

**New Kent County  
Planning Commission  
Minutes**

Tuesday, February 19, 2002

A reception for the Resolution presentation to Patricia Townsend was held at 6:00 pm in the Administrative Building. All of the Planning Commission members were present, as well as Mr. Townsend, George Homewood, Phyllis Katz, and Lamont Meyers. Following the reception, the Planning Commissioners, Mr. Homewood, Ms. Katz, and Mr. Meyers met at the Old Courthouse.

Chairman Frank called for a motion to adjourn the January 22, 2002 Planning Commission Meeting. Motion was made by Mr. Lipscomb, and seconded by Mr. Abrams. All were in favor. The meeting was adjourned.

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The regular monthly meeting of the New Kent Planning Commission was held on Tuesday, February 19, 2002 at 7:00 p.m. in the Old Courthouse.

Chairman Frank called the meeting to order.  
Members Present:

Louis Abrams	Present
Mark Daniel	Present
Reverend Hathaway	Present
Julian Lipscomb	Present
Edward Pollard	Present
Marty Sparks	Present
Robert Stroube	Present
Jay Hubbard	Present
James Wallace	Present
Isabell White	Present
David Frank	Present

Also Present:

George Homewood, Planning Director  
Theresa Carter, Planning Technician  
Phyllis Katz, County Attorney  
Lamont Meyers, Economic Analyst

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IN RE:           ROLL CALL AND ESTABLISHMENT OF A QUORUM

Chairman Frank asked for roll Call and established that there was a quorum.

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IN RE:           Minutes

Dr. Stroube moved that the minutes of the January 22, 2002 meeting be approved as submitted. Mr. Sparks seconded the motion. Motion adopted unanimously.

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IN RE: ANNUAL RE-ORGANIZATION OF THE COMMISSION

**Chairman of the Planning Commission for the 2002 year**

Chairman Frank moved to nominate Mark Daniels. Ms. White seconded the motion. Mr. Abrams moved to nominate Edward Pollard. Mr. Daniels seconded the motion. Mr. Wallace moved to close the nominations. Mr. Abrams seconded the motion. Chairman Frank indicated first vote by roll call would be for Edward Pollard.

Vote of 5-5-1.

Recorded vote on the motion:

Aye: Abrams, Daniel, Hathaway, Stroube, Wallace  
No: Sparks, Lipscomb, Hubbard, White, Frank  
Abstain: Pollard

Chairman Frank indicated second vote by roll call would be for Mark Daniel.

Vote of 6-2-2.

Recorded vote on the motion:

Aye: Hathaway, Sparks, Lipscomb, Stroube, Hubbard, White, Frank  
No: Abrams, Wallace  
Abstain: Daniel, Pollard

Chairman Frank called for a second roll call vote for Mark Daniel, which carried 10-0-1.

Recorded second roll call vote:

Aye: Abrams, Hathaway, Pollard, Sparks, Lipscomb, Stroube, Hubbard,  
Wallace, White, Frank  
No: None  
Abstain: Daniel

Chairman Frank announced that Mark Daniel would be Planning Commission Chairman for the 2002 year, and would take office at the regular March 2002 meeting.

**Vice Chairman of the Planning Commission for the 2002 year**

Mr. Daniel moved to nominate Milton Hathaway. Mr. Abrams seconded the motion. Mr. Pollard moved to close the nominations. Vote of 10-0-1

Recorded vote on the motion:

Aye: Abrams, Daniel, Pollard, Sparks, Lipscomb, Stroube, Hubbard,  
Wallace, White, Frank  
No: None  
Abstain: Hathaway

Chairman Frank called for a motion to elect Milton Hathaway. Mr. Sparks made a motion to elect, seconded by Dr. Stroube. Vote of 10-0-1

Recorded vote on the motion:

Aye: Abrams, Daniel, Pollard, Sparks, Lipscomb, Stroube, Hubbard,  
Wallace, White, Frank  
No: None  
Abstain: Hathaway

Chairman Frank announced that Milton Hathaway would be Vice Chairman of the Planning Commission for the 2002 year.

