

A G E N D A
ISLE OF WIGHT COUNTY PLANNING COMMISSION
August 24, 2021

1. CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE

2. ROLL CALL/DETERMINATION OF A QUORUM

BRIAN CARROLL, CHAIRMAN

BOBBY BOWSER, VICE-CHAIRMAN

CYNTHIA TAYLOR

JAMES FORD

THOMAS DUERIG

EDWARD HULICK

JENNIFER S. BOYKIN

GEORGE RAWLS

THOMAS J. DISTEFANO

GLENN SEAY

3. ACTION ON REQUESTS TO WITHDRAW OR TABLE PENDING AGENDA ITEMS

4. APPROVAL OF AGENDA

5. CONSENT AGENDA

A. JULY 15, 2021 BOARD OF SUPERVISORS ACTION LIST

B. FEBRUARY 23, 2021 PLANNING COMMISSION REGULAR MEETING MINUTES

C. JUNE 22, 2021 PLANNING COMMISSION'S REGULAR MEETING MINUTES

6. CITIZENS' COMMENTS

7. PUBLIC HEARINGS

A. COBB RESIDENTIAL REZONING REQUEST

Application of Cobb Land Limited Partnership, Alpha M. Cobb, Steven F. Cobb and Timothy L. Cobb, property owners, for a change in zoning classification of a portion of tax parcel number 46-01-024 from Rural Agricultural Conservation (RAC) to Rural Residential (RR) to create three single family residential lots

B. JAMES RIVER CHRISTIAN ACADEMY CHILD CARE CENTER CUP REQUEST

Application of Vincent C. Carollo of Benns Saint Luke, LLC, applicant and property owner, for a conditional use permit to allow a child care center located at 14353 Benns Church Boulevard with tax parcel number 32-01-093. The property is in the Conditional

Suburban Residential zoning district.

8. OLD BUSINESS

9. NEW BUSINESS

A. APPOINTMENT OF SECRETARY FOR THE REMAINDER OF 2021

B. WRENN'S MILL REFUSE AND RECYCLING CENTER FENCE HCO EXCEPTION REQUEST

Application of Isle of Wight County Public Works Department, applicant, for an Exception to Section 6-1010.A.11 of the Highway Corridor Overlay (HCO) District regulations to allow a six foot tall Vinyl Coated Chainlink Fence around the Wrenn's Mill Refuse and Recycling Center located at 8196 Old Stage Highway with tax map number 13-01-035

C. COUNTY ATTORNEY'S REPORT

D. PLANNING DIRECTOR'S REPORT

1. PROPOSED ORDINANCE REVISIONS DISCUSSION

Proposed Revisions to the Isle of Wight County Zoning Ordinance

10. CLOSED MEETING

11. ADJOURNMENT

PLANNING REPORT

ATTACHMENTS:

Description	Type	Upload Date
July 15, 2021 Board of Supervisors Action List	Cover Memo	8/4/2021

ACTION LIST
BOARD OF SUPERVISORS
JULY 15, 2021

WORK SESSION

- A. Approval of Agenda: Supervisor McCarty moved that the agenda be adopted as presented. The motion was adopted (5-0) with Supervisors Rosie, Acree, McCarty, Jefferson and Grice voting in favor of the motion and no Supervisor voting against the motion.
- B. Commission on Aging: The consensus of the Board was for staff to return with a recommendation regarding a direction to move forward for the Commission on Aging.
- C. Nike Park Road Extended: Jamie Oliver, Transportation Planner, provided a comprehensive review on Nike Park Road extended.
- D. Closed Meeting: There was no action following the closed meeting.

REGULAR MEETING

- 1. Closed Meeting: The closed meeting was continued to the end of the meeting. Action was taken under (12.)
- 2. Citizens' Comments

David L. Tucker, a retired Engineer with a background in renewable energy, offered to assist the County in its future decisions on solar energy.

Chairman Grice recommended that the Board take advantage of Mr. Tucker's willingness to share his knowledge regarding solar energy with the Board and that he be invited to the Board's August 5, 2021 work session.

Assignment: Keaton/Robertson

3. Consent Agenda

- A. Resolution to Amend the FY 2020-21 Budget and Appropriate Funds to the Maintenance Category in the School's Budget (\$1,040,018)

Assignment: S. Humphries

- B. Resolution to Amend Chapter 2: Financial and Accounting Article 1, Sections 1.32.3, 1.43.2, 1.65, 1.65.1, 1.66 and 1.66.1 of the County Policy Manual

Assignment: Clarke

- C. Resolution to Congratulate and Recognize the Smithfield High School Soccer Team for Winning the 2020-21 Virginia High School League Class 4 State Soccer Championship

- D. Resolution to Recognize and Congratulate the Smithfield High School 4 x 100 rack ad Field Relay Team Won the 2021 Virginia High School League Class 4 State Championship

- E. Receipt of the 2020 Wetlands Board Annual Report

- F. Minutes

- . April 8, 2013 Regular Meeting Minutes
- . April 15, 2021 Regular Meeting Minutes
- . April 22, 2021 Budget Work Session
- . May 6, 2021 Work Session Minutes

Assignment: Storm

Supervisor McCarty moved that the Consent Agenda be adopted as presented. The motion was adopted (5-0) with Supervisors Rosie, Acree, McCarty, Jefferson and Grice voting in favor of the motion and no Supervisor voting against the motion.

4. Regional and Intergovernmental Reports: County Administrator Keaton notified the Board that the Hampton Roads Planning District Commission had recently discussed the issue of additional funding for school construction and that he had asked for a 1% sales tax be added to the regional legislative goals.

5. Appointments

- A. Blackwater Regional Library Board: Supervisor Acree moved that Conway Henderson be reappointed to represent the Windsor District. The motion was adopted (5-0) with Supervisors Rosie, Acree, McCarty, Jefferson and Grice voting in favor of the motion and no Supervisor voting against the motion.

Assignment: Jones/Storm

- B. Historical Architectural Review Committee: Supervisor Acree moved that Durwood Scott be reappointed to represent the Windsor District. The motion was adopted (5-0) with Supervisors Rosie, Acree, McCarty, Jefferson and Grice voting in favor of the motion and no Supervisor voting against the motion.

Assignment: Jones/Storm

6. Special Presentations

- A. Resolution to Commend and Congratulate Sharon Jones on the Occasion of her Retirement: Supervisor McCarty moved that the Resolution be adopted. The motion was adopted (5-0) with Supervisors Rosie, Acree, McCarty, Jefferson and Grice voting in favor of the motion and no Supervisor voting against the motion.
 - B. Hampton Roads Regional Valor Award: Chief Humphries recognized those individuals from the Smithfield Volunteer Fire Department who received the Hampton Roads Regional Valor Award for their efforts in evacuating citizens and rescuing a citizen stuck in his vehicle during a flooding event on September 9, 2020.

7. County Attorney's Report

There was no report offered.

8. Public Hearings

- A. Application of Wilbur R. and Wendy R. Todd: Supervisor McCarty moved that the application be approved. The motion was adopted (5-0) with Supervisors Rosie, Acree, McCarty, Jefferson and Grice voting in favor of the motion and no Supervisor voting against the motion.

Assignment: Ring

- B. Proposed Suburban Residential Zoning District Ordinance Revisions: Supervisor Jefferson moved that the revisions be adopted. The motion was adopted (5-0) with Supervisors Rosie, Acree, McCarty, Jefferson and Grice voting in favor of the motion and no Supervisor voting against the motion.

Assignment: Ring

9. County Administrator's Report

- A. County Fair Spring Events Update: County Administrator Keaton was directed to review the budget to determine if funds are available to increase funding for the Fair budget from \$413,434 to at least the \$428,850 funded in 2019 and that this matter be added to the Board's August 5, 2021 work session for further discussion.

Assignment: Keaton/Robertson

- B. 2022 Virginia Technology Initiative Grant Program: Assistant County Administrator Robertson provided a briefing regarding efforts being undertaken by staff regarding the 2022 Virginia Technology Initiative Grant Program.

- C. 2022 Legislative Priorities: Assistant County Administrator Robertson reviewed the proposed 2022 legislative priorities with the Board. He agreed to draft language regarding the inequity of impact fees for the Board's consideration at its August 19, 2021 meeting.

Assignment: Robertson

10. Unfinished/Old Business

Resolution to Rescind Declaration of a Local Emergency: Supervisor Jefferson moved that the Resolution be adopted. The motion was adopted (5-0) with Supervisors Rosie, Acree, McCarty, Jefferson and Grice voting in favor of the motion and no Supervisor voting against the motion.

11. New Business

- A. Resolution to Accept and Assign a Military Surplus Boat: Supervisor Acree moved that the Resolution be amended and adopted based on the proceeds for marine operations. The motion was adopted (5-0) with Supervisors Rosie, Acree, McCarty, Jefferson and Grice voting in favor of the motion and no Supervisor voting against the motion.

Assignment: S. Humphries

- B. Discussion of the Census/Redistricting Process: The consensus of the Board was to authorize County Attorney Jones to make arrangements for Mr. Nolan to make a presentation to the Board.

Assignment: Jones

12. Continuation of Closed Meeting

Supervisor Jefferson moved to adopt a resolution authorizing the County Attorney and the County Administrator to execute the Virginia Abatement Fund and Settlement Allocation Memorandum of Understanding which establishes the allocation use of litigation recoveries in the opioid litigation. The motion was adopted (5-0) with Supervisors Rosie, Acree, McCarty,

Jefferson and Grice voting in favor of the motion and no Supervisor voting against the motion.

Assignment: Jones

PLANNING REPORT

ATTACHMENTS:

Description	Type	Upload Date
FEBRUARY 23, 2021 PLANNING COMMISSION REGULAR MEETING MINUTES	Cover Memo	8/20/2021

**MINUTES OF THE MEETING OF THE ISLE OF WIGHT COUNTY
PLANNING COMMISSION HELD ON THE TWENTY-THIRD DAY OF
FEBRUARY IN THE YEAR TWO THOUSAND AND TWENTY-ONE**

CALL TO ORDER

Chairman Carroll called the Isle of Wight County Planning Commission meeting to order at 6:00 PM on February 23, 2021, in the Smithfield Center located at 220 North Church Street, Smithfield, Virginia.

INVOCATION

Commissioner Hulick delivered the Invocation.

PLEDGE OF ALLEGIANCE

Chairman Carroll led in the Pledge of Allegiance.

ROLL CALL/DETERMINATION OF A QUORUM

PRESENT

Brian Carroll, Chairman
Bobby Bowser, Vice-Chairman
Cynthia Taylor
James Ford
Thomas Duerig
Edward Hulick
Jennifer Boykin
Bobbie Varner
George Rawls
Thomas Distefano

ABSENT

Thomas Duerig

A quorum was determined.

ALSO IN ATTENDANCE

Robert W. Jones, Jr., County Attorney
Amy Ring, Community Development Director
Melinda J. Goodwyn, Secretary

**ACTION ON REQUESTS TO WITHDRAW OR TABLE PENDING
AGENDA ITEMS**

There were no items that required action.

APPROVAL OF AGENDA

Chairman Carroll called for Approval of the Agenda.

Vice-Chairman Bowser moved to approve the Agenda as presented. Commissioner Boykin seconded the motion, which was adopted with Commissioners Carroll, Bowser, Taylor, Ford, Hulick, Boykin, Varner, Rawls and Distefano voting in favor of the motion, no Commissioners voting against the motion and Commissioner Duerig absent for the vote (9-0).

CONSENT AGENDA

Chairman Carroll called for approval of the Consent Agenda.

**SEPTEMBER 8, 2020 COMMISSION'S MEETING MINUTES
JANUARY 26, 2021 PLANNING COMMISSION'S REGULAR MEETING
MINUTES
DECEMBER 10, 2020 BOARD OF SUPERVISORS' ACTION LIST
JANUARY 21, 2021 BOARD OF SUPERVISORS' ACTION LIST**

Commissioner Taylor moved to approve the Consent Agenda as presented. Vice-Chairman Bowser seconded the motion, which was adopted with Commissioners Carroll, Bowser, Taylor, Ford, Hulick, Boykin, Varner, Rawls and Distefano voting in favor of the motion, no Commissioners voting against the motion and Commissioner Duerig absent for the vote (9-0).

CITIZENS' COMMENTS

Chairman Carroll called for Citizens' Comments. There were no citizens comments offered.

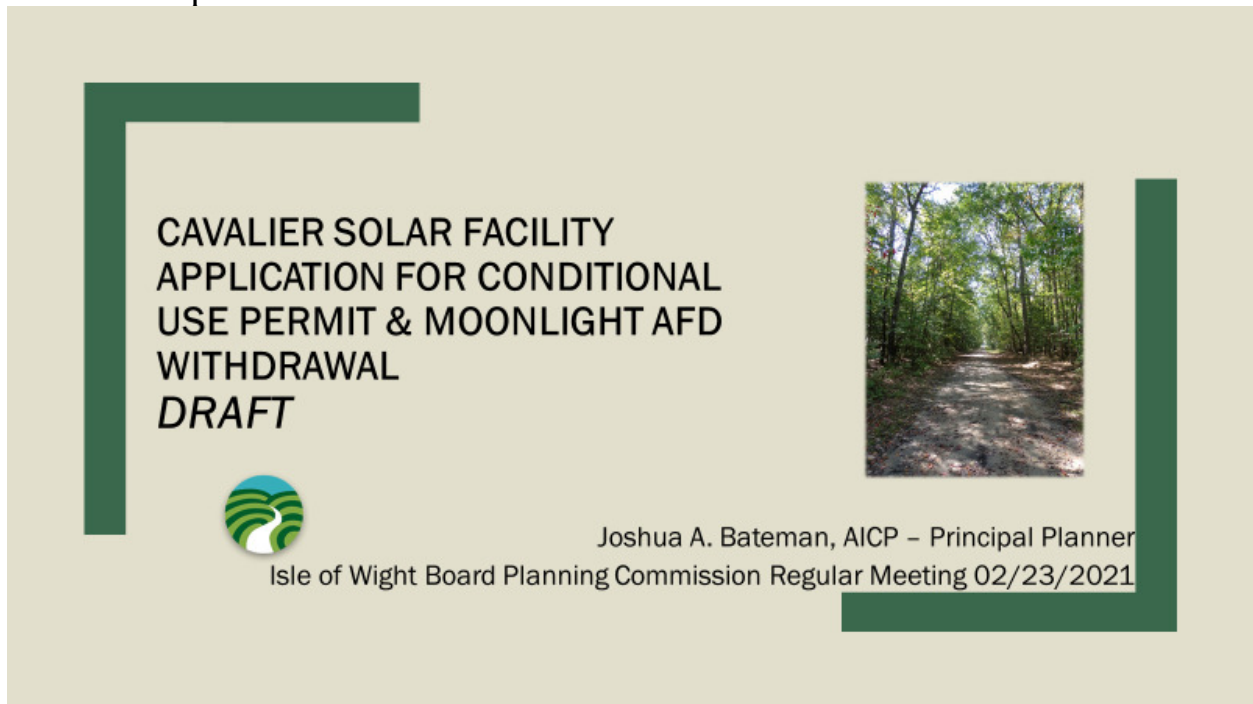
PUBLIC HEARINGS

Chairman Carroll called for the public hearing on the following application:

The application of Cavalier Solar A, LLC, applicant, for approval of a Conditional Use Permit, CUP-3-19, to construct and operate a major utility service use consisting of a utility-scale, solar energy generation facility, including related equipment, electrical lines, project substation, and 500 kV gen-tie (overhead) transmission line. The project is located on properties zoned Rural Agricultural Conservation (RAC) on Burwells Bay Road, Jones Drive, Mill Swamp Road, and Pons Road,

including Tax Parcel Numbers 10-01-017, 10-01-020, 10-01-021, 10-01-023, 10-01-024, 10-01-025, 10-01-027, 10-01-030, 11-01-005, and 1J1-01-015. The application includes a request from the owners of seven affected parcels to withdraw their properties from the Moonlight Agricultural/Forestal District.

Joshua Bateman, Principal Planner, provided and discussed the following PowerPoint presentation:



SUMMARY



Request: Conditional Use Permit (CUP) to establish a 450-acre, utility-scale solar energy generation facility (major utility service) in north-central Isle of Wight to accompany withdrawal from the Moonlight Agricultural Forestal District

Location: Parcels 10-01-017 (150 ac.), 10-01-020 (123.7 ac.), 10-01-021 (130.7 ac.), 10-01-023 (120.3 ac.), 10-01-24 (126.1 ac.), 10-01-025 (120.1 ac.), 10-01-027 (130 ac.), 10-01-030 (128.5 ac.), 11-01-005 (447.6 ac.), and 11-01-015 (207.5 ac.)

Area: 1,684.5 ac. (total for all parcels) with +/- 450 ac. with energy production facilities (26.7% of total)

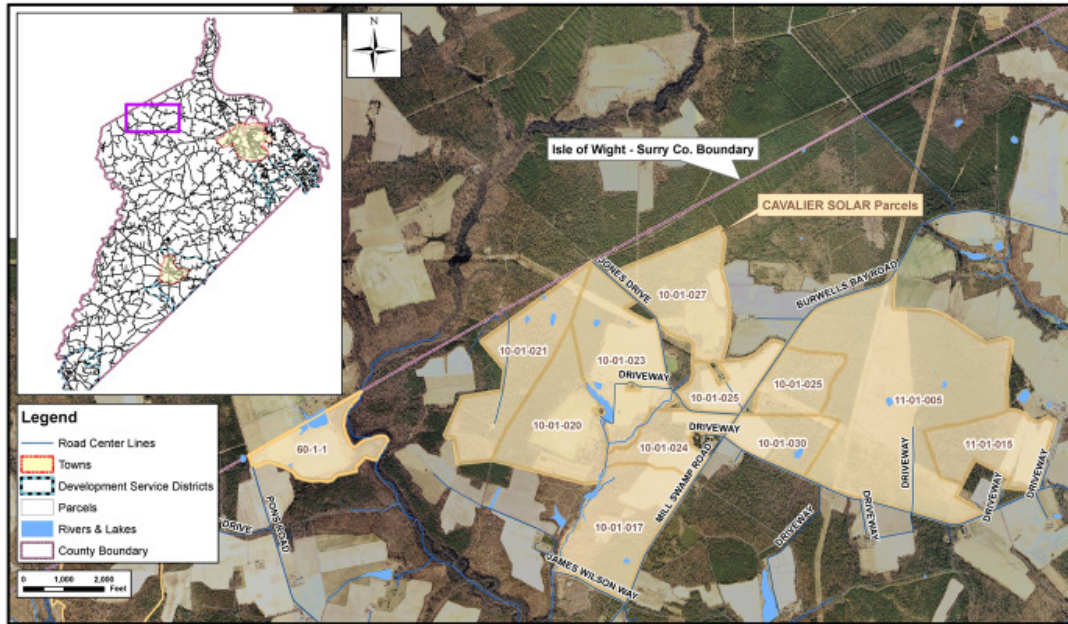
Zoning: Rural Agricultural Conservation (RAC)

BACKGROUND

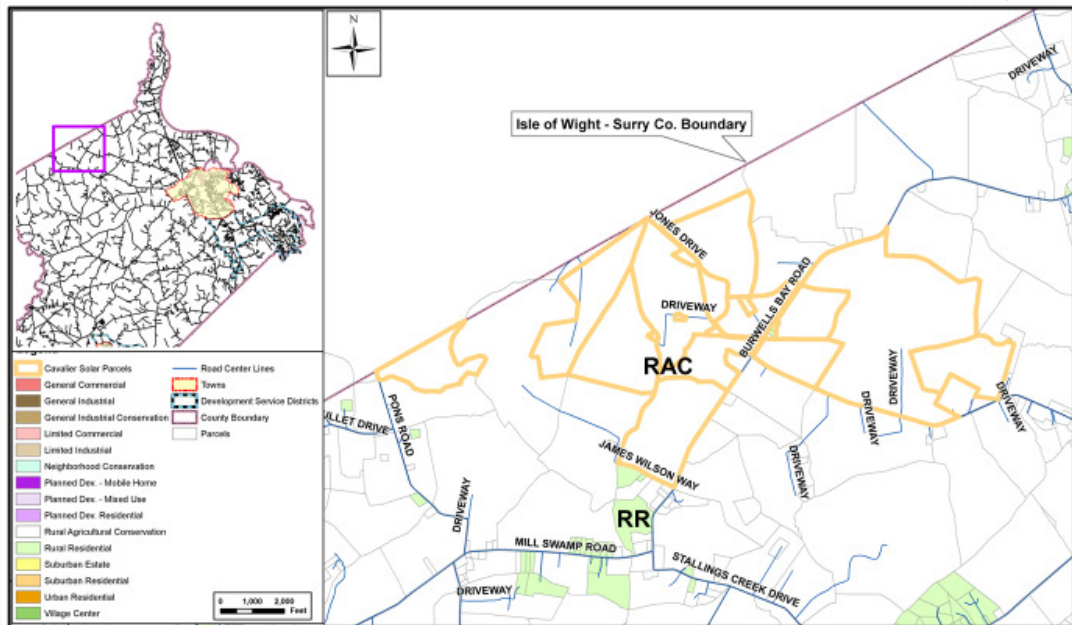


- Application filed in October 2019 for 340.4 ac. of proposed development on seven (7) parcels.
- Parcels 10-01-017, 10-01-024, and 10-01-030 (Delk) added in second submittal in September 2020.
- Proposal amended to remove area from Parcels 10-01-17, 10-01-024, 10-01-025, and 10-01-030 in December 2020.
- Current area proposed for development is 450 ac. (approx. 58 MW) but applicant has requested the ability to increase to 500 acres.
- Area contains a concentration of historic structures described in the enclosed Phase 1 Architectural Resource Survey, including the Carroll Plantation, (Abraham) Jones House, and Gale (Burwell Person) House along with a number of environmental resources.
- Four (4) property owners have petitioned to remove 516.23 acres on seven parcels, including all of Tax Parcels 10-01-020 and 10-01-021, from the Moonlight Agricultural and Forestal District. The AFD Committee has recommended approval of the withdrawal.

Cavalier Solar Conditional Use Permit - General Location Map

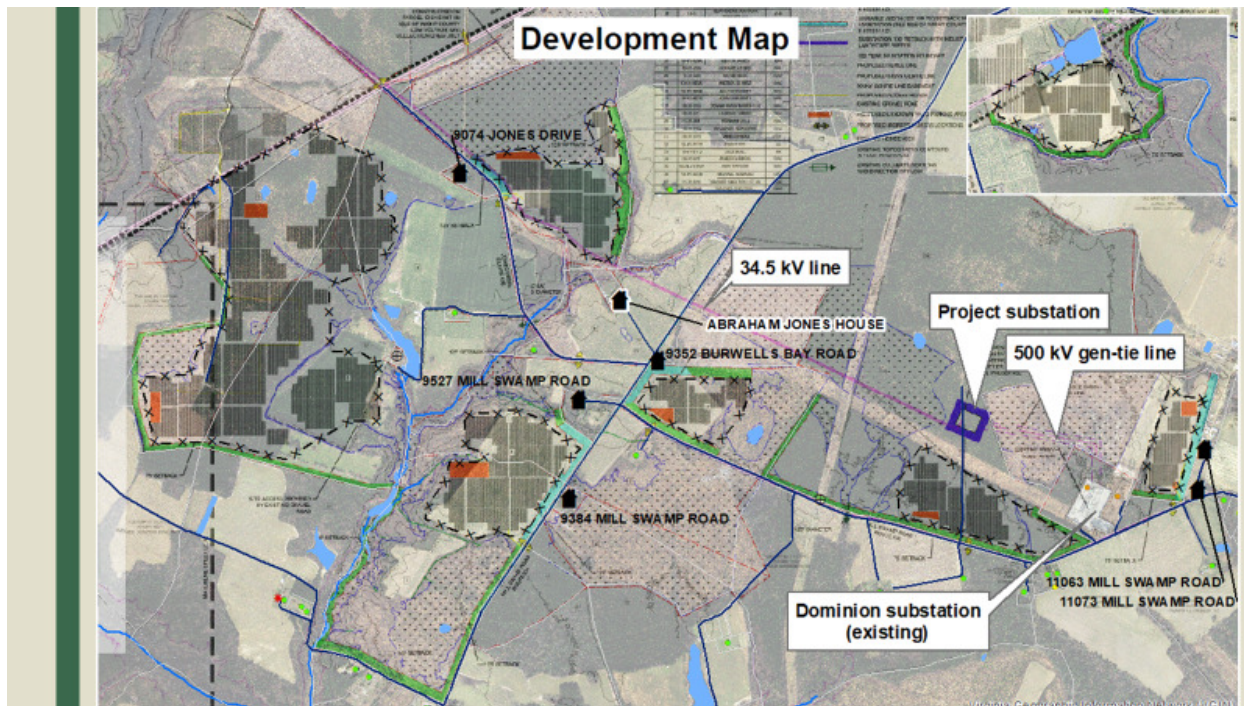


Cavalier Solar Conditional Use Permit - Zoning Map



DEVELOPMENT DETAILS

- 168 acres (39%) in agricultural use (cropland) and is comprised of "prime farmland" or "prime farmland if drained" soils
- Remaining 262 acres is in forestal/silvicultural use being actively managed for timber production.
- Medium voltage (34.5 kV) transmission lines transmit electricity from panels to new substation on Parcel 11-01-015. A 500kV overhead gen-tie line transmits electricity from substation to Dominion substation.
- Cultural resources survey: Found 2 sites in Surry that contain archaeological resources "potentially eligible" for NHRP.
- Architectural resources survey: Found "moderate impact" to 1 of 5 NRHP-eligible resources found. Panels removed from Parcel 10-01-025 by applicant to eliminate this impact to the Jones House (9355 Jones Dr.).
- Environmental Impact Assessment: DCR found sensitive resources in project area.





PARCELS 10-01-017 AND 10-01-024 AS VIEWED FROM MILL SWAMP ROAD (ROUTE 621)



TAX PARCEL 10-01-030 AS VIEWED FROM MILL SWAMP ROAD (ROUTE 626)



WOODED AREA ALONG MILL SWAMP ROAD (ROUTE 626) ON TAX
PARCEL 11-01-005



PARCEL 11-01-15 AS VIEWED FROM MILL SWAMP ROAD (ROUTE 626)



**PARCEL 10-01-25 AND THE JONES HOUSE AS VIEWED FROM
BURWELLS BAY ROAD (ROUTE 621)**



PARCEL 10-01-27 AS VIEWED FROM JONES DRIVE (ROUTE 626)



PARCEL 10-01-21 AS VIEWED FROM THE HUNT CLUB ROAD

COMPREHENSIVE PLAN COMPLIANCE



- Future land use designations are Rural Agricultural Conservation (RAC) and Environmental Conservation (EC).
- "Preserve the Isle" - minimize land use conflicts by separating agricultural lands from non-agricultural activities and retain a critical mass of agricultural land that promotes effective operation and the overall strength of the agricultural community.
- "Shape the Isle" - enhance efforts to preserve significant historic and archaeological resources and the cultural heritage of the County.
- "Serve the Isle" - notes County's attractiveness as a "prime location" for utility-scale solar facilities & concerns about potential loss of agricultural lands, visual impacts, use of toxic materials in the panels, [and] the potential for groundwater and soils contamination.
- The subsection "Community Energy" contains 5 location considerations to ensure compatibility with the community's future vision. These were considered throughout staff's review.

ZONING COMPLIANCE



- RAC District designed to protect areas that are “presently, predominantly in agricultural use and maintain the land base necessary to support agricultural activity.”
- Conditional uses may be considered compatible with the district provided reasonable and appropriate conditions are imposed to mitigate negative impacts on the surrounding community.
- Criteria for reviewing CUP requests (Sec. 1-1017):
 1. That the establishment, maintenance, and operation of the conditional use will not be detrimental to or endanger the public health, safety, and general welfare;
 2. That the conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially impair the use of other property within the immediate proximity;
 3. That adequate utilities, water, sewer or septic system, access roads, storm drainage and/or other necessary public facilities and improvements have been or will be provided;
 4. That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion on the public streets;
 5. That the proposed conditional use is not contrary to the goals and objectives of the Isle of Wight County Comprehensive Plan;
 6. That the conditional use shall, in all other respects, conform to the applicable regulations of the zoning district classification in which it is located and to the special requirements established for the specific use; and
 7. That the use(s) at the location proposed will not result in a multiplicity or saturation of similar uses in the same general neighborhood of the proposed use.

ZONING COMPLIANCE



The Board may impose additional conditions or limitations on any approval, including the posting of performance guarantees. Such conditions may include, but are not necessarily limited to:

1. Number of persons living or working in the immediate area and the proposed hours of operation, as may applicable;
2. Traffic conditions, including facilities for pedestrians, such as sidewalks and parking facilities; the access of vehicles to roads; peak periods of traffic; and proposed roads, but only if construction of such roads will commence within the reasonably foreseeable future;
3. For orderly growth of the neighborhood and community and the fiscal impact on the county;
4. Effect of odors, dust, gas, smoke, fumes, vibration, glare, and noise upon the use of surrounding properties;
5. Facilities for police, fire protection, sewerage, water, trash and garbage collection and disposal, and the ability of the county or persons to supply such services;
6. Degree to which the development is consistent with generally accepted engineering and planning principles and practices;
7. To minimize impacts to schools, houses of worship, theaters, hospitals, and similar places of public use;
8. Purposes set forth in this ordinance, the county's comprehensive plan, and related studies for land use, roads, parks, schools, sewers, water, population, recreation, and the like;
9. Environmental impacts, the effect on sensitive natural features, and opportunities for recreation and open space; and
10. Preservation of cultural and historic resources or landmarks.

AGENCY REVIEW



- DHR Review and Compliance Division - concurred with findings of cultural resource assessment but disagreed somewhat from the architectural report's conclusion that equipment previously proposed on Tax Parcel 10-01-025 (Barcroft) would only "moderately impact" the Jones House.
- Field wetlands delineations were conducted by Resource Environmental Solutions, LLC (RES) for wetlands located throughout the project area. Applicant awaiting confirmation by the US Army Corps of Engineers (USCOE).
- DEQ/DCR - expressed concerns with ecological fragmentation and potential impact to several identified sensitive resources within the project site. Made recommendations for wildlife corridors, maximum fence height, and avoidance, among others.
- VDOT - issued several comments related to details for proposed entrances to the site (e.g., sight distances, culvert sizes, etc.).
- Economic Development Department - stated overall support for the project, concluding that real estate tax revenue would increase substantially on a per-acre basis depending on the current underlying land use (pasture, cropland, forest, etc.). Also noted the creation of significant temporary construction jobs (450-500) benefitting the County's ancillary sectors.

CONCLUSIONS



Strengths:

1. Project generally meets the goals and objectives of the comprehensive plan contingent upon the recommended conditions of approval below. These conditions are intended to ensure that the project remains consistent with comprehensive plan and satisfies the location considerations identified in the community energy section of the plan.
2. Proposed land use will result in an increase in revenues over time.
3. Impacts to environmental and historic resources are minimized by installing and retaining landscape buffers and relocating proposed equipment to properties farther from public streets, nearby residences, and historic structures.
4. Despite the considerable area of the proposed facility, approximately 68% (310 acres) of the development will not be visible to adjoining landowners or from local private and public roads.

Weakness:

1. Proposed use will remove approximately 168 acres of agricultural land from active production during the life of the facility.
2. Short term impacts to nearby residential development in the area may occur during the construction phase from truck traffic, noise, and dust.

RECOMMENDATION



Staff recommends that the Planning Commission forward to the Board of Supervisors a recommendation for approval of the conditional use permit for Cavalier Solar (CUP-3-19), subject to the following conditions:

1. The subject properties shall be developed in general conformance with the approved site plan prepared by Kimley-Horn and Associates, Inc. dated February 2, 2021, for up to 500 total acres.
2. The portion of the subject properties supporting solar panels shall be enclosed by security fencing of a type which is harmonious with the rural, agricultural, and historical character of the County as determined by the Zoning Administrator upon approval of the site plan for the project.
3. The applicant shall preserve and maintain existing forest and vegetation within required setback areas and buffer yards and shall not clear or cut live trees within required setbacks or buffer yards without written authorization from the Zoning Administrator.
4. A continuous screening zone at least 75 feet in width shall be established surrounding the project electrical substation. Existing live trees and vegetation shall be preserved within the screening zone, provided that breaks for required access and overhead and underground transmission lines shall be permitted to interrupt the contiguousness of the zone with approval by the Zoning Administrator.

RECOMMENDATION



5. The applicant shall submit an Emergency Response Plan with the first submission of the site plan, which shall detail fire suppression methods that will be immediately deployed during both construction and operation of the facility. The plan shall include a training program to be provided, at the discretion of the County, to County emergency response staff with regards to safety for on-site emergency response. The applicant shall install a Knox Box at the facility to ensure emergency responders have access to the facility should the need arise and include plans for the same on the project site plan.
6. The applicant shall conserve topsoil on the site to the maximum extent feasible. Topsoil stockpiled on the site shall be stored out of view from adjacent properties and public roads.
7. Hours of operation for construction activities shall be limited to 7:00 A.M. to 7:00 P.M. Monday through Friday and 9:00 A.M. to 7:00 P.M. on Saturdays and Sundays.

Staff further recommends approval of the petition from property owners to withdraw from the Moonlight Agricultural and Forestal District Tax Parcels 10-01-20, 10-01-021, a portion of 10-01-023, a portion of 10-01-027, a portion of 11-01-005, and a portion of 11-01-015 corresponding to the acreage of the proposed solar facility development.

Chairman Carroll called for persons to speak in favor of or against the application.

Ben Saunders, Development Manager representing SPower, presented and discussed the following PowerPoint presentation:

Cavalier Solar

Isle of Wight County

Planning Commission

February 23, 2021



2/25/2021

1

Reasons to Approve Conditional Use Permit

- **Experienced Developer and Operator** – Proven track record on the construction and operation of utility scale solar projects.
- **Properly sited, setback and screened** - Once installed it's quiet, has minimal traffic and will be fully screened. Designed in a manner to mitigate any impacts to adjacent neighbors and blend in with the rural landscape.
- **Benefit without Burden** – The project represents a \$75 million investment in Isle of Wight and tax revenues of \$5-6 Million without requiring county services or investments.
- **Broadband** – The project will seek to speed up and expand broadband access in the area around the project site.
- **Community Investment and Trust** – Here for the life of the project with a partner you can trust.

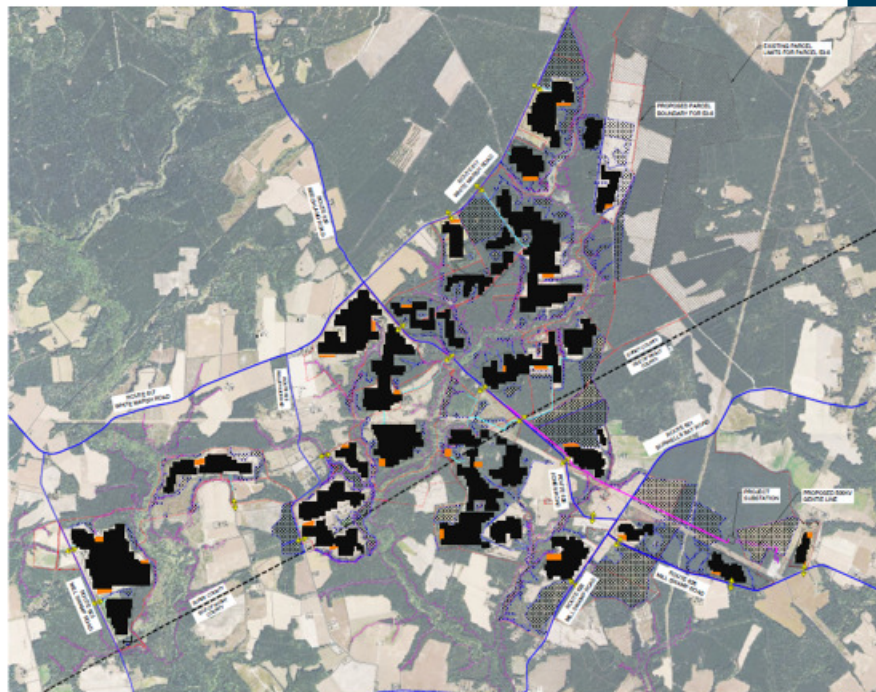


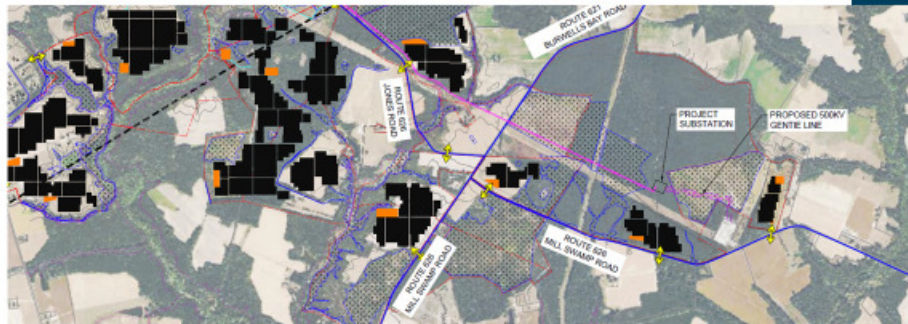
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Reason to Approve: Experienced Developer and Operator



- **Construction:**
 - **Minimal grading** required
 - Once site is prepped, installation of PV system can move as fast as **5MW or 30 acres a week**.
 - Isle of Wight section started first and bulk of work completed in 6 months.
 - Traffic and Road Management Plan
 - Emergency Response Plan
- **Operations** – Quiet, minimal traffic and lighting
- **Decommissioning**
 - Decommissioning plan and cost estimate submitted to the county prior to site plan approval. **Bond required.**
 - Removal of all solar energy equipment and appurtenant structures from the subject property
 - Revert back to farmland/timber after project decommissioned

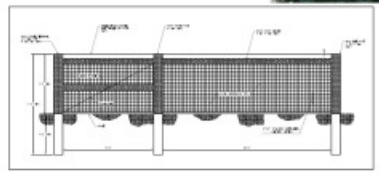


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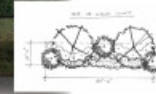
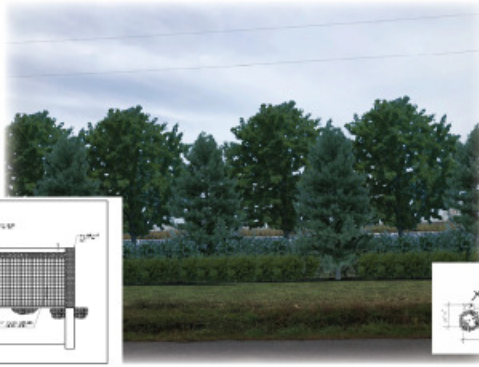
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Reason to Approve: Properly sited, setback and screened

- In compliance with the IOW Solar Ordinance - Setback at least 75 feet from all property lines and at least 125 feet from any residential parcels
- Preserving existing vegetative buffers or installing dense screening
- Conserved areas throughout the project area including wetlands and forested areas provide additional screening
- Maintenance program requirements and Landscaping Bonds to ensure plantings are maintained or replaced if necessary
- Aesthetic Agricultural Fencing

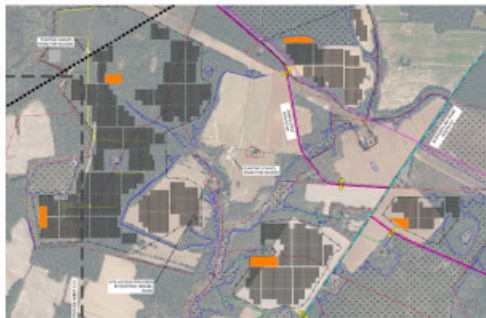


1. AGRICULTURAL STYLE FENCE DETAIL
 1. FENCE LINE
 2. POST
 3. RAIL
 4. WIRE



Reason to Approve: Properly sited, setback and screened

- Worked with County Staff to reduce footprint and proximity to historic resources
- As noted in Staff Report, **approximately 68% (310 acres) of the development will not be visible** to adjoining landowners or from local private and public roads.
- The project is **heavily regulated at the local, state and federal level** with over a dozen entities reviewing the project
- Reviewed/Approved by the **Virginia Department of Historic Resources** and will be designed to avoid or minimize impacts to cultural and historical resources



Reason to Approve: Benefits without Burden on County Services

- **Estimated tax revenues of \$5 to \$6 million** without the requirement of any additional service or investments from the County
- Represents a **capital investment in the county of \$75 million.**
- Ancillary economic benefits include:
 - Economic pulse of \$92 Million during Construction
 - **Construction jobs** - Local recruiting with on-the-job training
 - **Supporting Local business** including restaurants, construction equipment, building materials and lodging.
- **Broadband expansion** in the project area
 - Working with IOW and Ruralband to expand and speed up broadband in the project vicinity via Cavalier Solar grant
- Provides generational IOW landowners increased productivity per acre and supplemental income to continue farming in area



2/25/2021

Reason to Approve: Community Investment and Trust

- **AES/sPower is a Developer, Owner and Operator.**
- **Transparency:** to gain community feedback, 4 open houses were conducted, numerous mailings to property owners in and around the project and multiple advertising campaigns.
- Committed to engaging with **local schools and the community** through sponsorships, partnerships, presentations and site tours.



Educational Site Tours

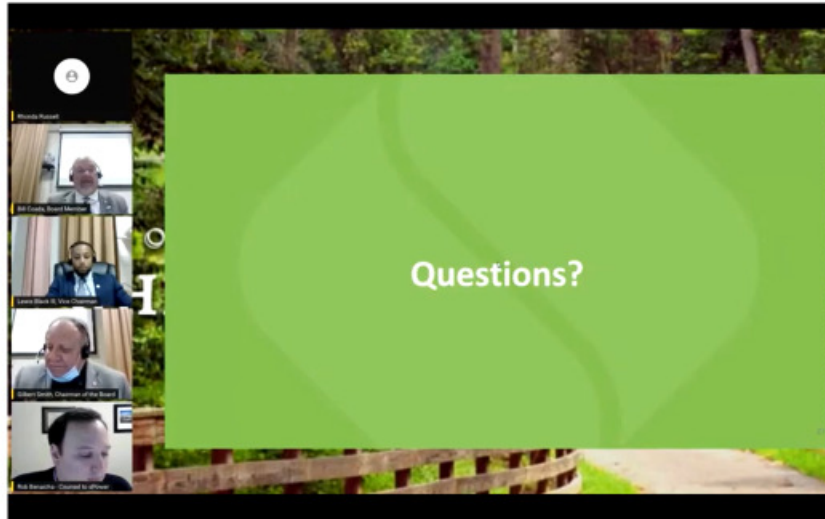


Science Fairs

2/25/2021

12

Reason to Approve: Community Investment and Trust



0/25/2021

11

Questions?

CONTACT INFORMATION

Ben Saunders
Project Developer
(804) 212-7179
ben.saunders@spower.com

0/25/2021

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Existing Vegetative Screening along Mill Swamp Rd

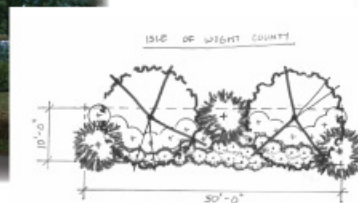


0/05/2021

13

Planted Screening along Mills Swamp Rd

- Extensive landscaped buffers that will screen the project from view.



Installed screening looking into array from intersection of Beechland and White Marsh.

0/05/2021

14

Developer, Owner and Operator



sPower recently announced that it will be merging with The AES Corporation's (AES) US-based clean energy development business.

The merged business will represent one of the largest renewable growth platforms in the country.

The AES Corporation (NYSE: AES) is a Fortune 500 global power company, with 19,000 employees and 37GW of Generation.

Experienced Solar Developer in Virginia
with East Coast headquarters in Richmond.
Constructing the largest solar facility east of
the Rocky Mountains in Spotsylvania as well
as facilities in Charles City County.



0/25/2021

15

Mr. Bateman informed the Commission that staff received six written pieces of correspondence regarding the application; four were in favor of and two were in opposition.

Jennifer Boykin inquired if the four that were in favor of the application were also landowners involved in the application.

Mr. Bateman responded he did know the answer to that. He thinks one or two were.

Chairman Carroll stated that the letters will be entered into record.

Isle of Wight Board of Supervisors;
Isle of Wight Planning Commission

Via Email

December 18, 2020

To the members of the Isle of Wight Board of Supervisors and Planning Commission:

First, I want to thank each of you for your service to the residents of Isle of Wight County. I greatly appreciate the time and effort you give to make our County a good place to live and raise a family.

My purpose in writing is to express my and my family's support of the Cavalier Solar project which I understand has submitted a Conditional Use Permit application.

My husband and I have owned land in Isle of Wight County since 1965 when we bought our farm here. We've raised our three boys here and they also live in the county. Our middle son has taken over farming from his dad since he retired.

We recently were given the opportunity to lease our land to sPower for the Cavalier Solar project. This project is going to supplement our income now that we've retired. It also will mean that regardless of the weather or crop prices, we are ensured an income.

Our family won't be the only ones to benefit. They estimate that Isle of Wight County is going to receive new property tax revenues totaling \$6.82 million over the life of the project. This is money that will enable our county to fund needed services to residents without burdening the county or the school district with providing additional resources or infrastructure. As I said, my children still live here and are raising my grandchildren here. I care that our community stays strong and vibrant for them.

I want to thank you again for the time and effort you give to our county. I believe that if we allow the Cavalier Solar project to be built, the new revenues will help everyone living here. I urge you to vote for Cavalier Solar to receive the Conditional Use Permit. It needs to be built.

Sincerely, ,

Handwritten signature of Janice and Richard Byrum in blue ink.

Janice and Richard Byrum
24515 Ennis Mill Rd.
Windsor, VA 23487

To Isle of Wight Planning Commission:

Chair Mr. Brian Carroll, Mr. Thomas Duerig, Ms. Cynthia Taylor; Ms. Jennifer Boykin; Mr. Bobby Bowser; Mr. James Ford; Mr. George Rawls; Ms. Roberta Varner; Mr. Thomas J. Distefano; Mr. Edward Hulick, P.E.

RE: Cavalier Solar – Vote for Approval

February 16, 2021

I write to you today to express my support of the Cavalier Solar project which is currently being reviewed for a Conditional Use Permit, this project will greatly benefit our community by providing a large and consistent tax revenue stream for at least 35 years without requiring services from the county.

It is estimated that Isle of Wight County will receive over \$6 million in direct tax revenue. And unlike many other industries, Cavalier Solar will not increase the demand on our infrastructure, schools, or local facilities.

If approved, Cavalier Solar will require hundreds of workers resulting in job opportunities for our community. In fact, the Cavalier team has committed to holding job fairs to recruit locally to fill the entry level jobs and provide training on site. The project will also result in millions of dollars being spent in local businesses such as restaurants, rentals, lodging, and companies providing materials such as stone and trucking services. This spending will directly benefit local businesses.

