

**King & Queen County  
Planning Commission Minutes  
September 3, 2019**

The King & Queen County Planning Commission met on Tuesday, September 3, 2019, at 6:00 p.m. in the King & Queen County Courts and Administrations Building in the General District Courtroom for their regular monthly meeting.

**Planning Commission Members Present:**

Sheila Morton  
Milton Watkins  
James Guess  
Hunter Richardson  
Robert Harvey

David Campbell  
William Herrin  
Barbara Hudgins

**Also in Attendance:**

Donna E. Sprouse, Director of Community Development  
Thomas J. Swartzwelder, County Attorney

**Call to Order**

Chairman, Mr. Richardson called the meeting to order.

**Roll Call/Determination of Quorum**

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

**Approval of Minutes  
August 5, 2019**

After review of the minutes, a motion was made by Mr. Herrin to accept the minutes as written, seconded by Mrs. Hudgins.

Voting For: Watkins, Morton, Guess, Campbell, Herrin, Hudgins, Richardson  
Voting Against: None  
Abstain: Harvey

**Citizens Comment Period**

Mr. Richardson opened the floor for citizens comment period. Hearing no comments, citizens comment period was closed.

## **New Business**

### **A. ZA19-02 – Zoning Text Amendment - Article 4, Table 4.1** *(continued public hearing)*

Mr. Richardson opened the public hearing for ZA19-02, zoning text amendment to Article 4, Table 4.1 to include fuel distribution facilities with no retail from the property and no outdoor storage in the GB1 and GB2 zoning districts as a by right use. Fuel distribution facilities with onsite retail and outside storage of tanks, equipment, vehicles would be considered in the GB1 by approved CUP or as a by right use in the GB2, LI or I zoning districts. This was a continuation of the tabled public hearing from their August 5, 2019 meeting. Mr. Richardson opened public comment, hearing none, public comment was closed. Mr. Richardson closed the public hearing. Mrs. Sprouse stated that under the current zoning ordinance, there is no category of uses for fuel distribution facilities and that during the last meeting, there was concerns when it comes to fuel storage and having proper measures in place when other uses or hazardous material is stored on the same or adjoining parcels. Mrs. Sprouse stated that her suggestion is to move forward with including such a use in the permitted use table and remove the language that is highlighted in grey and have it inserted in Article 14, Site Plan Requirements. She noted that would require a new public hearing as the text amendment proposal to add language in Article 14 was not advertised.

After some discussion among the Commission members, a motion was made by Mrs. Morton to table recommend approval of ZA19-02 with the changes as noted by staff, seconded by Mr. Herrin.

Mr. Richardson asked Mrs. Morton if she wanted to include the public hearing for Article 14, in the motion.

Mrs. Morton amended her motion to include setting the public hearing for Article 14 for their October 7 meeting as well as recommend approval for ZA19-02 with the changes as noted by staff (to remove the grey highlighted text under the “comments” section only). The second was also amended by Mr. Herrin.

Voting For: Watkins, Morton, Guess, Campbell, Herrin, Richardson, Hudgins, Harvey

Voting Against: None

Abstain: None

### **B. CUP19-02 & SP19-07 – Cellco Partnership’s d.b.a. Verizon Wireless** *(set public hearing)*

#### **CUP19-03 & SP19-08 – Cellco Partnership’s d.b.a. Verizon Wireless** *(set public hearing)*

Mr. Richardson noted that items B & C under the agenda were to requests submitted by Verizon Wireless to construct two new communication towers in the county. He noted that CUP19-02 and SP19-07 is a request for approval of a Conditional Use Permit and Level 3 Site Plan for a 305’ communications tower, located on County Tax Map Parcel No. 1624-51L-430. The site location is at the intersection of Route 14, The Trail and Route 631, Poor House Lane, in the Stevensville Magisterial District. Property owned by William C. & Michael Currie, C/o R. Earl Parker.

He noted that CUP19-03 & SP19-08 is a request for approval of a Conditional Use Permit and Level 3 Site Plan for a 199’ communications tower, located on County Tax Map Parcel No. 1623-66L-270. The site location is located off of Route 14, Buena Vista Road, approximately  $\frac{3}{4}$  of a mile from the Gloucester County line, in the Buena Vista Magisterial District. Property owned by Mark V. Chandler.

Mr. Richardson asked if there was someone present to represent the requests.

Mrs. Lisa Murphy, with Wilcox & Savage P.C., counsel for Verizon Wireless, approached the Commission and noted that Verizon Wireless is interested in investing in the infrastructure in King & Queen County to help provide coverage in areas where there is poor or no service. She noted that as

part of this big plan, not only does Verizon Wireless plan to build the two towers but will also collocate equipment on the King & Queen Courthouse tower to better provide coverage in that area and to link to the new Buena Vista tower, to the SBA tower in Clancie where Verizon is currently located, to the Courthouse tower, then to the new Stevensville tower. She noted that the Stevensville tower will be a 300' tall tower and it will have a light at the top of the tower with a total height of 305'. The Buena Vista tower will be a 199' tower and will not be lit unless directed by FAA requirements.

After some discussion among the Commission, a motion was made by Mr. Watkins to set the public hearing for CUP19-02 and SP19-07, as well as CUP19-03 and SP19-08 for October 7, 2019, seconded by Mr. Guess.

Voting For: Watkins, Morton, Guess, Campbell, Harvey, Richardson, Hudgins, Herrin

Voting Against: None

Abstain: None

### **Old Business**

None.

### **Staff's Comments**

None.

### **Commissioner's Comments**

Mrs. Morton thanked Donna for her help and thanked Mr. Richardson though he can make her confused at times.

Mr. Herrin hoped everyone had a safe and sane Labor Day and thanked staff for their work all year for the Commission.

Mr. Campbell hoped everyone makes out well in the upcoming hurricane.

Mr. Watkins stated "ditto". It was good to see Mr. Simpkins present tonight. He thanked Donna for making the job of the Commission easy.

Mr. Guess thanked staff for all that they do.

Mr. Harvey noted that he was glad to be back and that the Commission keeps things interesting.

### **Adjournment**

There being no further business, a motion was made by Mr. Watkins and the meeting was adjourned by all present members stating "Aye".

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Hunter Richardson, Chairman