

**King & Queen County  
Planning Commission Minutes  
February 6, 2012**

The King & Queen County Planning Commission met on Monday, February 6, 2012, at 6:00 p.m. in the King & Queen County Courts and Administrations Building in the Court Room for their regular monthly meeting.

**Planning Commission Members Present:**

John Roane	James “Jimmy” Guess
Milton Watkins	Hunter Richardson
David Campbell	William Herrin
Robert “Bob” Taylor	Joy Harvey
Robert Coleman, Jr.	

**Also in Attendance:**

Thomas J. Swartzwelder, County Attorney  
Donna E. Sprouse, Assistant Zoning Administrator

**Call to Order**

Chairman, Robert Taylor, called the meeting to order.

**Roll Call/Determination of Quorum**

Mr. Campbell took roll call and determined that a quorum was present.

**Introduction of new Planning Commission Member – Robert Coleman (Stevensville District)**

Mr. Taylor noted that the Commission has a new member filling the Stevensville District vacant seat. He introduced Mr. Robert Coleman, Jr. and asked that everyone introduce themselves to Mr. Coleman.

**January 4, 2012 – Regular Meeting**

After a brief review of the minutes, a motion was made by Mr. Herrin to approve the minutes as written, second by Mr. Watkins.

Voting For: Watkins, Roane, Herrin, Guess, Taylor, Campbell, Richardson  
Voting Against: None  
Abstain: Harvey, Coleman

**Citizens Comment Period**

Mr. Taylor opened the floor for public comment period, hearing no comments from the public, citizens comment period was closed.

## **New Business**

### **A. Middle Peninsula Regional Airport (Fulcrum Properties), CUP12-01 Conditional Use Permit & SP12-01 Level 3 Site Plan (Set Public Hearing for March 5<sup>th</sup>)**

Mr. Swartzwelder stated that Fulcrum Concepts LLC, a veteran-owned small business that provides full spectrum integrated solutions to customers with unique tactical requirements, will invest \$4.6 million to establish an operation in King and Queen County at the Middle Peninsula Regional Airport. The company will provide aircraft integration of specialized weaponry and avionics as well as maintenance operations. They will also provide tactical ISR (intelligence, surveillance and reconnaissance) training for both military and civilian special operations personnel. The project will create 31 new jobs. He noted that Fulcrum Properties is requesting a Conditional Use Permit amendment and Level 3 Site Plan amendment for the proposed construction of an office building & hangar for Fulcrum Concepts, LLC on County Tax Map Parcel No. 1623-165R-465. The site is located off of State Route 643, Airport Road, in the Buena Vista Magisterial District.

Mr. Swartzwelder then introduced Mark Rinaldi with Bush Properties & Howard Price with AES. Mr. Rinaldi and Mr. Price approached the Commission and held exhibits of the site plan proposal and gave a brief explanation of the proposed project. Mr. Rinaldi asked the Commission to set a public hearing for their next monthly meeting in March. Mr. Rinaldi asked if anyone had any questions.

Mr. Richardson stated that in the area where this project is proposed, there are junk planes and parts that have been stored there. He asked what will happen with those items. Mr. Swartzwelder stated that they will be moved to another location on the Airport property and eventually be removed in the next 12 to 18 months. Mr. Taylor asked how long the lease with the Middle Peninsula Regional Airport is. Mr. Rinaldi stated that it is a long term lease and hopefully for a very long time. Mr. Taylor then asked if their business had any affiliation with ITI. Mr. Rinaldi replied that it does not; he also noted that they will not be doing any shooting of any kind at this site. He added that they have training facilities at Fort Bragg, NC.

Mr. Herrin asked if there will be more plane traffic and will it be rotary or fixed wing aircraft. Mr. Rinaldi stated that there will be more plane traffic and it will be both rotary and fixed wing aircraft. Mr. Taylor asked when they plan to open. Mr. Rinaldi stated that they hope to be in operation by late 2012. Mr. Guess asked if the area will be a secure area. Mr. Rinaldi stated that there will be security fencing and lighting, but nothing like a military base.

Hearing no further comments, Mr. Watkins made a motion to set the public hearing for March 5<sup>th</sup>, seconded by Mr. Guess.

Voting For: Watkins, Roane, Herrin, Guess, Taylor, Campbell, Richardson, Harvey, Coleman

Voting Against: None

Abstain: None

## Old Business

### A. **Chesapeake Bay Preservation Area Exception, CBPA11-01, Shawn C. Tuthill** *(Tabled from January 4<sup>th</sup>, Public Hearing)*

Mr. Taylor noted that during their January 4, 2012 meeting, the Commission held a public hearing on CBPA11-01, Chesapeake Bay Preservation Area Exception for Shawn C. Tuthill. During that meeting he noted that the Commission tabled the hearing for tonight. He noted that the Commission had previously heard the details of the request from Mr. Tuthill, property owner, Mr. Blair Wilson, Engineer as well as County staff, Mrs. Sprouse. He reminded the Commission of the five findings that they must make or satisfy in order to approve the request. Mr. Taylor read those requirements aloud...

