

**King & Queen County
Planning Commission Minutes
September 1, 2026**

The King & Queen County Planning Commission met on Tuesday September 1, 2026, at 6:00 p.m. in the King & Queen County Courts and Administrations Building in the Second Floor Conference Rooms A & B for their regular monthly meeting.

Planning Commission Members Present:

Mac Bradley	Edmond Wilson, Jr.
Hunter Richardson	Robert Coleman, Jr.
Michael Fleming	William Thomas
Robert Shackelford	Jonathan Massey

Also in Attendance:

Vivian Seay, County Administrator/County Attorney
Donna Elliott Sprouse, Director of Community Development
Resa Wilson, Multifunction Coordinator
Mark Berry, Board of Supervisor
Gerardo Trejo, Information Technology Specialist

Call to Order

Chairman, Mr. Richardson, called the meeting to order.

Roll Call/Determination of Quorum

Ms. Wilson, acting secretary, took roll call and determined that a quorum was present.

**Approval of Minutes
August 1, 2026**

After review of the August 1, 2026 minutes, a motion was made by Mr. Shackelford to accept the minutes as presented, seconded by Mr. Massey.

Voting For: Bradley, Richardson, Wilson, Thomas, Coleman, Shackelford, Massey
Voting Against: None
Abstain: Fleming

Citizens Comment Period- Planning Related Issues Only

Mr. Richardson opened the floor for citizens comment period.
Hearing none, citizens comment period was closed.

New Business

A. CUP26-02 – Conditional Use Permit- Clyde Scott Mitchell (Tax Map 32-53L-56) – New Verizon Communications Tower (*Public Hearing*)

Chairman Richardson opened the public hearing for CUP26-02, a request for approval of a conditional use permit to construct and operate a communications tower on property located at the intersection of Canterbury Road and Minter Lane, further identified as County Tax Map No. 32-53L-56.

Chairman Richardson asked Mrs. Sprouse to review the request. Mrs. Sprouse began by noting a public notice ran in the Tidewater Review and Rappahannock Times for 2 consecutive weeks, August 19th & August 26th. Adjoining property owners were notified via certified return receipt mail. Mrs. Sprouse then provided the Planning Commission the following information:

CONDITIONAL USE PERMIT, CUP26-02

Applicant – *The Towers, LLC (d/b/a Vertical Bridge) &*

Cellco Partnership (d/b/a Verizon Wireless)

22 W Atlantic Ave., Suite 310, Delray Beach, FL 33444

Owner – *Clyde Scott Mitchell*

PO Box 6, Walkerton, VA 23177

Agent – *Lisa Murphy*

Willcox & Savage, P.C.

440 Monticello Ave., Suite 2200, Norfolk, VA 23510

BACKGROUND

The Planning and Zoning Department received an application dated July 22, 2026, received July 24, 2026, from Lisa Murphy on behalf of The Towers, LLC (d/b/a Vertical Bridge) & Cellco Partnership (d/b/a Verizon Wireless), requesting approval of a Conditional Use Permit to allow the construction of a new 195' tall self supporting wireless communications tower (including the 4 foot lightning rod, total height of 199') and a 75' x 75' fenced compound area for the tower and associated equipment in a 100' x 100' leased area.

GENERAL INFORMATION

Location

The property is located at the intersection of (Route 636) Minter Lane and (Route 634) Canterbury Road, in the Newtown Magisterial District, County Tax Map Parcel No. 1632-53L-56.

Proposal

Cellco Partnership d.b.a Verizon Wireless is requesting approval of a conditional use permit to construct and operate a 195-foot self-support lattice telecommunication tower with a 4-foot lightning rod for a total structure height of 199-feet above ground level. The proposed telecommunication tower will be located within a 60-foot x 60-foot fenced compound within a 10,000 square foot lease area. The proposed telecommunication tower will be a self-support lattice tower with a galvanized steel finish, which will blend with the sky and will not be marked or lit. Mature trees and vegetation to the northwest and southwest of the site will provide screening. The tower will be surrounded by a ten (10) foot chain link fence topped with (one) foot of barbed wire.

Zoning

The property is zoned Agricultural. Other surrounding land uses include agricultural and residential uses.