The facility is designed to blend in with the surrounding land and will use natural and planted vegetated buffers to screen the entire facility from view. Once installed, the facility will be virtually silent, unseen and generate very little traffic to and from the site.

The Cavalier team is also committed to managing construction related traffic and road conditions. They have already created a traffic management plan and are willing to establish a bond to cover any improvements or road repairs required during construction.

Cavalier Solar will also benefit participating farm families many of which are struggling right now. This opportunity provides stable incomes for farmers and ensures the land can be held for future generations with the option to continue farming the land once the facility ceases operations.

Finally, Cavalier Solar will be a good neighbor and will continue to be a good neighbor for the life of the project. They are working with Prince George Electric Cooperative (Ruralband) to speed up and expand the deployment of broadband in the project to serve customers adjacent to the project site. This is the kind of company we should welcome to our area and to encourage continued economic development.

I urge you to vote to approve the Conditional Use Permit, Rezoning and Comprehensive Plan Amendment for the Cavalier Solar project.

Sincerely,

A handwritten signature in black ink, appearing to read "Jean Barcroft", is written over a horizontal line.

Jean Barcroft - Carrsville District
11470 Modest Neck Rd.
Ivor, VA 23866

Isle of Wight

Planning Commission Chair Brian Carroll

Planning Commission Members: Mr. Thomas Duerig; Ms. Cynthia Taylor; Ms. Jennifer Boykin; Mr. Bobby Bowser; Mr. James Ford; Mr. George Rawls; Ms. Roberta Varner; Mr. Thomas J. Distefano; Mr. Edward Hulick, P.E.; and

Planning Commission Administrator ~~Mr.~~ Josh Bateman;

Via email

February 10, 2021

Dear Isle of Wight Planning Commissioners,

We write to you today to express our support of the Cavalier Solar Project which is currently being planned for development in Surry and Isle of Wight Counties. Please share our letter with the members of the Board of Supervisors.

Our involvement with this project began after careful consideration of the benefits Cavalier Solar would bring to us and our community. Foremost, as a family farm, the income from leasing a portion of the land will allow us to pass the farm on to our future generations. It is also a great comfort to know that once the solar facility is no longer needed, the land can easily be returned to cropland.

Over the last few years, we have had interactions with numerous representatives of Cavalier Solar, and always found they genuinely care about making this project a benefit to the surrounding communities. As lifelong residents of Surry and Isle of Wight, we know there is a great need for the tax revenue and the temporary and permanent jobs that will be generated by this project. The construction phase will result in a big boost to our local economy with restaurants, lodging, rentals, as well as supply businesses seeing huge benefits. This project, in great contrast to other development, will place no financial demands on our counties.

Finally, we cannot overstate the importance of replacing the use of fossil fuels with cost-efficient, solar-generated power. The time is now to give the gift of a cleaner environment to our future generations.

Sincerely,

Michael and Emily Seward

[9310 Jones Drive](#)
[Smithfield, VA 23430](#)

Jon Vogel, 8502 James Wilson Way, addressed the Commission stating that the roads out there are very prone to flooding. If they cut down the trees and take away the farm fields, there's going to be more flooding. Mr. Vogel further stated that he knows that his property value is going to go down, and he will not be able to sell his house next year for what he could have sold it for last year or two years before. There are a lot of animals and eagle nests out there. He stated that this may be a win for the County, but it is a loss for him.

Howard Delk, 10346 Mill Swamp Road, addressed the Commission stating that he thinks that he made his feelings known in one of the two letters that were sent. Mr. Delk stated that this project across from his front yard. He does not know how he will not be able to see it from his driveway. He stated that the proposed substation will be on wetlands, and the current substation is already on wetlands. Solar power has a place in the future, but he also knows that thirty years is a long time. Mr. Delk stated that it is his understanding that some negatives came up at the Surry County meeting, and they recommended denial of application that was before them. If that is the case, this project will not survive in Isle of Wight. Mr. Delk further stated that he referenced in his letter editorials from the Richmond Times Dispatch in reference to a project not surviving. Mr. Delk commented that it has been seen with other green projects that when massive funding goes out then big companies come up with big plans, and then funding dries up, which happens quite frequently. Other companies don't think that you are going to stop here with this project. They are planning more additions to this project. He stated that the substation in the last few years has received quite a bit of fencing for it. He thinks that it has been turned over to Homeland Security. If so, it will be made quasi-government facility eventually, and once that happens, it opens the door up for imminent domain. He is not sure that it is the right time or place for this County for this project.

Mr. Jones stated that since Mr. Delk spoke during the public hearing, then the letter from Mr. Delk should be withdrawn from the record.

Mr. Saunders addressed the Commission stating that in terms of flooded roadways, this project will actually help the flooding, because they have to put in stormwater controls to meet state requirements. The stormwater controls will capture the water in the project area and store it, allowing it to infiltrate into the ground. They will be working with VDOT to do what they can to help with drainage of roadways. In terms of the substation, they will not be building it in the wetlands. They have also delineated the wetlands at the substation location, and will not be allowed to located it in the wetlands. He also stated that the project should be in existence for more than thirty years, because it is a very low cost energy source. In

terms of the broadband, their project requires broadband service, and they have been in talks with Prince George Electric Cooperative about getting service not only to their site, but also to some of the surrounding properties. They are in ongoing discussions. He said they are thirty percent into their civil design, and they will not be coming back to add additional properties for this project and additional approvals.

Chairman Carroll asked if there was anyone else to speak in favor or against the application. Hearing none, Chairman Carroll closed the public hearing.

Chairman Carroll opened the floor to Planning Commission discussion.

Chairman Carroll asked for clarification as to whether the CUP is for 450 acres or for 1,700 acres. He asked how the tax base was going to be derived.

Mr. Saunders said that as he understands it, the CUP will apply to the entire parcel whether for lease or purchase, but the new tax assessment will only apply to the actual project area. The new tax assessment of \$15,000 per acre would only apply to the property developed.

Chairman Carroll asked for clarification as to whether the CUP is for 1,700 acres or 450 acres.

Mr. Bateman said that the CUP is only for the 500 acre project area not the full 1,774 acres.

Chairman Carroll asked if staff agreed with this statement.

Mr. Bateman said that he agreed this statement.

Ms. Ring added that the parcels themselves are part of the CUP application, and on each parcel, there is a limit on the number of acres that can be part of the actual solar facility. If they want to build more, then they must come back and amend their CUP.

Chairman Carroll asked staff that if the company is leasing 1,700 acres, why would we not tax them on that acreage.

Ms. Ring said that the Commissioner of Revenue only taxes the acres involved in the solar facility. The remaining acreage still in agriculture and silvicultural uses can remain in the current land use program.

Chairman Carroll asked who determines how the remaining property can be used.

Ms. Ring said that any remaining property outside of the solar facility can continue to be used as permitted under the zoning ordinance.

Chairman Carroll asked that if SPower is leasing the property, then who says they can continue to farm it.

Mr. Jones stated that this would be included in the terms of the lease between SPower and the property owner.

Mr. Saunders stated that whatever area not under a lease with SPower can be used however it is permitted under the zoning ordinance.

Chairman Carroll stated that the application says that 1,774 acres are to be leased.

Ms. Ring stated that staff recommended a condition that no more than 500 acres could be used for the solar facility.

Mr. Saunders said they projected that they would need to lease no more than 500 acres.

Chairman Carroll stated that parcel 10-01-025 was not withdrawn from the Agricultural and Forestal District, but yet it remains part of the CUP application.

Mr. Bateman stated that it is part of the CUP application, because of the transmission lines on the property.

Chairman Carroll asked whether this parcel could remain in the current land use program as part of the application.

Mr. Bateman stated that the Commissioner of Revenue said the property could stay in the current land use program, even with the transmission lines, since it will be continue to remain in agriculture and forestry.

Chairman Carroll stated that SPower added the large Delk property to the project after the Phase I study was done. He then asked the applicant as to their future intent with this property.

Mr. Saunders said they are currently assessing the suitability of the land.

Ms. Boykin stated that the applicant's state application included a second 240 MW project in this area. Ms. Boykin asked if the applicant had ever recycled solar panels.

Mr. Saunders said he did not have any personal experience with this.

Ms. Boykin stated her biggest issue with solar facilities is the decommissioning process. She asked about what measures the applicant will be taking with their decommissioning process.

Mr. Saunders stated that crews come in and take down the solar arrays and recycle the panels and base mounts. They may have to do some grading to get the property to its former condition. If the landowner wants to keep access roads and stormwater facilities, they would be allowed to keep them. None of the solar facilities have been through a decommissioning process yet.

Ms. Boykin asked if they would take up the gravel and decompact the soil.

Mr. Saunders said they would only put down gravel for the roads, and they would decompact the soil if it is a County requirement.

Ms. Boykin asked how long the company has been operating.

Mr. Saunders stated the company was formed in 2012. Recently, the parent company was AES, and now the two have been merged together. The parent company has been around since 1970.

Ms. Boykin asked how many projects SPower completed.

Ms. Saunders stated they have completed over 100 projects including AES projects.

Ms. Boykin asked for the number of completed projects again and how many of the projects they still own.

Mr. Nick Sooner, an SPower representative located at 4200 Ennislake Drive, Glen Allen, Virginia, stated that they had 155 completed projects, and they still own 155.

Ms. Boykin asked how the applicant plans to expand broadband service in the area.

Ms. Saunders stated that it is their desire to install broadband in all the roadways in the immediate vicinity of the project. It will probably begin in Surry and come down.

Thomas Distefano asked about how many households the new broadband service could serve.

Mr. Saunders said an investment of \$100,000 could serve on average about 120 households. He thinks they could bring that number up to 200 homes.

Bobby Varner asked the applicant to verify the construction timeframe of 18 months. She asked if how long it would take to fix any damage from a hurricane.

Mr. Saunders said that these sites are relatively simple and can be repaired pretty quickly. With hurricane damage in the past in North Carolina, they had their facilities back online within a day.

Ms. Varner expressed a concern that if the hurricane damages the entire site, the site could be down for several weeks.

Mr. Saunders stated their facilities have to be rated to withstand high winds.

Ms. Varner asked what aspect of the construction takes the longest.

Mr. Saunders said installing the stormwater facilities takes the longest.

Chairman Carroll asked the applicant to state what their state permits include and what their ability truly is.

Ms. Saunders confirmed that they did file for a permit with PJM, the regional transmission operator, for an additional 240 MW facility permit in 2019. It is still in the study process. At this point, they have no active land campaign to fulfill that second filing. He does not believe they will end up using the second permit based on their experience trying to find willing landowners and suitable property.

Chairman Carroll asked him to confirm that this second 240 MW permit could end up in Isle of Wight.

Mr. Saunders said yes.

Chairman Carroll asked the applicant to confirm that the ultimate project size could wind up much bigger. He asked the applicant how many acres this would require.

Mr. Saunders stated that it depends on how much land you can get. It needs to be close to the substation. He does not foresee this property being available to be able to use that second permit.

Chairman Carroll stated that he was contacted by Cat Mosely on April 8, 2020, who said that SPower was interested in making a donation to the Isle of Wight County Volunteer Rescue Squad of which Chairman Carroll is the Chief. He asked the applicant to state who else the company made donations to in the County while the application was under review.

Mr. Saunders stated that he was unaware of any other donations in the County.

Chairman Carroll then asked the applicant to confirm that the post made by the Rushmere Development Corporation thanking SPower for their donation was wrong.

Mr. Saunders stated that he was unaware of any donation.

Cat Mosely, an SPower representative located at 4200 Ennislake Drive, Glen Allen Virginia, stated that the company was unaware that Rushmere Development Corporation served Isle of Wight County. She thought they only served Surry County.

Chairman Carroll said they needed to do their homework or they would have known that Rushmere is in Isle of Wight County.

Ms. Mosely stated they stopped offering donations in the community once the Chairman expressed concerns about such donations being unethical, while the application was in under review.

Ms. Boykin asked the applicant what the estimated cost was of the decommissioning project in Spotsylvania County.

Ms. Saunders estimated it would be about \$30 million, but it would be offset by salvage value.

Ms. Boykin asked the applicant whether they would recycle the framework and the pins.

Mr. Saunders said that it is their intent to recycle them, but they never had to go through a decommissioning.

Ms. Boykin asked whether they rely heavily on the salvage value to offset the cost and what would happen in a county that did not recognize salvage value.

Mr. Saunders said that they do rely heavily on the salvage value. They could reuse some of the equipment in another project, so the salvage value is a valid cost that should be accounted for in the decommissioning process.

Ms. Boykin read an article that stated that the cost to recycle the equipment far exceeds the recycling revenue, and said that there is only one European company that recycles solar panels. She asked whether the applicant was going to ship the panels there to recycle.

Mr. Saunders said that for the next twenty years, they would reuse the panels. In twenty years, they think there will be advances in recycling.

Mr. Distefano asked how they have handled broken equipment in the past.

Mr. Saunders stated they currently return malfunctioning equipment to the manufacturer.

Cindy Taylor asked about the monitoring system at the facility to detect emergencies like lightning strikes that may cause a fire.

Mr. Saunders said the facility has a 24 monitoring system that would alert them of any problems. Panels themselves are not flammable, so the risk of fire is low.

James Ford asked staff whether the County would allow another internet company to serve this area of the County other than Spectrum.

Ms. Ring said she would have to research that agreement, but that she is aware that the County is in discussions with Prince George Electric Cooperative to serve a portion of this area of the County.

Bobby Bowser stated that he spoke with Don Robertson, Assistant County Administrator, and he said that there should be no issue with Spectrum to bring internet to this end of the County.

Mr. Jones said the County has a franchise agreement with Spectrum for cable television only. They have no control over internet service.

Ms. Boykin asked about how many houses would be served by the Prince George Electric Cooperative service.

Ms. Ring responded that initial discussions indicated service up to 250 homes with the ability to expand service to additional areas, but she is unsure where they are in the implementation process.

Ms. Boykin then asked if these areas could overlap.

Ms. Ring said it was possible.

Mr. Ford asked whether the project would be dead, if Surry County did not approve the facilities in their jurisdiction.

Mr. Saunders said the project would not be dead. It would not be ideal, but we will utilize what we could in Isle of Wight County to develop the project.

Mr. Ford asked the applicant to describe for the record the worst case scenario for a project of this type.

Mr. Saunders stated that a worst case scenario might involve the substation if a transformer failed, after the project is built. It is hard to replace a transformer.

Mr. Ford expressed concerns about health issues. He asked about the applicant about the lifecycle of these facilities and whether the property could be restored to pre-existing conditions.

Mr. Saunders said the panels are very safe and fully encapsulated. As for the lifecycle, they can restore the property back to farmland. The facilities can run up to 100 years the way they are now. There could be new technology in thirty-five years to extend the lifecycle. The efficiency of panels are increasing every year.

Ms. Boykin asked who would be purchasing the power generated.

Mr. Saunders said they have a signed NDA for this project.

Chairman Carroll asked about how they would access this project if the Surry County project is not approved, and they cannot use White Marsh Road.

Mr. Saunders said they are still in discussions with VDOT, and that they are still recommending using Route 10. They will have staging areas off of Route 10 where heavy supplies could be offloaded and then loaded onto smaller pilot vehicles to transverse smaller roads. Even if the Surry County project is not approved, they still plan to use White Marsh Road. Any proposed routes would have to be approved by the County and VDOT.

Ed Hulick asked how much did the 168 acres of prime farmland being removed in this project represent out the total farmland in the County.

Mr. Bateman stated that it represents about 2% of the total.

Chairman Carroll observed that only one property owner that is part of the application attended the meeting tonight.

Chairman Carroll stated that he was still confused about the total acreage of the project and would like some more time to consider the application.

Ms. Boykin asked why the increased tax assessment only applies to the project area and not the total property.

Mr. Distefano would like to see a more concrete plan for broadband service in the area.

Ms. Boykin would like an estimate the cost of decommissioning without the salvage value.

Chairman Carroll would like a list of charitable contributions that the Company made in the County.

Mr. Bowser asked whether the company would consider expanding the broadband service area.

Mr. Saunders said yes.

Ms. Boykin made a motion to table the application until next month.

Mr. Varner seconded the motion.

Chairman Carroll and Commissioners Bowser, Taylor, Boykin, Varner, Hulick, Ford, and Rawls voted in favor of the motion, while Commissioners Ford and Distefano voted against the motion. The motion carried by a vote of seven in favor and two against the motion.

OLD BUSINESS

Chairman Carroll called for consideration of amendments to the Planning Commission bylaws.

Mr. Jones stated that the proposed change includes a provision to allow for electronic meetings should a Planning Commission member be unable to attend for a personal, work or medical reason.

Mr. Hulick made a motion to approve the amendments as proposed by the County Attorney.

Mr. Distefano seconded the motion.

The motion passed by a unanimous vote in favor of the motion.

NEW BUSINESS

Chairman Carroll called for consideration of the 2020 Planning Commission Annual Report.

Ms. Ring presented the annual report to the Planning Commission.

Mr. Bowser made a motion to approve the annual report.

Ms. Taylor seconded the motion.

The motion passed by a unanimous vote in favor of the motion.

COUNTY ATTORNEY'S REPORT

There was no County Attorney's report.

PLANNING DIRECTOR'S REPORT

There was no Planning Director's Report.

CLOSED MEETING

There was no closed meeting.

ADJOURNMENT

There being no further business, Chairman Carroll adjourned the meeting at 7:50 PM.

Adopted this _____ day of _____, 2021.

Chairman, Isle of Wight County
Planning Commission

Attest: _____
Melinda J. Goodwyn

PLANNING REPORT

ATTACHMENTS:

Description	Type	Upload Date
JUNE 22, 2021 PLANNING COMMISSION'S REGULAR MEETING MINUTES	Cover Memo	8/20/2021

**MINUTES OF THE MEETING OF THE ISLE OF WIGHT COUNTY
PLANNING COMMISSION HELD ON THE TWENTY-SECOND DAY OF
JUNE IN THE YEAR TWO THOUSAND AND TWENTY-ONE**

CALL TO ORDER

Brian Carroll, Chairman, called the Isle of Wight County Planning Commission meeting to order at 6:00 PM on June 22, 2021, in the Smithfield Center located at 220 North Church Street, Smithfield, Virginia.

INVOCATION

George Rawls delivered the Invocation.

PLEDGE OF ALLEGIANCE

Chairman Carroll invited everyone present to join in the Pledge of Allegiance.

ROLL CALL/DETERMINATION OF A QUORUM

PRESENT

Brian Carroll, Chairman
Bobby Bowser, Vice-Chairman
Cynthia Taylor
James Ford
Thomas Duerig
Edward Hulick
George Rawls
Thomas Distefano
Glen Seay

A quorum was determined.

ABSENT

Jennifer Boykin

ALSO IN ATTENDANCE

Mandy Rogers, Substitute Council to the Planning Commission
Amy Ring, Community Development Director
Claire Jones, Assistant Director of Community Development, Planning and Zoning Division
Trenton Blowe, Planner I
Amanda Landrus, Planning Services Coordinator, Serving as Secretary

ACTION ON REQUESTS TO WITHDRAW OR TABLE PENDING AGENDA ITEMS

Chairman Carroll asked if there were any requests to table or withdrawal agenda items. Amy Ring, Community Development Director, stated there were no requests.

APPROVAL OF AGENDA

Chairman Carroll called for a vote to approve the agenda. Mr. James Ford made a motion to amend the agenda to move Melinda Goodwyn's resolution of appreciation from New Business to the front of the agenda. Bobby Bowser seconded the motion. Chairman Carroll called for a vote on the motion. The motion passed unanimously.

APPROVAL OF CONSENT AGENDA

Chairman Carroll called for a vote to approve the consent agenda. Cynthia Taylor stated a correction needed to be made to page 11 in reference to Bobby Bowser which should be Bobby Jones. Thomas Duerig made the motion to approve the agenda with the correction, and Thomas Distefano seconded the motion. Chairman Carroll asked for all in favor to signify by saying aye. The motion passed unanimously.

CITIZENS' COMMENTS

Chairman Carroll asked if there were any citizen comments. Chairman Carroll noted there were no citizen comments.

NEW BUSINESS A

Resolution of Appreciation was presented to Melinda J. Goodwyn

WHEREAS, Ms. Melinda J. Goodwyn began her employment with the County of Isle of Wight, Virginia in the Planning Department in 1985; and,

WHEREAS, during her tenure with the County, Ms. Goodwyn worked tirelessly to fulfill the operational, legal and public notice requirements of the County's Planning Commission as its Secretary for seventeen years; and,

WHEREAS, Ms. Goodwyn distinguished herself as the utmost professional as evidenced by her committed service to the Planning Commission, County staff, and the community members of Isle of Wight County; and,

WHEREAS, Ms. Goodwyn retired from formal employment with Isle of Wight County on June 1, 2021, and will be greatly missed.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the County of Isle of Wight, Virginia recognizes and appreciates Melinda J. Goodwyn for outstanding achievement and distinguished service to the citizens of Isle of Wight County in the role of Planning Services Coordinator and Secretary to the Isle of Wight County Planning Commission.

BE IT FURTHER RESOLVED that the Isle of Wight County Planning Commission extends to Melinda J. Goodwyn its best wishes for her future endeavors and orders that a copy of this Resolution be spread upon the minutes of this Commission this 22nd day of June 2021.

Adopted this 22 day of June, 2021.

PUBLIC HEARINGS

Chairman Carroll called for the public hearing on the following application:

The application of Christopher D. and Wendy A. Caldwell, property owners, for a conditional use permit for a residential accessory apartment on property located at 112 Obrey Drive with tax parcel number 43A-03-013 in the Suburban Residential zoning district.

Trenton Blowe, Planner, gave an overview of the application by giving the following PowerPoint presentation.

CONDITIONAL USE PERMIT REQUEST CUP-07-20 OBREY DRIVE ACCESSORY APARTMENT

PLANNING COMMISSION MEETING
JUNE 22, 2021
TRENTON BLOWE
PLANNER I

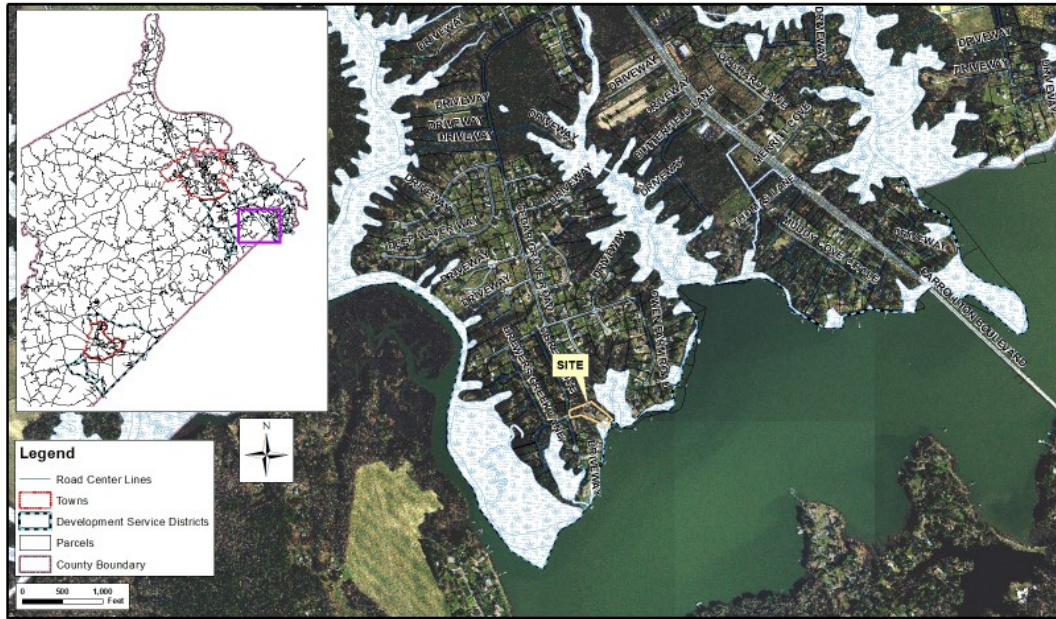
DETAILS

- Location: 112 Obrey Drive
- Parcel: 43A-03-013
- Zoning: Suburban Residential (SR)
- Election District: Newport
- Purpose: To allow for a residential accessory apartment

BACKGROUND

- The subject property contains 1.80 acres located on Chuckatuck Creek.
- Property includes an existing single-family dwelling, which was built in 1962 and is approximately 2,555 square feet in size.
- The accessory apartment is proposed to be constructed as part of a new garage. The apartment will be 767 square feet with one bedroom.

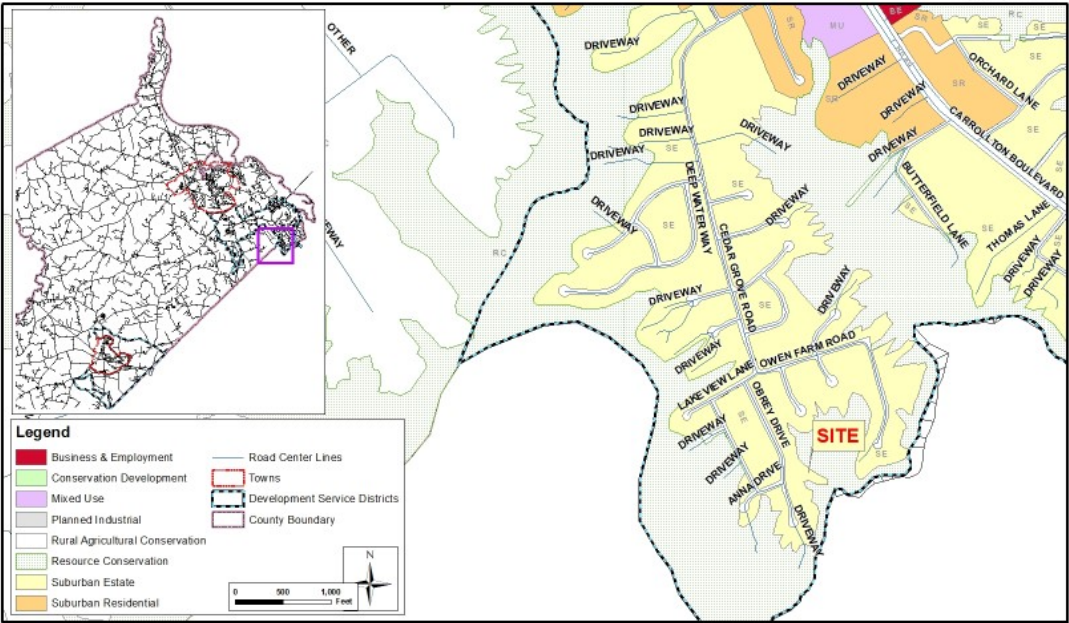
CUP-07-20 Caldwell Accessory Apartment Location Map



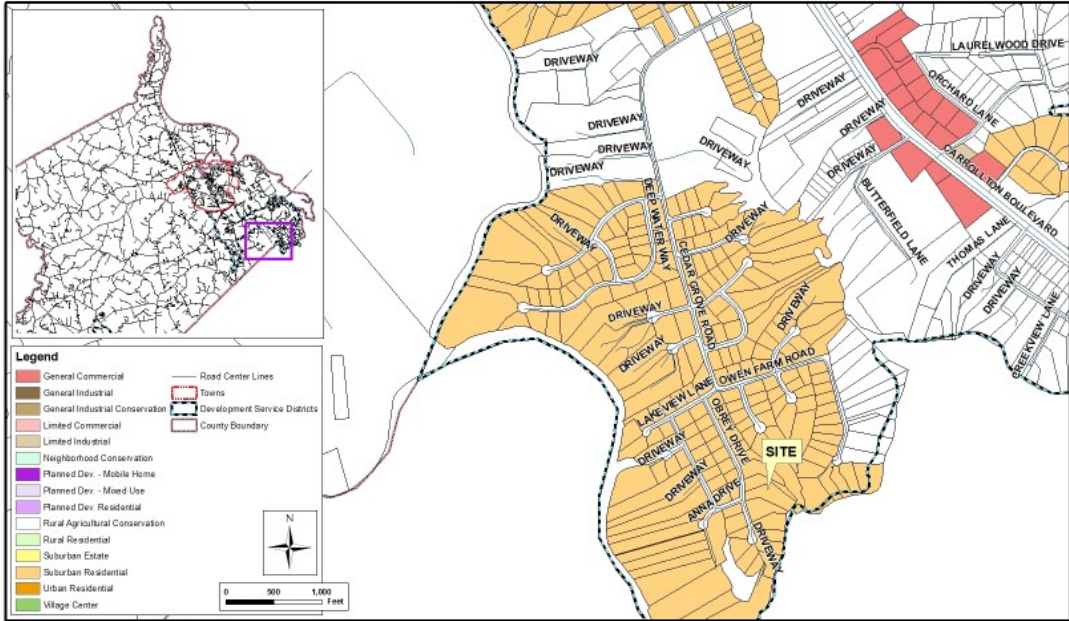
CUP-07-20 Caldwell Accessory Apartment - Location Closeup



CUP-07-20 Caldwell Accessory Apartment - Land Use Map



CUP-07-20 Caldwell Accessory Apartment - Zoning Map



LOOKING AT THE
PROPOSED
LOCATION FROM
OBREY DRIVE.



LOOKING SOUTHEAST
TOWARDS THE
PROPOSED LOCATION
FROM ON SITE

LOOKING WEST
TOWARDS OBREY
DRIVE



THE PLANNING COMMISSION AND BOARD OF SUPERVISORSSHALL
CONSIDER THE FOLLOWING CRITERIA BEFORE THE GRANTING OF
A CONDITIONAL USE PERMIT:

1. Will not be detrimental to or endanger the public health, safety, and general welfare;
2. Will not be injurious to the use and enjoyment of other nearby property for permitted uses, nor substantially impair the use of other property within the immediate proximity;
3. Adequate utilities, water, sewer or septic system, access roads, storm drainage and/or other necessary public facilitiesand improvements will be provided;
4. Ingress and egress so designed as to minimize traffic congestion on the public streets;
5. Does not conflict with the goals and objectives of the Isle of Wight County Comprehensive Plan;
6. Shall conform to all other applicable regulations of the zoning district classification in which it is located and to the special requirements established for the specific use; and
7. Will not result in a multiplicity or saturation of similar uses in the same general neighborhood of the proposed use.

Staff found that this application meets these standards.

BOARD MAY IMPOSE ADDITIONAL CONDITIONS OR LIMITATIONS ON
CUPS.SUCH CONDITIONS MAY INCLUDE,BUT ARE NOT LIMITED TO:

1. Number of persons living or working on the site and proposed hours of operation;
2. Conditions, for roads, sidewalks, parking facilities, vehicle access, and peak periods of traffic, but only if construction of such roads will commence within the reasonably foreseeable future;
3. Orderly growth of the neighborhood and community and the fiscal impact on the County;
4. Effect of odors, dust, gas, smoke, fumes, vibration, glare, and noise upon the use of surrounding properties;
5. Impacts to public facilities for police, fire protection, sewerage, water, trash and garbage collection and disposal, and the ability of the County or persons to supply such services;
6. Whether the development is consistent with generally accepted engineering and planning principles and practices;
7. Location of structures in the vicinity of schools, houses of worship, theaters, hospitals, and similar places of public use;
8. Consistency of the proposal with the purposes of this ordinance, the County's Comprehensive Plan, and related studies for land use, roads, parks, schools, sewers, water, population, recreation, and the like;
9. Environmental impacts, the effect on sensitive natural features, and opportunities for recreation and open space; and
10. Preservation of cultural and historic resource landmarks.

Staff does not recommend any additional conditions for this application.

AGENCY REVIEW

Application was forwarded to the following departments for their review:

- General Services, Inspections, and the Environmental Planner had no concerns with the application.
- Health Department: Application can meet requirements. Should the CUP be approved, permitting for a new septic system is required.

STAFF CONCLUSIONS

■ Strengths

1. The proposed residential accessory apartment is consistent with existing land uses.
2. The proposed apartment will be located on a developed lot that is consistent with the character of surrounding residential structures.
3. The proposal meets the objectives of the SE land use and SR zoning district.

■ Weaknesses

1. None identified.

STAFF RECOMMENDATION

Staff recommends approval of the application as submitted.

NEXT STEPS

If approved:

- The applicant will be required to prepare and submit a site plan for review and approval.
- Zoning permit and building permits as applicable can then be issued.

If denied:

- The applicant must significantly revise the application or wait one year to reapply.

Following the presentation, Chairman Carroll opened the public hearing and invited the applicant to speak.

Chris Caldwell, property owner at 112 Obrey Drive, stated that this apartment would be for his aging parents and sister who has MS.

Chairman Carroll asked if anyone would like to speak for or against the application.

Lisa Barber, 102 Obrey Drive, spoke against the application. She stated the deed has size restrictions and allows for only one single family residence per lot. She is concerned that allowing this house would set the precedence for other neighbors to build multiple dwellings on their lot.

Jamie Acree, whose parents own 113 Obrey Drive, spoke against the application. She stated she grew up across the street and had a water view. She stated that a water view increases property values and adding the structure would decrease their property value. Jamie Acree added that a commercial equipment business is being operated out of the house. She was able to gather this information from their website and witnessed mechanical equipment being moved on property. Jamie Acree submitted a packet to the Planning Commission showing pictures of this business's website along with pictures of the equipment that was located on the property.

WF Johnson, III, 116 Obrey Drive, stated he has lived here for 40 years and would like to see the properties remain single family dwelling only.

Tom Halloway, 104 Obrey Drive, stated he wanted to build a garage apartment for his mother-in-law, but when researching it, he discovered the deed restriction which only allows one house on the lot. For this reason, he thinks the deed should be considered for this situation as well.

Bill Coburn, 208 Obrey Drive, spoke against this application. He stated that he believes allowing this use violates the deed provisions that restricts each lot to a single residence with no apartments. He also added that the proposed structure could also be used for the applicants' unlicensed commercial business. Bill Coburn provided the Planning Commission with a copy of the deed for this property.

Robert Duke Rawlings, 100 Obrey Drive, stated he purchased his home seven years ago knowing that only one home would be allowed for him as well as his neighbors. He stated he is opposed to this application and believes the deed should be honored.

James Acree, 113 Obrey Drive, resident of Isle of Wight County of forty years. Mr. Acree stated when he built his home, the house on 112 Obrey Drive was already there, and he did not imagine his water view would be impacted fifty years later. Mr. Acree referenced the deed restrictions which state no trailer, basement, tent, shack, garage, barn, boat house or other outbuilding erected or placed on said real estate shall at any time be used as a residence, temporarily or permanently.

Bob Marshall, Cedar Grove Road, has a daughter that lives on Obrey Drive. He stated he and his wife are opposed to the application for the same reasons stated previously.

Timothy Barber, 102 Obrey Drive, stated that this development was started by two farmers who established these deeds for a purpose. He asked that the spirit of the neighborhood be preserved.

Lucy Baines, 23440 Cedar Grove Court, stated she purchased the property because it was a single-family residential lot and is opposed to the application.

Chairman Carroll invited the applicant to speak.

Chris Caldwell stated that he does not manufacture the wheelchairs at his residence. He stated they are manufactured out of state, and that he just picks them up and brings them home.

There being no further public comments, Chairman Carroll closed the public hearing and called for discussion from the Commission.

Bobby Bowser asked staff how do we handle properties with deed restrictions.

Trenton Blowe stated the County does not enforce deed restrictions.

Cynthia Taylor asked if accessory structures are permitted in the front yard.

Trenton Blowe responded that an accessory structure is allowed in the front yard, it is just required to meet principal structure setbacks.

Ms. Taylor asked if a garage or similar structure could be placed in the same location.

Mr. Blowe responded that a garage would be permitted in that location without a public hearing.

Edward Hulick asked Mr. Blowe if he and the applicant discussed other options without the structure being in that location.

Mr. Blowe responded that applicant has been in this process for over a year and originally did not own the property. The applicant was looking for property that would fit an accessory apartment.

Amy Ring added this property is constrained due to the Chuckatuck Creek and the Resource Protection Area buffers that the house and current garage currently encroach in. This was a location that was outside the area to meet drainfield and septic requirements, setbacks and stay out of the buffer.

Thomas Distefano asked what avenue the neighbors have to enforce the deed restrictions.

Mr. Blowe commented that it is a civil issue between neighbors.

Ms. Taylor stated they would look at the use as an accessory dwelling even though their intention is to have family live there, and questioned if the parents no longer live there, if they could lease it out to someone else.

Ms. Ring responded yes, the apartment would be allowed to be leased out if the parents no longer lived there.

Mr. Hulick asked to view the site images again to address some questions.

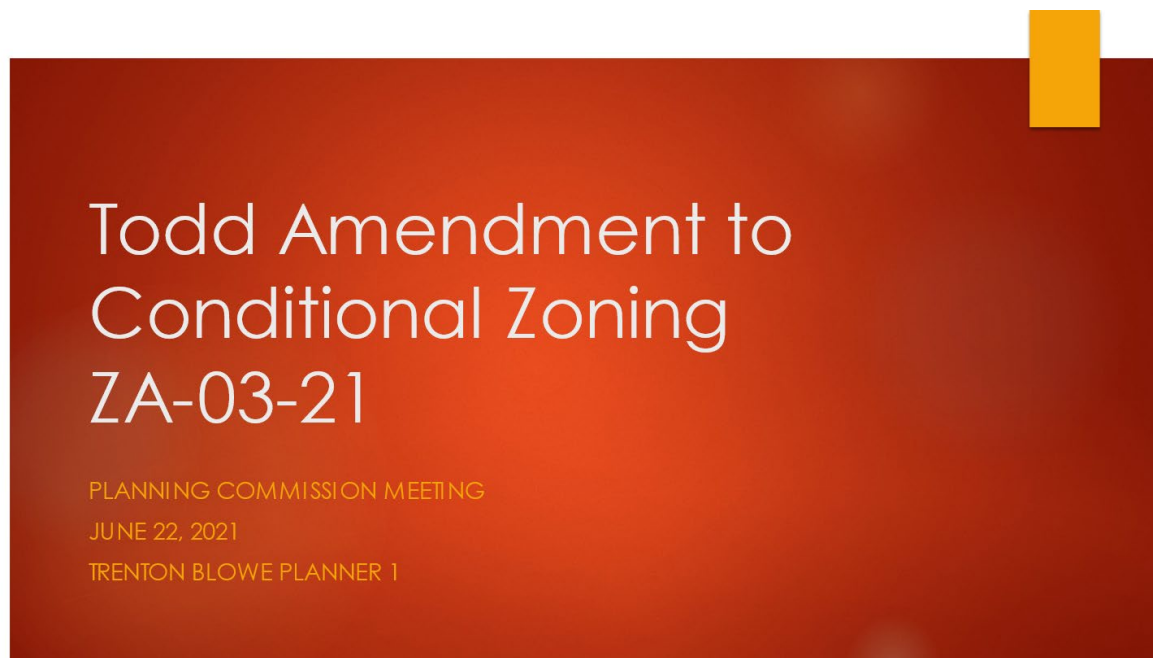
Mr. Blowe shared the site images again stating that the accessory apartment would be in front of the house and in front of the tree line.

Thomas Duerig moved to recommend to the Board of Supervisors denial of the Conditional Use Permit. Cynthia Taylor seconded the motion, which was adopted with the Commissioners Carroll, Bowser, Taylor, Ford, Duerig, Hulick, Rawls, Distefano voting in favor of the motion, and no Commissioners voting against the motion. (9-0)

Chairman Carroll called for the public hearing on the following application:

The application of Wilbur R. and Wendy R. Todd, property owners, for an amendment to conditional zoning of the property located at 15314 Carrollton Boulevard with tax parcel numbers 34B-01-010, 34B-01-011, and 34B-01-012 with a Conditional General Commercial zoning designation. The purpose of the amendment is to add medical and general office as permitted uses.

Trenton Blowe, Planner, gave an overview of the application by giving the following PowerPoint presentation.



Details

- ▶ Location: 15314 Carrollton Boulevard
- ▶ Parcels: 34B-01-010, 01, and 012
- ▶ Zoning : Conditional General Commercial (GGC)
- ▶ Election District: Newport
- ▶ Purpose: To amend the conditional zoning to allow for medical and general office use types.

Background

- ▶ All three parcels were rezoned in 1998 to conditional general commercial to allow for contractor/construction office and restaurant use on parcel 34B01-010 only.
- ▶ Request change in conditional zoning to allow for additional office uses. There is currently a proposal for a physical therapy office in 1,000 square feet of the existing building.

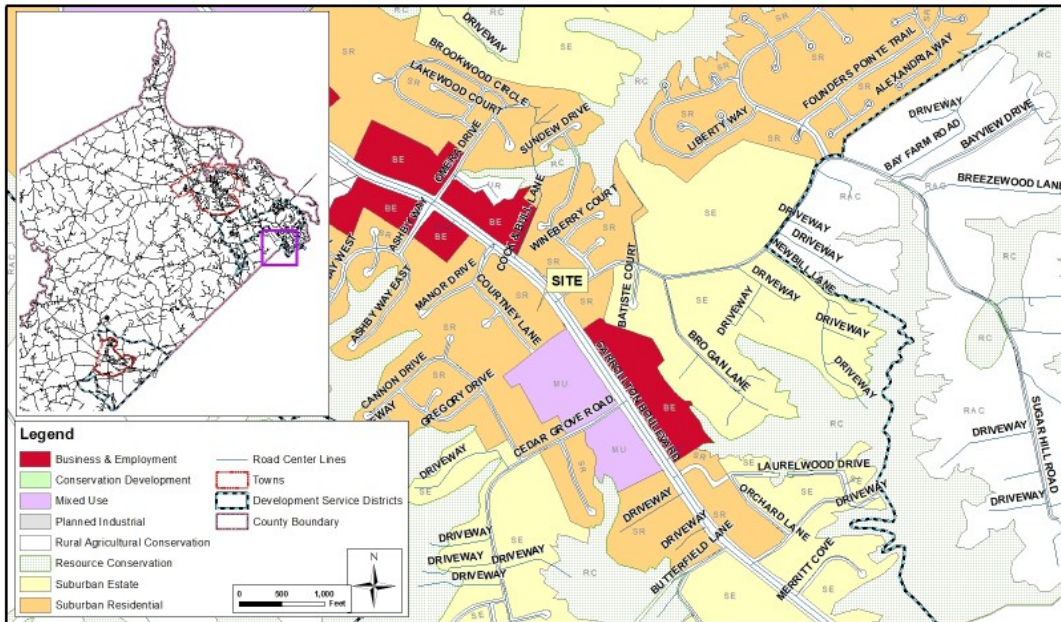
ZA-03-21 Todd Amendment to Conditional Zoning Location Map



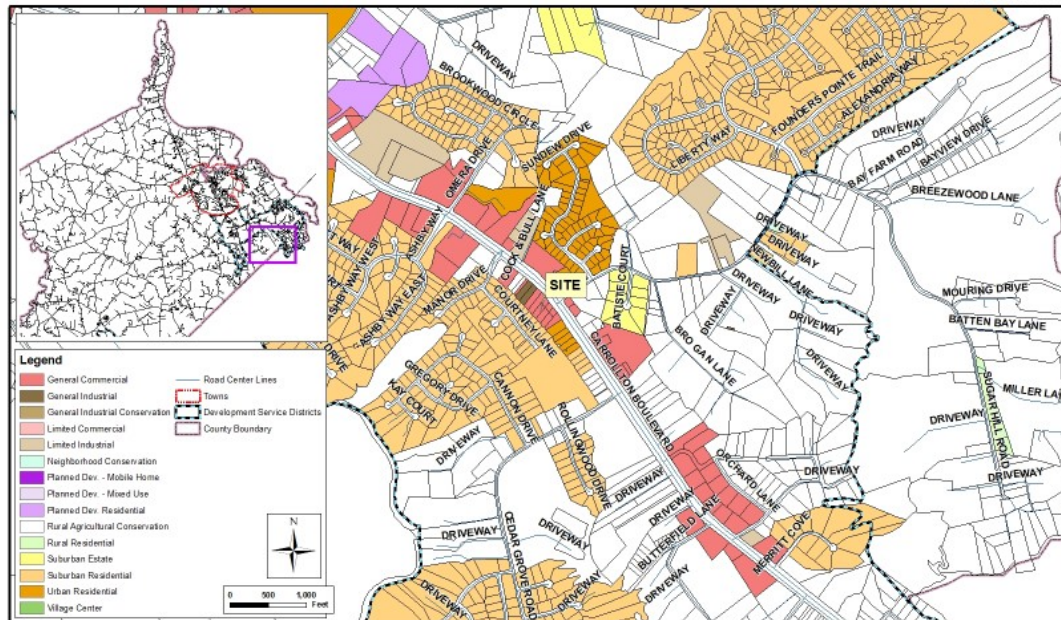
ZA-03-21 Todd amendment to conditional zoning - Location Closeup



ZA-03-21 Todd Amendment to Conditional Zoning - Land Use Map



ZA-03-21 Todd Amendment to Conditional Zoning - Zoning Map





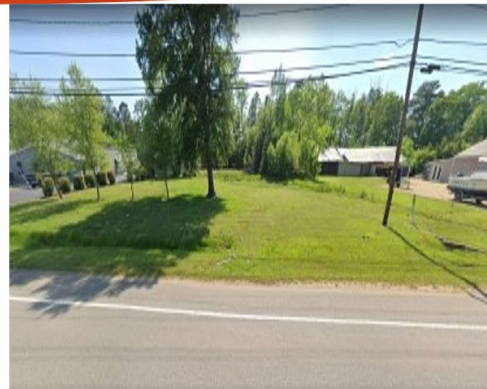
Existing building on parcel 34B-01-012



On site looking towards Sugar Hill Road



Entrance to 34B-01-012 looking south on Rt.17



Parcels 34B-01-011 and 010 from Rt.17

Proposed Uses

- ▶ Applicant is requesting to amend the approved GGC zoning to add medical and general office uses.
- ▶ There is a proposed business for the existing building on parcel 34B-01-012. This tenant will have one employee and will provide physical therapy services.
- ▶ The applicant has proffered that the proposed medical office use will be no larger than the square footage of the existing building (6,000 square feet).



Agency Review

- ▶ VDOT - Advised that limiting medical office use to square footage of existing building would limit the number of increased trips that might require a traffic study or improvements. There were no concerns relating to the square footage of the general office use type
- ▶ County Attorney - Corrected signature issues. No other issues identified.
- ▶ The Health Department and General Services both expressed no concerns.

Staff Conclusions

- ▶ Strengths
 1. The proposed uses will utilize an existing building, bringing additional business to the County.
 2. The proposed uses would not negatively impact the adjacent residential properties.
- ▶ Weaknesses
 1. Not consistent with the recommended future SR land use.

Staff Recommendation

- ▶ Based on the strengths of the application, staff recommends approval of the application with the proffered conditions of limiting the medical office use type to the square footage of the existing building.

Following the presentation, Chairman Carroll opened the public hearing and invited the applicant to speak.

Ray Todd, applicant, 310 Marsh View Court, Carrollton, stated he was wanting to rent office space, but the current conditional zoning prevented this. The current conditional zoning only allows for a contractor's office.

There being no public comments, Chairman Carroll closed the public hearing and called for discussion from the Commission.

