

A regular meeting of the Westmoreland County Planning Commission was held on February 1, 2010, in the A. T. Johnson Alumni Museum, located at 18849 Kings Highway in Montross, VA. Those members present were John Muenzen, James Coates, Elwood Carey, Richard Moncure and John Felt. Beth McDowell and Charlie Wrightson, Planners as well as Robert Fink, Director, Planning & Zoning and Thomas Bondurant, Jr., County Attorney were also present.

CALL TO ORDER

Chairman Felt called the meeting to order at 1:33 p.m. The roll was called and a quorum was declared.

PRIOR MINUTES

Chairman Felt asked if everyone had received a copy of the January 2010 minutes. He then asked if there were any additions or corrections. Mr. Carey moved that the minutes be approved as submitted. Mr. Coates seconded the motion; it carried with a unanimous vote.

COMMISSION'S CONCERNS

Chairman Felt requested a status report on the relocation of the pole light located at the Oak Grove park-n-ride during the January meeting and there was no new information to report.

Chairman Felt then asked about the Leedstown violation. Mr. Wrightson told the board that DCR had determined that there was a perennial stream on the property and the owners were working with the state to design a mitigation and Best Management Practice Plan.

Mr. Coates asked that regulatory measures be taken at the Colonial Beach Dragstrip and Frank Innarelli's Mudbug .

CASE 0911-CBAE-02 - REQUEST BY RICHARD THOMPSON, 708 FITHIANS LANE, HAGUE, VA 22469- TO PERMIT THE CONSTRUCTION OF A NEW HOME WITHIN THE 100 FOOT RESOURCE PROTECTION AREA WITH THE EXISTING CARRIAGE HOUSE AND DRIVEWAY IN A A-1, AGRICULTURAL DISTRICT, ON PROPERTY DESCRIBED AS NOMINI HALL FARM SUBDIVISION, LOT B1 AS SHOWN ON ZONING DISTRICT MAP 46C, MONTROSS MAGISTERIAL DISTRICT.

After discussion, presentation by Charlie Wrightson, and public comment, Mr. Moncure moved to approve Case # 0911-CBAE-02 with the following conditions:

1. The Planning Commission shall grant a Bay Act Exception. Any future modification shall require re-submittal and approval.
2. The location of the structure shall be according to the site plan dated January 27, 2010.
3. No additional development will be permitted on the property except in compliance with the Zoning Ordinance.
4. All future accessory structures shall be located outside of the 100 foot buffer of the RPA.
5. This Bay Act Exception shall be granted approval with the condition that all applicable permits be submitted and approved within 365 days from the date of approval. Should the owner fail to obtain these permits this Bay Act Exception shall be declared null and void.
6. All necessary local, state and federal plan application(s), review and approval processes shall be complied with and adhered to.
7. Failure to abide by these requirements or conditions will result in the immediate revocation of the variance.

8. The applicant shall monitor the site for compliance, with a wall check for the foundation by a licensed surveyor.

This Bay Act Exception is not valid until the following items are completed:

1. The document is recorded in the Grantor index of the land records of the Circuit Court of the county in which the property exists.
 2. The owner or his agent shall furnish to the Westmoreland County Land Use Administration certification by the Clerk of the Circuit Court of the Deed book Number and page Number upon which the Bay Act Exception and all conditions have been recorded. The Deed Book number and page number must be placed on all copies of the Bay Act Exception approval prior to giving validation to the Building Official for issuance of a building permit.
 3. The Bay Act Exception shall become effective one day after the Westmoreland County Land Use office receives notification of recordation.
- Mr. Coates seconded the motion; it carried with a unanimous vote.

Review of Article 2 of the Zoning Ordinance

Mr. Coates moved to propose the following changes: change "Conventional Sewage Treatment Works" to Special Exception in (B-1,B-2,B-3,M-1,S-1) change Laboratory, Research & Development to Special Exception in (B-1) and change "Motels" to Special Exception in (B-1) of Article 2 of the Zoning Ordinance. Mr. Carey seconded; the motion carried with a unanimous vote.

Jerry Davis/ Comprehensive Plan draft

The Planning Commission requested additional attention be given to the transportation section of the Comprehensive Plan.

Mr. Carey noted that the Comprehensive Plan incorrectly identified the Washington District Elementary School (K-5) as having been built in the 50's. He stated that building was demolished and there was a new building built in the 80's.

Chairman Felt requested the Land Use staff to determine which nights A. T Johnson would be available for special work sessions during the month of April.

ADJOURNMENT

There being no other business to come before the Board, Mr. Coates moved that they adjourn. Mr. Carey seconded and the motion carried by unanimous vote with the meeting adjourning at 3:00 p.m.
