

AT A MEETING OF THE MIDDLESEX COUNTY BOARD OF SUPERVISORS  
HELD ON TUESDAY, OCTOBER 20, 1998, IN THE BOARD ROOM OF THE  
WOODWARD BUILDING, SALUDA, VIRGINIA:

Present: Fred S. Crittenden, Pinetop District  
Kenneth W. Williams, Pinetop District  
Lenora O. Weber, Saluda District  
John D. Miller, Jr., Saluda District  
Frank Jessie, Jamaica District

Charles M. Culley, Jr., County Administrator  
Tim Wilson, Planning Director  
Michael Soberick, County Attorney

**RECESS AND RECONVENE**

There being a large number of people present for the Board's public hearings, the meeting was recessed to reconvene in the Courtroom.

**CALL TO ORDER**

The Chairman, Mr. Crittenden, called the meeting to order at 7:35 p.m. in the Courtroom and opened with words of prayer.

**REZONING APPLICATION R-98-006, BRYAN ROBINSON, APPLICANT**

Mr. Wilson presented the referenced application to rezone 262 acres from Low Density Rural to Residential for the purpose of creating an 18-lot subdivision. The applicant's original proposal, R-98-004, a rezoning request with a 70 lot subdivision, had been heard by the Planning Commission, but withdrawn by the applicant prior to public hearing by the Board.

Proffers were submitted with the application and were read by Mr. Wilson, along with the staff report and recommendation of the Planning Department and Planning Commission. An additional proffer regarding the shared easement had been received just prior to tonight's meeting.

Mr. Crittenden presented guidelines for those persons or agents wishing to address the Board regarding the application. Mr. Crittenden opened the public hearing for comments. The following persons presented comments:

- Bryan Robinson – reviewed the proffers that had been submitted and requested the Board's approval of the application.
- Deborah Haynes – representing Deer Chase Park Beach Homeowner's Association, favored requiring environmental and historical impact studies of the property under consideration; expressed opposition to the latest proffer regarding road maintenance of the shared right of way and expressed opposition to the overall application.
- Ed Chenoweth – spoke in opposition to the proposed development
- Jerry Cook – favored environmental study and noted the many natural springs and streams on the property which could be impacted by development.
- Steve Scott – questioned impact the development would have on existing water table, noting the current limited water supply and problems he has currently with the shallow well.

- Bob Warner – development plan shows no water access for those interior lots, commenting that this could result in further burden of current public water accesses. Mr. Warner also questioned the width to depth ration of the proposed lot design.
- Mary Roddenberry – development would compound existing problems of highway safety on Route 629, emergency services, and schools.
- George Richardson – partner of developer, commented that proffers had responded to the objections raised to the Planning Commission. Mr. Richardson also noted some possible uses that could be made of the property if the rezoning did not pass, which in his opinion, may be less desirable than the proposed development.
- Robert Montague – proponent of Dragon Run Preservation, noted his opposition to the rezoning and requested the Board not further promote the “bedroom community” image for the County.
- John Bagby – opposed development
- James Ward, attorney representing Randolph Segar, -- noted opposition and commented that the Board was not legally obligated to rezone the property.
- Randolph Segar – suggested the Board not be antagonized by the proffers and noted the economic need of the development did not exist.
- Jim Harris – noted opposition to the Board and adjoining property owners being threatened with implementation of potential agricultural uses.
- Barbara Hayes – commented on the historic resources present on the property and questioned the impact on the County’s infrastructure. Favored long range planning for county and encouraged donating land to preservation or conservancy agencies rather than selling to developers.
- Lew Samuel – opposed development
- Nancy Harris – favored no further developments of properties on Route 629 until the road was improved.

There being no further comments from the public, the Chairman closed this portion of the hearing and requested Board comments. Mr. Miller commented that he agreed with the citizens in the area who felt this was a bad location for the development. Mrs. Weber noted her opposition. Mrs. Weber made the motion to deny rezoning application R-98-006, which was seconded by Mr. Miller. Further comments by Board members followed.

Mr. Crittenden presented his opposition to proposing the project for this area, however, noted his admiration for developing proffers in an attempt to appease neighbors concerns. Mr. Williams encouraged citizens to contact state agencies with concerns they may have with logging operations at the sight. Mr. Jessie commented that he would be voting against the application. In the vote that followed, the Board unanimously voted in favor of denying the application.