Edward Hulick asked for clarification on the weakness called out in the presentation. He believed that under the Comprehensive Plan, this area was planned for General Commercial.

Trenton Blowe responded that the land use for this specific parcel is residential.

Amy Ring added that when the Comprehensive Plan was updated in 2020, the community adopted a future land use plan that created activity nodes of mixed uses at key intersections, leaving the area between those activity nodes as suburban residential and urban residential to provide transitions into those activity nodes. Ms. Ring also stated that Mr. Todd is currently zoned Conditional General Commercial and the use he is proposing is consistent with that. She stated a medical office can provide a nice transitional use between the heavier commercial areas, because of the normal working hours, minimal noise, and traffic. Ms. Ring stated that because it does not meet the single family use type for suburban residential on the recommended future land use map is the reason for the weakness.

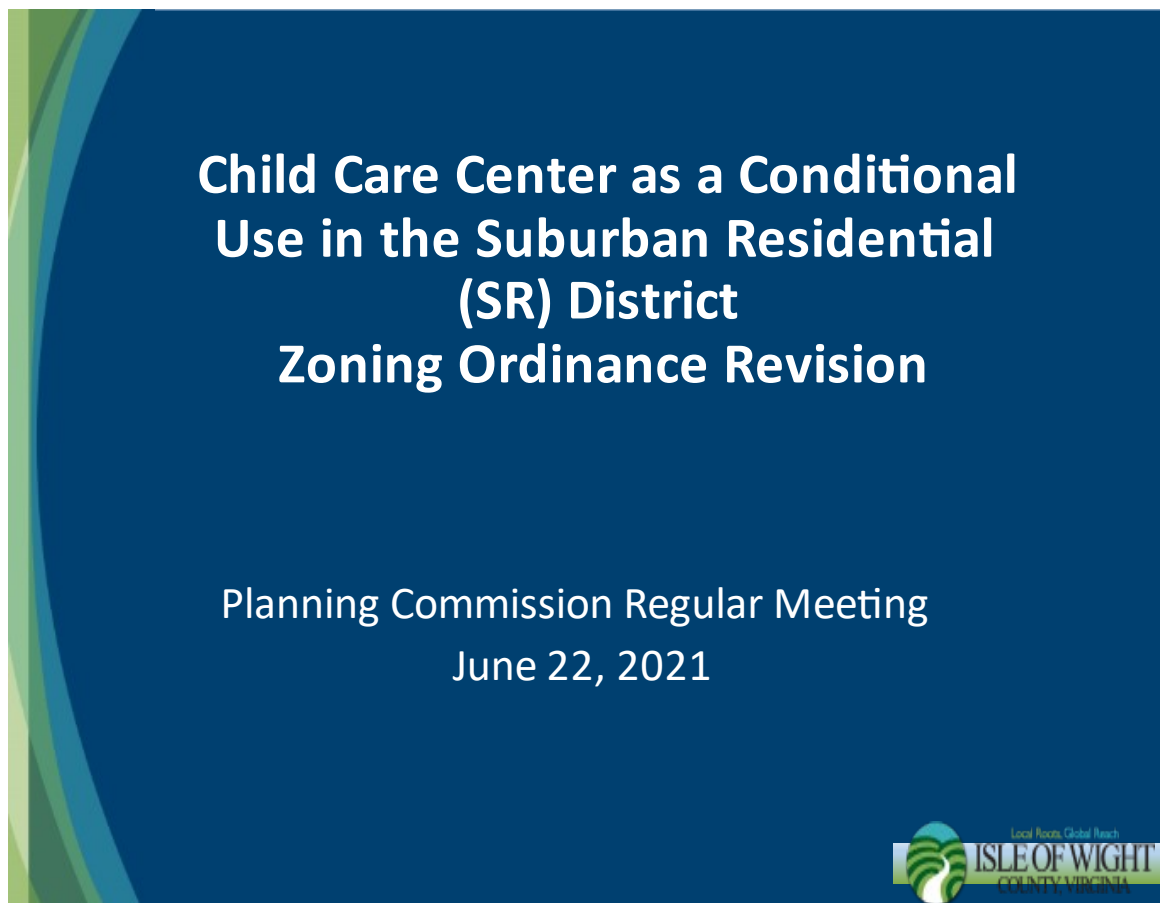
Edward Hulick agreed that this would be a perfect use for this property.

George Rawls moved to recommend to the Board of Supervisors approval of the amendment to the conditional rezoning. Mr. Hulick seconded the motion, which was adopted with Commissioners Carroll, Bowser, Taylor, Ford, Duerig, Hulick, Rawls, Distefano voting in favor of the motion, and no Commissioners voting against the motion. (9-0)

Chairman Carroll called for the public hearing on the following application:

An ordinance to amend Section 4-1005 and Section 4-7003 of Article IV, “Zoning Districts and Boundaries” of Appendix B, “Zoning,” of the Isle of Wight County Code to add childcare center as a conditional use in the Suburban Residential zoning district.

Amy Ring, Community Development Director, gave an overview of the application by giving the following PowerPoint presentation.



BACKGROUND

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DEFINITION

Civic Use Type -

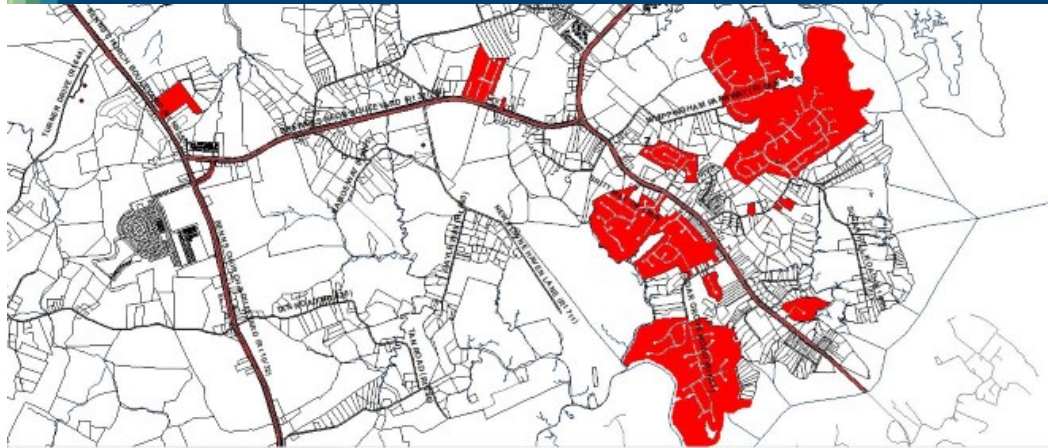
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- Proof of all required local, state, or federal licenses, permits.
- Notification required for any license expiration, suspension, revocation or denial within 3 days of such event.
- Where permitted as a conditional use, a child care center may be permitted by the BOS with a recommendation by the planning commission based on the following criteria:
 - That the child care center will not create excessive traffic, insufficient parking, number of individuals being cared for, noise, or type of physical activity;
 - Ample indoor and outdoor play space provided, free from hazard, appropriately equipped, and readily accessible for the age and number of children attending the child day care center; and
 - That the area of the property upon which the child care center is located contains no less than one thousand (1,000) square feet per child to be cared for in the child care center.
- Conditional use permit not required for a child care center that is operated by a religious organization, in buildings or structures on property regularly used as a place of worship, or on adjacent leased property.





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- Appropriate nonresidential use types in future recommended SR designated areas include schools, churches, libraries, and similar uses which are supportive of the residential use and enhance development in close proximity
- Plan also states that the lack of daycare facilities in the County creates a hardship for working families who find it difficult to live and work in the County.
- Lack of available daycare detrimental to the County's ability to support a stable local workforce for employers in the area.
- Ordinance revision allowing child care centers with a CUP would help to implement the recommended policy action of the Plan to develop strategies to increase the locations and availability of child care.



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According to Section 1-1010.D of the Zoning Ordinance, an application for text amendment may be initiated by resolution of the Board of Supervisors, by motion of the Planning Commission, or by application petition of any property owner(s) addressed to the Board of Supervisors.



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Based on the strengths of the proposed Zoning Ordinance amendments, staff recommends approval.



Following the presentation, Chairman Carroll opened the public hearing and asked if anyone would like to speak on the application.

There being no public comments, Chairman Carroll closed the public hearing and called for discussion from the Commission.

Cynthia Taylor asked if there were standards the Planning Commission could use when determining formal indoor and outdoor play areas.

Ms. Ring responded that there are state permitting and licensing standards.

Thomas Distefano asked if the 1,000 square foot per child regulation is specific to our supplemental use regulations or is that common with other localities as well.

Ms. Ring responded that she has not compared our use regulations to other localities, but this use regulation has been in existence since 2005 and original to the zoning ordinance.

Mr. Distefano added that he felt this should be investigated more. He stated the demand for childcare in our area might be because of conservative regulations.

Thomas Duerig spoke about the state regulations, and asked if the Planning Commission would enforce those regulations.

Ms. Ring responded that the county would just require proof that they obtained state permits and licenses.

Mr. Duerig asked if all childcare centers would be required to come before the Planning Commission.

Ms. Ring responded yes with the exception of in-home daycares with up to five children. Ms. Ring explained the ordinance defines the difference between an in-home daycare verse a commercial childcare center.

Bobby Bowser asked if parking spaces would be enforced.

Ms. Ring responded that during the Conditional Use Permit process the applicant would provide information for entrance and exits of the center, drop off zones and parking for teachers and clients.

Bobby Bowser moved to recommend to the Board of Supervisors approval for an Amendment to Section 4-1005 and Section 4-7003 of Article IV, "Zoning Districts and Boundaries" of Appendix B, "Zoning," of the Isle of Wight County Code to add childcare center as a conditional use in the Suburban Residential zoning district. Edward Hulick seconded the motion, which was adopted with the Commissioners Carroll, Bowser, Taylor, Ford, Duerig, Hulick, Rawls, Distefano voting in favor of the motion, and no Commissioners voting against the motion. (9-0)

OLD BUSINESS

Amy Ring confirmed there were no old business items.

NEW BUSINESS

Chairman Carroll confirmed there were no items for new business.

COUNTY ATTORNEY'S REPORT

Mr. Jones confirmed there was no county attorney's report.

PLANNING DIRECTOR'S REPORT

Don Robertson, Assistant County Administrator, gave an overview of the County's recently adopted FY22 Capital Improvement Plan with the following presentation.



2022-31 CAPITAL IMPROVEMENTS PROGRAM

June 22, 2021

FY2022-31 CIP

Department/Agency	Capital Budget						FIVE YEAR TOTAL
	FY2020-21	FY 2021-22	FY 2022-23	FY 2023-24	FY 2024-25	FY 2025-26	FY 2022-26
Economic Development	\$ -	\$ 325,000	\$ 525,000	\$ 525,000	\$ 500,000	\$ 325,000	\$ 2,200,000
Fire & Rescue	\$ 1,525,000	\$ 2,050,000	\$ 2,100,000	\$ 1,475,000	\$ 575,000	\$ 1,050,000	\$ 7,250,000
Parks & Recreation	\$ 540,000	\$ 815,000	\$ 275,000	\$ 500,000	\$ 200,000	\$ 300,000	\$ 2,090,000
Public Schools	\$ 11,750,000	\$ 15,250,000	\$ 19,000,000	\$ 19,000,000	\$ -	\$ -	\$ 53,250,000
Public Utilities	\$ 600,000	\$ 850,000	\$ 2,700,000	\$ 500,000	\$ 700,000	\$ 400,000	\$ 5,150,000
Public Works	\$ 360,000	\$ 225,000	\$ 755,000	\$ 420,000	\$ 50,000	\$ 510,000	\$ 1,960,000
Space Needs	\$ 350,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Stormwater	\$ 300,000	\$ 300,000	\$ 300,000	\$ 350,000	\$ 400,000	\$ 300,000	\$ 1,650,000
Transportation	\$ -	\$ -	\$ 350,000	\$ 1,000,000	\$ 2,235,000	\$ -	\$ 3,585,000
Reserve	\$ -	\$ 511,744	\$ -	\$ -	\$ -	\$ -	\$ 511,744
TOTAL	\$15,425,000	\$20,326,744	\$26,005,000	\$23,770,000	\$ 4,660,000	\$ 2,885,000	\$ 77,646,744

FY2022-31 CIP

Department/Agency						TOTAL	TEN YEAR
	FY2026-27	FY 2027-28	FY 2028-29	FY 2029-30	FY 2030-31	FY 2027-31	TOTAL
Economic Development	\$ 741,000	\$ 1,701,000	\$ 9,300,000	\$ 9,725,000	\$ 775,000	\$22,242,000	\$ 24,442,000
Fire & Rescue	\$ 1,100,000	\$ 700,000	\$ 450,000	\$ 975,000	\$ -	\$ 3,225,000	\$ 10,475,000
Parks & Recreation	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 500,000	\$ 2,590,000
Public Schools	\$ -	\$ -	\$ 4,000,000	\$ -	\$ -	\$ 4,000,000	\$ 57,250,000
Public Utilities	\$ 400,000	\$ 400,000	\$ 400,000	\$ 400,000	\$ 400,000	\$ 2,000,000	\$ 7,150,000
Public Works	\$ 530,000	\$ 550,000	\$ 570,000	\$ 590,000	\$ 610,000	\$ 2,850,000	\$ 4,810,000
Space Needs	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Stormwater	\$ 300,000	\$ 300,000	\$ 300,000	\$ 300,000	\$ 300,000	\$ 1,500,000	\$ 3,150,000
Transportation	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 3,585,000
Reserve	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 511,744
TOTAL	\$ 3,171,000	\$ 3,751,000	\$15,120,000	\$12,090,000	\$ 2,185,000	\$36,317,000	\$113,963,744

FY2022-26 CIP— PUBLIC SCHOOLS

PROJECT						FIVE YEAR
	FY 2021-22	FY 2022-23	FY 2023-24	FY 2024-25	FY 2025-26	TOTAL
Hardy Elementary	\$15,250,000					\$15,250,000
Westside Elementary		\$19,000,000	\$19,000,000			\$38,000,000
SHS Upgrades						\$ -
Roof Replacements		\$ -				\$ -
Fleet/Bus Garage						\$ -
School Admin Bldg						\$ -
	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
TOTAL	\$15,250,000	\$19,000,000	\$19,000,000	\$ -	\$ -	\$53,250,000

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FY2022-26 CIP– FIRE & RESCUE

	Medic, Ladder Engine	Medic, Tanker Engine	Ladder, Brush	Medic Tanker	Engine (2)	FIVE YEAR TOTAL
PROJECT	FY 2021 -22	FY 2022 -23	FY 2023 -24	FY 2024 -25	FY 2025 -26	FY 2022 -26
Apparatus Replacement	\$2,050,000	\$1,100,000	\$1,475,000	\$ 575,000	\$1,050,000	\$ 6,250,000
Facility Assessment	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
SCBA Replacement	\$ -	\$1,000,000	\$ -	\$ -	\$ -	\$ 1,000,000
	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
TOTAL	\$2,050,000	\$2,100,000	\$1,475,000	\$ 575,000	\$1,050,000	\$ 7,250,000

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FY2022-26 CIP– PUBLIC UTILITIES

						FIVE YEAR TOTAL
PROJECT	FY 2021 -22	FY 2022 -23	FY 2023 -24	FY 2024 -25	FY 2025 -26	FY 2022 -26
Water Projects:						
Capital Maint/Line Upgrades	\$ 450,000	\$ 300,000		\$ 600,000	\$ 300,000	\$ 1,650,000
Benns Grant Booster						\$ -
Benns Grant Water Tank	\$ 300,000	\$ 2,300,000	\$ 400,000			\$ 3,000,000
Route 10 Water Extension						\$ -
Route 460 Booster						\$ -
Route 460 Water Extension						\$ -
Shop Facility		\$ -				\$ -
Sewer Projects:						
Capital Maintenance	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 500,000
TOTAL	\$ 850,000	\$ 2,700,000	\$ 500,000	\$ 700,000	\$ 400,000	\$ 5,150,000

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FY2022-26 CIP— ECONOMIC DEVELOPMENT

PROJECT						FIVE YEAR TOTAL
	FY 2021 -22	FY 2022 -23	FY 2023 -24	FY 2024 -25	FY 2025 -26	FY 2022 -26
Econ Dev Asset Maintenance		\$ 200,000	\$ 200,000	\$ 500,000	\$ 200,000	\$ 1,100,000
S. T. H. Ph II 44 -Acre Permit Ready Site	\$ 325,000	\$ 325,000	\$ 325,000	\$ -	\$ -	\$ 975,000
Rte 460 - 83-Acre Permit-Ready Site	\$ -	\$ -	\$ -	\$ -	\$ 50,000	\$ 50,000
S. T. H. Ph II 184 -Acre Permit Ready Site	\$ -	\$ -	\$ -	\$ -	\$ 75,000	\$ 75,000
Shirley T. Holland Phase III Site	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Community Facilities Project	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
TOTAL	\$ 325,000	\$ 525,000	\$ 525,000	\$ 500,000	\$ 325,000	\$ 2,200,000

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FY2022-26 CIP— PARKS & RECREATION

PROJECT						FIVE YEAR TOTAL
	FY 2021 -22	FY 2022 -23	FY 2023 -24	FY 2024 -25	FY 2025 -26	FY 2022 -26
Capital Maintenance	\$ 75,000	\$ 75,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 450,000
Bradby Park Development		\$ 200,000	\$ 400,000	\$ 100,000	\$ -	\$ 700,000
Heritage Park Amphitheater					\$ 200,000	\$ 200,000
Heritage Park Bleachers	\$ 60,000	\$ -				\$ 60,000
Jones Creek Dock						\$ -
Nike Park Field Lighting						\$ -
Nike Park Pavement Repair	\$ 400,000	\$ -				\$ 400,000
Nike Park Playground	\$ 90,000					\$ 90,000
Nike Park Recreation Center	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Nike Park Tennis Courts Restoration	\$ 190,000					\$ 190,000
Tyler's Beach Development		\$ -				\$ -
Blackwater River Park	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
TOTAL	\$ 815,000	\$ 275,000	\$ 500,000	\$ 200,000	\$ 300,000	\$ 2,090,000

8

5-Year Capital Impact

- Schools - \$53.25 million/68.5%
- Fire & Rescue - \$7.25 million/ 9.3%
- Utilities - \$5.1 million/6.6%
- Economic Dev - \$2.2 million/2.8%
- Parks & Rec - \$2.1 million/2.7%



9

An aerial photograph showing a sandy beach area with a parking lot filled with cars. The beach is bordered by a rocky coastline and turquoise water. The text "QUESTIONS???" is overlaid in the center of the image.

QUESTIONS???

Thomas Duerig asked how the sewer and water line to Hardy play into the Public Utilities budget.

Mr. Robertson stated that although they become part of the County's infrastructure, they are not county projects. The sewer line is a HRSD project. He added that if this project were not put into place, Hardy Elementary's budget would have significantly increased.

Bobby Bowser asked if there is any potential hold ups for the development of Bradby Park.

Mr. Robertson stated wetlands report recently done were favorable, and he does not see potential problems at this point.

Bobby Bowser asked if the money allocated was to complete the park or if the last part of it was for improvements.

Mr. Robertson responded these were based on educated guesses on what can reasonably be done in a given amount of time. He stated the initial work would be the entrance and initial clearing, which could take up to one year. He stated the second part could potentially be ballfields, walking trails, and some small buildings which could take more than a year to complete. Mr. Robertson stated he does not believe this will be the total improvements, however it gets the community a decent park facility. He added the County will go back to the community to verify the items selected five years ago are still the items the community would like to see in the facility.

Mr. Bowser stated he feels the community would feel like the County is dragging their feet with the four to five year timeframe.

Mr. Robertson stated the allocated \$700,000 will not achieve the master park plan, but the \$7 million might. He added the County is taking an incremental approach because of the cost of the infrastructure. Mr. Robertson stated that an unfavorable wetland report a few years ago contributed to the delay. He added the strategy was to give it some time in hopes the conditions would improve, which proved true now.

James Ford asked what the projected timeline is to seek the community input.

Mr. Robertson stated he believes September or October time frame.

Mr. Ford stated he noticed the walking trails recently and was happy that some development is beginning in the Lawnes Creek area. He added that the public should be notified of the improvements being done, because a lot of people are unaware. He added that he felt we are being compared to more urbanized areas. Mr. Ford stated that he was asked how the park would be expanded when the development began.

Mr. Robertson stated that would start with revisiting the master plan. He added that the master plan is on the County webpage under Parks and Recreation. Mr. Robertson stated the current plan includes walking trails, ball fields, community center and restrooms. He added that he agrees that current residents have seen what other communities are doing with park facilities. Mr. Robertson stated the County has not grown significantly enough to be at that point, and that is the reason the

County has taken the incremental approach. He stated that the second half of the County's bike and pedestrian trail is complete and had its ribbon cutting ceremony on June 21, 2021. He added that planning phase for this trail began over twenty years ago. He stated although the process may be slow, at the end the community will be proud of. Mr. Robertson stated the funding is there and the County is looking forward to getting started.

Chairman Carroll stated that he believes that if the Board would consider creating a taskforce, it would help keep things moving forward.

Mr. Robertson stated that when there is a taskforce or citizen involvement, it elevates the discussion and agreed a taskforce may be beneficial. He added that the Planning Commission has a direct impact on the development possibilities.

James Ford stated that he raised this question with his neighbor about what development opportunities will the HRSD project have for the County, specifically the Hardy District. Mr. Ford reassured his neighbor that the County is receptive to community input and comments and encouraged them to share those with Amy Ring. He added that new residents are looking for high quality facilities from schools, fire and rescue and utilities, so it is important to invest in those areas.

Mr. Robertson stated that economic development and private sector development can have a large impact on the capital improvement programs. He added that Riverside just announced that they would be opening a hospital in the Bennis Grant area. Mr. Robertson stated that development in the private sector could alter the priorities.

Edward Hulick asked how much is the County reinvesting in its capital assets each year, and if we are not investing in the County's assets, if are we behind. He also asked what is the ratio for the reinvestment amount, schools at 68% and fire and rescue at 10%.

Mr. Robertson stated that he believes the new school is skewing the conversation. He added there is a difference between new construction and ongoing maintenance.

Mr. Hulick asked if \$6.25 million enough for fire equipment replacement or should we be allocating \$14.5 million. He asked if we are playing catch up.

George Rawls stated the \$2 million out of the \$7 million was spent on two new ladder trucks. He added those trucks are scheduled to be replaced every 20-25 years, and the one that is being replaced was purchased in 1997.

Mr. Hulick asked whether that amount is enough.

Mr. Rawls stated the departments review the CIP and know when the trucks will need to be replaced. He added the NFPA regulations change each year which requires updates to the CIP.

Chairman Carroll stated the County has done a good job at catching fire and rescue up to where it should be for maintenance and believes 9% is on course with demand. He added he agrees whether there is enough being put back into infrastructure.

Mr. Hulick stated he believes that we are under budget for parks and recreation and believes the County is not doing enough. He added the County does not have the right mix of parks and recreation to match our current population. He stated it looks like we are catching up some, but believes the County is no where close to where it should be.

Mr. Robertson agreed but stated part of it comes down to community and political priorities. He added he is hopeful that the community shares that passion to move those kinds of projects forward.

Thomas Duerig asked for an update for road improvements.

Mr. Robertson stated Nike Park Road which currently terminates at Reynolds Road will now extend to Rt. 17 near the Bartlett intersection. There are improvements being made at the Bartlett intersection where the Crossings will be located. He stated these are state funded projects which provide a major investment in our community, and they will provide significant positive impacts on that corridor.

Mr. Duerig asked if there was a timeline for Nike Park Road extension.

Don Robertson stated the background work, engineering and design work has already started, and estimates in the next couple years both projects will be under construction if not complete.

Mr. Ford asked how the County projects are connecting with the town projects.

Mr. Robertson stated the County has done two segments of the Nike Park Trail. The third segment is located in the Town of Smithfield. He added that recently the Town committed to move that project forward with some federal funding. He stated the County is also coordinating with the Town on a sidewalk project. He stated these are joint projects where the County provides management of the project, and the Town provides funding, or the funding is split between County and Town.

Chairman Carroll asked for the status on broadband.

Mr. Robertson stated there is a substantial amount of money available for broadband expansion, and the County is in the current process in working with Charter, City of Suffolk and South Hampton County to develop the application to get VATI funds. The County also plans to use federal money towards this effort. He added that broadband expansion includes improvement of the current infrastructure, which means Charter would have to upgrade all the equipment in addition to running new cables. The County is currently working on a plan for universal coverage, which would mean the entire county would have access to broadband much sooner than predicted.

Chairman Carroll stated nothing is in the current CIP to address broadband like other surrounding localities have. He asked why is the County only relying on grants and federal funding.

Mr. Robertson stated Isle of Wight County is not in the broadband business. He added the state of Virginia does not allow communities to operate their own broadband companies. He stated that some work can be done with a private sector partner. He added he is aware of the need for broadband, unfortunately it is complicated and expensive.

Cynthia Taylor asked if any proffer money was dedicated for broadband.

Mr. Robertson responded we have proffer money for schools and public safety.

Amy Ring stated the law only allows the County to accept proffers for certain categories. She added broadband and connectivity could be something the County could look to require on subdivisions and site plans for new development. She added this could be set as a priority for assessing community impacts.

Ms. Ring provided the annual report for economic development.

Chairman Carroll introduced the new Planning Commission Member, Glenn Seay.

Glenn Seay gave a brief introduction and stated he is looking forward to working with the Planning Commission and serving the community.

CLOSED MEETING

Chairman Carroll confirmed there were no items to discuss in closed meeting.

ADJOURNMENT

There being no further information to discuss, Chairman Carroll adjourned the meeting at 7:59 PM.

Adopted this _____ day of _____, 2021.

Chairman, Isle of Wight County Planning Commission

Attest: _____
Acting Secretary

PLANNING REPORT

APPLICATION:

Application of Cobb Land Limited Partnership, Alpha M. Cobb, Steven F. Cobb and Timothy L. Cobb, property owners, for a change in zoning classification of a portion of tax parcel number 46-01-024 from Rural Agricultural Conservation (RAC) to Rural Residential (RR) to create three single family residential lots

ELECTION DISTRICT:

Carrsville

LOCATION:

The proposed three lots total 9.56 acres created from the property with tax parcel identification number 46-01-024 which is on the north side of Cut Thru Road (Rte.638) on east side of Garrison Drive (Rte. 646).

BACKGROUND:

The property proposed to be rezoned is part of an existing 100 acre parcel that lies on the north and south sides of Cut Thru Road. The current land uses of that parcel are approximately seventy-eight (78) acres of agricultural fields, fourteen acres of forest and eight acres of pasture. Under the sliding scale option for development in the RR district, these are the three new lots allowed under that provision of the Zoning Ordinance, if the rezoning is approved.

DESCRIPTION:

As presented, the proposal would keep the majority of the farm acreage, which is on the south side of Cut Thru Road, intact. Based on the Capital Impacts Model analysis results, there is sufficient capacity in regard to school, fire and rescue, and law enforcement facilities to serve these parcels. Surrounding properties include agricultural and scattered single family residential uses.

COMPREHENSIVE LAND USE PLAN:

The subject property is designated Rural Agricultural Conservation on the Future Recommended Land Use Map in the Comprehensive Plan. This district is intended to maintain and conserve rural character and farmlands and to provide

for a full range of agricultural and farming activities and related uses along with some low-density residential development. The proposed use is consistent with the future recommended land use.

ORDINANCE REVIEW:

The proposed lots will front on Cut Thru Road and Garrison Drive. The required lot area in the RR zoning district is a minimum of 40,000 square feet. The minimum lot frontage is 120 feet with 150 feet of lot width at the front setback line. The proposed lots, as shown on the attached zoning exhibit, meet the minimum requirements of the RR zoning district. A subdivision plat is required to be approved pending rezoning approval.

The proposed lots are not located within the Chesapeake Bay Preservation Area and do not contain a special flood hazard zone. A wetlands delineation will be required as part of the subdivision plat review process along as net developable area calculations to support the creation of the three lots.

AGENCY REVIEW:

Staff distributed the application to the following agencies and departments for review and comment.

- Emergency Services - Stated no concerns with the application.
- Environmental Planner - The County will require that a wetlands delineation be submitted and confirmed by the US Army Corps of Engineers prior to plat approval.
- Virginia Department of Transportation - Stated they had no concerns with the applications.
- Isle of Wight County Museum (Historical Resources) -
- County Attorney - Stated he had no concerns with the application.

STAFF CONCLUSIONS:

Strengths:

1. The proposal is consistent with County plans and ordinances.
2. The application is compatible with the existing land uses in the vicinity and within the guidelines of the future Recommended Land Use Plan Designation.

Weaknesses:

Staff has not identified any weaknesses at this time.

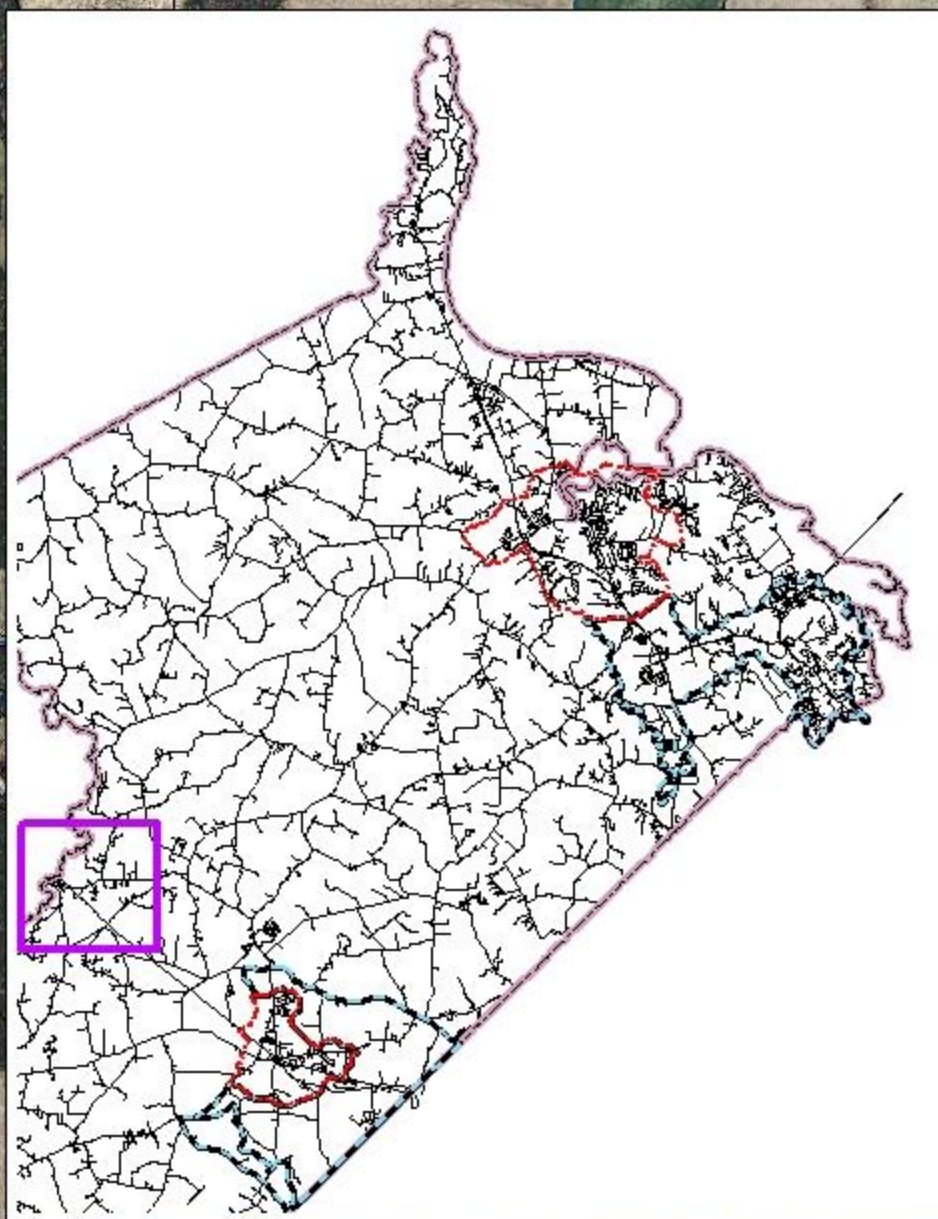
STAFF RECOMMENDATION:

Staff recommends approval of the rezoning application.

ATTACHMENTS:

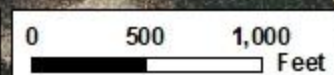
Description	Type	Upload Date
Location Map	Exhibit	7/29/2021
Enlarged Location Map	Exhibit	7/29/2021
Land Use Map	Exhibit	7/29/2021
Zoning Map	Exhibit	7/29/2021
Exhibit	Exhibit	7/29/2021
PC Resolution	Resolution	8/17/2021

ZA-05-21 COBB REZONING - LOCATION MAP

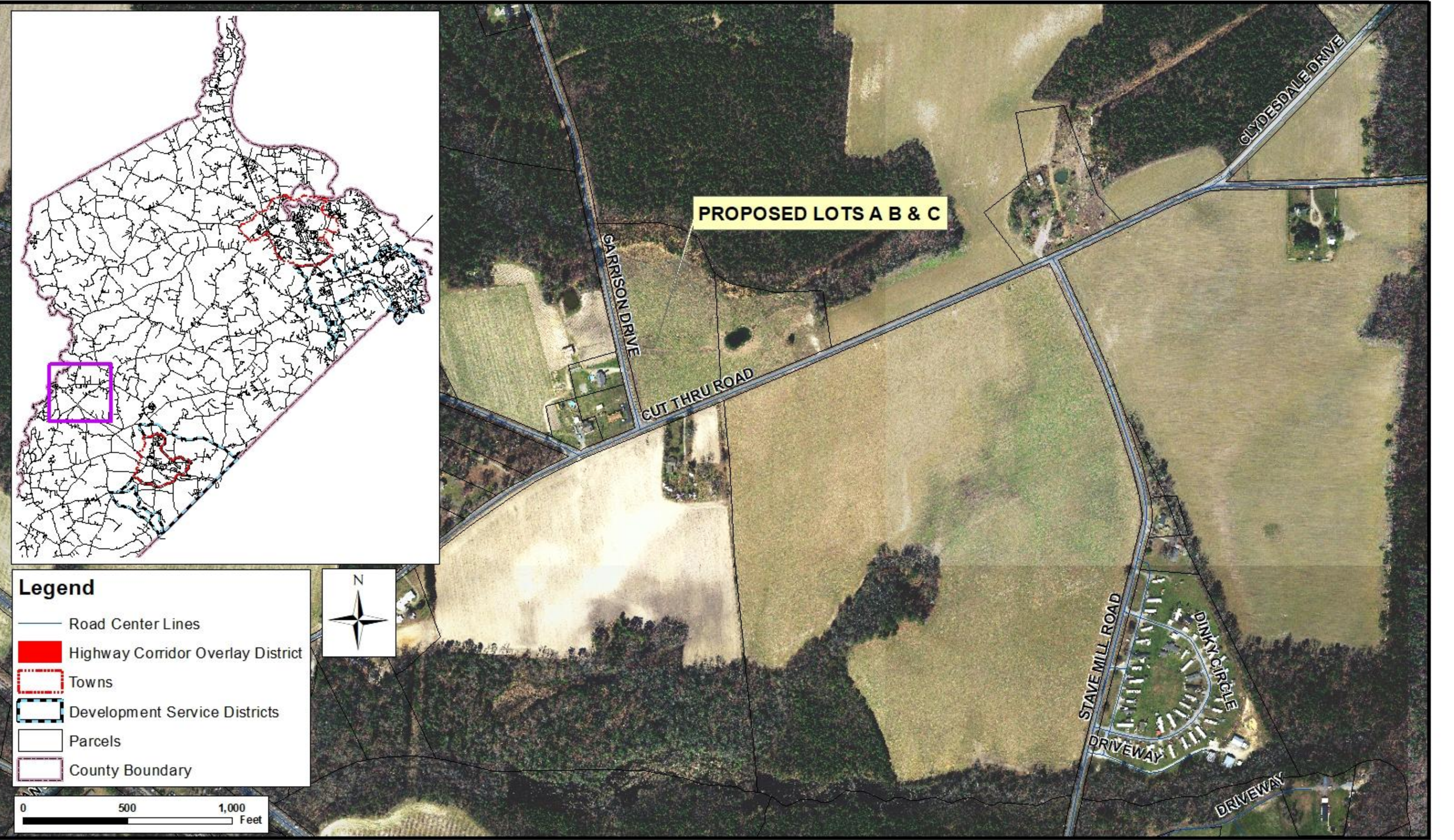


Legend

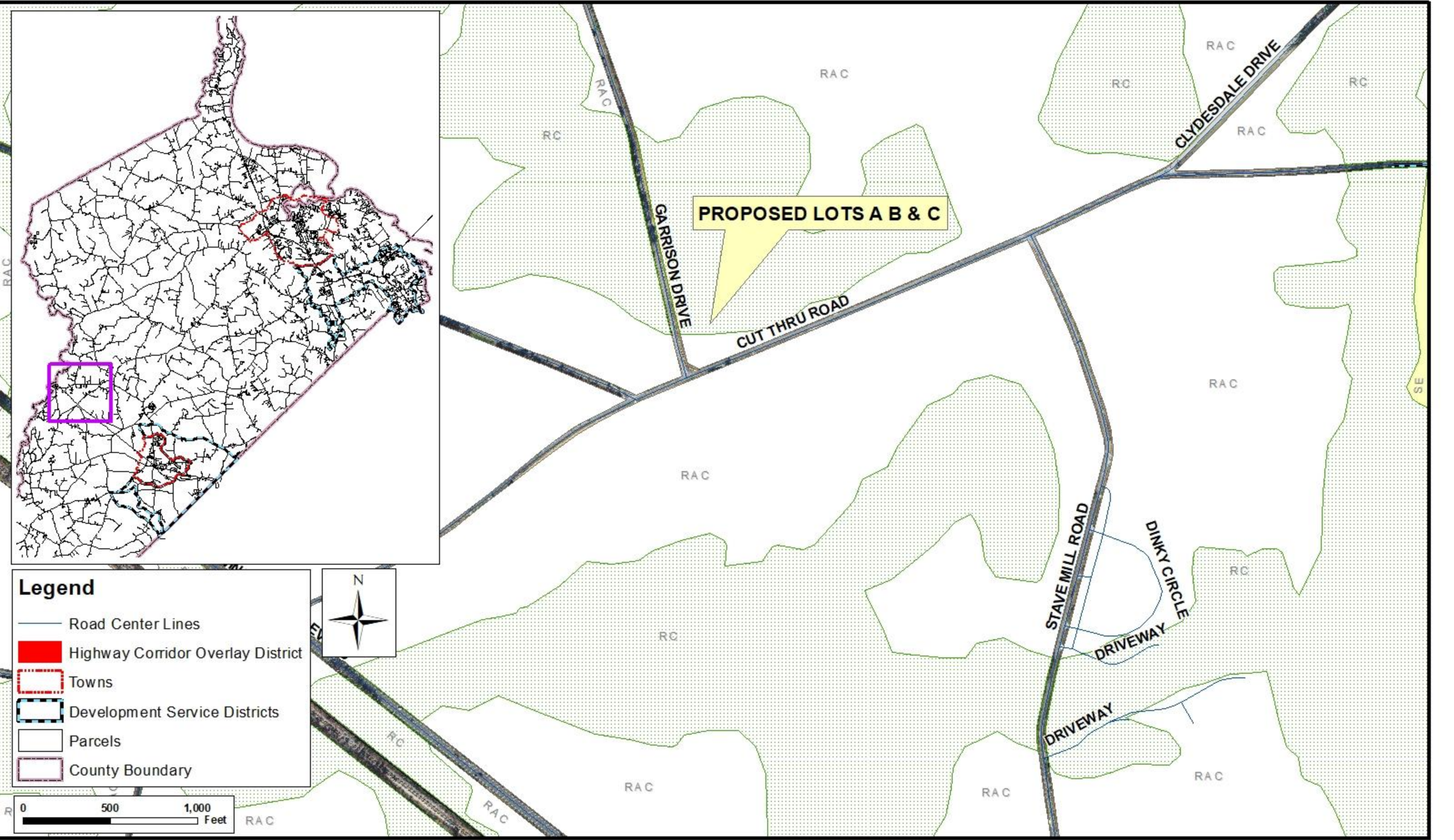
- Road Center Lines
- Highway Corridor Overlay District
- Towns
- Development Service Districts
- Parcels
- County Boundary



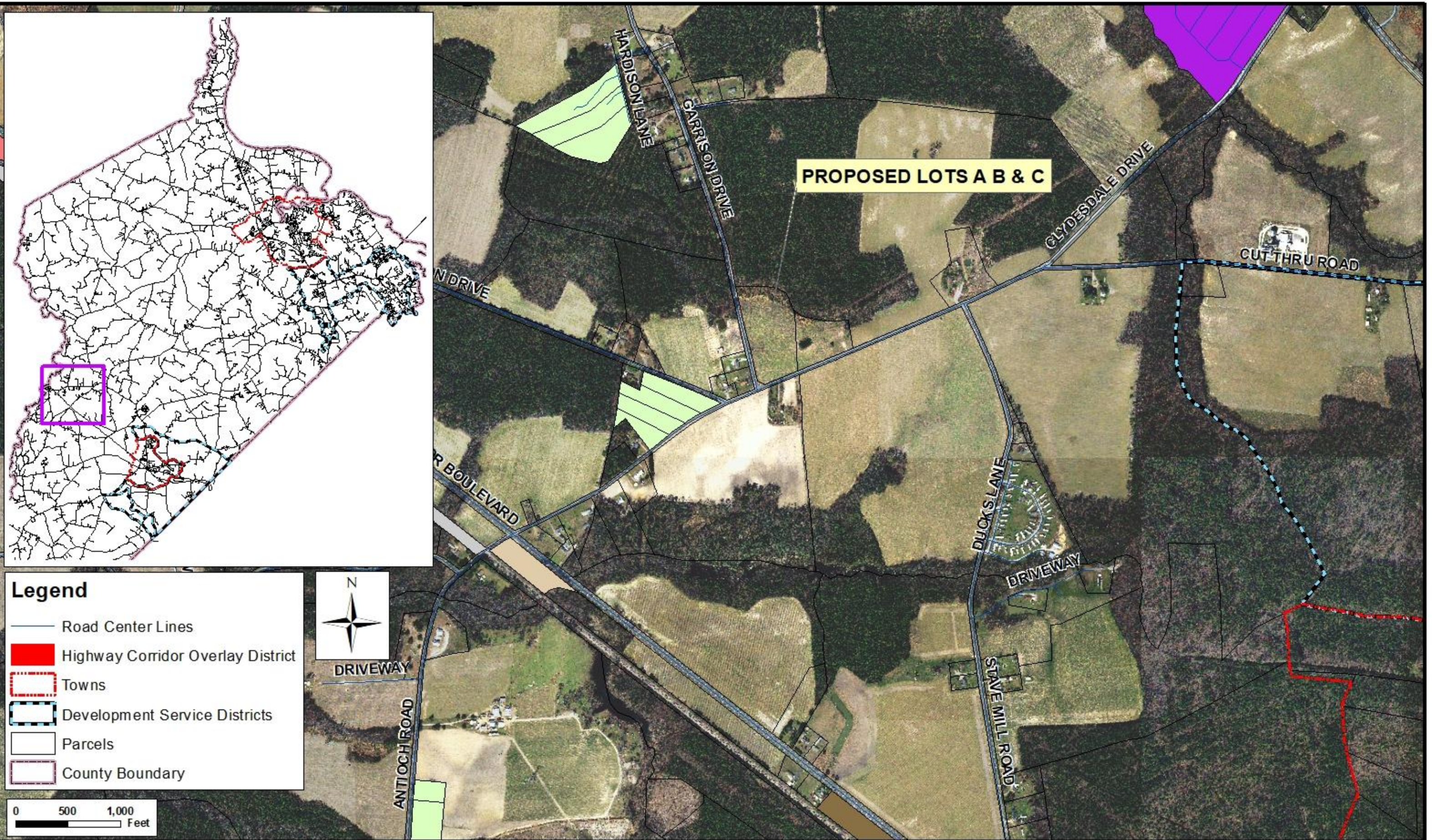
ZA-05-21 COBB REZONING - LOCATION CLOSEUP MAP



ZA-05-21 COBB REZONING - LAND USE MAP



ZA-05-21 COBB REZONING - ZONING MAP



THE PROPERTY SHOWN HEREON IS LOCATED IN ZONE "X" ON THE FLOOD INSURANCE RATE MAP, COMMUNITY PANEL No. 510303 0250 E, DATED DECEMBER 2, 2015.

THIS SURVEY WAS PERFORMED WITHOUT BENEFIT OF A CURRENT TITLE REPORT, AND AS SUCH, THIS SURVEY IS SUBJECT TO ANY EASEMENT OF RECORD AND OTHER PERTINENT FACTS WHICH A TITLE SEARCH MIGHT DISCLOSE.

WHERE SEPTIC TANKS ARE TO BE INSTALLED ON INDIVIDUAL LOTS, THERE SHALL BE AN APPROVAL OF A PRIMARY DRAINFIELD BY THE HEALTH DEPARTMENT AT THE TIME APPLICATION IS MADE FOR A SEPTIC TANK PERMIT.

NO ZONING PERMIT OR BUILDING PERMIT SHALL BE ISSUED FOR ANY LOT UNTIL A WELL OR WATER SOURCE HAS BEEN APPROVED BY THE COUNTY HEALTH DEPARTMENT. SECTION 3.2.4.B.1

I, STAFFORD C. CAMP, HEREBY CERTIFY THAT THIS PLAT AND SUBDIVISION WAS MADE BY ME AT THE DIRECTION OF THE OWNER, AND IS ENTIRELY WITHIN THE BOUNDARIES OF LAND OWNED BY COBB LAND LP, ALPHA M. COBB, STEVEN F. COBB & TIMOTHY L. COBB. THE LAST INSTRUMENT OF TITLE BEING 030001422.

STAFFORD C. CAMP

DATE

THIS SUBDIVISION OF PROPERTY, AS IT APPEARS ON THIS PLAT, IS WITH THE FREE CONSENT, & IS IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNERS.

AGENT OF COBB LAND LP

DATE

ALPHA M. COBB

DATE

STEVEN F. COBB

DATE

TIMOTHY L. COBB

DATE

AREA TABLE

ORIGINAL AREA T.P. 46-01-024	= 100.722 ACRES
LESS PARCEL A	= 3.135 ACRES
LESS PARCEL B	= 3.794 ACRES
LESS PARCEL C	= 2.635 ACRES
TOTAL RESIDUAL AREA T.P. 46-01-024	= 91.158 ACRES

STATE OF VIRGINIA

COUNTY OF _____, TO-WIT: _____

I, _____, A NOTARY PUBLIC IN AND FOR THE CITY AND STATE AFORESAID, DO HEREBY CERTIFY THAT THE AGENT OF COBB LAND LP SIGNED TO THE FOREGOING WRITING HAS ACKNOWLEDGED THE SAME BEFORE ME IN MY CITY AND STATE AFORESAID.