Planning Department

According to Chapter 3, Article 4, Permitted Use Table 4.1, Communications facility towers are permitted in the Agricultural and/or GB1, GB2 and Industrial zoning districts with an approved Conditional Use Permit.

ARTICLE 8 TELECOMMUNICATION TOWERS & ANTENNAS

3-170 Purpose

The purpose of this article is to establish general guidelines for the siting of towers and antennas. The goals of this article are to: (I) encourage the location of towers in nonresidential areas and minimize the total number of towers and tower sites throughout the community, (II) encourage strongly the joint use of new and existing tower sites, (III) encourage users of towers and antennas to locate them, to the extent possible, in areas where the adverse impact on the community is minimal,

(IV) encourage users of towers and antennas to configure them in a way that minimizes the adverse visual impact of the towers and antennas, (V) to provide adequate sites for the provision of wireless communication services with minimal negative impact on the resources of the county.

3-171 Applicability

The requirements set forth in this article shall govern the location of towers that exceed and antennas that are installed at greater than fifty (50) feet in height and dish antennae/satellite dishes over six (6) feet in diameter at any height.

3-172 Definitions

1. **Alternative Tower Structure** – Man-made trees, silos, clock towers, steeples, utility companies power transmission towers, and similar alternative-design mounting structures that camouflage or conceal the presence of antennas or towers.
2. **Antenna** – Any apparatus designed for telephonic, data, radio or television communications through the sending and/or receiving of electromagnetic waves.
3. **Dish Antenna/Satellite Dishes** -
4. **FAA** – The Federal Aviation Administration
5. **FCC** – The Federal Communications Commission
6. **Height** – When referring to a tower or other structure, the distance measured from ground level to the highest point on the tower or other structure, even if the highest point is an antenna or lighting rod.
7. **Tower** – Any structure that is designed and constructed primarily for the purpose of supporting one or more antennas, including self-supporting lattice towers, or monopole towers. The term includes television transmission towers, microwave towers, common-carrier towers, wireless communications towers, alternative tower structures, and the like.

3-173 Availability of Suitable Existing Towers or Other Structures

No new tower shall be permitted unless the applicant demonstrates to the reasonable satisfaction of the governing authority that no existing tower or structure can accommodate the applicant's proposed antenna. Evidence submitted to demonstrate that no existing tower or structure can accommodate the applicant's proposed antenna may consist of any of the following.

- 1. No existing towers or structures are located within the geographic area required to meet applicant's engineering requirements.*
- 2. Existing towers or structures are not of sufficient height to meet applicant's engineering.*
- 3. Existing towers or structures do not have sufficient structural strength to support applicant's proposed antenna and related equipment.*
- 4. The applicant's proposed antenna would cause electromagnetic interference with the antenna on the existing towers or structures, or the antenna on the existing towers or structures would cause interference with the applicant's proposed antenna.*
- 5. The fees, cost, or contractual provisions required by the owner in order to share and existing tower or structure or to adapt an existing tower or structure for sharing are unreasonable. Costs exceeding new tower development are presumed to be unreasonable.*
- 6. The applicant demonstrated that there are other limiting factors that render existing towers and structures unsuitable.*

3-174 Setbacks and Separation

The following setbacks and separation requirements shall apply to all towers and antennas for which a conditional use permit is required; provided, however, that the governing authority may, reduce the standard setbacks and separation requirements if the goals of this article would be better served thereby.

1. *Towers must be set back a distance equal to 200 percent of the height of the tower from any existing off-site residential structure and in no case less than 400 feet.*
2. *Towers, guys, and accessory facilities must satisfy the minimum zoning district setback requirements for primary structures; and*
3. *The distance from the base of all towers to the property boundary of the parcel upon which the tower is located shall be 110 percent of the height of the tower.*

3-175 Security Fencing

Towers shall be enclosed by security fencing not less than ten feet in height and shall also be equipped with an appropriate anti-climbing device; provided, however, that the governing authority may waive such requirements, as it deems appropriate.

3-176 Landscaping

The following requirements shall govern the landscaping surrounding towers for which a conditional use permit is required or any dish antenna/satellite dish over six (6) feet in diameter in zoning district LB or GB; provided, however, that the governing authority may waive such requirements if the goals of this article would be better served thereby.