## **RECESS**

There was a brief recess while the Courtroom cleared.

## **ZONING ORDINANCE AMENDMENT APPLICATION 98-007**

Mr. Wilson presented the proposed ordinance amendment which, if approved, would permit manufactured homes as a permitted use in Resource Husbandry as required by State Code and would also increase minimum lot sizes and setbacks to parallel the recent changes in the Low Density Rural District, the County’s other agricultural designation.

Mr. Crittenden opened the public hearing for comments. There being none, the public portion of the hearing was closed. The motion to adopt the amendment 98-007 as proposed was made by Mrs. Weber, seconded by Mr. Miller and carried unanimously.

### **GTE CALLER IDENTIFICATION**

Donnie Sears, district representative for GTE, estimated completion of installing the caller identification service to the entire county by March 1999. This service will enable the customer to rent display devices from the telephone company, which, when connected to the incoming line would show the name and phone number of the call origin. While the service is not currently available to all areas of the county, 28 citizens have purchased the display devices and are awaiting the completed connection. Mrs. Weber presented Mr. Sears with petitions of citizens who indicated they were in support of GTE implementing this service.

### **INTERNET ACCESS**

Mr. Culley presented the costs for internet access from GTE at \$881.50 per month. Claricom had provided a cost minimum of \$1500. A router and other equipment will be needed to complete the access, with a minimum of 30 days before installation can be completed. According to Mr. Culley, the \$16,000 budgeted will cover all the proposed fees. The motion to accept a two-year contract with GTE, for a cost of \$881.50 per month, was made by Mr. Miller, seconded by Mr. Jessie and carried unanimously.

### **DISBURSEMENTS**

The motion to approve the disbursement of funds for box rent for reassessment, a check to Wardico for the bulk of Social Services furniture, and one-half of the payment for painting the roof at the Cooks Corner Office Complex was made by Mr. Williams, seconded by Mr. Miller and carried unanimously. Checks numbered 30701 through 30703 totaling \$19,500.00 would be disbursed as approved.

### **REZONING APPLICATION – R-98-005, THOMAS GILBERT**

Discussion continued on this rezoning application. Action had been tabled from the September 15<sup>th</sup> meeting pending a recommendation by the Planning Commission. The Commission recommended denial of the application at its September 8<sup>th</sup> meeting.

The motion to deny the approval as recommended by the Commission was made by Mr. Jessie, seconded by Mr. Williams and carried unanimously. Mrs. Weber commended the Commission for stepping forward to deny application based on density.

### **VETERAN'S DAY DEDICATION**

Mrs. Jones presented programs for the Veteran's Day Memorial Dedication scheduled for 1:00 – 3:00 P.M. on November 11<sup>th</sup>. In preparation for the event, Mrs. Jones requested that the American boxwoods along the side of the walk be removed. These bushes have grown woody and have no growth at the bottoms.

After discussion regarding the need to try and preserve any landscaping of historical value, the motion to approve the removal of the larger American boxwoods was made by Mr. Miller, seconded by Mrs. Weber and carried unanimously.

### **EXECUTIVE SESSION**

The motion to convene in Executive Session to discuss matters involving legal counsel, including the Airport, Zoning and the Chesapeake Bay Act, per Code of

Virginia, Section 2.1-344.a7, and personnel with the Treasurer, Mrs. Wilson, per Code of Virginia, Section 2.1-344.a1, was made by Mr. Jessie, seconded by Mr. Miller and carried unanimously.

Upon reconvening in open session, the following motion was made by Mr. Miller, seconded by Mr. Jessie and carried unanimously:

- To the best of the members' knowledge, only public business matters lawfully exempted and identified in the motion by which the executive meeting convened were discussed in executive session.

Action:

As a result of the executive session, there was no action taken by the Board. Mr. Soberick advised the Board that the lawsuit of Morrissette v. the Board of Zoning Appeals had been withdrawn.

### **PORTRAIT**

Mr. Crittenden invited Board members to attend the unveiling and presentation of a portrait of his father to the Middlesex County Circuit Court.

### **ADJOURN**

There being no further business, the meeting recessed until November 3, 1998.

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Fred S. Crittenden, Chairman  
Board of Supervisors