

**King & Queen County  
Planning Commission Minutes  
May 7, 2012**

The King & Queen County Planning Commission met on Monday, May 7, 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      | Robert Coleman, Jr. |
| David Campbell      | William Herrin      |
| Robert “Bob” Taylor | Hunter Richardson   |

**Also in Attendance:**

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.

**March 5, 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. The vote was ratified by all present members stating “Aye”.

Voting For: Watkins, Roane, Herrin, Guess, Taylor, Campbell, Hunter, Coleman

Voting Against: None

Abstain: None

**Citizens Comment Period**

Mr. Taylor opened the floor for public comment period. He asked that persons that wanted to speak about items that are not on the agenda tonight, to please approach the podium and state their name and please be brief with their comments.

Timothy Trant of Kaufman & Canoles, P.C., counsel for International Training Inc. (ITI), approached the Commission and stated that he wanted to update the Commission of his client’s status in filing for the revised CUP and Rezoning request. He stated that they had a small delay in the RPA delineation based on the site visit with DCR and County staff. He is in hopes of submitting a complete application within the week once they receive proper signatures and post the appropriate letter of credit.

Mr. Taylor stated that he knows for a fact that Mr. Trant's clients are not adhering to the previously approved conditions, for they continue to shoot after 5 p.m. and on weekends. He noted that he lives down river and hears the shooting at his home. He wanted to know why ITI is blatantly ignoring that regulation.

Mr. Trant stated that was a fair question and would like to have had the opportunity to answer with Mr. Swartzwelder here tonight being respectful of his position, he will try not be an advocate and be as objective as he can. He further noted that he thinks that we all will acknowledge that the approval that was obtained back in 1980 was not the epitome of clarity that we all will inspire to in making decisions. He noted that this is a rural county that had a business to come into King & Queen in 1980 and none of us were thinking about the different ramifications of the training that would go on out there and the citizen concerns. To cut to the chase, it is certainly the County's position & Mr. Swartzwelder's position that the conditions that are out there apply to the site. However, he and his client do not agree with that position. He believes that they have gone through the County records and believe that they are complying. He further noted that the wording in the Board of Supervisors resolution states that the conditions are to run concurrent with the terms of the lease. Mr. Trant stated that they intend, rather than going to court to fight who is right or wrong, they want to operate in a community that wants the company here and under conditions and terms that they are comfortable with. He stated that he has told Mr. Swartzwelder and Donna that ITI's position will be tried in the court of public opinion. We understand that in order to continue to operate in this community, we got to do it under terms and conditions that this commission is comfortable with and the community is comfortable with and ultimately the Board of Supervisors. He further stated that ITI's application spells out such conditions that they believe will allow them to operate viably and continue to operate a viable business, compete with other businesses that do what ITI does, while respecting the neighbors and their sensitivity to the noise.

Mr. Taylor stated that if you are looking for a Commission and Board, though he will not speak for the Board, to be open for what you want to do with your latest CUP. It behooves you to at least put some emphasis on adhering to what we believe to be the current CUP. I don't want you to shoot yourself in the foot just because you think there are no rules when they approved the CUP because that is not the way we feel about it.

Mr. Trant stated that they have tried; balance of course is to try to fulfill contracts and maintain a business that has a reason to be here. He noted that they have made a number of concessions on what they believe in trying to get themselves in line with what you all believe.

Mr. Taylor noted that he agrees that personally he thinks that we need to try to keep the business in the County. However he also realizes how folks feel. He knows how some of the folks feel in the County and asks him to be careful.

Mr. Trant stated that he understands.

Hearing no further comments, Mr. Taylor closed public comment period.

## **Old Business**

### **A. Review/Discuss Comprehensive Plan & Proposed Overlay Districts (*Work Session*)**

Mr. Taylor asked Mrs. Sprouse if she had anything that she would like to go over in reference to the Comprehensive Plan update. Mrs. Sprouse explained that as they should be aware, the comprehensive surveys have gone out and has a handout of the results from the surveys thus far. She noted that more surveys are coming in and are continued to be logged and she hopes to have the final results during their next meeting. Mrs. Sprouse added that she has started a draft of the Comprehensive Plan and would like more direction from the Commission regarding districts, overlays, etc. She also asked if the Commission had any ideas to share to please contact her. The Commission then worked with their own district and drafted proposed districts and economic development corridors for Mrs. Sprouse to use when drafting the Comprehensive Plan.

### **Commissioner's Comments**

Mr. Coleman stated that he and Mrs. Harvey have attended the open session of the Planning Commission training and are now in the process of completing assignments/homework for the class. He stated that it has been very informative and they will attend the closing session in Richmond on June 7<sup>th</sup> and 8<sup>th</sup>.

Mr. Richardson stated that he wanted to make the Commission aware that there is a new Extension Agent in King & Queen now that is also in King William part time. He asked that the Commission members call her and stop by her office sometime if they get the chance. Her name is Laura Maxey.

Mr. Taylor stated that he hopes that the Commission is aware that there seems to be issues with this CUP we are talking about. It seems ITI has taken the position that parts of the CUP aren't part of the CUP. Mr. Taylor further noted that he was quite emphatical about the fact that they better pay attention to what the Commission thinks about those conditions being a part of the CUP.

Mr. Taylor also stated that he strongly believes that the County should consider adopting the property maintenance code or portions of such, particularly for parcels zoned residential, including those parcels that not located within a subdivision. He further noted that he feels that a structured fine or fee should be imposed to those who are repeat violators of the code.

Mr. Taylor further stated that he thinks we have had a great work session and this has been a great informative meeting.

### **Staff's Comments**

Mrs. Sprouse updated the Commission on the status of the following applications/projects:

- Fulcrum Update
- River Pines Subdivision Update
- ITI Update
- New Stormwater Regulations
- Tuthill Update
- Application/Submissions
- Zoning Text Amendments Update

## **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