PLANNING COMMISSION January 2, 2019

**** Present:**

**	Daniel Talbot / Chairman	**	Donna Mowbray
**	Roy Davis	**	Joey Merica
**	Dorenda Flick/Secretary	**	Jodi Gooden
**	Margaretta Isom/Council Representative		

Admin: Delores Hammer/ Zoning Administrator

Guest: Kenneth Haines, Joy Haines, Helinda Risinger, Linda Salter

Chairman Talbot opened the meeting and led the Pledge of Allegiance

I. Chairman Talbot asked if everyone had reviewed the November 6, 2018 minutes. Everyone responded yes.

A motion was made by Margaretta Isom to accept the November 6, 2018 meeting minutes

Joey Merica seconded the motion.

Voice Vote 7-0 all in favor

Daniel Talbot, Roy Davis, Dorenda Flick, Donna Mowbray, Joey Merica, Jodi Gooden, Margaretta Isom

Motion Carries November 6, 2018 minutes approved

II. Chairman Talbot asked for a motion to reappoint Dorenda Flick to the Planning Commission for a four year term.

Roy Davis made a motion to recommend Dorenda Flick be reappointed to the Planning Commission.
Jodi Gooden seconded the motion.

Voice Vote 6-0 all in favor

Daniel Talbot, Roy Davis, Donna Mowbray, Joey Merica, Jodi Gooden, Margaretta Isom

Abstain: Dorenda Flick

Motion Carries

Margaretta Isom will present the recommendation to Council for approval

III. Chairman Talbot addressed the proposed rezoning of the acreage in the area of the Downey Knolls subdivision. Several guest (names listed above) attended the meeting and requested to submit and read letters regarding the proposed rezoning. Chairman Talbot asked for a motion to approve adding the reading of the letters from the residents of the Downey Knolls subdivision to the agenda.

Joey Merica made a motion to add the reading of the letters to the agenda

Roy Davis seconded the motion

Voice Vote 7-0 all in favor

Daniel Talbot, Roy Davis, Dorenda Flick, Donna Mowbray, Joey Merica, Jodi Gooden, Margaretta Isom

Motion Carries to add the reading of the letters from the residents of the Downey Knolls subdivision to the agenda.

Kenneth Haines who resides at 14577 Beatty Court in the Downey Knolls subdivision proceeded to read a letter which he had written and had been signed by 16 residents of the Downey Knolls Subdivision. (Included with minutes in binder). Chairman Talbot asked if anyone from BBWL had been given a copy of the letter and Mr. Haines replied they had not. Chairman Talbot asked Mr. Haines if he would be amendable if a clear separation and entrance could be made between the current Downey Knolls subdivision and the proposed subdivision. A person spoke and said possibly but they are concerned about the traffic. Another person spoke and said the reason they purchased was because of the concept of 55+ and not having families and children in the area. A person said that when she was looking for a place to live that she was told many things by the developer and now she is being told many more things that are different and that is a concern. Chairman Talbot asked if the owners were given a copy of the proffers. A person said she was given a copy at the closing of her property. But that she did not think that some of the things they are being told now is included in the proffers. Mr. Haines said he is "Sorry Pete and the other guys were not as successful as they thought but he would still like for them to keep the promises of the 55+ community that were made initially." "If this thing goes through I will put a for sale sign in my front yard. If this goes through there will be children everywhere and I just as soon this not happen." "I would rather keep it 55+". Margaretta Isom stated that the suggested pine trees as a barrier would not keep children off the other properties. She stated kids are kids and they go everywhere and trees are not going to stop that. Chairman Talbot said that in his opinion the previous plan that was presented by BBWL would not be considered. Chairman Talbot emphasized he only has one vote. Chairman Talbot said the land is technically in town and should be developed and the Planning Commission's job is to find an acceptable use. But the Downey Knolls owners were made a promise and that a balance needs to be found. Chairman Talbot asked if anyone else would like to speak about the separate entrance proposal. A person said that she would be okay with the separate entrance but as it is now the properties will be facing each other. The new subdivision will be backing up to the community center. If the new subdivision did not use their street and their area that may be acceptable. Mr. Haines said if he has a vote he would vote to keep it as is. Chairman Talbot asked another guest if they had something to add. The person was concerned with traffic and Ciro's was mentioned and the fact that customers park along the street. Donna Mowbray asked how many houses are currently in Downey Knolls. 17 homes was the response. 1 is vacant and 1 under construction. Currently 15 families reside in Downey Knolls Subdivision. Joey Merica asked if the owners were ever notified by BBWL that these plans were in the works. They all said they had not been notified. Roy Davis said that he did ask about the proposed golf course in the last meeting and he was told that no one wanted it. A person said that they were asked but they were told that the residents would be responsible for the maintenance of the golf course and the residents do not know anything about keeping up a golf course. So therefore they did

vote not to proceed with the golf course. But they were not told at the time the golf course was promised that the residents would be responsible for the maintenance.

The second letter was submitted by Gerry Comer who resides at 14618 Vinny Court in the Downey Knolls subdivision and was unable to attend the meeting. Chairman Talbot asked Delores Hammer Zoning Administrator to read the letter. (Included with minutes in binder)

Chairman Talbot asked the guest if they had anything else to share. They did not.

IV. Next item on the agenda Election of Officers. The election of officers was missed in June 2018 therefore Chairman Talbot and the members discussed the newly elected officers be in place until June 2020 to avoid having to repeat the process in 6 months.

