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Planning Commission Meeting Minutes

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March 1, 2016

**VIRGINIA: AT A REGULAR MEETING OF THE PLANNING COMMISSION HELD IN THE POWHATAN VILLAGE BUILDING AUDITORIUM, 3910 OLD BUCKINGHAM ROAD IN POWHATAN COUNTY, VIRGINIA, MARCH 1, 2016 AT 7:00 PM**

**Planning Commissioners Present:** Owen Walker, District 2  
Jennifer Giovannitti, District 3  
Bill Cox, District 4  
David Van Gelder, District 5, Vice-Chairman

**Planning Commissioners Absent:** Karin Carmack, District 1, Chairman

**Staff Members Present:** March Altman, Deputy County Administrator  
Tom Lacheney, County Attorney  
Ed Howland, Planning & Zoning Manager

**Staff Members Absent:**

**A. CALL TO ORDER:**

Mr. Van Gelder called the meeting to order at 7:00 PM.

**B. INVOCATION:**

Mr. Van Gelder gave the invocation.

**C. MINUTES:**

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Mr. Van Gelder motioned for approval of minutes.

Mr. Walker, Ms. Giovannitti, Mr. Cox, Mr. Van Gelder voted AYE.

**VOTE 4-0  
MOTION Passed**

**D. ADMINISTRATIVE ITEMS:**

Mr. Altman asked if there were any questions on the Monthly Activity Report.

**1. Monthly Activity Report - January 2015-2016**

Mr. Altman asked if the Commission had any comments or questions regarding the monthly report.

**2. Request for Deferral/Amend the Agenda**

Mr. Altman requested a deferral of 16-01-REZC for 30 days to provide an opportunity for questions related to the ownership of the parcel involved in the rezoning request to be resolved.

Mr. Van Gelder moved for approval of the request to defer 16-01-REZC for 30 days.

Mr. Walker, Ms. Giovannitti, Mr. Cox, Mr. Van Gelder voted AYE.

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**VOTE 4-0  
MOTION Passed**

**E. PUBLIC COMMENT PERIOD**

Vice Chairman Van Gelder opened the public comment period.

Woody Cofer questioned what is required for 16-01-REZC.

Seeing as there were no more speakers, the public comment period was closed by Mr. Van Gelder.

**F. PRESENTATIONS:**

There were no presentations.

**G. PUBLIC HEARINGS**

Public hearing period was opened by Mr. Van Gelder to allow for persons to comment on the proffer reduction requests that were before the Commission for consideration.

Cameron Palmore with Balzer & Associates requested that the Commission take action to move the requests forward to the Board of Supervisors with no recommendation.

Phil Scott stated that he agreed with Mr. Palmore's comments, adding that the development community is not asking County to do away with cash proffers just to reduce them to a reasonable amount.

Seeing as there were no more speakers, Mr. Van Gelder closed the public hearing period and asked the Commission members if they had any questions or comments.

Mr. Cox stated he has concerns with reducing cash proffers. He stated that he does not like the proffer system, but it is the system that we have. He concluded by stating that he could not support the requests for reduction.

Ms. Giovannitti questioned why the amounts are all over the board.

Mr. Walker stated the Commission has basically stayed out of the cash proffer discussion and the in past the Commission has let the Board of Supervisors address the issue as the cash proffer policy was a Board policy. He stated that it would be his preference to move the cases forward without a recommendation.

Mr. Van Gelder asked if the Commission could move an item forward without a recommendation.

Mr. Lacheney informed that the Commission could move an item forward without taking a position on the issue.

Mr. Walker moved to send the reduced proffer requests to the BOS without a recommendation.

Mr. Van Gelder and Mr. Walker voting AYE, and Mr. Cox and Ms. Giovannitti voting NYE

**VOTE 2-2  
MOTION Denied**

Mr. Cox moved to recommend denial of the requests to reduce the cash proffer amounts.

Mr. Cox, Ms. Giovannitti, and Mr. Van Gelder voting AYE; and Mr. Walker voting NYE

**VOTE 3-1  
MOTION Approved**

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Ms. Giovannitti commented generally about the importance of maintaining a quality school system and providing modern facilities to meet the educational needs of the children in the community, and that proffers assist with addressing those commitments.

## H. Other Business

### 1. David Sowers Private Road Request – Huguenot Trail

Mr. Shaun Reynolds provided an overview of the revised proposal stating that Mr. Sowers has submitted a new development plan for the property that included both a public road and a private road within the boundary of the parcel. Mr. Reynolds stated that Mr. Sowers' sketch showed a public road intersecting Huguenot Trail leading south to a private road which serves only ten lots, and that the plan is based upon an entrance construction drawing that was submitted to VDOT for approval to serve a total of twenty-three lots, which was approved in March 2009. The proposed development does satisfy the concerns regarding the number of lots having access to the private road. This proposal also reduces the number of entrances onto Huguenot Trail. Mr. Reynolds concluded his report and indicated that staff recommended approval of the request.

Mr. Van Gelder asked Mr. Sowers if he wished to comment.

Mr. Sowers discussed his revised private road proposal with the Planning Commission.

Mr. Cox asked Mr. Reynolds about VDOT letter validity

Mr. Reynolds replied public road approval

Mr. Cox stated he will not support the request

Mr. Walker asked if Mr. Sowers would agree with public road standards all the way

Mr. Sowers replied it would be an economic decision at that time; private road would be built as a public road; PC does not approve public road; business philosophy is roads shall be public

Mr. Van Gelder commented more comfortable with a public road

Ms. Giovannitti added her application of removing driveway access to Rt. 711 but still needs time to review this

Mr. Walker stated PC has approved these in the past and can support request

Mr. Cox moved the Planning Commission deny the request submitted by Mr. Sowers for a 10-lot Private Road on Huguenot Trail west of Watkins Landing Road.

Ms. Giovannitti, Mr. Cox, Mr. Van Gelder voted AYE; Mr. Walker voted NAY

**VOTE 3-1**  
**MOTION Passed**

Ms. Giovannitti asked if staff reviews construction of private roads.

Mr. Reynolds replied that staff reviews the construction plans and that an engineer or surveyor has to certify the construction complies with the requirements of the County's Subdivision Ordinance. He added that VDOT reviews and oversees construction of public roads in the County.

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Mr. Van Gelder adjourned regular meeting and opened workshop meeting.

**I. WORKSHOP MEETING**

**1. Comprehensive Land Use Plan Update –**

The Planning Commission members and staff discussed the process for revising the Comprehensive Plan and restructuring how the update process would be handled in future workshops. The Commission discussed the importance of having the current zoning and land use maps and the future land use map as they discussed potential changes to the Plan. The Commission determined to restart the update process with a discuss of Part I of the current plan at the next workshop. After the discussion of Part I is completed and there is agreement on the revised language, then the Commission would move forward with reviewing each chapter of the plan. The Commission did not set specific dates for the review, agreeing that it was important to have agreement on the proposed revisions prior to moving forward.

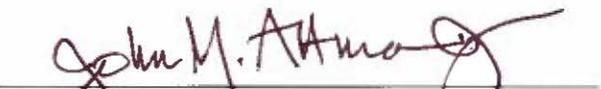
**J. ADJOURNMENT**

Mr. Van Gelder adjourned the meeting at 8:22 PM.



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David Van Gelder  
Vice Chairman



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John M. Altman, Jr.  
Deputy County Administrator