

AT A MEETING OF THE MIDDLESEX COUNTY BOARD OF SUPERVISORS  
HELD ON TUESDAY, MAY 15, 2007, IN THE BOARD ROOM OF THE  
WOODWARD BUILDING, SALUDA, VIRGINIA:

Present: John D. Miller, Jr., Saluda District  
Robert A. Crump, Saluda District  
Fred S. Crittenden, Pinetop District  
Kenneth W. Williams, Pinetop District  
Wayne Jessie, Sr., Jamaica District

Charles M. Culley, Jr., County Administrator  
Marcia Jones, Assistant Administrator  
Michael T. Soberick, County Attorney

**CALL TO ORDER**

Chairman Miller called the meeting to order at 7:30 P.M. Mr. Crump offered a prayer and Mr. Culley led the group in the Pledge of Allegiance.

**PUBLIC HEARING – SPECIAL EXCEPTION 2007-04**

Mr. Higgins, Planning Director, presented the application requesting approval of a special exception for multi-family dwellings to be located on a portion of Tax Map 9-7-1. This portion of the property is zoned Village Community. A smaller portion of property is zoned Waterfront Commercial and has a single-family dwelling and several accessory buildings. The applicant proposes to locate 24 multi-family units on the property and has submitted a conceptual plan for the layout of the property and a concept for the architectural design and layout of the specific buildings. The application fits into the hamlet-like development of the area defined as groupings of one to three dozen homes, their related facilities, but not attached to or extending from towns and located away from primary arterial highways, and characterized by a higher net density of two to four dwelling units per acre. The proposal will leave 70% of the land as open space. Some changes have been made to the original proposal including further spacing to allow for emergency vehicles; this reduced the number of proposed units from 28 to 24. The applicant will be required to install a central sewer system. Little information has been provided regarding a landscape plan, however, landscaping is required as prescribed by Article 17B of the Zoning Ordinance.

Mr. Higgins explained that the applicant could make other uses of the property without special exception approval by the Board of Supervisors including up to 16 single family dwelling units, with a density of 2 units per acre, or 16 duplex units, totaling 32 dwelling units, with a density of 4 dwelling units per acre. Both of these uses would only leave 30% open space.

Mr. Miller opened the public hearing for comments. Mr. Jeff Allen, representing the Parrotts Creek Landing development, was present to discuss the proposal for

development. Mr. Allen stated that his firm had tried to address the concerns of the Planning Commission and had made some adjustments to address the distance between buildings. Mr. Miller stated that letters were received from Louis and Betsy Carter and from Richard and Linda Lenherr in opposition to the proposed development. Additional comments were received from the following citizens:

Kathy Thrift – concerned with impact on narrow roads; children will not be able to ride bikes safely; impacts on water.

Judy Marshall – not questioning the quality of construction, but concerned about how busy it will be at the end of the road.

Maurice Noirot – additional traffic on small roads that are already stressed, especially in summer; additional burden on fire department resources, roads and increase in number of people in small area.

Russell Fitchett – this area is still in harmony, however, it will not be for long because of inadequate roads and population explosion that could occur in this area; will not be good for ecology, possible contamination of creek; no support from County for roads or trash pick up; should not consider this application until the other proposed development is settled.

Campbell Hundley – quality homes; developer is an honorable man.

Russ Wood – traffic should not be that much more; does not believe everyone will be on site at one time.

William Thrift – traffic on both the water and land will be an issue;

Mattie Smith – Route 640 cannot handle the additional traffic, especially vehicles pulling boats. Requested more time for the Board to consider and for all property owners from Route 17 into Water View to have time to consider.

Oscar Marshall – not questioning how nice the construction will be, however, the development is directly across the road from him; would rather that developer put in 4 houses rather than 24 condo units.

William Walker – these condo units will take up less room than single family dwelling units; does not believe there will be a lot of chaos.

Jeff Allen, rebuttal – considered doing 32 dwelling units, which are allowed by right; there is a 40 foot right of way into the property, not a county road.

Mr. Miller closed the hearing for comments. Mr. Culley reminded those present that even if the Board denied the application, the owner/developer could still develop the land with as many as 32 dwelling units. Mr. Higgins added that if individual homesites are created, individual drainfields would be allowed; if a multi-family development was established than the developer would have to provide a central sewage system.

Mr. Jessie suggested tabling any action to give the developer a chance to meet with local citizens and to come up with more information concerning traffic. Mr. Crump noted that he was concerned with the condition of the road and also boat traffic. Mr. Williams added that the community and developer should have gotten together and come up with a plan that was acceptable. The motion was made by Mr. Jessie, seconded by Mr. Crump and carried unanimously to table action on the application.

