

NEW KENT COUNTY
PLANNING COMMISSION

MINUTES

THE REGULAR MEETING OF THE NEW KENT COUNTY PLANNING COMMISSION WAS HELD ON THE 21st DAY OF FEBRUARY IN THE YEAR TWO THOUSAND SIX OF OUR LORD IN THE BOARDROOM OF THE COUNTY ADMINISTRATION BUILDING 6:30 P.M.

IN RE: CALL TO ORDER

Chairman Howard Gammon called the meeting to order at 6:30 p.m.

IN RE: INVOCATION AND PLEDGE OF ALLEGIANCE

Chairman Gammon led the invocation and Pledge of Allegiance.

IN RE: ROLL CALL

Planning Commission:

Jack Chalmers	Present
Thomas Evelyn	Present
Howard Gammon	Present
Sylvia Godsey	Absent
Charna Moss	Present
Edward Pollard	Present
David Smith	Present
Sam Snyder	Present
Tommy Tiller	Present
Patricia Townsend	Present
Stran Trout	Present

Chairman Gammon called the Planning Commission meeting to order.

IN RE: APPROVAL OF MINUTES

A motion was made by Ms. Townsend and second by Mr. Evelyn, to approve the minutes of the 17 January 2006 – Regular Meeting with corrections as follows: Page 6, 2nd paragraph, "Court" should be "County" and Page 16, 1st paragraph, "Dams" should be "Dam" and the minutes of the 23 January 2006 – Work Session as presented.

The members were polled:

Jack Chalmers	Aye
Thomas Evelyn	Aye
Howard Gammon	Aye
Sylvia Godsey	Absent
Charna Moss	Aye
Edward Pollard	Aye

David Smith	Aye
Sam Snyder	Aye
Tommy Tiller	Aye
Patricia Townsend	Aye
Stran Trout	Aye

The motion carried, 10:0:0

IN RE: CITIZEN COMMENT PERIOD

Comments limited to those on planning-related issues that are not scheduled for public hearing later on the agenda, sign up on the sheet at back of the room prior to the meeting is required.

IN RE: UNFINISHED BUSINESS

None.

At 6:40 p.m. Chairman Gammon brought forward discussion and presentation on the Zoning Ordinance Rewrite Process.

IN REF: PUBLIC HEARINGS

ZM-02-06, New Kent County Economic Development Authority Rezoning Request

The New Kent County Economic Development Authority has requested to rezone approximately 30 acres from A-1, Agriculture to M-2, Heavy Industrial for the purpose of developing an industrial park. The property is located in the northwest quadrant of the Eltham Road (SR 33) and New Kent Highway (SR 249) intersection. The property is identified on the New Kent County tax map as parcel 27-6J. The subject parcel consist of 151.8 acres and the majority of the parcel is currently zoned M-2, Heavy Industrial. In May of 2003 a boundary line adjustment plat was recorded which adjusted the boundaries with an adjacent parcel owned by New Kent County (Wharani Park). The area of land that was included into the subject parcel was zoned A-1 agricultural.

Staff gave a presentation on the request for rezoning and the commission asked questions of staff.

Ms. Snyder asked if this property is adjacent to the nature trail. Staff responded yes it is.

Mr. Pollard asked how will they gain access to the property. Staff responded that we have not received any plans for the development of this parcel, however it does have frontage on Eltham Road, and it can also be accessed from New Kent Highway and Polish Town Road.

Mr. Evelyn asked if the environmental protection area would have a 100' RPA. Staff responded yes.

The commission held a public hearing in which no citizens made public comment on the proposed rezoning request.

Mr. Pollard asked if we have received any comments from any of the adjacent property owners. Staff responded no we have not.

A motion was made by Mr. Chalmers and second by Ms. Snyder to approve Resolution No. PC-07-06 to forward Rezoning Application ZM-02-06 to the New Kent County Board of Supervisors with a favorable recommendation.