**Chairman of Public Hearings for the Planning Commission for the 2002 year**

Mr. Sparks moved to nominate James Wallace. Dr. Stroube seconded the motion. Dr. Stroube moved to close the nominations. Mr. Sparks seconded the motion. Vote of 10-0-1.

Recorded vote on the motion:

Aye: Abrams, Daniel, Hathaway, Pollard, Sparks, Lipscomb, Stroube,  
Hubbard, White, Frank  
No: None  
Abstain: Wallace

Chairman Frank called for a second roll call vote for James Wallace, which carried 10-0-1.

Recorded second roll call vote:

Aye: Abrams, Daniel, Hathaway, Pollard, Sparks, Lipscomb, Stroube,  
Hubbard, White, Frank  
No: None  
Abstain: Wallace

### **Vice Chairman of Public Hearings for the Planning Commission for the 2002 year**

Mr. Lipscomb moved to nominate Marty Sparks. Ms. White seconded the motion. Dr. Stroube moved to close the nominations, seconded by Reverend Hathaway.

Vote of 10-0-1.

Recorded vote on the motion:

Aye: Abrams, Daniel, Hathaway, Pollard, Lipscomb, Stroube, Hubbard,  
Wallace, White, Frank  
No: None  
Abstain: Sparks

Chairman Frank called for a motion to elect Marty Sparks. Mr. Lipscomb made a motion to elect, seconded by Mr. Abrams. Vote of 10-0-1

Recorded vote on the motion:

Aye: Abrams, Daniel, Hathaway, Pollard, Lipscomb, Stroube, Hubbard,  
Wallace, White, Frank  
No: None  
Abstain: Sparks

### **Representative to the Richmond Regional Planning District Commission for the 2002 year**

Chairman Frank called for nominations. Mr. Daniel stated that he was under the impression (somewhere in the by-laws) that the representative was appointed for a four-year term. Mr. Lipscomb made motion to nominate Jay Hubbard. Mr. Hubbard declined the nomination. Ms. White moved to nominate Mark Daniel, seconded by Mr. Abrams. Mr. Frank made a motion to close nominations, seconded by Mr. Abrams.

Vote of 10-0-1.

Recorded vote on the motion:

Aye: Abrams, Hathaway, Pollard, Sparks, Lipscomb, Stroube, Hubbard,  
Wallace, White, Frank  
No: None  
Abstain: Daniel

Chairman Frank called for a motion to elect. Motion was made by Mr. Sparks, seconded by Dr. Stroube. Vote of 10-0-1

Recorded vote on the motion:

Aye: Abrams, Hathaway, Pollard, Sparks, Lipscomb, Stroube, Hubbard,  
Wallace, White, Frank  
No: None  
Abstain: Daniel

Chairman Frank extended his congratulations to everyone.

## Commission By-Laws

Reverend Hathaway asked to clarify the elected officers according to Section (Article) 3-3. Mr. Homewood asked Reverend Hathaway to provide Mr. Homewood with a copy of March 2001 changes. Chairman Frank asked to bring this back next month. Changes & clarifications are to be brought forward next month.

## Meeting Schedule and Deadlines for 2002-2003

Chairman Frank called for a motion to approve as submitted. Mr. Daniel made a motion to approve, seconded by Mr. Pollard. Motion carried by roll call vote of 11-0.

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IN RE: PUBLIC COMMENT

Chairman Frank asked if anyone had comments for the public portion. Several persons had signed to speak on specific applications. Chairman Frank explained that there would be an opportunity for them to speak during the public hearing portion of the meeting.

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IN RE: UNFINISHED BUSINESS-CONTINUED PUBLIC HEARING

C-05-01 (Conditional)

*Wilton Real Estate and Development has applied to rezone approximately 112 acres for A-1 (Agricultural) to R-1 (Single Family Residential) subject to proffers for the purpose of developing 73 lots, all with a size of 1 acre or greater. The property is located on the east side of Old Roxbury Road (SR 640) immediately north of I-64 and is further identified as tax map parcel 20-71. The County's Land Use Plan designates this area for low density residential uses. (The application was deferred and the Public Hearing continued at the January 22, 2002 meeting).*

Mr. Homewood reviewed the memorandum dated February 11, 2002. The Planning Department has reviewed the application at some length, as well as the traffic study submitted to the County on February 8, 2002. This study was forwarded to VDOT on the same day. Earlier recommendation of denial remains the same.

