

November 27, 2007

County of Greene, Virginia

THE CONTINUED MEETING OF THE GREENE COUNTY BOARD OF SUPERVISORS WAS HELD ON TUESDAY, NOVEMBER 27, 2007 AT 5:30 P.M. IN THE COUNTY MEETING ROOM.

Present were: Steve Catalano, Chairman  
Clarence Peyton, Vice Chairman  
Jeri Allen, Member  
Mickey Cox, Member  
Patsy Morris, Member  
Ray Clarke, County Attorney  
Barry Clark, County Administrator  
Kim Morris, Acting Deputy Clerk  
Tracy Morris, Finance Director

RE: EXECUTIVE SESSION

Upon motion by Jeri Allen and unanimous vote, the Board entered into Executive Session to discuss legal and personnel matters pursuant to Section 2.2-3711 Subsection (a, 1-7) of the Code of Virginia.

**Contract Matters:**

- Water and sewer
- Cell phone tower
- Trash disposal
- Snow removal

**Land Acquisition:**

- Water and sewer

**Personnel:**

- Personnel position study

Recorded vote:	Steve Catalano	-	Yes
	Clarence Peyton	-	Yes
	Jeri Allen	-	Yes
	Mickey Cox	-	Yes
	Patsy Morris	-	Yes

Motion carried.

Upon motion by Jeri Allen and unanimous vote, the Board returned to Open Session.

Recorded vote:	Steve Catalano	-	Yes
	Clarence Peyton	-	Yes
	Jeri Allen	-	Yes
	Mickey Cox	-	Yes
	Patsy Morris	-	Yes

Motion carried.

By unanimous vote, all members certified that only public business matters lawfully exempted from the Open Meeting requirement and only such matters as identified by the motion to enter into Executive Session were discussed.

Recorded vote: ,	Steve Catalano	-	Yes
	Clarence Peyton	-	Yes
	Jeri Allen	-	Yes
	Mickey Cox	-	Yes
	Patsy Morris	-	Yes

Motion carried.

RE: PUBLIC HEARING - STEWART WOOD/SHARON LLOYD/VICKI HENDRIX/KEVIN WOOD TO REZONE 3.2 ACRE TRACT LOCATED ON SEMINOLE TRAIL/LAKE SAPONI DRIVE (RZ#07-003)

Mr. Bart Svoboda, Zoning Administrator, reviewed the request from Stewart Wood/Sharon Lloyd/Vicki Hendrix/Kevin Wood to rezone from R-1, Residential, to B-3, Business, a 3.2 acre tract located on Seminole Trail/Lake Saponi Drive and identified on County Tax Maps as 66A-(A)-1. (RZ#07-003)

The Planning Commission recommended approval with the following additional proffer suggestions:

- Excluding substations and telecommunication antenna/towers from permitted uses.
- Providing 20 foot wide landscaped screening between the parcel and the adjacent parcel 66A-8-S1B.

Ms. Sharon Lloyd and Ms. Vicki Hendrix, applicants, were present to discuss their request.

The Chairman opened the floor for public comment. Mr. Larry Gay, adjoining property owner, expressed concern regarding the proposed rezone and felt existing commercial property should be developed prior to any additional commercial rezones. Mr. Lee Estes spoke in support of the rezone.

Board member Jeri Allen was concerned about the volume of traffic that could be generated by several of the allowed uses.

Board member Patsy Morris said she would like to know what use is proposed and agreed that traffic is also issue.

Mr. Svoboda said the proposed access is off Lake Saponi Drive. He said the Planning Commission also had similar concerns about access off Route 29.

Vice Chairman Clarence Peyton said he could not support the request without necessary screening. Mrs. Morris also indicated she could not support this request without proper buffers and fencing to block it from Lake Saponi.

Mr. Ray Clarke, County Attorney, re-emphasized that any use not proffered away will be allowed on the property. He also reminded everyone that the Board cannot bargain for proffers.

Board member Mickey Cox felt this property should be zoned commercial and also wanted to protect the adjoining property owners.

The Chairman said this parcel is in the business growth area. Traffic impacts will be limited by right in/right out scenario. A lot of concerns are covered by site plan review process.

Upon motion by Clarence Peyton and unanimous vote, the Board deferred action on this request to December 11, 2007 to allow applicant to address site plan, traffic pattern and adequate screening.

Recorded vote:	Steve Catalano	-	Yes
	Clarence Peyton	-	Yes
	Jeri Allen	-	Yes
	Mickey Cox	-	Yes
	Patsy Morris	-	Yes

Motion carried.