The members were polled:

Jack Chalmers	Aye
Thomas Evelyn	Aye
Howard Gammon	Aye
Sylvia Godsey	Absent
Charna Moss	Aye
Edward Pollard	Aye
David Smith	Aye
Sam Snyder	Aye
Tommy Tiller	Aye
Patricia Townsend	Aye
Stran Trout	Abstain

The motion failed, 9:0:1.

IN REF: NEW BUSINESS

At 7:30 p.m. Chairman Gammon brought forward discussion and presentation of Patriots Landing Architectural Guidelines

East West Partners of Virginia has applied for approval of the Patriots Landing Planned Unit Development Architectural Guidelines. Patriots Landing PUD is being developed under the terms and conditions of Ordinance O-16-03 approved by the New Kent County Board of Supervisors on 08 December 2003.

Staff gave a presentation on the Planned Unit Development Architectural Guidelines and the Commission asked questions.

Mr. Chalmers asked if staff knew how long the process is going to take before they can start drawing permits. Staff responded Phase I will be ready in early spring, we should be receiving the record plat for Phase I in the next couple of weeks.

A motion was made by Ms. Snyder and second by Mr. Chalmers to approve the Guidelines and adopt Resolution number PC-08-06.

The members were polled:

Jack Chalmers	Aye
Thomas Evelyn	Aye
Howard Gammon	Aye
Sylvia Godsey	Absent
Charna Moss	Aye
Edward Pollard	Aye

David Smith	Aye
Sam Snyder	Aye
Tommy Tiller	Aye
Patricia Townsend	Aye
Stran Trout	Aye

The motion carried, 10:0:0.

Planning Commission Meeting Schedule

A motion was made by Mr. Pollard and second by Mr. Evelyn to approve the meeting schedule as presented.

The members were polled:

Jack Chalmers	Aye
Thomas Evelyn	Aye
Howard Gammon	Aye
Sylvia Godsey	Absent
Charna Moss	Aye
Edward Pollard	Aye
David Smith	Aye
Sam Snyder	Aye
Tommy Tiller	Aye
Patricia Townsend	Aye
Stran Trout	Aye

The motion carried, 10:0:0.

Discussion – Zoning Ordinance Rewrite Process

At 6:40 p.m. Chairman Gammon brought forward discussion and presentation on the Zoning Ordinance Rewrite Process.

Staff presented to the Commission four possible procedures for the Zoning Ordinance Rewrite process and the Commission asked questions of staff.

Staff stated that the focus of this process is to generate as much public comment and input that we can. The public has commented that they want to be involved and we are trying to accomplish that. In these options staff would be available at various locations on various dates to meet with the citizens and answer as many questions as possible. The key here is to be accessible to the public. The second step would be an outreach to the property owners who will be affected the most. The third step could be that the Board of Supervisors and Planning Commission would appoint a Blue Ribbon Committee consisting of 15 members, and focus committees would be formed to review the village districts.

Ms. Snyder asked for clarification that the focus groups would be in fact reporting to the Board of Supervisors and the Planning Commission, not the Blue Ribbon Committee. Staff responded that is correct.

Chairman Gammon asked if he understood that the Board will establish focus committees for the various areas and the focus committees would not report to the Blue Ribbon Committee. Staff responded that is a proposal.

Ms. Moss stated for clarification "so the six different village committees could have six different proposals on what should be in their village and there could possibly be no conformity as to what a village is, because each village is different." Staff responded stating that one thing that we are looking at is in this document it is represented as an overlay district and not a zoning classification, the overlay district is an overlay for existing zoning so no zoning would be changed, but there could be development requirements, architectural and design requirements placed on those areas. What we could end up with is a providence forge overlay district, Bottoms Bridge overlay district, Barhamsville overlay district, Eltham overlay district. And we see no problem with that, each district develops in its own fashion and are distinct from one another.

Ms. Snyder stated that she can see a bureaucratic nightmare happening if we have everyone having their own idea of what they want to do, then we wouldn't have any need to have zoning at all.