Henry Wilton, representing Wilton Real Estate and Development Corporation, discussed some of the concerns brought up at the community meeting instigated by Mr. Wilton. He stated that only two deep (350 to 750 feet) wells would need to be drilled to service the community. The minimum square footage of every new home to be constructed would be 1600, with a value of \$150,000 and up. As a result of the meeting, Wilton decided to reserve 2.2 acres in the middle of the community for open recreation (meeting, cook outs, and so on), a homeowners association with dues to maintain this area and the entrances. Mr. Wilton passed out revised proffers. Conditions 1-5 remain the same. #6-reduced number of units to 70. #7-increased the 25' buffer along Old Roxbury Road to 50' (fifty feet), extended proffered tree preservation area on either side to give adjacent neighbors additional privacy. #8 and #9 are the same. Added new proffer #10, which refers to a new preservation area in the back. Added new proffer #11, which refers to the common area for people to have get-togethers, and dues for the homeowners association. Commissioned a traffic study for the project, which stated that the traffic coming out of the community is safe. The main discussion at the meeting was the safety of Old Roxbury Road, especially the two curves. The improvements would cost \$200,000.00. According to Mr. Wilton's calculations, proffers for the 70 lots would come to \$455,000.00. In

response to a question by Mr. Hubbard, Mr. Wilton states that 20 to 25 people attended the community meeting.

Mr. Abrams asked from where the \$200,000 to fix road would come. Mr. Wilton stated that the repairs were "off-site", that he could not effect such repairs, repairs being moving a fiber optic line, acquire a right-of-way, and cutting back a cemetery (but not grave removal) for sight distance. The school issue was never really discussed at the meeting, per Mr. Wilton.

Chairman Frank reopened the Citizen Comment.

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| Bruce Wood        | Lives across 640 from subject property. Witnessed traffic study done at wrong times, times being one evening for two hours at property line, and in morning, two hours after most people had left for work.<br><br>Thinks traffic is a problem, and that cutting back cemetery is terrible. He is concerned about safety on the road, overcrowded school buses, and he does not want a new community to have an impact on his well. He does not want to use proffer intended for schools to fix the road. |
| Jennifer Caldwell | Lives on Old Nottingham. She is fundamentally opposed to proffers in that the costs are passed on to the home buyer, causing value of home to increase resulting in increased taxes for all. Her main concern is safety of community. She states that in the last five years there have been 17 traffic accidents resulting in 14 injuries and \$57,000. 00 in property damage.   |
| Ashby Smith       | Lives on Old Roxbury Road. He was involved in one of the 17 accidents on 640 mentioned by Jennifer Caldwell. He states that when it rains a lot, water runs across road. He thinks that adding 70 homes would be a catastrophe for schools and safety in five years. He would like to see 5 to 6 acre lots, but was told by Mr. Wilton that it would not be economically feasible. He has a petition with 70 signatures for a no vote on this issue.  |
| Monty Terry       | Lives on Old Roxbury Road. He is concerned that the school buses are overcrowded. He does not think that cutting into the cemetery is a good idea.  |
| Brenda Mula       | Lives on Old Roxbury Road. She handed out topographical maps and had photos of the curves. She is concerned with the safety of the road. She states that the intersection at 249 has previously been fixed twice, and it is still difficult to negotiate.   |
| Angela Smith      | Lives on Old Roxbury Road. She would like everyone to turn down the Wilton proposal. She believes that the proffer dollars will come in one house at a time, not all at one time. She is concerned that the road is currently not wide enough to warrant painted lines in the middle or sides   |

of the road. She is further concerned about overcrowding at the schools.