- (1) *Granting the exception will not confer upon the applicant any special privileges that are denied by this Article to other property owners in the Chesapeake Bay Preservation Area Overlay District;*
- (2) *The exception request is not based upon conditions or circumstances that are self-created or self-imposed, nor does the request arise from conditions or circumstances either permitted or non-conforming that are related to adjacent parcels;*
- (3) *The exception request is the minimum necessary to afford relief;*
- (4) *The exception request will be in harmony with the purpose and intent of the Chesapeake Bay Preservation Area Overlay District, and not injurious to the neighborhood or otherwise detrimental to the public welfare and is not of substantial detriment to water quality; and*
- (5) *Reasonable and appropriate conditions are imposed which will prevent the exception request from causing a degradation of water quality.*

Mr. Taylor stated that this is a difficult decision for the Planning Commission. Mr. Taylor informed the Commissions that they could either vote to approve the request, deny the request with their reasons for the record or table the matter for further review, which he hoped not again. A motion was made by Mr. Herrin to deny the request because granting the exception will provide a special privilege to the property owner that the Commission would otherwise deny, seconded by Mr. Watkins.

Voting For: Watkins, Roane, Herrin, Guess, Taylor, Campbell, Richardson

Voting Against: None

Abstain: Harvey, Coleman

Mr. Taylor stated that he was sorry but this was something they had to do.

### B. **Review/Discuss Comprehensive Plan & Proposed Overlay Districts**

Mr. Taylor stated that he hoped that the Commission had the opportunity to discuss with their fellow Commission member within their district the areas within their district that would be suitable for development and those that may not be suitable. The Commission used this time to discuss areas in their districts that they envisioned potential development and share their districts information with the Commission as a whole. After some discussion, Mr. Taylor asked the Commission to be prepared at their next meeting to

transpose their thoughts on the large maps printed out by Mrs. Sprouse and hopefully soon thereafter, the results of the public survey will be available and then the Commission could move forward with the Comp Plan revision.

### **Commissioner's Comments**

Mr. Herrin welcomed Mr. Coleman to the Commission.

Mr. Roane welcomed Mr. Coleman and thanked the staff for helping Fulcrum with their proposed project.

Mr. Richardson welcomed Mr. Coleman.

Mr. Taylor thanked staff for working with Fulcrum; he noted that this is good for the County. He also added that the Exception request before the Commission tonight was difficult but a good decision was made.

Mr. Campbell welcomed Mr. Coleman.

Mr. Watkins welcomed Mr. Coleman.

Mr. Guess welcomed Mr. Coleman.

Mrs. Harvey had no comments.

### **Staff's Comments**

Mrs. Sprouse noted that she had the opportunity to meet with the Three Rivers Soil & Water Conservation Board a week or so ago. She noted that though she was there to gather TMDL data for the County's submission to DCR, she noticed that there were some great brochures and handouts provided in their office. She distributed a door hanger that referenced ideas for property owners to help promote the health of Virginia's waterways and improve the Chesapeake Bay. She added that the Commission had once asked if there was something that the County could do to help promote awareness of the Chesapeake Bay Overlay District requirements to property owners; she thought that this was an idea for the building office to hand out to new property owners. Mrs. Sprouse also noted that maybe an educational class or meeting with the public could be an option as well.

Mrs. Sprouse also noted that River Pines may be submitting their final site plan soon and that when it does reach the Commission, their packets may end up being hand delivered because the plan for that subdivision is huge in size and is comprised of 60+ pages. Mr. Taylor noted that maybe the Commission could get a few of the pages in their packets and have a full set or two made available a few hours before the meeting and also in the Zoning Office for them to schedule an appointment to come review the full plan rather than providing so many copies to each member. Mrs. Sprouse stated that she would inform the property owner of such.

Mrs. Sprouse stated Ingneco has not moved forward with their request and their application is still denied until they receive the signature of the property owner on the application(s).

Mr. Taylor asked about ITI. Mrs. Sprouse stated that a Corrective Action Agreement & plan had been submitted to the office; however it was incomplete because the submission was missing a land disturbance permit application, WQIA application and the associated fees. She also noted that the Army Corps of Engineers had determined that their original wetlands delineation was incorrect. Williamsburg Environmental Group had to resubmit their wetlands delineation and revise the proposed Corrective Action Agreement. She noted that the revised Corrective Action Agreement has not yet been submitted, though it should be forthcoming in the next few weeks. Mrs. Sprouse stated that once they have submitted a satisfactory Corrective Action Agreement, ITI will also request a Chesapeake Bay Exception request for their shoot house. She added that she is in hopes that it will reach the Commission so they can have another public hearing by April.

### **Adjournment**

There being no further business, a motion was made by Mr. Watkins to adjourn. Adjournment was ratified by all present members saying "Aye".

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Robert "Bob" Taylor, Chairman