GIVEN UNTO MY HAND THIS _____ DAY OF _____, 20____

MY COMMISSION EXPIRES _____

NOTARY PUBLIC

No.

STATE OF VIRGINIA

COUNTY OF _____, TO-WIT: _____

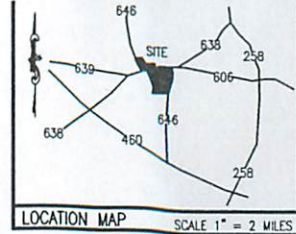
I, _____, A NOTARY PUBLIC IN AND FOR THE CITY AND STATE AFORESAID, DO HEREBY CERTIFY THAT ALPHA M. COBB SIGNED TO THE FOREGOING WRITING HAS ACKNOWLEDGED THE SAME BEFORE ME IN MY CITY AND STATE AFORESAID.

GIVEN UNTO MY HAND THIS _____ DAY OF _____, 20____

MY COMMISSION EXPIRES _____

NOTARY PUBLIC

No.



LEGEND:

- COMPUTED POINT
- IRON ROD SET
- IRON ROD FOUND
- F&A FORE & AFT
- OF OLD FENCE
- C/L CENTER LINE
- PROPERTY LINE
- POWER POLE

STATE OF VIRGINIA

COUNTY OF _____, TO-WIT: _____

I, _____, A NOTARY PUBLIC IN AND FOR THE CITY AND STATE AFORESAID, DO HEREBY CERTIFY THAT STEVEN F. COBB SIGNED TO THE FOREGOING WRITING HAS ACKNOWLEDGED THE SAME BEFORE ME IN MY CITY AND STATE AFORESAID.

GIVEN UNTO MY HAND THIS _____ DAY OF _____, 20____

MY COMMISSION EXPIRES _____

NOTARY PUBLIC

No.

T.P. 46 - 01 - 025
NOW OR FORMERLY
NANCY G. MUNFORD &
BARBARA A. MUNFORD
INST. # 070006792
ZONED RAC

STATE OF VIRGINIA

COUNTY OF _____, TO-WIT: _____

I, _____, A NOTARY PUBLIC IN AND FOR THE CITY AND STATE AFORESAID, DO HEREBY CERTIFY THAT TIMOTHY L. COBB SIGNED TO THE FOREGOING WRITING HAS ACKNOWLEDGED THE SAME BEFORE ME IN MY CITY AND STATE AFORESAID.

GIVEN UNTO MY HAND THIS _____ DAY OF _____, 20____

MY COMMISSION EXPIRES _____

NOTARY PUBLIC

No.



S.V. CAMP, III & ASSOCIATES, INC.
22730 MAIN ST. COURTLAND, VIRGINIA
PHONE: (757) 653-9278
FAX: (757) 653-9600
SINCE 1958 CASSCAMP@CAMPINC.COM

ACC. BY: FIELD BOOK NO.:	SHEET:
SCC	1 OF 1

T.P. 46 - 01 - (023 & 024)

REFERENCE
FOR SURVEY
INST. # 030001422

THIS SUBDIVISION PLAT HAS BEEN FOUND TO BE IN CONFORMANCE WITH THE ISLE OF WIGHT COUNTY SUBDIVISION ORDINANCE AND MUST BE RECORDED WITH THE OFFICE OF THE CLERK OF CIRCUIT COURT OF ISLE OF WIGHT COUNTY WITHIN SIX MONTHS OF THE DATE OF APPROVAL. APPROVAL WILL BE DEEMED VOID AFTER SIX MONTHS AND THE PLAT MUST BE RESUBMITTED FOR APPROVAL.

SUBDIVISION AGENT: _____ DATE: _____, 2021

VDOT ENGINEER: _____ DATE: _____, 2021

PLAT SHOWING BOUNDARY SURVEY OF
TAX PARCEL 46 - 01 - 023 &
SUBDIVISION OF T.P. 46-01-024

SHOWN HEREON AS PARCELS A, B & C
FOUND IN THE NAME OF

COBB LAND LP, ALPHA M. COBB,
STEVEN F. COBB & TIMOTHY L. COBB

HARDY & WINDSOR MAGISTERIAL DISTRICT
ISLE OF WIGHT COUNTY, VIRGINIA

SCALE: 1" = 100' JANUARY 14, 2021

**ISLE OF WIGHT COUNTY PLANNING COMMISSION
RESOLUTION TO PRESENT A REPORT AND RECOMMENDATION
TO THE BOARD OF SUPERVISORS RELATING TO APPLICATION ZA-05-21 TO REQUEST
A CHANGE IN ZONING FROM RAC, RURAL AGRICULTURAL CONSERVATION, TO RR,
RURAL RESIDENTIAL, OF 9.56 ACRES WITH TAX MAP PARCEL 46-01-024**

WHEREAS, Cobb Land LP, Alpha M. Cobb, Steven F. Cobb and Timothy L Cobb, owners, have requested a change in zoning classification from Rural Agricultural Conservation (RAC) to Rural Residential (RR) of 9.56 acres with tax parcel number 46-01-024 for the purposes of creating three residential lots; and,

WHEREAS, the procedural requirements for the consideration of this request by the Planning Commission have been met.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of Isle of Wight County, that:

Section 1. Findings.

- _____ A. The Isle of Wight County Planning Commission finds that the proposed rezoning and waiver request are reasonable and warranted due to a change in circumstances affecting the property and has considered the following factors and finds that the proposed rezoning does not conflict with:
1. the existing use and character of property within the County;
 2. the Comprehensive Plan;
 3. the suitability of the property for various uses;
 4. the trends of growth or change;
 5. the current or future requirements of the community as to land for various purposes as determined by population and economic studies and other studies;
 6. the transportation requirements of the community;
 7. the requirements for airports, housing, schools, parks, playgrounds, recreation areas and other public services;
 8. the conservation of natural resources;
 9. the preservation of flood plains;
 10. the preservation of agricultural and forestal land;
 11. the conservation of properties and their values;

12. the encouragement of the most appropriate use of land throughout the County;

_____ B. The Isle of Wight County Planning Commission does not find that the proposed Comprehensive Plan amendment is reasonable based on the consideration of the factors listed herein.

Section 2. Recommendation to Board of Supervisors.

The Planning Commission recommends to the Board of Supervisors that the request, ZA-05-21, be:

- ___ a. Granted as submitted, and that the Board of Supervisors adopt the proposed Ordinance without modification.
- ___ b. Denied, and that Board of Supervisors not adopt the proposed Ordinance.
- ___ c. Granted with the modifications set forth on the attached listing of specific recommendations, and that the Board of Supervisors adopt the proposed Ordinance with such modifications.

Adopted on this date, _____, 2021

READ AND PASSED: _____
Chairman, Isle of Wight County Planning Commission

TESTE: _____
Secretary, Isle of Wight County Planning Commission

Approved as to Form:

Robert W. Jones, Jr., County Attorney

PLANNING REPORT

APPLICATION:

Application of Vincent C. Carollo of Bennis Saint Luke, LLC, applicant and property owner, for a conditional use permit to allow a child care center located at 14353 Bennis Church Boulevard with tax parcel number 32-01-093. The property is in the Conditional Suburban Residential zoning district.

ELECTION DISTRICT:

Windsor

LOCATION:

The property is approximately 25 acres and is located at 14353 Bennis Church Boulevard on the east side of Bennis Church Boulevard (Rte. 10). The property is approximately 175 feet to the northwest of St. Luke's Cemetery and 1,000 feet from the entrance to St. Luke's Church. Adjacent uses include a cemetery and single family detached housing. All adjacent property lies within the Rural Agricultural Conservation zoning district.

BACKGROUND:

The potential project site is in one of the former James River Christian Academy buildings. The property has a total of 24,000 square feet of brick, single story academic buildings and seven existing townhome units that were originally built as teacher housing. The property owner has the ability to construct three additional townhouse units by right. The school facility itself includes three separate buildings including two one-story brick buildings that house classrooms, office space, and a cafeteria as well as a gymnasium building.

The First Will Baptist Church was built on the property in 1970 followed by two classroom buildings built in 1970 and 1972. The gymnasium building was built in 1980. The property was rezoned in 1985 from A-1, the former Agricultural Limited zoning district, to conditional R-2, the conditional Residential General zoning district, to allow for the construction of ten townhouses. The James River Christian Academy closed in 2007.

DESCRIPTION:

The property owner requests a conditional use permit to allow a commercial child care center, or daycare, in one of the existing, one story buildings with a total of 9,000 square feet. No other improvements are proposed with this application. Because the daycare proposes to utilize an existing building with parking and commercial entrance, a formal Traffic Impact Analysis (TIA) was not requested. Utilizing the ITE Trip Generation manual (10th edition), a 9,000 square foot daycare facility would generate an average of 100 vehicle trips per day, which is less than the 200 average vehicle trip threshold for a TIA as required in the Newport Development Service Overlay (NDSO) district regulations.

COMPREHENSIVE LAND USE PLAN:

The property is designated as Mixed Use (MU) and Resource Conservation (RC) on the Future Recommended Land Use Map in the County Comprehensive Plan. The Plan describes MU areas as areas with housing mixed with office, commercial, and other uses. The MU land use designation consists of one or multiple detached or attached single family homes, multi-plex and apartment style housing options, along with office or commercial uses. The proposed use is consistent with the future recommended use, because the property already contains a mix of uses, including residential, recreational and civic uses. The applicant has provided a current wetland delineation and CBPA determination to refine the RC areas which will not be impacted by the application.

ORDINANCE REVIEW:

Section 4-7003.C of the Zoning Ordinance permits child care centers as a conditional use in the SR zoning district. The Zoning Ordinance also requires supplemental use regulations for child care centers. The property also lies within the Chesapeake Bay Preservation Area, NDSO, and St. Luke's Historic Overlay districts. Any new improvements will need to meet the regulations applicable to these districts in addition to any zoning district requirements.

Section 1-1017 of the Zoning Ordinance provides the following criteria for review of a conditional use permit application that the Planning Commission and Board of Supervisors shall consider before granting the permit:

1. That the establishment, maintenance, and operation of the conditional use will not be detrimental to or endanger the public health, safety, and general welfare;
2. That the conditional use will not be injurious to the use and enjoyment of

other property in the immediate vicinity for the purposes already permitted, nor substantially impair the use of other property within the immediate proximity;

3. That adequate utilities, water, sewer or septic system, access roads, storm drainage and/or other necessary public facilities and improvements have been or will be provided;
4. That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion on the public streets;
5. That the proposed conditional use is not contrary to the goals and objectives of the Isle of Wight County Comprehensive Plan;
6. That the conditional use shall, in all other respects, conform to the applicable regulations of the zoning district classification in which it is located and to the special requirements established for the specific use; and
7. That the use(s) at the location proposed will not result in a multiplicity or saturation of similar uses in the same general neighborhood of the proposed use.

In addition to the standards and other guidelines set forth in the Zoning Ordinance, the Board may impose reasonable conditions or limitations on any approval, including the posting of performance guarantees. Such conditions may include, but are not necessarily limited to:

1. The number of persons living or working in the immediate area and the proposed hours of operation, as may applicable;
2. Traffic conditions, including facilities for pedestrians, such as sidewalks and parking facilities; the access of vehicles to roads; peak periods of traffic; and proposed roads, but only if construction of such roads will commence within the reasonably foreseeable future;
3. The orderly growth of the neighborhood and community and the fiscal impact on the County;
4. The effect of odors, dust, gas, smoke, fumes, vibration, glare, and noise upon the use of surrounding properties;
5. Facilities for police, fire protection, sewerage, water, trash and garbage collection and disposal, and the ability of the County or persons to supply such services;
6. The degree to which the development is consistent with generally accepted engineering and planning principles and practices;
7. The structures in the vicinity such as schools, houses of worship, theaters, hospitals, and similar places of public use;
8. The purposes set forth in this ordinance, the County's Comprehensive Plan, and related studies for land use, roads, parks, schools, sewers, water,

- population, recreation, and the like;
9. The environmental impact, the effect on sensitive natural features, and opportunities for recreation and open space; and
 10. The preservation of cultural and historic resources or landmarks.

Staff's analysis of the project finds that the criteria for granting the conditional use permit, including protecting the health, safety, and welfare of the public from the effects of the project and ensuring that the use remains as unobtrusive as possible to adjoining properties, is met by the proposed use with the condition that the day care facility occupy no more than 9,000 square feet without a formal traffic impact analysis and the construction of any needed improvements.

AGENCY REVIEW:

Staff distributed the application to the following departments and agencies for their review and comment.

- Utility Services - The property is served by existing public water and private wastewater systems.
- Virginia Department of Transportation (VDOT) - Recommends a TIA be performed for any expansion of the proposed use over 9,000 square feet.
- Economic Development - Recommends approval of the proposed use with a maximum size of 9,000 square feet.
- Emergency Services - State they have no concerns.
- Transportation Manager - Supports VDOT's comments and recommendation with a size limit of 9,000 SF.
- Virginia Department of Health - If the CUP is approved, the applicant will have to provide projected usage information and an engineer's certification letter to the Health Department in order to be approved to use the existing drainfield.
- Inspections - Building plans for interior renovations are currently under review.

VDOT comments are attached for your information.

STAFF CONCLUSIONS:

Strengths:

1. The project generally meets the goals and objectives of the comprehensive plan contingent upon the recommended condition of approval that the use be

limited to no more than 9,000 square feet without a formal traffic impact analysis and the construction of any needed improvements.

2. The proposed land use will result in an increase in revenues over time.
3. The application proposes the reuse of an existing building for a daycare facility that was previously constructed for a school.

Weaknesses:

-

1. Staff has not identified weaknesses with the application.

STAFF RECOMMENDATION:

Staff recommends approval of the proposed child care facility with the condition that the use be limited to no more than 9,000 square feet. Any future expansions of the use shall require a formal traffic impact analysis and the construction of any needed improvements.

ATTACHMENTS:

Description	Type	Upload Date
JRCA Daycare CUP application	Cover Memo	8/17/2021
JRCA Cup Project Narrative	Backup Material	8/17/2021
Concept Plan and Elevations	Backup Material	8/17/2021
VDOT comments	Backup Material	8/17/2021
Vicinity Map	Backup Material	8/17/2021
Future Land Use Map	Backup Material	8/17/2021
Zoning Map	Backup Material	8/17/2021
PC Resolution	Backup Material	8/17/2021



Local Roots, Global Reach

ISLE OF WIGHT COUNTY, VIRGINIA

DEPARTMENT OF PLANNING AND ZONING

ORIGINAL

REC'D 7/16/21

SUBMITTAL CHECKLIST FOR CONDITIONAL / SPECIAL USE PERMIT APPLICATIONS

In conjunction with Section 1-1017, *Conditional Uses*, and Section 1-1018, *Special Uses Permits for Uses Not Provided For*, of the Isle of Wight County Zoning Ordinance, as amended, the following information shall be submitted for a Conditional / Special Use Permit Application. Please note that it is the applicant's responsibility to ensure that the application is in compliance with all Federal, State and County regulations.

No application for a Conditional / Special Use shall be certified as complete unless the following information is provided, unless the Zoning Administrator reduces the number of required copies.

- ☒ 1. Fifteen ~~(15)~~⁸ copies of the original, executed application and one (1) original executed application. Both the applicant(s) and the property owner(s) must have their signature(s) notarized on page No. 2 of the application.
- ☒ 2. The appropriate fees have been submitted with the application. Checks should be made payable to: Treasurer, Isle of Wight County.
- ☒ 3. Fifteen ~~(15)~~⁸ copies of a statement of the reasons for seeking such permit, and if applicable, a statement of conditions.
- ☒ 4. Fifteen ~~(15)~~⁸ copies of a narrative description of the property which shall include the Tax Parcel Identification Number.
- ☒ 5. One (1) copy of the most recent deed(s) for the property(s) associated with the application.
- ☐ 6. A concept plan of the property showing all existing and proposed physical improvements and such other information as is necessary to clearly indicate to the Planning Commission and Board of Supervisors that adequate provisions shall be made for compliance with all standards for that particular use and the extent of the property to be so used on a given parcel or parcels. Such document shall be drawn to scale and shall include the following information:
 - o A vicinity map at a scale of no less than one (1) inch equals two thousand (2,000) feet
 - o Title of drawing
 - o Date of drawing
 - o Existing wood line
 - o North arrow
 - o Scale bar
 - o Current zoning of parcel(s) to be rezoned, including tax map number(s) and owner(s)
 - o Current zoning of adjacent parcel(s), including tax map number(s) and owner(s)
 - o Street names including route number and width(s) of the right-of-way(s)
 - o Fifteen (15) full size copies, with one (1) reduced 11 inch X 17 inch copy shall be submitted
 - o Please note that additional information on the site layout may be requested by the Zoning Administrator during the review process in order to more effectively review the application and prepare the staff reports for the Planning Commission and Board of Supervisors.

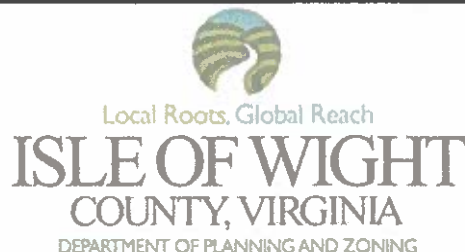
Existing Bldg is being used

7. Fifteen (15) copies of such supplemental material as may be necessitated by the proposal itself or the district in which located or proposed to be located, and in accordance with Section 5-5000, *Supplementary Use Regulations*, of the Isle of Wight County Zoning Ordinance.
8. All real estate taxes must be paid and current at the time of submittal; otherwise, the submittal will be refused at the counter. Proof of the most recent tax payment to the County must accompany the application.

I, the undersigned, certify that this application is complete, accurate and contains all required and requested information, documents and other submittals, and that all statements made herein are, to the best of my knowledge, true and correct. I further certify that I have exercised due diligence to obtain the most recent, complete and correct information available. I understand that any section not completed in its entirety may delay processing of this application and the date of the Planning Commission public hearing and that the submittal of a complete application does not guarantee the application will be placed on the next available Planning Commission agenda.

Vincent C. Carollo
Printed or Typed Name
Signature

July 15, 2021
Date



APPLICATION FOR CONDITIONAL / SPECIAL USE PERMIT

This application should be used to petition for a permit for certain uses which, because of their unique characteristics or potential impacts on adjacent land uses, are not generally permitted in certain zoning districts as a matter of right, but which may, under the right set of circumstances and conditions be acceptable in certain specific locations. The following application requirements are consistent with the procedures set forth in Section 1-1017, *Conditional Uses*, and Section 1-1018, *Special Use Permits for Uses Not Provided For*, of the Isle of Wight County Zoning Ordinance, as amended.

A. APPLICATION FOR (CHECK ALL THAT APPLY):

☒ Conditional Use Permit (Are applicant proposed conditions attached?): ☒ Yes ☐ No

The proposed use or activity is listed as a conditional use in the SR zoning district as per Section 4-70003 in Article IV of the Isle of Wight County Zoning Ordinance.

☐ Special Use Permit (Are applicant proposed conditions attached?): ☐ Yes ☐ No

Proposed Use or Activity: _____

B. PROJECT DESCRIPTION:

Project Name: use of commercial child day care services in existing school building

Property Address (if any): 14353 benns church blvd. existing school buildings

Election District: Newport, Mr. Joel Acree

Comprehensive Plan Designation: mixed use plan district

The use permit will apply to 9,000 sq. ft of existing school bldg. acres out of 24.8 total acres

Tax Parcel Identification # 32-01-093 Number of acres to be effected: _____

Tax Parcel Identification # _____ Number of acres to be effected: _____

Tax Parcel Identification # _____ Number of acres to be effected: _____

Proposed Utilities (check all that apply): Public Water ☒ Private Well ☐

Public Sewer ☐ Private Septic ☒

C. APPLICATION INFORMATION:

Applicant(s) Name(s): benns saint luke, llc

Address: 14353 benns church blvd.

City, State, Zip Code: isle of wight county, virginia 23430

Phone No.: 757-357-0597 Email: vcarlolo@jvcholdingsllc.com Fax No.: _____

Property Owner(s) Name(s): vincent c. carollo

Address: 22 main street

City, State, Zip Code: smithfield, virginia 23430

Phone No.: 757-897-0185 Email: vcarlolo@jvcholdingsllc.com Fax No.: _____

Applicants/Owners Affidavit (including compliance with all deed restrictions and covenants)

This application must be signed by the owner(s) of the subject property or must have attached written evidence of the owner's consent, which may be in the form of a binding contract of sale with the owner's signature or a letter signed by the owner(s), containing written authorization to act with full authority on the owner(s) behalf in filing this use permit application. Signing this application shall certify the owner's compliance with all deed restrictions and covenants, and shall constitute the granting of authority of the County to enter onto the property for the purpose of conducting site analyses and compliance with Federal, State and County regulations.

Applicant: Vincent C. Carollo

Printed or Typed Name

Applicant: V. C. Carollo Date: July 15, 2021
Signature

County of Isle of Wight, Commonwealth of Virginia

Subscribed and sworn to before me Tina Louise Ozmer,
A Notary Public in and for the County of Isle of Wight,
Commonwealth of Virginia, this 15 day of July, 2021

Tina Louise Ozmer
Notary Public
Commission No. 7815116
My Commission Expires 10/01/2021

Owner: Vincent C. Carollo

Printed or Typed Name

Owner: V. C. Carollo Date: July 15, 2021
Signature

County of Isle of Wight, Commonwealth of Virginia

Subscribed and sworn to before me Tina Louise Ozmer,
A Notary Public in and for the County of Isle of Wight,
Commonwealth of Virginia, this 15 day of July, 2021

Tina Louise Ozmer
Notary Public
Commission No. 7815116
My Commission Expires 2/28/2023

Owner: _____
Printed or Typed Name

Owner: _____ Date: _____
Signature

County of Isle of Wight, Commonwealth of Virginia

Subscribed and sworn to before me _____,
A Notary Public in and for the County of Isle of Wight,
Commonwealth of Virginia, this ____ day of _____, 20__

Notary Public
My Commission Expires _____

Owner: _____
Printed or Typed Name

Owner: _____ Date: _____
Signature

County of Isle of Wight, Commonwealth of Virginia

Subscribed and sworn to before me _____,
A Notary Public in and for the County of Isle of Wight,
Commonwealth of Virginia, this ____ day of _____, 20__

Notary Public
My Commission Expires _____

NOTICE: THE ATTACHED CHECKLIST MUST BE COMPLETED, CERTIFIED, AND SUBMITTED OR THE APPLICATION WILL BE CONSIDERED INCOMPLETE.

Remit Application to: Isle of Wight County Central Permitting, 17140 Monument Circle, Suite 100
P. O. Box 80, Isle of Wight, Virginia 23397

FOR OFFICE USE ONLY:

Complete Application Received On: 7-16-2021 Fees Paid: \$1200
Tax Query: [] Current [] Delinquent Distribution Date: 7-19-21
Posted/Date to Post: _____

AGENCIES REFERRALS:

☐ Department of Conservation & Recreation	☒ Inspections
☒ Economic Development	☐ Sheriff's Office
☒ Emergency Services	☐ Town of Smithfield
☒ General Services	☐ Town of Windsor
☐ Environmental Planner	☒ VDOT
☒ Health Department	☐ Schools
☒ Transportation Manager	☐ Budget & Finance
☐ Commission of Revenue	☐ County Attorney
☐ Other _____	

Verified By: Angela M. Bui Date: 7-19-2021

benns church	Street	23430
City	State	Zip

Location or Address	Description
14353 benns church blvd.	formerly james river christian academy 24.8 acre

Name of Individuals Corporation/Partnership Business Association	Address

My Commission Expires _____

171441

PG 18 APR 03 2017

595305

PREPARED BY:

Allen C. Tanner, Jr., VSB#16174
Jones, Blechman, Woltz & Kelly, P.C.
701 Town Center Drive, Suite 800
Newport News, Virginia 23606

RETURN TO:

Jones and Jones PC
1600 S. Church Street
Smithfield, VA 23430

Title policy: Stewart Title Guaranty

Tax Map ID: 32-01-093

\$550,000.00
(assessed value \$ 1,474,900.00)

THIS DEED, made this 24TH day of March, 2017, by and between JASON KILGORE and STEVEN G. MORSE, Trustees of FIRST CHURCH MINISTRIES A/K/A FIRST FREE WILL BAPTIST CHURCH, GRANTOR, and BENNS SAINT LUKE, LLC Virginia limited liability company, GRANTEE, whose mailing address is 22 Main Street,
Smithfield, VA 23430.

WHEREAS, JVC Holding, LLC has assigned all of its right, title and interest in that certain contract dated December 14, 2016 with First Church Ministries a/k/a First Free Will Baptist Church for the property described herein to BENNS SAINT LUKE, LLC.

WITNESSETH: That for and in consideration of the sum of TEN DOLLARS (\$10.00), cash in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, the said Grantor does grant and convey with SPECIAL WARRANTY, unto the said Grantee, its successors and assigns, the following described property, to wit:

see attached legal description

It being the same property conveyed to Grantor by deed dated July 26, 1976 from Virginia National Bank, a national banking association, duly recorded in the aforesaid Clerk's Office in Deed Book 240, page 705.

Subject to restrictions, covenants, conditions and easements of record.

Together with all and singular the buildings and improvements thereon, rights and privileges, tenements, hereditaments, easements and appurtenances unto the said land belonging or in anywise appertaining.

WITNESS the following signatures and seals.

FIRST CHURCH MINISTRIES A/K/A FIRST FREE
WILL BAPTIST CHURCH

BY *Jason Kilgore* (SEAL)
JASON KILGORE, TRUSTEE

BY *Steven G. Morse* (SEAL)
STEVEN G. MORSE, TRUSTEE

STATE OF VIRGINIA
CITY OF NEWPORT NEWS, to wit:

The foregoing instrument was acknowledged before me this 27th
day March, 2017, by Jason Kilgore and Steven G. Morse, Trustees of the First
Church Ministries a/k/a First Free Will Baptist Church.

Teresa H. Arnold
Notary Public Registration No. 7015230

My commission expires: 7/31/18



EXHIBIT A

All of that certain tract, piece or parcel of land situate, lying and being near Benn's Church, in Newport Magisterial District, Isle of Wight County, Virginia, containing Twenty-five (25) acres, and shown and designated as Parcel A, on that certain plat of survey styled "Plat Showing Property to be Conveyed to Mt. Zion Christian Schools, Inc., Isle of Wight County, Virginia, Scale 1"=200' July 12, 1972, Baldwin and Gregg, Ltd., Engineers-Surveyors-Planners, Portsmouth, Virginia, Norfolk, Virginia", of record in the Clerk's Office of the Circuit Court of Isle of Wight County in Plat Book 5 at Page 230, bounded and described with reference to the said plat of survey, as follows: Beginning at a point in the Northeast Boundary line of U.S. Route 10, as shown on the said plat of survey, a corner for the said Parcel A hereby conveyed and the property of Harry Goodrich, and running thence up and along the said highway N. 31°02'00" W. 344.83 feet, to the point, a corner; thence N.58°58" E. 160.00 feet to a point, a corner; thence N. 31°02'00" W. 380.00 feet to a point; a corner; thence N.58°58'00" E. 1,161.88 feet to a point; a corner, thence S. 31°02'00" E. 1,387.48 feet to a point; a corner; thence S. 73°49'14" W. 238.84 feet to a point, a corner, thence N. 50°11'40" W. 179.64 feet to a point thence N. 37°52'48" W.247.08 feet to a point; thence N. 1°43'33" W.180.81 feet, to a point, a corner for the said Parcel A, hereby conveyed, and the property of Harry Goodrich; and thence running S. 60°28'24" W. 1,091.49 feet to a point in the Northeastern boundary of U. S. Route 10, a corner for the said Parcel A hereby conveyed and the property of Harry Goodrich, the point of beginning.

Less, Save and Except that portion of property conveyed to the Commonwealth of Virginia containing 0.26 acres recorded by Certificate recorded in Deed Book 218 at Page 159 and by Order recorded in Deed Book 219 at Page 360.

It being the same property conveyed to H. J. Carver, S. Milton McKinney and Don R. Pegram, Trustees of First Free Will Baptist Church (n/k/a First Church Ministries) by Deed from Virginia National Bank dated July 26, 1976 and recorded August 25, 1976 in Deed Book 240 at Page 705.

Return to:

 Jones and Jones, P.C.
1600 S. Church Street
Smithfield, VA 23430

INSTRUMENT # 170001441
RECORDED IN THE CLERK'S OFFICE OF
ISLE OF WIGHT COUNTY ON
APRIL 3, 2017 AT 03:08PM
\$1,475.00 GRANTOR TAX WAS PAID AS
REQUIRED BY SEC 58.1-802
OF THE VA. CODE
STATE: \$737.50 LOCAL: \$737.50
SHARON N. JONES, CLERK
RECORDED BY: DDS



BENNIS SAINT LUKE
MANAGEMENT & DEVELOPMENT

**Re: Statement of Reason Prepared for Isle of
Wight County Department of Planning and
Zoning Application Special Use Permit.**

Wednesday, July 14, 2021

To the Isle of Wight County Department of Zoning and Planning,

Hello And Thank You Very Much For Being In Receipt Of. I Am Vincent C. Carollo, Principal Of Bennis Saint Luke, Llc. Management And Development. I Would Like To Present This Statement Of Reasons For Complimenting And Seeking The Conditional Use Permit Precise To Property Located 14353 Bennis Church Boulevard In Isle Of Wight County With Tax Parcel Identification Number 32-01-093.

My Purchase Of The Property In 2017, The Zoning Is Suburban Residential With Multiple Buildings In Existence To This Current Day. The Property Is Informally Known Today As The " Old Christian School" Consisting Of Two Academic Buildings Built In The Circa 1970-1972 And The Gymnasium Built In Circa 1982. Upon Commencement Of The School Enrollments Until 2007-2008, The School Was Fully Enrolled As A Private Academy With These Uses: A Private Academic Academy, Including Day Care On Premises. After The Academy In 2007-2008 Was Unsuccessful To Keep Enrollment At Operational Levels, The Academy Closed And Was Continued To Be Owned And Operated By Then Property Owners First Free Will Baptist Church Which Continued To Offer Day Care And Child Care Within The Same Building That Are Standing Today Which Southside Vineyards Church Currently The Tenant Profile Since Before My Company's Purchase In 2017.

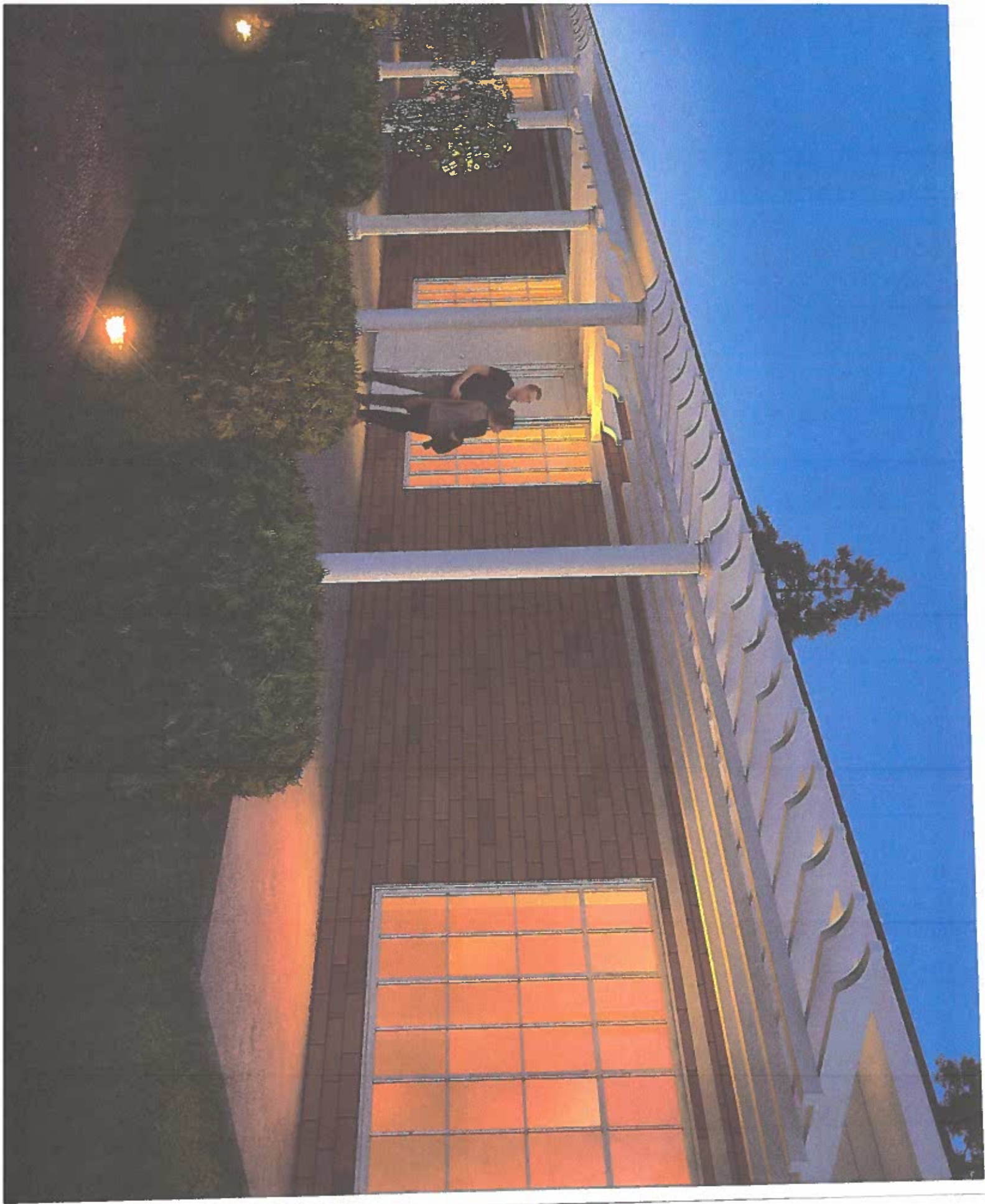
In May 2021 The Board Of Supervisors Had Requested To Staff And Planning Commission A Text Edit Amendment To The Current Zoning To Include Commercial Day Care And Child Care Use. Currently, At This Time Of Letter Of Statement, The Planning Commission And Staff Has Recommended For Approval A Text Edit Amendment And Bring Forward To Board Of Supervisors. I Believe And Understand The Formal And Official Vote On The Text Edit Amendment To Include Use Of A Commercial Use Child Day Care Services Within The Existing School Building Located At 14353 Bennis Church Blvd. Building 100 Will Be For Board Of Supervisors To Vote On July 15, 2021.

Thank You Very Much For Your Consideration,

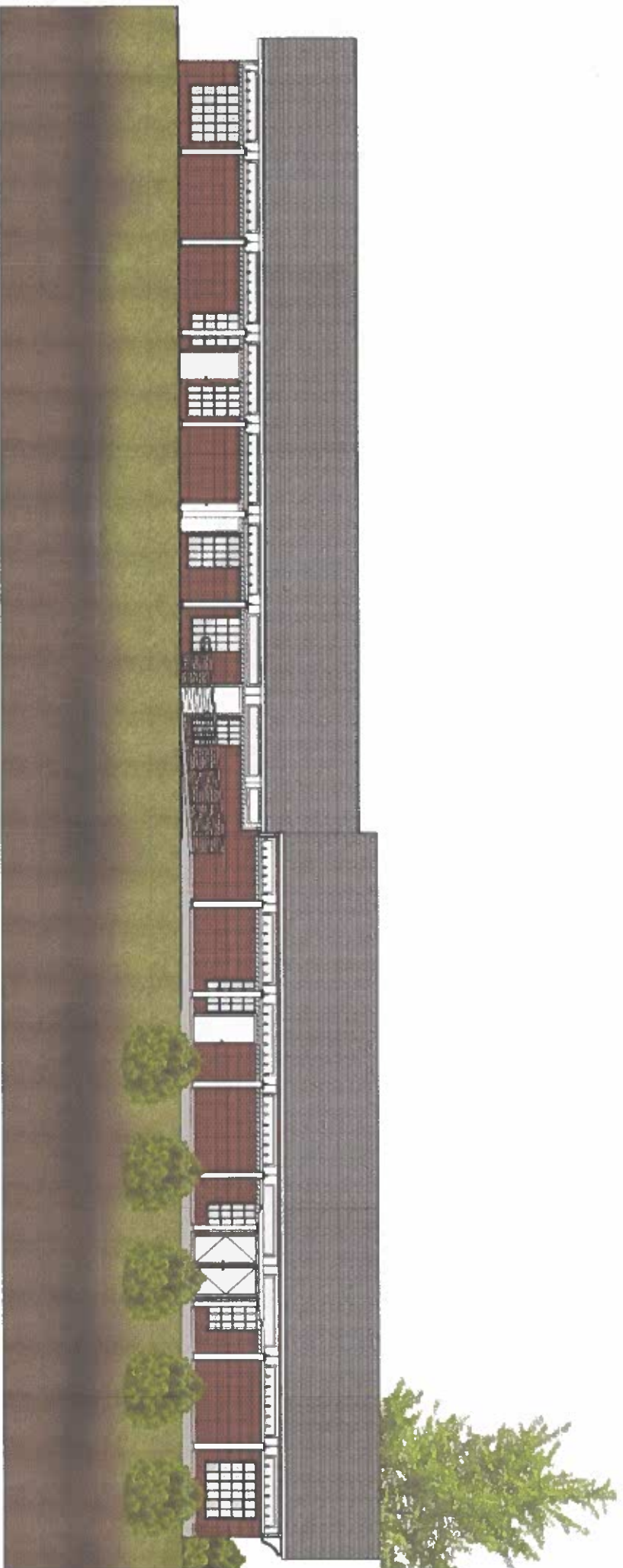
**Vincent C. Carollo
Principal
Bennis Saint Luke, LLC.**

Property details

- ☒ 24.9 acres partially wooded with 18,600 sq.ft school & 6,000 sq.ft gymnasium brick and mortar buildings.
- ☒ City water on site and septic system currently for townhomes and former school facility
- ☒ Public sewer available at frontage route 10
- ☒ Currently zoned suburban residential
- ☒ New comprehensive plan 2020 approved to mixed use planning district zoning
- ☒ Suitable for private academy school, child daycare use
- ☒ Located on route 10, the corridor of all new commercial and residential development



Existing Bldg. is being used.







7 Apartment Units – 1 Unfinished; 6 Leased / Occupied

EXISTING CONDITIONS DRAWINGS

14353 Bennis Church Blvd, Smithfield, VA 23430



OWNER:

AFC HOLDINGS, LLC
CONTACT: VINCENT CAROLLO
1887 SOUTH CHURCH STREET
SMITHFIELD, VA 23430
757-293-0887

SHEET INDEX:

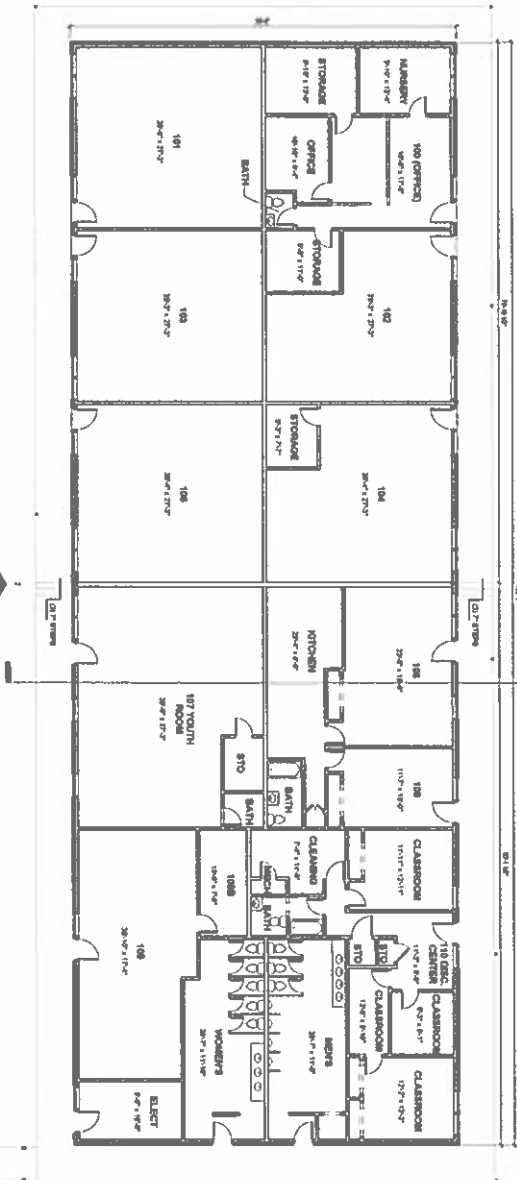
T1.01	TITLE SHEET
A1.01	FLOOR PLANS
A2.01	ROOF PLANS
A3.01	ELEVATIONS
A4.01	BUILDING SECTIONS
A5.01	BUILDING SECTIONS

DESIGN DATE: 03/14/17 BY: GTC CHK: GTC APP: GTC DATE: 03/14/17 BY: GTC CHK: GTC APP: GTC T1.01	TITLE SHEET	REVISION SCHEDULE <table><thead><tr><th>#</th><th>Description</th><th>Date</th><th>By</th></tr></thead><tbody><tr><td> </td><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td><td> </td></tr></tbody></table> This drawing and the design services it represents are the property of GuernseyTingle, LLC. No part of this drawing may be reproduced or transmitted in any form or by any means electronic or mechanical, including photocopying, recording, or by any information storage or retrieval system, without the prior written permission of GuernseyTingle, LLC.	#	Description	Date	By																																								
#	Description	Date	By																																											

BUILDING #1 FLOOR PLAN

8,240 SQ. FT. (GROSS)

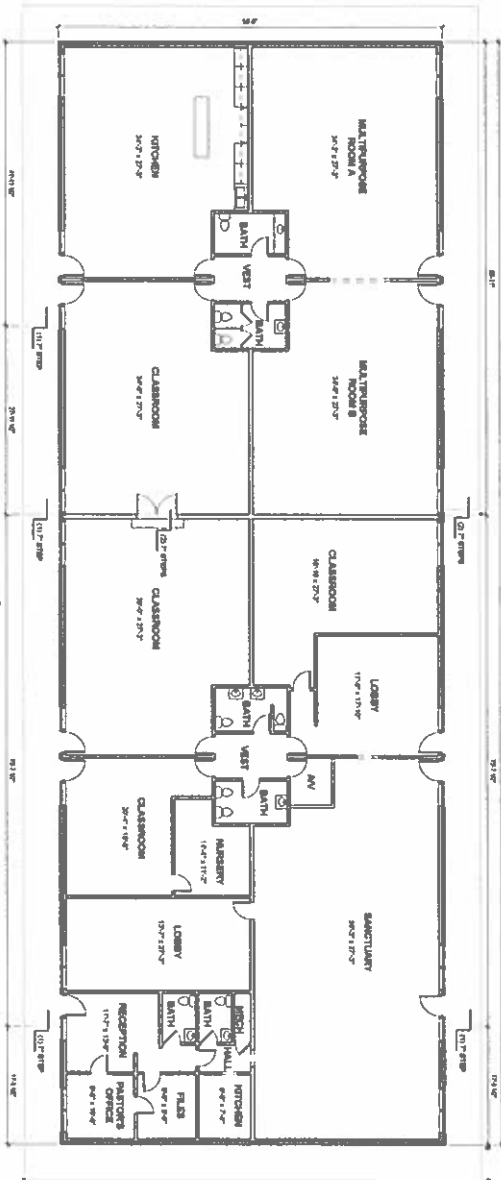
1/8" = 1'-0"



BUILDING #2 FLOOR PLAN

8,240 SQ. FT. (GROSS)

1/8" = 1'-0"