- Mike Hughes Lives on Old Roxbury Road. He states that there has been an accident in front of his house, and that the road having no shoulder or guardrails was a factor. It is his opinion that the road is too narrow to support more traffic.
- James Waddell Lives on Old Roxbury Road. His property is on one of the curves. Last year curve was under water for a week and a half. Road safety is his concern.
- W. C. Pearson He is part owner of the subject property. He states that in 1988 he paid \$818.00 in taxes and \$1,750.00 in 2001. The property does not produce the income needed to pay taxes. Hunting rights covers 10%. He states that this development will provide a water supply to the surrounding area in case of fire. He would like a favorable vote.
- Kim Bradco Her property borders subject property. She agrees with Mr. Pearson about problems concerning fire and rescue. She is concerned that schools are already at capacity. She would like the board to deny.
- Don Cipriano His main concerns are the children, schools, and safety. He maintains that the road is unsafe.
- Dennis Williams Lives on Old Roxbury Road. He says that while the owner of the subject property has the right to sell, the zoning is for low density and he does not consider 73 houses low density. He would rather the property be divided into 5 acre lots. He is also concerned about road safety.

Reverend Hathaway closed the public hearing.

Reverend Hathaway does not feel that the unsafe condition of the road should be made more so and he could not support the rezoning. Chairman Frank agreed with Reverend Hathaway. Mr. Hubbard asked how many lots were at that end of the county. Mr. Lipscomb responded that there were 600. Mr. Daniel added that possibly not all of the 600 lots were suitable for building. Mr. Hubbard asked about any timesaving in the event of a fire using the proposed subdivision versus Woodhaven Shores. Mr. Homewood suggested that Mr. W. C. Pearson would be the better judge of that, but that any time savings would be potentially beneficial. Mr. Daniel stated that of the only two persons who had favorable comments during the public hearing portion, one was the owner of the property, and the other was the developer. All of the other comments have been from the community, and it is easy to tell how they feel about it. The road appears to be the main issue. If it were not for the road, there might not be as much opposition to the proposal. Reverend Hathaway moved to forward the application to the Board of Supervisors with an unfavorable recommendation. Dr. Stroube seconded the motion. Mark Daniel wanted to make sure the records reflected the major concern was about the safety of the road. Motion carried by a roll call vote of 8-1-2.

Recorded vote on the motion:

Aye: Abrams, Daniel, Hathaway, Sparks, Stroube, Hubbard, Wallace,  
Frank  
No: Pollard  
Abstain: Lipscomb, White

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IN RE: PUBLIC HEARING

ZM-1-02 Inez Walker

*Inez Walker has applied to rezone approximately 0.5 acres from A-1 (Agricultural) to B-1 (General Business). The property is located on the west side of Barham Road (SR 633) immediately north of its intersection with New Kent Highway (SR 30) and is further identified as tax map parcel 46-28. The County's Land Use Plan designates this area for village uses.*

Mr. Homewood reviewed the memorandum dated February 8, 2002. According to Mr. Homewood, the application to rezone is to correct an oversight from a 1969 rezoning in which the bulk of the property was rezoned B-1, but a one-half acre parcel was left A-1. The staff recommends approval.

Reverend Hathaway opened the citizen comment period of the public hearing. There being no comment, Reverend Hathaway closed the citizen comment period.

Mark Daniel asked if anyone came forward to inquire or complain about the matter. Mr. Homewood responded that the only person who had any contact with the Planning Department was the applicant. In response to another question from Mr. Daniel, Mr. Homewood replied that B-1 taxes were being paid on the property.

Mr. Sparks moved to forward the application to the Board of Supervisors with a favorable recommendation. Ms. White seconded. Motion carried by a roll call vote of 10-0-1, Mr. Lipscomb abstaining.

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CUP-1-02 SBA Network Services (Verizon Wireless)

*SBA Network Services, Inc. an agent for Verizon Wireless, has applied for a conditional use permit to place a 159' monopole single-tenant wireless Communications Tower inside an existing 144' Dominion Virginia Power electrical transmission tower. The property is located on the north side of Pocahontas Trail (US 60) approximately 600 feet east of the intersection with North Waterside Drive (SR 627), and is further identified as tax parcel number 45-29G. The street address is 15080 Pocahontas Trail. The property is zoned A-1 (Agricultural). A second electrical transmission tower is located approximately 800 feet north of the tower proposed for modification on the same property.*

Mr. Homewood reviewed the memorandum dated February 11, 2002. The memorandum listed twelve conditions. He stated that the staff recommended approval of the application subject to the twelve conditions. In addition, the staff asked the commission to sponsor an application to amend the zoning ordinance to allow this particular type of mount in the county without a conditional use permit. The same twelve conditions would apply.