RE: ACTION ON THE REQUEST FROM DEAN COLLIER, LLC TO REZONE A 46.76 ACRE TRACT AND A 2.00 ACRE TRACT LOCATED ON CARPENTERS MILL ROAD (RZ#05-165)

Mr. Svoboda, Zoning Administrator, reviewed the request from Dean Collier, LLC to rezone, from A-1, Agricultural, to SR, Senior Residential, a 46.76 acre tract and a 2.00 acre tract located on Carpenters Mill Road and identified on County Tax Maps as 60-(A)-42 and 42A. A public hearing was held previously on December 13, 2005.

Mr. Steve Jones, representative of the applicant, was present to discuss the request.

The Chairman allowed comments from the public. Mr. Lee Estes felt there is too much that is unknown (i.e. water, sewer, traffic, etc.) to allow the Board to vote on this request at this time. Mr. Matt Strauss was concerned about the amount of the proffer offered.

Board member Jeri Allen felt senior residential development is the best kind of economic development because the County benefits from property values, taxpayers who contribute far more than consumed, customers, volunteers, etc. The proffers are in accordance with the policy.

Board member Mickey Cox agreed and noted surrounding localities have revenue recovery for emergency services.

Vice Chairman Clarence Peyton questioned the combining of the previous approval and this request to total 600 units. He asked about the interconnectivity of the road between Route 616 and Route 33. Mr. Jones said the road will be private due to the development being a gated community. The main entrance to the development will be off Route 33.

Mr. Peyton was concerned about the volume of traffic on Route 33 noting the congestion at the intersection of Route 33 and Route 29. Mr. Jones said approval of this request will only add 200 more units.

Mr. Svoboda said this parcel is in the growth area of the existing Comprehensive Plan. VDOT has indicated the increase in traffic should be negligible due to the additional units.

Mr. Jones said the developer will pay for the infrastructure for the development. Water and sewer access is available on Carpenter's Mill Road.

Mr. Peyton expressed concern that the County has only one source for a water supply and said the Board is working on water impoundment. Mrs. Morris agreed with concerns regarding water supply and noted the potential impact on fire and rescue services.

The Chairman felt senior residential development is beneficial to the economic development in the County.

Upon motion by Jeri Allen and affirmative vote, the Board approved the request from Dean Collier, LLC to rezone, from A-1, Agricultural, to SR, Senior Residential, a 46.76 acre tract and a 2.00 acre tract located on Carpenters Mill Road and identified on County Tax Maps as 60-(A)-42 and 42A. (RZ#05-165) with acceptance of submitted proffers dated July 13, 2007 and supplemented August 22, 2007.

Recorded vote:	Steve Catalano	-	Yes
	Clarence Peyton	-	No
	Jeri Allen	-	Yes
	Mickey Cox	-	Yes
	Patsy Morris	-	No

Motion carried.

RE: PUBLIC HEARING TO CONSIDER PROPOSED AMENDMENT TO THE GREENE COUNTY ZONING ORDINANCE REGARDING CLUSTER AREA SETBACKS (AND ALL OTHER APPLICABLE ARTICLES) (OR#07-008)

Mr. Svoboda reviewed the proposed amendment which will allow smaller setback requirements in cluster areas.

Mr. Steve Jones, representative of the applicant, said the amendment would allow bigger houses with less yard to take care of in the cluster area and will not affect any building code issue.

There were no comments from the public.

The Board, upon motion by Jeri Allen and unanimous vote, approved the proposed amendment to the Greene County Zoning Ordinance regarding Cluster Area Setbacks (and all other applicable Articles) (OR#07-008) (See Planning Department for text)

Recorded vote:	Steve Catalano	-	Yes
	Clarence Peyton	-	Yes
	Jeri Allen	-	Yes
	Mickey Cox	-	Yes
	Patsy Morris	-	Yes

Motion carried.

RE: PUBLIC HEARING TO CONSIDER PROPOSED AMENDMENT TO THE GREENE COUNTY ZONING ORDINANCE REGARDING LIGHTING AND LANDSCAPING (AND ALL OTHER APPLICABLE ARTICLES) (OR#-07-009)

Mr. Svoboda reviewed the proposed amendment which will apply to all site plans or site plan amendments approved after the effective date of the ordinance.

The purpose is to provide sufficient screening yards so that neighboring properties are screened from any adverse effects of development. The landscape standards are for the installation and maintenance of plant materials which promote public health, safety and welfare; to provide conservation of energy by providing shade and wind breaks; to promote areas which help reduce run-off and to recharge groundwater; to improve air quality; and to assist in minimizing noise, dust and glare.

The purpose and intent of the outdoor lighting standards is to establish outdoor lighting standards that reduce the impacts of glare, light trespass and over lighting; promote safety and security; and encourage energy conservation. The regulations shall apply to the installation of new outdoor lighting fixtures or the replacement of existing outdoor fixtures other than routine maintenance.

The Board discussed the enforcement of these regulations. Mrs. Allen suggested that all outdoor lighting be reduced by at least 50% within one hour after the close of business unless the owner could demonstrate security issues.