Mr. Pollard stated the he was not sure if he supported a Blue Ribbon Committee because it looks like it will have more power in determining what is needed in specific areas, they are going to come through and say we don't like this. He believes it should go back to the Planning Commission and the Board.

Ms. Townsend stated that we need to have these committees and she thinks it is our responsibility that after these committees meet they should report back to us before finalizing everything that they say and then we put it together from their recommendations. She believes that the more info we can get the better off we will be, because that is what we want input.

Ms. Moss stated that she is not against the focus groups for the villages she thinks that is an excellent idea she would just like the focus groups to come under the Blue Ribbon Committee instead of having six different villages coming in and telling us what their village should look like. If you have a committee that the focus groups can report to and then have the one committee come and present their ideas to us she believes it work better.

Ms. Snyder stated that she thinks that it is a good idea, and she thinks that if each of us chooses someone to serve on the Blue Ribbon Committee then we should get a broad base of ideas.

Chairman Gammon stated that the Board of Supervisors would like for the Planning Commission to make a recommendation and he thinks that they will be discussing this at their next meeting.

Mr. Trout stated that the Board is having a work session on Monday and will be discussing this again and take into consideration the recommendation from the Planning Commission.

Mr. Pollard stated that he likes the idea of the focus groups but in looking at the first recommendation it states that a Blue Ribbon Committee will forward recommendations for the overall zoning ordinance. What are we talking about here?

Staff responded that we are saying that the Blue Ribbon Committee will be the coordinators, and take in all of the input from all of the focus groups and present everything to the Board and the Planning Commission.

Ms. Snyder asked if there will be representation from the Planning Commission on the Blue Ribbon Committee.

Chairman Gammon stated that he would think that if the commission so chooses, yes.

Mr. Evelyn asked for clarification stating that it is his understanding that we will have a Blue Ribbon Committee and say a focus group from Providence Forge and they will have meetings to discuss the ordinance for that area.

Staff responded the way it is proposed right now is that the board will appoint the focus groups for the villages that will consist of residents from each village, however many meetings they need to have to come to a resolution, we have not set any deadlines.

Ms. Snyder stated that it would be a good idea to advertise this and ask people to come forward if they are willing to serve on these committees or focus groups.

Chairman Gammon stated that he couldn't speak for other areas, he could only speak for Providence Forge and he knows that there are a lot of people who are willing to serve.

Mr. Trout stated that we are looking at different options; the normal procedure is that the Planning Commission considers the options and makes a recommendation to the Board.

Mr. Pollard asked what will the Blue Ribbon Committee do. Staff responded that the difference between the previous committee and the Blue Ribbon Committee, is that the Blue Ribbon Committee will consist of citizens appointed by the Board and the Planning Commission and will hopefully encourage more public input than the previous committee.

At 7:00 p.m. Chairman Gammon halted discussion to go into the scheduled public hearing.

At approximately 7:45 p.m. Chairman Gammon continued discussion of the Zoning Ordinance Rewrite Process.

Mr. Pollard commented that he thinks that we should use the same process that we used for the comprehensive plan.

Mr. Chalmers commented that he disagrees with Mr. Pollard because there wasn't much of a process. The process from staff's point of view to the people who showed up. We didn't get a cross section, we got people who were interested in helping with the Comp Plan and I think that if we specify geographic locations like this is recommending I believe we'll get better input.

Ms. Townsend stated that she would be inclined to have the focus groups report to the Blue Ribbon Committee.

Ms. Snyder stated that she thinks that if the Blue Ribbon Committee would like input for special circumstances then they should be able to call people in.

Mr. Smith asked if we are planning on having one public hearing to cover all four phases. Staff responded no it is our intention that each phase will be considered and adopted and then we move on to the next process.

Mr. Evelyn asked for clarification stating that it is his understanding that the proposed zoning ordinance will be thrown out. Staff responded that it can be, it will be up to the Blue Ribbon Committee. If they want to start from square one they have the authority to do that.