Election of officers was not held in June 2018 therefore the officers were in place until January 2, 2019.
January 16, 2018 - The election will need to be repeated due to the By-Laws. Denise Monger Clerk of the Council has stated that according to the By-Laws and proper record keeping the term can only be until June 2019 and then at that time election will need to be held again. Elections will be held at the next scheduled meeting February 5, 2019.

Joey Merica made a motion that the term of the elected officers be until June 2020

Donna Mowbray seconded the motion

Voice Vote 7-0 all in favor

Daniel Talbot, Roy Davis, Dorenda Flick, Donna Mowbray, Joey Merica, Jodi Gooden, Margaretta Isom

Motion carries that the term of the Planning Commission officers be until June 2020.

Margaretta Isom made a motion that Daniel Talbot be elected Chairman

Joey Merica seconded the motion

Voice Vote 6-0 all in favor

Roy Davis, Dorenda Flick, Donna Mowbray, Joey Merica, Jodi Gooden, Margaretta Isom

Abstain: Daniel Talbot

Motion carries Daniel Talbot will serve as Chairman of the Planning Commission until June 2020.

Donna Mowbray made a motion that Roy Davis be elected Vice Chair

Jodi Gooden seconded the motion

Voice Vote 6-0 all in favor

Dan Talbot, Dorenda Flick, Donna Mowbray, Joey Merica, Jodi Gooden, Margaretta Isom

Abstain: Roy Davis

Motion carries Roy Davis will serve as Vice Chair of the Planning Commission until June 2020.

Margaretta Isom made a motion that Dorenda Flick be elected Secretary

Joey Merica seconded the motion

Voice Vote 6-0 all in favor

Dan Talbot, Roy Davis, Donna Mowbray, Joey Merica, Jodi Gooden, Margaretta Isom

Abstain: Dorenda Flick

Motion carries Dorenda Flick will serve as Secretary of the Planning Commission until June 2020.

V. Next item on the agenda a proposed satellite by Viasat. Viasat is requesting information on a proposal for a 300 square feet facility with the satellite itself to be 6 feet in diameter and 8 feet tall. The location is 220 Shenandoah Avenue. Delores Hammer stated that the area in question is zoned M-1. Delores Hammer stated that there are 4 existing towers in the location: T-Mobile North East, New Cingular Wireless, Shenandoah Mobile and Verizon Wireless and that there are two vacant spots currently. Roy Davis asked if the Town currently receives any money from the satellites. Margaretta Isom said that the town does not receive any money. Roy Davis said he was under the understanding that most people get paid when the land is being used. Delores Hammer stated that is correct most people or companies do receive compensation. Chairman Talbot said that normally the person who owns the land receives rental money. And that it is normally good money. Chairman Talbot asked Joey Merica who is responsible for the section of the code book that pertains to Telecommunications what the code allows for the requested facility. Chairman Talbot stated that this is covered under §110-711. Roy Davis asked what service the proposed satellite was going to offer. Chairman Talbot referred to the letter that was received from Viasat. It stated the satellite would be used for airplanes and for people in rural areas that currently do not have access to internet. Donna Mowbray said that it is not a bad idea that all the children in school have chrome books so it would be good for the students to have access to the internet at home. Chairman Talbot agreed and said that we do not want to stop progress. Chairman Talbot said that the job of the Planning Commission is to determine if the request will meet code requirements. It will be up to the Council to discuss and decide if they will negotiate for the Town to receive free internet service or whatever the council decides to request in return for allowing the satellite. Joey Merica read the code about structural requirements, fencing height, the satellite must not have any stickers or anything that causes a glare and a buffer. Chairman Talbot stated that Viasat needs to be able to provide the Planning Commission with a statement as to the reason that they are not able to use the existing tower. Chairman Talbot also said that Viasat will need to provide written permission for access to the existing right of way, a statement regarding more in depth about the shrubbery border and proof of need. Chairman Talbot asked Delores Hammer if she had informed the Viasat representative about the special exception clause and the process. Delores Hammer stated that she had spoken to Drew Patterson the Project Manager and told him the requirements example: permit, planning commission and public hearings. Chairman Talbot stated that before the Planning Commission can proceed the above questions (highlighted) must be answered.

Roy Davis made a motion to adjourn the meeting.

Dorenda Flick seconded the motion.

Voice Vote 7-0 all in favor

Daniel Talbot, Roy Davis, Dorenda Flick, Donna Mowbray, Joey Merica, Jodi Gooden, Margaretta Isom

Motion Carries meeting adjourned.

The next regular meeting is scheduled for February 5 at 7:00 pm. The meeting will be held in Council Chambers located at 20593 Blue & Gold Dr. in Elkton, VA. If a cancellation occurs you will be notified at least 48 hours prior to the meeting as written in By-Laws, Article VII 7-3.

Chairman _____ Secretary Dorenda Flick

Daniel Talbot Dorenda Flick

Residential 1-4, flood hazard, Yard Sales	Roy Davis
Residential 5-6 (includes: Townhouse & Apts.)Agriculture	Daniel Talbot
Residential 7-8, and Conservation	Dorenda Flick
Business, Industrial. Telecommunications	Joey Merica
Subdivisions, including Lot Line Adjustments	Margaretta Isom
Signs, Parking, Definitions, Streets and Alleys	Jodi Gooden
Zoning Map, Annexation, Home Occupations, Non-conforming Uses, Fences and Exceptions	Donna Mowbray

Please reference the above table when you receive your agenda each month

Track Permits issued for 2019

Month	Business	Residential	Single family	Duplex/Single family attached	Incomplete
Jan	7	3			
Feb					

Mar					
Apr					
May					
Jun					
Jul					
Aug					
Sep					
Oct					
Nov					
Dec					
YTD					