After some discussion Ms. Katz explained that the ordinance would require the same conditions on the types of towers, basically a tower which is part of another structure. The same conditions that exist now, such as notifying the Commissioner of Revenue would be part of the ordinance. The only change would be that you will authorize the

director of planning to review everything is there and do it administratively, rather than in front of the board. Reverend Hathaway asked if this is a co-location of a tower. Mr. Homewood responded that this would be a single structure as opposed to multiple structures on the same piece of property. Essentially adding on to an existing structure constitutes co-location. Ms. Katz explained that a tower is something implanted in the ground, and when an antenna is bolted on to a Vepco structure, it becomes a tower. This is not a co-location as intended under the co-location policy. Mr. Sparks asked if this type of tower would only handle one antenna. Chuck Boyd of SBA Network Services answered yes, and that because of the structural integrity of the lattice tower, another carrier can not be placed on the tower, Virginia Power will not approve another carrier on a pole.

Reverend Hathaway opened the public portion of the hearing.

Jennifer Caldwell Lives on Old Nottingham Road. She states that she will be offended by the tower, but that the logical thing to do is to put the antenna on the existing tower.

Reverend Hathaway closed the public portion of the hearing.

Mark Daniel moved to forward the application to the Board of Supervisors with a favorable recommendation, subject to the twelve conditions. In addition he moved to sponsor and authorize a public hearing on an amendment to the zoning ordinance allowing an administrative process for future similar applications. Ms. White seconded the motion. Motion carried by a roll call vote of 11-0-0.

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#### CUP-2-02 Colonial Downs Expanded Uses

*Colonial Downs has requested a use permit to authorize a large number of ancillary activities at the facilities located at Colonial Downs including the following: Antique Shows, Automobile Exhibitions, Automobile Racing, Automobile Test Drive Demos, Balloon Shows, Bicycle and BMX Racing, Camping, Circus, Concerts, Conferences, Conventions, Craft Shows, Exhibitions, Expos, Fairs, Festivals, fireworks, Flea Markets, Gun Shows, Horse Shows, Laser Light Shows, Marathon Races, Motorcycle Racing, Polo Matches, Rodeo, Dog Shows, Horse Shows, Skydiving Exhibitions, Sporting Events, Trade Shows/Sales (Auto, RV, Boat, etc.), Weddings, Private Parties, Wrestling/Boxing. The subject property is located at 10500 Colonial Downs Parkway and is further identified as tax parcel 33-6.*

Mr. Homewood reviewed the memorandum dated February 8, 2002. He stated that the zoning ordinance language would have to be amended before the use permit could be granted. The first order of business should be to put that language into the zoning ordinance using PC-4 and 2. The staff requested that the commission adopt the resolution that sponsors the amendment to the zoning ordinance. Once the ordinance is amended, Colonial Downs will have the opportunity to do things without having to come before the Commission for approval (which can take months.) The staff is very supportive of this amendment and will bring forward both the amendment and use permit next month. The two things that Colonial Downs proposes in relation to expanded uses that the staff would not propose to be included in a blanket use permit are Automobile Racing and Motorcycle Racing. While Colonial Downs understands the concerns about Automobile Racing, they are less understanding about the concerns surrounding Motorcycle Racing.

Jerry Monahan, who is the Senior Vice President of Colonial Downs, stated that Colonial Downs is very appreciative of Mr. Homewood's efforts. They started the process for the permit March 2001. He said that as it stands now, any permit would take months to get, and the different promoters need to schedule the activities 3 to 4 months in advance. Colonial Downs would like the procedure to go forward.