**PUBLIC HEARING – ORDINANCE AMENDMENT 2007-04**

Mr. Higgins presented the application for amendment to the Zoning Ordinance to allow for the installation of a filter or documentation of inspection as an alternative to pump out. This was an option given by the Chesapeake Bay Local Assistance Department concerning septic tank pump out for systems in the Resource Protection Area. Mr. Miller opened the hearing for comments from the public. There being no comments, the public portion of the hearing was closed. The motion to approve the amendment was made by Mr. Jessie, seconded by Mr. Crittenden and carried by a vote of 4-1, Mr. Miller opposed.

**PROCLAMATION – RELAY FOR LIFE**

The motion to adopt the following Proclamation was made by Mr. Williams, seconded by Mr. Crump and carried unanimously:

**PROCLAMATION**

**RELAY FOR LIFE WEEKEND**

*WHEREAS, Cancer is the second leading cause of death in the United States, and*

*WHEREAS, one in every four deaths in the United States is from Cancer, and,*

*WHEREAS, Americans are expected to die from Cancer each year, day, and, new cases of Cancer will be diagnosed in Virginia in 2007 and,*

*WHEREAS, the American Cancer Society is the nationwide community-based voluntary health organization dedicated to elimination cancer as a major health problem, and,*

*WHEREAS, the Southeast Division holds one of the top positions in the United States for the largest fund raising events for the American Cancer Society and hosts over 100 Relay For Life events involving volunteers in honoring Cancer survivors, educating the general public about the importance of Cancer prevention, detection, and raising funds in the fight against Cancer, and,*

*WHEREAS, Middlesex County will host the Piankatank Relay For Life involving over 150 volunteers and 70 survivors June 1 - June 2, 2007.*

*NOW, THEREFORE, the Board of Supervisors of Middlesex County, Virginia do hereby proclaim June 1 Relay for Life Weekend and urge all of our citizens to participate in this effort to eradicate Cancer as a major health problem by preventing Cancer, saving lives and diminishing suffering from Cancer through research, education, advocacy and service.*

<i>Kenneth W. Williams</i>	<i>aye</i>
<i>Fred S. Crittenden</i>	<i>aye</i>
<i>Robert A. Crump</i>	<i>aye</i>
<i>John D. Miller, Jr.</i>	<i>aye</i>
<i>Wayne H. Jessie, Sr.</i>	<i>aye</i>

### **AS-400 SOFTWARE**

Mr. Culley presented a request to purchase internet software that would allow citizens to interact with county departments over the web. This would allow real estate agents and appraisers to look up paid real estate information and property information. Citizens would also be able to pay their real estate and personal property taxes and to schedule building inspections on-line. The additional software would also allow the integration of real estate property information with County GIS/mapping information. The total cost for the additional software packages and web server would be approximately \$27,000.00. Additional costs would be incurred for the links for use of credit cards online and establishing an internet merchant account. A \$2,000.00 discount is being offered if the packages are purchased by May 25<sup>th</sup>. The motion to approve the appropriation of funds to purchase the software was made by Mr. Crump, seconded by Mr. Jessie and carried unanimously.

### **DISBURSEMENTS**

The motion to approve disbursements was made by Mr. Williams, seconded by Mr. Crump and carried unanimously. Checks numbered 58454 through 58532 for \$71,489.51 were disbursed as approved.

### **PAYROLL**

The motion to approve payroll for the month of May was made by Mr. Williams, seconded by Mr. Crump and carried unanimously. Checks numbered 58339 through 58453 totaling \$280,824.18 were distributed as approved.

### **CLOSED MEETING**

The motion to meet in Closed Session to discuss items related to consultation with legal counsel, pursuant to Code of Virginia, §2.2-3711.A7, was made by Mr. Crump, seconded by Mr. Crittenden and carried unanimously. Upon reconvening in open session, the following motion was made by Mr. Crump, seconded by Mr. Jessie and carried unanimously:

- To the best of the members' knowledge only public business matters lawfully exempted from open meeting requirements under Code of Virginia §2.2-3711.A7 as identified in the motion by which the Closed Meeting convened were heard, discussed, or considered by the public body.

Action:

There was no action as a result of the Closed Session.

**WASTEWATER TREATMENT FACILITY**

Mr. Crittenden asked for an update on the wastewater treatment facility. Mr. Culley would get an update from Mr. Hart's visit with the Department of Environmental Quality.

**ADJOURN**

There being no further business, the meeting was adjourned until the regular meeting on June 5, 2007.

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John D. Miller, Jr., Chair  
Board of Supervisors