1. *Tower facilities shall be landscaped with a buffer of plant materials that effectively screens the view of the support buildings from adjacent property. The standard buffer shall consist of a landscaped strip at least four feet wide outside the perimeter of the compound. Every dish antenna/satellite dish shall be landscaped as much as practical with a buffer of plant materials that effectively screens the view from adjacent properties.*
2. *In locations where the visual impact of the tower or dish antenna/satellite dish would be minimal, the landscaping requirement may be reduced or waived altogether.*

3. *Existing mature tree growth and natural landforms on the site shall be preserved to the maximum extent possible. In some cases, such as towers or dish antennae/satellite dishes sited on large, wooded lots, natural growth around the property perimeter may be sufficient buffer.*
4. *In the event the base of the tower or a dish antenna/satellite dish becomes visible from the adjacent property lines because of changes on the subject property, the base shall promptly be screened with evergreen landscaping where visible, as determined by the Zoning Administrator.*

3-177 Local Government Access

Owners of towers shall provide the county co-location opportunities without compensation as a community benefit to improve radio communication for county departments and emergency services.

3-178 Removal of Appended Antennas and Towers

Any antenna or tower that is not operated for a continuous period of 6 months shall be considered abandoned, and the owner of such antenna or tower shall remove same within 90 days of receipt of notice from the governing authority notifying the owner of such removal requirement. Removal includes the removal of the tower, any and all footers; underground cables and support buildings. The buildings may remain with owner's approval. If there are two or more users of a single tower, then this provision shall not become effective until all users cease using the tower. If the tower is not removed per this section, the county may require the landowner to have it removed.

3-179 Design and Lighting

The requirement set forth in this section shall govern the location of all towers and the installation of all antennas governed by the supplementary regulations;

1. *Towers shall either maintain a galvanized steel finish or, subject to any applicable standards of the FAA, be painted a neutral color, so as to reduce*

visual obtrusiveness. Dish antennas will be of a neutral, non-reflective color with no logos.

2. *At a facility site, the design of the buildings and related structures shall, to the extent possible, use materials; colors, textures, screening, and landscaping that will blend the tower facilities to the natural setting and surrounding structures.*
3. *If an antenna is installed on a structure other than a tower, the antenna and supporting electrical and mechanical equipment must be of a neutral color that is identical to, or closely compatible with, the color of the supporting-structure so as to make the antennae and related equipment as visually unobtrusive as possible.*
4. *Towers shall not be artificially lighted, unless required by the FAA or other applicable authority. If lighting is required, the county may review the available lighting alternatives and approve the design that would cause the least disturbance to the surrounding views.*
5. *No advertising of any type may be placed on the tower or accompanying facility unless as part of retrofitting an existing sign structure.*
6. *To permit co-location, the tower shall be designed and constructed to permit extensions to a maximum height of one hundred ninety-nine (199) feet, except as otherwise provided in the approved conditional use permit.*
7. *Towers shall be designed to collapse within the lot lines in case of structural failure.*
8. *Except where the provisions of an approved conditional use permit by special exception or other governmental regulations restrict the height of the tower, or where a stealth design is used, an engineering report, certifying that the proposed tower is compatible for co-location with a minimum of four (4) users including the primary user, must be submitted. If the height of the tower is restricted or a stealth design is used and the tower cannot accommodate four (4) users, then a report must be submitted that describes the design limitations for co-location.*

All new towers must meet or exceed current standards and regulations of the FAA, the FCC, and any other agency of the federal government with the authority to regulate towers and antennas. If such standards and regulations are changed, then the owners of the towers and antennas governed by this article shall bring such towers and antennas into compliance with such revised standards as required. Failure to bring towers and antennas into compliance with such revised standards and regulations shall constitute grounds for the removal of the tower or antenna at the owner's expense.

3-181 Building Codes

To ensure the structural integrity of towers, the owner of a tower shall ensure that it is maintained in compliance with standards contained in applicable federal, state, and local building codes and regulations.

3-182 Factors Considered in Granting Conditional Use Permits

The governing authority shall consider the following factors in determining whether to issue a special use permit, although the governing authority may waive or reduce the burden on the applicant of one or more of these criteria if the governing authority concludes that the goals of this article are better served thereby.