Mr. Daniel asked if the Colonial Downs interests still include Automobile Racing, to which Mr. Monahan replied he did not think so, however, they are interested in the Motorcycling racing. He stated the sport's popularity was on the rise, and that they had a great turnout to a 2001 show, in which the entire Grandstand seating was sold out. He pointed out that the deed from Delmarva for the property (on which Colonial Downs was built) contains a covenant that gives Delmarva a say so in regard to what can be done at Colonial Downs. He stated that at the Motorcycle show last year, a decibel meter showed 80/90 decibels. He also stated that Brickshire supports what Colonial Downs does. In response to a question from Mr. Lipscomb, Mr. Monahan reiterated that he does not want to withdraw his application; he would like to proceed as quickly as possible. He did agree to defer the matter until next month.

Reverend Hathaway opened the public portion of the hearing. There being no comment, Reverend Hathaway closed the public portion of the hearing.

Mr. Sparks made a motion to defer this matter to the next meeting. Seconded by Mr. Abrams. Reverend Hathaway expressed his reservations about the list of ancillary activities. The motion was carried by a roll call vote of 11 -0-0.

Mr. Daniels made a motion to move to adopt a resolution to sponsor the proposed amendment PC-4-02. Seconded by Dr. Stroube. The motion was carried by a roll call vote of 10-1, with Reverend Hathaway voting no.

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SO-1-02; Definition of Immediate Family and Cul-de-sac  
*The definition of "immediate family" appears twice in the Subdivision Ordinance, once in the definitions [§98-181(a)(2)]. The definitions are not the same in that one includes siblings and grandchildren while the other does not. Neither is as broad as is permitted by the Code of Virginia. Either is acceptable by itself, but taken together, there could be a conflict.*  
*In addition, there is no definition of cul-de-sac or how to measure the length of a cul-de-sac although the ordinance does regulate the length of cul-de-sac streets.*

Mr. Homewood suggested reviewing this in two parts, immediate family and Cul-de-sac. He then reviewed the memorandum dated February 8, 2002. He explained the five considerations dealing with the definition of immediate family listed on the memorandum.

Reverend Hathaway suggested using the state's definition of immediate family, saying the broader definition would help to keep relatives in the county. Ms. White agreed. There was some discussion about placing a time limit on subdivided property for sale, an idea Mr. Wallace would support. Mr. Wallace went on to say that without a time limit he would support the narrowest definition. Ms. Katz stated the proposed definition is broader than the current definition. Reverend Hathaway clarified that the definition could be approved now, and changed again (adding time limit, etc.) at a later date. Mr. Homewood stated that the planning department did not have the staff to enforce additional rules. Mr. Daniel pointed out that honest people would follow the

rules. Mr. Sparks recommended rather than hash this over, go back and get our notes and discuss again at a later meeting.

Reverend Hathaway opened the public portion of the hearing.

Jennifer Caldwell Wanted a clarification on number of acres Mr. Lipscomb had mentioned during the discussion.

Reverend Hathaway closed the public portion of the hearing.

Reverend Hathaway made a motion to adopt the portion of the proposed resolution dealing with immediate family. He read into the record the definition as Family, Immediate, means any person who is a natural or legally defined offspring, spouse, parent, sibling, aunt, uncle, niece, nephew, grandchild, or grandparent of the owner. Seconded by Mr. Sparks. The motion was carried by a roll call vote of 10-1, with Mr. Wallace voting no.

The next discussion concerned Section 90-181 paragraph 2. Mr. Homewood described the changes requested.

After a short discussion concerning the age of the grantee, Reverend Hathaway opened the public portion of the hearing. There being no comment, Reverend Hathaway closed the public portion of the hearing.

Mr. Daniel made a motion to replace the immediate family definition with the newly approved definition, seconded by Dr. Stroube. The motion was carried by a roll call vote of 10-1-0, with Mr. Pollard abstaining.

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Mr. Homewood reviewed the proposed cul-de-sac definition, which was requested to define a cul-de-sac street and define how the length is to be measured. Adoption of the proposed would not impede development of or within any currently approved subdivision. He talked about how other localities tackle the long cul-de-sac by developing a boulevard type street, which would require a 60' right-of-way in lieu of a 50' right-of-way. A median the length of the right-of-way would provide two ways in and out.

Reverend Hathaway opened the public portion of the hearing.