The Chairman opened the floor for public comment. Mr. Dennis Friedrich suggested several changes to the proposed amendment regarding the use of plants native to Virginia, the size of plants to be used, directing lights to the interior of property, and the use of full cutoff fixtures. Mr. Jay Willer also suggested using native plants.

Board member Patsy Morris expressed concern that the lighting regulations would control residential areas and felt neighbors should handle issues themselves.

After further discussion, the Board, upon motion by Jeri Allen and unanimous vote, approved the amendment to the Greene County Zoning Ordinance regarding lighting and landscaping (and all other applicable Articles) (OR#-07-009) (See Planning Department for text)

Recorded vote:	Steve Catalano	-	Yes
	Clarence Peyton	-	Yes
	Jeri Allen	-	Yes
	Mickey Cox	-	Yes
	Patsy Morris	-	Yes

Motion carried.

RE: RECESS

The Chairman called a five minute recess.

RE: MATTERS FROM THE PUBLIC

TRAFFIC SIGNAL

Mr. Matt Strauss asked the status for the conversion of the flashing signal at the intersection of Route 33 and Celt Road to a fully operational traffic signal. The Board directed the County Administrator to send a letter to VDOT regarding the project.

RE: CONSENT AGENDA

Upon motion by Jeri Allen and unanimous vote, the Board approved the following items on the consent agenda:

- Minutes of November 13, 2007 meeting.
- Resolution to accept Neil Court, Sterling Lamm Drive, and Angie Place in Sterling Heights Subdivision into the State Secondary Road System. (See Attachment "A")

Recorded vote:	Steve Catalano	-	Yes
	Clarence Peyton	-	Yes
	Jeri Allen	-	Yes
	Mickey Cox	-	Yes
	Patsy Morris	-	Yes

Motion carried.

RE: OTHER MATTERS FROM THE BOARD

EMERGENCY RADIO PROJECT

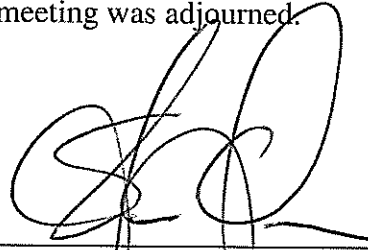
The Chairman said the Emergency Services subcommittee met to review the request for proposals for Phase 1 of the project and agreed to proceed.

PIEDMONT WORKFORCE NETWORK

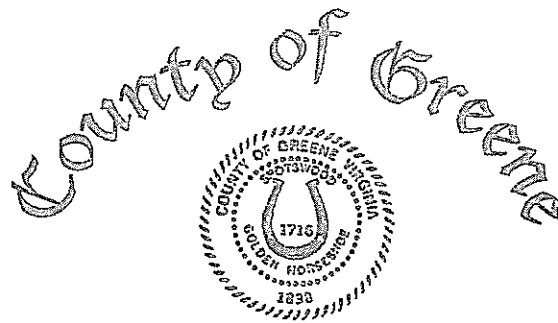
Mrs. Allen said Todd Palmquist, Director of the Piedmont Workforce Network, has resigned.

RE: ADJOURN MEETING

As there was no further business, the meeting was adjourned.

A handwritten signature in black ink, appearing to be 'SC', written over a horizontal line.

Steve Catalano, Chairman  
Greene County Board of Supervisors



BOARD OF SUPERVISORS  
POST OFFICE BOX 358  
STANARDSVILLE, VIRGINIA 22973  
TELEPHONE: 434-985-5201

### RESOLUTION

November 27, 2007

WHEREAS, the streets described on the attached Additions Form SR-5 (A), fully incorporated herein by reference, is shown on a plat recorded in the Clerk's Office of the Circuit Court of Greene County, and

WHEREAS, the Resident Engineer for the Virginia Department of Transportation has advised this Board the streets meet the requirements established by the Subdivision Street Requirements of the Virginia Department of Transportation, and

NOW, THEREFORE, BE IT RESOLVED, this Board requests the Virginia Department of Transportation to add the streets described on the attached Additions Form SR-5(A) to the secondary system of state highways, pursuant to 33.1-229, Code of Virginia, and the Department's Subdivision Street Requirements, and

BE IT FURTHER RESOLVED, this Board guarantees a clear and unrestricted right-of-way, as described, and any necessary easements for cuts, fills and drainage, and

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Resident Engineer for the Virginia Department of Transportation.

Adopted in open meeting on November 27, 2007.

A Copy Teste:

Barry J. Clark  
County Administrator

11/27/07  
Date

Recorded Vote:	Jeri Allen	-	Yes
	Mickey Cox	-	Yes
	Clarence Peyton	-	Yes
	Pat Morris	-	Yes
	Steve Catalano	-	Yes