1. *Height of the proposed tower;*
2. *Proximity of the tower to residential structures and residential district boundaries;*
3. *Nature of the uses on adjacent and nearby properties;*
4. *Surrounding topography;*
5. *Surrounding tree coverage and foliage;*

6. *Design of the tower, with particular reference to design characteristics that have the effect of reducing or eliminating visual obtrusiveness;*
7. *Proposed ingress and egress*
8. *Co-location policy which outlines policy regarding company's willingness to co-locate on other company towers, company's willingness to accept other uses on its towers and fees charged for additional antennas;*
9. *Language of the lease agreement;*
10. *Consistency with the comprehensive plan and the purposes to be served by zoning; and*
11. *Availability of suitable existing towers and other structures as discussed in Section 3-173 of this article.*

RECOMMENDATION

Staff suggested conditions are noted below, if approval should be recommended

1. The communications tower and related facilities shall be located within the 100' x 100' lease area as depicted on the Site Plan, entitled "Verizon Minter Lane, Walkerton, Virginia 23177," prepared by Dewberry Engineers Inc., dated 06.24.2026.
2. A four (4) foot strip of Leland cypress trees seven (7) feet in height at planting will be planted fifteen (15) feet apart and maintained around the exterior of the security fence throughout the term of the lease and/or completion of tower decommission, whichever is longer. Existing trees to the northwest and southwest of the site will remain to provide screening.

3. The communications tower will be a self-supporting lattice tower with a galvanized steel finish and shall be of a neutral color, subject to any applicable standards of the FAA. Dish antennas will be of a neutral, non-reflective color with no logos.
4. The communications tower will be designed to accommodate a total of four (4) users and to collapse within the lot lines of the subject property. Prior to the issuance of a building permit, the applicant will submit a report from a registered structural or civil engineer indicating the tower height, the total anticipated capacity of the structure and the area of potential impact in the event of a structural failure.
5. Subject to federal law, the height of the communications tower, including the lightning rod, will not exceed 199 feet above ground level.
6. The communications tower shall be enclosed by a ten (10) foot security fence with a one (1) foot of anti-climbing device for a total height of eleven (11) feet.
7. No advertising signage will be installed on the tower. Signage will be limited to warning signs or other signage associated with the operation of the tower and related antennas and equipment.
8. Any antenna or tower that is not operated for a continuous period of 6 months shall be considered abandoned, and the owner of such antenna or tower shall remove same within 90 days of receipt of notice from the governing authority notifying the owner of such removal requirement. Removal includes the removal of the tower, any and all footers; underground cables and support buildings. The buildings may remain with owner's approval. If there are two or more users of a single tower, then this provision shall not become effective until all users cease using the tower. If the tower is not removed per this section, the county may require the

landowner to have it removed.

9. All structures and activities at the property shall comply with all local, state and federal regulations, codes and laws.

Mrs. Sprouse noted the applicant as well as the landowner is present. Chairman Richardson invited the applicant to speak. Lisa Murphy, representing Vertical Bridge, came forward and provided a presentation regarding the proposed communications tower. Ms. Murphy discussed wireless service demand and explained the importance of the proposed Walkerton tower in addressing gaps in cellular coverage within King & Queen County. She also reviewed the site-selection process, wetlands located on the property, the proposed tower design, and photographs of the site. Ms. Murphy requested a recommendation of approval and stated that she would be available to answer questions.

Chairman Richardson thanked Ms. Murphy for her presentation and asked Mr. Mitchell, the landowner, if he wished to speak. Mr. Mitchell declined.

Chairman Richardson stated that Ms. Murphy would be asked to return following the public comment portion to answer questions. He then invited members of the public to come forward, asking each speaker to state their name and where they were from.