Ms. Townsend stated so will they have a comparison of the old version and the new proposed. Staff responded yes they will and staff will be available at the meetings.

A motion was made by Ms. Snyder and second by Mr. Pollard to forward a recommendation to the Board of Supervisors to approve Zoning Ordinance Process Number One with a request that each of the Board of Supervisors and the Planning Commissioners appoint one New Kent County Citizen to a Blue Ribbon Committee, and that the Board of Supervisors will appoint a Focus Group for each Village who will in turn report to the Blue Ribbon Committee.

Mr. Evelyn asked for clarification, that the committee will be using the draft copy that we have had public hearings for also stating that he was told by a couple of supervisors that they are going to throw it out.

Ms. Snyder stated that they have to have a starting point, there are some really good parts, like the definitions. There is no reason to throw the definitions out.

Mr. Gammon stated that staff will be attending the meetings and the focus groups will have guidelines and be able to pick and choose what they don't want. Staff responded that the proposed document is merely a guide; the Blue Ribbon Committee does not have to use it. We are starting from a clean slate.

Ms. Moss commented that she finds it a personal insult with the time that I put into the rewrite, whether the people like it or not for them to just say that the proposed document be thrown out, she thinks that those who worked on it, worked very hard. People don't have to agree with what is in it, but at least look at it as a building block.

Ms. Snyder agreed with Ms. Moss.

Mr. Gammon stated that he believes that the committee and focus groups will have the option to pick and chose what they want to keep and make a recommendation.

Ms. Snyder made an amendment to her original motion stating that she would like to add that there may be members of the Planning Commission on the Blue Ribbon Committee.

There was no second to the amendment, therefore the motion dies.

A motion was made by Ms. Snyder and second by Mr. Pollard to forward a recommendation to the Board of Supervisors to approve Zoning Ordinance Process Number One with a request that each of the Board of Supervisors and the Planning Commissioners appoint one New Kent County Citizen

to a Blue Ribbon Committee, and that the Board of Supervisors will appoint a Focus Group for each Village who will in turn report to the Blue Ribbon Committee.

The members were polled:

Jack Chalmers	Aye
Thomas Evelyn	Aye
Howard Gammon	Aye
Sylvia Godsey	Absent
Charna Moss	Aye
Edward Pollard	Nay
David Smith	Aye
Sam Snyder	Aye
Tommy Tiller	Aye
Patricia Townsend	Aye
Stran Trout	Abstain

The motion carried, 8:1:1.

IN REF: CHAIRMAN'S REPORT

None.

IN REF: RRPDC REPORT

Mr. Trout reported they discussed the work plans for the year and they do have listed a rural transportation planning program wanted technical assistance with the providence forge village plan, there is money and staff time available through the RRPDC can work with. The New Kent County rural bike mapping and signage program is being worked on, and the Washington Rochambeau Route project is being worked on.

IN REF: COMMISSIONER'S REPORT

None.

IN REF: STAFF REPORTS

Mr. Hathaway stated that there will be a meeting on Saturday, 25 February 2006 at 5:00 pm at Emmaus Church in reference to the Schiminoe Meadows Application for a Waste Management Facility.

Mr. Hathaway also reported that the Schiminoe Meadows Waste Management Facility application would be coming before the Planning Commission for a Public Hearing on 20 March 2006, as well as under New Business, The Oaks subdivision will be before the commission for preliminary approval.

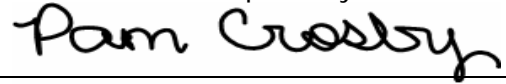
IN REF: MEETING SCHEDULE

The Planning Commission is scheduled to meet Monday, 20 March 2006 at 6:30 p.m.

IN RE: ADJOURNMENT

A motion to adjourn was made and seconded by all.

Respectfully submitted:



Pam Crosby
Recording Secretary