REVISION SCHEDULE		
NO.	DESCRIPTION	DATE

EXISTING CONDITIONS DRAWINGS

14353 Benne Church Blvd, Smithfield, VA 23430

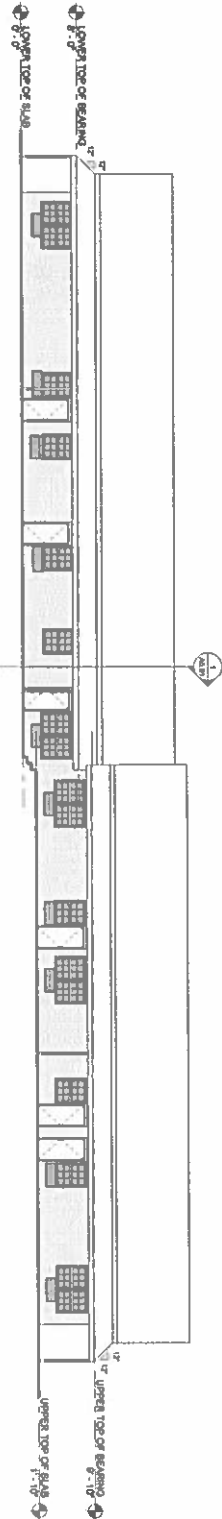
GuernseyTingle

757-220-0220
smithfield@guernseytingle.com

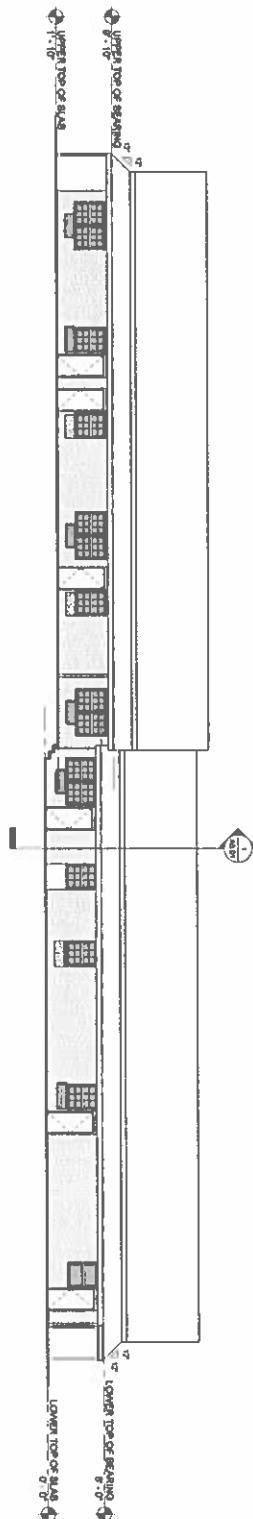
A2.01

Drawn: CMC, Checked: AYC
Project: 217000

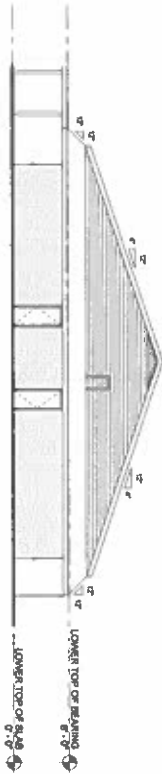
1 BLDG 1 - NORTH - EXISTING



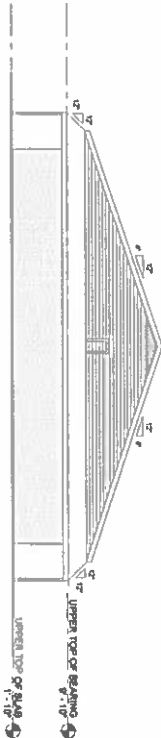
2 BLDG 1 - SOUTH - EXISTING



3 BLDG 1 - EAST - EXISTING



4 BLDG 1 - WEST - EXISTING



BUILDING #1
ELEVATIONS

REVISION SCHEDULE

Revision	Date

EXISTING CONDITIONS
DRAWINGS

14353 Benns Church Blvd, Smithfield, VA 23430

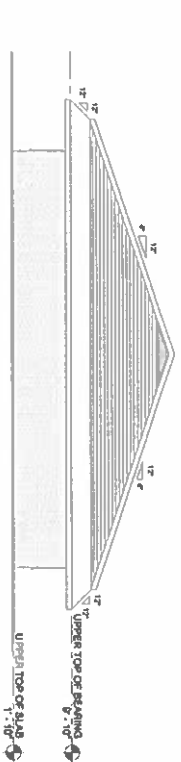
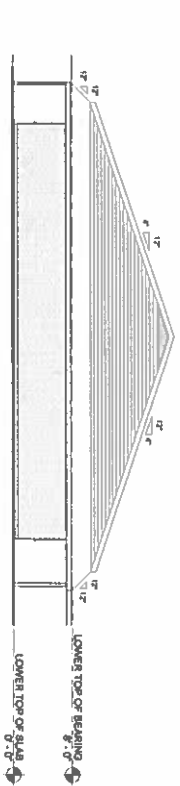
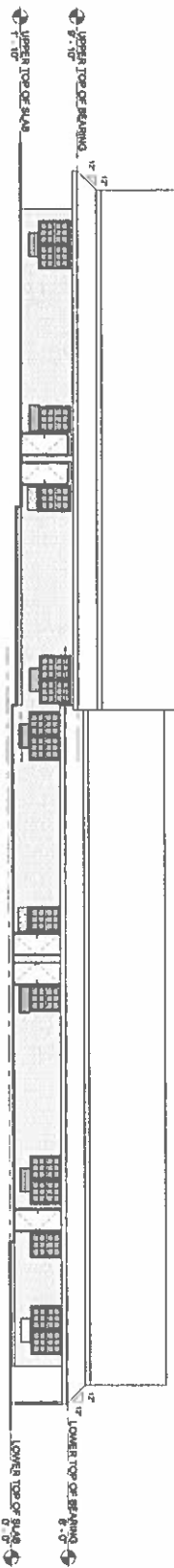
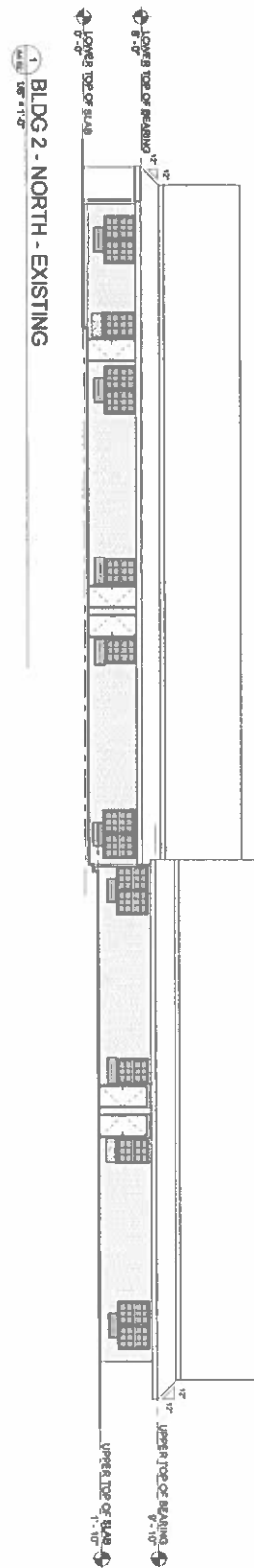


GuernseyTingle

757-720-0220 | 10311 Ambury, VA
guernseytingle.com

A4.01

Doc: 021417
Client: CHS Chemical LLC
Project: 217020



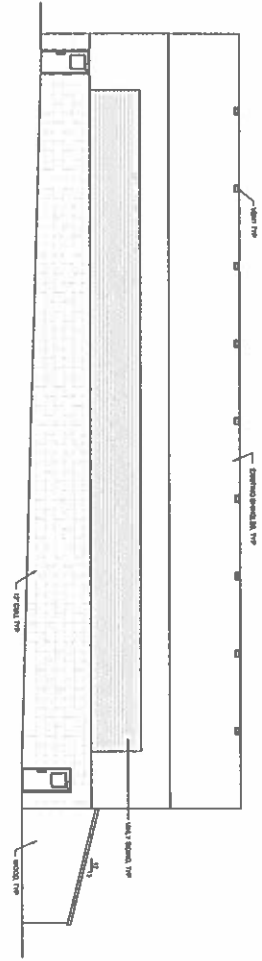
REVISIONS		
NO.	DESCRIPTION	DATE

EXISTING CONDITIONS
DRAWINGS

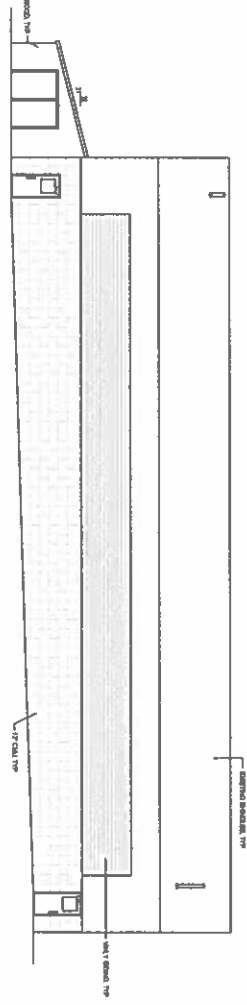
14353 Benns Church Blvd, Smithfield, VA 23430


GuernseyTingle

757-270-0220 Williamsburg, VA
guernseytingle.com



2 GYMNASIUM RIGHT SIDE ELEVATION - AS-BUILT
A-11 2022 07-17



1 GYMNASIUM LEFT SIDE ELEVATION - AS-BUILT
A-11 2022 07-17

NOTE:
• ALL EXISTING FIELD DIMENSIONS INDICATED
• ALL MATERIAL EXIST

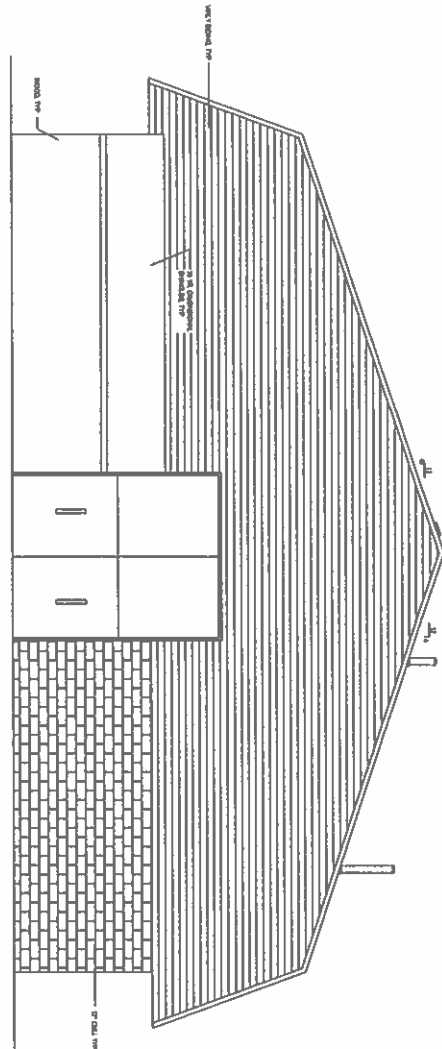
These documents are prepared by J.V.C. and J.V.C. is not responsible for any errors or omissions. The user of these documents is responsible for the accuracy of the information and the results of the design. The user of these documents is responsible for the accuracy of the information and the results of the design. The user of these documents is responsible for the accuracy of the information and the results of the design.

J.V.C HOLDINGS, LLC
1807 SOUTH CHURCH ST.
SMITHFIELD, VA 23430
'AS-BUILTS' FOR 14345 BENNS CHURCH BLVD
SMITHFIELD, VIRGINIA 23430

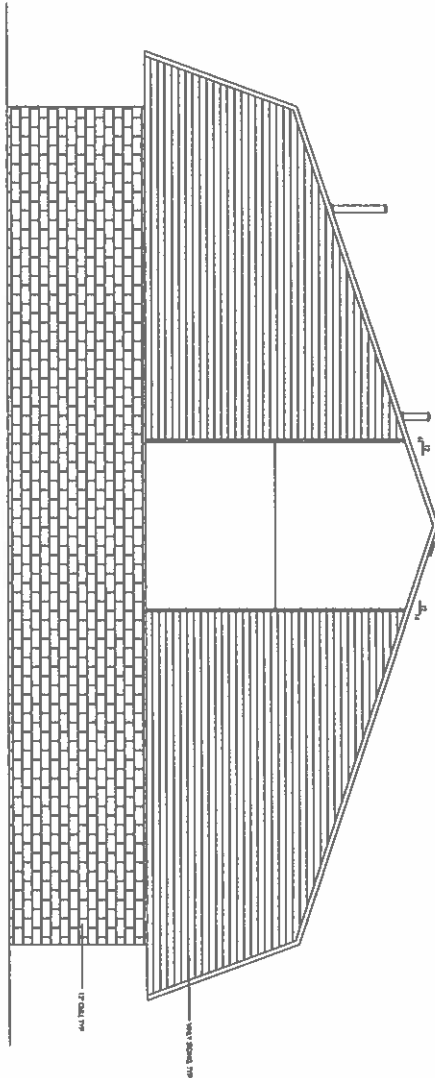
Project: 22-000-17
Revision: 01
Date: 08/22/2017

J.V.C. and
associates
planning architecture

A-11



1
A/B
GYMNASIUM REAR ELEVATION - AS-BUILT
SCALE 3/4" = 1'-0"



1
A/B
GYMNASIUM FRONT ELEVATION - AS-BUILT
SCALE 3/4" = 1'-0"

These documents are issued by AS-BUILT for the purpose of providing a record of the existing conditions of the building and its components. They are not intended to be used for any other purpose, including but not limited to, the design of new construction, the renovation of existing construction, or the repair of damaged construction. The user of these documents is responsible for verifying the accuracy of the information contained herein and for obtaining any necessary permits and approvals from the appropriate authorities. The user of these documents is also responsible for obtaining any necessary insurance coverage for the use of these documents. The user of these documents is not to be held liable for any damages, including but not limited to, the design of new construction, the renovation of existing construction, or the repair of damaged construction. The user of these documents is also responsible for obtaining any necessary insurance coverage for the use of these documents.

AS-BUILT
14345 BENNS CHURCH
SMITHFIELD, VIRGINIA 23430

Project: 22719
Architect: DBK
02/25/17

t.m.beverly and
associates
planning architecture



A-10

[illegible]

1. **NAME** _____
 2. **DATE** _____
 3. **TIME** _____

[illegible]

J V C HOLDINGS, LLC
1807 SOUTH CHURCH ST.
SMITHFIELD, VA 23430
'AS-BUILT'S' FOR 14345 BENNS CHURCH BLVD
SMITHFIELD, VIRGINIA 23430

t.m.beverly and
associates
planning architecture

Project	Date
Revision	Date
02/22/2017	

A-9



BENNIS SAINT LUKE
MANAGEMENT & DEVELOPMENT

Friday, August 6, 2021

Ms. Claire Jones
Assistant Director; Isle Of Wight Planning And Zoning
Re: Business Profile Of Child Daycare / Planning Commission
Isle Of Wight County, Virginia

Dear Claire,

Hello And How Are You. Thank You For Taking My Call Yesterday Concerning The 14353 Bennis Church Boulevard Potential Tenant Profile. With The Conditional Use Permit And Text Edit Amendment Approved By Last Months Board Of Supervisors Meeting: I Would Like To Submit Particulars Complimenting With My Company's Application For 14353 Bennis Church Boulevard Leading Into August 24, 2021 Planning Commission Public Hearing For A Child Daycare Tenant On This Property.

On Behalf Of Potential Tenant And Their Business Profile At Current Location, I Would Like To Present Business Evidences And Or Data Regarding To Their Current And New 14353 Bennis Church Blvd. Location. Such Business Indications Was Requested From Isle Of Wight Planning And Zoning Respects To The Application Submitted. If There Is Any Call That I May Be Of Assistance, Certainly It Will Be Done As Well The Tenant's 2021, And Or Representatives Will Be Willing To Answer Any Responsibilities.

Sincerely ,

Vincent C. Carollo
Principal Bennis Saint Luke, Llc

Leasing Landlord: Bennis Saint Luke, LLC.
Business Name: Kids Come 1St
Business Address: 1605 South Church Street. Smithfield, Virginia.
Business Hours: Monday - Friday, 6:00Am - 6:00Pm
Business Use: Child Daycare Expanding
Business Capacity At Current Location And New Location:
 Currently 99 Is Max Occupancy Inclusive With Staff At
 Currently At 15. The Number Of Children Is Based Off Of
 The Room Sizes Which Will Be Dictated By Social
 Services.

New Employment: 15 Staff Members Employed Currently And New
 Employment Opportunities Will Rise To
 Approximately New 15 Staff Members: Dictated By
 Social Services Laws And Or Compliances Of Ratios For
 Certification And Or New Enrollment Proportioning To
 Room Sizes And Kids Come 1St Infant Care Programs.

Child Daycare Enrollment: New Enrollment Is To Be Projected At This
 Current Time Minimum 125 Children With New Staff In
 Addition. The New Location Building Is 9,000 Square Feet
 Allowing For New Maximum Occupancy Greater Than 99
 Social Services Will Dictate Enrollment Population
 Based On All Conditions Of Room Sizes, Ratios Of
 Children To Staff Daycare Needs And Space Of Rooms
 And Facility Along With The Business Philosophy Of Kids
 Comes 1St.

Business Commencing: September Fall 2021

School Bus Traffic Hours: The Drops Off At The New Location Will Be On The
 Interior Of 14353 Benn Church Blvd. Such Campus Being
 In Exact Site. The Convenience Of Bus And Or Parents
 Drop Off And Pick Up Will Be Disciplined On The Interior
 Parking Lots Using Existing School Bus Area
 On Campus. Children Drop Off Begin At 7:30Am TO
 8:00Am And Pick Up 4:00Pm To 4:45Pm. Kids Come 1St
 Already Works Concert With The Public And Private
 Schools. Bus Services For Convenience To Family Parents
 In Use Of The Bussing Services From Westside, Hardy,
 Carrollton And Isle Of Wight Academy Schools.

Ownership Name: Kids Come 1St; Inc.
 Mr. Pete Mintz And Mrs. Jamie Mintz
 1605 South Church Street
 Smithfield, Virginia 23430
 Office: 757.357.2006

Property details

- ☒ 24.9 acres partially wooded with 18,600 sq.ft school & 6,000 sq.ft gymnasium brick and mortar buildings.
- ☒ City water on site and septic system currently for townhomes and former school facility
- ☒ Public sewer available at frontage route 10
- ☒ Currently zoned suburban residential
- ☒ New comprehensive plan 2020 approved to mixed use planning district zoning
- ☒ Suitable for private academy school, child daycare use
- ☒ Located on route 10, the corridor of all new commercial and residential development





**JAMES RIVER
CHRISTIAN ACADEMY
TEMPORARY MUSIC ROOM
SITE PLAN**

The image shows a document with a grid-like structure, possibly a ledger or a form. It has multiple columns and rows. The text is mostly illegible due to heavy horizontal and vertical lines, likely from a scanning artifact or a grid overlay. Some faint text is visible, including what appears to be a date "1964" and some numbers like "1000" and "10000". The document is oriented horizontally.



Rickmond Engineering, Inc.
 1845 Broadway Dept. 101 Box P-200 Memphis 2
 1845 Broadway Dept. 101 Box P-200 Memphis 2
 Memphis, TN 38208-1278 (901) 258-7715
 Fax: (901) 258-7716 Telex: (901) 258-7716



Existing Bldg. is being used.





7 Apartment Units – 1 Unfinished; 6 Leased / Occupied

EXISTING CONDITIONS DRAWINGS

14353 Bennis Church Blvd, Smithfield, VA 23430



OWNER:

APT HOLDINGS, LLC
CONTACT: VINCENT CAROLLO
1807 SOUTH CHURCH STREET
SMITHFIELD, VA 23430
757.267.6587

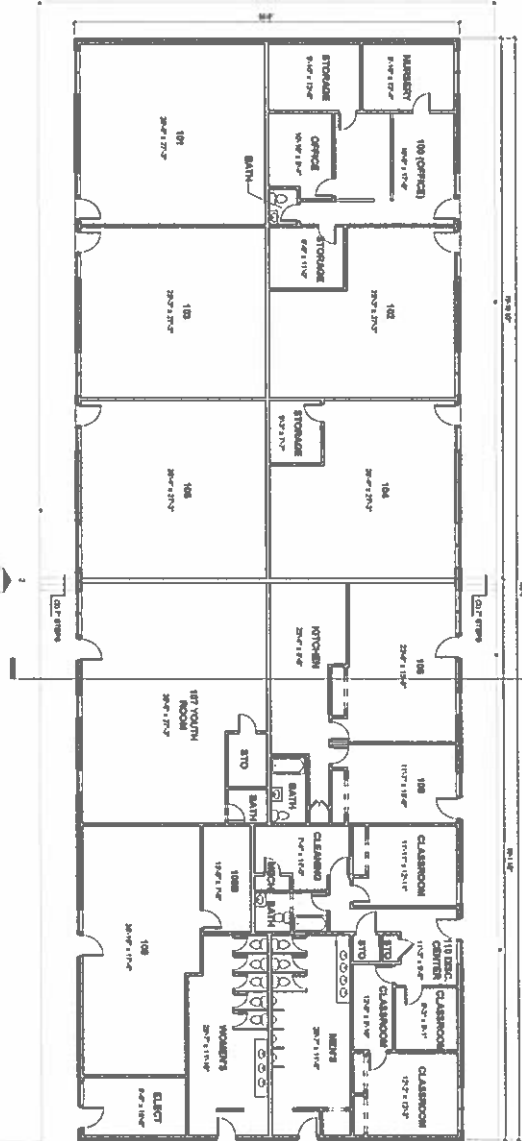
SHEET INDEX:

	TITLE SHEET
T1.01	
A1.01	FLOOR PLANS
A1.02	SECTION ELEVATIONS
A1.03	BUILDING ELEVATIONS
A1.04	BUILDING SECTIONS

BUILDING #1 FLOOR PLAN

3,240 SQ. FT. (GROSS)

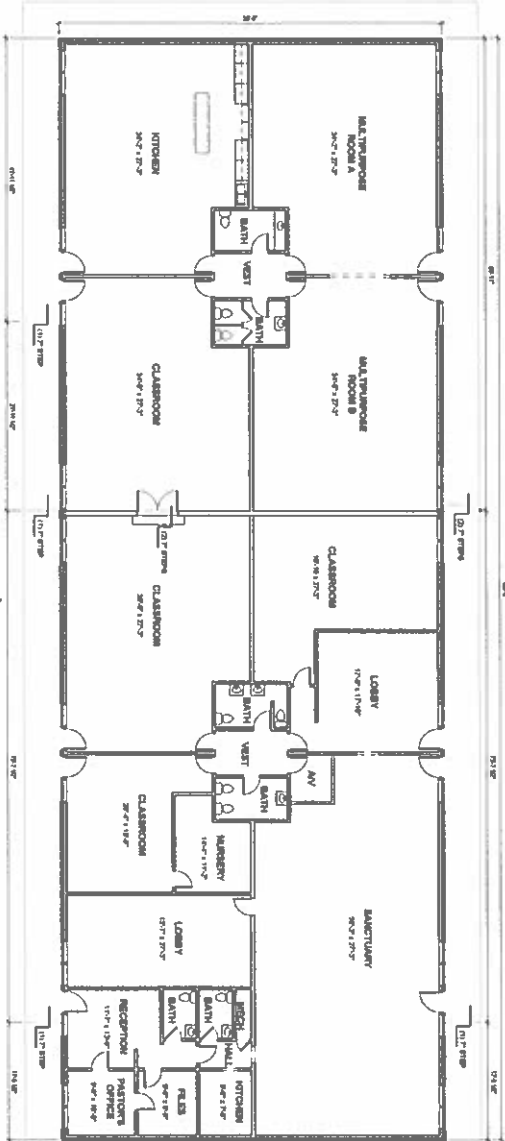
1/8" = 1'-0"



BUILDING #2 FLOOR PLAN

3,240 SQ. FT. (GROSS)

1/8" = 1'-0"



A2.01

Drawn: EBY/BJT
Checked: CMC/BJT
Project: 271000

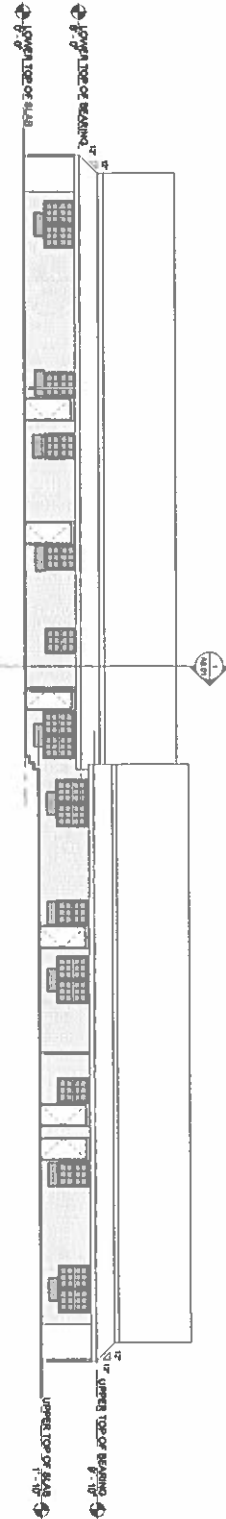
FLOOR PLANS

REVISION SCHEDULE		
#	Description	Issued

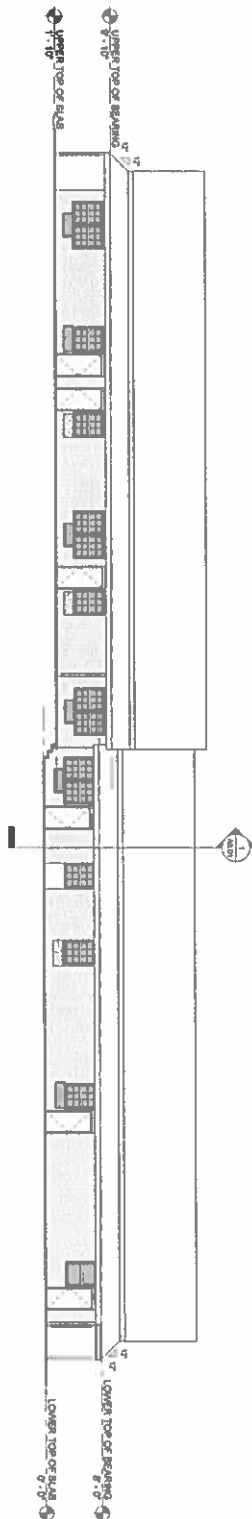
EXISTING CONDITIONS DRAWINGS

14353 Benne Church Blvd, Smithfield, VA 23430

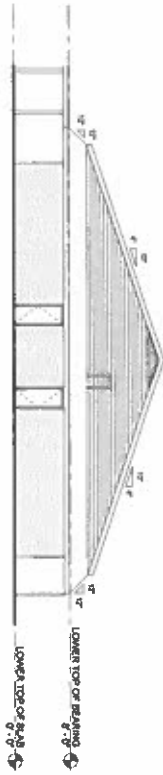
GuernseyTingle
757-270-0220 Williamsburg, VA
guernseytingle.com



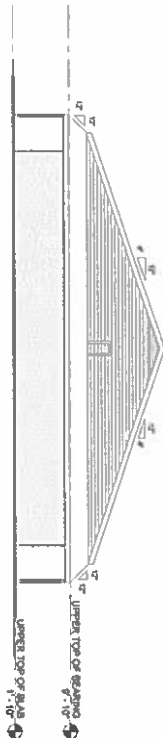
1 BLDG 1 - NORTH - EXISTING
1/8" = 1'-0"



2 BLDG 1 - SOUTH - EXISTING
1/8" = 1'-0"



3 BLDG 1 - EAST - EXISTING
1/8" = 1'-0"



4 BLDG 1 - WEST - EXISTING
1/8" = 1'-0"

EXISTING CONDITIONS DRAWINGS

14353 Benita Church Blvd, Smithfield, VA 23430

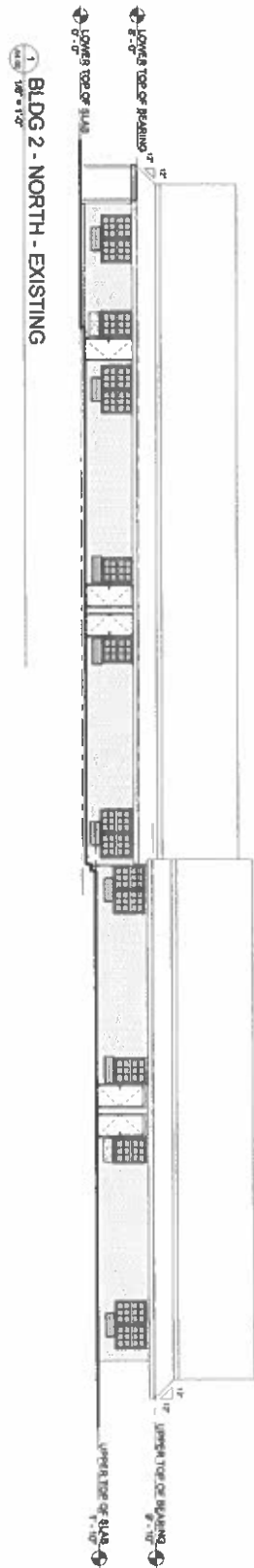
GuernseyTingle
757-270-0220 Williamsburg, VA
guernseytingle.com

REVISION SCHEDULE		
#	Description	DATE

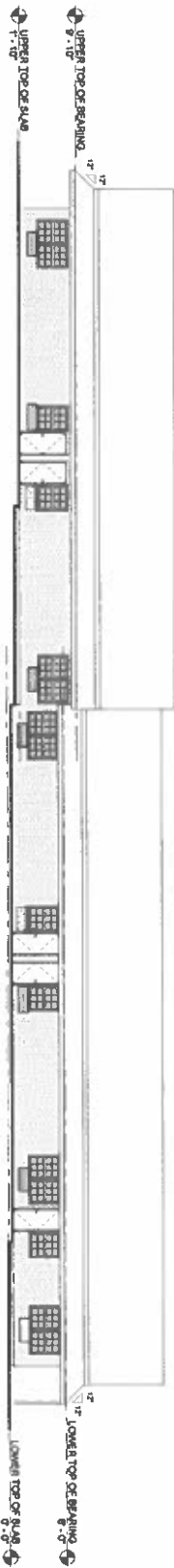
BUILDING #1
ELEVATIONS

Draw: 001/4/17
Client: CMC Capital, LLC
Project: 217003

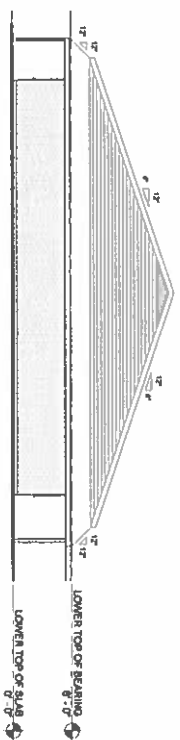
A4.01



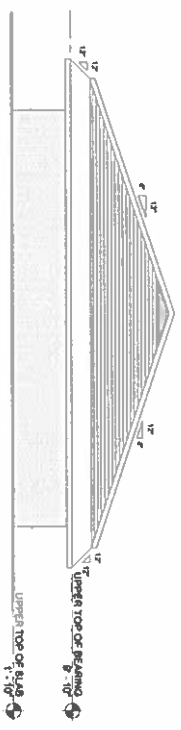
1 BLDG 2 - NORTH - EXISTING
1/8" = 1'-0"



2 BLDG 2 - SOUTH - EXISTING
1/8" = 1'-0"



3 BLDG 2 - EAST - EXISTING
1/8" = 1'-0"



4 BLDG 2 - WEST - EXISTING
1/8" = 1'-0"

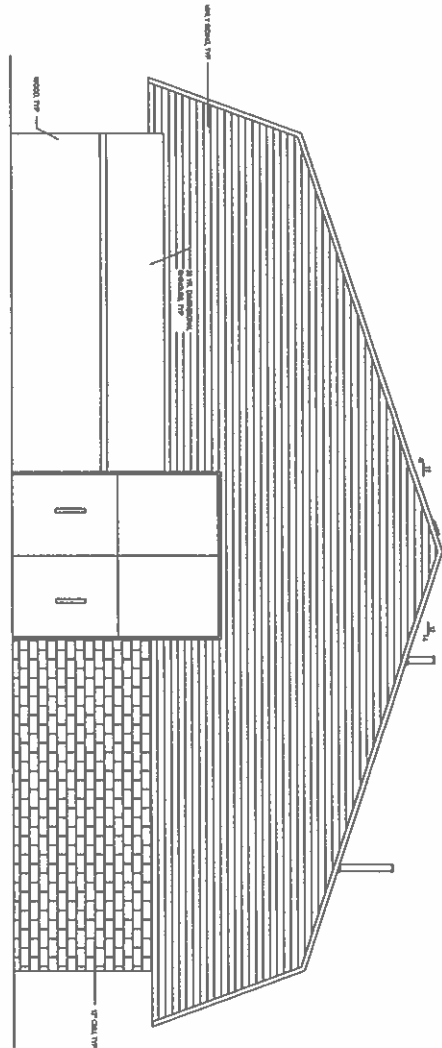
BUILDING #2
ELEVATIONS

REVISION SCHEDULE		
#	Description	Drawn

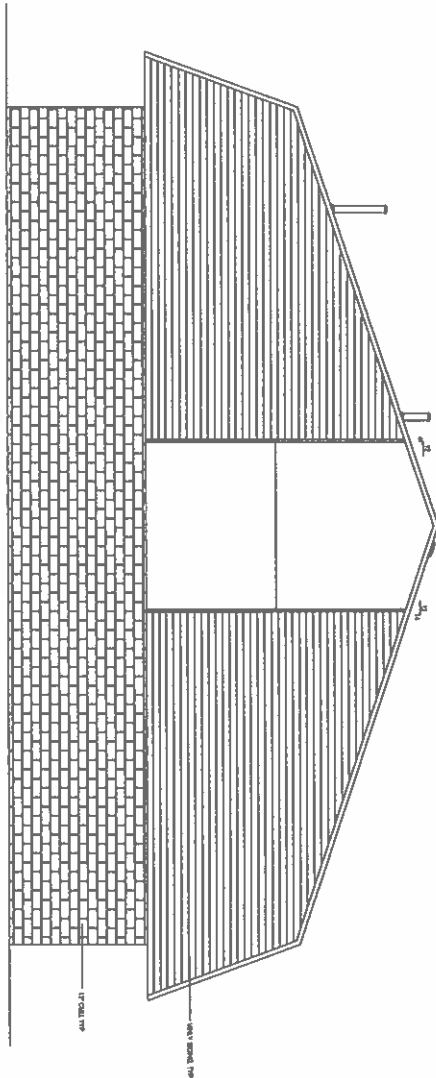
EXISTING CONDITIONS
DRAWINGS

14353 Bennis Church Blvd, Smithfield, VA 23430


GuernseyTingle
757-230-0820 Williamsburg, VA
guernseytingle.com



2 GYMNASIUM REAR ELEVATION - AS-BUILT
SCALE 1/8" = 1'-0"



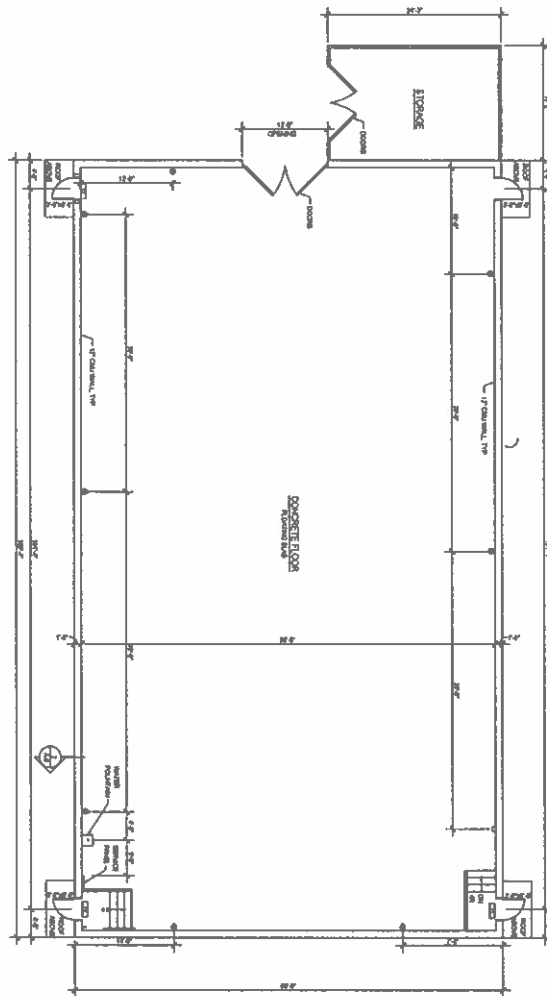
1 GYMNASIUM FRONT ELEVATION - AS-BUILT
SCALE 1/8" = 1'-0"

AS-BUILT
14345 BENNS CHURCH
SMITHFIELD, VIRGINIA 23430

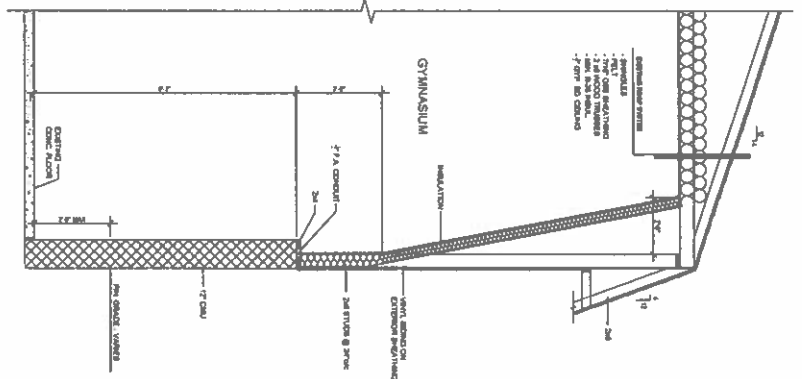
Project: 21-1001-17
Date: 02/22/2017
Prepared by: [Name]
Reviewed by: [Name]

t.m.beverly and
associates
planning architecture

A-10



1 FLOOR PLAN GYMNASIUM - AS-BUILT



2 TYPICAL WALL SECTION

ELECTRICAL LEGEND	
	120V/240V BRANCH CIRCUIT
	120V/240V BRANCH CIRCUIT WITH GFI
	120V/240V BRANCH CIRCUIT WITH AFCI
	120V/240V BRANCH CIRCUIT WITH AFCI AND GFI
	120V/240V BRANCH CIRCUIT WITH AFCI AND GFI AND 4-WIRE
	120V/240V BRANCH CIRCUIT WITH AFCI AND GFI AND 4-WIRE AND 125% DEMAND FACTOR
	120V/240V BRANCH CIRCUIT WITH AFCI AND GFI AND 4-WIRE AND 125% DEMAND FACTOR AND 125% DEMAND FACTOR
	120V/240V BRANCH CIRCUIT WITH AFCI AND GFI AND 4-WIRE AND 125% DEMAND FACTOR AND 125% DEMAND FACTOR AND 125% DEMAND FACTOR
	120V/240V BRANCH CIRCUIT WITH AFCI AND GFI AND 4-WIRE AND 125% DEMAND FACTOR AND 125% DEMAND FACTOR AND 125% DEMAND FACTOR AND 125% DEMAND FACTOR

	120V/240V BRANCH CIRCUIT
	120V/240V BRANCH CIRCUIT WITH GFI
	120V/240V BRANCH CIRCUIT WITH AFCI
	120V/240V BRANCH CIRCUIT WITH AFCI AND GFI
	120V/240V BRANCH CIRCUIT WITH AFCI AND GFI AND 4-WIRE
	120V/240V BRANCH CIRCUIT WITH AFCI AND GFI AND 4-WIRE AND 125% DEMAND FACTOR
	120V/240V BRANCH CIRCUIT WITH AFCI AND GFI AND 4-WIRE AND 125% DEMAND FACTOR AND 125% DEMAND FACTOR
	120V/240V BRANCH CIRCUIT WITH AFCI AND GFI AND 4-WIRE AND 125% DEMAND FACTOR AND 125% DEMAND FACTOR AND 125% DEMAND FACTOR
	120V/240V BRANCH CIRCUIT WITH AFCI AND GFI AND 4-WIRE AND 125% DEMAND FACTOR AND 125% DEMAND FACTOR AND 125% DEMAND FACTOR AND 125% DEMAND FACTOR

J.V.C HOLDINGS, LLC
1807 SOUTH CHURCH ST.
SMITHFIELD, VA 23430
'AS-BUILT' FOR 14345 BENNS CHURCH BLVD
SMITHFIELD, VIRGINIA 23430

Project: 22 FCB 17
Revision: 02/22/2017

t.m.beverly and
associates
planning architecture

A-9



COMMONWEALTH of VIRGINIA

DEPARTMENT OF TRANSPORTATION

23116 Meherrin Road
COURTLAND, VIRGINIA 23837

July 30, 2021

Amy Ring
Isle of Wight Planning and Zoning
P. O. Box 80
17140 Monument Circle
Isle of Wight, VA 23397

**RE: CUP-04-21 James River Christian Academy Day Care Conditional Use Permit
Tax Map #32-01-093
14353 Benn's Church Blvd (Route 10/258)
Isle of Wight County**

The Residency has completed its review of the subject conditional use permit application dated July 19, 2021 and received by the VDOT Land Development Office on July 27, 2021. We offer the following comment:

- 1) Current conditions at the site consist of no right turn lane, and a 150' x 100' left turn lane and taper into the site. Currently, the entrance is utilized by 2 apartment buildings consisting of approximately 7 units. As redevelopment/repurposing of the site continues, it is likely that infrastructure improvements may become necessary. Site trip generation should be provided in accordance with the ITE Trip Generation manual, and the applicant should provide turn lane warrants looking at the need for right and left turn lanes into the site with the change to allow the daycare use. Existing site traffic should be included in the analysis.

If you have any questions, please contact me at 757-346-3068 or Joshua.Norris@vdot.virginia.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "Joshua R. Norris".

Joshua R. Norris
Land Use Engineer
Virginia Department of Transportation
Franklin Residency

James River Christian Academy Child Care Center CUP Request
Application Number CUP-04-21
14353 Benns Church Boulevard

VICINITY MAP



SOURCE: Isle of Wight County 2017 Aerial Photography and Parcel Data August 17, 2021



James River Christian Academy Child Care Center CUP Request
Application Number CUP-04-21
14353 Benns Church Boulevard

FUTURE LAND USE MAP



SOURCE: Isle of Wight County 2017 Aerial Photography and Parcel Data
Created August 24, 2021



James River Christian Academy Child Care Center CUP Request
Application Number CUP-04-21
14353 Benns Church Boulevard

ZONING MAP



RESOLUTION NUMBER PC-21-07

**ISLE OF WIGHT COUNTY PLANNING COMMISSION
A RESOLUTION TO PRESENT A REPORT AND RECOMMENDATION
TO THE BOARD OF SUPERVISORS RELATING TO CONDITIONAL USE PERMIT
REQUEST CUP-04-21 FOR A CHILD CARE CENTER AT 14353 BENNS CHURCH
BOULEVARD WITH TAX MAP NUMBER 32-01-093**

WHEREAS, Vincent C. Carollo of Benns Saint Luke, LLC, applicant and property owner, has requested a conditional use permit to allow a child care center of up to 9,000 square feet on the property located at 14353 Benns Church Boulevard with tax map number 32-01-093; and

WHEREAS the procedural requirements for the consideration of this request by the Planning Commission have been met.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of Isle of Wight County, that:

Section 1. Findings.

- _____ A. The Isle of Wight County Planning Commission finds that the proposed amendment to conditional zoning is reasonable and warranted due to a change in circumstances affecting the property and has considered the following factors and finds that the proposed rezoning does not conflict with:
1. the existing use and character of property within the County;
 2. the Comprehensive Plan;
 3. the suitability of the property for various uses;
 4. the trends of growth or change;
 5. the current or future requirements of the community as to land for various purposes as determined by population and economic studies and other studies;
 6. the transportation requirements of the community;
 7. the requirements for airports, housing, schools, parks, playgrounds, recreation areas and other public services;
 8. the conservation of natural resources;
 9. the preservation of floodplains;
 10. the preservation of agricultural and forestal land;
 11. the conservation of properties and their values; and

12. the encouragement of the most appropriate use of land throughout the County.

_____ B. The Isle of Wight County Planning Commission does not find that the proposed zoning map amendment is reasonable based on the consideration of the factors listed herein.

Section 2. Recommendation to Board of Supervisors.

The Planning Commission recommends to the Board of Supervisors that the request with application number CUP-01-21 be:

- ___ a. Granted as submitted, and that the Board of Supervisors adopt the proposed Ordinance without modification.
- ___ b. Denied, and that Board of Supervisors not adopt the proposed Ordinance.
- ___ c. Granted with the modifications set forth on the attached listing of specific recommendations, and that the Board of Supervisors adopt the proposed Ordinance with such modifications.

DATE: _____

READ AND PASSED: _____
Chairman, Isle of Wight County Planning Commission

TESTE: _____
Secretary, Isle of Wight County Planning Commission

Approved as to Form:

Robert W. Jones, Jr., County Attorney

PLANNING REPORT

PLANNING REPORT

APPLICATION:

Application of Isle of Wight County Public Works Department, applicant, for an Exception to Section 6-1010.A.11 of the Highway Corridor Overlay (HCO) District regulations to allow a six foot tall Vinyl Coated Chainlink Fence around the Wrenn's Mill Refuse and Recycling Center located at 8196 Old Stage Highway with tax map number 13-01-035

ELECTION DISTRICT:

Hardy

LOCATION:

The proposed new, black or green vinyl coated chain link fence will replace the existing, uncoated chainlink fence that currently surrounds the perimeter of the Wrenn's Mill Refuse and Recycling Center located at 8196 Old Stage Highway.

BACKGROUND:

The County Public Works Department plans to make site and traffic flow improvements to the existing convenience center. The new, replacement fence will be installed as part of these improvements.

DESCRIPTION:

The Public Works Department submitted an exception request to Section 6-1010.A.11 of the Highway Corridor Overlay district regulations which prohibit chainlink fencing in the district. The applicant proposes to use black or green vinyl coated chainlink fencing around the refuse and recycling center facilities. The new fence will serve to provide security to the facilities, while the center is closed. The new fence will be located interior to the site, and due to the presence of the landscape buffer between the facility and the road, the new fence will not be readily visible from the road.

COMPREHENSIVE LAND USE PLAN:

The future land use designation for this property is Civic (CI) on the Future Recommended Land Use map in the adopted Comprehensive Plan. The recommended land uses for the CI areas include a wide variety of government and

institutional facilities. The CI land use consists of government facilities such as offices and schools but also things like parks, museums, and County refuse centers. Because of the nature of civic and institutional uses they may be located inside Development Service Districts (DSDs) or outside DSDs in rural areas. The CI land use is best located on major transportation routes or major intersections or with easy access to those facilities.

ORDINANCE REVIEW:

Although Section 5-2000.G.2 normally exempts fence location and height limits for public utility facilities, Section 6-1010.A.11 specifically prohibits the use of chain link fences in the HCO district. Section 6-1015 allows the Board of Supervisors to grant exceptions to the HCO requirements, following a recommendation by the Planning Commission, based on the following criteria:

1. Such exception shall be no less beneficial to the residents or occupants of the development, as well as neighboring property, that would be obtained under the applicable regulation;
2. That the exception is reasonable because of the high level of design and construction that will be incorporated in the development; and
3. That the exception will result in design and construction that is in accordance with accepted engineering and building standards.

AGENCY REVIEW:

The applications were distributed to the following departments and agencies for review and comment:

- County Utility Services Department
- Virginia Department of Transportation (VDOT)

Both departments have expressed their approval of the request.

STAFF CONCLUSIONS:

Strengths:

1. The potential visual impact of the black or green vinyl coated chainlink fence has been minimized by locating it interior to the site and maintaining existing buffer landscaping around it.
2. The proposed fence type is consistent with its typical use of providing security fencing around public utility sites.

Weaknesses:

1. The exception request to use chainlink fencing which is prohibited in the HCO district is not consistent with the goal of the district to assure respect for and to reduce incompatible and adverse impacts on the visual experience from the highway.

STAFF RECOMMENDATION:

Based on the strengths of the application, staff recommends approval of the exception request to use a black or dark green vinyl coated chain link fence to secure the convenience center facilities.

ATTACHMENTS:

Description	Type	Upload Date
Exception Application	Backup Material	8/18/2021
Site Plan	Backup Material	8/18/2021
Vicinity Map	Backup Material	8/18/2021
Future Land Use Map	Backup Material	8/18/2021
Zoning Map	Backup Material	8/18/2021



Local Roots. Global Reach

ISLE OF WIGHT COUNTY, VIRGINIA

Department of Public Works

August 3 ,2021

Amy Ring, Director of Community Development

RE: Wrenn's Mill Refuse and Recycling Center Project

Ms. Ring,

We appreciate the opportunity to submit for an exception of the fence requirements defined with the HCO ordinance.

The Wrenn's Mill Refuse and Recycling Center Project is much needed to provide storm water improvements, improve onsite accessibility, and enhance site safety.

The new plan calls for the replacement of an existing chain link fence which has reached its life expectancy. To provide all the improvement needed the fencing will need to be reconfigured from its original footprint as depicted on the new plans.

The installation of ornamental fencing is not a desired option as it will not the hinder entrance of animals which often visit the centers.

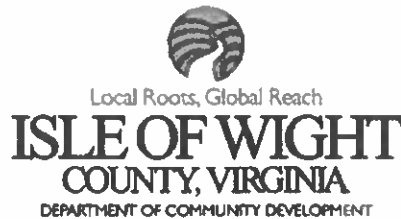
We propose the installation of black or green vinyl coated chain link fencing with matching poles, gates, and associated hardware.

The new fencing will remain primarily hidden by existing buffering.

