) was prepared and reviewed by VDOT and the County
 - Pursuant to the TIA, the applicant has proffered road improvements to maintain a LOS D or better including a traffic signal at U.S. 301 and Crown Colony Parkway

- VDOT has commented that the following improvements must be addressed:
 - Lane transitions and geometry must meet applicable standards
 - The conceptual plan includes the transportation improvements, but lack the necessary transition designs and roadway geometrics
 - Rural Point Road must be widened to accommodate the necessary intersection geometry with the New Ashcake Road improvements
- Staff recommended a full movement intersection Route 301 and the proposed Cruz Boulevard
 - Since the report was issued, the applicant has agreed to provide right-of-way on the south line of Cruz Boulevard to Route 301 to accommodate a left turn lane onto Route 301 in the future if warranted
 - This additional proffer addresses staff's concerns

Planning Analysis, cont.:

- Additionally, the applicant has agreed to proffer phasing as recommended by staff:

	Residential Units	B-3 Square Footage
Phase 1	286	80,000 prior to Phase 2
Phase 2	131	44,800

Proffers:

- Protective covenants establishing project standards
- Historic resources offered for relocation or salvage
- Pedestrian wetland crossing for connecting the development across Totopotomoy Creek
- Hours of construction
- Contribution for road improvements
- Right-of-Way dedication
- Transportation improvements
- Adjacent parcel interconnection

Applicable to B-3:

- Conceptual plan

- Architecture design & standards
- Utilization of specified building materials
- Loading dock location & screening
- HVAC screening
- Use prohibitions
- Signage standards and use of monument signs
- Site lighting height
- Hours of trash pick and parking lot cleaning
- Mixed uses depending on building stories
- Patios conformity with conceptual plan
- Bike racks in the business areas
- Limiting hours of grocery/fuel delivery

Proffers Applicable to RS and RM:

- Home sizes; number of bedrooms (Multi-Family)
- Utilization of quality building materials
- Foundations brick, stone or EIFS (RS)
- Garages for each unit (Townhomes)
- Driveway materials utilized (Townhomes)
- Limits on lighting height
- Recreational amenities provided and timing of construction (Multi-Family)

Staff Recommendation:

- Approval subject to revisions to the proffers submitted July 22, 2015, and the master plan set, dated August 8, 2014, most recently revised June 30, 2015.

Planning Commission Recommendation:

- Approval subject to the submitted proffers, dated July 1, 2015, and the master plan set, dated August 8, 2014, most recently revised June 30, 2015.

Mr. Maloney presented this case to the Board and explained the amended proffers that have been submitted.

Mr. Hazzard made a motion to to accept the amended proffers, 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.

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

Mr. Jim Theobald, attorney representing Scotchtown Partners, L.L.C., came forward and described the proposed development.

Mr. Eric Strohacker, traffic engineer, came forward and described the traffic issues including the improvements along New Ashcake Road and the levels of service.

Mr. Theobald returned to the podium and concluded his presentation.

Dr. Jesse Harris, Endodontist in the Chickahominy Magisterial District, came forward to speak in favor of the proposal, citing the new business that will be brought to the area and the benefit of the proposed housing.

Mr. Max Hepp-Buchanan, Director of Bike Walk RVA, came forward to speak in favor of the proposal, citing the numerous benefits that the walking trails will allow.

Mr. Gary Whelan, Ashland Magisterial District, came forward to speak in favor of the proposal, citing importance of walkable, rideable, dense developments to allow other areas to remain less dense.

Ms. Michelle Faison, Chickahominy Magisterial District, came forward to speak in favor of the proposal, citing well planned development and the need for quality retail space that will attract quality businesses.

Mr. Ron Martin, Henry Magisterial District and attorney representing the Kirby family, came forward to speak on behalf of the Kirby family and explained the decision to sell at this time.

Mr. Glen Moore, Diocesan Missionary Society, came forward to speak in favor of the proposal, stating large track, mixed-use development allows for more efficient development of surrounding properties.

Mrs. Kelly-Wiecek made a motion, seconded by Mr. Hazzard, to extend the time by five minutes for those in favor as well as those in opposition.

	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. David Powers, Hanover resident, came forward to speak in favor of the proposal, citing the benefits of having these type businesses in the immediate area.

Mr. Dennis Young, Henry Magisterial District, came forward to speak in favor of the proposal, citing the higher standards that it will set for future development

Mr. Brian Hide, Chickahominy Magisterial District, came forward to speak in favor of the proposal and noted the high quality of the proposed development.

Mr. Shawn O'Connor, Chickahominy Magisterial District, came forward to speak in favor of the proposal and noted it offers positives to the community

Mr. Peterson made a motion, seconded by Mrs. Kelly-Wiecek, to extend the meeting until 11:00.

	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 asked that anyone who wished to speak against the matter come forward.

Ms. Kelly Ball, Chickahominy Magisterial District, came forward to speak in opposition of the proposal and stated it is hard to believe the rental units will be filled. She cited traffic concerns with trucks on New Ashcake Road, aesthetics and debris that will come with increased traffic.

Ms. Nancy McCuiston, Chickahominy Magisterial District, came forward to speak in opposition of the proposal, citing concerns with light and noise pollution, litter, location of retail portion of the development and traffic problems.

Ms. Angelette Pryor, Chickahominy Magisterial District, came forward to speak in opposition of the proposal, citing concerns with loss of rural setting of her property and potential well water damage.

Mr. Grayson Kirby, Studley resident, came forward to speak in opposition of the proposal, stating he currently rents some of the property for farming. He noted the increasing number of properties that are being removed from agricultural uses.

Ms. Michelle Hottle, Chickahominy Magisterial District, came forward to speak in opposition of the proposal, citing concerns with the density and size of the proposed development.

Ms. Ann Jarrell, Chickahominy Magisterial District, came forward to speak in opposition of the proposal, citing sentimental reasons for wanting the property to remain as it is.

Ms. Catherine Tucker, Henry Magisterial District, came forward and to speak in opposition of the proposal and stated it is not good planning or public relations. She cited concerns with a lack of protection for the water shed, lack of solar energy production, lack of provision for traffic absorption and further concerns with pollution and the loss of farm land.

Mr. Theobald returned to podium and addressed the concerns expressed by citizens.

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

Mr. Maloney answered questions from the Board and provided clarification on the run-off and other issue.

Board members had a detailed discussion on the proposal. The process was described it was noted that the discussion began some time ago with the intent to maintain and preserve the rural character of Hanover County. Board members had further discussion on the traffic issues, the possible need for another traffic signal and concerns with the the phasing of the development.

On motion of Mrs. Kelly-Wiecek, seconded by Mr. Via, the members of the Board of Supervisors voted to approve Ordinance C-14-14(c), Mary Lynne McDougle, et al. (Scotchtown Partners, L.L.C.), as follows:

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

XI. Announcements

There were no announcements

XII. Adjournment

At 10:47 p.m. the Chairman adjourned the meeting to August 26, 2015 – Hanover County Administration Building – 2:00 p.m.