Steve Campitel Representing the Chesapeake Corporation. He stated that Chesapeake currently owns approximately 7,500 acres in New Kent County, with 2,000 acres in the area zoned PUD. A considerable amount has been expended for the development and infrastructure in the PUD, roads, water, and sewer. The proposed definition, in regard to length and number of houses permitted, would be a substantial change to their plans, and it would have a dramatic impact on potential yield. A boulevard type street would mean double cost and double maintenance. He reiterated that they have been working with the count for over seven years on this development, and this proposed definition would have a dramatic impact.

Tolar Nolley Local developer. He has gotten numerous telephone calls regarding this issue. He would like the planning

department to take a hard look at the issues before proposing changes.

Reverend Hathaway closed the public portion of the hearing.

After several discussions about how the proposed should affect current and future development, as well as how previous planning directors had handled the matter, Mr. Lipscomb suggested that the matter be deferred for more study to find additional solutions. Mr. Pollard made a motion to defer action on the cul-de-sac issue, seconded by Mr. Hubbard. The motion carried by a roll call vote of 11-0-0.

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IN RE: TO SET FOR PUBLIC HEARING

ZM-2-02: Beattie Charters, L. C.

*Beattie Charters L. C. has applied to rezone 5.046 acres of property from A-1 to M-2. The subject property is located on the south side of Eltham Road (SR 33) approximately 2 miles east of its intersection with New Kent Highway (SR30 and 249) and is further identified as a portion of tax map parcel 27-11. The County's Land Use Plan designates the area for industrial uses.*

*No specific use is proposed or proffered under this application. The request is to consolidate the zoning of a single parcel of land and make it more attractive for industrial development.*

Mr. Homewood reviewed the memorandum dated February 8, 2002.

Mr. Daniel made a motion to set the Public Hearing for this application for the March 18 2002 meeting, seconded by Mr. Sparks. The motion was carried by a roll call vote of 11-0-0.

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S-1-02: Deerlake Subdivision, Section B

*G & G Limited has submitted an application for subdivision plan approval for a 36.122-acre portion of a 137.5-acre parcel to be developed as 44 residential lots under the terms of the R-1 zoning district. The subject property is located on the east side of SR 612 (Tunstall Road) immediately north of Section A of Deerlake and further identified as a portion of tax map parcel 10-51.*

Mr. Homewood reviewed the memorandum dated February 11, 2002. He explained that not all of the various state and local review agencies have responded to request for comments concerning the application, and that no action by the Commission is required at this time.

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IN RE: CHARIMAN'S REPORT

Chairman Frank said he has really enjoyed being the Chairman for the past year and working with the Commission members. He looks forward to for New Kent in the future.

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IN RE: RRPDC REPORT

Mr. Daniel had two things to report concerning the RRPDC February 2002 meeting. The quarterly advancement of the Work Force One funds was approved. The approval wan not unanimous, Mr. Daniel and four of his colleagues voted against it. There was

a suggestion made that the Commission go to quarterly meetings, with the officers meeting monthly. This suggestion was met with a great deal of concern.

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IN RE: STAFF REPORT

Mr. Homewood briefly discussed the BikeWalk Conference, to be held April 7, 8, and 9. The literature pertaining to this was in the Planning Commission packet. He stated that he was soliciting for comments, thoughts, and suggestions pertaining to the first draft of the cluster subdivision ordinance. He introduced Lamont Meyers to the Commission.

Mr. Meyers expressed his pleasure at being able to serve New Kent County. He spoke of his background, and listed a few of his accomplishments, and work experiences. He stated that he would like to review the county's comp plans, area plans, development, and subdivision ordinances to see if they are accomplishing the Commissions goals in attracting the type of investor or economic development. He will be looking not only at the language, but the process as well. Mr. Meyers hopes to have a report for the Commission by March 2002.

Chairman Frank asked when to expect to see the changes to the Chesapeake Bay regulations, to which Mr. Homewood replied that he was projecting March, and advise to go ahead and advertise for the April meeting.

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IN RE: MEETING SCHEDULE

Chairman Frank stated that the next meeting was scheduled for March 18, 2002.

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ADJOURNMENT