Thank you for assistance in this matter.

Sincerely,

Tony Wilson
Isle of Wight County
Director of Public Works



APPLICATION FOR EXCEPTIONS

This application should be used to petition for an exception for certain uses which, because of their unique characteristics, but which may, under the right set of circumstances and conditions be acceptable.

A. APPLICATION FOR (CHECK ALL THAT APPLY):

☐ Chesapeake Bay Preservation Area Ordinance Exception

☐ Major ☐ Minor

☐ Newport Development Service Overlay District Exception

☒ Highway Corridor Overlay District Exception

☐ Signage Exception

☐ Subdivision Ordinance Waiver

☐ Other (please list) _____

The proposal is a request to Section (s) _____ of the Chesapeake Bay Preservation Area Ordinance, the Isle of Wight County Zoning Ordinance, or the Isle of Wight County Subdivision Ordinance.

Proposed Use or Activity: BLACK OR GREEN VINYL COATED
CHAIN LINK FENCE AROUND LORENN'S MILL CONVENIENCE
CENTER

B. PROJECT DESCRIPTION:

Project Name: LORENN'S MILL CONVENIENCE CENTER FENCE

Property Address (if any): 8196 OLD STAGE HIGHWAY

Comprehensive Plan Designation: CIVIC

The exception will apply to 7 acres out of 7 total acres

Tax Parcel Identification # 13-01-035 Number of acres to be effected: 7

Proposed Utilities (check all that apply): Public Water _____ Private Well _____

Public Sewer _____ Private Septic _____

N/A

C. APPLICATION INFORMATION:

Applicant(s) Name(s): TONY WILSON, PUBLIC WORKS

Address: PO BOX 80

City, State, Zip Code: ISLE OF WIGHT, VA 23397

Phone No.: _____ Email: _____ Fax No.: _____

Property Owner(s) Name(s): VDOT

Address: _____

City, State, Zip Code: _____

Phone No.: _____ Email: _____ Fax No.: _____

NOTICE: THE ATTACHED CHECKLIST MUST BE COMPLETED, CERTIFIED, AND SUBMITTED OR THE APPLICATION WILL BE CONSIDERED INCOMPLETE.

Remit Application to: Isle of Wight County Central Permitting, 17140 Monument Circle, Suite 100
P. O. Box 80, Isle of Wight, Virginia 23397

FOR OFFICE USE ONLY:

Complete Application Received On: 8/4/21 Fees Paid: N/A

Tax Query: ☐ Current ☐ Delinquent Distribution Date: 8/4/21

Posted/Date to Post: N/A

AGENCIES REFERRALS:

☐ Department of Conservation & Recreation
☐ Economic Development
☐ Emergency Services
☒ General Services
☐ Environmental Planner
☐ Health Department
☐ Transportation Manager
☐ Commission of Revenue
☐ Other _____

☐ Inspections
☐ Sheriff's Office
☐ Town of Smithfield
☐ Town of Windsor
☒ VDOT
☐ Schools
☐ Budget & Finance
☐ County Attorney

Verified By: Mym. Buz Date: 8/4/21



Local Roots, Global Reach
ISLE OF WIGHT
COUNTY, VIRGINIA
 DEPARTMENT OF COMMUNITY DEVELOPMENT

SUBMITTAL CHECKLIST FOR EXCEPTION APPLICATIONS

In accordance with Section 5002, *Exceptions*, of the Chesapeake Bay Preservation Area Ordinance, and in accordance with Section 6-1015, *Exceptions*, Section 6-2011, *Exceptions*, and Section 9-1013, *Exceptions*, of the Isle of Wight County Zoning Ordinance, the following information shall be submitted for an exception application. Please note that it is the applicant's responsibility to ensure that the application is in compliance with all Federal, State and County regulations.

No application for an exception shall be certified as complete unless the following information and minimum number of copies are provided, unless the number of required copies is reduced by the Zoning Administrator:

1. ~~Ten (10)~~ ^{ONE} copies of the original, executed application and one (1) original executed application. Both the applicant(s) and the property owner(s) must have their signature(s) notarized on page 2 of the application.
2. The appropriate fees have been submitted with the application. Checks should be made payable to: Treasurer, Isle of Wight County.
3. ~~Ten (10)~~ ^{ONE} copies of a statement of the reasons for seeking such exception.
4. ~~Ten (10)~~ ^{ONE} copies of a narrative description of the property which shall include the Tax Parcel Identification Number.
5. One (1) copy of the most recent deed(s) for the property(s) associated with the application.
6. A concept plan of the site to show all existing and proposed physical improvements and such other information as is necessary to clearly indicate to the reviewing body that adequate provisions have been made for compliance with all standards for that particular use, the extent of the property to be so used on a given parcel or parcels, and information defining the requested exceptions. The plan shall be prepared by the appropriate authorized design professional licensed to practice in Virginia. No person shall prepare or certify design elements of site plans which are outside the limits of their professional expertise and license. Such document shall be drawn to scale and shall include the following information:
 - o A vicinity map at a scale of no less than one (1) inch equals two thousand (2,000) feet
 - o Title of drawing
 - o Date of drawing
 - o Existing wood line
 - o North arrow
 - o Scale bar
 - o Current zoning of parcel(s), including tax map number(s) and owner(s)
 - o Current zoning of adjacent parcel(s), including tax map number(s) and owner(s)
 - o Street names including route number and width(s) of the right-of-way(s)
 - o Ten (10) full size copies, with one (1) reduced 11-inch X 17 inch copy shall be submitted
 - o Please note that additional information on the site layout may be requested by the Zoning Administrator during the review process in order to more effectively review the application and prepare the staff reports for the appropriate reviewing body

7. For CBPA Exception applications, a major or minor water quality impact assessment as required by the application type which meets the criteria in Section 4003 of the Chesapeake Bay Preservation Area Ordinance must be submitted at the time of application.
8. Such other information as may be necessary to demonstrate compliance with all other applicable federal, state and County standards and regulations.
9. All real estate taxes must be paid and current at the time of submittal; otherwise, the submittal will be refused at the counter. Proof of the most recent tax payment to the County must accompany the application.

I, the undersigned, certify that this application is complete, accurate and contains all required and requested information, documents and other submittals, and that all statements made herein are, to the best of my knowledge, true and correct. I further certify that I have exercised due diligence to obtain the most recent, complete and correct information available. I understand that any section not completed in its entirety may delay processing of this application.

Tony Wilson
Printed or Typed Name

[Signature]
Signature

8-3-2021
Date

SITE STATISTICS	
PROJECT AREA =	1.91 ACRES
EXISTING IMPERVIOUS=	0.97 ACRE
EXISTING GREEN=	2.47 ACRE
PROPOSED IMPERVIOUS=	1.39 ACRES
PROPOSED GREEN=	2.05 ACRES
DISTURBED AREA=	1.91 ACRES

ISLE OF WIGHT COUNTY, VA
DEPARTMENT OF UTILITY SERVICES

WRENN'S MILL
REFUSE AND RECYCLING CENTER
SITE PLAN AND DRAINAGE IMPROVEMENTS
100% DESIGN PLANS
JULY 2021

SHEET LIST		
SHEET	DWG #	SHEET TITLE
1	T-1	COVER SHEET
2	G-1	GENERAL NOTES
3	C-1	EXISTING CONDITIONS
4	C-2	DEMOLITION
5	C-3	LAYOUT AND LANDSCAPE PLAN
6	C-4	GRADING AND DRAINAGE
7	C-5	CROSS SECTIONS
8	C-6	LIGHTING PLAN
9	D-1	EROSION AND SEDIMENT CONTROL NOTES
10	D-2	EROSION AND SEDIMENT CONTROL DETAILS
11	D-3	TRAFFIC CONTROL AND FENCE DETAILS



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submittal

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REVISIONS	DATE

ISLE OF WIGHT COUNTY
DEPARTMENT OF UTILITY SERVICES

17140 MONUMENT CIRCLE
#201

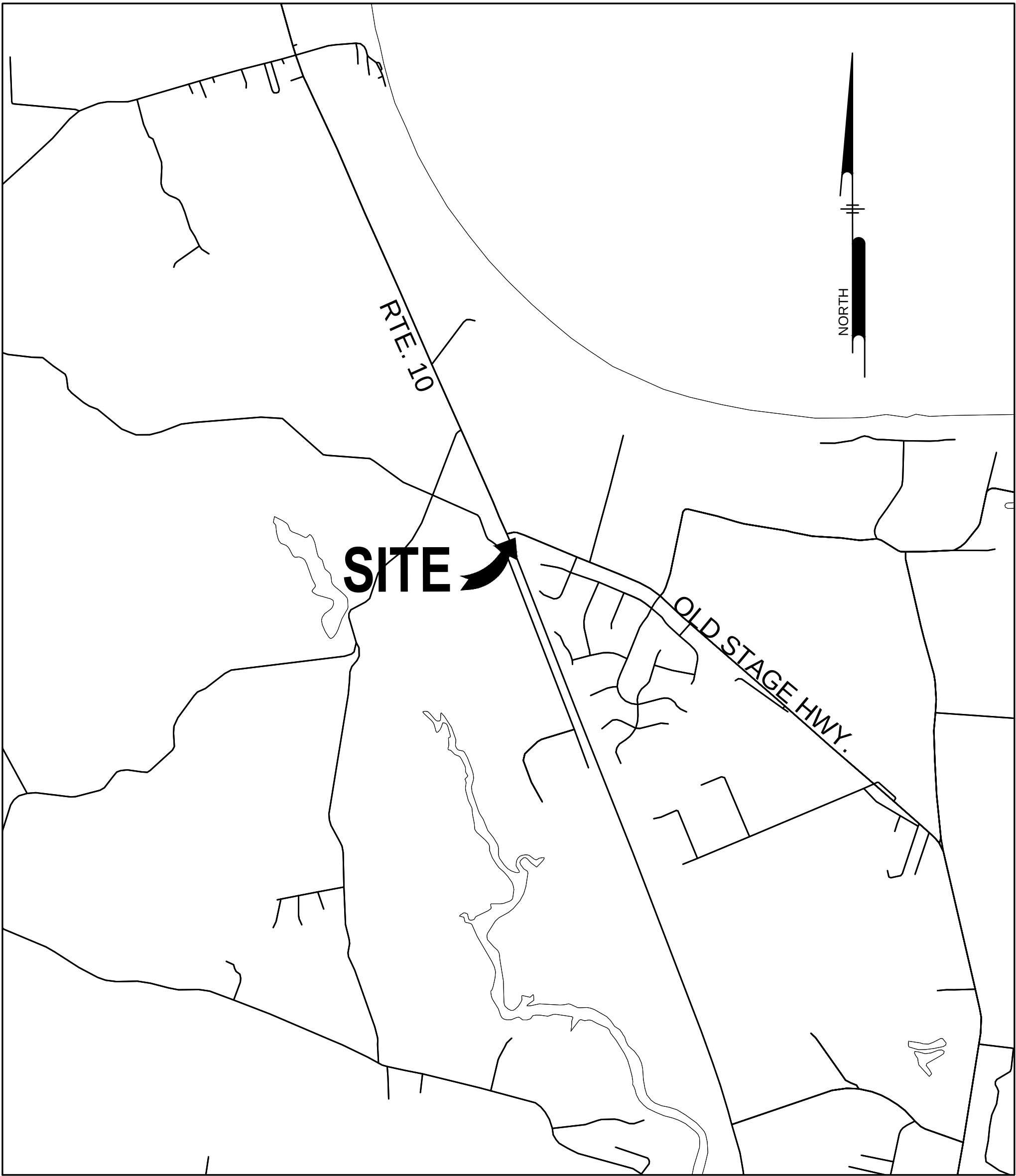
ISLE OF WIGHT - VA
Phone 757-365-1659

WRENN'S MILL REFUSE AND
RECYCLING CENTER SITE PLAN AND
DRAINAGE IMPROVEMENTS

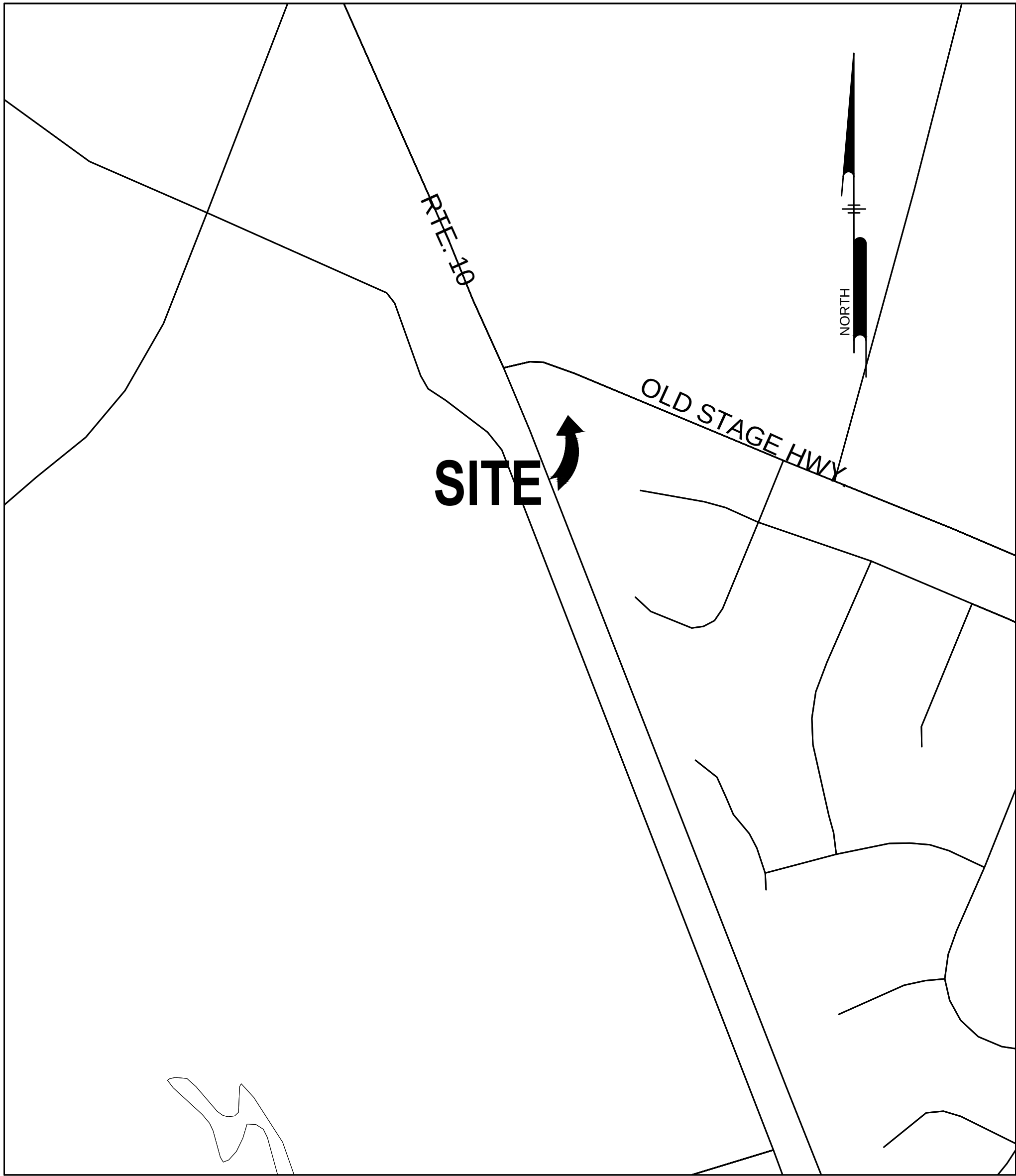
COVER SHEET

DRAWN BY: MD
DESIGNED BY: MH
DATE: JULY 2021
SCALE: 1" = 20'

DRAWING
T-1
SHEET 1 OF 11



SITE MAP
SCALE: 1" = 2,000'



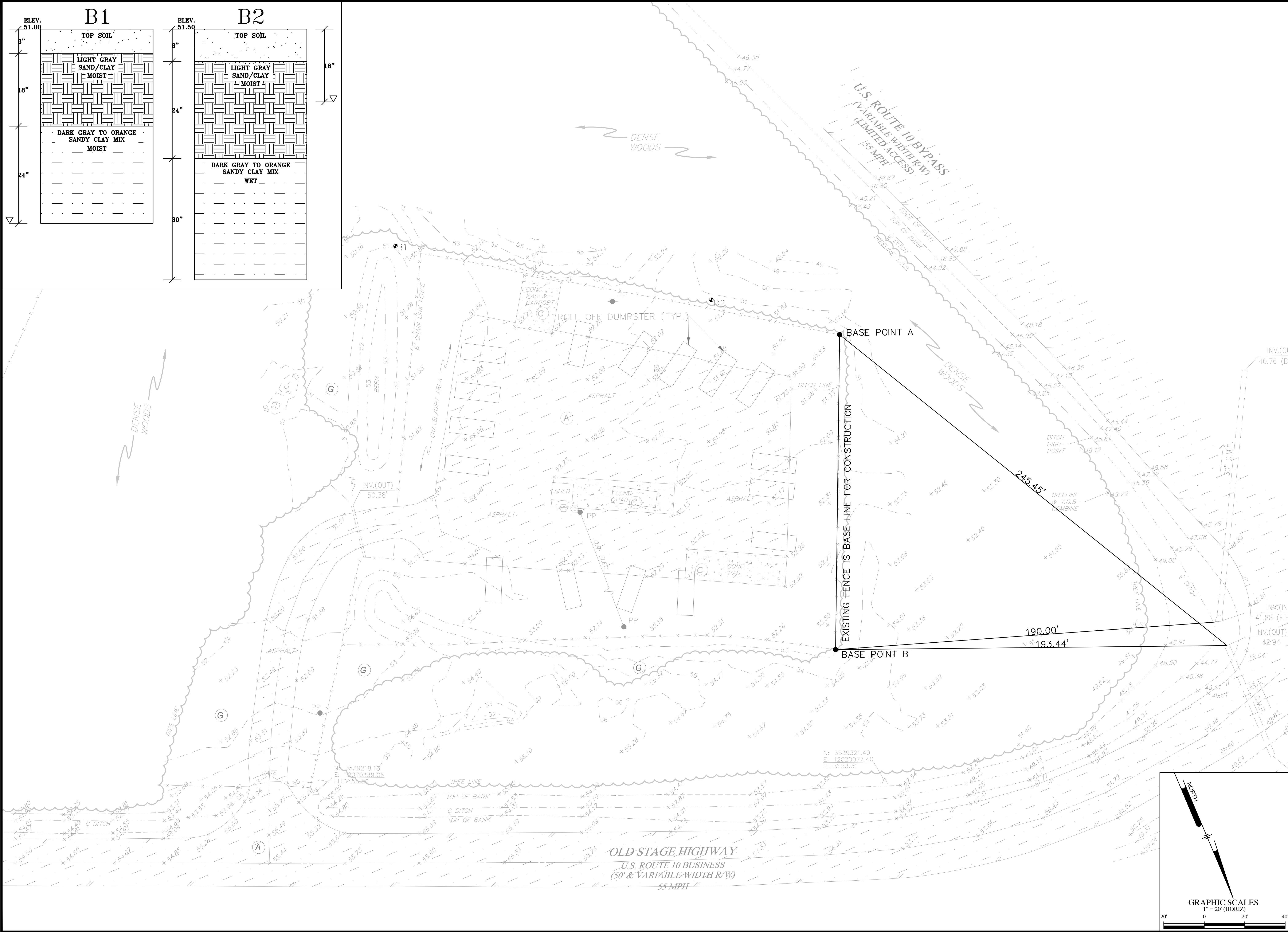
SITE MAP
SCALE: 1" = 500'

BEFORE YOU DIG CALL
"MISS UTILITY"
OF VIRGINIA
811



11827 Canon Boulevard, Suite 402
Newport News, VA 23606
757.926.4588 Fax 757.926.4537
Engineers | Construction Managers | Planners | Scientists

FILE NAME: \\ad-uk.com\va\Cloud\Projects\2018\18247_IN\storm\CAD\3. Wrenns Mill Center\C-series - Wrenns Mill.dwg LAYOUT NAME: C-1 - Wrenns Mill EX PLOTTED: Wednesday, July 14, 2021 - 12:02pm



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REVISIONS	DATE

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DEPARTMENT OF UTILITY SERVICES

17140 MONUMENT CIRCLE #201

ISLE OF WIGHT VA

Phone 757-365-1659

WRENN'S MILL REFUSE AND RECYCLING CENTER SITE PLAN AND DRAINAGE IMPROVEMENTS

EXISTING CONDITIONS

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DESIGNED BY: MH

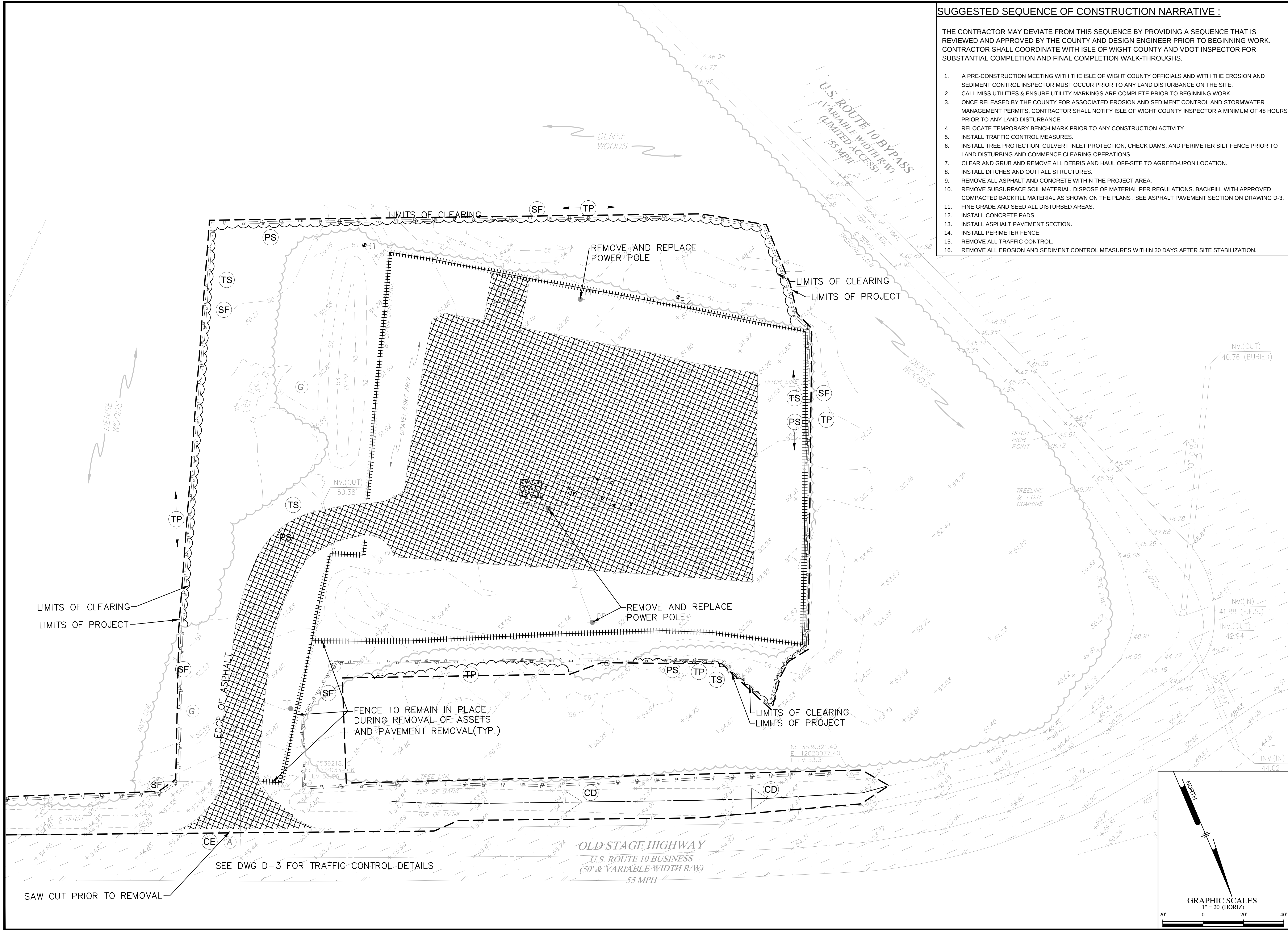
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SHEET 3 OF 11



SUGGESTED SEQUENCE OF CONSTRUCTION NARRATIVE :

THE CONTRACTOR MAY DEViate FROM THIS SEQUENCE BY PROVIDING A SEQUENCE THAT IS REVIEWED AND APPROVED BY THE COUNTY AND DESIGN ENGINEER PRIOR TO BEGINNING WORK. CONTRACTOR SHALL COORDINATE WITH ISLE OF WIGHT COUNTY AND VDOT INSPECTOR FOR SUBSTANTIAL COMPLETION AND FINAL COMPLETION WALK-THROUGHS.

1. A PRE-CONSTRUCTION MEETING WITH THE ISLE OF WIGHT COUNTY OFFICIALS AND WITH THE EROSION AND SEDIMENT CONTROL INSPECTOR MUST OCCUR PRIOR TO ANY LAND DISTURBANCE ON THE SITE.
2. CALL MISS UTILITIES & ENSURE UTILITY MARKINGS ARE COMPLETE PRIOR TO BEGINNING WORK.
3. ONCE RELEASED BY THE COUNTY FOR ASSOCIATED EROSION AND SEDIMENT CONTROL AND STORMWATER MANAGEMENT PERMITS, CONTRACTOR SHALL NOTIFY ISLE OF WIGHT COUNTY INSPECTOR A MINIMUM OF 48 HOURS PRIOR TO ANY LAND DISTURBANCE.
4. RELOCATE TEMPORARY BENCH MARK PRIOR TO ANY CONSTRUCTION ACTIVITY.
5. INSTALL TRAFFIC CONTROL MEASURES.
6. INSTALL TREE PROTECTION, CULVERT INLET PROTECTION, CHECK DAMS, AND PERIMETER SILT FENCE PRIOR TO LAND DISTURBING AND COMMENCE CLEARING OPERATIONS.
7. CLEAR AND GRUB AND REMOVE ALL DEBRIS AND HAUL OFF-SITE TO AGREED-UPON LOCATION.
8. INSTALL DITCHES AND OUTFALL STRUCTURES.
9. REMOVE ALL ASPHALT AND CONCRETE WITHIN THE PROJECT AREA.
10. REMOVE SUBSURFACE SOIL MATERIAL. DISPOSE OF MATERIAL PER REGULATIONS. BACKFILL WITH APPROVED COMPACTED BACKFILL MATERIAL AS SHOWN ON THE PLANS . SEE ASPHALT PAVEMENT SECTION ON DRAWING D-3.
11. FINE GRADE AND SEED ALL DISTURBED AREAS.
12. INSTALL CONCRETE PADS.
13. INSTALL ASPHALT PAVEMENT SECTION.
14. INSTALL PERIMETER FENCE.
15. REMOVE ALL TRAFFIC CONTROL.
16. REMOVE ALL EROSION AND SEDIMENT CONTROL MEASURES WITHIN 30 DAYS AFTER SITE STABILIZATION.



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ISLE OF WIGHT COUNTY
DEPARTMENT OF UTILITY SERVICES

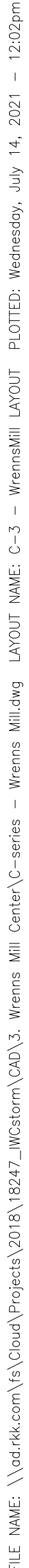
17140 MONUMENT CIRCLE
#201
ISLE OF WIGHT, VA
Phone 757-365-1659

**WRENN'S MILL REFUSE AND
RECYCLING CENTER SITE PLAN AND
DRAINAGE IMPROVEMENTS**

DEMOLITION

DRAWN BY: MD
DESIGNED BY: M
DATE: JULY 202
SCALE: 1" = 20

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SHEET 4 OF 4



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ISLE OF WIGHT COUNTY
DEPARTMENT OF UTILITY SERVICES

ISLE OF WIGHT, VA
Phone 757-365-1659

17140 MONUMENT CIRCLE
#201

CYCLING CENTER SITE PLAN AND DRAINAGE IMPROVEMENTS

GRADING AND DRAINAGE

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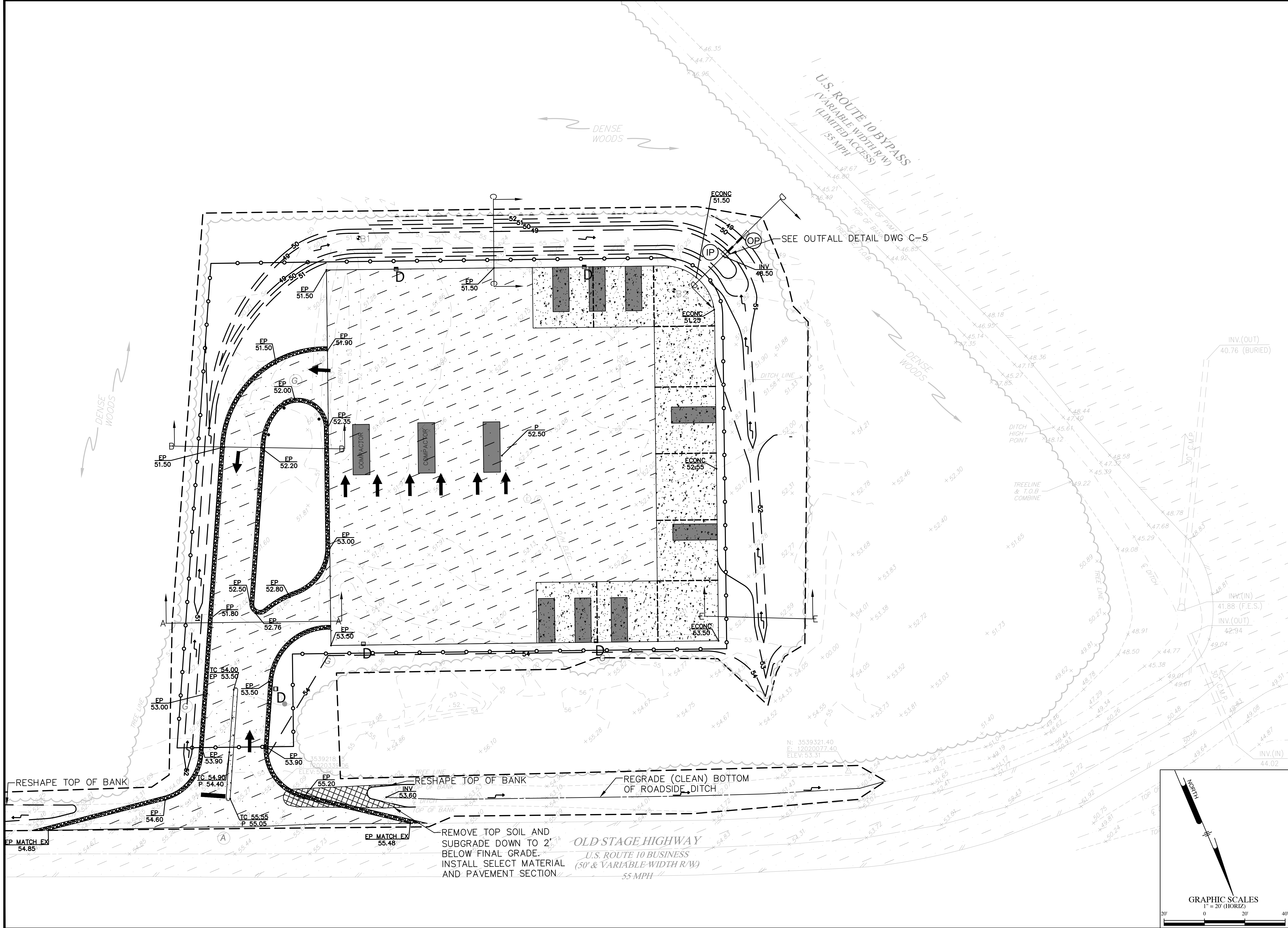
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C-4

PAGE 6 OF 1



FILE NAME: \\ad-hk.com\va\Cloud\Projects\2018\18247_ILW\Storm\CAD\3. Wrenns Mill Center\C-series - Wrenns Mill.dwg LAYOUT NAME: C-6 LIGHTING PLAN PLOTTED: Wednesday, July 14, 2021 - 12:04pm

LIGHT SCHEDULE				
TAG	QUANTITY	MANUFACTURER	LABEL	MOUNTING HEIGHT
D	5	COOPER LIGHTING SOLUTIONS - LUMARK	NFFLD-L-C175-D-UNV-66	30 FEET



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REVISIONS	DATE	DESCRIPTION

ISLE OF WIGHT COUNTY
DEPARTMENT OF UTILITY SERVICES

17140 MONUMENT CIRCLE
#201

ISLE OF WIGHT VA
Phone 757-365-1659

WRENN'S MILL REFUSE AND
RECYCLING CENTER SITE PLAN AND
DRAINAGE IMPROVEMENTS

LIGHTING PLAN

DRAWN BY: MD

DESIGNED BY: MH

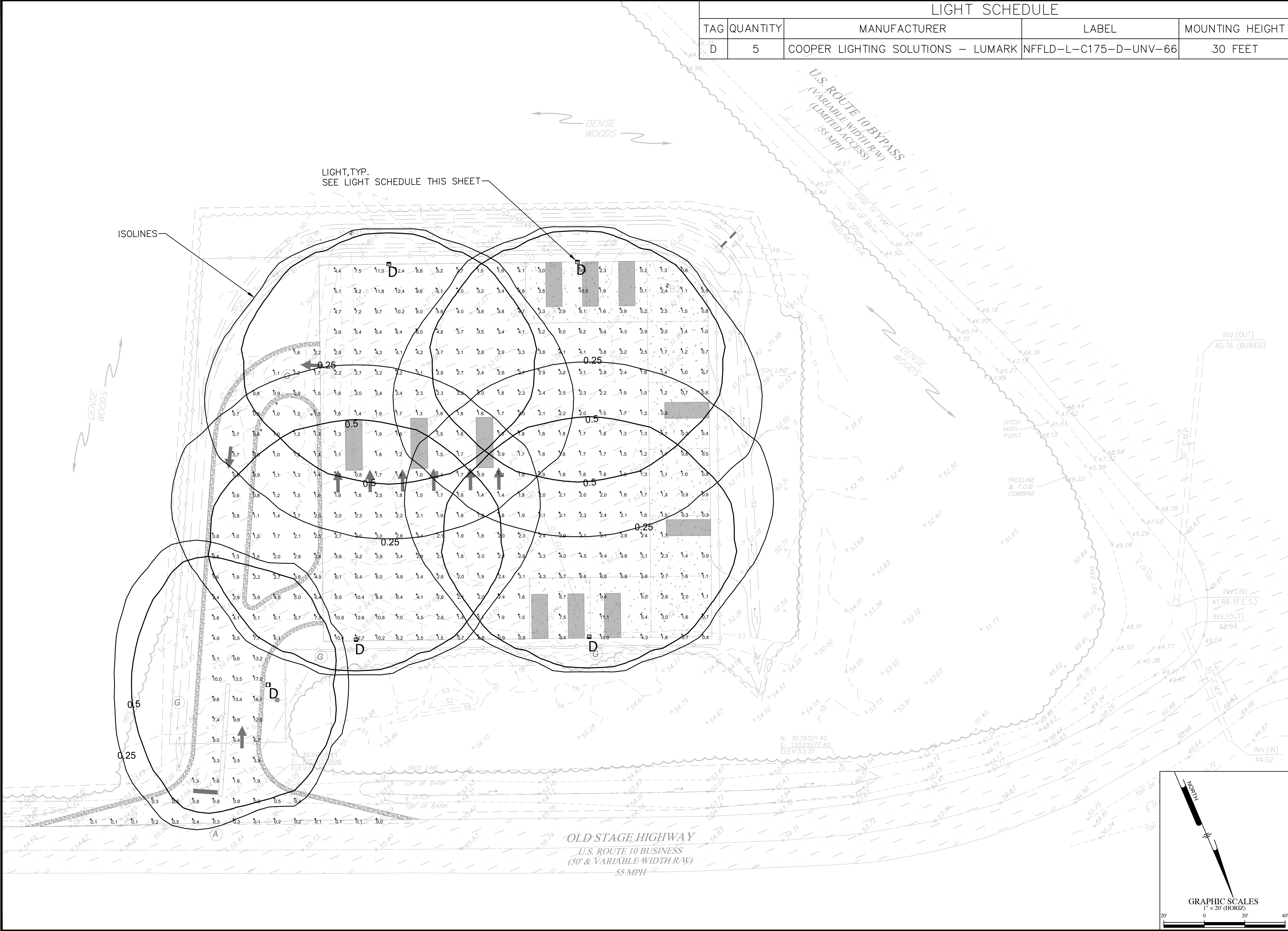
DATE: JULY 2021

SCALE: 1" = 20'