Bette Albert came forward to speak. Ms. Albert stated that she lives approximately 2.5 miles from downtown Walkerton on Canterbury Road and acknowledged that she is not an adjoining property owner but lives across the road from the property. She expressed concern regarding preserving the rural character and green space of King & Queen County. Ms. Albert referenced other communications towers in the Saint Stephens and Fleets Mill areas, noting that those towers are less visible because of existing trees, vegetation, and their placement on the properties. She stated that the proposed tower site would be more visible from the roadway. Ms. Albert also explained that she had ridden horses on the subject property for many years and was familiar with an existing access road closer to Canterbury Road that leads toward the back fields. She suggested that locating the tower farther toward the rear of the property and behind the existing tree line could reduce its visibility from Minter Lane and help preserve the area's rural appearance.

Ann Ryland Glubiak, who resides at 4049 Canterbury Road, came forward to speak. Ms. Glubiak stated that she does not oppose communications towers and recognizes the need for improved cellular service. However, she expressed concern regarding maintaining the rural character of the area and the visual impact of the proposed lattice tower. Ms. Glubiak stated that she had spoken with Ms. Murphy regarding the project and requested that two conditions be considered with any recommendation of approval: that a monopole design be used instead of the proposed lattice tower and that the tower footprint be shifted approximately 15 to 20 feet farther into the wooded area. Ms. Glubiak provided Commission members with a handout containing photographs of other communications towers in the area

and photographs of the proposed site. She explained that the photographs illustrated how other towers are screened by their placement and existing vegetation, while the proposed location would leave the tower more visible from the roadway. She reiterated her request that the tower be moved farther into the wooded area to help preserve the rural and scenic character of the area while still providing the needed cellular coverage.

Mrs. Sprouse informed Commission members that letters received regarding the application had been placed at their seats.

Ellen Gwathmey, who recently moved back to the County and resides at 776 Rosemont Road, came forward to speak. Ms. Gwathmey read two letters submitted by Ann Glubiak's children, Joshua Glubiak and Sommerville Ricker. Both letters supported the proposed communications tower with requested conditions that the tower utilize a monopole design and that its location be shifted farther into the wooded area.

Katherine Ryland Woodford, who resides in Essex County but grew up in King and Queen County, came forward and read a letter submitted by Ann Glubiak's son, Zachary Glubiak. The letter supported approval of the communications tower with conditions that a monopole design be used and that the tower be shifted approximately 15 to 20 feet farther into the wooded area.

Alfred Jones, who resides at 4054 Canterbury Road, came forward with several questions and comments. Mr. Jones asked about maintenance requirements for the property, including grass maintenance and replacement of screening trees if they die. Mrs. Sprouse explained that maintenance would be the responsibility of the landowner. Although the landowner could have an agreement with Verizon regarding maintenance, the County would look to the landowner for compliance. Mr. Jones also commented on the proposed screening vegetation. He expressed concern regarding the use of Leyland cypress because of its root system and susceptibility to canker. He suggested Green Giant Arborvitae if an evergreen species is required and also recommended consideration of native species, including Bald Cypress, Dawn Redwood, and Virginia Cedar.

Chairman Richardson closed the public hearing and opened the matter for discussion and questions by the Planning Commission. Ms. Murphy returned to answer questions from Commission members.

Discussion included the possibility of moving the tower closer to the tree line along Minter Lane, whether the field would continue to be farmed, and how the proposed site had been selected. Tommy Carroll of Dewberry was asked to come forward and explain the site-selection process. The Commission also discussed and sought clarification regarding the differences between monopole and lattice tower designs.

Following discussion, the Commission unanimously decided to defer action on CUP26-02 until its next meeting on October 6, 2026.

**B. ZA25-01 Zoning Text Amendment – Article 12, Chesapeake Bay Overlay District
(Public Hearing)**

Chairman Richardson opened the public hearing for ZA25-01, a request for a zoning text amendment to amend Article 12, Chesapeake Bay Overlay District ordinance per new legislative updates.

Chairman Richardson asked Mrs. Sprouse to review the request. Mrs. Sprouse noted public notice ran in the Tidewater Review and Rappahannock Times for 2 consecutive weeks in the August 19th & August 26th editions.

Mrs. Sprouse explained that the text amendment was required due to changes in state law affecting development within the Resource Protection Area (RPA) and RPA buffer. A model ordinance was provided to localities as guidance. She explained that the model ordinance was more restrictive than King & Queen County's existing ordinance; therefore, staff retained the County's existing ordinance and incorporated the provisions required by the legislative changes. Mrs. Sprouse stated that DEQ reviewed the proposed ordinance and determined that it was compliant. She then reviewed the highlights of the proposed amendments.

