

AT A MEETING OF THE MIDDLESEX COUNTY BOARD OF SUPERVISORS
HELD ON TUESDAY, OCTOBER 16, 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

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

CALL TO ORDER

The Chairman Mr. 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.

SPECIAL EXCEPTION 2007-05

Planning Director, George Hayfield, presented Special Exception Application 2007-05, an application submitted by Randolph Lane, to operate a funeral parlor at Tax Map 26B-1-33, a parcel zoned Village Community. This is a re-use of a pre-existing church building, with enough room for more than 50 parking spaces (25 required). There are businesses on two sides, with vacant land to the rear and a residence across the street. There appears to be minor negative impact of this use. This is a low intensity use, with low impact in nature that will fit the definition and type of future land use proposed by the Comprehensive Plan.

Mr. Miller opened the hearing for public comment. Mr. Clay Dingedine, owner of the residence across the street, expressed his concern with traffic, traffic control, lighting, and inappropriate use of the property. Sharon Sharp also expressed concern about on-street parking. The applicant stated that most services would be held at churches and parking should not be a problem. John England noted that the Planning Commission had recommended approval with several conditions, including addressing off-street parking during the site plan process. There being no further comment, the public portion of the hearing was closed. The motion was made by Mr. Crump, seconded by Mr. Jessie, to approve Special Exception 2007-05 with the following conditions: no off-street parking, shall meet the review requirements by VDOT and the Virginia Department of Health, Site Plan Review requirements, and Landscape Plan requirements. Mr. Williams commented that lighting would be controlled by the Zoning Ordinance. Mr. Crump added that the site plan phase would address lighting. The motion carried by a unanimous vote.

ZONING ORDINANCE AMENDMENT 2007-06 – DEFINITION OF MUSEUM

Mr. Hayfield presented the application submitted by the Planning Commission to expand the definition of “museum”, adding the text, “and the facilities and land necessary to physically and financially support such activities”. Mr. Miller opened the hearing for public comment. Mr. Gene Ruark stated that there were several representatives of the Deltaville Maritime Museum present in the event there were questions and that he was also in favor of the application. There being no further comments, the public portion of the hearing was closed. Mr. Crump commented that approval of this application, along with the site plan approval, is necessary for the growth of the Deltaville Maritime Museum. The motion to approve the application was made by Mr. Williams seconded by Mr. Crittenden and carried unanimously.

REZONING APPLICATION 2007-05, ATLANTIC EASTERN HOLDINGS, LLC

Mr. Hayfield presented this application to amend the current proffers associated with this property, Tax Map 41-54-1,2, which was rezoned to General Business with Application 1994-06, and later amended at the July 21, 2001 Board of Supervisors meeting. The proffers of July 2001 dealt mainly with storage and screening of vehicles. The current application is to amend the proffers to allow for construction of an office building and storage of equipment on site for a marine construction business. Mr. Miller opened the hearing for comments from the public. There being no comments, the public portion of the hearing was closed.

Mr. Williams noted that just about any use of this property would be a great improvement. Mr. Crittenden noted that the company would need to be careful with where the shrubs are set so as not to block the site distance. This would be addressed with a site plan. The motion to approve this rezoning application, deleting the previous proffers and accepting the following was made by Mr. Williams, seconded by Mr. Crittenden and carried unanimously: Use of property – office building/equipment maintenance shop, parking, and outside equipment and building supply storage; shrubs planted 5 feet from center of ditch on Route 33; privacy fence, six feet in height along northern portion of the 25’ buffer along the southern property lines of the lots; remove bushes from around sign; property owner must meet all Middlesex County Zoning Ordinance requirements for landscaping and buffering (17B) and lighting (17C); site plan review shall be required prior to start of construction activity.

HOLIDAY SCHEDULE

The motion to approve the following additional holidays for FY 08 was made by Mr. Crittenden, seconded by Mr. Crump and carried unanimously: close at noon on November 21, closed all day on December 24 and December 31.

DISBURSEMENTS

The motion to approve disbursements was made by Mr. Crump, seconded by Mr. Jessie and carried unanimously. Checks numbered 59761 through 59851 for \$250,512.93 were disbursed as approved.

PAYROLL

The motion to approve payroll for the month of October was made by Mr. Crump, seconded by Mr. Crittenden and carried unanimously. Checks numbered 59690 through 59760 totaling \$301,364.58 were distributed as approved.

OLD/NEW BUSINESS

Mrs. Jones presented the Board with a Certificate of Appreciation from the Red Cross for the Board's sponsorship of their golf tournament.

Mrs. Jones advised the Board of the upcoming Rotary Dinner honoring Charles Bristow.

Mr. Crittenden requested that the Health Department be contacted for the status of the application for pilings at the Locklies Marina.

CLOSED MEETING

The motion to meet in Closed Session for consultation with legal counsel regarding personnel, pursuant to §2.2-3711.A1, was made by Mr. Crump, seconded by Mr. Jessie and carried unanimously. Upon reconvening in open session, the following motion was made by Mr. Crump, seconded by Mr. Williams 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.A1 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 taken as a result of the closed session.

ADJOURN

There being no further business, the meeting was adjourned by motion of Mr. Crump, seconded by Mr. Williams and carried unanimously.

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