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C-6

SHEET 8 OF 11



EROSION AND SEDIMENT CONTROL NARRATIVE:		FINAL GRADE BUT WILL REMAIN DORMANT (UNDISTURBED) FOR LONGER THAN 30 DAYS. FOR TEMPORARY SEEDING USE 50% OF THE RECOMMENDED RATES OF FERTILIZER AND LIME AND THE FULL AMOUNT OF SEED AND MULCH REQUIRED FOR REGULAR SEEDING.		SURFACE. THE ROAD SURFACE SHALL BE CLEANED THOROUGHLY AT THE END OF EACH DAY. SEDIMENT SHALL BE REMOVED FROM THE ROADS BY SHOVELING OR SWEEPING AND TRANSPORTED TO A SEDIMENT CONTROL DISPOSAL AREA. STREET WASHING SHALL BE ALLOWED ONLY AFTER SEDIMENT IS REMOVED IN THIS MANNER.		CONTROL MEASURES ARE APPROVED BY THE PROJECT OR COUNTY ENGINEER.	
A. SITE SOILS: THE WRENN'S MILL SITE AREA IS COMPRISED OF: - PEAWICK-SLAGLE COMPLEX. THIS IS A MODERATELY-WELL DRAINED SOIL WITH A PROFILE THAT CONSISTS OF 0 TO 4 INCHES: SILT LOAM, AND 4 TO 70 INCHES: CLAY LOAM. - UDORTHENTS, LOAMY COMPLEX. THIS IS A POORLY DRAINED SOIL.		-ELECTRIC POWER, TELEPHONE, AND GAS SUPPLY TRENCHES ARE TO BE COMPACTED, SEEDED, AND MULCHED WITHIN 7 DAYS AFTER BEING BACKFILLED.		MS-18: ALL TEMPORARY EROSION AND SEDIMENT CONTROL MEASURES SHALL BE REMOVED WITHIN 30 DAYS AFTER FINAL SITE STABILIZATION OR AFTER THE TEMPORARY MEASURES ARE NO LONGER NEEDED, UNLESS OTHERWISE AUTHORIZED BY THE LOCAL PROGRAM AUTHORITY. TRAPPED SEDIMENT AND THE DISTURBED SOIL AREAS RESULTING FROM THE DISPOSITION ON TEMPORARY MEASURES SHALL BE PERMANENTLY STABILIZES TO PREVENT FURTHER EROSION AND SEDIMENTATION. [CONTRACTOR SHALL COMPLY WITH THIS STANDARD.		4. BEFORE ANY CLEARING OR GRADING ON THE SITE, THE LIMITS OF DISTURBANCE (LOD) SHALL BE MARKED WITH FLAGGING.	
B. CRITICAL AREAS: <i>THE DESIGN PRESENTED HEREIN PROPOSES TO REGRADE THE CHANNEL SLOPES UPSTREAM AND DOWNSTREAM OF NEW CULVERTS. THE CONTRACTOR SHALL PLACE AND SECURE GEOTEXTILE FABRIC ON DENUDED STREAM AREAS AT THE END OF ACTIVITIES EVERY DAY. PRIOR TO ANY RAIN EVENTS AND AT THE END OF DAILY CONSTRUCTION ACTIVITIES, CONTRACTOR SHALL REMOVE COFFERDAMS OR ANY OTHER CHANNEL OBSTRUCTION SO THAT RUNOFF WILL NOT BE IMPEDED. NEW SLOPES WILL BE PROTECTED WITH RIP RAP AND HYDROSEEDING.</i>		- ALL TEMPORARY EARTH BERMS, DIVERSIONS, AND SILT DAMS ARE TO BE MULCHED AND SEEDED FOR VEGETATIVE COVER IMMEDIATELY AFTER GRADING. STRAW OR HAY MULCH IS REQUIRED. THE SAME APPLIES TO ALL STOCKPILES ON SITE AS WELL AS SOIL (INTENTIONALLY) TRANSPORTED FROM THE PROJECT SITE.		MS-19: PROPERTIES AND WATERWAYS DOWNSTREAM FROM DEVELOPMENT SITES SHALL BE PROTECTED FROM SEDIMENT DEPOSITION, EROSION, AND DAMAGE DUE TO INCREASE IN VOLUME, VELOCITY, AND PEAK FLOW RATE OF STORMWATER RUNOFF FOR THE STATED FREQUENCY STORM OF 24-HOUR DURATION IN ACCORDANCE WITH THE FOLLOWING STANDARDS AND CRITERIA. [REFER TO SITE PLAN FOR FULL STORMWATER MANAGEMENT PLAN AS IT APPLIES TO MS-19.] [PROJECT RESULTS IN NEGLIGIBLE INCREASES TO RUNOFF FLOWS AND VELOCITIES AT OUTFALL.		5. THE LOD SHALL BE REVIEWED ON-SITE WITH THE CONTRACTOR AND THE ISLE OF WIGHT COUNTY DEPARTMENT OF PUBLIC WORKS, AND A DETERMINATION MADE AT THAT TIME TO CONFIRM WHICH TREES WILL BE REMOVED BASED ON THE APPROVED GRADING AND STREAM RESTORATION ACTIVITIES.	
C. EROSION AND SEDIMENT CONTROL MEASURES: THE FOLLOWING E&S MEASURES ARE PROPOSED ON-SITE: CONSTRUCTION ENTRANCE, SAFETY FENCE, TEMPORARY SILT FENCE, INLET PROTECTION, OUTLET PROTECTION, CHECK DAM, SOIL STABILIZATION PROTECTIVE DITCH LINING, TEMPORARY AND PERMANENT SEEDING. SEE EROSION CONTROL PLAN SHEETS G-1, C-1, C-2 AND C-3 FOR LEGEND OF SYMBOLS USED AND LOCATION OF PROPOSED E&S MEASURES.		N. LIME AND FERTILIZER NOTES: - LIME AND FERTILIZER NEED SHOULD BE DETERMINED BY SOIL TEST. SOIL TESTS MAY BE PERFORMED BY A REPUTABLE COMMERCIAL LABORATORY. INFORMATION CONCERNING THE STATE SOIL TESTING LABORATORY IS AVAILABLE FROM COUNTY EXTENSION AGENTS. REFERENCE APPENDIX 3.32D FOR LIMING APPLICATIONS (IN LBS.) NEEDED TO CORRECT UNDESIRABLE PH FOR VARIOUS SOIL TYPES. - UNDER USUAL CONDITIONS WHERE IT IS NOT POSSIBLE TO OBTAIN A SOIL TEST. THE FOLLOWING SOIL AMENDMENTS WILL BE APPLIED: LIME: COASTAL PLAIN: - 2 TONS/ACRE PULVERIZED AGRICULTURAL GRADE LIMESTONE (90 LBS/1000 SQ.FT.) PIEDMONT AND APPALACHIAN REGION: - 2 TONS/ACRE PULVERIZED AGRICULTURAL GRADE LIMESTONE (90 LBS/1000 SQ.FT.) NOTE: AGRICULTURAL GRADE LIMESTONE SHOULD ALWAYS BE USED.		NOTE: DUE TO THE NATURE OF THIS SPECIFIC PROJECT THE FOLLOWING MINIMUM STANDARDS ARE NOT APPLICABLE: MS-5, MS-6, AND MS-16.		6. BASED ON THE ON-SITE REVIEW, MINOR ADJUSTMENTS TO LOD FLAGGING TO ADEQUATELY PROTECT TREES TO BE PRESERVED AND ALLOW REMOVAL OF TREES MAY BE ALLOWED IF APPROVED IN WRITING BY THE ISLE OF WIGHT COUNTY DEPARTMENT OF PUBLIC WORKS. TREE PROTECTION FENCING SHALL BE ERECTED ALONG THESE ADJUSTED LIMITS OF CLEARING AND GRADING PRIOR TO THE COMMENCEMENT OF ANY OTHER CONSTRUCTION ACTIVITIES.	
D. PERMANENT STABILIZATION: THE SITE WILL BE PERMANENTLY STABILIZED UTILIZING SEEDING IN ACCORDANCE WITH THE VIRGINIA EROSION AND SEDIMENTATION CONTROL HANDBOOK ONCE STORM DRAIN INSTALLATION IS COMPLETE [SEE SEEDING TABLES ON SHEET D-2]. SLOPES THAT ARE FOUND TO BE ERODING EXCESSIVELY WITHIN ONE YEAR OF PERMANENT STABILIZATION SHALL BE PROVIDED WITH ADDITIONAL SLOPE STABILIZING MEASURES UNTIL THE PROBLEM IS CORRECTED PER MS-7. PLANT ALL SPECIFIED PLANT MATERIAL ON THE NEW STREAM BANKS AND RIPARIAN AREAS-SUBJECT TO TIME OF YEAR RESTRICTIONS IN PLANTING SPECIFICATIONS, CUTTING HOLES AS REQUIRED IN THE EROSION CONTROL FABRIC, SEE VEGETATION NOTES AND THE SCHEDULE FOR SPECIFICATIONS REGARDING PLANTS AND PLANTING MATERIAL. PLANTING CONTRACTOR SHALL USE SAME ACCESS POINTS TO MINIMIZE DISTURBANCES.		FERTILIZER: MIXED GRASSES AND LEGUMES: - 1000 LBS/ACRES 5-20-10 (23 LBS/1000 SQ.FT.) IS PREFERRED; HOWEVER, 1000 LBS/ACRS OF 10-20-10 OR EQUIVALENT MAY BE USED. GRASS STANDS ONLY: - 1000 LBS/ACRES 10-20-10 OR EQUIVALENT NUTRIENTS.(23 LBS00 SQ.FT.) - OTHER FERTILIZER FORMULATIONS INCLUDING SLOW-RELEASE SOURCES OF NITROGEN (PREFERRED FROM A WATER QUALITY STANDPOINT), MAY BE USED PROVIDED THEY CAN SUPPLY THE SAME AMOUNTS AND PROPORTIONS OF PLANT NUTRIENTS. - INCORPORATION: LIME AND FERTILIZER SHALL BE INCORPORATED INTO THE TOP 4-6 INCHES OF THE SOIL BY DISCING OR OTHER MEANS WHENEVER POSSIBLE. FOR EROSION CONTROL. WHEN APPLYING LIME AND FERTILIZER WITH A HYDROSEEDER, APPLY TO A ROUGH, LOOSE SURFACE.		ISLE OF WIGHT EROSION AND SEDIMENT CONTROL PLAN NOTES: ALL EROSION AND SEDIMENT CONTROL PRACTICES SHALL BE IN ACCORDANCE WITH THE CURRENT ISLE OF WIGHT COUNTY EROSION AND SEDIMENT CONTROL ORDINANCE, THE 1992 VIRGINIA EROSION AND SEDIMENT CONTROL HANDBOOK AND VIRGINIA REGULATION VR-625-02-00, EROSION AND SEDIMENT CONTROL REGULATIONS. THE PERMITTEE OR HIS AGENT AND/OR CONTRACTOR SHALL SECURE A COPY OF EACH PUBLICATION AND THOROUGHLY FAMILIARIZE THEMSELVES WITH ALL APPLICABLE PRACTICES CONTAINED THEREIN WHICH MAY BE PERTINENT TO THIS PROJECT.		7. TREES TO BE REMOVED THAT ARE LOCATED ON THE LOD OR IMMEDIATELY ADJACENT TO THE LOD WITHIN THE PROTECTED AREA SHALL BE REMOVED USING CHAINSAWS TO MINIMIZE ROOT ZONE DISTURBANCE OR TREES TO BE PRESERVED. THIS WORK SHALL BE CONSIDERED INCIDENTAL TO CLEARING AND GRUBBING.	
E. STORMWATER RUNOFF CONTROL: THE OVERALL DRAINAGE PATTERN OF THE SITE WILL REMAIN UNCHANGED FROM PRE- TO POST-CONDITIONS. THERE WILL BE NO INCREASE IN IMPERVIOUS AREA AFTER CONSTRUCTION IS COMPLETE. THIS PROJECT WILL DISTURB APPROXIMATELY 1.91 ACRES. NO WATER QUALITY MEASURES ARE REQUIRED.		NOTE: SEEDING, MULCHING, LIMING, AND FERTILIZER PER VIRGINIA EROSION AND SEDIMENT MANUAL. FINAL DETAILS FOR FINISHED LANDSCAPING SPECIFICATIONS TO APPLY IF EQUAL OR GREATER.		THE PURPOSE OF SUCH PRACTICES INCLUDING, BUT NOT LIMITED TO, THOSE SHOWN ON THESE PLAN SHEETS SHALL BE TO PRECLUDE THE TRANSPORT OF ALL WATERBORNE OR AIRBORNE SEDIMENTS RESULTING FROM CONSTRUCTION ACTIVITIES FROM ENTERING ONTO ADJACENT PROPERTIES OR INTO STATE WATERS. ALL SEDIMENTS MUST BE CONFINED TO THE PROJECT SITE AT THE LOCATION(S) SHOWN ON THE PLANS. PROTECTION OF EXISTING NATURAL VEGETATION FROM NEEDLESS DISTURBANCE IS ESSENTIAL. ALL CONSTRUCTION PERSONNEL SHALL BE CAUTIONED TO AVOID DAMAGE TO EXISTING TREES AND VEGETATION DURING CONSTRUCTION ACTIVITIES.		9. ALL WORK SHALL BE CONDUCTED IN THE DRY. AND NO WORK SHALL BE PERFORMED IN THE RAIN. IF THERE IS A THREAT OF RAIN, WORK IS TO STOP AND WORK AREA SHALL BE STABILIZED.	
F. MAINTENANCE: IN GENERAL, ALL EROSION AND SEDIMENT CONTROL MEASURES WILL BE CHECKED DAILY AND AFTER EACH SIGNIFICANT RAINFALL. THE FOLLOWING ITEMS WILL BE CHECKED IN PARTICULAR:		APPLICABLE MINIMUM STANDARDS (EROSION AND SEDIMENT CONTROL LAW AND REGULATIONS): MS-1: PERMANENT OR TEMPORARY SOIL STABILIZATION SHALL BE APPLIED TO DENUDED AREAS WITHIN SEVEN DAYS AFTER FINAL GRADE IS REACHED ON ANY PORTION THE SITE. TEMPORARY SOIL STABILIZATION SHALL BE APPLIED WITHIN SEVEN DAYS TO DENUDED AREAS THAT MAY NOT BE AT FINAL GRADE BUT WILL REMAIN DORMANT FOR LONGER THAN 14 DAYS. PERMANENT STABILIZATION SHALL BE APPLIED TO AREAS THAT ARE TO BE LEFT DORMANT FOR MORE THAN ONE YEAR.		1. SEDIMENT BASINS AND TRAPS, PERIMETER DIKES, SEDIMENT BARRIERS AND OTHER MEASURES INTENDED TO TRAP SEDIMENT SHALL BE CONSTRUCTED AS A FIRST STEP IN ANY LAND DISTURBING ACTIVITY AND SHALL BE MADE FUNCTIONAL BEFORE UPSLOPE LAND DISTURBANCE TAKES PLACE. THE BASIN(S) ARE TO BE KEPT CLEAR OF DEBRIS AND SEDIMENTS SHALL BE CLEANED OUT PERIODICALLY DURING AND AFTER CONSTRUCTION ACTIVITIES.		10. A "PUMP AROUND" SYSTEM SHALL BE USED TO DIVERT THE WATER DURING CONSTRUCTION. AT MINIMUM, SANDBAG DIKES SHALL BE INSTALLED WITHIN THE STORM DITCHES AROUND THE AREA TO BE DISTURBED THAT DAY (LARGER DITCHES ARE ALLOWED IF APPROVED BY THE SITE ENGINEER); ONE AT THE UPSTREAM LIMIT OF DISTURBANCE AND ONE AT THE DOWNSTREAM LIMIT OF DISTURBANCE. IF BASEFLOW IS PRESENT, AN ADEQUATELY SIZED PUMP SYSTEM SHALL BE USED TO PUMP BASEFLOW AROUND THE AREA OF CONSTRUCTION AND BACK INTO THE DITCH AT A POINT DOWNSTREAM OF THE SECOND SANDBAG DIKE. WORK SHALL NOT PROCEED DURING RAIN EVENTS. IF SEDIMENT-LADEN WATER ACCUMULATES AT THE DOWNSTREAM SANDBAG DIKE, SUCH WATER SHALL BE PUMPED INTO A FILTER BAG PRIOR TO BEING RELEASED BACK INTO THE DITCH.	
1. INLET PROTECTION AND GRAVEL OUTLETS WILL BE CHECKED REGULAR FOR SEDIMENT BUILDUP WHICH WILL PREVENT DRAINAGE: IF INLET PROTECTION FABRIC IS CLOGGED BY SEDIMENT, IT SHALL BE REMOVED AND CLEANED OR REPLACED. IF GRAVEL OUTLET IS CLOGGED BY SEDIMENT, IT SHALL BE REMOVED AND CLEANED OR REPLACED.		2. THE SILT FENCE BARRIER WILL BE CHECKED REGULARLY FOR UNDERMINING OR DETERIORATION OF THE FABRIC. SEDIMENT SHALL BE REMOVED WHEN THE LEVEL OF SEDIMENT DEPOSITION REACHES HALF WAY TO THE TOP OF THE BARRIER.		2. ALL TEMPORARY OR PERMANENT EROSION AND SEDIMENT CONTROL PRACTICES NECESSARY FOR RETAINING SEDIMENTS ON THE CONSTRUCTION SITE SHALL BE INSTALLED AND TREE PROTECTION FENCING SHALL BE ERECTED AT THE LOCATIONS AS SPECIFIED ON THE APPROVED PLANS PRIOR TO ANY LAND CLEARING, GRUBBING, GRADING OR EARTH MOVING ACTIVITIES.		11. ACCESS ACROSS AND IN THE DITCH SHALL BE ALLOWED WITHIN THE STORM DITCH PROTECTED BY THE "PUMP AROUND" SYSTEM AS DESCRIBED ABOVE.	
2. THE SILT FENCE BARRIER WILL BE CHECKED REGULARLY FOR UNDERMINING OR DETERIORATION OF THE FABRIC. SEDIMENT SHALL BE REMOVED WHEN THE LEVEL OF SEDIMENT DEPOSITION REACHES HALF WAY TO THE TOP OF THE BARRIER.		3. THE SEEDED AREAS WILL BE CHECKED REGULARLY TO ENSURE THAT A GOOD STAND IS MAINTAINED. AREAS SHOULD BE FERTILIZED AND RESEEDED AS NEEDED.		3. CONSTRUCTION ENTRANCE (CE) SHALL BE INSTALLED CONCURRENTLY WITH THE INITIATION OF CLEARING AND GRUBBING OPERATIONS.		12. SITE WORK ACTIVITIES SHALL BE COMPLETED, IF POSSIBLE, AT LEAST EIGHT WEEKS EARLIER THAN THE RECOMMENDED PLANTING WINDOW (I.E. AUGUST 30). DURING THIS TIME, THE EROSION CONTROL COVER CROP SHALL BE PERMITTED TO MATURE.	
4. THE FILTERING DEVICES MUST BE INSPECTED FREQUENTLY AND REPAIRED OR REPLACED ONCE THE SEDIMENT BUILD-UP PREVENTS THE STRUCTURE FROM FUNCTIONING AS DESIGNED.		MS-2: DURING CONSTRUCTION OF THE PROJECT, SOIL STOCK PILES AND BORROW AREAS SHALL BE STABILIZED OR PROTECTED WITH SEDIMENT TRAPPING MEASURES. THE APPLICANT IS RESPONSIBLE FOR THE TEMPORARY PROTECTION AND PERMANENT STABILIZATION OF ALL SOIL STOCKPILES ON SITE AS WELL AS BORROW AREAS AND SOIL INTENTIONALLY TRANSPORTED FROM THE PROJECT SITE.		4. CLEARING AND GRUBBING DEBRIS SHALL BE PROPERLY DISPOSED OF.		13. ALL EROSION AND SEDIMENT CONTROL PRACTICES SHALL BE IN ACCORDANCE WITH THE CURRENT COUNTY OF ISLE OF WIGHT EROSION AND SEDIMENT CONTROL ORDINANCE, THE 1992 VIRGINIA EROSION AND SEDIMENT CONTROL HANDBOOK AND VIRGINIA REGULATION VR-625-02-00, EROSION AND SEDIMENT CONTROL REGULATIONS. THE PERMITTEE OR HIS AGENT AND/OR CONTRACTOR SHALL SECURE A COPY OF EACH PUBLICATION AND THOROUGHLY FAMILIARIZE THEMSELVES WITH ALL APPLICABLE PRACTICES CONTAINED THEREIN WHICH MAY BE PERTINENT TO THIS PROJECT.	
K. GENERAL E&S CONTROL NOTES: ES-1: UNLESS OTHERWISE INDICATED ALL VEGETATIVE AND STRUCTURAL EROSION AND SEDIMENT CONTROL PRACTICES WILL BE CONSTRUCTED AND MAINTAINED ACCORDING TO MINIMUM STANDARDS AND SPECIFICATIONS OF THE VIRGINIA EROSION AND SEDIMENT HANDBOOK AND THE REGULATIONS VR 625-02-00 EROSION AND SEDIMENT CONTROL REGULATIONS. ES-2: THE PLAN APPROVING AUTHORITY MUST BE NOTIFIED ONE WEEK PRIOR TO THE PRE-CONSTRUCTION CONFERENCE, ONE WEEK PRIOR TO THE COMMENCEMENT OF LAND DISTURBING ACTIVITY, AND ONE WEEK PRIOR TO THE FINAL INSPECTION. ES-3: ALL EROSION AND SEDIMENT CONTROL MEASURES ARE TO BE PLACED PRIOR TO OR AS THE FIRST STEP IN CLEARING. ES-4: A COPY OF THE APPROVED EROSION AND SEDIMENT CONTROL PLAN SHALL BE MAINTAINED ON SITE AT ALL TIMES. ES-5: PRIOR TO COMMENCING LAND DISTURBING ACTIVITIES IN AREAS OTHER THAN INDICATED ON THESE PLANS (INCLUDING BUT NOT LIMITED TO OFF-SITE BORROW OR WASTE AREAS), THE CONTRACTOR SHALL SUBMIT A SUPPLEMENTARY EROSION CONTROL PLAN TO THE OWNER FOR REVIEW AND APPROVAL BY THE PLAN APPROVING AUTHORITY. ES-6: THE CONTRACTOR IS RESPONSIBLE FOR INSTALLATION OF ANY ADDITIONAL EROSION CONTROL MEASURES NECESSARY TO PREVENT EROSION AND SEDIMENTATION AS DETERMINED BY THE PLAN APPROVING AUTHORITY. ES-7: ALL DISTURBED AREAS ARE TO DRAIN TO APPROVED SEDIMENT CONTROL MEASURES AT ALL TIMES DURING LAND DISTURBING ACTIVITIES AND DURING SITE DEVELOPMENT UNTIL FINAL STABILIZATION IS ACHIEVED. ES-8: DURING DEWATERING OPERATIONS WATER WILL BE PUMPED INTO AN APPROVED FILTERING DEVICE. ES-9: THE CONTRACTOR SHALL INSPECT ALL EROSION CONTROL MEASURES PERIODICALLY AND AFTER EACH RUNOFF PRODUCING RAINFALL EVENT. ANY NECESSARY REPAIRS OR CLEANUP TO MAINTAIN THE EFFECTIVENESS OF THE EROSION CONTROL DEVICES SHALL BE MADE IMMEDIATELY.		MS-3: PERMANENT VEGETATIVE COVER SHALL BE ESTABLISHED ON DENUDED AREAS NOT OTHERWISE PERMANENTLY STABILIZED. PERMANENT VEGETATION SHALL NOT BE CONSIDERED ESTABLISHED UNTIL A GROUND COVER IS ACHIEVED THAT IS UNIFORM, MATURE ENOUGH TO SURVIVE AND WILL INHIBIT EROSION. [AREAS ABOVE PROPOSED STORM SEWER SYSTEM SHALL BE VEGETATED UPON COMPLETION. STREAM AREAS TO BE PERMANENTLY VEGETATED ONCE UPSTREAM AREAS ARE ESTABLISHED.		5. THE INSTALLATION OF EROSION CONTROL AND DRAINAGE FACILITIES SHALL TAKE PRECEDENCE OVER ALL OTHER CONSTRUCTION ACTIVITIES. SITE DRAINAGE FACILITIES SHALL BE SCHEDULED TO BE COMPLETED WITHIN 30 DAYS FOLLOWING COMPLETION OF THE ROUGH GRADING OPERATIONS AT ANY POINT ON THE PROJECT.		14. THE PURPOSE OF SUCH PRACTICES INCLUDING, BUT NOT LIMITED TO, THOSE SHOWN ON THESE PLAN SHEETS SHALL BE TO PRECLUDE THE TRANSPORT OF ALL WATERBORNE OR AIRBORNE SEDIMENTS RESULTING FROM CONSTRUCTION ACTIVITIES FROM ENTERING ONTO ADJACENT PROPERTIES OR INTO STATE WATERS. ALL SEDIMENTS MUST BE CONFINED TO THE PROJECT SITE AT THE LOCATION(S) SHOWN ON THE PLANS. PROTECTION OF EXISTING NATURAL VEGETATION FROM NEEDLESS DISTURBANCE IS ESSENTIAL. ALL CONSTRUCTION PERSONNEL SHALL BE CAUTIONED TO AVOID DAMAGE TO EXISTING TREES AND VEGETATION DURING CONSTRUCTION ACTIVITIES.	
ES-4: A COPY OF THE APPROVED EROSION AND SEDIMENT CONTROL PLAN SHALL BE MAINTAINED ON SITE AT ALL TIMES.		MS-4: SEDIMENT BASINS AND TRAPS, PERIMETER DIKES, SEDIMENT BARRIERS AND OTHER MEASURES INTENDED TO TRAP SEDIMENT SHALL BE CONSTRUCTED AS A FIRST STEP IN ANY LAND-DISTURBING ACTIVITY AND SHALL BE MADE FUNCTIONAL BEFORE UPSLOPE LAND DISTURBANCE TAKES PLACE. [SILT FENCE TO BE PLACED PRIOR TO ANY DISTURBANCE.]		6. OUTFALL DITCHES SHALL BE CONSTRUCTED AND STABILIZED PRIOR TO THE INITIATION OF ANY UTILITY CONSTRUCTION OR BUILDING CONSTRUCTION ACTIVITY. OUTLET PROTECTION (OP) SHALL ALSO BE INSTALLED WHERE CALLED FOR IMMEDIATELY AFTER CONSTRUCTION OF THE OUTFALL DITCH(ES).			
ES-5: PRIOR TO COMMENCING LAND DISTURBING ACTIVITIES IN AREAS OTHER THAN INDICATED ON THESE PLANS (INCLUDING BUT NOT LIMITED TO OFF-SITE BORROW OR WASTE AREAS), THE CONTRACTOR SHALL SUBMIT A SUPPLEMENTARY EROSION CONTROL PLAN TO THE OWNER FOR REVIEW AND APPROVAL BY THE PLAN APPROVING AUTHORITY.		MS-5: STABILIZATION MEASURES SHALL BE APPLIED TO EARTHEN STRUCTURES SUCH AS DAMS, DIKES AND DIVERSIONS IMMEDIATELY AFTER INSTALLATION.		7. ALL TEMPORARY OR PERMANENT EARTHEN STRUCTURES SUCH AS DAMS, AND DIVERSION DIKES SHALL BE STABILIZED (SEEDED) IMMEDIATELY AFTER THEIR CONSTRUCTION. STONE OUTLET(S) SHALL BE PROVIDED WHERE SHOWN ON THE PLANS.			
ES-6: THE CONTRACTOR IS RESPONSIBLE FOR INSTALLATION OF ANY ADDITIONAL EROSION CONTROL MEASURES NECESSARY TO PREVENT EROSION AND SEDIMENTATION AS DETERMINED BY THE PLAN APPROVING AUTHORITY.		MS-6: SEDIMENT TRAPS AND SEDIMENT BASINS SHALL BE DESIGNED AND CONSTRUCTED BASED ON THE TOTAL DRAINAGE AREA TO BE SERVED BY THE TRAP OR BASIN.		8. TOPSOIL STOCKPILES SHALL BE PLACED IN THE LOCATION(S) SHOWN ON THESE PLANS. SILT FENCE OR STRAW BALE BARRIERS SHALL BE ERECTED AT THE TOE OF THE STOCKPILE(S). SILT FENCE OR STRAW BALE BARRIERS SHALL BE MAINTAINED THROUGHOUT THE DURATION OF THE PROJECT. STOCKPILES SHALL BE SEEDED AND STABILIZED WITH A FIRM STAND OF GRASS.			
ES-7: ALL DISTURBED AREAS ARE TO DRAIN TO APPROVED SEDIMENT CONTROL MEASURES AT ALL TIMES DURING LAND DISTURBING ACTIVITIES AND DURING SITE DEVELOPMENT UNTIL FINAL STABILIZATION IS ACHIEVED.		MS-7: CUT AND FILL SLOPES SHALL BE DESIGNED AND CONSTRUCTED IN A MANNER THAT WILL MINIMIZE EROSION. SLOPES THAT ARE FOUND TO BE ERODING EXCESSIVELY WITHIN ONE YEAR OF PERMANENT STABILIZATION SHALL BE PROVIDED WITH ADDITIONAL SLOPE STABILIZING MEASURES UNTIL THE PROBLEM IS CORRECTED. [AT THE END OF THE PUMP AROUND ACTIVITIES EVERY DAY DENUDED STREAM AREAS SHALL BE SECURED WITH GEOTEXTILE FABRIC.		9. CONSTRUCTION ROAD STABILIZATION SHALL BE APPLIED TO ACCESS ROADS, SUBDIVISION ROADS, PARKING AREAS AND/OR OTHER VEHICLE TRANSPORTATION ROUTES IMMEDIATELY AFTER GRADING.			
ES-8: DURING DEWATERING OPERATIONS WATER WILL BE PUMPED INTO AN APPROVED FILTERING DEVICE.		MS-8: CONCENTRATED RUNOFF SHALL NOT FLOW DOWN CUT OR FILL SLOPES UNLESS CONTAINED WITHIN AN ADEQUATE TEMPORARY OR PERMANENT CHANNEL, FLUME, OR SLOPE DRAIN STRUCTURE. [STREAM TO BE PUMPED AROUND CONSTRUCTION ACTIVITIES SO THAT WORK IS PERFORMED IN THE DRY. PROPOSED DITCHES WILL BE LINED WITH EC-2 LINING.		10. ALL AREAS DESIGNATED FOR UNDERGROUND UTILITIES SHALL BE STABILIZED AS SOON AS PRACTICAL BUT NOT EXCEEDING 15 DAYS FOLLOWING THEIR INSTALLATION AND BACKFILLING. TRENCH LENGTH TO BE OPENED AT ANY ONE TIME IS NOT TO EXCEED 500 FEET. EXCAVATED MATERIAL SHALL BE PLACED ON THE UPHILL SIDE OF TRENCHES. EFFLUENT FROM DEWATERING OPERATIONS SHALL BE FILTERED OR PASSED THROUGH APPROVED SEDIMENT TRAPPING DEVICE, OR BOTH, AND DISCHARGED IN A MANNER THAT DOES NOT ADVERSELY AFFECT FLOWING STREAMS OR OFF-SITE PROPERTY.			
ES-9: THE CONTRACTOR SHALL INSPECT ALL EROSION CONTROL MEASURES PERIODICALLY AND AFTER EACH RUNOFF PRODUCING RAINFALL EVENT. ANY NECESSARY REPAIRS OR CLEANUP TO MAINTAIN THE EFFECTIVENESS OF THE EROSION CONTROL DEVICES SHALL BE MADE IMMEDIATELY.		MS-9: WHENEVER WATER SEEPS FROM A SLOPE FACE, ADEQUATE DRAINAGE OR OTHER PROTECTION SHALL BE PROVIDED.		11. PERMANENT OR TEMPORARY SOIL STABILIZATION SHALL BE APPLIED TO DENUDED AREAS WITHIN SEVEN DAYS AFTER FINAL GRADE IS REACHED ON ANY PORTION OF THE SITE. TEMPORARY SOIL STABILIZATION SHALL BE APPLIED TO DENUDED AREAS THAT MAY NOT BE A FINAL GRADE BUT WILL REMAIN DORMANT (UNDISTURBED) FOR LONGER THAN 30 DAYS. PERMANENT STABILIZATION SHALL BE APPLIED TO AREAS THAT ARE TO BE LEFT DORMANT FOR MORE THAN ONE YEAR. TEMPORARY VEGETATIVE COVER MAY BE ELIMINATED IN FAVOR OF THE PERMANENT VEGETATIVE COVER IF SITE CONDITIONS PERMIT AND THE OWNER AND/OR ENGINEER SO DIRECTS. PERMANENT VEGETATION SHALL NOT BE CONSIDERED ESTABLISHED UNTIL A GROUND COVER IS ACHIEVED THAT, IS UNIFORM, MATURE ENOUGH TO SURVIVE AND WILL INHIBIT EROSION. PERMANENT VEGETATIVE COVER (STABILIZATION) SHALL CONSIST OF TOPSOILING, LIMING, FERTILIZING, SEEDING, AND MULCHING TO ASSURE A FIRM STAND OF GRASS.			
L. SILT FENCE NOTES: 1. SILT FENCE AND FILTER FABRIC MUST BE ENTRENCHED.		MS-10: ALL STORM SEWER INLETS THAT ARE MADE OPERATIONAL DURING CONSTRUCTION SHALL BE PROTECTED SO THAT SEDIMENT-LADEN WATER CANNOT ENTER THE CONVEYANCE SYSTEM WITHOUT FIRST BEING FILTERED OR OTHERWISE TREATED TO REMOVE SEDIMENT. [INLET PROTECTION PROPOSED AT ALL EXISTING AND PROPOSED INLETS. SEE ESC PLAN ON DWG C-3.]		12. MAINTENANCE OF ALL EROSION AND SEDIMENT CONTROL PRACTICES SHALL BE SCHEDULED ON A WEEKLY BASIS AND AFTER EACH RUNOFF PRODUCING RAINFALL EVENT PER THE VA E & S HANDBOOK. ANY SEDIMENT THAT HAS BEEN TRANSPORTED BEYOND THE PROJECT LIMITS SHALL BE REMOVED.			
2. POSTS FOR SILT FENCES SHALL BE EITHER 2 INCH DIAMETER OAK, 4 INCH DIAMETER PINE, OR 1.33 LBS/LF STEEL. POSTS WILL BE A MINIMUM OF 5 FEET IN LENGTH.		MS-11: BEFORE NEWLY CONSTRUCTED STORMWATER CONVEYANCE CHANNELS OR PIPES ARE MADE OPERATIONAL ADEQUATE OUTLET PROTECTION AND ANY REQUIRED TEMPORARY OR PERMANENT CHANNEL LINING SHALL BE INSTALLED IN BOTH THE CONVEYANCE CHANNEL AND RECEIVING CHANNEL.		13. SEDIMENT TRAPS, BASINS AND OTHER TEMPORARY EROSION CONTROL MEASURES ARE TO BE REMOVED ONLY WHEN STABILIZATION HAS BEEN ESTABLISHED. TRAPPED SEDIMENT AND THE DISTURBED SOIL AREAS RESULTING FROM THE DISPOSITION OF TEMPORARY MEASURES SHALL BE PERMANENTLY STABILIZED TO PREVENT FURTHER EROSION AND SEDIMENTATION. ALL TEMPORARY EROSION AND SEDIMENT CONTROL MEASURES SHALL BE REMOVED WITHIN 30 DAYS AFTER FINAL SITE STABILIZATION OR AFTER THE TEMPORARY MEASURES ARE NO LONGER NEEDED, UNLESS OTHERWISE DIRECTED BY THE COUNTY.			
3. STEEL POSTS SHALL HAVE PROJECTIONS FOR FASTENING WIRE TO THEM.		MS-12: WHEN WORK IN A LIVE WATERCOURSE IS PERFORMED, PRECAUTIONS SHALL BE TAKEN TO MINIMIZE ENCROACHMENT, CONTROL SEDIMENT TRANSPORT, AND STABILIZE THE WORK AREA TO THE GREATEST EXTENT POSSIBLE DURING CONSTRUCTION. NONERODIBLE MATERIAL SHALL BE USED FOR THE CONSTRUCTION OF CAUSEWAYS AND COFFERDAMS. EARTHEN FILL MAY BE USED FOR THESE STRUCTURES IF ARMORED BY NONERODIBLE COVER MATERIALS. [SAND BAGS WILL BE USED FOR COFFERDAMS AND STREAM WILL BE PUMPED AROUND ALL CONSTRUCTION ACTIVITIES.]		14. ALL APPLICABLE FEDERAL, STATE AND LOCAL REGULATIONS PERTAINING TO THIS PROJECT SHALL BE MET.			
4. WIRE FENCE REINFORCEMENT FOR SILT FENCES USING STANDARD STRENGTH FILTER CLOTH SHALL BE A MINIMUM OF 42 INCHES IN HEIGHT, MINIMUM OF 14 GAUGE AND SHALL HAVE A MAXIMUM MESH SPACING OF 6 INCHES.		MS-13: WHEN A LIVE WATERCOURSE MUST BE CROSSED BY CONSTRUCTION VEHICLES MORE THAN TWICE IN ANY SIX-MONTH PERIOD, A TEMPORARY VEHICULAR STREAM CROSSING CONSTRUCTED OF NONERODIBLE MATERIAL SHALL BE PROVIDED.		15. THE PERMITTEE SHALL BE HELD RESPONSIBLE FOR THE ACTIONS AND PERFORMANCE OF ANY OTHER PARTIES PERFORMING WORK ON THIS PROJECT.			
5. POSTS SHALL BE SPACED A MAXIMUM OF 10 FEET APART AT THE BARRIER LOCATION AND DRIVER SECURELY INTO THE GROUND (MIN. OF 12 INCHES) WHEN EXTRA STRENGTH FABRIC IS USED. WITHOUT THE WIRE SUPPORT FENCE, POST SHALL NOT EXCEED 6 FEET.		MS-14: ALL APPLICABLE FEDERAL, STATE, AND LOCAL REGULATIONS PERTAINING TO WORKING IN OR CROSSING LIVE WATERCOURSES SHALL BE MET. [SEE PROJECT PERMIT APPLICATION PACKAGE.]		STORMWATER DITCH AND TREE PROTECTION EROSION CONTROL NOTES:			
6. WHEN EXTRA STRENGTH FILTER FABRIC AND CLOSER POST SPACING ARE USED, THE WIRE MESH SUPPORT FENCE MAY BE ELIMINATED. IN SUCH A CASE, THE FILTER FABRIC IS STAPLED OR WIRED DIRECTLY TO THE POST.		MS-15: THE BED AND BANKS OF A WATERCOURSE SHALL BE STABILIZED IMMEDIATELY AFTER WORK IN THE WATERCOURSE IS COMPLETED. [STREAM CHANNELS SHALL BE PERMANENTLY STABILIZED AND EXTENDED OUTFALL PROTECTION LIMITS RESULTS IN ADDITIONAL PROTECTION AGAINST EROSION.]		1. BEFORE ANY WORK COMMENCES, AN ON-SITE PRE-CONSTRUCTION MEETING SHALL BE HELD TO ENSURE THAT ALL AFFECTED PARTIES (INCLUDING DESIGN ENGINEER, CONTRACTOR AND ISLE OF WIGHT COUNTY DEPARTMENT OF PUBLIC WORKS) FULLY UNDERSTAND THE CONSTRUCTION SEQUENCING.			
7. SEDIMENT MUST BE REMOVED WHEN DEPOSITS REACH APPROXIMATELY ONE-HALF THE HEIGHT OF THE BARRIER.		MS-16: UNDERGROUND UTILITY LINES SHALL BE INSTALLED IN ACCORDANCE WITH THE FOLLOWING STANDARDS IN ADDITION TO OTHER APPLICABLE CRITERIA: NO MORE THAN 500 FEET OF TRENCH MAY BE OPENED AT ONE TIME. EXCAVATED MATERIAL SHALL BE PLACED ON THE UPHILL SIDE OF TRENCHES. EFFLUENT FROM DEWATERING OPERATIONS SHALL BE FILTERED OR PASSED THROUGH AN APPROVED SEDIMENT TRAPPING DEVICE, OR BOTH, AND DISCHARGED IN A MANNER THAT DOES NOT ADVERSELY AFFECT FLOWING STREAMS OR OFF-SITE PROPERTY. MATERIAL USED FOR BACKFILLING TRENCHES SHALL BE PROPERLY COMPACTED IN ORDER TO MINIMIZE EROSION AND PROMOTE STABILIZATION. RESTABILIZATION SHALL BE ACCOMPLISHED IN ACCORDANCE WITH THIS CHAPTER. APPLICABLE SAFTY CHAPTERS SHALL BE COMPLIED WITH.		2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROVIDING ANY ADDITIONAL TEMPORARY EROSION AND SEDIMENT CONTROL MEASURES THAT MAY BE REQUIRED BY THE ISLE OF WIGHT COUNTY DEPARTMENT OF PUBLIC WORKS, OR COORDINATE WITH THEIR SEQUENCE OF CONSTRUCTION, TO PREVENT EROSION AND SEDIMENT CONTROL RELATED DAMAGE TO PROPERTY OF OTHERS, ADJACENT AND/OR DOWNSTREAM WATERWAYS, OR TO THE PROJECT, DURING CONSTRUCTION AND PRIOR TO PERMANENT STABILIZATION OF ALL DISTURBED AREAS. NO SIDE CASTING IS PERMITTED.			
8. ANY SEDIMENT DEPOSITS REMAINING IN PLACE AFTER THE SILT FENCE OR FILTER BARRIER IS NO LONGER REQUIRED SHALL BE DRESSED ON CONFORM TO THE EXISTING GRADE, PREPARED, AND SEEDED.		MS-17: WHERE CONSTRUCTION VEHICLE ACCESS ROUTES INTERSECT PAVED OR PUBLIC ROADS, PROVISIONS SHALL BE MADE TO MINIMIZE THE TRANSPORT OF SEDIMENT BY VEHICULAR TRACKING ONTO THE PAVED SURFACE. WHERE SEDIMENT IS TRANSPORTED ONTO A PAVED OR PUBLIC ROAD		3. WORK WITHIN THE IMPROVEMENT AREAS SHALL NOT COMMENCE UNTIL PERIMETER EROSION			
9. UNDER NO CIRCUMSTANCES SHOULD SILT FENCE BE INSTALLED IN LIVE STREAMS.							
10. SILT FENCE SHALL BE REMOVED UPON COMPLETION OF THE PROJECT.							
M. SEEDING NOTES: - ALL STABILIZATION/SEEDING WILL BE ACCOMPLISHED IN ACCORDANCE WITH THE VIRGINIA EROSION AND SEDIMENTATION CONTROL HANDBOOK.							
- ANY DISTURBED AREAS NOT PAVED, SODDED, OR BUILT UPON WILL HAVE A VEGETATIVE COVER PRIOR TO FINAL INSPECTION AND IN THE OPINION OF THE ENVIRONMENTAL ENGINEER WILL BE MATURE ENOUGH TO CONTROL SOIL EROSION SATISFACTORILY AND SURVIVE SEVERE WEATHER CONDITIONS.							
- STREAM DIVERSION AREAS, WATERWAYS, BANKS, AND RELATED AREAS WILL BE SEEDED AND MULCHED IMMEDIATELY AFTER WORK IN WATERCOURSE IS COMPLETED. IN NO CASE SHALL WETLAND AREAS BE RESEEDED WITH ANY SPECIES OF RESCUE.							
- WINTERIZATION: ANY DISTURBED AREAS NOT PAVED, SODDED, OR BUILT UPON BY OCTOBER IS TO BE SEEDED AND MULCHED ON THAT DATE UNLESS WAIVED BY THE ENVIRONMENTAL ENGINEER.							
- TEMPORARY SEEDING WILL BE APPLIED WITHN 7 DAYS TO DENUDED AREAS WHICH MAY NOT BE AT							



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REVISIONS					
DATE					

ISLE OF WIGHT COUNTY

DEPARTMENT OF UTILITY SERVICES

17140 MONUMENT CIRCLE #201

WRENN'S MILL REFUSE AND RECYCLING CENTER SITE PLAN AND DRAINAGE IMPROVEMENTS

EROSION AND SEDIMENT CONTROL NOTES

DRAWN BY: MD

DESIGNED BY: MH

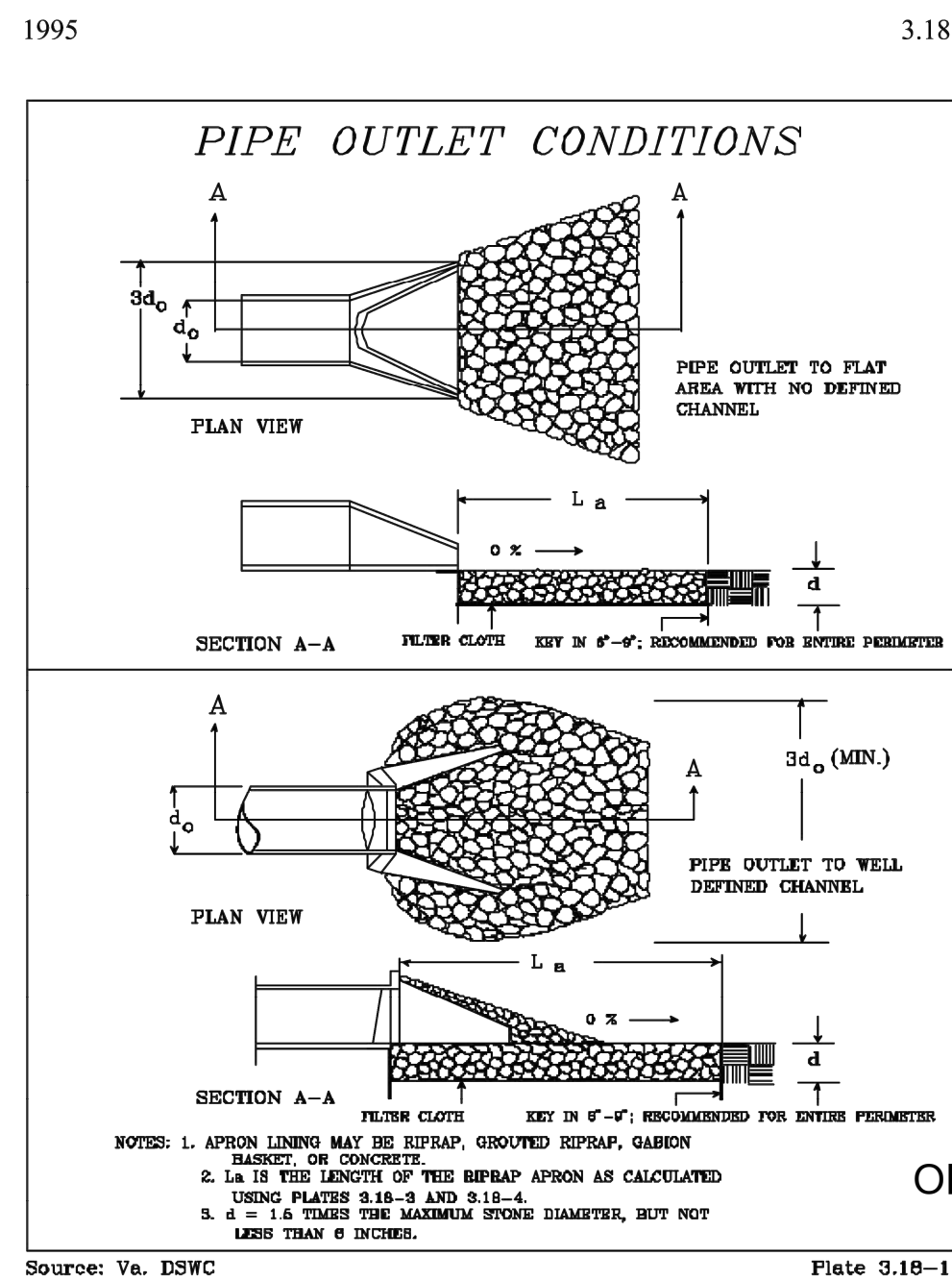
DATE: JULY 2021

SCALE: 1" = 20'

DRAWING

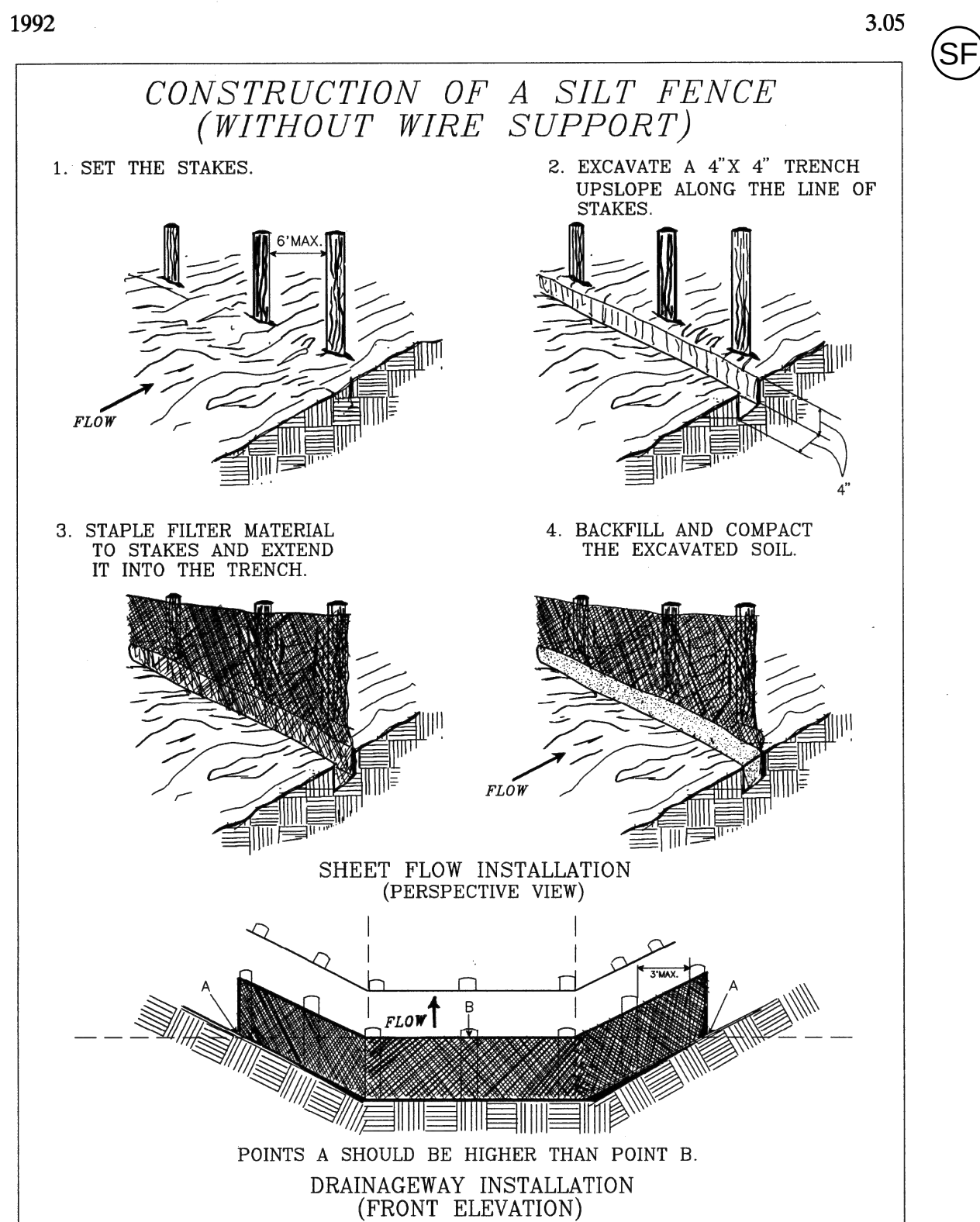
D-1

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B - 91

OUTLET PROTECTION



Source: Adapted from Installation of Straw and Fabric Filter Barriers for Sediment Control, Sherwood and Wyant

Plate 3.05-2

TABLE 3.32-D

SITE SPECIFIC SEEDING MIXTURES FOR COASTAL PLAIN AREA

	Total Lbs. Per Acre
<u>Minimum Care Lawn</u>	
- Commercial or Residential	
o Kentucky 31 or Turf-Type Tall Fescue	175-200 lbs.
or	
o Common Bermudagrass **	75 lbs.
<u>High-Maintenance Lawn</u>	
- Kentucky 31 or Turf-Type Tall Fescue	
or	
- Hybrid Bermudagrass (seed) **	40 lbs. (unhulled)
or	30 lbs. (hulled)
- Hybrid Bermudagrass (by other vegetative establishment method, see Std. & Specs. 3.34)	
<u>General Slope (3:1 or less)</u>	
- Kentucky 31 Fescue	128 lbs.
- Red Top Grass	2 lbs.
- Seasonal Nurse Crop *	<u>20 lbs.</u>
	150 lbs.
<u>Low Maintenance Slope (Steeper than 3:1)</u>	
- Kentucky 31 Tall Fescue	93-108 lbs.
- Common Bermudagrass **	0-15 lbs.
- Red Top Grass	2 lbs.
- Seasonal Nurse Crop *	20 lbs.
- Sericea Lespedeza **	<u>20 lbs.</u>
	150s.

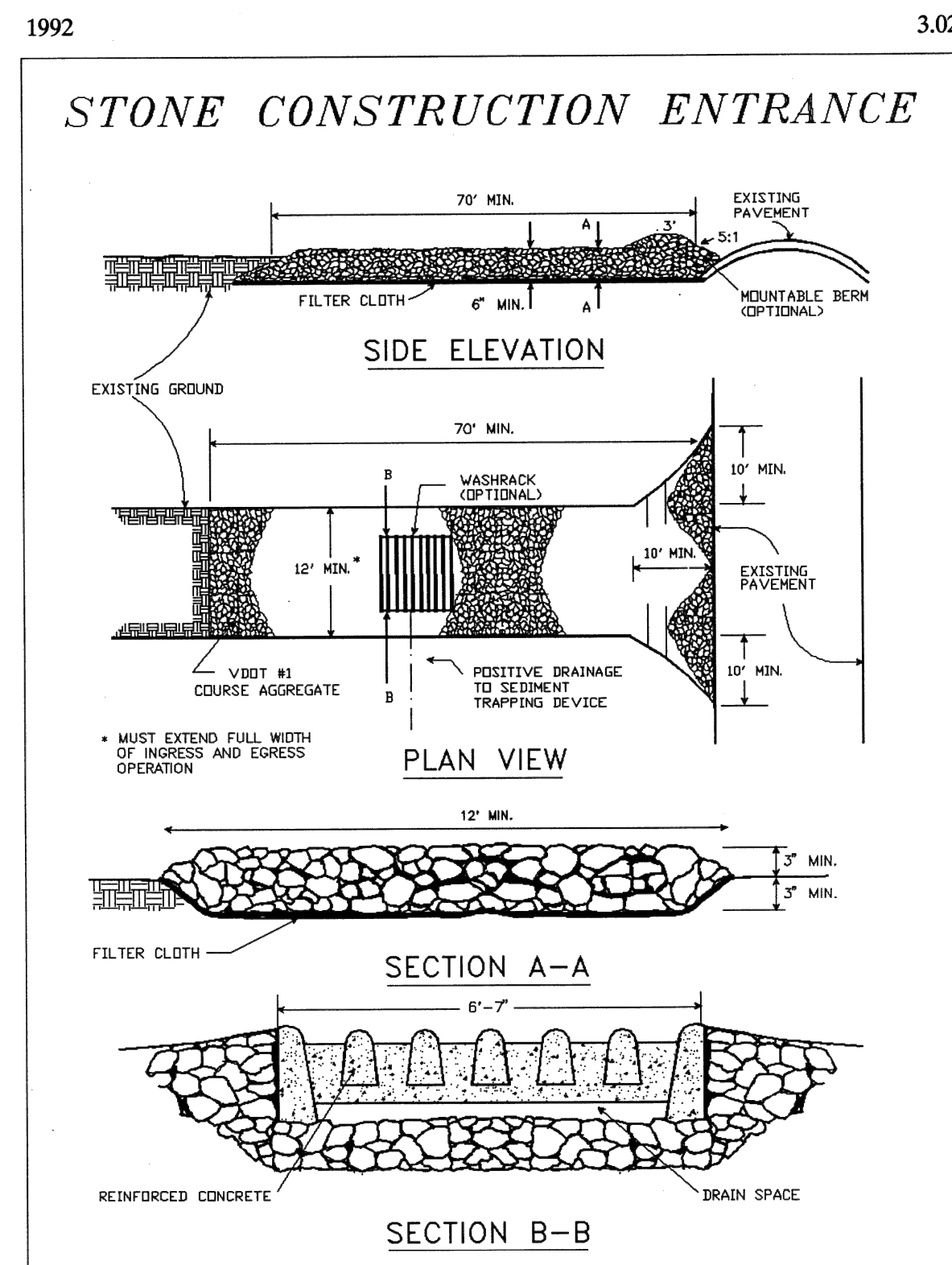
* Use seasonal nurse crop in accordance with seeding dates as stated below:

February, March through April	Annual Rye
May 1 st through August	Foxtail Millet
September, October through November 15 th	Annual Rye
November 16 th through January	Winter Rye

** May through October, use hulled seed. All other seeding periods, use unhulled seed. Weeping Lovegrass may be added to any slope or low-maintenance mix during warmer seeding periods; add 10-20 lbs./acre in mixes.