Bette Albert came forward to speak. Ms. Albert stated that she resides at 4054 Canterbury Road, approximately 30 feet from the Mattaponi River. She asked whether the proposed text amendment could affect planned work to stabilize the riverbank on her property. Mrs. Sprouse explained that the answer would depend upon the specific work being proposed and how it would be performed. Ms. Albert stated that she wanted to ensure the amendment did not contain provisions that could negatively affect the planned stabilization work.

Chairman Richardson closed the public hearing.

The Planning Commission discussed the proposed Zoning Text Amendment, including whether adoption of an ordinance was required and whether there would be consequences for failing to adopt the state-mandated provisions. It was explained that adoption was required and that failure to comply could result in penalties.

Mr. Coleman complimented staff's work in developing an ordinance tailored specifically to King & Queen County.

Mr. Fleming made a motion to approve ZA25-01, Zoning Text Amendment – Article 12, Chesapeake Bay Overlay District, in accordance with state law and as presented by staff, seconded by Mr. Massey.

Voting For: Bradley, Richardson, Wilson, Thomas, Coleman, Shackelford, Massey, Fleming
Voting Against: None
Abstain: None

Old Business

A. Review Chapter 3, King & Queen Zoning Ordinance Draft Amendments/ Revisions (Continued)

Planning Commission members received a tracking table showing the status of the ongoing zoning ordinance revisions. Mrs. Sprouse explained that the table identifies which ordinance provisions have been reviewed, which provisions are still being revised and have not yet been presented to the Planning Commission, and which provisions have proceeded to public hearing. The table is intended to help the Commission track the status and progress of the ordinance revisions.

Ms. Seay stated that the Board of Supervisors will most likely consider adoption of the ordinance revisions together rather than adopting each revision individually.

Mr. Richardson asked about the results of the Accessory Dwelling Unit (ADU) questionnaire. Mrs. Sprouse explained that several questions resulted in tied responses and some questions received no responses. Staff used the responses received as guidance in drafting the proposed ADU ordinance.

Ms. Seay explained that the primary focus of the evening's meeting was the scheduled public hearings and providing Commission members with the ordinance tracking table, which also identifies items for review before the next meeting.

Mrs. Sprouse noted that the items identified with an October 6, 2026 date are considered the "low-hanging fruit," or provisions requiring the fewest changes, and were provided as homework in an effort to continue making progress on the ordinance revisions.

Mrs. Sprouse stated that staff is drafting the ADU ordinance and plans to provide it to Commission members for review, redlining, and discussion. She also reported that she had met with VDOT regarding ADUs and entrance requirements

Staff's Comments

A. Upcoming Applications (if any)

- a. Mrs. Sprouse informed the Commission that an application had been received for a solar farm in the Buena Vista area on the Shirleyville property off Buena Vista Road.

B. Other Comments/ Updates (if any)

- a. Mrs. Sprouse reported that she visited the Walnut Solar site with Strata. She noted that significant improvements and progress had been made, although additional improvements are still needed, particularly to the roads.

- b. Mr. Berry commented on unfunded state mandates coming from Richmond and expressed concern regarding state overreach. He stated that, in his opinion, matters are best handled at the local level.

Commissioner's Comments

Mr. Massey no comment.

Mr. Thomas no comment.

Mr. Coleman no comment.

Mr. Wilson very productive meeting tonight.

Mr. Shackelford no comment.

Mr. Bradley no comment

Mr. Fleming said it was a pleasure to see all you gentleman this evening.

Mr. Richardson commented on paving along Route 33 in Gloucester County. He noted the difference in shoulder width between the Gloucester County and King & Queen County sides of Route 33, stating that the shoulder on the King & Queen County side appeared to be approximately one-third the width of the shoulder on the Gloucester County side.

Adjournment

Mr. Richardson noted that the next meeting is set for Tuesday, October 6, 2026, at 6 p.m.

There being no further business, motion was made by Mr. Coleman to adjourn, seconded by Mr. Shackelford.

Hunter Richardson, Chairman