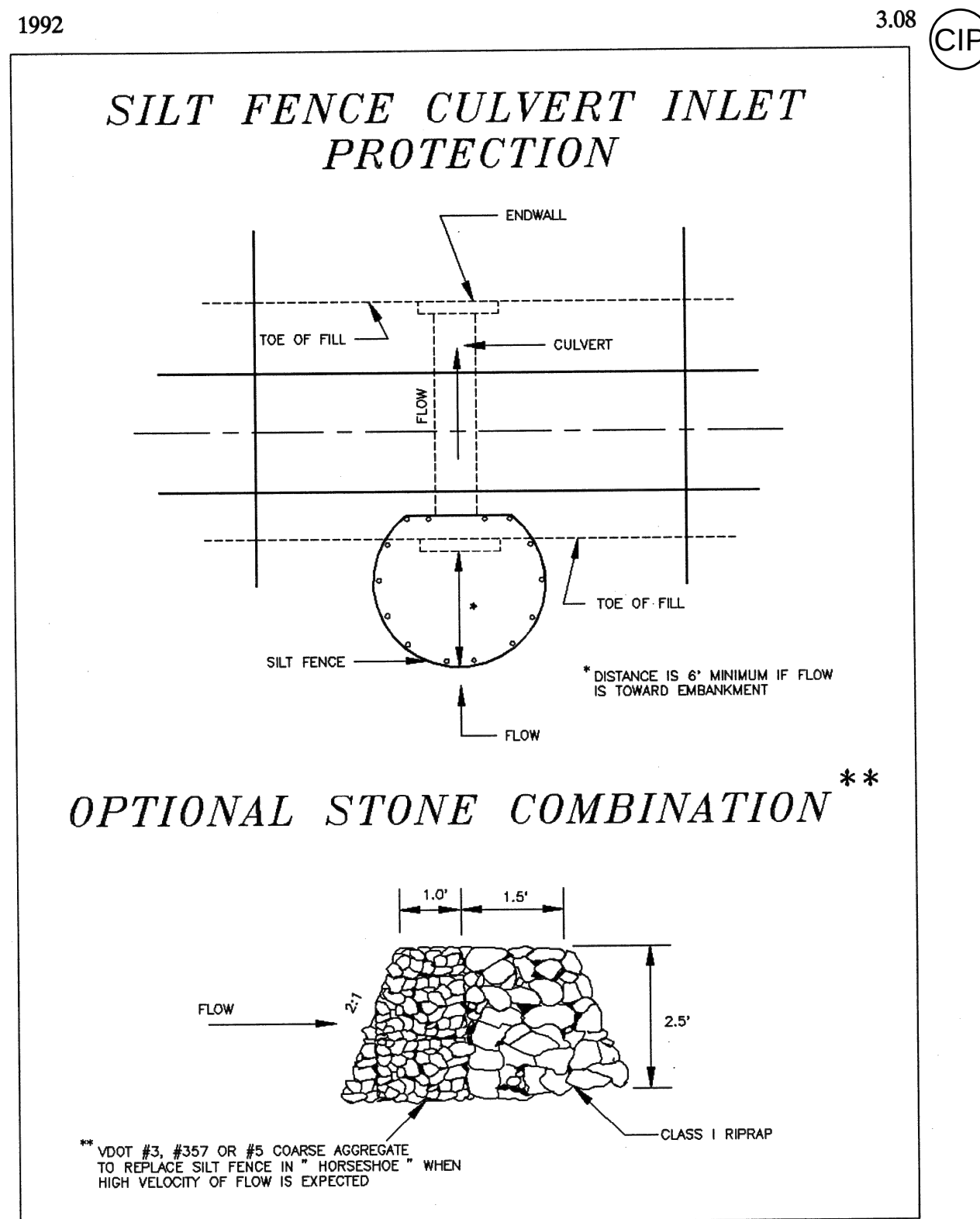
TABLE 3.31-B ACCEPTABLE TEMPORARY SEEDING PLANT MATERIALS *QUICK REFERENCE FOR ALL REGIONS*		
Planting Dress	Species	Rate (lbs./acre)
Sept. 1 – Feb. 15	50/50 Mix of Annual Ryegrass (<i>Lolium multi-florum</i>) & Cereal (Winter) Rye (<i>Secale cereal</i>)	50 – 100
Feb. 16 – Apr. 30	Annual Ryegrass (<i>Lolium multi-florum</i>)	60 – 100
May 1 – Aug 31	German Millet	50

Source: Va. DSWC



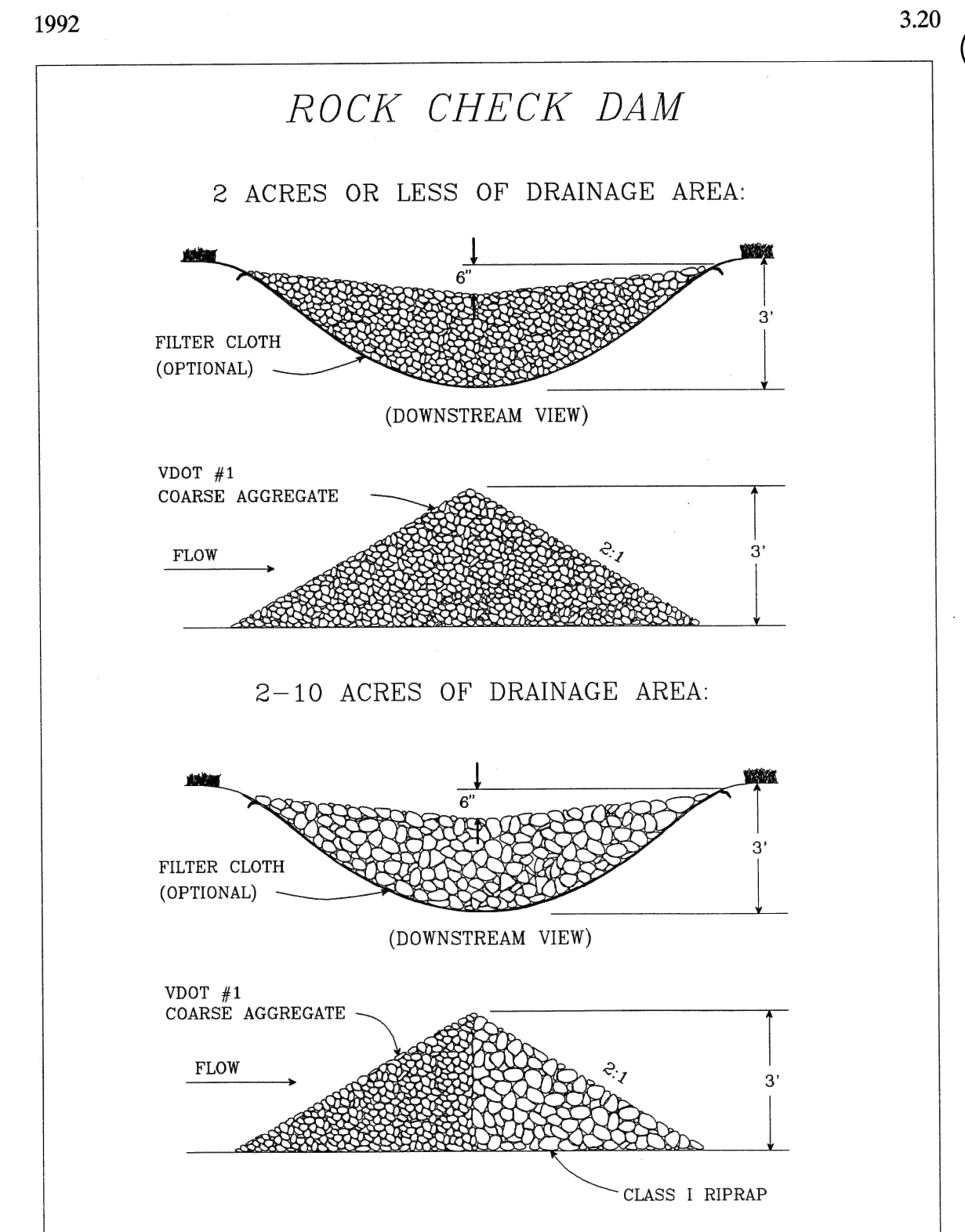
Source: Adapted from 1983 Maryland Standards for Soil Erosion and Sediment Control, and Va. DSWC

Plate 3.02-1



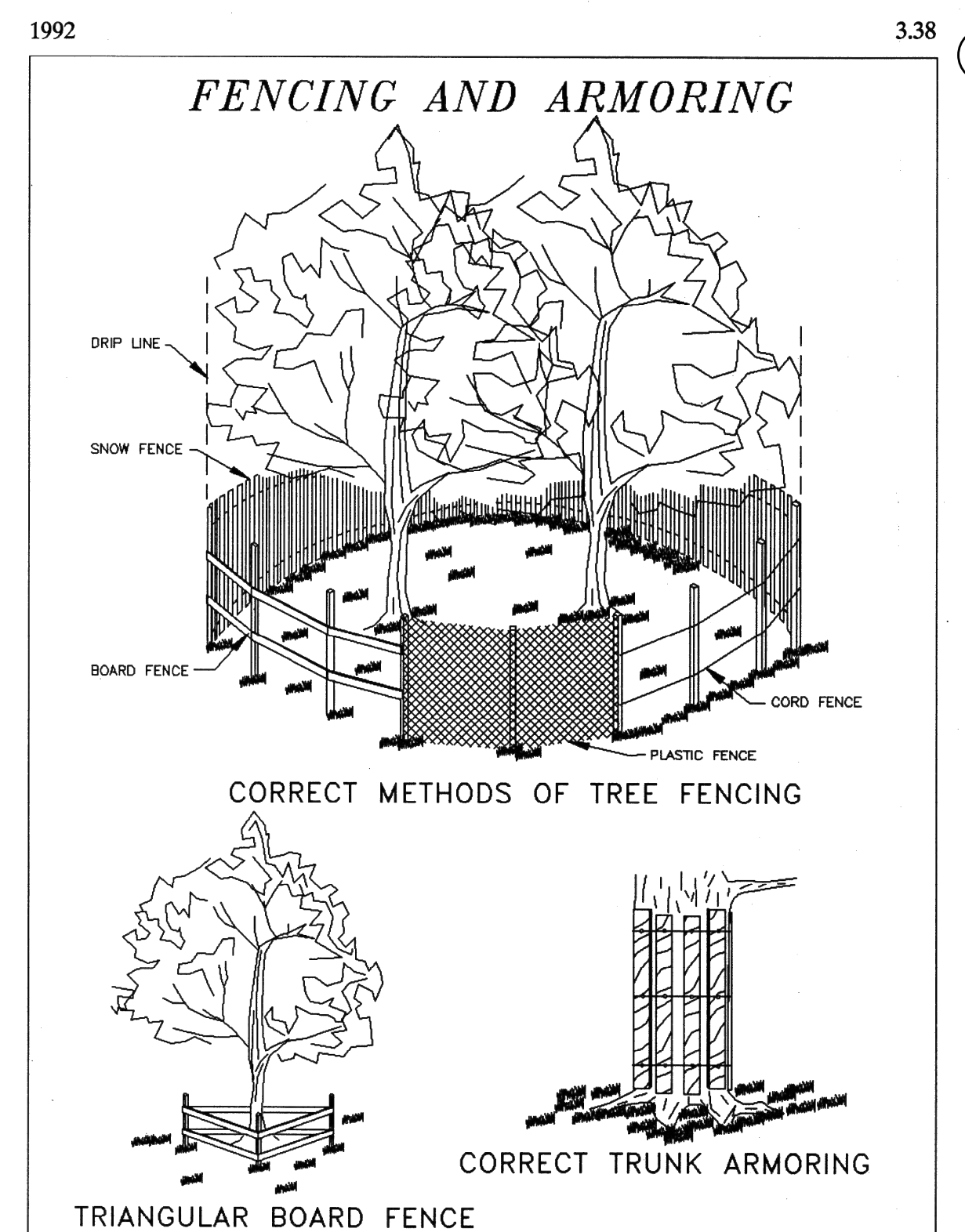
Source: Adapted from VDOT Standard Sheets and Va. DSWC

Plate 3.08-1



Source: Va. DSWC

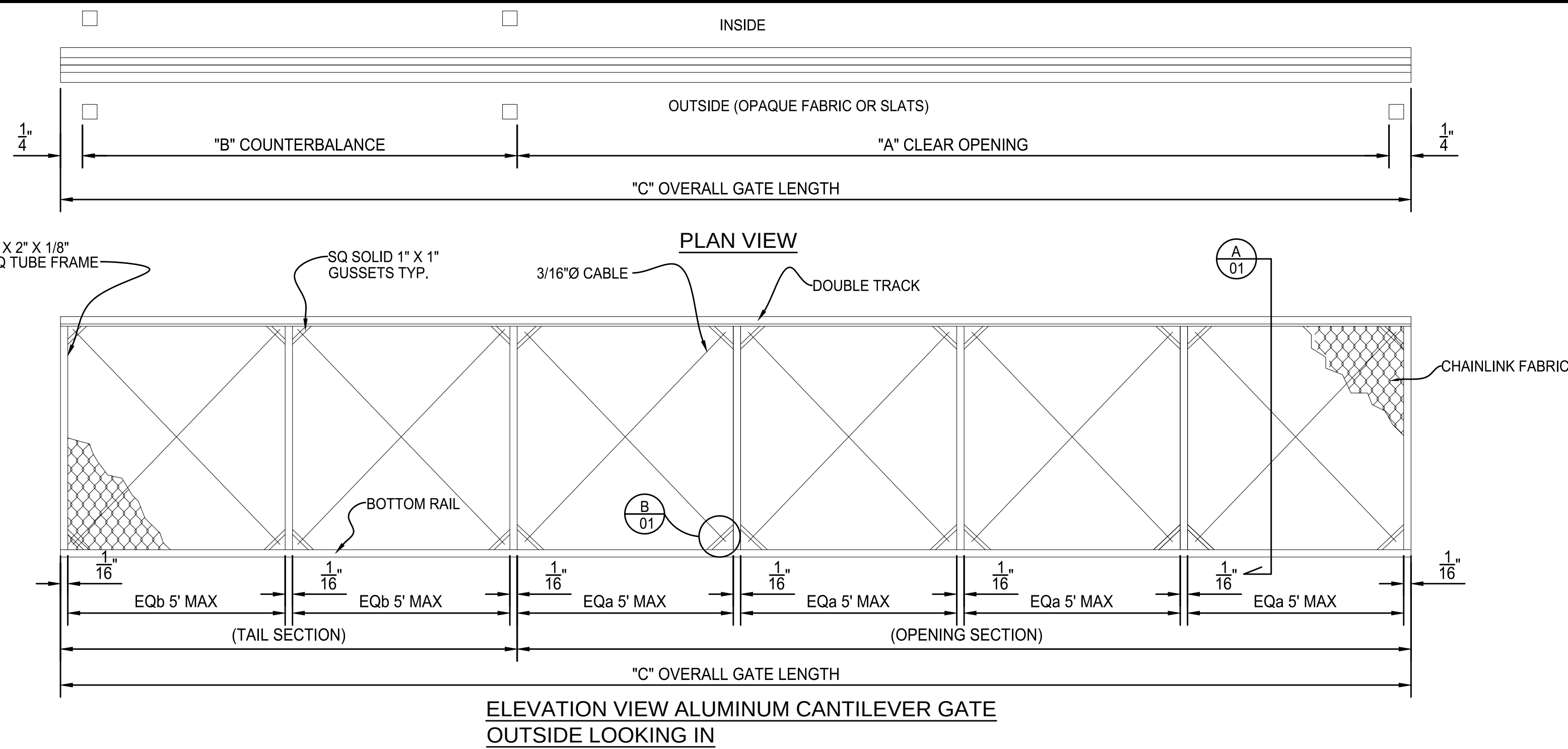
Plate 3.20-1



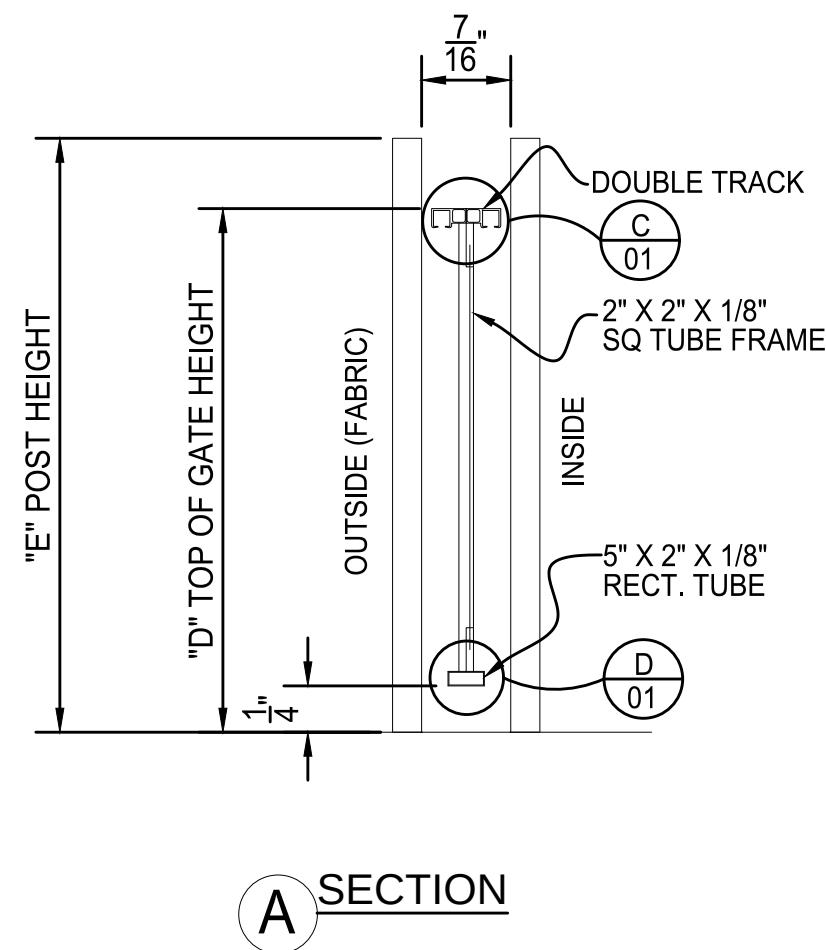
Source: Va. DSWC

Plate 3.38-2

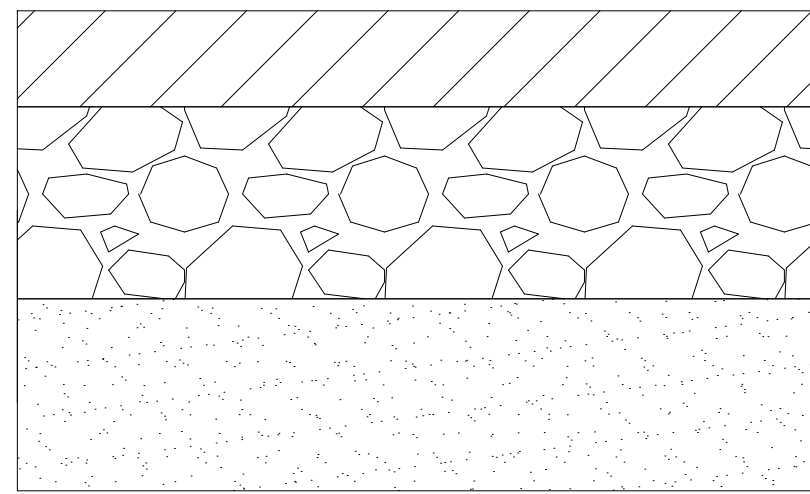
FILE NAME: \\ad-hk.com\fa\Cloud\Projects\2018\18247_IW\Custom\CAD\3. Wrenna Mill Center\CD-Series - Details.dwg LAYOUT NAME: D-3 PLOTTED: Wednesday, July 14, 2021 - 12:04pm



ELEVATION VIEW ALUMINUM CANTILEVER GATE
OUTSIDE LOOKING IN



SECTION A



ASPHALT PAVEMENT SECTION
N.T.S.

INSTALL 6" ASPHALT BASE MATERIAL (BM 25) OR 8" CONCRETE SLAB AS SHOWN ON PLANS (4,000 PSI CONCRETE REQUIRED)

INSTALL 12" VDOT 21A STONE
INSTALL IN 6" LIFTS AND COMPACT TO 95% OF STANDARD PROCTOR AND WITHIN 2% OF OPTIMUM MOISTURE CONTENT.

12" SELECT MATERIAL (MIN. CBR 20)
CONTRACTOR MAY USE ON SITE MATERIAL WITH GEOTECHNICAL APPROVAL AND PROCTOR FOR COMPACTION TESTING.



100% submittal

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REVISIONS

DATE

ISLE OF WIGHT COUNTY
DEPARTMENT OF UTILITY SERVICES

17140 MONUMENT CIRCLE
#201
ISLE OF WIGHT, VA
Phone 757-365-1659

WRENN'S MILL REFUSE AND
RECYCLING CENTER SITE PLAN AND
DRAINAGE IMPROVEMENTS

TRAFFIC CONTROL AND FENCE
DETAILS

DRAWN BY: MD
DESIGNED BY: MH
DATE: JULY 2021
SCALE: 1" = 20'

DRAWING

D-3

SHEET 11 OF 11

Page 6H-52

April 2015

April 2015

Page 6H-53

Typical Traffic Control
Lane Closure on a Two-Lane Roadway Using Flaggers
(Figure TTC-23.1)

NOTES

Guidance:

1. Sign spacing distance should be 350'-500' where the posted speed limit is 45 mph or less, and 500'-800' where the posted speed limit is greater than 45 mph.
2. Care should be exercised when establishing the limits of the work zone to insure maximum possible sight distance in advance of the flagger station and transition, based on the posted speed limit and at least equal to or greater than the values in Table 6H-3. Generally speaking, motorists should have a clear line of sight from the graphic flagger symbol sign to the flagger.

Option:

3. Where Right-of-Way or geometric conditions prevent the use of 48" x 48" signs, 36" x 36" signs may be used.

Standard:

4. Flagging stations shall be located far enough in advance of the work space to permit approaching traffic to reduce speed and/or stop before passing the work space and allow sufficient distance for departing traffic in the left lane to return to the right lane before reaching opposing traffic (see Table 6H-3 on Page 6H-5).
5. All flaggers shall be state certified and have their certification card in their possession when performing flagging duties (see Section 6E.01, Qualifications for Flaggers).
6. Cone spacing shall be based on the posted speed and the values in Table 6H-4 on Page 6H-6.
7. A shadow vehicle with at least one high intensity amber rotating, flashing, or oscillating light shall be parked 80'-120' in advance of the first work crew.

Option:

8. A supplemental flagger may be required in this area to give advance warning of the operation ahead by slowing approaching traffic prior to reaching the flagger station or queued traffic.

Guidance:

9. If the queue of traffic reaches the BE PREPARED TO STOP (W3-4) sign then the signs, and if used the portable temporary rumble strips (PTRS), should be readjusted at greater distances.
10. When a highway-rail crossing exists within or upstream of the transition area and it is anticipated that queues resulting from the lane closure might extend through the highway-rail grade crossing, the temporary traffic control zone should be extended so that the transition area precedes the highway-rail crossing (see Figure TTC-56 for additional information on highway-rail crossings).

Standard:

11. At night, flagger stations shall be illuminated, except in emergencies (see Section 6E.08).

Option:

12. Cones may be eliminated when using a pilot vehicle operation or when the total roadway width is 20 feet or less.
13. For low-volume situations with short work zones on straight roadways where the flagger is visible to road users approaching from both directions, a single flagger, positioned to be visible to road users approaching from both directions, may be used (see Chapter 6E).

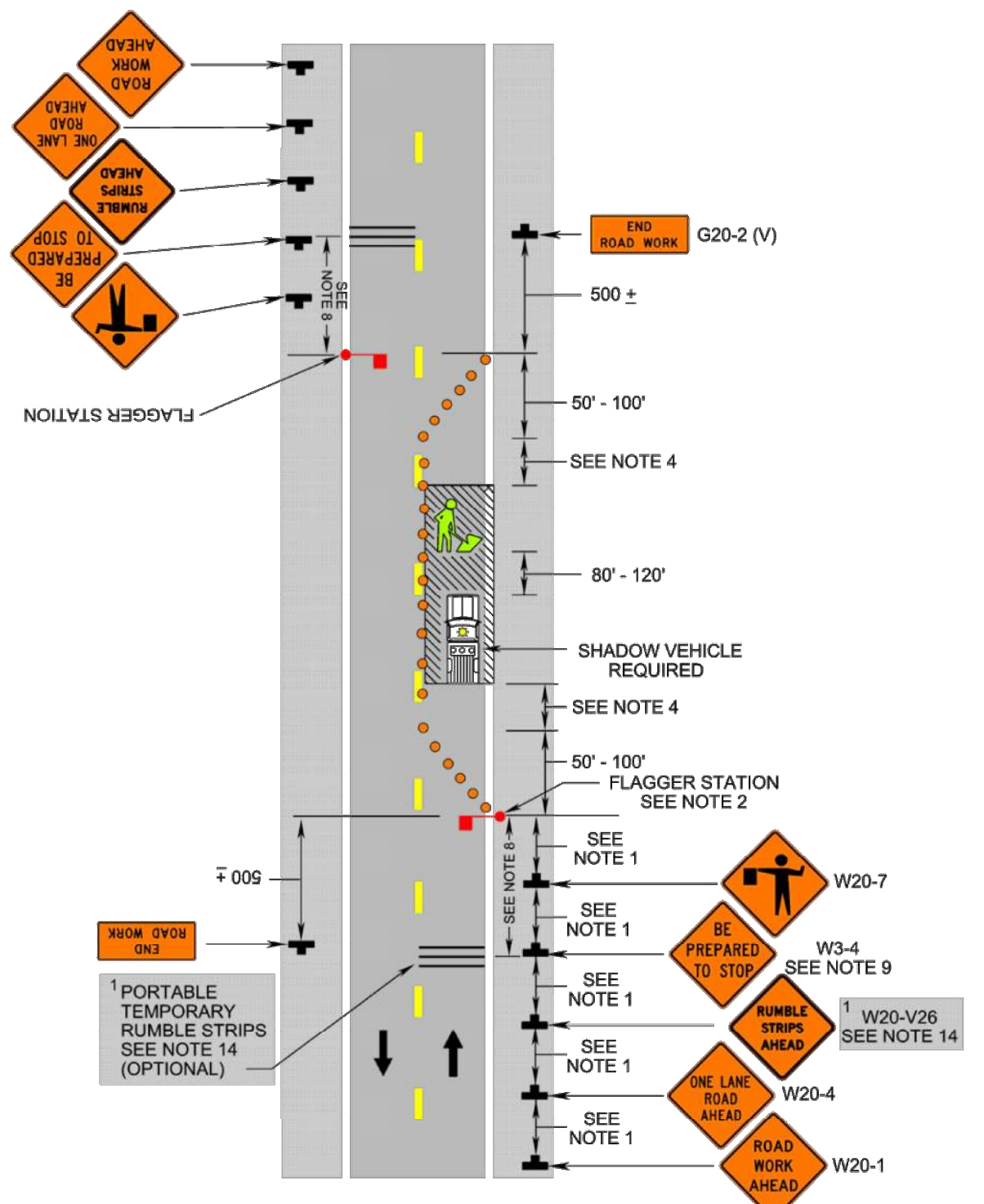
Standard:

14. When approved for use, three portable temporary rumble (PTRS) strips shall be installed across the entire travel lane adjacent to the BE PREPARED TO STOP (W3-4) sign. The portable temporary rumble strips shall be monitored and adjusted as necessary during the work shift to ensure proper placement on the roadway. When the PTRS are installed, the RUMBLE STRIPS AHEAD (W20-V26) sign shall also be utilized.

Posted Speed	0 - 35 mph	36 - 55 mph
PTRS Spacing (Center to Center)	5 Feet	8 Feet

1: Revision 1 - 4/1/2015

Lane Closure on a Two-Lane Roadway Using Flaggers
(Figure TTC-23.1)



1: Revision 1 - 4/1/2015

Wrenn's Mill Refuse and Recycling Center HCO Exception Request
Application Number MISC-4-21
8196 Old Stage Highway

VICINITY MAP



SOURCE: Isle of Wight County 2017 Aerial Photography and Parcel Data August 17, 2021



Wrenn's Mill Refuse and Recycling Center HCO Exception Request
Application Number MISC-4-21
8196 Old Stage Highway

LAND USE MAP



SOURCE: Isle of Wight County 2017 Aerial Photography and Parcel Data August 17, 2021





SOURCE: Isle of Wight County 2017 Aerial Photography and Parcel Data
Created August 24, 2021

PLANNING REPORT

APPLICATION:

Proposed Revisions to the Isle of Wight County Zoning Ordinance

ELECTION DISTRICT:

All

LOCATION:

County-wide

BACKGROUND:

The proposed ordinance changes are suggested by Planning and Zoning staff as a result of their annual review and daily administration of County Ordinances.

DESCRIPTION:

The purpose of the recommended ordinance changes is to provide clarity of regulatory intent, ensure compliance with the *Code of Virginia*, provide additional flexibility, and offer some relief from the regulatory burden on property owners. Planning and Zoning staff will make a presentation to the Planning Commission on the proposed changes at their August 24, 2021, regular meeting.

ORDINANCE REVIEW:

According to Section 1-1010.D of the Zoning Ordinance, an application for text amendment may be initiated by resolution of the board of supervisors, by motion of the planning commission, or by application petition of any property owner(s) addressed to the board of supervisors. An application for text amendment will set forth the new text to be added and the existing text, if any, to be deleted or amended.

The draft text for the proposed Ordinance changes are for Planning Commission review and discussion at their August 24, 2021, meeting. After discussion, the Planning Commission may direct staff to proceed with finalizing the draft changes and advertising them for public hearing.

AGENCY REVIEW:

County staff worked with the County Attorney in developing the proposed Ordinance changes.

STAFF RECOMMENDATION:

The draft text for the proposed Ordinance changes are for Planning Commission review and discussion only.

ATTACHMENTS:

Description	Type	Upload Date
Redline Proposed Zoning Ordinance Changes	Backup Material	8/18/2021

Proposed Zoning Ordinance Revisions

Revised August 18, 2021

The draft revisions are listed by section below. New, proposed language is in red underlined text. Language proposed to be deleted is shown in red text with ~~strikethrough~~ markings.

- 1. Add clarification that an environmental and historical resources impact analysis may be required as part of the community impact statement for rezoning requests. If there are potential impacts to historical resources as identified in the County's archeological and architectural surveys, the zoning administrator may require a Phase I cultural resources survey as part of the application.**

Sec. 1-1015. - Amendments.

F. Community impact statement. A community impact statement shall address the following:

1. Adequacy of existing public facilities and services intended to serve the proposed development. Analysis shall be made of sewer, water, drainage, schools, fire stations, roadways, and other major locally financed facilities.
2. Additional on-site and off-site public facilities or services which would be required as a result of the development.
3. A traffic impact analysis is required for:
 - a. Any development proposed which will generate two hundred (200) average daily trips (ADT) or more based on vehicular trip generation rates as defined by the Institute of Transportation Engineers' most recent publication, "Trip Generation", or the Virginia Department of Transportation. The analysis must be prepared in accordance with VDOT's Traffic Impact Analysis Regulations and Administrative Guidelines and indicate the relationship of the proposed development on the cumulative effect of the traffic and road use for the arterial and secondary roads providing access to the development and any other road or intersection impacted by the development. The traffic impact analysis shall also include traffic data from other existing development to show the cumulative impact of traffic and road use for the affected roadways. Additional areas may be required to be incorporated into the analysis where traffic and accident data warrant.
 - b. At the request of the zoning administrator, when the proposed development is expected to significantly impact the vehicular movement on the arterial highways within the area.
4. A capital impact analysis prepared by county staff utilizing the capital impact model which shall be updated annually. If the model is not available, a fiscal impact analysis of the proposed development on the county shall be required and prepared by the applicant to be reviewed and approved by the zoning administrator when the proposal includes residential dwelling units. A fiscal impact analysis is optional when the proposal does not include any residential dwelling units. The analysis shall contain a comparison of the public revenues anticipated to be generated by the development and the anticipated capital, operations, maintenance and replacement costs for public facilities needed to service the project at the adopted county service standards, as well as employment opportunities to be generated by the development. The county shall consider the information provided by the applicant during the development

review process; provided, however, that the fiscal impact analysis shall not serve as the sole basis for the approval or disapproval of an individual development proposal unless the health and safety of the community is affected by the inability to provide transportation, fire, police, emergency equipment and services, sewer or water to the proposed development.

5. An assessment of the proposed development's impact on any of the County's environmental and historical resources on the site. A Phase I cultural resources survey may be required at the request of the zoning administrator, if the development will impact high or moderate sensitivity areas as shown in the County's archeological and architectural surveys.

2. Add Short Term Rentals as a commercial use type in Article III, "Use Types."

Sec. 3-6000. - Commercial use types.

Short Term Rental.\ the provision of a room or space that is suitable or intended for occupancy for dwelling, sleeping, or lodging purposes, for a period of fewer than thirty consecutive days, in exchange for a charge for the occupancy. A short term rental operator shall be further defined as the proprietor of any dwelling, lodging, or sleeping accommodations offered as a short-term rental, whether in the capacity of owner, lessee, sublessee, mortgagee in possession, licensee, or any other possessory capacity

3. The following changes are proposed for Article IV, "Zoning Districts":

Sec. 4-1005. - Table of permissible uses.

Proposed changes to Section 4-1005, "Table of Permissible Uses," include adding reptile breeding as a conditional use in the General Commercial district, and adding Short Term Rentals as a permitted use in all residential districts. One additional editorial change is proposed to add peddlers as permitted in the Village Center district unintentionally omitted during a previous update.

Table 1
Table of Permissible Uses (ATTACHED)

Sec. 4-2006, "Bulk Regulations," Rural Agricultural Conservation (RAC) Zoning District

Make the side yard setback requirement fifteen (15) feet for both sides to add flexibility, consistency and reduce confusion.

C. Minimum side yard setback:

1. Principal structures: Fifteen (15) feet ~~(one (1) side); Thirty-five (35) feet (both sides).~~

Sec. 4-5005. – “Bulk regulations,” Neighborhood Conservation (NC) Zoning District
C. Minimum front yard setback:

~~1. Lots with less than one hundred fifty (150) feet of width:~~

~~1.a.~~ Where rights-of-way is fifty (50) feet or greater, the minimum front yard setback is thirty-five (35) feet from property line.

~~2.b.~~ Where rights-of-way is less than fifty (50) feet, the minimum front yard setback is sixty (60) feet from centerline of road.

~~2. Lots one hundred fifty (150) feet or greater of width:~~

~~a. Where rights-of-way is fifty (50) feet or greater, the minimum front yard setback is sixty (60) feet from property line.~~

~~b. Where rights-of-way is less than fifty (50) feet, the minimum front yard setback is eighty-five (85) feet from centerline of road.~~

3. In the case that there are existing lots of record in a subdivision having a width that would require a front setback to be lesser or greater than the other lots within the subdivision, the setback met by the majority of the lots shall be required.

4. The following changes are proposed for Article V, “Supplemental Use Regulations”:

Sec. 5-1004. - Accessory uses.

C. Portable on demand storage (POD) units or dumpsters used for renovation or construction work shall be considered temporary structures. They are permitted for use for a total of sixty (60) days, after which a zoning permit must be obtained through the planning and zoning department for a period not to exceed six months.

Sec. 5-5001. - Supplementary use regulations for agricultural use types.

G. Reptile breeding.

1. In addition to obtaining a conditional use permit, reptile breeding shall comply with the following provisions:

a. Each reptile shall be kept in ~~one hundred percent (100%)~~ escape proof, temperature-controlled glass cage. The only exception shall be during breeding and no more than two (2) reptiles shall be kept in a cage for breeding purposes at in any given time.

b. Each cage shall contain proper housing, shelter, feeding and water accommodations.

c. An operational plan shall accompany the conditional use permit application to describe how the business will operate, what structures/facilities will be devoted to the use, what species of reptiles will be kept, how large they grow and how will they will be caged long term, how the reptiles will be cared for including feeding, medical check-ups, how the cages will be cleaned and maintained to prevent the spread of bacteria, how waste disposal will be handled, and any other information as may be determined by the zoning administrator, planning commission and board of supervisors.

d. The keeping of reptiles shall comply with all local, state and federal requirements.

H. Private Sawmill.

1. A ~~permanent or temporary private~~ sawmill shall be no less than three hundred (300) feet from any lot line or street right-of-way.
2. A permanent or temporary structure shall not be located on environmentally sensitive lands (RPAs) and wetlands.
3. All power saws and machinery will be secured against tampering or locked when not in use.
4. A ~~temporary private~~ sawmill shall only be established to process timber cut from the parcel on which the ~~temporary private~~ sawmill is located or on immediately adjacent parcels or to process timber for personal use only. ~~and shall only be allowed for a period of only one (1) year. For periods exceeding one (1) year, a conditional use permit shall be obtained from the board of supervisors.~~
5. A ~~temporary private~~ sawmill shall be located at least two hundred (200) feet from any ~~residence located on an adjoining property.~~
6. No processing, milling, finishing or artificial means of drying green lumber shall be associated with a ~~temporary private~~ sawmill.
7. Green lumber and all other products and by-products from the ~~temporary private~~ sawmill shall be removed from the site at least every sixty (60) days.
8. Buildings associated with a ~~temporary private~~ sawmill shall be limited to shelter for the sawmill equipment and essential shelter for personnel. No building shall be erected for the storage, processing, or drying of green lumber.

Sec. 5-5002. - Supplementary use regulations for residential use types.

Q. Short Term Rentals

1. A zoning permit is required. Permit information must include a local point of contact who is available to respond to and resolve complaints during the entire length of the rental period. Failure to respond and resolve complaints will result in the revocation of the permit.
2. Operators must obtain a business license and register for transient occupancy and state sales tax.
3. The locality may assess a penalty of up to \$500 per violation for failure to obtain required permits and may prohibit the rental of a property. Repeated violations may result in the prohibition on rental of applicable properties.
4. One off-street space per guest room is required in addition to the parking required for the house.
5. Rentals are limited to owner-occupied residences. No visible evidence of the conduct of a short term rental is allowed on the outside of the property.
6. Event rentals are not permitted.

Sec. 5-5003. - Supplementary use regulations for civic use types.

M. Utility services, major.

4. Utility Scale Solar Energy Facilities.

- a. In addition to any conditional use permit application requirements, the applicant shall provide the following at the time of application:
 - i. A conceptual plan showing the proposed layout of all structures, adjacent properties, screening, landscaping, internal roadways, easements, environmentally sensitive features including proposed wildlife corridors;
 - ii. A visual impact analysis demonstrating through project siting and proposed mitigation, if necessary, that the solar project minimizes impacts on the visual character of a scenic landscape, vista, or scenic corridor;
 - iii. A transportation plan showing vehicular access to the site, proposed construction traffic route to the site, parking areas, and laydown yards;
 - iv. An estimated time frame and proposed hours of operation for construction activity;
 - v. Economic impact analysis of the project including projected net new tax revenue as well as loss of active agricultural and silvicultural lands and its indirect impact to associated local businesses;
 - vi. An environmental resource impact analysis discussing any proposed activities within designation resource conservation areas;
 - vii. A historical and cultural resources impact analysis; and
 - viii. Written comments from the relevant electric company regarding the capacity of the transmission lines as part of any use permit application. An applicant can satisfy this requirement by submitting proof of application for interconnection to the electricity system.
- b. Ground-mounted systems shall not exceed fifteen (15) feet in height when oriented at maximum tilt, except when temporarily stowed in a vertical position for vegetation management or for inspection, maintenance and/or repair.
- c. Audible sound from a solar energy system shall not exceed 60 dBA (A-weighted decibels), as measured at any adjacent non-participating landowner's property line. The level, however, may be exceeded during short-term exceptional circumstances, such as severe weather.
- d. All equipment, accessory structures and operations associated with a large solar energy system shall be setback at least seventy-five (75) feet from all property lines and at least one hundred and twenty-five (125) feet from any residential parcels, and are subject to the following:
 - i. Setbacks shall be kept free of all structures and parking lots; and
 - ii. Setbacks shall not be required along property lines adjacent to other parcels which are part of the solar energy system; however, should properties be removed from the system, setbacks must be installed along all property lines of those properties remaining within the project and which are adjacent to a parcel which has been removed.
- e. The following landscaping standards shall apply:
 - i. Along public roadways with at least fifty (50) feet of right-of-way, a minimum fifty-foot wide bufferyard shall be installed or retained with at least seventy-five (75) landscaping points per one hundred (100) linear feet shall be required in the bufferyard;

- ii. Along public roadways with less than fifty (50) feet of right-of-way, twenty-five (25) landscaping points per one hundred (100) linear feet shall be required in the bufferyard;
 - iii. Where solar facility properties abut residential parcels, one hundred twenty (120) landscaping points per five hundred (500) square feet of bufferyard shall be required;
 - iv. Existing vegetation that meets the minimum landscaping specifications may be used to meet required landscaping points; and
 - v. No silvicultural activities or removal of required landscaping materials shall occur in the required bufferyards.
- f. Provide soil testing for any contaminants directly attributable to the solar panels before and after construction and every five (5) years during the interim until the facility is decommissioned. Owner/operator must provide copies of initial baseline report and subsequent reports to the zoning administrator. Should a negative finding indicating contamination from the solar panels occur, contamination must be remedied by the owner/operator to applicable state and federal standards.
- g. Prior to final site plan approval, an owner, lessee, or developer of real property shall enter the following agreement and provide them to the zoning administrator for review and approval:
 - i. A written agreement to decommission solar energy equipment, facilities, or devices upon the following terms and conditions:
 - a) If the party that enters into such written agreement with the county defaults in the obligation to decommission such equipment, facilities, or devices in the timeframe set out in such agreement, the locality has the right to enter the real property of the record title owner of such property without further consent of such owner and to engage in decommissioning; and
 - b) Such owner, lessee, or developer shall provide financial assurance of such performance to the county in the form of certified funds, cash escrow, bond, letter of credit, or parent guarantee, based upon an estimate of a professional engineer licensed in the commonwealth, who is engaged by the applicant, with experience in preparing decommissioning estimates and approved by the county; such estimate shall not exceed the total of the projected cost of decommissioning, which may include the net salvage value of such equipment, facilities, or devices, plus a reasonable allowance for estimated administrative costs related to a default of the owner, lessee, or developer, and an annual inflation factor.
 - c) Decommissioning of discontinued or abandoned large solar energy systems shall include the following:
 - i. Physical removal of all solar energy equipment and above-ground appurtenant structures from the subject property including, but not limited to, buildings, machinery, equipment, cabling and connections to transmission lines, equipment shelters, security barriers, electrical components, roads, unless such roads need to remain to access buildings retrofitted for another purpose, or the landowner submits a request to the board of supervisors that such roads remain.

- ii. Below-grade structures, such as foundations, underground collection cabling, mounting beams, footers, and all other equipment installed with the system shall be completely removed: however, these structures may be allowed to remain if a written request is submitted by the landowners and a waiver is granted by the Board of Supervisors.
- iii. Compacted soils shall be decompacted as agreed to by the landowner.
- iv. Restoration of the topography of the project site to is pre-existing condition, except that any landscaping or grading may remain in the after-condition if a written request is submitted by the landowner and a waiver is granted by the board of supervisors.
- v. Proper disposal of all solid or hazardous materials and wastes from the site in accordance with local, state, and federal solid waste disposal regulations.

g. During and at the end of project construction, any damage done to public roads by solar farm construction equipment shall be repaired in accordance with VDOT standards and specifications. Post construction damage shall be identified based on inspections by VDOT with the developer or their agent, prior to construction and upon completion, identifying the items for repair. Additionally, at the request of VDOT, in order to ensure the safety of the traveling public, some damages may need to be addressed immediately.

h. Facilities shall not be located within the limits of the County's Development Service Districts.

i. Facilities must be within a two mile radius of existing substations and high voltage transmission lines.

5. The following changes are proposed for Article VI, "Overlay Districts":

Sec. 6-1001. - Highway Corridor Overlay (HCO) District.

Sec. 6-1010. - Architectural and development guidelines for all nonresidential uses.

B. Development standards. Proposed development within the district should provide for visual compatibility and harmony with surrounding natural landforms and vegetation; be protective of views and vistas from the arterial highways within the district; and provide continuity of site design within the proposed development. These objectives include the following standards:

- 6. Vehicular movement and parking areas requiring ~~five (5)~~ twenty (20) spaces or more shall be paved with concrete, asphalt, or other similar material. Vehicular movement and parking areas requiring less than ~~five (5)~~ twenty (20) spaces may be surfaced with gravel, slag, or other similar material but must be served by paved entrances meeting Virginia Department of Transportation standards. ~~Concrete curb and gutter or other stormwater management structure as approved by the zoning~~

~~administrator shall be installed around the perimeter of all driveways and parking areas.~~ Off street parking areas shall be clearly designated by the use of borders around the perimeter of these areas using fences, walls, wooden timbers, brickwork, or other similar treatment. Drainage shall be designed so as not to interfere with pedestrian traffic.

Sec. 6-2000. - Newport Development Service Overlay (NDSO) District.

Sec. 6-2009. - Development standards.

E. ~~All vehicular movement and parking areas shall be paved with concrete, asphalt, or other similar material.~~ Vehicular movement and parking areas requiring twenty (20) spaces or more shall be paved with concrete, asphalt, or other similar material. Vehicular movement and parking areas requiring less than twenty (20) spaces may be surfaced with gravel, slag, or other similar material but must be served by paved entrances meeting Virginia Department of Transportation standards.

1. Parking shall be designed in accordance with one (1) of the following options:

a. When all of the parking is located to the side or rear of the primary structure; the front setback along roads not specified in Section 6-1003 may be reduced ~~by up to twenty (20) feet to no less than twenty-five (25) feet~~ subject to review and approval by the zoning administrator after consideration of necessary utility, landscaping and pedestrian corridors.

b. When more than twenty-five percent (25%) of the required parking is to be located in front of the primary structure; a decorative fence no less than three (3) feet in height shall be constructed between the parking and the public right-of-way. This fence shall not count towards the required landscaping points for any specified landscaping zone.

F. ~~Concrete curb and gutter or other stormwater management structures as approved by the zoning administrator shall be installed around the perimeter of all driveways and parking areas.~~ Off street parking areas shall be clearly designated by the use of borders around the perimeter of these areas using fences, walls, wooden timbers, brickwork, or other similar treatment. Drainage shall be designed so as not to interfere with pedestrian and bicycle traffic.